



# **KNOX CITY COUNCIL**

# **MINUTES**

Ordinary Meeting of Council

Held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 23 January 2017

**KNOX CITY COUNCIL**

**MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE  
CIVIC CENTRE, 511 BURWOOD HIGHWAY, WANTIRNA SOUTH**

**ON**

**MONDAY 23 JANUARY 2017 AT 7.00 P.M.**

**PRESENT:**

<i>Cr D Pearce (Mayor &amp; Chairperson)</i>	<i>Taylor Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr J Mortimore</i>	<i>Chandler Ward</i>
<i>Cr J Taylor</i>	<i>Collier Ward</i>
<i>Cr A Gill</i>	<i>Dinsdale Ward</i>
<i>Cr J Keogh</i>	<i>Dobson Ward</i>
<i>Cr T Holland</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>
<i>Mr T Doyle</i>	<i>Chief Executive Officer</i>
<i>Dr I Bell</i>	<i>Director – Engineering &amp; Infrastructure</i>
<i>Mr S Dickson</i>	<i>Acting Director - City Development</i>
<i>Ms J Truman</i>	<i>Director – Corporate Development</i>
<i>Ms T Clark</i>	<i>Acting Director – Community Services</i>
<i>Ms F Cousins</i>	<i>Manager - Governance &amp; Innovation</i>

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

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

**BUSINESS:****Page Nos.****1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

Nil.

**2. DECLARATIONS OF CONFLICT OF INTEREST**

Nil.

**3. CONFIRMATION OF MINUTES**

MOVED: CR. HOLLAND  
SECONDED: CR. COOPER

3.1 *Confirmation of Minutes of Ordinary Meeting of Council held on Tuesday 20 December 2016*

CARRIED

**4. PETITIONS AND MEMORIALS**

4.1 Councillor Taylor presented a petition with 528 signatories objecting to the proposed multi-dwelling development at 36-38 Cavendish Avenue, Wantirna.

*The Petition lay on the table.*

4.2 Councillor Gill presented a petition with 182 signatories requesting Council to review the position of Guy Turner Reserve on the list of reserves that need Major capital works, specifically re-surfacing of the pitch to make it playable all year round.

*The Petition lay on the table.*

4.3 *Memorial*

*Cr Taylor sought leave to move a procedural motion to enable Council and those present in the gallery, the opportunity to take a minute of silent reflection following the tragedy that unfolded in the heart of Melbourne on Friday.*

*"Words cannot truly describe the sadness all Victorians share with one another after the events of last Friday.*

*In a place where people met for lunch, and to enjoy time together, lives were lost and forever scarred. It could have been any of us. I would like to thank our emergency services workers for their tireless work and to all those bystanders who gave of themselves at a moment's notice to help others in need. So in honour of the people who lost their lives, and those many others directly injured and affected. I would like to call on everyone here tonight to stand with our Council for one minute's silence."*

**PROCEDURAL MOTION**

MOVED: CR. TAYLOR  
SECONDED: CR. HOLLAND

That Council suspend Standing Orders for the purpose of taking a minute's silence in honour of the people who lost their lives and those many others directly injured and affected by the tragedy that unfolded in the heart of Melbourne on Friday, 20 January 2017.

CARRIED

MOVED: CR. TAYLOR  
SECONDED: CR. HOLLAND

That Standing Orders be resumed.

CARRIED

**5. REPORTS BY COUNCILLORS**

- |     |                                   |           |
|-----|-----------------------------------|-----------|
| 5.1 | <i>Committees &amp; Delegates</i> | <b>1.</b> |
| 5.2 | <i>Ward Issues</i>                | <b>1.</b> |

**6. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE CITY DEVELOPMENT GROUP**

- |                                   |   |             |
|-----------------------------------|---|-------------|
| <b>All Wards</b>                  |   |             |
| 6.1                               | <i>Report Of Planning Applications Decided Under Delegation (160/1/06)</i>  | <b>3.</b>   |
| <b>Collier Ward</b>               |   |             |
| 6.2                               | <i>Application for the Construction of Five (5) Double Storey Dwellings and Two (2) Single Storey Dwellings (Total Seven (7) Dwellings) at 36 and 38 Cavendish Avenue, Wantirna (Application No. P/2016/6439)</i> | <b>11.</b>  |
| <b>Dinsdale Ward</b>              |   |             |
| 6.3                               | <i>Application for the Development of Three (3) Double Storey Dwellings and Three (3) Triple Storey Dwellings (Total Six (6) Dwellings) at 3 Harris Grove, Bayswater (Application No. P/2016/6463)</i>            | <b>53.</b>  |
| <b>Baird Ward</b>                 |   |             |
| 6.4                               | <i>Application for the Construction of Five (5) Double Storey Dwellings and Two (2) Single Storey Dwellings (Total Seven (7) Dwellings) at 14 Sinclair Road, Bayswater (Application No. P/2016/6324)</i>          | <b>86.</b>  |
| <b>Dobson Ward</b>                |   |             |
| 6.5                               | <i>Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report</i>   | <b>122.</b> |
| <b>Collier and Dinsdale Wards</b> |   |             |
| 6.6                               | <i>Response to Call Up Item – Healesville Corridor Land Availability</i>  | <b>137.</b> |

**7. PUBLIC QUESTION TIME**

(Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will be deferred to consider questions submitted by the public). **152.**

**8. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE ENGINEERING & INFRASTRUCTURE GROUP**

**All Wards**

8.1 *Council's Open Space and Activity Centre Masterplan Status* **155.**

**All Wards**

8.2 *Metropolitan Waste and Resource Recovery Group (MWRRG) Contract No. 2015/9 – Receiving and Processing Services for Organic Wastes for Certain Councils in the Eastern Suburbs of Melbourne* **171.**

**9. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE COMMUNITY SERVICES GROUP**

**All Wards**

9.1 *Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019* **177.**

**All Wards**

9.2 *Annual Report – Early Years Advisory Committee and Appointment of Community and Professional Representatives* **191.**

**All Wards**

9.3 *Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference* **201.**

**10. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE CORPORATE DEVELOPMENT GROUP**

**All Wards**

10.1 *Incidental Community Grants Program Applications* **220.**

**11. ITEMS FOR INFORMATION**

**All Wards**

11.1 *Assemblies of Councillors* **226.**

<b><u>12.</u></b>	<b><u>MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN</u></b>	<b>233.</b>
12.1	<i>Notice of Motion – No. 53</i>	<b>233.</b>
<b><u>13.</u></b>	<b><u>SUPPLEMENTARY ITEMS</u></b>	<b>233.</b>
<b><u>14.</u></b>	<b><u>URGENT BUSINESS</u></b>	<b>233.</b>
14.1	<i>Urgent Business</i>	<b>219.</b>
14.2	<i>Call Up Items</i>	<b>219.</b>
14.2.1	<i>Annual Architecture Awards</i>	<b>233.</b>
14.2.2	<i>Disadvantage in Knox</i>	<b>234.</b>
<b><u>15.</u></b>	<b><u>QUESTIONS WITHOUT NOTICE</u></b>	<b>234.</b>

TONY DOYLE  
CHIEF EXECUTIVE OFFICER

## **5. REPORTS BY COUNCILLORS**

### **5.1 Committees & Delegates**

#### **5.1.1 COUNCILLOR JAKE KEOGH**

Councillor Keogh attended the following Meetings:

- Tour of Significant Sites in Knox
- Ferntree Gully Football Club
- Wantirna Residents Action Group
- Australian Institute of Company Directors – Company Directors Course

#### **5.1.2 COUNCILLOR JACKSON TAYLOR**

Councillor Taylor attended the following Meetings

- Tour of Significant Sites in Knox
- Community Safety Meeting
- Town Planning Meetings x 2

#### **5.1.3 COUNCILLOR LISA COOPER**

Councillor Cooper attended the following Meetings

- State Basketball Centre Opening Ceremony

#### **5.1.4 COUNCILLOR ADAM GILL**

Councillor Gill attended the following Meetings

- Bayswater Park Cricket Club T20 Charity Match

#### **5.1.5 COUNCILLOR NICOLE SEYMOUR**

Councillor Seymour attended the following Meetings

- Minister Rick Holland re Scoresby Village

### **5.2 Ward Issues**

#### **5.2.1 COUNCILLOR KEOGH (DOBSON WARD)**

- Councillor Keogh noted his intention to discuss installing improved signage and the quality of visitor maps for the 1000 steps with Council officers.

## **5.2 Ward Issues (cont'd)**

### **5.2.2 COUNCILLOR TAYLOR (COLLIER WARD)**

- Councillor Taylor noted his attendance at meetings discussing freeing up land for new sporting reserves. Councillor Taylor informed his fellow councillors that a potential land swap has received a positive reaction from stakeholders.
- Councillor Taylor noted his concern on the state of weeds around the Wantirna area and stated he intends to discuss this issue with the relevant Director and Council officers.

### **5.2.3 COUNCILLOR SEYMOUR (TIRHATUAN WARD)**

- Councillor Seymour noted that as a consequence of a dry summer and high winds she has received a number of complaints relating to leaves and tree debris clogging streets. Councillor Seymour stated she intends to discuss this issue and the possibility of increasing street sweeping with relevant staff.
- Councillor Seymour noted she had received a number emails relating to planning issues and acknowledged that there is currently concentrated development occurring across Rowville; and the entire City of Knox.
- Councillor Seymour noted her intentions to follow up local laws issues with the relevant Director and Council officers later this week.

### **5.2.4 COUNCILLOR MORTIMORE (CHANDLER WARD)**

- Councillor Mortimore noted the concern raised by a former citizen of the year that there is no potential for retired residents to downsize from their large blocks and purchase a property in the same neighbourhood. Councillor Mortimore acknowledged that this is an issue also faced by Councillor Keogh and that they will be investigating ways to remedy this.
- Councillor Mortimore provided an update on the significant works occurring at Colchester Reserve and stated that the reserve is close to being useable again.
- Councillor Mortimore acknowledged the Summer Series concert in the park that occurred over the weekend. Councillor Mortimore noted that over 100 people attended the park to listen to jazz music and that it was a great show. Council was praised by the organiser for their assistance with the event.



**ALL WARDS****6.1 REPORT OF PLANNING APPLICATIONS DECIDED UNDER DELEGATION**

**SUMMARY:** *Manager – City Planning & Building (Paul Dickie)*

*Details of planning applications considered under delegation are referred for information. It is recommended that the items be noted.*

**RECOMMENDATION**

**That the planning applications decided under delegation report (between 1 December to 31 December 2016) be noted.**

**REPORT**

Details of planning applications decided under delegation from 1 December to 31 December 2016 are attached. The applications are summarised as follows:

<b>Application Type</b>	<b>No</b>
Building & Works: Residential	4
Other	5
Units	29
Tree Removal/Pruning	19
Subdivision	15
Single Dwelling	6
Change of Use	6
Fencing	1
Liquor Licence	1
Boundary Realignment	1
Removal of Reserve Status	1
Mixed use (commercial/residential) development	1
Signage	1
<b>TOTAL</b>	<b>90</b>

**COUNCIL RESOLUTION**

MOVED: CR. MORTIMORE

SECONDED: CR. KEOGH

That the planning applications decided under delegation report (between 1 December to 31 December 2016) be noted.

CARRIED

**Knox City Council**  
**Planning Applications Decided by Responsible Officer**

1 – 31 December 2016

Ward	No/Type	Address	Description	Decision
Baird	2016/6294	9 Sinclair Road BAYSWATER VIC 3153	The construction of three (3) dwellings on the land (two (2) double storey and one (1) single storey)	5/12/2016 Notice of Decision
Baird	2016/6586	5 Loretto Avenue FERNTREE GULLY VIC 3156	Development of the land for two (2) single storey dwellings and a 2 Lot subdivision	9/12/2016 Approved
Baird	2016/6478	11 Iris Crescent BORONIA VIC 3155	Development of the land for seven (7) double storey dwellings	12/12/2016 Notice of Decision
Baird	2016/6688	20/50 Dorset Square BORONIA VIC 3155	3 lot subdivision (Existing Building)	16/12/2016 Approved
Baird	2016/6732	135 Burke Road FERNTREE GULLY VIC 3156	2 Lot subdivision (Approved Unit Site)	19/12/2016 Approved
Baird	2016/9140	11 Paton Crescent BORONIA VIC 3155	Three lot subdivision	20/12/2016 Approved
Baird	2016/6766	4 Corporate Boulevard BAYSWATER VIC 3153	To use 162.42sqm of floor space as restricted retail premises and an associated reduction of car parking spaces	20/12/2016 Approved
Baird	2016/6665	10 & 12 Catesby Court BORONIA VIC 3155	Boundary re-alignment	22/12/2016 Approved
Baird	2016/6793	2/20 Laurel Avenue BORONIA VIC 3155	Use of the land for animal husbandary (breeding cats)	23/12/2016 Notice of Decision
Baird	2016/6547	45 Hazelwood Road BORONIA VIC 3155	The construction of three (3) double storey dwellings and one (1) single storey dwelling (total of four (4) dwellings)	23/12/2016 Notice of Decision
Baird	2015/6754	33 Springfield Road BORONIA VIC 3155	The construction of three (3) double storey dwellings to rear of the existing dwelling	23/12/2016 Notice of Decision
Chandler	2016/9133	7 Judith Avenue BORONIA VIC 3155	Pruning of one Cedrus deodara tree	1/12/2016 Approved

Ward	No/Type	Address	Description	Decision
Chandler	2016/6773	18 Hastings Avenue BORONIA VIC 3155	Construction of dwelling additions and carport	5/12/2016 Approved
Chandler	2016/6474	1/98 Albert Avenue BORONIA VIC 3155	Construction of one (1) double storey dwelling and the removal of vegetation	6/12/2016 Notice of Decision
Chandler	2016/6467	47R & 49 Albert Avenue BORONIA VIC 3155	Development of the land for two (2) single storey dwellings	7/12/2016 Approved
Chandler	2016/6628	5/51 Kalman Drive BORONIA VIC 3155	Change of Use (Animal Husbandry - Cattery)	7/12/2016 Notice of Decision
Chandler	2016/6564	58 Albert Avenue BORONIA VIC 3155	Development of a double storey dwelling to the rear of the existing dwelling	8/12/2016 Notice of Decision
Chandler	2016/6841	2/11 Girdwood Road BORONIA VIC 3155	Removal of one Eucalyptus obliqua and three Allocasuarina torulosa	14/12/2016 Approved
Chandler	2016/6782	41 Augusta Road THE BASIN VIC 3154	Remove 2 Cypress trees	14/12/2016 Approved
Chandler	2016/9142	1/3 Green Street BORONIA VIC 3155	Removal of one (1) dead Eucalyptus tree	20/12/2016 Approved
Chandler	2016/6885	20 Hillside Avenue BORONIA VIC 3155	Removal of a Eucalyptus obliqua, the pruning of a Eucalyptus sideroxylon and the habitat pruning of a Eucalyptus goniocalyx.	20/12/2016 Approved
Chandler	2016/6873	106 Inverness Avenue THE BASIN VIC 3154	Addition to existing dwelling	21/12/2016 Approved
Chandler	2016/6714	34 Moncoe Street BORONIA VIC 3155	Buildings and Works (Carport and Verandah) and vegetation removal	22/12/2016 Approved
Chandler	2016/6875	6 Albert Avenue BORONIA VIC 3155	Removal and pruning of trees	22/12/2016 Approved
Chandler	2016/6907	3 Sassafras Court BORONIA VIC 3155	Removal of two trees (Melaleuca styphelioides and Melaleuca armillaris)	28/12/2016 Approved
Chandler	2016/9145	1/9 Elsie Street BORONIA VIC 3155	Remove one tree	28/12/2016 Approved

Ward	No/Type	Address	Description	Decision
Collier	2016/6516	Knox Pvt Hospital 262 Mountain Highway WANTIRNA VIC 3152	Buildings and works associated with the expansion of the existing hospital, including an increase in beds and associated parking (Stage 3)	16/12/2016 Approved
Collier	2015/6619	14 Juniper Road WANTIRNA VIC 3152	The construction of two (2) double storey dwellings on the land	20/12/2016 Notice of Decision
Collier	2016/9143	16 Attenborough Square WANTIRNA VIC 3152	Single dwelling and garage on land subject to SBO	30/12/2016 Approved
Dinsdale	2016/6535	239 Stud Road WANTIRNA SOUTH VIC 3152	On premises liquor licence associated with a restaurant	2/12/2016 Approved
Dinsdale	2016/6814	25 Orange Grove BAYSWATER VIC 3153	Buildings and works (extension and alterations to existing primary school)	6/12/2016 Approved
Dinsdale	2016/6473	7 Claude Street BAYSWATER VIC 3153	Construction of two (2) double storey dwellings and one (1) single storey dwelling	13/12/2016 Notice of Decision
Dinsdale	2016/6736	13 Waranga Road BAYSWATER VIC 3153	2 Lot subdivision (Approved Unit Site)	20/12/2016 Approved
Dinsdale	2016/6747	20 Westham Crescent BAYSWATER VIC 3153	3 Lot subdivision (Approved Unit Site)	20/12/2016 Approved
Dinsdale	2016/6441	3 Russell Crescent BORONIA VIC 3155	The construction of a double storey dwelling to the rear of the existing dwelling	21/12/2016 Notice of Decision
Dinsdale	2016/6886	235 Stud Road WANTIRNA SOUTH VIC 3152	Erection of business identification signage including one internally illuminated sign	21/12/2016 Approved
Dinsdale	2016/6501	22 Arbroath Road WANTIRNA SOUTH VIC 3152	Development of a double storey dwelling to the side of the existing dwelling	22/12/2016 Approved
Dinsdale	2016/6604	9 Lance Road BAYSWATER VIC 3153	Development of the land for a double storey dwelling to the rear of the existing dwelling	22/12/2016 Notice of Decision
Dinsdale	2016/6581	20 Parkhurst Drive KNOXFIELD VIC 3180	Change of Use (office) and reduction of car parking	22/12/2016 Approved

Ward	No/Type	Address	Description	Decision
Dinsdale	2016/6740	1, 2 & 3/652 Mountain Highway BAYSWATER VIC 3153	2 Lot subdivision (Approved Unit Site)(Re-subdivision of Lot 1 on PS504073N into two lots)	23/12/2016 Approved
Dinsdale	2016/6700	38 Orange Grove BAYSWATER VIC 3153	Development of the land for two (2) double storey and one (1) single storey dwelling (Total three (3) dwellings)	23/12/2016 Notice of Decision
Dinsdale	2016/6704	35 Phyllis Street BAYSWATER VIC 3153	2 lot subdivision (Approved Unit Site)	23/12/2016 Approved
Dinsdale	2016/6691	1/417 Dorset Road BAYSWATER VIC 3153	Change of Use - Trade Supplies, and associated advertising signage	23/12/2016 Approved
Dinsdale	2015/6643	26 Myrtle Street BAYSWATER VIC 3153	The construction of four (4) triple storey dwellings and one (1) double storey dwelling on the land (5 dwellings in total)	23/12/2016 Notice of Decision
Dinsdale	2016/6752	13A Cullis Parade BAYSWATER VIC 3153	2 lot subdivision (Approved Unit Site)	23/12/2016 Approved
Dinsdale	2016/6750	13B Cullis Parade BAYSWATER VIC 3153	3 lot subdivision (Approved Unit Site)	23/12/2016 Approved
Dobson	2016/9136	1 Railway Avenue UPPER FERNTREE GULLY VIC 3156	Side fence	1/12/2016 Approved
Dobson	2016/9138	7 Francis Crescent FERNTREE GULLY VIC 3156	Removal of one (1) Liquidambar tree	2/12/2016 Approved
Dobson	2016/6646	1/19 Alfred Street UPPER FERNTREE GULLY VIC 3156	Development of the land for a single dwelling and vegetation removal	9/12/2016 Approved
Dobson	2016/6842	5 Skyline Way LYSTERFIELD VIC 3156	Removal of two (2) Eucalyptus trees	14/12/2016 Approved
Dobson	2016/9139	47 Acacia Road FERNTREE GULLY VIC 3156	Habitat pruning of one Eucalyptus botryoides tree.	14/12/2016 Approved
Dobson	2016/9144	4/6 Veronica Street FERNTREE GULLY VIC 3156	Removal of one (1) Monterey Cypress tree	22/12/2016 Approved

Ward	No/Type	Address	Description	Decision
Dobson	2016/6498	10 Blucher Street FERNTREE GULLY VIC 3156	Remove the reserve status from Reserve 2 on LP 24993, remove the Section 98 Drainage Easements from Reserve 2 on LP 24993, boundary re-alignment subdivision of Lot 13 on LP 111665 and Reserve 2 on LP 24993, and create new Reserve for Drainage Purposes	9/12/2016 Approved
Dobson	2016/6837	69 Ferndale Road UPPER FERNTREE GULLY VIC 3156	Removal of ten trees and the pruning of five trees	14/12/2016 Approved
Dobson	2016/6854	21 & 23 Bales Street FERNTREE GULLY VIC 3156	Removal of six (6) trees	14/12/2016 Approved
Dobson	2016/6382	Oliver David Reserve 1-3 Olivebank Road FERNTREE GULLY VIC 3156	Removal of 1 Acacia tree, 2 Pittosporum trees and 1 Prunus tree	14/12/2016 Approved
Dobson	2016/6469	1312 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Construction of a single dwelling and associated vegetation removal	16/12/2016
Dobson	2016/6847	38 Hutton Avenue FERNTREE GULLY VIC 3156	Removal of three (3) trees (Eucalyptus radiata, Eucalyptus sideroxyylon, Eucalyptus obliqua)	20/12/2016 Approved
Dobson	2016/6627	1242 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Development of a two (2) storey building containing two (2) shops and four (4) dwellings, reduction in car parking requirements and waiver of loading bay requirements of the Knox Planning Scheme	22/12/2016 Notice of Decision
Dobson	2016/6892	22 Alexandra Street UPPER FERNTREE GULLY VIC 3156	Buildings and works to existing dwelling	22/12/2016 Approved
Dobson	2016/6757	7 Clematis Avenue FERNTREE GULLY VIC 3156	The construction of a single dwelling on the land	28/12/2016 Approved
Friberg	2016/6664	34 Elton Road FERNTREE GULLY VIC 3156	Development of the land for two (2) double storey dwellings	6/12/2016 Approved
Friberg	2016/6602	1824 Ferntree Gully Road FERNTREE GULLY VIC 3156	4 Lot Subdivision (Approved Unit Site)	14/12/2016 Approved

Ward	No/Type	Address	Description	Decision
Friberg	2016/6817	6 & 8/7 Samantha Court KNOXFIELD VIC 3180	Construction of an internal mezzanine to existing warehouse and ancillary office	15/12/2016 Approved
Friberg	2016/6553	26 Narong Crescent KNOXFIELD VIC 3180	Development of the land for three (3) double storey dwellings	16/12/2016 Notice of Decision
Friberg	2016/6728	52 O'Connor Road KNOXFIELD VIC 3180	2 Lot subdivision (Approved Unit Site)	20/12/2016 Approved
Friberg	2016/6683	26 Ross Street FERNTREE GULLY VIC 3156	Development of land for two (2) additional dwellings to the rear of the existing dwellings and 3 lot subdivision	22/12/2016 Approved
Scott	2016/6644	388 Scoresby Road FERNTREE GULLY VIC 3156	The construction of a double storey dwelling to the rear of the existing dwelling and alteration of access to a road in a Road Zone Category 1	2/12/2016 Approved
Scott	2016/6561	1248 High Street Road WANTIRNA SOUTH VIC 3152	Resurfacing of an existing carpark and sports area, new pergola and retractable netting	5/12/2016 Approved
Scott	2016/6396	1 Milbrey Close WANTIRNA SOUTH VIC 3152	The construction of two (2) double storey dwellings on the land	12/12/2016 Approved
Scott	2016/6504	5 Helpmann Street WANTIRNA SOUTH VIC 3152	Develop the land for the construction of two (2) double storey dwellings	13/12/2016 Notice of Decision
Scott	2016/6833	92 Kathryn Road KNOXFIELD VIC 3180	Removal of one (1) Eucalyptus radiata tree and the pruning of one (1) Eucalyptus radiata tree	14/12/2016 Approved
Scott	2016/6572	4 Nortons Lane WANTIRNA SOUTH VIC 3152	Use and development of a dwelling	15/12/2016 Approved
Scott	2016/9141	74 King Parade KNOXFIELD VIC 3180	Removal of Blue Gum	16/12/2016 Approved
Scott	2016/6748	85 Sylphide Way WANTIRNA SOUTH VIC 3152	2 Lot subdivision (Approved Unit Site)	20/12/2016 Approved
Scott	2016/6349	448 Scoresby Road FERNTREE GULLY VIC 3156	The construction of three (3) dwellings on the land (two (2) double storey and one (1) single storey) and alteration of access to a Road Zone Category 1	23/12/2016 Refused

Ward	No/Type	Address	Description	Decision
Scott	2016/6360	9 Cherrytree Rise KNOXFIELD VIC 3180	Development of the land three (3) double storey dwellings	23/12/2016 Approved
Scott	2016/6451	5 Gum Court KNOXFIELD VIC 3180	Development of the land for a double storey dwelling to the rear of the existing dwelling and alterations to the existing dwelling	28/12/2016 Notice of Decision
Taylor	2016/6730	74 Major Crescent LYSTERFIELD VIC 3156	2 Lot subdivision (Approved Unit Site)	20/12/2016 Approved
Taylor	2016/6634	36 Major Crescent LYSTERFIELD VIC 3156	2 Lot subdivision	23/12/2016 Approved
Tirhatuan	2016/6588	13 Blake Court SCORESBY VIC 3179	Construction of two (2) double storey dwellings on the land	2/12/2016 Approved
Tirhatuan	2016/6829	2 Bernard Hamilton Way ROWVILLE VIC 3178	Buildings and works (construction of a cantilever arch shade structure)	2/12/2016 Approved
Tirhatuan	2016/6509	43-45 Deschamp Crescent ROWVILLE VIC 3178	Development of the land for eight (8) double storey dwellings	8/12/2016 Notice of Decision
Tirhatuan	2016/6565	7/1488 Ferntree Gully Road KNOXFIELD VIC 3180	Change of use of the land for an adult sex bookshop and reduction of the carparking requirements	16/12/2016 Notice of Decision
Tirhatuan	2016/6321	92 Grayson Drive SCORESBY VIC 3179	The construction of three (3) double storey dwellings on the land	16/12/2016 Notice of Decision
Tirhatuan	2016/6438	5 Sara Road SCORESBY VIC 3179	The construction of one (1) two storey dwelling to the rear of the existing	20/12/2016 Notice of Decision
Tirhatuan	2016/6735	5 Denver Crescent ROWVILLE VIC 3178	3 Lot subdivision (Approved Unit Site)	23/12/2016 Approved
Tirhatuan	2016/6577	10 Luton Court ROWVILLE VIC 3178	Development of the land for nine (9) double storey dwellings	28/12/2016 Notice of Decision
Tirhatuan	2016/6577	9 Luton Court ROWVILLE VIC 3178	Development of the land for nine (9) double storey dwellings	28/12/2016 Notice of Decision
Tirhatuan	2016/6913	14 Canter Street ROWVILLE VIC 3178	Removal & pruning of trees	28/12/2016 Approved

**Total:** 90



**COLLIER WARD****6.2 APPLICATION FOR THE CONSTRUCTION OF FIVE (5) DOUBLE STOREY DWELLINGS AND TWO (2) SINGLE STOREY DWELLINGS (TOTAL SEVEN (7) DWELLINGS) AT 36 & 38 CAVENDISH AVENUE, WANTIRNA (Application No. P/2016/6439)****1. SUMMARY:**

<b>Land:</b>	36 & 38 Cavendish Avenue, Wantirna
<b>Applicant:</b>	David Goldenberg Architects
<b>Proposed Development:</b>	Construction of five (5) double storey dwellings and two (2) single storey dwellings (total seven (7) dwellings)
<b>Existing Land Use:</b>	Residential
<b>Area/Density:</b>	2,336m <sup>2</sup> /1:333m <sup>2</sup>
<b>Zoning:</b>	General Residential Zone – Schedule 2
<b>Overlays:</b>	None
<b>Local Policy:</b>	Municipal Strategic Statement (MSS) Development in Residential Areas and Neighbourhood Character Policy
<b>Application Received:</b>	24 June 2016
<b>Objections:</b>	51
<b>PCC Meeting:</b>	24 November 2016

**Assessment:**

*It is considered that the proposal provides an appropriate balance between the need for additional housing within an established residential area and the amenity of occupants and adjoining residents.*

*The proposal generally complies with the Municipal Strategic Statement (MSS), the Development in Residential Areas and Neighbourhood Character Policy and ResCode.*

*The proposal complies with the General Residential Zone - Schedule 2.*

*On balance it is considered that the proposal responds well to State and Local Planning Policies, subject to modifications. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions.*

## **6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**

### **2. BACKGROUND**

#### **2.1 Subject Site and Surrounds**

The location of the subject site is shown in Appendix A.

- The subject site comprises two allotments located on the western side of Cavendish Avenue, Wantirna. The subject site is irregular in shape and is relatively flat.
- Each allotment currently contains a single dwelling with the usual outbuildings.
- The subject site and surrounds are located within an established residential area, predominately single storey, with landscaped setbacks.
- Vegetation consists of a mixture of native and exotic trees and shrubs, including a Lemon Scented Gum, Smoothed Bark Apple Myrtle, River Peppermint, fruit trees and weed species.

#### **2.2 The Proposal**

(Refer to attached plans at Appendix B)

The proposal seeks permission for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total of seven (7) dwellings). Details are as follows:

- The maximum building height is 8.15 metres.
- Dwellings 1 and 7 will front Cavendish Avenue and will be setback a minimum 7.8 metres.
- Dwellings 1, 2, 5, 6 and 7 are to be double storey. Dwellings 3 and 4 (located to the rear) are to be single storey in height.
- Dwellings 1, 2, 4, 5 and 7 contain three (3) bedrooms, while Dwelling 6 contains four (4) bedrooms and Dwelling 3 contains two (2) bedrooms.
- A double width crossover, centrally located, provides shared access to Dwellings 2 to 7, with a separate single width crossover providing access to Dwelling 1.
- Each three (3) or more bedroom dwelling is provided with a double garage, with a single garage provided to Dwelling 3. A visitor parking space is located to the rear of the shared driveway.

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

- Private open space has been provided at ground level for each dwelling, with a minimum area of 80 square metres.
- The dwellings are to be constructed with face brickwork at ground level, rendered light weight cladding to first floors and pitched, tiled roofs.
- Existing boundary fencing is nominated to be retained.
- The majority of existing vegetation is to be removed.

## **3. CONSULTATION**

### 3.1 Advertising

The application was advertised by way of a sign on the site and notices sent to adjoining property owners and occupiers. Fifty-one (51) objections to the application was received, and are summarised below:

#### Neighbourhood character

- *Council's Development in Residential Areas and Neighbourhood Character Policy identifies the subject site within a Knox Neighbourhood Area, where areas will continue to be low-scale, characterised by villa unit developments on larger blocks. These areas will also continue to retain their green and leafy identify through retention of front and back yards and the establishment of a garden setting, including canopy trees. The proposal would provide for a villa unit development on a larger block, with front and rear garden areas in the form of private open space, that can accommodate the planting of canopy trees to establish a garden setting. It is considered that the proposal is consistent with Council's preferred future character for the Knox Neighbourhood area. An assessment against this Policy and the design guidelines is at Section 4.2.2 of this Report.*

#### Bulk and massing of buildings

- *The first floors of the double storey dwellings have been setback from ground floor areas, particularly adjacent to sensitive residential interfaces, and single storey dwellings have been provided toward the rear, consistent with Council's Development in Residential Areas and Neighbourhood Character Policy. In addition, setbacks to boundaries exceed the minimum required by ResCode Standard B17 and wall lengths are not excessive, adjacent to sensitive residential interfaces. As such, it is not considered that the proposal will result in adverse amenity impacts through visual bulk, to adjoining residential properties.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

Loss of vegetation and trees and impact on fauna

- *There will be loss of vegetation as a result of the proposed development. Tree controls do not apply, and retention of the large trees within the proposal would require significant Tree Protection Zones that would unreasonably limit the development of the land. Some trees are proposed to be retained, notably the Lemon Scented Gum. Importantly, there are opportunities for new tree planting that will contribute to the landscape character of the area.*

Front setback

- *The proposed front setback of 7.8 metres complies with ResCode Standard B6, which requires the average of the two properties either side. In addition, the front setback can accommodate meaningful landscaping including canopy tree planting.*

Safety for pedestrians and traffic

- *The proposed will ensure vehicles are able to exit the subject site in a forward direction, apart from Dwelling 1, which will need to reverse a distance of 8 metres. All parking for the proposal has been accommodated within the subject site. It is not considered that the proposed development will create any additional adverse safety issues for pedestrians or traffic.*

Overdevelopment

- *The proposal development achieves the requirements of the Knox Planning Scheme, including Council's Development in Residential Areas and Neighbourhood Character Policy, ResCode, the Schedule to the General Residential 2 Zone and car parking. As such, it is not considered an overdevelopment of the land.*

Devaluation of property values

- *This is not a valid planning consideration.*

Impact on infrastructure

- *No concerns have been raised with the capacity of the stormwater system by Council's Drainage Engineers, provided a condition is included on any permit to issue that requires stormwater to be detained on site to peak pre-development flows.*

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**

## Overlooking

- *The proposal has been designed to avoid overlooking, through screening measures on habitable room windows with direct views to adjoining habitable room windows or secluded open space on adjoining properties, in accordance with ResCode Standard B22. A condition of any permit to issue will also require the bedroom 3 window to Dwelling 1 and bedroom 2 window to Dwelling 2 to be screened, to avoid any views to the adjoining property to the south. Boundary fencing heights meet the minimum required by ResCode Standard B22.*

## Reduction in privacy for adjoining neighbours

- *The proposal has incorporated screening measures that will ensure overlooking will comply with ResCode Standard B22. In addition, setbacks to boundaries and recessed first floors will ensure that the proposal will not result in unreasonable visual bulk. As such, it is not considered that the proposal will result in an unreasonable reduction in privacy to adjoining properties.*

## Increase in traffic congestion and inadequate parking

- *Council's Traffic Engineer's have not raised any concerns with the capacity of the surrounding street network to absorb the additional traffic that would be generated by the proposed development.*
- *Car parking is provided in accordance with the ratio required by Clause 52.06. Two (2) car parking spaces are provided to dwellings with three (3) or more bedrooms, and one (1) car parking space is provided to Dwelling 3, which contains two bedrooms. Visitor parking is required at a ratio of 1 space for each five (5) dwellings, which is also provided. There is also capacity for additional cars to park within the driveway to Dwelling 1.*

## Precedent for more medium and high density

- *An application must be considered on its own merits with consideration of the site context and requirements in the Planning Scheme at the time.*

## Increase in noise

- *Any noise associated with the dwellings would be typical for a residential area, and it is not expected to create any unreasonable amenity impacts.*

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**

Inconvenience of construction

- *There will be some inconvenience experienced during construction, however this is temporary. A condition on any permit to issue will require the submission of a Construction Management Plan to assist with managing off-site amenity impacts associated with construction.*

The proposal will impact on the lifestyle of the area

- *It is not considered that the addition of dwellings within a residential environment, will adversely impact the lifestyle of the area. The dwellings are provided with ample areas of private open space, setbacks to boundaries exceed the minimum requirements in ResCode and there are ample landscaping opportunities, which will result in a development that is consistent with Council's Development in Residential Areas and Neighbourhood Character Policy.*

Too many bins on the street

- *Council's Waste Management Department have advised that individual bins will not be permitted on the street for collection. A condition on any permit to issue will require the submission of a Waste Management Plan to outline the storage and collection of waste and recycling.*

Access to emergency vehicles

- *The driveway has been designed to ensure that emergency vehicles can access the site.*

Proximity to a primary school

- *Increased housing densities in proximity to existing services is supported by State and Local Planning Policy.*

Single storey should be at the front, not the rear

- *Council's Development in Residential Areas and Neighbourhood Character Policy encourages single storey to the rear, to better manage amenity impacts associated with double storey dwellings to adjoining properties, and to maintain a low scale backyard character. As such, Council Policy supports the single storey dwellings to the rear of the site. Two storey built form is not unusual in a residential context and is appropriate.*

## **6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**

A landscape plan has not been prepared

- *A condition of any permit to issue will require the submission of a landscape plan. It is considered that there are adequate areas for landscaping.*

The development does not provide dwelling diversity

- *Council's Development in Residential Areas and Neighbourhood Character Policy encourages dwelling diversity within the Local Living and Activity Areas. The subject site is located within the Knox Neighbourhood area, which does not require developments to provide dwelling diversity. However, it is noted that the development does provide dwellings with a range of bedroom numbers, smaller open space areas and double and single storey built form.*

Reduced sunlight during winter to adjoining properties

- *ResCode Standard B21 requires an assessment of overshadowing to ensure any overshadowing does not result in adverse amenity impacts. This is determined on shadows between 9am and 3pm on the Equinox (22 September). The proposed overshadowing complies with ResCode Standard B21.*

### **3.2 Planning Consultative Committee Meeting**

A Planning Consultative Committee (PCC) Meeting was held at the Civic Centre on 24 November 2016. Twenty-one (21) people signed the attendance sheet at the meeting. Objectors expressed the following main concerns with the proposal:

- Traffic
- Parking congestion
- Safety
- Loss of lifestyle
- Precedence
- Neighbourhood character

There were no negotiated outcomes at the conclusion of the meeting. The meeting Chairperson, Councillor Seymour requested that the applicant obtain a Traffic Impact Assessment, which was provided to Council on 12 December 2016.

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

The Traffic Impact Assessment was conducted by TraffixGroup. Traffic counts were undertaken between Monday 5<sup>th</sup> December and Friday 9<sup>th</sup> December. The counts show that Cavendish Avenue carries 800 daily movements with up to 109 during the morning peak, and 122 during the afternoon peak. It is estimated that the proposal would generate 44 movements per day with four (4) movements being generated in the morning and afternoon peak periods.

Council's Traffic Engineer has assessed the Traffic Impact Assessment and advised that the volume of traffic is lower than many other local roads and can accommodate the additional traffic associated with the proposal.

### 3.3 Referrals

The application has been referred to the following internal referral departments for comment. The following is a summary of relevant advice:

#### Traffic Engineer

- *Standard conditions to be included on any permit to issue.*

#### Drainage Engineer

- *Standard conditions to be included on any permit to issue.*

#### Arborist

- *The proposal retains a Variegated Pittosporum, Water Gum, Callistemon, Cabbage Tree and the Lemon Scented Gum. These trees can be retained, however the Lemon Scented Gum requires a possum guard to rejuvenate the canopy and paving to the rear of Dwelling 5 should be permeable or a deck.*
- *A Mexican Fan Palm is shown to be retained, this should be removed.*
- *The River Peppermint (23m x 18m -Tree Protection Zone 9.2m) and Smoothed Bark Apple Myrtle (27m x 14m – Tree Protection Zone 9.6m) have a moderate-high retention value but would require a lot more room to be successfully retained.*
- *No vegetation on neighbouring properties will be affected.*

#### Assets

- *No objection. Standard conditions to be included on any permit to issue.*



## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

### Waste

- *Kerbside collection of individual waste and recycling bins will not be permitted. There are a number of options for the collection of waste and recycling which may be appropriate.*

*Officer Response: A condition of any permit to issue will require the submission of a Waste Management Plan to outline the storage and collection of waste and recycling.*

### Sustainability Officer

- *The Sustainable Design Assessment meets Council's requirements and can be approved.*

### Parks Services

- *The Melaleuca linariifolia has a high 'retention value' and an amenity value of more than \$10,000. This tree is to be retained within the landscape. The crossover must be at least 2.5m from the tree.*

*Officer Response: A condition of any permit to issue will require that this be achieved.*

## **4. DISCUSSION**

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

### **4.1 Zoning and Overlays**

#### **4.1.1 Zone**

##### **General Residential 2 Zone**

The land is zoned General Residential Zone – Schedule 2. A permit is required for the construction two or more dwellings on the land pursuant to Clause 32.08-4 of the General Residential Zone – Schedule 2.

- *The proposal is consistent with the purpose of the General Residential Zone by providing for diversity in housing types that respects the neighbourhood character of the area.*

Schedule 2 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping) which requires a minimum of one canopy tree per 175 square metres of the site area including a minimum of one canopy tree within each area of secluded private open space and one canopy tree within the front setback per 5 metres of width of the site. Each tree should be required to be surrounded by 20 square metres of permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

- *It is considered that the proposed development can accommodate the required canopy tree planting; subject to conditions on any permit to issue.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B28 (Private Open Space) which requires the provision of private open space consisting of a minimum area of 80 square metres including one part of secluded private open space at the side or rear of the dwelling with a minimum area of 60 square metres with a minimum dimension of 5 metres with convenient access from a living room.

- *Each dwelling has been proposed with a minimum 80 square metres of private open space, including a minimum 60 square metres of secluded open space with a minimum dimension of 5 metres.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B32 (Front fence height) which requires a front fence height of 2m to a street in a Road Zone Category 1 and 1.2m to other streets.

- *No front fence is proposed.*

Dwellings or residential buildings must not exceed a height of 9 metres (dependant on slope).

- *Complies. The proposed dwellings have a maximum height of 8.15 metres.*

### 4.1.2 Overlays

The land is not affected by any Overlays.

## 4.2 Policy Consideration

### 4.2.1 State Planning Policy Framework

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

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

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

- *The design of the development will make a positive contribution to the surrounding area, with built form considered to be appropriate in form and scale. The development incorporates typical neighbourhood character features such as pitched roofs, brick finishes, eaves, with car parking located behind or to the side of dwellings. Upper levels are reasonably articulated and are smaller than the ground level to reduce building bulk and mass.*

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

- *The proposal contributes to the consolidation of urban development through the provision of increased density within an existing residential area with good provision of urban services and transport.*
- *Council's Sustainability Officer has advised that the submitted Sustainable Design Assessment meets Council's requirements. A condition on any permit to issue will require the development to be constructed in accordance with the approved Sustainable Design Assessment.*

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

- *Neighbourhood character - This is discussed at Section 4.2.2 of the report.*
- *Housing choice – The development provides for a range of dwelling sizes with smaller open space areas than typical for the area, contributing to house choice.*
- *Integration with infrastructure – The site is located in a fully serviced area. Drainage plans will be required as a condition on any permit to issue.*
- *Energy efficiency – This has been discussed above under Clause 15.02.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

- Location – *While the site is not located within an Activity Centre, it is a large site within an established area with access to a range of urban services. It is considered that the subject site is capable of accommodating the proposed dwellings whilst making a positive contribution to the character of the area. Refer to the assessment against Council's Development in Residential Areas and Neighbourhood Character Policy at Section 4.2.2 below.*

Clause 18 Transport – To create a safe and sustainable transport system by integrating land use and transport.

- *The site is located within 540 metres walking distance of Burwood Highway, which is serviced by Bus Routes 732, 757 and 738, and 850 metres walking distance to Stud Road, which is serviced by Bus Routes 664, 737 and 901.*
- *Bus Route No. 664 from Chirnside Park to Knox City via Croydon and Bayswater operates between 6:00am and 10:00pm Monday to Friday, between 7:22am and 10:38pm Saturdays, and between 7:42am and 9:38pm on Sundays at various intervals.*
- *Bus Route No. 732 from Box Hill to Upper Ferntree Gully via Vermont South, Knox City and Mountain Gate operates between 5:55am and 9:20pm Monday to Friday, between 7:45am and 9:48pm Saturdays, and between 8:53am and 9:44pm on Sundays at various intervals.*
- *Bus Route No. 737 from Croydon to Monash University via Boronia, Knox City and Glen Waverley operates between 5:56am and 10:07pm Monday to Friday, between 6:30am and 10:21pm Saturdays, and between 7:55am and 10:12pm on Sundays at various intervals.*
- *Bus Route No. 738 from Mitcham to Knox City via Knox Private Hospital and Wantirna Secondary College operates between 6:00am and 10:04pm Monday to Friday, between 8:01am and 9:55pm Saturdays, and between 8:30am and 9:43pm on Sundays at various intervals.*
- *Bus Route No. 757 from Knox City to Scoresby via Old Park Orchards Drive operates between 7:47am and 6:36pm Monday to Friday at various intervals.*
- *Smart Bus Route No. 901 from Frankston to Melbourne Airport operates between 4:51am and 12:04am Monday to Friday, between 5:20am and 12:06am Saturdays, and between 6:45am and 9:38pm on Sundays at various intervals.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

### 4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS) – encourages planning and development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

All development therefore is encouraged to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure and to reduce dependence on private vehicle travel.

- *The site is located in an established urban area reasonably close to urban services and open space areas, where existing infrastructure is readily available.*
- *Council's Sustainability Officer has advised that the submitted Sustainable Design Assessment meets Council's requirements. A condition on any permit to issue will require the development to be constructed in accordance with the approved Sustainable Design Assessment.*

Clause 21.04 Urban Design – Municipal Strategic Statement (MSS) To ensure that all development responds positively to the existing patterns of urban form and character, the landscape qualities, historic and cultural elements and social aspirations of the Knox community.

- *While the land is not in an Activity Centre, the proposal respects the preferred neighbourhood character and is consistent with the requirements of the MSS.*
- *An assessment against Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07) is below. The development complies with the open space requirements and provides opportunities for meaningful landscaping.*
- *As highlighted above, the site is located in an established urban area reasonably close to urban services and open space areas.*

Clause 21.05 – Housing This clause implements the *Knox Housing Strategy 2015*. In managing Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

The subject site is located within a 'Knox Neighbourhood' area, which has a sense of spaciousness within the public and private realm. These areas will continue to be low-scale neighbourhoods, characterised by detached dwellings with large backyards which contribute to the area's green and leafy character.

Objective 1 for Housing Objectives and Strategies is to support residential development in accordance with the Knox Housing Strategy 2015, which identifies a scale approach to residential development. The strategy is to direct housing growth toward Local Living and Activity Areas.

- *The site is not located in an Activity Centre. However, the site is sufficiently large to accommodate seven (7) dwellings while achieving the open space and landscaping outcomes sought for the Knox Neighbourhood Character Area.*

Objective 2 is to support a diversity of housing choice in appropriate locations. Strategies include encouraging a diversity of housing styles, types, forms and sizes to cater for the changing needs of the community.

- *The development would provide residents with alternative forms of housing styles and sizes to cater for the changing needs of the community.*

Objective 3 is to ensure the quality of housing design in Knox is improved to better respond to neighbourhood identity and to create a stronger sense of place. Strategies include ensuring that residential development enhances the City's "green and leafy" image, support development that makes a positive contribution to the preferred future character of the area and that is innovative, environmentally sustainable, accessible and site responsive.

- *Each dwelling is provided with areas of private open space that will allow for canopy tree planting.*

Objective 4 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

- *The site is not located in an area of biological significance.*

Objective 5 is to ensure that residential development better responds to the community's current and future needs, and allows people to 'age-in-place' by supporting the provision of a diverse range of housing including smaller scale dwellings.

- *The development provides for dwelling with smaller private open space areas than typical for the surrounding area, includes two single storey dwellings, and all dwellings have services and a bedroom at ground level to improve accessibility for residents with reduced mobility.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

### Clause 22.07 – Development in Residential Areas and Neighbourhood Character: Knox Neighbourhood Area

The desired future character of this area is to:

- Continue to be low-scale neighbourhoods, characterised by detached houses and dual occupancies; with some villa unit developments on larger blocks.
- Retain their green and leafy identity and character through the retention of front and back yards, and the establishment of a garden setting that includes canopy trees.

The key design objectives are:

To retain and enhance the streetscape by the planting of appropriate trees on private land.

- *The setbacks and open space areas within the proposed design provide opportunities to plant new canopy trees. A landscape plan will be required as a condition on any permit to issue.*

To avoid dominance of buildings from the street.

- *The two proposed dwellings to front Cavendish Avenue are setback 7.8 metres, with upper floor levels recessed further, and will not dominate the street.*

To avoid the loss of front and rear garden space.

- *Dwellings are setback from the side and rear boundaries and provide 80sqm of open space, which will ensure adequate areas for canopy tree planting within the front and rear gardens.*

To avoid the dominance of car storage facilities from the street.

- *Car parking facilities are located to the side or rear of the dwellings and will not dominate the streetscape.*

To retain large backyards for landscaping and open space.

- *Dwellings are provided with 80sqm of open space and the setbacks and open space areas will accommodate new canopy tree planting.*

To ensure buildings reflect the prevailing scale of buildings in the street.

- *Dwellings are not excessive in scale or bulk. Upper floor areas are recessed to better integrate with the surrounds.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

### 4.3 Particular Provisions

#### Clause 52.06 – Car Parking

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

Clause 52.06-5 outlines the requisite amount of parking to be provided as follows:

To each dwelling at a ratio of one car space to each one or two-bedroom dwelling and two spaces for each dwelling with three or more bedrooms (with studies or studios that are separate rooms counted as bedrooms).

- *Each three (3) and four (4) bedroom dwelling is provided with a double garage and the two (2) bedroom dwelling is provided with a single garage.*
- *One (1) visitor parking space has been provided.*
- *The car parking provided for residents and visitors complies with Clause 52.06.2 of the Knox Planning Scheme.*

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

Design Standard 1: Access ways – *Complies.*

Design Standard 2: Car Parking Spaces – *Complies.*

Design Standard 3: Gradients – *Complies.*

Design Standard 4: Mechanical Parking – *N/A.*

Design Standard 5: Urban Design – *Complies.*

Design Standard 6: Safety – *Complies.*

Design Standard 7: Landscaping – *Complies.*



**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****4.4 Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (ResCode)**Neighbourhood Character and Infrastructure

Neighbourhood Character – *Complies, refer to Section 4.2.2 above.*

Residential Policy – *Complies.*

Infrastructure – *Complies. A drainage plan will be required as a condition on any permit to issue.*

Integration with the Street – *Complies.*

Site Layout and Building Massing

Street Setback – *Complies.*

Building Height – *Complies.*

Site Cover/Permeability – *Complies.*

Energy Efficiency – *Complies.*

Open Space – *Complies*

Safety – *Complies.*

Landscaping – *Complies. A condition on any permit to issue will require a landscape plan to be submitted to the satisfaction of the Responsible Authority.*

Access – *Complies.*

Parking Location – *Complies.*

Amenity Impacts

Side and rear setbacks – *Complies.*

Walls on boundaries – *Complies.*

Daylight to existing windows/north facing windows – *Complies.*

Overshadowing open space – *Complies.*

Overlooking – *Can comply subject to a condition on any permit to issue that will require the bedroom 3 window to Dwelling 1 and the bedroom 2 window to Dwelling 2 to be screened.*

Internal views – *Complies.*

Noise Impacts – *Complies.*

## 6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)

### On-Site Amenity and Facilities

Accessibility – *Complies.*

Daylight to new windows – *Complies.*

Private Open Space – *Complies.*

Solar access – *Complies.*

Storage – *Complies.*

### Detailed Design

Design Detail – *Complies.*

Site Services – *Complies.*

Front fence – *Complies.*

## 4.5 General Decision Guidelines

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

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

## **5. CONCLUSION**

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

- *The development is consistent with the objectives and policies of for the Knox Neighbourhood Area. The proposal complies with the General Residential Zone - Schedule 2 and is generally compliant with ResCode subject to conditions on any permit to issue.*
- *The proposed dwellings are generally consistent with Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07 of the Knox Planning Scheme) in that the design has ensured the retention of front and rear yard open space, first floors are reasonably setback from ground floor areas and the dwellings incorporate materials consistent with the area and a hip roof form. In addition to this, all dwellings are provided with usable areas of private open space and appropriate internal amenity.*

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**

- *The development is consistent with State and Local Planning Policy Framework (including the Municipal Strategic Statement).*
- *The development is compliant with ResCode and Clause 52.06 (Car Parking).*

**6. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

**RECOMMENDATION**

That Council issue a Notice of Decision to grant a Planning Permit for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total of seven (7) dwellings) at 36 & 38 Cavendish Avenue, Wantirna, subject to the following conditions:

**Amended Plans**

1. **Prior to the commencement of any buildings or works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
  - 1.1 **Annotation that “A possum guard to be installed to prevent possum grazing on the Lemon Scented Gum. This is to be installed at the time that the Tree Protection fencing is installed”.**
  - 1.2 **Removal of the Mexican Fan Palm.**
  - 1.3 **The location and design of the combined electricity supply metre box, which must be located clear of the corner splay, or have a maximum height of 900mm.**
  - 1.4 **Annotation that “Tree Protection fencing must be installed prior to the commencement of any buildings or works, and maintained for the completion of works. The Tree Protection fencing must be inspected by Council officers prior to the commencement of works”.**
  - 1.5 **The path to Dwelling 7 to be re-directed to run directly from the shared accessway, not the street frontage.**
  - 1.6 **The paving to Dwelling 5 to be permeable paving or a deck.**

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

- 1.7 The retaining wall within the secluded private open space of Dwelling 5 to be retained with no further excavation.
- 1.8 A communal bin storage area and/or collection area, if required. Bin storage must not be located within the front setback. The bin collection area, if located within the front setback, must not be fenced. Patterned paving would be acceptable.
- 1.9 The bedroom 3 window to Dwelling 1 and bedroom 2 window to Dwelling 2 to be provided with obscure glazing to a height of 1.7 metres above finished floor level. The window can be openable above. Adhesive film must not be used.
- 1.10 The shared crossover to be a minimum 2.5 metres from the street tree, measured from the wing. The crossover must be shown in accordance with Council Standards.
- 1.11 A Waste Management Plan in accordance with Condition 12 of this Permit.
- 1.12 Drainage plans in accordance with Condition 2 of this Permit and any necessary modifications to the plans.
- 1.13 Landscape plans in accordance with Condition 3 of this Permit and any necessary modifications to the plans.
- 1.14 Tree protection measures as outlined in Conditions 19 to 26 of this Permit, including the location of tree protection fencing as required.
- 1.15 A Construction Management Plan in accordance with Condition 27 of this Permit.

