

AGENDA



Meeting of Council

To be held via Zoom

On

Monday 25 October 2021 at 7:00 PM

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Bruce Dobson
Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Ordinary Meeting of Council held on Monday 27 September 2021

4 Presentations, Petitions and Memorials

5 Reports by Councillors

6 City Strategy and Integrity Officers' Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation 1 September 2021 to 30 September 2021

SUMMARY: Manager, City Planning & Building, Paul Dickie

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

RECOMMENDATION

That the planning applications decided under delegation reports (between 1 September 2021 to 30 September 2021) be noted.

1. REPORT

Details of planning applications decided under delegation from 1 September 2021 to 30 September 2021 are attached. The applications are summarised as follows:

Application Type	No.
Building & Works: Residential	2
Other	3
Subdivision	19
Units	14
Tree Removal / Pruning	15
Single Dwelling	3
Change of Use	3
Signage	2
Boundary Realignment	2
Liquor License	1
Removal of Easement	1
TOTAL	65

2. CONFIDENTIALITY

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

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

Report Authorised By: Director, City Strategy and Integrity, Matt Kelleher

Knox City Council

Planning Applications Decided - Council

1 September 2021 and 30 September 2021

Ward	No/ Type	Address	Description	Decision
Baird	2021/6390	7 Oaklands Avenue FERNTREE GULLY VIC 3156	Three (3) Lot Subdivision (Approved Development Site)	20/09/2021 Approved
Baird	2021/6290	8 Burke Road FERNTREE GULLY VIC 3156	Construction of a double storey dwelling to the rear of the existing dwelling and two (2) lot subdivision	2/09/2021 Approved
Baird	2021/6338	7 Browning Road BORONIA VIC 3155	Three (3) lot subdivision (Approved Development Site)	6/09/2021 Approved
Baird	2021/6093	25 Scoresby Road BAYSWATER VIC 3153	Display an electronic and animated pylon sign	6/09/2021 Approved
Baird	2021/9126	141 Burke Road FERNTREE GULLY VIC 3156	2 lot subdivision (Approved Development Site)	29/09/2021 Approved
Baird	2021/6214	3 Valerie Street BORONIA VIC 3155	Development of the land for the construction of a double storey dwelling to the rear of the existing dwelling and a two (2) lot subdivision	27/09/2021 Approved
Baird	2021/6047	16 Flower Street FERNTREE GULLY VIC 3156	Development of the land for five (5) double storey dwellings and one (1) single storey dwelling (Total six (6) dwellings)	9/09/2021 Approved
Baird	2021/6345	2 Coogee Street BORONIA VIC 3155	Four (4) lot subdivision (approved development site)	8/09/2021 Approved
Baird	2021/6562	26 Maryborough Road BORONIA VIC 3155	2 lot subdivision (Approved Development Site)	22/09/2021 Approved
Baird	2021/6166	3-5 Dion Street FERNTREE GULLY VIC 3156	2 lot subdivision - (Boundary Re-alignment)	3/09/2021 Approved
Baird	2021/9120	3 Cockerell Street FERNTREE GULLY VIC 3156	2 Lot subdivision (approved development site)	15/09/2021 Approved
Baird	2021/6122	19 Holloway Drive BAYSWATER VIC 3153	Use of an existing building for an industry within 30 metres of a residential zone and to use land for a purpose listed in Clause 53.10 (metal coating and finishing) where the threshold distance is not met	15/09/2021 Refused

Ward	No/ Type	Address	Description	Decision
Baird	2021/9125	40 Bursaria Avenue FERNTREE GULLY VIC 3156	Two lot subdivision (approved development site)	23/09/2021 Approved
Baird	2021/6471	73 Barry Street BAYSWATER VIC 3153	Removal of easement	23/09/2021 Approved
Chandler	2021/6147	16 Stewart Street BORONIA VIC 3155	Buildings and Works (Vergola)	6/09/2021 Approved
Chandler	2020/6725	8 Harcourt Road BORONIA VIC 3155	Construction of a single dwelling on the land and removal of vegetation	9/09/2021 Approved
Chandler	2021/6507	1/37 Harcourt Road BORONIA VIC 3155	The removal of one (1) Liquidambar styraciflua (Liquidambar)	9/09/2021 Approved
Chandler	2021/9113	86 Daffodil Road BORONIA VIC 3155	The lopping of one (1) Corymbia ficifolia (Flowering Gum)	9/09/2021 Approved
Chandler	2021/6252	25 McDonald Crescent BORONIA VIC 3155	Single storey dwelling to the rear of the existing dwelling, removal of vegetation and two lot subdivision	10/09/2021 Approved
Chandler	2020/6652	5 Hastings Avenue BORONIA VIC 3155	Development of the land for five (5) 3-storey dwellings and six (6) double storey dwellings (Total 11 dwellings) and removal of vegetation	10/09/2021 Notice of Decision
Chandler	2021/6403	11A Lynette Street BORONIA VIC 3155	The removal of two (2) Eucalyptus cephalocarpa (Silver leaved Stringybark)	1/09/2021 Approved
Chandler	2021/6511	1 Brown Street BORONIA VIC 3155	Removal of one (1) Hesperocyparis lusitanica (Mexican Cypress)	20/09/2021 Approved
Chandler	2021/6200	16 Alchester Crescent BORONIA VIC 3155	On-Premises Liquor License in Association with a Restaurant	29/09/2021 Approved
Chandler	2021/6464	67 Olive Grove BORONIA VIC 3155	The removal of one (1) Eucalyptus cephalocarpa (Silver leaved Stringybark) and the pruning of one (1) Acacia pravissima (Ovens Wattle)	15/09/2021 Approved
Chandler	2021/6515	50 Landscape Drive BORONIA VIC 3155	The removal of one (1) Callistemon viminalis (Weeping Bottlebrush) and one (1) Acer palmatum (Japanese Maple)	22/09/2021 Approved
Chandler	2021/6472	25 Judith Avenue BORONIA VIC 3155	The removal of two (2) Grevillea robusta (Silky Oak)	15/09/2021 Approved

Ward	No/ Type	Address	Description	Decision
Chandler	2021/6186	1221 Mountain Highway THE BASIN VIC 3154	Use as an Education Centre (Disability Support Education) and reduction in car parking requirement	21/09/2021 Notice of Decision
Chandler	2021/6497	24 Albert Avenue BORONIA VIC 3155	Removal of one (1) Eucalyptus melliodora (Yellow Box)	21/09/2021 Approved
Collier	2021/6347	27 Gresford Road WANTIRNA VIC 3152	Five (5) lot subdivision (approved development site)	9/09/2021 Approved
Collier	2021/6465	59 Peak Crescent & 12 Traydal Close WANTIRNA VIC 3152	Boundary re-alignment	22/09/2021 Approved
Dinsdale	2020/6705	6 Armstrong Road BAYSWATER VIC 3153	Development of the land for three (3) double storey dwellings	1/09/2021 Approved
Dinsdale	2021/6249	460 Boronia Road WANTIRNA SOUTH VIC 3152	Business Identification Signage	10/09/2021 Approved
Dinsdale	2021/6331	297 Boronia Road BORONIA VIC 3155	Three lot subdivision (Approved Development Site)	9/09/2021 Approved
Dinsdale	2020/6637	16 Willison Street BAYSWATER VIC 3153	Development of the land for two (2) double storey dwellings and one (1) single storey dwelling at the rear	17/09/2021 Approved
Dinsdale	2021/9106	35 Dixon Court BORONIA VIC 3155	Removal of one (1) Eucalyptus leucoxylon (Yellow Gum)	1/09/2021 Approved
Dinsdale	2020/6467	17 Church Street BAYSWATER VIC 3153	Development of a four-storey (including basement) apartment building and a reduction in car parking	27/09/2021 Refused
Dinsdale	2021/9121	45 Kanooka Road WANTIRNA SOUTH VIC 3152	Construction of a double storey dwelling	14/09/2021 Approved
Dinsdale	2021/6002	32 Myrtle Street BAYSWATER VIC 3153	Development of the land for four (4) double storey dwellings	20/09/2021 Refused
Dobson	2021/6510	30 Warrabel Road FERNTREE GULLY VIC 3156	The pruning of one (1) Eucalyptus melliodora (Yellow Box)	30/09/2021 Approved
Dobson	2021/6407	57 Nathan Street FERNTREE GULLY VIC 3156	Two (2) Lot Subdivision (Approved Development Site)	29/09/2021 Approved

Ward	No/ Type	Address	Description	Decision
Dobson	2021/6215	1212 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Buildings and works (extension to existing building)	30/09/2021 Approved
Dobson	2021/6451	16 Langley Court LYSTERFIELD VIC 3156	Construction of a dwelling, associated garage and decks, and consent under the Section 173 agreement for works outside the building envelope	23/09/2021 Approved
Dobson	2020/6605	1242 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Development of a two (2) storey mixed use building containing two (2) shops and four (4) dwellings, waiver of car parking requirements pursuant to clause 52.06 of the Knox Planning Scheme	23/09/2021 Notice of Decision
Dobson	2021/6469	9 The Crescent FERNTREE GULLY VIC 3156	The removal of one (1) Cedrus deodara (Himalayan Cedar) and the pruning of one (1) Corymbia citriodora (Lemon Scented Gum) and one (1) Eucalyptus radiata (Narrow Leaved Peppermint)	29/09/2021 Approved
Dobson	2021/6517	69 Ferndale Road UPPER FERNTREE GULLY VIC 3156	The removal of one (1) Corymbia maculata (Spotted Gum), one (1) Eucalyptus camaldulensis (River Red Gum) and the habitat pruning of one (1) Eucalyptus viminalis (Manna Gum)	27/09/2021 Approved
Dobson	2020/6750	14 Mount View Road UPPER FERNTREE GULLY VIC 3156	Buildings and works (construction of a dwelling and medical centre) and use of the land for a medical centre	16/09/2021 Notice of Decision
Dobson	2021/9123	1216 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Buildings and Works (addition of a covered area to the rear of the existing restaurant)	22/09/2021 Approved
Dobson	2021/6485	21 Mclver Street FERNTREE GULLY VIC 3156	Two (2) lot subdivision (Approved Development Site)	16/09/2021 Approved
Dobson	2021/9117	4 Barclay Avenue UPPER FERNTREE GULLY VIC 3156	Construction of retaining walls, outbuilding (workshop) and associated concreting	10/09/2021 Approved

Ward	No/ Type	Address	Description	Decision
Dobson	2021/6498	16 Selman Avenue FERNTREE GULLY VIC 3156	The removal of one (1) Cupressus torulosa (Himalyan Cypress)	15/09/2021 Approved
Dobson	2021/9107	15 Winwood Drive FERNTREE GULLY VIC 3156	Removal of one (1) Eucalyptus viminalis (Manna Gum)	17/09/2021 Approved
Dobson	2020/6633	30 Rathgar Road LYSTERFIELD VIC 3156	Development of the land for six (6) dwellings (four double and two single storey) and variation of Covenant U000391K	20/09/2021 Notice of Decision
Friberg	2020/6535	2 Lloyd Street KNOXFIELD VIC 3180	Change of use (Childcare centre), associated Buildings and Works (alterations and extension and additional car parking), Alteration of Access to a Category 1 Road Zone and a Reduction in Car Parking.	10/09/2021 Notice of Decision
Friberg	2021/6349	3 Clyde Street FERNTREE GULLY VIC 3156	Ten lot subdivision (approved development site)	15/09/2021 Approved
Friberg	2021/6251	32 Gaydon Street FERNTREE GULLY VIC 3156	Development of a double storey dwelling to the rear of the existing dwelling	30/09/2021 Approved
Friberg	2021/6108	45 Murrindal Drive ROWVILLE VIC 3178	The construction of four (4) single storey dwellings on the land	27/09/2021 Notice of Decision
Scott	2021/6327	450 Scoresby Road FERNTREE GULLY VIC 3156	3 Lot Subdivision (Approved Development Site)	1/09/2021 Approved
Scott	2021/6410	87 Kathryn Road KNOXFIELD VIC 3180	Five (5) lot Subdivision (Approved Development Site)	29/09/2021 Approved
Taylor	2021/6343	82 Major Crescent LYSTERFIELD VIC 3156	Removal of Chamaecyparis sp hedge on part West boundary, North boundary and part East boundary.	30/09/2021 Approved
Taylor	2021/9124	7,7A&B Blaxland Drive ROWVILLE VIC 3178	Two (2) Lot Subdivision (Approved Development Site)	17/09/2021 Approved
Taylor	2021/6466	1430 Wellington Road LYSTERFIELD VIC 3156	Subdivision (boundary realignment)	16/09/2021 Approved
Taylor	2021/9119	34 Bergins Road ROWVILLE VIC 3178	2 lot subdivision (Approved Development Site)	15/09/2021 Approved
Tirhatuan	2021/9104	3 Egret Walk ROWVILLE VIC 3178	Two lot Subdivision	8/09/2021 Approved

Ward	No/ Type	Address	Description	Decision
Tirhatuan	2021/6371	31 Lakeview Avenue ROWVILLE VIC 3178	3 Lot Subdivision (Approved Development Site)	21/09/2021 Approved
Tirhatuan	2021/6222	33 Lakeview Avenue ROWVILLE VIC 3178	Development of the land for two (2) double storey and one (1) single storey dwelling	14/09/2021 Approved

6.2 Norvel Estate S173 Agreement and Urban Design Guidelines

SUMMARY: Senior Strategic Planner, Patrick Dubuc

After concluding its use as a quarry, in 2006 Council entered into a Section 173 Agreement with the former owner of the Norvel Estate, to facilitate a number of actions ahead of the site being considered for rezoning. These include a land swap, land rehabilitation, fencing, future urban design requirements and the future public open space contribution along Blind Creek.

Since that time, progress has been made and a number of requirements that were prescribed have either been achieved or require updating. A new Section 173 Agreement is needed to reflect these changes.

The Director City Strategy and Integrity currently has delegated authority to end an existing Section 173 Agreement and to enter into a new agreement. However this delegation does not apply to an agreement that was entered into via a resolution of Council.

Consequently, this report seeks a Council resolution to end the current Agreement AG370823M and replace it with a new agreement. This report was originally presented to the September Council Meeting, with Council resolving to defer the matter to the October Council Meeting, which has enabled a more comprehensive briefing on this matter and the future rezoning/planning permit proposal.

RECOMMENDATION

That Council resolves to:

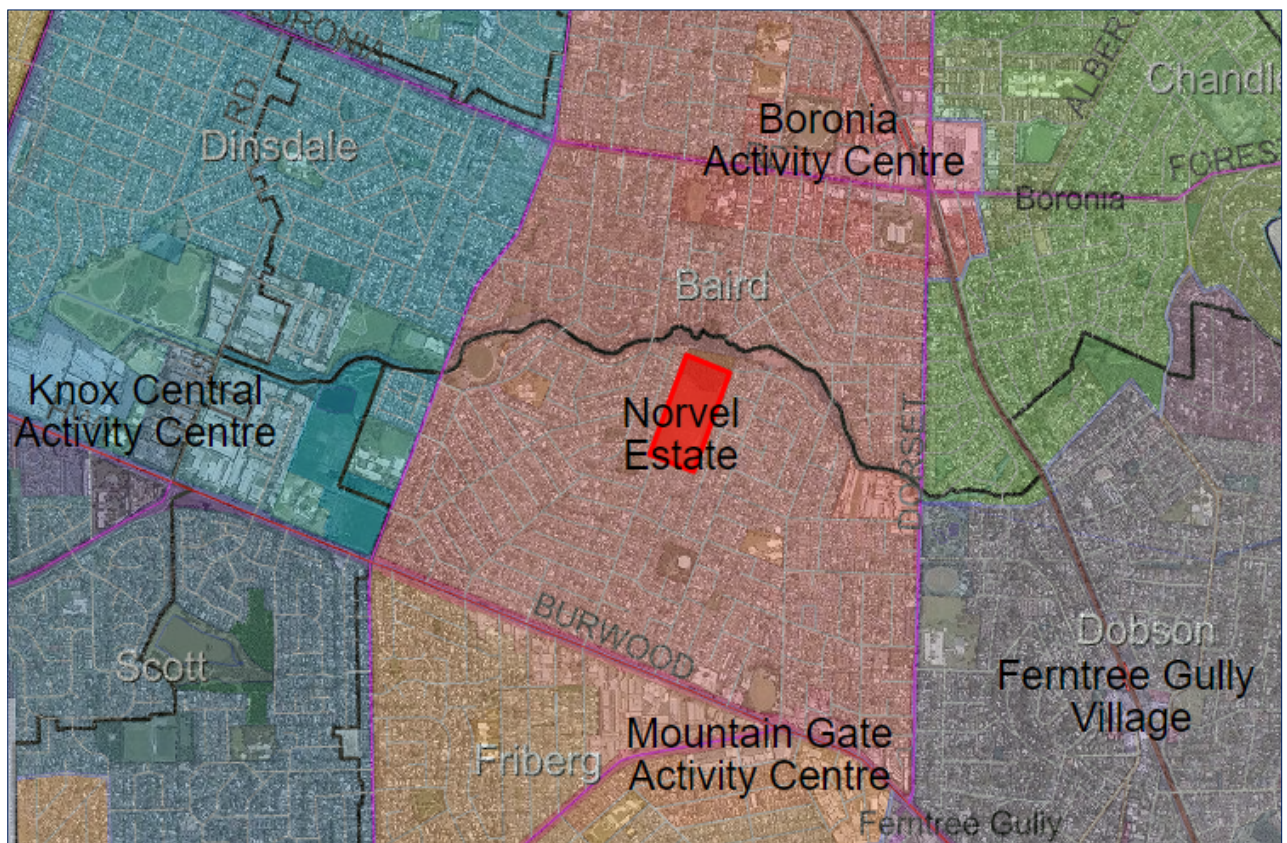
1. Enter into an agreement under Section 173 of the *Planning and Environment Act 1987* (the “New 173 Agreement”) relating to land situated at Norvel Road, Ferntree Gully, generally in accordance with the draft agreement set out in Attachment 3 to the officer report.
2. End the agreement under Section 173 of the *Planning and Environment Act 1987* (recorded in dealing AG370823M and set out in Attachment 1 to the officer report) applying to the land situated at Norvel Road, Ferntree Gully (the “Existing 173 Agreement”):
 - a. subject to the owner entering into the New 173 Agreement with Council, in accordance with Resolution 1 above; and
 - b. in accordance with the Terms of the New 173 Agreement, namely effective from the date of recording on title of the New 173 agreement.
3. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to:
 - a. negotiate and modify, in the delegates discretion, the New 173 Agreement including in respect of the proposed revised Urban Design Guidelines set out in Attachment 3, noting any such amendments should maintain general accordance with the draft referred to in Resolution 1; and
 - b. sign any relevant documents (including the New 173 Agreement), take any actions and provide any necessary consents, to give effect to these resolutions.

1. INTRODUCTION

The subject site at 29Q Norvel Road, Ferntree Gully (Norvel Estate) is located between Norvel Road and the Blind Creek valley in Ferntree Gully. Formerly a quarry, the Norvel Estate is identified as a 'Strategic Investigation Site – residential' in the Knox Planning Scheme and the 2015 Knox Housing Strategy. The site is located in the Baird Ward south of the Boronia Activity Centre and Blind Creek, and north of Burwood Highway.

The site is currently zoned Special Use Zone Schedule 2 (SUZ2) for the purpose of extraction. The extractive activity has since ceased and the site was fully remediated in 2015. The site is surrounded by established residential areas (*Knox Neighbourhood*).

The northern part of the site includes remnant bushland identified as a Site of Biological Significance with the rest being vacant land. The site is currently the subject of a combined proposal for rezoning and subdivision under Amendment C184knox and planning permit application P/2020/6049. The proposal is currently being assessed by officers.



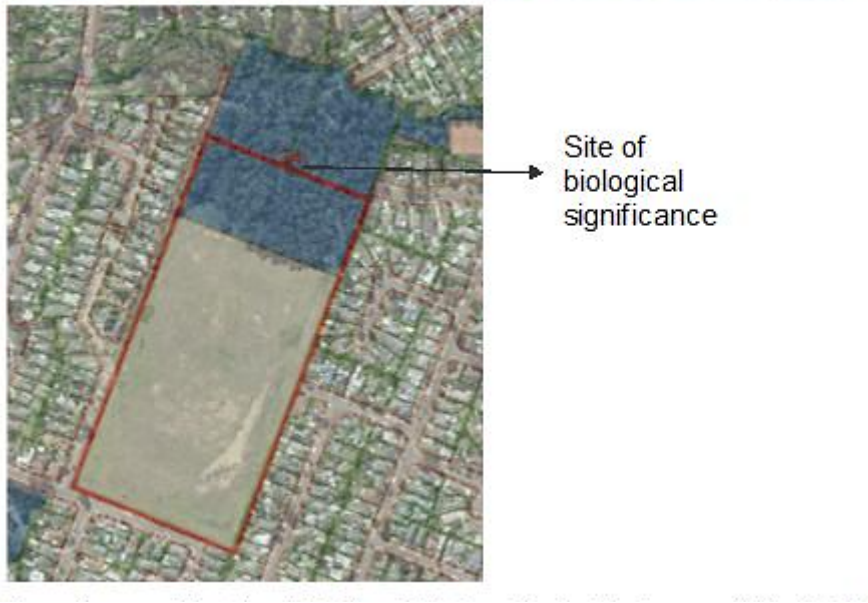


Figure 1 – general location of the Norvel Estate and the bushland reserve (site of biological significance)

2. DISCUSSION

At the 11 July 2006 Strategic Planning Committee (SPC), Council negotiated and resolved to enter into a S173 Agreement with the then owner of the subject site (**Attachment 2**). A Section 173 Agreement is established under the *Planning and Environment Act 1987* and is an agreement with Council that applies to the title and endures with the land, irrespective of ownership.

The S173 Agreement AG370823M was registered on the land in 2009 in line with the SPC resolution. The agreement refers to different matters which either require updating because they are outdated or are no longer necessary as they have been completed.

The following matters have been **completed and are no longer required**.

- i. *Rehabilitation of the land.*
This clause is no longer required as remedial fill works was completed in 2015 with both geotechnical certification and EPA (Environment Protection Authority) approvals provided.
- ii. *Management Plan and the provision of fencing between the quarry and Council land.*
The management plan has been completed as the quarry operation and the remedial works have finished. The plan referred to amenity management during the quarry operation and the rehabilitation of the land and is no longer required.

The provision of a chain link fence is no longer relevant nor desirable in the context of the bushland reserve being gifted/transferred to Council as a contiguous parcel. The construction and location of a chain link fence in the middle of the bushland reserve no longer serves a practical function and does not contribute to biodiversity values and future residential amenity. This position is supported by Council's Biodiversity team.

The following matters are **outdated and require updating** through a new section 173 agreement.

- iii. *Council's commitment to exhibit, subject to Ministerial authorisation, a planning scheme amendment to rezone the land to Residential 1 Zone and apply a Development Plan Overlay*

The application of these planning controls are no longer relevant as the Residential 1 Zone is not in use and the Development Plan Overlay is not required in the context of the current application under consideration by officers. The existing agreement unnecessarily commits Council to exhibit an amendment and specifies planning controls ahead of a development proposal. This is not ideal as it limits officer's ability to recommend relevant and appropriate controls and pre-empts Council's decision.

The new agreement does not bind Council to such specific commitments whilst acknowledging that Council will facilitate the consideration of an amendment. A combined proposal for rezoning and subdivision is now being contemplated under Amendment C184knox and planning permit application P/2020/6049. This is being assessed by officers and will be brought to Council for a decision to commence the planning scheme amendment process together with appropriate planning controls at a subsequent Council meeting.

iv. *Reference to Urban Design Guidelines (UDG) prepared by Jones and Whitehead Pty Ltd (2004) to guide the assessment of any future proposals for the site*

The 2004 UDGs are outdated, with limited analysis and content. These UDGs do not meet the contemporary standard developed by the Department of Land Environment Water and Planning (DELWP) as part of the Urban Design Guidelines for Victoria, 2017.

Revised UDGs have been prepared (**Annexure 2 of Attachment 3**) to replace and supersede those referred to in Agreement AG370823M. The revised UDGs retain the intent of the original UDGs and include additional objectives and guidelines to help direct the future development of the site. Table 2, page 18 (**Attachment 3**) of the revised UDG includes a comparative review of the 2004 guidelines documenting what has been changed and retained. This includes:

- ensuring best practice in design and development and a mix of building types,
- providing a sensitive and suitable interfaces to adjoining residential neighborhoods and the bushland reserve,
- maintaining accessible pedestrian and cycle links,
- protecting and restoring significant vegetation,
- providing accessible public open spaces,
- designing safe, accessible and landscaped public realms,
- protecting the amenity of surrounding areas from the impacts of construction.

v. *A land swap between the owner and Council.*

Part of the land swap was completed in 2017 where a 6,593sqm triangular lot (shown in orange in Figure 2 below) along Norvel Road was provided to the landowner in exchange for part of the bushland (shown in green in Figure 2 below). The bushland to be transferred to Council totals 7,922sqm.

vi. *The transfer of approximately 0.5ha (4,980sqm) of land in lieu of Public Open Space Contribution*

This agreement also commits the landowner to 4,980sqm of land to be transferred to Council (shown in blue in Figure 2 below) in lieu of public open space contribution. This public open space contribution (4980sqm) together with the land swap (7922sqm) constitutes a total of 12,902sqm (1.29ha) of bushland reserve committed to Council.

In addition, Council officers have successfully negotiated for a further 4,078sqm (0.41ha) of bushland (shown in yellow in Figure 1 below) increasing the total contribution to approximately 1.70ha to be committed to Council. This broader bushland area is part of an identified Site of Biological Significance – State Level.

The total 1.70ha of bushland reserve is to be transferred to Council and this intent needs to be updated and reflected in a new section 173 agreement. The recording of the new agreement will allow Council to assert the outcome of the bushland negotiation.

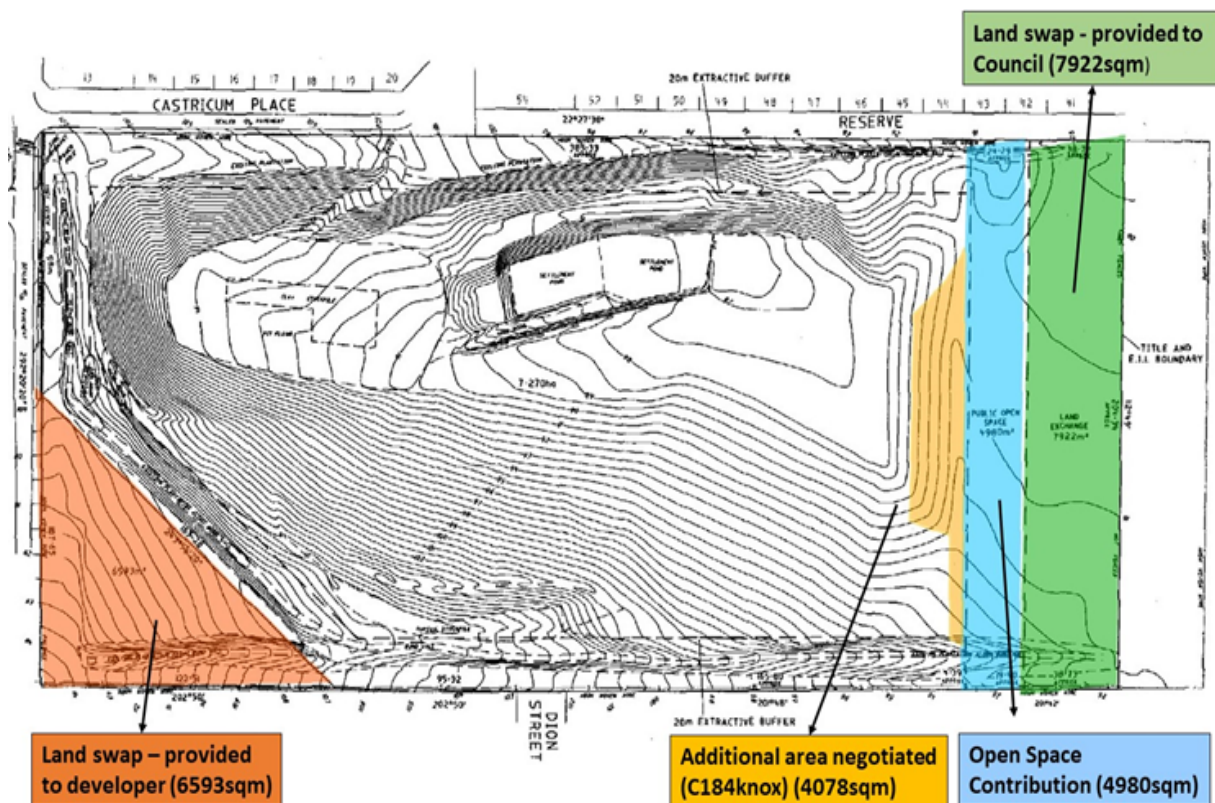


Figure 2 – Land swap and open space contribution areas

The current section 173 Agreement AG370823M needs to be ended and replaced with a new section 173 agreement to record the matters outlined above. The new draft section 173 agreement (**Attachment 3**) has been prepared by Council’s lawyers Russell Kennedy. Urbis Pty Ltd, on behalf of the proponent, supports the draft section 173. A letter of in-principle support from the proponent is in **Attachment 4**.

Whilst there are delegated powers for officers under Council’s current instrument of delegation to end a section 173 and enter into a new agreement, this delegation does not apply to a section 173 agreement that was entered into via resolution of Council.

Consequently, a Council resolution must be sought to end the current agreement and replace it with a new agreement reflecting updated UDGs and a revised bushland reserve contribution. This is recommended ahead of Council’s consideration of Amendment C184knox. A new section 173 agreement preceding Amendment C184knox will enable Council to clearly assert its position with regards to the bushland reserve and provide greater clarity in assessment of the development proposal through the revised UDGs.

3. CONSULTATION

The transfer of the bushland reserve is the result of 2 years of negotiation between Council officers and the landowner. This negotiation involved several internal departments including City Strategy and Planning officers, Landscape officers, Biodiversity officers, Emergency Management officers, as well as Country Fire Authority officers.

The updated Urban Design Guidelines (UDGs) was referred to key internal departments and resulted in the final version presented in annexure 2 of **Attachment 3**.

4. ENVIRONMENTAL/AMENITY ISSUES

The new Agreement will enable Council to:

- assert the negotiated bushland reserve which is a positive outcome that protects the biodiversity and remnant native vegetation of the site whilst also balancing bushfire risk; avoids the removal of any significant trees including no net loss of bushland area and provides certainty for abutting residents in terms of both the natural amenity of the site as well as its ongoing management.
- reflect updated UDGs that improve local amenity by supporting better pedestrian and cyclist connections to surrounding areas and ensure the surrounding character of the area and the 'green and leafy' aspirations are respected and considered in any future development proposal.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The negotiation, drafting and execution of the proposed new agreement can be accommodated within the City Futures operational budget.

Maintenance of the future bushland reserve transferred to Council, including fire preparedness, will be implemented within existing operational budgets.

6. SOCIAL IMPLICATIONS

The new agreement will provide certainty about the future of this bushland reserve and enable a greater sense of belonging for local residents and active community groups.

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

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

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

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

Goal 2 - We have housing to meet our changing needs

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

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

8. CONFLICT OF INTEREST

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

9. CONCLUSION

A Council resolution is sought to end the current agreement and replace it with a new agreement reflecting updated UDGs and a revised bushland reserve contribution. A new section 173 agreement preceding Amendment C184knox will enable Council to clearly assert its position with regards to the bushland reserve and provide greater clarity in assessment of the development proposal through the revised UDGs.

Subject to Council's resolution, the new agreement will be signed and sealed by the Chief Executive Officer or such person as the Chief Executive Officer selects.

10. CONFIDENTIALITY

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

Report Prepared By: Patrick Dubuc, Senior Strategic Planner

Report Authorised By: Director City Strategy and Integrity, Matt Kelleher

Attachments

1. Attachment 1 - Current Section 173 Agreement A G 370823 M [6.2.1 - 18 pages]
2. Attachment 2 - SPC Minutes - 11 July 2006 - Item 6. Norvel Road Quarry [6.2.2 - 14 pages]
3. Attachment 3 - Norvel Estate New Draft Section 173 Agreement - Revised Urban Design Guidelines and Bushland Reserve [6.2.3 - 33 pages]
4. Attachment 4 - In principle confirmation letter from the proponent - Norvel Estate UDG and bushland [6.2.4 - 1 page]

Register Search Statement - Volume 11909 Folio 763

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 11909 FOLIO 763

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LAND DESCRIPTION

Lot 2 on Title Plan 963860L.
PARENT TITLES :
Volume 08328 Folio 822 Volume 10808 Folio 226
Created by Application No. 137158W 23/12/2016

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
NORVEL ESTATE PTY LTD [REDACTED]
AQ306807L 03/10/2017

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AG370823M 25/02/2009

DIAGRAM LOCATION

SEE TP963860L FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	CONVERT A PCT TO AN ECT	STATUS	DATE
AT904728V		Completed	23/12/2020

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 18Q DION STREET FERNTREE GULLY VIC 3156

ADMINISTRATIVE NOTICES

NIL

eCT Control 14973C D Y & CO LAWYERS

Effective from 23/12/2020

DOCUMENT END

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Form 18

Section 181

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A RECORDING OF AN AGREEMENT

Planning and Environment Act 1987

Lodged at the Land Titles Office by:

Name: Maddocks
Phone: 9288 0555
Address: 140 William Street, Melbourne 3000 or DX 259 Melbourne
Ref: TGM:5234519 **Customer Code:** 1167E

The Authority having made an agreement referred to in section 181(1) of the *Planning and Environment Act 1987* requires a recording to be made in the Register for the land.

Land: Volume 10808 Folio 226, Volume 8328 Folio 822 and Volume 9381 Folio 087

Authority: Knox City Council, 511 Burwood Highway, Wantirna South, Victoria 3152

Section and Act under which agreement made: Section 173 of the *Planning and Environment Act 1987*.

A copy of the agreement is attached to this application

Signature for the Authority: *Claire Anderson*

Name of officer: **CLAIRE ANDERSON**

Office held: **PROJECT MANAGER - STRATEGIC PLANNING**

Date: **18/2/09**

{5234519: 6071691_1}

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Date 12 / 2 / 2009



Maddocks

Lawyers
140 William Street
Melbourne Victoria 3000 Australia
Telephone 61 3 9288 0656
Facsimile 61 3 9288 0666
Email info@maddocks.com.au
www.maddocks.com.au
DX 259 Melbourne

**Agreement under Section 173 of the
Planning and Environment Act 1987**

Land: Norvel Road Quarry

Knox City Council

and

Robertson Industries Pty Ltd ACN 004 435 376

Affiliated offices
Adelaide, Brisbane, Colombo, Dubai,
Hong Kong, Jakarta, Kuala Lumpur,
Manila, Mumbai, New Delhi, Perth,
Singapore, Sydney, Tianjin

[5234519: 4570277v1] : tmp154

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Agreement under Section 173 of the Planning and Environment Act 1987

DATE 12 / 2 / 2009

AG370823M



BETWEEN

KNOX CITY COUNCIL
of Municipal Offices, 511 Burwood Highway, Wantirna South 3152

(Council)

AND

ROBERTSON INDUSTRIES PTY LTD ACN 004 435 376
care of Pitcher Partners Level 19, 15 William Street, Melbourne 3000

(Owner)

RECITALS

- A. Council is a Planning Authority for the Planning Scheme.
- B. The Owner is or is entitled to be the registered proprietor of the Robertson Land.
- C. Council is entitled to be the registered proprietor Triangular Land.
- D. Council and the Owner have agreed to an exchange of part of the Robertson Land in return for the Triangular Land upon certain terms and wish to record those terms in this Agreement.
- E. The Owner has asked Council to prepare an amendment to the Planning Scheme to allow the balance of the Robertson Land after the land exchange facilitated by this Agreement to be developed for residential and associated purposes.
- F. On 11 July 2006, Council resolved to prepare an amendment to the Planning Scheme provided the Owner enters into an agreement to provide for a land exchange as described in this Agreement.
- G. The parties enter into this Agreement to give effect to the requirements of the Council Resolution and by entering into it the parties intend to achieve or advance the objectives of planning in Victoria or the objectives of the Planning Scheme.

THE PARTIES AGREE

1. DEFINITIONS

In this Agreement the words and expressions set out in this clause have the following meanings unless the context admits otherwise:

Act means the *Planning and Environment Act 1987*.

Agreement means this agreement and any agreement executed by the parties expressed to be supplemental to this Agreement.

[5234519: 4570277v1] ; tmp154

Amendment means an amendment to the Planning Scheme which rezones the Robertson Land excluding the Open Space Land and the Northern Parcel to Residential 1 Zone with a Development Plan Overlay and which may include the use of other planning scheme provisions.

Approval Date means the date on which a copy of the Notice of Approval of the Amendment is published in the Government Gazette.

Approved Management and Rehabilitation Plan means the management plan lodged under clause 3.3.1 of this Agreement and approved by Council.

Commencement Date means the date of this Agreement.

Development means the development of the Robertson Land for the purposes envisaged by the Amendment.

Ministerial Direction means "Direction No. 1 Potentially Contaminated Land" prepared pursuant to Section 12(2)(a) of the Act and dated 27 September 2001 (or as amended).

Mortgagee means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as Mortgagee of the Robertson Land or any part of it.

Northern Parcel means that part of the Robertson Land situated at the northern end and which has an area of 7922 square metres and which is identified and delineated as "Land Exchange" on the Survey Plan.

Open Space Land means that part of the Robertson Land which is identified and delineated on the Survey Plan as Public Open Space and having an area of 4980 square metres.

Open Space Works means any works to construct or landscape any area of land which is intended to be Open Space.

Original Agreement means the agreement dated 10 June 1980 between Council and Robertson Industries Pty Ltd made under the Town and Country Planning Act 1961.

Owner means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the Robertson Land or any part of it and includes a Mortgagee-in-possession.

party or parties means the Owner and Council under this Agreement as appropriate.

Planning Scheme means the Knox Planning Scheme and any other planning scheme that applies to the Robertson Land.

Quarry means the quarry on the Robertson Land.

Residential Lot means a lot which by virtue of its size and dimensions, is intended for final use as a home site.

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Robertson Land means the land situated at Norvel Road, Ferntree Gully being the land more particularly referred to in Certificates of Title Volume 10808 folio 226 ✓ Volume 8328 Folio 822 and Volume 9381 Folio 087 and any reference to the Robertson Land in this Agreement includes any lot created by the subdivision of the Robertson Land or any part of it.

Subdivision Plan means any plan lodged as a supporting document to a planning permit application seeking the subdivision of the Robertson Land so as to create a lot or lots comprising the Northern Parcel and the Public Open Space.

Survey Plan means the plan prepared by H J Macey land surveyor reference 1080 sheet 1 of 1 dated 2 June 2006 and which is attached to this agreement as Annexure 1

Triangular Land means land which is part of the Robertson Land and which is triangular in shape having an area of 6593 square metres and which is located in the south east corner of the Robertson Land and delineated on the Survey Plan.

Urban Design Guidelines means the "Norvel Road Quarry, Ferntree Gully Urban Design Guidelines, prepared for the Knox City Council by Jones & Whitehead Pty Ltd (Amended by Council, Draft May 2006) or as amended from time to time with the consent of the Responsible Authority and the Owner.

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2. INTERPRETATION

In this Agreement unless the context admits otherwise:

- 2.1 The singular includes the plural and vice versa.
- 2.2 A reference to a gender includes a reference to each other gender.
- 2.3 A reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 2.4 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5 A term used in this Agreement has its ordinary meaning unless that term is defined in this Agreement. If a term is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
- 2.6 A reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
- 2.7 The introductory clauses to this Agreement are and will be deemed to form part of this Agreement.
- 2.8 The obligations of the Owner under this Agreement, will take effect as separate and several covenants which are annexed to and run at law and equity with the Robertson Land provided that if the Robertson Land is

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subdivided, this Agreement must be read and applied so that each subsequent owner of a lot is only responsible for those covenants and obligations which relate to that owner's lot.

3. SPECIFIC OBLIGATIONS OF THE OWNER

The Owner agrees that:

3.1 Transfer of the Northern Parcel

- 3.1.1 it must transfer or vest the Northern Parcel to or in Council as the case may be;
- 3.1.2 the transfer or vesting of the Northern Parcel to or in Council must be effected within 90 days of the Approval Date unless each of the parties agree in writing to a different time frame;

3.2 Transfer of the Open Space Land

- 3.2.1 it will transfer or vest the Open Space Land to or in Council as the Public Open Space contribution that would otherwise be required under clause 52.01 of the Planning Scheme for the subdivision of the balance of the Robertson Land;
- 3.2.2 the transfer or vesting of the Open Space Land to Council must be effected within 90 days of the Approval Date unless each of the parties agree in writing to a different time frame.

3.3 Management and Rehabilitation Plan

- 3.3.1 within 28 days of the Approval Date, it will submit a management and rehabilitation plan to the satisfaction of and for approval by Council in respect of:
 - o the continued operation of the quarry which addresses how the continued operation of the quarry will avoid the removal of vegetation on the Northern Parcel and on the Open Space Land;
 - o the rehabilitation of the quarry so that its final contours are such as to be suitable for residential development and use;
 - o proposed security measures that will be put in place in respect of the Northern Parcel, the Open Space Land and the Quarry;
 - o access arrangements (including the grant of licenses for access) that are to be put in place in respect of the Northern Parcel to enable Council and its servants and agents access to the land prior to its transfer or vesting in Council; and
 - o how it is proposed to fill the Quarry as part of the rehabilitation of the land including proposed finished contour levels;

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3.3.2 the Quarry and its subsequent rehabilitation must be conducted in accordance with the Approved Management and Rehabilitation Plan and otherwise in such a manner that does not result in the damage or destruction of any vegetation on the Open Space Land or the Northern Parcel;

3.4 Fencing

3.4.1 it will keep in place and maintain in good condition the cyclone wire fence situated on the boundary of the Northern Parcel and the Open Space Land until completion of the obligations under this Agreement; and

3.4.2 it will allow Council to install a fence to demarcate the boundary between the Northern Parcel and the Quarry to the satisfaction of Council.

4. ACKNOWLEDGMENT AND OBLIGATIONS OF COUNCIL

Council agrees that:

4.1 Triangular Land

it will forego its rights to the Triangular Land under the Original Agreement;

4.2 Other lands

it will forego its rights to the land described as Industrial Buffer under the Original Agreement;

4.3 Public Open Space Contribution

the transfer or vesting of the Open Space Land to or in Council in accordance with the terms of this Agreement by the Owner will comprise and be treated as the open space contribution required by clause 52.01 of the Planning Scheme for the subdivision of the balance of the Robertson Land notwithstanding that the contribution is made prior to the making of the requirement under clause 52.01 of the Scheme;

4.4 Preparation of the Amendment

it will expeditiously seek authorisation under the Act and use its best endeavours to prepare and exhibit the Amendment to the Planning Scheme and undertake the necessary statutory processes required to submit the Amendment to the Minister for approval by the Minister; and

4.5 Erection of a fence

it will construct at its cost a fence to demarcate the boundary between the Northern Parcel and the Quarry.

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5. ACKNOWLEDGMENT BY BOTH PARTIES

Council and the Owner agree that:

- 5.1 immediately upon the Commencement Date, the Original Agreement ends and Council will make application to the Registrar of titles to remove the recording of that agreement from the title to the Robertson Land;
- 5.2 notwithstanding anything contained in clause 3.3 of this Agreement, the Owner may remove vegetation from the Open Space Land and the Northern Parcel provided it is removed in accordance with a written consent of Council;
- 5.3 in seeking consent to remove any native vegetation from the relevant area under this Agreement, the Owner must demonstrate how the Owner has endeavoured to avoid the removal of native vegetation and if avoidance is not possible, how the removal of native vegetation has been minimised;
- 5.4 the southern boundary of the Northern Parcel may be realigned by agreement in writing between the parties prior to its transfer or vesting to or in Council;
- 5.5 the Schedule to the Development Plan Overlay (applied to the Robertson Land by the Amendment) should generally reflect the principles of the Urban Design Guidelines to the extent possible having regard to the form of development and use of the Robertson Land proposed by the Owner at the time of preparation of the Amendment; ;
- 5.6 in preparing the Amendment, the parties (including Council in its capacity as planning authority for the Amendment), will ensure that the Amendment complies with the Ministerial Direction by requiring that the land to be rezoned to Residential 1 Zone be included within an Environmental Audit Overlay in the Planning Scheme in the event that one or both of the parties considers that an Environmental Audit Overlay is necessary in the circumstances;
- 5.7 the Owner, at its discretion, may continue to extract clay from any area of the Robertson Land that is licensed for clay extraction purposes for a period of up to two (2) years after the Approval Date (**Clay Extraction**). The Clay Extraction will be undertaken in a manner that results in a final land form suitable for residential development without incurring construction cost penalties associated with excessive slope of the land;
MA Jmk
- 5.8 the Owner may only continue the Clay Extraction in accordance with clause 5.7 at an extraction rate that is at or less than the average rate of extraction achieved in the 12 month period immediately prior to 11 July 2006.

6. FURTHER OBLIGATIONS OF THE OWNER

6.1 Notice and Registration

The Owner further covenants and agrees that the Owner will bring this Agreement to the attention of all prospective purchasers, lessees, mortgagees, chargees, transferees and assigns.

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**6.2 Further actions**

The Owner further covenants and agrees that:

- 6.2.1 the Owner will do all things necessary to give effect to this Agreement;
- 6.2.2 the Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the Register on the Certificate of Title of the Robertson Land in accordance with Section 181 of the Act and do all things necessary to enable Council to do so including signing any further agreement, acknowledgment or document or procuring the consent to this Agreement of any mortgagee or caveator to enable the recording to be made in the Register under that section.

6.3 Council's Costs to be Paid

The Owner further covenants and agrees that the Owner will immediately pay to Council, an amount equal to 50% of Council's reasonable costs and expenses, including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossment, execution and registration of this Agreement which are and until paid will remain a debt due to Council by the Owner.

7. AGREEMENT UNDER SECTION 173 OF THE ACT

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement and, insofar as it can be so treated, this Agreement is made as a Deed pursuant to Section 173 of the Act and specifies the conditions pursuant to which the Robertson Land may be used or developed for specified purposes.

8. OWNER'S WARRANTIES

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Robertson Land which may be affected by this Agreement.

9. SUCCESSORS IN TITLE

Without limiting the operation or effect that this Agreement has, the Owner must ensure that, until such time as a memorandum of this Agreement is registered on the title to the Robertson Land, successors in title shall be required to:

- 9.1 give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
- 9.2 execute a deed agreeing to be bound by the terms of this Agreement.

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10. GENERAL MATTERS

10.1 Notices

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- 10.1.1 by delivering it personally to that party;
- 10.1.2 by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- 10.1.3 by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post.

10.2 Service of Notice

A notice or other communication is deemed served:

- 10.2.1 if delivered, on the next following business day;
- 10.2.2 if posted, on the expiration of two business days after the date of posting; or
- 10.2.3 if sent by facsimile, on the next following business day unless the receiving party has requested retransmission before the end of that business day.

10.3 No Waiver

Any time or other indulgence granted by Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of Council in relation to the terms of this Agreement.

10.4 Severability

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

10.5 No Fettering of Council's Powers

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Robertson Land or relating to any use or development of the Robertson Land.

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11. COMMENCEMENT OF AGREEMENT

This Agreement commences upon the Commencement Date.

12. ENDING OF AGREEMENT

12.1 This Agreement ends when the Owner has complied with all of the obligations imposed on the Owner under this Agreement as evidenced in writing by a letter from Council to that effect.

12.2 At the time Council issues a Statement of Compliance under the *Subdivision Act* 1988 in respect of any stage of the Robertson Land, provided the Owner has fulfilled all of the obligations of this Agreement relating to that stage to the satisfaction of Council, Council will, at the request and expense of the Owner, prepare and execute an application pursuant to section 183(2) of the Act to enable this Agreement to be removed from the Certificate of Title(s) to every lot within that stage of the Robertson Land.

AG370823M



SIGNED, SEALED AND DELIVERED as a Deed by the parties on the date set out at the commencement of this Agreement.

THE COMMON SEAL OF THE KNOX CITY COUNCIL was hereunto affixed in the presence of:



Handwritten signatures of three individuals on dotted lines.

Mayor
Councillor

Chief Executive Officer

Councillor

Executed by ROBERTSON INDUSTRIES PROPRIETARY LIMITED ACN 004 435 376 in accordance with section 127 of the Corporations Act 2001:

Handwritten signature of Peter Dutton Robertson
Director/company secretary

Handwritten signature of Jennifer Mary Robertson
Director

PETER DUTTON ROBERTSON
Name of director/company secretary (BLOCK LETTERS)

JENNIFER MARY ROBERTSON
Name of director (BLOCK LETTERS)

Annexure 1 – Survey Plan

The plan which is annexure "1" has been removed from this counterpart of the Section 173 Agreement due to difficulties with imaging for recording purposes.

A copy of the plan identified is included in each of the counterparts to this section 173 agreement which are held by:

- The Minister for Planning;
- The responsible authority
- The Owner of the land as at the date the agreement was executed

A copy of the counterpart agreement together with Annexure A is available for inspection at Council offices during normal business hours upon giving the Council reasonable notice.



A handwritten signature in black ink, appearing to be 'J. Lusk'.

Delivered by LANDATA®, timestamp 12/02/2021 16:28 Page 1 of 2

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TITLE PLAN		EDITION 2		TP 963860L	
LOCATION OF LAND PARISH: SCORESBY TOWNSHIP: SECTION: CROWN ALLOTMENT: 54A (PT) LAST PLAN REFERENCE: LOT 1 ON PS523004B & LOT 1 ON TP574584C DERIVED FROM: VOL.10808 FOL.226 & VOL.8328 FOL.822 DEPTH LIMITATION: NIL			NOTATIONS		
EASEMENT INFORMATION E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD) A - APPURTENANT EASEMENT				THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES	
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	
E-1	SEWERAGE	3	PS 523004B	SOUTH EAST WATER LIMITED	
				Checked by: Date: 24 / 08 / 2017 Bav Assistant Registrar of Titles	
LENGTHS ARE IN METRES	SCALE	DEALING / FILE No: AP137158W		DEALING CODE: SEC 103	
		GOVERNMENT GAZETTE No:		SHEET 1 OF 1	



Knox City Council

KNOX CITY COUNCIL

MINUTES

STRATEGIC PLANNING COMMITTEE

Meeting held
at the Civic Centre,
511 Burwood Highway
Wantirna South
on
Tuesday 11 July 2006

Meeting Opened at 7.31 pm

Present

<i>Cr D Cooper (Mayor & Chairperson)</i>	<i>Scott Ward</i>
<i>Cr J Penna</i>	<i>Baird Ward</i>
<i>Cr M Davey</i>	<i>Chandler Ward</i>
<i>Cr J Cossari</i>	<i>Collier Ward</i>
<i>Cr A Gill (Arrived at 8.19pm)</i>	<i>Dinsdale Ward</i>
<i>Cr K Orpen</i>	<i>Dobson Ward</i>
<i>Cr D Field</i>	<i>Friberg Ward</i>
<i>Cr T Kamitsis</i>	<i>Taylor Ward</i>
<i>Cr M Van de Vreede</i>	<i>Tirhatuan Ward</i>
<i>Mr G Emonson</i>	<i>Chief Executive Officer</i>
<i>Mr I Bell</i>	<i>Director – Engineering & Infrastructure</i>
<i>Mr S Dunn</i>	<i>Director - City Development</i>
<i>Mr M Jaensch</i>	<i>Director – Corporate Development</i>
<i>Mr G José</i>	<i>Director – Community Services</i>

Apologies

Nil

Declarations of Interest or Conflict of Interest

Nil

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BAIRD WARD

ITEM

6. NORVEL ROAD QUARRY, FERNTREE GULLY – PROPOSED FUTURE USE AND DEVELOPMENT, LAND EXCHANGE AND PUBLIC OPEN SPACE CONTRIBUTION

SUMMARY: *Project Manager – Strategic Planning (Helen King)*

This report outlines the issues involved in the proposed residential redevelopment of the Norvel Road quarry and the process proposed to be followed. It recommends a proposed land exchange between Robertson Industries Pty Ltd (the owners of the quarry) and Council, implemented through a draft S173 Agreement, which also addresses associated matters such as initiating a planning scheme amendment and introducing a management plan for the site.

1. INTRODUCTION

The Norvel Road quarry has operated as an extractive industry site for the extraction of clay since 1955. The owner of the site is currently considering options when the land ceases use as a quarry. It is likely that the land will be redeveloped for residential uses.

In 1980, Council and the owners of the quarry were party to an Agreement, providing conditions for the on-going quarry use and waste disposal use once the quarry operations ceased. This agreement would need to be varied or superseded to provide for an alternative use.

The implementation of a new agreement provides opportunities to negotiate an improved outcome for both parties. For example, there is potential for land owned by Council, located south-east of the quarry, to be exchanged for land in the northern part of the quarry site. This will maximise the development potential for the quarry owner, and provide Council with a vegetated parcel of high environmental significance adjacent to Council reserve along Blind Creek. In addition, there is a requirement for an open space contribution to be provided, as part of any future residential subdivision of the site.

The purpose of this report is to advise Council about the issues involved in the proposed residential development and the process that needs to be followed. It aims for a resolution on the proposed land exchanges between Robertson Industries Pty Ltd and Council, including the proposed Section 173 Agreement to facilitate this exchange.

2. DISCUSSION**2.1 The site and surrounds**

The extraction of the quarry commenced at the southern side of the site, with the work face currently covering over 50% of the site. The total area of the site is 8.5825 hectares. The remaining land within the site is heavily vegetated. The extent of existing extraction activities, vegetation and surrounding residential development can be seen in Appendix A.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

The quarry abuts Norvel Road to the south and Castricum Place to the west, with access to the site currently limited to Castricum Place. Land to the north of the quarry is owned by Council, and abuts other parkland along the Blind Creek corridor.

The Council reserve is addressed in a Management Plan for Blind Creek Billabong, Ferntree Gully, which suggests that the area should be treated as a flora reserve rather than public parkland for recreational purposes, due to the significance of the vegetation.

When the quarry first commenced operations, it abutted residential land to the east, and an abattoir to the west. Subsequently, the abattoir ceased operations and the western abutting land was redeveloped in the late 1980s/early 1990s for dwellings. The lots to the east and west of the quarry are between 700m² and 800m² in size.

2.2 Background

The Norvel Road quarry has operated as an extractive industry site for the extraction of clay since 1955. The extractive industry licence (EIL) currently in operation is a 'life of resource' approval, meaning that it does not expire until all the resources identified in the Works Approval have been extracted from the site. The Works Approval contains approval for the removal of vegetation on the site within the approved extractive area.

In 1980 Council was party to an agreement with the land owner (Robertson Industries Pty Ltd) which provided for:

- Rezoning of the quarry land from residential to extractive industry and consent to operate as a quarry.
- Provision of two parcels of land to Council, with a further two parcels of land purchased by Council at an agreed price, comprising the existing public open space along Blind Creek (the area in light green shown in Appendix B) and a triangular parcel in the south-east portion of the site to Council at an agreed price (shown as Area A in Appendix B). The land abutting Blind Creek has been transferred to Council; however the triangular parcel of land has not yet been transferred to Council.
- Progressive transfer of the quarry to Council for use as a tip at an agreed price.
- Consent to subdivision of the remaining residential land.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

Since this time, the long term plans of Council and Robertson Industries Pty Ltd have both changed. It is no longer considered appropriate to use the land as a waste disposal landfill. It is desirable that a replacement agreement is entered into that enables the vegetated area in the north, which has significant flora and fauna values, to be retained as a flora and fauna reserve, whilst enabling the balance of the site to be used for a residential purpose.

In 2004, consultants were engaged by Council to prepare Urban Design Guidelines to guide the future development of the quarry site for residential purposes.

The guidelines recognise the importance of the northern area of the quarry, and seek to balance the protection of the area within the context of a viable development proposal. A copy of the Urban Design Guidelines is contained in Appendix C.

In 2005, approval was granted for 16 lot subdivision of a separate parcel of land abutting the quarry to the south, with the lots ranging in size from 431m² to 667m². Construction of houses on the subdivided land has recently commenced.

2.3 Current proposal

The quarry material is used by Daniel Robertson Pty Ltd as source material for their brick manufacturing. In the long term, the company will not require the material within the site as they are proposing alternative sources. As such, the land is proposed to be redeveloped for residential purposes. The owner, however, proposes to continue extracting material from the site for a two year period following any approval for residential uses. This will allow continuity of materials until extraction can occur from an alternative location.

In order to use the land for residential uses, the following matters will need to be addressed:

- Minimising the slope of the site, to allow residential development to occur.
- Ensuring that the site is adequately drained.
- Provision of an open space contribution to Council required as part of any residential subdivision.
- Retention of vegetation within the northern part of the site.
- Guidelines for the appropriate form of development on the site.
- Rezoning of the site and application of a Development Plan Overlay via a planning scheme amendment.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

- Environmental Assessment of the site – may require remediation works for residential purposes.

An important aspect of this plan is exchanging a parcel of land earmarked in the original agreement for Council with vegetated land in the northern portion of the site. This land exchange could be coupled with the requirement for an open space contribution (that forms part of any residential subdivision), to maximise the retention of the vegetated land on the site.

2.4 Existing controls, strategies and future site conditions

The land is currently contained within a Special Use Zone No 2 (Extractive Industry) with a Vegetation Protection Overlay No. 1 over the northern part of the site (refer to Appendix D). The zoning of the land will need to change to facilitate the proposed residential uses.

The use of the site for residential purposes is consistent with the direction outlined in the approved Knox Housing Statement, as the site is identified as a 'strategic redevelopment site' suitable for housing development. This is also reflected within the proposed new Municipal Strategic Statement.

Under the Knox Planning Scheme, subdivision of land into lots with an area of less than 725 square metres in a Residential 1 Zone or Residential 2 Zone require a minimum contribution of 8.5% of the total land to be subdivided for public open space. There is scope for this to be provided as a monetary contribution, however given the importance of the vegetated area in the northern portion of the site, it is suggested that a land contribution would be preferable.

