



Knox City Council

KNOX CITY COUNCIL MINUTES

Ordinary Meeting of Council

Held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Tuesday 22 January 2008

KNOX CITY COUNCIL

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

ON

TUESDAY 22 JANUARY 2008 AT 7.30 P.M.

PRESENT:

<i>Cr J Penna (Mayor & Chairperson)</i>	<i>Baird Ward</i>
<i>Cr M Davey</i>	<i>Chandler Ward</i>
<i>Cr A Gill</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 D Cooper</i>	<i>Scott 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 K Ward</i>	<i>Acting Director – Engineering & Infrastructure</i>
<i>Mr A Paxton</i>	<i>Acting Director - City Development</i>
<i>Mr M Jaensch</i>	<i>Director – Corporate Development</i>
<i>Ms D Beal</i>	<i>Acting Director – Community Services</i>
<i>Mr R McKail</i>	<i>Manager - Governance</i>

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

***‘Knox City Council acknowledges we are on the
traditional land of the Wurundjeri and Bunurong people’***

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

Councillor Cossari

2. DECLARATIONS OF INTEREST OR CONFLICT OF INTEREST

Councillor Cooper declared an Interest pursuant to Section 77A of the Local Government Act 1989 in Item 6.3 on the grounds that the applicant is known to him.

3. CONFIRMATION OF MINUTES

MOVED: CR. VAN de VREEDE

SECONDED: CR. KAMITSIS

3.1 Confirmation of Minutes of Ordinary Meeting of Council held on Tuesday 18 December 2007

CARRIED

4. PETITIONS AND MEMORIALS

4.1 Councillor Gill presented a petition with 573 signatures of users of the Knox Bowl skate facility and Lewis Park requesting that further consideration be given to preserving the facility.

The Petition lay on the table.

MOVED: CR. ORPEN

SECONDED: CR. COOPER

That Council record a motion of condolence on the passing of Mr Christopher Quinn, former Councillor of 3 years from 1969 to 1972 and Knox City Council's current 2007 Citizen of the Year.

CARRIED

5. REPORTS BY COUNCILLORS

- | | | |
|-----|------------------------|----|
| 5.1 | Committees & Delegates | 1. |
| 5.2 | Ward Issues | 2. |

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

- | | | |
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| | All Wards | |
| 6.1 | <i>Report Of Planning Applications Decided Under Delegation (160/1/06)</i> | 3. |
| | Dobson Ward | |
| 6.2 | <i>Application To Install Four (4) 12m High Light Towers For Green No. 1 At The Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully, Melway Ref. 73K5 & 74A5 (Application No. P/2007/6581)</i> | 11. |
| | Scott Ward | |
| 6.3 | <i>Application For Residential Subdivision Of Land Into Three (3) Lots At 69-71 Old Orchard Road, Wantirna South. Melway Ref. 63 H12 (File No. 20076936)</i> | 32. |
| | Chandler Ward | |
| 6.4 | <i>Application For The Construction Of 7 Double Storey Dwellings With Undercroft Car Parking At 13 Rosella Avenue, Boronia Melway Ref. 65 A8 (File No. 20076590)</i> | 54. |
| | Taylor Ward | |
| 6.5 | <i>Wellington Village Shopping Centre - Proposed Joint Planning Permit And Planning Scheme Amendment. (Panning Application P/2007/6414 And Amendment C66)</i> | 84. |
| | Scott Ward | |
| 6.6 | <i>Austral Bricks Site, 525 Stud Road, Scoresby</i> | 114. |

7. PUBLIC QUESTION TIME

(Following the completion of business relating to Item 6, City Development, the business before the Council Meeting was deferred to consider questions submitted by the public). **122.**

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

- | | | |
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| | Tirhatuan & Taylor Wards | |
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| | All Wards | |
| 8.2 | <i>Use Of Council Roads For B-Doubles And Higher Mass Limits Vehicles</i> | 132. |
| | Tirhatuan Ward | |
| 8.3 | <i>Rowville Community Centre Air-Conditioning System</i> | 153. |

8. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE ENGINEERING & INFRASTRUCTURE GROUP (cont'd)

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|-----|---|-------------|
| | All Wards | |
| 8.4 | Contract No. 1637 – Non Bin Based Waste Collection Services, Hard And Bundled Green Waste | 156. |
| | Scott Ward | |
| 8.5 | Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation (Melway 72 D3) | 163. |