To the satisfaction of the Responsible Authority.

**Drainage**

2. Prior to commencement of any buildings or works, three copies of drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:
  - 2.1 All stormwater drainage discharge from the site connected to a legal point of discharge.
  - 2.2 Detailed design plans of the proposed outfall drain to Council's standards and satisfaction, if required.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

- 2.3 The internal drains of the dwellings to be independent of each other.**
- 2.4 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.**
- 2.5 The on-site detention system to be installed in a suitable location for easy access and maintenance.**
- 2.6 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.**
- 2.7 All levels to be to AHD (Australian Height Datum).**

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

**Landscaping**

- 3. Prior to the commencement of any buildings or works, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit.**

**The plan must show:**

- 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
- 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
- 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.**
- 3.4 Details of the surface finishes of pathways and driveways.**
- 3.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
- 3.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

- 3.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).
- 3.8 A minimum of eleven (11) canopy trees (to include at least four (4) trees in the front setback and at least two (2) of these to be large indigenous canopy trees); and at least 5 large feature shrubs with a mature height of 4 to 5 metres.
- 3.9 A minimum of 40% of all new vegetation (both canopy trees and understorey) is to be indigenous species.
- 3.10 A minimum of 40% of all new vegetation (both canopy trees and understorey) is to be native species.

To the satisfaction of the Responsible Authority.

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

**General**

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

Where the total floor area of decks, pergolas and verandahs, for each dwelling does not exceed 16m<sup>2</sup>.

- 8. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 9. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

10. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

**Sustainable Design Assessment**

11. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.

**Waste Management**

12. Before the development commences, a Waste Management Plan must be submitted to and approved by the Responsible Authority, demonstrating how waste collection will be undertaken on site, including the operation of the garbage and recyclables storage area. Garbage and recyclables storage and collection must be undertaken in accordance with the approved plan/documentation, and must be undertaken by a private contractor, to the satisfaction of the Responsible Authority. This requirement can be waived if a Council service is provided. Kerbside collection of waste and recycling will not be permitted.

**Car Parking & Accessways**

13. Before the dwellings are occupied, driveways and car parking areas must be:

- 13.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and

- 13.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and

- 13.3 Treated with an all-weather seal or some other durable surface; and

- 13.4 Line-marked or provided with some other adequate means of showing the car parking spaces.

To the satisfaction of the Responsible Authority.

14. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)****Fencing**

15. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.
16. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.

**Amenity During Construction**

17. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:

17.1 the appearance of building, works or materials on the land

17.2 parking of motor vehicles

17.3 transporting of materials or goods to or from the site

17.4 hours of operation

17.5 stockpiling of top soil or fill materials

17.6 air borne dust emanating from the site

17.7 noise

17.8 rubbish and litter

17.9 sediment runoff

17.10 vibration

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

**Stormwater**

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



**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)****Tree Protection**

19. All works, including excavation, within the structural root zone areas of the trees on the subject site must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority.
20. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.
21. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.
22. The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.
23. The fence and signage is to be maintained throughout the construction period and the signage removed at the completion of all works.
24. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
25. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
  - 25.1 Construction activities.
  - 25.2 Dumping and/or storage of materials, goods and/or soil.
  - 25.3 Trenching or excavation.
  - 25.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.
26. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)**  
**Recommendation (cont'd)**

**Construction Management Plan**

**27. Prior to the commencement of any buildings or works a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. The plan is to include details of the following:**

**27.1 Contact Numbers of responsible owner/contractor including emergency/24-hour mobile contact details.**

**27.2 Identification of possible environmental risks associated with development works.**

**27.3 Response measures and monitoring systems to minimise identified environmental risks, including but not limited to vegetation protection, fauna protection, runoff, erosion, dust, litter, noise and light.**

**27.4 Location and specifications of sediment control devices on/off site.**

**27.5 Location and specifications of surface water drainage controls.**

**27.6 Proposed drainage lines and flow control measures.**

**27.7 Location of all stockpiles and storage of building materials.**

**27.8 Location of parking for site workers and any temporary buildings or facilities.**

**27.9 Details to demonstrate compliance with relevant EPA guidelines.**

**27.10 Hours during which construction activity will take place.**

**To the satisfaction of the Responsible authority.**

**28. Construction activity at the site is to accord with this approved Construction Management Plan.**

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)****Permit Expiry**

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

29.1 The development is not started within two years of the date of this permit.

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

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

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

**NOTES**

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

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.
- The total Permissible Site Discharge for the property including all dwellings is 12.2L/s to the existing Council drainage system for a 5 year ARI event.
- Stormwater discharge from the property is to be directed to the 225mm diameter Council Stormwater pipe near the south-west corner of the property to Council standards and satisfaction as this represents the legal point of discharge. The applicant must confirm this on site.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, eg water storage tanks, swale drains, etc.

**Other Notes:**

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- Council will not collect waste from the proposed development.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.

**6.2 36 & 38 Cavendish Avenue, Wantirna (cont'd)****Recommendation (cont'd)**

- **Raised concrete slabs on the existing footpath fronting the site should be grounded.**
- **All litter and rubbish associated with the construction must be contained on site at all times.**

**COUNCIL RESOLUTION**

MOVED: CR. TAYLOR  
SECONDED: CR. SEYMOUR

That Council:

Issue a Notice of Decision to refuse to grant a Planning Permit for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total seven (7) dwellings) at 36-38 Cavendish Avenue, Wantirna on the following grounds:

1. The development is not consistent with the relevant State and Local Planning policies contained with the Knox Planning Scheme, including but not limited to:
  - a) Clause 11 (Settlement) and Clause 15 (Built Environment and Heritage) of the Knox Planning Scheme;
  - b) Clause 21.05 Housing of the Knox Planning Scheme; and
  - c) Clause 22.07 Neighbourhood Character.
2. The proposal is considered an overdevelopment of the site and is not considered to be respectful of the preferred green and leafy neighbourhood character of the Knox Neighbourhood Area.
3. The proposal fails to achieve a reasonable level of compliance with the objectives and standards of Clause 55 of the Knox Planning Scheme (ResCode).

**PROCEDURAL MOTION**

MOVED: CR. TAYLOR  
SECONDED: CR. COOPER

That Councillor Seymour be permitted an extension of time to speak under Clause 47 of the Meeting Procedure and Use of Common Seal Local Law 2008

THE PROCEDURAL MOTION WAS CARRIED

THE MOTION WAS CARRIED



**Knox City Council**  
REPORT APPENDIX: A

**Property - Address**  
36-38 Cavendish Avenue, WANTIRNA

**Application Number**  
P/2016/6439

**Description**  
Construction of (5) five double storey and (2) two single storey dwellings (Total seven (7) dwellings)

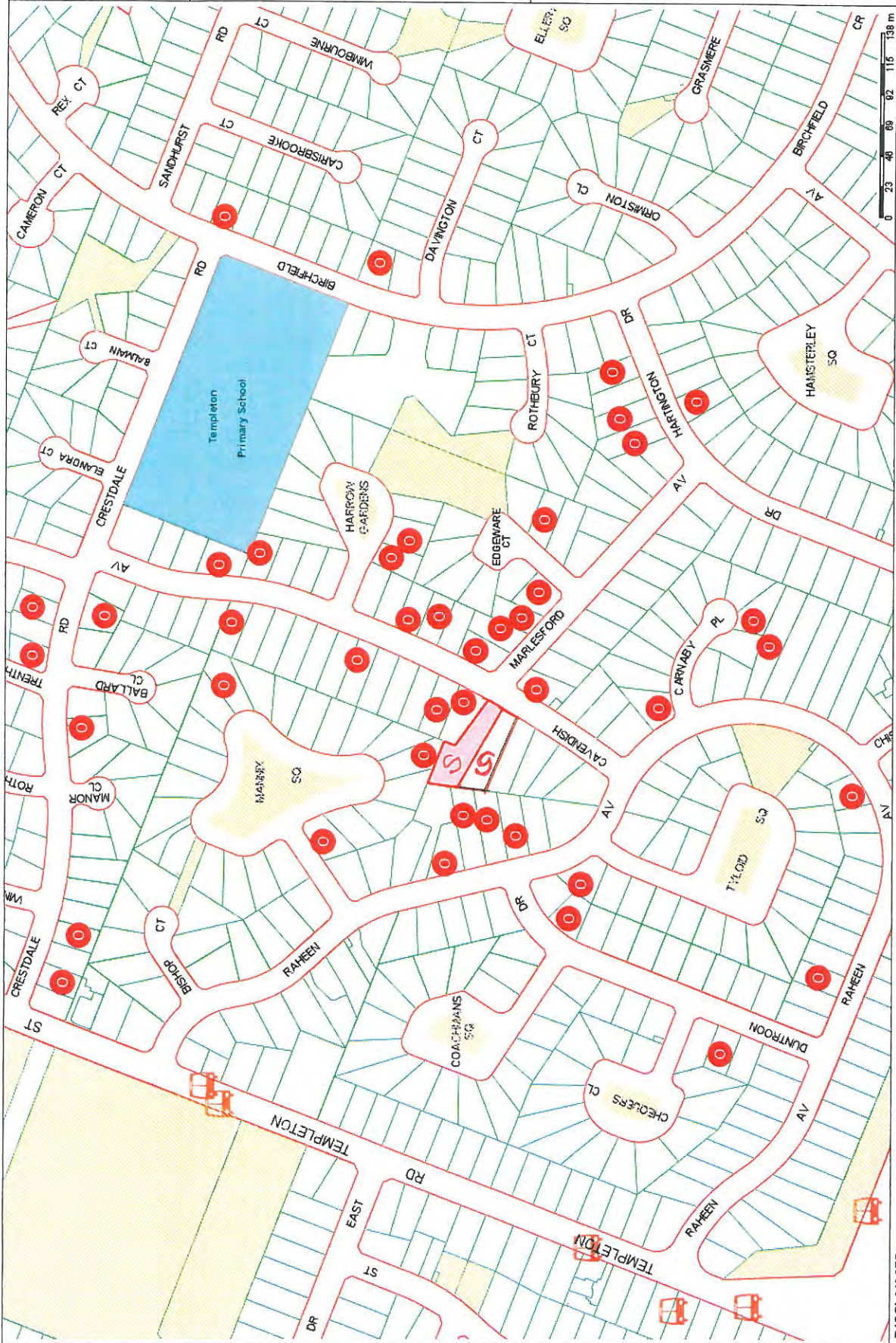
**Wardname**  
Collier

**LEGEND:**

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Unit Development
- Subject Property
- Parcel



Scale: 1:3000



**DISCLAIMER:**

- Roads and Title Boundaries - State of Victoria, Knox City Council  
 Planning Scheme Information - DP20, Knox City Council  
 Aerial Photography - AAM (flown January 2013 - unless otherwise stated)  
 Melbourne Water Drainage Information - Melbourne Water
1. Whilst every endeavor has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council or any of the above organizations in respect to inaccuracies, errors, omissions or for actions based on this information.
  2. Planning information should be used only as a means of preliminary investigation. For accurate overlay information please obtain a Planning Certificate from the Department of Infrastructure.
  3. This print contains information from Vicmap Property (Copyright State of Victoria). The State of Victoria does not warrant the accuracy or completeness of information in this product. Any person using or relying on this information does so on the basis that the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.
  4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.



**Knox City Council**  
REPORT APPENDIX: A

Property -  
Address  
36-38 Cavendish  
Avenue,  
WANTIRNA

Application  
Number  
P/2016/6439

Description  
Construction of (5)  
five double storey  
and (2) two single  
storey dwellings  
(Total seven (7)  
dwellings)

Wardname  
Collier

**LEGEND:**

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
- Petition



Scale: 1:3000



**DISCLAIMER:**

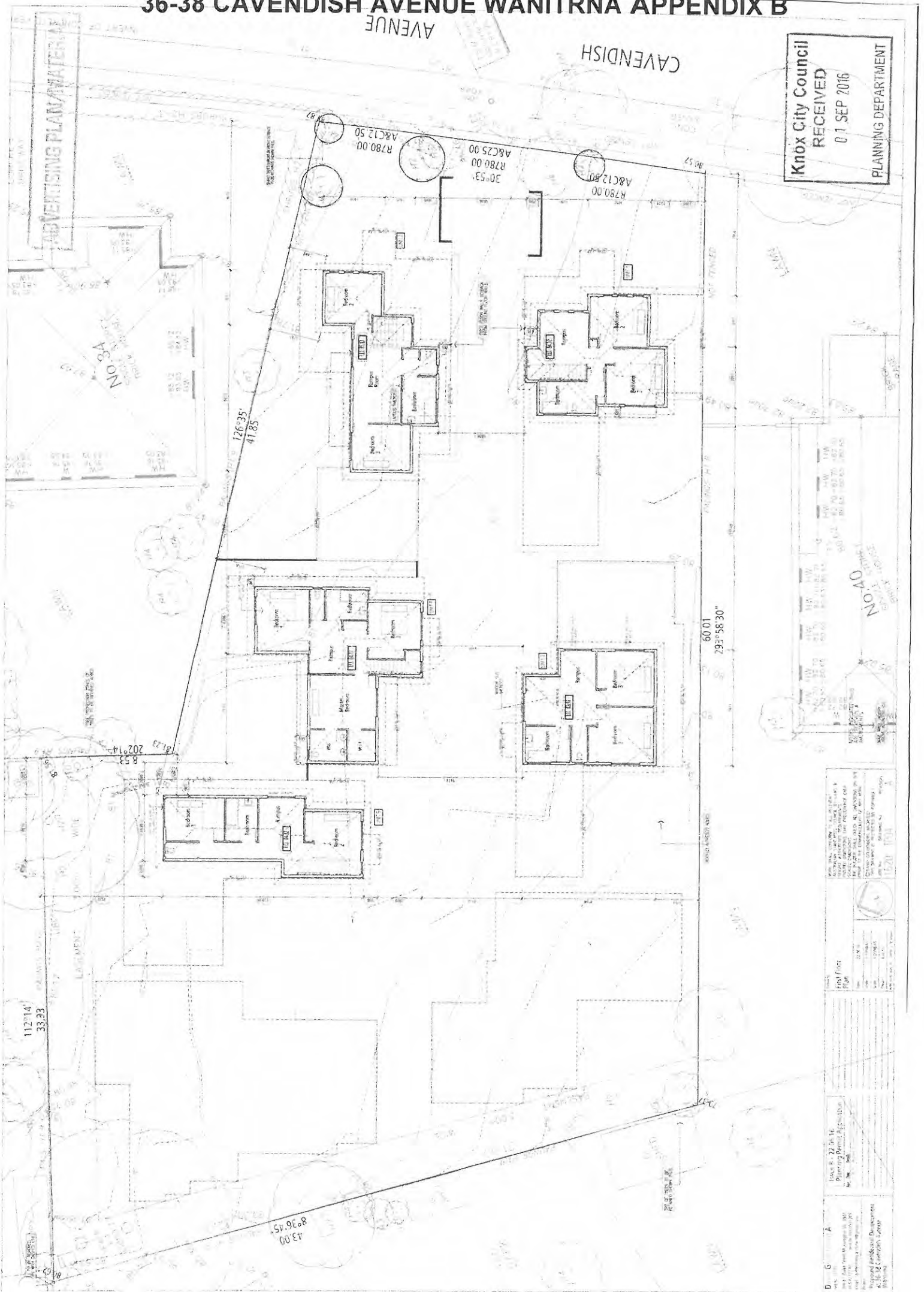
Roads and Title Boundaries - State of Victoria, Knox City Council  
Planning Scheme Information - DPCD, Knox City Council  
Aerial Photography - AAM (Flown January 2013 - unless otherwise stated)  
Melbourne Water Drainage Information - Melbourne Water

1. Whilst every endeavor has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council or any of the above organizations in respect to inaccuracy, errors, omissions or for actions based on this information.
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4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.









Knox City Council  
 RECEIVED  
 01 SEP 2016  
 PLANNING DEPARTMENT

**D** G **A**

Issue No. 22, 26, 16  
 Planning Permit Application

Project Name: 36-38 Cavendish Avenue  
 Applicant: [Name]  
 Date: [Date]

Scale: 1:100  
 Date: [Date]

Author: [Name]  
 Checker: [Name]  
 Approver: [Name]

Notes:  
 1. All dimensions are in meters unless otherwise stated.  
 2. The site is shown as a single lot.  
 3. The site is shown as a single lot.

112'14"  
 33.33

202'14"  
 8.33

126'35"  
 41.85

60.01  
 293'58.30"

43.00  
 8'36.15"

R780.00  
 A&C12.50

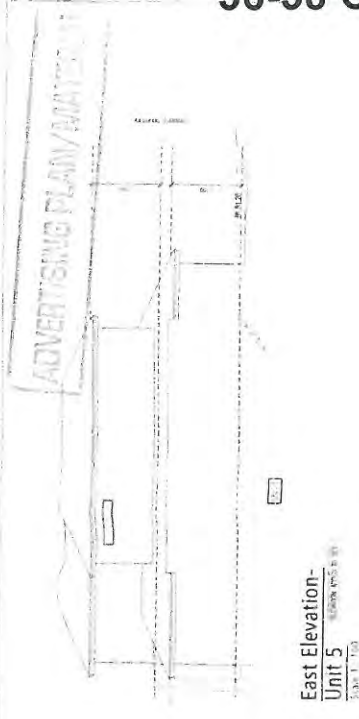
R780.00  
 A&C25.00

R780.00  
 A&C12.50

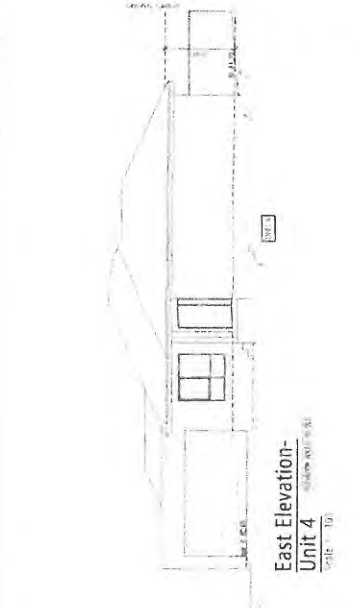
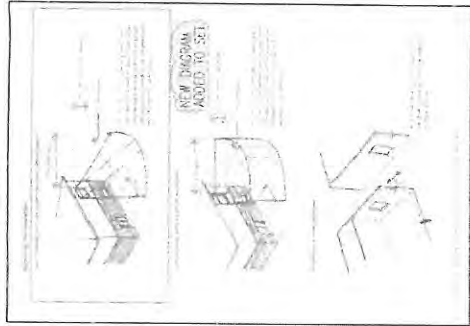
NO. 40  
 NO. 41

ADVERTISING PLAN/WATER

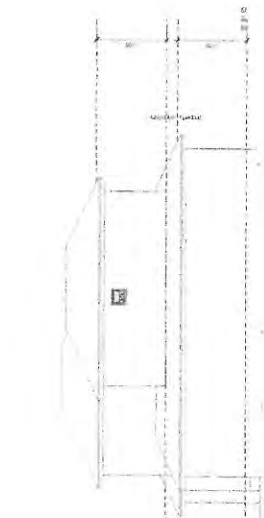
CAVENDISH AVENUE



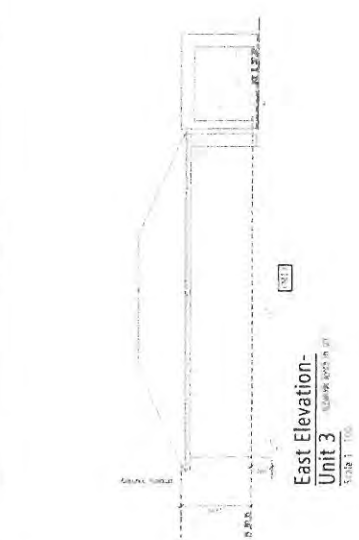
East Elevation-  
Unit 5  
Scale 1:100



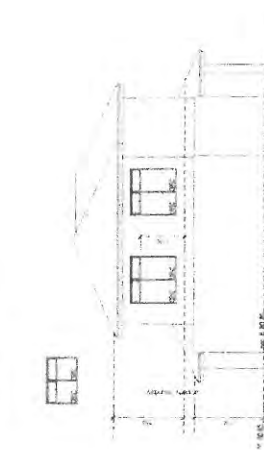
East Elevation-  
Unit 4  
Scale 1:100



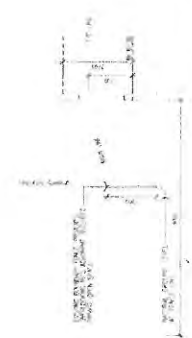
East Elevation-  
Unit 6  
Scale 1:100



East Elevation-  
Unit 3  
Scale 1:100



East Elevation-  
Unit 2  
Scale 1:100



Section through Unit 4-Bedroom 3  
(Looking North)  
Scale 1:100



Section through Unit 3-Bedroom 1  
(Looking North)  
Scale 1:100

**Window Performance - 36-38 Cavendish Avenue, Wanitrra 3152**

Window 1.2	Frame Type	Glazing	Required Performance	
			U-Value	SHGC Value
Living/Dining/Kitchen & Breakfast	Alu-Frame	Double Glazed	1.75	0.60
Bedroom 1 & Study	Alu-Frame	Double Glazed	1.75	0.58
Average Windows & Doors	Alu-Frame	Double Glazed	1.75	0.58
Overall U-Value	Alu-Frame	Double Glazed	1.75	0.58
Average Windows & Doors	Alu-Frame	Double Glazed	1.75	0.58
Overall U-Value	Alu-Frame	Double Glazed	1.75	0.58

**Window Performance - 36-38 Cavendish Avenue, Wanitrra 3157**

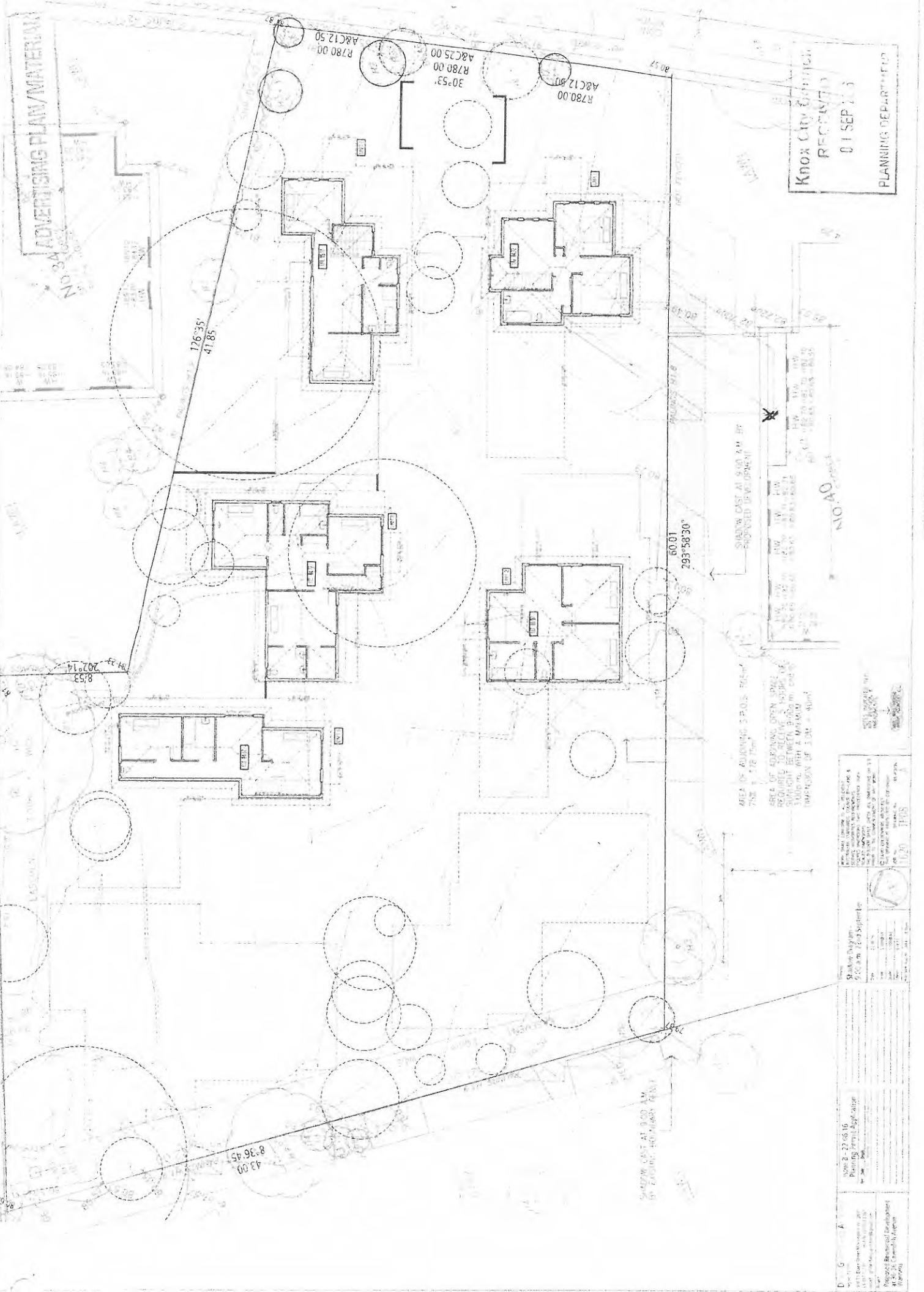
Window 3	Frame Type	Glazing	Required Performance	
			U-Value	SHGC Value
Living/Dining/Kitchen & Breakfast	Alu-Frame	Double Glazed	1.75	0.60
Bedroom 1 & Study	Alu-Frame	Double Glazed	1.75	0.58
Average Windows & Doors	Alu-Frame	Double Glazed	1.75	0.58
Overall U-Value	Alu-Frame	Double Glazed	1.75	0.58
Average Windows & Doors	Alu-Frame	Double Glazed	1.75	0.58
Overall U-Value	Alu-Frame	Double Glazed	1.75	0.58

**NOTE:** Any window glazing is considered to be double glazed unless otherwise specified. The SHGC values are based on the assumed glazing system. The U-Value values are based on the assumed glazing system. The SHGC values are based on the assumed glazing system.

**Town Planning Energy Efficiency Requirements - Summary**

Requirement	Requirement No./Reference	Requirement Description
Minimum Energy Efficiency	1.1	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.2	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.3	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.4	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.5	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.6	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.7	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.8	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	1.9	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.0	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.1	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.2	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.3	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.4	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.5	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.6	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.7	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.8	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	2.9	Minimum Energy Efficiency (SEE) of 60% for all buildings.
Minimum Energy Efficiency	3.0	Minimum Energy Efficiency (SEE) of 60% for all buildings.

**Knock City Council**  
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01 SEP 2016  
PLANNING DEPARTMENT



KNOX CITY OFFICIAL  
RECEIVED  
01 SEP 2013  
PLANNING DEPARTMENT

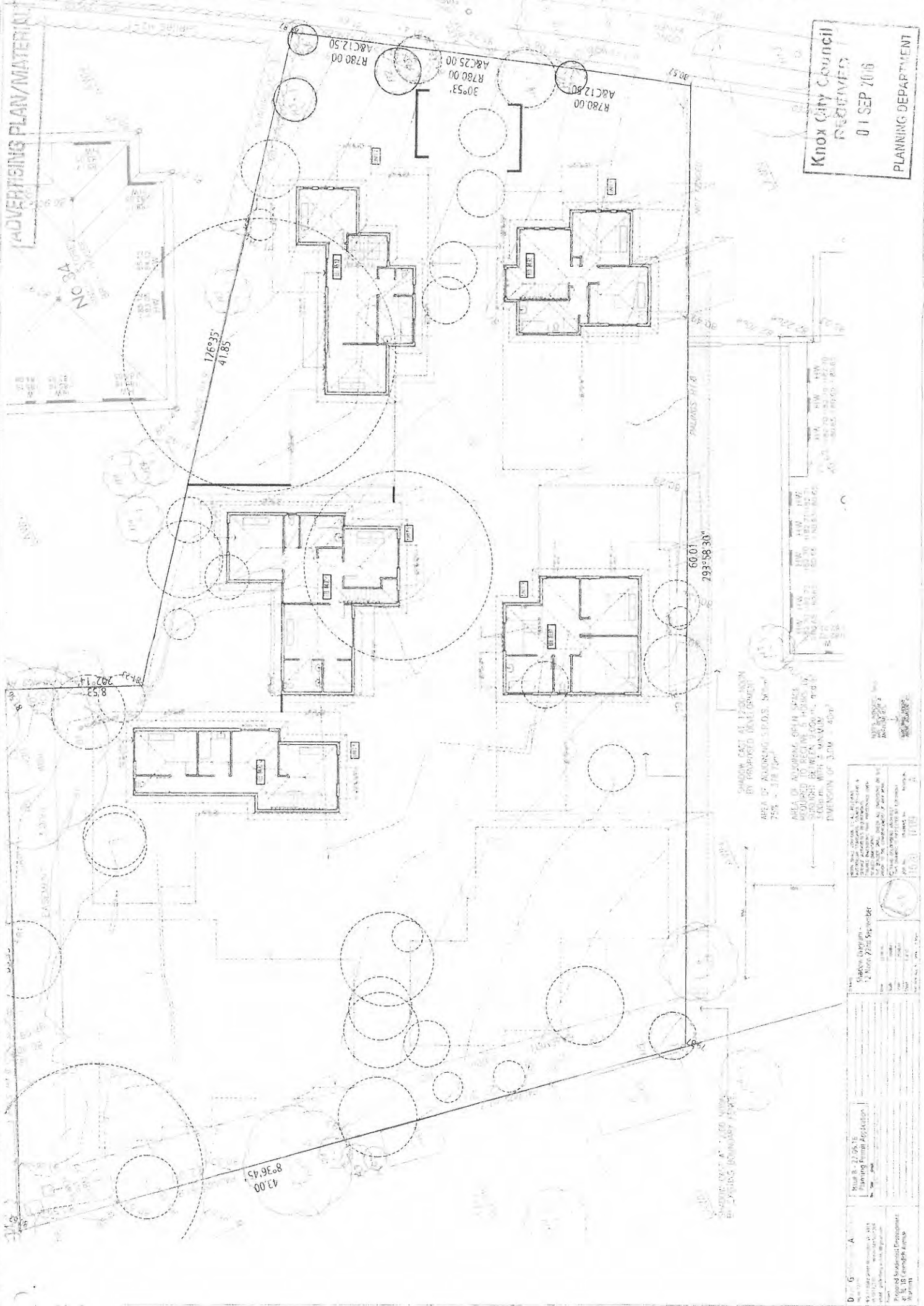
AREA OF ADJACENT 3 PLUS 25  
7'x25' SIGN

AREA OF ADJACENT 3 PLUS 25  
7'x25' SIGN  
AREA OF ADJACENT 3 PLUS 25  
7'x25' SIGN

SHADOW CAST AT 9:00 A.M. BY  
PROPOSED DEVELOPMENT

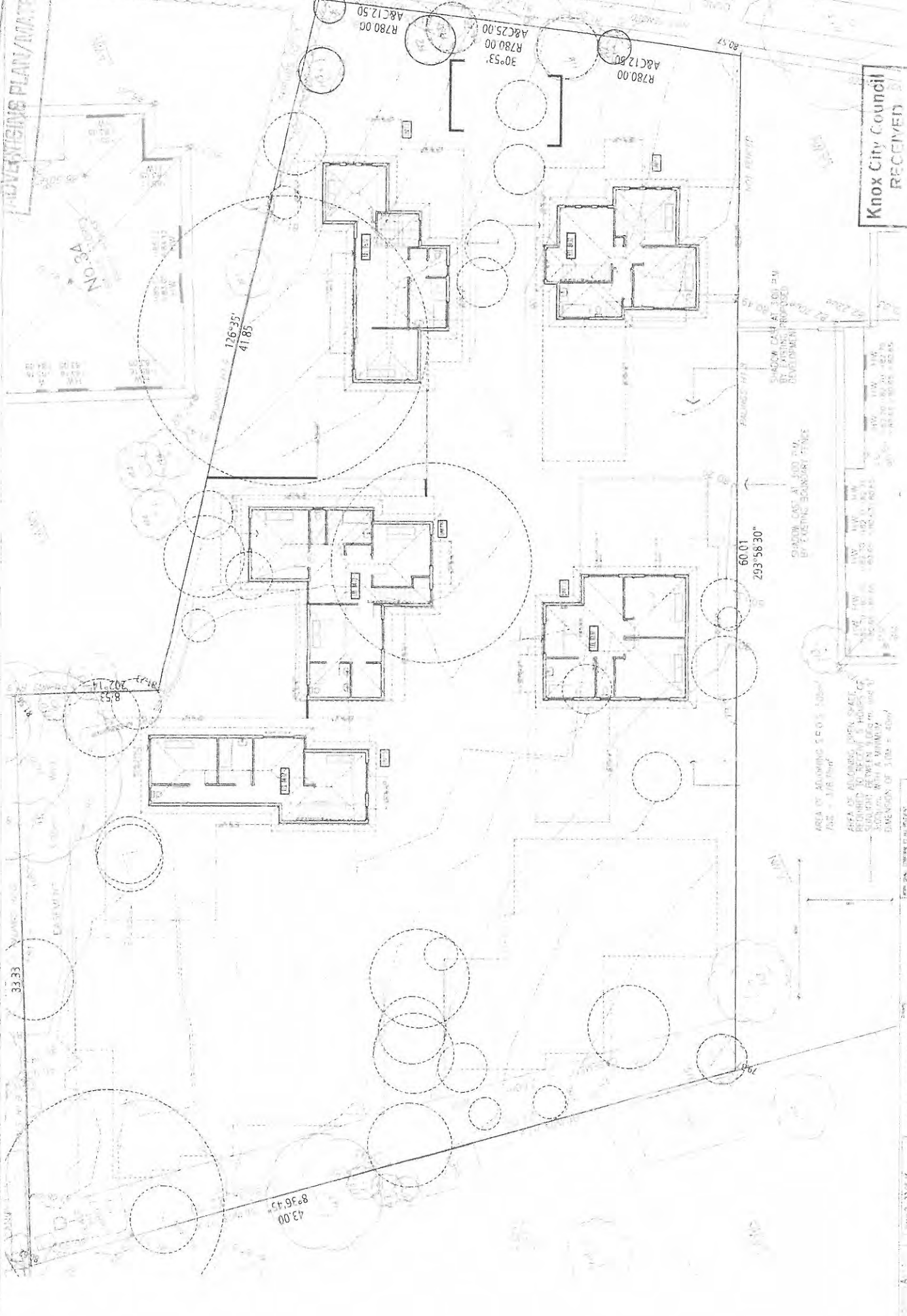
SHADOW CAST AT 9:00 A.M. BY  
EXISTING HOUSING DEVELOPMENT

NO. 3  
NO. 4  
NO. 5  
NO. 6  
NO. 7  
NO. 8  
NO. 9  
NO. 10  
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<p>Drawn by: [Name]</p> <p>Checked by: [Name]</p> <p>Date: [Date]</p>	<p>Scale: 1:100</p> <p>North Arrow</p>
<p>Project Name: 36-38 Cavendish Avenue</p> <p>Project Number: [Number]</p> <p>Project Location: [Address]</p>	<p>Project Description: [Text]</p>
<p>Client: [Name]</p> <p>Project Manager: [Name]</p> <p>Project Engineer: [Name]</p>	<p>Project Status: [Text]</p>

REVISIONS PLAN/DATE



**Knox City Council**  
**RECEIVED**  
01 SEP 2016  
PLANNING DEPARTMENT

RECEIVED

DATE	22/08/16
TIME	3:00 PM

Project: 36-38 Cavendish Avenue  
City of Knox  
Knox City Council  
Planning Department  
22/08/16 3:00 PM

# 36-38 CAVENDISH AVENUE WANITRUA APPENDIX B



**Knox City Council**  
RECEIVED  
01 SEP 2016

TBM Riveline  
Concrete X-ring  
PL 81.26

CONCRETE DRIVEWAY

**No. 36**  
SINGLE STOREY  
BRICK HOUSE

**No. 38**  
SINGLE STOREY  
BRICK HOUSE

**No. 40**  
SINGLE STOREY  
BRICK HOUSE

**No. 88**  
TWO STOREY  
BRICK & CONCRETE  
RENDERED HOUSE

Site Area  
2336m<sup>2</sup>

SCALE 1:100

**PLAN**

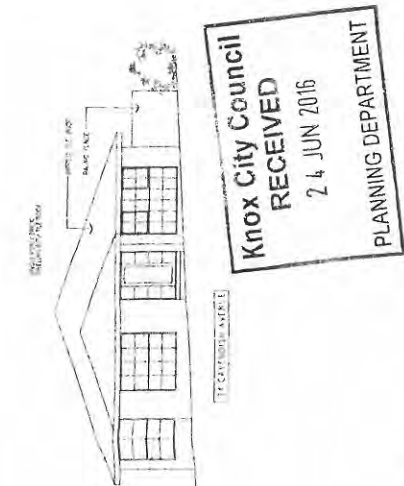
DATE: 15/08/16  
DRAWN: [Name]  
CHECKED: [Name]  
SCALE: 1:100

NOTES:

1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
2. THE SITE AREA IS 2336 M<sup>2</sup>.
3. THE PROPOSED DEVELOPMENT IS A SINGLE STOREY BRICK HOUSE.
4. THE PROPOSED DEVELOPMENT IS TO BE BUILT ON THE SITE AREA.
5. THE PROPOSED DEVELOPMENT IS TO BE BUILT ON THE SITE AREA.
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9. THE PROPOSED DEVELOPMENT IS TO BE BUILT ON THE SITE AREA.
10. THE PROPOSED DEVELOPMENT IS TO BE BUILT ON THE SITE AREA.

HEAD OF COUNCIL: [Name]  
DEPUTY HEAD OF COUNCIL: [Name]  
CITY ENGINEER: [Name]  
CITY CLERK: [Name]  
CITY MANAGER: [Name]

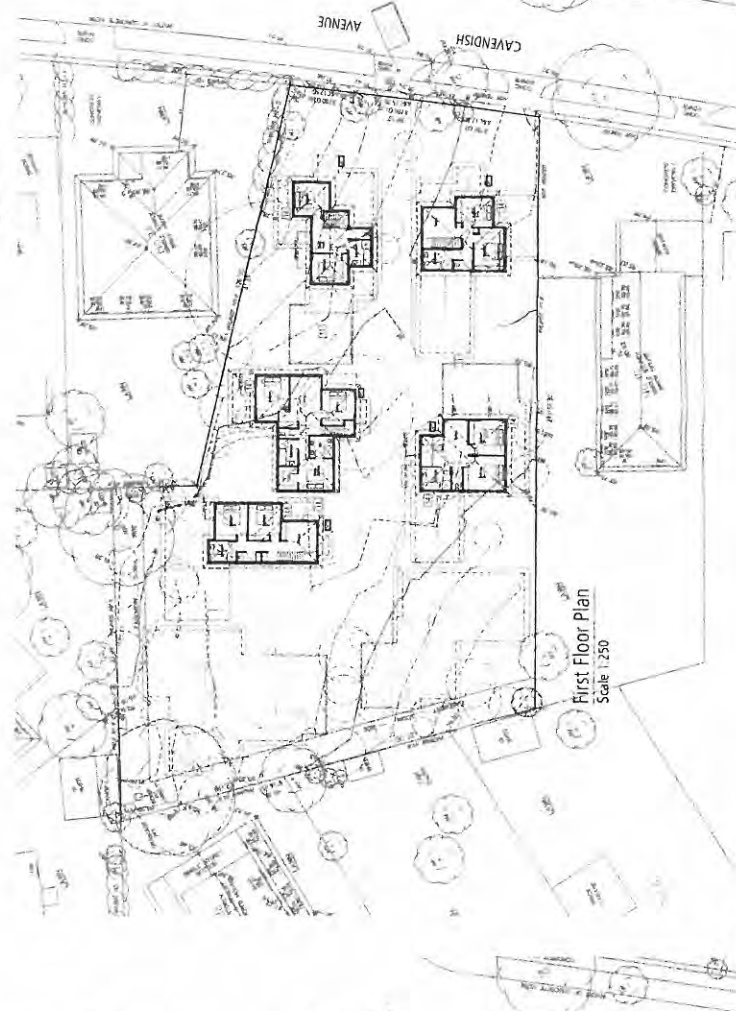
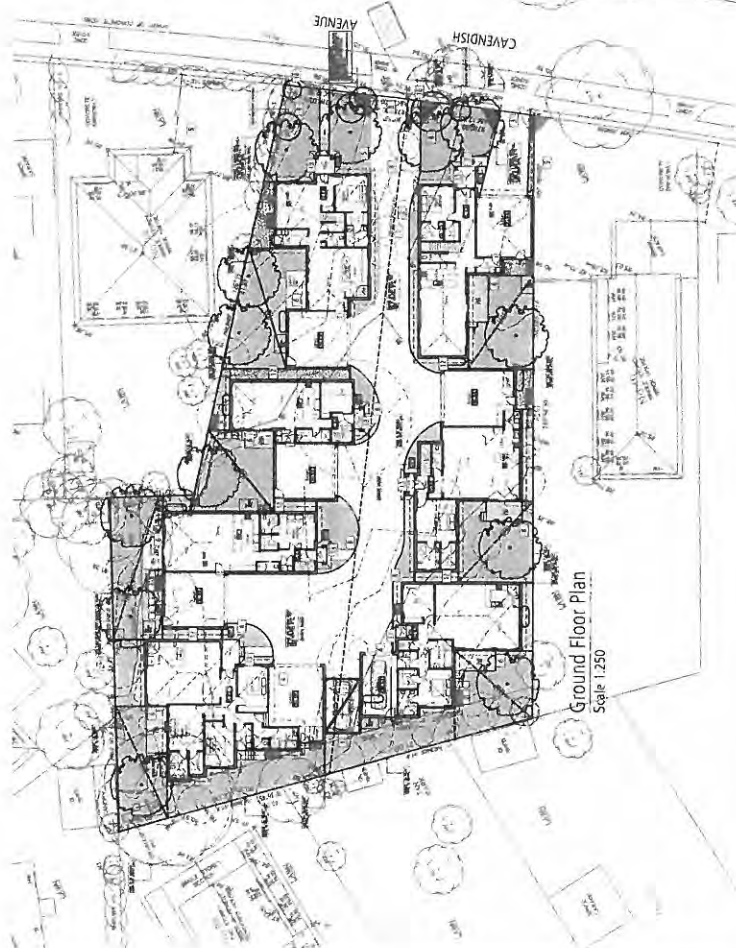
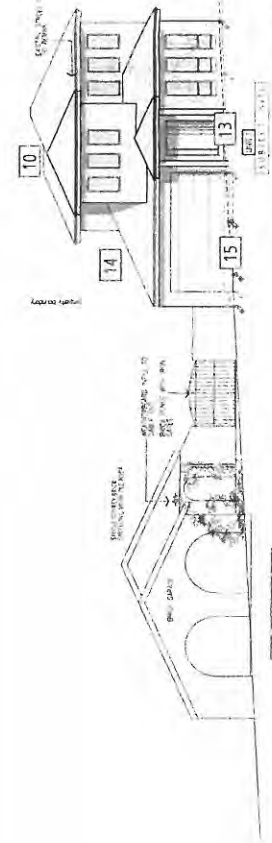
ADVERTISING PLAN/WANITRUA



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24 JUN 2016**

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**STREETSCAPE - EAST ELEVATION**  
Scale: 1:100



**KNOX CITY COUNCIL  
RECEIVED  
24 JUN 2016**

PLANNING DEPARTMENT

- DESIGN RESPONSE NOTES**
1. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  2. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  3. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  4. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  5. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  6. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.
  7. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.

**Issue 8 - 22.05.15**  
Planning Permit Application

Design Response	Response
1. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
2. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
3. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
4. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
5. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
6. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED
7. DESIGN RESPONSE TO THE CITY OF WANITRUA'S COMMENTS: THE DESIGN HAS BEEN REVISED TO ADDRESS THE COMMENTS RECEIVED FROM THE CITY OF WANITRUA.	ACCEPTED

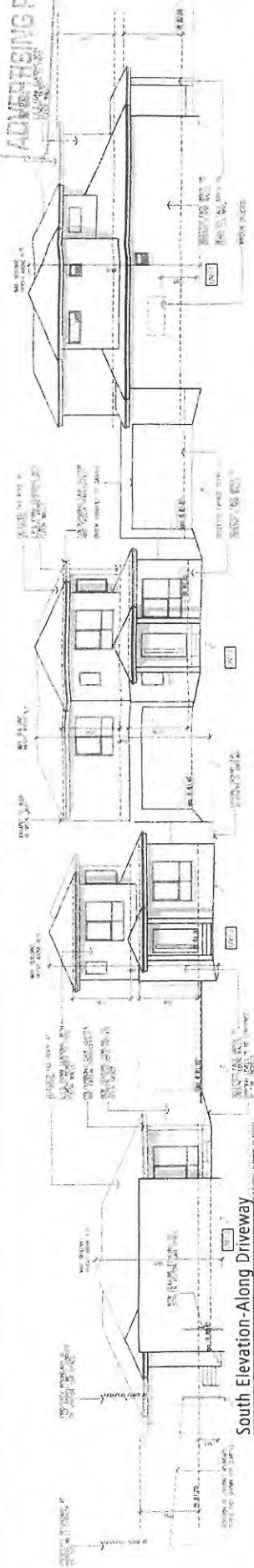
**15/10/16**

Project: Residential Development  
Address: 36-38 Cavendish Avenue  
Wanitrua



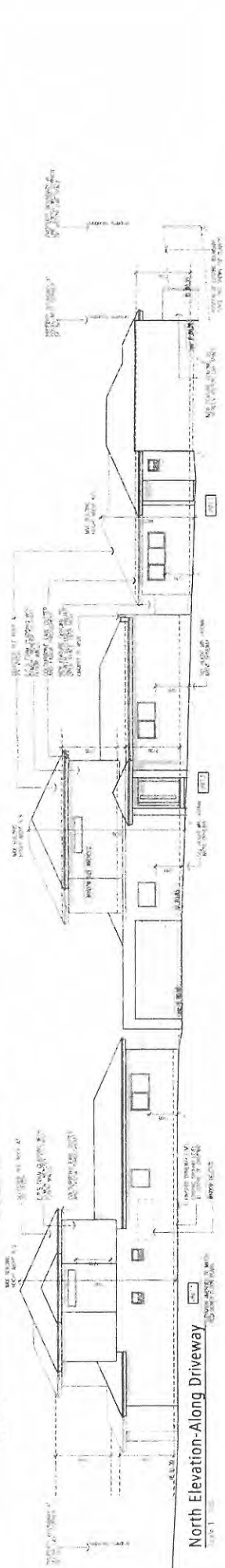


ADVERTISING PLAN/WATERMARK



South Elevation-Along Driveway  
SCALE 1:100

North Elevation-Along Driveway  
SCALE 1:100



West Elevation-Unit 6  
SCALE 1:100

West Elevation-Unit 2  
SCALE 1:100

West Elevation-Unit 7  
SCALE 1:100

West Elevation-Unit 1  
SCALE 1:100



East Elevation-Unit 3  
SCALE 1:100

East Elevation-Unit 8  
SCALE 1:100

Knox City Council  
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01 SEP 2016  
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<p>U: 6 A</p> <p>Project: 21/16/16 Advertising Plan Application</p> <p>Project: 21/16/16 Advertising Plan Application</p> <p>Project: 21/16/16 Advertising Plan Application</p>	<p>Internal Explanations</p> <p>Scale: 1:100</p> <p>Date: 21/16/16</p> <p>Author: [Name]</p> <p>Check: [Name]</p> <p>Project: 21/16/16 Advertising Plan Application</p>
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**DINSDALE WARD****6.3 APPLICATION FOR THE DEVELOPMENT OF THREE (3) DOUBLE STOREY DWELLINGS AND THREE (3) TRIPLE STOREY DWELLINGS (TOTAL SIX (6) DWELLINGS) AT 3 HARRIS GROVE, BAYSWATER (Application No. P/2016/6463)****1. SUMMARY:**

<b>Land:</b>	3 Harris Grove, Bayswater
<b>Applicant:</b>	HX Design Pty Ltd
<b>Proposed Development:</b>	Development of three (3) two storey dwellings and three (3) triple storey dwellings (total six (6) dwellings)
<b>Existing Land Use:</b>	Single dwelling
<b>Area/Density:</b>	977sqm, 1:163sqm
<b>Zoning:</b>	General Residential Zone – Schedule 4
<b>Overlays:</b>	Design and Development Overlay – Schedule 6
<b>Local Policy:</b>	Municipal Strategic Statement (MSS) Bayswater Major Activity Centre including Key Redevelopment Sites Policy
<b>Application Received:</b>	4 July 2016
<b>Number of Objections:</b>	Twelve (12)
<b>PCC Meeting:</b>	Not applicable

**Assessment:**

*The development does not provide for an appropriate balance between the need for additional housing within an established residential area, the amenity of occupants and adjoining residents, and planting of new canopy vegetation.*

*The proposal fails to comply with the Municipal Strategic Statement, the Bayswater Major Activity Centre including Key Redevelopment Sites Policy, and ResCode.*

*The proposal fails to comply with the objectives and standards of the General Residential Zone – Schedule 4 and Design and Development Overlay – Schedule 6.*

*It is considered that the proposal does not reasonably respond to State and Local Planning Policies. It is recommended that Council issue a Notice of Decision to Refuse a Planning Permit.*

### **6.3 3 Harris Grove, Bayswater (cont'd)**

#### **2. BACKGROUND**

##### **2.1 Subject Site and Surrounds**

The location of the subject site is shown in Appendix A.

- The subject site is located on the western side of Harris Grove, Bayswater. The site is irregular in shape and contains a single storey weatherboard dwelling with attached carport and associated outbuildings. The dwelling is setback 14.9m from the street frontage. Vegetation exists to the periphery of the site. Access to the site is via an existing crossover and driveway to the southern boundary of the land.
- A 2.42m wide drainage easement exists to the southern the western boundaries of the land. No covenants apply to the land.
- The subject site is located within an established residential area; containing a mixture of single and two storey dwellings. There are numerous examples of multi dwelling developments within the immediate area. Land to the south and south-east is zoned Residential Growth Zone – Schedule 2, Commercial 1 Zone to the south-east and General Residential Zone – Schedule 2 to the north-west; and developed accordingly.

##### **2.2 The Proposal**

(Refer to attached plans at Appendix B)

It is proposed to remove the existing dwelling from the site and construct three (3) double storey and three (3) triples storey dwellings (total six (6) dwellings). Details are as follows:

- Dwelling 1, 4 and 6 will be two storey and contain 2 -3 bedrooms. Dwellings also contain open kitchen / meals area, living room, laundry, bathrooms, and dining areas.
- Dwellings 2, 3 and 5 will be three storey and contain 3 bedrooms. Dwellings also contain open living areas, kitchen, laundry, bathrooms, study nook, and gallery.
- The development proposes a new crossover and driveway to Harris Grove; this will service all dwellings and is located to towards the centre of the site. Dwellings 1 and 4 (2 bedrooms) have been proposed with a single garage, with all other dwellings (3 bedrooms) being proposed with a single garage and a tandem car parking space. One (1) visitor car parking space is proposed between Dwellings 1 and 3.

### 6.3 3 Harris Grove, Bayswater (cont'd)

- Each dwelling is proposed with a minimum 15 square metre balcony, with a minimum width of 1.8 metres.
- Dwellings will reach a maximum height of 9.01 metres and will be constructed of a mixture of brick, lightweight cladding, timber cladding and colorbond roofing. Colours include light and dark greys; and a black roof.
- A *Syzygium paniculatum* (Magenta Lilly Pilly) is shown to be retained within the site frontage and all other vegetation is indicated to be removed. No front fence is proposed.