The inclusion of the northern part of the site within the Vegetation Protection Overlay and its identification within the City of Knox's Sites of Biological Significance study recognises the area's state significance. However, the use of the land is controlled by a Works Approval issued by the predecessor to the State Government Department of Primary Industries. The works approval overrides the VPO, with the exception of a 20m buffer area specified within the Works Approval.

Prior to the approval of any planning scheme amendment, it is anticipated that the applicant will seek approval to fill part of the quarry, to assist in developing it for residential purposes. A planning permit is required unless the existing Works Approval requires filling to occur as part its rehabilitation requirements. It appears that a planning permit will be required for any filling of the Norvel Road quarry to occur however this is being further researched by consultants on behalf of the quarry owners.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

2.5 Issues

Council officers have been in dialogue with the owners of the quarry site regarding the potential exchange of land, and the provision of public open space. These requirements are proposed to form the basis for a new Section 173 Agreement, with the key elements set out in Appendix E. The dialogue has been based on the following considerations:

- Determining what would comprise an equitable exchange of land, with recognition of land previously provided by the quarry owners to Council, and the legal requirements to provide open space under the Planning Scheme.
- Consideration of a land transfer based on land value based on valuations provided for Council by an independent Valuer rather than a straight land area exchange.
- Attempting to maximise the amount of vegetated land retained to the north of the quarry, which will also be impacted by the length of time any negotiations occur.

Appendix B shows the parcels of land proposed to be exchanged by Council (Area A) and Robertson Pty Ltd (Areas B and part of C), as well as the land to be provided as part of the open space contribution. The table in Appendix F sets out the workings of the proposed exchange.

The rationale behind the proposal is as follows:

- All the land is valued at a residential land value. This reflects the existing 1980 Agreement in which Council agreed to purchase the quarry site at a percentage of residential value.
- Different parcels of land are valued at different residential rates, reflecting the different land constraints that each is encumbered by.
- The highest valued land (shown as Area B in Appendix B), at \$125/m², is the land immediately abutting the quarry. It is relatively flat, and although still vegetated, can be cleared under the existing works approval without any Council involvement.
- A buffer area with a width of 20 metres forms the northern part of the quarry and is located between the Council reserve and the unencumbered land listed above (shown as Area C in Appendix B). Under the works approval, it cannot be excavated, and therefore there is an assumption that it will remain vegetated. As a result, its residential development potential is reduced. It has been valued at \$60/m².

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

- The triangular shaped parcel of land which was to be transferred to Council as part of the original agreement (shown as Area A in Appendix B), owned by Council, has high development potential. However, due to its shape and size, its potential is not as great as the unencumbered land owned by Daniel Robertson. As such, it has been valued at \$110/m².
- The quarry has constraints based on the slope, and has been valued at \$105/m² (shown as Area D in Appendix B). In addition, in recognition that some of the land will not be able to be developed due to excessively steep slopes, the valuation is based on a reduced area.

2.6 Urban Design Guidelines

Jones and Whitehead Pty Ltd have been commissioned by Council to prepare Urban Design Guidelines based on the future development of the quarry site for residential purposes.

The guidelines make an assessment of the opportunities and constraints that the quarry site presents when considering the future development of the site for residential purposes. The guidelines also provide objectives and guidelines for the future development of the quarry site.

In summary, the guidelines recognise the importance of the vegetated area currently included in the Vegetation Protection Overlay and seek to balance the protection of this area within the context of a viable development proposal. Bearing in mind, that the landowner under the existing Extractive Industry License can remove the vegetation included in the overlay without requiring consent from Council. Clause 52.17 of the planning scheme exempts the need for planning approval for the removal of native vegetation necessary for carrying on an extractive industry, including an extractive industry authorised by a work authority under the Extractive Industry Development Act 1995. To allow for this existing right, the formulae applied to the land to calculate a reasonable development scenario includes the yield achievable on the total parcel of land being applied to the existing cleared area at a density similar to that of the surrounding development.

In conclusion, the guidelines recommended that in principle support be given to:

1. The area affected by the Vegetation Protection Overlay treated as a flora reserve managed jointly with the Council land to the north; and
2. Up to 80 dwellings on the remainder of the site, distributed and in a form appropriate to fit the terrain.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

As a result of discussions with the quarry owner, some modifications are proposed to the draft guidelines. The main change proposed is to vary the potential yield of the site, in recognition of the reduced site area, due to the steep landfall, but allow a higher density on the remaining land. An overall yield of 15 lots per hectare could be sought, subject to urban character considerations, giving an indicative yield of an approximately 110 lot subdivision. The land owner has also indicated support for the provision of a land area to Council the equivalent value of 8.5% public open space contribution.

The proposed Urban Design Guidelines would form the basis for a Development Plan Overlay that would set out the requirements and objectives for the future residential development of the site and would need to be implemented via a planning scheme amendment.

The proposed revised guidelines form Appendix C to this report.

2.7 Draft Section 173 Agreement

A request (contained in Appendix G) has been received from Robertson Industries requesting a planning scheme amendment and for Council to proceed with organising a replacement 173 Agreement.

A draft Section 173 Agreement has been prepared, incorporating the key elements in Appendix E and the revised guidelines in Appendix C. The draft agreement is contained in Appendix H. The final agreement details are still being resolved with the quarry owners.

The principles within this draft Section 173 Agreement have been agreed with the owner following discussions over several months. The draft provided in Appendix H has been prepared by lawyers acting for Council, however it is likely that legal advisors acting for both parties will suggest further wording changes before the Agreement is ready to sign. On this basis, it is recommended that Council delegate to the Chief Executive Officer the ability to consent to further changes to the Agreement and to finalise the document prior to it being signed and sealed.

3. CONSULTATION

It is proposed that, prior to commencing any formal process to exhibit a planning scheme amendment or to apply for planning approval to commence any quarry fill, consultation will be undertaken by the proponent with the surrounding community. The details of the consultation process have not yet been provided by the proponent however the company has been informed of the process used for the proposed redevelopment of the CSR Quarry, Scoresby, as a suitable model.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

A future planning scheme amendment that will propose to rezone the quarry for residential purposes and introduce a development plan overlay to guide development of the site will also be subject to community consultation.

4. ENVIRONMENTAL/AMENITY ISSUES

The Biosis Report and the Management Plan for Blind Creek Billabong have outlined the significance of the land covered by the Vegetation Protection Overlay and the contribution it makes as habitat for local fauna and its significance at a state level for biodiversity.

The Biosis Report also indicates that indigenous trees within residential allotments have a low probability of retaining significant ecological values in the long term. Subdivision and development of the vegetated area would be incompatible with the aims of preserving the vegetation community.

Any interface or amenity issues arising from the existing residential development surrounding the site will be addressed through the development of the concept plan and urban design guidelines for the site.

5. FINANCIAL IMPLICATIONS

If Council chooses to take a land contribution for public open space as a requirement of the development of the land for residential purposes there will be an additional bushland area to be managed by Council.

If Council takes on the responsibility of all the land covered by the VPO as bushland reserve, it has been estimated that the additional financial costs for maintenance will be in the order of \$13,000 per annum. Any reduction in the area to be managed by Council would invariably result in a proportional reduction in the ongoing maintenance costs. The maintenance costs associated with acquisition of the additional land are minimal given that its future use will be used as a flora and fauna bush land reserve requiring minimal works.

On balance, there are long-term social and environmental benefits for the community through the long-term protection of the vegetation and its valuable contribution to ecological sustainability on a broader scale.

6. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The 2003-2006 Council and Community Plan under 'Vibrant and Connected Communities' has a key three year objective under 'Sustainable Natural Environment' to *"protect and enhance the built and natural environment for future generations and build community awareness of sustainability"*.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

The current proposal meets this objective as the land exchange and open space contribution proposed will enable protection of a parcel of land with high biodiversity value, as well as providing the community with the benefit of access to this land.

7. CONCLUSION

This report outlines a proposed land exchange and provision of bush land associated with the future redevelopment of the Norvel Road quarry. The proposed exchange will enable improvements to the open space provision for the community and Council, whilst improving the development opportunities for the land owner.

The use of the remainder of the site for residential purposes is consistent with the direction outlined in the approved Knox Housing Statement and the proposed new Municipal Strategic Statement. The revised Section 173 Agreement provides a means of ensuring that a planning scheme amendment is initiated to consider the implications of any future development, the management issues for the vegetated land and other associated issues to facilitate the land exchange.

8. CONFIDENTIALITY

There are no confidentiality issues associated with this report with the exception of a confidential attachment (Appendix H) which has been circulated separately.

RECOMMENDATION

That Council resolve to:

- 1. Enter into an agreement under Section 173 of the Planning and Environment Act 1987 with Robertson Industries Pty Ltd, to replace the existing Agreement between Council and Robertson Industries Pty Ltd, generally in accordance with the draft Agreement shown in Appendix H of this report and that it include the following requirements:**

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

Recommendation (cont'd)

- a) Council's commitment to exhibit, subject to Ministerial authorisation, a planning scheme amendment to rezone the land to a Residential 1 Zone, Public Park and Recreation Zone and a Development Plan Overlay over the Residential 1 Zone, with the schedule to the Overlay reflecting the principles of the Urban Design Guidelines shown in Appendix C, as amended and agreed. The amendment must comply with Ministerial Direction No. 1, Potentially Contaminated Land.
- b) Council will exchange its triangular shaped parcel of land adjoining the southern part of the property, as defined in the existing agreement, on a "value for value" basis for land owned by Robertson Industries Pty Ltd abutting Council's land at the northern boundary of the quarry.
- c) Robertson Industries Pty Ltd will transfer 8.5% by area of the proposed Residential 1 Zone as a public open space once off contribution, to be transferred at the same time as the triangular parcel of land is transferred, but no earlier than the gazettal of the planning scheme amendments described above. This public open space land will abut Council's existing and proposed ownership of land at the northern edge of the quarry.
- d) Acknowledge that Daniel Robertson Quarries will continue to extract clay within the licensed area in accordance with current rates of extraction for a further period of two years after gazettal of the abovementioned zonings, except a lesser period may be agreed between the parties. Such extraction will be undertaken in a manner that results in a final land form suitable for residential development without incurring construction cost penalties associated with excessive slope of the land. Within these constraints, the removal of significant vegetation will be minimised or an agreed area of vegetation will be retained.
- e) Include the need for the preparation of a Management Plan to be prepared to manage the existing use of the land prior to the development for residential purposes, addressing the issues of access, security and safety. The Management Plan will not require, except by mutual agreement, the existing extraction and transport operations / arrangements to alter.

6. Norvel Road Quarry, Ferntree Gully – Proposed Future Use and Development, Land Exchange and Public Open Space Contribution (cont'd)

Recommendation (cont'd)

2. **Designate Appendix H as confidential information in accordance with Section 77 of the Local Government Act 1989 on the grounds that the document relates to contractual matters relating to a proposed development under section 89(2)(d) and (e) of the Act.**
3. **Authorise the Chief Executive Officer to make further changes to the Agreement and to finalise the Agreement consistent with the requirements set out in recommendation 1 above.**
4. **Sign and seal the Agreement once it has been finalised by the Chief Executive Officer.**

MOVED: CR. PENNA

SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED



KNOX CITY COUNCIL

and

NORVEL ESTATE PTY LTD
(ACN 619 386 855)

**AGREEMENT MADE PURSUANT TO
SECTION 173 OF THE PLANNING AND
ENVIRONMENT ACT 1987**

URBAN DESIGN AND BUSHLAND RESERVE

Property: Norvel Estate, Norvel Road, Ferntree
Gully Victoria 3156

Russell Kennedy Pty Ltd ACN 126 792 470 ABN 14 940 129 185
Level 12, 469 La Trobe Street, Melbourne VIC 3000 PO Box 5146, Melbourne VIC 3001 DX 494 Melbourne
T +61 3 9609 1555 F +61 3 9609 1600 info@rk.com.au russellkennedy.com.au

Liability limited by a scheme approved under Professional Standards Legislation.

Ref LAG 115608-00327

An international member of

AllyLaw

© Russell Kennedy Pty Ltd

THIS AGREEMENT is made on

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PARTIES

- 1 **KNOX CITY COUNCIL**
of 511 Burwood Highway, Wantirna South, Victoria, 3152
(Council)
- 2 **NORVEL ESTATE PTY LTD**
ACN 619 386 855
[REDACTED]
(Owner)

RECITALS

- A The Council is the responsible authority under the Act for the Scheme.
- B The Owner is registered or is entitled to be registered as proprietor of the Land.
- C The Owner wishes to achieve the Development, a precondition to which is the approval of the Amendment.
- D This Agreement is to be entered into, and recorded on the titles to the Land, as a precondition to exhibition of the Amendment.
- E This Agreement has been entered into in order to:
- ensure the vesting of the Bushland Reserve to the Council;
 - ensure the Development occurs in accordance with the Urban Design Guidelines;
 - achieve and advance the objectives of planning in Victoria or the objectives of the Scheme in relation to the Land.
- F This Agreement is made under Division 2 of Part 9 of the Act.

OPERATIVE PROVISIONS

1 DEFINITIONS

In this Agreement:

- (a) **Act** means the *Planning and Environment Act 1987*.
- (b) **Agreement** means this Agreement, including the recitals and any annexures to this Agreement.
- (c) **Amendment** means proposed Planning Scheme Amendment C184knox to the Scheme.
- (d) **Annexure** means any annexure attached and forming part of this Agreement.
- (e) **Bushland Reserve** means the part of the Land marked "Bushland Reserve" totalling approximately 1.6980 hectares, as located on the Concept Plan.
- (f) **Business Day** means Monday to Friday excluding public holidays in Victoria.

- (g) **Concept Plan** means the current concept plan in respect of the Amendment for the Development, including the designation of a Stage 1 and a Stage 2, area marked "Bushland Reserve" and area marked "Reserve". A copy of the Concept Plan is attached as Annexure 1.
- (h) **Development** means the proposed residential development and subdivision, of the Land, facilitated through the Amendment.
- (i) **GST Act** means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) (as amended).
- (j) **GST** means the goods and services tax as defined in the GST Act.
- (k) **Input Tax Credit** in relation to a supply, means a credit under the GST Act for the GST payable by the recipient in respect of the supply.
- (l) **Land** means:
- (i) lot 1 on Title Plan 297137X being the land more particularly described in certificate of title volume 09381 folio 087;
 - (ii) lot 1 on Title Plan 963860L being the land more particularly described in certificate of title volume 11909 folio 762; and
 - (iii) lot 2 on Title Plan 963860L being the land more particularly described in certificate of title volume 11909 folio 763.
- (m) **Mortgagee** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as mortgagee of the Land or any part of it.
- (n) **Owner** means the person or persons who are registered or are entitled to be registered as proprietor of an estate in the Land or any part thereof, and includes a mortgagee in possession.
- (o) **Permit** means any planning permit issued under the Act, to facilitate the Development.
- (p) **Plan of Subdivision** means a plan of subdivision of the Land (or any stage thereof) under the Subdivision Act.
- (q) **Previous Agreement** means the previous agreement, under section 173 of the Act, affecting the Land and recorded in dealing AG370823M.
- (r) **Scheme** means the Knox Planning Scheme or any other planning scheme which applies to the Land from time to time.
- (s) **Subdivision Act** means the *Subdivision Act 1988* (Vic).
- (t) **Tax Invoice** in relation to a supply, means an invoice for the supply required by the GST Act to support a claim by the recipient for an Input Tax Credit for the GST on the supply.
- (u) **Urban Design Guidelines** means the document entitled "*Norvel Estate, Ferntree Gully, Urban Design Guidelines, Revision D dated 30 May 2021*", attached as Annexure 2, or such other amended guidelines approved in writing by the Council in accordance with this Agreement.

2 COMMENCEMENT

This Agreement comes into force on the date it was made as set out above.

3 ENDING OR AMENDING AGREEMENT

3.1 Previous Agreement

The parties have agreed the Previous Agreement shall end upon the execution and recording of this Agreement on the folio of the Register to the Land.

3.2 Ending or amending

This Agreement:

- 3.2.1 ends in respect of the obligations relating to the Bushland Reserve, upon the vesting or transfer of the Bushland Reserve to the Council;
- 3.2.2 ends in respect of the Urban Design Guideline compliance in accordance with clause 5.3; and
- 3.2.3 otherwise, if this Agreement ends or is amended in accordance with the Act.

3.3 Cancellation or alteration of recording

As soon as reasonably practicable after:

- 3.3.1 the Previous Agreement; or
- 3.3.2 this Agreement,

has ended or has been amended, the Council must, at the request and at the cost of the Owner, apply to the Registrar of Titles under the Act to cancel or alter the recording of the relevant agreement on the folio of the Register to the Land.

4 BUSHLAND RESERVE

4.1 Vesting of Bushland Reserve

The Owner covenants and agrees that it must, at no cost to the Council:

- 4.1.1 vest the Bushland Reserve to the Council as a reserve as set out in this Agreement; and
- 4.1.2 if for any reason the Bushland Reserve cannot be vested as a reserve, the parties will cooperate to achieve a transfer to the Council of a lot made up by the Bushland Reserve.

4.2 Time of Vesting

- 4.2.1 The Bushland Reserve must be designated as a reserve to vest as part of the next Plan of Subdivision to be lodged in respect of the Land;
- 4.2.2 The Bushland Reserve may be created by:
 - (a) a separate plan pursuant to section 35 of the Subdivision Act, or
 - (b) some other Plan of Subdivision which creates superlots, together with a reserve to create the Bushland Reserve.

- 4.2.3 The Bushland Reserve must be vested in, or transferred to the Council:
- (a) following the approval and prior to the gazettal of, the Amendment; and
 - (b) if the approval of the Amendment is delayed then, in any event, no later than 30 June 2023 (or such later date agreed to by the Council).

4.3 Condition of Reserve

The Owner agrees that prior to the vesting or transfer of the Bushland Reserve to the Council it must:

- 4.3.1 not lop, remove, damage or destroy any trees or other vegetation located on the Bushland Reserve;
- 4.3.2 allow the Council or its agents to continue to access the Bushland Reserve area to mow, maintain, weed or treat the Bushland Reserve, to facilitate its ongoing preservation and enhancement; and for fire protection purposes; and
- 4.3.3 not impede or make any claim against the Council arising from the Council access and works on the Bushland Reserve.

4.4 Public Open Space and Obligations

- 4.4.1 In addition to the Bushland Reserve the Owner acknowledges the need to set aside, as part of the Development, a reserve, the area of approximately 0.3676 hectares as a reserve for drainage, fire buffer and other purposes as, noted on the Concept Plan at Annexure 1 or such varied area, identified during the Amendment or Permit approval process.
- 4.4.2 The Owner remains responsible for the payment of any rates, taxes or other charges relating to the area making up the Bushland Reserve calculated and payable prior to the vesting or transfer of the Bushland Reserve to the Council.
- 4.4.3 The transfer or vesting of the Bushland Reserve to or in Council in accordance with the terms of this Agreement by the Owner will comprise and be treated as the public open space contribution required by the Planning Scheme or under the Subdivision Act for the subdivision of the balance of the Land notwithstanding that the contribution is made prior to the making of the requirement.

4.5 Urban Design Guidelines

The Owner covenants and agrees that:

- 4.5.1 the Development constructed on the Land must be constructed in accordance with the Urban Design Guidelines; and
- 4.5.2 the Owner must implement the Urban Design Guidelines on the Land, and maintain the Land in accordance with the Urban Design Guidelines,
all at the sole cost of the Owner and to the satisfaction of the Council.

4.6 Amendment of Urban Design Guidelines

- 4.6.1 The Owner may propose and the Council must consider, any requested amendment of the Urban Design Guidelines arising out of the proposed Amendment, any future permit or otherwise requested.

4.6.2 The Council may, for good and reasonable cause, require and direct the amendment of the Urban Design Guidelines including a requirement for the Owner to procure the preparation of any amended version of the Urban Design Guidelines.

4.6.3 To be effective, any amended version of the Urban Design Guidelines must first be approved (by dating and signing) by the Council after being submitted by the Owner for such approval. Once approved by the Council that amended version will replace the Urban Design Guidelines at Annexure 2 to this Agreement.

4.7 **Ending Application of Urban Design Guidelines**

The requirements of this clauses 4.5, 4.6 and 4.7 will end upon registration of a plan of subdivision for the relevant part of the Development completed in accordance with those Urban Design Guidelines.

4.8 **Further Dwelling Design Requirements**

The Owner acknowledges the further design requirements in relation to the built form of future dwellings may be applied via future planning permits for the Land.

5 **OWNER'S GENERAL COVENANTS**

5.1 **Successors in title**

Until this Agreement is recorded on the folio of the Register which relates to the Land pursuant to section 181 of the Act, the Owner must ensure that the Owner's successors in title give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement including requiring the successors in title to execute a deed agreeing to be bound by the terms of this Agreement. Until that deed is executed, the Owner, being a party to this Agreement, remains liable to perform all of the Owner's obligations contained in this Agreement.

5.2 **Further assurance**

The Owner must do all things necessary (including signing any further agreement, acknowledgment or document) to enable the Council to record this Agreement on the folio of the Register which relates to the Land.

5.3 **Payment of Council's costs**

The Owner agrees to pay on demand to the Council the Council's costs and expenses (including any legal fees incurred on a solicitor-client basis) of and incidental to the preparation, execution, recording, removal, amendment and enforcement of this Agreement.

5.4 **Mortgagee to be bound**

The Owner covenants to obtain the consent of any Mortgagee to be bound by the covenants in this Agreement if the Mortgagee becomes mortgagee in possession of the Land.

5.5 **Indemnity**

The Owner covenants to indemnify and keep the Council, its officers, employees, agents, workmen and contractors indemnified from and against all costs, expenses, losses or damages which they or any of them may sustain incur or suffer or be or become liable for or in respect of any suit action proceeding judgement or claim brought by any person arising from or referable to this Agreement or any non-compliance with this Agreement.

5.6 Non-compliance

If the Owner has not complied with this Agreement within 14 days after the date of service on the Owner by the Council of a notice which specifies the Owner's failure to comply with any provision of this Agreement, the Owner covenants:

- 5.6.1 to allow the Council its officers, employees, agents, workmen and contractors to enter the Land and rectify the non-compliance;
- 5.6.2 to pay to the Council on demand, the Council's reasonable costs and expenses (**Costs**) incurred as a result of the Owner's non-compliance;
- 5.6.3 to pay interest at the rate of 2% above the rate prescribed under section 2 of the *Penalty Interest Rates Act 1983* on all moneys which are due and payable but remain owing under this Agreement until they are paid in full;
- 5.6.4 if requested to do so by the Council, to promptly execute in favour of the Council a mortgage to secure the Owner's obligations under this Agreement,

and the Owner agrees:

- 5.6.5 to accept a certificate signed by the Chief Executive Officer of the Council (or any nominee of the Chief Executive Officer) as prima facie proof of the Costs incurred by the Council in rectifying the Owner's non-compliance with this Agreement;
- 5.6.6 that any payments made for the purposes of this Agreement shall be appropriated first in payment of any interest and any unpaid Costs of the Council and then applied in repayment of the principal sum;
- 5.6.7 that all Costs or other monies which are due and payable under this Agreement but which remain owing shall be a charge on the Land until they are paid in full; and
- 5.6.8 if the Owner executes a mortgage as required by clause 5.6.4, any breach of this Agreement is deemed to be a default under that mortgage.

5.7 Standard of works

The Owner covenants to comply with the requirements of this Agreement and to complete all works required by this Agreement as expeditiously as possible at its cost and to the satisfaction of the Council.

5.8 Council access

The Owner covenants to allow the Council and its officers, employees, agents, workmen and contractors or any of them, to enter the Land (at any reasonable time) to assess compliance with this Agreement.

5.9 Covenants run with the Land

- 5.9.1 The Owner's obligations in this Agreement are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Land and every part of it, and bind the Owner and its successors, assignees and transferees, the registered proprietor or proprietors for the time being of the Land and every part of the Land.
- 5.9.2 The Owner will do all things necessary to enable the Council to make an application to the Registrar of Titles to make a recording of this Agreement on the Certificate

of Title to the Land in accordance with Section 181 of the Act including the signing of any further agreement, acknowledgement or other document.

5.10 **Owner's warranty**

The Owner warrants and covenants that:

- 5.10.1 the Owner is the registered proprietor (or is entitled to become the registered proprietor) of the Land and is also the beneficial owner of the Land;
- 5.10.2 the execution of this Agreement by the Owner complies with the Registrar's Requirements for Paper Conveyancing Transactions made under section 106A of the *Transfer of Land Act 1958*;
- 5.10.3 there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the Owner affecting the Land which have not been disclosed by the usual searches of the folio of the Register for the Land or notified to the Council;
- 5.10.4 no part of the Land is subject to any rights obtained by adverse possession or subject to any easements or rights described or referred to in section 42 of the *Transfer of Land Act 1958*; and
- 5.10.5 until this Agreement is recorded on the folio of the Register which relates to the Land, the Owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of the Land without first disclosing to any intended purchaser, transferee, assignee or mortgagee the existence and nature of this Agreement.

6 **ACKNOWLEDGMENT OF OBLIGATIONS OF COUNCIL**

The Council will proactively facilitate the processing and decision making in respect of the Amendment, Planning Approvals or any other approvals that are required to be granted by Council in order for construction of the Development to occur.

7 **GOODS AND SERVICES TAX**

7.1 **Definitions and expressions**

Expressions used in this Agreement that are defined in the GST Act have the same meaning as given to them in the GST Act, unless expressed to the contrary.

7.2 **Amounts payable do not include GST**

Each amount, of whatever description, specified as payable by one party to the other party under this Agreement is expressed as a GST exclusive amount unless specified to the contrary.

7.3 **Liability to pay any GST**

Subject to clause 7.4, in addition to any amount payable by one party to the other party under this Agreement in respect of a taxable supply, the party liable to pay the amount (**Recipient**) must pay to the other party (**Supplier**) a sum equivalent to the GST payable, if any, by the Supplier in respect of the taxable supply on the date on which the Supplier makes a taxable supply to the Recipient irrespective of when the Supplier is liable to remit any GST under this Agreement in respect of a taxable supply to any governmental authority.

7.4 Tax Invoice

A party's right to payment under clause 7.3 is subject to a Tax Invoice being delivered to the Recipient.

8 GENERAL

8.1 No fettering of Council's powers

This Agreement does not fetter or restrict the Council's power or discretion in respect of any of the Council's decision making powers including but not limited to an ability to make decisions under the *Local Government Act 1989*, and the Act or to make or impose requirements or conditions in connection with any use or development of the Land or the granting of any planning permit, the approval or certification of any plans of subdivision or consolidation relating to the Land or the issue of a Statement of Compliance in connection with any such plans.

8.2 Time of the essence

Time is of the essence as regards all dates, periods of time and times specified in this Agreement.

8.3 Counterparts

8.3.1 This Agreement may be executed in any number of counterparts and all the counterparts together constitute one and the same instrument; and

8.3.2 A copy of an original executed counterpart received by email:

- (a) must be treated as an original counterpart;
- (b) is sufficient evidence of the execution of the original; and
- (c) may be produced in evidence for all purposes in place of the original.

8.3.3 If the signatures on behalf of one party are on different counterparts, this will be taken to be, and have the same effect as, signatures on the same counterpart and on a single copy of this Agreement.

8.4 Governing law and jurisdiction

This Agreement is governed by and is to be construed in accordance with the laws of Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts and tribunals of Victoria and waives any right to object to proceedings being brought in those courts or tribunals.

8.5 Enforcement and severability

8.5.1 This Agreement shall operate as a contract between the parties and be enforceable as such in a Court of competent jurisdiction regardless of whether, for any reason, this Agreement were held to be unenforceable as an agreement pursuant to Division 2 of Part 9 of the Act.

8.5.2 If a Court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void, then it shall be severed and the other provisions of this Agreement shall remain operative.

9 NOTICES

9.1 Service of notice

A notice or other communication required or permitted, under this Agreement, to be served on a person must be in writing and may be served:

- 9.1.1 personally on the person;
- 9.1.2 by leaving it at the person's address set out in this Agreement;
- 9.1.3 by posting it by prepaid post addressed to that person at the person's current address for service;
- 9.1.4 by email to the person's current email address notified to the other party; or
- 9.1.5 by facsimile to the person's current number notified to the other party.

9.2 Time of service

A notice or other communication is deemed served:

- 9.2.1 if served personally or left at the person's address, upon service;
- 9.2.2 if posted within Australia to an Australian address by express post, five (5) Business Days; by standard post, six Business Days after posting;
- 9.2.3 if sent by email, subject to the clause 9.2.5, at the time of receipt as specified in section 13A of the *Electronic Transactions (Victoria) Act 2000*;
- 9.2.4 if served by facsimile, subject to the clause 9.2.5, at the time indicated on the transmission report produced by the sender's facsimile machine indicating that the facsimile was sent in its entirety to the addressee's facsimile; and
- 9.2.5 if received after 5.00pm in the place of receipt or on a day which is not a Business Day, at 9.00am on the next Business Day.

9.3 Proof of receipt of notice by email

In proving that a notice given by email has been received by the recipient, it is sufficient to produce an acknowledgement or receipt that the email has reached the recipient's email address.

10 INTERPRETATION

In this Agreement, unless the contrary intention appears:

- 10.1 the singular includes the plural and vice versa;
- 10.2 a reference to a document or instrument, including this Agreement, includes a reference to that document or instrument as novated, altered or replaced from time to time;
- 10.3 a reference to an individual or person includes a partnership, body corporate, government authority or agency and vice versa;
- 10.4 a reference to a party includes that party's executors, administrators, successors, substitutes and permitted assigns;

- 10.5 words importing one gender include other genders;
- 10.6 other grammatical forms of defined words or expressions have corresponding meanings;
- 10.7 a covenant, undertaking, representation, warranty, indemnity or agreement made or given by:
 - 10.7.1 two or more parties; or
 - 10.7.2 a party comprised of two or more persons,is made or given and binds those parties or persons jointly and severally;
- 10.8 a reference to a statute, code or other law includes regulations and other instruments made under it and includes consolidations, amendments, re-enactments or replacements of any of them;
- 10.9 a recital, schedule, annexure or description of the parties forms part of this Agreement;
- 10.10 if an act must be done on a specified day that is not a Business Day, the act must be done instead on the next Business Day;
- 10.11 if an act required to be done under this Agreement on a specified day is done after 5.00pm on that day in the time zone in which the act is performed, it is taken to be done on the following day;
- 10.12 a party that is a trustee is bound both personally and in its capacity as trustee;
- 10.13 a reference to an authority, institution, association or body (original entity) that has ceased to exist or been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity;
- 10.14 headings and the provision of a table of contents are for convenience only and do not affect the interpretation of this Agreement.
- 10.15 Unless otherwise specified a reference to the Council includes the Council in its capacity as responsible authority pursuant to the Scheme.

EXECUTED pursuant to Division 2 of Part 9 of the Act.

THE COMMON SEAL of **KNOX CITY**)
COUNCIL was affixed in the presence of:)

Councillor

Councillor

Chief Executive Officer

EXECUTED by **NORVEL ESTATE PTY LTD**)
in accordance with section 127(1) of the)
Corporations Act 2001 (Cth) by being signed)
by the authorised person:)

Sole director and sole company secretary

Full name

Usual Address

ANNEXURE 1
(Concept Plan – describing Bushland Reserve)



TP 052A



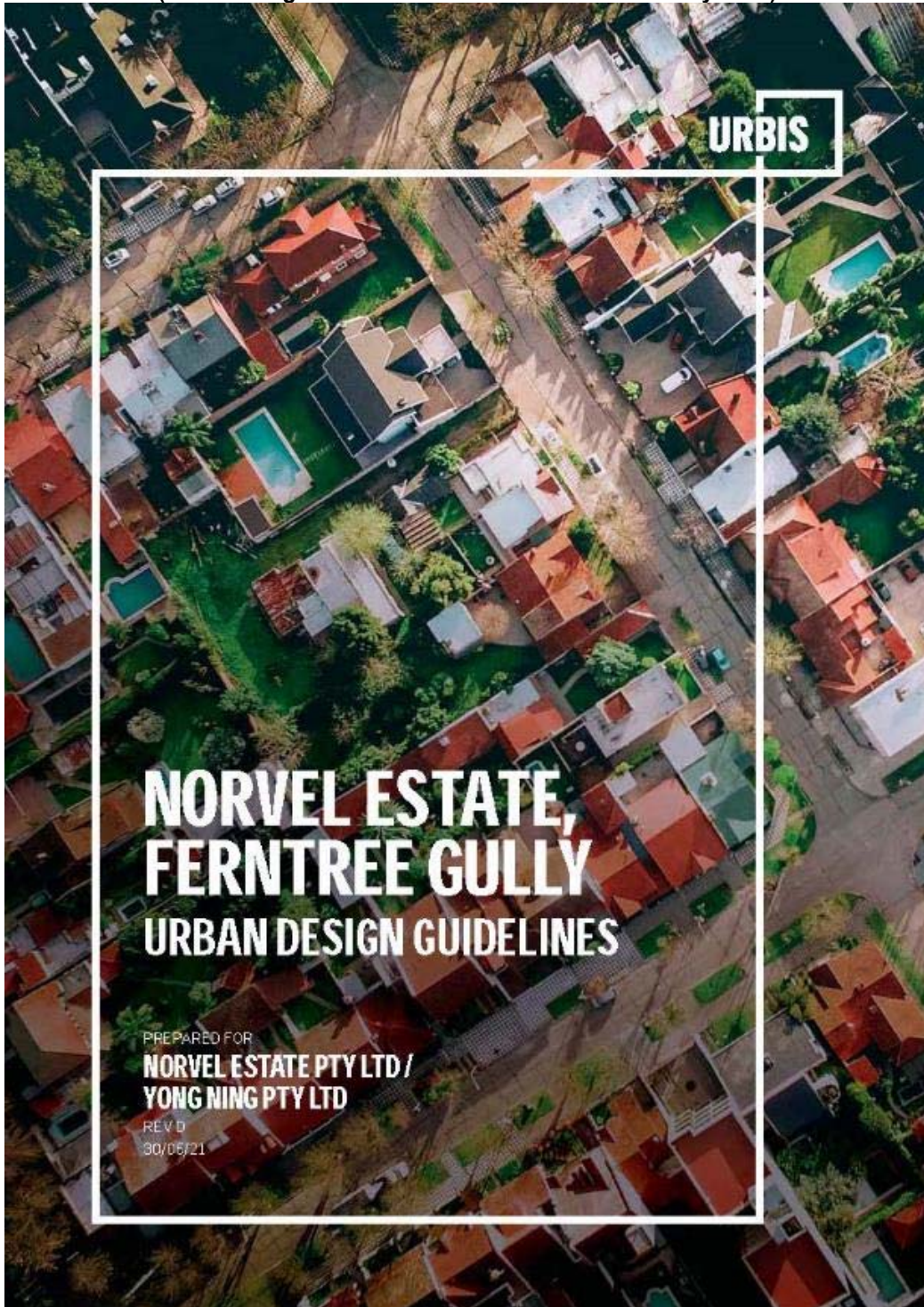
1 1750 @ A1 / 11500 @ A3

NORVEL ROAD | FERNTREE GULLY
RESIDENTIAL MASTERPLAN
36-0125

PEDDLE THORP

ANNEXURE 2

(Urban Design Guidelines – Revision D dated 30 May 2021)



URBIS STAFF RESPONSIBLE FOR THIS REPORT:

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INTRODUCTION

Norvel Estate, formerly Daniel Robertson's Quarry, is a 9.2 hectare site within Knox City Council, Victoria. It is bordered by Blind Creek to the north and is surrounded by suburban residential development.

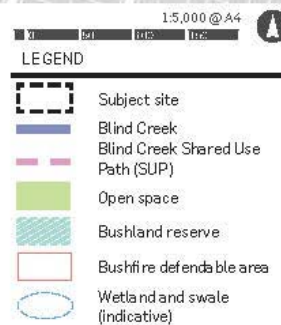
DEFINITIONS

Figure 1 provides definitions for some commonly used terms within this document.

The 'Public Open Spaces' section of the guidelines refers to green areas that are being developed within and directly adjacent to the subject site (e.g. the wetland and swale, and the linear reserve to the west of the subject site)



Figure 1 Site Plan



PURPOSE OF THE GUIDELINES

The Urban Design Guidelines are intended to provide broad character guidance for a macro development of Norvel Estate. They have been prepared by Urbis to supersede the existing Urban Design Guidelines for the subject site which were prepared in 2004 by Jones & Whitehead Pty Ltd for Knox City Council [the 2004 Guidelines].

The 2004 Guidelines are referenced in Agreement AG370823M under Section 173 (S173) of the Planning and Environment Act 1987 for Norvel Road Quarry between Knox City Council and Robertson Industries Pty Ltd. in Clause 5.5

The Schedule to the Development Plan Overlay (applied to the Robertson Land by the Amendment) should generally reflect the principles of the Urban Design Guidelines to the extent possible having regard to the form of development and use of the Robertson Land proposed by the Owner at the time of preparation of the Amendment

These Urban Design Guidelines are prepared with the intent to be registered into a new S173 agreement replacing current agreement AG370823M.

CONTEXT

In the 17 years since the 2004 Guidelines were written, some significant changes to the site and its context have occurred. The quarry has ceased operation and been filled, some vegetation has been cleared, and market expectations around lots sizes and housing typologies have changed.

More information on these changes is provided in the appendices, and a full analysis of the subject site and context can be found in the Norvel Estate Urban Context and Design Response Report by Urbis (2018).

STRUCTURE OF THE GUIDELINES

These Urban Design Guidelines are broadly based on the Urban Design Guidelines for Victoria, (The State of Victoria Department of Environment, Land, Water and Planning, 2017).

Consistent with the Urban Design Guidelines for Victoria, urban elements are arranged under the following categories:

1. Urban Structure
2. Movement Network
3. Public Open Spaces
4. Public Transport Environs
5. Buildings
6. Objects in the Public Realm

OBJECTIVES & GUIDELINES

Table 1 Norvel Estate Urban Design Guidelines (Urbis 2021), developed with reference to the Urban Design Guidelines for Victoria (2017)

OBJECTIVES	GUIDELINES
1 - URBAN STRUCTURE	
To provide a permeable and functional urban structure of blocks and streets	<ul style="list-style-type: none"> • Create an interconnected street layout with regular block sizes. • Create a permeable block layout. • Connect streets, pedestrian and bicycle paths from existing areas into new areas, while minimising disruption to the remnant bushland area. • Align pedestrian connections along desire-lines.
To provide a legible urban structure of blocks and streets	<ul style="list-style-type: none"> • Lay out street and block patterns to <ul style="list-style-type: none"> – Provide streets that are generally direct, straight or near straight; – Ensure the design works with the underlying topography to achieve an accessible movement network and minimise the level changes required between lots; – Allow clear view lines to key landmarks or features in the landscape where possible; and – Avoid cul-de-sacs, but if they are necessary, limit their length and maintain a straight alignment and clear sightlines to the end as well as pedestrian thoroughfare.
To ensure the urban structure supports accessibility to surrounding destinations	<ul style="list-style-type: none"> • Allow for continuous, direct pedestrian and bicycle access from the development to railway stations, bus routes, regional trail network and local services.
To integrate the development site into its surrounding area	<ul style="list-style-type: none"> • Connect the development's movement network to the movement network of the surrounding area. • Ensure new portions of streetscape along Norvel Road and Castricum Place complement the existing streetscapes.
To ensure the public realm structure provides for accessible, safe and conveniently located public spaces	<ul style="list-style-type: none"> • Create public open spaces where the local catchment has sufficient potential users to activate the space. • Any amenities and functions within new public open spaces should help to fill gaps in what is currently provided in the local area.
To ensure a public realm structure where streets support the amenity and function of neighbourhoods	<ul style="list-style-type: none"> • Make the streets sufficiently wide to serve their function in the movement network and as a public place, and to accommodate services infrastructure. • Provide space within the street for trees, landscaping, pedestrian movement and utility infrastructure. • Maximise opportunities for houses to face onto streets and adjacent public open spaces rather than lining these with back and side fences.
To ensure the public realm structure provides high amenity and safe interfaces between different uses	<ul style="list-style-type: none"> • Design the interfaces around public open spaces (including the bushland reserve) to avoid blank frontages and encourage passive surveillance, for example by <ul style="list-style-type: none"> – Providing public paths / streets along both edges; – Designing buildings to front onto the space; and/or – Use of low height and/or visually permeable fencing types where fences are unavoidable. • Development near the bushland reserve should be designed to satisfy relevant bushfire guidelines and/or CFA (Country Fire Authority) advice.

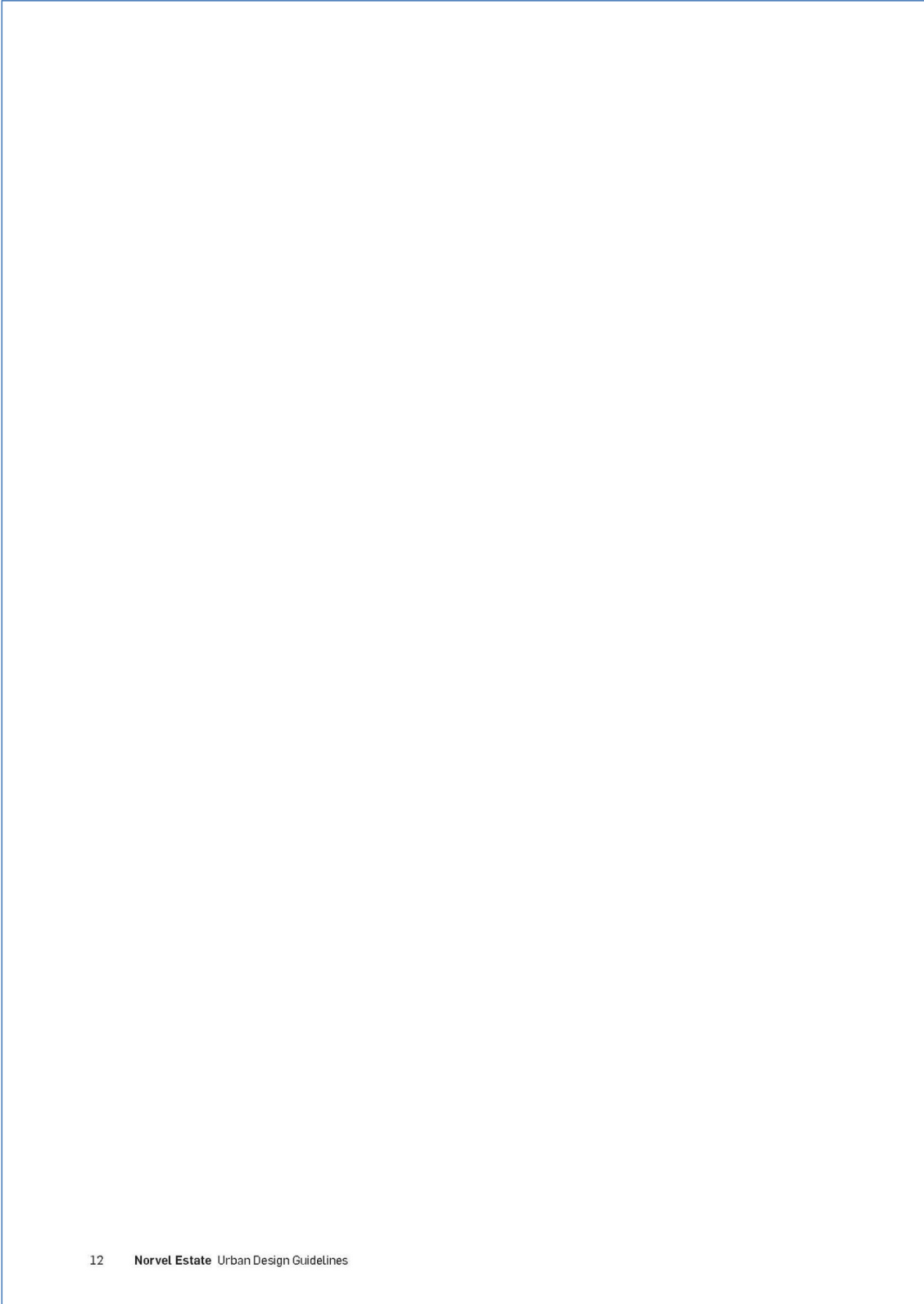
OBJECTIVES	GUIDELINES
To provide a granularity of subdivision that supports private and public amenity, while allowing for an appropriate density	<ul style="list-style-type: none"> Provide lots that: <ul style="list-style-type: none"> Are large enough to provide a good quality private landscape outcome that contributes positively to the character of the public realm; and Take into account the changing market expectations for smaller lot sizes compared to what has traditionally been provided in the local area.
To ensure a well-managed, high amenity public realm	<ul style="list-style-type: none"> Develop the public open space, civil infrastructure and streets to a standard acceptable for ongoing maintenance and management. Establish an integrated management agreement for the maintenance and repair of the public realm.
2 - MOVEMENT NETWORK	
To ensure the movement network accommodates a diversity of transport modes and supports activities, including active transport	<ul style="list-style-type: none"> Provide a pedestrian network that caters for persons of all abilities. Provide for walking and on-road cycling on all streets.
To ensure the movement network provides for safe interactions between transport modes	<ul style="list-style-type: none"> Each lot to have a maximum of one crossover. Arrange vehicle crossovers to allow clear sightlines between drivers entering the crossover and pedestrians on the footpath and cyclists on the street. Garages to be set back sufficiently from the front boundary to minimise the potential for cars in driveways to overhang the footpath.
To ensure effective pedestrian and bicycle path connections to destinations	<ul style="list-style-type: none"> Establish a continuous system of pedestrian paths connecting the development with adjacent neighbourhoods, along all streets, continuing through public spaces, and to public transport nodes. Provide pedestrian and cyclist connection to the Blind Creek Shared Use Path (SUP). Include footpaths along the street frontage of each property.
To ensure pedestrian and bicycle paths are accessible and serviceable	<ul style="list-style-type: none"> Set path widths to accommodate the anticipated or predicted levels of pedestrian and bicycle traffic. Preserve a minimum height of at least 2.5m above paths that is clear from overhanging objects. Where bicycle paths curve, set an inside radius of at least 15m and preferably 30m. Lay out paths to allow pedestrians and cyclists clear sightlines for a distance of at least 15m ahead. Where pedestrian or bicycle paths are bordered by fences, maximise opportunities for informal surveillance from adjacent properties and/or streets. Path design should comply with the relevant standards. Provide directed, low-glare lighting to pedestrian and bicycle paths.
To ensure pedestrian and bicycle paths provide safety for pedestrians and cyclists on vehicle crossovers	<ul style="list-style-type: none"> Locate vehicle crossovers on straight street sections to ensure high visibility to approaching pedestrians and cyclists. Continue path treatments across vehicle crossovers to signal priority for pedestrians.
To minimise hazards to pedestrians and cyclists from path edges	<ul style="list-style-type: none"> Set pedestrian and bicycle paths back from the roadway or other obstructions. Set trees back from pedestrian and bicycle path edges, in accordance with relevant standards. Maintain low planting adjacent to pedestrian and bicycle path edges. Maintain clear sightlines along paths and avoid creating obstructions in areas adjacent to pedestrian and bicycle paths.

OBJECTIVES	GUIDELINES
To ensure streets have a green character	<ul style="list-style-type: none"> Provide a street cross-section that accommodates adequate space free of conflict with other infrastructure for street tree planting.
To ensure convenient and safe at-grade crossings for pedestrians and cyclists	<ul style="list-style-type: none"> Locate at-grade crossings on roads where pedestrians and cyclists can be seen by approaching drivers. Provide a clear space for pedestrians waiting to cross a road, separate from the through pedestrian path. Provide at-grade pedestrian crossing that facilitates desire line and shortest pedestrian movement to destination.
To ensure efficient provision of on-street parking	<ul style="list-style-type: none"> Provide a street cross-section that accommodates the appropriate level of on-street parking for the development.
3 - PUBLIC OPEN SPACES	
To ensure convenient and safe access to and through public open spaces	<ul style="list-style-type: none"> Provide clear and legible pedestrian paths through public open spaces that link with the surrounding pedestrian network.
To ensure amenity and safety for public open space users	<ul style="list-style-type: none"> Provide areas and facilities which are consistent with Council's open space strategy Locate paths and facilities where they will be visible from surrounding properties, paths and/or streets. Provide lighting along main pedestrian paths in areas that are intended for night-time use, lit to the same level as surrounding streets. Do not light areas intended for day time uses only. Consider the purpose of the bushfire defendable area in the choice and location of recreational structure.
To ensure comfortable and enjoyable public spaces	<ul style="list-style-type: none"> Where possible, arrange paths, seating and any recreational areas to catch the sun during winter and be shaded during summer. Locate any seating to provide users with a pleasant outlook and opportunity to watch passers-by.
To emphasise a sense of place and character	<ul style="list-style-type: none"> Select planting and landscape elements that support the existing character or preferred future character of the local area and also considers bushfire risk. Establish large trees and other plants to enhance the local habitat and microclimate. New trees should be a mix of predominantly indigenous and/or native species as recommended in the relevant Council guidelines. Integration of locally relevant urban art is encouraged
To ensure the public open spaces are well maintained	<ul style="list-style-type: none"> When designing public open spaces, take account of the management agency's capacity to resource ongoing maintenance and management. Regularly maintain hard and soft landscape elements to ensure the spaces are inviting, comfortable and safe. Within the bushfire defendable area, position and maintain trees and other plants to comply with relevant bushfire safety guidelines and/or the advice of the CFA.

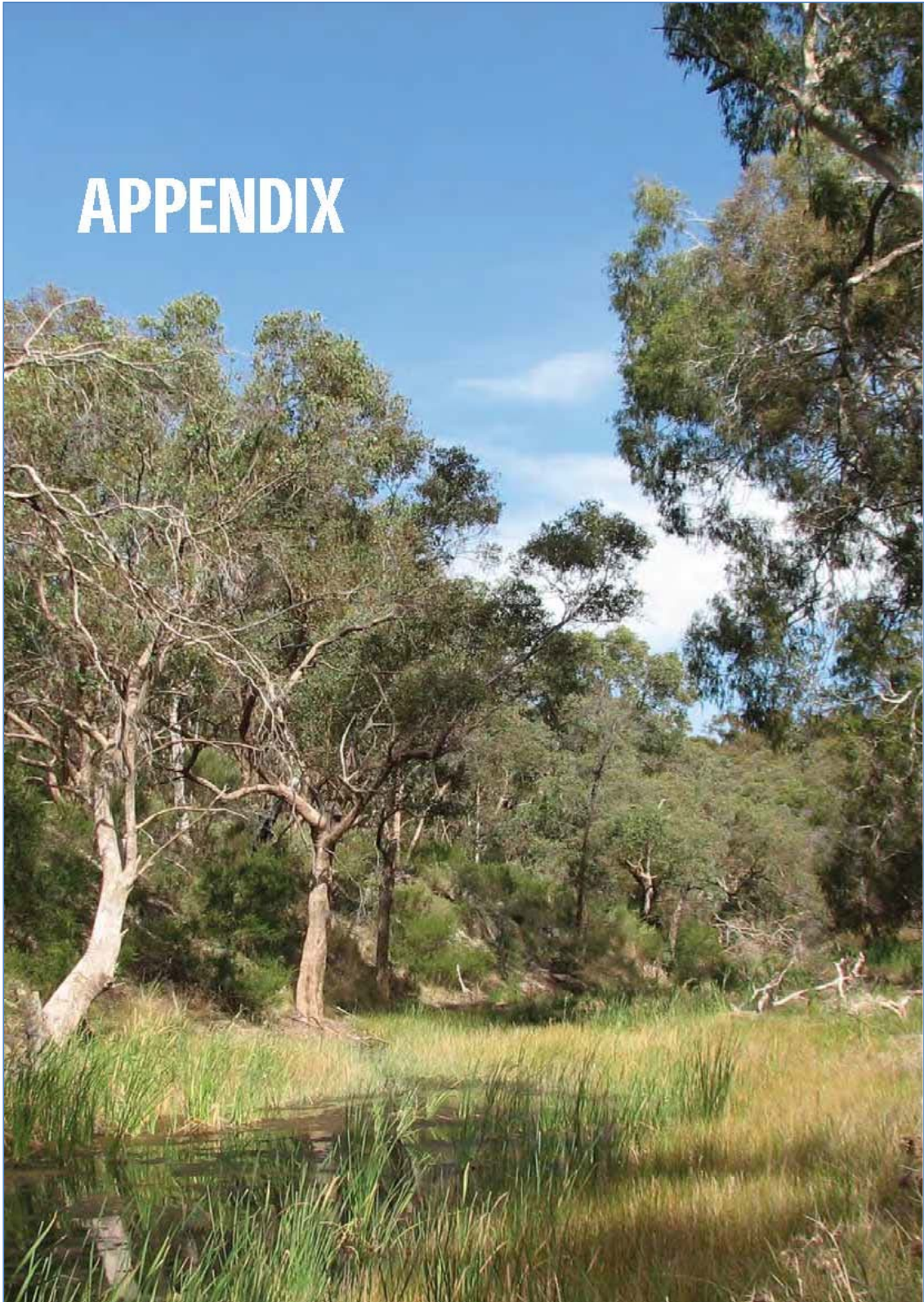
OBJECTIVES	GUIDELINES
<p>To protect the ecological values of the bushland reserve, Blind Creek, and the local area</p>	<ul style="list-style-type: none"> • Retain and protect remnant indigenous vegetation. • Maintain the biological integrity of the bushland as a future reserve. • Avoid the use of potentially invasive plant species anywhere within the development. • Ensure the site's stormwater run-off is treated prior to entering Blind Creek. • Provide paths through the bushland reserve where necessary for maintenance and emergency services vehicles, and for pedestrians where it is safe and of minimal impact to do so. • Any paths through the bushland reserve should: <ul style="list-style-type: none"> – Be located in areas that have already been disturbed where possible; – Be constructed in a manner that minimises disturbances to remnant vegetation and topography (e.g. no-dig boardwalks where appropriate); – Be permeable to water; and – Appear naturalistic in character and be designed to minimise any visual impact.
<p>4 - PUBLIC TRANSPORT ENVIRONS</p>	
<p>To ensure convenient pedestrian and bicycle access to railway stations and public transport nodes</p>	<ul style="list-style-type: none"> • Allow for continuous, direct, pedestrian and bicycle access routes to railway stations and public transport nodes.
<p>5 - BUILDINGS</p>	
<p>Allow for higher density development on the site with varied building types relative to surrounding areas</p>	<ul style="list-style-type: none"> • Allow for a mix of building types which includes detached houses and potentially other low-scale housing types (e.g. duplexes, terraces, town houses). • Allow for a greater proportion of multi-storey houses in the development compared to the surrounding area.
<p>Ensure that the form and character of buildings is complementary to that of the surrounding residential and open space areas.</p>	<ul style="list-style-type: none"> • Ensure that building setbacks and façade treatments are varied or articulated to avoid a continuous street wall effect. • Set back garages behind the front building line • Front setbacks of outward facing lots should respond to the surrounding neighbourhood character
<p>Maintain the amenity of adjacent residential uses.</p>	<ul style="list-style-type: none"> • Windows should not overlook into adjacent private spaces. • Dwellings bordering the east property boundary to be set back to respect the open rear yard character of the development along this interface.
<p>Ensure the placement and form of buildings supports bushfire safety.</p>	<ul style="list-style-type: none"> • Trees within the defendable area are to be maintained to comply with CFA requirements.
<p>Ensure the built form supports the establishment of new trees and preservation of existing trees.</p>	<ul style="list-style-type: none"> • Front setbacks within the development site to be set back sufficiently from the street to ensure space for small canopy tree planting where it does not conflict with bushfire defendable space requirements.
<p>Minimise construction and post construction impacts of development on the site.</p>	<ul style="list-style-type: none"> • Minimise the extent of impermeable paved areas to avoid excessive stormwater run-off. • Minimise earthworks near significant vegetation. Where earthworks are necessary, ensure root zones of existing vegetation are protected to preserve tree health. • Provide water-permeable surfaces around significant trees.

OBJECTIVES	GUIDELINES
6 - OBJECTS IN THE PUBLIC REALM	
<p>To ensure that objects in the public realm support safety and amenity</p>	<ul style="list-style-type: none"> Avoid unnecessary clutter, for example by consolidating lighting / signage functions into a single object. Place all objects outside of main pedestrian or bicycle travel paths and away from street corners. Larger infrastructure objects should be either visually unobtrusive (e.g. screening with plants) or purposefully designed to be visually pleasant and complement the surrounds. Place power and communications cables underground to reduce visual clutter and allow for the planting of canopy street trees.
<p>To ensure objects in the public realm are robust and easy to maintain</p>	<ul style="list-style-type: none"> Develop a simple, standardised palette of materials and designs for street furniture and objects. Use resilient materials that are easily cleaned, maintained and repaired or recycled. Use local Council design standards for street furniture where appropriate.
<p>To locate street and park furniture in accessible and convenient places</p>	<ul style="list-style-type: none"> Place seats where people linger such as the local park and locations where people can enjoy views or watch activities. Position any bicycle parking hoops to accommodate a bicycle on either side.
<p>To select trees and planting that are fit-for-purpose</p>	<ul style="list-style-type: none"> Select lawn types that are suitable for sitting on and for recreation. Use drought-resistant plant species when irrigation is not available. Use plant species appropriate to the available root space. Select deciduous tree species where winter sun is desired (e.g. north of windows). Select dense, canopied tree species where summer shade is desired. Select evergreen species with dense foliage where screening is needed. Ensure proposed plant species within the bushfire defensible area are selected and placed to satisfy relevant bushfire guidelines and/or CFA advice.
<p>To ensure trees and planting contribute to local identity and context</p>	<ul style="list-style-type: none"> Select trees and planting appropriate to the cultural context and local identity. Provide trees and planting that engage the senses. Select trees in keeping with the scale of the street or space. Position trees and planting to define a street or path. Position trees in streets to form a canopy and enclose the space. Favour the selection of indigenous species where appropriate
<p>To ensure trees and planting support the safety and amenity of public space</p>	<ul style="list-style-type: none"> Select tree species with clear trunks, and no branches or foliage below 2500mm in height. Select shrub and ground cover plantings to be no more than 800mm in height. Position trees and planting to allow clear sightlines along streets and across the different mode paths. Position trees away from overhead wires and public lighting to limit overshadowing of public lighting and interference with overhead wires. Within the bushfire defensible area, position and maintain trees and plants to satisfy relevant bushfire guidelines and/or CFA advice. This may include but is not limited to: <ul style="list-style-type: none"> - avoiding creating a continuous tree canopy, - limiting total area of tree canopy cover, - maintaining trees to have a clean trunk, - maintaining grasses to an appropriately low height, particularly during the declared fire danger period, and - limiting the sizes of the areas of shrubs and providing adequate spacing between clumps of shrubs.