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

- | | | |
|-----|---|-------------|
| | Dobson Ward | |
| 9.1 | Licence Agreement Between Knox City Council And The Knox Historical Society For The Occupancy Of Ambleside, 1-3 Olivebark Road, Ferntree Gully (Mel Way Ref 65 D12) | 168. |
| | All Wards | |
| 9.2 | Family Support & Community Education Service – Generalist Counselling | 172. |

10. ITEMS FOR INFORMATION

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| | All Wards | |
| 10.1 | Works Report (As At Friday, 4 January 2008) | 178. |

11. SUPPLEMENTARY ITEMS **193.**

12. URGENT BUSINESS **193.**

- | | | |
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| 12.1 | Urgent Business | 193. |
| 12.2 | Call Up Items | 193. |
| 12.2.1 | Environmental Values | 193. |

13. QUESTIONS WITHOUT NOTICE **193.**

GRAEME EMONSON
CHIEF EXECUTIVE OFFICER

5. REPORTS BY COUNCILLORS

5.1 Committees & Delegates

5.1.1 COUNCILLOR JIM PENNA - MAYOR

Councillor Penna attended the following Meetings

- Amaroo Gardens Residents and Staff Christmas Lunch
- Drawing of Lions Club of Boronia Christmas Raffle Prizes
- Salvation Army
- Eastern Regional Library Summer Reading Club Party Presentations

5.1.2 COUNCILLOR MICK VAN de VREEDE

Councillor Van de Vreede attended the following Meetings

- Eastern Transport Coalition

5.2 Ward Issues

5.2.1 COUNCILLOR GILL (DINSDALE WARD)

- Councillor Gill raised an issue of concern regarding the potential closure of the Lewis Park Skate Facility. Councillor Gill advised that in addition to the petition tabled earlier at the meeting, he was also in receipt of an internet petition with 1146 signatures. Councillor Gill advised that Council is listening to the concerns of residents and he is confident that Council will discuss this matter further.

5.2.2 COUNCILLOR PENNA (BAIRD WARD)

- Councillor Penna advised that the contract for improvement works in Dorset Square had now been let.

5.2.3 COUNCILLOR ORPEN (DOBSON WARD)

- Councillor Orpen raised an issue of concern on behalf of Dobson Ward residents in relation to a recent VCAT decision regarding a boarding house. Councillor Orpen clarified and provided context for recent comments made by Knox Police in relation to this matter. Councillor Orpen further expressed her disappointment with the planning process and in particular the decision made by VCAT which she believes will have a detrimental impact on her community. Councillor Orpen expressed concerns at the lack of accountability of VCAT. Councillor Orpen further expressed frustration on behalf of residents in relation to the enforcement of permit conditions for which Council is responsible. Councillor Orpen acknowledged the courage of residents in their support for this very important issue particularly at the VCAT hearing and expressed her desire to see Council monitor the enforcement of planning conditions into the future.

5.2 Ward Issues (cont'd)

5.2.4 COUNCILLOR VAN de VREEDE (TIRHATUAN WARD)

- Councillor Van de Vreede advised that the State Government is currently seeking feedback in relation to a green paper which discusses issues around biodiversity and land health in the face of climate change. Councillor Van de Vreede indicated his intention to raise a Call Up Item later in the meeting regarding this issue.

5.2.5 COUNCILLOR FIELD (FRIBERG WARD)

- Councillor Field advised that the Draft Knox Masterplan is now out for community consultation. Councillor Field encouraged the community to provide feedback on the proposal.

ALL WARDS**6.1 REPORT OF PLANNING APPLICATIONS DECIDED UNDER DELEGATION (160/1/06)**

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

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

REPORT

Details of planning applications decided under delegation are attached. The applications are summarised as follows:

Application Type	No.
Building Extensions: Residential	10
Other	7
Units	12
Dwelling	8
Tree Removal/Pruning	14
Subdivision	20
Signs	2
Industrial Development	1
Commercial Development	2
Change of use	3
TOTAL	79

RECOMMENDATION

That the planning applications decided under delegation report be noted.

MOVED: CR. DAVEY
SECONDED: CR. FIELD

That the recommendation be adopted.