## **3. CONSULTATION**

### **3.1 Advertising**

The application was advertised by way of a sign on the site frontage and notices were sent to adjoining property owners and occupiers. Council received twelve (12) objections to the application. These can be summarised as follows:

Waste Management / bins in street

- *The application has been referred to Council's Waste Department who are satisfied that the waste, recycling & hard waste collections can be undertaken kerbside on the naturestrip frontage of the property in Harris Grove.*

Parking / Traffic / Street already congested

- *Council's Traffic Engineers have reviewed the planning application and have no objection to the amount of traffic generated from the development.*

Removal of vegetation / impact on habitat

- *The application has been referred to Council's Arborist who has noted all vegetation (with the exception of the Magenta Lilly Pilly within frontage of the site) is proposed to be removed however; none of this is considered significant due to their species and / or health.*
- *The application will have a significant impact on vegetation on adjoining land. See Arborist comments in Section 3.2.*
- *Limited opportunities have been provided for compensatory replanting onsite, including canopy trees. Ground floor open space areas have been noted on plans to be used for car parking purposes, therefore limiting canopy planting to the frontage of the site, which is considered insufficient and does not comply with the landscaping objectives of the Knox Planning Scheme.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *In addition to this, the limited landscaping opportunities provided throughout the site will reduce the internal amenity of the development for future residents.*

#### Neighbourhood Character / Overdevelopment

- *The proposed development is not supported as it is considered to be uncharacteristic of the area and fails to comply with a number of Standards of ResCode. This will be discussed further in Section 4.2.2.*

### 3.2 Referrals

The application has been referred to internal departments for comment. No objection has been raised; the following is a summary of relevant advice:

#### Traffic Engineer

- *Standard conditions to be included on any permit issued.*
- *The vehicles shown on plans are not the correct size for an 85th percentile vehicle.*
- *Turning templates indicate it is difficult to exit out of the western car space of garage 1. Vehicles must give 300mm clearance to all the wall of Dwellings 1 & 3. The layout must be changed so all vehicles can enter and exist in a forward direction. Swept paths using a 85th percentile tuning template should be provided to show access can be achieved to all car spaces.*
- *It has been noted that the garage for the proposed Dwelling 1 has a door which opens inwards to the garage. This will reduce the space of the garage to less than required and the applicant should alter the direction in which the door opens.*

*Officer Comment: These matters can be addressed through conditions of permit, should a permit be issued as there is sufficient space to allow for extra width in garage 1.*

#### Drainage Engineer

- *Standard conditions to be included on any permit issued.*

#### Assets

- *No objection. Standard conditions.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

#### Arborist

- *A Syzygium paniculatum (Magenta Lilly Pilly) is shown to be retained, this tree will not be affected, all other vegetation is indicated to be removed, no vegetation is significant and a permit to remove is not required.*
- *Dwelling 2 needs to be redesigned to be outside the Structural Root Zone (2.1m radius) of Tree 13 and not encroach into the Tree Protection Zone by more than 10%. Current design shows the development to have a 17.2% encroachment, including encroachment into the Structural Root Zone.*
- *Dwelling 3 needs to be redesigned to be outside the Structural Root Zone (2.4m radius) of Tree 29 and not encroach into the Tree Protection Zone by more than 10%. Current design shows the development to have a 33.2% encroachment, including encroachment into the Structural Root Zone.*
- *Before the development commences, a tree management plan (A1 sheet @ 1:100) must be submitted to and approved by the Responsible Authority, demonstrating how vegetation to be retained on site and on adjoining properties will be protected and maintained during the pre-development, construction, and post construction phases.*

*Officer Comment: The proposal would require a significant redesign to ensure compliance with the above requirements; it is unclear if there is sufficient space available onsite to allow for this. The tree management plan could be required as a condition of permit, should a permit be issued.*

#### Landscape

- *The Landscape plans must show the provision of at least 4 additional indigenous or native canopy trees, 5 additional large feature shrubs with a mature height of 4-5 metres and at least 15 additional medium-large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:*
  - *1 large indigenous canopy tree, 1 medium canopy tree in the front and 2 large feature shrubs with a mature height of 4-5 metres located in the front setback of Dwelling 2.*
  - *1 large indigenous canopy tree, 1 small canopy tree in the front and 2 large feature shrubs with a mature height of 4-5 metres located in the front setback of Dwelling 1.*
  - *1 large feature shrub with a mature height of 4-5 metres located in the north west corner of the site.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *All other standard landscaping permit conditions apply.*

*Officer Comment: This would satisfy the Landscaping standards of the General Residential Zone – Schedule 4 however; it would not meet the objectives of this requirement. These matters could be addressed through conditions of permit should a permit be issued.*

#### Waste Management

- *Satisfied that the waste, recycling & hard waste collections can be undertaken kerbside on the naturestrip frontage of the property in Harris Grove, as there is sufficient space to accommodate the bins and this eliminates the need for a centralised bin store for communal bins, an on-site collection point or a private waste service.*
- *No Waste Management Plan required.*

#### Sustainability

- *Standard conditions to be included on any permit issued.*

#### Parks

- *Tree 1 (northern end of street frontage) has been removed by council and no longer exists.*
- *Tree 2 (middle of street frontage) cannot remain within this design. The tree is within the area of the proposed cross-over location. The tree can be removed at cost to the applicant of \$1,584.18*
- *Tree 3 (southern end of street frontage) can be retained within this design. Tree Protection Zone fencing will be required. The fencing must be installed a minimum 3.5m from the trunk and be bordered by the property boundary and the road.*

*Officer Comment: These matters could be addressed through condition of permit should a permit be issued.*



### 6.3 3 Harris Grove, Bayswater (cont'd)

#### **4. DISCUSSION**

##### 4.1 Zoning and Overlays

###### 4.1.1 Zone

###### **General Residential Zone – Schedule 4**

The subject site is located within the General Residential 4 Zone. A permit is required for the construction two or more dwellings on the land pursuant to Clause 32.08-4 of the General Residential 4 Zone.

- *The proposal is considered to be inconsistent with the purpose of the General Residential Zone – Schedule 4 as it does not provide for diversity in housing types that respects the neighbourhood character of the area.*
- *It is acknowledged that the site is large enough to accommodate multi dwellings however; the design response is not a sympathetic or appropriate outcome for the site and the immediate area.*
- *The proposal fails to comply with a number of requirements of ResCode including (but not limited to) site coverage / permeability, side and rear setbacks, neighbourhood character, private open space, solar access and landscaping. The proposed development provides for an inadequate design response and poor amenity for future residents.*

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B6 (Minimum Street Setback):

Context: Where there is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.

Minimum setback from front streets: The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.

- *The proposed development is setback 9m from Harris Grove and complies with this requirement.*

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping). Development provide for a minimum of one canopy tree per 250 square metres of the site area including a minimum of one canopy tree within the front setback per 5 metres of width of the site (excluding the width of one driveway). Each tree should be required to be surrounded by 20 square metres of permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *It is considered that the proposed development can meet the standard of this requirement and accommodate the canopy tree planting in accordance with the Schedule. This could be addressed through conditions of permit, should a permit be issued. However; it is considered that the development would not meet the objective of this Standard.*
- *All planting would have to be accommodated within the frontage of the site as other open space areas within the development have been shown to be used for car parking purposes or located over an easement. Limited opportunities have been provided within side and rear setbacks for the provision of meaningful landscaping, including canopy trees; to help integrate the development into the area.*
- *The limited landscaping opportunities provided throughout the site will reduce the internal amenity of the development for future residents.*
- *The application will have a significant impact on vegetation on adjoining land which does not ensure the retention of mature vegetation or maintain the landscape character of the area.*
- *In addition to this, the proposed removal of the majority of vegetation from the site and limited opportunity for compensatory replanting, including canopy planting; will not maintain or enhance the landscape character of the area or habitat for plants and animals in the area.*

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B28 (Private Open Space) which required provision of private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
  - A balcony of 15 square metres with a minimum width of 1.8 metres and convenient access from a living room, or
  - A roof-top area of 15 square metres with a minimum width of 2 metres and convenient access from a living room.
- *Each dwelling has been proposed with a balcony of 15 square metres with a minimum width of 1.8 metres and convenient access from a living room. As such, the development complies with this requirement however; it is considered that the proposal fails to comply with the objective of this Standard.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *It is considered that the proposal does not provide adequate private open space for the reasonable recreation needs of residents as balconies on the northern side of the development will be required to be screened to limit overlooking into adjoining properties as well as internally; this will impact on the amenity of these open space areas. In addition to this, balconies located on the southern side of the development will not comply with relevant solar access requirements of ResCode.*

#### 4.1.2 Overlays

The site is located within the Design and Development Overlay – Schedule 6 (DDO6) relating to the Bayswater Major Activity Centre. Within the DDO6, a planning permit is required to construct or carry out works associated with a new dwelling.

The following requirements apply to buildings and works:

##### Building heights

- *The subject site is located within an area that is earmarked for three-storey development as per the Map attached to the DDO6. The proposed dwellings height / number of storeys are consistent with this.*
- *The development does not provide for an appropriate transition between adjoining zones and built form. A number of two and three storey sheer walls are proposed throughout the development with limited landscaping opportunities provided to help 'screen' the bulk of the built form.*

##### Views

- *The site currently has limited views of the Dandenong Ranges given the sites context; the proposal will not alter this.*

##### Private open space

- *As previously discussed, private open space is proposed in the form of upper level balconies. Balconies on the northern side of the development will be required to be screened to limit overlooking into adjoining properties as well as internally; this will impact on the amenity of these open space areas. In addition to this, balconies on the southern side of the development will not receive appropriate solar access.*
- *Open space areas at ground floor level area limited.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

#### Vegetation and landscaping

- *The majority of vegetation onsite is proposed to be removed, with the exception of a Magenta Lilly Pilly within the frontage setback of the site.*
- *As previously discussed, landscaping opportunities within the site are restricted to the frontage of the site. Little or no opportunity has been provided for landscaping (including canopy planting) within side and rear boundaries; therefore limiting the ability for landscaping to help integrate the development into the area.*
- *The limited landscaping opportunities provided throughout the site will reduce the internal amenity of the development for future residents.*
- *The proposal will also have a significant impact on vegetation on adjoining allotments, further exacerbating the lack of site responsiveness of the proposed development.*

#### Streetscape design

- *The development has not been proposed to be scaled down in height towards the rear of the property, with Dwellings 3 and 5 being three storey in form. While it is acknowledged this adjoins a car parking area, it will still be visible from adjoining land to the west with no landscaping to help soften the development when viewed from these properties.*
- *In addition to the above, Dwelling 6 has been proposed with a two storey sheer wall to the rear of the property; this abuts a General Residential Zone – Schedule 2 and a single storey dwelling is constructed in close proximity to the common boundary with the subject site.*
- *Some recession of upper stories has been proposed however; a number of two and three storey sheer walls have also been proposed throughout the development which is inconsistent with the character of the area and will provide for unacceptable visual bulk when viewed from adjoining land.*
- *Dwellings 1 and 2 have been proposed with balconies that will face the street.*
- *A mixture of materials has been proposed throughout the development.*
- *Passive surveillance will be provided through the provision of windows at ground floor and upper floor levels and balconies at upper storeys.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *Limited landscaping opportunities have been provided throughout the development to help integrate the development into the area and provide for improved internal amenity for future residents.*

#### Accessibility

- *The proposed development has not provided for bicycle parking onsite. This could be addressed through condition of permit, should a permit be issued.*

#### Decision Guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- *A satisfactory Sustainable Design Assessment (SDA) has been submitted to Council. Should a permit be issued, a condition of any permit issued will also require the development to be constructed in accordance with the approved SDA.*
- *The proposed development does not provide adequate building articulation, there are a number of two and three storey sheer walls proposed throughout the development which will present poorly to adjoining and surrounding land.*
- *The proposed scale, bulk and design of the development is not considered to make a positive contribution to the area. Limited landscaping opportunities have been provided to help integrate the development into the area and the proposal will also have a significant impact on vegetation on adjoining land.*
- *The proposal fails to comply with side and rear setbacks requirements of ResCode. This combined with limited articulation of upper storeys and minimal landscaping opportunities to help screen the development, provides for a proposal that will represent as an overbearing built form when viewed from adjoining land.*
- *Upper storey balconies on the northern side of the development will have the ability to overlooking adjoining residential properties; this could be rectified through conditions of permit, should a permit be issued. Screening these balconies will however, impact on the amenity for future residents of these dwellings. In addition to this, balconies on the southern side of the development fail to comply with relevant solar access standards of ResCode, therefore impacting on the amenity of future residents.*
- *Poor amenity is provided for future residents of the development through the provision of screened and shadowed open spaces, insufficient vehicle manoeuvrability and limited landscaping.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

#### 4.2 Policy Consideration

##### 4.2.1 State Planning Policy Framework

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

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

- *It is considered that the proposed development will detract from the preferred character of the area. The design of the development does not reflect the built form, scale and landscaping found in the area.*
- *It is acknowledged that multi dwellings could be accommodated onsite and the site is within reasonable distance of shops, services, and public transport on the Principal Public Transport Network however; the proposal does not provide for increased density with an appropriate design response.*

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

- *Dwellings 1, 3 and 5 have been proposed with secluded private open space in the form of balconies to the south side of the dwellings, with a wall to the north of this space. These dwellings have not been proposed with appropriate solar access to secluded private spaces, which will impact on the amenity provided for future residents.*
- *The proposal can contribute to the consolidation of urban development through the provision of increased density with access to urban services and transport.*
- *A satisfactory Sustainable Design Assessment (SDA) has been submitted to Council. Should a permit be issued, a condition of any permit issued will also require the development to be constructed in accordance with the approved SDA.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

Clause 16 Housing – Encourage the development of well-designed medium-density housing that respects the neighbourhood character; improves housing choice; makes better use of existing infrastructure; and, improves energy efficiency of housing.

- Neighbourhood character - *This is discussed at Section 4.2.2 of the report.*
- Housing choice – *The development provides for dwellings with smaller open space areas.*
- Integration with infrastructure – *The site is located in a fully serviced area. Drainage plans can be required as a condition of any permit issued.*
- Energy efficiency – *This has been discussed at Clause 15.02 (Sustainable Development).*
- Location – *The site is located within walking distance of public transport available along Mountain Highway.*

Clause 18 Transport – To create a safe and sustainable transport system by integrating land use and transport.

- *The site is located within the Bayswater Activity Centre and approximately 100 metres walking distances from Mountain Highway which forms part of the Principal Public Transport Network (PPTN).*
- *The site is also over 700m from the Bayswater Train Station and bus exchange however; a number of bus routes operate along Mountain Highway:*
  - *The 664 bus route has a direct service between Chirnside Park and Knox City Shopping Centre, via Croydon. This service operates between 5:29am and 10:04pm Monday to Friday; between 7:22am and 10:38pm Saturdays; and 7:42am and 9:38pm Sundays, at various intervals.*
  - *The 755 bus route has a direct service between Bayswater Train Station to Knox City Shopping Centre via Basin, Boronia and Ferntree Gully. This service operates between 5:53am and 9:37pm Monday to Friday; between 7:47am and 9:51pm Saturdays; 8:47am and 9:20pm Sundays, at various intervals.*
  - *The 745 bus route has a direct service between Bayswater and Knox Shopping Centre. This service operates between 6:03am and 8:54pm Monday to Friday; between 7:47am to 8:52pm Saturdays; and 8:55am to 8:54pm Sundays, at various intervals.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

#### 4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS).- encourages planning and development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

All development therefore is encouraged within this clause to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure, and to reduce dependence on private vehicle travel.

- *The site is located in an established activity area close to urban services and open space areas. As previously discussed, the development does not provide for an appropriate balance between the need for additional housing within an established residential area, the amenity of occupants and adjoining residents, and planting of new canopy vegetation.*
- *A satisfactory Sustainable Design Assessment has been submitted to Council and a condition of any permit issued will require the development to be constructed in accordance with this.*

21.04 Urban Design - Municipal Strategic Statement (MSS) – To ensure that all development responds positively to the existing patterns of urban form and character, the landscape, qualities, historic and cultural elements and social aspirations of the Knox community.

- *The subject site is located within an Activity area however; the proposal is not considered to respect the preferred neighbourhood character of the area, and is inconsistent with the requirements of the MSS.*
- *An assessment against Council's Bayswater Major Activity Centre Policy (Clause 22.05) is below. The development is considered to be inconsistent with the Design and Development Overlay – Schedule 6, General Residential Zone – Schedule 4 and fails to provide for opportunities for meaningful landscaping throughout the site.*
- *The proposal fails to comply with side and rear setbacks requirements of ResCode. This combined with limited articulation of upper storeys and minimal landscaping opportunities to help screen the development, provides for a proposal that will represent as an overbearing built form when viewed from adjoining land.*
- *Poor amenity is provided for future residents of the development through the provision of screened and shadowed open spaces, insufficient vehicle manoeuvrability and limited landscaping.*



### 6.3 3 Harris Grove, Bayswater (cont'd)

Clause 21.05 – Housing – The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

The subject site is located approximately 100 metres from the Principal Public Transport Network, with good access to connections to shops, facilities and nearby activity centres and Bayswater train station.

Objective 1 for Housing Objectives and Strategies is to support residential development in accordance with the Knox Housing Strategy 2015, which identifies a scaled approach to residential development. A strategy is to direct housing growth toward Local Living and Activity Areas.

- *While it is acknowledged the site is within an area where a greater range and increased densities of residential development is encouraged; the development is considered to be inconsistent with the preferred neighbourhood character and provides for poor internal amenity as set out in the local policy.*
- *The proposal will not make a positive contribution to the character of the area as it does not provide for an appropriate transition between adjoining zones and development, will impact on vegetation on adjoining land, and provides for minimal landscaping opportunities throughout the site.*
- *The proposal fails to comply with a number of requirements of ResCode in relation to energy efficiency, side and rear setbacks, solar access and detailed design.*

Objective 2 is to support a diversity of housing choice in appropriate locations. Strategies include encouraging a diversity of housing styles, types, forms and sizes to cater for the changing needs of the community and to encourage developments of three or more dwellings in Activity Areas and Local Living areas to include a mix of dwelling sizes (including 1 and 2 bedroom dwellings), to respond to a shortfall in the number of smaller sized dwellings within the municipality.

- *The development will provide residents with alternative forms of housing styles and sizes. The development provides for two and three bedroom dwellings.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

Objective 3 is to ensure the quality of housing design in Knox is improved to better respond to neighbourhood identity and to create a stronger sense of place. Strategies include ensuring that residential development enhances the City's "green and leafy" image, support development that makes a positive contribution to the preferred future character of the area and that is innovative, environmentally sustainable, accessible and site responsive.

- *As noted throughout this report, the development fails to provide meaningful landscaping throughout the site to help integrate the development into the area or improve internal amenity for future residents. The proposed two and three storey built form will not be able to be 'screened' when viewed from adjoining land. The development will not contribute to the green and leafy image of Knox.*
- *In addition to this, the proposal will have a significant impact on vegetation on adjoining land.*

Objective 4 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

- *The site is not located in an area of biological significance however; minimal landscaping opportunities are provided for onsite.*

Objective 5 is to ensure that residential development better responds to the community's current and future needs, and allows people to 'age-in-place' by supporting the provision of a diverse range of housing including smaller scale dwellings.

- *As noted above, the development will provide residents with alternative forms of housing styles and sizes. The development provides two and three bedroom dwellings.*

#### Clause 22.05 – Bayswater Major Activity Centre including Key Redevelopment Sites Policy

A Structure Plan for the Bayswater Activity Centre has been adopted and implemented by Council.

The site is located within an area designated for medium density development, with a 3 storey height limit.

- *There is Local Planning Policy Framework support for higher density residential development of the site, particularly as the site is located within the Bayswater Activity Centre.*
- *However it is considered that the design of the development will not make a positive contribution to the streetscape, with built form considered to be inappropriate in form and scale and impact on the preferred neighbourhood and landscape character of the area.*

### 6.3 3 Harris Grove, Bayswater (cont'd)

- *The proposed dwelling types and overall building heights are consistent with the Bayswater Activity Centre Structure Plan 2012.*

#### 4.3 Particular Provisions

##### Clause 52.06 – Car Parking

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

Clause 52.06-5 outlines the requisite amount of parking to be provided as follows:

To each dwelling at a ratio of one car space to each one or two-bedroom dwelling and two spaces for each dwelling with three or more bedrooms (with studies or studios that are separate rooms counted as bedrooms).

- *Each three-bedroom dwelling has been proposed with two car parking spaces, with each two-bedroom dwelling being proposed with one car parking space.*
- *One (1) visitor car parking space has been provided in accordance with this requirement.*

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

*Design Standard 1: Accessways – Does not comply. The vehicles shown on plans are not the correct size for an 85th percentile vehicle (85% of all passenger vehicles will be accommodated by using this template).*

*Turning templates indicate it is difficult to exit out of the western car space of garage 1. Vehicles must give 300mm clearance to all the wall of Dwellings 1 & 3. The layout should be altered so all vehicles can enter and exist in a forward direction. Swept paths using a 85th percentile tuning template should be required as a condition of any permit issued to ensure access can be achieved to all car spaces.*

*A condition of any permit issued would also require that the letter boxes have a maximum height of 900mm and that meter boxes are outside the driveway sightline splay area.*

*Design Standard 2: Car Parking Spaces – Does not comply. A condition of any permit issued should ensure that the garage door for Dwelling 1 does not open inwards to the garage, as this will reduce the space available for parking of vehicles.*

### **6.3 3 Harris Grove, Bayswater (cont'd)**

*A condition of any permit issued should also require visitor spaces to be linemarked, sign posted and identifiable.*

Design Standard 3: Gradients – *Complies.*

Design Standard 4: Mechanical Parking – *Not applicable.*

Design Standard 5: Urban Design – *Complies.*

Design Standard 6: Safety – *Complies.*

Design Standard 7: Landscaping – *Complies.*

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

The proposal is considered to be inconsistent with the provisions of Clause 55 of the Knox Planning Scheme, an assessment of the key criteria; including any areas of non compliance are considered below:

#### Neighbourhood Character and Infrastructure

Neighbourhood Character – *Does not comply. Refer to assessment above at Section 4.2.2.*

Residential Policy – *Does not comply. The proposal is consistent with the urban consolidation objectives contained within the State and Local Planning Policy Frameworks. However, the proposal fails to positively respond to the preferred neighbourhood character by ensuring ample spaces and landscaping around dwellings, providing appropriate setbacks to boundaries and upper stories and reducing hard surfaces.*

Dwelling Diversity – *Complies.*

Infrastructure – *Complies. A drainage plan will be required as a condition on any permit issued.*

Integration with the Street – *Complies.*

#### Site Layout and Building Massing

Street Setback – *Complies.*

Building Height – *Complies.*

Site Cover/permeability – *Does not comply. While the proposal complies with the Standard, it does not comply with the objective as the development does not provide for site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. Extensive hard surfaces are proposed throughout the site, limiting landscaping opportunities onsite.*

### **6.3 3 Harris Grove, Bayswater (cont'd)**

Energy Efficiency – *Does not comply. Balconies for Dwellings 1, 3 and 5 have been proposed to the southern side of the dwelling. Balconies located on the northern side of the development will have access to northern light however; this will be reduced by the provision of screens to these elevations.*

Safety – *Complies.*

Landscaping – *Does not comply. Refer to assessment against General Residential Zone – Schedule 4 assessment in Section 4.1.1.*

Access – *Complies.*

Parking Location – *Can comply. A condition of any permit issued should require shared accessways or car parks of other dwellings and residential buildings to be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.*

#### Amenity Impacts

Side and rear setbacks – *Does not comply. The upper storey northeast corner of Dwelling 2 should be setback 3.8 metres from the northern boundary, and the upper storey of Dwelling 5 should be setback 4.1 metres from the western boundary; 1.95 metres and 3.61 metres are proposed respectively.*

*In addition to this, the proposal is considered to be inconsistent with objective of this Standard as the height and setback of the buildings from the boundary does not respect the existing or preferred neighbourhood character of the area, or limit impact on the amenity of existing dwellings. The minimal setback to side and rear boundaries also limits the ability to provide for meaningful landscaping within these setbacks to help integrate the development into the area.*

Walls on boundaries – *Complies.*

Daylight to existing windows/north facing windows – *Complies.*

Overshadowing open space – *Complies.*

Overlooking – *Habitable room windows and balconies with the ability to overlook adjoining properties have been shown to be screened in accordance with this Standard. Should a permit be issued, a condition of any permit would require a notation that windows are to be screened with fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The window may be clear and openable above 1.7 metres. Adhesive film must not be used.*

### **6.3 3 Harris Grove, Bayswater (cont'd)**

Internal views – *Can comply. There will be opportunities for internal overlooking between balconies for Dwellings 4 and 6, however there does not appear to be screening provided between these areas. There will also be opportunity for internal overlooking from Dwelling 5's balcony down to Dwelling 3's balcony below.*

*Should a permit be issued, conditions of permit would need to address this.*

Noise – *Complies.*

#### On-Site Amenity and Facilities

Accessibility – *Complies.*

Dwelling Entry – *Complies.*

Daylight to new windows – *Does not comply. Dwelling 4 Bedroom 1 has not been provided with an outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot. Should a permit be issued, this should be addressed.*

Private Open Space – *Complies Refer to assessment against General Residential Zone – Schedule 4 assessment in Section 4.1.1.*

Solar access – *Does not comply. Dwellings 1, 3 and 5 have been proposed with secluded private open space in the form of balconies to the south side of the dwellings, with a wall to the north of this space. The balconies are proposed with a maximum width of 1.8 metres, which does not comply this requirement.*

*These dwellings have not been proposed with appropriate solar access to secluded private spaces, which will impact on the amenity provided for future residents.*

Storage – *Complies.*

#### Detailed Design

Detailed Design – *Does not comply. Whilst the details of the built form, including the materials of construction are respectful of the preferred neighbourhood character, the minimal setbacks to adjoining land, and limited landscaping opportunities will have an unreasonable impact on the amenity of the surrounding sites.*

Front fence – *N/A*

Common Property – *Complies.*

Site Services – *Complies.*

### **6.3 3 Harris Grove, Bayswater (cont'd)**

#### **4.5 General Decision Guidelines**

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

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

#### **5. CONCLUSION**

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

- *The development is inconsistent with State Policy, Clause 21.07 (Municipal Strategic Statement), and Clause 22.05 (Bayswater Major Activity Centre including Key Redevelopment Sites Policy) of the Knox Planning Scheme.*
- *The proposal fails to comply with the General Residential Zone - Schedule 4 and Design and Development Overlay – Schedule 6.*
- *The development is noncompliant with a number of objectives and standards of ResCode and provides for poor internal amenity for future residents.*
- *The development does not provide for an appropriate balance between policies that encourage increased housing densities and the amenity of adjoining properties.*

#### **6. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

#### **RECOMMENDATION**

**That Council issue a Notice of Decision to Refuse to Grant a Planning Permit for the development of three (3) two storey dwellings and three (3) triple storey dwellings (total six (6) dwellings) at 3 Harris Grove, Bayswater based on the following grounds:**

- 1. The proposal fails to satisfy relevant State Planning Policy Framework strategies and objectives, particularly Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) of the Knox Planning Scheme.**

**6.3 3 Harris Grove, Bayswater (cont'd)****Recommendation (cont'd)**

2. The proposal fails to satisfy relevant Local Planning Policy Framework objectives and strategies, particularly Clause 15.01-1 (Urban Design), Clause 21.04 (Urban Design), Clause 21.05 (Housing) and Clause 22.05 (Bayswater Major Activity Centre and Key Redevelopment Sites Policy) of the Knox Planning Scheme.
3. The design outcome is not considered to be respectful of the existing or preferred neighbourhood character, due to scale and siting of buildings, impact on vegetation, and resultant impact on the amenity of adjoining residential properties.
4. The proposal does not achieve the objectives and standards of the General Residential Zone – Schedule 4 in relation to open space and landscaping.
5. The proposal is inconsistent with the objectives and decision guidelines of the Design and Development Overlay – Schedule 6.
6. The proposal fails to comply with Accessway and Car Parking Spaces Design Guidelines of Clause 52.06 (Car Parking) of the Knox Planning Scheme.
7. The proposal does not satisfy the objectives of Clause 55 of the Knox Planning Scheme, in particular:
  - a) Clause 55.02-1 - Neighbourhood Character
  - b) Clause 55.02-2 – Residential Policy
  - c) Clause 55.03-3 – Site Coverage
  - d) Clause 55.03-4 – Permeability
  - e) Clause 55.03-5 – Energy Efficiency
  - f) Clause 55.03-10 – Parking Location
  - g) Clause 55.04-1 - Site and Rear Setbacks
  - h) Clause 55.04-7 – Internal Views
  - i) Clause 55.05-3 – Daylight to New Windows
  - j) Clause 55.05-5 – Solar Access
  - k) Clause 55.06-1 – Design Detail
8. Insufficient space has been made available to provide for meaningful landscaping to integrate the development into the area and maintain the landscape character of the area.
9. The proposal will provide for poor internal amenity for future residents.
10. The proposal will have a negative impact on vegetation on adjoining land.



**6.3 3 Harris Grove, Bayswater (cont'd)**  
**Recommendation (cont'd)**

11. The development does not provide for an appropriate balance between the need for additional housing within an established residential area, the amenity of occupants and adjoining residents, and planting of new canopy vegetation.

**COUNCIL RESOLUTION**

MOVED: CR. GILL  
SECONDED: CR. LOCKWOOD

That Council issue a Notice of Decision to Refuse to Grant a Planning Permit for the development of three (3) two storey dwellings and three (3) triple storey dwellings (total six (6) dwellings) at 3 Harris Grove, Bayswater based on the following grounds:

1. The proposal fails to satisfy relevant State Planning Policy Framework strategies and objectives, particularly Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) of the Knox Planning Scheme.
2. The proposal fails to satisfy relevant Local Planning Policy Framework objectives and strategies, particularly Clause 15.01-1 (Urban Design), Clause 21.04 (Urban Design), Clause 21.05 (Housing) and Clause 22.05 (Bayswater Major Activity Centre and Key Redevelopment Sites Policy) of the Knox Planning Scheme.
3. The design outcome is not considered to be respectful of the existing or preferred neighbourhood character, due to scale and siting of buildings, impact on vegetation, and resultant impact on the amenity of adjoining residential properties.
4. The proposal does not achieve the objectives and standards of the General Residential Zone – Schedule 4 in relation to open space and landscaping.
5. The proposal is inconsistent with the objectives and decision guidelines of the Design and Development Overlay – Schedule 6.
6. The proposal fails to comply with Accessway and Car Parking Spaces Design Guidelines of Clause 52.06 (Car Parking) of the Knox Planning Scheme.

**6.3 3 Harris Grove, Bayswater (cont'd)**  
**Resolution (cont'd)**

7. The proposal does not satisfy the objectives of Clause 55 of the Knox Planning Scheme, in particular:
  - a) Clause 55.02-1 - Neighbourhood Character
  - b) Clause 55.02-2 – Residential Policy
  - c) Clause 55.03-3 – Site Coverage
  - d) Clause 55.03-4 – Permeability
  - e) Clause 55.03-5 – Energy Efficiency
  - f) Clause 55.03-10 – Parking Location
  - g) Clause 55.04-1 - Site and Rear Setbacks
  - h) Clause 55.04-7 – Internal Views
  - i) Clause 55.05-3 – Daylight to New Windows
  - j) Clause 55.05-5 – Solar Access
  - k) Clause 55.06-1 – Design Detail
8. Insufficient space has been made available to provide for meaningful landscaping to integrate the development into the area and maintain the landscape character of the area.
9. The proposal will provide for poor internal amenity for future residents.
10. The proposal will have a negative impact on vegetation on adjoining land.
11. The development does not provide for an appropriate balance between the need for additional housing within an established residential area, the amenity of occupants and adjoining residents, and planting of new canopy vegetation.

CARRIED



**Knox City Council**  
REPORT APPENDIX: A

Property -  
Address

3 Harris Grove,  
BAYSWATER

Application  
Number

P/2016/6463

Description

Development of  
land for three (3)  
double storey  
dwellings and  
three (3) triple  
storey dwellings  
(total six (6)  
dwellings)

Wardname

Dinsdale

**LEGEND:**

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Other
- Unk Development
- Subject Property
- Fetion



Scale: 1:3000



**DISCLAIMER:**

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4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.



**Knox City Council**  
REPORT APPENDIX: A

**Property - Address**  
3 Harris Grove,  
BAYSWATER

**Application Number**  
P/2016/6463

**Description**  
Development of  
land for three (3)  
double storey  
dwellings and  
three (3) triple  
storey dwellings  
(total six (6)  
dwellings)

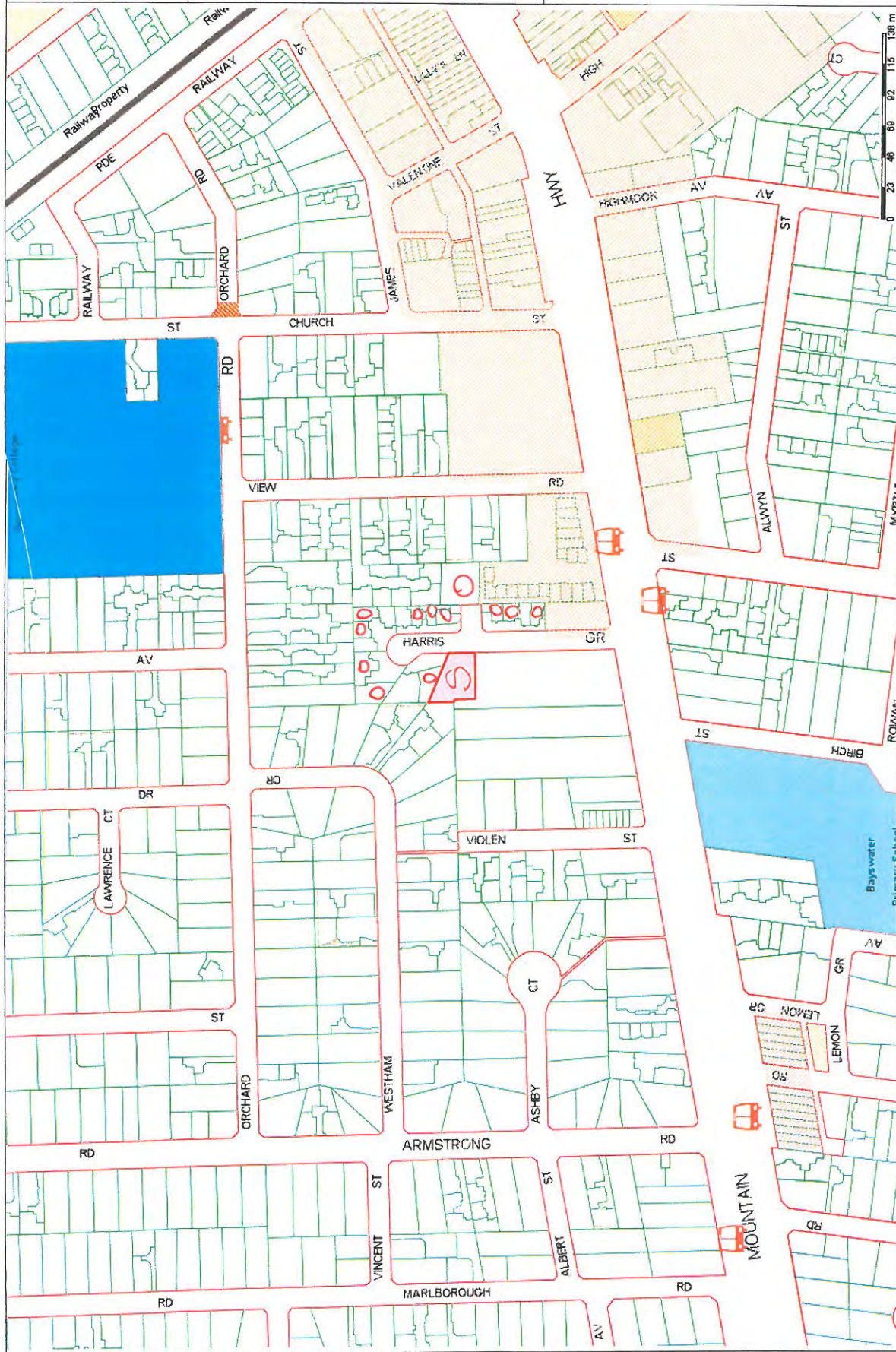
**Wardname**  
Dinsdale

**LEGEND:**

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
- Petition



Scale: 1:3000



**DISCLAIMER:**

- Roads and Title Boundaries - State of Victoria, Knox City Council
  - Planning Scheme Information - DPCD, Knox City Council
  - Aerial Photography - AAM (Flow January 2013 - unless otherwise stated)
  - Meibourne Water Drainage Information - Meibourne Water
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ADVERTISING  
 PLANNING  
 DATE

### NEIGHBOURHOOD LEGEND

- 1 2km to Brynawater Primary School
- 2 200m to Brynawater High School
- 3 1 km to Brynawater Hospital
- 4 100m to Brynawater Towncentre
- 5 100m to Brynawater Shopping Precinct
- 6 100m to Brynawater Community Centre
- 7 5km to E-PAKBY Sports Centre
- 8 1 km to Brynawater Sports Park
- 9 1 km to the River GML & 1/2 on Mountain Highway
- 10 500m to Brynawater Fire Station
- 11 500m to Knox Village Brynawater Park

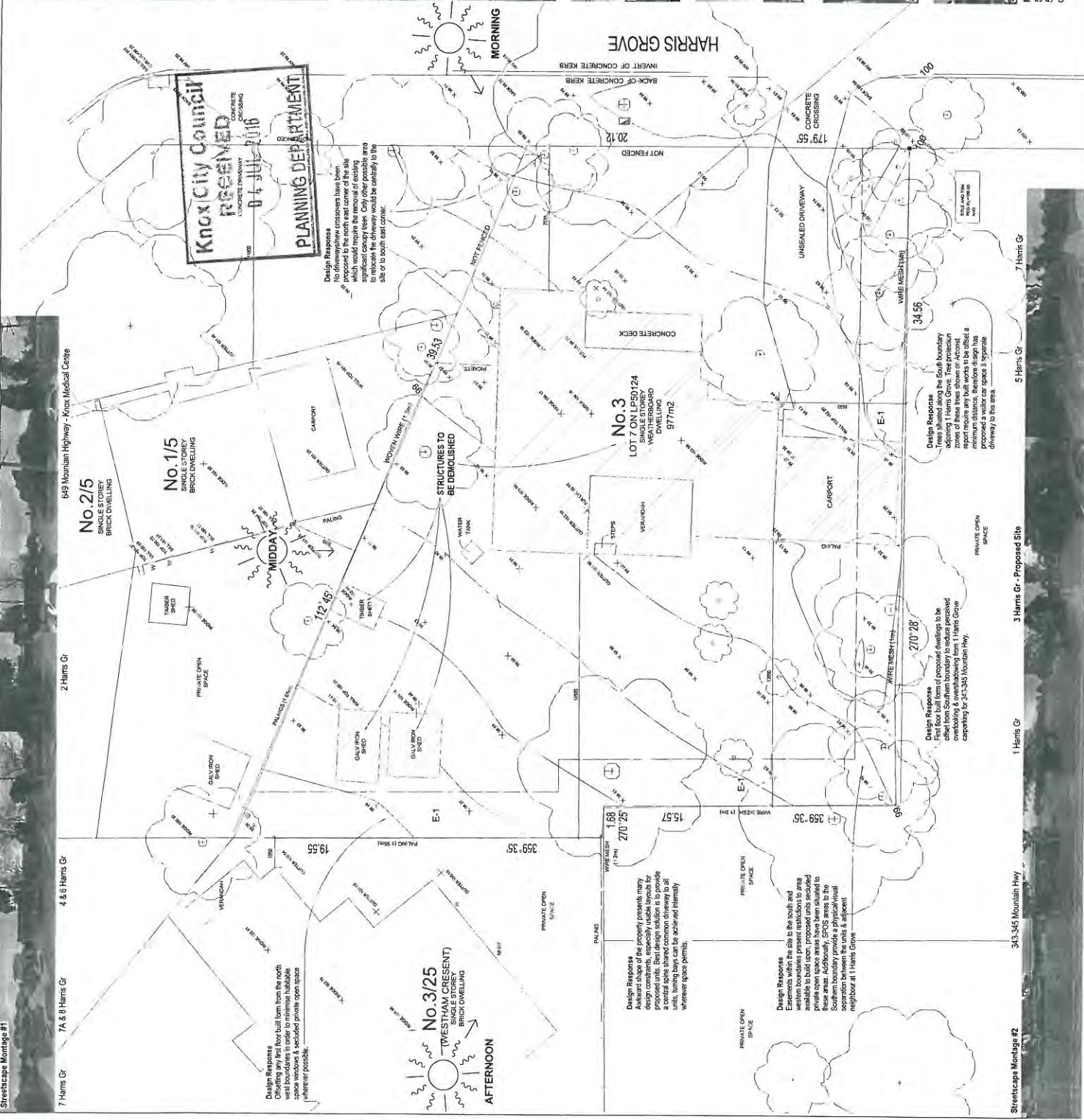
### SITE OPPORTUNITIES

- A The site covered 87% with the existing vegetation. The remaining 13% is mostly bare earth.
- B Conversion of site allows the proposed dwelling to be built on a larger lot.
- C Downfall within the site provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- D The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- E The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.

### SITE CONSTRAINTS

- A The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- B The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- C The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- D The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.
- E The site is located on a slight rise. This provides a natural drainage path for rainwater. The proposed dwelling is positioned to take advantage of this natural drainage path.

PROJECT	3 HARRIS GROVE BAYSWATER PROPOSED TWO (2) TRIPLE STOREY & FOUR (4) DOUBLE STOREY TOWNHOUSES
CLIENT	RAYMOND INTRAVAN
PROJECT NO.	E1624
TITLE	SITE CONTEXT PLAN
DRAWN	HL
DATE	16/09/20
SCALE	1:100 @ A1
DRAWING NUMBER	E1624-TP00
DESIGNER	D



**Knox City Council**  
 RECEIVED  
 04 JUL 2016  
 CONCRETE ENHANCEMENT  
 COUNCIL  
 PLANNING DEPARTMENT

Design Response  
 No driveway/crosswalk base has been proposed to the north east corner of the site which would require the removal of existing significant canopy trees. Only other possible area for driveway/crosswalk base is to the south east corner.

Design Response  
 First floor full form of proposed dwellings to be offset from Southern boundary to reduce perceived bulkiness of the development. Harris Grove capacity for 345-345 Mountain Hwy.

Design Response  
 Elements within the site to the south and western boundaries present restrictions to area available to build upon. Proposed units secluded to these areas. Additionally, SPOS areas to the Southern boundary provide a physical/visual separation between the units & adjacent neighbour at 11 Hens Gr.

Design Response  
 Awestruck of the property presents many design constraints, especially usable layouts for proposed units. Best design solution is to provide a north-south driveway to all units. Driveway bases can be built and finished wherever space permits.

Design Response  
 Trees should be retained along the South boundary adjoining 11 Hens Gr. Tree protection zones should be established to be offset a minimum distance. Therefore design has proposed a walkway car space & separate driveway to this area.

Design Response  
 First floor full form of proposed dwellings to be offset from Southern boundary to reduce perceived bulkiness of the development. Harris Grove capacity for 345-345 Mountain Hwy.

Design Response  
 Elements within the site to the south and western boundaries present restrictions to area available to build upon. Proposed units secluded to these areas. Additionally, SPOS areas to the Southern boundary provide a physical/visual separation between the units & adjacent neighbour at 11 Hens Gr.

Design Response  
 Awestruck of the property presents many design constraints, especially usable layouts for proposed units. Best design solution is to provide a north-south driveway to all units. Driveway bases can be built and finished wherever space permits.

Design Response  
 Trees should be retained along the South boundary adjoining 11 Hens Gr. Tree protection zones should be established to be offset a minimum distance. Therefore design has proposed a walkway car space & separate driveway to this area.

Design Response  
 First floor full form of proposed dwellings to be offset from Southern boundary to reduce perceived bulkiness of the development. Harris Grove capacity for 345-345 Mountain Hwy.

Design Response  
 Elements within the site to the south and western boundaries present restrictions to area available to build upon. Proposed units secluded to these areas. Additionally, SPOS areas to the Southern boundary provide a physical/visual separation between the units & adjacent neighbour at 11 Hens Gr.

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Streetscape Montage #1

Streetscape Montage #2



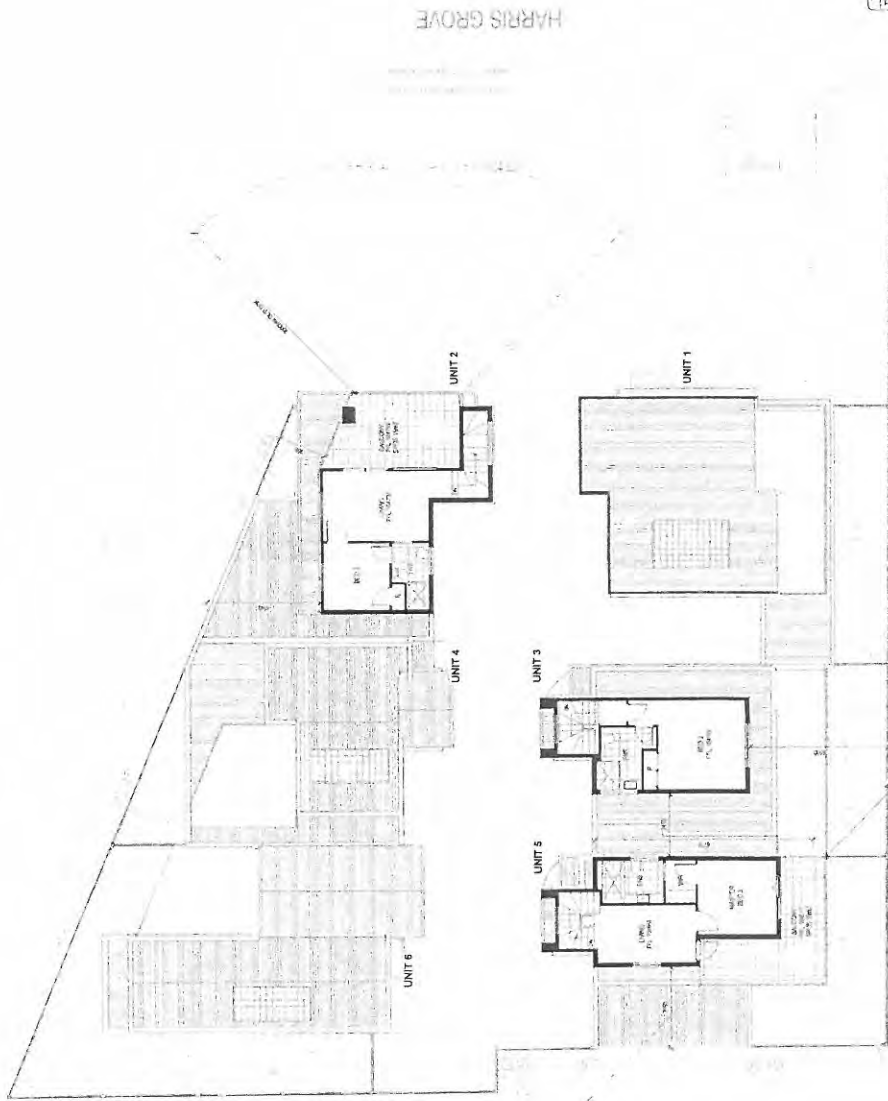


ADVERTISING PLAN/WATERMARK

No 2/5

No 1/5

No 3/25



HARRIS GROVE

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1 0 OCT 2016  
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SECOND FLOOR PLAN

PROJECT	3 HARRIS GROVE BAYSWATER STRUCTURE, SECOND FLOOR STOREY & THREE DIMENSIONAL STONEY TOWNHOMES
CITY	RAYMOND TOWNHOMES
PROJECT NO	E1624
TITLE	SECOND FLOOR PLAN
DATE	10/20/16
SCALE	1:100
DRAWN BY	EAJ
CHECKED BY	

E1624-TP03 C

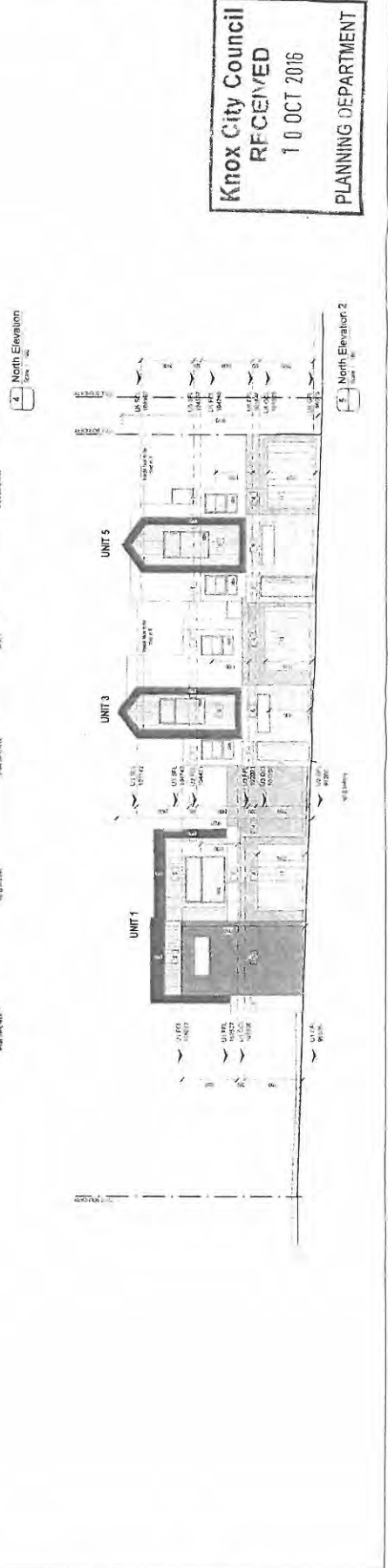
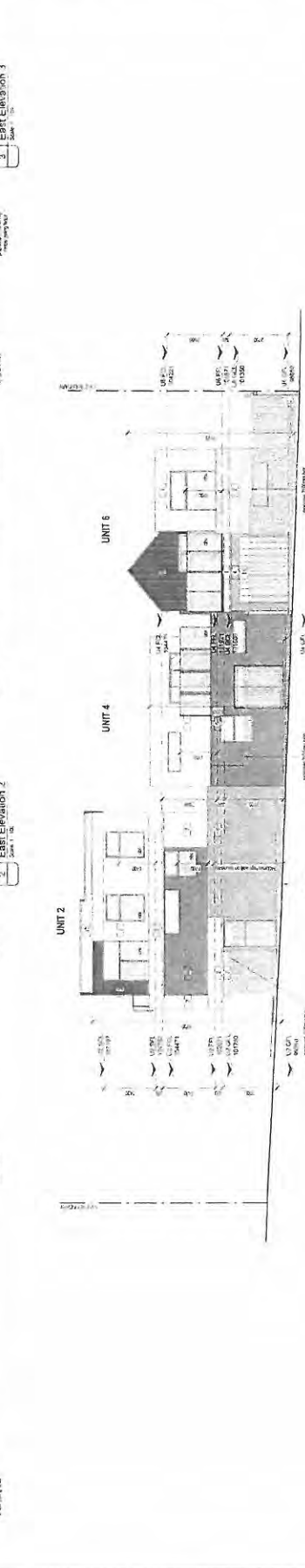
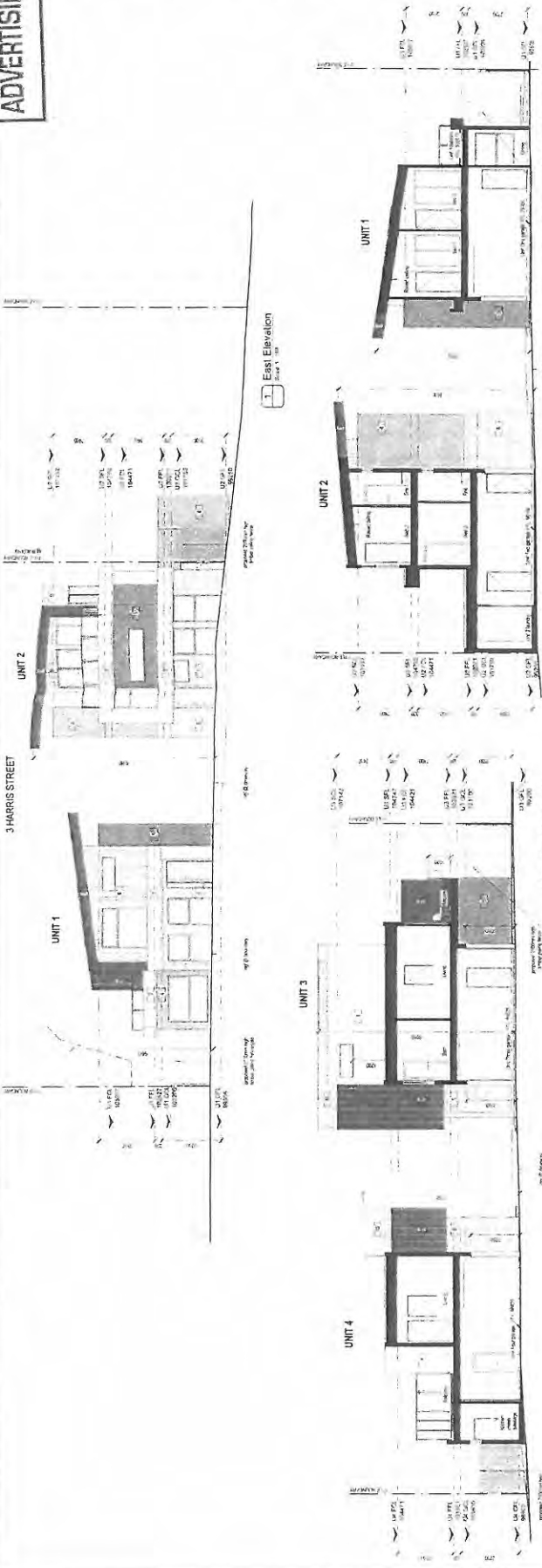


**ADVERTISING PLAN/MATERIAL**

REVISIONS	DATE
1	13/06/2015
2	13/06/2015
3	13/06/2015

**MATERIALS/COLOURS SCHEDULE**

01	BRICK Render finish - Dulux Lardon Quarter
02	PAINT Render finish - Dulux Lardon Quarter
03	PAINT Exterior Coloured Aluminium
04	BRICK Render finish - Dulux Maze
05	RENDER Render finish - Dulux Thunder Grey
06	BRICK Brickwork Series Jackal Band Toni
07	BRICK Brickwork Series Aurora Band Charcoal
08	Wardrobe Cladding Weatherproof Smooth 300mm To match Coloured Aluminium
09	TRIMMER CLADDING Vertical Timber Blanks Natural Oak
10	ROOF CLADDING Colour Coated Steel Movement Coupled colour
11	GARAGE DOOR Sentry Coloured range WINDOY FRAMES Coloured TRANSPARENT GLAZING Operate window treatment Glass & aluminium covers to match attached to Note: All glazed glass minimum of 100mm of an window above transparency Note: All glazing specifying with a minimum height of 100mm above first floor windows where observed glazing to meet with a minimum to transparency.