OBJECTIVES	GUIDELINES
<p>To ensure trees and planting are managed and maintained</p>	<ul style="list-style-type: none"> • Manage ongoing maintenance and replacement of trees and planting according to a precinct-wide plan. • Manage street planting to maintain clear sightlines along paths and streets. • Maintain vegetation clear of lighting to allow direct illumination of paths. • Maintain trees clear of overhead wires. • Maintain trees and other planting within the bushfire defendable area to be compliant with the relevant bushfire guidelines and/or CFA advice. • Keep bushfire defendable area clear of leaf and other flammable debris during the declared fire danger period. • Minimise impact on nocturnal wildlife in biologically significant area "Site 34" as defined in "Sites of Biological Significance in Knox, Vol.2" (2010).
<p>To ensure that fences contribute to the character of the area</p>	<ul style="list-style-type: none"> • Use a style, scale and materials for side and rear fences that contribute to the existing or desired future character of the area.
<p>To maximise informal surveillance to the street and public spaces</p>	<ul style="list-style-type: none"> • Avoid the use of fences along front property boundaries • For property side boundaries abutting a street or public space, front yards should ideally have no fencing, or otherwise use fencing types that are of a low height and/or are visually permeable.
<p>To ensure lighting supports night-time social and recreational activity, amenity and safety in the public realm</p>	<ul style="list-style-type: none"> • Locate lighting for safe travel and wayfinding along pedestrian and bicycle paths, and to emphasise crossings, landmarks and destinations. • Light only those public space areas and paths intended for night use. • Where pedestrian and bicycle paths pass through public open space, light the paths to the same level as surrounding streets. • Locate lighting at points of potential pedestrian-vehicle and pedestrian-bicycle conflict.
<p>To ensure lighting aids wayfinding and contributes to local character</p>	<ul style="list-style-type: none"> • Use external lighting to enhance landscape features. • Integrate lighting with signs, landscaping and other public space elements. • The overall lighting level in public spaces may comprise light from a combination of sources including street lights and residences. • Provide consistent, continuous lighting levels along paths. • Use lighting types that minimise distortion and glare, and maximise colour recognition of objects and surfaces. • Place lighting poles and lamps away from tree canopies, verandas and overhead wires. • Direct the path and activity lighting downwards to illuminate the immediate surrounds. • Where lighting bollards are adjacent to pathways, direct the light beam downwards. • Provide lighting levels that enable recognition of an approaching person's face from approximately 10-15 metres away.
<p>To ensure signs inform pedestrians and cyclists and aid way-finding</p>	<ul style="list-style-type: none"> • Where appropriate, provide signs along paths showing connections and destinations, and the location of public facilities and public transport routes. • Provide clear and regular sign posting on main pedestrian routes. • Concentrate pedestrian signs at node points on the pedestrian routes. • Position signs clear of pedestrian and bicycle spaces and paths. • Position signs clear of vegetation. • Place pedestrian and cyclist signs at user eye level. • Locate property street numbers to be visible from the street, day and night.



12 **Norvel Estate** Urban Design Guidelines



LAG 11547244v4 LAG

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APPENDIX 1 SUMMARY OF CHANGES 2004-PRESENT

When the 2004 Guidelines were written, some of the advice was responsive to conditions of the site and context that have since changed. These key changes are summarised below.

SUBJECT SITE

Norvel Estate was previously known as the Norvel Road Quarry. It was owned by Robertson Industries and was used for clay extraction to manufacture bricks under the Daniel Robertson brand.

Within the past eight years, the clay pit has been filled so the site has a relatively consistent, gentle slope and the vegetation south of the most densely vegetated remnant woodland has been cleared.



Figure 2 Site in Feb 2007
(Source: Sites of Biological Significance In Knox Vol.2, p.180)



Figure 3 Site in Sept 2013




NTS 



Figure 4 Site in Feb 2017 (conclusion of major changes)

NTS 

LEGEND

-  Subject site
-  Vegetation cleared
-  Clay pit filled in

CONTEMPORARY DEVELOPMENT

Residential lots in the surrounding area are most commonly around 750m² in area and contain single detached dwellings of 1-2 storeys in height. However, there is a trend towards further subdividing older lots to accommodate multiple dwellings on sites that would have originally contained a single detached dwelling. This is reflective of changing home buyer expectations and housing affordability pressures, relative to the time many decades ago when the land was first developed.

LEGEND




-  Subject site
-  Green space
-  Typical residential lots (mostly with single low scale detached dwelling)
-  Finer-grain subdivided residential lots
-  Pavilions in a park
-  Industrial
-  Local road
-  Minor road
-  Dead-end minor road



Figure 5 Surrounding urban form

APPENDIX 2 REVIEW OF 2004 GUIDELINES

COMMENTARY SECTION

On pages 1 to 4 of the Urban Design Guidelines (2004, Jones & Whitehead Pty Ltd) the following points required review:

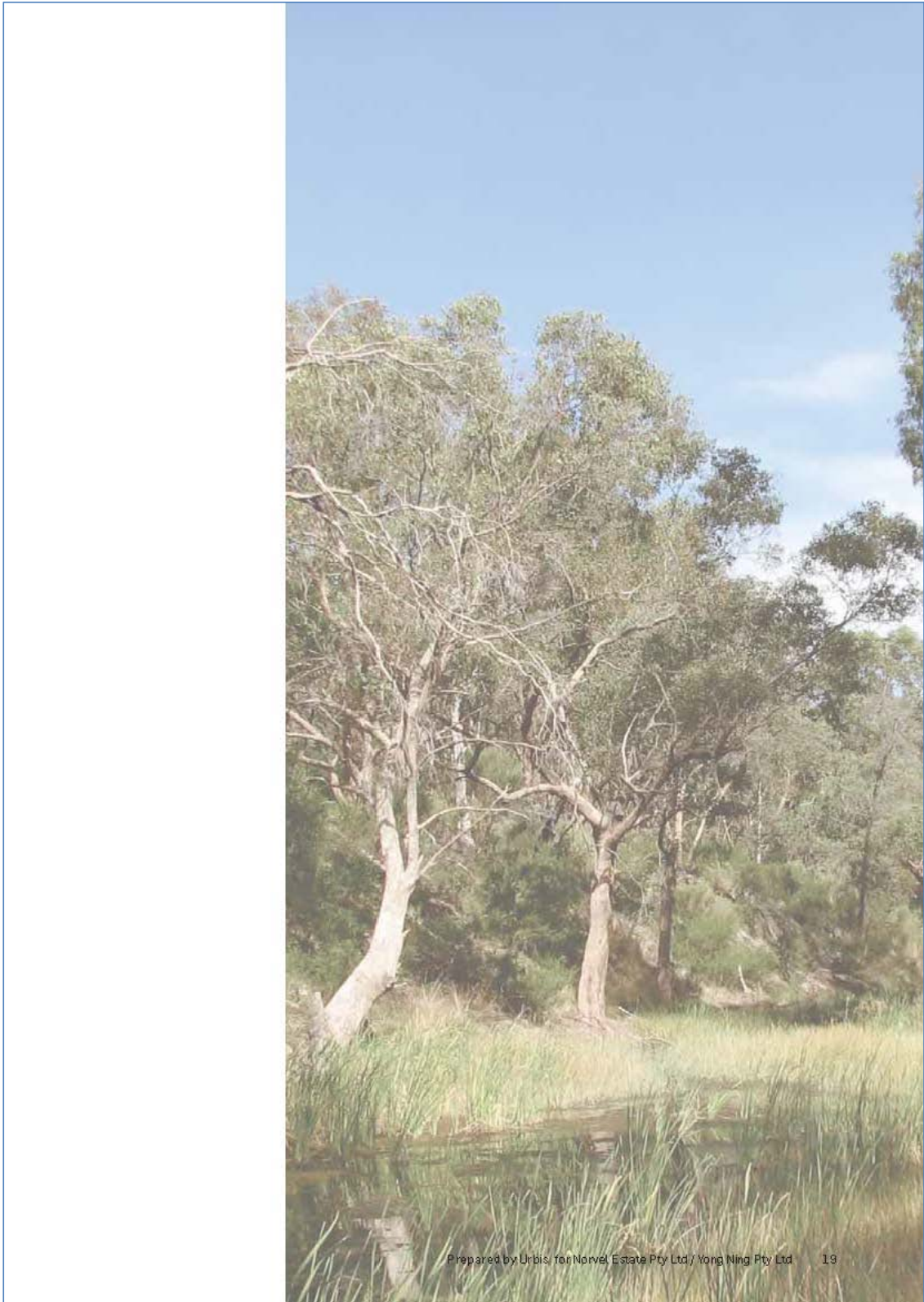
- Description of the current usage of the quarry is out of date.
- Justification of what is an appropriate density for the site is no longer a compelling case.
- Commentary on protected vegetation areas – this is unclear since the supporting maps do not specifically define all of the areas named in the text. A portion of the trees within the Vegetation Protection Overlay have already been removed.
- Recommendation that the remnant vegetation should become a gated "flora reserve" with limited public access no longer reflects the position of Council.
- The section "Other Vegetation on the Site" is no longer applicable since it has all been cleared.
- Much of the commentary on steep slopes is no longer relevant since the site has been filled.

GENERAL OBJECTIVES AND GUIDELINES SECTION

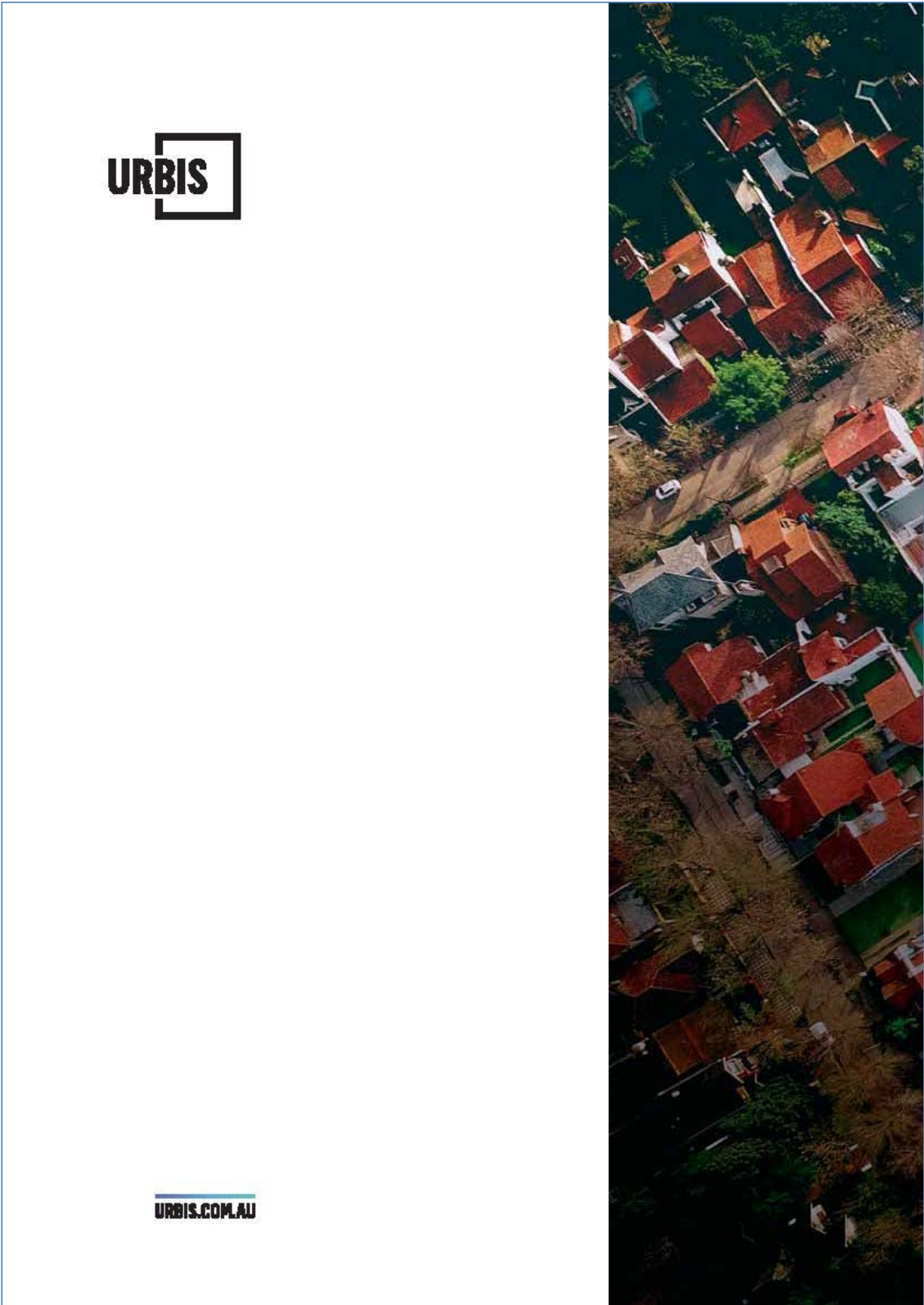
General Objectives and Guidelines are listed on pages 5 to 12 of the 2004 Guidelines. For brevity, only the main overarching objectives are quoted, but the commentary also relates to individual guidelines under each objective - see Table 2.

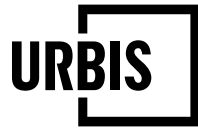
Table 2 Review of General Objectives and Guidelines in superseded Urban Design Guidelines (Jones & Whitehead Pty Ltd, 2004, p. 5-12)

OBJECTIVE	CURRENT STATUS
Ensure that development is complementary to surrounding residential neighbourhoods.	<ul style="list-style-type: none"> At a high level the objective is still valid, but requires some refinement
Allow for development on quarried areas of the site at a higher density and with varied building types relative to surrounding areas	<ul style="list-style-type: none"> 'Quarried' areas have been filled in, but still valid in principle.
Protect and restore significant indigenous vegetation communities including canopy trees, understorey and herbaceous elements.	<ul style="list-style-type: none"> Still valid in principle, however the specifics of public access have changed
Create an interface between development and the flora and fauna reserve that helps to protect the ecological values of the reserve while allowing benefits to residents and the broader community.	<ul style="list-style-type: none"> The high level objective is valid, however many of the guidelines are no longer supported. Based on previous advice from Council, the guideline to "support fenced outdoor spaces with minimal plantings next to the reserve" is no longer correct.
Create links with parkland along Blind Creek.	<ul style="list-style-type: none"> Still valid
Minimise the impacts of construction during, and as a result of, development of the site.	<ul style="list-style-type: none"> Still valid
Follow best practice in design, construction and operation of drainage systems.	<ul style="list-style-type: none"> Still valid
Support energy-efficient buildings and landscapes.	<ul style="list-style-type: none"> Still valid
Plan streets within the site as an integral part of the local street network.	<ul style="list-style-type: none"> Most points still valid Guideline to "Design streets with a character similar to streets in adjoining areas (width, pavement materials)" is limited in some respects by the need to provide a finer grain of subdivision in order to be commercially viable.
Create an attractive public interface between the new housing and other public open spaces.	<ul style="list-style-type: none"> At a high level the objective is still valid Some of the specific guidelines for achieving the objective are questionable and may not be in line with the most recent Urban Design Framework for Knox.



Prepared by Urbis, for Norvel Estate Pty Ltd / Yong Ning Pty Ltd 19





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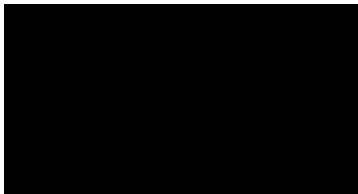
22 July 2021

Patrick Dubuc
Senior Strategic Planner
Knox City Council

Dear Patrick,

We confirm that our client accepts the Section 173 agreement provided to us via email on 21st July 2021.

Kind regards,



[Redacted]
Consultant



S173 Confirmation letter - Norvel Estate

6.3 Endorsement of Draft Green Areas and Rural Strategy (GARS) for Community Consultation

SUMMARY: Senior Strategic Planner, Nasrin Dehghani

The draft Green Areas and Rural Strategy (GARS) provides strategic direction for selected precincts within Knox that are of environmental, recreational, agricultural, rural living and landscape significance to the community. It provides a vision for each of its precincts and details actions that would guide future decision making. Building upon the evidence base, technical analysis, stakeholder input and preliminary community feedback from earlier stages, a draft strategy has now been prepared which is proposed to undergo public consultation in November-December 2021 to ensure the views of the community and key stakeholders are sought. It is recommended that Council endorses the draft GARS for the purpose of community consultation.

RECOMMENDATION

That Council:

1. Endorses the draft Knox Green Areas and Rural Strategy (draft GARS) as provided in Attachment 1 for the purpose of public consultation for a minimum of 4 weeks in November – December 2021;
2. Authorises the Chief Executive Officer (or such person the Chief Executive Officer selects) to make minor changes to the draft GARS as appropriate prior to public consultation; and
3. Notes that following consultation, the results will be presented together with the final strategy for Council's consideration.

1. INTRODUCTION

The GARS project represents a strategic planning review of selected precincts within Knox that are of high environmental, recreational, agricultural, rural residential and landscape value to the Knox community. The project was initiated in 2016 with some preliminary research and analysis undertaken, however, was progressed more effectively from mid-2018.

The Study Area is indicated in Attachment 1 and comprises the following Precincts:

- Precinct 1: The Basin Rural Landscape Precinct
- Precinct 2a: Lysterfield Valley and Hills
- Precinct 2b: Lysterfield Quarries and Surrounds
- Precinct 3: Dandenong Creek Valley Precinct
- Precinct 3a: Tirhatuan Wetlands
- Precinct 4: Healesville Freeway Reservation and Surrounds.

These precincts contain areas of public and private land that are used for a variety of rural living, agriculture, recreation, resources or environmental conservation purposes. The Study Area affects the following wards in the Knox municipality: Chandler, Dobson, Taylor, Tirhatuan, Scott, Collier and Dinsdale.

The project is supported by the Knox Planning Scheme which requires further investigation of Knox Green Wedge land and the Dandenong Creek Valley Parklands. The need for this strategy is also driven by the Department of Environment, Land, Water and Planning (DELWP) which requires councils to provide local strategic direction for Green Wedge areas.

The project has been carried out in five stages as follows:

- Stage 1: Setting the Current Scene
- Stage 2: Issues and Opportunities Analysis
- Stage 3: Visioning
- Stage 4: Strategy Development (current stage)
- Stage 5: Implementation and Monitoring

In March-April 2020, public consultation was undertaken to evaluate the findings of Stages 2 and 3 and to engage the stakeholders and the community early in the process of strategy development.

The consultation sought feedback on the issues and opportunities identified and invited ideas to develop a future vision for each precinct. Through a variety of methods, including online surveys, brochures, mail outs, presentations and meetings, the consultation established a preliminary understanding of public sentiment towards the project and provided an opportunity for the community to raise issues and matters that could be investigated as part of this project.

The consultation process and findings were presented to Council at its meeting on 24 August 2020 and are outlined in the [GARS Community Consultation Report: Visioning Consultation](#). Broadly, the findings include:

- The overall direction and approach to the project was generally supported by the key stakeholders;
- The draft vision and opportunities for each precinct received beneficial feedback from the community that has helped improve or refine the recommendations in the draft GARS;
- Protecting these precincts from future development and change was a key priority for the broader Knox community. However, some of the individual landowners within the Study Area objected to this outcome, in particular, those outside the Urban Growth Boundary who stated they favour rezoning to allow for urban development or smaller lot rural subdivision in proximity to the urban area;
- Ecological protection and enhancement was another important issue to the broader community with substantial feedback focusing on native vegetation, biodiversity and waterways;
- Walking and cycling safety was raised by many participants with suggestions for improvements and additional shared paths/trails;
- While there was an overall negative sentiment towards high-impact, large-scale tourism or intensification of recreational uses, general support was expressed for more parkland, low-key recreation, and small scale complementary business or community uses in the right locations where they do not detract from the environmental or scenic qualities of these precincts.

2. DISCUSSION

Building upon the issues and opportunities and reflecting on the public feedback received, the draft GARS strategy (Attachment 1) presents future strategic directions for the Study Area.

The document has two main parts:

- Part A sets the scene by providing an overview of the current conditions, policy context and key project drivers;

- Part B provides a future vision, objectives, strategies and actions. The discussions and actions are divided into those that apply to the entire Study Area and those that are precinct-based. Attachment 2 provides a one page summary of the GARS strategic framework including objectives and strategies which are organised under three overarching themes:
 - Ecology;
 - Landscape and Heritage;
 - Land Use and Access.

This strategic framework guides the analysis for each precinct and is translated into individual actions across the document. Overall, the strategy seeks to achieve the following key outcomes:

- Protecting the urban growth boundary in The Basin, Lysterfield and Rowville;
- Better clarifying and acknowledging the unique environmental and landscape characteristics of each precinct with the intention of protecting them from incremental change or loss of value;
- Enhancing waterway health and habitat values including along the wildlife corridors associated with the Dandenong Creek and its tributaries;
- Detailing the landscape and character values, including natural, rural and pastoral landscapes, and protecting key view lines and scenic areas;
- Protecting the floodplains from development and level change to prevent flooding downstream;
- Maintaining capable agricultural land and promoting sustainable agriculture practices;
- Identifying compatible economic opportunities such as tourism and agri-tourism;
- Preventing the introduction or intensification of sensitive uses in proximity to bushland to prevent additional bushfire risk;
- Maintaining low intensity rural buffers surrounding rich habitat and bushland areas;
- Improved heritage protection and identifying places for further investigation;
- Identifying opportunities for additional parkland and recreational uses; and
- Identifying locations for additional shared paths and improvements to roads and pedestrian/cyclist connectivity and safety.

Once adopted, the strategy will be accompanied by an Implementation Plan that comprises all actions across the document and specifies how each Action will be delivered.

3. CONSULTATION

Subject to Council's endorsement, the draft GARS will be made available for public comment for a minimum of four weeks. The planned public consultation (November to December 2021) represents the second round of community engagement and will seek feedback on the draft GARS including the proposed strategic directions and actions prior to Council's consideration for adoption.

An Engagement Plan and a Communication Plan have been prepared which detail the various stakeholders, approach to engagement and methods to be used. An engagement consultant has also been engaged to assist with pop-up sessions and intercept surveys (subject to COVID-19 restrictions).

The planned consultation will generally include the following methods:

CONSULTATION METHOD	TARGET AUDIENCE
Pop-up sessions and intercept surveys in appropriate locations within or in proximity to each GARS precinct (subject to COVID-19 restrictions)	Residents, visitors, recreational users, cyclists, the general community
Direct mail notification	Property owners, residents and business operators within the study area
Advertising in community papers (Boronia and Basin News, Rowville-Lysterfield Community News, Ferntree Gully News)	Local communities
Targeted consultation (presentation, email notification)	Knox Advisory Committees, user/interest groups, state government stakeholders, neighbouring local governments, previous submitters
Knox eNewsletter, web news, social media platforms and digital screens (libraries, hubs, community centers)	Broader Knox community
Council's Have Your Say platform and the project webpage - will include the draft GARS summary, full document and an online survey for each precinct	All audiences will be called to visit the page to find more information and complete the surveys

Following the engagement, the consultation results will be presented to Council with a final strategy for adoption.

4. ENVIRONMENTAL / AMENITY ISSUES

There are no environmental/amenity risks arising from the proposed consultation. The strategy as a whole seeks to improve environmental and amenity qualities within the Study Area and will contribute positively towards the protection of the environment and amenity.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed public consultation on the draft GARS will be resourced from the allocated City Futures operational project budget.

Subject to Council adoption of the draft strategy, the proposed implementation actions supporting the strategy will inform the annual business plans of the respective responsible departments. Additional resources, if required, will be the subject of business cases in future years.

6. SOCIAL IMPLICATIONS

The proposed consultation has positive social outcomes in terms of public engagement, as it enables participation in decision making. Owners/occupiers within the Study Area as well as the

broader community are likely to have an interest in the project and the consultation will provide the broader community with an opportunity to have a say and influence outcomes.

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

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

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

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

Goal 3 - We can move around easily

Strategy 3.2 - Improve bike and footpath connectivity, including identifying gaps between existing bike routes, footpaths and key places

Goal 4 - We are safe and secure

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

Goal 6 - We are healthy, happy and well

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

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.1 - Protect and preserve our local cultural heritage

Goal 8 - We have confidence in decision making

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

Strategy 8.2 - Enable the community to participate in a wide range of engagement activities

8. CONFLICT OF INTEREST

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

9. CONCLUSION

The draft GARS provides the necessary evidence base and strategic directions to enable improved decision making for the study area. This work has been informed by significant research and technical input and would benefit from broader public engagement to ensure the views of the community and key stakeholders are captured.

It is recommended that Council endorses the draft GARS to enable the planned community engagement to commence.

10. CONFIDENTIALITY

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

Report Prepared By: Senior Strategic Planner, Nasrin Dehghani

Report Authorised By: Director City Strategy and Integrity, Matt Kelleher

Attachments

1. Attachment 1 - Draft GARS for Public Consultation [6.3.1 - 122 pages]
2. Attachment 2 - GARS Strategic Framework Summary [6.3.2 - 1 page]

KNOX

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Knox City Council

Draft Green Areas & Rural Strategy (GARS)

A plan for Knox Green Wedge land and Green Corridors

Draft for Consultation – October 2021



Document Register					
Rev	Purpose	Prepared By	Reviewed By	Date of Issue	Changes
1	Initial draft	ND	Project Working Group	05/05/2020	
2	Draft for EMT	ND	MC & AP	20/05/2020	Internal comments incorporated
3	Draft for Councillors Issues Briefing	ND	EMT	01/06/2021	Minor edits
4	Draft for public consultation	ND		04/10/2021	Changes to reflect Issues Briefing feedback

Melbourne Water Drainage Information - Melbourne Water

Whilst every endeavour 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 organisations in respect to inaccuracy, errors, omissions or for actions based on this information.

Planning information should be used only as a means of preliminary investigation. For accurate overlay information please obtain a Planning Certificate from DELWP.

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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.

Acknowledgement of the Traditional Owners

Knox City Council acknowledges the traditional custodians of the City of Knox, the Wurundjeri and Bunurong people of the Kulin Nation.

Contributors

This document has been written by officers of the Knox City Council and is informed by a number of background technical reports. Knox City Council acknowledges the contribution of the following consultants to the background reports:

Hansen Partnership, Urban Enterprise, Context, RMCG, Ecology and Infrastructure International (EII), Urban Ecology in Action and EcoAerial.

Disclaimer for maps in this report:

Roads and Title Boundaries - State of Victoria, Knox City Council
 Planning Scheme Information - DELWP, Knox City Council
 Aerial Photography - AAM



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Executive Summary

The Knox Green Areas and Rural Strategy (GARS) has been prepared by Knox City Council (KCC). It provides a strategic planning framework for precincts along the municipal boundaries that contain some of the most important bushland, green wedge, open space and rural landscapes in Knox. The strategy guides the future of the precincts by identifying their key values and providing direction on how to protect these values. It also aims to proactively attend to the existing and emerging challenges while realising future potential.

The strategy identifies significant ecological values in the Study Area due to the existing waterways – the Dandenong Creek and its tributaries – and significant areas of native vegetation. The GARS precincts are home to a variety of wildlife species including endangered ones. Some of the open space and rural areas, even those with dispersed or no vegetation, provide essential buffers, movement opportunities and stepping stones that facilitate wildlife connectivity. Vast floodplains in the creek valleys complement these ecological systems while playing a key role in stormwater management and the prevention of flooding downstream in the urban area.

The strategy also details the Study Area's social contributions, including its important role in providing parkland, leisure and nature-based recreation opportunities for the Knox community as well as the broader regional catchment. In the coming years as the urban settlement densifies to cater for a growing population, enhancements to the open space areas and improved access to these opportunities will be essential, to ensure the health and wellbeing needs of the community are met.

The Study Area includes some of the most significant scenic landscapes in Knox, featuring rolling hills, open pastoral valleys and long range views to the Dandenong foothills. These landscapes define the edges of the urban boundary and are highly valued by the community as unique places providing a sense of belonging and attachment.

The challenges of climate change further highlight the important role of these precincts. Considering more extreme weather events are predicted, the strategy places its key focus on protecting the floodplains, avoiding development intensification in bushfire prone areas, and maintaining vegetation cover to prevent the urban heat island effect. In addition, the strategy puts forward ideas for sustainable approaches to design, infrastructure and economic practices, and supports carbon capture and renewable energy production in identified areas.

Protecting identified environmental and social values from incremental changes will be a key challenge in the coming years. The underlying land use and economy will play a critical role. The Study Area provides for a range of rural living, agriculture, food production and

rural industries in proximity to the urban area. The strategy seeks to promote a healthy and thriving rural economy that supports land use and economic activities that complement and sustain the environmental and social values, and enhance these values where possible. Once implemented, the strategy will provide Knox City Council with a tool that can assist in influencing future outcomes, in particular at planning decision making.

Considering their diverse characteristics, a vision is provided for each precinct. The vision is supported by objectives and strategies under three themes: Ecology, Landscape & Heritage and Land Use & Access. The theme-based objectives are as follows:

Ecology:

- To protect and enhance biodiversity and wildlife connectivity.
- To protect and increase tree and vegetation canopy cover.
- To improve waterway health and flood management.

Landscape & Heritage:

- To protect and enhance local character and landscape values.
- To recognise, protect and promote existing heritage.

Land Use & Access

- To recognise and protect the values of Knox Green Wedges.
- To ensure land uses are located and managed to be consistent with the values and functions of the Study Area.
- To facilitate connectivity and safe movement for all users.

The above objectives are supported by a set of strategies that are then translated into more detailed and measurable actions. Some of the actions apply to the entire Study Area, while the others are precinct-based. Selected key actions of the strategy relate to:

- Protecting the Urban Growth Boundary in the Study Area
- Prioritising vegetation and habitat protection and enhancing wildlife corridors
- Better defining and protecting the landscape qualities and local character
- Undertaking further heritage investigation
- Protecting capable agricultural land from inappropriate development and use
- Enhancing shared path connectivity
- Improving community access to recreational opportunities
- Identifying opportunities for tourism, open space, leisure and community uses
- Protecting floodplains and bushfire prone areas from intense development
- Updates to the Knox Planning Scheme to reflect this strategy.

The strategy is accompanied by an Implementation Plan.



INTRODUCTION

The Knox Green Areas and Rural Strategy (the Strategy) provides objectives and strategic directions for precincts in Knox that are of high environmental and landscape significance. The Study Area contains areas on the edge of Metropolitan Melbourne as well as significant corridors of open space and rural land that accommodate significant conservation, resources, open space, recreation and other public functions.

As a land use planning strategy, a key purpose of this document is to inform the planning framework, including the Knox Planning Scheme (the Scheme), and guide future decision making. In addition, the project provides non-statutory recommendations in the fields of environmental management, parks and recreation, utility services, land management and community partnerships, where appropriate.

Study Area

The Study Area, as indicated in **Figure 1**, has been divided into the following precincts based on location, landscape characteristics and existing planning controls:

- Precinct 1:** The Basin Rural Landscape
- Precinct 2a:** Lysterfield Valley and Hills
- Precinct 2b:** Lysterfield Quarries and Surrounds
- Precinct 3:** Dandenong Creek Valley
- Precinct 3a:** Tirhatuan Wetlands
- Precinct 4:** Healesville Freeway Reservation and Surrounds

Outside the Study Area (see discussion in the following section):

- * Rowville Lakes Golf Course (Tirhatuan Golf Course)
- † Waverley Golf Course

The Study Area comprises land outside the Urban Growth Boundary (UGB) in The Basin to the north east of the municipality, and in Lysterfield to the south east, which provide a transition between suburban areas in Knox and the Dandenong Foothills to the east. The Study Area also includes rural and parkland/conservation land in the Dandenong Creek Valley to the west of Knox, as well as the area reserved for the proposed Healesville Freeway extension to the north-west of the municipality.

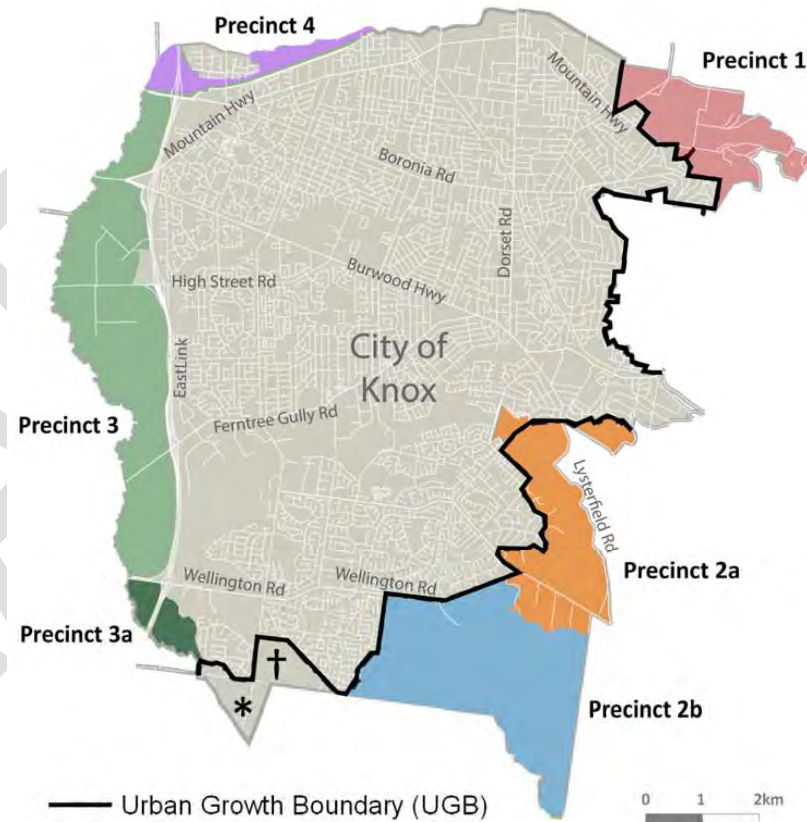


Figure 1 - Study Area



Precinct 1: The Basin Rural Landscape

Precinct 1 - The Basin Rural Landscape is 383ha in size and is located in the north-eastern corner of the Knox municipality. The precinct abuts the Dandenong Ranges National Park (DRNP) and Doongalla State Forest and contains significant native vegetation. It also includes sections of the Dandenong Creek and Dobsons Creek.

The precinct is characterised by large allotment sizes and provides attractive rural amenity, including idyllic views of Mount Corhanwarrabul. The floodplains of Dobsons Creek provide for agricultural activities while the eastern part of the precinct rises up to the Sassafras Forest, and contains privately owned rural residential properties scattered amongst indigenous vegetation. A number of mixed grazing properties including sheep, goats, alpacas and horse agistment are present, ranging from semi-commercial in scale to hobby farming. The precinct also includes public parklands and popular access routes to the DRNP which provides significant recreational opportunities for the local and broader community.

Precinct 2a: Lysterfield Valley and Hills

The Lysterfield Valley and Hills Precinct (Precinct 2a) is almost 500ha in area and provides an important rural green wedge between the suburban areas of Rowville and the Ferntree Gully-Belgrave ridge of the Dandenongs. Located around the Monbulk Creek Valley, the precinct is characterised by a noticeable land use transition from suburb to pastoral and agricultural open landscapes. The primary land uses within this precinct are agricultural, with market gardening and grazing currently dominating, along with hobby farming, horse agistment and larger lifestyle residential allotments. A number of horticultural businesses are present along Lysterfield Road, including production of Brussel sprouts and nursery plants.

Excellent views across the landscape are available from Glenfern Road and Mount Morton highlighting the visual transition between the metropolitan fringes and the forested slopes of the Dandenong Ranges.

Precinct 2b: Lysterfield Quarries and Surrounds

The Lysterfield Quarries and Surrounds Precinct (Precinct 2b) is approximately 877ha in area. Predominant features of Precinct 2b are the Boral and Hanson Quarries, the ridge top and slopes of the Lysterfield Hills and Lysterfield National Park, with the backdrop of Churchill National Park to the south.

The precinct contains parts of Lysterfield Park including sloped areas of forest and woodland which are of environmental significance and are used by the community for a

variety of recreational activities include walking, cycling, picnic, horse riding, mountain biking and orienteering.

The two quarries contain reserves of hard rock comprising granodiorite and hornfels which are extracted and processed on site. Quarrying activity comprises extracting rock and transporting it to an onsite crushing plant, then stockpiling the processed stone for sale. The quarry supplies markets in the surrounding southern and eastern suburbs and the CBD with high quality construction materials for use in the concrete and road construction industries.

Precinct 3: The Dandenong Creek Valley

The Dandenong Creek Valley is the largest precinct (975ha) and incorporates the land corridor between EastLink and the Dandenong Creek extending 10km along the Creek. This area accommodates large tracts of cleared farmland, semi-rural land, bushland, parklands and developed sporting facilities. It also includes large private properties designated for future public acquisition. Dandenong Creek runs along the Precinct's western boundary, which also serves as the boundary between Knox and the neighbouring municipalities of Whitehorse and Monash.

There is a high level of public land ownership in this precinct, with Parks Victoria and Melbourne Water responsible for a relatively large amount of this precinct due to its proximity to Dandenong Creek. Almost two-thirds of the Dandenong Creek Valley comprises waterways, public open space including sports fields, walking and cycling trails and water treatment facilities.

Precinct 3a: Tirhatuan Wetlands

This area consists of two large allotments south of Wellington Road generally between the Dandenong Creek and Corhanwarrabul Creek. The area accommodates the Tirhatuan wetlands that provide a key stormwater retention and treatment function while accommodating significant vegetation, habitat and wildlife linkages. These allotments are designated as Public Use Zone (PUZ1) in the Knox Planning Scheme and are managed by Melbourne Water.

No changes are expected to the use and function of this area over the life of this Strategy, with key priority being stormwater management and environmental protection. Considering the public zoning and ownership in this area, this area is not threatened by change and this Strategy has not included it in the detailed analysis provided for Precinct 3. However, the overarching objectives and strategies, in particular those pertaining to ecological and landscape values of the Dandenong Creek corridor in Precinct 3 are extendable to this area.



Precinct 4: Healesville Freeway Reservation and Surrounds

The Healesville Freeway Reservation and Surrounds (Precinct 4) is the smallest of the GARS precincts at 127.5ha. Originally reserved for the 'Healesville Freeway' in 1969, the reservation east of EastLink has been retained for possible future road construction. Much of the Healesville Freeway Reservation has been cleared and is used for a number of purposes including horse agistment, livestock properties, sports fields, nurseries and community gardens. The area is highly urbanised, surrounded by residential development and industrial estates.

The precinct adjoins the south side of Dandenong Creek and KCC's boundary with the City of Maroondah. Land is low lying and prone to flood.

Out of scope: Waverley and Rowville Lakes Golf Courses

The two golf courses (indicted on Figure 1) are located at the southernmost area of Knox, outside the Urban Growth Boundary, and form part of Knox Green Wedge land. However, they are not included in the Study Area for the purpose of this Strategy. This exclusion is due to the fact that the future direction for these sites is different from Council's vision for other areas of Green Wedge land in Knox.

Waverley Golf Club (and adjoining sites on Stud Road) are identified as a strategic investigation site by the Knox Housing Strategy (KHS). The KHS provides support for future rezoning of this site, subject to a successful application to the State Government to review the Urban Growth Boundary (UGB). Subject to the UGB being reviewed in favour of the site, residential development at a range of densities is considered suitable by KHS. The KHS envisages a possible future capacity of 350 dwellings and provides high level strategic direction for future housing types, location of higher densities, access, interfaces and environmental issues, to be addressed through future planning process for the site.

Rowville Lakes Golf Course (Tirhatuan Golf Course) is located to the west of Stud Road. There are no existing plans to change the use of this site. In case of future investigations into the use or development of this site, the planning process will be guided by the Department of Environment, Land, Water and Planning (DELWP) which may require a change to the UGB and compliance with Ministerial Direction No. 21 – Golf Course Redevelopment and the draft Planning Guidelines for Golf Course Redevelopment. These guidelines include a decision-making framework that would be used to assess proposals for the future redevelopment of surplus golf course land. Due to the different nature of planning process, this site has also been excluded from the GARS Study Area.



Methodology

To ensure the strategic directions are informed by adequate analysis and consultation, the preparation of this Strategy has been undertaken in five stages.

Stage1: Setting the Current Scene

The first stage of the project included gathering data about the Study Area through research and consultation. This stage also included a preliminary analysis of the information to develop a comprehensive understanding of the existing conditions in each precinct. As part of this stage, the existing geospatial datasets were sourced and thematic analytical maps were prepared, overlaying multiple layers of data to enable more detailed analysis.

This stage also represented a gap analysis of the existing information, which identified the key areas where additional technical consultant work was required. The outcomes of this stage are summarised in the **GARS Setting the Scene Report**.

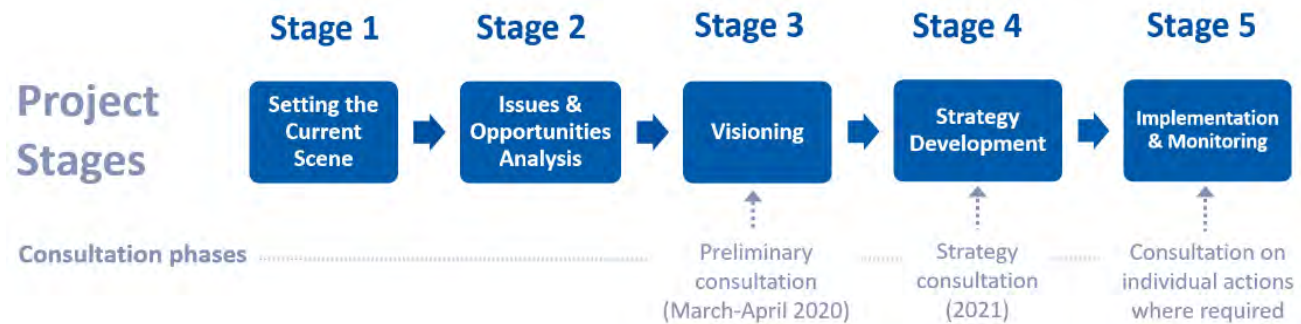
Stage 2: Issues and Opportunities Analysis

The second stage included the following tasks to undertake a detailed analysis of the issues and opportunities for the Study Area.

- i. Review of the information collated and procured in Stage 1. This included the extraction of relevant recommendations from the following consultant reports that were specifically procured for this projects:

- *Knox Wildlife Conservation and Connectivity Report (Ecology and Infrastructure International (EII); Urban Ecology in Action; EcoAerial, 2017). This study also provided the GIS database for Knox Wildlife Atlas.*
- *Landscape Values and Character Assessment (Hansen Partnership, 2019).*
- *Preliminary Heritage Review: Knox Rural Heritage (Context, 2017).*
- *Assessment of Agricultural Potential of Rural Land in Knox (RMCG, 2016).*
- *GARS Economic Study (Urban Enterprise, 2019).*
- ii. Internal analysis and targeted consultation with internal and external stakeholders
- iii. Consideration of best practice and relevant studies from other Councils, in particular from adjoining councils
- iv. Strategic assessment of competing issues and opportunities for precincts or specific places. For example, the assessment of economic potential vs. environmental values vs. landscape sensitivities
- v. Organising and mapping the issues and opportunities under three emerging themes: Ecology; Landscape & Heritage; and Land Use & Access
- vi. Evaluating the recommendations in terms of reasonableness and practicality
- vii. Preliminary consideration of the recommendations in light of current provisions of the Scheme and translating the recommendations into planning language where necessary

The above analysis along with the draft recommendations from Stage 2 are summarised in the **GARS Issues and Opportunities Report**.





Stage 3: Visioning

Stage 3 included the development of a draft vision for each precinct taking into consideration the following matters:

- State-wide vision for the Study Area including guidance from *Plan Melbourne 2017-2050*, the Planning Policy Framework and the strategic directions from the Scheme.
- Council vision including the Community and Council Plan, the Municipal Strategic Statement (MSS) in the Scheme and other KCC policy and position.
- Community vision – Community vision was captured through public engagement.

Preliminary Consultation (2020)

In March and April 2020, stakeholder and community feedback was undertaken to seek feedback on the draft issues and opportunities identified. As part of this consultation, comments were also invited on a draft vision for each of the precincts. The consultation results have been used to develop this Strategy, including the objectives, strategies and actions identified.

The consultation received a considerable level of interest and participation. The engagement webpage was visited 16,146 times and a total of 188 online surveys were completed during the consultation period. Amongst the GARS precincts, Precinct 1 received the highest level of engagement, followed by Precinct 3.

Full consultation results are provided in the **GARS Community Consultation Report: Visioning Consultation**.

Stage 4: Strategy Development

Following public consultation, a draft Strategy has been prepared which provides strategic directions for the Study Area. The preparation of the draft strategy has included the following steps in response to the community feedback received:

- Refining the vision for each precinct
- Review of issues and opportunities
- Developing objectives and strategies under each theme
- Providing detailed recommendations in the form of actions for “all precincts” and “precinct-specific” actions
- Preparing an Implementation Plan.

Final Consultation and Adoption

Subject to Council endorsement the draft Strategy will be advertised for public comment. After the consideration of public comments, the Strategy will be presented to Knox Council for potential adoption.

Stage 5: Implementation and Monitoring

The Strategy is complemented by an Implementation Plan which lists the actions identified, noting the leading agency/department within KCC.

A key implementation measure of the Strategy is likely to be a Scheme amendment. Other implementation measures include internal or external partnerships, further investigation, technical studies or ongoing education/advocacy work.



PART A: SETTING THE SCENE

DRAFT



1. Strategic Context

1.1. State Planning Context

Plan Melbourne 2017-2050

Plan Melbourne 2017-2050 (Plan Melbourne) is the Victorian government's overarching plan that sets high level directions for land use planning in metropolitan Melbourne and regional Victoria. Plan Melbourne defines an Urban Growth Boundary (UGB) for Melbourne and defines the outside area as Green Wedges. The plan encourages urban consolidation within the UGB and seeks to protect Green Wedges and peri-urban areas from inappropriate development.

Some of the key directions of Plan Melbourne for the Study Area relate to:

- Supporting the productive use of land and resources in Melbourne's non-urban areas.
- Planning for Melbourne's Green Wedges.
- Making Melbourne cooler and greener by strengthening the integrated metropolitan open space network.
- Protecting and restoring natural habitats.
- Creating a network of green spaces that support biodiversity conservation and opportunities to connect with nature.
- Protecting and enhancing the health of urban waterways.

Plan Melbourne also sets the strategic basis for the application of a range of Planning Scheme controls including zones and overlays to limit urban growth and development.

Resilient Melbourne (2016)

Resilient Melbourne was published by the City of Melbourne in May 2016 as a joint project of 32 metropolitan Melbourne councils, Melbourne's academic, business and community sectors, and the Victorian Government. It represents the first resilience strategy for Greater Melbourne to face the challenges associated with the trends of urbanisation, globalisation and climate change. The plan considers how to respond to both chronic stresses - including sea level rise, increasing pressures on healthcare services, unemployment, and deeper social inequality - and acute shocks - such as heatwaves, bushfires, floods, pandemics, and extremist acts, including cyber-crime.

Resilient Melbourne identifies four long-term (30 years or more) objectives and an action framework under four action areas of Adapt, Survive, Thrive and Embed.

Knox Green Areas and Rural Strategy

Resilient Melbourne provides direction for this Strategy as the Study Area contains some of the City's most significant areas in terms of biodiversity, tree canopy, water systems, parkland and recreation. These areas are key to the resilience of Knox and the broader region.

Living Melbourne: Our Metropolitan Urban Forest (2019)

A flagship action from Resilient Melbourne was the preparation of a metropolitan urban forest strategy. This Strategy developed the evidence base and actions required to connect, extend and enhance urban greening across the metropolitan area. Living Melbourne was endorsed by 41 organisations representing Victorian government, water authorities, statutory agencies and industry bodies and local government,

KCC was one of the local government partners involved as part of the Eastern region which also included the municipalities of Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges. The document sets targets for tree canopy and shrub cover in the Eastern region as follows.

Table 1 - Living Melbourne targets for the Eastern Region

Existing 2015	Total% tree canopy	25
	Total% tree canopy & shrubs	44
Target 2030	Total% tree canopy	27
	Total% tree canopy & shrubs	49
Target 2040	Total% tree canopy	29
	Total% tree canopy & shrubs	50
Target 2050	Total% tree canopy	30
	Total% tree canopy & shrubs	50

Living Melbourne also provides strategies to achieve the targets and provides guidance for councils to develop monitoring programs and local tree canopy targets. The Living Melbourne actions and targets need to be translated at the municipality level into relevant and measurable actions for Knox and the Study Area.

Protecting Victoria's Environment – Biodiversity 2037 (2017)

Prepared by the Department of Environment, Land, Water and Planning (DELWP) in 2017, this document is Victoria's plan to stop the decline of native plants and animals and improve the natural environment. Coupled with reviews of the Flora and Fauna Guarantee Act 1988 (FFG Act) and native vegetation clearing regulations, the Plan seeks to ensure



that Victoria has an effective approach to protecting and managing biodiversity. It sets high level directions for community engagement, planning (in particular for protections in reserves) funding and delivery of biodiversity related projects.

Integrated Water Management Framework (2017)

Representing another key recommendation of Resilient Melbourne, an Integrated Water Management (IWM) Framework was prepared in September 2017. The document sets out the management framework to deliver a safe and secure water supply, efficient stormwater management, healthy and valued urban landscapes and reflecting community values in place-based planning. It sets out a governance framework of IWM forums at state and regional levels and IWM Working Groups to deliver place-based IWM Plans.

Other Water-Related Plans and Programs

There are a number of other Melbourne Water plans and programs that guide KCC's management of the waterways and stormwater operations:

- Water for Victoria
- Melbourne Water's Urban Cooling Program
- Healthy Waterways Strategy – Melbourne Water
- Water for a future thriving Melbourne.

Linking People and Spaces: A Strategy for Melbourne's Open Space Network (Parks Victoria, 2002)

This document is a regional level strategy for Melbourne's open space network and specifies actions for parks, trails and waterways. The document is out of date and Parks Victoria has been working on the preparation of an updated strategy, which is also an action item from Plan Melbourne.

Movement and Place in Victoria

The Department of Transport's new approach, the Movement and Place framework, seeks to balance the needs of both transport users and place users and design a mix of transport modes that are appropriate to how the road and places are used by communities, whether they are pedestrians, drivers or cyclists.

Knox Green Areas and Rural Strategy

Victorian Cycling Strategy 2018-28

The Victorian Cycling Strategy 2018-28 is prepared by Transport for Victoria and seeks to increase the number, frequency and diversity of Victorians cycling for transport. Its goals are to invest in a safer, lower-stress, better-connected network and make cycling a more inclusive experience.

Principal Bicycle Network (PBN)

The PBN is designed by VicRoads and is a network of proposed and existing bicycle routes that provide access to major destinations. The main purpose of the PBN is to guide State Government investment in bicycle infrastructure and facilities. In addition to the PBN, a network of Bicycle Priority Routes (BPR) has also been identified which represents those routes of a higher priority.

The PBN routes (existing and proposed) have been considered as part of the access and movement analysis for the Study Area.

Strategic Cycling Corridors (SCC) Network

The SCC network supports the needs of commuter trips (to work or education) and other important trips, such as to stations, shops or schools. The SCC network links up important destinations, including along EastLink and east-west linkages within the Dandenong Creek Valley. The SCCs are intended to prioritise the provision of separated cycling paths rather than shared user paths where possible.

Parts of the Dandenong Creek Trail, Eastlink Trail and east-west linkages through the Dandenong Creek Valley (Precinct 3) are classified as primary and main routes by the SCC.

Agriculture Victoria Strategy

In May 2017, Agriculture Victoria released its ten-year Agriculture Victoria Strategy. This is a reform framework articulating Agriculture Victoria's priorities to enhance Victorian agriculture's global competitiveness, innovation and resilience. The document focuses on large-scale agriculture and more intense agricultural activity. While it has limited direct action affecting the Study Area, it sets general guidance on preserving existing agriculture land and production activities.



Extractive Resources in Victoria: Demand and Supply Study 2015-2050

In 2016, the then Department of Economic Development, Jobs, Transport and Resources (DEDJTR) released the “Extractive Resources in Victoria: Demand and Supply Study 2015-2050”. The Study identified 15 Local Government Areas that are critical for supplying extractive resources for Victoria’s future construction needs. Knox was rated as the 4th most critical resource location in Victoria. This was mostly due to the two hard rock quarries in Lysterfield and Rowville – which are significant suppliers to the Melbourne construction industry and are well located for supplying the Melbourne region.

1.2. Regional Planning Context

Draft Land Use Framework Plan: Eastern Metro Region

Work is underway by DELWP on the preparation of regional Land Use Framework Plans (LUFs) to implement *Plan Melbourne* desired outcomes at a regional scale. The LUFs are intended to inform the Regional and Local Planning Policy, and to identify a series of actions which can be delivered through new partnerships, including:

- Long-term strategies (30 years) around population growth, jobs, housing, infrastructure, major transport improvements, open space and urban forests.
- Short-term actions (5 years) for State and local government to implement the LUF’s priorities and achieve the outcomes of Plan Melbourne.

Melbourne East Sport and Recreation Strategy 2016

Key messages from the Melbourne East Sport and Recreation Strategy 2016 are:

- There are high participation rates in primary sports across the region, including basketball, netball, football, cricket and soccer.
- There is current demand for more indoor courts for basketball and netball, and an immediate need for a gymnastics facility.
- There is an immediate need for additional hockey pitches in the region.
- Formalised sports such as tennis, basketball, soccer, netball, football and cricket are prominent and are the highest structured participation sports in the region.

Living Links

Living Links is an urban nature project to create a web of green spaces across Melbourne’s south-east. By linking up the many parks, reserves and other natural places, it aims to make the area a world-class urban ecosystem, improving habitat for wildlife and making it easier for people to connect with nature as part of their daily lives.



Figure 2 - Living Links Corridors



The initiative represents a partnership between the local governments in the south-east region, Melbourne Water, Parks Victoria, South East Water, Conservation Volunteers Australia and Bushwalking Victoria.

Figure 2 indicates the 17 inter-connecting corridors that have been identified through the Living Links master-planning process as offering particularly important opportunities for new or improved links across the region. In Knox, The Dandenong Creek, Blind Creek, Corhanwarrabul Creek/Monbulk Creek corridors are identified as Living Links. **Figure 3** indicates individual projects in Knox.

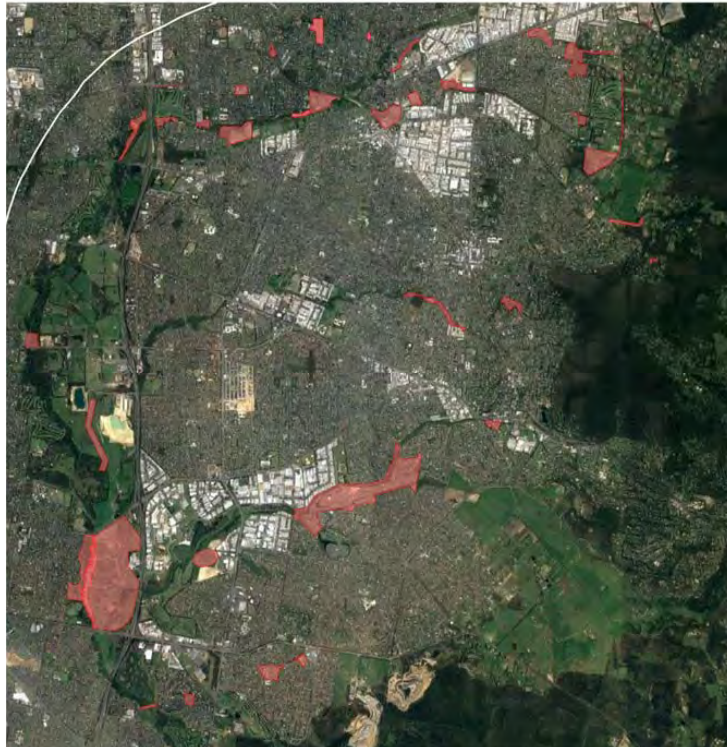


Figure 3 - Living Links Projects in Knox

Knox Green Areas and Rural Strategy

Enhancing Our Dandenong Creek

In 2013 Melbourne Water and EPA designed a program to protect public health and improve storm water quality impacting Dandenong Creek between Bayswater and Endeavour Hills. A Natural Amenity Working Group was established in 2014 to represent a range of local community views. We worked together to identify priority projects to revitalise our creek. As a result, a five-year program was developed that seeks to:

- construct new habitats for threatened fish species
- increase the natural amenity and signage of the creek
- focus on pollution prevention and detection
- manage uncontrolled sewage spills for customers.

Dandenong Valley Parklands Future Direction Plan (2006)

The plan covers areas within the Cities of Knox, Monash and Whitehorse and provides strategic management directions, and identifies management zones and key actions to guide decision making about current and future uses. The document states that the time horizon of the plan is 10-15 years, which means the plan is due for a review.

Eastern Regional Trail Strategy (September 2018)

The document sets out actions for the below four trails that affect Precinct 3 (Dandenong Creek Valley):

- Dandenong Creek Trail
- Ferny Creek Trail
- Blind Creek Trail.

Dandenong Integrated Water Management Forum: Draft Strategic Directions Statement (7 August 2018)

The Forum was convened in December 2017 with subsequent Forums meeting throughout 2018 to discuss and prioritise integrated water planning and management in the catchments flowing into Port Phillip Bay from Port Melbourne to Point Nepean. City of Knox was a member of this forum and features as a collaborative partner in a number of initiatives in this paper.



Churchill National Park and Lysterfield Park Management Plan (Amended 2020)

In 2020 Parks Victoria updated the Churchill National Park and Lysterfield Park Management Plan in consultation with the community. This document details planned upgrades and management measures and is accompanied by an updated management zones map.