CARRIED

Knox City Council
Planning Applications Decided - Responsible Officer

1 December 2007 to 31 December 2007

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6747	Lateral Building Design	34 Paton Crescent, BORONIA VIC 3155	The construction of three single storey dwellings	17/12/2007 Notice of Decision	Baird
2007/7015	Christopher Baden Eastwood	21-23 Erica Avenue BORONIA VIC 3155	Replace existing signage with pylon sign	17/12/2007 Approved	Baird
2007/6365	Neil A Webster & Associates	6 Farnham Road BAYSWATER VIC 3153	Subdivision of land into two (2) Lots	4/12/2007 Approved	Baird
2007/6880	Landair Surveys Suite	189 Scoresby Road BORONIA VIC 3155	Subdivision of land into six (6) lots (unit site)	13/12/2007 Approved	Baird
2007/7002	Charles Francis Side	27 Paton Crescent BORONIA VIC 3155	Removal of one (1) Eucalyptus cephalocarpa tree and pruning of one (1) Eucalyptus cephalocarpa	4/12/2007 Approved	Baird
2007/6901	A Line Surveying	24 Aubrey Grove BORONIA VIC 3155	Subdivision of the land into seven (7) lots (unit site)	12/12/2007 Approved	Baird
2007/6856	Digital Land Surveys Level	31-39 Erica Avenue BORONIA VIC 3155	Subdivision of the land into twelve (12) Lots - Stage 1 (unit site) & Removal of Easement	19/12/2007 Approved	Baird
2006/6706	Nilsson, Noel & Holmes Pty Ltd	3 Olive Grove BORONIA VIC 3155	Subdivision of land into two (2) Lots (Unit Site)	12/12/2007 Approved	Chandler
2007/7005	Tracy Lynn Squires	17 Pinevale Court BORONIA VIC 3155	Removal of two (2) trees: Corymbia ficifolia and Eucalyptus scoparia and pruning of two (2) trees: Corymbia citriodora.	5/12/2007 Approved	Chandler
2007/6995	Andrew Johan Watz	18 Currawa Drive BORONIA VIC 3155	Removal of one (1) Grevillea robusta (Silky Oak) tree	4/12/2007 Approved	Chandler
2007/6817	R C Jones	106 Inverness Avenue, THE BASIN VIC 3154	Extension to existing dwelling and construction of a shed	20/12/2007 Notice of Decision	Chandler
2006/6761	David F Clarke Pty Ltd	36 Olive Grove BORONIA VIC 3155	The subdivision into two (2) lots (Unit Site)	6/12/2007 Approved	Chandler

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6951	Linda Maree Baker	51 Army Road BORONIA VIC 3155	The removal of two trees: Eucalyptus goniocalyx and Eucalyptus radiata and to prune four trees: Eucalyptus radiata, 2 x Eucalyptus obliqua and Eucalyptus goniocalyx.	10/12/2007 Approved	Chandler
2007/6953	Olga Megele	25 Renown Street FERNTREE GULLY VIC 3156	Extension to the existing dwelling	4/12/2007 Approved	Chandler
2007/6512	Hellier McFarland - Cityplan Pty Ltd	335 Forest Road THE BASIN VIC 3154	Development of the land for a double storey dwelling to the rear of the existing dwelling and the removal of vegetation.	18/12/2007 Approved	Chandler
2007/6947	John Ward	9 Verbena Avenue THE BASIN VIC 3154	Buildings and Works - Extension to existing dwelling (double garage)	19/12/2007 Approved	Chandler
2007/6822	Max Spies	36 Bayview Crescent THE BASIN VIC 3154	Buildings and works to extend existing dwelling and tree removal	20/12/2007 Approved	Chandler
2007/7031	Johl Peter James Dunn	5 Buna Court BORONIA VIC 3155	Removal of three (3) Eucalyptus nicholii trees	12/12/2007 Approved	Chandler
2007/6939	Jesse Miles Parkinson	65 Army Road BORONIA VIC 3155	Construction of a colourbond garage and three (3) retaining walls and removal of one (1) Eucalyptus Radiata	17/12/2007 Approved	Chandler
2007/7035	Julie Engel	313 Forest Road THE BASIN VIC 3154	Removal of one (1) Acacia melanoxylon tree	17/12/2007 Approved	Chandler
2007/6990	Henry Loos	43 Democrat Drive THE BASIN VIC 3154	Removal of one Eucalyptus nicholii and the pruning of three trees: Eucalyptus nicholii, Eucalyptus punctata and Acacia floribunda.	6/12/2007 Approved	Chandler
2007/7048	Greg William Adshead	1 Alfred Street BORONIA VIC 3155	The removal of one (1) Cupressus lusitanica tree	24/12/2007 Approved	Chandler