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PLANNING DEPARTMENT

PROJECT NUMBER  
**E1624-TP04**

DATE  
**13/06/2015**

PROJECT NAME  
**3 HARRIS GROVE BAYSWATER  
STOREY & THREE DOUBLE  
STOREY TOWNHOUSES**

ARCHITECT  
**RYANCO DUNAWAY**

ENGINEER  
**ETEK**

DATE  
**13/06/2015**

SCALE  
**1:100**

PROJECT NUMBER  
**E1624-TP04**

DATE  
**13/06/2015**

PROJECT NAME  
**3 HARRIS GROVE BAYSWATER  
STOREY & THREE DOUBLE  
STOREY TOWNHOUSES**

ARCHITECT  
**RYANCO DUNAWAY**

ENGINEER  
**ETEK**

## ADVERTISING PLAN/MATERIAL

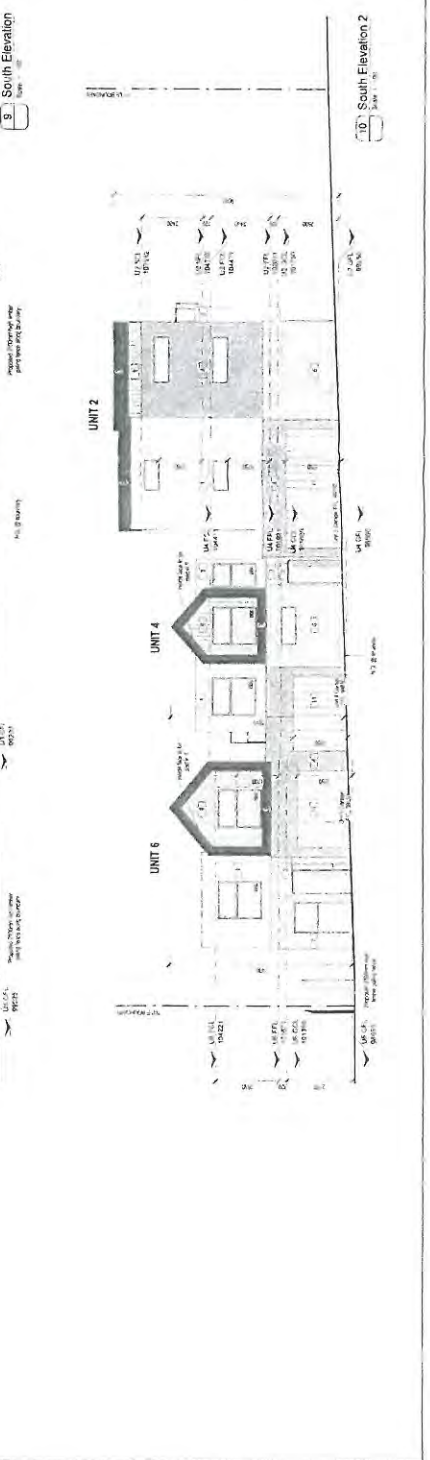
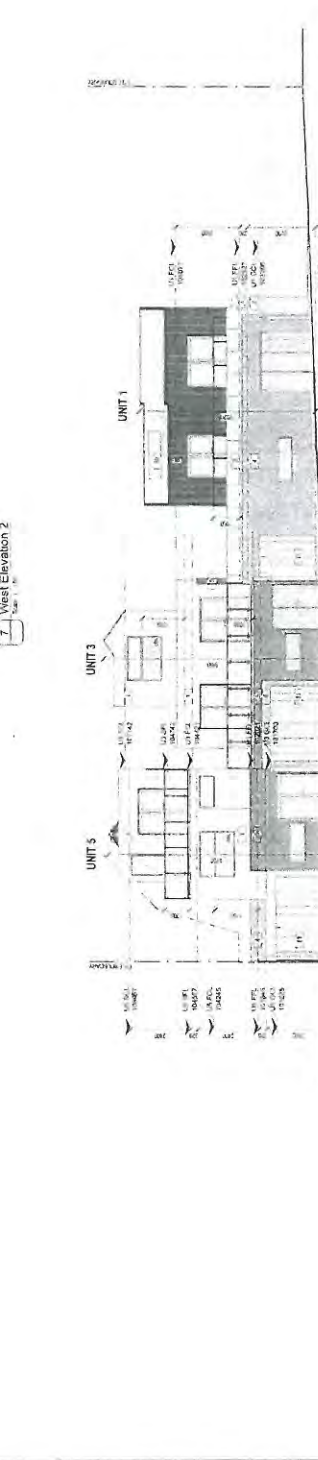
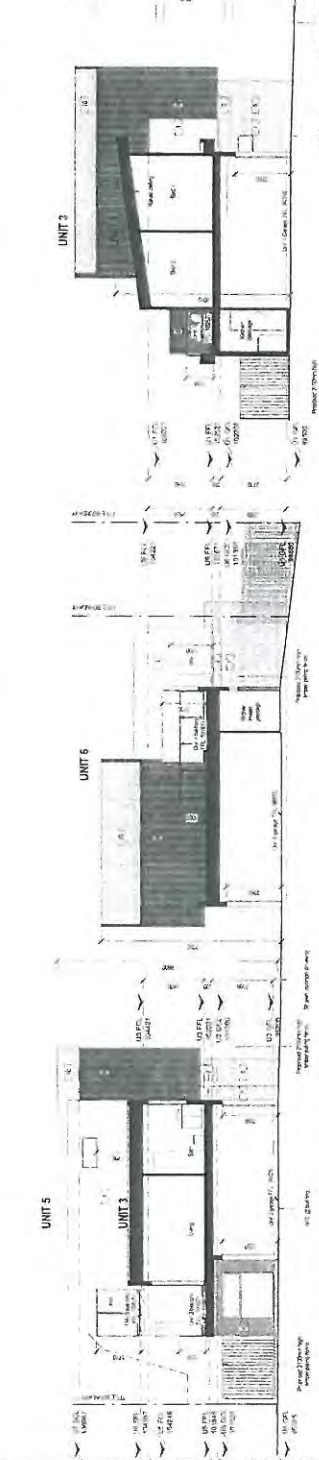
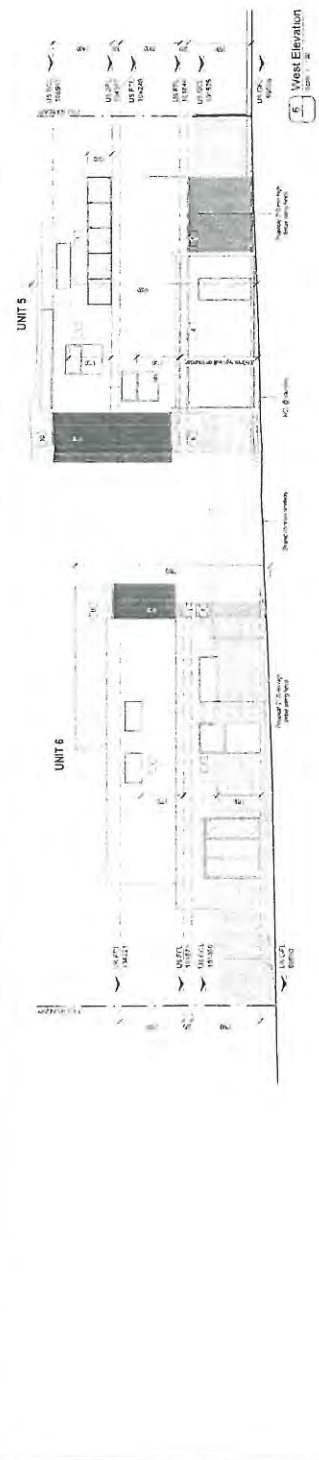
**MATERIALS / COLOURS SCHEDULE**

<b>01 RENDER</b> Render Finish - Dulux "Cannon Quarry"	<b>06 BRICK</b> Briqtek Industrial Series Running Bond
<b>02 PAINT</b> Paint Finish - Dulux "Lancaster Quarry"	<b>07 BRICK</b> Briqtek Industrial Series Running Bond "School"
<b>03 PAINT</b> Paint Finish - Dulux To match "Cannon Quarry"	<b>08 WEATHERBOARDING</b> Weatherboard Finish - 30mm "To match "Cannon Quarry"
<b>04 RENDER</b> Render Finish - Dulux "Rustic"	<b>09 TIMBER CLADDING</b> Timber Cladding "Natural Blush"
<b>05 WEATHERBOARDING</b> Weatherboard Finish - Dulux "Timber Grey"	<b>10 ROOF CLADDING</b> Coloured Steel Cladding "Assorted Coloured Cladding"
<b>11 GLASS DOOR</b> Glass Door "Smart Coloured edge"	<b>WINDOW FRAMES</b> "Movement" colour
<b>TRANSPARENT CLADDING</b> Transparent Cladding "Movement" colour	<b>TRANSPIRENCY</b> Transparency

Notes:  
 - All glass doors to be fitted with a minimum of 10mm safety glass.  
 - All windows to have (at least) 4mm safety glass.  
 - All windows to have (at least) 4mm safety glass.  
 - All windows to have (at least) 4mm safety glass.  
 - All windows to have (at least) 4mm safety glass.

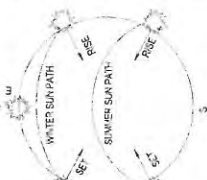
PROJECT	3 HARRIS GROVE BAYSWATER
PROPOSED	PROPOSED THREE (3) TYPICAL STOREY TOWNHOUSES
CLIENT	PLANNING DEPARTMENT
DATE	10 OCT 2016
SCALE	ELEVATIONS
DATE	10 OCT 2016
SCALE	1:100
DATE	10 OCT 2016
SCALE	1:100
DATE	10 OCT 2016
SCALE	1:100

**E1624-TP05**



**Knox City Council**  
**RECEIVED**  
**10 OCT 2016**  
**PLANNING DEPARTMENT**

**ADVERTISING PLANS MATERIAL**



DIRECT SUN MOVEMENT

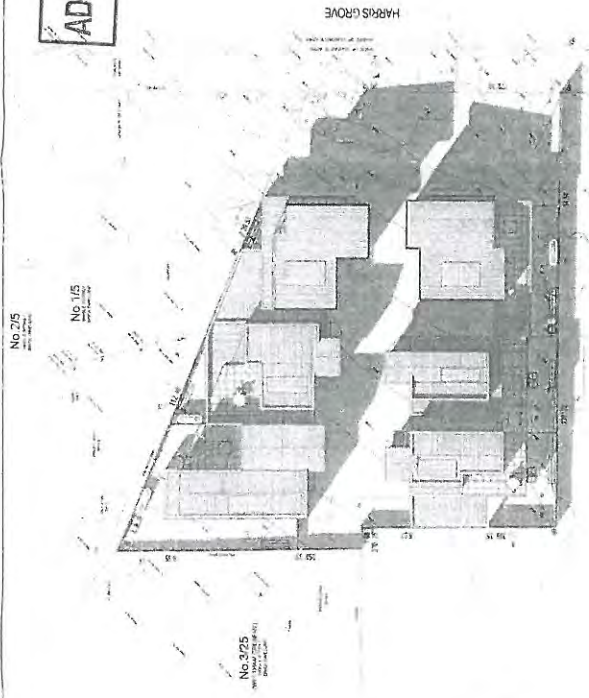
CUSTOMER SPECIFIED PERSONALISED PLAN  
SUN MOVEMENT AND SHADOW STUDY

TIME	SUN ALTITUDE (DEGREES)	SUN AZIMUTH (DEGREES)	SHADOW LENGTH (m)	REFRACTIVE INDEX
9am	41°	135°	1.5m	1.5m
10am	44°	125°	1.2m	1.5m
11am	47°	115°	1.0m	1.5m
12pm	50°	105°	0.8m	1.5m
1pm	52°	95°	0.7m	1.5m
2pm	54°	85°	0.6m	1.5m
3pm	56°	75°	0.5m	1.5m

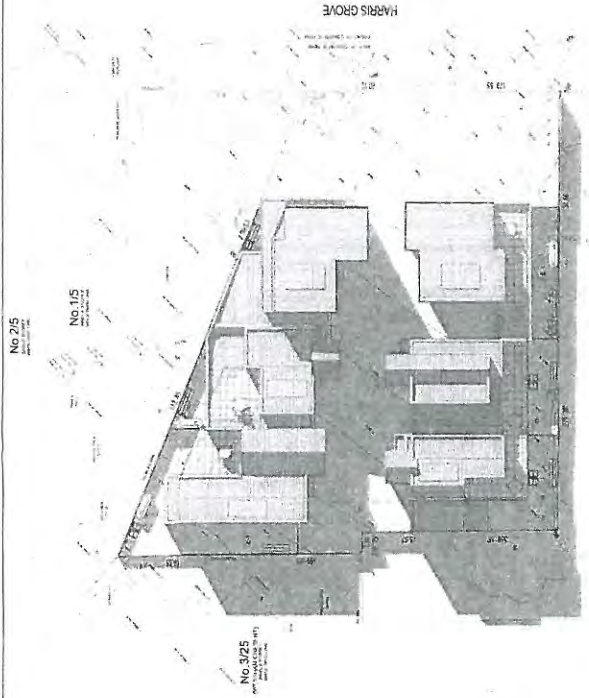
**Knox City Council**  
RECEIVED  
1 0 OCT 2016  
PLANNING DEPARTMENT

PROJECT	3 HARRIS GROVE BAYSWATER PROPOSED THREE (3) TYPICAL STOREY APARTMENT BLOCKS, STOREY TOWNHOMES
CLIENT	BRANDS/D/DEVELOPER
DATE	10/10/2016
SCALE	AS SHOWN
DATE	10/10/2016
SCALE	AS SHOWN
DATE	10/10/2016
SCALE	AS SHOWN

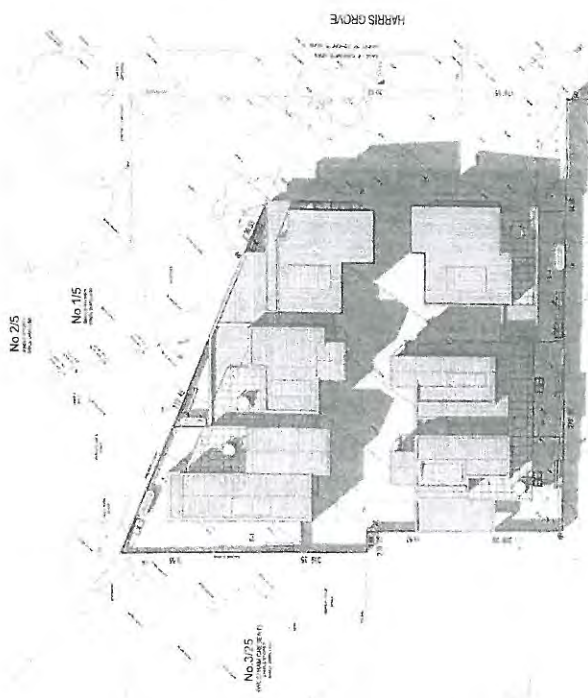
**E1624-TP06 C**



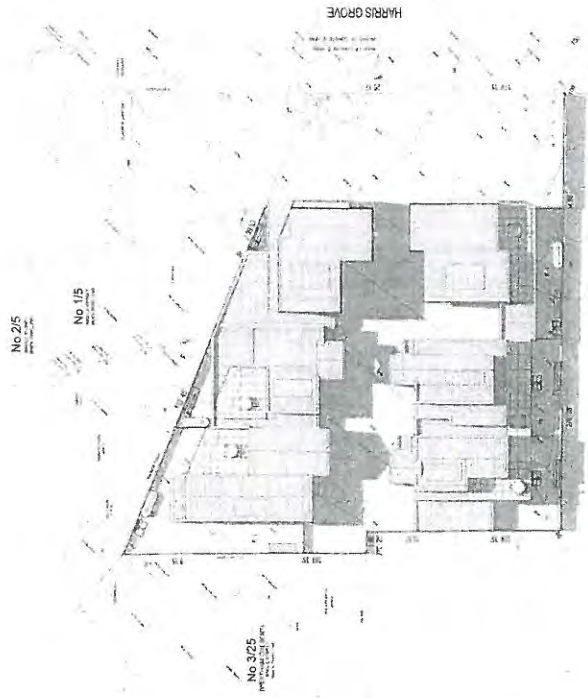
**3** 9am Shadow Study Plan



**3** 9am Shadow Study Plan



**4** 4pm Shadow Study Plan



**2** 12pm Shadow Study Plan

**BAIRD WARD****6.4 APPLICATION FOR THE CONSTRUCTION OF FIVE (5) DOUBLE STOREY DWELLINGS AND TWO (2) SINGLE STOREY DWELLINGS (TOTAL SEVEN (7) DWELLINGS) AT 14 SINCLAIR ROAD, BAYSWATER (APPLICATION NO. P/2016/6324)****1. SUMMARY:**

<b>Land:</b>	14 Sinclair Road, Bayswater
<b>Applicant:</b>	Matrix Architects
<b>Proposed Development:</b>	Construction of five (5) double storey dwellings and two (2) single storey dwellings (total seven (7) dwellings)
<b>Existing Land Use:</b>	Residential
<b>Area/Density:</b>	2,038m <sup>2</sup> /1:291m <sup>2</sup>
<b>Zoning:</b>	General Residential Zone – Schedule 2
<b>Overlays:</b>	None
<b>Local Policy:</b>	Municipal Strategic Statement (MSS) Development in Residential Areas and Neighbourhood Character Policy
<b>Application Received:</b>	5 May 2016 (Amended 1 September 2016)
<b>Objections:</b>	1
<b>PCC Meeting:</b>	N/A

**Assessment:**

*It is considered that the proposal provides an appropriate balance between the need for additional housing within an established residential area and the amenity of occupants and adjoining residents.*

*The proposal generally complies with the Municipal Strategic Statement (MSS), the Development in Residential Areas and Neighbourhood Character Policy and ResCode.*

*The proposal complies with the General Residential Zone - Schedule 2.*

*On balance it is considered that the proposal responds well to State and Local Planning Policies, subject to modifications. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions.*

## **6.4 14 Sinclair Road, Bayswater (cont'd)**

### **2. BACKGROUND**

#### **2.1 Subject Site and Surrounds**

The location of the subject site is shown in Appendix A.

- The subject site comprises two allotments located on the southern side of Sinclair Road, Bayswater. The subject site is rectangular in shape and is relatively flat.
- The subject site currently contains a single dwelling with the usual outbuildings.
- The subject site and surrounds are located within an established residential area, with generous landscaped front setbacks. There is evidence of multi-dwelling developments, and built form consists of single and double storey dwellings.
- Vegetation consists of a mixture of native and exotic trees, shrubs and weed species. There is no significant vegetation.

#### **2.2 The Proposal**

(Refer to attached plans at Appendix B)

The proposal seeks permission for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total of seven (7) dwellings). Details are as follows:

- The maximum building height is 7.8 metres.
- Dwellings 1, 2 and 3 will front Sinclair Road and will be setback a minimum 9 metres.
- Dwellings 1 to 5 are to be double storey. Dwellings 6 and 7 (located to the rear) are to be single storey in height.
- Dwellings 1, 2, 3, 5, 6 and 7 contain three (3) bedrooms, while Dwelling 4 contains two (2) bedrooms.
- A single width crossover, centrally located, provides shared access to all dwellings except Dwelling 3, which is provided with a separate single width crossover.
- Each three (3) bedroom dwelling is provided with a single garage with tandem car space. Dwelling 4 is a two (2) bedroom dwelling and is provided with a single garage only. A visitor parking space is located between Dwelling 1 and 4.

#### **6.4 14 Sinclair Road, Bayswater (cont'd)**

- Private open space has been provided at ground level for each dwelling, with a minimum area of 80 square metres. This includes an area of secluded private open space with a minimum area of 60 square metres and minimum dimension of 5 metres.
- The dwellings are to be constructed with face brickwork at ground level, rendered light weight cladding to first floors and pitched, tiled roofs at first floor.
- The majority of existing vegetation is to be removed.

### **3. CONSULTATION**

#### **3.1 Advertising**

The application was advertised by way of a sign on the site and notices sent to adjoining property owners and occupiers. One (1) objection to the application was received, and is summarised below:

The setback to the rear properties are inadequate

- *Dwellings 6 and 7 are proposed to be setback 1.48 metres and 2 metres from the rear boundary. This setback exceeds the minimum setback required by ResCode Standard B17 for a wall height less than 3.6 metres. As such, the setback of Dwellings 6 and 7 to the rear boundary are considered to comply and will not create any unreasonable amenity impacts to adjoining properties.*

#### **3.2 Referrals**

The application has been referred to the following internal referral departments for comment. The following is a summary of relevant advice:

##### Traffic Engineer

- *Standard conditions to be included on any permit to issue.*

##### Drainage Engineer

- *Standard conditions to be included on any permit to issue.*

##### Assets

- *No objection.*

## 6.4 14 Sinclair Road, Bayswater (cont'd)

### Parks Services

- *The central crossover will be within 3 metres of two Acacia implexa street trees. As the crossover will be within 3 metres of the trees, they will need to be removed to enable the construction of the crossover. The two street trees can be removed at cost to the applicant.*

### Arborist

- *The subject site contains a variety of trees and shrubs, mainly exotic and weed species. A number of trees have recently been removed from the property.*
- *Neighbours trees will not be adversely affected (two trees adjacent the garage to Dwelling 3 have approval from the neighbour to be removed). Tree protection measures need to be included on any permit to issue.*

*Officer Response: Conditions on any permit to issue will require protection of existing trees and new canopy tree planting.*

### Assets

- *No objection.*

### Waste

- *Individual Council provided collection services can be provided, with placement of bins, green and hard waste kerbside on Sinclair Road. A Waste Management Plan will not be required in this instance.*

### Sustainability Officer

- *The Sustainable Design Assessment meets Council's requirements and can be approved.*

## **4. DISCUSSION**

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

## **6.4 14 Sinclair Road, Bayswater (cont'd)**

### **4.1 Zoning and Overlays**

#### **4.1.1 Zone**

##### **General Residential 2 Zone**

The land is zoned General Residential Zone – Schedule 2. A permit is required for the construction two or more dwellings on the land pursuant to Clause 32.08-4 of the General Residential Zone – Schedule 2.

- *The proposal is consistent with the purpose of the General Residential Zone by providing for diversity in housing types that respects the neighbourhood character of the area.*

Schedule 2 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping) which requires a minimum of one canopy tree per 175 square metres of the site area including a minimum of one canopy tree within each area of secluded private open space and one canopy tree within the front setback per 5 metres of width of the site. Each tree should be required to be surrounded by 20 square metres of permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.

- *It is considered that the proposed development can accommodate the required canopy tree planting; subject to conditions on any permit to issue.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B28 (Private Open Space) which requires the provision of private open space consisting of a minimum area of 80 square metres including one part of secluded private open space at the side or rear of the dwelling with a minimum area of 60 square metres with a minimum dimension of 5 metres with convenient access from a living room.

- *Each dwelling has been proposed with a minimum 80 square metres of private open space, including a minimum 60 square metres of secluded open space with a minimum dimension of 5 metres.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B32 (Front fence height) which requires a front fence height of 2m to a street in a Road Zone Category 1 and 1.2m to other streets.

- *A front fence with a height of 1.2 metres is proposed.*



## **6.4 14 Sinclair Road, Bayswater (cont'd)**

Dwellings or residential buildings must not exceed a height of 9 metres (dependant on slope).

- *Complies. The proposed dwellings have a maximum height of 7.8 metres.*

### **4.1.2 Overlays**

The land is not affected by any Overlays.

## **4.2 Policy Consideration**

### **4.2.1 State Planning Policy Framework**

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

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

- *The design of the development will make a positive contribution to the surrounding area, with built form considered to be appropriate in form and scale. The development incorporates typical neighbourhood character features such as pitched roofs, brick finishes, eaves, with car parking located behind or to the side of dwellings. Upper levels are reasonably articulated and are smaller than the ground level to reduce building bulk and mass, particularly adjacent to adjoining residential properties.*

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

- *The proposal contributes to the consolidation of urban development through the provision of increased density within an existing residential area with good provision of urban services and transport.*

#### 6.4 14 Sinclair Road, Bayswater (cont'd)

- *Council's Sustainability Officer has advised that the submitted Sustainable Design Assessment meets Council's requirements. A condition on any permit to issue will require the development to be constructed in accordance with the approved Sustainable Design Assessment.*

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

- *Neighbourhood character - This is discussed at Section 4.2.2 of the report.*
- *Housing choice – The development provides for a range of dwelling sizes with smaller open space areas than typical for the area, contributing to house choice.*
- *Integration with infrastructure – The site is located in a fully serviced area. Drainage plans will be required as a condition on any permit to issue.*
- *Energy efficiency – This has been discussed above under Clause 15.02.*
- *Location – While the site is not located within an Activity Centre, it is a large site within an established area with access to a range of urban services. It is considered that the subject site is capable of accommodating the proposed dwellings whilst making a positive contribution to the character of the area. Refer to the assessment against Council's Development in Residential Areas and Neighbourhood Character Policy at Section 4.2.2 below.*

Clause 18 Transport – To create a safe and sustainable transport system by integrating land use and transport.

- *The site is located within 150 metres walking distance of Scoresby Road, which is serviced by Bus Routes 745 and 753.*
- *Bus Route No. 745 operates between Bayswater Station and Knox City, Boronia Station and Wantirna Primary School with a service departing Knox City at 2:30pm and services departing Bayswater Station at 2:45pm and 4:10pm*

## 6.4 14 Sinclair Road, Bayswater (cont'd)

- *Bus Route No. 753 from Glen Waverley to Bayswater via Wheelers Hill, Knoxfield and Boronia operates between 7:49am and 9:09pm Monday to Friday, between 7:47am and 9:07pm Saturdays, and between 8:51am and 8:48pm on Sundays at various intervals.*

### 4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS) – encourages planning and development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

All development therefore is encouraged to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure and to reduce dependence on private vehicle travel.

- *The site is located in an established urban area reasonably close to urban services and open space areas, where existing infrastructure is readily available.*
- *Council's Sustainability Officer has advised that the submitted Sustainable Design Assessment meets Council's requirements. A condition on any permit to issue will require the development to be constructed in accordance with the approved Sustainable Design Assessment.*

Clause 21.04 Urban Design – Municipal Strategic Statement (MSS) To ensure that all development responds positively to the existing patterns of urban form and character, the landscape qualities, historic and cultural elements and social aspirations of the Knox community.

- *While the land is not in an Activity Centre, the proposal respects the preferred neighbourhood character and is consistent with the requirements of the MSS.*
- *An assessment against Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07) is below. The development complies with the open space requirements and provides opportunities for meaningful landscaping.*
- *As highlighted above, the site is located in an established urban area reasonably close to urban services and open space areas.*

#### 6.4 14 Sinclair Road, Bayswater (cont'd)

Clause 21.05 – Housing This clause implements the *Knox Housing Strategy 2015*. In managing Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

The subject site is located within a 'Knox Neighbourhood' area, which has a sense of spaciousness within the public and private realm. These areas will continue to be low-scale neighbourhoods, characterised by detached dwellings with large backyards which contribute to the area's green and leafy character.

Objective 1 for Housing Objectives and Strategies is to support residential development in accordance with the Knox Housing Strategy 2015, which identifies a scale approach to residential development. The strategy is to direct housing growth toward Local Living and Activity Areas.

- *The site is not located in an Activity Centre. However, the site is sufficiently large to accommodate seven (7) dwellings whilst achieving the open space and landscaping outcomes sought for the Knox Neighbourhood Character Area.*

Objective 2 is to support a diversity of housing choice in appropriate locations. Strategies include encouraging a diversity of housing styles, types, forms and sizes to cater for the changing needs of the community.

- *The development would provide residents with alternative forms of housing styles and sizes to cater for the changing needs of the community.*

Objective 3 is to ensure the quality of housing design in Knox is improved to better respond to neighbourhood identity and to create a stronger sense of place. Strategies include ensuring that residential development enhances the City's "green and leafy" image, support development that makes a positive contribution to the preferred future character of the area and that is innovative, environmentally sustainable, accessible and site responsive.

- *Each dwelling is provided with areas of private open space, consistent with the Schedule to the General Residential 2 Zone, that will allow for canopy tree planting.*

#### 6.4 14 Sinclair Road, Bayswater (cont'd)

Objective 4 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

- *The site is not located in an area of biological significance.*

Objective 5 is to ensure that residential development better responds to the community's current and future needs, and allows people to 'age-in-place' by supporting the provision of a diverse range of housing including smaller scale dwellings.

- *The development provides for dwellings with smaller private open space areas than typical for the surrounding area.*
- *The two single storey dwellings, and two of the five double storey dwellings have a kitchen/open living and a bedroom at ground level to improve accessibility for residents with reduced mobility.*

#### Clause 22.07 – Development in Residential Areas and Neighbourhood Character: Knox Neighbourhood Area

The desired future character of this area is to:

- Continue to be low-scale neighbourhoods, characterised by detached houses and dual occupancies; with some villa unit developments on larger blocks.
- Retain their green and leafy identity and character through the retention of front and back yards, and the establishment of a garden setting that includes canopy trees.

The key design objectives are:

To retain and enhance the streetscape by the planting of appropriate trees on private land.

- *The setbacks and open space areas within the proposed design provide opportunities to plant new canopy trees. A landscape plan will be required as a condition on any permit to issue.*

To avoid dominance of buildings from the street.

- *The three (3) proposed dwellings to front Sinclair Road are setback 9 metres, with upper floor levels recessed further, and will not dominate the street.*

To avoid the loss of front and rear garden space.

- *Dwellings are setback from the side and rear boundaries and provide 80sqm of open space, which will ensure adequate areas for canopy tree planting within the front and rear gardens.*

#### 6.4 14 Sinclair Road, Bayswater (cont'd)

To avoid the dominance of car storage facilities from the street.

- *Car parking facilities are located to the side or rear of the dwellings and will not dominate the streetscape.*

To retain large backyards for landscaping and open space.

- *Dwellings are provided with 80sqm of open space and the setbacks and open space areas will accommodate new canopy tree planting.*

To ensure buildings reflect the prevailing scale of buildings in the street.

- *Dwellings are not excessive in scale or bulk. Upper floor areas are recessed to better integrate with the surrounds.*

#### 4.3 Particular Provisions

##### Clause 52.06 – Car Parking

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

Clause 52.06-5 outlines the requisite amount of parking to be provided as follows:

To each dwelling at a ratio of one car space to each one (1) or two (2) bedroom dwelling and two spaces for each dwelling with three (3) or more bedrooms (with studies or studios that are separate rooms counted as bedrooms).

- *Each three (3) bedroom dwelling is provided with a single garage and tandem car space. The two (2) bedroom dwelling is provided with a single garage.*
- *One (1) visitor parking space has been provided.*
- *The car parking provided for residents and visitors complies with Clause 52.06.2 of the Knox Planning Scheme.*

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

Design Standard 1: Access ways – *Complies.*

Design Standard 2: Car Parking Spaces – *Complies.*

Design Standard 3: Gradients – *Complies.*

Design Standard 4: Mechanical Parking – *N/A.*

#### **6.4 14 Sinclair Road, Bayswater (cont'd)**

Design Standard 5: Urban Design – *Complies.*

Design Standard 6: Safety – *Complies.*

Design Standard 7: Landscaping – *Complies.*

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

##### Neighbourhood Character and Infrastructure

Neighbourhood Character – *Complies, refer to Section 4.2.2 above.*

Residential Policy – *Complies.*

Infrastructure – *Complies. A drainage plan will be required as a condition on any permit to issue.*

Integration with the Street – *Complies.*

##### Site Layout and Building Massing

Street Setback – *Complies.*

Building Height – *Complies.*

Site Cover/Permeability – *Complies.*

Energy Efficiency – *Complies.*

Open Space – *N/A.*

Safety – *Complies.*

Landscaping – *Complies subject to conditions on any permit to issue. To accommodate additional landscaping, the ramp and footpath leading to the entrance to Dwelling 3 are to be deleted with access provided directly from the driveway. In addition, a condition on any permit to issue will require a landscape plan to be submitted to the satisfaction of the Responsible Authority.*

Access – *Complies.*

Parking Location – *Complies subject to conditions on any permit to issue that require the south facing dining room window to Dwelling 1 and the kitchen window to Dwelling 1 and north facing windows to Dwelling 6 to be double glazed to limit vehicular noise, as the windows do not meet the minimum setbacks to the shared accessway.*

##### Amenity Impacts

Side and rear setbacks – *Complies.*

Walls on boundaries – *Complies.*

Daylight to existing windows/north facing windows – *Complies.*

**6.4 14 Sinclair Road, Bayswater (cont'd)**

Overshadowing open space – *Complies.*

Overlooking – *Complies.*

Internal views – *Complies.*

Noise Impacts – *Complies.*

**On-Site Amenity and Facilities**

Accessibility – *Complies.*

Daylight to new windows – *Can comply subject to a condition that requires a light court with a minimum dimension of 1 metres clear to the sky to the Dwelling 7 bedroom 1 and 3.*

Private Open Space – *Complies.*

Solar access – *Complies.*

Storage – *Complies.*

**Detailed Design**

Design Detail – *Complies.*

Site Services – *Complies subject to a condition on any permit to issue that requires the mailboxes to Dwellings 4 to 8 to be oriented to the street.*

Front fence – *Complies subject to a condition that requires the front fence to be at least 50% transparent, with materials to compliment the proposed dwellings. Paling will not be acceptable and an elevation of the fence needs to be shown on the plans.*

**4.5 General Decision Guidelines**

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

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



## **6.4 14 Sinclair Road, Bayswater (cont'd)**

### **5. CONCLUSION**

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

- *The development is consistent with the objectives and policies of for the Knox Neighbourhood Area. The proposal complies with the General Residential Zone - Schedule 2 and is generally compliant with ResCode subject to conditions on any permit to issue.*
- *The proposed dwellings are generally consistent with Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07 of the Knox Planning Scheme) in that the design has ensured the retention of front and rear yard open space, first floors are reasonably setback from ground floor areas and the dwellings incorporate materials consistent with the area and a hip roof form. In addition to this, all dwellings are provided with usable areas of private open space and appropriate internal amenity.*
- *The development is consistent with State and Local Planning Policy Framework (including the Municipal Strategic Statement).*
- *The development is compliant with ResCode and Clause 52.06 (Car Parking).*

### **6. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

### **RECOMMENDATION**

**That Council issue a Notice of Decision to grant a Planning Permit for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total of seven (7) dwellings) at 14 Sinclair Road, Bayswater, subject to the following conditions:**

#### **Amended Plans**

- 1. Prior to the commencement of any buildings or works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:**

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

- 1.1 The mailboxes to Dwellings 4 to 8 to front the street. If located within the corner splay, the structure must be no higher than 900mm.
- 1.2 The path to Dwelling 3 to be re-directed to run directly from the driveway, not the street frontage, with the concrete ramp deleted.
- 1.3 The south facing living room window and kitchen window to Dwelling 1 and the north facing windows to Dwelling 6 to be double glazed.
- 1.4 A light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky to the Dwelling 7 bedroom 1 and 3 windows. The light court is to be measured from the edge of the eave.
- 1.5 Annotation that Trees 18 and 19 are to be removed.
- 1.6 Habitable room windows to be screened must be provided with obscure glazing to 1.7 metres above the finished floor level. The window can be openable above and adhesive film must not be used.
- 1.7 The street tree to the east of the central crossover shown to be removed. Street trees are to be removed by Council at the cost of the owner/developer.
- 1.8 The front fence to be at least 50% transparent and constructed with materials that will complement the dwellings. Timber paling will not be acceptable. An elevation needs to be shown.
- 1.9 Tree protection measures as outlined in Conditions 18 to 25 of this Permit, including the location of tree protection fencing as required.
- 1.10 Drainage plans in accordance with Condition 2 of this Permit and any necessary modifications to the plans.
- 1.11 Landscape plans in accordance with Condition 3 of this Permit and any necessary modifications to the plans.

To the satisfaction of the Responsible Authority.

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)****Drainage**

2. Prior to commencement of any buildings or works, three copies of drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:

- 2.1 All stormwater drainage discharge from the site connected to a legal point of discharge.

- 2.2 Detailed design plans of the proposed outfall drain to Council's standards and satisfaction, if required.

- 2.3 The internal drains of the dwellings to be independent of each other.

- 2.4 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.

- 2.5 The on-site detention system to be installed in a suitable location for easy access and maintenance.

- 2.6 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.

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

To the satisfaction of the Responsible Authority.

**Landscaping**

3. Prior to the commencement of any buildings or works, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit.

The plan must show:

- 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.

- 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).

- 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

- 3.4 Details of the surface finishes of pathways and driveways.**
- 3.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
- 3.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
- 3.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
- 3.8 The provision of at least 22 indigenous or native canopy trees chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:**
  - 3.8.1 2 large, 2 medium and 4 small canopy trees in the front setback**
  - 3.8.2 1 medium canopy tree in the P.O.S of Dwellings 1 and 2**
  - 3.8.3 1 small and 1 medium canopy tree in the P.O.S of Dwellings 3 and 5.**
  - 3.8.4 2 medium canopy trees in the P.O.S of Dwelling 4.**
  - 3.8.5 1 small-medium canopy tree in the P.O.S of Dwelling 6.**
  - 3.8.6 2 small canopy trees in the P.O.S of Dwelling 7.**
  - 3.8.7 1 small canopy tree adjacent Dwelling 5 adjacent the driveway.**
- 3.9 A minimum of 40% of all new vegetation (both canopy trees and understorey) is to be indigenous species.**
- 3.10 A minimum of 40% of all new vegetation (both canopy trees and understorey) is to be native species.**

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

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

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)****General**

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

Where the total floor area of decks, pergolas and verandahs, for each dwelling does not exceed 16m<sup>2</sup>.
8. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
9. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.
10. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

**Sustainable Design Assessment**

11. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.

**Car Parking & Accessways**

12. Before the dwellings are occupied, driveways and car parking areas must be:
  - 12.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and
  - 12.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

**12.3 Treated with an all-weather seal or some other durable surface; and**

**12.4 Line-marked or provided with some other adequate means of showing the car parking spaces.**

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

**13. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**

**Fencing**

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

**15. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.**

**Amenity During Construction**

**16. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:**

**16.1 the appearance of building, works or materials on the land**

**16.2 parking of motor vehicles**

**16.3 transporting of materials or goods to or from the site**

**16.4 hours of operation**

**16.5 stockpiling of top soil or fill materials**

**16.6 air borne dust emanating from the site**

**16.7 noise**

**16.8 rubbish and litter**

**16.9 sediment runoff**

**16.10 vibration**

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

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)****Stormwater**

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

**Tree Protection**

18. All works, including excavation, within the structural root zone areas of the trees on adjoining properties must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority.
19. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.
20. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.
21. The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.
22. The fence and signage is to be maintained throughout the construction period and the signage removed at the completion of all works.
23. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
24. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
  - 24.1 Construction activities.
  - 24.2 Dumping and/or storage of materials, goods and/or soil.
  - 24.3 Trenching or excavation.
  - 24.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

25. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

**Street Tree Removal**

26. Prior to the commencement of any buildings and works approved under this permit, all costs associated with the removal of the street tree/s (amenity value, tree and stump removal and planting and maintaining a new tree) must be paid to Council by the owner/developer. The removal and replacement of the street tree/s must be undertaken by Council.

**Permit Expiry**

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

27.1 The development is not started within two years of the date of this permit.

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

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

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

**NOTES**

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

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.



**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

- The total Permissible Site Discharge for the property including all dwellings is 7.1L/s to the existing Council drainage system for a 5 year ARI event.
- Stormwater discharge from the property is to be directed to the 300mm diameter Council Stormwater pipe near the north-east corner of the property to Council standards and satisfaction as this represents the legal point of discharge. The applicant must confirm this on site.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.
- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, eg water storage tanks, swale drains, etc.

**Other Notes:**

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- Council will not collect waste from the proposed development.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.

**6.4 14 Sinclair Road, Bayswater (cont'd)****Recommendation (cont'd)**

- **The street trees can be removed upon receipt of \$1,932.45 and \$1,936.85. Total cost for street tree removal includes; amenity value (using the City of Melbourne - Amenity Value Formula), cost of tree & stump removal and planting and maintaining a new tree for 2 years, in accordance with Council's Green Streets Policy. For details regarding the cost and/or the timing of the removal and replacement of the street tree/s, please contact Council's Active Open Space Team on (03) 9298 8425.**
- **Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.**
- **Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.**
- **Raised concrete slabs on the existing footpath fronting the site should be grounded.**
- **All litter and rubbish associated with the construction must be contained on site at all times.**

**6.4 14 Sinclair Road, Bayswater (cont'd)****COUNCIL RESOLUTION**

MOVED: CR. LOCKWOOD

SECONDED: CR. SEYMOUR

That Council:

Issue a Notice of Decision to refuse to grant a Planning Permit for the construction of five (5) double storey dwellings and two (2) single storey dwellings (total seven (7) dwellings) at 14 Sinclair Road, Bayswater on the following grounds:

1. The car parking provided is unsatisfactory as three bedrooms dwellings should be provided with a double garage and two (2) visitor parking spaces should be provided.
2. The development is not consistent with the relevant State and Local Planning policies contained within the Knox Planning Scheme, including but not limited to:
  - a) Clause 11 (Settlement) and Clause 15 (Built Environment and Heritage) of the Knox Planning Scheme;
  - b) Clause 21.05 Housing of the Knox Planning Scheme; and
  - c) Clause 22.07 Neighbourhood Character.
3. The proposal is considered an overdevelopment of the site and is not considered to be respectful of the preferred green and leafy neighbourhood character of the Knox Neighbourhood Area.
4. The proposal fails to achieve a reasonable level of compliance with the objectives and standards of Clause 55 of the Knox Planning Scheme (ResCode).

**PROCEDURAL MOTION**

MOVED: CR. COOPER

SECONDED: CR. TAYLOR

That Councillor Seymour be permitted an extension of time to speak under Clause 47 of the Meeting Procedure and Use of Common Seal Local Law 2008

THE PROCEDURAL MOTION WAS CARRIED

THE MOTION WAS CARRIED



**Knox City Council**  
REPORT APPENDIX: A

**Property - Address**  
14 Sinclair Road,  
BAYSWATER  
P/2016/6324

**Application Number**  
P/2016/6324

**Description**  
Development of the land for five (5) double storey dwellings and two (2) single storey dwellings (total seven (7) dwellings)

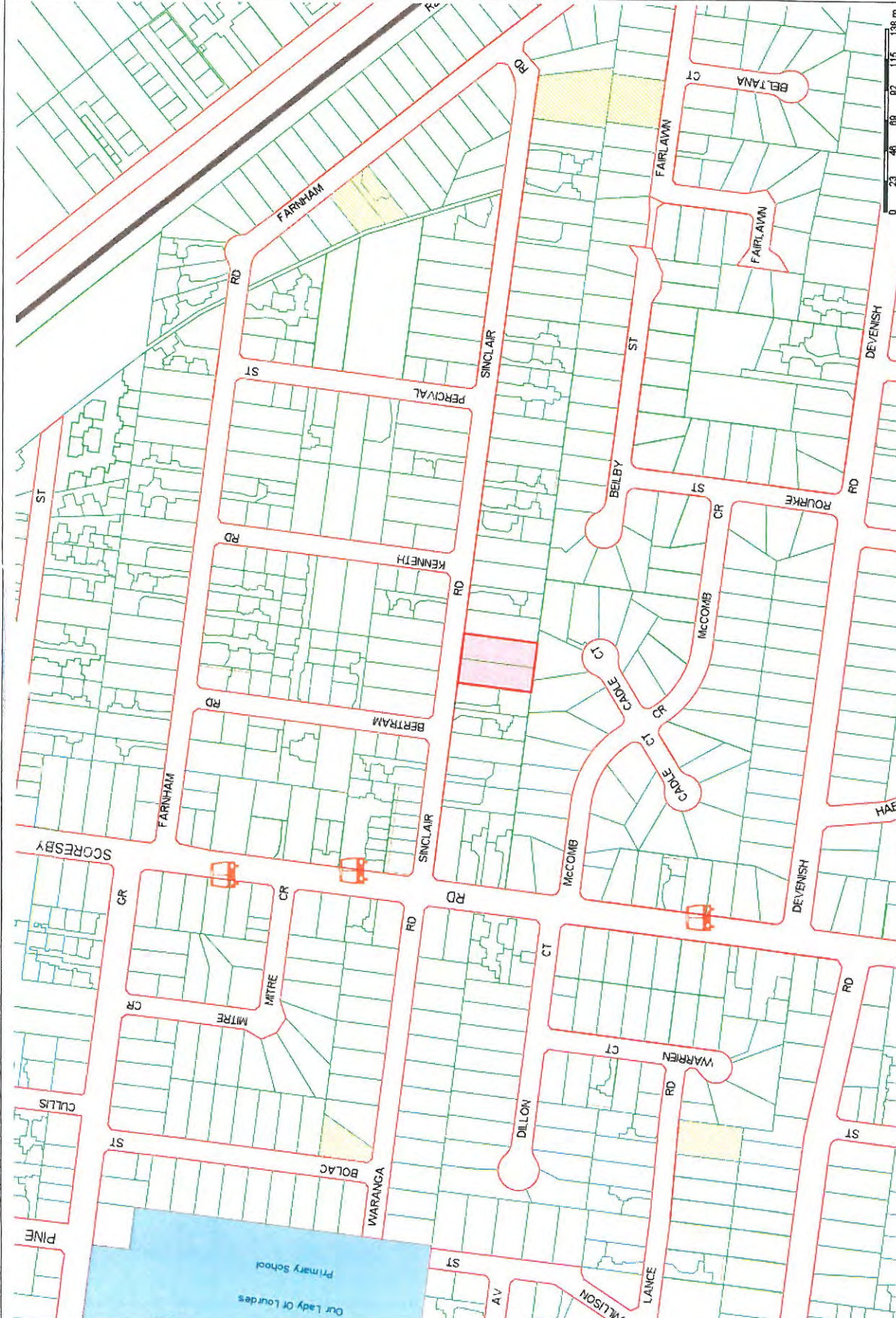
**Wardname**  
Baird

**LEGEND:**

- The Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Link Development
- Subject Property
- Petition



Scale: 1:3000



**DISCLAIMER:**

Roads and Title Boundaries - State of Victoria, Knox City Council  
 Planning Scheme Information - DP/CD, Knox City Council  
 Aerial Photography - AAM (Flown January 2013 - unless otherwise stated)  
 Melbourne Water Drainage Information - Melbourne Water

1. Whilst every endeavor has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council or any of the above organizations in respect to inaccuracy, errors, omissions or for actions based on this information.
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4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.