Eastern Region Pest Animal Strategy

KCC has endorsed a Regional Pest Animal Strategy which has been prepared in collaboration with several neighbouring councils in the eastern region as well as Parks Victoria, VicRoads and Melbourne Water. This document supports the management of invasive species and protection of native wildlife in the Study Area.

1.3. Local Planning Context

Knox Community and Council Plan 2017-21

The following table outlines how the Strategy aligns with the Knox Community and Council Plan (CCP). However, it is noted that a new CCP is currently being prepared. It is recommended that alignment is re-checked once a new CCP is adopted.

Element	Relevance to this Strategy
<p>Knox Vision 2035:</p> <p>Nestled between the foothills of the Dandenong Ranges and the wetlands of the Dandenong Creek Valley, Knox has a rich natural environment and picturesque landscape, highly valued by residents and visitors alike. Knox encompasses the best of city and suburban living. From the thriving modern city vibe of Knox Central at its heart, plentiful public open spaces, outstanding civic facilities and diverse residential offerings to its leafy suburban centres with abundant space, clean air, excellent schools and good transport links, Knox is the</p>	<p>The project aligns with the vision in terms of supporting a rich natural environment, picturesque landscape, public open spaces and leafy suburban character.</p>

	preferred place to live, work and play today and for generations to come.	
Goal 1 – We value our natural and built environment	Strategy 1.1 Protect and enhance our natural environment.	Including vegetation cover, creek systems, and biodiversity corridors.
	Strategy 1.2 Create a greener city with more large trees, indigenous flora and fauna.	
	Strategy 1.3 Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure.	The project precincts each play a key part in protecting the key landscapes and view lines to the Dandenong foothills.
Goal 3 – We can move around easily	Strategy 3.1 Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure.	The Study Area includes some of Knox’ key recreational walking and cycling trails.
	Strategy 3.2 Improve bike and footpath connectivity, including identifying gaps between existing bike routes, \ footpaths and key places.	
Goal 4 – We are safe and secure	Strategy 4.3 Maintain and manage the safety of the natural and built environment.	Safety and perception of safety should be considered as a key objective in all precincts.
	Strategy 4.4. Protect and promote public health, safety and amenity.	
Goal 5 – We have a strong regional economy, local	Strategy 5.4 Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve	The Study Area play a role in Knox’ economy as it contains agriculture, tourism and agri-tourism uses.



<i>employment and learning opportunities</i>	economic capacity of the community.	
Goal 6 – We are healthy, happy and well	Strategy 6.2 Support the community to enable positive physical and mental health.	The Study Area contains some of the key areas of parkland, conservation reserves and sporting facilities in Knox.
Goal 7 – We are inclusive, feel a sense of belonging and value our identity	Strategy 7.1 Protect and preserve our local cultural heritage.	The Study Area has significant character and heritage values and contributes to Knox’ identity as a green/leafy City providing gateways and corridors to the Dandenongs.
Goal 8 – We have confidence in decision making	Strategy 8.1 Build, strengthen and promote good governance practices across government and community organisations.	The Strategy provides strategic direction and evidence base to better inform future decision making.

Knox Climate Response Plan (Underway)

KCC is currently developing a Climate Response Plan (CRP) which recognises that we are in a state of serious climate and environment change, and acknowledges the seriousness, urgency and significance of this matter. The CRP seeks to consider climate change and biodiversity protection as key environmental factors in assessment of Council policies, projects and actions.

Knox WSUD and Stormwater Management Strategy (2010)

The Water Sensitive Urban Design (WSUD) and Stormwater Management Strategy aims to protect and improve the health of Knox’s streams and creeks while ensuring that flooding impacts are minimised. It identifies the high value catchments in Knox which include Dobsons Creek (GARS Precinct 1), Blind Creek, Ferny Creek and Monbulk Creek (GARS Precinct 2a). For each catchment, it includes strategies and actions to improve catchment health, with a focus on WSUD. Some of the actions include disconnection of directly connected impervious surfaces, construction of WSUD systems, and appropriate monitoring and management of the Directly Connected Impervious (DCI) areas.

[Knox Green Areas and Rural Strategy](#)

City of Knox Flood Modelling Project (underway)

KCC and Melbourne Water are currently undertaking flood modelling with the intention of preparing updated flood maps taking into consideration most recent climate scenarios. Once completed, the modelling is likely to lead to a Scheme amendment to ensure areas affected by significant flooding are accurately identified and protected. This Strategy considers any implications from this project within the Study Area.

Knox Integrated Transport Plan 2015-2025

Prepared in February 2015, this plan sets objectives and strategies, and provides detailed and costed action and initiatives for all modes of transport. Covers all modes of transport. Actions are prioritised: high priority (1-2 yrs), medium priority (3-5 yrs) and low priority (beyond 5 yrs).

The plan includes a public transport vision map, however, this is superseded by a more recent position paper endorsed by Council (refer to the next item below).

The plan does not provide a proposed cycling or pedestrian network, however, it includes action items to review the Knox Pedestrian Plan (which was reviewed in 2017) and the Knox Bicycle Plan (due for a review).

Public Transport Advocacy

KCC has long advocated for improved public transport connectivity to Knox. Relevant initiatives that are considered with respect to the Study Area (mostly Precinct 3) are:

- A heavy rail line along Wellington Road connecting to Rowville, or as an interim solution, a trackless rapid tram.
- A new light rail route along Burwood Highway connecting to Upper Ferntree Gully – or extension of Route 75 as an interim measure.



Knox Bicycle Plan Review (2008)

The plan details individual projects which include new on-road and off-road bicycle facilities, upgrades, end of trip facilities and initiatives to improve safety and community awareness. It also incorporates a costed action plan and provides detailed precinct-scale mapping of existing and proposed facilities. The plan is due for a review.

Draft Knox Principal Cycling Network (underway)

This plan updates KCC's plan for Knox's bicycle network including prioritising routes in accordance with the Movement and Place classification framework. Once adopted, this plan will be accompanied by an action plan detailing individual projects. Recommendations for shared paths and cycling facilities in this Strategy have been aligned with this current project

Knox Principal Pedestrian Network (2017)

Provides an in-depth analysis of pedestrian connectivity and accessibility in Knox and provides a Principal Pedestrian Network (PPN) plan with detailed implementation actions. There are PPN actions within all GARS precincts including new shared paths, footpaths, and intersection improvements. These actions will need to be considered as part of the analysis of issues and opportunities for each precinct.

Knox Open Space Plan 2012-2022

Builds on the 2004-14 Open Space Plan and provides a strategic framework for areas open space across the City. These strategic directions encompass themes of sustainability, community involvement, greater community use of open space and linkages between open space areas. It operates alongside Council's Open Space Asset Management Plan which defines Council open space asset and service management performance.

Knox Leisure Plan 2014-2019

Encourages greater use and connectivity of urban and natural environments to cater for leisure needs. Action 16 of the Implementation Plan provides guidance for GARS Precinct 2b: *"Investigate opportunities for the provision of additional sports reserves, with a particular focus on opportunities in Rowville."*

[Knox Green Areas and Rural Strategy](#)

Knox Arts and Cultural Plan 2012-22

The Knox Arts and Cultural Plan sets the vision and framework for the provision and direction of Council-supported arts initiatives across the City, ranging from improving the City's dedicated art facilities and events, to working with and supporting third party providers.

The only art facility covered in this document which falls within the GARS Study Area is The Basin Theatre in Precinct 1, which is owned and operated by The Basin Theatre Company.

Knox Strategic Assets and Investment Strategy (underway)

The only SAIS asset that falls within the Study Area is the Wantirna Reserve. At this stage it is still unknown whether there will be any impact on the Wantirna Reserve as part of SAIS. Future further confirmation will be sought at future project stages from the SAIS project team.

Gardens for Wildlife Program

The Gardens for Wildlife (G4W) program is a partnership between Knox City Council, Knox Environment Society (KES) and the Knox community. The program encourages Knox residents and businesses to create an area in their garden to support local wildlife. This can be done by providing habitat planted with locally indigenous, Australian native or suitable introduced species. The program is free to join and provides residents with access to specialist advisors who do site visits and provide advice to the participants.

Several properties within the Study Area currently participate in this program. These properties have been considered in the GARS biodiversity assessment for their contribution to wildlife habitat and movement.

Gardens for Harvest Program

A partnership between KCC and the Shire of Yarra Ranges, the Gardens for Harvest program aims to help build skills and knowledge in residents to grow and maintain a veggie garden. The Knox Gardens for Harvest program provides residents with information guides, workshops on various gardening topics and access to Gardens for Harvest competitions and special offers. A very small number of properties in the Study Area are currently participating in this program, which is not unexpected, as the program is more relevant to the urban setting rather than larger rural landholdings.

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2. Knox Planning Scheme

This section reviews existing strategic directions in the Knox Planning Scheme (the Scheme). Whilst there are a variety of clauses and provisions of the Scheme that have some level of application within the Study Area, this section only focuses on those provisions that have specific relevance or significant implications.

The Local Planning Policy Framework (LPPF) is currently under review for translation into a new PPF structure, being led by DELWP. The analysis of the existing policy is based on the current local content in the Scheme, on the assumption that the translation will be policy neutral. However, the recommendations in this Strategy take into account the new PPF structure and format.

2.1. Planning Policy Framework (State)

The Planning Policy Framework (PPF) are applied statewide and provide high level direction for land use and development. The key clauses of the PPF that provide direction for the Study Area are outlined below.

Clause 11 settlement sets the basis for the Urban Growth Boundary to limit urban sprawl and direct growth into existing settlement. This clause the values of green wedge and rural land including environment and landscape values, biodiversity, and native vegetation, waterways and wetlands.

Clause 13 environmental risks and amenity aims to minimise the impacts of natural hazards including bushfire and flood and to adapt to the impacts of climate change. This policy emphasises the flood storage function of floodplains and waterways and seeks to prevent intensifying the impact of flooding through inappropriately located use and development.

Clause 14 natural resource management aims to protect agricultural land and water, earth and energy resources.

Clause 15 built environment and heritage guides the protection of rural character, heritage values and community health and wellbeing.

Clause 17 economic development encourages tourism to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Clause 18 transport seeks to ensure an integrated and sustainable transport system that provides equitable access to social and economic opportunities and contributes to environmental sustainability.

Clause 19 infrastructure sets the basis for the provision of adequate open space. It provides for long term planning protection to meet demand for future open space along the Dandenong Valley parklands.

2.2. Local Planning Policy Framework

There are multiple clauses within the Municipal Strategic Statement of the Scheme which provide strategic direction for the Study Area. A full analysis of these clauses is included in the Setting the Scene report.

Within the foothills policy area and the Dandenong Creek Valley, the Strategic Framework Plan requires the protection of major environmental and landscape features. However, the Scheme also recognises gaps and recommends to complete an assessment of and provide strategic directions for all rural and green wedge land that consider its aesthetic, biodiversity, landscape, amenity, cultural and agricultural values.

The Dandenong Creek Valley is identified as a Significant landscapes (Sub-clause 21.03-5), however, limited strategic direction is currently provided. The Scheme requires further investigation to strategically plan for this corridor to consolidate and improve the recreational activities and landscape and to address interface issues between parkland and urban development. It also recommends to review planning strategies and zoning in the area surrounding the Dandenong Valley Parklands to ensure consistency with objectives for development of the park.

Precincts 1, 2a and 2b are within the Dandenong Foothills Local Area (Sub-clause 21.10.1) where the Scheme aims at protecting and enhancing the landscape significance of the Dandenong Foothills. Uninterrupted view lines of the Foothills from within the municipality and around metropolitan Melbourne are maintained by ensuring retention of canopy trees and buildings and that works are sensitively designed and sited to sit below the dominant tree canopy height.

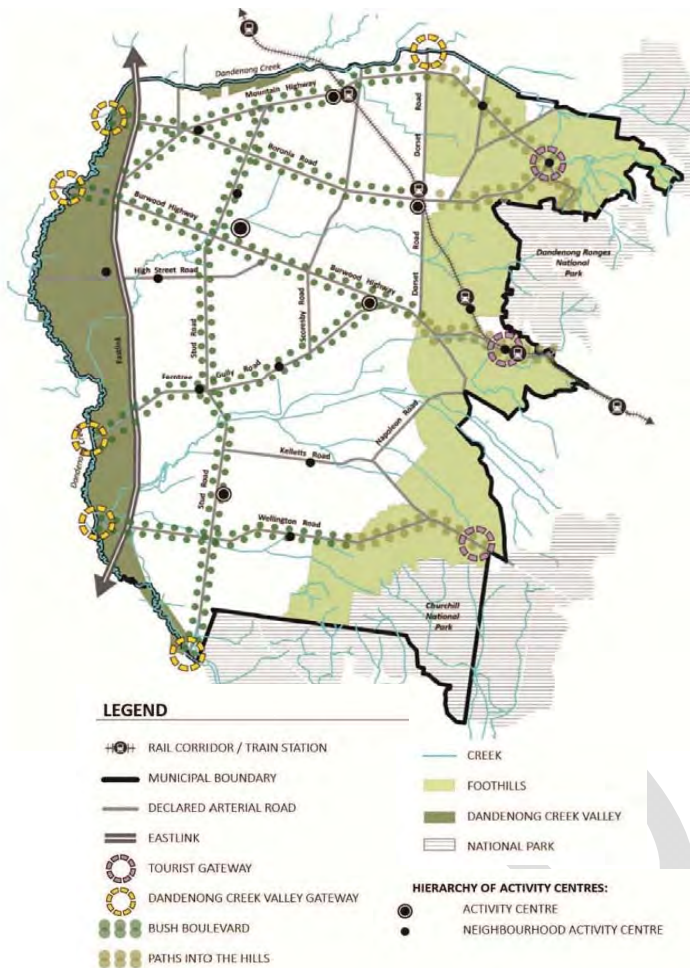


Figure 4 - Knox Planning Scheme Built Environment and Heritage Map (Clause 21.05 as at May 2021)

The following objectives are sought within the Foothills policy area:

- To maintain and improve the continuous closed tree canopy of the Foothills.
- To maintain the low density residential character of the Foothills by ensuring that existing subdivision patterns and lot sizes are retained.
- To protect and enhance the aesthetic, environmental and metropolitan landscape significance of the Dandenong Foothills.
- To protect the rural environments of The Basin and the Lysterfield Valley and Lysterfield Hills.
- To require new buildings, works and landscaping in The Basin and the Lysterfield Valley and Lysterfield Hills to protect the physical and visual amenity of the open pastoral setting.

The Scheme also requires further strategic work to undertake an assessment of agricultural land in rural and green wedge areas to better understand their productivity (including potential food production) and economy.

Clause 21.05 Built Environment and Heritage also provides guidance for the Study Area. **'Gateways'** are landscape-dominant entry points into the City that intersect with the natural significant landscapes of the Dandenong Foothills, the Lysterfield Valley and the Dandenong Creek Valley. **'Bush Boulevards'** are arterial roads with wide reservations that are planted with informal avenues of native trees. As 'Bush Boulevards' extend eastwards into the Foothills they become **'Paths into the Hills'** that have roadside verges containing significant understorey and canopy vegetation. Buildings along these roads generally contribute to this character with setbacks from the street and canopy tree planting. These attractive road corridors link the suburbs of Knox to the landscape character of the Dandenong Foothills.

2.3. Planning Scheme Controls

A thorough analysis of existing zones and overlays that apply within the Study Area has been undertaken which is included in the background "Setting the Scene" report. Another relevant set of controls are the Green Wedge Core Planning Provisions (Clause 51.02) which guide land use permissibility in Precincts 1, 2a and 2b.

The above analysis has informed recommendations in this Strategy including those under the Theme Land Use and Connectivity to ensure appropriate planning controls are applied.



3. Key Drivers

3.1. Direction for Green Wedge Land

Knox is located on the eastern edge of Melbourne’s Urban Growth Boundary (UGB) and covers rural areas that are adjacent to the urban boundary. The non-urban areas outside the UGB are called Green Wedges, providing a transitional buffer between the metropolitan urban area and the surrounding peri-urban areas. The identification of protection of key values in these areas has been a key priority for this study

Green wedges were first set aside in the 1970s to conserve rural activities and significant natural features and resources between the growth areas of metropolitan Melbourne as they spread out along major road and rail links. Since 2002, Green Wedges have been defined under the Planning and Environment Act 1987. New planning zones and stronger regulations were also introduced at this time to better control the subdivision and use of green wedge land. There are 12 designated Green Wedges situated within the 17 metropolitan-fringe local government areas (Figure 5). Municipalities with significant proportions of both urban and green wedge land have also formed a group known as the Interface Councils to represent their shared interests and challenges.

Knox contains parts of two broader Green Wedge systems. Areas of land in The Basin are located within the ‘Yarra, Yarra Ranges and Dandenong Ranges Green Wedge’, while areas in Lysterfield and Rowville fall within the ‘Southern Ranges Green Wedge’.

Three of the GARS precincts are defined as Green Wedge land (Figure 6). The Knox Green Wedge areas are located on the edge of the Urban Growth Boundary (UGB) and serve as places of transition between the urban area and the significant landscapes of the Dandenong Ranges and Lysterfield National Park.

Protection of Green Wedges from inappropriate development has long been a key priority from a state and local policy perspective. A key factor that has contributed to the protection of Green Wedges is the requirement for ratification by Parliament for any amendment to a metropolitan fringe planning scheme that has been approved by the Minister that amends the UGB or facilitates the land to be subdivided into more lots or into smaller lots than allowed for in the planning scheme.

There is a requirement for Green Wedge Management Plans (GWMPs) to be prepared by councils to provide a future vision and strategic directions for each Green Wedge area. To assist with this, DELWP has prepared guidelines that set the role and purpose of GWMPs and outline the information that are to be covered.

With respect to Green Wedge areas that run across multiple municipalities, the expectation has been that joint GWMPs through collaboration between councils. However, this expectation has not been realised as most Councils have prepared GWMPs to the extents of their municipality.

The two Green Wedges that affect Knox are largely located within Yarra Ranges Council and the City of Casey. These councils have previously prepared individual GWMPs for parts of Green Wedge areas within their boundaries.



Figure 5 - Melbourne Green Wedges and KCC Boundary

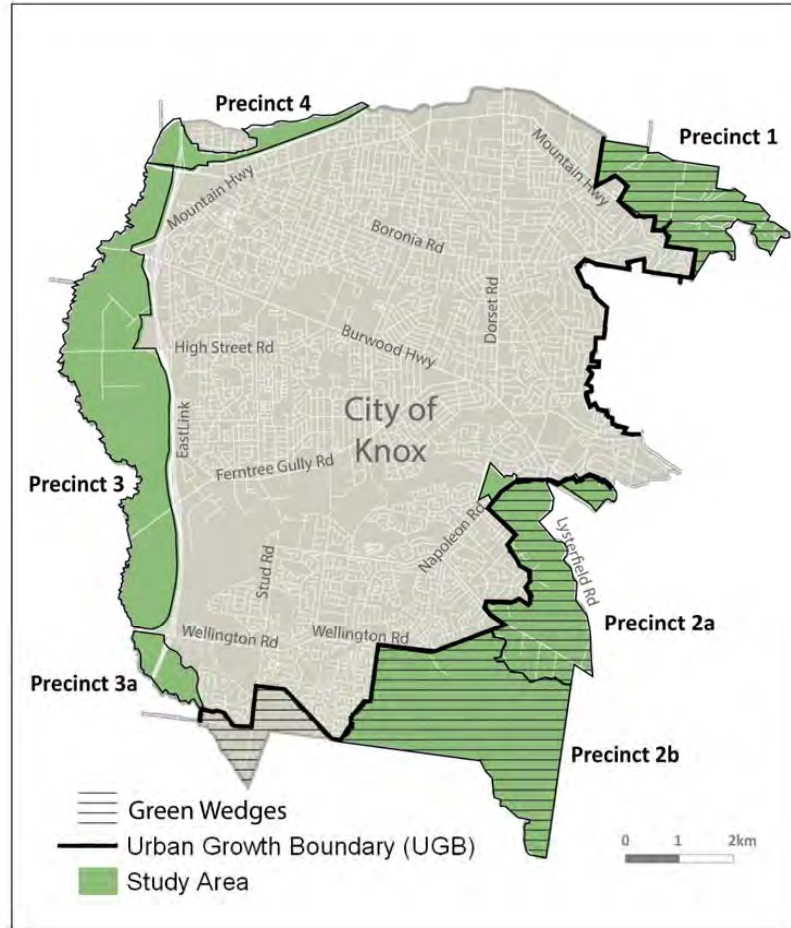


Figure 6 – The UGB and Green Wedge areas in the Study Area

Knox Green Wedge land is not of a size that warrants a separate GWMP. However, there is a current gap in policy vision and place-based direction for some of these areas. To

address this issue, this Strategy includes parts of the Knox Green Wedge land where a lack of strategic direction exists. The inclusion of these precincts along with other rural and open space corridors provides an opportunity for integrated planning and broader consistency, which is particularly beneficial to open space and wildlife connectivity across Knox.

It is expected that instead of having separate GWMPs, the City’s policy regarding these areas should align with broader Green Wedge planning by the Shire of Yarra Ranges. This project will confirm and formalise such a position and will provide direction on the best approach to ensure adequate controls and management practices are in place for these areas in the absence of a stand-alone GWMP.

It is also noted that the State Government is currently reviewing their policy and Victorian Planning Provisions applicable to Green Wedges, including the draft changes released for consultation in late 2020. This Strategy takes into consideration the proposed changes and seeks to avoid inconsistency or conflict.

3.2. Climate Change

In the coming years as Knox faces the challenges of climate change, the Study Area, due to its unique physical, environmental and land use characteristics, will play a key role in climate change mitigation and adaptation.

The Study Area contains some of the richest wildlife habitats in Knox, which are highly sensitive to change. The Study Area provides unique opportunities to protect and enhance the environmental conditions to ensure a variety of wildlife species can continue to inhabit the area or use it to move around.

On the other hand, the Study Area provides significant vegetation and green surface cover in close proximity to built up areas. During extended periods of hot and dry weather, this green cover can play a key role in moderating the temperatures, mitigating the urban heat island effect and providing health and wellbeing benefits for the community. The Study Area also offers great opportunities for additional tree planting which can assist with KCC’s vision to provide carbon offsets.

Rural areas in proximity to bushland are also at a growing risk of bushfire due to climate change. Inappropriate development or use intensification in these areas should be avoided to prevent increases to bushfire risk or vegetation loss to enable bushfire management.

More extreme flooding events are also expected which pose severe risks to the community, infrastructure assets and wildlife habitat. The Study Area contains some of the



key waterways in Knox, including the Dandenong Creek and its tributaries, and accommodates large areas of floodplains which play a key role in flood storage and retention to prevent flooding in the wider catchments. The protection of these floodplains from development and landform change will be necessary to reduce the risk of flooding in the urban area and to protect the health of the waterway ecosystems.

Retaining viable agricultural land and production close to the urban area is another priority in a changing climate. Farming practices (such as those that lead to beneficial increase of carbon reserves in the soil) will also need to evolve and regulatory processes must keep pace with new technologies and climate change responses.

KCC is currently preparing a Climate Response Plan (CRP). Once adopted, the CRP will deliver a pathway to an emissions neutral KCC by 2030 and set interim targets. It demonstrates how Knox will adapt and improve its resilience to the climate hazards that impact the city now and in future climate scenarios. The CRP outlines the social, environmental and economic benefits expected from implementing the Plan in line with the United Nations Sustainable Development Goals and details Council’s governance, powers, and the partners who need to be engaged in order to accelerate the delivery of Knox’s mitigation targets and resilience goals.

This Strategy aligns with and supports the CRP direction by protecting ecological values, prioritising community health and wellbeing and dealing with land use challenges such as bushfire, flood and agricultural land management.

3.3. Biodiversity and Wildlife Connectivity

Preventing loss of biodiversity and extinction of species was a key priority for the community in all five precinct as raised during the preliminary public consultation for this Strategy. The Study Area plays a critically important role in both the conservation and movement of wildlife within Knox and the broader area. Native vegetation or areas with indigenous tree cover occupy less than five percent of the Knox municipality and the Study Area contains a significantly large proportion of Ecological Vegetation Classes (EVCs), including those listed as endangered, compared to the remainder of Knox (Figure 6). Each precinct provides different values and functions from each other and each is valuable in its own right.

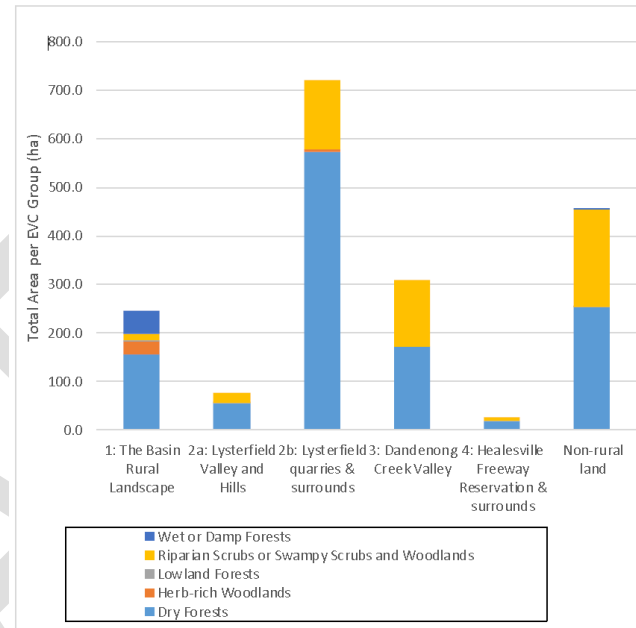


Figure 7 - Extent of EVC Group in GARS precincts compared to the remainder of Knox.

The *Sites of Biological Significance in Knox – 2nd Edition* (Lorimer, 2009) is a key study that currently guides the protection of Knox’ biodiversity values and holds significant weight in planning decision making. This study is a reference document in the Knox Planning Scheme and serves as the background document behind the Environment Significance Overlays (ESOs) applied. The document contains detailed information about each identified site and provides site-specific biological information such as wildlife records, habitat requirements and movement patterns. Detailed analysis of Site of Biological significance in the Study Area is provided in the GARS Setting the Scene Report.

While the above document provides comprehensive biodiversity information, a need was identified to explore wildlife movement and connectivity further, at scales broader than individual sites. This is particularly important in the Study Area as it includes waterway



corridors and linear open spaces that provide significant wildlife linkages at the municipal and regional scale.

To investigate this matter, a technical study was procured in 2017 titled the *Knox Wildlife Conservation and Connectivity Report* (Ecology and Infrastructure International et al.). The report was adopted by Council in February 2018. A key component of the study was the collation and incorporation of previous wildlife records including observation data and evidence. Complementing the report is a “Knox Wildlife Atlas” which provides a comprehensive snapshot of wildlife occurrence within the municipality.

This report maps important areas for conservation and movement of wildlife with particular regard to ten focal species in Knox, being the Australian Reed-warbler, White-throated Treecreeper, Eastern Yellow Robin, Superb Fairy-wren, Black Wallaby, Sugar Glider, Short-beaked Echidna, Blue-tongue Lizard, Eastern Snake-necked Turtle and Southern Bullfrog.

This is done through applying a number of buffers around different landscape elements, based on the needs of the focal species. The key buffers applied are as follows:

- 180 m buffers around treed Ecological Vegetation Classes (EVCs) - in line with the distance that Sugar Gliders and Eastern Yellow Robins have been recorded travelling outside bushland.
- 300m buffers around EVCs represent distances travelled by Black Wallabies and Blue-tongued Lizards.
- Farm dams are buffered by 375m as a study of Eastern Long-necked Turtles found that 95% of all records were within this distance from the nearest dam.
- As per State Government guidelines, watercourses are buffered by 200m to support Growling Grass Frogs.
- Melbourne Water recommended buffers including the 1% AEP (1:100yr ARI) flood level, and the Core Riparian Zones which provide a minimum buffer width of water courses depending on stream order, ranging from 50 m along the Dandenong Creek to a minimum of 20m for smaller creeks.

By overlaying the various buffers, the report identifies the location and extent of areas that are likely to be critical for the conservation of wildlife. The report then provides recommendations for each of these areas.

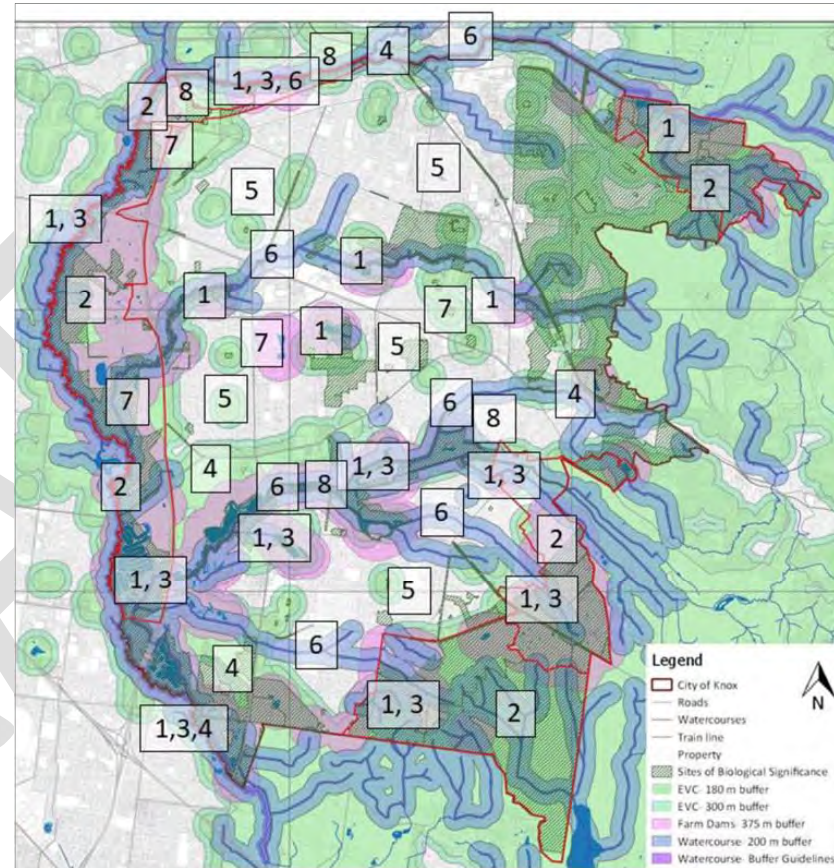


Figure 8 - Important areas for protecting habitat quality and wildlife movement within Knox. The darker shaded areas indicate a larger number of overlapping values, and hence greater importance for wildlife conservation. The GARS precincts are outlined in red. For interpretation of numbered labels refer to Table 2.



Table 2 - Reference details for Figure 8

Type	Important ecological value for wildlife conservation and connectivity
1	Locations with multiple overlapping ecological values, where remnant vegetation, riparian areas and farm dams or other waterbodies exist in close proximity to each other.
2	Large consolidated areas of greenspace with ecological values that are largely restricted to the GARS precincts.
3	High density of farm dams, offering opportunity for wetland species (turtles, frogs) to move in search of food, nesting sites or mates. Higher density of farm dams support larger populations, with more individuals and greater genetic diversity and therefore a higher likelihood of surviving future challenges.
4	Areas with very high ecological values for wildlife connectivity outside of Rural Land Precinct zones provide important connections between large areas of remnant vegetation (e.g. National Parks).
5	Developed areas with small, isolated locations with one or two high ecological values for wildlife.
6	Areas within high ecological value buffer zones where development has already occurred but still offer important opportunities for wildlife connectivity and conservation (e.g. along Blind Creek and Corhanwarrabul Creek, and Dandenong Creek between Precincts 1 and 4).
7	New developments in areas containing or adjacent to features of ecological value (e.g. golf courses, hobby farms, horse agistment) provide a critical opportunity to retain and enhance ecological values in the area while also meeting the needs for an increasing human population.
8	Construction of linear infrastructure (e.g. roads, bridges) in locations that are currently held as reserves has the potential to significantly decrease connectivity and habitat values for wildlife in those locations, through both the loss of existing habitat, and the replacement of corridors with barriers.

As seen from **Figure 8**, the GARS precincts contain important areas with multiple overlaying layers of value and therefore, play an important role in wildlife connectivity. This Strategy refers to the relevant and applicable recommendations from this report to provide strategic directions for each precinct.

3.4. Landscape and Character

The Study Area contains some of the most significant landscapes in Knox that are highly valued by the community. The Basin and the Lysterfield Valley straddle the urban/rural interface with a strong rural and natural character set in the attractive backdrop of mountain forests in the Dandenong Ranges and Lysterfield Park. The Dandenong Creek Valley Parklands is a regionally significant open space corridor with strong natural, rural and agricultural landscape elements. The Study Area presents scenic landscapes with open long range views that provide a sense of place for residents and visitors.

Like any other landscape, the Study Area is at the risk of change. Urban encroachment, new buildings, higher impact uses and associated vegetation removal all can potentially and incrementally change these landscapes.

A series of protections are currently in place by the Knox Planning Scheme for parts of the Study Area. The planning policy framework includes strategic guidance for protecting views to the foothills and the protection of significant landscapes. This policy vision has been translated into Significant Landscape Overlays (SLOs) that cover large areas in Precincts 1, 2a and 2b and include Key landscape character objectives and control tree removal and seek to ensure built form responds to the surrounding landscape.

While the SLOs have played a key role in protecting these areas from inappropriate development and change, they have a very broad scale approach to landscape (mostly to protect views to the Dandenong Foothills) and lack local-level direction to clarify the various landscape elements that need protection or enhancement. It is considered that a more place based approach to landscape and character is required in the Study Area, to inform future assessment of proposals.

Another key issue is that limited landscape direction is available for the Dandenong Creek Valley. This corridor is identified by the planning framework as a significant landscape, however, its qualities are not detailed, no strategic direction is provided and no landscape overlays are in place in this corridor. The Planning Scheme prescribes that further strategic work be undertaken to establish the landscape characteristics of the Dandenong Creek Valley Parklands, and to address interface issues between parkland and urban development.

To fill the above information gap, the *GARS Landscape Values and Character Assessment* (Hansen Partnership, 2019) has been prepared. This study provides a character assessment for each precinct to understand the prominent landscape elements and ingredients within each precinct, as a basis for comparative analysis of their importance in their contribution to the overall ‘sense of place’ found within the settings. This analysis is followed by visual



landscape analysis featuring viewshed analysis and visual sensitivity analysis. The study identifies various landscape values within each precinct and makes recommendations on how to protect, manage and monitor each set of values. These findings have been incorporated into the recommendations of this Strategy.

3.5. History and Heritage

It is difficult to tell the complete story of the Study Area from a historical perspective, as there is a clear knowledge gap about Aboriginal history at the local level. The *City of Knox Heritage Study 1993*, which is the key heritage inventory for Knox, narrates the local history from the time of European settlement and includes little information about the land's Aboriginal history. The majority of reference to Aboriginal presence in the area in this document relates to encounters as seen from the viewpoint of settlers.

This Strategy has tried to develop a better understanding of the Aboriginal sites and areas of cultural heritage sensitivity in the Study Area. Detailed information has been sourced from Aboriginal Victoria (AV) which is the key state government agency responsible for Aboriginal Cultural Heritage data and management. However it should be noted, while Knox officers have access to AV information to assist with policy and decision making, Council is not allowed, by the State Government, to publish all Aboriginal heritage information publicly due to the sensitive nature of the data. Hence the Aboriginal heritage data and mapping provided in this strategy are limited to those publicly available. However, the land use recommendations in this strategy have taken into consideration additional layers of Aboriginal heritage information to what is shown on the maps.

Regarding non-Aboriginal heritage, it has been important for this strategy to develop a preliminary understanding of places of heritage significance within the Study Area, and make recommendations on future actions. This has included a review of the heritage places included in the *City of Knox Heritage Study 1993*, some of which are currently protected by the Heritage Overlay. This exercise, however, does not represent a fresh heritage assessment of these places, but rather provides recommendations on which places are worthy of further assessment, as part of a future municipality-wide heritage study. This component of the Strategy has been informed by the report titled *Preliminary Heritage review: Knox Rural Heritage* (Context, 2017).

3.6. Agriculture

The Study Area contains the majority of agricultural land in Knox. Cattle grazing and horse agistment are the predominant agricultural use in Knox with small scale horticulture and

hobby farming occurring in parts of the Study Area. One of the objectives of this strategy has been to develop a better understanding of the existing land capacity for agriculture and future potential.

Being an interface council, KCC faces constant pressure from property holders on the edge of the urban boundary to rezone large agricultural lots to facilitate subdivision into smaller rural lifestyle properties. On many occasions, these proponents argue that the land has limited agricultural value due to soil types, slope or other issues.

Therefore one of the aspects of this Strategy has been to develop evidence base regarding the quality and vitality of agricultural land in Knox. This component of the Strategy has been informed by two technical reports.

The *Assessment of Agricultural Potential of Rural Land in Knox* (RMCG, 2016) provides an assessment of whether rural land in Knox is capable of supporting agriculture, what agricultural production it is suitable for, and whether there are any relevant externalities, which may exclude agriculture. The study has included the following assessments informed by desktop analysis, spatial analysis and site validation:

1. Agricultural capability assessment takes into account the physical nature of the land, such as soil type, climatic condition and topography to determine the capability of the land to support sustainable soil-based agriculture.
2. Agricultural suitability assessment considers the economic, social and/or policy factors such as the economics of production, distance from markets and the strategic or policy context that may impact the production opportunity for specific agricultural commodities.
3. Externalities assessment included any remaining factors that were not eliminated through either the capability or suitability assessment, such as land use conflict and landscape value.

The study provides an analysis of each precinct's potential for different types of agriculture, agri-tourism, and related activities and presents future directions for parcels of land within each precinct. Overall, the study concludes that there is limited opportunity for commercial-scale agriculture in the Study Area, however, it highlights that the Study Area will continue to provide for perennial horticulture, livestock grazing and hobby farming. The study also makes recommendations to promote agri-tourism and recreational uses that support agriculture and complement the environmental and landscape values of land.

It is also important to analyse Agriculture from a strategic point of view within the broader economic mix, as detailed in the next section.



3.7. Rural Economy

A strong and sustainable rural economy can support the long term vitality of Green Wedge and rural areas and enable landowners to protect and enhance the various environmental and social values of this land.

One of the priorities for this Strategy has been to establish a better understanding of the current economic activities and trends in the Study Area, and to identify future opportunities and needs. The economic recommendations in this Strategy are informed by the *GARS Economic Study* (Urban Enterprise, 2019). This study provides the following assessment:

- Regional catchment analysis and proximity to transport and tourist routes
- Population and demographic profile
- Industry profile including employment and output
- Visitor profile including visitor type, purpose and origin
- Economic role of each precinct including existing businesses and property ownership
- Potential for economic, tourism and recreation uses including case studies
- Assessment of Planning Scheme controls in terms of the potential uses
- Evaluation of other constraints
- Recommendations to facilitate the identified potential

3.8. Health and Recreation

Significant areas of parkland with active recreation opportunities are present in the Study Area, as well areas of native bushland that are highly popular amongst the local community and visitors for passive recreation and connecting with nature.

The Dandenong Creek Valley (Precinct 3) is an integrated open space corridor connecting a network of parklands and sport/recreation facilities that serve a large population catchment. Lysterfield Park and Churchill National Park (Precincts 2a & 2b) are other parks of regional significance that provide excellent opportunities for bushwalking, mountain biking and general recreation.

Trails and tracks in the Study Area are highly used facilities that provide recreational and wellbeing benefits to a diverse range of users. Local parks and bushland such as Wicks Reserve and Bateman Street bushland provide excellent opportunities for passive recreation and connecting with nature in proximity to residential areas.

As the Knox population grows and urban densification occurs, it is important to protect the existing recreational values, upgrade the existing facilities and seek opportunities for new areas of open space to meet the needs of the community. As part of this Strategy, the Study Area has been investigated for these opportunities. In addition, opportunities have been explored, in consultation with the community, to maximize community access to the existing recreational opportunities.

3.9. Rural Living

The Study Area contains residential properties in high amenity rural and pastoral settings. Many of the rural properties in the Study Area enable residents to mix residential use with agriculture, agri-business and horse agistment activities. The rural residents in Knox have long been key contributors to the City's environmental conservation by taking care of the remnant vegetation and existing habitat opportunities on their properties.

To maintain the quality of rural living, it is important to draw a clear picture of the existing land use and the issues faced, in consultation with the local community. The identification of risks, including bushfire and flooding risks, and preventing conflicting uses that adversely affect local character and amenity, has been an important driver for this Strategy. The suitability of the existing infrastructure, including access and connectivity, has also been assessed to ensure they meet the needs of the local communities.

Another key task has been the evaluation of existing planning controls, including zoning and subdivision sizes, to ensure they consider observed and emerging issues, enable economic potential, and support land use sustainability in the long term.



PART B - STRATEGIC DIRECTIONS

DRAFT



4. Objectives and Strategies for All Precincts

The GARS precincts each have a range of highly important values that need to be protected and enhanced. However, considering their location, they are likely to continue to experience pressure for urban development and interface tension between urban and rural land.

This Strategy aims to balance these competing priorities by providing a series of theme-based **Objectives** that provide the overarching goals and priorities for the Study Area. The Objectives articulate what the document aims to achieve by means of a particular set of strategies and actions.

Each Objective is supported by a suit of **Strategies** which further clarify the method or processes used to achieve the Objective, such as how Council will assess and guide proposals within the Study Area.

Considering the various characteristics and opportunities, a specific **Vision** has been developed for each precinct. The precinct-based vision sets a desired future state for each precinct and has been informed by background research, policy alignment and stakeholder and community consultation. The visioning consultation involved the local community and businesses, state government agencies, utility and service providers, environmental groups, local advisory groups and property owners and occupiers.

The vision for each precinct is better clarified through the recommendations for each precinct and is translated into specific **Actions**. Actions are more tangible or measurable tasks that can be allocated, placed within a timeframe, and may even need specific funds allocated. The Actions have been linked back to Objectives to ensure strategic alignment and consistency in direction.

The broad Objectives and Strategies are similar and provide guidance for all precincts, while the individual Actions are divided into precinct-based Actions and Actions that apply to the entire Study Area.

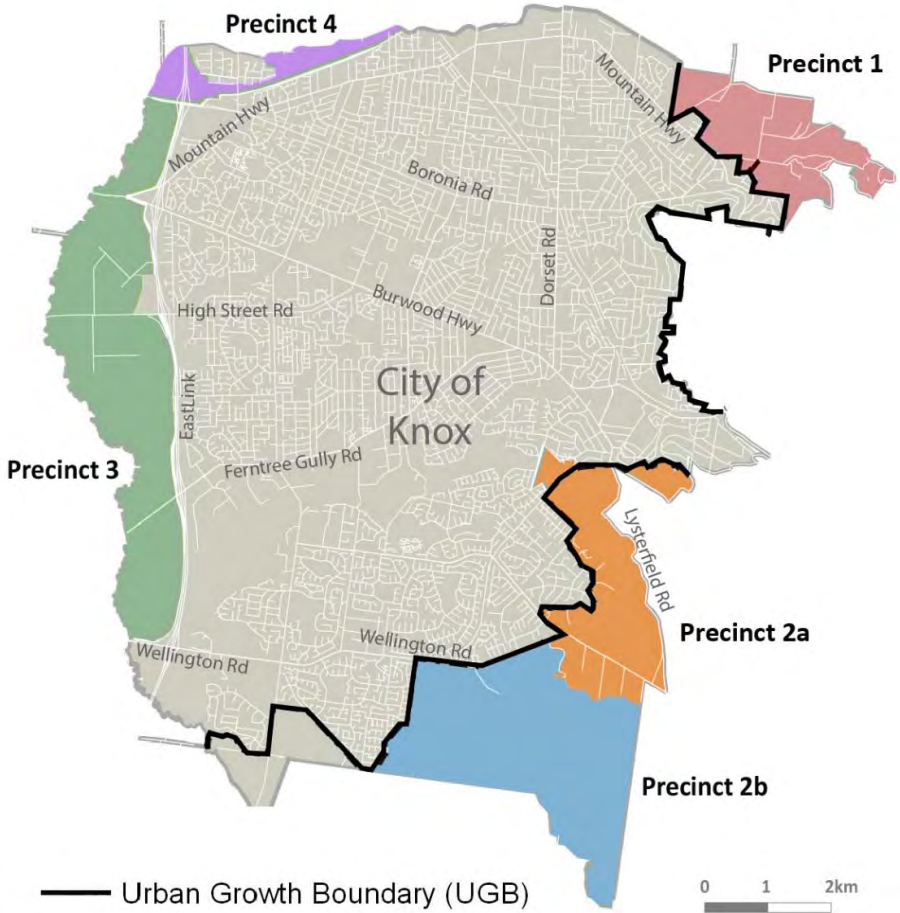
Objectives and Strategies for all GARS precincts

Theme	Ecology			Landscape & Character		Land Use & Access		
Objective	To protect and enhance biodiversity and wildlife connectivity	To protect and increase tree and vegetation canopy cover	To improve waterway health and flood management	To protect and enhance local character and landscape values	To recognise, protect and promote existing heritage	Recognise & protect the values of Knox Green Wedges	To ensure land uses are located and managed to be consistent with the values and functions of the Study Area	To facilitate connectivity and safe movement for all users
Strategies	<ul style="list-style-type: none"> • Conserve existing wildlife habitat and biodiversity values. • Improve wildlife connectivity and ecological corridors. • Increase community awareness and engagement in ecological improvements • Facilitate improved weed and pest management practices. 	<ul style="list-style-type: none"> • Protect and enhance vegetation and tree canopy cover. • Monitor changes to tree canopy, vegetation and surface cover. • Recognise the role of trees and vegetation cover in moderating the temperature and reducing the urban heat island effect. 	<ul style="list-style-type: none"> • Conserve existing wildlife habitat and biodiversity values. • Protect floodplains from development and change. • Enhance water quality and the ecological health of the waterways. • Identify flood prone areas and improve stormwater management. • Encourage WSUD systems. 	<ul style="list-style-type: none"> • Identify and protect local character within the Study Area • Define and protect landscape values including vistas and long range views. • Ensure land uses do not adversely affect the local character. • Ensure built form considers and responds to the local character and landscape values. 	<ul style="list-style-type: none"> • Identify, celebrate and promote the heritage values and history, including Aboriginal and non-Aboriginal heritage. • Promote greater community knowledge and understanding of Aboriginal cultural heritage. • Protect places of heritage significance from inappropriate development and use. 	<ul style="list-style-type: none"> • Provide strategic direction for Green Wedges and interface areas in the Knox Planning Scheme. 	<ul style="list-style-type: none"> • Ensure new uses do not adversely impact on existing ecological and landscape values or existing settlements. • Protect agricultural land from inappropriate development and use. • Promote and support the ongoing viability of agricultural practices. • Strengthen and promote the recreational, cultural, sporting and tourism role. • Protect the amenity and character of existing residential areas. • Manage risks including those associated with bushfire, pollution and contamination. • Facilitate better land management practices. • Support and facilitate public art in appropriate locations. 	<ul style="list-style-type: none"> • Enhance pedestrian, cyclist and vehicular connectivity and access. • Advocate for improved public transport connectivity. • Enhance movement safety for all users. • Reduce traffic conflict between various modes.



5. Recommendations for All Precincts

DRAFT





Theme 1: Ecology

Wildlife Conservation and Connectivity

The Study Area plays a key biodiversity role in Knox as it contains some of the most significant areas of native bushland and waterways. Considering their location, ecological qualities, current land use and lot configuration, each of the GARS precincts present unique opportunities for future enhancements including habitat restoration and improvements to wildlife connectivity. Such opportunities may not exist to the same extent in some other areas of biodiversity value in Knox, including those within the urban area which are more likely to be impacted by urban land use nearby. There is therefore a strong case for prioritisation of ecological preservation and enhancements in the Study Area.

- Building upon the evidence base set in the *Knox Wildlife Conservation and Connectivity Report* (Ecology and Infrastructure International et al., 2017), this Strategy aims at better incorporating wildlife connectivity into the planning framework. The following recommendations from the above report are considered to be related to the planning framework and have implications for the Study Area:
- Mandating an ecologically sensitive development approach in high ecological buffer zones
- Strengthening mechanisms for native vegetation protection
- Developing planning mechanisms to protect riparian buffer zones, particularly along Dandenong Creek, Blind Creek, Corhanwarrabul Creek and their tributaries, to:
 - Prohibit further development within the Melbourne Water Core Riparian Zones and adjacent vegetation buffers;
 - Minimise any additional development in the remaining areas of the 200m buffer zone identified by the Growling Grass Frog Sub-Regional strategy; and
 - Mandate Water Sensitive Urban Design interventions within the 200m buffer zone to disconnect stormwater drains from natural waterways and help reinstate more natural water cycles.
- Reducing the barrier effect at the specific sites identified to increase connectivity for all fauna species.

This Strategy confirms the important role of the Planning Scheme, including the Environmental Significance Overlay (ESO). While the majority of habitat areas in the Study Area are covered by this overlay, the Strategy seeks to strengthen the implementation of the existing requirements. Revegetation and habitat improvements are also encouraged,

in appropriate locations where they do not cause an increase to bushfire risk to the existing settlements.

Pest and weed management was another issue that was highlighted during the consultation for this Strategy. KCC has been involved in discussions regarding the development of a Regional Pest Animal Strategy. There are also opportunities to support improved maintenance practices including on private land.

The local community will continue to play a key role in habitat protection and enhancement. Friends/community groups in Knox provide a valuable source of local knowledge and stewardship and have contributed to a variety of habitat enhancement projects in Knox over the past years.

Council should continue to support community efforts by providing resources, funding and links to state and regional programs. The Knox Gardens for Wildlife program is one example of a biodiversity initiative that has been well received by the residents, including rural residential properties in the Study Area. This program provides an opportunity to link people to nature and involve the community in broader actions around ecological enhancement.

It is also noted, while this Strategy provides recommendations within the boundaries of the Study Area, wildlife connectivity requires broader consideration to ensure connectivity continues outside the Study Area.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

Strategies:

- Conserve existing wildlife habitat and biodiversity values.
- Improve wildlife connectivity and ecological corridors.
- Increase community awareness and engagement in ecological improvements.
- Facilitate improved weed and pest management practices.

Action 1. Investigate options to incorporate relevant recommendations from the Knox Wildlife Conservation and Connectivity Report (Ecology and Infrastructure International et al., 2017) into the Knox Planning Scheme, including the following recommendations:

- a) Ensuring the connectivity elements and important habitats are considered in the review of planning applications and strategic planning decisions.
- b) Applying appropriate buffers along the waterways including the Dandenong Creek, Dobsons Creek, Monbulk Creek and Blind Creek to the extent of the Study Area, to:
 - Prohibiting further development within the Melbourne Water Core Riparian Zones.
 - Minimising development and intense land use within 200m buffer zones.
 - Mandating Water Sensitive Urban Design approaches within 200m buffer zones.
- c) Mandating an ecologically sensitive development approach to new development and the construction of linear infrastructure (e.g. roads, bridges) within high ecological value buffer zones.
- d) Encourage habitat restoration and revegetation within 300m buffer zones to existing areas of native vegetation, in areas that do not increase bushfire risk to existing settlements.

The above action might entail new policy or overlay provisions and making the Knox Wildlife Conservation and Connectivity Report a reference document in the Scheme, subject to further planning investigation.

Action 2. Investigate the need for further guidelines to facilitate Ecologically Sensitive Design for new development and the construction of linear infrastructure (e.g. roads, bridges).

Action 3. Advocate for wildlife linkages to continue outside the Study Area, in accordance with the recommendations of the Wildlife Conservation and Connectivity Report (Ecology and Infrastructure International et al., 2017).

Action 4. Continue collaboration with other councils and the state government regarding pest management and pollution control.

Action 5. Continue to support and grow community partnerships and initiatives including the Gardens for Wildlife program.

Vegetation Canopy Cover

The Study Area contains significant vegetation and makes a key contribution to the overall tree canopy cover in Knox. These areas play a key role in preventing the urban heat island effect and controlling the temperature in the nearby suburbs.

Tree canopy loss is an issue faced across Metropolitan Melbourne including in Knox. Data published by DELWP (2019) suggests that tree cover has fallen in Knox from 19.1% in 2014 to 18.0% in 2018, a loss of 120 hectares. The largest loss has occurred on residential properties but public infrastructure, such as streets also saw a loss.

The Study Area presents unique opportunities to maintain and increase the canopy cover. Parts of the Study Area are outside the Urban Growth Boundary where development is limited and protections are currently in place from intense development and tree removal. In addition, considerable land in the Study Area is publicly owned or zoned for conservation or public recreation purposes, where tree protection or planting is easier to enforce.

Due to existing planning controls, the majority of the Study Area is not at the risk of large scale clearing, however, faces the threat of incremental loss of canopy and green ground cover. This relates to a variety of reasons such as gradual increases to building site coverage, the natural death of trees over time or poor maintenance. There are also challenges faced due to bushfire management requirements considering Knox sits at the edge of the urban area where settlement meets the bush.

Knox does not currently have strategic guidance or targets for maintaining or increasing its total tree canopy cover. It is also noted that the cooling effect of trees is not currently reflected in the existing policy and planning controls. The Scheme currently values trees for three main reasons:

- Biodiversity values - native habitat trees (implemented through ESOs)
- Amenity and exotic values (through VPOs)
- Landscape values (through SLOs)

As discussed earlier, *Living Melbourne* provides high level guidance and direction for monitoring the tree canopy. It guides councils to develop monitoring programs and local tree canopy targets. These actions need to be translated at the municipality scale to be able to provide locally relevant and measurable targets for Knox.

Another known issue is that mapping anomalies exist in the Vegetation Protection Overlay (VPO). This matter is currently under review. An investigation of the VPO in the Study Area has found locations where the overlay map does not correspond with the correct location of trees on the ground. These errors have been identified on the precinct maps.

Objective:

To protect and increase tree and vegetation canopy cover.

Strategies:

- Protect and enhance vegetation and tree canopy cover.
- Monitor changes to tree canopy, vegetation and surface cover.
- Recognise the role of trees and vegetation cover in moderating the temperature and reducing the urban heat island effect.

Action 6. Undertake a project for Knox to:

- a) Map the existing tree canopy and vegetation cover broken down by height strata and surface cover types.
- b) Investigate setting of measurable tree canopy cover targets including sub-targets for public land (parks, streets) and private property.
- c) Define actions to achieve the canopy targets.
- d) Establish a program for regular monitoring of vegetation cover and control progress against the established targets.
- e) Facilitate enforcement in cases of unlawful tree removal.

Action 7. Undertake a review of the Vegetation Protection Overlay (VPO) to correct the existing anomalies and identify opportunities for additional trees to be protected by the overlay.

Action 8. Investigate Planning Scheme options to recognise the role of trees, vegetation and surface cover types in moderating the temperature and reducing the urban heat island effect.

Waterways and Flood Management

The health of waterways in the Study Area, including the Dandenong Creek, Blind Creek, Monbulk Creek and Dobsons Creek needs to be prioritised over the coming years. This is to ensure healthy waterway ecosystems, appropriate flood management and habitat conservation.

Waterway management requires collaboration with neighbouring councils, landowners, community groups and Victorian government agencies including Melbourne Water and DELWP. Collaborative projects such as *Living Links* and *Enhancing our Dandenong Creek* are good examples of multi-agency partnerships that offer particularly important opportunities for new or improved waterway health across the region.

Some of the creeks in the Study Area run within privately owned land which creates additional challenges. The protection of these waterways through appropriate planning controls and supporting the landowners to manage the waterways and their buffers will be critical in the coming years.

The protection of floodplains in the Study Area is another priority to prevent flooding in the urban area, maintain the natural flow of water, reduce pressure on the waterways and prevent habitat loss. The floodplains are constantly under pressure from development and land use that changes topography and reduces surface perviousness. Such changes would adversely affect the Study Area's role in the natural flow, storage and retention of water in particular during stormwater events.

This Strategy has identified that some of the floodplains within the Study Area are not currently covered by adequate planning controls. The key overlay in the Scheme that protect floodplains of the natural waterways is the LSIO. Another flood-related overlay is the SBO which controls development within areas that are subject to the 1% AEP (1:100yr ARI) flood and ensures adequate siting of buildings and design standards within these areas. The Knox SBO has not been updated since 1999 and only covers the Melbourne Water drainage network area.

KCC and Melbourne Water have been working to prepare updated flood models taking into account up to date data and projected future scenarios associated with climate change. Once completed, the new flood map needs to be incorporated in the Planning Scheme, to be able to guide future land use and development. The draft flood model suggests areas of land within the Study Area will be affected by the new flood map, where protection or management will be critical.

Catchment management will also be important to maintain and enhance water quality. KCC's *Water Sensitive Urban Design and Stormwater Management Strategy 2010* has

identified some of the waterways in the Study Area as “high value” and has led to actions and investments to improve catchment hydrology. In this respect, KCC has Water Sensitive Urban Design (WSUD) initiatives including disconnecting impervious areas from the creeks, providing stormwater tanks to residents and the construction of WSUD infrastructure.

In the Study Area, gradual increases to impervious surfaces such as by larger buildings or uses that require large areas of car parking (such as places of worship) have the potential to adversely impact catchment hydrology. It is important to consider the previous investments in water quality and ensure future development and infrastructure construction practices do not compromise these values.

Objective:

To improve waterway health and flood management.

Strategies:

- Protect floodplains from development and changes to topography.
- Enhance water quality and the ecological health of the waterways.
- Identify flood prone areas and improve stormwater management practices.
- Encourage an ecologically-sensitive and water-sensitive approach to development and infrastructure.

Action 9. Following the completion of the flood mapping project by KCC and Melbourne Water (MW), undertake a Scheme amendment to apply adequate overlays to areas affected by the 1% AEP (1:100yr ARI) flood level, including:

- a) Land Subject to Inundation Overlay (LSIO) to areas affected by flooding from natural waterways.
- b) Special Building Overlay (SBO) to areas affected by flooding from the drainage network (SBO1 for MW network and SBO2 for KCC network).

Action 10. Provide greater guidance in the Planning Scheme to limit the extent of impervious surface including guidance for car parking areas in the Study Area.

Action 11. Continue to collaborate with stakeholders on regional and multi-agency initiatives that improve the waterways and catchments, including the Living Links and the Enhancing our Dandenong Creek projects.