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6930	Martin Camilleri	76 Basin-Olinda Road THE BASIN VIC 3154	Buildings and works - Construction of a barn	19/12/2007 Approved	Chandler
2007/6834	B R Smith & Associates Surveyors	18 Parker Avenue BORONIA VIC 3155	Subdivision of the land into three (3) Lots (unit site)	6/12/2007 Approved	Chandler
2007/6883	Elliott Lewis McGibbony	10 Philippa Road BORONIA VIC 3155	Construction of a split level, double storey dwelling & removal of one tree	24/12/2007 Approved	Chandler
2007/6151	Brian Watson Surveying	8 Reve Street BORONIA VIC 3155	Subdivision of land into three (3) Lots (Unit Site)	6/12/2007 Approved	Chandler
2007/6986	Johannus Franciscus M Scheltinga	4 Rabaul Court BORONIA VIC 3155	Removal of one Agonis flexuosa	4/12/2007 Approved	Chandler
2007/6694	AAA Action Drafting Pty Ltd	64 Shetland Drive, WANTIRNA VIC 3152	Development of land for a double storey dwelling to the rear of the existing dwelling	02/12/2008 Notice of Decision	Collier
2007/6457	JG Building Design Group	172 Scoresby Road BORONIA VIC 3155	Development of the land for one single and two (2) double storey dwellings	10/12/2007 Approved	Dinsdale
2007/6926	A Line Surveying	176 Scoresby Road BORONIA VIC 3155	The subdivision of the land into three (3) lots with existing dwellings (development site)	17/12/2007 Approved	Dinsdale
2005/6686	Cityplan Pty Ltd	17 Scoresby Road BAYSWATER VIC 3153	To use the land for the purpose of car sales	18/12/2007 Refused	Dinsdale
2007/6761	Plan Printing & Drafting	211 Stud Road WANTIRNA SOUTH VIC 3152	Alterations and additions to shop/office building	17/12/2007 Approved	Dinsdale
2007/7018	Green Gates Drafting	55 Dixon Court BORONIA VIC 3155	Removal of one (1) tree	12/12/2007 Approved	Dinsdale
2007/6972	Investfour Pty Ltd	11 Ozone Road BAYSWATER VIC 3153	Subdivision of Land into Two (2) Lots (development site)	12/12/2007 Approved	Dinsdale
2007/6975	Paul Allan Dodd	5 Amber Street BAYSWATER VIC 3153	The construction of a storage shed	20/12/2007 Approved	Dinsdale
2007/6874	Knox City Council, Att. Angela Mitchell.	Carpark 15 High Street BAYSWATER VIC 3153	Subdivision of the land into two (2) Lots to transfer land to Bayswater Plaza development	11/12/2007 Approved	Dinsdale

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7010	Freda Lillian Kemp	1 Elm Street BAYSWATER VIC 3153	The removal of one Eucalyptus cephalocarpa	6/12/2007 Approved	Dinsdale
2007/6873	Knox City Council Att. Angela Mitchell	Carpark 7A High Street BAYSWATER VIC 3153	Subdivision of land into two (2) Lots to transfer land to Bayswater Plaza Development.	11/12/2007 Approved	Dinsdale
2007/6993	Christopher Edward Bright	31 Armstrong Road BAYSWATER VIC 3153	Land Subject to Inundation Second Storey Addition	6/12/2007 Approved	Dinsdale
2007/6837	Sportsplay Pty Ltd	1/108 Lewis Road WANTIRNA SOUTH VIC 3152	Business identification sign	11/12/2007 Approved	Dinsdale
2007/6626	Adrian Sykes	19 Sydney Road BAYSWATER VIC 3153	Development of the land for a double storey dwelling to the side of the existing dwelling	14/12/2007 Approved	Dinsdale
2007/6929	Paul David McMillan	3 Greenbank Court LYSTERFIELD VIC 3156	Construction of a single storey dwelling, swimming pool and associated works	12/12/2007 Approved	Dobson
2007/6651	A Line Surveying	17 Warrabel Road FERNTREE GULLY VIC 3156	Subdivision of the land into three (3) Lots (Unit Site)	6/12/2007 Approved	Dobson
2007/6921	Nacha Moore Land Surveyors	31 Acacia Road FERNTREE GULLY VIC 3156	Subdivision of land into two (2) lots	20/12/2007 Approved	Dobson
2007/6137	Hansen Surveying Pty Ltd	17 Johns Street UPPER FERNTREE GULLY VIC 3156	Subdivision of land into two (2) Lots (Unit Site)	6/12/2007 Approved	Dobson
2006/6762	David F Clarke Pty Ltd	1 Warrabel Road FERNTREE GULLY VIC 3156	Subdivision of land into two (2) Lots (Unit Site)	10/12/2007 Approved	Dobson
2007/6733	Period Carpentry	7 Myrtle Crescent FERNTREE GULLY VIC 3156	Buildings and Works - Deck and veranda and the pruning of one (1) tree Eucalyptus obliqua (Messmate Stringybark)	6/12/2007 Approved	Dobson
2006/6759	M J Reddie Surveys Pty Ltd	5 Hillcrest Avenue FERNTREE GULLY VIC 3156	Subdivision of land into four (4) Lots (Unit Site)	18/12/2007 Approved	Dobson