**Knox City Council**  
REPORT APPENDIX: A

**Property - Address**  
14 Sinclair Road,  
BAYSWATER

**Application Number**  
P/2016/6324

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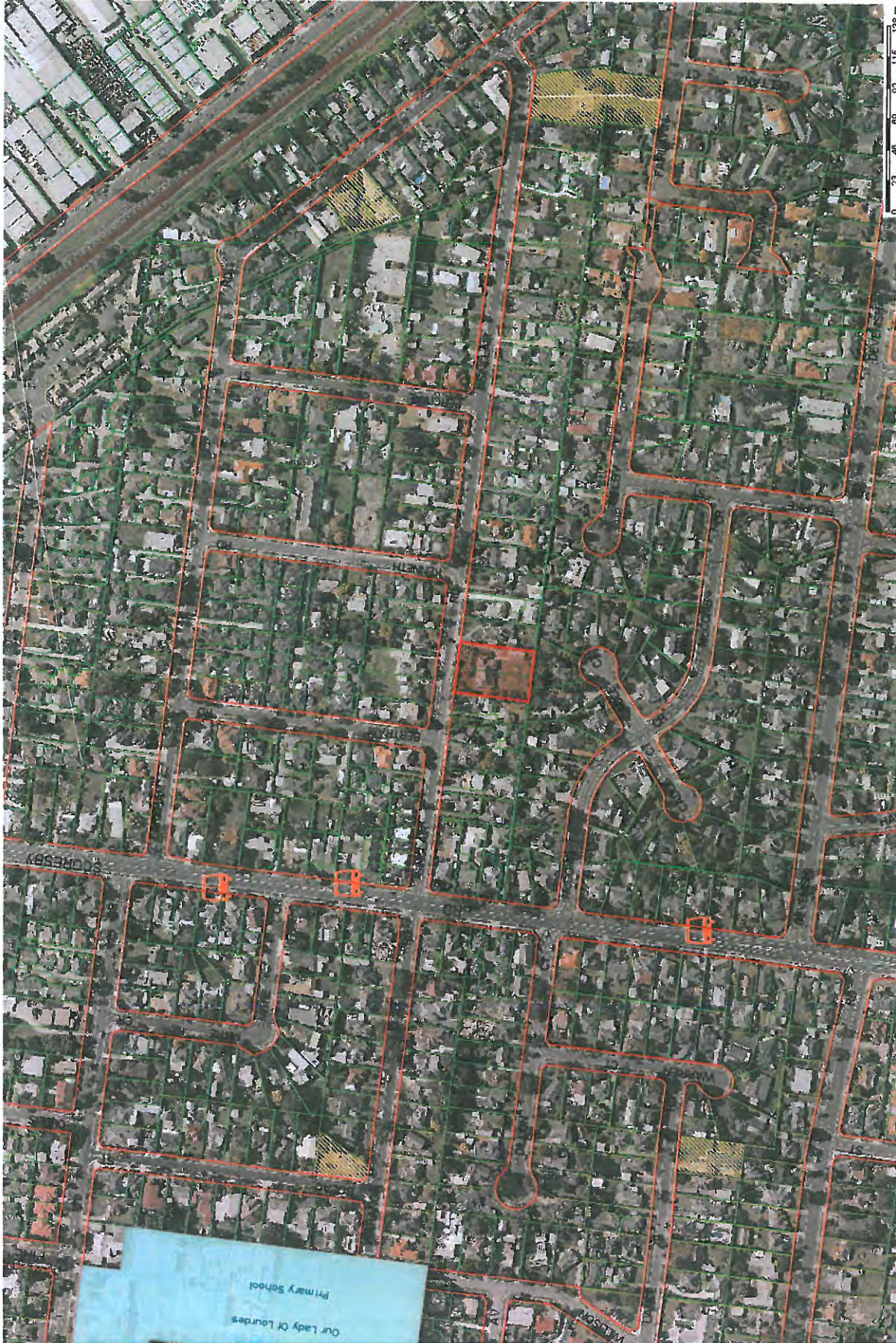
**Wardname**  
Baird

**LEGEND:**

- Title Boundary
- Flood Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Director
- Unit Development
- Subject Property
- Petition



Scale: 1:3000



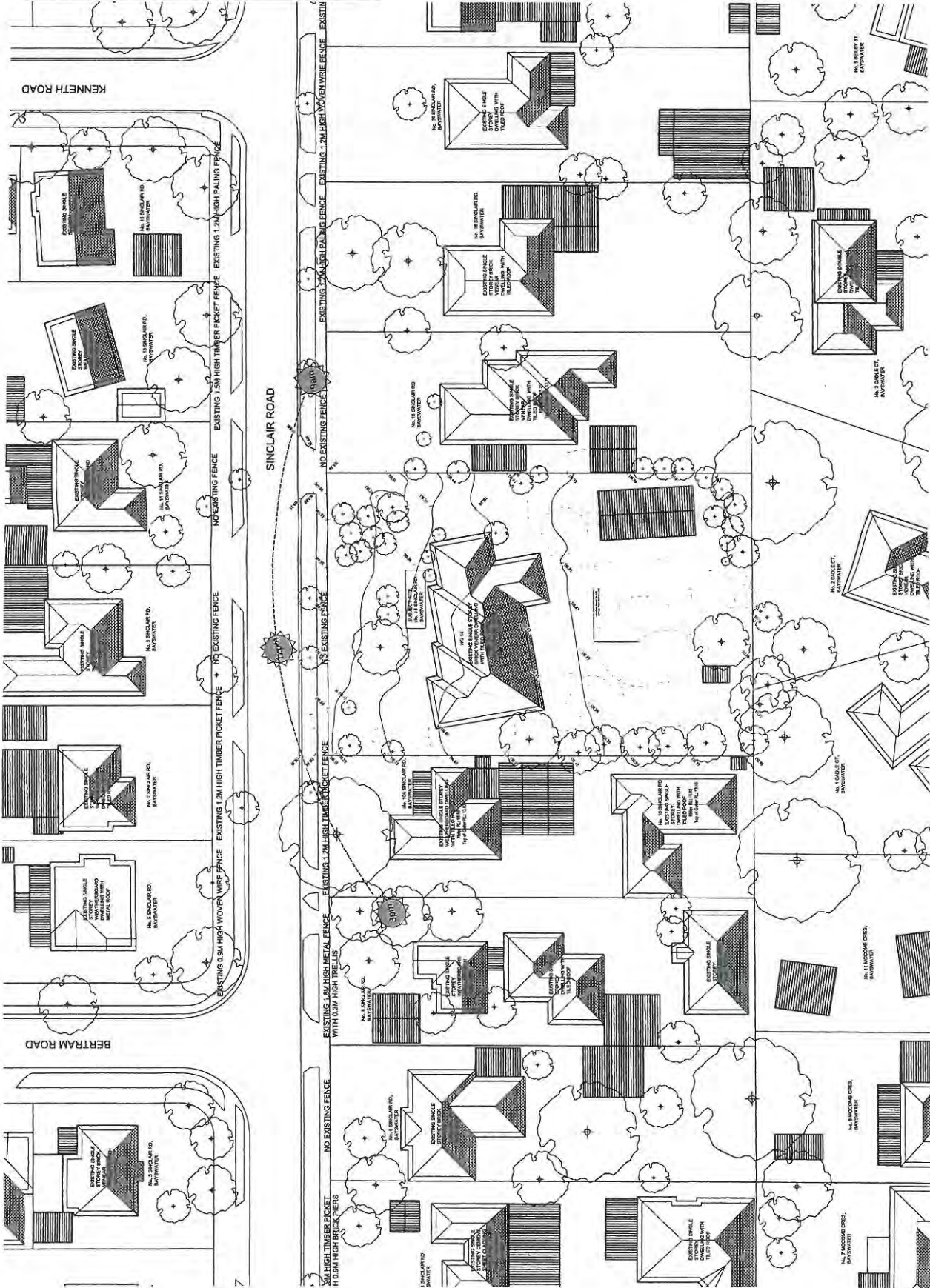
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### LEGEND

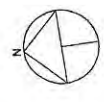
- EXISTING TREE TO BE RETAINED
- TREE REMOVED UPON COMPLETION OF WORK TO THE APPLICATION BEING MADE
- PROPOSED TREE
- RETAINING WALL
- CLOTHESLINE
- WATER/OAS METERS
- ELECTRICITY METERS
- EXTERNAL HOT WATER SERVICE
- RM STORAGE IN GARAGE OF PVS
- HANGABLE ROOM WINDOW
- NO. 28 SINCLAIR RD, BAYSWATER
- 2.5M HIGH TIMBER PICKET FENCE
- EXISTING FENCE TO BE MAINTAINED BY ADJACENT LANDOWNER TO PVS DEVELOPMENT

ADVERTISING PLAN/MATERIAL



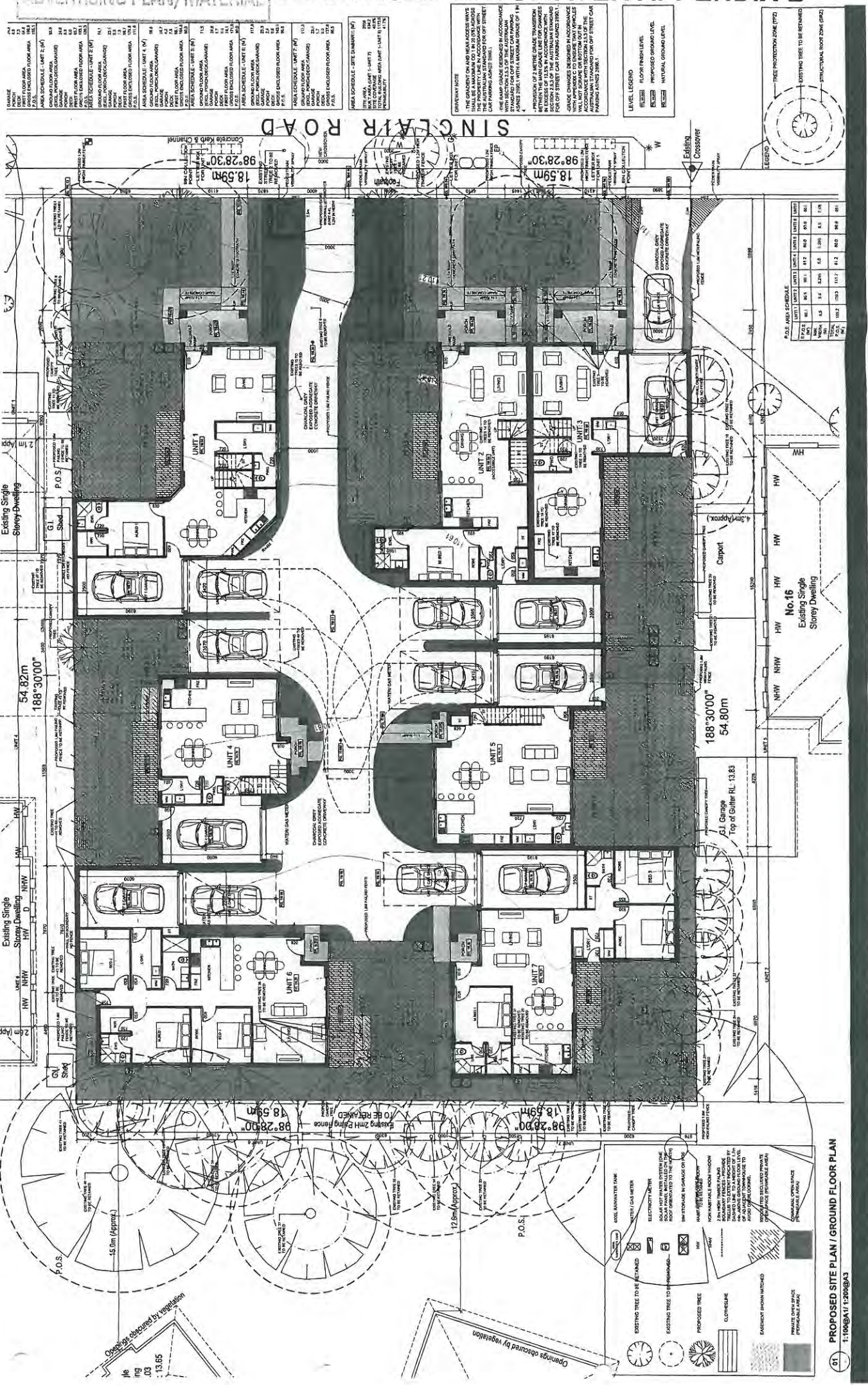
MOBILE 041967845 INFO@MATRIXARCHITECTS.COM.AU

DATE	15/07/2011	TP12 RES P2 PLANNING PERMIT ISSUE
NO.	15000/A3	
SITE	14 SINCLAIR ROAD	
DRAWN BY	MR WEIQIANG HU	
CHECKED BY		
EXISTING CONTEXT PLAN		
MR WEIQIANG HU		
TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3153		



NO.	DATE	REVISION

01 EXISTING CONTEXT PLAN  
1:250@A1 | 1:500@A3



**MATRIX**  
Architects  
Multi-Disciplinary Planning P/L  
MOBILE: 04 1987846 INFO@MATRIXARCHITECTS.COM.AU

DATE	NO.	DESCRIPTION
22/03/2016	01	PROPOSED SITE PLAN / GROUND FLOOR PLAN
22/03/2016	02	REVISED
22/03/2016	03	REVISED
22/03/2016	04	REVISED
22/03/2016	05	REVISED
22/03/2016	06	REVISED
22/03/2016	07	REVISED
22/03/2016	08	REVISED
22/03/2016	09	REVISED
22/03/2016	10	REVISED
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22/03/2016	23	REVISED
22/03/2016	24	REVISED
22/03/2016	25	REVISED
22/03/2016	26	REVISED
22/03/2016	27	REVISED
22/03/2016	28	REVISED
22/03/2016	29	REVISED
22/03/2016	30	REVISED

**PLANNING PERMIT ISSUE**

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3185

Client: MR WEIQIANG HU

Site Plan / Ground Floor Plan

TP31

REV P2

NOT TO BE USED FOR CONSTRUCTION PURPOSES

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3185

Client: MR WEIQIANG HU

Site Plan / Ground Floor Plan

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3185

Client: MR WEIQIANG HU

Site Plan / Ground Floor Plan

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3185

Client: MR WEIQIANG HU

Site Plan / Ground Floor Plan

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3185

Client: MR WEIQIANG HU

Site Plan / Ground Floor Plan

01 1:100BA 11 1:200@A3

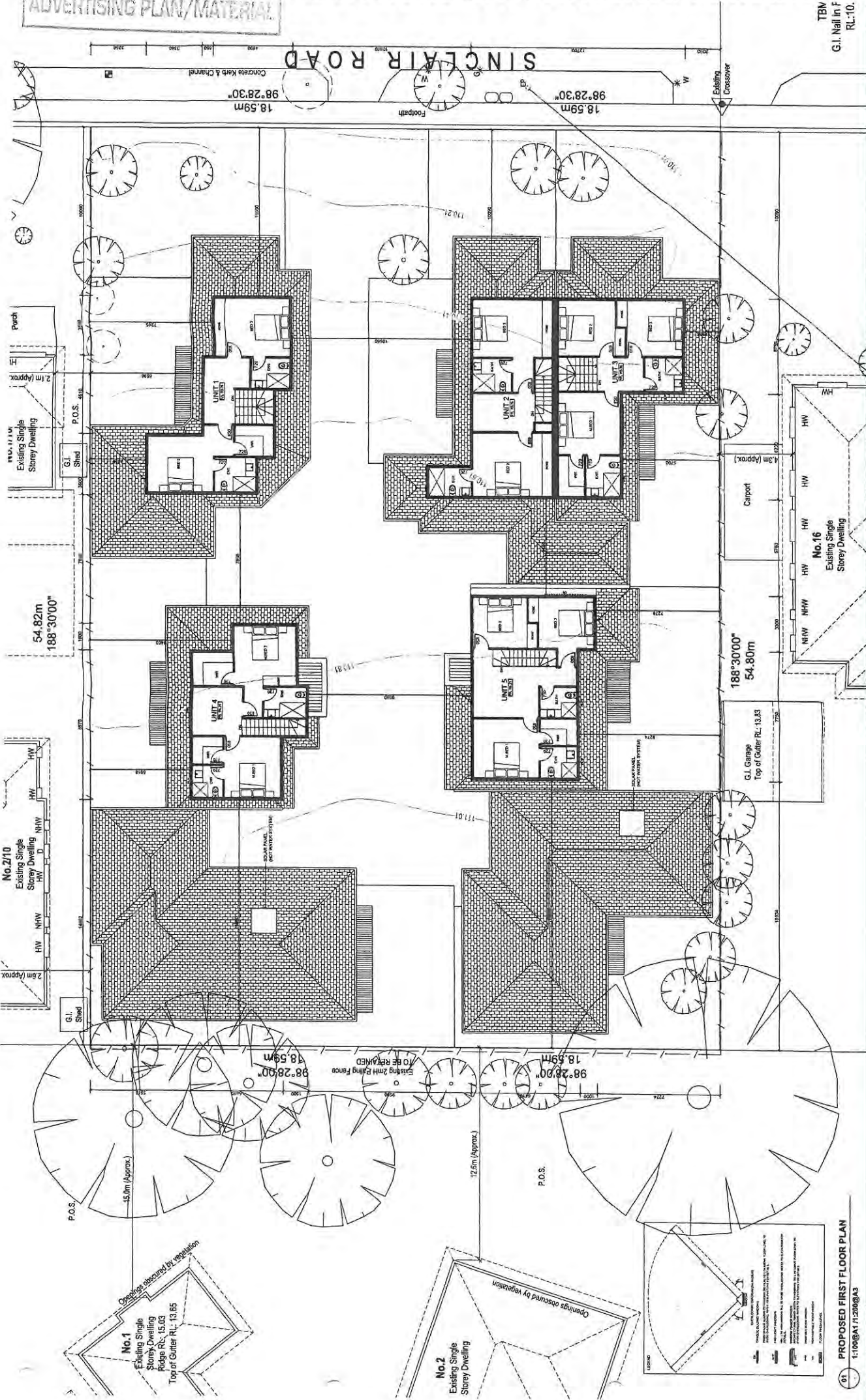
**PROPOSED SITE PLAN / GROUND FLOOR PLAN**

Drawings obscured by vegetation

Openings obscured by vegetation

ADVERTISING PLAN/MATERIAL

TBM  
G.I. Nail in F  
RL:10.



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TP32	REV P2
DATE: 11/12/2011	BY: [Signature]
DESCRIPTION: [Text]	DATE: 11/12/2011
PLANNING PERMIT ISSUE	

PROJECT	TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3153
CLIENT	MR WEIQIANG HU
DATE	11/12/2011
DESCRIPTION	FIRST FLOOR PLAN



No.	Date	Revisions
1	11/12/2011	Issue for Planning
2	11/12/2011	Issue for Planning
3	11/12/2011	Issue for Planning

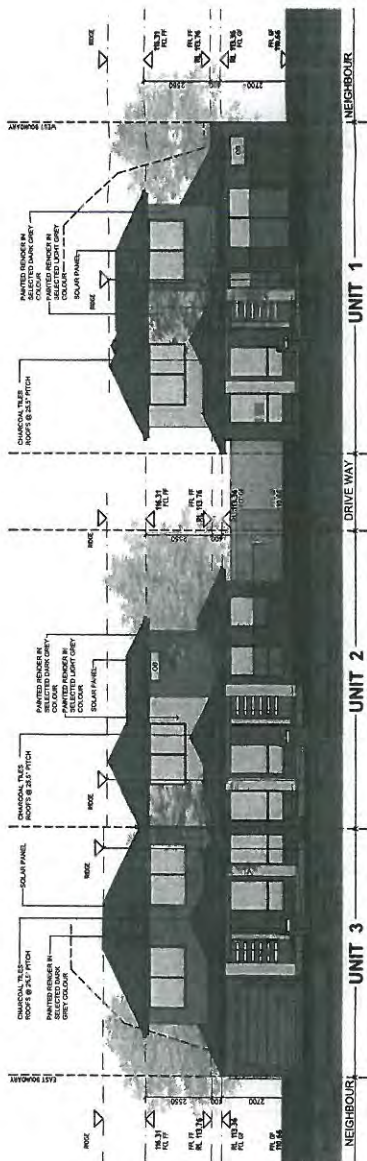
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Top of Gutter RL: 13.65

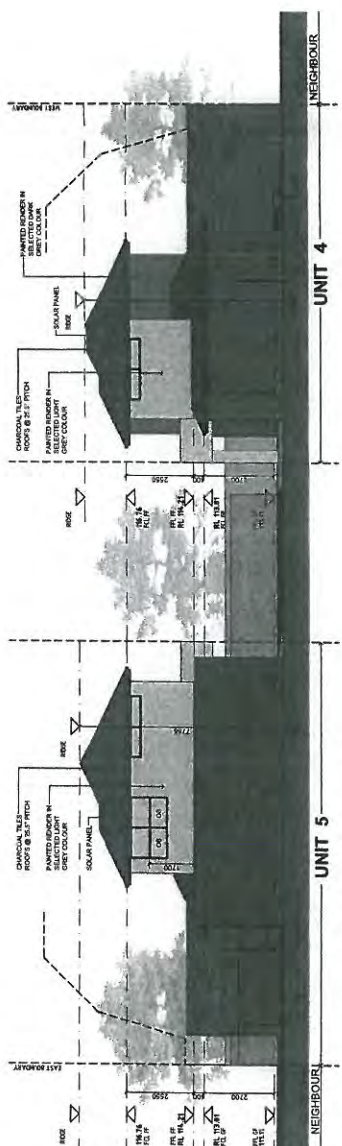
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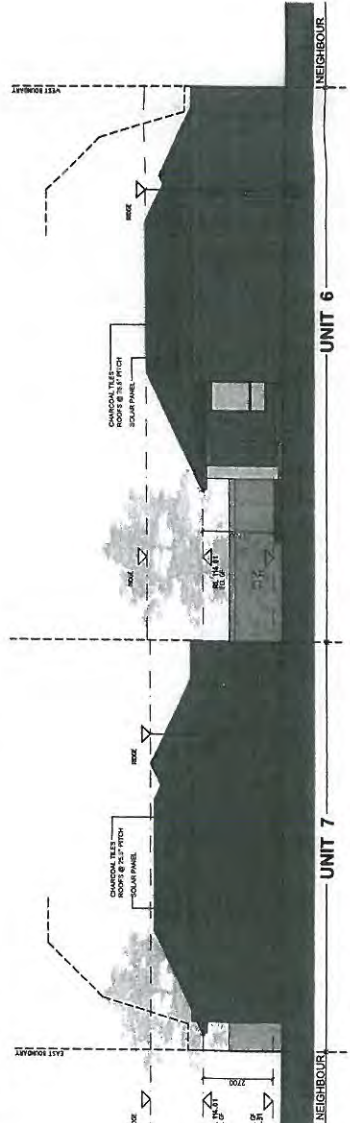
ADVERTISING PLAN/MATERIAL



01. PROPOSED NORTH ELEVATION - UNIT 1-3  
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02. PROPOSED INTERNAL NORTH ELEVATION - UNIT 4-5  
1:100@A1/1:200@A3



03. PROPOSED INTERNAL NORTH ELEVATION - UNIT 6-7  
1:100@A1/1:200@A3



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Date	22/03/2016
Scale	AS SHOWN
Drawn	AS SHOWN
Checked	AS SHOWN
Project No.	14SINCLAIR
Client	MR WEIQIANG HU
Site	14 SINCLAIR ROAD, BAYSWATER VIC 3153
Issue	PLANNING PERMIT ISSUE

PROPOSED NORTH ELEVATIONS

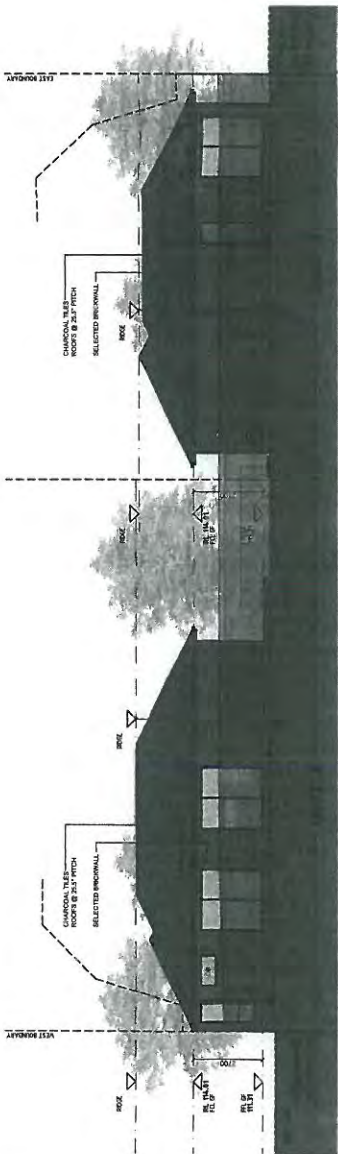
Client: MR WEIQIANG HU

Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3153

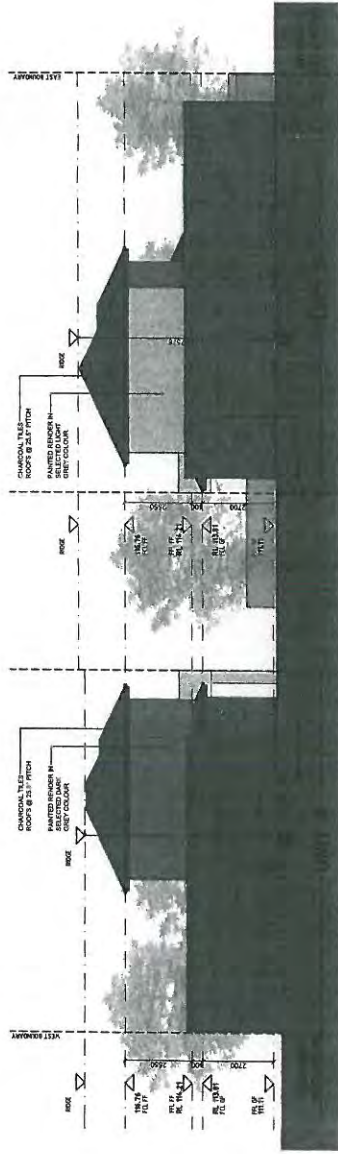
No.	Date	Description
01	11/03/2016	Issue for Planning Application
02	11/03/2016	Issue for Planning Application
03	11/03/2016	Issue for Planning Application

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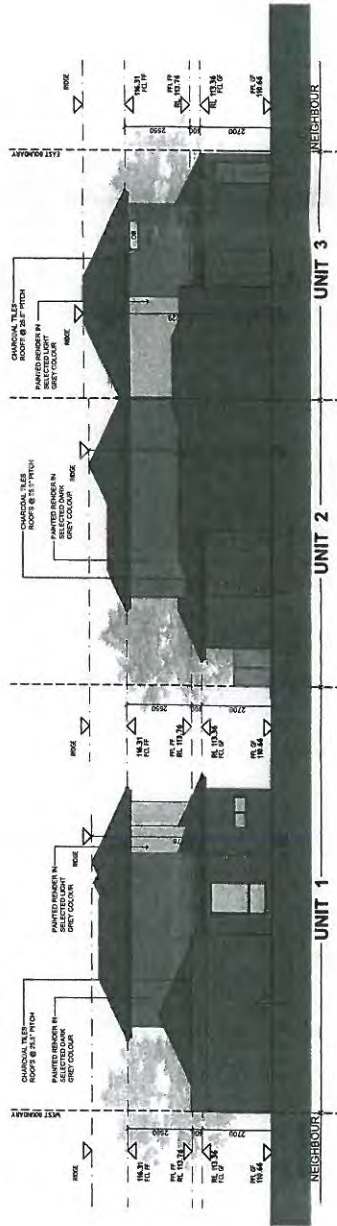
ADVERTISING PLAN/MATERIAL



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02 PROPOSED INTERNAL SOUTH ELEVATION - UNIT 4-5  
1:100@A1/1:200@A3



03 PROPOSED INTERNAL SOUTH ELEVATION - UNIT 1-3  
1:100@A1/1:200@A3

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Date	Revised	By	Check	Remarks
13.03.2018	For Client Review	PT		
13.03.2018	Planning Permit Application Issue	PT		
13.03.2018	Planning Permit Application Issue	PT		
13.03.2018	Client Approval Received	PT		

Project  
TOWNHOUSES DEVELOPMENT @  
14 SINCLAIR ROAD, BAYSWATER  
VIC 3153

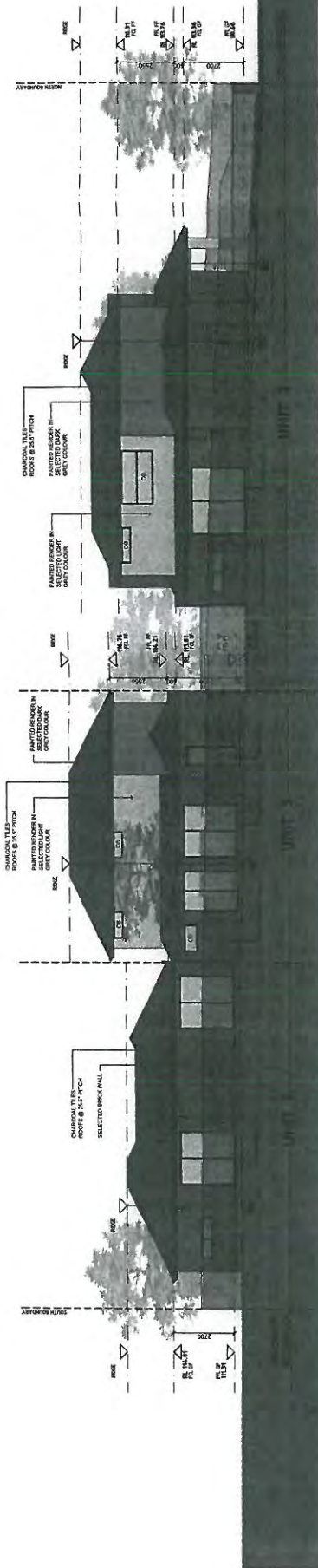
Client  
MR WEIQIANG HU

Drawn  
PROPOSED SOUTH ELEVATIONS

DATE	22/03/2018
JOB	1801
DRAWN	17/03/2018 (1:200@A3)
CHECKED	
DATE	
BY	
FOR	NO TO BE USED FOR CONSTRUCTION PURPOSE
SCALE	AS SHOWN
PROJECT	TP42 BRG P2
ISSUE	PLANNING PERMIT ISSUE

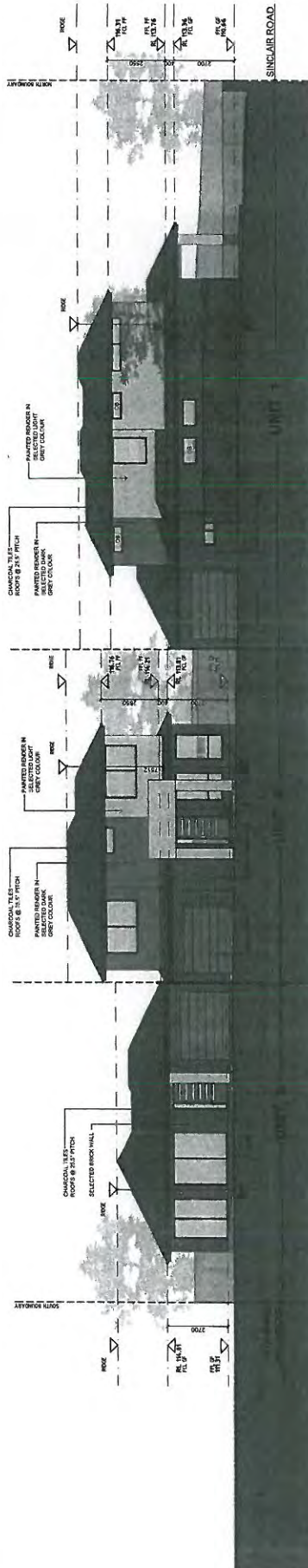


ADVERTISING PLAN/MATERIAL



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PROPOSED INTERNAL EAST ELEVATION - UNIT 1,4,6

02 1:100@A1/1:200@A3

Date	By	Check	Revised
11/01/2016	PL	PL	
11/02/2016	PL	PL	
12/02/2016	PL	PL	
23/02/2017	PL	PL	

Project  
**TOWNHOUSES DEVELOPMENT @  
 14 SINCLAIR ROAD, BAYSWATER  
 VIC 3153**

Client  
**MR WEIQIANG HU**

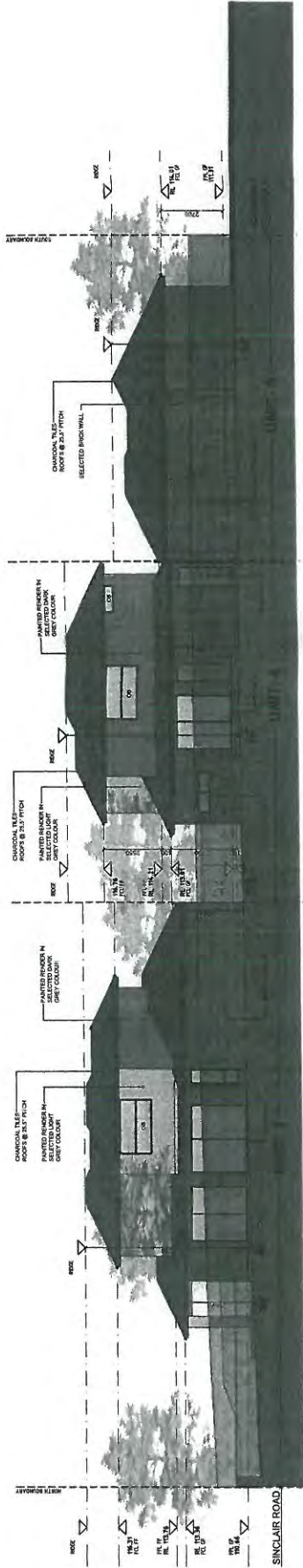
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**PROPOSED EAST ELEVATIONS**

Date	22/02/2016
Job No	1177
Scale	1:100@A1/1:200@A3
Drawn	PL
Checked	PL
By	Approved: RK
For	NOT TO BE USED FOR CONSTRUCTION PURPOSES
Issue	01

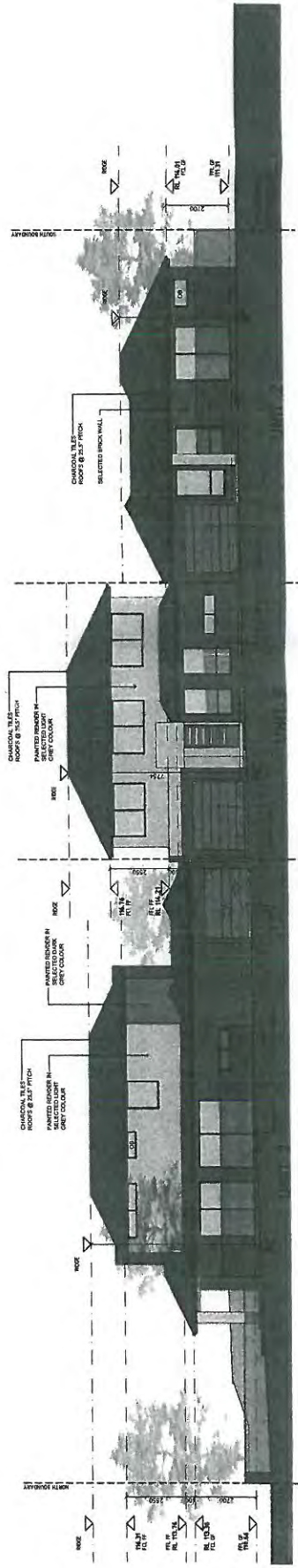
PLANNING PERMIT ISSUE



ADVERTISING PLAN/MATERIAL



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PROPOSED INTERNAL WEST ELEVATION - UNIT 2.5.7  
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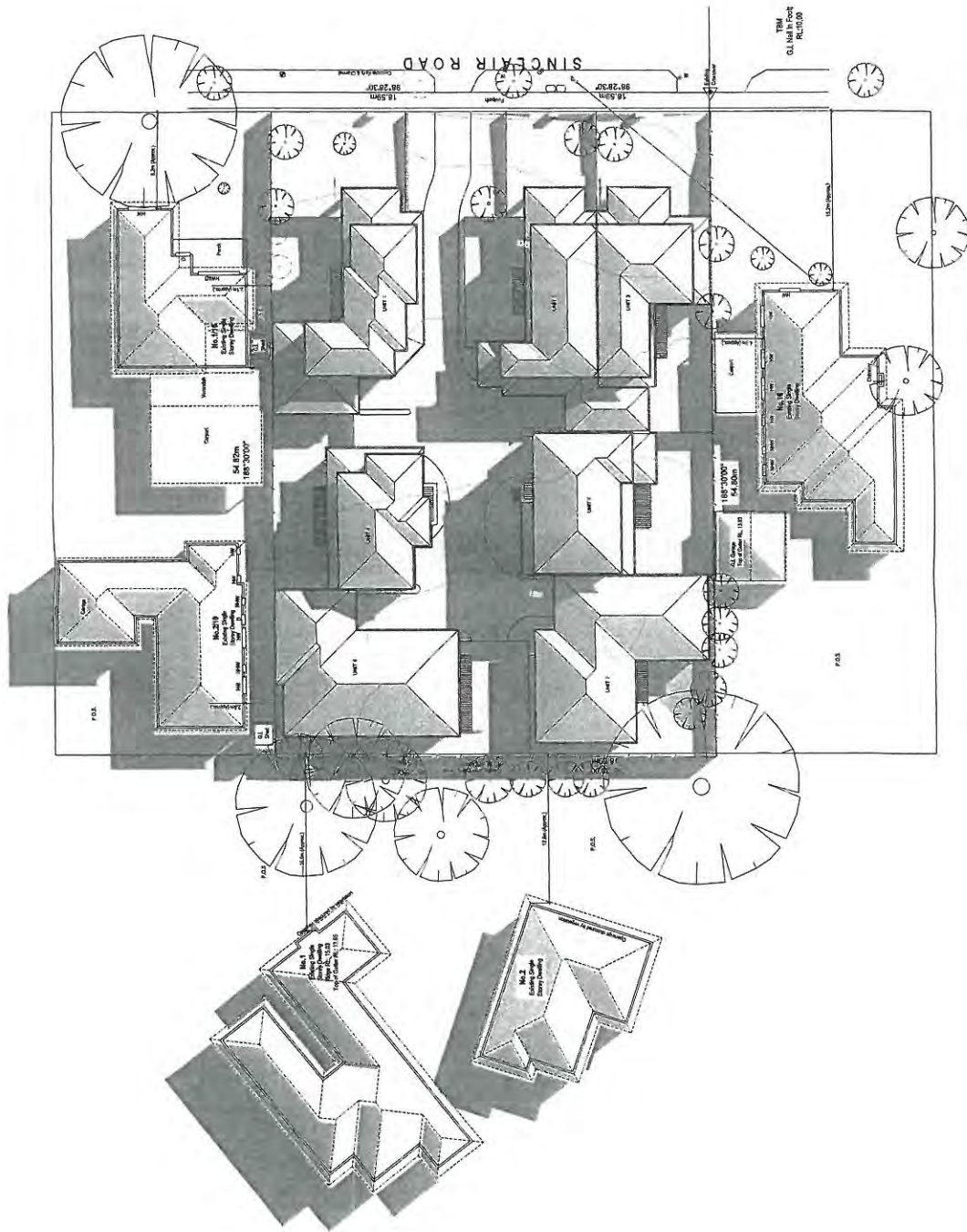
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<p>TP44 BRU P2 NOT TO BE USED FOR CONSTRUCTION PURPOSES PLANNING PERMIT ISSUE</p>	<p>PROJECT TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3183</p>	<p>CLIENT MR WEIQIANG HU</p>	<p>TITLE PROPOSED WEST ELEVATIONS</p>
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No.	Date	Revisions
1	14.03.2018	City Council Review
2	11.07.2018	Planning Panel 14/18/2018
3	22.08.2018	Planning Panel 22/18/2018

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ADVERTISING PLAN/MATERIAL



01 SHADOW DIAGRAM - 9AM PROPOSED  
1:200 @ A1 71:000 @ A3



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TP51	REG. P1
PLANNING PERMIT ISSUE	

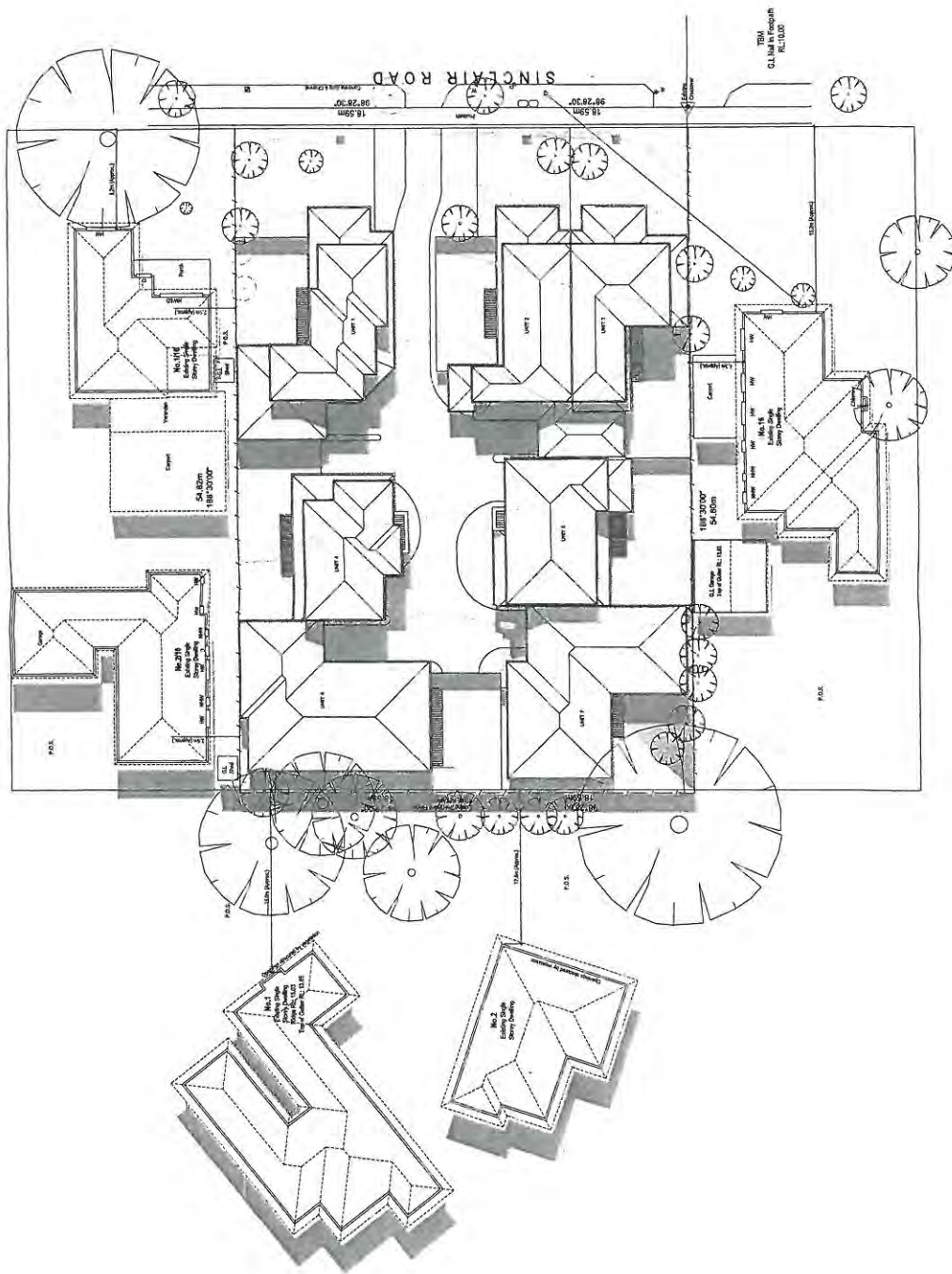
Date: 12/07/11 Drawn: [Name] Checked: [Name] Project: 14 SINCLAIR ROAD BAYSWATER Client: MR WEIQIANG HU	Title: SHADOW DIAGRAM 9AM EQUINOX SEPTEMBER	Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3153
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Date	Revisions	No.	Date	Revisions
04/02/2011	For Client's Review	1		
11/02/2011	Planning Permit Application Issue	2		
21/02/2011	Planning Permit Application Issue	3		

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ADVERTISING PLAN/MATERIAL



DT SHADOW DIAGRAM - 12PM PROPOSED  
1:20 @ A1 / 1:40 @ A3



TP52	REV P1
PLANNING PERMIT ISSUE	

The SHADOW DIAGRAM 12PM EQUINOX SEPTEMBER

Client: MR WEIJIANG HU

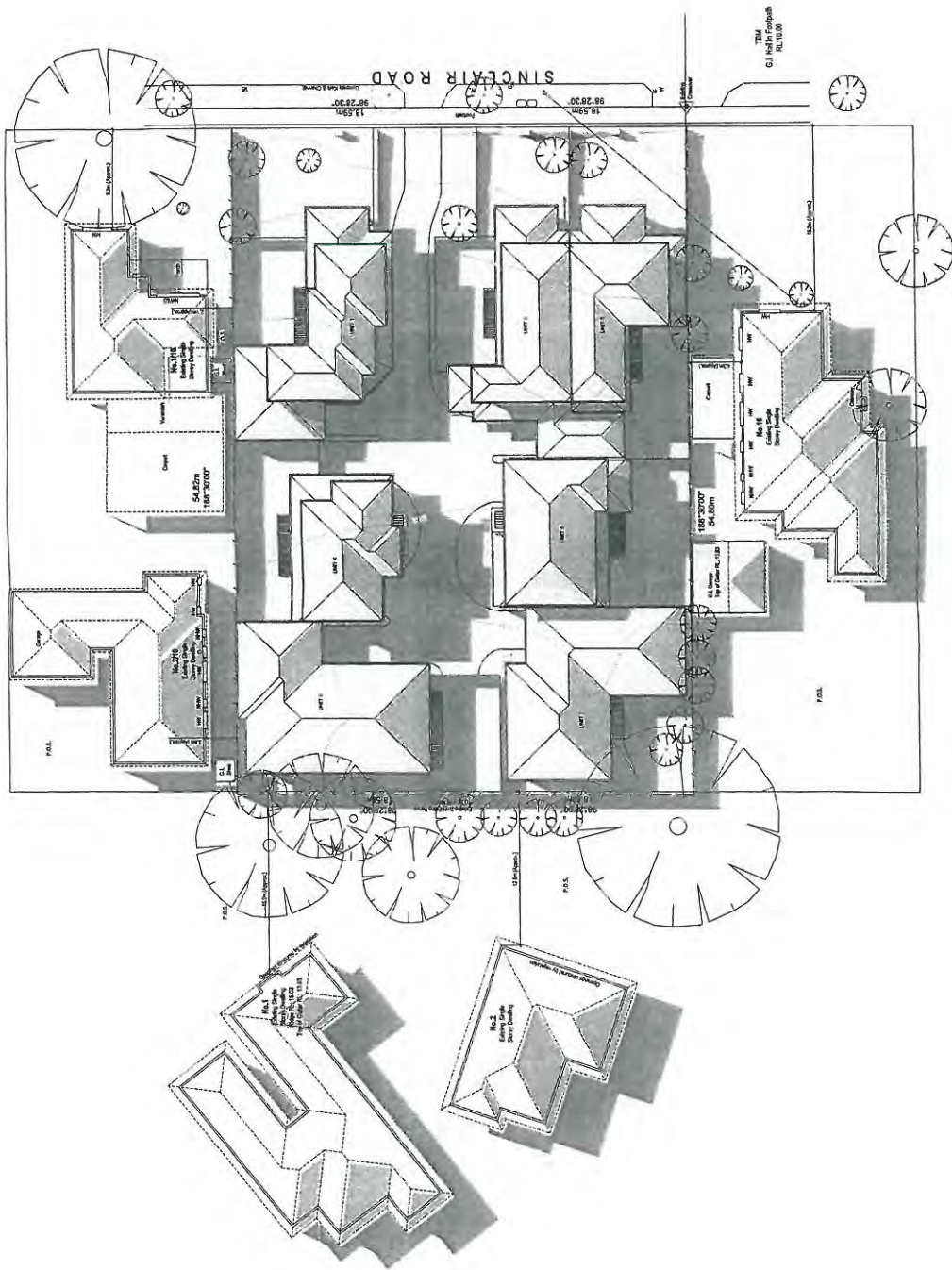
Project: TOWNHOUSES DEVELOPMENT @ 14 SINCLAIR ROAD, BAYSWATER VIC 3153



Date	Revision	No.	Date	Number
04.02.2017	For Client's Review	01		
13.03.2017	Planning Permit Application Issue	02		
21.05.2017	Planning Permit Application Issue	03		

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ADVERTISING PLAN/MATERIAL



01 SHADOW DIAGRAM - 3PM PROPOSED  
1:200@A1 1:400@A3

ADDITIONAL SHADOW  
CAST BY PROPOSED  
DWELLING 2

Date	Revision	No.	Date	Description
04.02.2015	For Client's Review	01		
11.03.2015	Revised from Application Issue	02		
18.02.2015	Revised from Application Issue	03		

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<b>TP53</b> REG. P1 CITY OF BAYSWATER CONSTRUCTION DEPARTMENT PLANNING PERMIT ISSUE	
Client <b>MR WEIQIANG HU</b>	Project <b>TOWNHOUSES DEVELOPMENT @                  14 SINCLAIR ROAD, BAYSWATER                  VIC 3153</b>
Date 04.02.2015	Title SHADOW DIAGRAM 3PM EQUINOX SEPTEMBER
Drawn By ARCHITECTS	Scale 1:200@A1 1:400@A3
Checked By ARCHITECTS	Project No. 14 SINCLAIR ROAD
Date 04.02.2015	Drawing No. TP53

**DOBSON WARD****6.5 AMENDMENT C141 IMPLEMENTING THE UPPER GULLY STRATEGIC PLAN – PLANNING PANEL REPORT**

**SUMMARY:** *Senior Project Manager – Strategic Planning (Spiro Manolakis)*

*Amendment C141 to the Knox Planning Scheme seeks to implement the land use and planning components of the draft Upper Gully Strategic Plan, December 2015 (draft Strategic Plan). A Panel Hearing was held on 15, 17 and 18 November 2016 to consider the strategic basis of Amendment C141 and the 460 submissions that were received to the Amendment in response to the exhibition of the draft Strategic Plan and supporting Consolidated Background Report and technical reports.*

*This report outlines the recommendations of the Planning Panel and consequently recommends that Amendment C141 and Upper Gully Strategic Plan, January 2017 be adopted with changes consistent with the recommendations of the Planning Panel Report, which includes a maximum mandatory building height of 8.5 metres (two storeys) for the entire Upper Gully Activity Centre, except for The 1812 Theatre site at 1-3 Rose Street, where a maximum mandatory building height of 12 metres (three storeys) applies, and be submitted to the Minister for Planning for Approval.*

**RECOMMENDATIONS**

That Council:

1. Note and accept all recommendations of the Panel Report for Amendment C141 (Appendix A);
2. Endorse the revised Building Heights and Setbacks Map (DDO 12), January 2017 (Appendix B);
3. Adopt Amendment C141 to the Knox Planning Scheme, which has a revised maximum mandatory building height of 8.5 metres (two storeys) for the entire Upper Gully Activity Centre, except for The 1812 Theatre site at 1-3 Rose Street, where a maximum mandatory building height of 12 metres (three storeys) applies (Appendix C);
4. Adopt the Upper Gully Strategic Plan, January 2017 (Appendix D), which has been modified since the December 2015 exhibited version to:
  - a. include maximum mandatory building height controls consistent with the C141 Panel Report recommendations;
  - b. remove irrelevant references to the planning scheme amendment;



## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

- c. remove actions, as these are included in the Implementation Plan January 2017; and
- d. include minor grammatical changes and edits made for clarity.
5. Adopt the Upper Gully Implementation Plan, January 2017 (Appendix E);
6. Adopt the Upper Gully Consolidated Background Report, January 2017 (Appendix F);
7. Adopt the Upper Gully Strategic Plan: Technical Report – Land Use & Economics 2014 and Addendum 2016, Urban Enterprise (Appendix G);
8. Adopt the Upper Gully Strategic Plan: Technical Report – Transport & Parking 2015 and Addendum 2016, Movendo (Appendix H);
9. Adopt the Upper Ferntree Gully Heritage Assessment 2015, Context (Appendix I); and
10. Adopt the Upper Gully Plan Engagement Report 2015, Effective Conversations (Appendix J).
11. Submit the adopted Amendment C141 to the Minister for Planning for approval;
12. Authorise the Director – City Development to make any minor changes required to the Strategic Plan, supporting Consolidated Background Report and Amendment C141 documentation for approval by the Minister for Planning, provided these are consistent with the intent of the adopted Amendment; and
13. Notify the submitters to Amendment C141 of Council's decision.

### **1. INTRODUCTION**

#### **1.1 Background**

The Upper Gully Strategic Plan (Strategic Plan) was prepared in response to the concern about the lack of specific planning controls for the Upper Gully Neighbourhood Activity Centre (Activity Centre) within the Dandenong Foothills. Council sought mandatory interim maximum building height controls of 7.5 metres from the Minister for Planning, through Amendment C130 to allow time to undertake the strategic planning and associated Planning Scheme Amendment. The Minister for Planning approved the interim maximum building height controls on 29 October 2014 for a period of 18 months until 30 April 2016). Amendment C146 extended the interim height provisions by a further 18 months to 30 October 2017.

The Strategic Plan will guide what Upper Ferntree Gully will be and how it will function in terms of its social, environmental and economic future.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

It is informed by extensive technical studies, background research, and community and Council priorities and includes an Implementation Plan; supporting background and technical reports; and Amendment C141, which proposes the inclusion of 'permanent' planning provisions to the Knox Planning Scheme.

The Strategic Plan is the planning tool to manage, influence and facilitate future change in Upper Gully and assist Council in decision making. It provides a framework for guiding Council business and developing partnerships with major landholders and service providers including state government agencies to activate and provide the certainty needed for future and ongoing improvements for Upper Gully. The Strategic Plan directs future investment and improvements to capture the unique opportunities including those for business and tourism, presented by Upper Gully's setting and individuality and to deliver objectives and strategies outlined as part of the Knox Vision and Knox City Plan 2013-17 at a local level.

Implementation of the Strategic Plan will require collaboration and support from key government and non-government stakeholders to capitalise on significant partnership opportunities with the goal to provide future improvements and drive investment. The Implementation Plan provides the clear framework needed to deliver and measure the ongoing future success of the Strategic Plan (Appendix E).

The built form guidelines in section 5 of the Strategic Plan (Appendix D) form the basis for permanent planning controls for the Activity Centre. These include building design matters such as maximum building heights, minimum ground level and upper level setbacks, floor to ceiling heights, stormwater and flood management, car parking, access and walkability, building frontages, amenity and other building design considerations. The planning controls have been developed with the endeavour to achieve an appropriate built form recognising the environmentally sensitive Dandenong Foothills area in which the Activity Centre is located, appreciating the Neighbourhood Activity Centre strategic context, acknowledging the low commercial and housing market demand and the community's desire to maintain a low-scale activity centre.

Amendment C141 seeks to implement the statutory elements of the Strategic Plan by introducing a new Local Planning Policy (Clause 22.14) and new Design and Development Overlay Schedule 12 (DDO12) to the Upper Ferntree Gully Activity Centre, and make subsequent minor changes to existing provisions in the Knox Planning Scheme to guide development in the Activity Centre.

### **1.2 Chronology of Council Decisions for Amendment C141**

On 24 November 2015 Council considered the draft Upper Gully Strategic Plan (October 2015), and a recommendation for a maximum two storey (8.5 metres) building height across the Activity Centre.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C141, and that Amendment C141 and the draft Upper Gully Strategic Plan, October 2015 be modified to allow for a three storey, 12 metres maximum building height at some sites in the Activity Centre. The modified Amendment C141, modified draft Strategic Plan (December 2015) and supporting background and technical reports were publically exhibited from 8 February to 29 March 2016.

On 24 May 2016, Council considered the various matters raised by the 344 submissions received during public exhibition of the modified Amendment C141 and draft Strategic Plan (December 2015). Council resolved that further research and analysis of the height, design and associated issues and consultation be undertaken with relevant stakeholders with a report to be presented at a future Council meeting.

On 28 June 2016, a Notice of Motion was presented to Council for a revised Building Heights and Setbacks Map for Amendment C141. In general, the revised map identified maximum building heights of three storeys (12 metres) in the central core area, and two storeys (8.5 metres) for the outer eastern and western areas and north of Burwood Highway within the Upper Ferntree Gully Activity Centre. Council also resolved to refer this to an independent Planning Panel that was appointed by the Minister for Planning. This motion was upheld following a rescission notice that was put forward and lost at the Council meeting on 26 July 2016.

Following Council's July decision, the opportunity to make a submission or revise original submissions on Amendment C141 was extended until 12 September 2016. An additional 116 submissions were received.

## **2. DISCUSSION**

### **2.1 Recommendations of the Planning Panel**

A Panel Hearing was held on 15, 17 and 18 November 2016 to review all the submissions received and respond to the issues raised in relation to Amendment C141.

The Panel Report (Appendix A) deals with the planning issues under the following headings:

- Planning context.
- Building height.
- Other issues:
  - Flooding,
  - Traffic and parking,
  - Bushfire,
  - Heritage,
  - Railway station precinct, and
  - Flora and fauna.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

In summary, the Planning Panel concluded that:

- The Amendment is well founded and strategically justified where it “aligns with the Strategic Plan”, and it should proceed subject to addressing the more specific issues raised in submissions.
- The Panel finds the unique nature of the Activity Centre, comprehensive analysis underpinning the Amendment and existing State and local planning policy strategically justify a mandatory maximum building height provision. The building height for this provision should be 8.5 metres (two storeys) to align with the Dandenong Foothills policy and protect foothills views from key vantage points.
- Applying a site-specific mandatory maximum building height of 12 metres (three storeys) to the 1812 Theatre site would allow it to construct a fly tower without adversely impacting the foothill views.
- While the Panel understands the basis behind expert evidence to support a 12 metre height in other parts of the Activity Centre, it considers that this height would not effectively achieve the Dandenong Foothills Policy.
- The Amendment and Strategic Plan satisfactorily respond to issues related to flooding, traffic and parking, bushfire, heritage, the railway precinct land and flora and fauna.