Theme 2: Landscape and Heritage

Theme 2: Landscape and Heritage

Landscape and Character

It is noted that currently there is limited statewide guidance on how best to define and protect rural and Green Wedge landscape values. In recent years, DELWP has been workshopping ideas with councils to develop a planning framework for the assessment and recognition of Green Wedge landscapes. However, this work to date has not resulted in any recommendations that could assist with landscape assessment for the Study Area.

To fill the current gaps, the *GARS Landscape and Character Study* (Hansen Partnership, 2019) was prepared as part of this Strategy which identifies the key character elements and landscape values of each precinct. Based on these elements, the study recommends the following levels of ‘significance’ to be assigned to each precinct based on a comparative analysis of their contribution to the overall ‘sense of place’ found within the settings.

Precinct	Prominent Landscape Character Elements	Landscape Significance
Precinct 1: The Basin Rural Landscape	1. Dobsons and Dandenong Creek Flood Plain 2. Basin Township Entry & Boulevard 3. Western Isolated Hilltops 4. Dandenong Ranges Foothills & Gullies	Municipal
Precinct 2a: Lysterfield Valley and Hills	1. Lysterfield Foothills Open Ridgeline 2. Wellington Road Flood Plain & Flats 3. Eastern Slopes to the Monbulk Creek Valley 4. Monbulk Creek Floodplain	Metropolitan
Precinct 2b: Lysterfield Quarries and Surrounds	1. Rising Wellington Road Ridgelines 2. Lysterfield Park Bushland Silhouette 3. Extractive Industries & Works 4. Open Grassland	Metropolitan
Precinct 3: Dandenong Creek Valley Precinct	1. Dandenong Valley Park & Wetlands 2. Dandenong Creek Riparian Corridor 3. East-West Aligned Road Corridors 4. High Voltage Power Line Infrastructure	Regional
Precinct 4: Healesville Freeway Reservation and Surrounds	1. Wantirna Road Cutting 2. Bateman Street Bushland 3. Dandenong Creek Floodplain 4. Dandenong Creek Riparian Corridor 5. EastLink Corridor	Local

The landscape character analysis describes the major form, features and attributes of each precinct including topographical features, landscape settings and physical elements of significance. The study then performs a visual analysis featuring viewshed and visual sensitivity analysis to determine level of visibility from key vantage points. The study concludes with detailed recommendations on valuable landscape elements in each precinct and how to protect and manage them. These recommendations have been incorporated in the precinct-based recommendation within this Strategy.

It is recommended that this study informs the Planning Scheme to ensure the identified values are considered when reviewing proposals. Currently, parts of the Study Area including Precincts 1, 2a and 2b are covered by the Significant Landscape Overlay (SLO) which sets controls applicable to vegetation, earthworks, building bulk, character and other scenic qualities. The Knox Municipal Strategic Statement (MSS) Clause 21.10 Local Areas also recognises these precincts as significant landscape and provides high level strategic direction to protect their values. There are opportunities to build upon these existing provisions and provide more site-specific guidance for the key character elements identified.

In addition, while Precinct 3 has been identified as being a regionally significant landscape, limited landscape direction is currently provided in the Scheme, and no SLOs apply in this precinct. It would be important that the identified values for this precinct are incorporated into the Scheme.

Objective:

To protect and enhance local character and landscape values.

Strategies:

- Identify and protect local character within the Study Area
- Define and protect landscape values including vistas and long range views.
- Ensure land use and built form do not adversely affect the local character.
- Ensure built form considers and responds to the local character and landscape values.

Action 12. Undertake a review of the existing Planning Scheme provisions to recognise the character and protect landscape values in the Study Area, in line with the findings of the GARS Landscape and Character Study.



Theme 2: Landscape and Heritage

Heritage

This Strategy recommends a full review of heritage values in Knox, including both Aboriginal and non-Aboriginal heritage.

It is considered that there is a role for KCC to establish the Aboriginal history of Knox at a local level and incorporate it into its historical narrative and educational initiatives.

Non-Aboriginal heritage values of the Study Area are currently informed by the municipal-wide Heritage Study which was prepared in 1993. No comprehensive review of Knox cultural heritage has been undertaken since. A number of heritage sites within the Study Area are part of large scale landscape and environmental systems that need to be assessed in their broader heritage context and thematic history. Examples are the Dandenong Ranges and Lysterfield Park which form part of larger heritage areas.

To assist with such review, this Strategy includes a preliminary examination of places of heritage significance within the Study Area, and make recommendations on the way forward. This has included a review of the 27 heritage places included in the *City of Knox Heritage Study 1993*. Some of these places are currently protected by the Heritage Overlay while some others do not have statutory protections in place. This has been informed by the report titled *Preliminary Heritage review: Knox Rural Heritage (Context, 2017)* which, through a combination of site inspections and desktop research, provides the following information:

- Confirmation of whether the heritage places still exist;
- Photographic evidence of the places;
- Map of the places (analogue mapping) or provide an indication of the locality;
- Preliminary assessment of the existing conditions of each place; and
- Recommendations including whether further heritage investigation of the place is required.

Where sites have been able to be accessed and found, the majority of recommendations are to retain existing Heritage and other Overlays. Where sites were not found or insufficient information has been available, a recommendation for further investigation has been made. Many of the sites without current statutory protection are recommended for assessment. It should be noted that this preliminary review does not represent a fresh heritage assessment of the places.

Objective

To recognise, protect and promote existing heritage.

[Knox Green Areas and Rural Strategy](#)

Strategies:

- Identify, celebrate and promote the heritage values and history, including Aboriginal and non-Aboriginal heritage.
- Promote greater community knowledge and understanding of Aboriginal cultural heritage.
- Protect places of heritage significance from inappropriate development and use.

Action 13. Undertake a comprehensive review of Aboriginal and non-Aboriginal heritage across the municipality, taking into consideration the specific recommendations in the *Preliminary Heritage review: Knox Rural Heritage (Context, 2017)*.



Theme 3: Land Use and Access

Green Wedge Interface

This Strategy has reiterated the importance of the Urban Growth Boundary (UGB) in protecting Precincts 1, 2a and 2b from inappropriate development. The UGB has proven to be a strong and effective planning tool to maintain the integrity of Knox Green Wedge land in these areas, despite ongoing pressure for subdivision and rezoning outside the UGB.

Another key finding is, while Knox is an interface council, a simple transitional buffer solution to the urban/rural interface is not practical. Instead, a place-based approach to the protection of values, including environmental, landscape and rural economic values, is recommended. In other words, simply because an area is close to the UGB does not mean it is appropriate for smaller lot sizes or more intense development.

This is because some of Knox' most sensitive landscapes and biodiversity hotspots are located in proximity to the UGB. Some of these landscapes present scenic views that uniquely define the gateways not only to Knox, but also to Metropolitan Melbourne. For example, this Strategy has identified highly valuable landscapes in The Basin or environmental buffers in Lysterfield and Rowville, which are highly sensitive to change and should be protected from inappropriate development and change.

This matter is also seen in light of recent discussions by DELWP regarding potential location of more intense uses such as places of worship and schools adjacent to the UGB. This Strategy strongly opposes such idea and confirms that proximity to the UGB is not an appropriate locational criterion for such uses.

Assessing proposals in the interface areas needs to take into account their impacts on a case by case basis. This includes the visual impact - in particular for those uses that present highly dominant built form – the environmental impact, the extent of impervious surface required for car parking, and the traffic impact on the locality. The cumulative impact of multiple buildings within a limited interface area should also be considered as it could be to the detriment of local character, landscape and environmental values.

On many occasions, these uses are more appropriate within the urban area in close proximity to residential settlement and transport services. In the Green Wedges, proposals of these types should be considered on a case by case basis, taking into consideration the site context and values to protect.

The Green Wedge policy direction in the Scheme is currently limited to State and Regional policy. Providing local strategic direction for Green Wedge land is required to ensure the identified values as part of this Strategy are recognised and protected.

Objective:

Recognise and protect the values of Knox Green Wedges.

Strategy:

- Provide strategic direction for Green Wedges and interface areas in the Knox Planning Scheme.
- Provide a place-based approach to Green Wedge interface.

Action 14. Avoid any changes to the Urban Growth Boundary in Precincts 1, 2a and 2b.

Action 15. Investigate Planning Scheme options to provide local strategic direction for Knox Green Wedge land in line with the recommendations of this Strategy for Precincts 1, 2a and 2b.

Action 16. Clarify, through strategic directions in the Planning Scheme, that a transitional buffer approach to the Green Wedge interface is not intended, and that a place-based, value-based approach to assessment is required.

Land Use and Economy

This Strategy has identified agricultural land that is worthy of protection including in the Dandenong Valley, Lysterfield Valley and Dobsons Valley (The Basin). While precinct-based recommendations are provided later in this Strategy to protect these areas, it is noted that the Scheme currently does not provide local policy direction for agriculture in Knox. It would be important that policy direction is also provided to support long term protection of agricultural land and production in Knox.

The Study Area offers considerable open space, recreation, tourism, sport, art and culture land use opportunities. It also contains extractive industries that are likely to continue operation for a couple of decades. Detailed direction and actions to support these land uses is provided in the precinct-based recommendations section.



Theme 3: Land Use and Access

Summary of Economic, Tourism, Community and Recreation Potential

	Precinct 1 The Basin Rural Landscape	Precinct 2A Lysterfield Valley and Hills	Precinct 2B Lysterfield Quarries and Surrounds	Precinct 3 Dandenong Creek Valley	Precinct 4 Healesville Freeway Reservation & Surrounds
Suitability for agriculture intensification	Medium	Medium	Low	High	Low
Suitability for agri- tourism	High	Medium	Low	High	Low
Suitability for standalone tourism uses	High	Low	Low	High	Low
Suitability for community / social enterprise	High	Low	Low	High	Medium
Accessible to population catchments	Medium	Medium	Medium	High	High
Accessible by public transport	Low	Low	Low	Medium	Medium
Accessible by bike/hiking/walking	Low	Low	Medium	High	High
Suitability for Active Recreation	Medium	Low	High	High	High
Suitability for other intensive industry	Low	Low	High	Medium	Low
Suitability for Passive Recreation	Low	Low	High	High	Medium
Ranking	19	13	18	28	18

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area.

Strategies:

- Ensure new uses do not adversely impact on existing ecological and landscape values or existing settlements.
- Protect agricultural land from inappropriate development and use.
- Promote and support the ongoing viability of agricultural practices.
- Strengthen and promote the recreational, cultural, sporting and tourism role.
- Protect the amenity and character of existing residential areas.
- Manage risks including those associated with bushfire, pollution and contamination.
- Facilitate better land management practices.

Action 17. Investigate Planning Scheme options to provide strategic direction for agriculture and agricultural land in Knox.

Action 18. Investigate initiatives and incentives, such as rate exemptions, to help protect agricultural production and improve land management practices.

Action 19. Investigate the potential for Carbon Farming and climate friendly agricultural practices including regenerative agriculture.

Public Art

The Study Area provides great opportunities for new public art to be incorporated into the landscape. In particular, some of the precincts are located at gateways to Knox where a high level of visitation where highly visibility exists and public art can create unique places and contribute to a sense of belonging and pride.

The Study Area has been assessed to identify locations that provide opportunities for public art. This assessment takes into consideration matters such as visitation rate, visibility, land ownership, gateways to Knox, community interest, green space, parks, trails, waterways potential for place making, storytelling and accessibility.



The above assessment has identified potential locations for public art in The Basin Triangle, Dorset Road extension/Napoleon Road intersection, Burwood Highway/EastLink and High Street Road. These locations have been indicated on the land use maps.

Strategy:

- Support and facilitate public art in appropriate locations.

Action 20. Support the provision of public art in the Study Area including at the locations identified, subject to detailed assessment.

Access and Connectivity

The Study Area contains some of the highly used trails in Knox and provides linkages to fantastic bushwalking and cycling opportunities. There are opportunities across the GARS precincts to enhance walking and cycling connectivity with additional shared paths and improvements to existing facilities.

Some of the local roads including in The Basin and Lysterfield provide key access routes to recreational destinations in national parks, however, do not provide cycle lanes or shared paths. Traffic conflict between various modes, including vehicles, walkers, cyclists and horse riders, was raised as a key issue on these roads during the public consultation.

The Study Area has limited public transport coverage and is partially served by bus services. This is a greater issue in the Dandenong Creek Valley where future residential area is planned as part of Boral Quarry redevelopment.

The below Access and Connectivity strategies are further clarified through actions identified in the precinct-based recommendations.

Objective:

To facilitate connectivity and safe movement for all users.

Strategies:

- Enhance pedestrian, cyclist and vehicular connectivity and access.
- Advocate for improved public transport connectivity.
- Enhance movement safety.
- Reduce traffic conflict between various users.

Action 21. Advocate for the construction of outstanding shared paths and cycle lanes identified as part of PBN.



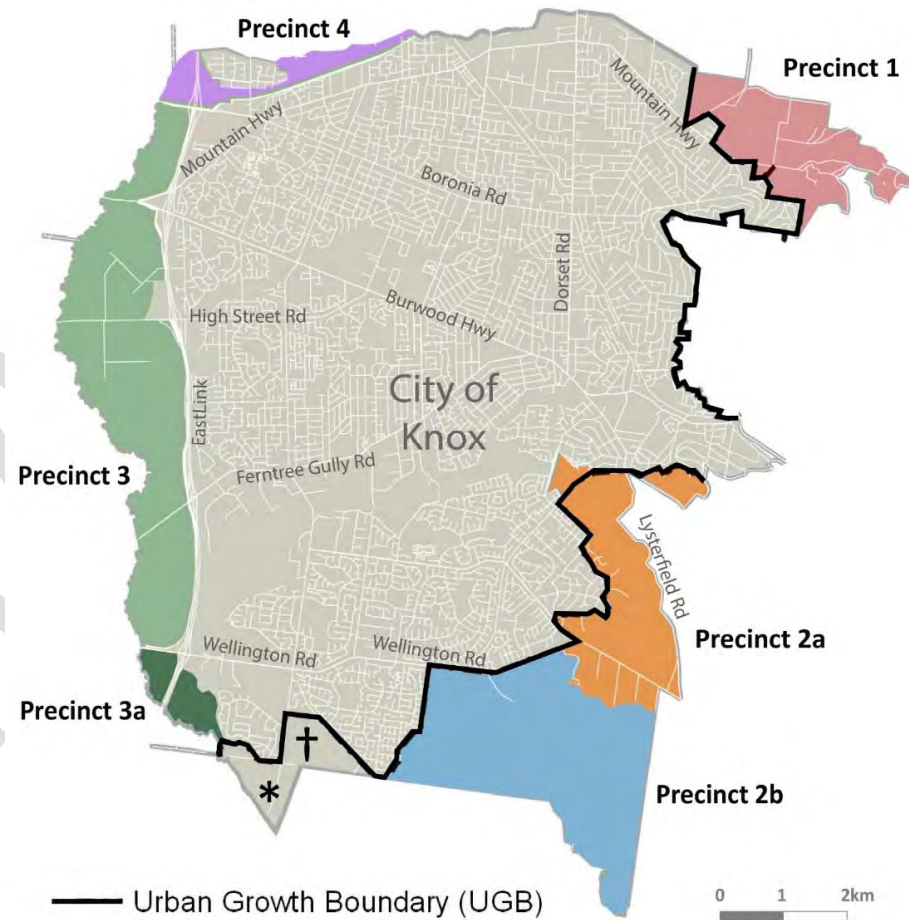
6. Precinct-based Recommendations

DRAFT



Precinct 1:
The Basin Rural Landscape

DRAFT





Vision for Precinct 1

The Vision for Precinct 1 reflects feedback received during public consultation involving the stakeholders and the community. Key themes from the public consultation are summarised below:

- **Prioritising environmental conservation**
There was overwhelming support for the focus in this precinct to be on ecological protection. It was suggested that this focus be strengthened to prevent a clash of priorities and ensure environmental values are not compromised by land uses such as agriculture or tourism.
- **Protecting from development**
The feedback demonstrated significant concerns about the possibility of future development or change and suggested that the vision emphasises the protection of floodplains in The Basin to manage stormwater and support the waterways.
- **Concerns about tourism/economic opportunities**
Concerns were raised about potential tourism and business activities due to the number of visitors to the area and its impact on the environmental qualities and local traffic.
- **Protecting the distinct natural and rural character**
Protecting the current natural landscape and the green/rural character within the backdrop of the Dandenong Ranges was considered very important.
- **Ecological enhancement**
There were suggestions for targeting “enhancement” in addition to “protection” of ecological values.
- **Bushfire risk**
Concerns were raised that revegetation in wrong areas might increase bushfire risk.

Vision for Precinct 1:

The Basin Rural Landscape Precinct will be protected as an ecologically significant area with a distinct natural and rural landscape character, providing a scenic gateway to the Dandenong Ranges. The conservation and enhancement of the precinct’s biodiversity, waterways and landscape values will be prioritised, while supporting compatible land use such as sustainable agriculture, rural living, recreation and community uses that complement and enhance these values.



Theme 1: Ecology

Biodiversity and Wildlife Connectivity

Almost two-thirds of Precinct 1 supports native vegetation, and most of the precinct has been classified as Sites of Biological Significance for Knox, based primarily on the occurrence of native vegetation.

Being surrounded on the southern, eastern and north-eastern boundaries by the DRNP, the precinct provides an important consolidated ecological link between Doongalla Forest and Upper Ferntree Gully. The precinct plays a key role in wildlife habitat and movement as it contains large extents of native vegetation and a high density of watercourses. Maintaining the continuous cover of vegetation in this precinct will be essential to support the long-term viability of wildlife, larger populations and greater opportunities for movement and dispersal in multiple directions.

The precinct also contains Wicks/Wicks East Reserves (managed by KCC) and Liverpool Road Retarding Basin (managed by Melbourne Water) which are public reserves of high biodiversity value while assisting with stormwater management for the broader catchment.

A large extent of the vegetation and sensitive habitat in the precinct are located within private properties which will play a key role in the coming years to protect biodiversity and wildlife movement. The eastern part of the precinct, which consists of lots in the Rural Conservation Zone, is predominantly used for residential purposes. This area accommodates a dense and continuous cover of vegetation which connect with Doongalla Forest/DRNP and is at risk of incremental vegetation loss due to land use conflict and fire management requirements.

The larger properties in the central part of in Precinct 1 also provide important linkages, stepping stones and floodplain habitat. The Salvation Army land in The Basin offers complementary and additional resources to wildlife and its buffer role is recognised in protecting the adjacent Rural Conservation Zone, as well as providing opportunities for connectivity to the Liverpool Rd Retarding Basin. The Dobsons Creek traverses this property and provides a densely vegetated ecological corridor.

Whilst the majority of waterways in Knox are protected by public zoning (incl. PCRZ), there are sections of the Dandenong Creek and the Dobsons Creek within Precinct 1 that are within private land and are not protected by public zoning. However, the entire precinct is covered by the Environmental Significance Overlay (ESO1 and 2) which provides good protections for vegetation and habitat. The ESO generally requires planning permits for

building, subdivision, carrying out of works and the removal of vegetation. Exemptions are provided for vegetation removal that are necessary for emergency works and management of land including fire management, weed control, infrastructure or resources where other permits exists.

The conflict between tree protection and fire management was an important concern raised by the community during the project consultation. There was a strong message that preserving the natural environment needs to take precedence in this precinct, and new development that requires tree removal to address bushfire risk should be prevented.

The majority of vegetation cover in Precinct 1 is located on private property used for residential purposes. Many of these areas are affected by the bushfire Management Overlay (BMO) that seeks to ensure human safety in proximity to bushland. While significant vegetation clearing has not occurred since the implementation of ESOs and SLOs, incremental loss of vegetation has been observed. This is sometimes caused by increasing building and outbuilding footprints on rural lots where additional defensible space or fuel reduction is required around new or added structures.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

- Action 1.1.** Review the planning framework to
- ensure the protection of native vegetation and habitat is prioritised in Precinct 1
 - recognise the role of Dandenong and Dobsons Creeks in wildlife connectivity
 - ensure bushfire risk and management in BMO affected areas is considered from early stages of any development proposal, such as pre-application stage, and proposals that require vegetation removal to comply with the bushfire requirements are not supported.
- Action 1.2.** Reduce the wildlife barrier effects at the following sites in accordance with the recommendations in Appendix 1:
- Dandenong Creek - Liverpool Road (ID: 1)
 - Dandenong Creek – Dobson Lane (ID: 2)
- Action 1.3.** Investigate mechanisms to support private landowners to improve maintenance and weed control including of Sugarloaf Hill.

Waterways and Flood Management

Precinct 1 is within the Upper Dandenong Creek catchment and contains a section of Dandenong Creek and also Dobsons Creek which is a tributary to Dandenong Creek.

The Dobsons Creek catchment has been identified as the highest value waterway in Knox by KCC's *Water Sensitive Urban Design and Stormwater Management Strategy 2010*. KCC has undertaken Water Sensitive Urban Design (WSUD) initiatives in this catchment to improve catchment hydrology. This has included disconnecting impervious areas from the creek to improve its ecological health, providing stormwater tanks to residents and the construction of Wicks Reserve (Ferdinand Von Mueller) Raingarden. KCC has also constructed swales in Basin-Olinda Road and a roadside retention facility along Sheffield Road. The WSUD project locations are indicated on Map 1.

Situated along the creek path is also the Liverpool Road Retarding Basin which was developed by Melbourne Water (MW) to provide for the storage of stormwater to prevent flooding downstream.

Apart from the smaller rural lots north of Doongalla Road, the vast majority of lots in Precinct 1 are not connected to piped drainage. This is in line with KCC's strategy to disconnect properties from the drainage network and promote a water sensitive approach to drainage within this precinct.

Incremental increases to impervious surfaces (e.g. house extensions, outbuildings, paved outdoor areas) places additional pressure on the drainage systems in this high value catchment. There are opportunities to build upon the previous investments in improving water quality within the Dobsons Creek catchment and ensure future development and infrastructure construction practices protect these values.

The precinct also plays a key role in flood retention and management as it contains floodplains of the Dobsons and Dandenong Creeks. Protecting these floodplains from development and topographic change will be important to prevent flooding downstream and maintain the health of the waterways. The current flood map adopted in the Knox Planning Scheme is outdated and does not accurately map the flood prone areas in Precinct 1. For instance, the Dobson Creek floodplain has no flood overlays. An updated flood map is currently being prepared which is recommended for incorporation into the Scheme.

Objective:

To improve waterway health and flood management.

- Action 1.4.** The planning framework to acknowledge that Precinct 1 is in the high value catchment of the Dobsons Creek.
- Action 1.5.** Investigate options to incorporate WSUD measures as part of new development in the Dobsons Creek catchment.
- Action 1.6.** Support a WSUD approach to public works and infrastructure including the constructions or upgrade of roads within this precinct.
- Action 1.7.** Ensure the Dobsons/Dandenong Creek floodplain is protected from development and level change.

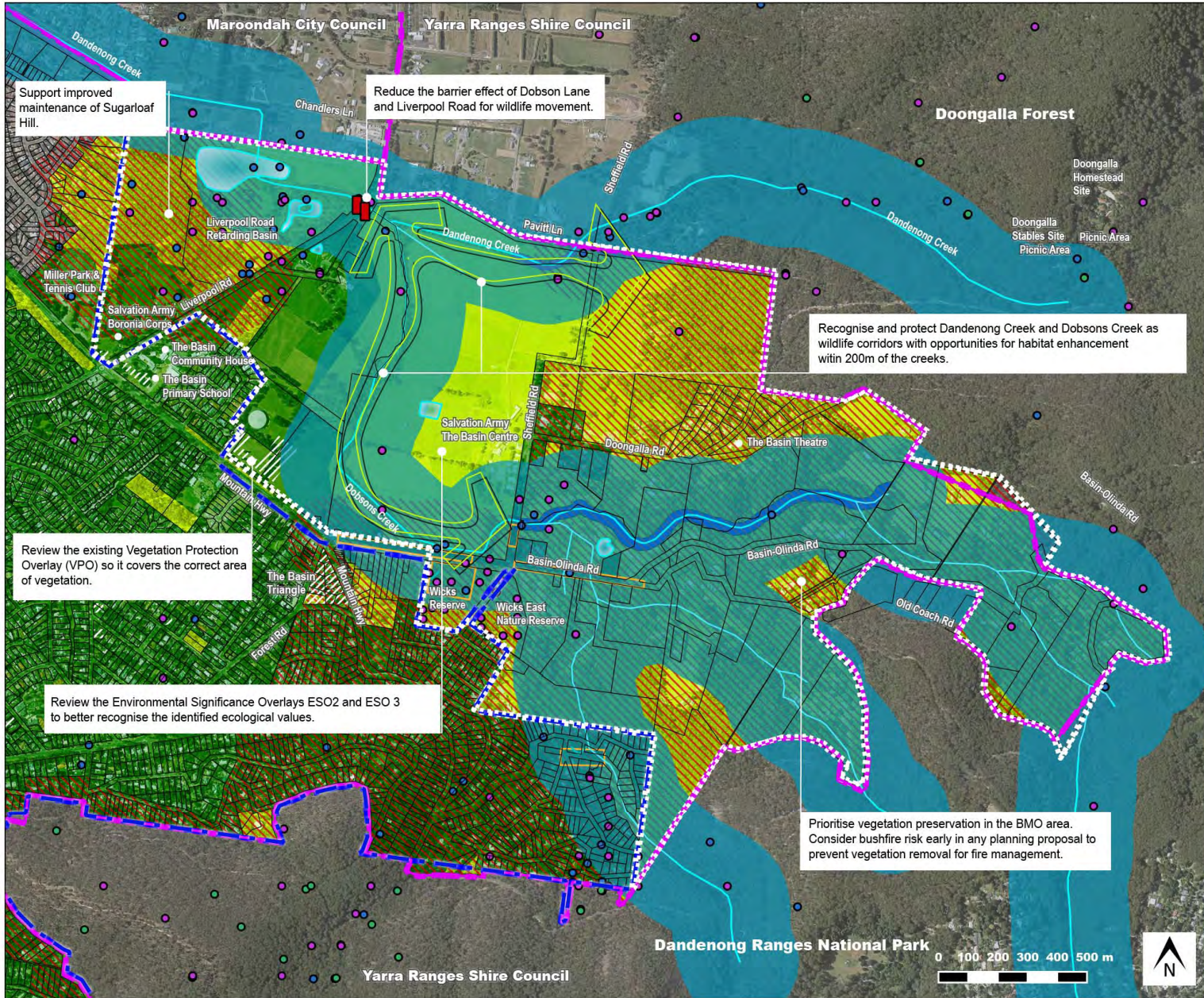


Map 1

Precinct 1- The Basin Rural Landscape

Theme: Ecology

Knox Green Areas & Rural Strategy (GARS)



Legend

Knox Wildlife Atlas (1995-2017)

- Wildlife Records - Multiple Sources
- Wildlife Records - Victorian Biodiversity Atlas
- Knox Focal Species 2017
- Barriers to Wildlife Movement

Knox Planning Scheme

- Environmental Significance Overlay 2 (ESO2)
- Environmental Significance Overlay 3 (ESO3)
- Floodway Overlay (FO)
- Vegetation Protection Overlay (VPO)
- Bushfire Management Overlay (BMO)
- Urban Floodway Zone

Other

- Precinct Boundary
- Creeks and Lakes
- WSUD - Project Area
- Knox City Boundaries
- Urban Growth Boundary

Theme 2: Landscape and Heritage

Landscape and Character

The GARS *Landscape and Character Study* (Hansen Partnership, 2019) has identified the Basin Rural Landscape precinct as a highly valued and diverse landscape. The Dobsons and Dandenong Creek Floodplain has significant character value within this precinct, is highly visible from public vantage points and is recommended for protection. The union between the heavily vegetated ridges, gullies and open uninterrupted flood plains are the important landscape for The Basin. The study identifies the following character areas (as shown on the map) and details key landscape values for each area:

Character Area	Description	Approach	Key Landscape Values
1	The Basin’s Dobsons and Dandenong Creek Floodplain	Protection	Rural integrity and open character; short and long open views from roads; low-lying valley conditions
2	The Basin Township and Entry	Management	Corridor views; roadside vegetation
3	The Western Isolated Hilltops	Monitoring	Vegetation; views to hilltops
4	The Dandenong Foothills and Gullies	Management	Natural landscape condition

Currently, the majority of Precinct 1 is covered by the Significant Landscape Overlay (SLO4) which sets controls applicable to vegetation, earthworks, building bulk, character and other scenic qualities. Clause 21.10 of the Scheme also recognises the whole precinct as a significant landscape and provides high level strategic direction to protect its values. There are opportunities to build upon these existing provisions and provide more site-specific guidance for the key character areas identified.

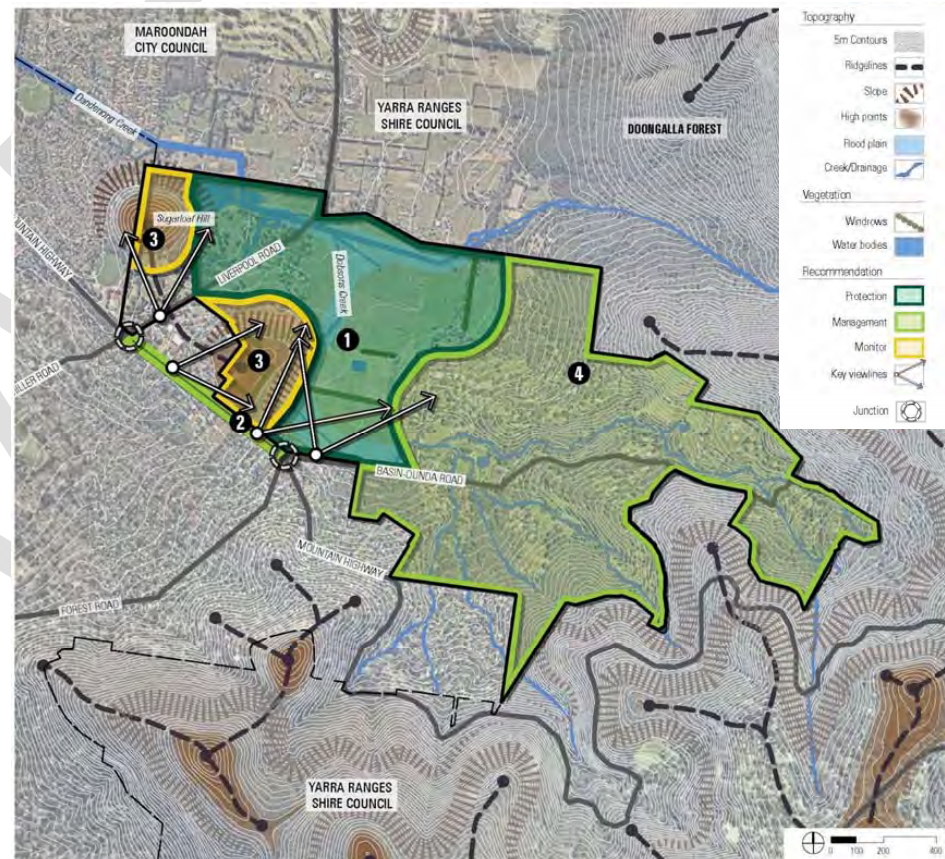
Objective:

To protect and enhance local character and landscape values.

Action 1.9. Undertake a review of the existing Planning Scheme provisions to better recognise and protect landscape values, in line with the findings of the GARS Landscape and Character Study.

Action 1.10. Discourage fragmentation of land within the Dobsons Creek floodplain character area.

Action 1.11. Investigate opportunities for weed management and removal of shrub, to open up foothill views, particularly those on public owned land.



Map 2 – Precinct 1 Landscape Assessment (Source: Hansen Partnership)



Theme 2: Landscape and Heritage

Heritage

Precinct 1 contains significant areas of Aboriginal Cultural Heritage Sensitivity associated with the Dandenong and Dobsons creeks and the Dandenong foothills. The precinct also includes an area of artefact scatter.

The precinct contains three non-Aboriginal heritage places that are protected through the Heritage Overlay (HO), and seven places that are included in the City of Knox Heritage Study 1993 but are not protected through the Scheme.

The *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017) reviews the existing heritage places within the precinct (HO items and non-HO items listed in Knox Heritage Study 1993) and provides recommendations for each place.

Objective:

To identify, protect, celebrate and promote the heritage values and history, including Indigenous cultural heritage and post-contact heritage.

Action 1.12. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 1.13. Undertake a review of the heritage places in accordance with the recommendations from the *Knox Rural Heritage Report* (Context, 2017), as summarised below.

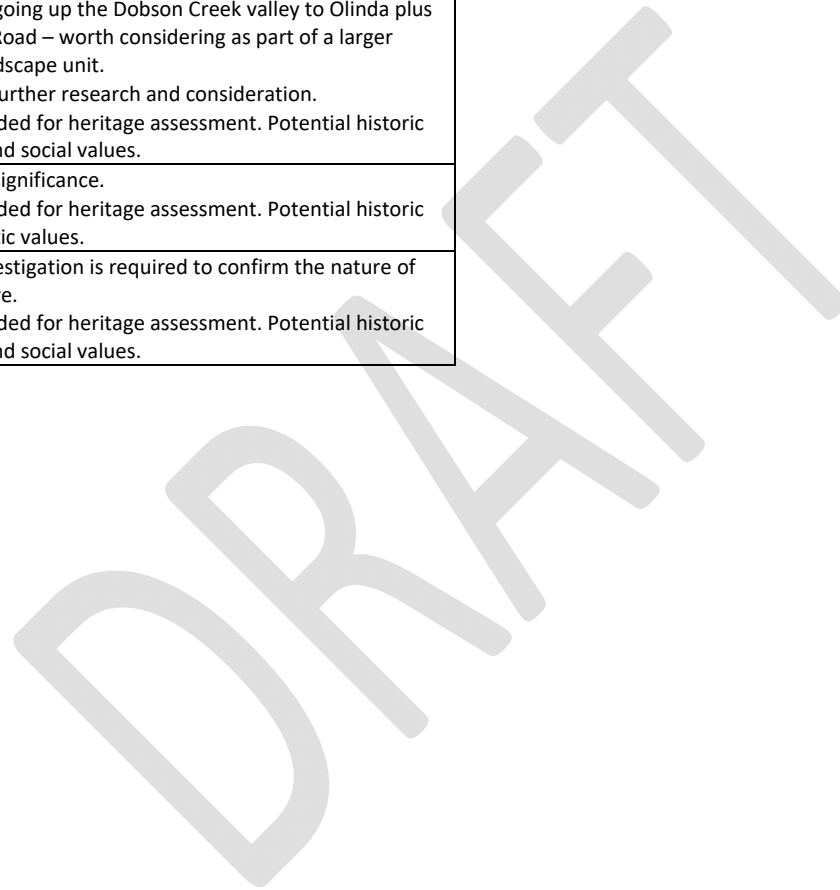
Place Name and Description	Recommendations
HO places	
HO5 Wicks Reserve	<ul style="list-style-type: none"> • Of historic and social/recreational significance. • Well documented and part of the area ESO, SLO and HO – no further research / assessment required. • Retain Environment, Heritage and Significant Landscape Overlays.
HO54 One Oak Tree (Basin Olinda Road, The Basin)	<ul style="list-style-type: none"> • Intact and in good condition • Of historic and aesthetic significance • No further consideration required • Retain Heritage Overlay

HO8 Chandler Oak Tree, Sheffield Road, The Basin	<ul style="list-style-type: none"> • Of historic and aesthetic significance due to age and size. • Well documented and no further consideration required. • Retain Heritage Overlay.
Non-HO places	
Western face of the Dandenongs The whole of the western and part of the north-western slopes of the main Dandenong Range stretching from Montrose to the southern boundary of the Ferntree Gully National Park	Undertake an Integrated Aboriginal, Natural and cultural heritage assessment to explore these different aspects of significance in a holistic manner.
Dandenong Ranges The whole of the Dandenong Ranges form a backdrop to Knox but are predominantly in Yarra Ranges	Undertake an integrated Aboriginal, Natural and cultural heritage assessment would be appropriate for the Dandenong Ranges. This would involve an initial assessment at the state level (for inclusion in the Victorian Heritage Register) which would involve other municipalities. There may also be a case for the identified heritage values to be nominated for inclusion in national level listing.
Salvation Army site 1 Liverpool Road, The Basin	While there are no known archaeological reviews of the site, given that it contains 2 watercourses (Dobsons and Dandenong Creeks), it is identified as an area of cultural sensitivity. Recommended for both Aboriginal and non-Aboriginal cultural heritage assessment. Potential Aboriginal, historic, aesthetic and social values.
Clevedon Gardens	<ul style="list-style-type: none"> • Of historic significance as a site only. • Difficult to put forward as a HO without further investigation into the garden. • ‘Tentative list’ – although it’s possibly too far removed from its historic origins (not a priority). • Recommended for further investigation. Potential historic aesthetic and social values.



Theme 2: Landscape and Heritage

Glen Elbourne Gardens	<ul style="list-style-type: none"> • Worth following up, either on an 'open day' or with the owner. • Note the large wholesale nursery next door and other properties going up the Dobson Creek valley to Olinda plus Old Coach Road – worth considering as part of a larger historic landscape unit. • Worthy of further research and consideration. • Recommended for heritage assessment. Potential historic aesthetic and social values.
Old Coach Road	<ul style="list-style-type: none"> • Of historic significance. • Recommended for heritage assessment. Potential historic and aesthetic values.
Mountain Highway The Basin	<ul style="list-style-type: none"> • Further investigation is required to confirm the nature of the structure. • Recommended for heritage assessment. Potential historic aesthetic and social values.





Map 3

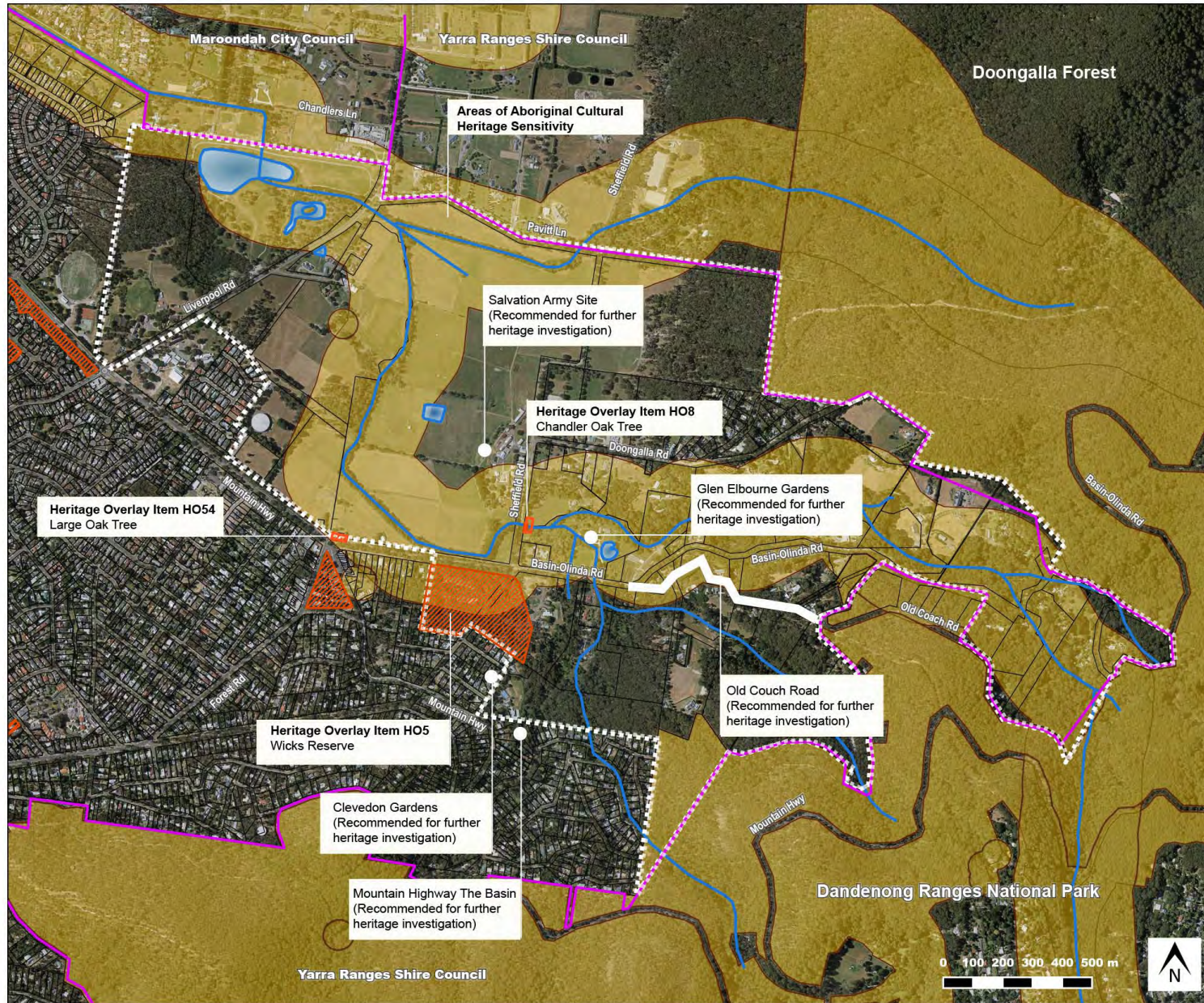
Precinct 1- The Basin Rural Landscape

Theme: Heritage

Knox Green Areas & Rural Strategy (GARS)

Legend

- Precinct Boundary
- Creeks and Lakes
- Heritage Overlay (HO)
- Areas of Cultural Heritage Sensitivity (Aboriginal Victoria)





Theme 3: Land Use and Access

Land Use and Economy

Precinct 1 is part of Knox Green Wedge located adjacent to the urban boundary and contains high quality agricultural land in the floodplains of the Dobsons Creek and uniquely valuable landscapes and significant vegetation. Protection of the precinct from urban development and subdivision will be a key priority in the coming years.

The precinct also benefits from proximity to the Basin Triangle, community and art facilities, parks, cycling trails and scenic tourist routes. Within limits of the planning framework that applies in Green Wedges, the precinct offers opportunities for rural based business such as eco-tourism, agri-tourism, community/social enterprise and small scale café/restaurant uses which can benefit and complement the precinct’s agricultural, landscape and environmental values. However, such uses can only be supported if they are of low intensity and do they do not adversely affect the identified environmental and landscape values.

The *Knox Green Areas and Rural Strategy Economic Study* (Urban Enterprise, 2019) provides the following evaluation of economic, tourism, community and recreation potential for Precinct 1:

Summary of Economic, Tourism, Community and Recreation Potential

Suitability for agriculture intensification	Medium
Suitability for agri- tourism	High
Suitability for standalone tourism uses	High
Suitability for community / social enterprise	High
Accessible to population catchments	Medium
Accessible by public transport	Low
Accessible by bike/hiking/ walking	Low
Suitability for active recreation	Medium
Suitability for other intensive industry	Low
Suitability for passive recreation	Low

Larger Rural Properties (Green Wedge Zone 2 (GWZ2) and Special Use Zone 1 (SUZ1))

The central and western part of the precinct contains a number of larger lots which are used for agriculture, grazing and special uses. The past and present involvement of the Salvation Army in the area is a major contributor to its current open valley, rural outlook. The Basin Centre on Sheffield Road runs rehabilitation programs focused around the benefits of farming, growing crops, raising livestock, bakery and dairy activities. The

Boronia Corps is located adjacent to Miller Park on Liverpool Road and accommodates worship services, community activities, a thrift shop, laser strike and a community garden.

Rainfall and good quality soils provide agriculture potential within the floodplains of the Dobsons Creek. This area has potential for livestock grazing, perennial horticulture or horse agistment. However, the site is limited in scale and isolated from other livestock producers meaning economies of scale are difficult to achieve for a commercial operator. Agriculture use of this land is likely to be of a hobby farming nature used in conjunction with other uses.

This larger lots in the precinct present opportunities for targeted business attraction such as restaurant, winery, visitor accommodation and eco-tourism uses. The property sizes would allow for siting buildings and activities carefully to minimise negative impact on the environmental and landscape values and prevent changes the existing character. For further detail and case studies refer to the report *Knox Green Areas and Rural Strategy Economic Study* (Urban Enterprise, 2019).

The SUZ1 is not supportive of a number of tourism uses including visitor accommodation and restaurant, which are identified as some of the best fit uses for the precinct. The land uses allowed under the SUZ1 conflict with both the Green Wedge objectives and the use table under the Core Planning Provisions (Clause 51.02 of the Scheme). In case of future changes, more alignment with Green Wedge objectives are recommended.

Rural Living Lots (Rural Conservation Zone (RCZ1))

The eastern part of Precinct 1 is characterised by rural residential uses with relatively smaller lot sizes in the range of 4ha. These residential lots play a key role in the conservation of native vegetation and the vegetated foothills character. The area is home to a range of homebased businesses including consulting, creative industry and other professional services. This area also accommodates existing community uses such as The Basin Theatre and a place of worship.

For this area, more direction is required to assist with land use decisions. Existing trends indicate an appetite for home based business and small-scale café/restaurant uses in this area. Decision on these uses should ensure they do not adversely affect the local character and biodiversity values. Consideration must be given to bushfire risks, prevention of vegetation removal, traffic impact, car parking. The accumulative impact of such uses in this predominantly residential area should also be considered.

Parks and Reserves

Protecting the existing open space and recreational values is another priority in Precinct 1.



Theme 3: Land Use and Access

The precinct contains Wicks Reserve and Wicks East Nature Reserve which are popular recreational destinations in a rich bushland setting.

The Liverpool Road Retarding Basin, managed by Melbourne Water, is another parkland in Precinct 1 which serves an important drainage function in preventing flooding downstream by providing a considerable area for stormwater retention along the Dandenong Creek. In addition to its drainage function, the retarding basin features a high amenity parkland with recreational opportunities including fishing, cycling and dog walks. Shared paths near the retarding basin provide panoramic views of the hills.

The Basin Triangle

The Basin Neighbourhood Activity Centre (outside Study Area) is recognised as a Knox Gateway in the Planning Scheme and has opportunities for revitalization and enhancements to public realm. Car parking in road verges and reserves is a current problem the area.

Any commercial growth should be limited to the south of Mountain Highway while the priority in the north will be to preserve the openness and long range views.

Other constraints

Limited street lighting is available within the precinct. However, additional street lighting is not desirable due to its potential impact on wildlife.

The majority of the precinct is not connected to reticulated sewer. Servicing needs to be considered as part of any future proposal.

Objective:

Recognise and protect the values of Knox Green Wedges.

Action 1.14. Protect Precinct 1 from more intense urban development.

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area.

Action 1.15. Ensure future land use and development complements the precinct's primary environmental and landscape values, including environmental conservation, agriculture, agribusiness, art and culture, with complementary small scale tourism-related purposes.

Action 1.16. Protect the Dobsons Creek valley, as a significant landscape with capable agricultural land, from inappropriate development and use that would compromise these values.

Action 1.17. Maintain the existing residential settlement character and prevent further intensification and vegetation loss. Consider bushfire risks and vegetation impacts early in the planning process and do not support proposals that rely on vegetation removal including for fire management or car parking.

Action 1.18. Maintain the current minimum subdivision sizes in Precinct 1 and prevent fragmentation of land.

Action 1.19. Support enhancements to amenity, scenic qualities and recreational values.

Action 1.20. Facilitate enhancements to The Basin Neighbourhood Activity Centre, through a potential master planning process, to

- strengthen and diversify commercial land use within the existing commercial zones to the south of the roundabout;
- protect and maximise public access to open range views to the north of the roundabout;
- revitalise and enhance the public realm and local character; and
- support and facilitate public art to complement the local character.

Action 1.21. For the larger rural properties within the central and western part of the precinct (GWZ2 and SUZ1), support discretionary uses (i.e. Section 2 uses) that are for tourism, agri-tourism, educational and commercial purposes, where proposals are sited and designed sensitively to protect and enhance the environmental, agriculture and landscape values of this precinct, and do not increase bushfire risk.

Action 1.22. Investigate opportunities to establish parkland to the north of The Basin Triangle roundabout to protect long range views from this location and provide additional passive recreation opportunities.

Action 1.23. In case of future changes to the SUZ1 zoning, support alignment with the VPP Green Wedge objectives and use permissibility, while preventing urban development and land fragmentation.

Access and Connectivity

Due to its general amenity and proximity to recreational and visitor destinations in the DRNP and Doongalla Forest, Precinct 1 presents great opportunities for recreational walking and cycling. Map 4 indicates the existing trails and tracks within and around Precinct 1, including:

- Existing tracks in the Doongalla Forest. Some of these are also used for horse riding.
- The Dandenong Creek Trail to the north-west of the precinct.
- Off-road paths along Mountain Highway and dedicated on-road cycle lanes along Forest Road.
- Victoria Walks Doongalla Homestead walk starts at the Basin shopping centre and visits multiple points of interest including Wicks Reserve, Chandler Oak heritage site and The Basin Theatre before heading into the forest. This walk uses Basin Olinda Road, Sheffield Road and Doongalla Road within Precinct 1.

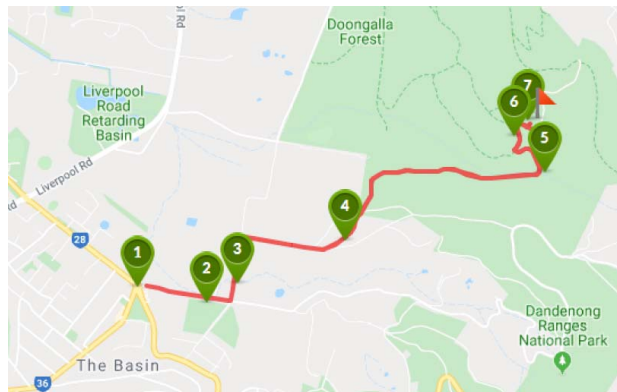


Figure 9 - Doongalla Homestead Walk (Source: Victoria Walks website)

In terms of public transport, bus route 755 runs along Mountain Highway and connects the Bayswater Station and Knox City Shopping Centre via Boronia, The Basin and Ferntree Gully. Other than the areas within the catchment of this route, the rest of Precinct 1 is not within walkable distance to public transport.

The precinct has a good level of access and permeability for vehicular movement. Mountain Highway and Basin-Olinda Road, and to some extent Old Coach Road, provide connectivity to destinations to the east and serve as tourist routes for visitors to the

Knox Green Areas and Rural Strategy

Dandenong Ranges. Liverpool Road and Sheffield Road provide the essential north-south connectivity between the suburban areas to the south and Kilsyth/Kilsyth South to the north of the precinct. The precinct also contains some local roads, some of them being unsealed. It is noted that the unsealed roads contribute to the rural and natural character of the precinct and are not considered an issue.

While the precinct provides a good level of connectivity, there are concerns about traffic safety on local roads due to a conflict between walking/cycling and vehicle traffic, in particular on roads without segregated paths. A strong message from the public consultation for this precinct was related to a need for improvements to walking and cycling infrastructure. Multiple respondents mentioned the existing safety concerns along Liverpool Road and the need for an adequate segregated shared path. Similarly, there were concerns raised regarding movement safety along Sheffield Road/Doongalla Road due to a mix of pedestrian, bicycle, horse riders and vehicular traffic.

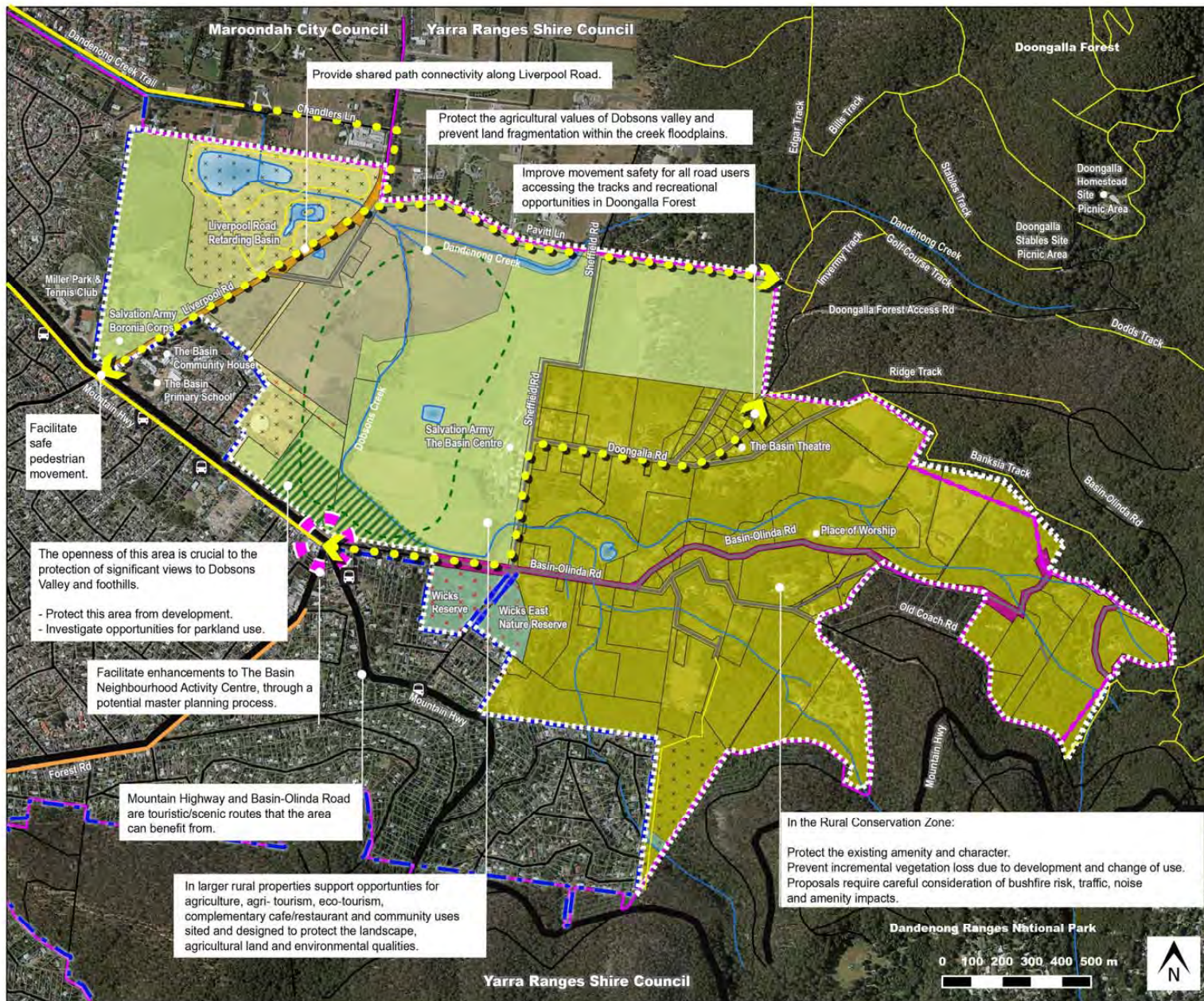
Another issue identified during the consultation was the need for a pedestrian crossing at the intersection of Liverpool Road and Mountain Highway to address current pedestrian safety issues near The Basin Primary School. There were also specific suggestions for additional trail linkages connecting to the existing tracks to the south of the precinct and to the Dandenong Creek Trail to the north-west.

While the community supported such improvements, it was also noted that new facilities should not be at the expense of native vegetation.

Objective:

To facilitate connectivity and safe movement for all users.

- Action 1.24.** Investigate upgrades to the Sheffield Road/Doongalla Road route to:
- Provide a safe multi-user path for pedestrians, cyclists and horse riders.
 - Potentially reduce traffic speeds.
 - Provide signs regarding horse manure catcher and cleaning up after dogs.
- Action 1.25.** Investigate upgrades to the Liverpool Road to:
- Provide a shared path.
 - Facilitate improved pedestrian movement around the Mountain Highway intersection to ensure safe connectivity to The Basin Primary School.
- Action 1.26.** Advocate for improved pedestrian safety on Mountain Highway and Basin-Olinda Road near The Basin roundabout.



Map 4
Precinct 1 - The Basin Rural Landscape
Theme: Land Use and Access

Knox Green Areas & Rural Strategy (GARS)

Legend

- Precinct 1 Boundary
- Urban Growth Boundary copy
- Knox Council Boundaries
- Creeks and Lakes Areas
- Cadastral

Land Ownership

- Local Government
- State Government/Agencies

Roads

- Local Streets/Rds

Zones - Knox Planning Scheme

- GWZ2
- PCRZ
- PPRZ
- PUZ (Multiple)
- RCZ1
- RDZ1
- RDZ2
- SUZ1
- UFZ

Pedestrian/Bicycle Network

- Existing On Road
- Existing Off Road
- Proposed Walking/Cycling Routes

Other

- Knox Gateways

Facilitate safe pedestrian movement.

The openness of this area is crucial to the protection of significant views to Dobsons Valley and foothills.
 - Protect this area from development.
 - Investigate opportunities for parkland use.

Facilitate enhancements to The Basin Neighbourhood Activity Centre, through a potential master planning process.

Mountain Highway and Basin-Olinda Road are touristic/scenic routes that the area can benefit from.

In larger rural properties support opportunities for agriculture, agri-tourism, eco-tourism, complementary cafe/restaurant and community uses sited and designed to protect the landscape, agricultural land and environmental qualities.

Provide shared path connectivity along Liverpool Road.

Protect the agricultural values of Dobsons valley and prevent land fragmentation within the creek floodplains.