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6634	Jobs Right Australia P/L	120 Glenfern Road, FERNTREE GULLY VIC 3156	The construction of a second dwelling (single storey) to the rear of the existing dwelling and removal of vegetation	24/12/2007 Notice of Decision	Dobson
2007/6862	American Homes	25 Windsor Drive LYSTERFIELD VIC 3156	Construction of a double storey dwelling	24/12/2007 Approved	Dobson
2007/6507	JCA Land Consultants	1/96 and 2/96 Forest Road FERNTREE GULLY VIC 3156	Subdivision of land into two (2) Lots (Existing Dwellings)	12/12/2007 Approved	Dobson
2007/6979	Dean Michael Bowman	1 Bambury Place FERNTREE GULLY VIC 3156	Buildings and works - verandah	17/12/2007 Approved	Dobson
2007/6833	Geoffrey Moore	5A Lords Court LYSTERFIELD VIC 3156	Buildings and Works to construct a Double storey dwelling and vary the building envelope	6/12/2007 Approved	Dobson
2007/6447	Australasian Conference Association Ltd	82 Bellfield Drive LYSTERFIELD VIC 3156	Change of Use to a Place of Worship, associated car parking dispensation and buildings and works.	10/12/2007 Approved	Dobson
2007/7066	Stephen Ross Baxter	3 Obeah Court LYSTERFIELD VIC 3156	The pruning of one (1) Eucalyptus obliqua tree	31/12/2007 Approved	Dobson
2007/6887	J L Lane	1/41 Forest Road, FERNTREE GULLY VIC 3156	Change of use for a Food and Drink Premises (cafe) and dispensation of car parking requirements.	21/12/2007 Notice of Decision	Dobson
2007/6790	Lateral Building Design	1848 Ferntree Gully Road FERNTREE GULLY VIC 3156	The construction of a single storey dwelling to rear of the existing dwelling.	14/12/2007 Approved	Friberg
2007/6941	A Line Surveying	8 Harley Street KNOXFIELD VIC 3180	Subdivision of the land into two (2) Lots (development site)	20/12/2007 Approved	Friberg
2007/6456	Iko-3 Building Design Group	147 Murrindal Drive ROWVILLE VIC 3178	Development of the land for two (2) double storey dwellings (existing to be removed)	19/12/2007 Approved	Friberg

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6751	Buchanan Planning	1621 Ferntree Gully Road KNOXFIELD VIC 3180	Buildings and Works- Addition to existing Medical centre	4/12/2007 Approved	Friberg
2007/6415	Land Appraisal Planning & Development Consultants	75 Kathryn Road, KNOXFIELD VIC 3180	Use and development of land for two double storey and one single storey dwelling to rear of the existing dwelling and removal of vegetation	07/12/2007 Notice of Decision	Friberg
2007/6802	AAA Action Drafting Pty Ltd	85 Harley Street North, KNOXFIELD VIC 3180	Construction of a double storey dwelling to the rear of the existing	12/12/2007 Notice of Decision	Friberg
2007/6494	Church Of The Nazarene Wantirna	1393 High Street Road WANTIRNA SOUTH VIC 3152	Extension to the existing use of land for a Place of Worship, extension to the existing Church building and car parking area, dispensation of car parking and alteration to the access of a Category 1 Road	28/12/2007 Approved	Scott
2007/6907	Hellier McFarland - Cityplan	532 Burwood Highway WANTIRNA SOUTH VIC 3152	Change of Use for a Takeaway Food Premises (Drive Through Coffee Shop)	17/12/2007 Approved	Scott
2007/6674	Hospital Renovation Group	1248 High Street Road WANTIRNA SOUTH VIC 3152	Buildings and Works - Extension and modification to existing school building	17/12/2007 Approved	Scott
2007/6863	A Line Surveying	20 Goulburn Drive ROWVILLE VIC 3178	Subdivision of the land into two (2) Lots (unit site)	20/12/2007 Approved	Taylor
2007/6849	Baghdady Hanna and Tahany Hanna	18 Sommersby Court LYSTERFIELD VIC 3156	Buildings and works - Deck and Verandah	18/12/2007 Approved	Taylor
2007/6826	Ghaith Krayem	9 Straughan Close LYSTERFIELD VIC 3156	Construction of a double storey dwelling	17/12/2007 Approved	Taylor
2007/6937	Mb Design	1 Straughan Close LYSTERFIELD VIC 3156	Development of a single storey dwelling	21/12/2007 Approved	Taylor
2007/6644	Stephen D'Andrea Pty Ltd	9 Kerr Court ROWVILLE VIC 3178	Buildings and Works (Warehouse/Office) and associated carpark reduction	24/12/2007 Approved	Tirhatuan