Following consideration of the issues raised, the Planning Panel proposes that Amendment C141 be adopted, subject to two recommendations:

1. Amend Clause 22.01 to make changes which improve its clarity and operation.
2. Amend Design and Development Overlay Schedule 12, to make changes which improve its clarity and operation including:
  - a) Change the mandatory maximum building height to 8.5 metres (two storeys) for the entire Upper Ferntree Gully Activity Centre, except for the 1812 Theatre site at 1-3 Rose Street.
  - b) Change the mandatory maximum building height to 12 metres (three storeys) for the 1812 Theatre site at 1-3 Rose Street.
  - c) Add a new design objective under Clause 1.0 *“To facilitate the fly tower for the 1812 Theatre Company and strengthen its role in developing arts and culture in the municipality and enhance it as an attraction for visitors to the Activity Centre.”*

## 6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)

### 2.2 Next Steps

Under section 27 of the Planning and Environment Act 1987 (the Act), Council must consider the Panel Report before deciding on whether or not to adopt the Amendment.

If Council decides not to accept a panel's recommendation, it must give its reasons for this when it submits the adopted amendment to the Minister for Planning for approval.

Council has five options:

1. **Adopt the Amendment, as recommended** – in accordance with Planning Panel recommendations, and request that the Minister for Planning approves the Amendment.
2. **Adopt the Amendment, with changes** – Council may choose to adopt the amendment with changes and request that the Minister for Planning approve the Amendment.

Should Council decide to pursue this option, Council *must* give its reasons for not accepting the panel's recommendations when it submits the adopted amendment to the Minister for Planning for approval. Council may choose to adopt the amendment with changes in accordance with its 28 June 2016 resolution. Council should note that the Minister for Planning will seriously consider the recommendations of the Planning Panel;

3. **Abandon the Amendment, but adopt the Strategic Plan** – If Council decides to abandon the amendment, it must tell the Minister for Planning in writing of this decision. Abandonment of an amendment must be by resolution of the planning authority (Council) and recorded in its minutes or reports. The Amendment will 'lapse' once the Minister has been notified that the Amendment has been abandoned. The Minister for Planning must publish a notice in the Government Gazette setting out the date on which the amendment lapsed. However, by adopting the Strategic Plan, Council will retain the technical information and strategic directions included in the Strategic Plan, which would then available to assist Council in any further advocacy work, as the basis for Grant funding or seeking State Government investment and the like.

The importance of having adopted a strategic plan was recently demonstrated by the effectiveness of using the Bayswater Structure Plan in negotiations to justify Council position with the State Government for the Bayswater Level Crossing project. With this option the Strategic Plan will not be incorporated into the Knox Planning Scheme and therefore will not be used in the planning assessment process;

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

4. **Abandon the Amendment** – As discussed in option 3 above, Council must tell the Minister for Planning in writing of this decision as resolved and recorded. The Amendment will 'lapse' once the Minister has been notified that the Amendment has been abandoned. The Minister for Planning must publish a notice in the Government Gazette setting out the date on which the amendment lapsed; or
5. **Allow the Amendment to lapse** – The Amendment will lapse if it is not adopted (by Council) within two years from the date the notice of exhibition was published in the Government Gazette (which was 11 February 2016).

Should Council pursue option 3, option 4 or option 5, Council will be without permanent planning controls as the interim controls for the Activity Centre extended by Amendment C146 will lapse after 30 October 2017. As a result, development applications would be assessed against Clause 22.07 Dandenong Foothills local planning policy which caps building height at 7.5 metres (discretionary).

Officers recommend that Amendment C141 be adopted in accordance with the Planning Panel's recommendations (refer Appendix A), and be submitted to the Minister for Planning for approval.

### **2.3 Upper Gully Strategic Plan & Upper Gully Implementation Plan**

While the Strategic Plan sets the framework for the future development and improvements to Upper Gully including recommendations for built form controls guiding the Amendment C141 for the Activity Centre, it importantly provides a framework to guide and regenerate the Activity Centre and support opportunities to stimulate future investment, partnership and advocacy on private and State owned land in Upper Gully. The Framework is guided by the ten Strategic Objectives and supporting Strategies, which support the 'Vision' and articulate the 'on the ground outcomes' to be achieved for Upper Gully.

As like most Structure/Strategic Plans, the plan provides for a wide range of initiatives across areas such as economic development, business support, transport, movement and accessibility all designed to improve the activity centre and surrounds. For example, Council has recently been the beneficiary of having good and long term strategic planning in place with the outcomes achieved for the Bayswater Level Crossing project being a direct result of Council having in place the Bayswater structure plan which clearly articulated these outcomes.

At the local level for Upper Gully, the work undertaken for the Strategic Plan has provided the justification to seek Federal funding of \$200,000 for the feasibility study of the shared pedestrian and cycle bridge crossing Burwood Highway and extending the Ringwood to Belgrave Rail Trail.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

### **3. CONSULTATION**

Exhibition of Amendment C141 followed extensive community and stakeholder engagement to form the basis of the development of the Strategic Plan.

Amendment C141, draft Strategic Plan, draft Consolidated Background and Technical Reports were exhibited from 8 February 2016 to 29 March 2016, in accordance with the Act. A total of 344 submissions were received during the Exhibition.

As a result of the June and July 2016 Council Decisions, Council extended the opportunity to make a submission or revise original submissions on the Amendment to 12 September 2016.

A combined total of 460 submissions were received in respect of the Amendment which included:

- 344 submissions received during the first round of exhibition; and
- 115 submissions received during the second round of exhibition;
- One late submission from the Country Fire Authority was received during the Panel Hearing.

The Panel concluded that Council has satisfactorily met its statutory obligations for giving notice of the Amendment, as specified in the Act.

The Planning Panel Report was made publically available on the Upper Gully Plan C141 webpage on 16 January 2017.

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

Amendment C141 will deliver positive environmental effects by providing clear direction for new development in the Activity Centre, optimising the use of existing infrastructure, while preserving and enhancing the existing character and amenity of the area.

The Strategic Plan will provide a planning policy and implementation plan that seeks to maintain and enhance the key environmental and amenity qualities, such as the highly valued relationship between the Dandenong Ranges and the Activity Centre.

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

The preparation of the Strategic Plan and associated Planning Scheme Amendment have been funded within the 2014/15 and 2015/16 City Futures budgets. Costs associated with Planning Panel will be funded through the 2016/17 City Futures operational budget.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

Council has dedicated a significant amount of resources including funds to develop the Strategic Plan and Amendment C141. To date, Council has invested approximately \$250,000 over three financial years. This includes professional services and fees and independent panel costs however, does not include staff time or other incurred costs.

In addition to these costs, this project has also received essential input and support over three financial years from officers across council including City Planning and Building, Traffic and Transport, Stormwater, Youth Leisure and Cultural Services and Open Space and Landscape Design.

## **6. SOCIAL IMPLICATIONS**

Amendment C141 will have a positive social impact by improving the function and amenity of an area which already forms the heart of the local community. By increasing the extent to which residents, as well as visitors, can meet their needs in the Activity Centre, the amendment will promote the economic, social and environmental sustainability of the Activity Centre. The engagement process has provided a range of opportunities for stakeholders and interested community members to engage with and influence the development of the Strategic Plan.

The engagement process also provided an opportunity to facilitate the development of community based relationships important in achieving the long term success of the Strategic Plan and Upper Gully Implementation Plan.

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

The Upper Gully Strategic Plan will assist in implementing the Knox Vision across all City Plan objectives, but in particular will implement objectives from:

- Theme 1: Healthy, Connected Communities;
- Theme 2: Prosperous, Advancing Economy;
- Theme 3: Vibrant and Sustainable Built and Natural Environments;
- Theme 4: Culturally Rich & Active Communities; and
- Theme 5: Democratic and Engaged Communities.

## **8. CONCLUSION**

Council has undertaken a comprehensive planning and design process to develop the Strategic Plan and Amendment C141 since May 2014, dedicating significant Council resources on the project to develop the planning provisions needed to encourage appropriate future development and the implementation framework needed to commit Council to proactively manage, facilitate partnerships and lead investment to enhance the Activity Centre.



## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

Council officers have reviewed the recommendations arising from the Panel Report and recommend that they be accepted in their entirety, and that the revised Amendment C141, Upper Gully Strategic Plan, January 2017 and Upper Gully Implementation Plan January 2017 be adopted with changes consistent with the recommendations of the Planning Panel Report, which includes a maximum mandatory building height of 8.5 metres (two storeys) for the entire Upper Gully Activity Centre, except for The 1812 Theatre site at 1-3 Rose Street, where a maximum mandatory building height of 12 metres (three storeys) applies, and Amendment C141 be submitted to the Minister for Planning for Approval.

The adoption of the Upper Gully Strategic Plan, January 2017 and its introduction into the Knox Planning Scheme on a permanent basis through Amendment C141 and the adoption of the Upper Gully Implementation Plan January 2017, will provide greater certainty for developers and the community in terms of future built form outcomes and Councils commitment to support improvements and facilitate investment in the Activity Centre.

## **9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

### COUNCIL RESOLUTION

MOVED: CR. KEOGH

SECONDED: CR. GILL

That Council:

1. Note and accept all recommendations of the Panel Report for Amendment C141 (Appendix A);
2. Endorse the revised Building Heights and Setbacks Map (DDO 12), January 2017 (Appendix B);
3. Adopt Amendment C141 to the Knox Planning Scheme, which has a revised maximum mandatory building height of 8.5 metres (two storeys) for the entire Upper Gully Activity Centre, except for The 1812 Theatre site at 1-3 Rose Street, where a maximum mandatory building height of 12 metres (three storeys) applies (Appendix C);
4. Adopt the Upper Gully Strategic Plan, January 2017 (Appendix D), which has been modified since the December 2015 exhibited version to:
  - a. include maximum mandatory building height controls consistent with the C141 Panel Report recommendations;

**6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**  
**Resolution (cont'd)**

- b. remove irrelevant references to the planning scheme amendment;
  - c. remove actions, as these are included in the Implementation Plan January 2017; and
  - d. include minor grammatical changes and edits made for clarity.
5. Adopt the Upper Gully Implementation Plan, January 2017 (Appendix E);
  6. Adopt the Upper Gully Consolidated Background Report, January 2017 (Appendix F);
  7. Adopt the Upper Gully Strategic Plan: Technical Report – Land Use & Economics 2014 and Addendum 2016, Urban Enterprise (Appendix G);
  8. Adopt the Upper Gully Strategic Plan: Technical Report – Transport & Parking 2015 and Addendum 2016, Movendo (Appendix H);
  9. Adopt the Upper Ferntree Gully Heritage Assessment 2015, Context (Appendix I); and
  10. Adopt the Upper Gully Plan Engagement Report 2015, Effective Conversations (Appendix J).
  11. Submit the adopted Amendment C141 to the Minister for Planning for approval;
  12. Authorise the Director – City Development to make any minor changes required to the Strategic Plan, supporting Consolidated Background Report and Amendment C141 documentation for approval by the Minister for Planning, provided these are consistent with the intent of the adopted Amendment; and
  13. Notify the submitters to Amendment C141 of Council's decision.

A Division was called by Councillor Seymour

For the motion: Councillor Keogh, Councillor Gill, Councillor Seymour, Councillor Mortimore

Against the motion: Councillor Taylor, Councillor Cooper, Councillor Holland, Councillor Pearce, Councillor Lockwood

THE MOTION WAS LOST 4:5

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

MOVED: CR. LOCKWOOD  
SECONDED: CR. HOLLAND

Council acknowledges the comprehensive planning and design process undertaken to develop the Upper Gully Strategic Plan. Retaining the background research, technical information and strategic directions included in the Upper Gully Strategic Plan would assist Council in any further advocacy work for grant funding or seeking State Government and private sector investment for Upper Gully.

That Council adopt the following recommendations revised from those outlined in the officer's report:

1. Note the recommendations of the Panel Report for Amendment C141 (Appendix A);
2. Abandon Amendment C141 to the Knox Planning Scheme (Appendix C);
3. Adopt the Upper Gully Strategic Plan, January 2017 (Appendix D);
4. Adopt the Upper Gully Implementation Plan, January 2017 (Appendix E);
5. Adopt the Upper Gully Consolidated Background Report, January 2017 (Appendix F);
6. Adopt the Upper Gully Strategic Plan: Technical Report – Land Use & Economics 2014 and Addendum 2016, Urban Enterprise (Appendix G);
7. Adopt the Upper Gully Strategic Plan: Technical Report – Transport & Parking 2015 and Addendum 2016, Movendo (Appendix H);
8. Adopt the Upper Ferntree Gully Heritage Assessment 2015, Context (Appendix I);
9. Adopt the Upper Gully Plan Engagement Report 2015, Effective Conversations (Appendix J);
10. Notify the Minister for Planning of Council's decision to abandon Amendment C141; and
11. Notify the submitters to Amendment C141 of Council's decision.

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

### AMENDMENT

MOVED: CR. GILL

SECONDED: CR. KEOGH

Council acknowledges the comprehensive planning and design process undertaken to develop the Upper Gully Strategic Plan. Retaining the background research, technical information and strategic directions included in the Upper Gully Strategic Plan would assist Council in any further advocacy work for grant funding or seeking State Government and private sector investment for Upper Gully.

That Council adopt the following recommendations revised from those outlined in the officer's report:

1. Note the recommendations of the Panel Report for Amendment C141 (Appendix A);
2. Abandon Amendment C141 to the Knox Planning Scheme (Appendix C);
3. Adopt the Upper Gully Strategic Plan, January 2017 (Appendix D);
4. Adopt the Upper Gully Implementation Plan, January 2017 (Appendix E);
5. Adopt the Upper Gully Consolidated Background Report, January 2017 (Appendix F);
6. Adopt the Upper Gully Strategic Plan: Technical Report – Land Use & Economics 2014 and Addendum 2016, Urban Enterprise (Appendix G);
7. Adopt the Upper Gully Strategic Plan: Technical Report – Transport & Parking 2015 and Addendum 2016, Movendo (Appendix H);
8. Adopt the Upper Ferntree Gully Heritage Assessment 2015, Context (Appendix I);
9. Adopt the Upper Gully Plan Engagement Report 2015, Effective Conversations (Appendix J);
10. Notify the Minister for Planning of Council's decision to abandon Amendment C141; and
11. Notify the submitters to Amendment C141 of Council's decision.
12. Include a height limit of 12 metres for the 1812 Theatre and an 8.5 metre height limit to the rest of the precinct.

**6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report (cont'd)**

A Division was called by Councillor Seymour

For the motion: Councillor Keogh, Councillor Gill, Councillor Seymour

Against the motion: Councillor Taylor, Councillor Cooper, Councillor Holland, Councillor Pearce, Councillor Lockwood, Councillor Mortimore

THE AMENDMENT WAS LOST 3:6

A Division was called on the substantive motion by Councillor Seymour

For the motion: Councillor Taylor, Councillor Cooper, Councillor Holland, Councillor Pearce, Councillor Lockwood, Councillor Mortimore

Against the motion: Councillor Keogh, Councillor Gill, Councillor Seymour

THE SUBSTANTIVE MOTION WAS CARRIED 6:3

## **6.5 Amendment C141 Implementing the Upper Gully Strategic Plan – Planning Panel Report**

The following appendices are circulated under separate cover:

Appendix A - Knox Amendment C141 Planning Panel Report (Planning Panels Victoria, 21 December 2016)

Appendix B – Building Heights & Setbacks Map (DDO12), Revised January 2017

Appendix C – Amendment C141 Revised Planning Scheme Documentation

Appendix D – Upper Gully Strategic Plan, January 2017

Appendix E – Upper Gully Implementation Plan, January 2017

Appendix F – Consolidated Background Report January 2017

Appendix G – Upper Gully Strategic Plan: Technical Report – Land Use & Economics 2014 and Addendum 2016, Urban Enterprise

Appendix H – Upper Gully Strategic Plan: Technical Report – Transport & Parking 2015 and Addendum 2016, Movendo

Appendix I – Upper Ferntree Gully Heritage Assessment 2015, Context

Appendix J – Upper Gully Plan Engagement Report 2015, Effective Conversations

**COUNCILLOR KEOGH VACATED THE CHAMBER AT 8.08PM DURING DISCUSSION ON ITEM 6.6****COLLIER AND DINSDALE WARDS****6.6 RESPONSE TO CALL UP ITEM – HEALESVILLE CORRIDOR LAND AVAILABILITY**

**SUMMARY:** *Project Manager – Strategic Planning  
(Claire Anderson)*

*This Report responds to a call up item requesting: “that a report be prepared for Council identifying land that was previously set aside for the Healesville Corridor that could be used for new hockey pitches, soccer pitches, rugby grounds, community gardens, playgrounds and parklands.”*

*The ‘Healesville Corridor land’ refers to both land that is reserved for the purposes of a future road by VicRoads, and adjacent land within the broader corridor. Until the land is declared surplus, any land uses must be mindful of protecting the Corridor for a future road.*

*Council is currently undertaking a study funded by Council in 2016-2017 budget – ‘Protecting our Rural land’ – Green Wedge and Rural Land study. The retention of current land uses and possible future uses is being explored as part study currently underway. The starting point for future options are land uses that will protect the Corridor’s rural landscape, that is, land uses that will support and enhance the important environmental and recreational values that the Corridor already includes. This project will seek to clarify Council’s position for future land uses in the Healesville Corridor in the event the land reserved for road purposes is declared surplus. Initial research findings from this project will be discussed with Council mid 2017.*

*The Healesville Corridor is considered to have some potential to provide space for hockey, soccer and rugby facilities; however, the dimension requirements these types of fields means there would be limitations on the locations that these would be able to be located, particularly as they are winter sports and the site is subject to flooding.*

*Given this demand, the ‘Protecting our rural land’ project will explore options to accommodate future sporting needs across the four rural land precincts, including the Healesville Corridor.*

**RECOMMENDATION**

That Council note this report.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

### **1. INTRODUCTION**

At the Council meeting of 18 October 2016, a motion was moved to request the following call up item:

*That a report be prepared for Council identifying land that was previously set aside for the Healesville Corridor that could be used for new hockey pitches,*

*soccer pitches, rugby grounds, community gardens, playgrounds and parklands.*

This Report outlines: the current status of the Healesville Corridor land; ownership; its physical characteristics; current land uses; and possible future land uses that will be explored more formally in the context of the *Protecting our rural land* project and work on the Wantirna Health Precinct currently occurring.

### **2. DISCUSSION**

The 'Healesville Corridor land' refers to land that is reserved for the purposes of a future road, and adjacent land within the broader corridor (see Appendix A – Healesville Corridor land: Road reserve and broader Corridor).

A large area of land has been reserved by the former Roads Corporation (VicRoads) for several decades, for the future construction of the Healesville Freeway. This land is still reserved for future road purposes.

#### **2.1 Status of the Healesville Freeway Reservation land**

The land reserved by VicRoads is either owned by VicRoads, or has a Public Acquisition Overlay (meaning the land is earmarked for future acquisition by VicRoads).

Council has had recent discussions with VicRoads regarding the status of the Healesville Freeway reservation and land owned by VicRoads in Wantirna. VicRoads has advised that whilst their future land needs in the Wantirna area is being investigated, they are maintaining the reservation status over the bulk of land within the Healesville Corridor in Knox. In particular, they are continuing to hold onto reserved land north of Boronia Road for the purpose of any future major road connections to the eastern regions of Melbourne in the longer term. VicRoads has indicated it would be pleased to discuss any interim uses of its land holdings with Council; however land use options should be mindful of protecting the Corridor for a future road.

In 2009, VicRoads completed a strategic study of the 'Maroondah Corridor', an area centred on Maroondah Highway extending from Nunawading to Lilydale (west to east) and the Yarra River to Burwood Highway (north to south). The purpose of the Study was to provide guidance for future planning processes and actions, including any need to retain and protect longer term options for new road links along the Northern Arterial and the Healesville Freeway routes.



## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

In regard to the Healesville Freeway Route, the Study concluded: *“The option between Stud Road and Dorset Road has the highest Benefit Cost Ratio. This length of route attracts the highest traffic volume and includes the bypass of the Bayswater activity centre. It also connects the major north-south routes of Stud Road and Dorset Road and would provide improved access for the industrial precinct in Bayswater and Kilsyth.”*

VicRoads adopted the strategic directions:

- *“VicRoads will continue to protect the option of providing in the future a new road along the full length of the Northern Arterial alignment, subject to further investigation of measures to improve the linkages between the eastern end of Reynolds Road and the Maroondah Highway.*
- *“VicRoads will continue to protect the option of providing in the future a new road along the Healesville Freeway reservation between Boronia Road and Mooroolbark Road, subject to undertaking a more detailed investigation to establish the scope of possible future projects along the route. VicRoads will work with councils to identify proposals that will meet the objectives of Government policies and strategies, such as Melbourne 2030, Linking Melbourne, arrive alive 2008-2017, Melbourne @ 5 million and the Victorian Transport Plan (VTP).”*

More recently, VicRoads has declared land formerly reserved for the future Freeway in the City of Whitehorse as surplus. In September 2016, the Victorian Government decided to retain this land as public open space. Detailed planning and design of the parkland is currently underway.

### **2.2 Land ownership in the Healesville Corridor**

VicRoads owns the majority of land in the Corridor, including land outside the road reservation. Some of the properties owned by VicRoads are used for private dwellings. Council owns some land and Maroondah City Council owns J.W. Manson Reserve which is used for sporting and recreational uses. There are also some privately owned properties.

See Appendix B – Land ownership in the Healesville Corridor.

### **2.3 Physical characteristics and current land uses**

The Corridor is bordered by the City of Maroondah and the Dandenong Creek to the north; residential and industrial estates in Wantirna and Bayswater to the south and west; and the City of Whitehorse (the former Healesville Freeway Reservation land) to the east.

The Corridor has important environmental and recreational values. It includes several Sites of Biological Significance (sites of State and regional significance). One of these is the Bateman Street bushland, Council’s highest priority site of biological significance. It provides habitats for terrestrial and water fauna.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

Much of the corridor is low lying and flood prone and has an important drainage function. Refer to Appendix E. Several flooding-related planning overlays apply to the majority of the land. Council is currently working with Melbourne Water on the *Enhancing Our Dandenong Creek* project. This project is gradually returning the creek to its natural environment by removing the formal pipelines, re-creating billabongs and wetlands, and installing interpretive visitor signage. A key issue raised by local residents as part of this project has been the restricted access to the creek from the Suffern Reserve wetlands.

Major land uses within the broader Corridor currently include: Dandenong Creek shared path, parkland / bushland, J.W. Manson sport and recreation Reserve, a golf driving range, Council-leased horse agistment, and some private residential properties. EastLink and Wantirna Road intersect the Corridor north/south.

See Appendix C – Major current land uses in the Healesville Corridor.

### **2.4 Protecting our rural land project**

The City Futures team in Council has commenced research to support the '*Protecting our rural land*' project. The project will be re-scoped when the research findings are complete to determine the best approach to developing evidence based strategic directions to support the protection of rural land. The project is not intended to explore the expansion of urban uses in rural areas.

Research is focused on exploring the environmental, landscape, recreational and liveability values of rural land and how these values can be protected and enhanced into the future. Specifically the research includes: an Agricultural Assessment; analysis of planning controls and permit activity; property analysis; spatial analysis; a Habitat Corridor and Fauna Movement Study; and Landscape Assessment. The initial research findings from this research will be discussed with Council mid 2017.

The land subject to this Review is broadly defined as rural land. It is a mix of public and private land both within and outside the Urban Growth Boundary. The subject land includes four precincts broadly based on location, landscape characteristics and planning controls. These are (see Appendix D – *Protecting our rural land* project precincts):

- Precinct 1: The Basin Rural Landscape
- Precinct 2: Lysterfield Valley and Hills Rural Landscape (sub-precinct 2a: Valley and Hills, sub-precinct 2b: quarries)
- Precinct 3: Dandenong Creek Valley
- Precinct 4: Healesville Freeway Reservation and surrounds.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

### **2.5 Wantirna Health Precinct**

The Wantirna Health Precinct, an emerging health precinct focused on land around Knox Private Hospital and Wantirna Health rehabilitation hospital, is identified as a State Significant health precinct within *Plan Melbourne*, the Victorian Government's metropolitan planning blueprint. Council has partnered with the Victorian Planning Authority (VPA) and the Metropolitan Partnerships via Melbourne East Regional Development Australia to plan for future development of the Precinct.

A 9.5 hectare tract of land owned by VicRoads reserved for road purposes although not formally a part of the Healesville Freeway reservation is located adjacent to the Wantirna Health rehabilitation hospital. Council and the VPA are working to ensure a whole-of-government approach is taken to the future use of this vacant land, including its relationship and potential significance to the Wantirna Health Precinct.

### **2.6 Potential recreational facilities**

The call up item specifically requests information about recreational facilities, including hockey and soccer pitches, and rugby grounds.

The Knox School currently hosts Council's only hockey facility. In December 2016 the school Board ratified a masterplan which will see the hockey facility close within five years. Council officers have assessed a number of potential options to re-establish a hockey facility in Knox which includes the possibility of a jointly funded regional facility (subject to budget, and with Maroondah City Council) at J.W. Manson Reserve which is within the Healesville freeway corridor (owned and managed by Maroondah). The Reserve is the largest site within the Healesville Corridor. This possible location is still yet to be explored fully and would need to be considered by Council as one of a range of options.

Many of Council's sporting facilities (including associated sporting infrastructure, e.g. floodlights) are not suitable for the current or anticipated needs of female sporting teams. There has been significant growth in female participation rates in community sport in recent years, particularly in football, soccer and cricket. Female team numbers across these three sports are expected to grow from 16 teams in 2016 to 103 teams in 2021. A report was presented to Council on 20 December 2016 outlining this issue and possible responses.

An *'Alternative Building Structures for Community and Sporting Use'* study is currently underway to provide alternative designs and costs for sporting infrastructure needs. Whilst the alternative structures may not fully address the immediate infrastructure needs, it may provide one responsive and cost effective solution to the current infrastructure challenges.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

The Healesville Corridor has the potential to provide space for both soccer and rugby facilities; however, the dimension requirements of both sports fields (approximately 130m by 80m - which includes run-off space) means there would be limitations on the locations that these would be able to be located, particularly as they are both winter sports and the site is subject to flooding.

Given this demand, the *Protecting our rural land* project will explore options to accommodate future sporting needs across the four rural land precincts (referred to in Section 2.4), including the Healesville Corridor.

Council's *Domestic Animal Management Plan 2013-2017* identifies the need for additional 'dog play parks' (dedicated off lead dog parks) in Knox, given the success and current pressure on the current dog play park at Knox Park Reserve in Knoxfield. *Protecting our rural land* will consider possible locations for dog play parks, including in the Healesville Corridor.

### **2.7 Urban agriculture and community gardens**

'Urban agriculture' is the practice of cultivating, processing and distributing food within a community. It can involve a range of agricultural activities, including, for example: community gardens, community composting, farmers markets, food swaps/exchanges, green roofs, hobby bee keeping and school gardens. The benefits of urban agriculture extend beyond simply food production and consumption. Other benefits include social (e.g. community members working together), health (e.g. increased consumption of fresh food) and sustainability (e.g. use of land and reduced waste).

Urban agriculture, particularly community gardens, could be an appropriate land use within the Healesville Corridor given the potential benefits and contribution towards the rural-type landscape.

### **2.8 Playgrounds**

Residential areas adjacent to the Healesville Corridor are well-served by playgrounds (or 'play spaces'). However, there are opportunities to explore better walking and cycling connections to existing play spaces and open spaces more broadly within and adjoining the Corridor.

### **2.9 Possible future land uses**

Possible future land uses for the Healesville Corridor will be fully explored as part of the *Protecting our rural land* project. The starting point for future options are land uses that will protect this rural-type landscape, that is, land uses that will support and enhance the important environmental and recreational values that the Corridor currently provides.

If VicRoads decides to use the intended land for a road (including the Stud Road extension), many existing and potential land uses will not be possible. Until the land is declared surplus, land uses must be mindful of protecting the Corridor for a future road.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

The *Protecting our rural land* project will clarify Council's position in the event that the Healesville Corridor land is declared surplus. Therefore, assuming the land is not used for a future road, current and possible future land uses that would support the important environmental and recreational values of the Corridor may include:

- Regional shared path (retention and enhancement of existing Dandenong Creek trail).
- Bushland (particularly the ongoing protection and management of the Bateman Street bushland), billabongs and habitat corridors to support fauna movement.
- Waterway (protection of the Dandenong Creek's drainage role; enhancement of creek environment, including adjacent wetlands).
- Recreational facilities, including a potential regional hockey facility.
- Parklands (retention and enhancement of existing parklands; other possible options could include a dogs off leash park).
- Health-related facilities (in the Wantirna Health Precinct area of the Corridor only).
- Recreational agricultural activities, such as community gardens and horse agistment.
- Better connections to all land uses and Dandenong Creek within and adjoining the Corridor.

### **3. CONSULTATION**

This Report has been prepared in consultation with several teams within Council including: Property Services, Assets, Traffic and Transport, Leisure Services, Community Strengthening, Open Space and Landscape Design, Biodiversity, Stormwater, and City Safety and Health.

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

If VicRoads does not pursue the future construction of a road, the starting point for future options in the Healesville Corridor are land uses that will support and enhance the Corridor's important environmental and recreational values.

A 'Habitat Corridor and Fauna Movement Study' is currently underway as part of the *Protecting our rural land* project. For all precincts (including the Healesville Corridor), this work will identify current fauna movement patterns, gaps in the landscape and elements needed to strengthen movement patterns in the future.

## **6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)**

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

The *Protecting our rural land* project will seek to clarify Council's position for future land uses in the Healesville Corridor in the event the land reserved for road purposes (and some additional parcels owned by VicRoads) is declared surplus. This project is funded in the 2016-17 Council budget.

For Councils information, indicative valuations have been undertaken on Council owned land in the reserve, refer Appendix F.

### **6. SOCIAL IMPLICATIONS**

Dependent of VicRoads' decision about the Healesville Corridor, future land use options for the Corridor include a variety of options that would have broad social benefits, as outlined in Section 2.9 above.

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

The *Protecting our rural land* project seeks to deliver on Council's vision for a 'vibrant and sustainable built and natural environment' and a 'prosperous and advancing economy'. It is a direct action listed in the *Knox Integrated City Strategy and Implementation Plan 2015-17*, being: *Action 3.4.: Complete a strategic review of rural and green wedge land to allow Council to better understand the productivity and economy of agricultural land, conservation and protection of landscape character and amenity, and provide strategic justification for any necessary changes to the Knox Planning Scheme.*

### **8. CONCLUSION**

This Report responds to a call up item requesting that a report be prepared for Council identifying land that was previously set aside for the Healesville Corridor that could be used for new hockey pitches, soccer pitches, rugby grounds, community gardens, playgrounds and parklands.

The 'Healesville Corridor land' refers to land that is reserved for the purposes of a future road by VicRoads, and adjacent land within the broader corridor. Until the land is declared surplus, any land uses must be mindful of protecting the Corridor for a future road.

The retention of current land uses and possible future uses will be explored as part of the *Protecting our rural land* project. The starting point for future options are land uses that will 'protect' the Corridor's rural landscape, that is, land uses that will support and enhance the important environmental and recreational values that the Corridor currently includes. This project will clarify Council's position for future land uses in the Healesville Corridor in the event the land reserved for road purposes is declared surplus.

**6.6 Response to Call Up Item – Healesville Corridor Land Availability (cont'd)****9. CONFIDENTIALITY**

Confidential Appendix F is circulated under separate cover.

**COUNCIL RESOLUTION**

MOVED: CR. GILL

SECONDED: CR. LOCKWOOD

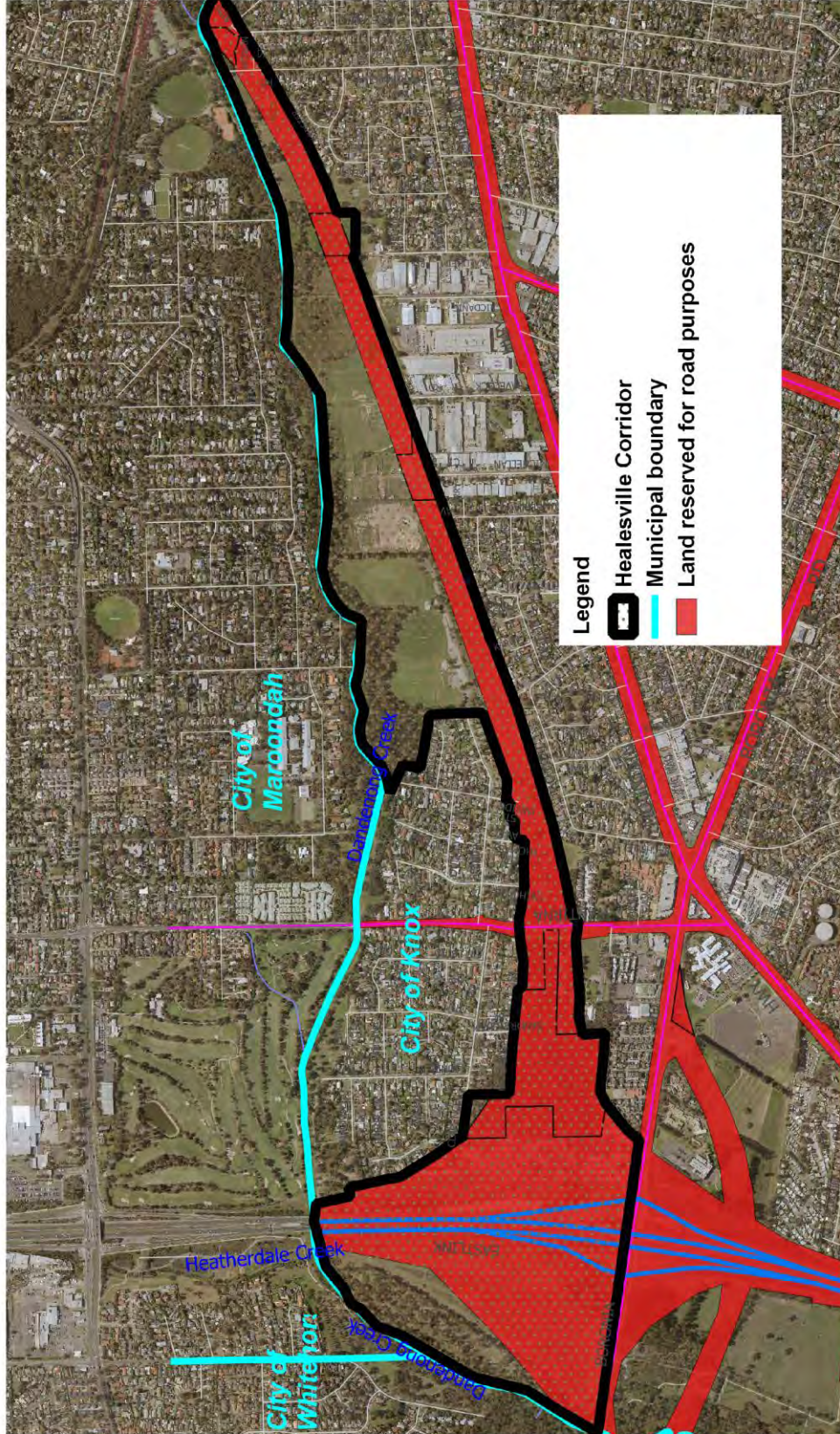
That Council note this report.

CARRIED

**6.6 Response to Call Up Item – Healesville Corridor Land Availability**

APPENDIX A – Healesville Corridor land: Road reserve and broader Corridor

**Healesville Corridor land: Road reserve and broader Corridor**

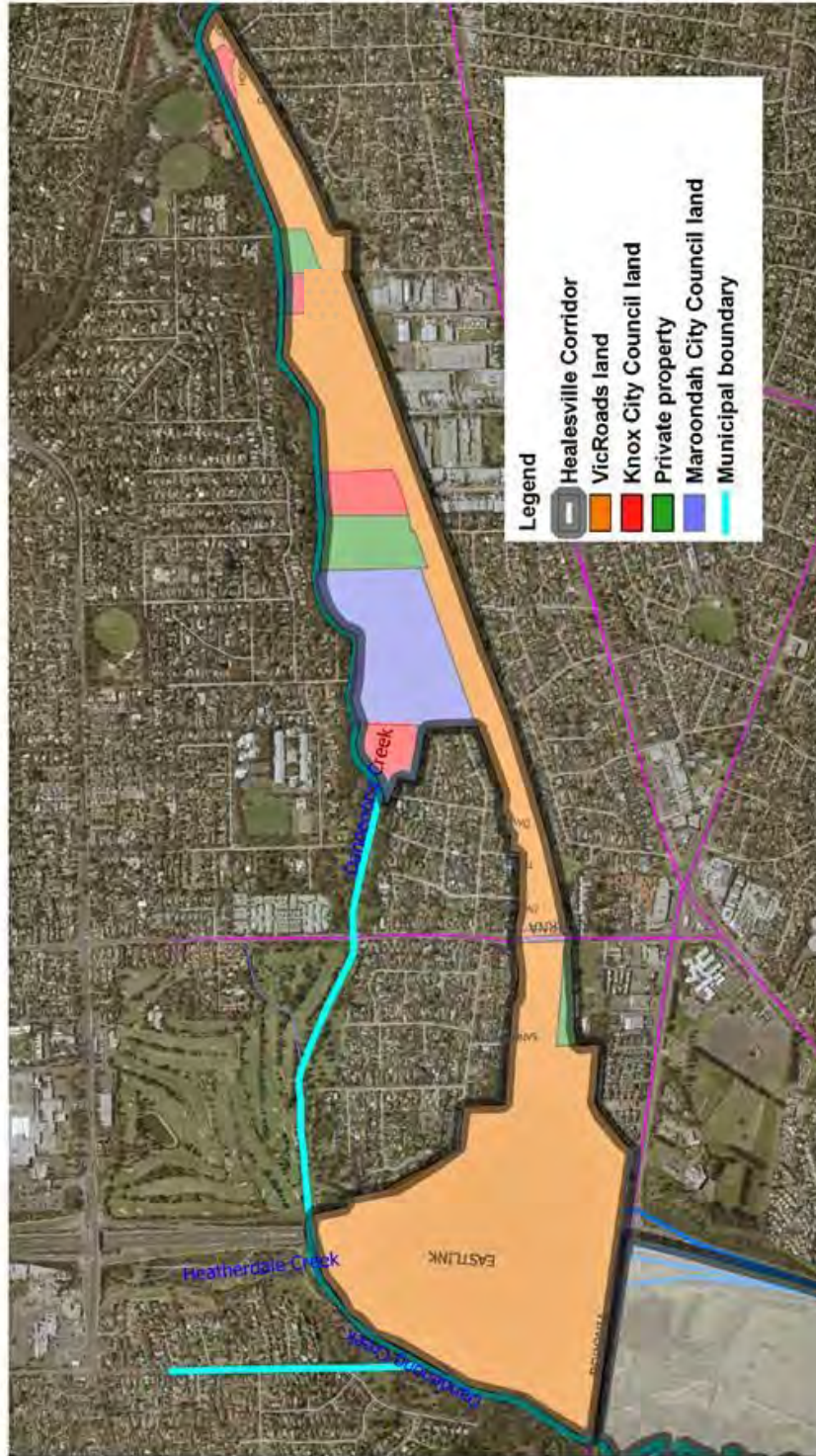




**6.6 Response to Call Up Item – Healesville Corridor Land Availability**

APPENDIX B – Land ownership in the Healesville Corridor

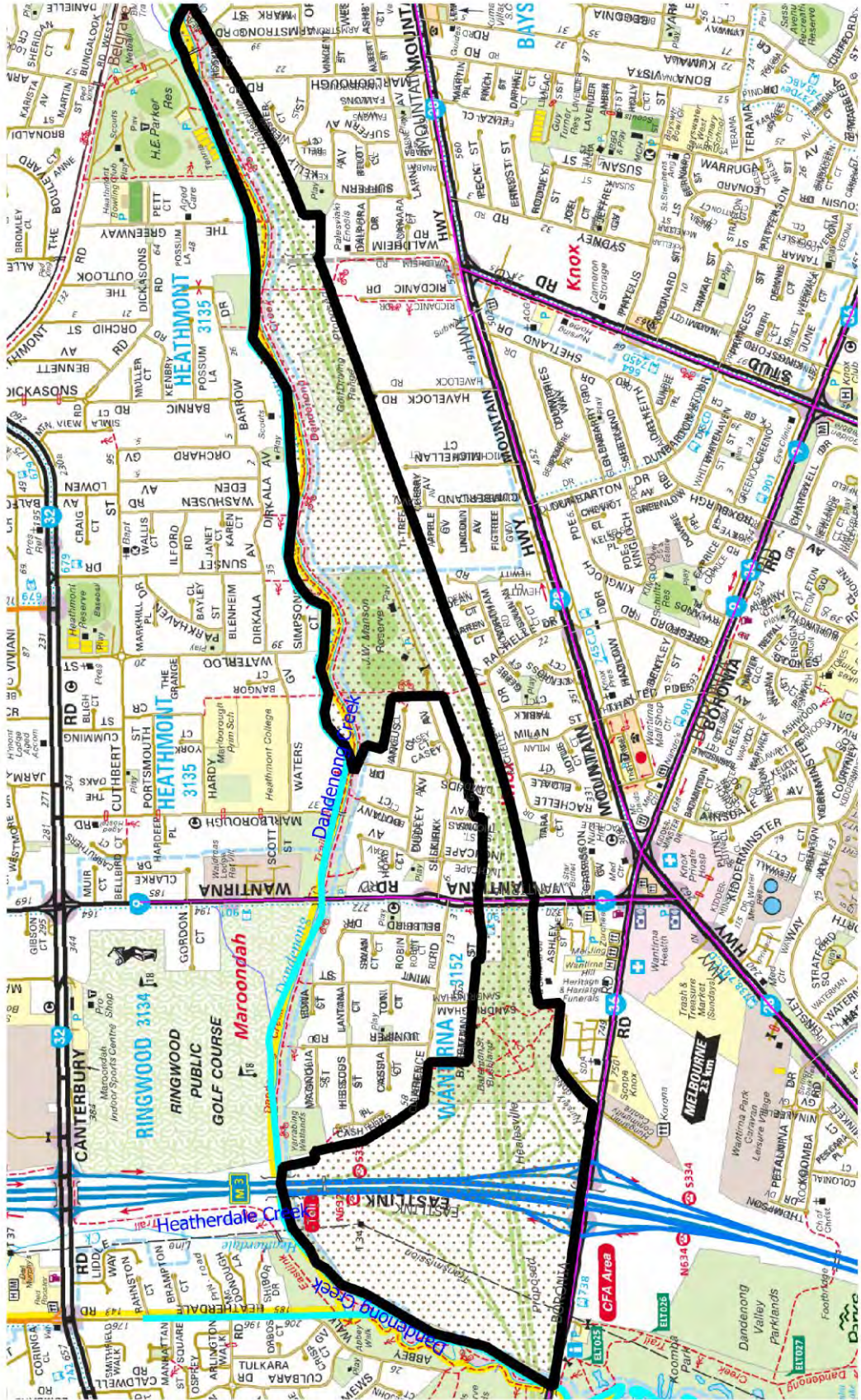
**Land ownership in the Healesville Corridor**



### 6.6 Response to Call Up Item – Healesville Corridor Land Availability

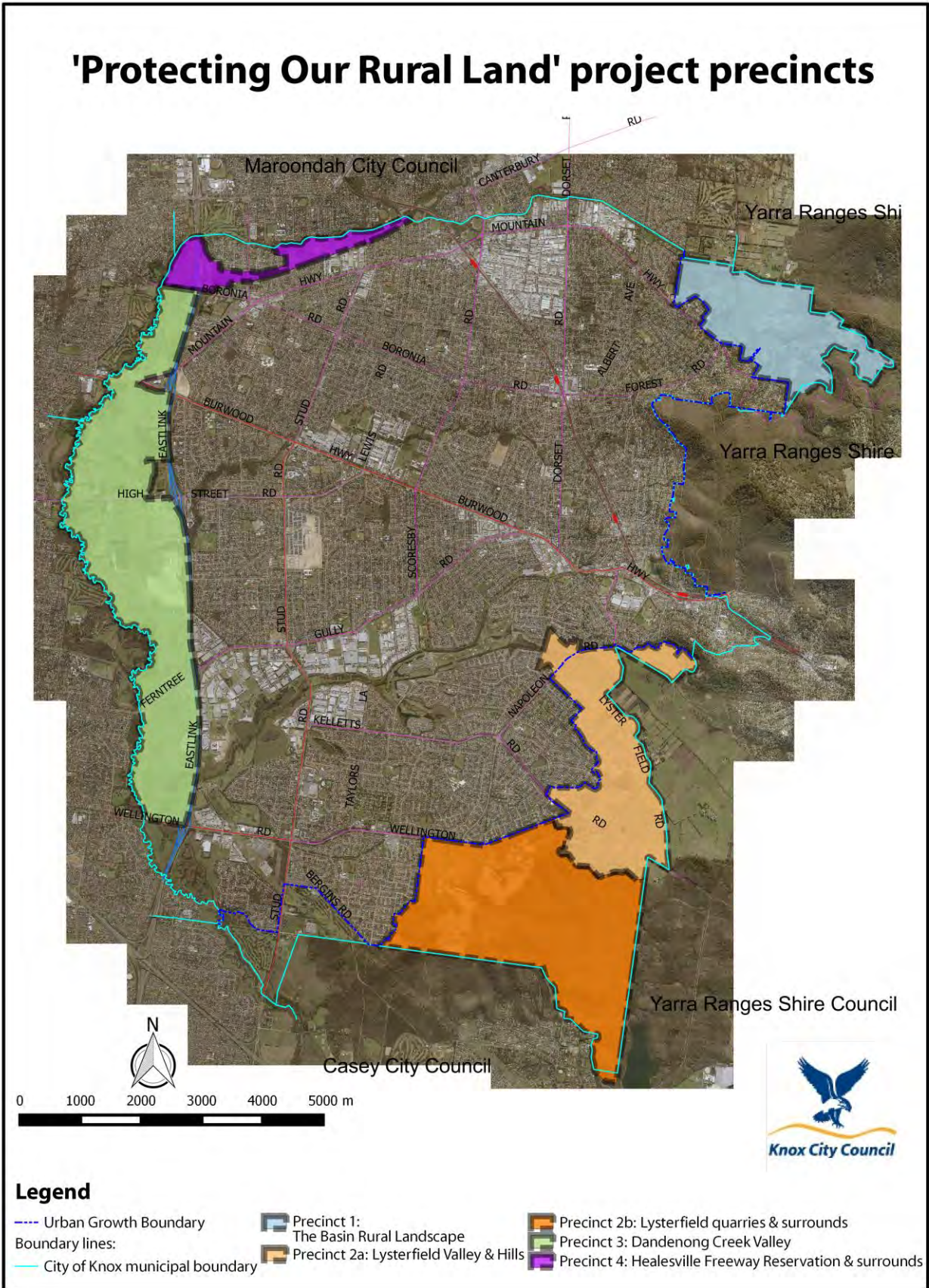
#### APPENDIX C – Major current land uses in the Healesville Corridor

Major current land uses in the Healesville Corridor



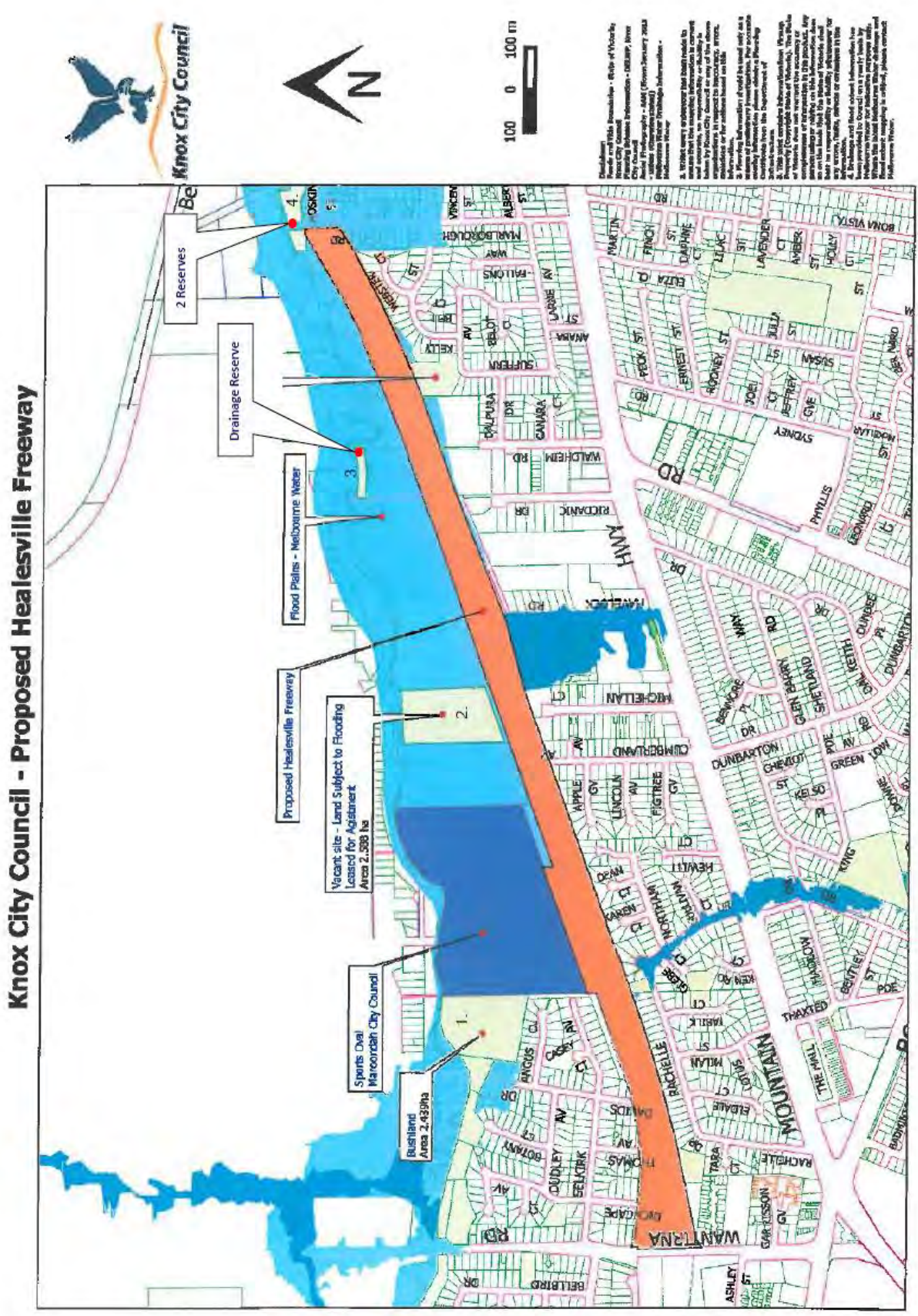
### 6.6 Response to Call Up Item – Healesville Corridor Land Availability

APPENDIX D – Protecting our rural land project precincts.