Improve movement safety for all road users accessing the tracks and recreational opportunities in Doongalla Forest

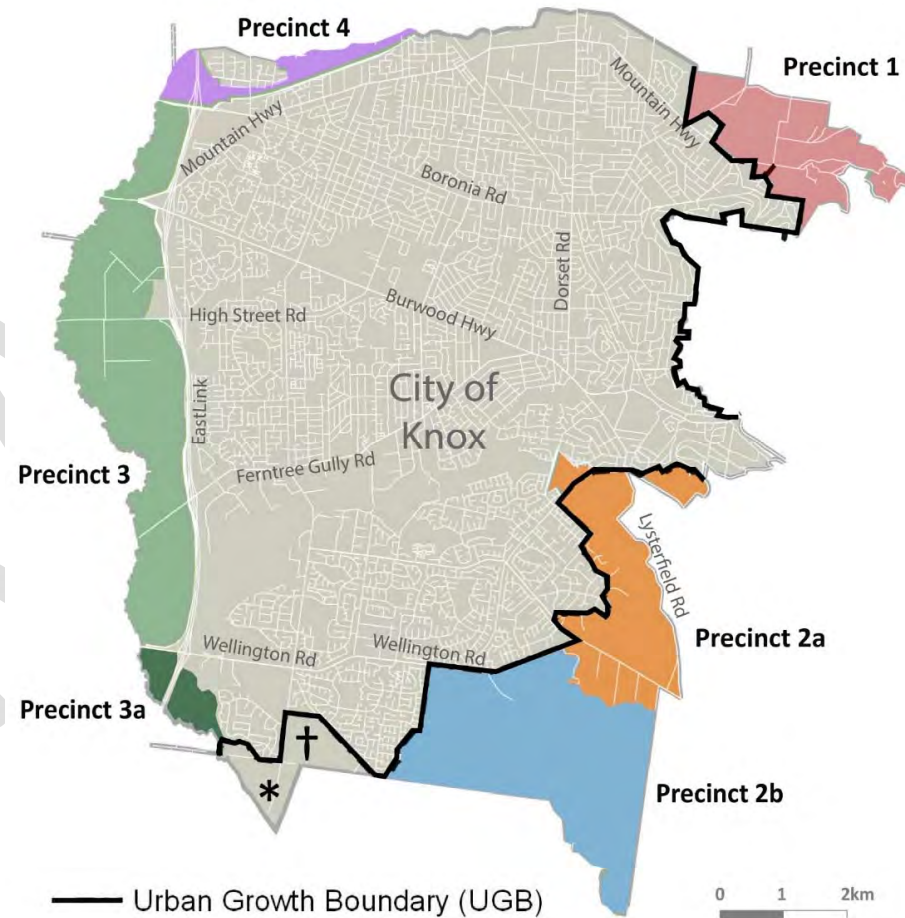
In the Rural Conservation Zone:
 Protect the existing amenity and character.
 Prevent incremental vegetation loss due to development and change of use.
 Proposals require careful consideration of bushfire risk, traffic, noise and amenity impacts.



Precinct 2a:

Lysterfield Valley and Hills

DRAFT





Vision for Precinct 2a

The Vision for Precinct 2a reflects feedback received during public consultation involving the stakeholders and the community. Key themes from the public consultation are summarised below:

- **Prioritising environmental conservation**
Suggestions were made about moving the reference to biodiversity/wildlife connectivity earlier in the vision statement to give it a higher priority over other matters.
- **Green buffer role**
It was recommended that the vision acknowledges the role of this area as part of the green fringe backdrop of Knox providing a buffer between the urban landscape and the hills.
- **Future development**
Some comments stated that protecting this area from further development should be a priority, while others believed some development and growth should be permitted to allow people to enjoy living there.
- **General support**
Overall, there was a high level of support for the draft vision subject to minor changes.

Vision for Precinct 2a:

The Lysterfield Valley and Hills will be protected as a distinct landscape of natural and pastoral character providing an open green buffer on the edge of the urban area with important biodiversity and wildlife connectivity values. The precinct supports agriculture, rural industries and lifestyle living while providing an important role in flood management and water quality.



Theme 1: Ecology

Wildlife Habitat and Connectivity

Due to its creeks, pockets of native vegetation, farm dams and lack of intense development, Precinct 2a provides an important connection for wildlife movement between Lysterfield National Park and the Upper Ferntree Gully block of the DRNP.

The southern two-thirds of this precinct contains well connected farm dams and is likely to provide important overland connections for water-dependent species such as the Southern Bullfrog and Eastern Snake-necked Turtle, as well as other ground dwelling amphibians such as the EPBC-listed Growling Grass Frog *Litoria raniformis*, which was historically recorded in this area.

While existing Scheme controls support wildlife conservation and connectivity, there are opportunities for strengthening habitat protection in particular in the vicinity of Monbulk Creek. Currently, Monbulk Creek is covered by a 20m wide ESO2. ESO2 also covers pockets of native vegetation across the precinct. It is understood that Yarra Range is considering a 30m wide ESO over the stretch of Monbulk Creek to the east of Precinct 2a. There are opportunities for connectivity/consistency with this adjoining overlay and to work with the property owners to improve the riparian corridor. The *Knox Wildlife Conservation and Connectivity Report* encourages habitat enhancements within a 200m corridor.

It is also noted that parts of the Site of Biodiversity area protected by ESO2 are being used for sheep grazing. This poses risks to vegetation and habitat values of this area.

The proposed Dorset Road Extension reservation runs through the floodplains of Monbulk Creek. Should the road be constructed in traditional ways, it is likely to have a negative impact on the wildlife conservation and connectivity values of this precinct. However, there are opportunities to approach this road project in ways that deliver improved connectivity benefits for both wildlife and people. A case study example of how this project could be undertaken to deliver both a transport and a wildlife corridor is presented in Appendix 8 of *Knox Wildlife Conservation and Connectivity Report*.

Six barriers to wildlife movement have been identified within or abutting Precinct 2a as shown on the map, generally where roads intersect the creeks.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

Action 2a.1. Support enhancements to the riparian corridor of Monbulk Creek and strengthen habitat values and connectivity within 200m of the creek.

Action 2a.2. Review the existing ESO over Monbulk Creek to ensure it properly covers the environmentally significant areas, in consultation with Melbourne Water to identify the Core Riparian Zone (CRZ) and the adjacent vegetation buffers.

Action 2a.3. For the proposed Dorset Road Extension, advocate for a concept of a multi-modal road/pedestrian and nature conservation corridor that supports both wildlife and human connectivity and contributes to habitat restoration within 200m of Monbulk Creek.

Action 2a.4. Reduce the wildlife barrier effects at the following sites in accordance with the recommendations of Appendix 1 to this report:

- Monbulk Creek – Blackwood Park (ID 19)
- Monbulk Creek – Napoleon Road (ID 20)
- Monbulk Creek – Lysterfield Road (ID 21)
- Monbulk Creek – Dorset Road Extension (ID 40)
- Drainage Channel - Dorset Road Extension (ID 41)
- Drainage Channel – Lysterfield Road (ID 42)

Action 2a.5. Undertake initiatives for supporting/partnering with rural land-holders to protect and enhance the ecological values including the riparian vegetation, and ensuring grazing practices do not damage habitat values.

Waterways and Flood Management

The main waterway in Precinct 2a is the Monbulk Creek which runs through private properties and connects to Corhanwarrabul Creek to the west. The entire precinct is within the Corhanwarrabul Creek catchment.

The floodplains of the Monbulk Creek are currently protected by a 400m wide Land Subject to Inundation Overlay (LSIO). The floodplain map needs to be updated in the Scheme to ensure it covers flood prone areas based on up-to-date rainfall scenarios. This section of the creek also is covered by a rectangular shaped Floodway Overlay (FO). Considering the unnatural shape of the overlay, a review is required to investigate if the overlay is correctly imposed.

Further protection and enhancement in the northern section of this precinct could help strengthen the resilience of this area. For example, creek embankment and vegetation restoration within the 200m zone adjacent to Monbulk Creek are likely to reduce the risk of flooding in the downstream urban zones. This is something that has become increasingly important considering that construction has occurred in the Comprehensive Development Zone in Waterford Valley to the north-west of this precinct and that future climate will cause more extreme rainfall events.

It is also noted that a small section of Ferny Creek runs through Gilmour Park. This park is owned by Melbourne Water and is publicly managed.

The proposed Dorset Road extension alignment is located in proximity to Monbulk Creek within an areas affected by the 1% AEP flooding from the creek.

Objective:

To improve waterway health and flood management.

- Action 2a.6.** Protect the floodplains of Monbulk Creek from development and level change to maintain their flood storage and retention values and prevent flooding downstream.
- Action 2a.7.** Advocate for the proposed Dorset Road extension to consider flooding from Monbulk Creek and apply a water sensitive design approach to maximise the natural flow and retention of water.
- Action 2a.8.** Review the Floodway Overlay over Monbulk Creek to ensure it serves a purpose and covers the correct area.

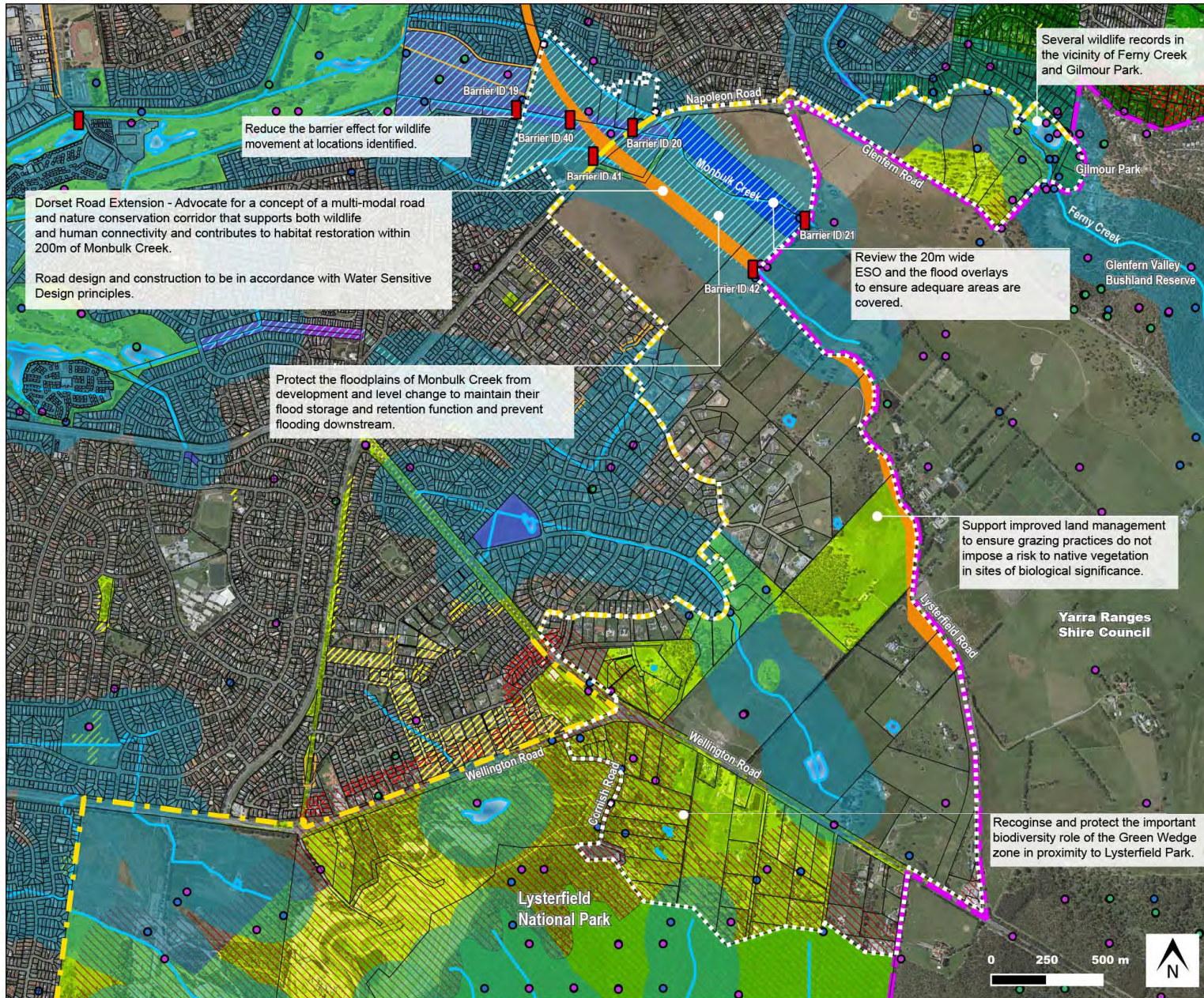


Map 5

Precinct 2a - Lysterfield Valley and Hills

Theme: Ecology

Knox Green Areas & Rural Strategy (GARS)



Legend

- Knox Wildlife Atlas (1995-2017)**
- Wildlife Records - Multiple Sources
 - Wildlife Records - Victorian Biodiversity Atlas
 - Knox Focal Species 2017
 - Barriers to Wildlife Movement
 - Waterways 200m Buffer
- Knox Planning Scheme**
- Environmental Significance Overlay 2 (ESO2)
 - Environmental Significance Overlay 3 (ESO3)
 - Floodway Overlay (FO)
 - Vegetation Protection Overlay (VPO)
 - Bushfire Management Overlay (BMO)
 - PCRZ
 - Urban Floodway Zone
 - Public Acquisition Overlay (Vic Roads)
 - Land Subject to Inundation Overlay (LSIO)
- Other**
- Precinct 2a Boundary
 - Creeks and Lakes
 - WSUD - Project Area
 - Urban Growth Boundary
 - Knox City Boundaries



Theme 2: Landscape and Heritage

Landscape Values

The *GARS Landscape and Character Study* (Hansen Partnership, 2019) states that open views towards the bare Lysterfield ridgeline are particularly prominent landscape elements in the local and regional panorama. The study recommends that the ridgeline and the associated slopes be recognised as an important scenic feature. The study identifies the following character areas and details key landscape values for each area:

No.	Description	Approach	Key Landscape Values
1	The Lysterfield Foothills Open Ridgelines	Protection	Bare open ridgelines and saddles, panoramic views from roads, windrow and vegetation clusters
2	The Wellington Road Flood Plain and Flats	Management	Rural integrity and open character, windrow and vegetation clusters, low-lying valley conditions
3	The Monbulk Creek Valley (Eastern Slopes)	Protection	Bare open ridgelines and saddles, panoramic Views from roads, windrow and vegetation clusters
4	The Monbulk Creek Floodplain	Monitoring	Open rural character, riparian vegetation, low lying valley conditions

The minimum subdivision area of 20ha in GWZ1 has been an important factor protecting the topographic landscape values. The majority of Precinct 2a is covered by SLO1 which protects vegetation and viewlines and controls building heights, development above 115m AHD, colours and materials. Clause 21.10 of the MSS also provides strategic direction to protect landscape values in this precinct. There are opportunities to build upon these existing provisions and provide specific guidance for the character areas above.

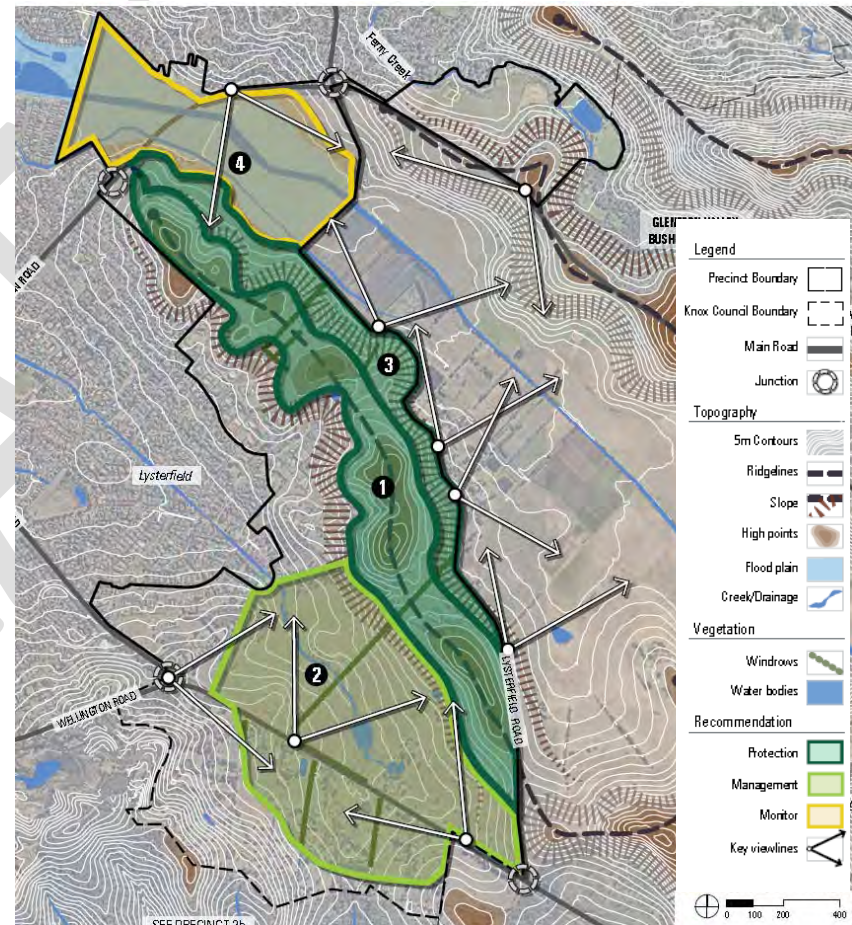
The proposed Dorset Road Extension will have a significant impact on Area 4 and long range views to the ridgeline in Areas 3 and 4.

Objective:

To protect and enhance local character and landscape values.

Action 2a.9. Review the existing Scheme provisions including the MPS, PPF and SLO1 in light of the findings of the *GARS Landscape and Character Study* (Hansen Partnership, 2019).

Action 2a.10. Advocate for the future Dorset Road extension design to respect the landscape character, and celebrate and emphasise the key views and the open rural character of the valley.



Map 6 – Precinct 2a Landscape Assessment (Source: Hansen Partnership)



Theme 2: Landscape and Heritage

Heritage

Precinct 2a contains areas of Aboriginal Cultural Heritage Sensitivity associated with Monbulk Creek and around Ferny Creek in Gilmour Park. Some artefact scatter is found in this precinct.

The precinct contains a number of Oak trees listed in the Heritage Overlay (HO) and five places from Heritage Study 1993 that are not included in the HO.

The *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017) reviews the existing heritage sites within the precinct (HO items and items listed in Knox Heritage Study 1993) and provides recommendations for each place.

Objective

To recognise, protect and promote existing heritage.

Action 2a.11. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 2a.12. Review the places of heritage significance in accordance with the recommendations from the *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017), as summarised in the table below.

	<ul style="list-style-type: none"> • Need for more research to establish the historic landscape character and to help define significant sites and boundaries.
Former Lysterfield School, 1430 Wellington Road Lysterfield	<ul style="list-style-type: none"> • Recommended for heritage assessment. • Potential historic, aesthetic and social values.
Lysterfield cheese factory, Lysterfield Road	<ul style="list-style-type: none"> • Place is also part of the Lysterfield valley landscape. • Recommended for heritage assessment. • Potential historic, aesthetic and social values.

Site Name and Description	Recommendations
HO Places	
HO43 Avenue of Honour, Lysterfield Road (ten Silky Oaks, two English Oaks)	<ul style="list-style-type: none"> • Of historic and social significance • Consider updating the heritage citation to incorporate the description provided in the Knox Heritage Study. • Retain Heritage and Significant Landscape overlays.
Non-HO Places	
Lysterfield Valley Lysterfield	<ul style="list-style-type: none"> • Recommended for heritage assessment for sites within the landscape. • Recommended for Significant Landscape Assessment.
Fern Tree Gully Market Gardens (Remnant green corridor)	<ul style="list-style-type: none"> • Recommended for heritage assessment for sites within the landscape. Recommended for significant landscape assessment.



Map 7

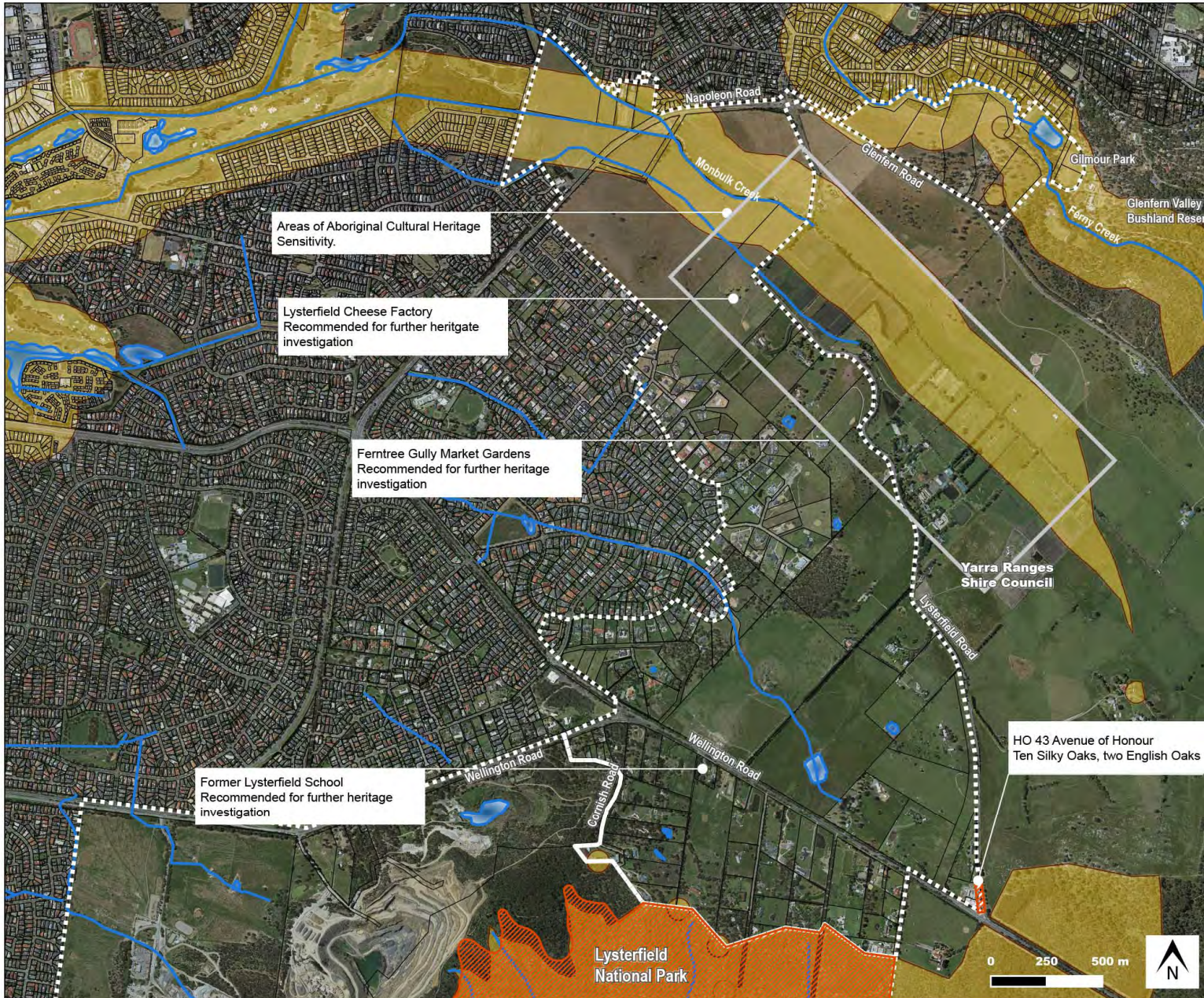
Precinct 2a - Lysterfield Valley and Hills

Theme: Heritage

Knox Green Areas & Rural Strategy (GARS)

Legend

- Precinct Boundary
- Creeks and Lakes
- Heritage Overlay (HO)
- Areas of Cultural Heritage Sensitivity (Aboriginal Victoria)





Theme 3: Land Use and Access

Land Use and Economy

The land use and economic analysis suggests that the economic potential for this precinct is achievable under the current Planning Scheme controls. Overall, the *GARS Economic Study* (Urban Enterprise, 2019) provides the following evaluation of economic, tourism, community and recreation potential for Precinct 2a:

Summary of Economic, Tourism, Community and Recreation Potential

Suitability for agriculture intensification	Medium
Suitability for agri- tourism	Medium
Suitability for standalone tourism uses	Low
Suitability for community / social enterprise	Low
Accessible to population catchments	Medium
Accessible by public transport	Low
Accessible by bike/hiking/ walking	Low
Suitability for Active Recreation	Low
Suitability for other intensive industry	Low
Suitability for Passive Recreation	Low

Central Valley and large Green Wedge lots

The central valley area within Precinct 2a is characterised by larger landholdings which contain hobby farms, lifestyle properties, horse agistment, horticulture and rural stores along Lysterfield Road. The northern part of this area is affected by the floodplains of the Monbulk Creek extending to the east into Yarra Ranges. There is a minimum Subdivision of 20ha in the Green Wedge Zone 1 (GWZ1).

Medium agricultural capability exists in the low lying areas of the Monbulk Creek floodplain. Elsewhere, agriculture potential is lower due to steep slope and water supply issues for commercial farming. In these areas, opportunities exist for livestock grazing, growing of low water crops, nurseries and other large format supplies.

A small area in the north of the precinct is within the Urban Growth Boundary. This area is zoned Rural Living (RLZ) however is highly affected by flooding from Monbulk Creek and is currently used for farming (incl. brussel sprouts) and rural living purposes.

Larger land holdings in the Lysterfield Valley provide for the agricultural uses while maintaining the open rural landscape character of the valley. Potential uses for this precinct are livestock grazing, perennial horticulture, nursery, large format supplies and restaurants if co-located with and ancillary to other uses such as a vineyard or garden centre. The existing minimum subdivision including the 20ha which applies in the GWZ1 is considered appropriate in this area.

Agricultural production in the precinct is at the risk of land fragmentation, in particular as Dorset Road extension will cut through the precinct. High land values and encroachment issues also threaten long term viability of commercial horticulture enterprises.

Green Wedge lots

Relatively smaller rural residential lots in the range of 2-4ha are located in the northern and southern part of the precinct in Green Wedge Zone 2 (GWZ2). This zone consist of grazing land on the hillside to the north of Glenfern Road, as well as smaller lots in the range of 2-3ha to the south of Wellington Road. These lots provide for a variety of rural uses including lifestyle living, hobby farming and dog kennels.

The area south of Wellington Road has provided for a different range of rural economy within the precinct. Site layouts and considerable building setbacks from Wellington Road have provided for a high quality scenic amenity and rural character in this area. These lots also have an important biodiversity role due to their proximity to Lysterfield National Park

Rural Conservation lots

The western part of the precinct is characterised by smaller Rural Conservation Zone (RCZ1) lots in the range of 0.5ha to 2ha which are located on the edge of the urban area in proximity to the suburban residential areas of Lysterfield. The subdivided area within this zone has resulted in a relatively intense residential character with limited vegetation or biodiversity value which is not in line with the zone purpose. Most of the lots contain extensive building footprints consisting of large houses and outbuildings.

The rural residential uses support home based business of varying typologies including creative businesses, construction trades and other professional services.

Public Art Opportunities

The future Dorset Road extension within the Monbulk Creek valley in Precinct 2a will be a highly visible alignment within a scenic landscape setting. This corridor offers opportunities for the incorporation of public art to complement the landscape and mitigate the visual impact of the new road.



Theme 3: Land Use and Access

Objective:

Recognise and protect the values of Knox Green Wedges.

Action 2a.13. Protect Precinct 2a from more intense urban development.

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area.

Action 2a.14. Maintain the current zoning regime.

Action 2a.15. Support the continuation of agriculture within the floodplains of Monbulk Creek.

Action 2a.16. Acknowledge and support the different role of each zone within this precinct to enable a diversity of rural economy and character.

Action 2a.17. Maintain the current minimum subdivision lot size requirements to support landscape values and agricultural potential of land.

Action 2a.18. Support land use which respects the existing landscape character, protect key viewlines and provides positive biodiversity outcomes.

Action 2a.19. Support tourism, agri-tourism and restaurant/café uses where they are accompanied by agriculture or natural systems and protect the landscape and character values.

Action 2a.20. Support and facilitate public art along the Dorset Road extension within the Monbulk Creek valley in Precinct 2a.

Access and Connectivity

The precinct is well connected for vehicular movement through a network of arterial roads (Wellington Road, Lysterfield Road, Napoleon Road, Glenfern Road and Kelletts Road) and local roads within the precinct.

These roads also provide important routes for visitors to the Dandenong Ranges including Wellington Road which serves as a key gateway and touristic corridor into the hills.

Overall, public transport connectivity is limited to Precinct 2a. Bus Route 691 runs along Napoleon Road connecting the local residents to Boronia and Waverley Gardens. Routes 681 and 682 which are loop services to the Knox City Shopping Centre run via Kelletts Road, Rosewood Boulevard and Heritage Way. Some of the smaller Rural Conservation lots are within walking distance to these bus routes.

Precinct 2a benefits from proximity to Lysterfield Park, which contains very popular and highly used bushwalking and mountain biking trails. There are opportunities to improve connectivity and access to these trails.

Roads in/abutting Precinct 2a do not provide segregated bike lanes or shared paths. The Principal Bicycle Network (PBN) proposes new on-road bicycle lanes along Wellington Road, Kelletts Road and Napoleon Road.

Action 2a.21. Advocate to the State Government to provide the planned PBN cycle lanes along Wellington Road, Kelletts Road and Napoleon Road.

Action 2a.22. Ensure Dorset Road extension improves access to rural lots in the Monbulk Creek Valley.

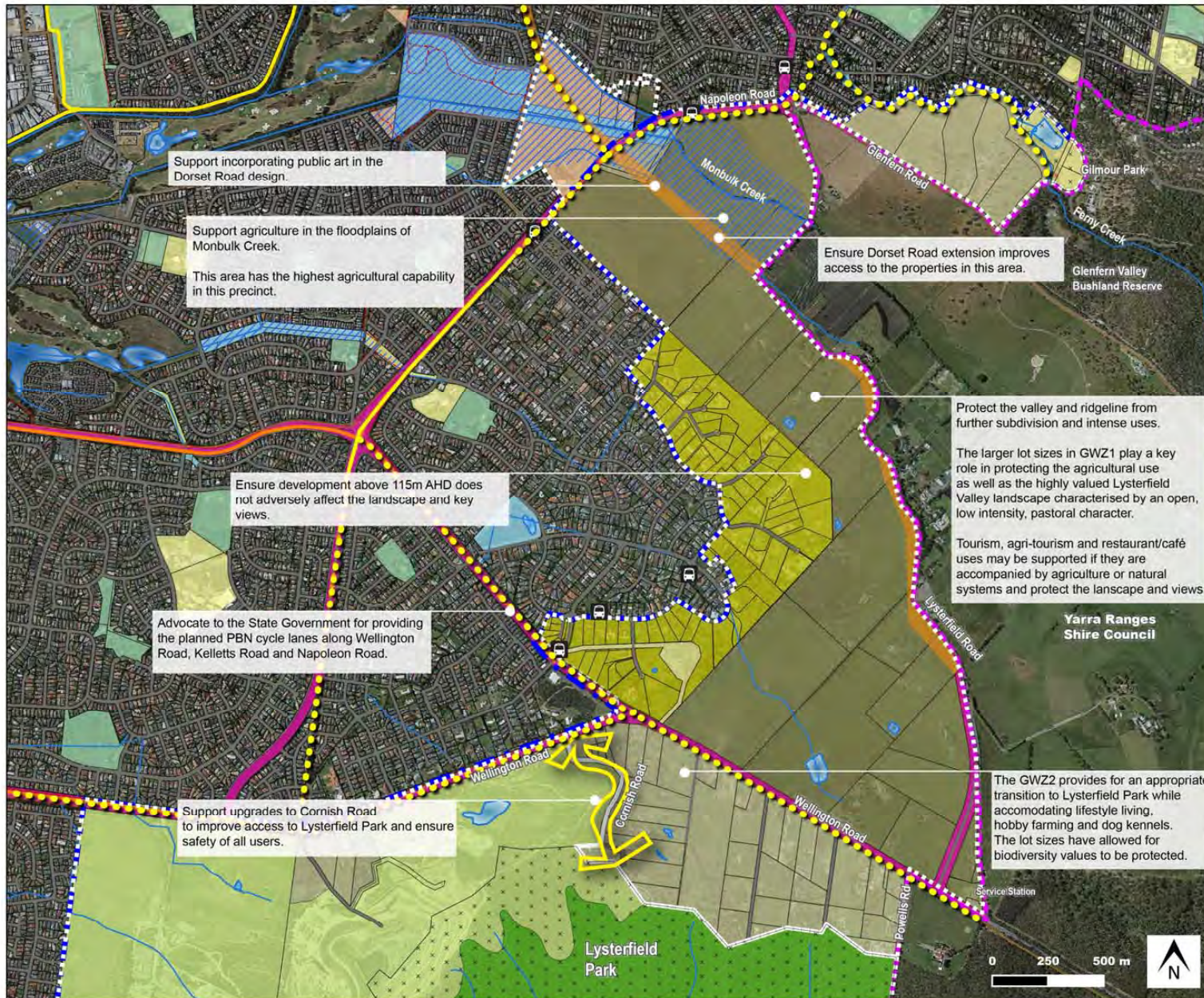


Map 8

Precinct 2a - Lysterfield Valley and Hills

Theme: Land Use & Access

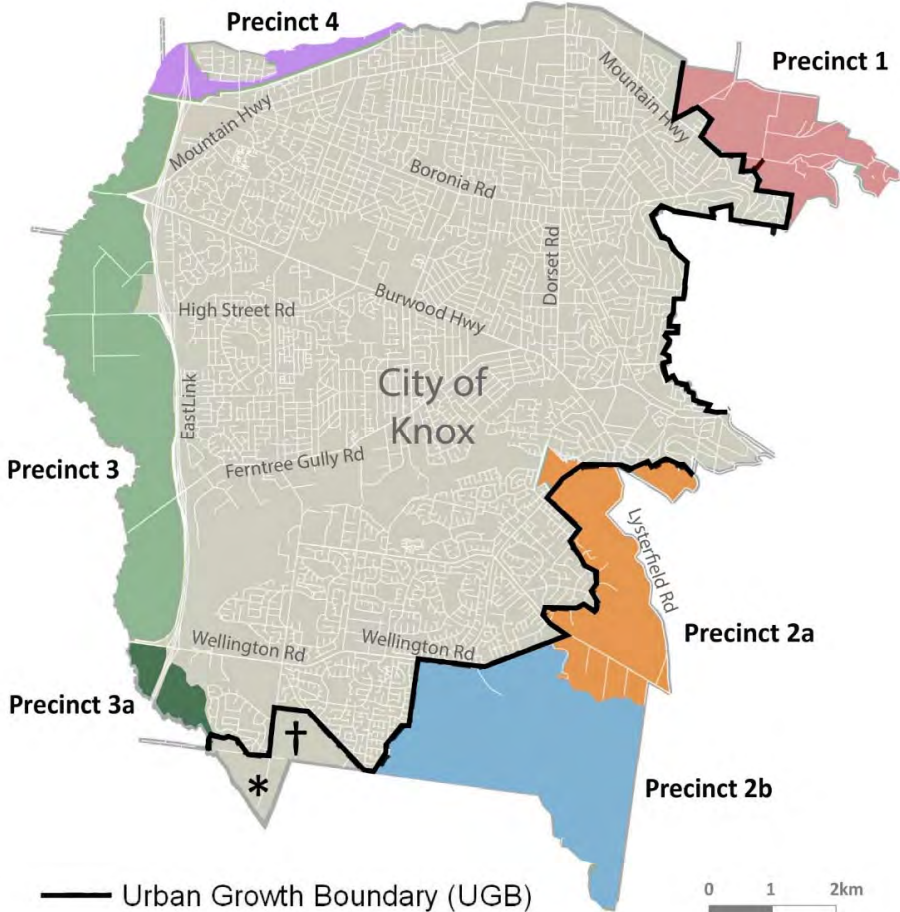
Knox Green Areas & Rural Strategy (GARS)





Precinct 2b:
Lysterfield Quarries and Surrounds

DRAFT





Vision for Precinct 2b

The Vision for Precinct 2b reflects feedback received during public consultation involving the stakeholders and the community. Key themes from the public consultation are summarised below:

- **Prioritising environmental conservation**
Protecting vegetation and wildlife in this precinct was considered an important priority for many respondents.
- **Extractive industries**
A considerable level of opposition was expressed to the operation of the two quarries in this precinct, in terms of their scenic, environmental and amenity impacts. In this respect, it is noted that the quarries' lifetime and operation is regulated by the Victorian Government and exempted from KCC planning approval process. The vision seeks to recognise the economic role of the quarries while managing their impact on the surrounding area.
- **Tourism**
Some concerns were raised about the notion of tourism, in particular as it may be interpreted as significant or intense tourism uses. The vision has been amended to clarify that improving access to nature tourism opportunities in the national parks is intended.

Vision for Precinct 2b:

The Lysterfield Quarries and Surrounds will preserve significant vegetation and habitat within Lysterfield Park and Churchill National Park while enhancing access to recreation and nature tourism opportunities. The precinct will continue to provide a low density rural buffer between the urban area and the sensitive wildlife habitat in the national parks. The economic role of the existing extractive industries will be supported while minimising negative impacts on the surrounding urban areas.

Theme 1: Ecology

Wildlife Habitat and Connectivity

Precinct 2b contains portions of Lysterfield Park and Churchill National Park that hold significant ecological and biodiversity values.

The north-east section of this precinct abuts rural land in Precinct 2a, with the many farm dams and the adjacent catchment of Monbulk Creek. Maintaining this connection between the native vegetation and the adjacent agricultural lands will help preserve the populations of Short-beaked Echidna, Southern Bullfrog, Black Wallaby, and the four bird focal species that occur in this landscape.

The national park areas are well protected through a combination of zoning (PCRZ, PPRZ), public ownership, environmental (ESO) and heritage (HO) overlays. The vegetation outside the parkland is also protected by the ESO.

While the majority of existing vegetation in Precinct 2b is protected by overlays, exemption from Planning Permit processes may apply within the scope of the approved work plans for the two quarries. This makes some of the sites of biodiversity in Precinct 2b vulnerable to future clearing in case of extensions to quarry activities. Hanson Quarry has indicated of its intention to expand the quarry activities to the west of the existing quarry area. This is likely to impact native vegetation in this area.

The northern part of Precinct 2b serves as an important buffer between the Rowville residential areas to the north and the significant habitat areas in Lysterfield Park and Churchill National Park. It is important that this rural buffer is protected and maintained. The fact that this area is outside the Urban Growth Boundary helps with the protection of this buffer from intense development.

The precinct offers great opportunities for additional vegetation planting to strengthen the existing habitats. Clause 21.10 of the Scheme requires 80% of all new vegetation (both canopy trees and understorey) to be indigenous.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

Action 2b.1. Maintain the northern area within Precinct 2b as a low density, rural, open space area to create a buffer between the Rowville residential areas and the sensitive habitat in Lysterfield Park and Churchill National Park.

Action 2b.2. Maintain the current Urban Growth Boundary to prevent intense development within Precinct 2b.

Action 2b.3. Undertake planting and revegetation within Precinct 2b, with the objective of maintaining and strengthening wildlife connectivity and linkages to the bushland areas within Lysterfield Park and Churchill National Park.

Action 2b.4. Require a net gain contribution for any vegetation removal as part of the planned quarry expansion, by native vegetation planting to enhance habitat and wildlife connectivity.

Waterways and Flood Management

The precinct contains a number of streams and much of the catchment for these streams which feed into Lysterfield Lake. The majority of Lysterfield Park is within the Eumemmerring Creek catchment with the north western part the precinct being within the Dandenong Creek (Police Road to Bayswater Road) catchment.

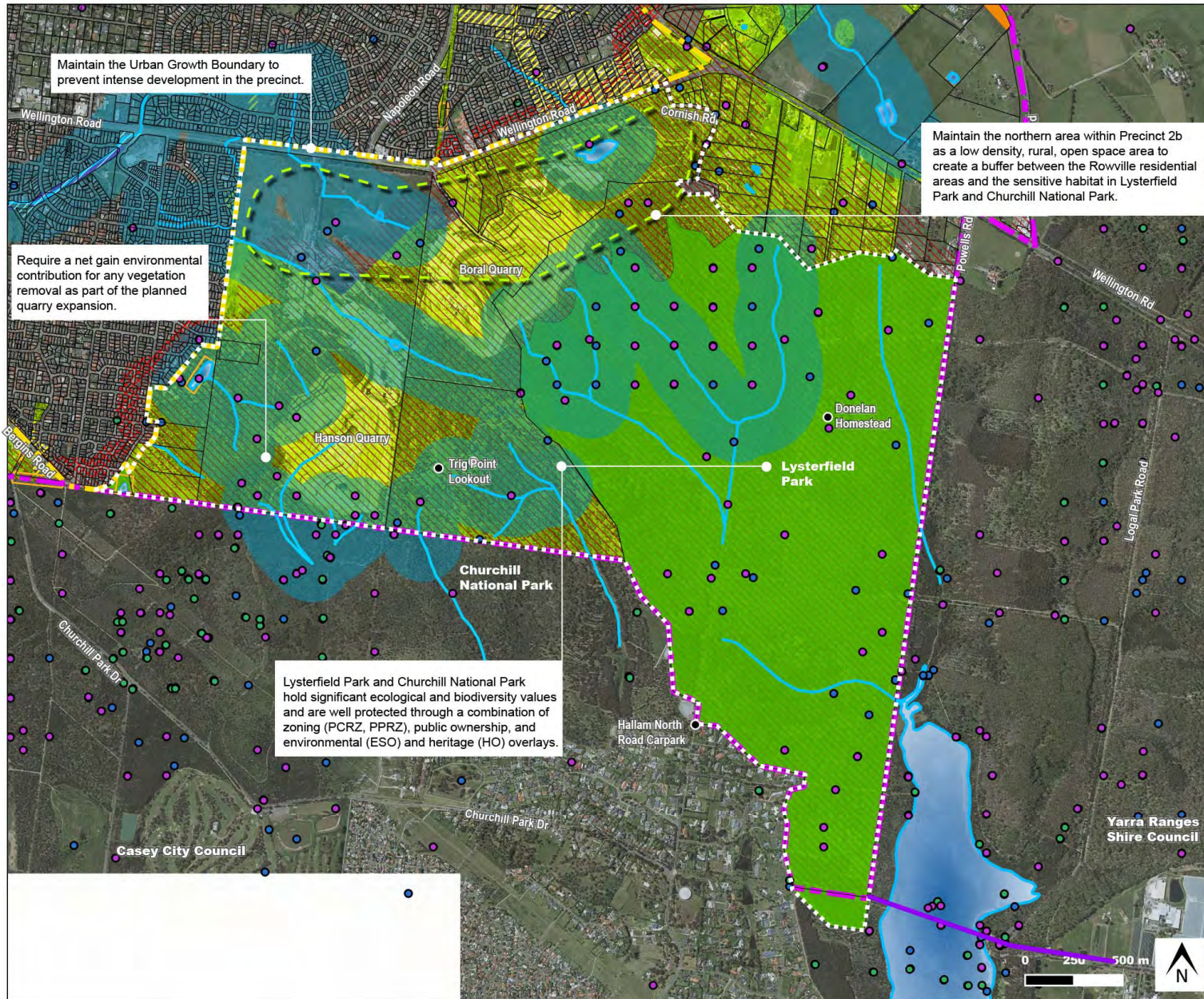
A number of small lakes exist in the precinct, including one within Heaney Park. The key waterways in this precinct are in a public zone and well protected by the planning framework.



Map 9
Precinct 2b - Lysterfield Quarries and Surrounds

Theme: Ecology

Knox Green Areas & Rural Strategy (GARS)



Maintain the Urban Growth Boundary to prevent intense development in the precinct.

Maintain the northern area within Precinct 2b as a low density, rural, open space area to create a buffer between the Rowville residential areas and the sensitive habitat in Lysterfield Park and Churchill National Park.

Require a net gain environmental contribution for any vegetation removal as part of the planned quarry expansion.

Lysterfield Park and Churchill National Park hold significant ecological and biodiversity values and are well protected through a combination of zoning (PCRZ, PPRZ), public ownership, and environmental (ESO) and heritage (HO) overlays.

Legend

- Knox Wildlife Atlas (1995-2017)**
- Wildlife Records - Multiple Sources
 - Wildlife Records - Victorian Biodiversity Atlas
 - Knox Focal Species 2017
- Waterways 200m Buffer**
- Waterways 200m Buffer
- Knox Planning Scheme**
- Environmental Significance Overlay 2 (ESO2)
 - Vegetation Protection Overlay (VPO)
 - Bushfire Management Overlay (BMO)
- Zones - Areas**
- PCRZ
 - UFZ
- Other**
- Creeks and Lakes
 - WSUD - Project Area
 - Precinct 2b Boundary
 - Urban Growth Boundary
 - Knox City Boundaries

Theme 2: Landscape and Heritage

Landscape Values

The *GARS Landscape and Character Study* (Hansen Partnership, 2019) recommends that the defining forested edge of this part of Knox be recognised. Topography and native vegetation cover are important features in this precinct with key view corridors along Wellington Road to both the east and west. The study identifies the following character areas (as shown on the map) and details key landscape values for each area:

No.	Description	Approach	Key Landscape Values
1	The Rising Wellington Road Ridgelines	Management	Native bushland condition
2	The Lysterfield Park and Bushland Silhouette	Protection	Native bushland condition
3	The Extractive Industries and Works	Management	N/A
4	The Open Grazing Land	Monitoring	Rural integrity and open character

The vegetation and landscape qualities of Lysterfield Park are well protected through zoning and public ownership of land. The majority of Precinct 2b is covered by SLO1 which protects vegetation and viewlines. SLO1 also controls building heights, development above 115m AHD, colours and materials.

The north-western corner of the precinct (within Area No 4) is covered by SLO5 which requires that development is sensitive to the natural characteristics of the land including slope, terrain and any remnant vegetation, and that development minimises impact on views of the Dandenong Ranges, Lysterfield Valley, Lysterfield Hills and significant ridgelines.

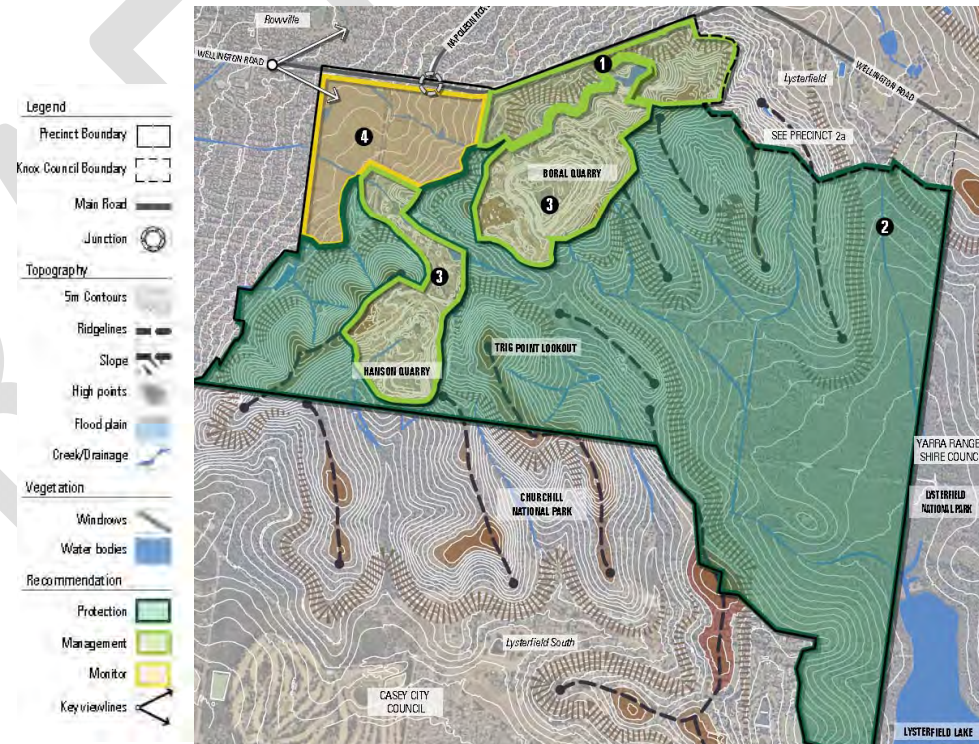
The Scheme at clause 21.10 provides strategic direction to protect landscape values in this precinct. There are opportunities to expand these provisions.

Objective:

To protect and enhance local character and landscape values.

Action 2b.5. Review the existing Scheme provisions including the MPS, PPF and SLO1 and SLO5 in light of the findings of the *GARS Landscape and Character Study* (Hansen Partnership, 2019).

Action 2b.6. Ensure future changes on Hanson Quarry land do not adversely impact the key landscape values.



Map 10 – Landscape Assessment (Source: Hansen Partnership)



Theme 2: Landscape and Heritage

Heritage

Precinct 2b contains areas of Aboriginal Cultural Heritage Sensitivity and artefact scatter within Lysterfield Park.

Precinct 2b includes two heritage places listed in the HO and two non-listed places listed in Knox Heritage Study 1993. The *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017) reviews the existing heritage places within the precinct (HO and non-HO items) and provides recommendations for each place.

Action 2b.7. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 2b.8. Review the places of heritage significance in accordance with the recommendations from the *Knox Rural Heritage Report* (Context, 2017), as summarised in the table below.

Site Name and Description	Recommendations
HO Places	
HO1 Lysterfield Lake Park	<ul style="list-style-type: none"> Of historic (HO1) and environmental significance (ESO2) Public land, recommend co-ordination with Parks Victoria for assessment of individual sites
HO2 Heany Park	<ul style="list-style-type: none"> Well documented, no further consideration Retain heritage and other overlays
Non-HO Places	
Churchill National Park, Churchill Road Rowville	<ul style="list-style-type: none"> Public land, co-ordinate with Parks Victoria. Recommend heritage assessment for specific sites within the Park
Lysterfield Quarries	<ul style="list-style-type: none"> Heritage assessment not recommended







Map 11

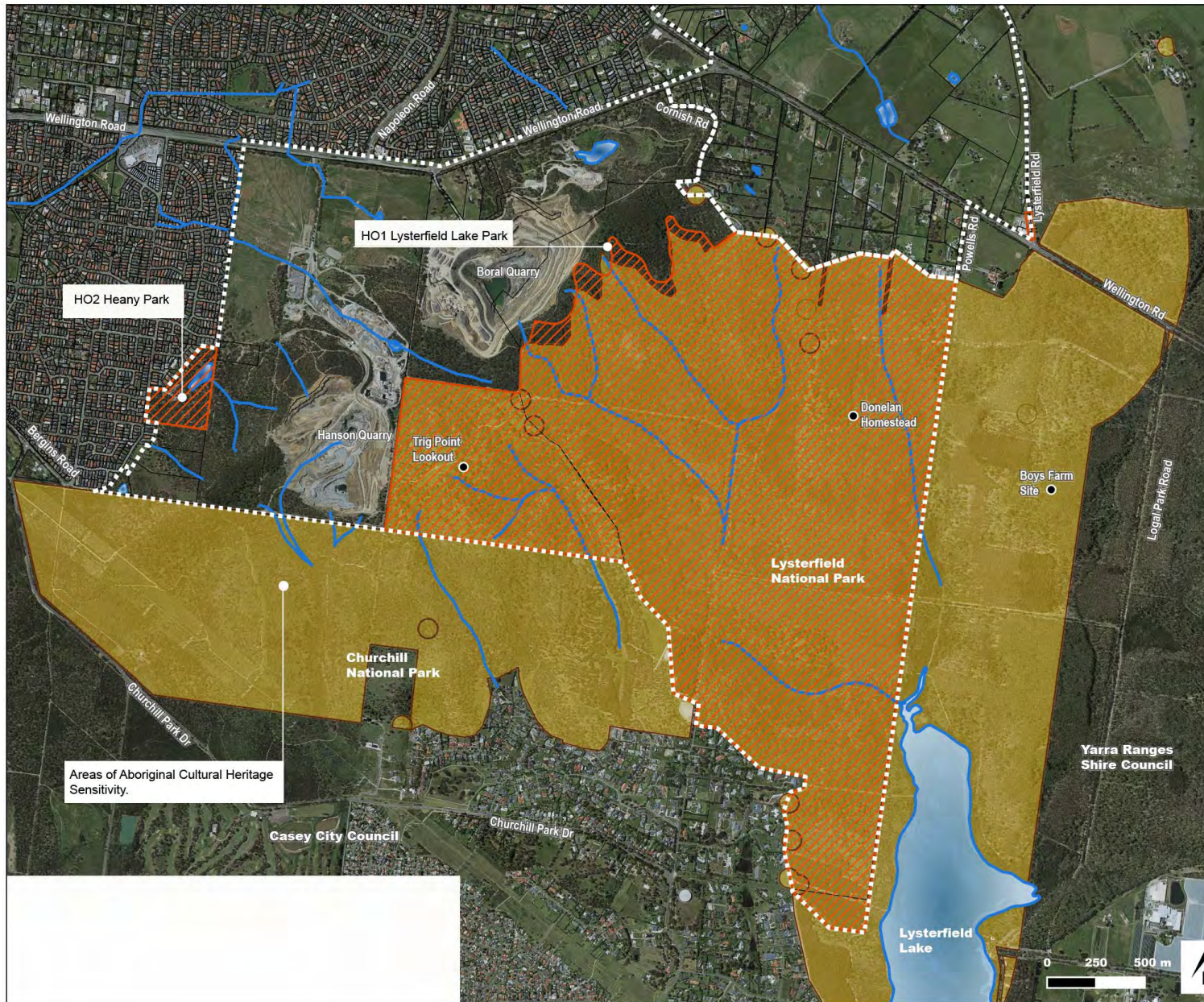
Precinct 2b - Lysterfield Quarries and Surrounds

Theme: Heritage

Knox Green Areas & Rural Strategy (GARS)

Legend

-  Precinct Boundary
-  Creeks and Lakes
-  Heritage Overlay (HO)
-  Areas of Cultural Heritage Sensitivity (Aboriginal Victoria)





Theme 3: Land Use and Access

Land Use and Economy

Overall, the *GARS Economic Study* (Urban Enterprise, 2019) provides the following evaluation of economic, tourism, community and recreation potential for Precinct 2b:

Summary of Economic, Tourism, Community and Recreation Potential

Suitability for agriculture intensification	Low
Suitability for agri- tourism	Low
Suitability for standalone tourism uses	Low
Suitability for community / social enterprise	Low
Accessible to population catchments	Medium
Accessible by public transport	Low
Accessible by bike/hiking/ walking	Medium
Suitability for Active Recreation	High
Suitability for other intensive industry	High
Suitability for Passive Recreation	High

Public Parks

The parts of Lysterfield Park and Churchill National Park that fall within Precinct 2b contain sloped areas of forest and woodland which are owned and managed by Parks Victoria. The parks are popular for a variety of recreational activities including walking, cycling, nature tourism, picnic, horse riding, mountain biking and orienteering.

Lysterfield Park is one of the best places to mountain bike close to Melbourne. It contains parts of the State Mountain Bike Course which was used for the 2006 Commonwealth Games. The course consists of a network of well connected trails which flow up and down steep hills and through native vegetation. A short diversion from the top of the State Mountain Bike Course provides access to Trig Point Lookout which offers views across to Melbourne’s CBD.

The management framework for the area is outlined in Parks Victoria’s document *Churchill National Park and Lysterfield Park Management Plan* which was originally prepared in 1998. Parks Victoria amended the management plan in 2020 to reflect changes to the recreational use of these parks over the past twenty years. The scope of this amendment

Knox Green Areas and Rural Strategy

process was to recognise mountain biking as a significant recreational activity in the park, document existing trails, update management zones and ensure contemporary management practices for Aboriginal cultural heritage are reflected in the management plan. Northern areas within the park have been identified to be protected by a special protection area and special management areas overlay in the amendment to the park management plan to protect park values. The parks have nature based recreation and tourism values that could be enhanced in line with the management plan recommendations.

Within the surrounding area, there are opportunities for outdoor education uses that can leverage from the extensive mountain biking activity that takes place in the precinct of Lysterfield Park.

Heany Park is also a smaller park along the western boundary of Precinct 2b which is owned by KCC. The Park consists of a bushland and a lake, accommodates scout camps and is home to Heany Park Scout Group. The park and the Green Wedge lots to its south provide an important vegetated buffer between the Hanson Quarry and the residential areas to the west.

Extractive Industries

There are two quarries in Precinct 2b operated by Boral and Hanson Australia. Together, the two quarries place Knox as the 4th most critical resource location for hard rock in Victoria.

The quarries have operated for over 30 years, and are currently operating pursuant to Work Authorities issued by the State Government. Hanson Australia seeks to expand its existing extraction limits which would extend the operating life of the quarry by five to ten years, with potential cessation of quarrying activities at the site in 25-30 years.

The extractive industries in this precinct are significant suppliers to the Melbourne construction industry and are well located for supplying the Melbourne region. They provide a significant economic role, including employment and economic output within the region.

The quarries are located on two large parcels of land zoned Special Use Zone (SUZ2). Limited guidance is currently provided within the planning framework regarding future use following the cessation of operation. While such development will be outside the life of his strategy, it is considered that the sustainable long term use of the land should avoid creating a lake following the completion of quarrying and aim for an improved community outcome, including ongoing protection of remaining significant vegetation outside the



Theme 3: Land Use and Access

extent of extraction, improved access to the national parks and the provision of active and passive recreation opportunities.

Rural Use

The northern strip of Precinct 2b is currently used for rural purposes including grazing and horse agistment on parts of the Hanson quarry land. The precinct also includes a number of smaller privately held Green Wedge Zone (GWZ2) lots abutting Wellington Road and to the south of Heany Park.

This rural area provides an essential buffer role between the Urban Growth Boundary and Lysterfield Park which helps protect the significant biodiversity and scenic landscape values of the park. In case of future rezoning following the life of the quarries, urban development outside the UGB will not be supported. A GWZ2 zone may be appropriate, in line with the existing residential pockets within this rural buffer, subject to detailed investigation.

The northern part of the Hanson Quarry land is clear of vegetation and is currently used for grazing/agistment. There are opportunities for community uses during the ongoing operation of the quarry through the provision of an active recreation complex. KCC has been liaising with Hanson regarding the potential development of the north eastern portion of the Hanson property for community facilities including sporting ovals.

Economic opportunities in Precinct 2b will be based on those uses that can build upon and complement the existing land uses such as recreation and education opportunities including outdoor education. Due to existing land use patterns and constraints, there are limited opportunities for other land uses including agriculture.

Public Art Opportunities

The future Dorset Road extension within the Monbulk Creek valley in Precinct 2a will be a highly visible alignment within the broader setting. This corridor offer opportunities for public art to complement this scenic landscape and mitigate the visual impact of the highway.

Objective:

Recognise and protect the values of Knox Green Wedges.