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6537	Aldo Ventieri Architect	8 Goya Court SCORESBY VIC 3179	Construction of 2nd two storey dwelling with attached garage & carport to existing single storey dwelling	28/12/2007 Approved	Tirhatuan
2007/6799	Parmalat Australia Ltd	842 Wellington Road ROWVILLE VIC 3178	Buildings and works (concrete slab) to tradewaste and plant rooms.	7/12/2007 Approved	Tirhatuan
2007/6584	Vicroads Eastern Projects - Contact Travis Edmonds	1255 Ferntree Gully Road SCORESBY VIC 3179	Roadworks associated with the widening of Ferntree Gully Road on land affected by a Land Subject to Inundation Overlay and Special Building Overlay, removal of seventeen (17) trees, removal of 0.1128 hectares of Swamp Paperbark, and pruning of indigenous	19/12/2007 Approved	Tirhatuan
2007/7033	Khupalwak Paul Kakar and Atal Kakar	34 Timbertop Drive ROWVILLE VIC 3178	Removal of five trees: 3 x Eucalyptus radiata and 2 x Eucalyptus cephalocarpa	18/12/2007 Refused	Tirhatuan
2007/6976	Wilkore Pty Ltd	12 Lakeview Drive SCORESBY VIC 3179	The construction of a warehouse, associated office, landscaping and car parking	21/12/2007 Approved	Tirhatuan
2007/6185	Letac Drafting Services	52 Frudal Crescent, KNOXFIELD VIC 3180	Development of a single storey dwelling to the rear of the existing dwelling.	17/12/2007 Notice of Decision	Tirhatuan
2007/6718	Alpha Building Group	35 Joelson Avenue, SCORESBY VIC 3179	Buildings and works for a double storey dwelling	27/12/2007 Notice of Decision	Tirhatuan
2007/6720	Alpha Building Group	37 Joelson Avenue, SCORESBY VIC 3179	Buildings and works for a double storey dwelling	27/12/2007 Notice of Decision	Tirhatuan
2007/6816	Hellier McFarland – Cityplan	1165 Stud Road, ROWVILLE VIC 3178	Use and develop the land for the purpose of a Restaurant with on-premises liquor licence, Indoor Recreation Facility (Gymnasium) and associated car parking	28/12/2007 Notice of Decision	Tirhatuan
TOTAL: 79					

DOBSON WARD

6.2 APPLICATION TO INSTALL FOUR (4) 12M HIGH LIGHT TOWERS FOR GREEN NO. 1 AT THE FERNTREE GULLY BOWLING CLUB, GLENFERN PARK, FERNTREE GULLY, Melway Ref. 73K5 & 74A5 (Application No. P/2007/6581)

SUMMARY: *Planner (Peita Tapper)*

This application seeks to install four (4) 12m high light towers, one at each corner, of Green No. 1, to operate until 11pm, 7 nights per week at the Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully. The application was advertised and thirteen objections were received. It is recommended that a Notice of Decision to Grant a Planning Permit be issued with conditions limiting the days and hours of operation of the towers to ensure the proposal achieves the objectives of State and Local Planning Policies.