### 6.6 Response to Call Up Item – Healesville Corridor Land Availability

#### APPENDIX E – Healesville Corridor land: Council land and land subject to inundation



**6.6 Response to Call Up Item – Healesville Corridor Land Availability**

**Confidential Appendix F circulated under separate cover**

## COUNCILLOR KEOGH RETURNED TO THE CHAMBER AT 8.09PM PRIOR TO PUBLIC QUESTION TIME

### 7. PUBLIC QUESTION TIME

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

Question Time commenced at 8.09pm

The following questions were raised with Council:

<p><b>Question 1</b></p>	<p>On the 4<sup>th</sup> January 2017 I received a letter from Knox Council regarding an unpaid dog registration fee.</p> <p>Yes, I had overlooked to pay the registration fee on time and did receive a reminder card from Knox Council which was put under my door.</p> <p>I immediately contacted council and went to council offices and paid the fee and was told when I paid the fee, that I would get a fine regarding this. What is the policy regarding this. As stated when I received the notice I acted immediately I felt the letter I received in my opinion, was intimidating and threatening. The letter talks about a criminal conviction which it states may affect my employment and overseas travel. Is this true and if so what action has to be taken to correct this.</p> <p>At this stage I have no intention of paying the fine and will defend any further action in court.</p>
<p><b>Answer</b></p>	<p>The Acting Director – City Development, Mr Steve Dickson, responded that under section 68A of the Domestic Animals Act Council must prepare a domestic animal management plan which details strategies to encourage the registration and identification of dogs and cats.</p> <p>The Knox City Council Domestic Animal Management Plan sets out very clearly how Council does this. In short, two letters are sent to residents reminding them to register their pets. This year a third SMS reminder was also introduced. If, after the reminders, registration is still not paid an officer attends the property to establish if an animal is still located on site. If the animal is there and is not registered an offence has occurred and an infringement will be issued.</p> <p>The correspondence connected to the infringement is required to be sent under the Infringement Act 2006 and explains that if the infringement is not paid Council may take the matter to the Magistrates Court where they may impose a criminal conviction.</p>

**7. Public Question Time (cont'd)**

<b>Question 2</b>	I would like to discuss the procedure and protocol of Late Registration on animal Infringements
<b>Answer</b>	The Acting Director – City Development, Mr Steve Dickson, responded that a resident can pay the registration after the final date without receiving a fine. However, if an officer has already conducted a door knock and verified that the animal located on property is not registered then an offence has occurred and an infringement must be issued. The fine amount is set by the State Government.
<b>Question 3</b>	As a plumber of 43 years I would like to know how you can keep on approving new multiple developments within Knox area without increasing the pipe diameters of the stormwater system which causes flooding in extreme rain events, for example flooding & damage was caused to houses on 29 <sup>th</sup> December 2016 Bambara St, Barmah East & Aminya Crt
<b>Answer</b>	<p>The Director Engineering and Infrastructure, Dr Ian Bell, explained that it is a common misconception that Council drains can cater for every rain event. In actuality, drains are designed for a 1 in 5-year storm event. The storm which occurred after Christmas was a 1 in 30-year storm event. When the drains are at capacity the water has to flow somewhere and this has to be across the land. Under the planning scheme it is a requirement that new developments do not increase this land runoff.</p> <p>Dr Bell acknowledged that in older areas of the municipality there are overland flood paths, some which are not fully understood, and that these are currently being mapped by Council. This information will increase Council's understanding of the overland flood paths and could become part of the planning scheme which may restrict development in an area subject to inundation.</p>
<b>Question 4</b>	Question for Cr Keogh re Foothills Policy: Did you consider consulting the volunteer groups who work to make the Policy so successful?
<b>Answer</b>	Cr Keogh thanked Anne for her question and her service to the community. Cr Keogh explained that a review of the foothills policy has been requested by local residents who would like to be able to do more with their property. The intent of the review is to consult with the local community and give them a chance to have their say and express their opinions on whether there should be more or less restrictions on development in the area.

**7. Public Question Time (cont'd)**

<b>Question 5</b>	For CEO will the council hold ceremonies to launch the new works in Quarry Park and Tim Neville Arboretum?
<b>Answer</b>	The Chief Executive Officer, Mr Doyle, thanked Anne for her question and feedback on the projects and agreed that the work at both locations has been fantastic. Mr Doyle stated that there is still some work that needs to be completed at Quarry Park so there are no plans for a ceremony as yet. However, if one is organised he will endeavour to keep Anne informed.
<b>Question 6</b>	If a tree on the nature strip drops a limb on a car parked on our property, thus causing damage, who is responsible for the costs to repair any damage??
<b>Answer</b>	The Director – Corporate Development, Ms Joanne Truman, explained that in this circumstance, the owner of the motor vehicle may have recourse to claim through their comprehensive motor vehicle insurance policy. Council is not automatically liable for such an event, nor is there automatic liability on private property owners in similar circumstances. In the example provided, for liability to be apportioned to Council, the claimant would need to demonstrate that: a) Council has a duty of care; and b) That duty of care has been breached; and c) The claimant has suffered a material loss and/or injury. Trees are susceptible to failure for many reasons including storms and conditions not visible externally. Council has a proactive tree management program in place however it cannot guarantee that any tree in the municipality will not suffer failure at some point in time.

Question Time concluded at 8.29pm



**ALL WARDS****8.1 COUNCIL'S OPEN SPACE AND ACTIVITY CENTRE MASTERPLAN STATUS**

**SUMMARY:** *Coordinator - Open Space and Landscape Design – (Andrea Szymanski)*

*This report has been prepared to assist Council with the budget development process by providing an update on the status of Council's masterplans for Open Space and for Activity Centre Streetscapes.*

**RECOMMENDATION**

**That Council receives the updated status for Open Space and Activity Centre Streetscape masterplans.**

**1. INTRODUCTION**

This report responds to an initial Call Up Item from the Ordinary Meeting of Council, 28 July 2015, requesting that a report be prepared to Council on masterplans for Open Space and Activity Centres.

Subsequently, Council resolved to receive an updated status report on an annual basis, to assist with the budget development process.

This is the second status report presented to Council. The first was reported to the September 2015 Council meeting.

The status report (Appendix A) lists endorsed masterplans, including:

- the location of the masterplan site;
- the year endorsed by Council, or planned to be endorsed by Council;
- the estimated percentage of the masterplan implemented;
- the major components implemented;
- components that are budgeted for implementation; and
- components that are yet to be budgeted for implementation.

## **8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)**

### **2. DISCUSSION**

The preparation of masterplans is generally included in the Capital Works Program.

Masterplans are intended to:

- reflect community aspiration for a selected location;
- address, where practicable, local issues and concerns;
- consider competing and complementary opportunities;
- guide future investment, in a way that ensures improvements undertaken in the short-term are not likely to prohibit long-term improvement opportunities;
- demonstrate a clear and concise intent for a site; and
- provide a program for capital improvements.

#### **2.1 Masterplans for Open Space**

The development of masterplans for open space is guided by the Knox Open Space Plan 2012-2022 and considered annually as part of the capital budgeting process.

Open space masterplans include a range of improvement opportunities and asset renewal projects, which include but are not limited to:

- new paths and furniture;
- improved play spaces;
- improved sports pavilions and change rooms;
- sports facilities such as cricket nets, lighting and oval fencing;
- improved car parking;
- unstructured recreation elements such as half courts basketball courts and hit-up walls;
- fitness equipment; and
- picnic and recreation facilities.

Council also has a number of smaller open space reserves which, in themselves, do not warrant a masterplan (either by size or use).

## **8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)**

However, where there is a playground located in a reserve, it may be subject to a plan prepared under the Playground Renewal Program, which is consistent with the Knox Play Space Plan.

- Between 2010 and 2015, Council renewed twenty-two (22) play spaces as part of the Playground Renewal Program.
- In 2016 Council completed eight (8) playground renewal projects.
- Another six (6) playgrounds are currently in design development with consultation and construction to follow in early to mid 2017.

When plans are developed for these playgrounds, the local community is consulted to gain an understanding of local aspirations for the reserve as a family play space. This information then informs playground design and associated infrastructure, eg. furniture, paths and signage.

Similarly, a new playing field was developed for Colchester Reserve, Boronia.

While there is no masterplan for this reserve, internal consultations and collaborations identified a need and ensured that footpaths, existing stormwater treatments and future revegetation works would not be compromised by the new playing field.

## **2.2 Masterplans for Activity Centres**

For activity centres, employment precincts, industrial precincts or other commercial services areas requiring a masterplan, infrastructure upgrades are identified as part of a broader, overarching and holistic strategic planning process, eg. structure plans.

Structure plans are an overarching framework and contain initiatives to improve land use, built form, economic stability, accessibility and public open space. However, not every activity centre has a structure plan, as some activity centres are quite small, eg. Alchester Village and Scoresby Village.

Ranking for streetscape upgrades in activity centres is determined by the application of place ranking criteria which are reviewed and considered annually by Council for application in the capital works budgeting process.

Activity centre masterplans are usually streetscape plans, intended to improve the customer/community experience in a selected activity centre. For example, The Ferntree Gully Streetscape Masterplan was prepared in conjunction with the Ferntree Gully Structure Plan.

The Structure Plan identified the need to improve the Ferntree Gully Village Square, which resulted in the preparation of design plans for the area and the Streetscape Masterplan determined the reconstruction of Station Street, Ferntree Gully, between The Avenue and Francis Crescent and included new street furniture, wider footpaths, new trees and plantings.

## **8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)**

### **2.3 Existing and Proposed Masterplans**

Council endorsed thirty (30) Open Space Masterplans between 1997 and 2016.

- Nine (9) of the thirty (30) Open Space Masterplans are substantially complete.
- A further nine (9) Open Space Masterplans are either being prepared or planned for development in the 2017/18 financial year.
- Council has endorsed three (3) Activity Centre Streetscape Masterplans with a further two (2) being prepared and one (1) completed but yet to be endorsed by Council.

A list of all Council masterplans for Open Space and Activity Centres is attached as Appendix A.

### **2.4 Masterplan Implementation/Funding – Open Space**

Following Council's adoption of a masterplan, the various elements are referred to the Capital Works Program for capital improvement funding. Sometimes funds are pre-allocated to the Capital Works Program, in anticipation of formal adoption and expected improvement needs.

The majority of open space improvements are funded from Council's Open Space Reserve – Unstructured Recreation Program and are generally staged over several years. However, implementation often includes the renewal of existing assets, eg. footpaths, play space, furniture, pavements, etc., which is funded from the Renewal section of the Capital Works Program.

Funding for specific sports facilities such as pavilions, sports lighting, fencing, etc. is guided by the Sporting Club Financial Contributions Towards Reserve Developments Policy 2011.

Where a masterplan proposes an improvement or change to sports facilities, it may take a considerable time to implement, given the requirement for co-funding from the sporting group/s involved and associated capital costs.

Also, funding for some items such as carparks has generally been considered a low priority unless the existing location is an impediment to other improvements.

For example, the former Bayswater Bowls Club carpark at Guy Turner Reserve was reconstructed to enable pedestrian access into the Reserve and increase the perception of safety in the area.

Other carparks within the Reserve are yet to be improved as the benefits derived from these works are considered to be very low compared to the investment required.

## **8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)**

### **2.5 Masterplan Implementation/Funding – Activity Centres**

Funding for the Activity Centre program is largely via rate revenue but other funding sources, including State and Federal government grants, may become available, eg. Mountain Gate Shopping Centre.

Activity Centre Streetscape masterplans also ensure that asset renewal capital programs are utilised to their best effect.

### **2.6 Summary**

Adopting a master planning approach to open space and activity centre streetscape improvements ensures that investment in new and renewed infrastructure is aligned, approached in a holistic manner and meets with community aspirations.

Council has taken an approach that ensures areas of identified need are considered for master planned improvements via an agreed capital works ranking process.

Generally, masterplans are implemented in stages, in accordance with agreed, ranked criteria. Larger open space areas have well defined structure plans and/or masterplans and contain multiple elements. However, smaller areas are not excluded.

## **3. CONSULTATION**

Masterplans and structure plans are developed with community and internal consultation.

In addition, the annual capital budgetary process, which determines financial considerations for the nominated projects, is subject to community review and comment.

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

The development of masterplans to guide capital investment in locations across the municipality ensures that all opportunities are considered in order to maximise environmental, social and economic potential.

**8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)****5. FINANCIAL & ECONOMIC IMPLICATIONS**

There are several Capital Works Sub/Programs that contribute to the implementation of masterplans including:

- the (New and Upgrade) Capital Works Program – incorporating the Unstructured Recreation Program and the Structured Sporting Reserves Program;
- the (Renewal) Capital Works Programs, incorporating Playgrounds, Drainage, Park Assets and Facilities (buildings); and
- the Place Program, various asset renewal programs and external grants fund the Activity Centre Streetscape masterplans.

Works to sporting pavilions are not eligible for funding from Council's Open Space Reserve by resolution of Council at its meeting of 23 February 2010.

The value of works to be completed in endorsed Open Space masterplans is in the order of \$10-\$15 million.

This excludes:

- works budgeted for in the 2016/2017 year;
- building works and co-funded club specific facilities; and
- the value of works for masterplans that are currently being developed.

The Open Space Reserve forecast for the end of the 2016/17 financial year is \$7.242 million (after accounting for this financial year's forecast transfers in and out and any forecast funding required for carry forward projects from 2015/16).

**6. SOCIAL IMPLICATIONS**

Well considered and implemented masterplans provide greater social cohesion, generated through the community engagement processes, in the development of the plans and the immediate improvement in social amenity by their implementation.

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

The 2013-2017 City Plan established clear objectives for the medium to longer term (four-year) that describe the outcomes required to progress the City toward achievement of identified aspirations.

The Vibrant and Sustainable Built and Natural Environments Theme places high value upon its Open Space and seeks to protect and enhance its biodiversity and places of natural significance.

**8.1 Council's Open Space and Activity Centre Masterplan Status (cont'd)****8. CONCLUSION**

Current practice is to concurrently deliver a number of masterplans and open space improvements across the municipality, based upon an agreed set of ranking criteria.

The current listing of masterplans and their stage of implementation is shown in Appendix A.

**9. CONFIDENTIALITY**

There are no confidentiality issues with this report.

**COUNCIL RESOLUTION**

MOVED: CR. SEYMOUR

SECONDED: CR. LOCKWOOD

That Council receives the updated status for Open Space and Activity Centre Streetscape masterplans.

CARRIED

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
<b>Bayswater</b>						
Bayswater Activity Centre - guided by the Bayswater Structure Plan	2005			Council made substantial capital improvements in the mid 2000's, particularly along Station Street and Mountain Highway, upgrades to Penguin Park and Macaulay Place, delivery of the first 2 stages of the Multi Access Playground and improvements to Bike paths and the Shared user path along the rail line.	Upgrade works are planned for 2017/2018 following the level crossing removal. To be jointly funded by Council and the LXRA.	The Structure Plan envisaged further Capital improvements which have not been implemented as per the following: <ul style="list-style-type: none"> <li>• Widening of footpaths along Mountain Highway and street tree planting.</li> <li>• Public Art/landscaping and signage at key entrances to the Activity Centre</li> <li>• Improvements to public spaces including upgrading of Penguin Place</li> </ul>
Guy Turner Reserve	2012		90%	New paths, picnic facilities, furniture, car park, playground, planting		Car park asphaltting works at Soccer/Cricket club and tennis club
Marie Wallace Park	2015		20%	Stage 1 works completed including bocce playing area, chess play area, picnic and BBQ facilities, new custom stage, multi activity area, open lawn area, picnic shelter, public toilet and shared path works.	Stage 2 works are currently being documented and estimated for construction in 2016/17. These works will include nature play, bike training area (road traffic school), road widening works and closure of King Street access.	Stage 3 works including sculptural lawn, entrance markers, spectators area and pedestrian path links with bridge crossing (works have budget allocated). Stage 4 works include water play and dog park, minor paths works (works have budget allocated). Note, Marie Wallace Park has a Council Advisory Committee
<b>Boronia</b>						
Boronia Activity Centre - guided by the Boronia Structure Plan.	2006			Council implemented a number of improvements including the Dorset Square upgrade, toilet upgrade, Erica Avenue streetscape works and more recently the Boronia Park improvements		The Boronia Structure Plan identified a series of capital improvements and categorised them into short, medium and long term initiatives. The Structure Plan envisaged further capital improvements which have not been implemented as per the following: <ul style="list-style-type: none"> <li>• Streetscape improvements along both sides of Dorset Road between Boronia Road and Chandler Road,</li> <li>• Upgrades to the 3 Arcades that run between Dorset Road and Dorset Square,</li> <li>• Urban Design Improvements to the Progress Hall and surrounds,</li> <li>• New bike paths and street tree planting along Chandler Road and other key roads in the Activity Centre</li> <li>• Streetscape Improvements along Boronia Road (Both sides of the Activity Centre)</li> <li>• Significant amount of street tree planting on all major roads within the Activity Centre</li> </ul>



	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
Alchester Shopping Centre Master plan	2014		95%	The open space upgrade and activity centre upgrade programs for Alchester were consolidated into one initiative. Construction of new pavement, public toilet, street furniture, retaining walls, paths, planting and lighting -funded by Federal Government and playground renewal works expected to be completed in January 2017.		
Alchester Village Park	2014		100%	Construction of new pavement, furniture, retaining walls, paths, planting and playground renewal works expected to be completed in January 2017.		
Arthur Kleinert Reserve	2009		100%	Completed in 2015		
Boronia Park	2004		70%	Playground, retarding basin, car parking, furniture, planting	Stadium and Library Forecourt with further flood management, planning and design works are on hold and subject to the future direction and opportunities for the Boronia Park precinct.	
Chandler Reserve	2003 & 2014		55%	New Paths and furniture	New play space and activity area budgeted for construction during 2016/17. Works include shelter, furniture, picnic facilities, multi-courts (soccer, 1/2 basketball court, skate) paths, planting and drainage works. Construction to commence in February 2017.	
Dorset Square			100%	new pavements, toilet, furniture, trees.		
Tormore Reserve	2015		15%	New paths and car park modifications	Construction Stage 2 works include paths, furniture and accessible parking bays.	Public lighting, 1/2 court, play space / picnic facilities are proposed in forward budgets.

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
<b>Ferntree Gully</b>						
Ferntree Gully Village - guided by the Ferntree Gully Structure Plan	2014					In addition to the Streetscape Master plan for FTG Village the Structure Plan identifies a range of other capital projects and improvements which have not yet been implemented as follows: <ul style="list-style-type: none"> <li>• Master planning and upgrades to the Stations and surrounds</li> <li>• Investigate opportunity for the provision of a purpose built community hub</li> <li>• Review of public toilets and upgrade or provide new toilets as required.</li> <li>• Way finding signage and improved paths from Ferntree Gully to the Dandenong Ranges.</li> <li>• Improving landscaping in gateway locations</li> <li>• Improve public lighting in Activity Centre.</li> </ul>
Ambleside Master plan	2009				Funds were allocated in the 2015/16 financial year for the development of detail design and costing to deliver the master plan. Funds have also been allocated to address local flooding by the construction of a retarding basin structure in the reserve adjacent to the Ambleside complex. The master plan will assist in informing this project.	Implementation of master plan was substantially predicated on receipt of government grants. These have not been forthcoming and as such building works have not progressed.
CSR Quarry	2009 & revised 2015		90%	Quarry Road asphaltting and concrete pedestrian paths adjacent to roadway, car parking, path to lake, fencing, terraces, roadside planting and boardwalk currently under construction, expected to be completed by early January 2017.		Additional furniture, weed eradication and planting to be undertaken in future years, subject to future budget opportunities.
Dobson Street Reserve	2015				New retarding basin and associated infrastructure programmed for construction in 2017.	Renewal of Play space to proposed to follow in 2017/18.
Fairpark Reserve	2015		5%	Master plan prepared and endorsed. Contractor engaged late November 2016	Construction of a new social area including shelter, BBQ, seating, paths, steps, picnic furniture bins and bike racks. Construction works commenced mid December 2016.	Extensive path network. Shelter, pedestrian foot bridge, oval extension, seating, planting, car park and playground works.

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
Ferntree Gully Village Streetscape Master plan	2012		40%	Streetscape reconstructed with trees, wider pavements and furniture on Station Street between The Avenue and Francis Crescent	Streetscape works planned for Station Street south of The Avenue to match previous works.	Works on streetscapes east of railway line yet to be budgeted for. The Streetscape Master plan for FTG Village encompasses five areas: 1. Station Street (north of The Avenue) Works complete. • Works included: Footpath widening, installation of pedestrian crossing, street tree planting and street furniture. 2. Station Street (south of The Avenue and town park) Design underway in 2015/16. • Works include: Footpath widening, street tree planting, garden beds, street furniture. 3. Alpine Street and The Avenue. (Outstanding) • Works may include: Footpath widening, street tree planting, garden beds, street furniture. 4. Forest Road (North of Alpine Street). • Works may include: Footpath widening, street tree planting, garden beds, street furniture. 5. Forest Road (South of Alpine Street). • Works include: Footpath widening, street tree planting, garden beds, street furniture.  Area 1 has been completed, area 2 is currently being designed, however the remaining 3 areas (3-5) are yet to be implemented.
Ferntree Gully Village Square			20%	Detailed design plans currently being prepared. Liaison with Vic Track regarding lease/MOU of land.	Develop construction documentation for proposed works including new paving, public art, seating, garden beds, lighting and rock works. Works are expected to be tendered and completed in 2017/18.	
HV Jones Reserve		2017			Brief for Master plan under development.	
Knox Regional Netball Centre		2017			Brief for Master plan under development.	
Mountain Gate Shopping Centre	2014		100%	Completed		
Mountain Gate Shopping Centre Reserve		2016	40%	Consultation and initial design completed.	Undertake detailed design in 2017. Works are expected to be completed in 2017/18.	
Pickets Reserve		2016	25%	Project to be undertaken in first half of 2017	Detailed design and construction of new playground and extension of gravel overflow car park.	Extensive path network, remainder of social area including shelter, BBQ, seating, drinking fountain, bike racks and bins. Entry improvements, car park upgrades (Pavilion car park) and gymnastic centre car park). Improve access and entry to gymnastic centre, Improve existing terrace and construct new terrace, outdoor gym.
Tim Neville Arboretum – Management Plan	2007		85%	Playground, boardwalk, car park, paths, picnic facilities, planting, furniture, war memorial and lake restoration.	Interpretive signage undertaken within the Place Program.	Amphitheatre refurbishment, various feature gardens, shelter,

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
<b>Knoxfield</b>						
Carrington Park			5%	Sections of new sealed path works were constructed in November 2016	Funds allocated for unstructured recreation improvements in 2016/17.	A Future Directions Plan was developed in 2016. Implementation of proposed works subject to outcome of building issues.
Gilbert Park	2009		50%	Skate park constructed. Car park renewed as part of renewal program. Shade structures and furniture.	Planned new storage structure for skate park.	Pavilion not progressed due to lack of required club funding (as per the Sporting Club Contributions Policy) and deliberations with Baseball Victoria. Note, Pavilions are not funded from Open Space Reserve.
Knox Park	2008		70%	Soccer/cricket pavilion upgrade, lighting and renewal of ovals, dog park and enhancements to dog training surface		It may be timely to review and update the master plan eg. synthetic playing fields that were proposed but not progressed due to the construction of synthetic fields at Knox Regional Sports Park. Car park upgrade at soccer pavilion not yet funded. Note, Pavilions are not funded from Open Space Reserve.
Gilbert Park		2017			Master plan is to be developed in 2017.	
<b>Lysterfield</b>						
Clementine Close Reserve	2008		100%	New paths, furniture, playground planting.		
<b>Rowville</b>						
Stud Park Precinct - guided by the Stud Park Structure Plan	2015					
Heany Park	2008		85%	Picnic shelter refurbishment, entry road construction, lake rehabilitation, boardwalk and path works completed.	Installation of seats late Dec 2016	Access to shelter. Master Plan review and implementation of Master Plan.
Stud Park Reserve		2017/18				Master plan scheduled for 2017/18
Park Ridge Reserve		2018/19				Master plan scheduled for 2018/19
Rowville Recreation Reserve		2018/19				Master plan scheduled for 2018/19
Arcadia Reserve		2015	50%	Stage 1 of playground construction works completed	Stage 2 works to install 1/2 court, install furniture and rectify drainage.	

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
Row Reserve		2015	50%	Stage 1 of playground construction works completed	Stage 2 of playground works (1/2 court, drainage works, planting and removal of existing playground to be undertaken in early 2017	
Emerson Place Reserve	2008		90%	New paths, furniture, play ground, planting, exercise equipment		Shelter
Peregrine Reserve		2017			Master plan to be developed 2017	
Liberty Reserve	2009		100%	New paths, furniture, play area, exercise equipment and lighting		
Fairway Drive Reserve	2008		100%	New paths, furniture, playground planting.		
<b>Scoresby</b>						
Bamber Reserve	2011					Works have not been funded at this time
Benedikt Reserve	2014		60%	New paths, furniture and relocated car park.	1/2 court basketball and tennis court, paths, drainage and hit up wall.	Remaining paths, tree planting and shelter proposed in future budgets.
Scoresby Reserve	2015		15%	Master plan prepared and endorsed in 2015.	Car park upgrade, construction of section of circuit path around the oval	Development of plaza space, relocated tennis courts x 3, car park, path network, removal of out buildings, construction of seating area, outdoor gym, public toilet, lighting, shelter and BBQ facilities.
Scoresby Village	2015			The open space upgrade and activity centre upgrade programs for Scoresby Village were consolidated into one initiative.	Resurfacing of asphalt car park	Additional landscape design to be undertaken in 2017/2018.
<b>The Basin</b>						
Batterham Park	2004		70%	Pavilion upgrade and renewal of the ovals		It may be timely to review and update the Master Plan. Car parking works yet to be completed.
The Basin Triangle Reserve	2008		90%	New paths, planting, furniture, playground, stage and pedestrian crossings.	Works to connect the renovated progress hall and the reserve, including improved ramped path access and drainage. Works completed in 2016/17	
<b>Upper Ferntree Gully</b>						
Works in the Upper Ferntree Gully will be guided by the Upper Ferntree Gully Structure Plan, following Council adoption.						
Kings Park	2001		100%	New paths, furniture, planting, sports facilities and playground.		

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
Talaskia Reserve		2016	40%	Project to be undertaken in first half of 2016	Construction of Stage 1 works including multi-court, junior play, paths and shelter.	Remainder of endorsed Master Plan works including sensory garden, adventure play, paths, furniture, circuits, drainage and planting.
Upper Ferntree Gully Streetscape Master Plan	2015	2017			Community workshops will be held in 2017 regarding the 'Pedestrian Walkway' project.	Place Program Project
<b>Wantirna</b>						
Wantirna Health Precinct Structure Plan.						The Structure Plan currently subject to a partnership negotiation concerning Precinct Investment Planning approach involving RDA ME, DHHS, Eastern Health, DETJR, VPA and others.
Lantana Reserve	2011		100%	New paths, furniture and planting.		
Roehampton Avenue Reserve	2008		100%	New paths furniture, planting and playground.		
Templeton Reserve	2016		10%		Construction drawings and implementation of Stage 1 works including circuit paths and improved access to the pavilion.	
Wantirna Mall Master plan	2011		100%	New pavement, car parking, furniture, trees and planting and public toilet		
<b>Wantirna South</b>						
Jenola Parade Reserve	2008		95%	New paths, furniture, planting, playground and water bodies.	Installation of shelter and drainage improvement works to be completed in 2016.	
Knox Gardens	1997/98		90%	Pavilion upgrade, lighting and renewal of Oval No 1 and car parking. Tennis court upgrades have been undertaken at the tennis facility.	It is considered timely to review and update the master plan. Oval No 2 is on Council's renewal program.	A 2nd pavilion/changing facility has not been funded and is deemed as a low priority. Note, Pavilions are not funded from Open Space Reserve.
Llewellyn Park	1998 & updated		15%	First stage path works have been completed.	Further path works planned for after completion of cap rectification works.	Dog park, picnic facilities, playground, furniture, car park improvements proposed for future budgets.
Knox Regional Sports Park	2010		100%	Prepared as a part of the delivery of the soccer and basketball facilities. Outstanding landscape works currently being implemented.		Future Stages not funded.
Lewis Park		2017/2018				Master plan scheduled for 2017/2018
RD Egan Lee Reserve		2017/2018				Master plan scheduled for 2017/2018
Know Park (3 playgrounds)		2017/2018				Master plan scheduled for 2017/2018
Walker Reserve		2019/2020				Master plan scheduled for 2019/2020

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
<b>Future Master Plans (2020 and beyond)</b>						
Barry Reserve		2020+				
Linnel Court / Wellington reserve		2020+				
Wantirna Reserve		2020+				
Knox Regional Sports Park		2020+				
Hillside Park		2020+				
Knox Gardens Reserve		2020+				
Golding Avenue		2020+				
Milpera		2020+				
Knox Park (three playgrounds)		2020+				
Kent Park (Robin Hood Reserve)		2020+				
Balmoral Gardens Reserve		2020+				
Dobson Park		2020+				
Batterham park		2020+				
Alchester Village		2020+				
Wally Tew/ FTG community Centre		2020+				
Eildon Park Reserve		2020+				
Pine Hill Reserve		2020+				
Old Joes Creek (Bushland) + Army		2020+				
Pineview/Oaktree Rise Reserve		2020+				
Colchester Reserve		2020+				
Kings Park		2020+				
Wicks Reserve		2020+				
Lakewood Reserve		2020+				
Miller Park		2020+				
Koolunga Reserve		2020+				
Cornelius Dve Reserve		2020+				
Stoneleigh Ave Reserve		2020+				
Tabilk Crt Reserve		2020+				
Daffodil Road		2020+				
Bamber Reserve		2020+				
Avoca Way		2020+				
Wells Road Reserve		2020+				
Rathmullen - Scoresby Road		2020+				
Gabrielle Court reserve		2020+				
Norvel Road Reserve		2020+				

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed to December 2016	Works programmed for 2016/17	Works yet to be funded
Vaughan Road Reserve		2020+				
Wyuna Street Reserve - East side		2020+				
Olivebank Road Reserve (Oliver		2020+				
Windermere Reserve		2020+				
Greenbank retarding Basin		2020+				
Stamford House Park		2020+				
Gilmour Park		2020+				
Harrow Gardens		2020+				
Sheppard Drive Reserve		2020+				
Walsh Avenue Reserve		2020+				
Glenfern Park		2020+				
Reta Matthews Reserve		2020+				



**ALL WARDS****8.2 METROPOLITAN WASTE AND RESOURCE RECOVERY GROUP (MWRRG) CONTRACT NO. 2015/9 – RECEIVAL AND PROCESSING SERVICES FOR ORGANIC WASTES FOR CERTAIN COUNCILS IN THE EASTERN SUBURBS OF MELBOURNE**

**SUMMARY:** *Waste Management Officer (Claire Wolinski)*

*This report considers the Tender Evaluation Report for the Metropolitan Waste and Resource Recovery Group (MWRRG) Contract No. 2015/9 – Receival and Processing Services for Organic Wastes for Certain Councils in the Eastern Suburbs of Melbourne and recommends Preferred Tenderer/s as part of the procurement process.*

**RECOMMENDATION**

That Council:

- adopt the MWRRG Board recommendations regarding the selection of Preferred Tenderer/s for these services;
- authorise Council Officer/s to participate in post-Preferred Tenderer negotiations to maximise the beneficial outcomes of the procurement process for Council; and
- authorise the Chief Executive Officer to sign the associated contract documents and deeds on behalf of Council under delegated authority.

**1. INTRODUCTION**

Green waste collected through Council's fortnightly user-pays, red lid wheelie bin service is currently received and processed under a MWRRG 'overflow contract', along with the green waste of four other eastern region councils – Manningham, Maroondah, Whitehorse and Yarra Ranges.

This 'overflow contract' was borne out of the urgent need in October 2009 for the provision of an alternate regional green waste processing facility to serve the region. This emanated from the forced closure of the ANL Coldstream Composting Facility by the Environment Protection Authority (EPA) following concerns with poor leachate management and odour generation.

The overflow contract was designed to be short-term until a new tender process commenced. However, this took longer than expected due to a combination of factors, including change of State Government, restructure of the MWRRG and waste policy redevelopment. Officers of the five Councils commenced formal discussions regarding tendering for replacement green waste processing services in late 2011.

## **8.2 Metropolitan Waste and Resource Recovery Group (MWRRG) Contract No. 2015/9 – Receival and Processing Services for Organic Wastes for Certain Councils in the Eastern Suburbs of Melbourne (cont'd)**

At its meeting on 22 September 2015, Council considered a report relating to the signing of a Memorandum of Understanding (MoU) for participation in a MWRRG-led group strategic procurement process for organics receival and processing services.

Five Councils in the Eastern Suburbs of Melbourne – Knox, Manningham, Maroondah, Whitehorse and Yarra Ranges – have committed to the procurement arrangement which is for a 15-year contract, with a 5-year extension option.

At the September 2015 meeting, Council resolved to participate in this procurement process and for the Chief Executive Officer to execute the MoU on its behalf, which was subsequently signed on 23 November 2015.

### **2. DISCUSSION**

The MWRRG called for tenders for organics receival and processing services in late 2015. The tender period closed in March 2016, with nine tenders received – seven of which were afforded further consideration and two rejected for non-compliance with the tender conditions.

The Tender Evaluation Panel (TEP) consisted of an officer from each Council and an officer of the MWRRG – a total of six scoring members, which were assisted at various stages of the evaluation process by various technical experts from the EPA, Sustainability Victoria (SV) and wider MWRRG team, including legal, financial and probity consultants/advisors.

The evaluation process included a review of the tender documentation, interviews, site visits and reference checks. Key aspects considered included overall project feasibility, technology options, facility location/s, potential impact on green waste collection contracts, best value for Councils and the collective, safety, risk and environmental management and compliance with the various Councils' MoU requirements.

As the highest scoring bid alone did not meet all five Council's individual and specific needs in relation to travel distance and travel time as specified in the respective MoUs, the TEP recommended that the two highest scoring tenderers both be considered 'Preferred Tenderers' for the contract, as between them they satisfied the criteria of all participating Councils. Appointing two Preferred Tenderers was seen as a suitable and flexible solution for the Councils and was endorsed as an approval by the MWRRG Board in November 2016.

## **8.2 Metropolitan Waste and Resource Recovery Group (MWRRG) Contract No. 2015/9 – Receival and Processing Services for Organic Wastes for Certain Councils in the Eastern Suburbs of Melbourne (cont'd)**

The next stage of the procurement process, following endorsement of the two Preferred Tenderers by participating Councils, is detailed negotiations to maximise opportunities and benefits to the Councils.

The formalised status of 'Preferred Tenderer' will also facilitate the application of the necessary operating permits from referral authorities such as the EPA (Licences and Works Approvals) and Local Councils (Planning Permits), should they be required.

Subject to negotiations, licences and permits being obtained, the contract should be signed by the MWRRG as the Principal in the first quarter of 2017. It is intended that the facilities receive and process the Councils' green waste from 1 July 2017. The MWRRG have advised that they will keep the current 'overflow contracts' operational until such time as the new contract is confirmed and facilities fully functional, to cater for any unforeseeable delays.

In the future these facilities should be capable of processing food waste material as well as garden organics. This will reduce the overall volume of waste being sent to landfill but may require changes to collection methodology and an extensive education campaign. It is recommended that this be given further consideration during the development of the next collection contract in 2021.

This will allow time for the organics processing providers to transition to food waste receival and for Council to consider any changes in Federal and State Government Waste Policy, availability of other alternate waste technologies and the cost of food and garden organics processing versus the cost of landfill disposal (including the landfill levy), to make an informed decision regarding the most efficient and environmentally-responsible means of diverting residual waste from landfill.

Discussion with Officers from the other participant Councils has indicated that they will recommend a similar approach and timing for the consideration of food waste processing options.

Specific detail regarding the tenders received, the evaluation process and Preferred Tenderers is included in the associated Confidential Report.

### **3. CONSULTATION**

There has been extensive discussion between the various Council Officers on the TEP, the MWRRG and their consultants/advisors, the EPA, SV and tenderers throughout the tendering and tender evaluation process.

Consideration has also been given to any potential impact on the bin-based green waste collection service provided under the related Contract 1979.

## **8.2 Metropolitan Waste and Resource Recovery Group (MWRRG) Contract No. 2015/9 – Receival and Processing Services for Organic Wastes for Certain Councils in the Eastern Suburbs of Melbourne (cont'd)**

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

The collection, receival and processing of green waste (and potentially food waste) across the Eastern Region of Metropolitan Melbourne presents significant environmental and amenity considerations for the procuring Councils and their communities, such as, reducing the overall volume of waste sent to landfill and localised issues often associated with waste receival and treatment including odour, dust, noise and traffic impacts.

This organics procurement process is premised on the eventual phasing-out of landfilling organic wastes, such as green/garden waste and food waste through the introduction of more advanced treatment technologies. This is a key component of Council's Waste Management Plan 2014-2021.

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

Based on a scenario of Knox utilising the first Preferred Tenderer under this contract, the anticipated cost of collection and processing of bin-based green waste in 2017/18 will increase by approximately \$110,000 or 4.5% on the current budget.

This would be funded via a small increase in the user-pays green waste bin charge to approximately \$97 per bin, which is less than the neighbouring Councils' average of \$108 by comparison, and represents value for Knox residents.

There is provision in the contract for a variation in gate fee should the delivered loads consistently contain levels of contamination (ie. non-green waste material) above 3% by weight. Knox's average level of green waste contamination is less than this, and it is recommended that Council continue its residential waste and recycling education program to keep the contamination rate below this level and avoid any future penalties.

### **6. SOCIAL IMPLICATIONS**

The opportunity for residents to continue to dispose of their household green/garden waste (and potentially food waste) for responsible and efficient recycling is seen as a positive service by Knox residents as it provides a convenient and necessary way to dispose of materials that would otherwise be sent to landfill.

**8.2 Metropolitan Waste and Resource Recovery Group (MWRRG)  
Contract No. 2015/9 – Receival and Processing Services for Organic  
Wastes for Certain Councils in the Eastern Suburbs of Melbourne  
(cont'd)**

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

The relevant City Plan objective falls within the theme of Vibrant and Sustainable Build and Natural Environments with the objective being *'The changing needs of a diverse community are supported through planned growth and change in housing and infrastructure that respects both built form and natural systems, as well as resource availability'*.

The indicators for this objective relate to household waste management, in particular household green/garden waste and food organics.

**8. CONCLUSION**

Council has been utilising MWRRG 'overflow contracts' for the receival and processing of its fortnightly user-pays, red lid wheelie bin green waste service material since late 2009.

Five Councils from the Eastern Region of Melbourne, including Knox have participated in a joint strategic procurement process for replacement green waste (and potentially in the future food waste) processing services, and the MWRRG Board have endorsed two Preferred Tenderers for these services.

The negotiation and subsequent finalisation of the procurement process by the MWRRG, in conjunction with Council Officers, requires prior consideration of the TEP Report by each of the five participating Councils.

**9. CONFIDENTIALITY**

A confidential report has been circulated under separate cover which provides further information regarding the tender evaluation.

**8.2 Metropolitan Waste and Resource Recovery Group (MWRRG)  
Contract No. 2015/9 – Receiving and Processing Services for Organic  
Wastes for Certain Councils in the Eastern Suburbs of Melbourne  
(cont'd)**

**COUNCIL RESOLUTION**

MOVED: CR. MORTIMORE

SECONDED: CR. HOLLAND

That Council:

- adopt the MWRRG Board recommendations regarding the selection of Preferred Tenderer/s for these services;
- authorise Council Officer/s to participate in post-Preferred Tenderer negotiations to maximise the beneficial outcomes of the procurement process for Council;
- authorise the Chief Executive Officer to sign the associated contract documents and deeds on behalf of Council under delegated authority; and
- seek that the MWRRG actively pursue Advanced Waste Treatment processes for future waste disposal contracts incorporating for putrescible waste.

CARRIED

## ALL WARDS

**9.1 KNOX MULTICULTURAL ADVISORY COMMITTEE ANNUAL REPORT 2016 AND MEMBERSHIP APPOINTMENTS 2017-2019**

**SUMMARY:** *Multicultural Communities Officer (Joan Pepi)*

*The Knox Multicultural Advisory Committee (KMAC) Terms of Reference requires that committee membership be renewed every two years through a selection process, inviting community and community service provider representatives to submit applications.*

*This report outlines the recent recruitment process and seeks approval for the appointment of five new committee members and three current Committee members for reappointment for a two-year term from 2017-2019.*

*As Council will be undertaking a review of its advisory committees during 2017, this may result in changes to KMAC prior to the completion of its currently approved term.*

*This report also provides the annual report of KMAC activities and achievements related to the implementation of the Knox Multicultural Strategic Plan for 2016.*

**RECOMMENDATION**

That Council

1. Note the achievements of the Knox Multicultural Advisory Committee in 2016 as shown at Appendix A;
2. Note the key achievements of the implementation of the Knox Multicultural Strategic Plan for 2016 as shown at Appendix A;
3. Reappoint and appoint the following applicants to the Knox Multicultural Advisory Committee for the period February 2017-February 2019 as presented in Confidential Appendix B;

<b>Name</b>	<b>Category</b>
1.	Community Representative
2.	Community Representative
3.	Community Representative
4.	Agency Representative
5.	Agency Representative

## 9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)

Name	Category
6.	Community Representative
7.	Community Representative
8.	Community Representative

4. Advise the successful and unsuccessful applicants of Council's decision as detailed in Confidential Appendix B; and

5. Thank the outgoing KMAC committee for their valuable contribution.

### **1. INTRODUCTION**

The Knox Multicultural Advisory Committee (KMAC) was established in March 2009 to provide Council with advice on multicultural issues and promote greater awareness and understanding in the local community of cultural diversity in Knox.

KMAC also assists Council to monitor the implementation of the *Knox Multicultural Strategic Plan 2012-17*.

The KMAC Terms of Reference requires that committee membership be renewed every two years through a selection process, inviting both community representatives and service provider representatives to submit applications.

Council has recently decided to undertake a review of all Council advisory committees during 2017 and the outcome of this review may result in changes to KMAC prior to the completion of its currently approved term.

### **2. DISCUSSION**

#### **2.1 Objectives of KMAC**

As outlined in the KMAC Terms of Reference, the objectives of KMAC are to:

- Provide advice and recommendations to Council on multicultural issues;
- Identify issues and opportunities affecting people from multicultural backgrounds;
- Assist Council in the development of policy, strategies and actions in relation to issues and opportunities identified;



### **9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)**

- Advocate for increased awareness and understanding of issues and opportunities affecting multicultural communities within Knox;
- Assist Council with its communication, consultation and engagement with multicultural communities;
- Assist Council to promote and celebrate the benefits of cultural diversity in Knox and to build connections between different cultural groups within the Knox community; and
- Assist Council to monitor the implementation of the *Knox City Council Multicultural Strategic Plan 2012-17*.

### **2.2 KMAC Activities and Achievements in 2016**

An overview of KMAC 2016 achievements include:

- Advice and direction on a multicultural community group engagement strategy to increase knowledge of activities, challenges and opportunities;
- Input into the review of the Knox Multicultural e-bulletin;
- Participation into the review of the Knox Multicultural Advisory Committee Terms of Reference;
- Active leadership from KMAC members to support the Knox Tours of Places of Worship Working Group, in partnership with Knox Interfaith Network;
- Feedback on 'The Holding Zone', a film and photography project, funded by Multicultural Arts Victoria. One of the KMAC members was an active participant sharing her story and experience of being a Muslim in Australia;
- Increased knowledge between KMAC members regarding multicultural services, activities, initiatives and issues experienced by various multicultural groups and individuals in Knox; and
- Participation and feedback provided to Eastern Financial Counselling Services regarding the provision of information sessions to multicultural communities.

### **2.3 Knox Multicultural Strategic Plan Implementation 2016 – Key Achievements**

Key achievements over 2016 in the implementation of the Plan include:

- Cultural Diversity Week in March 2016 was acknowledged and celebrated with the Cultural Diversity Tavern, a joint Knox Staff Social Club and Community Access and Equity Team initiative;

**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)**

- Community engagement was undertaken with 40 multicultural organisations and faith groups which service this cohort in Knox. Outcomes of this community engagement will inform future community and Council activities and multicultural programs;
- Coordination and delivery of the 'The Holding Zone', a film, photography and installation project aimed to explore the theme of welcome and the experiences of people who've travelled across the seas to Australia, in partnership with the Knox Culture Planning and Development Team and funded by Multicultural Arts Victoria;
- A partnership with Multicultural Arts Victoria saw the introduction of the 'What Happened at the Pier' project to Knox residents. This project explored the memories of immigrants and refugees who arrived in Australia by ship at Princes and Station pier in Port Melbourne, through the creation of visual art, performance and exhibition works;
- Review of the Knox Multicultural e-bulletin to inform future content and to expand subscriptions;
- Development of the Council staff resource 'Communicating with non-English speaking residents'. Information regarding this resource was communicated in a CEO Bulletin and added to Council's intranet. Further engagement with staff will be undertaken in 2017;
- In partnership with key housing groups in Knox and Home for the Aged Action Group coordinated the 'Preventing Homelessness for older culturally and linguistically diverse communities (CALD) forum';
- Australian Bureau of Statistics Census engagement presentations were made to seventy people across two multicultural groups to encourage active participation by community members in the 2016 Census;
- The Knox Multicultural Advisory Committee Terms of Reference were reviewed and revised;
- Ongoing support provided to the Knox Interfaith Network (KIN);
- Active promotion, support and participation in the Knox Tours of Places of Worship working group (KIN); and
- The Knox Multicultural Directory was reviewed and reprinted for distribution to community groups and organisations.

## **9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)**

### **2.4 KMAC membership**

As outlined in the KMAC Terms of Reference, membership of the KMAC includes:

- One representative of the Knox Interfaith Network;
- One representative of the Migrant Information Centre (Eastern Melbourne);
- A maximum of twelve community and agency members (maximum of four professional/industry members); and
- Two Councillors appointed annually.

At the end of November 2016 KMAC had a total of eight vacancies; six vacancies for new applicants and two vacancies for existing members for a second term.

Appointment to a Council Advisory Committee is required to be in accordance with the *Knox City Council Committees Policy*. The Policy requires that every effort be made to ensure a representative cross section of people from the municipality is selected to the committee, as appropriate.

#### **2.4.1 Recruitment Process**

New committee membership was sought through:

- Promotion through current KMAC members and Council Officer networks in the community and to service providers;
- Promotion through the Knox Council website;
- Promotion through the Knox Multicultural e-bulletin;
- Promotion via social media using Facebook; and
- An advertisement in local print media.

Prospective applicants accessed application information via the internet including an application form and Terms of Reference.

#### **2.4.2 Selection Process**

Fourteen applications for new community representatives were received (refer confidential Appendix B). An information session was held for all applicants on the 17 October 2016. The purpose of this session was to provide further information about KMAC and to assist in the shortlisting of applicants.

A Selection Panel was formed to interview and recommend new KMAC members in accordance with the Committee's Terms of Reference. The Selection Panel comprised, Cr Peter Lockwood (KMAC Council Delegate), one of Council's Multicultural Communities Officers and an outgoing KMAC member.

### **9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)**

Eight of the applicants were selected for interview. The Selection Panel met on Tuesday 29 November 2016 and Monday 5 December 2016 to interview the applicants. The selection process involved reviewing applications against selection criteria including the applicant's knowledge and experience on multicultural issues relevant to Knox (refer recommendations for appointment in Confidential Appendix B).

The following criteria were used when assessing applications:

- Reside/work/volunteer in Knox;
- Personal representation of a Knox focused organisation;
- Experience and knowledge of multicultural issues;
- Ability to promote cultural awareness and understanding in the wider community;
- Ability to identify issues and solutions and provide advice to Council; and
- Ability to work collaboratively.

### **3. CONSULTATION**

Information calling for nominees to join the Knox Multicultural Advisory Committee was placed on the Council website and through Council community email networks and social media. Invitations to reapply for the Committee were also distributed to existing advisory committee representatives to distribute through their networks.

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

There are no environmental or amenity issues associated with this matter.

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

Council allocates \$5000 per annum to the Knox Multicultural Advisory Committee and related activities within its annual operational budget. The Committee is supported by Council's Community Access and Equity Team.

### **6. SOCIAL IMPLICATIONS**

According to the 2011 Census, Knox's residents come from over 130 different countries and 27.8% of Knox's residents (41,444 people) were born overseas. 19.7% of the population (29,436) came from non-English speaking backgrounds. While cultural diversity in Knox has increased slowly over time there continues to be a need to have a greater understanding of social issues as they pertain to multicultural communities. This is a continuing area of focus for KMAC who provide Council with advice and recommendations based on their experiences, knowledge and expertise of the multicultural community in Knox.

## **9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)**

The Knox Multicultural Advisory Committee assists Council to keep informed of current issues in the multicultural community in Knox, thereby enabling Council to respond accordingly to the culturally diverse community.

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

The *Knox City Plan 2013-2017* identifies the key directions and strategic objectives to achieve desired health and wellbeing outcomes for the Knox community.

The theme is of particular relevance to KMAC is: 'Culturally Rich and Active Communities', which includes the aspiration: "Improve the acceptance and valuing of diversity and difference in the Knox community." KMAC works across the additional four City Plan themes to provide input and feedback to achieve these outcomes from a multicultural perspective.

### **8. CONCLUSION**

The Knox Multicultural Advisory Committee has been operating for seven years and has in that time initiated a number of key initiatives including the development of the *Knox Multicultural Strategic Plan 2012-2017*. In 2016, the KMAC assisted activities to progress Knox towards the achievement of the strategic goals outlined in this plan.

Between October and December 2016, Council officers conducted a selection process for new members to the Knox Multicultural Advisory Committee. Recommendations from this selection process are outlined in Appendix B of this report.

The work of KMAC will further be enhanced with new membership on a regular basis as outlined in the KMAC Terms of Reference.

### **9. CONFIDENTIALITY**

In the interests of personal privacy, names and details of applicants in Appendix B are treated as confidential.

## 9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019 (cont'd)

### COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. HOLLAND

That Council

1. Note the achievements of the Knox Multicultural Advisory Committee in 2016 as shown at Appendix A;
2. Note the key achievements of the implementation of the Knox Multicultural Strategic Plan for 2016 as shown at Appendix A;
3. Reappoint and appoint the following applicants to the Knox Multicultural Advisory Committee for the period February 2017-February 2019 as presented in Confidential Appendix B;

<b>Name</b>	<b>Category</b>
1. Pauline Kiki	Community Representative
2. Shameela Essop	Community Representative
3. Wilfredo Zelada	Community Representative
4. Sandy Ashton	Agency Representative
5. Jackie D'Slyva	Agency Representative
6. Shan Pillai	Community Representative
7. Manjit Singh	Community Representative
8. Maja Savic	Community Representative

4. Advise the successful and unsuccessful applicants of Council's decision as detailed in Confidential Appendix B; and
5. Thank the outgoing KMAC committee for their valuable contribution.

CARRIED

## 9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019

### APPENDIX A – Knox Multicultural Committee and Knox Multicultural Strategic Plan Annual Report 2016

#### Annual Report

Five meetings of the Knox Multicultural Advisory Committee (KMAC) were held between January 2016 to December 2016. The key activities and achievements of KMAC and the implementation of the Knox Multicultural Strategic Plan during 2016 are listed in the table below.

Knox Multicultural Strategic Plan goal	Activities and Achievements of KMAC during 2014 which link to Strategic Plan goals	Key achievements of the Knox Multicultural Strategic Plan
<p>Strengthening community engagement with multicultural people through effective communications and information provision</p>	<p>Five KMAC meetings held. The final meeting for 2016 was held jointly with the Knox Interfaith Network.</p> <p>Participation into the review of the Knox Multicultural Advisory Committee Terms of Reference.</p> <p>Advice and direction on multicultural community group engagement strategy to increase knowledge of activities, challenges and opportunities. This strategy has increased relationships with groups and opportunities for further dialogue.</p>	<p>Community Engagement was undertaken with forty multicultural organisations and faith groups which service this cohort in Knox. The engagement has strengthened understanding of the issues which face the multicultural community which will inform future work in the implementation of the Knox Multicultural Strategic Plan.</p> <p>Review of the Knox Multicultural e-bulletin to inform future content and to expand subscriptions.</p> <p>Australian Bureau of Statistics Census engagement presentations were made to seventy people across two multicultural groups. The presentations focused on the process for completing the 2016 census online.</p>

**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019****APPENDIX A – Knox Multicultural Committee and Knox Multicultural Strategic Plan Annual Report cont'd**

Knox Multicultural Strategic Plan goal	Activities and Achievements of KMAC during 2014 which link to Strategic Plan goals	Key achievements of the Knox Multicultural Strategic Plan
Strengthening community engagement with multicultural people through effective communications and information provision cont'd		<p>Development of the Council staff resource 'Communicating with non-English speaking residents'. The purpose of this resource is to increase staff skills in working with interpreters and to develop text for translations.</p> <p>The Knox Multicultural Directory was reviewed and reprinted for distribution to community groups and organisations.</p>



**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019****APPENDIX A – Knox Multicultural Committee and Knox Multicultural Strategic Plan Annual Report cont'd**

Knox Multicultural Strategic Plan goal	Activities and Achievements of KMAC during 2014 which link to Strategic Plan goals	Key achievements of the Knox Multicultural Strategic Plan
<p><b>Creating opportunities that build and support social cohesion cont'd</b></p>	<p>Feedback on the Holding Zone, a film and photography project, funded by Multicultural Arts Victoria.</p> <p>Active participation in the Holding Zone project.</p> <p>Increased knowledge between KMAC representatives regarding multicultural services, activities, initiatives and issues experienced by various multicultural groups and individuals in Knox.</p>	<p>Cultural Diversity Week in March 2016 was acknowledged with the Cultural Diversity Tavern, a joint Knox Staff Social Club and Access and Equity Team initiative the Tavern was held during Cultural Diversity Week in March and focused on refugees. Support was also provided to the ISOMER Board of Management to coordinated the ISOMER Open Day.</p> <p>Coordination and delivery of the 'The Holding Zone', a film, photography and installation project, in partnership with the Knox Culture Planning and Development Team and funded by Multicultural Arts Victoria. Participants from CALD backgrounds explored traditional cultural ways of welcoming, alongside what it means to belong in the context of the Australian Citizenship Test and the Australian national anthem.</p>

**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019****APPENDIX A – Knox Multicultural Committee and Knox Multicultural Strategic Plan Annual Report cont'd**

Knox Multicultural Strategic Plan goal	Activities and Achievements of KMAC during 2014 which link to Strategic Plan goals	Key achievements of the Knox Multicultural Strategic Plan
<p><b>Creating opportunities that build and support social cohesion cont'd</b></p>		<p>The project resulted in an installation at Stringybark Festival and the production of a film documenting participant stories.</p> <p>A partnership with Multicultural Arts Victoria saw the introduction of the 'What Happened at the Pier' project to Knox residents with information sessions held in November inviting Knox residents to share their stories and express interest in a potential future exhibition.</p> <p>Ongoing support provided to the Knox Interfaith Network to assist in growing their membership and on a range of initiatives to celebrate multi-faith communities and support social cohesion in Knox.</p> <p>Support provided to the Knox Tours of Places of Worship working group that hosted its inaugural Knox Interfaith Network Tour in November.</p>

**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019****APPENDIX A – Knox Multicultural Committee and Knox Multicultural Strategic Plan Annual Report cont'd**

Knox Multicultural Strategic Plan goal	Activities and Achievements of KMAC during 2014 which link to Strategic Plan goals	Key achievements of the Knox Multicultural Strategic Plan
Exploring and implementing initiatives that assist and retain skilled migrants in Knox		No work undertaken in this area due to the change in funding arrangements to project partners, Swinburne University.
Enhancing service planning and development		<p>Attendance and participation at the Victorian Local Government Multicultural Issues Network.</p> <p>Attendance and participation at the Eastern Region Settlement Committee.</p> <p>Participation as a member of a panel at the Municipal Association of Victoria's 'From Multiculturalism to Inclusion' Conference.</p>
Advocating on issues that impact on migrants and refugees in Knox		In partnership with key housing groups in Knox and Home for the Aged Action Group coordinated the 'Preventing Homelessness for older culturally and linguistically diverse communities (CALD) forum'. The forum addressed the needs of older people who are living in insecure rental housing.