Action 2b.9. Protect Precinct 2b from more intense urban development.

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area.

Action 2b.10. Support the ongoing operation of the Boral and Hansen Quarries within the approved work plan areas.

Action 2b.11. Investigate and support the use of the northern part of the Hanson quarry land for active recreation and sporting facilities.

Action 2b.12. Encourage the use of the quarry land following the completion of quarrying to provide for improved community and environmental outcomes, and facilitate permeability to enhance community access to the national parks.

Action 2b.13. Investigate general alignment with the Green Wedge Zone 2, in case of future rezoning of the northern part of the precinct, to provide a low intensity buffer to the national parks.

Action 2b.14. Collaborate with Parks Victoria regarding enhancements to nature based recreation and tourism opportunities within Lysterfield Park and improving access from Knox.

Action 2b.15. Support and facilitate public art along Wellington Road potentially as part of future planned ovals/recreation reserve.

Access and Connectivity

Precinct 2b can provide a positive role in improving connectivity between Lysterfield Park and the residential areas to the north of precinct 2b.

The main access to Lysterfield Park and its highly valued trail network is from south and currently, direct access is limited for the nearby residents in Knox. The quarries act as a physical barrier and there is a lack of connecting shared paths/tracks or a formalised entry point from Knox.

This has resulted in informal car parking issues in the vicinity including on Lysterfield Road approaching the Wellington Road intersection. Powells Road and Cornish Road currently provide informal entry to the parks which creates issues for the local residents. Powells Road has limited capacity due to its narrow road reservation and local traffic generated by rural industry uses. Cornish Road, on the other hand, is believed to be a more suitable option, however, requires substantial upgrades. The current issues relate to traffic and cyclist safety, drainage issues and environmental degradation. It is noted that the *Churchill*



National Park and Lysterfield Park Management Plan does not provide for improved access from the northern side.

The precinct is not within walking catchment of public transport, which is another reason why urban development should not be supported.

Objective:

To facilitate connectivity and safe movement for all users.

Action 2b.16. Provide connectivity between the Lysterfield Park trail network and the suburban areas, as part of future redevelopment of the quarries.

Action 2b.17. Investigate opportunities for upgrades to Cornish Road and the possibility of a formalised entry point, including car parking, to provide access to Lysterfield Park, in collaboration with Parks Victoria.

Action 2b.18. Facilitate improvements to Powells Road to address existing informal car parking issues.

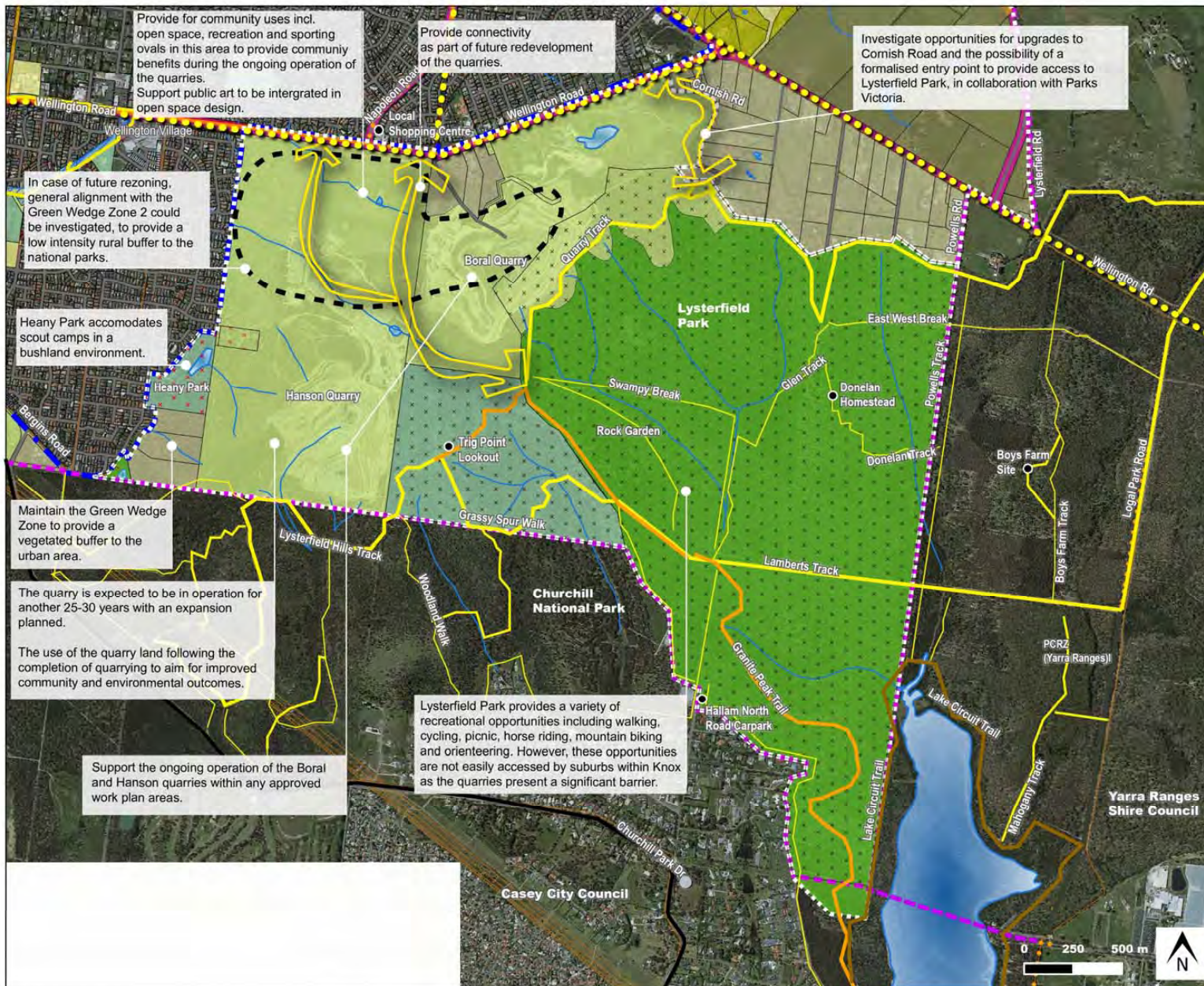


Map 12

Precinct 2b - Lysterfield Quarries and Surrounds

Theme: Land Use & Access

Knox Green Areas & Rural Strategy (GARS)



Legend

- Precinct Boundary
 - LGA Boundaries
 - Urban Growth Boundary
 - Creeks and Lakes Areas
 - Cadastre
- Zones - Knox Planning Scheme**
- GWZ2
 - PCRZ
 - PPRZ
 - RDZ1
 - RDZ2
 - SUZ2
 - UFZ
 - Public Acquisition Overlay (PAO2)
- Land Ownership**
- Local Government
 - State Government/Agencies
- Road Centrelines**
- Local Streets/Rds
- Pedestrian/Bicycle Network**
- Existing On Road
 - Existing Off Road
 - Proposed Walking/Cycling Routes
 - Routes for improved connectivity

Provide for community uses incl. open space, recreation and sporting ovals in this area to provide community benefits during the ongoing operation of the quarries. Support public art to be integrated in open space design.

Provide connectivity as part of future redevelopment of the quarries.

Investigate opportunities for upgrades to Cornish Road and the possibility of a formalised entry point to provide access to Lysterfield Park, in collaboration with Parks Victoria.

In case of future rezoning, general alignment with the Green Wedge Zone 2 could be investigated, to provide a low intensity rural buffer to the national parks.

Heany Park accommodates scout camps in a bushland environment.

Maintain the Green Wedge Zone to provide a vegetated buffer to the urban area.

The quarry is expected to be in operation for another 25-30 years with an expansion planned.

The use of the quarry land following the completion of quarrying to aim for improved community and environmental outcomes.

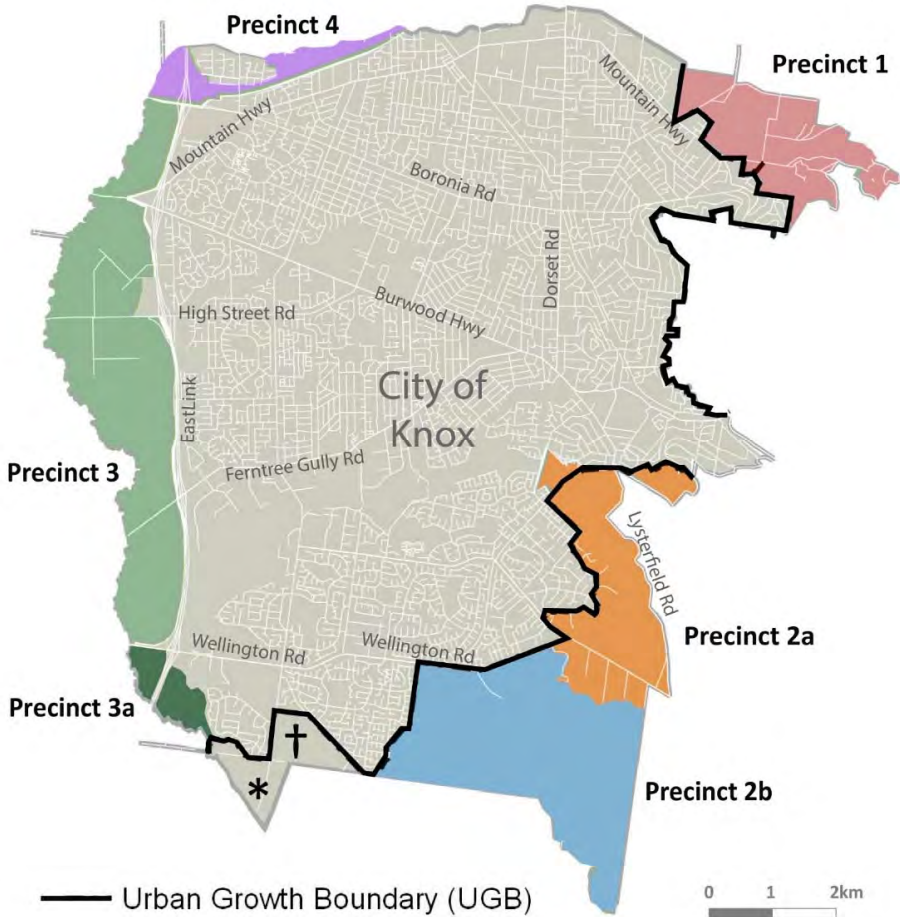
Support the ongoing operation of the Boral and Hanson quarries within any approved work plan areas.

Lysterfield Park provides a variety of recreational opportunities including walking, cycling, picnic, horse riding, mountain biking and orienteering. However, these opportunities are not easily accessed by suburbs within Knox as the quarries present a significant barrier.



**Precinct 3:
Dandenong Creek Valley**

DRAFT





Vision for Precinct 3

The Vision for Precinct 3 reflects feedback received during public consultation involving the stakeholders and the community. Key themes from the public consultation are summarised below:

- **The importance of waterways and wildlife corridors**
The consultation highlighted the importance of the waterways and the role of this precinct in wildlife movement and connectivity which needs to be recognised by the vision.
- **Development pressures**
Concerns were expressed about the future potential development at Jenkins Orchard and the Boral Redevelopment Site and how they would interact with and affect the function of this precinct as a green lungs corridor.
- **Horse agistment**
Maintaining the current horse agistment activities in this precinct was considered an important and rare recreational opportunity for the community.

Vision for Precinct 3:

The Dandenong Creek Valley Precinct is a consolidated “green lungs” corridor protecting key waterways and wildlife corridors while providing considerable recreational, nature conservation, flood mitigation, urban agriculture and parkland opportunities within the Eastern Metropolitan region.”

Theme 1: Ecology

Wildlife Habitat and Connectivity

Precinct 3 offers significant habitat values as it contains the widest core riparian zones of the Dandenong Creek, many well-connected billabongs, large extents of flood plains, as well as a relatively consistent spread of remnant vegetation along the length of the precinct.

Knox Wildlife Atlas indicates a high level of wildlife sightings recorded along the Dandenong Creek, Blind Creek and Corhanwarrabul Creek which highlight the role of these creek systems in wildlife connectivity. The pockets of remnant vegetation scattered across the precinct also provide important habitat and linkages for wildlife movement.

Public land ownership and management has played a key role in preserving biodiversity values in this precinct. Parks Victoria is a key landowner in Precinct 3 and a key contributor to the protection of habitat values. Melbourne Water also contributes to the health and habitat values of the Dandenong Creek. As part of the Enhancing Our Dandenong Creek project, KCC has been working with Melbourne Water and Environment Protection Authority (EPA) to identify projects including constructing new habitats for threatened fish species, increasing the natural amenity, pollution prevention and detection. Significant investment into the natural assets in this precinct were made by a number of agencies during the construction of EastLink.

The community also contribute significantly to the environmental state of the precinct. There is a high level of community involvement in environmental management including by the Friends of Dandenong Valley Parklands, individual volunteers, students and other community groups.

The Boral redevelopment site has previously been designated for residential development. This site provides a significant opportunity to enhance connectivity along the Blind Creek and incorporate habitat restoration into master planning and open space design.

Poor maintenance of orchards and weed control have the potential to reduce the wildlife connectivity and conservation values of this precinct if they encroach upon areas of native vegetation or other areas of habitat. However, in some cases areas of existing weeds may provide habitat values for wildlife. Therefore, any actions to remove or reduce weed cover should be undertaken in a staged basis, alongside active planting of native vegetation as replacement habitat.

Six barriers to wildlife movement have been identified within or abutting Precinct 2a as shown on the map, generally where roads intersect with the creeks.

An analysis of the Planning Scheme controls indicates that the majority of the identified habitat areas including the riparian vegetation are well protected through the Scheme either, through PCRZ zoning or ESO overlays. The analysis has found the following issues that are recommended for investigation.

Two parcels of land have been identified along the Dandenong Creek corridor that are not zoned for conservation purposes:

- 115-123 Axford Road, Wantirna South – This area of crown land is densely vegetated and the Rural Living Zoning seems to be an anomaly. This matter is currently being investigated by DELWP and Parks Victoria.
- 1A Burwood Highway, Wantirna –The area has been cleared and developed for retail purposes (gardening and landscaping supplies). It is recommended that any future redevelopment of the area incorporates habitat restoration.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

- Action 3.1.** Acknowledge the significant role of this precinct in providing wildlife habitat and connectivity at a regional scale which is due to the integrity of existing native vegetation and the creek corridors.
- Action 3.2.** Continue the application of ESO2 across the precinct and review the local content to strengthen the provisions in accordance with the recommendations of this Strategy.
- Action 3.3.** Support rezoning to ensure the Dandenong Creek corridor is protected for conservation purposes, in consultation with stakeholders, including at 115-123 Axford Road, Wantirna South.
- Action 3.4.** Encourage reestablishment of the riparian vegetation and habitat as part of any future redevelopment at 1A Burwood Highway, Wantirna.
- Action 3.5.** Provide for habitat restoration and connectivity along the Dandenong Creek, and along Blind Creek as part of future development of the Boral Quarry site.
- Action 3.6.** Reduce the wildlife barrier effects at the sites indicated on the map in accordance with the recommendations of Appendix 1 to this report.

Action 3.7. Investigate and rectify the identified zoning anomalies along the Dandenong Creek corridor.

Action 3.8. Advocate for enhancements within this precinct to continue along the creek corridor south of Wellington Road.

Waterways and Flood Management

Precinct 3 supports important waterbodies including the Dandenong Creek, Blind Creek, Corhanwarrabul Creek and their tributaries. The precinct is within the Blind Creek and Dandenong Creek catchments, which flows from the Dandenong Ranges to Port Phillip Bay via Patterson River. The upstream section of Blind Creek in Boronia (outside Study Area) is identified as a “High Value” waterway in Knox as part of the Knox WSUD and Stormwater Management Strategy.

The billabongs and wetlands in Precinct 3 play a key role in water quality of the creek system while providing significant habitat for aquatic species. Melbourne Water works with KCC to manage these creek systems including ongoing monitoring of water quality and sediment control at the Corhanwarrabul Creek and Dandenong Valley treatment wetlands.

Precinct 3 contains large flood plains associated with the creeks. Large open space areas in Precinct 3 assist with flood mitigation. The southern part of the precinct accommodates the floodplain wetlands associated with the Corhanwarrabul Creek. This area has a major impact on flows and water quality in the Dandenong Creek.

The areas affected by flooding are protected by the Land Subject to Inundation Overlay (LSIO). The flood overlay that currently applies is due for review. Melbourne Water and KCC are currently undertaking the 1%AEP flood modelling using the most recent techniques and methodology. Once this work is completed it is essential that the results are incorporated into the Scheme to ensure adequate development controls apply within floodplains.

Future redevelopment of the Boral quarry site will have to ensure that stormwater impacts are minimised and managed properly to prevent any negative impacts on the waterways or surrounding area. The section of Blind Creek that runs through the Boral quarry site was realigned from its original route and currently presents poor conditions. The future redevelopment of the Boral quarry site presents great opportunities for naturalization of the creek and enhancement of its condition as a healthy waterway.

Objective:

To improve waterway health and flood management.

Action 3.9. Protect the floodplains and wetlands in Precinct 3 for their flood storage and retention values.

Action 3.10. Continue the KCC/MW/Parks Victoria collaboration to improve waterway health and sediment control in Precinct 3.

Action 3.11. Future redevelopment of the Boral quarry site is to ensure that stormwater impacts are minimised and managed to the satisfaction of the relevant agencies.

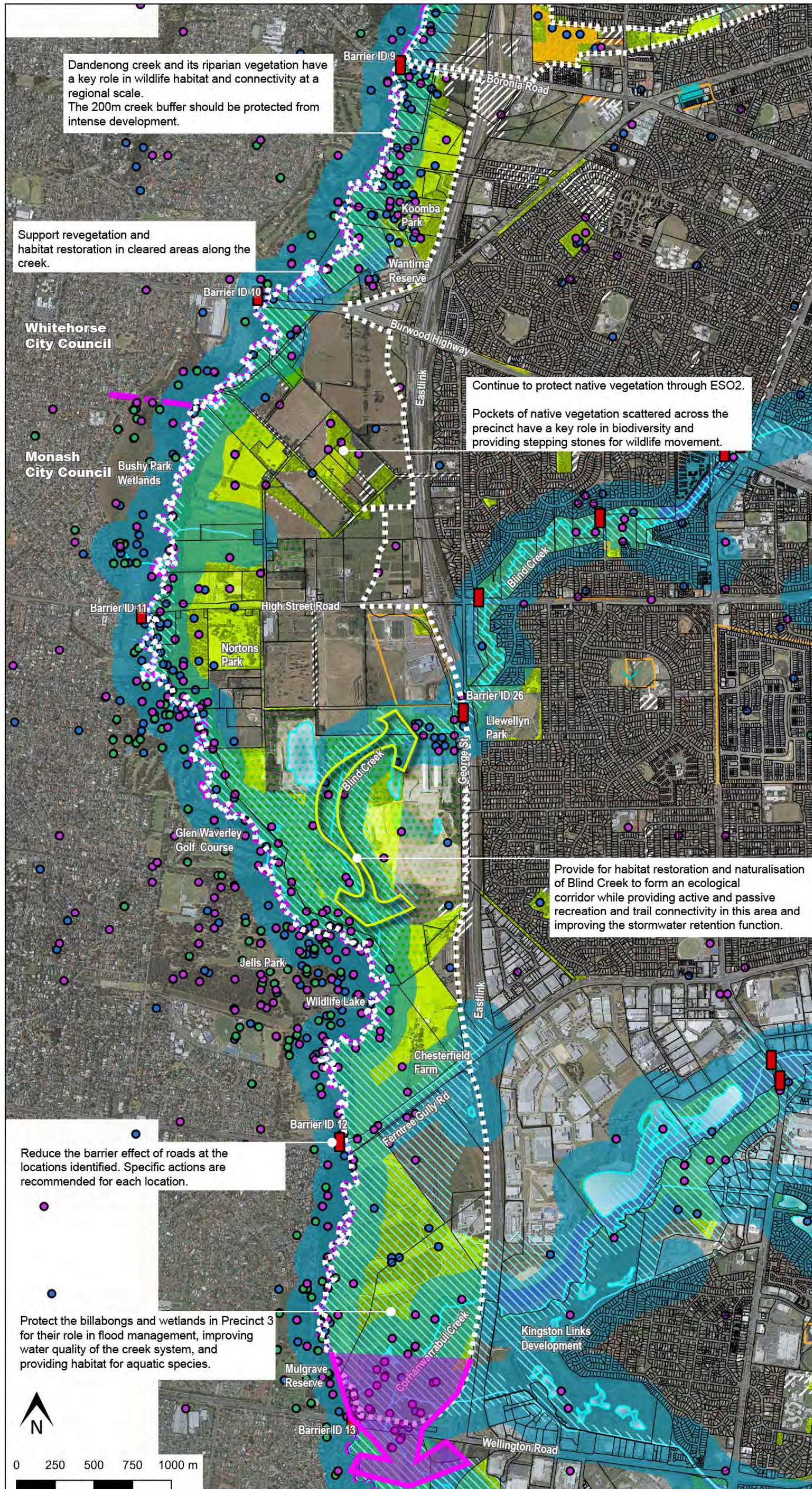
Action 3.12. Naturalise the Blind Creek and enhance its condition as a natural waterway corridor as part of the future development of the Boral quarry site.



Map 13
Precinct 3 - Dandenong Creek Valley Parklands

Theme: Ecology

Knox Green Areas & Rural Strategy (GARS)



Legend

Knox Wildlife Atlas (1995-2017)

- Wildlife Records - Multiple Sources
- Wildlife Records - Victorian Biodiversity Atlas
- Knox Focal Species 2017

- Barriers to Wildlife Movement

- Waterways 200m Buffer

Knox Planning Scheme

- Environmental Significance Overlay 2 (ESO2)
- Vegetation Protection Overlay (VPO)
- PCRZ
- Urban Floodway Zone

Other

- Creeks and Lakes
- Floodplains
- WSUD - Project Area
- Precinct 3 Boundary
- Knox City Boundaries

↓ Enhancements within this precinct are to continue along the creek corridor south of Wellington Road

Dandenong creek and its riparian vegetation have a key role in wildlife habitat and connectivity at a regional scale. The 200m creek buffer should be protected from intense development.

Support revegetation and habitat restoration in cleared areas along the creek.

Continue to protect native vegetation through ESO2. Pockets of native vegetation scattered across the precinct have a key role in biodiversity and providing stepping stones for wildlife movement.

Provide for habitat restoration and naturalisation of Blind Creek to form an ecological corridor while providing active and passive recreation and trail connectivity in this area and improving the stormwater retention function.

Reduce the barrier effect of roads at the locations identified. Specific actions are recommended for each location.

Protect the billabongs and wetlands in Precinct 3 for their role in flood management, improving water quality of the creek system, and providing habitat for aquatic species.



Theme 2: Landscape and Heritage

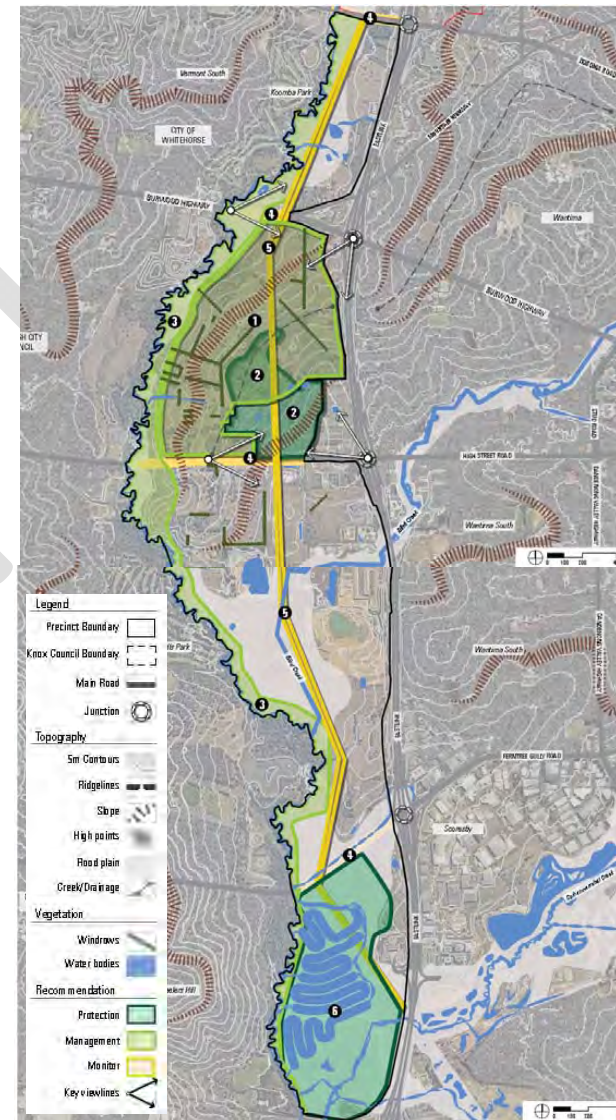
Theme 2: Landscape and Heritage

Landscape Values

The GARS *Landscape and Character Study* (Hansen Partnership) advises that while the corridor is a single entity, there is a notable distinction between the character of its northern sector (with elevated land between the Blind and Dandenong Creeks - immediately north of High Street Road) and its low southern wetlands. The openness and mixed vegetated quality of the valley is important to its character, in particular the elevated Wantirna South Ridgeline and cultivated hilltop. The study identifies the following character areas (as shown on the map) and details key landscape values for each area:

No.	Description	Approach	Key Landscape Values
1	The Wantirna South Ridge	Management	Rural character on rising land; roadside/windrow vegetation; native bushland patches
2	The Central Cultivated Hilltop	Protection	Rural character; Panoramic views from roads; Roadside/windrow vegetation; native bushland patches
3	The Dandenong Creek Riparian Corridor	Management	Riparian vegetation; low-lying valley conditions
4	The East-West Aligned Road Corridors	Management	Framed/open views from roads
5	The High Voltage Power Line Infrastructure	Management	The mitigating effect of vegetation
6	The Dandenong Valley Park and Wetland	Protection	Wetland vegetation; low-lying valley conditions

The Scheme refers to the precinct as a significant landscape and sets high level strategies to protect and enhance the landscape qualities. However, these strategies are not translated into any landscape overlays. Most vegetation within the precinct including the Dandenong Creek riparian corridor are protected through a combination of ESO2 and VPO2. The predominant PPRZ and PCRZ zoning also provides some protections. It is recommended to complement these existing provisions with more direction based on the findings.



Map 14 – Precinct 3 Landscape Assessment (Source: Hansen Partnership) 82



Theme 2: Landscape and Heritage

Objective:

To protect and enhance local character and landscape values.

Action 3.13. Review the existing Scheme provisions including the MPS and PPF in light of the findings of the *GARS Landscape and Character Study*. New strategic policy direction for landscape values of the precinct and a new SLO are to be investigated.

Heritage

Precinct 3 contains areas of Aboriginal Cultural Heritage Sensitivity associated with Dandenong Creek, Blind Creek and Corhanwarrabul Creek. It also includes a number of Aboriginal sites including artefact scatter and scarred trees.

The precinct includes three heritage places listed in the HO and three non-listed places. The *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017) reviews the existing heritage places within the precinct (HO and non-HO items) and provides recommendations for each place.

Objective

To recognise, protect and promote existing heritage.

Action 3.14. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 3.15. Review the places of heritage significance in accordance with the recommendations from the *Knox Rural Heritage Report* (Context, 2017), as summarised in the table below.

Site Name and Description	Recommendations
HO Places	
HO36 Clow Cottage, Dandenong Valley Parklands	<ul style="list-style-type: none"> Retain heritage overlay. Recommend heritage assessment to inform current listings.
HO10 Chesterfield Farm, Ferntree Gully Road Scoresby	<ul style="list-style-type: none"> Retain heritage and other overlays.
HO50 Boronia Road Wantirna (west of EastLink) - Trees	<ul style="list-style-type: none"> Further investigation required to determine extent. Retain heritage and other overlays.
Non-HO Places	
Axford Road Ruin, Axford Road Wantirna	<ul style="list-style-type: none"> Recommend further investigation and heritage assessment.
Bushy Park, 3 Bushy Park Lane Wantirna South	<ul style="list-style-type: none"> Recommended for heritage assessment.
Norton Park and Shepherds Bush, Wantirna South	<ul style="list-style-type: none"> Public land - co-ordinate with Parks Victoria. Recommend heritage assessment for specific sites within the Park.



Map 15

Precinct 3 - Dandenong Creek Valley Parklands

Theme: Heritage

Knox Green Areas & Rural Strategy (GARS)



Legend

- Precinct Boundary
- Creeks and Lakes
- Heritage Overlay (HO)
- Areas of Cultural Heritage Sensitivity (Aboriginal Victoria)

Theme 3: Land Use and Access

Land Use and Economy

The Dandenong Valley Parklands play a key role within the broader open space network as a large scale consolidated green corridor reserved for open space purposes, serving the eastern suburbs catchment. A large portion of the parkland is owned by Parks Victoria and is zoned for public and conservation purposes.



Figure 10 - Dandenong Creek Valley Parklands in the metropolitan open space context (Source of base map: Plan Melbourne)

Some areas of this corridor have been developed for parkland, sport and recreation purposes. The other parts are leased by Parks Victoria to private operators who use the land for a variety of purposes including horticulture, fresh produce markets, horse agistment and cattle grazing. Chesterfield Farm is an example of leased land which provides educational and tourism services such as interaction with farm animals and farm shows. Parts of the parklands are owned privately and have a Public Acquisition Overlay (PAO) on them.

Parks Victoria prepared the Dandenong Valley Parklands Future Directions Plan in 2006. This document sets out Parks Victoria’s vision, management framework and implementation actions for the wider Dandenong Valley Parklands area. The plan is due for a review however no review is planned by Parks Victoria in the short term.

Out of the GARS precincts, this precinct offers the greatest opportunities for agriculture, recreation, agri-tourism and community uses. The *GARS Economic Study* (Urban Enterprise, 2019) provides the following evaluation of economic and land use potential for Precinct 3:

Summary of Economic, Tourism, Community and Recreation Potential

Suitability for agriculture intensification	High
Suitability for agri- tourism	High
Suitability for standalone tourism uses	High
Suitability for community / social enterprise	High
Accessible to population catchments	High
Accessible by public transport	Medium
Accessible by bike/hiking/ walking	High
Suitability for Active Recreation	High
Suitability for other intensive industry	Medium
Suitability for Passive Recreation	High

As the population increases in Knox and the region, there are opportunities to explore this additional potential to meet the growing demand of the community. This would be in line with Plan Melbourne vision for an integrated and high quality open space network, as well as the purpose of the PPRZ zone.

While the above opportunities have been identified, preliminary consultation for this Strategy did not find sufficient support from the stakeholders and the local community to



Theme 3: Land Use and Access

support changes in the short term. It is also noted that Parks Victoria as a key landowner has no immediate plans for comprehensive planning for the parklands.

The evidence base in this Strategy can be used to guide future planning in partnership with the stakeholders in case opportunities arise in the future.

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area.

Action 3.16. Acknowledge the important role of the Dandenong Creek Valley Parkland as a significant green corridor within the eastern region.

Action 3.17. Support the following opportunities for the Dandenong Creek Valley parklands:

- a) Enhancements to open space to enable more active and passive recreational use.
- b) Tourism, agri-tourism, urban agriculture and cafes.
- c) Community partnerships with opportunities for KCC to connect community businesses and commercial partners with Parks Victoria.
- d) Education opportunities such as nature-based education.
- e) Cycling-oriented activities/businesses along the bike routes, support opportunities for such as bike shops, storage, organic trails and food trails.
- f) Urban agriculture models such as city farms/community gardens, community nurseries and plant exchanges, edible landscapes, food forests, indigenous food production, institutional and demonstration gardens and restaurant gardens (refer case study of CERES in the *GARS Economic Study*).

High Street Road Corridor

High Street Road serves an important role as a key gateway to Knox with a distinct rural, horticultural character. With the future redevelopment of Jenkins Orchard and the Boral

quarry, it would be important to recognise the existing landscape character and take actions to maintain and complement the character where possible.

The future development in these areas will need to respond to the local character. Monitoring changes to the other parcels of land on this corridor will also be important over the coming years.

Action 3.18. Define High Street Road corridor as a Gateway to Knox. Protect the rural, horticultural character of this corridor and seek opportunities to enhance its aesthetics through landscaping, building design and public art which respond to and complement the rural, horticultural and bushy character of this corridor.

Boral Quarry Redevelopment Site

The Boral Quarry site at 191 George Street, Wantirna South has been designated as a Strategic Investigation Site in the Scheme for future residential and employment uses.

The development will include residential and employment areas and provide for nature conservation and passive recreation uses in proximity to the Dandenong Creek riparian corridor.

The current use of the site as a quarry and the modified section of Blind Creek has lowered wildlife connectivity through this area. The development presents great opportunities to undertake revegetation and habitat restoration along the creek to revitalise its function as an ecological corridor.

Action 3.19. Future redevelopment of the Boral Quarry site to

- a) Provide for the revegetation and naturalisation of Blink Creek to reestablish its function as an ecological corridor.
- b) Protect and enhance the habitat values of the Dandenong Creek ecological corridor.
- c) Provide for passive and nature based recreation in appropriate areas.

Knox Regional Sports Park

Knox Regional Sports Park is located on crown land managed by KCC. It currently includes an indoor sports stadium, two synthetic soccer pitches and associated soccer pavilion, open grassed areas for informal recreation, grassed field and operations area for the



Theme 3: Land Use and Access

Victorian Association of Radio Model Soaring (VARMS), car parking areas and groups of predominantly native and indigenous trees.

In 2018 KCC has approved a Masterplan for the sports park which provides for the following upgrades:

- Ten additional domestic basketball courts;
- A new gymnastics facility suitable for regional level competition;
- A Centre of Excellence facility and high-performance training centre;
- An 8,000 seat capacity sports/entertainment area with overflow parking for 2,500 vehicles within the adjacent Cathies Lane Landfill site;
- The conversion of the existing 5-a-side soccer pitches to one full size field, six new 5-1-side pitches and extension to the existing pavilion; and
- At grade car parking facilities and intersection upgrade works to facilitate parking demands and traffic flows.

The Masterplan is KCC's response to growing demand across Knox for high quality sporting and recreational facilities. Basketball, gymnastics and soccer are all experiencing significant growth and, as a result, demand for facilities at a local level is exceeding supply. Implementation of the Masterplan will be funded jointly by KCC and the State Government.

Action 3.20. Support complementary uses in proximity to the Knox Regional Sports Park including allied health and sports medicine.

Existing Parks

Koomba Park is a popular destination for birdwatching and incorporates both the Dandenong Creek Trail which branches off to a boardwalk section and the EastLink Trail that continues on to follow EastLink. An area of land zoned Road Zone 1 (RDZ1) exists within Koomba Park. This area could be investigated for potential rezoning and inclusion in Koomba Park.

Wantirna Reserve on the corner of EastLink and Burwood Highway is currently managed by KCC by agreement with Parks Victoria. A Masterplan is currently being prepared for Wantirna Reserve.

The approved masterplan for the expansion of Knox Regional Sports Park presents great opportunities for the surrounding area, including for allied health and sports medicine.

Nortons Park (also a dog park) is managed by Parks Victoria. A leash free dog park has recently been created which has improved visitor experience and has been well received by the community.

A number of small pockets of land are used for parkland purposes but are not correctly zoned. These have been identified on the map for investigation.

Action 3.21. Investigate the area within Koomba Park which is zoned for road purposes for potential rezoning and inclusion in the park.

Action 3.22. Investigate parkland lots that are not zoned PPRZ for potential rezoning, in consultation with subject to consultation with DELWP and Parks Victoria.

Action 3.23. Advocate for further improvements to Nortons Park by Parks Victoria.

Cathies Lane Landfill Site

Cathies Lane landfill site is currently vacant, however, land use opportunities for this site are limited due to soil condition and applicable buffers. This site is currently being investigated for a potential solar park by KCC.

Action 3.24. Investigate opportunities for renewable energy production (solar park) at the Cathies Lane landfill site.

Public Art Opportunities

The east-west corridors within Precinct 3 provide gateways to Knox with a high level of visibility. These corridors offer opportunities for public art to enhance aesthetics and help

Action 3.25. Support and fund public art along the High Street Road and Burwood Highway to enhance amenity and sense of place consistent with the local character.

Access and Connectivity

Precinct 3 is well served by the arterial road network including EastLink, Boronia Road, Burwood Highway, High Street Road, Ferntree Gully Road and Wellington Road. The precinct is also supported by an excellent network of trails including the Dandenong Creek Trail and the EastLink Trail. These trails provide strong linkages with surrounding municipalities and other recreational areas.



Theme 3: Land Use and Access

Multiple bus services run along Boronia Road, Burwood Highway, High Street Road, Ferntree Gully Road and Wellington Road. However, a large area internal to the precinct, including the Boral redevelopment site is not within walkable catchment of public transport.

The area to the north of High Street Road presents a barrier to connectivity, both for vehicular movement and walking/cycling connectivity. Road access is limited to a number of cul-de-sacs, mostly rough surfaced. Overall this area does not provide much permeability.

The PBN proposes on-road cycle lanes on Burwood Highway and the section of EastLink south of Ferntree Gully Road. The Strategic Cycling Corridors (SCC) Network also However, it does not propose any upgrades along High Street Road. This road has no cycle lanes or shared paths which is an issue considering the number of bus services stopping at this location. Considering the potential for future urban developments at the Boral and Jenkins Orchard sites, and the expansion of the Knox Regional Sports Park, there will be more demand for pedestrian and cyclist movement on this road.

The Boral Quarry redevelopment will create a new population catchment which needs adequate connectivity to the surrounding network. Main access will be from High Street Road. The development needs to provide a high level of permeability and connectivity including shared path connectivity through the site and to the surrounding trails including the Dandenong Creek Trail, EastLink Trail and the Regional Sports Park. The Blind Creek corridor presents great opportunities for shared path connectivity and new linkages to Jells Park which is a popular destination.

EastLink (freeway) represents a barrier to pedestrian/cyclist connectivity. The area near Kingston Links has been identified as a missing link by the Eastern Regional Trail Strategy's Ferny Creek Trail extension to the Dandenong Creek Trail. A new bridge connection is appropriate at this location.

Objective:

To facilitate connectivity and safe movement for all users.

Action 3.26. Advocate for and support the on-road and off-road cycling proposals of the PBN.

Action 3.27. Advocate for a shared path along High Street Road connecting with the EastLink Trail with the Dandenong Creek Trail.

Action 3.28. Seek opportunities to improve access and connectivity through the area between High Street road and Burwood Highway.

Action 3.29. The Boral redevelopment site to provide for shared path connectivity through the site connecting with the surrounding trails, including along the Blind Creek linking to Jells Park.

Action 3.30. Support the provision of public transport to the Boral redevelopment site and ensure the road network are designed to facilitate bus movement.

Action 3.31. Improve access to Knox Regional Sports Park.

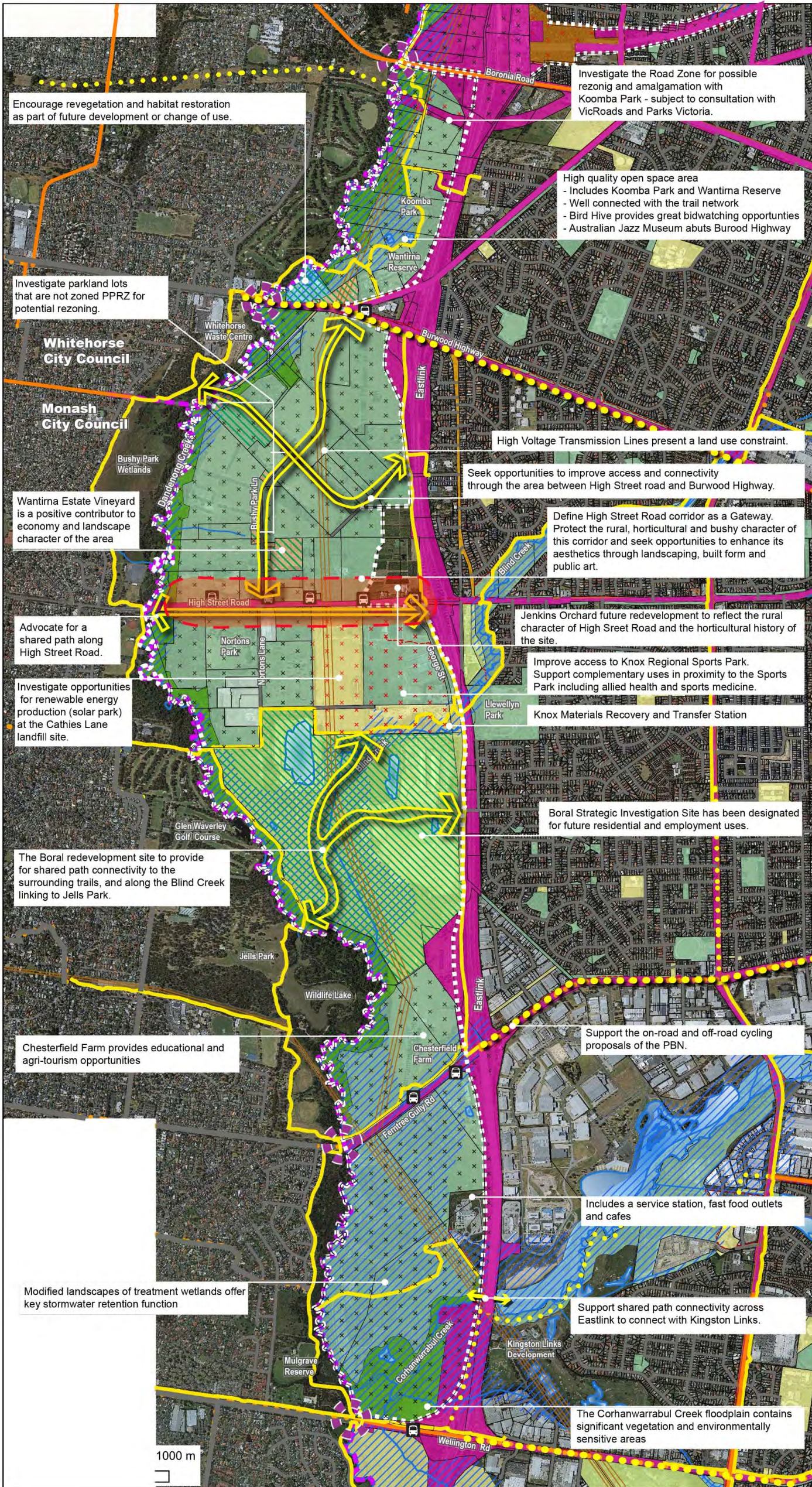
Action 3.32. Support shared path connectivity across Eastlink to Kingston Links.



Map 16
Precinct 3 - Dandenong Creek Valley Parklands

Theme: Land Use & Access

Knox Green Areas & Rural Strategy (GARS)



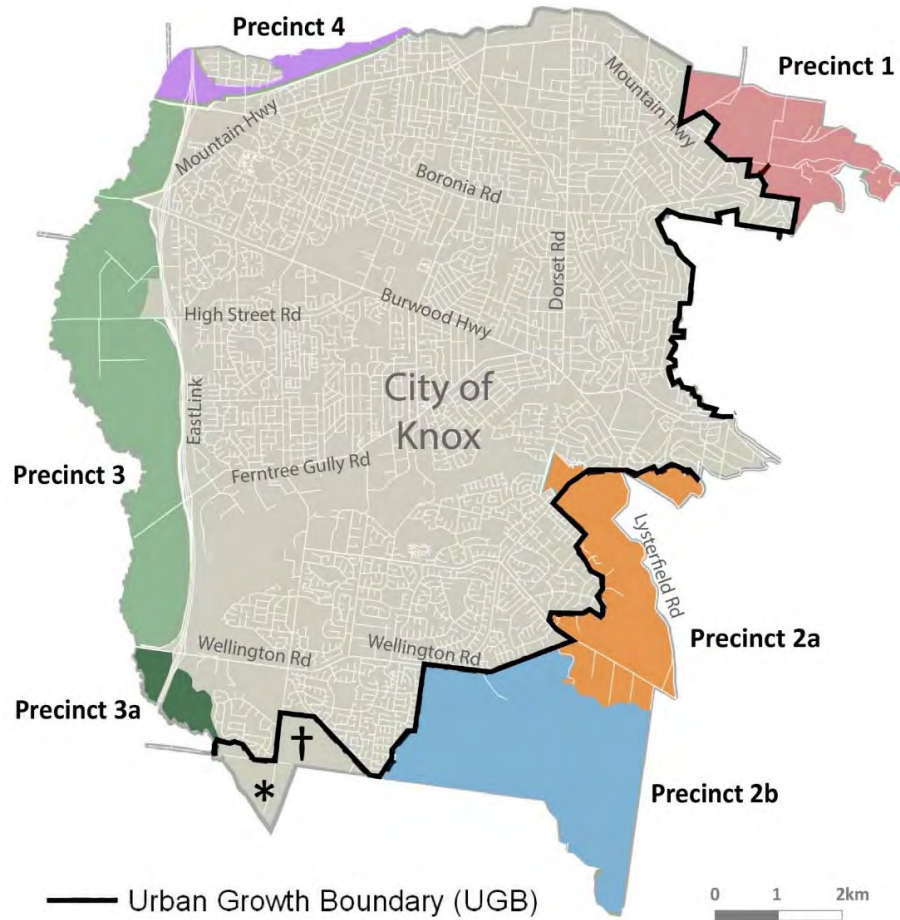
Legend

- Precinct 3 Boundary
 - LGA Boundaries
 - Creeks and Lakes Areas
 - Cadastre
- Zones - Knox Planning Scheme**
- FZ
 - PCRZ
 - PPRZ
 - PUZ6
 - RDZ1
 - RDZ2
 - RLZ
 - SUZ2
 - UFZ
 - HV Transmission Lines
- Scheme Overlays**
- Land Subject to Inundation Overlay (LSIO)
 - Public Acquisition Overlay PAO1
 - Public Acquisition Overlay PAO2
- Land Ownership**
- Local Government
 - Local Government Other
 - State Government/Agencies
- Pedestrian/Bicycle Network**
- Shared paths - existing
 - On-road cycleways - existing
 - Proposed Bicycle Routes
 - Proposed walking/Cycling connectivity (GARS)
 - Knox Gateways (existing)



Precinct 4:
Healesville Freeway Reservation and Surrounds

DRAFT





Vision for Precinct 4

Precinct 4 contains the land corridor reserved by the State Government for the potential extension of the Healesville Freeway to connect to EastLink. Plans for this road corridor to the west of Knox in Whitehorse were cancelled a few years ago and the reservation area was declared surplus. The land was rezoned, master planned and redeveloped subsequently.

The stretch of the reservation within Knox, however, has been maintained by VicRoads with no timelines for design or construction. The uncertainty surrounding the road has resulted in a lack of clear direction or long term purpose for the reserved land as well as the surrounding area.

To accommodate this uncertainty, the vision and recommendation for this precinct are formulated under two scenarios: a **“Road Scenario”** and a **“No-Road Scenario”**.

The Vision for Precinct 4 reflects feedback received during public consultation involving the stakeholders and the community. Key themes from the public consultation are summarised below:

- **Open space/parkland opportunities**

The creation of new parkland (recreational & environmental) was supported to provide opportunities to provide a linkage between Dandenong Creek, Bateman St Bushland and surrounding park/habitat sites.

- **Biodiversity and conservation buffer**

One comment suggested that the vision should make a direct reference to “Biodiversity” as an important priority for this precinct.

Vision for Precinct 4:

Road Scenario: The future Healesville Freeway extension will be sensitive and responsive to the Dandenong Creek ecological and waterway corridor, seeking opportunities for water and habitat enhancements, while supporting the open space and recreational uses.

No Road Scenario: The precinct will provide an integrated high quality open space and parkland corridor with complementary uses which protect and enhance native vegetation, wildlife connectivity and waterway health.



Theme 1: Ecology

Wildlife Habitat and Connectivity

The precinct includes parts of the Dandenong Creek and its 200m buffer zone which has significant biodiversity values. The Knox Wildlife Atlas indicates high levels of wildlife records in proximity to the creek and within areas of native vegetation. Previous revegetation and restoration efforts by KCC and Maroondah City Council and community groups such as Friends of Dandenong Creek have greatly added to the wildlife habitat and dispersal opportunities.

The greatest threat to wildlife habitat in this precinct is the Healesville Freeway reservation which affects some areas of native vegetation located on land parcels either zoned for road purposes or affected by a Public Acquisition Overlay.

This includes the Bateman Street Bushland which is a Site of Biodiversity of state-level significance and contains one of the largest and most intact areas of endangered Valley Heathy Forest in the Melbourne region. This bushland is protected by ESO2, however, is subject to a Public Acquisition Overlay (PAO1).

Winton Wetlands is another area of high habitat values, with significant wildlife sightings recorded. Although the vegetated area is protected by PCRZ zoning, it abuts land zoned Road Zone and could be affected by future road works. This area requires careful protection in case of future road construction to minimise wildlife exposure to traffic. Should the adjoining land not be required for road purposes, the land within 200m of the Creek is recommended to be rezoned to PCRZ to facilitate protection and revegetation.

The creek and its riparian vegetation are well protected through the Scheme. The Urban Floodway Zone (UFZ) covers the Dandenong Creek and the Public Conservation and Resource Zone (PCRZ) protects the adjoining riparian corridor. There are great opportunities within 200m of the creek to improve habitat through revegetation which would also provide additional passive recreation opportunities.

Compatible land-uses for this precinct are: nature-based health activities to complement and strengthen health outcomes, nature-based or open air sports and recreation, bush playgroups and community gardens.

Objective:

To protect and enhance biodiversity and wildlife connectivity.

- Action 4.1.** Continue the application of ESO2 in Precinct 4 to protect native vegetation and habitat values.
- Action 4.2.** Acknowledge the role of the Dandenong Creek corridor and previous investments in bushland restoration along the creek in wildlife connectivity within the broader region.
- Action 4.3.** Prohibit development within the Melbourne Water's Core Riparian Zone (CRZ) and the adjacent vegetation buffers.
- Action 4.4.** Investigate mechanisms to achieve an ecologically sensitive development approach to new development and the construction of linear infrastructure (e.g. roads, bridges) across the precinct.
- Action 4.5.** Reduce the wildlife barrier effects of EastLink over the Dandenong Creek corridor in accordance with the recommendations of Appendix 1 to this report.
- Action 4.6.** Review the VPO in Precinct 4 to ensure it covers all the intended vegetation.

Road Scenario

- Action 4.7.** Advocate for an underpass design to protect Bateman Street bushland.
- Action 4.8.** Minimise the risk of exposure of wildlife to vehicular traffic from the future freeway through adequate buffer areas.
- Action 4.9.** Design and construction in proximity to Winton Wetlands should be sensitive to the ecological values of this wetland and minimise wildlife exposure to works or traffic.

No-Road Scenario

- Action 4.10.** Protect the Bateman Street Bushland and other Sites of Biological Significance and enhance their environmental and passive recreation values.
- Action 4.11.** Support future uses of the reservation corridor that can protect and enhance the ecological values.

Action 4.12. Investigate the Road Zone land in the vicinity of Winton Wetlands which is within 200m of the Creek for possible rezoning to PCRZ to protect habitat values and facilitate revegetation.

Waterways and Flood Management

Precinct 4 abuts the Dandenong Creek along its northern and western boundaries and the entire precinct is within the Dandenong Creek catchment.

The strip of land to the north of the Healesville Freeway reservation, including Manson Reserve and the golf driving range have a key role in the storage and retention of flooding from the Dandenong Creek.

Wetland building has recently been undertaken at JW Manson Reserve to improve stormwater management and water quality.

The existing open spaces and road reservation are affected by floodplains of the Dandenong Creek.

Objective:

To improve waterway health and flood management.

Action 4.13. Any development or the addition of impervious surfaces in the flood affected area (1% AEP level) needs to be accompanied by adequate studies and plans to demonstrate how flooding can be managed in particular through WSUD measures.



Map 17

Precinct 4 - Healesville Freeway Reservation & Surrounds

Theme: Ecology

Knox Green Areas & Rural Strategy (GARS)

Legend

Knox Wildlife Atlas (1995-2017)

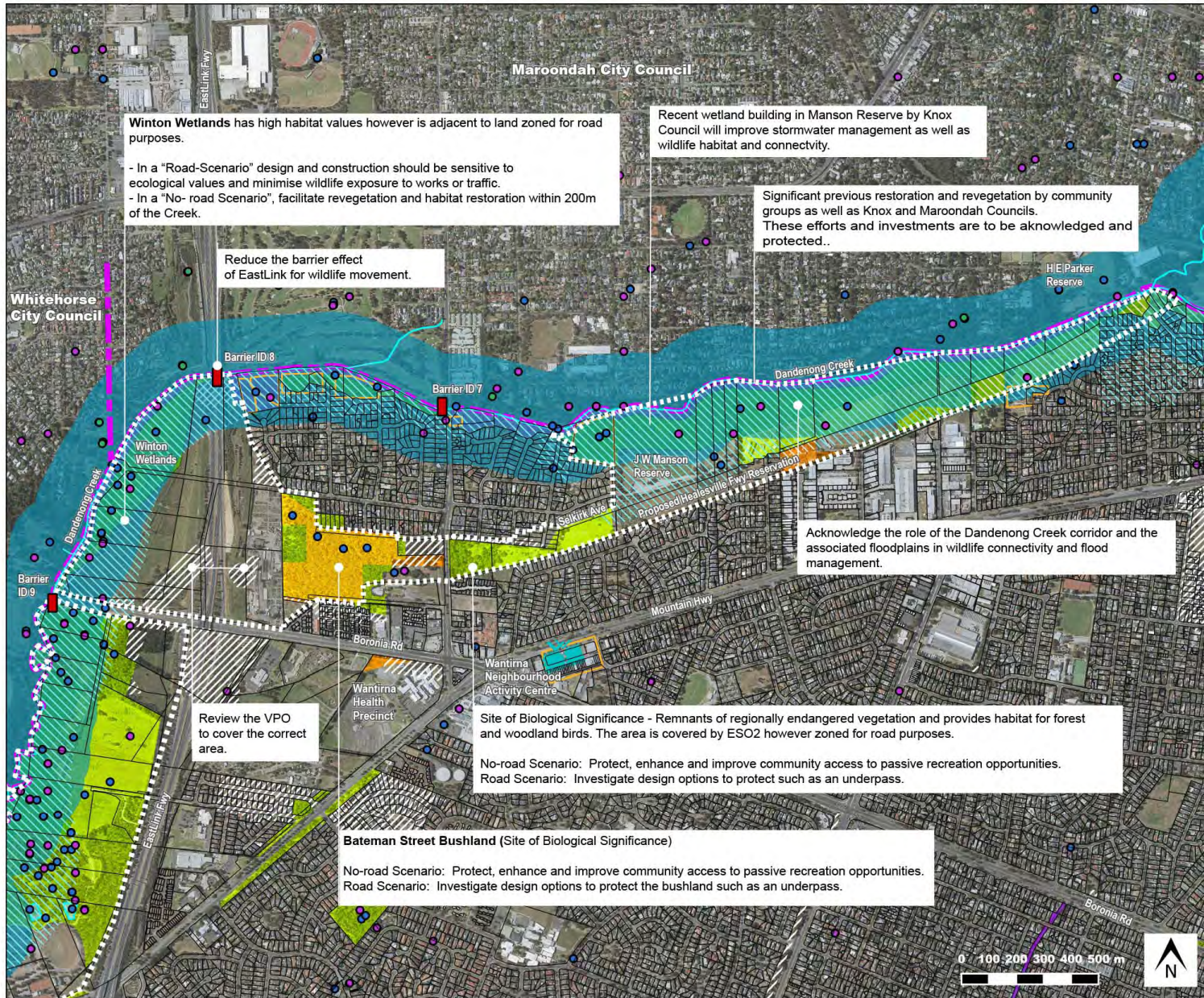
- Wildlife Records - Multiple Sources
- Wildlife Records - Victorian Biodiversity Atlas
- Knox Focal Species 2017
- Barriers to Wildlife Movement
- Waterways 200m Buffer

Knox Planning Scheme

- Environmental Significance Overlay 2 (ES02)
- Vegetation Protection Overlay (VPO)
- Urban Floodway Zone
- Public Acquisition Overlay (Vic Roads)

Other

- Creeks and Lakes
- Floodplains
- WSUD - Project Area
- Knox City Boundaries
- Precinct 4 Boundary



Winton Wetlands has high habitat values however is adjacent to land zoned for road purposes.

- In a "Road-Scenario" design and construction should be sensitive to ecological values and minimise wildlife exposure to works or traffic.
 - In a "No- road Scenario", facilitate revegetation and habitat restoration within 200m of the Creek.

Recent wetland building in Manson Reserve by Knox Council will improve stormwater management as well as wildlife habitat and connectivity.

Significant previous restoration and revegetation by community groups as well as Knox and Maroondah Councils. These efforts and investments are to be acknowledged and protected..

Reduce the barrier effect of EastLink for wildlife movement.

Acknowledge the role of the Dandenong Creek corridor and the associated floodplains in wildlife connectivity and flood management.

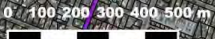
Review the VPO to cover the correct area.

Site of Biological Significance - Remnants of regionally endangered vegetation and provides habitat for forest and woodland birds. The area is covered by ES02 however zoned for road purposes.

No-road Scenario: Protect, enhance and improve community access to passive recreation opportunities.
 Road Scenario: Investigate design options to protect such as an underpass.

Bateman Street Bushland (Site of Biological Significance)

No-road Scenario: Protect, enhance and improve community access to passive recreation opportunities.
 Road Scenario: Investigate design options to protect the bushland such as an underpass.





Theme 2: Landscape and Heritage

Theme 2: Landscape and Heritage

Landscape Values

The GARS Landscape and Character Study (Hansen Partnership, 2019) advises that the key landscape character of the Healesville Freeway Reservation and Surrounds relates to the natural native vegetation corridor along the Dandenong Creek and the Bateman Street Bushland. The area has a modest profile suitable for future recreation activities and facilities if required.