Land:	Ferntree Gully Bowling Club, Glenfern Park, FERNTREE GULLY VIC 3156
Applicant:	Ferntree Gully Bowling Club Inc
Owner:	Knox City Council
Existing Use:	Bowling Green
Proposed Development:	4 x 12m High Light Towers for the Bowling Green
Area/Density:	N/A
Zoning:	Public Use Zone – Schedule 6 (Local Government)
Overlays:	Design and Development Overlay – Schedule 2 Significant Landscape Overlay – Schedule 3
Local Policy:	Municipal Strategic Statement Dandenong Foothills Policy
Neighbourhood Character Precinct:	N/A
Number of Objections:	13
Application Received:	30 July 2007
Advertising Commenced:	31 August 2007
Advertising Completed:	28 September 2007
PCC Meeting:	12 November 2007

Key Issues:

- **Amenity impacts from light spill**
- **Increased use of the Club**
- **Competition and social needs of the club**

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

1. BACKGROUND

1.1 The Proposal

It is proposed to install four (4) 12m high light towers at each corner of Green No. 1 at the Ferntree Gully Bowling Club operating until 11pm, 7 nights per week. The towers will be installed at an angle to focus the floodlights on the green. Details of the proposal are included at Appendix B.

1.2 Subject Site

The location of the subject site and its surrounds are shown at Appendix A, and the key characteristics of the site are described as follows:

- The Ferntree Gully Bowling Club is independently managed and is located within Glenfern Park, which is owned by Knox City Council.
- The primary access to the Bowling Club is via Glenfern Road which leads to the car parking area, containing 85 car parking spaces. The Club also has pedestrian access from Merricks Close.
- The site contains a clubroom setback 130m from Glenfern Road with three bowling greens, containing a total of 18 rinks, located to the rear of the building parallel with Merricks Close.
- A 2m high timber paling fence extends along the length of the Merricks Close frontage which has an established hedge growing on the Bowling Club side of the fence.
- To the north of the Bowling Club is the Ferntree Gully Tennis Club which has eight (8) floodlit tennis courts and a clubroom and shares the 85 car parking spaces with the Bowling Club.

1.3 Surrounds

- The areas to the east, south and west of the Bowling Club are predominantly residential and are characterised by single dwellings on reasonable sized blocks. The closest dwelling to Green No.1 is setback 18m, across Merricks Close.
- To the north of the site are the Ferntree Gully Tennis Club and the remainder of Glenfern Park, which includes Ferny Creek. This area is zoned Public Park and Recreation Zone and is also partly an Urban Floodway Zone. Further north are industrial properties, including Holden and Nissan car dealerships.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

1.4 Opportunities and Constraints

Opportunities

- Complement established operation of the Ferntree Gully Bowling Club
- Design technology available to minimise off site light spill

Constraints

- Proximity to residential properties
- Existing community concerns with Club operation

1.5 Planning Application P/2007/6827

An application has been received seeking modifications to the existing liquor licence applying to the Ferntree Gully Bowling Club. The application seeks an extension of the area to which the licence applies to include recently constructed 'smoking areas' and to modify the conditions of the licence to limit the hours of use of these areas.

A public consultation meeting will be held for this application in February and the matter will likely then be presented to a later Council meeting. A number of submitters to the proposed installation of the lights are also objectors to the application for the changes to the liquor licence.

2. CONSULTATION

2.1 Advertising

The application was advertised by way of a sign on the site and notices were sent to adjoining property owners and occupiers. Thirteen objections have been received and are summarised as follows.

CONCERN	OFFICER COMMENT
Lights shining into residential properties and windows	The proposed lights have been designed to enable the rinks to be utilised for lawn bowls at night. Due to the nature of the game the light needs to be concentrated at ground level and to minimise the instance of shadow. Australian Standard AS 2560.2.8 provides specific recommendations for the lighting of bowling greens. The standard states that the minimum tower height required to achieve the correct level of lighting is 12m, which is the height of the towers proposed. If lower towers are desired then additional light sources will be required as the height enables the lights to be angled to face directly down.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