**9.1 Knox Multicultural Advisory Committee Annual Report 2016 and Membership Appointments 2017-2019**

**Confidential Appendix B circulated under separate cover**

**COUNCILLOR GILL VACATED THE CHAMBER AT 8.40PM DURING DISCUSSION ON ITEM 9.2**

**ALL WARDS**

**9.2 ANNUAL REPORT – EARLY YEARS ADVISORY COMMITTEE AND APPOINTMENT OF COMMUNITY AND PROFESSIONAL REPRESENTATIVES**

**SUMMARY:** *Manager – Family and Children’s Services  
(Janine Brown)*

*This report provides Council with an update of the topics and key themes discussed by the Early Years Advisory Committee (EYAC) for 2016 and advises Council of the recommended outcome of the recent recruitment process to fill available vacancies for both Community and Professional Committee Members.*

*Following a selection process, this report recommends the appointment of four (4) community and two (2) professional representatives to the EYAC until the 30 June 2018, this being the current term of the Committee approved by Council.*

**RECOMMENDATION**

That Council

1. Notes the topics and key themes discussed by the Early Years Advisory Committee between January 2016 and December 2016;
2. Appoint the nominees as identified in the Confidential Appendices B and D to the EYAC until 30 June 2018:

<b>Name</b>	<b>Category</b>
1.	Community Representative
2.	Community Representative
3.	Community Representative
4.	Community Representative
5.	Professional Representative
6.	Professional Representative

3. Authorise the Chairperson of the EYAC to inform the successful and unsuccessful nominees of Council’s decision.
4. Thank the outgoing Early Years Advisory Committee for their valuable contribution.

## **9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)**

### **1. INTRODUCTION**

In July 2016, Council approved a further two-year term for the Early Years Advisory Committee (EYAC) until 30 of June 2018.

Much of the EYAC's work has been based on Council's Municipal Early Years Plan (MEYP) 2011-2015, which was a strategic document supporting Council's goals for a better future for children and families living in Knox. Whilst the MEYP's status as Council's key strategic Early Years Plan is now out of date, many of the key objectives of the Plan continue to be relevant in the context of the lives of children and families in the Knox community. The more recent City Plan and Council Plan continue to include the needs of children and families as an important focus. Council is now developing an Integrated Life Stages Plan that links to the City and Council Plan that will seek to build on the work initiated through the MEYP.

Council has indicated its intention to undertake a review of all its advisory committees during 2017. The outcomes of this review may mean that changes may be made to the EYAC prior to the completion of its term.

### **2. DISCUSSION**

The EYAC Terms of Reference outline the Committee's key focus which include:

- Providing advice on the development and implementation of the Municipal Early Years Plan and emerging issues affecting young children and families including:
  - Providing advice to Council on emerging issues affecting families and children and the related services within the Knox community;
  - Identifying emerging key research, policy and legislative issues that might impact on the implementation of the (MEYP 2011-2015 Plan);
  - Considering advice and information made available through other Council's advisory and community consultation processes, as they relate to families and children; and
  - Providing Council with an annual report on the key discussion topics and achievements of the EYAC.

#### **2.1 EYAC Topics and Key Themes for 2016**

The Committee discussed and agreed to a Work Plan for 2016 (Appendix A). Key themes identified for consideration included:

- Access and participation- the right support at the right time;
- Community capacity building;
- Balance between risk and resilience for individual children and families.

## **9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)**

In addition to the topics outlined in the Work Plan, the Committee also engaged in a number of consultation activities relating to Council's future role as a National Disability Insurance Service (NDIS) Provider in Early Childhood Intervention Services (ECIS). Following Council's decision to withdraw from its role as a direct service provider through Illoura ECIS, the Committee also provided input into the development of Council's broader leadership role in an NDIS environment into the future.

During the final meeting of the EYAC held on 24 November 2016, the discussion was centred on the 'Voice of the Child'. This topic brought together the series of topics that had focused on the importance of the 'early years' in a child's life and what was needed in the community to promote their health, wellbeing, learning and development, as well as safety.

Following the two presentations on the 'Voice of the Child' the Committee discussed what had been the key achievements and issues identified over the last 12 months.

The Committee have identified the following key themes for Council to note:

- The Australian Early Development Census (AEDC) New Data (2015) has shown that there is a downward trend in overall vulnerability in Knox, however, a significant increase in vulnerability in Wantirna South, Ferntree Gully and Rowville with respect to children aged 0-5 years in the development of their physical, social, emotional health, language and cognitive domains;
- According to AEDC Community Profile data for 2015, Knox children who are transitioning to school, are achieving a 98.7% success rate in adapting to the structure and learning environment of school;
- It is likely that the recommendations by Royal Commission into family violence will have an impact on universal services including Maternal and Child Health and Early Childhood Education and Care programs. This may include new supports and programs or scope of the service provided. Concerns raised by the Family Violence Commission include identification, prevention and coordinated service systems as well as services communicating effectively with each other;
- Families who may have only recently immigrated to Australia or who do not have English as their first language may be struggling to connect with early years' services in the community and may benefit from additional support to access and participate in services for their children in the Knox community;

## **9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)**

- Questions were raised about the potential impact for vulnerable children in Out of Home Care situations due to Carers not being authorised to give consent to photos being taken or used where publicity associated with successful Council grant recipients is undertaken. Council's Community Grants Officers have clarified that there is no eligibility requirement for recipients to be photographed or details published as part of grant eligibility;
- Health and Nutrition continue to be critical areas of significance to the health and wellbeing of families and children;
- A number of Committee Members noted that information available for families about services has improved on Council's Website;
- Preschool and Playgroup Committee Annual General Meetings are beginning to have greater cultural diversity and representation which strengthens the level of community inclusion, however they are still predominately comprised of female representation.

### **2.2 Recruitment and Recommendation of EYAC Member for Vacant Position**

On 12 of July 2016, Council approved the commencement of an Expressions of Interest (EOI) process to recruit Committee Members following a number of vacancies that had occurred due to resignations and existing members coming to the end of their approved membership period. Commencing in October 2016, Council Officers commenced the recruitment of four Community and two Professional representatives.

Expressions of Interest for the Community and Professional representative positions were open for a three-week period from 25 October until 10 November 2016. Information was made available on the Knox Council website and through social media. Following public advertising that occurred during October to November 2016, seven EOIs were received in total – four nominations for the Community representative positions, and three for the Professional representative positions.

Following the appointment of Councillors Cooper and Seymour to the EYAC, interviews were conducted between 17 November 2016 and 28 November 2016.

The interviews included a series of questions designed to explore each candidate's capacity, skills, experience, and the reason for their interest in the Committee. Seven potential Committee Members were interviewed with six being recommended for appointment to the Committee as outlined in the confidential Appendix B. Details of all applicants can be found in Confidential Appendices C and D.



## **9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)**

Subject to Council's approval, it is anticipated that an induction process for the new Committee will take place in February 2017.

### **3. CONSULTATION**

Through the agreed Work Plan for 2016, EYAC Members have had the opportunity to consider and discuss a number of key issues impacting on the lives of children and their families in the Knox community. The Committee has also had the opportunity to consult on the major decision making process undertaken by Council to determine that it would no longer be a direct service provider for NDIS services into the future.

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

The Early Years Advisory Committee continues to play a key role considering issues and advising Council in terms of child friendly spaces, which promote the health and wellbeing of Knox's children and families into the future.

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

The Family and Children's Services Department supports the administration of Council's EYAC. Officer time of approximately 10 hours each month is absorbed within the Department budget in addition to an annual catering and supplies allowance \$2,600.

### **6. SOCIAL IMPLICATIONS**

Research clearly states that when a community places the child as a central concern in the context of family, community and its culture, then significant and life-long benefits will result for the community.

Children between the ages of 0-12 years represented 16% of the municipality's population, and this equates to 23,500 children (Census 2011).

It is expected that the Integrated Life Stages Plan will continue to build on the opportunities to strengthen further partnerships with non-Council service providers. These partnerships will provide a benefit for all children and families across Knox, irrespective of the early year's services they access within the community.

## **9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)**

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

The establishment and work of the Early Years Advisory Committee reflects the Knox Vision: Our City, Our Future 2013-17 and our aspirations of investing in children and young people. Knox Vision: Our City, Our Future, guides Council's work towards establishing and maintaining strong community connections, which in turn will support the provision of Council Early Years Services and facilities that respond to demographic changes.

The work of the Early Years Advisory Committee, as well as the development of the future Integrated Life Stages Plan, will contribute towards other Strategic Objectives, and formulate indicators and strategies towards meeting the Key Strategic Objectives outlined in the City Plan.

### **8. CONCLUSION**

The EYAC plays a key role in contributing to the objectives of Council's overarching plan for families and children living in Knox. Through the agreed Work Plan for 2016, EYAC Members have had the opportunity to consider a number of key issues impacting on the lives of children and their families and have highlighted these issues for Council to note as part of this report.

Following a comprehensive recruitment process, this report recommends the appointment of four (4) community and two (2) professional representatives until 30 June 2018, noting that the broader review of Council's advisory committees may lead to changes to the Early Years Advisory Committee prior to this date.

### **9. CONFIDENTIALITY**

In the interests of personal privacy, names and details of applicants in Appendices B, C and D are treated as confidential.

## 9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives (cont'd)

### COUNCIL RESOLUTION

MOVED: CR. COOPER  
SECONDED: CR. SEYMOUR

That Council

1. Notes the topics and key themes discussed by the Early Years Advisory Committee between January 2016 and December 2016;
2. Appoint the nominees as identified in the Confidential Appendices B and D to the EYAC until 30 June 2018:

<b>Name</b>	<b>Category</b>
1. Christine Penna	Community Representative
2. Marcia Timmers-Leitch	Community Representative
3. Kim Coveney	Community Representative
4. Julie Guinea	Community Representative
5. Ann-Maree Baker	Professional Representative
6. Marg D'Arcy	Professional Representative

3. Authorise the Chairperson of the EYAC to inform the successful and unsuccessful nominees of Council's decision.
4. Thank the outgoing Early Years Advisory Committee for their valuable contribution.

CARRIED

## 9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives

### APPENDIX A - EYAC "Committee Work Plan Themes 2016"

### Meeting Topics for 2016

<b>Access &amp; participation - the right support at the right time</b>	School readiness issues / reduced access 2 <sup>nd</sup> year / deferring "funded" 4 year old year	Lack of control in their lives – cyclic / they don't ask for their circumstances Anything that disturbs family situations	Difficult family relationships and loss of family structures	Access and participation challenges  - More formal assessments to identify vulnerability	1	<b>Service system -universal , targeted services</b> <i>Enhanced MCH / Victorian Auditors General Office (VAGO) report</i>	<b>Exploring EY system further</b> <i>VAGO Report – Janine Brown &amp; Dianne Wilson</i> <i>Enhanced Mat - Ann Burke</i> <i>Mapping sub systems - Dianne</i>
<b>Community Capacity Building</b>	Lack of resources to participate in school / community life	Different cultures / family structures / cultural norms in raising children	Whole community approach is needed	Parent expectations of their children and impact of this	2	<b>EC Networks and Supports In Knox Community</b> <i>Child FIRST/Child Protection</i>	<b>Outer East Child FIRST, Anglicare</b>
<b>Access &amp; participation - the right support at the right time</b>	Need for respite, advice, support to deal with complexity, grief and uncertainty	Busier lives, less family support, higher expectations	Administration / Systems / Service Names & assumptions that present barriers	Intervening early is more effective	3	<b>Policy to practice - Childsafe Standards, Failure to Protect</b>	<b>Angela Morcos</b>  <b>Gillian Shelley</b>
<b>Community Capacity Building</b>	Service skills, flexibility and capacity to include children and families with "difference"	Role of professionals in supporting & finding pathways out with families	Changes in funding / service system / Government policy platforms & process to service delivery	Community "norms" & capacity to accept and support "difference"	4	<b>Barriers to participation - Understanding role of Integrated service systems</b>	<i>Helen Flavel, Outer East Child FIRST, Anglicare</i>
<b>Balance between risk and resilience</b>	Understanding vulnerable Children	The context children are growing up in: - influence of family & community	Emotional vulnerability – family skills and support – Impact of society	Further education opportunities for families	5	<b>Factors involved in risk and resilience in young children and their families</b>	<i>Janene Swalwell , Monash University</i>
<b>Balance between risk and resilience</b>	Impact of resilience / skills / circumstances	Capacity to positively connect with others	Developmental needs create vulnerability too	Can be short periods / long periods	6	<b>Voice of the Child and Voice of the Vulnerable Child</b>	<i>James McDougal</i> <b>Commission for Children and Young People, Victoria</b>
	Changing view of vulnerability different context / life approaches	Pastoral care in schools / guidance officer / welfare officer	Sexualisation of children – images / exposure to media	Diversity can influence vulnerability			<i>Emma Gierschick, White Ribbon Advocate</i>

## 9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives

### APPENDIX A - EYAC "Committee Work Plan Themes 2016"

#### Proposed Issues For Consideration In 2016

#### Meeting Topics for 2016

Mental health issues e.g. PND (parents and children)	Same gender families	Role of grandparents /kinship care	Cross cultural families/relationships	Environmental Concerns-Seedlings		<b>Child Mental Health</b> - Kids Matter	<i>Outstanding to be included in 2017 Work Plan</i>
Increase in family violence	Refugee families & cultural groups	Increasing number of children with additional needs	Substance abuse	Nutrition - Healthy Together Knox		<b>Family Violence</b>	<i>Outstanding to be included in 2017 Work Plan</i>

**9.2 Annual Report – Early Years Advisory Committee and Appointment of Community Professional Representatives**

**Confidential Appendices B-D circulated under separate cover**

**ALL WARDS****9.3 KNOX ACTIVE AGEING ADVISORY COMMITTEE – MEMBERSHIP APPOINTMENTS AND REVISED TERMS OF REFERENCE**

**SUMMARY:** *Coordinator Age Friendly Planning (Teresa Donegan)*

*The Knox Active Ageing Advisory Committee (KAAAC) was established by Council on 13 October 2009 and was formerly known as the Knox Healthy Ageing Advisory Committee.*

*At Council's Strategic Planning Committee meeting on 8 September 2015, Council approved another two-year term of the KAAAC and the process for selection of external community and industry members to the Committee. A total of six vacancies are available to be filled as part of the recruitment and selection process, four community members and two industry representatives.*

*The KAAAC provides Council with advice and recommendations on the implementation of the relevant Strategic Objectives under the Council Plan 2013-17, and emerging issues affecting older people within the Knox community.*

*This report recommends the appointment of three community representatives and three industry representatives, to the KAAAC for two-year appointments.*

*The report also presents revised Terms of Reference which alters the membership ratio between community and industry, from nine community and five industry to eight community and six industry representatives.*

### 9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)

#### **RECOMMENDATION**

That Council:

1. Appoint the following applicants to the KAAAC for a two-year period from 8 March 2017 to 9 March 2019 as provided in Confidential Appendix A:

Name	Category
1.	Community Member
2.	Community Member
3.	Community Member
4.	Industry Representative
5.	Industry Representative
6.	Industry Representative

2. Advise the successful and unsuccessful applicants of Council's decision, as detailed in Confidential Appendix A; and
3. Approve the revised Terms of Reference, contained in Appendix D.
4. Thank the outgoing "Committee" for their valuable contributions.

#### **1. INTRODUCTION**

The Knox Active Ageing Advisory Committee (KAAAC) was established in 2009 to provide advice to Council on the implementation of the *Healthy Ageing Strategic Plan 2009 – 2013* and emerging issues affecting older people within the Knox community.

At the Strategic Planning Committee meeting of 8 September 2015, Council endorsed a further two-year term of the KAAAC and approved the revised Terms of Reference, including the process for external community members to be selected and appointed to the Committee. The Strategic Planning Committee meeting of 9 August 2016 endorsed the recruitment of new community and industry representatives for the KAAAC via an expression of interest process. At the Council meeting on the 22 November 2016 Council appointed Cr Nicole Seymour as Council's representative on the selection panel for the KAAAC, in accordance with the current Terms of Reference.



### **9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)**

#### **1.1 Objectives of the KAAAC**

The objectives of the KAAAC are detailed within the Terms of Reference (refer Appendix C) and are as follows:

- Provide advice and recommendations to Council on:
  - a) The implementation of the Strategic Objectives under the *Council Plan 2013-17*, in particular:
    - To improve planning for an ageing population across Council's services to build capacity to respond to an ageing population; and
    - Provision of a range of programs, services and partnerships which aim to build local connections between people and reduce social isolation.
  - b) Effective communication and consultation strategies to facilitate engagement with older people and other key stakeholders.
- Provide advice to Council on emerging issues affecting all older people within the Knox community.
- Consider and provide input to advice and information made available through other Council advisory and community consultation processes related to older people and healthy ageing issues.

Council has recently decided to undertake a review of its advisory committees during 2017. The outcomes of this broad review may lead to changes to the KAAAC prior to the currently approved term expiring.

## **2. DISCUSSION**

### **2.1 Recruitment**

Appointment to a Council Advisory Committee is required to be in accordance with the *Knox Council Committees Policy*, updated 26 August 2014. The Policy requires that every effort should be made to ensure a representative cross section of people from the municipality is selected to the committee as appropriate. Thus, the KAAAC recruitment process focused on attracting high quality community candidates who had experience utilising a cross section of aged services and who participate in a range of different older persons' groups, while at the same time ensuring representatives came from across the geographic area of the Knox municipality.

The recruitment process for industry representatives focused on attracting high quality candidates who had a range of experiences working with older community members either from a research, advocacy, service delivery or policy perspective. It is notable that a number of highly experienced professionals who expressed interest in becoming members of the KAAAC are also Knox residents and therefore have a potentially holistic perspective to offer the Committee.

### **9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)**

Nominations for the community members and industry representatives of the KAAAC opened on 6 October 2016 and closed on 4 November 2016. Information was posted on Council's website, Council's Facebook page, Council's Twitter feed and advertised in Ferntree Gully News and Studfield Wantirna News. Call for nomination fliers were sent to a range of older person's groups' i.e. senior citizens clubs, as well as to libraries, community centres and community houses. Call for nomination emails were also sent to all current members of the KAAAC.

Online nominations were an option for both community and industry applicants via the Knox website. Five online nominations were received; three nominations were received via application forms either by email or post. A total of eight nominations were received for the six available member positions. Copies of the eight nominations are contained in Confidential Appendix B.

#### **2.2 Selection Process**

The Selection Panel consisting of Cr Nicole Seymour and two Council officers assessed the written applications in November 2016. One of the nominations was from a current member who had been interviewed prior to the previous term of the KAAAC and had provided written updates on their community and professional activities. The Selection Panel deemed this application as fulfilling the requirements of the expression of interest process, as per the Terms of Reference and did not re-interview this member. The seven new applicants who submitted a nomination for membership to the KAAAC were all invited to interview. Therefore, a total of seven new applicants were interviewed.

The key criteria used by the Selection Panel to assess written nominations and face to face interviews included:

- Personal experience, knowledge and interest in active ageing and aged services issues;
- Ability to identify issues and solutions and provide advice to Council;
- Skills relevant to the Advisory Committee's Terms of Reference; and
- Ability to promote awareness and understanding of active ageing issues in the wider community.

Following the interviews, eight eligible nominations were considered for the available six member positions. Due to the relevance of Industry representation the Panel deemed three nominees to be highly relevant and valuable for the optimum functioning of the Committee. Therefore, three nominees have been recommended to fill the community membership and three nominees to fill the industry representative positions for appointment to KAAAC by Council.

### **9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)**

Details of the recommended nominees and their applications are provided in Confidential Appendix A. This recommendation requires an amendment to the current Terms of Reference to alter the membership ratio between community and industry representatives. Proposed changes to the Terms of Reference are detailed in Appendix D.

Due to the strong interest demonstrated by two community nominees for information exchange they have been referred to the Knox Bright Ideas Network. Both nominees expressed interest in being included on the mailing list for the Knox Bright Ideas Network and they will be sent an invitation to attend future meetings of the Network.

#### **2.3 Revised KAAAC Terms of Reference**

The current KAAAC Terms of Reference are contained in Appendix C. The revised Terms of Reference are proposed to ensure that a highly relevant Industry representative can be appointed to the KAAAC. As previously noted, it is proposed that the membership is amended from nine community members and five industry representatives to eight community members and six industry representatives.

The revised Terms of Reference, incorporating the identified amendments, are attached at Appendix D for Council's approval.

### **3. CONSULTATION**

Prior to the commencement of the process for selection, the current KAAAC members and representatives were advised of the proposed recruitment and selection process for the new Committee.

As outlined, the KAAAC through effective communication and consultation strategies with older people and other stakeholders enables advice and recommendations to be provided to Council. All members of the KAAAC bring a range of viewpoints to the Committee.

The KAAAC has been consulted on a range of Council strategies during their development, including the *Knox Community Health and Wellbeing Strategy 2013-17*, the Draft Public Toilet Management Policy and the review of Knox's Local Laws Guidelines, with a focus on footpath trading.

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

There are no environmental or amenity issues related to this report.

### **9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)**

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

The annual cost of conducting the Committee is approximately \$1,400 to cover catering and administration costs and is provided for in Council's operating budget. The Coordinator Age Friendly Planning provides support and coordination of the Committee. It is considered that there is a cost benefit to Council, as the KAAAC provides Council with the opportunity to directly engage with community and industry representatives on issues affecting older people, and can assist Council to respond to the Strategic Objectives within the *Council Plan 2013-17* identified in Section 7 of this report.

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

The KAAAC has provided a positive mechanism to achieve greater engagement and civic participation of the older community in Knox by providing a formal advisory structure for the provision of advice and recommendations to Council and Council officers on issues affecting older residents.

The Committee has taken an active role in recommending initiatives to recognise and celebrate older persons in Knox, promoting active ageing and encouraging full participation of all residents in the social, economic and cultural life of the community.

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

The appointment of community members and industry representatives to Council Advisory Committees fosters an increased level of engagement with the community and encourages greater participation in local government.

The *City Plan 2013-17* (incorporating the Council Plan) identifies the key directions and strategic objectives to achieve Council's purpose of enhancing the quality of life of the Knox community. The theme of particular relevance for older people in Knox is: 'Healthy, Connected Communities', which includes the objective: "To improve planning for an ageing population across Council's services to build capacity to respond to an ageing population." This key strategic direction has been directly linked into the *Knox Community Health and Wellbeing Strategy 2013-17* and incorporated into the *Knox Integrated City Strategy 2015-17*.

The appointment of the three community members and three industry representatives will enable a new term of the KAAAC to continue this important work.

### **9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)**

#### **8. CONCLUSION**

In accordance with the *Knox Council Committees Policy*, updated 26 August 2014, the appointment of representatives to the KAAAC requires the endorsement of Council.

The recruitment process commenced in October 2016 to attract appropriate candidates, to fill a total of six representative positions. A total of eight nominations were received, representing a range of experience, skills and knowledge that would be valuable to the Committee. Two community applicants were referred to the Knox Bright Ideas Network as outlined in confidential Appendix A.

This report recommends the appointment of three community members and three industry representatives, to the KAAAC for a two-year appointment. Details of the recommended nominees and their applications are provided in Confidential Appendix A and B.

In addition, this report also seeks adoption of revised Terms of Reference to alter the membership ratio between community and industry representatives, from nine community and five industry to eight community and six industry representatives. The revised Terms of Reference, incorporating the identified amendments, are attached at Appendix D.

#### **9. CONFIDENTIALITY**

In the interests of personal privacy, names and details of candidates in Appendix A and B are treated as confidential.

### 9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference (cont'd)

#### COUNCIL RESOLUTION

MOVED: \_\_\_\_\_ CR. SEYMOUR

SECONDED: CR. MORTIMORE

That Council:

1. Appoint the following applicants to the KAAAC for a two-year period from 8 March 2017 to 9 March 2019 as provided in Confidential Appendix A:

<b>Name</b>	<b>Category</b>
1. Lynda Carroll	Community Member
2. Joy Chiavaroli	Community Member
3. Bronwyn Stephen	Community Member
4. Wina Kung	Industry Representative
5. Rita Lang	Industry Representative
6. Michael Lo Bianco	Industry Representative

2. Advise the successful and unsuccessful applicants of Council's decision, as detailed in Confidential Appendix A; and
3. Approve the revised Terms of Reference, contained in Appendix D.
4. Thank the outgoing "Committee" for their valuable contributions.

CARRIED

**9.3 Knox Active Ageing Advisory Committee – Membership Appointments and Revised Terms of Reference**

**Confidential Appendices A and B circulated under separate cover**

## Appendix C

### TERMS OF REFERENCE



## KNOX ACTIVE AGEING ADVISORY COMMITTEE

<b>Directorate</b>	<b>Community Services</b>
<b>Responsible Officer</b>	<b>Manager Active Ageing &amp; Disability Services</b>
<b>Committee Type</b>	<b>Advisory</b>
<b>Approval Date:</b>	<b>8 September 2015</b>
<b>Review Date:</b>	<b>12 November 2017</b>

### 1. PURPOSE

The Local Government Act 1989 defines an advisory committee as any committee established by Council to provide “advice to the Council”.

The main purpose of the Knox Active Ageing Advisory Committee is to enable stakeholder engagement that provides input and guidance from older people and other key stakeholders, to support quality decision making of Council and in turn the achievements of Council’s goals and objectives under the City Plan, incorporating the Council Plan.

### 2. OBJECTIVES

The objectives of the Committee are to:

1. Provide advice and recommendations to Council on:
  - a) The implementation of the Strategic Objectives under the Council Plan, in particular:
    - To improve planning for an ageing population across Council’s services to build capacity to respond to an ageing population
    - Provision of a range of programs, services and partnerships which aim to build local connections between people and reduce social isolation
  - b) Effective communication and engagement strategies to facilitate engagement with older people and other key stakeholders
2. Provide advice to Council on emerging issues affecting all older people within the Knox community.
3. Consider and provide input to advice and information made available through other Council advisory and community consultation processes related to older people and healthy ageing issues.



### **3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT**

The Knox Active Ageing Advisory Committee shall comprise the following:

- A maximum of nine (9) community members (of which at least one must have an understanding of the needs of a culturally diverse community);
- A maximum of five (5) Industry members (including relevant government agency representatives).
- Two (2) Councillors, appointed annually by Council;

#### **Community & Industry Members**

- Community and Industry members will be sought through an expression of interest process. The process to appoint community and industry members will be advertised in local newspapers, on Council's internet site and through local networks. Applicants must make application via the expression of interest process.
- Eligible community members may include a person residing in Knox or a member of a Knox based community group which has an interest in responding to the needs of older people in Knox. Every effort should be made to ensure a representative cross section of people from the municipality are elected to the committee.
- Eligible Industry members may include persons employed by organisations operating within the City of Knox, responding to the needs of older people.
- Up to nine (9) community members and five (5) industry members will be appointed annually for a period of two (2) years, subject to the number of available vacancies and the continuation of the committee.
- Council will be responsible for appointing all community and industry members.
- New community and industry members will be recommended by a panel comprising one (1) Councillor and two (2) Council Officers including one from the Active Ageing & Disability Services Department.
- Industry members nominating for appointment to the Committee on behalf of a Knox focussed organisation may be requested to provide a letter of support from their organisation.
- Casual vacancies which occur due to community or industry members being unable to complete their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbent's term. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the Committee for the remainder of the previous incumbent's term.

#### **Councillors**

- Council will appoint Councillor representation annually.
- It should be noted that the Mayor is, by virtue of the Office, ex officio a member of the Knox Active Ageing Advisory Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance. The Mayor has no voting rights in their capacity as an ex officio member of the committee.

### **Council Officers**

- Council Officers will be nominated by the Chief Executive Officer or relevant Director to provide administrative support and advice to the committee;

### **Commitment from Members**

- To provide consistent representation.
- To attend meetings as required.
- To carry out specified tasks as designated.

## **4. DELEGATED AUTHORITY AND DECISION MAKING**

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

The Knox Active Ageing Advisory Committee is to provide advice to Council and staff to assist them in their decision-making.

## **5. MEETING PROCEDURES**

The Knox Active Ageing Advisory Committee will meet once every two months and an annual schedule of meetings will be agreed upon at the first meeting of the Committee.

Industry members unable to attend a committee meeting are able to nominate a proxy, from the organisation that they represent, to attend on their behalf. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected that the appointed industry member provide an appropriate introduction and overview of the committee purpose and objectives to any nominated proxy prior to attendance of any meeting to enable active participation and contribution.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

Meetings will follow Knox Council meeting procedures, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion and respect of each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

## **6. CHAIR**

The position of Chairperson shall be agreed by the Councillor representative(s) on the Knox Active Ageing Advisory Committee.

The position of Chairperson will be reviewed immediately following Councillor appointments to Committees annually. If the Chairperson is not present at a meeting, any other Councillor representative shall be appointed as Chairperson.

In the absence of any other Councillor representative(s), the committee members shall appoint a Chairperson for the purpose of conducting the meeting.

## **7. AGENDAS AND MINUTES**

Agendas and minutes will be prepared for each meeting. The agenda will be provided to the committee not less than seven (7) days before the time fixed for the next meeting.

The minutes will:

- Contain details of the proceedings and resolutions made;
- Be clearly expressed;
- Be self explanatory; and
- In relation to resolution recorded in the minutes, incorporate relevant reports or a summary of relevant reports considered in the decision making process.

The minutes shall be made available to the Chairperson within five working days of the conclusion of the meeting. The minutes will be approved by the Chairperson before being published or distributed and then formally endorsed at the subsequent meeting.

Agenda and minutes will be made available on the Council Intranet and Internet for information purposes. In accordance with Council's Committee's Policy this information will be made available to the public with the exception of reports and attachments that are confidential in nature.

## **8. VOTING**

When the Committee is unable to determine a matter by consensus, the matter will be determined by a vote.

All Committee members have voting rights.

Council staff provide support and advice to the Committee only and have no voting rights.

In the event of an equality of votes, the Chairperson will have a second (and casting) vote.

## **9. CONFLICT AND INTEREST PROVISIONS**

In performing the role of a Knox Active Ageing Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of an Advisory Committee may potentially form an Assembly of Councillors. When this occurs, Councillors and Council Officers are required to comply with the conflict of interest provision as set down in the Local Government Act 1989.

Where a Councillor or officer declares a conflict of interest in relation to a matter in which the committee is concerned, they must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting. The Councillor or Council Officer must leave the room while the matter is being considered and may return only after consideration of the matter and all votes on the matter.

Where a meeting is identified as an Assembly of Councillors, staff must complete a Record of Assembly of Councillors form. Where a Conflict of Interest is identified by a Councillor or staff member at an Assembly of Councillors, the relevant Conflict of Interest form must also be completed. Forms should be forwarded to the Manager – Governance within five (5) working days of the meeting. This information will be published at the next available Ordinary Council Meeting.

Where a community or industry member of the Committee has an interest or Conflict of Interest (as defined in the Local Government Act) in relation to a matter in which the Committee is concerned or is likely to be considered or discussed, the community or industry member must disclose the interest to the Committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest or conflict of interest and be recorded in the minutes of the meeting. It will be at the discretion of the Chairperson if the community or industry member remains or leaves the room whilst the matter is discussed, and this must also be recorded in the minutes of the meeting.

## **10. REPORTING**

The Committee will provide an annual report to Council on Committee activities and achievements in accordance with the objectives stated in these Terms of Reference.

The report will be presented to Council for noting under the Community Services Directorate reports.

## **11. ADMINISTRATION SUPPORT**

Administration Support will be provided by Council's Active Ageing & Disability Services Department.

## **12. CONTACT WITH THE MEDIA**

Contact with the Media by members of the Committee will be conducted in accordance with the Councillor and Staff Media Policies. Community and Industry members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Knox Active Ageing Advisory Committee.

## **13. REVIEW DATE**

The Committee will conclude in November 2017 unless Council endorses a recommendation to continue the Committee's role for a further period.

## **14. MEALS**

The provision of refreshments during the course of a Committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

## Appendix D

### TERMS OF REFERENCE



## KNOX ACTIVE AGEING ADVISORY COMMITTEE

<b>Directorate</b>	<b>Community Services</b>
<b>Responsible Officer</b>	<b>Manager Active Ageing &amp; Disability Services</b>
<b>Committee Type</b>	<b>Advisory</b>
<b>Approval Date:</b>	<b>8 September 2015</b>
<b>Review Date:</b>	<b>12 November 2017</b>

### 1. PURPOSE

The Local Government Act 1989 defines an advisory committee as any committee established by Council to provide “advice to the Council”.

The main purpose of the Knox Active Ageing Advisory Committee is to enable stakeholder engagement that provides input and guidance from older people and other key stakeholders, to support quality decision making of Council and in turn the achievements of Council’s goals and objectives under the City Plan, incorporating the Council Plan.

### 2. OBJECTIVES

The objectives of the Committee are to:

1. Provide advice and recommendations to Council on:
  - a) The implementation of the Strategic Objectives under the Council Plan, in particular:
    - To improve planning for an ageing population across Council’s services to build capacity to respond to an ageing population
    - Provision of a range of programs, services and partnerships which aim to build local connections between people and reduce social isolation
  - b) Effective communication and engagement strategies to facilitate engagement with older people and other key stakeholders
2. Provide advice to Council on emerging issues affecting all older people within the Knox community.
3. Consider and provide input to advice and information made available through other Council advisory and community consultation processes related to older people and healthy ageing issues.

### 3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT

The Knox Active Ageing Advisory Committee shall comprise the following:

- A maximum of ~~nine (9)~~ eight (8) community members (of which at least one must have an understanding of the needs of a culturally diverse community);
- A maximum of ~~five (5)~~ six (6) Industry members (including relevant government agency representatives).
- Two (2) Councillors, appointed annually by Council;

#### Community & Industry Members

- Community and Industry members will be sought through an expression of interest process. The process to appoint community and industry members will be advertised in local newspapers, on Council's internet site and through local networks. Applicants must make application via the expression of interest process.
- Eligible community members may include a person residing in Knox or a member of a Knox based community group which has an interest in responding to the needs of older people in Knox. Every effort should be made to ensure a representative cross section of people from the municipality are elected to the committee.
- Eligible Industry members may include persons employed by organisations operating within the City of Knox, responding to the needs of older people.
- Up to ~~nine (9)~~ eight (8) community members and ~~five (5)~~ six (6) industry members will be appointed annually for a period of two (2) years, subject to the number of available vacancies and the continuation of the committee.
- Council will be responsible for appointing all community and industry members.
- New community and industry members will be recommended by a panel comprising one (1) Councillor and two (2) Council Officers including one from the Active Ageing & Disability Services Department.
- Industry members nominating for appointment to the Committee on behalf of a Knox focussed organisation may be requested to provide a letter of support from their organisation.
- Casual vacancies which occur due to community or industry members being unable to complete their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbent's term. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the Committee for the remainder of the previous incumbent's term.

#### Councillors

- Council will appoint Councillor representation annually.
- It should be noted that the Mayor is, by virtue of the Office, ex officio a member of the Knox Active Ageing Advisory Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance. The Mayor has no voting rights in their capacity as an ex officio member of the committee.

### **Council Officers**

- Council Officers will be nominated by the Chief Executive Officer or relevant Director to provide administrative support and advice to the committee;

### **Commitment from Members**

- To provide consistent representation.
- To attend meetings as required.
- To carry out specified tasks as designated.

## **4. DELEGATED AUTHORITY AND DECISION MAKING**

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

The Knox Active Ageing Advisory Committee is to provide advice to Council and staff to assist them in their decision-making.

## **5. MEETING PROCEDURES**

The Knox Active Ageing Advisory Committee will meet once every two months and an annual schedule of meetings will be agreed upon at the first meeting of the Committee.

Industry members unable to attend a committee meeting are able to nominate a proxy, from the organisation that they represent, to attend on their behalf. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected that the appointed industry member provide an appropriate introduction and overview of the committee purpose and objectives to any nominated proxy prior to attendance of any meeting to enable active participation and contribution.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

Meetings will follow Knox Council meeting procedures, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion and respect of each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

## **6. CHAIR**

The position of Chairperson shall be agreed by the Councillor representative(s) on the Knox Active Ageing Advisory Committee.

The position of Chairperson will be reviewed immediately following Councillor appointments to Committees annually. If the Chairperson is not present at a meeting, any other Councillor representative shall be appointed as Chairperson.

In the absence of any other Councillor representative(s), the committee members shall appoint a Chairperson for the purpose of conducting the meeting.

## **7. AGENDAS AND MINUTES**

Agendas and minutes will be prepared for each meeting. The agenda will be provided to the committee not less than seven (7) days before the time fixed for the next meeting.

The minutes will:

- Contain details of the proceedings and resolutions made;
- Be clearly expressed;
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## **8. VOTING**

When the Committee is unable to determine a matter by consensus, the matter will be determined by a vote.

All Committee members have voting rights.

Council staff provide support and advice to the Committee only and have no voting rights.

In the event of an equality of votes, the Chairperson will have a second (and casting) vote.

## **9. CONFLICT AND INTEREST PROVISIONS**

In performing the role of a Knox Active Ageing Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
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Meetings of an Advisory Committee may potentially form an Assembly of Councillors. When this occurs, Councillors and Council Officers are required to comply with the conflict of interest provision as set down in the Local Government Act 1989.



Where a Councillor or officer declares a conflict of interest in relation to a matter in which the committee is concerned, they must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting. The Councillor or Council Officer must leave the room while the matter is being considered and may return only after consideration of the matter and all votes on the matter.

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## **10. REPORTING**

The Committee will provide an annual report to Council on Committee activities and achievements in accordance with the objectives stated in these Terms of Reference.

The report will be presented to Council for noting under the Community Services Directorate reports.

## **11. ADMINISTRATION SUPPORT**

Administration Support will be provided by Council's Active Ageing & Disability Services Department.

## **12. CONTACT WITH THE MEDIA**

Contact with the Media by members of the Committee will be conducted in accordance with the Councillor and Staff Media Policies. Community and Industry members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Knox Active Ageing Advisory Committee.

## **13. REVIEW DATE**

The Committee will conclude in November 2017 unless Council endorses a recommendation to continue the Committee's role for a further period.

## **14. MEALS**

The provision of refreshments during the course of a Committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

**COUNCILLOR GILL RETURNED TO THE CHAMBER AT 8.48PM DURING DISCUSSION ON ITEM 10.1****ALL WARDS****10.1 INCIDENTAL COMMUNITY GRANTS PROGRAM APPLICATIONS****SUMMARY:** *Governance Coordinator - (Carrie Bruce)*

*This report summarises the recommended grants from the Incidental Community Grants Program. All applications have been assessed against the criteria as set out in the Incidental Community Grant Program Policy.*

**RECOMMENDATION**

**That Council approve the two recommended Incidental Community Grant applications for a total value of \$2,000 as detailed in Appendix A.**

**1. INTRODUCTION**

At the Ordinary Council meeting, held on 28 June 2016, Council resolved to endorse the Incidental Community Grants Program Policy until 1 March 2017 to enable the continued provision of ad hoc one-off grants.

Under the endorsed policy the following criteria are used to determine the eligibility of applications for Incidental Community Grants:

- All requests for funding must be in writing and on the relevant funding application form; and
- Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community; and
- All applications for funding must provide a demonstrated benefit to the Knox community and be in keeping with the objectives and directions of the City Plan; and
- Applications for financial donations and general fundraising activities will not be supported through the Incidental Community Grants Program; and
- The maximum grant limit is \$1,000.

This report presents to Council recommended grant allocations in accordance with this policy.

## **10.1 Incidental Community Grants Program Applications (cont'd)**

### **2. DISCUSSION**

Council has established the Incidental Community Grants program to ensure that funding can be provided to individuals and community groups who request ad hoc, incidental, community based, one-off grants.

The Incidental Community Grants Program Policy (the Policy) sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 1989.

In accordance with the Policy guidelines, applications for funding up to \$500.00 are assessed and determined under delegation. Applications for funding between \$501 and \$1,000 have been assessed by the Chief Executive Officer's delegate for Council's approval.

This report outlines the grant applications received since the previous Ordinary Council meeting, held on 20 December 2016, and recommends two grants for Council's approval. It is noted that the value requested in one grant application exceed the maximum permitted in the Policy. Consequently, the Chief Executive Officer's delegate has recommended that the maximum grant limit of \$1,000 be paid.

### **3. CONSULTATION**

No consultation has been undertaken in relation to this month's grant applications detailed in the report. This information is presented as part of Council's accountability to the community.

A review of the Incidental Community Grants Program Policy is scheduled for discussion with Councillors in February 2017 followed by a further report to be presented to the March Strategic Planning Committee meeting.

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

There are no environmental or amenity issues associated with this report.

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

The approval of incidental community grants is managed within Council's adopted budget.

### **6. SOCIAL IMPLICATIONS**

The Incidental Community Grants program allows Council the flexibility to respond to requests from individual's and/or community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate and support a variety of community based programs.

**10.1 Incidental Community Grants Program Applications (cont'd)****7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)**

Provision of the Incidental Community Grants program assists Council in meeting its general objectives under the Council Plan.

**8. CONCLUSION**

This report contains the recommendation for funding through the Incidental Community Grants program in Appendix A.

This recommendation is presented to Council for consideration and endorsement.

**9. CONFIDENTIALITY**

Confidential Appendix B contains each of the individual grant applications for Council's consideration.

**COUNCIL RESOLUTION**

MOVED: CR. TAYLOR

SECONDED: CR. KEOGH

That Council approve the two recommended Incidental Community Grant applications for a total value of \$2,800 as detailed below.

<b>Applicant Name</b>	<b>Project Title</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
St Simons Parish Disability Support Group	Funds to purchase a laptop and printer to create material to support the groups activities.	\$1,000	\$1,000
Templeton Cricket Club	Funds to replace damaged roofing on the patio area at the clubrooms.	\$1,800	\$1,800
		<b>TOTAL</b>	<b>\$2,800</b>

**PROCEDURAL MOTION**

MOVED: CR. MORTIMORE

SECONDED: CR.

*That Councillor Seymour be permitted an extension of time to speak under Clause 47 of the Meeting Procedure and Use of Common Seal Local Law 2008*

LAPSED FOR WANT OF A SECONDER

**PROCEDURAL MOTION**

MOVED: CR. GILL

SECONDED: CR. SEYMOUR

That the Motion be put.

THE PROCEDURAL MOTION WAS CARRIED

A Division was called by Councillor Seymour

For the motion: Councillor Cooper, Councillor Gill, Councillor Holland, Councillor Keogh, Councillor Lockwood, Councillor Pearce, Councillor Taylor

Against the motion: Councillor Mortimore, Councillor Seymour

THE MOTION WAS CARRIED 7:2

## 10.1 Incidental Community Grants Program Applications

### APPENDIX A – Incidental Community Grants Applications

Applicant Name	Project Title	Amount Requested	Amount Recommended
St Simons Parish Disability Support Group	Funds to purchase a laptop and printer to create material to support the groups activities.	\$1,000	\$1,000
Templeton Cricket Club	Funds to replace damaged roofing on the patio area at the clubrooms.	\$1,800	\$1,000
		<b>TOTAL</b>	<b>\$2,000</b>

**CONFIDENTIAL APPENDIX B – CIRCULATED UNDER SEPARATE COVER**

**ALL WARDS****11.1 ASSEMBLIES OF COUNCILLORS**

**SUMMARY:**        *Manager – Governance and Innovation (Fleur Cousins)*

*This report provides details of Assembly of Councillors established under section 80A of the Local Government Act as required under section 80A(2) of the Act.*

**RECOMMENDATION**

That Council

1. Note the written record of Assemblies of Councillors as attached to this report.
2. Incorporate the records of the Assemblies into the minutes of the meeting.

**1. INTRODUCTION**

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Details of Assemblies of Councillors that have occurred between Monday 5 December 2016 and Sunday 8 January 2017 are attached to this report.

**COUNCIL RESOLUTION**

MOVED: CR. HOLLAND

SECONDED: CR. TAYLOR

That Council

1. Note the written record of Assemblies of Councillors as attached to this report.
2. Incorporate the records of the Assemblies into the minutes of the meeting.

CARRIED



# RECORD OF ASSEMBLY OF COUNCILLORS

(Section 80A Local Government Act)



<b>Date of Assembly:</b> 5/12/2016	
<b>Name of Committee or Group (if applicable):</b> Knox Multicultural Advisory Committee	
<b>Time Meeting Commenced:</b> 5:00pm	
<b>Councillors in Attendance:</b>	
Cr Peter Lockwood	
<b>Council Staff in Attendance:</b>	
Joan Pepi	
<b>Matters Considered:</b>	
Interviews conducted for appointment to the Knox Multicultural Advisory Committee	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

# RECORD OF ASSEMBLY OF COUNCILLORS

(Section 80A Local Government Act)



<b>Date of Assembly:</b> 6/12/2016	
<b>Name of Committee or Group (if applicable):</b>	
Issues Briefing	
<b>Time Meeting Commenced:</b> 6:30pm	
<b>Councillors in Attendance:</b>	
Cr Darren Pearce, Mayor	Cr Adam Gill
Cr Peter Lockwood	Cr Jackson Taylor
Cr John Mortimore	Cr Lisa Cooper
Cr Tony Holland	Cr Nicole Seymour
<b>Council Staff in Attendance:</b>	
	Annette Dodson (Item 1)
Tony Doyle	Kathy Parton (Items 1 & 3)
Ian Bell	Kim Rawlings (Item 3)
Angelo Kourambas	David Yeouart (Item 3)
Kerry Stubbings	Sam Salamone (Item 3)
Joanne Truman	John Griffiths (Item 3)
Fleur Cousins	Janine Brown (Item 4)
	Angela Morcos (Item 4)
<b>Matters Considered:</b>	
1. The Basin Community House	
2. Council Committees Review	
3. Service Planning: Year 3 Stage 5 – Service Plans	
4. Outcome of Registrations of Interest for Illoura Facility	
5. Quarterly Financial Performance Update – September 2016 Quarter	
6. Forward Report Schedule	

<b>Conflict of Interest Disclosures: Nil</b>		
<b>Councillor's Name</b>	<b>Type of Interest</b>	<b>Councillor Left Assembly While Matter Being Considered</b>

# RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

<b>Date of Assembly:</b> 7/12/2016	
<b>Name of Committee or Group (if applicable):</b> Youth Issues Advisory Committee	
<b>Time Meeting Commenced:</b> 6:30pm	
<b>Councillors in Attendance:</b>	
Cr Jackson Taylor	
Cr Jake Keogh	
<b>Council Staff in Attendance:</b>	
Katie Scott	
Peter Gore	
Tony Justice	
<b>Matters Considered:</b>	
1. Update on Youth Information Centre Review	
2. Resilience Survey Data Comparison	
3. 2016 a Year in Review	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

# RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

<b>Date of Assembly:</b> 10/12/2016	
<b>Name of Committee or Group (if applicable):</b>	
Transition Briefing – Working Together to Deliver Program	
<b>Time Meeting Commenced:</b> 9:45am	
<b>Councillors in Attendance:</b>	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Jake Keogh
Cr Tony Holland	Cr Nicole Seymour
Cr Adam Gill	
<b>Council Staff in Attendance:</b>	
Tony Doyle	
Ian Bell	
Angelo Kourambas	
Kerry Stubbings	
Joanne Truman	
<b>Matters Considered:</b>	
1. Reflections on Day 1	
2. The Different Roles of Councillors and Council Officers	
3. Development of a Framework to Determine Council Priorities	
4. Community Engagement	
5. Assessing Performance	

<b>Conflict of Interest Disclosures: Nil</b>		
<b>Councillor's Name</b>	<b>Type of Interest</b>	<b>Councillor Left Assembly While Matter Being Considered</b>

# RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

<b>Date of Assembly:</b> 13/12/2016	
<b>Name of Committee or Group (if applicable):</b> Knox Community Health and Wellbeing Reference Group	
<b>Time Meeting Commenced:</b> 9:30am	
<b>Councillors in Attendance:</b>	
Cr John Mortimore	
Cr Nicole Seymour	
<b>Council Staff in Attendance:</b>	
Kathy Parton	
Darlene Swan	
Annette Dodson	
Joy Temple	
<b>Matters Considered:</b>	
1. Outcomes of the Municipal Survey	
2. Review of Advisory Committees	
3. Update on State of Knox, Knox City Plan and Council Plan Projects	
4. Opportunities for Partner Collaborations	

<b>Conflict of Interest Disclosures: Nil</b>		
<b>Councillor's Name</b>	<b>Type of Interest</b>	<b>Councillor Left Assembly While Matter Being Considered</b>

# RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

<b>Date of Assembly:</b> 13/12/2016	
<b>Name of Committee or Group (if applicable):</b>	
Special Issues Briefing	
<b>Time Meeting Commenced:</b> 8:45pm	
<b>Councillors in Attendance:</b>	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Jake Keogh
Cr Tony Holland	Cr Nicole Seymour
Cr Adam Gill	
<b>Council Staff in Attendance:</b>	
Tony Doyle	Janine Brown (Item 1 & 2)
Ian Bell	Kathy Parton (Item 1)
Angelo Kourambas	Tanya Clark (Item 1)
Kerry Stubbings	Nicole Hunter (Item 1)
Joanne Truman	Gillian Shelley (Item 2)
Fleur Cousins	Angela Morcos (Item 2)
<b>Matters Considered:</b>	
1. Municipal Strategic Disability Leadership Directions Plan and Resourcing Model	
2. Revised Scope – Preschool Service Planning Project	
3. Bayswater Multipurpose Community Facility – Council Update	

<b>Conflict of Interest Disclosures: Nil</b>		
<b>Councillor's Name</b>	<b>Type of Interest</b>	<b>Councillor Left Assembly While Matter Being Considered</b>

**12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN****12.1 NOTICE OF MOTION - NO. 53****APPOINTMENT OF COUNCILLORS TO THE AFFORDABLE HOUSING COMMITTEE FOR 2017**

MOVED: \_\_\_\_\_ CR. LOCKWOOD  
SECONDED: \_\_\_\_\_ CR. GILL

That Council appoint Crs Lockwood and Mortimore to the Affordable Housing Committee for 2017, noting that a review of Council committees is underway and appointments may change following the outcome of this review.

CARRIED

**13. SUPPLEMENTARY ITEMS**

Nil.

**14. URGENT BUSINESS****14.1 URGENT BUSINESS**

Nil.

**14.2 CALL UP ITEMS****14.2.1 Annual Architecture Awards****COUNCIL RESOLUTION**

MOVED: \_\_\_\_\_ CR. GILL  
SECONDED: \_\_\_\_\_ CR. MORTIMORE

That a report come to the April Council meeting outlining a process to introduce an annual architecture awards program to promote high quality development and design in the City of Knox.

CARRIED

**14.2.2 Disadvantage in Knox****COUNCIL RESOLUTION**MOVED: CR. LOCKWOODSECONDED: CR. SEYMOUR

That a report be prepared for the May Council meeting to assist Council's understanding of disadvantage in Knox;

That the report highlight an overview of population groups and suburbs where inequalities and disadvantage are represented (where available), data sources informing this report; and an explanation of the SEIFA Indexes be provided.

CARRIED**15. QUESTIONS WITHOUT NOTICE**

Councillor Gill asked the Chief Executive Officer if he was aware that the Knox City Council website, up until recently, stated that residents who have not paid for registration should come in and pay or run a risk of fine?

The Chief Executive Officer responded that the offence is only recorded when an officer visits a house and locates an unregistered animal. Up until an offence has been recorded registration can be paid without the individual receiving a fine.

Cr Gill asked the Chief Executive Officer if the late payment of registration is ever used as proof to issue an infringement.

The Chief Executive Officer responded that there is a process, as set out in Council's Domestic Animal Management Plan, that reminders are sent out if registration has not been received. If the registration remains unpaid then an officer will conduct a site visit. Only after a site visit has been conducted will an infringement be issued.

**MEETING CLOSED AT 9.10PM**

Minutes of Meeting confirmed at the  
Ordinary Meeting of Council  
held on  
Monday, 27 February 2017

.....  
Chairperson