The study identifies the following character areas (as shown on the map) and details key landscape values for each area:

No.	Description	Approach	Key Landscape Values
1	The Wantirna Road Cutting	Monitoring	Roadside vegetation aspect to nature
2	The Bateman Street Bushland	Management	native bushland condition
3	Dandenong Creek Floodplain	Monitor	open aspect and views
4	Dandenong Creek Riparian Corridor	Management	Riparian vegetation low lying valley conditions

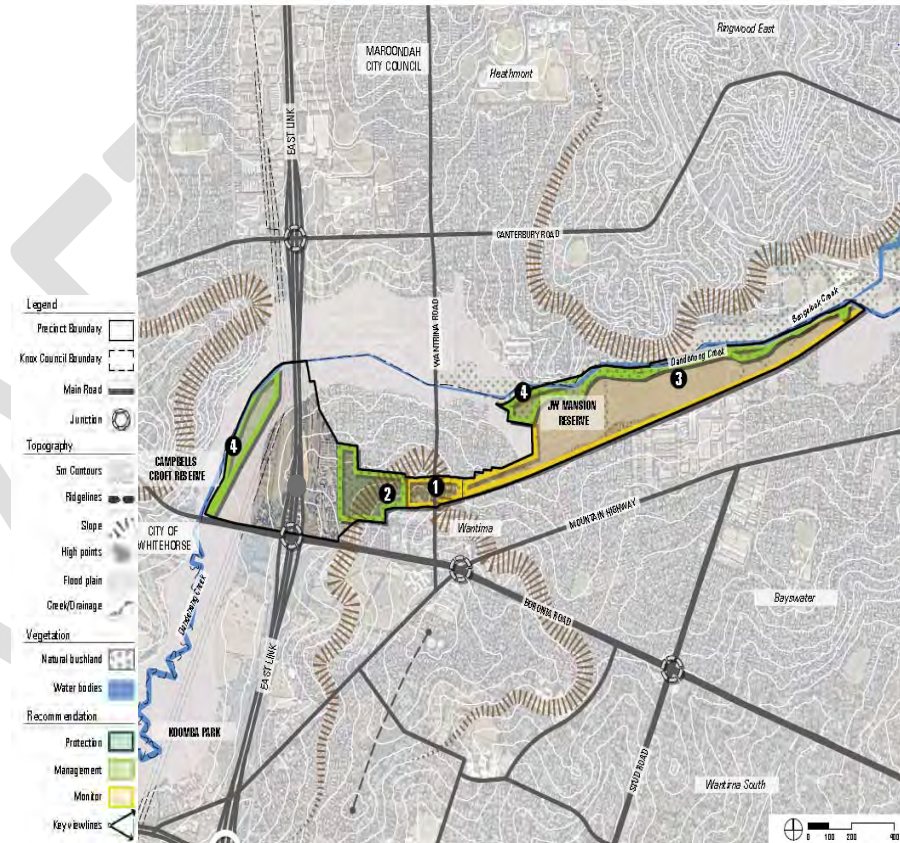
No landscape policies or overlays currently apply in Precinct 4. The Landscape Study confirms that “Protection” from a landscape perspective is not required in this precinct. It is considered that areas identified for “Management” coincide with areas of native vegetation which are recommended for protection for environmental reasons. The open areas are also identified for monitoring so that open views to the vegetated areas are maintained. It will be important to ensure any future development or road construction in this precinct is sensitive to this bushland character and where possible enhances the natural/leafy character of the area.

Objective:

To protect and enhance local character and landscape values.

Action 4.14. Review the Scheme provisions for opportunities to reflect the findings of the GARS Landscape and Character Study.

Action 4.15. Ensure future development responds to the character areas, celebrates the natural/leafy character of the precinct and provides opportunities for views to the vegetated areas.



Map 18 – Precinct 4 Landscape Assessment (Source: Hansen Partnerships)



Theme 2: Landscape and Heritage

Heritage

Precinct 4 contains areas of Aboriginal Cultural Heritage Sensitivity associated with Dandenong Creek and a number of sites of artefact scatter.

The precinct includes one Heritage Overlay (HO) item which covers several trees along Boronia Road. The *Preliminary Heritage Review: Knox Rural Heritage (Context, 2017)* reviews the existing heritage sites within the precinct and provides recommendations for each place.

Objective:

To recognise, protect and promote existing heritage.

Action 4.17. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Places and Areas of Cultural Sensitivity as shown on the heritage map.

Action 4.18. Review the places of heritage significance in accordance with the recommendations from the Knox Rural Heritage Report (Context, 2017), as summarised in the table below.

Site Name and Description	Recommendations
HO Places	
HO50 Boronia Road Wantirna (west of EastLink) - Trees	<ul style="list-style-type: none"> • Further investigation required to determine extent • Retain heritage and other overlays.





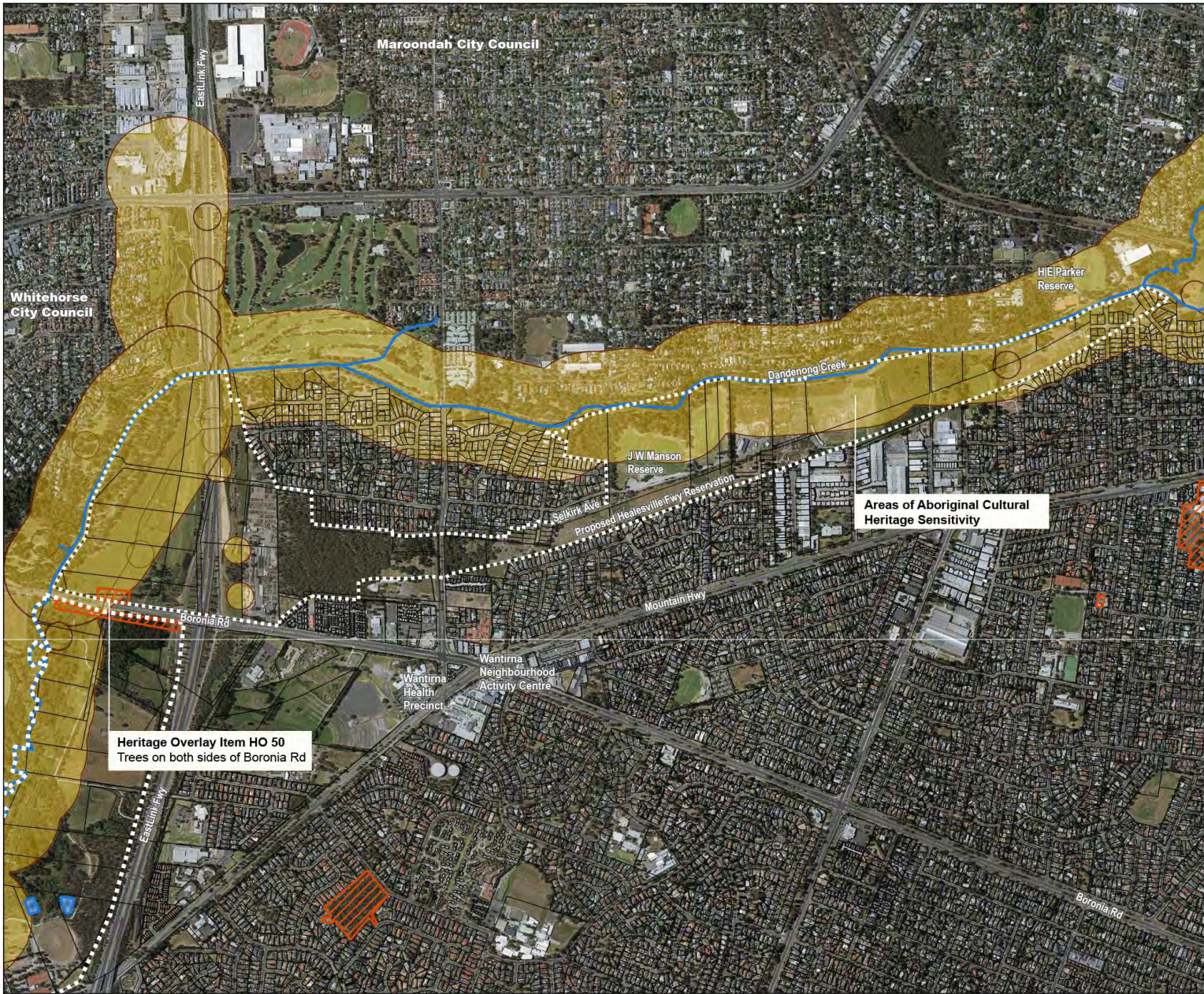
Map 19
Precinct 4 - Healesville Freeway Reservation and Surrounds

Theme: Heritage

Knox Green Areas & Rural Strategy (GARS)

Legend

-  Precinct Boundary
-  Creeks and Lakes
-  Heritage Overlay (HO)
-  Areas of Cultural Heritage Sensitivity (Aboriginal Victoria)





Theme 3: Land Use and Access

Theme 3: Land Use and Access

Land Use and Economy

The Healesville Freeway corridor in Knox has been protected through a combination of Road Zone (RDZ1) and Public Acquisition Overlay (PAO). A number of lots within the reservation and to the north of the reservation are owned by VicRoads. KCC also owns a number of properties in this precinct including the Bateman St Bushland.

Apart from its environmental values, Bateman Street Bushland provides excellent nature-based recreation and opportunities for the surrounding residential areas.

The creek and the trail network along it provide high quality recreational benefits. JW Manson Reserve contains sporting grounds that are owned and managed by the City of Maroondah. The facility is used by the community for recreation as well as a variety of community events. Parts of Manson Reserve which are used for open space are currently zoned Rural Living Zone.

Land fragmentation and lack of long term certainty has resulted in short term uses and the precinct is generally considered under-utilised. The current uses include a plant supply nursery, a golf driving range, community gardens and a number of horse agistment properties. Some of these represent interim uses as the land reserved for the road is leased by VicRoads to private operators. The golf driving range is subject to site specific controls incorporated into the Scheme to allow for the use.

Land use in this precinct is affected by significant constraints. Large areas of land are affected by the Dandenong Creek floodplain including the 1%AEP flood level. The entire site is also within the Declared Bushfire Prone Areas.

Overall, the *GARS Economic Study* (Urban Enterprise, 2019) provides the following evaluation of economic, tourism, community and recreation potential for Precinct 4:

Summary of Economic, Tourism, Community and Recreation Potential	
Suitability for agriculture intensification	Low
Suitability for agri- tourism	Low
Suitability for standalone tourism uses	Low
Suitability for community / social enterprise	Medium
Accessible to population catchments	High
Accessible by public transport	Medium
Accessible by bike/hiking/ walking	High
Suitability for Active Recreation	High

Suitability for other intensive industry	Low
Suitability for Passive Recreation	Medium

Future land use within this precinct depends largely upon the future of the Healesville Freeway reservation. It is noted that the western stretch of this reservation within the Whitehorse City Council was declared surplus, rezoned and developed largely for open space purposes. To date, VicRoads plan is to maintain the reservation in case the freeway extension in Knox is required.

Should road construction go ahead, it is important that the road protects the amenity and functionality of the existing open space and recreational uses, and improves access and connectivity to these areas where possible.

In the event that the reservation be declared surplus, there will be opportunities for consolidation of the land parcels within this precinct and undertake comprehensive planning. The following matters could be provided for as part of comprehensive planning:

- **Open Space and recreation** - Knox faces a growing demand for open space, recreational and sport facilities, in particular as we have planned for densification across the municipality, including the implementation of the Housing Strategy and the delivery of activity centres such as Boronia and Bayswater. It would be crucial for Knox to maintain existing open space and also seek opportunities to expand and enhance them where possible. This corridor presents a unique opportunity to create a network of high quality active open space while maintaining the environmental values of the creek system.
- **Urban farm** - Due to good soils, the precinct offers opportunities for small scale urban agriculture.
- **Compatible Development**– Opportunities may be investigated for compatible development to be integrated with the open space, including café/restaurant uses or mixed use opportunities. The key constraint to development within this corridor is flooding. Stormwater investigation and consultation with Melbourne Water would be required to determine whether the stormwater can be mitigated, potentially through a water sensitive design approach across the entire precinct, and to determine if any areas within the corridor could be considered for potential development.
- **Connectivity** – Improved vehicular access and walking/cycling connectivity through the site as well as to the surrounding area.



Theme 3: Land Use and Access

Objective:

To ensure land uses are carefully located and managed to be consistent with the values and functions of the Study Area

Action 4.19. Advocate for VicRoads to review the operation of the broader traffic network to determine whether the Healesville Freeway Reservation in Knox is required.

Road Scenario

Action 4.20. Ensure the new road alignment preserves the existing recreational values of the existing open space and trails.

No- Road Scenario

Action 4.21. Remove the PAO from Bateman Street Bushland and rezone to PCRZ for conservation purposes.

Action 4.22. Undertake comprehensive planning for the precinct to:

- a) Consolidate land with possible amalgamation and rationalization of zoning along the reservation.
- b) Expand and upgrade the existing open space to create a high quality active and passive open space corridor.
- c) Improve vehicular access and walking/cycling connectivity, making the open space corridor more accessible the surrounding community.
- d) Investigate opportunities for compatible uses to be integrated with the open space, including café/restaurant or mixed use development, subject to flood mitigation investigations.
- e) Enhance the environmental values associated with the creek.
- f) Incorporate water into the design, through a water sensitive design approach with potential swales integrated with the open space.

Access and Connectivity (Map 23)

Precinct 4 is accessed via local roads coming off Wantirna Road and Mountain Highway. Access to the open spaces and trails within the precinct is very poor due to limited permeability through the leased properties along the reservation. The main access to

Manson Reserve is via Selkirk Ave which runs through the residential area to the west and then becomes a cul-de-sac. Proximity to main roads and trails provides great opportunities for access improvements in this precinct.

The Healesville Freeway extension, if constructed, provides opportunities for improved access. However, this corridor could also act as an urban barrier if not planned well.

The Dandenong Creek Valley Trail in Precinct 4 runs within the Knox side of the creek which provides strong opportunities for additional walking/cycling linkages with the surrounding recreational destinations. The PBN proposes new on-road cycle lanes along Wantirna Road and a new shared path along the potential future Healesville Freeway.

Traffic projections for Wantirna Road suggest that it will need to be duplicated at some point in the future. However, the recently constructed bridge over the Dandenong Creek may prevent that.

Bus services currently run along Wantirna Road and Mountain Highway. The majority of the precinct is not within walking catchment of public transport.

Objective:

To facilitate connectivity and safe movement for all users.

Action 4.23. Support the PBN proposals within Precinct 4.

Action 4.24. Support continuous shared trail connectivity and linkages to Dandenong Creek Trail and the Whitehorse section of Healesville Freeway Reserve.

Road Scenario

Action 4.25. Ensure the future Healesville Freeway extension does not present an urban barrier but rather facilitates improved access to Manson Reserve, the Dandenong Creek Trail and other recreational opportunities in the area.

No- Road Scenario

Action 4.26. Improve vehicular access to the open space as part of comprehensive planning, preferably through the industrial area on Mountain Highway to avoid traffic pressure on the residential streets to the west. Shared path connectivity is to be provided to this residential area as well as the Dandenong Creek Trail. Alternatively, a part of the Healesville Reservation can be used to create a new access road with a shared path connecting this area to Wantirna Road.



Map 20

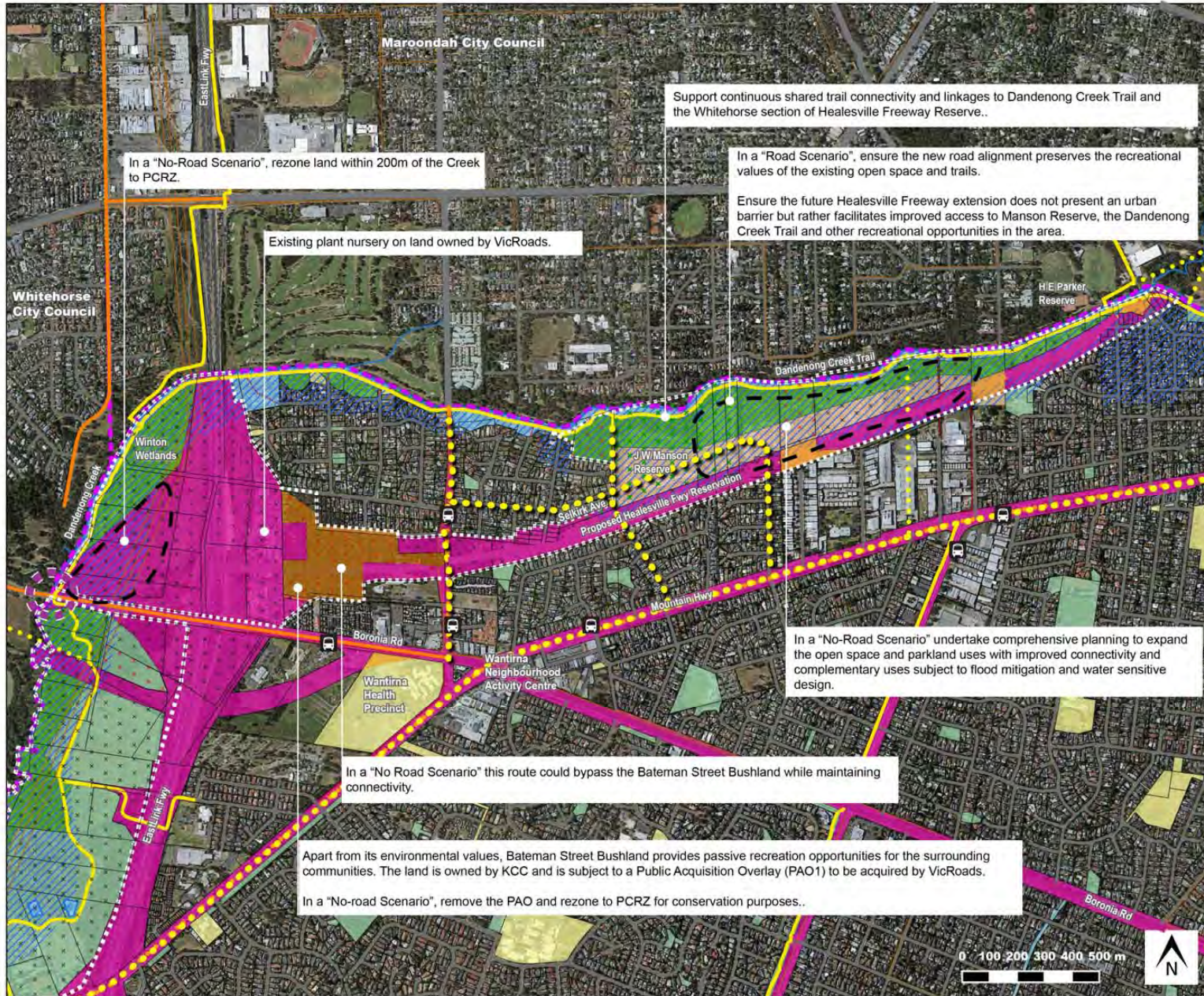
Precinct 4 - Healesville Freeway Reservation & Surrounds

Theme: Land Use & Access

Knox Green Areas & Rural Strategy (GARS)

Legend

- Precinct Boundary
- LGA Boundaries
- Creeks and Lakes Areas
- Cadastre
- Zones - Knox Planning Scheme**
- PCRZ
- PPRZ
- RDZ1
- RLZ
- UFZ
- Scheme Overlays**
- Land Subject to Inundation Overlay (LSIO)
- Public Acquisition Overlay (Vic Roads)
- Land Ownership**
- Local Government
- Local Government Other
- State Government/Agencies
- Pedestrian/Bicycle Network**
- Existing On Road
- Existing Off Road
- Proposed Walking/Cycling Routes
- Knox Gateways





7. Implementation and review

Successful implementation will require effective monitoring, evaluation and review processes. KCC is responsible for the monitoring and evaluation of the actions identified within this Strategy.

Subject to Council adoption of the Strategy, an Implementation Plan will be prepared incorporating the actions identified within this document.

Targeted communications are proposed to ensure government departments, agencies, key stakeholders and the community as a whole will remain well-informed and engaged in the implementation process.

Examples of communication include (but are not limited to):

- Major projects/tasks and milestones published via KCC community publication or via a media release
- KCC website will be updated (when considered necessary) to advise the community of the achievements and milestones for projects/actions.

The monitoring and evaluation process will allow the community, stakeholders and government agencies to have access to information about the progress of the management plan and increases KCC's credibility and accountability.

The Strategy will be reviewed every five years and updated as required.



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List of Abbreviations

AEP	Annual Exceedance Probability	Precinct 2a	Lysterfield Valley and Hills Precinct
AHD	Australian Height Datum	Precinct 2b	Lysterfield Quarries and Surrounds Precinct
BMO	Bushfire Management Overlay	Precinct 3	Dandenong Creek Valley Precinct
CBD	Central Business District	Precinct 4	Healesville Freeway Reservation and Surrounds Precinct
CRZ	Core Riparian Zone	PUZ	Public Use Zone
DELWP	Department of Environment, Land, Water and Planning	PUZ6	Public Use Zone – Local Government
DRNP	Dandenong Ranges National Park	PUZ1	Public Use Zone – Service and Utility
EPA	Environment Protection Authority	RCZ1	Rural Conservation Zone (Schedule 1)
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999	RCZ2	Rural Conservation Zone (Schedule 2)
ESO	Environmental Significance Overlay	RDZ1	Road Zone (Category 1 Road)
ESO1	Environmental Significance Overlay (Schedule 1)	RDZ2	Road Zone (Category 2 Road)
ESO2	Environmental Significance Overlay (Schedule 2)	RLZ	Rural Living Zone
ESO3	Environmental Significance Overlay (Schedule 3)	RMIT	Royal Melbourne Institute of Technology
ESO4	Environmental Significance Overlay (Schedule 4)	SBO	Special Building Overlay
EVC	Ecological Vegetation Class	SBO1	Special Building Overlay (Schedule 1)
FO	Floodway Overlay	SBO2	Special Building Overlay (Schedule 2)
FZ	Farming Zone	SLO	Significant Landscape Overlay
GARS	Knox Green Areas & Rural Strategy	SLO1	Significant Landscape Overlay (Schedule 1)
GW	Green Wedge	SLO4	Significant Landscape Overlay (Schedule 4)
GWMP	Green Wedge Management Plans	SLO5	Significant Landscape Overlay (Schedule 5)
GWZ1	Green Wedge Zone (Schedule 1)	SUZ1	Special Use Zone (Schedule 1)
GWZ2	Green Wedge Zone (Schedule 2)	SUZ2	Special Use Zone (Schedule 2)
HO	Heritage Overlay	The Scheme	The Knox Planning Scheme
KCC	Knox City Council	UFZ	Urban Floodway Zone
LGA	Local Government Area	UGB	Urban Growth Boundary
LSIO	Land Subject to Inundation Overlay	VPO	Vegetation Protection Overlay
MPS	Municipal Planning Strategy	VPO2	Vegetation Protection Overlay (Schedule 2)
MSS	Municipal Strategic Statement	WSUD	Water Sensitive Urban Design
MW	Melbourne Water		
PAO1	Public Acquisition Overlay (Schedule 1)		
PAO2	Public Acquisition Overlay (Schedule 2)		
PBN	Principal Bicycle Network		
PCRZ	Public Conservation and Resource Zone		
PPF	Planning Policy Framework		
PPRZ	Public Parks and Recreation Zone		
Precinct 1	The Basin Rural Landscape Precinct		



Appendix 1 - Wildlife Barrier Locations and Recommendations

Precinct 1: The Basin Rural Landscape Precinct

Site Name and Map ID	Structure type, purpose and dimensions (H x W x L)	Assessment and recommendations	Site Images
Dandenong Creek and Liverpool Rd ID #1	<ul style="list-style-type: none"> 1 concrete box culvert 3m x 3m x 16m For creek flow Natural substrate(?) Tree gap ~30m 	<ul style="list-style-type: none"> Likely barrier to some focal bird species due to traffic volume Replace culvert with open span bridge No dry passage – add shelf Plant trees between Dobson Ln and Liverpool Rd or install rope bridge over Liverpool Rd 	
Dandenong Creek and Dobson Ln ID #2	<ul style="list-style-type: none"> 1 concrete box culvert 3m x 3m x 5m For creek flow Natural substrate Tree gap ~20m 	<ul style="list-style-type: none"> Low traffic volume service road adjacent to Liverpool Rd Unlikely a barrier to wildlife movement due to narrow road and low traffic volume Plant trees between Dobson Ln and Liverpool Rd or install rope bridge over Dobson Ln Replace culvert with open span bridge No dry passage – add shelf 	



Precinct 2a: Lysterfield Valley and Hills

Site Name and Map ID	Structure type, purpose and dimensions (H x W x L)	Assessment and recommendations	Site Images
Monbulk Creek and Blackwood Park Dr ID #19	<ul style="list-style-type: none"> • 1 open span bridge for pedestrians • 1 open span bridge for traffic • Pedestrian bridge 2m x 5m x 3m • Traffic bridge 2m x 5m x 5m • Both bridges for creek flow • Natural substrate • Tree gap ~10m 	<ul style="list-style-type: none"> • Road bridge is currently single lane only, likely to be widened in near future • If widening occurs, ensure open span bridge with maximum height and allow for flat embankment on both sides of creek channel • Not a barrier for gliders or turtles • Possibly a barrier for focal bird species due to traffic volume, but gap size small so less of a concern • Likely a barrier for wallabies due to narrow channel, lack of flat embankment and road bridge filled with water 	



<p>Monbulk Creek and Napoleon Rd ID #20</p>	<ul style="list-style-type: none"> • Open span bridge • 4m x 12m x 15m • Natural substrate • For creek flow • Tree gap ~40m • No flat embankment on either side of creek 	<ul style="list-style-type: none"> • Unlikely a barrier to focal birds due to narrow road and dense shrub growth in river channel • Possible barrier to gliders • Install rope bridge, but powerlines on one side of Napoleon Rd is a complication • Re-contour embankments under bridge to create some flat space on one or both sides of creek 	
<p>Monbulk Creek and Lysterfield Rd ID #21</p>	<ul style="list-style-type: none"> • Open span bridge • 2m x 6m x 16m • For creek flow • Natural substrate • Tree gap ~4m 	<ul style="list-style-type: none"> • Not a complete barrier to any focal species • Might hinder movement of focal bird species due to relatively high traffic volume 	



<p>Monbulk Creek and Dorset Rd extension ID#40</p>	<ul style="list-style-type: none"> An easement exists for an extension of Dorset Rd to the south of Burwood Hwy, currently used as informal open space The Dorset Rd extension will traverse Monbulk Creek near Napoleon Rd, potentially disrupting movement along the creek 	<ul style="list-style-type: none"> Ensure that the crossing of Monbulk Creek takes into account the natural values of the adjacent area and enhances both the quality of habitat and the landscape connectivity for wildlife. Special consideration should be given for platypus as there are recent records in this area The easement for the Dorset Rd extension should also encompass recreational and conservation uses (see Appendix 8) 	
<p>Dorset Rd extension and drainage channel ID#41 and Lysterfield Rd ID#42</p>	<ul style="list-style-type: none"> An easement exists for an extension of Dorset Rd to the south of Burwood Hwy. The easement for Dorset Rd runs through private property to the south-east of Blackwood Park Drive The drainage channel is a small drain to the south east of Napoleon Rd, within private property, and the Dorset Rd extension encompasses this drainage channel 	<ul style="list-style-type: none"> Enhance the function, flow and quality of the channel by returning it to a natural stream, with bends and floodplains The easement for the Dorset Rd extension should also encompass recreational and conservation uses (see Appendix 8) 	



Precinct 2b: Lysterfield Quarries and Surrounds

Site Name and Map ID	Structure type, purpose and dimensions (H x W x L)	Assessment and recommendations	Site Images
Nil			

Precinct 3: Dandenong Creek Valley

Site Name and Map ID	Structure type, purpose and dimensions (H x W x L)	Assessment and recommendations	Site Images
Dandenong Creek and Boronia Rd ID #9	<ul style="list-style-type: none"> • Two open span bridges, separated by 2m • Each structure 12m wide • For creek flow and pedestrians • Pedestrian section 4m x 2.5m x 12m • Creek flow section 4m x 13m x 12m • Tree gap size ~ 60m • Pedestrian section with concrete base • Creek flow section with large rocks in creek and concrete abutment. • Pedestrian path fenced from creek-flow section 	<ul style="list-style-type: none"> • Barrier to gliders • No issues for turtles or birds • Lack of natural stream bank a limitation for terrestrial species • Reduce weed cover and revegetate • Plant trees in median of Boronia Rd and on verges of both bridges • Install rope bridge above Boronia Rd 	



<p>Dandenong Creek and Burwood Hwy ID #10</p>	<ul style="list-style-type: none"> • Two open span bridges, separated by 12m • Each bridge 2.5m x 40m x 15m • For creek flow and pedestrians • Pedestrian path fenced from creek-flow section • Centre channel for creek has concrete base • Flood zones either side of creek channel with natural substrate • Dense reeds and shrubs on both approaches • Tree gap size ~ 60m 	<ul style="list-style-type: none"> • Unlikely a barrier to most focal species, except gliders • Plant trees between bridge structures and within median of Burwood Hwy • Lots of cat, dog and fox prints in mud under bridges, including rat footprints (possibly water rat?) • Install rope bridge above bridges over Burwood Hwy 	
<p>Dandenong Creek and High Street Rd ID #11</p>	<ul style="list-style-type: none"> • 2 open span bridges, separated by 2m • Each bridge 2.5m x 30 m x 15 m • For creek flow and pedestrians • Natural substrate for section with creek flow • Pedestrian path with concrete substrate • Pedestrian path fenced from creek-flow section • Tree gap ~40m • For pedestrians and creek flow 	<ul style="list-style-type: none"> • Unlikely a barrier to birds given dense reeds and understorey • Possibly a barrier for gliders, given gap size and relative height of trees and bridge structure • Not an issue for turtles • Replace weed cover with native shrubs and grasses • Plant trees between within median and possibly between bridge structures if sufficient space • Consider installing rope bridge above High Street Rd • Install furniture (logs, rocks etc) under bridge structures to provide shelter for small vertebrates 	



<p>Dandenong Creek and Ferntree Gully Rd ID #12</p>	<ul style="list-style-type: none"> • 2 open span bridges, separated by 4m • Each bridge 2.5m x 40m x 15m • For creek flow and pedestrians • Pedestrian path has concrete substrate • Pedestrian path fenced from creek-flow section • Natural substrate for section with creek flow • Tree gap ~50m 	<ul style="list-style-type: none"> • Likely a barrier for glider movement due to gap size and low relative height of trees above bridge height • Unlikely a barrier for other species – lots of fox and cat prints in mud under bridge • Plant trees within median of Ferntree Gully Rd • Plant trees between bridge structures • Install rope bridge above creek • Install furniture (logs, rocks etc) under bridge structures to provide shelter for small vertebrates 	
<p>Dandenong Creek and Wellington Rd ID #13</p>	<ul style="list-style-type: none"> • 2 open span bridges, separated by 3m • Each bridge 3.5m x 45m x 15m • 1 concrete pipe culvert, 2m diameter x 50m • Substrate under bridge is concrete, but with soil and grass growth covering much of it • Bridge for high-flow events and pedestrians • Pedestrian path fenced from creek-flow section • Culvert takes regular creek flow • Tree gap ~70m • Powerlines on south side of Wellington Rd 	<ul style="list-style-type: none"> • Barrier to gliders • Unlikely an issue for other species, but approaches to bridge structure quite open and will limit use by small birds • Replace concrete base with natural substrate • Plant trees in median of Wellington Rd • Plant trees and shrubs on both approaches to bridge structure • Install rope bridge over Wellington Rd • Install furniture (logs, rocks etc) under bridge structures to provide shelter for small vertebrates 	



<p>Blind Creek and EastLink ID #26</p>	<ul style="list-style-type: none"> • 2 multi-span bridges for EastLink separated by 7m • 3 pipe culverts for bike path adjacent to EastLink • Bridges 2.4m x 40m x 28 m • Culverts 1.5m x 6m • Bridges for creek flow and pedestrians • Culvert for creek flow • Tree gap > 100m • Natural substrate for creek under EastLink and concrete for pedestrian path • Culvert has metal substrate • Pedestrian path is fenced from creek section • Wire mesh fence along bike path will limit wildlife movement 	<ul style="list-style-type: none"> • Multi-span bridges have large open spaces underneath • Definitely a barrier to gliders • May limit movement from focal birds due to large open spaces under bridges, but not a complete barrier • Install rope bridge underneath EastLink • Install furniture (e.g. logs, rocks etc) to provide cover for wildlife • Plant trees and shrubs on both approaches and between multi-span bridges and between EastLink bridges and bike path • Replace wire mesh fence with more open-style barrier to allow wallaby movement, if occurring in area 	
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Precinct 4: Healesville Freeway Reservation and Surrounds

Site Name and Map ID	Structure type, purpose and dimensions (H x W x L)	Assessment and recommendations	Site Images
Dandenong Creek and Wantirna Rd ID #7	<ul style="list-style-type: none"> • Open span bridge • 4m x 20m x 13m • For pedestrians and creek flow • Pedestrian path fenced from creek-flow section • Tree canopy gap ~30m, with powerlines on west side 	<ul style="list-style-type: none"> • Minor barrier to most species • Undertake revegetation on both sides to improve approaches • Replace concrete base with natural substrate • Plant trees on west side of Wantirna Rd 	<p>The 'Site Images' column contains three photographs. The top-left photo shows a view from the side of the bridge structure, highlighting the concrete supports and the surrounding greenery. The top-right photo shows a similar view from a different angle, possibly from the road side, showing the bridge deck and the approach. The bottom photo is a street-level view looking down the road towards the bridge, showing a paved road, a sidewalk, and utility poles.</p>



<p>Dandenong Creek and EastLink (North), Wantirna ID #8</p>	<ul style="list-style-type: none"> • Two open span bridges, separated by ~10m • 3m x 60 m x 18m • Natural substrate under bridges • For creek flow and pedestrians • Pedestrian path is not fenced from creek-flow section • Tree gap size > 100m 	<ul style="list-style-type: none"> • Complete barrier to gliders • No issues for turtles • Minor barrier to other focal species due to lack of vegetation on approaches to underpass • Protect small tree growing between the two structures • Plant trees and shrubs on both sides of EastLink and between both structures • When trees sufficiently tall, install rope bridge under or over EastLink • Place 'furniture' (i.e. logs, tree stumps, rock etc) under bridges to provide cover for small animals 	<p>The image block contains four photographs. Top-left: A view of the bridge structure with green and white railings, set against a backdrop of trees. Top-right: A view from underneath the bridge, showing a grassy area and a small stream or creek. Bottom-left: A view from underneath the bridge, showing a paved path leading through the structure. Bottom-right: A view of the bridge structure from a distance, showing the surrounding green landscape and utility poles in the background.</p>
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Appendix 2 – Action Plan

Actions for all precincts

Action 1. Investigate options to incorporate relevant recommendations from the Knox Wildlife Conservation and Connectivity Report (Ecology and Infrastructure International et al., 2017) into the Knox Planning Scheme, including the following recommendations:

- a) Ensuring the connectivity elements and important habitats are considered in the review of planning applications and strategic planning decisions.
- b) Applying appropriate buffers along the waterways including the Dandenong Creek, Dobsons Creek, Monbulk Creek and Blind Creek to the extent of the Study Area, to:
 - Prohibiting further development within the Melbourne Water Core Riparian Zones.
 - Minimising development and intense land use within 200m buffer zones.
 - Mandating Water Sensitive Urban Design approaches within 200m buffer zones.
- c) Mandating an ecologically sensitive development approach to new development and the construction of linear infrastructure (e.g. roads, bridges) within high ecological value buffer zones.
- d) Encourage habitat restoration and revegetation within 300m buffer zones to existing areas of native vegetation, in areas that do not increase bushfire risk to existing settlements.

The above action might entail new policy or overlay provisions and making the Knox Wildlife Conservation and Connectivity Report a reference document in the Scheme, subject to further planning investigation.

Action 2. Investigate the need for further guidelines to facilitate Ecologically Sensitive Design for new development and the construction of linear infrastructure (e.g. roads, bridges).

Action 3. Advocate for wildlife linkages to continue outside the Study Area, in accordance with the recommendations of the Wildlife Conservation and Connectivity Report (Ecology and Infrastructure International et al., 2017).

Action 4. Continue collaboration with other councils and the state government regarding pest management and pollution control.

Action 5. Continue to support and grow community partnerships and initiatives including the Gardens for Wildlife program.

Action 6. Undertake a project for Knox to:

- a) Map the existing tree canopy and vegetation cover broken down by height strata and surface cover types.
- b) Investigate setting of measurable tree canopy cover targets including sub-targets for public land (parks, streets) and private property.
- c) Define actions to achieve the canopy targets.
- d) Establish a program for regular monitoring of vegetation cover and control progress against the established targets.
- e) Facilitate enforcement in cases of unlawful tree removal.

Action 7. Undertake a review of the Vegetation Protection Overlay (VPO) to correct the existing anomalies and identify opportunities for additional trees to be protected by the overlay.

Action 8. Investigate Planning Scheme options to recognise the role of trees, vegetation and surface cover types in moderating the temperature and reducing the urban heat island effect.



Action 9. Following the completion of the flood mapping project by KCC and Melbourne Water (MW), undertake a Scheme amendment to apply adequate overlays to areas affected by the 1% AEP (1:100yr ARI) flood level, including:

- a) Land Subject to Inundation Overlay (LSIO) to areas affected by flooding from natural waterways.
- b) Special Building Overlay (SBO) to areas affected by flooding from the drainage network (SBO1 for MW network and SBO2 for KCC network).

Action 10. Provide greater guidance in the Planning Scheme to limit the extent of impervious surface including guidance for car parking areas in the Study Area.

Action 11. Continue to collaborate with stakeholders on regional and multi-agency initiatives that improve the waterways and catchments, including the Living Links and the Enhancing our Dandenong Creek projects.

Action 12. Undertake a review of the existing Planning Scheme provisions to recognise the character and protect landscape values in the Study Area, in line with the findings of the GARS Landscape and Character Study.

Action 13. Undertake a comprehensive review of Aboriginal and non-Aboriginal heritage across the municipality, taking into consideration the specific recommendations in the *Preliminary Heritage review: Knox Rural Heritage* (Context, 2017).

Action 14. Avoid any changes to the Urban Growth Boundary in Precincts 1, 2a and 2b.

Action 15. Investigate Planning Scheme options to provide local strategic direction for Knox Green Wedge land in line with the recommendations of this Strategy for Precincts 1, 2a and 2b.

Action 16. Clarify, through strategic directions in the Planning Scheme, that a transitional buffer approach to the Green Wedge interface is not intended, and that a place-based, value-based approach to assessment is required.

Action 17. Investigate Planning Scheme options to provide strategic direction for agriculture and agricultural land in Knox.

Action 18. Investigate initiatives and incentives, such as rate exemptions, to help protect agricultural production and improve land management practices.

Action 19. Investigate the potential for Carbon Farming and climate friendly agricultural practices including regenerative agriculture.

Action 20. Support the provision of public art in the Study Area including at the locations identified, subject to detailed assessment.

Action 21. Advocate for the construction of outstanding shared paths and cycle lanes identified as part of PBN.

Precinct 1

Action 1.1. Review the planning framework to

- ensure the protection of native vegetation and habitat is prioritised in Precinct 1;
- recognise the role of Dandenong and Dobsons Creeks in wildlife connectivity; and
- ensure bushfire risk and management in BMO affected areas is considered from early stages of any development proposal, such as pre-application stage, and proposals that require vegetation removal to comply with the bushfire requirements are not supported.



- Action 1.2.** Reduce the wildlife barrier effects at the following sites in accordance with the recommendations in Appendix 1.
- Action 1.3.** Investigate mechanisms to support private landowners to improve maintenance and weed control including of Sugarloaf Hill.
- Action 1.4.** The planning framework to acknowledge that Precinct 1 is in the high value catchment of the Dobsons Creek.
- Action 1.5.** Investigate options to incorporate WSUD measures as part of new development in the Dobsons Creek catchment.
- Action 1.6.** Support a WSUD approach to public works and infrastructure including the constructions or upgrade of roads within this precinct.
- Action 1.7.** Ensure the Dobsons/Dandenong Creek floodplain is protected from development and level change.
- Action 1.9.** Undertake a review of the existing Planning Scheme provisions to better recognise and protect landscape values, in line with the findings of the GARS Landscape and Character Study.
- Action 1.10.** Discourage fragmentation of land within the Dobsons Creek floodplain character area.
- Action 1.11.** Investigate opportunities for weed management and removal of shrub, to open up foothill views, particularly those on public owned land.
- Action 1.12.** Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.
- Action 1.13.** Undertake a review of the heritage places in accordance with the recommendations from the *Knox Rural Heritage Report* (Context, 2017).
- Action 1.14.** Protect Precinct 1 from more intense urban development.
- Action 1.15.** Ensure future land use and development complements the precinct's primary environmental and landscape values, including environmental conservation, agriculture, agribusiness, art and culture, with complementary small scale tourism-related purposes.
- Action 1.16.** Protect the Dobsons Creek valley, as a significant landscape with capable agricultural land, from inappropriate development and use that would compromise these values.
- Action 1.17.** Maintain the existing residential settlement character and prevent further intensification and vegetation loss. Consider bushfire risks and vegetation impacts early in the planning process and do not support proposals that rely on vegetation removal including for fire management or car parking.
- Action 1.18.** Maintain the current minimum subdivision sizes in Precinct 1 and prevent fragmentation of land.
- Action 1.19.** Support enhancements to amenity, scenic qualities and recreational values.
- Action 1.20.** Facilitate enhancements to The Basin Neighbourhood Activity Centre, through a potential master planning process, to
- strengthen and diversify commercial land use within the existing commercial zones to the south of the roundabout;
 - protect and maximise public access to open range views to the north of the roundabout;
 - revitalise and enhance the public realm and local character; and
 - support and facilitate public art to complement the local character.
- Action 1.21.** For the larger rural properties within the central and western part of the precinct (GWZ2 and SUZ1), support discretionary uses (i.e. Section 2 uses) that are for tourism, agri-tourism, educational and commercial purposes, where proposals are sited and designed sensitively to protect and enhance the environmental, agriculture and landscape values of this precinct, and do not increase bushfire risk.



Action 1.22. Investigate opportunities to establish parkland to the north of The Basin Triangle roundabout to protect long range views from this location and provide additional passive recreation opportunities.

Action 1.23. In case of future changes to the SUZ1 zoning, support alignment with the VPP Green Wedge objectives and use permissibility, while preventing urban development and land fragmentation.

Action 1.24. Investigate upgrades to the Sheffield Road/Doongalla Road route to:

- a) Provide a safe multi-user path for pedestrians, cyclists and horse riders.
- b) Potentially reduce traffic speeds.
- c) Provide signs regarding horse manure catcher and cleaning up after dogs.

Action 1.25. Investigate upgrades to the Liverpool Road to:

- a) Provide a shared path.
- b) Facilitate improved pedestrian movement around the Mountain Highway intersection to ensure safe connectivity to The Basin Primary School.

Action 1.26. Advocate for improved pedestrian safety on Mountain Highway and Basin-Olinda Road near The Basin roundabout.

Precinct 2a

Action 2a.1. Support enhancements to the riparian corridor of Monbulk Creek and strengthen habitat values and connectivity within 200m of the creek.

Action 2a.2. Review the existing ESO over Monbulk Creek to ensure it properly covers the environmentally significant areas, in consultation with Melbourne Water to identify the Core Riparian Zone (CRZ) and the adjacent vegetation buffers.

Action 2a.3. For the proposed Dorset Road Extension, advocate for a concept of a multi-modal road/pedestrian and nature conservation corridor that supports both wildlife and human connectivity and contributes to habitat restoration within 200m of Monbulk Creek.

Action 2a.4. Reduce the wildlife barrier effects at the following sites in accordance with the recommendations of Appendix 1 to this report.

Action 2a.5. Undertake initiatives for supporting/partnering with rural land-holders to protect and enhance the ecological values including the riparian vegetation, and ensuring grazing practices do not damage habitat values.

Action 2a.6. Protect the floodplains of Monbulk Creek from development and level change to maintain their flood storage and retention values and prevent flooding downstream.

Action 2a.7. Advocate for the proposed Dorset Road extension to consider flooding from Monbulk Creek and apply a water sensitive design approach to maximise the natural flow and retention of water.

Action 2a.8. Review the Floodway Overlay over Monbulk Creek to ensure it serves a purpose and covers the correct area.

Action 2a.9. Review the existing Scheme provisions including the MPS, PPF and SLO1 in light of the findings of the *GARS Landscape and Character Study* (Hansen Partnership, 2019).

Action 2a.10. Advocate for the future Dorset Road extension design to respect the landscape character, and celebrate and emphasise the key views and the open rural character of the valley.



Action 2a.11. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 2a.12. Review the places of heritage significance in accordance with the recommendations from the *Preliminary Heritage Review: Knox Rural Heritage* (Context, 2017).

Action 2a.13. Protect Precinct 2a from more intense urban development.

Action 2a.14. Maintain the current zoning regime.

Action 2a.15. Support the continuation of agriculture within the floodplains of Monbulk Creek.

Action 2a.16. Acknowledge and support the different role of each zone within this precinct to enable a diversity of rural economy and character.

Action 2a.17. Maintain the current minimum subdivision lot size requirements to support landscape values and agricultural potential of land.

Action 2a.18. Support land use which respects the existing landscape character, protect key viewlines and provides positive biodiversity outcomes.

Action 2a.19. Support tourism, agri-tourism and restaurant/café uses where they are accompanied by agriculture or natural systems and protect the landscape and character values.

Action 2a.20. Support and facilitate public art along the Dorset Road extension within the Monbulk Creek valley in Precinct 2a.

Action 2a.21. Advocate to the State Government to provide the planned PBN cycle lanes along Wellington Road, Kelletts Road and Napoleon Road.

Action 2a.22. Ensure Dorset Road extension improves access to rural lots in the Monbulk Creek Valley.

[Precinct 2b](#)

Action 2b.1. Maintain the northern area within Precinct 2b as a low density, rural, open space area to create a buffer between the Rowville residential areas and the sensitive habitat in Lysterfield Park and Churchill National Park.

Action 2b.2. Maintain the current Urban Growth Boundary to prevent intense development within Precinct 2b.

Action 2b.3. Undertake planting and revegetation within Precinct 2b, with the objective of maintaining and strengthening wildlife connectivity and linkages to the bushland areas within Lysterfield Park and Churchill National Park.

Action 2b.4. Require a net gain contribution for any vegetation removal as part of the planned quarry expansion, by native vegetation planting to enhance habitat and wildlife connectivity.

Action 2b.5. Review the existing Scheme provisions including the MPS, PPF and SLO1 and SLO5 in light of the findings of the *GARS Landscape and Character Study* (Hansen Partnership, 2019).

Action 2b.6. Ensure future changes on Hanson Quarry land do not adversely impact the key landscape values.

Action 2b.7. Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.

Action 2b.8. Review the places of heritage significance in accordance with the recommendations from the *Knox Rural Heritage Report* (Context, 2017).

Action 2b.9. Protect Precinct 2b from more intense urban development.

Action 2b.10. Support the ongoing operation of the Boral and Hansen Quarries within the approved work plan areas.



- Action 2b.11.** Investigate and support the use of the northern part of the Hanson quarry land for active recreation and sporting facilities.
- Action 2b.12.** Encourage the use of the quarry land following the completion of quarrying to provide for improved community and environmental outcomes, and facilitate permeability to enhance community access to the national parks.
- Action 2b.13.** Investigate general alignment with the Green Wedge Zone 2, in case of future rezoning of the northern part of the precinct, to provide a low intensity buffer to the national parks.
- Action 2b.14.** Collaborate with Parks Victoria regarding enhancements to nature based recreation and tourism opportunities within Lysterfield Park and improving access from Knox.
- Action 2b.15.** Support and facilitate public art along Wellington Road potentially as part of future planned ovals/recreation reserve.
- Action 2b.16.** Provide connectivity between the Lysterfield Park trail network and the suburban areas, as part of future redevelopment of the quarries.
- Action 2b.17.** Investigate opportunities for upgrades to Cornish Road and the possibility of a formalised entry point, including car parking, to provide access to Lysterfield Park, in collaboration with Parks Victoria.
- Action 2b.18.** Facilitate improvements to Powells Road to address existing informal car parking issues.

Precinct 3

- Action 3.1.** Acknowledge the significant role of this precinct in providing wildlife habitat and connectivity at a regional scale which is due to the integrity of existing native vegetation and the creek corridors.
- Action 3.2.** Continue the application of ESO2 across the precinct and review the local content to strengthen the provisions in accordance with the recommendations of this Strategy.
- Action 3.3.** Support rezoning to ensure the Dandenong Creek corridor is protected for conservation purposes, in consultation with stakeholders, including at 115-123 Axford Road, Wantirna South.
- Action 3.4.** Encourage reestablishment of the riparian vegetation and habitat as part of any future redevelopment at 1A Burwood Highway, Wantirna.
- Action 3.5.** Provide for habitat restoration and connectivity along the Dandenong Creek, and along Blind Creek as part of future development of the Boral Quarry site.
- Action 3.6.** Reduce the wildlife barrier effects at the sites indicated on the map in accordance with the recommendations of Appendix 1 to this report.
- Action 3.7.** Investigate and rectify the identified zoning anomalies along the Dandenong Creek corridor.
- Action 3.8.** Advocate for enhancements within this precinct to continue along the creek corridor south of Wellington Road.
- Action 3.9.** Protect the floodplains and wetlands in Precinct 3 for their flood storage and retention values.
- Action 3.10.** Continue the KCC/MW/Parks Victoria collaboration to improve waterway health and sediment control in Precinct 3.
- Action 3.11.** Future redevelopment of the Boral quarry site is to ensure that stormwater impacts are minimised and managed to the satisfaction of the relevant agencies.
- Action 3.12.** Naturalise the Blind Creek and enhance its condition as a natural waterway corridor as part of the future development of the Boral quarry site.
- Action 3.13.** Review the existing Scheme provisions including the MPS and PPF in light of the findings of the *GARS Landscape and Character Study*. New strategic policy direction for landscape values of the precinct and a new SLO are to be investigated.



- Action 3.14.** Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Sites and Areas of Cultural Sensitivity as shown on the heritage map.
- Action 3.15.** Review the places of heritage significance in accordance with the recommendations from the *Knox Rural Heritage Report (Context, 2017)*.
- Action 3.16.** Acknowledge the important role of the Dandenong Creek Valley Parkland as a significant green corridor within the eastern region.
- Action 3.17.** Support the following opportunities for the Dandenong Creek Valley parklands:
- Action 3.18.** Define High Street Road corridor as a Gateway to Knox. Protect the rural, horticultural character of this corridor and seek opportunities to enhance its aesthetics through landscaping, building design and public art which respond to and complement the rural, horticultural and bushy character of this corridor.
- Action 3.19.** Future redevelopment of the Boral Quarry site to
- Action 3.20.** Support complementary uses in proximity to the Knox Regional Sports Park including allied health and sports medicine.
- Action 3.21.** Investigate the area within Koomba Park which is zoned for road purposes for potential rezoning and inclusion in the park.
- Action 3.22.** Investigate parkland lots that are not zoned PPRZ for potential rezoning, in consultation with subject to consultation with DELWP and Parks Victoria.
- Action 3.23.** Advocate for further improvements to Nortons Park by Parks Victoria.
- Action 3.24.** Investigate opportunities for renewable energy production (solar park) at the Cathies Lane landfill site.
- Action 3.25.** Support and fund public art along the High Street Road and Burwood Highway to enhance amenity and sense of place consistent with the local character.
- Action 3.26.** Advocate for and support the on-road and off-road cycling proposals of the PBN.
- Action 3.27.** Advocate for a shared path along High Street Road connecting with the EastLink Trail with the Dandenong Creek Trail.
- Action 3.28.** Seek opportunities to improve access and connectivity through the area between High Street road and Burwood Highway.
- Action 3.29.** The Boral redevelopment site to provide for shared path connectivity through the site connecting with the surrounding trails, including along the Blind Creek linking to Jells Park.
- Action 3.30.** Support the provision of public transport to the Boral redevelopment site and ensure the road network are designed to facilitate bus movement.
- Action 3.31.** Improve access to Knox Regional Sports Park.
- Action 3.32.** Support shared path connectivity across Eastlink to Kingston Links.

[Precinct 4](#)

- Action 4.1.** Continue the application of ESO2 in Precinct 4 to protect native vegetation and habitat values.
- Action 4.2.** Acknowledge the role of the Dandenong Creek corridor and previous investments in bushland restoration along the creek in wildlife connectivity within the broader region.
- Action 4.3.** Prohibit development within the Melbourne Water's Core Riparian Zone (CRZ) and the adjacent vegetation buffers.
- Action 4.4.** Investigate mechanisms to achieve an ecologically sensitive development approach to new development and the construction of linear infrastructure (e.g. roads, bridges) across the precinct.



- Action 4.5.** Reduce the wildlife barrier effects of EastLink over the Dandenong Creek corridor in accordance with the recommendations of Appendix 1 to this report.
- Action 4.6.** ..Review the VPO in Precinct 4 to ensure it covers all the intended vegetation.
- Action 4.7.** Advocate for an underpass design to protect Bateman Street bushland.
- Action 4.8.** Minimise the risk of exposure of wildlife to vehicular traffic from the future freeway through adequate buffer areas.
- Action 4.9.** Design and construction in proximity to Winton Wetlands should be sensitive to the ecological values of this wetland and minimise wildlife exposure to works or traffic.
- Action 4.10.** Protect the Bateman Street Bushland and other Sites of Biological Significance and enhance their environmental and passive recreation values.
- Action 4.11.** Support future uses of the reservation corridor that can protect and enhance the ecological values.
- Action 4.12.** Investigate the Road Zone land in the vicinity of Winton Wetlands which is within 200m of the Creek for possible rezoning to PCRZ to protect habitat values and facilitate revegetation.
- Action 4.13.** Any development or the addition of impervious surfaces in the flood affected area (1% AEP level) needs to be accompanied by adequate studies and plans to demonstrate how flooding can be managed in particular through WSUD measures.
- Action 4.14.** Review the Scheme provisions for opportunities to reflect the findings of the GARS Landscape and Character Study.
- Action 4.15.** Ensure future development responds to the character areas, celebrates the natural/leafy character of the precinct and provides opportunities for views to the vegetated areas.
- Action 4.17.** Ensure adequate consultation occurs prior to any proposals affecting the Aboriginal Places and Areas of Cultural Sensitivity as shown on the heritage map.
- Action 4.18.** Review the places of heritage significance in accordance with the recommendations from the Knox Rural Heritage Report (Context, 2017).
- Action 4.19.** Advocate for VicRoads to review the operation of the broader traffic network to determine whether the Healesville Freeway Reservation in Knox is required.
- Action 4.20.** Ensure the new road alignment preserves the existing recreational values of the existing open space and trails.
- Action 4.21.** Remove the PAO from Bateman Street Bushland and rezone to PCRZ for conservation purposes.
- Action 4.22.** Undertake comprehensive planning for the precinct to:
- Action 4.23.** Support the PBN proposals within Precinct 4.
- Action 4.24.** Support continuous shared trail connectivity and linkages to Dandenong Creek Trail and the Whitehorse section of Healesville Freeway Reserve.
- Action 4.25.** Ensure the future Healesville Freeway extension does not present an urban barrier but rather facilitates improved access to Manson Reserve, the Dandenong Creek Trail and other recreational opportunities in the area.
- Action 4.26.** Improve vehicular access to the open space as part of comprehensive planning, preferably through the industrial area on Mountain Highway to avoid traffic pressure on the residential streets to the west. Shared path connectivity is to be provided to this residential area as well as the Dandenong Creek Trail. Alternatively, a part of the Healesville Reservation can be used to create a new access road with a shared path connecting this area to Wantirna Road.



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Objectives and Strategies for all GARS precincts

Theme	Ecology			Landscape & Character		Land Use & Access		
Objective	To protect and enhance biodiversity and wildlife connectivity	To protect and increase tree and vegetation canopy cover	To improve waterway health and flood management	To protect and enhance local character and landscape values	To recognise, protect and promote existing heritage	Recognise & protect the values of Knox Green Wedges	To ensure land uses are located and managed to be consistent with the values and functions of the Study Area	To facilitate connectivity and safe movement for all users
Strategies	<ul style="list-style-type: none"> • Conserve existing wildlife habitat and biodiversity values. • Improve wildlife connectivity and ecological corridors. • Increase community awareness and engagement in ecological improvements • Facilitate improved weed and pest management practices. 	<ul style="list-style-type: none"> • Protect and enhance vegetation and tree canopy cover. • Monitor changes to tree canopy, vegetation and surface cover. • Recognise the role of trees and vegetation cover in moderating the temperature and reducing the urban heat island effect. 	<ul style="list-style-type: none"> • Conserve existing wildlife habitat and biodiversity values. • Protect floodplains from development and change. • Enhance water quality and the ecological health of the waterways. • Identify flood prone areas and improve stormwater management. • Encourage WSUD systems. 	<ul style="list-style-type: none"> • Identify and protect local character within the Study Area • Define and protect landscape values including vistas and long range views. • Ensure land uses do not adversely affect the local character. • Ensure built form considers and responds to the local character and landscape values. 	<ul style="list-style-type: none"> • Identify, celebrate and promote the heritage values and history, including Aboriginal and non-Aboriginal heritage. • Promote greater community knowledge and understanding of Aboriginal cultural heritage. • Protect places of heritage significance from inappropriate development and use. 	<ul style="list-style-type: none"> • Provide strategic direction for Green Wedges and interface areas in the Knox Planning Scheme. 	<ul style="list-style-type: none"> • Ensure new uses do not adversely impact on existing ecological and landscape values or existing settlements. • Protect agricultural land from inappropriate development and use. • Promote and support the ongoing viability of agricultural practices. • Strengthen and promote the recreational, cultural, sporting and tourism role. • Protect the amenity and character of existing residential areas. • Manage risks including those associated with bushfire, pollution and contamination. • Facilitate better land management practices. • Support and facilitate public art in appropriate locations. 	<ul style="list-style-type: none"> • Enhance pedestrian, cyclist and vehicular connectivity and access. • Advocate for improved public transport connectivity. • Enhance movement safety for all users. • Reduce traffic conflict between various modes.