CONCERN	OFFICER COMMENT
Lights shining into residential properties and windows (cont'd)	<p>The towers proposed are installed with a section of vertical stand and a section on an angle to direct the lighting down on to the green to minimise the possibility of shadow. This will also result in the lights being focused towards the ground and not out across the green where they have the potential to shine directly into the windows and gardens of surrounding dwellings.</p> <p>Australian Standard AS 4282 – ‘Control of the obtrusive effects of outdoor lighting’ acknowledges the sensitivity of residential properties and requires a maximum level of 10 lux at the residential property boundary. A lux is a measurement of the light intensity falling on a surface and a lux level of 10 is similar to a candle light at a distance of about 30cm. Information submitted with the application shows that the lights will comply with the Australian Standards, however a condition of any permit to issue will require that the lights comply with both the AS 4282 – Control of the obtrusive effects of outdoor lighting and Australian Standard AS 2560.2.8 specific recommendations - bowling greens. An additional condition will require that the lights be designed to ensure that no light is directly directed into the habitable room windows of surrounding dwellings. It is considered that these conditions will ensure that the lighting will not cause unreasonable detriment to surrounding residential properties.</p>
Increased noise from patrons using the greens at night time	<p>The applicant has stated that the towers are proposed primarily to enable the Club to host a night pennant competition on Tuesday nights, 7:30-10:30pm during November to March. However it was also anticipated that the lights could be used for corporate functions during the week.</p> <p>The predominate land uses surrounding the Club are residential and public park which results in a quiet environment during the night. It is considered that the use of the lights 7 nights per week until 11pm is unreasonable given the context of the site.</p>

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

CONCERN	OFFICER COMMENT
<p>Increased noise from patrons using the greens at night time (cont'd)</p>	<p>A condition is proposed to be placed on any permit issued requiring that the lights be operated until 9pm weeknights and not on weekends, apart from one night per week during November to March when the lights may operate until 11pm to allow for the night pennant competition.</p> <p>These conditions will enable the Club to host the night pennant competition during summer and enable other functions during the week, while minimising the impacts to adjoining residential properties.</p>
<p>Increased use of the bowling club will exacerbate existing issues regarding traffic/parking, noise and litter.</p>	<p>It can be assumed from the issues raised by the objections that the current problems experienced by residents are a result of functions held on the site and not due to the primary operation as a Bowling Club. The lights are proposed primarily to allow the club to provide a night pennant lawn bowls competition, while also allowing for corporate functions to be held.</p> <p>It is not considered that the installation of the lights will exacerbate any problems which are currently being experienced by surrounding residents as a result of functions held on the site.</p> <p>The application to install these lights does not change the use, and conditions that are not related to the installation of the lights or their operation can not be imposed should a permit be issued. The proposed limiting of the hours the lights can be used is expected to reduce opportunities for late night social functions that combine bowling and function facilities.</p> <p>While it is noted that Council is the land owner of Glenfern Park the lease agreement with the Ferntree Gully Bowling Club is over 30 years old and provides for exclusive occupancy for the club to manage and occupy the site. The lease has a further 70 years to run.</p>

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

2.2 Referrals

The application was referred to Council's Health Department who suggested that the lights be required to switch off at 10pm; that there will likely be light spillage on the opposite side of the road; and that the height of the lights is likely to still create a nuisance.

2.3 PCC Meeting

A Planning Consultative Committee (PCC) Meeting was held at Council on 12 November 2007. The matters discussed at the meeting are summarised as follows:

Objectors

- The bright lights will spill into homes, making sleep and quiet enjoyment of homes difficult;
- The lights will bring increased activity to the club which will exacerbate the existing problems of noise from music and people, parking of vehicles in Merricks Close, safety issues and general disruption to the residential area;
- This is a residential area, not a business area;
- The height of the towers is contrary to the Knox Planning Scheme for the Foothills area which stipulates that buildings should not exceed 7.5m in height; and,
- Questioned if the club had considered relocating to an area which would be more appropriate for the intensity of use.

Applicant

- The lights have been proposed following a request from Members of the club who play night pennant on Tuesday nights in November to March, with games finishing at 10:30pm. The lights will also enable the club to hold corporate functions;
- It is anticipated that the lights will only be operated 4 nights per week, but it could be 7 nights per week, depending on demand;
- The Greens are available for use for free by the community;
- The lights have been designed to minimise light spill; and,
- A relocation of the club has been considered, however it would cost around \$25million.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

Summary

- It was clarified that:
 - Agreement had been reached that the Bowling Club was willing to operate the lights only on certain days and would need further feedback from objectors as to which nights were acceptable; and,
 - The applicant still wants the lights to enable the night pennant competition to run and social matches at night.

3. DISCUSSION

This section considers the proposed development in light of the provisions of the Knox Planning Scheme including local planning policies, any other relevant policies and objections.

3.1 Zones and Overlays

The site is located in a Public Use Zone – Schedule 6 and is affected by the Design and Development Overlay – Schedule 2 and the Significant Landscape Overlay – Schedule 3. A permit is required for the proposal subject to the provisions of the Zone and the Design and Development Overlay – Schedule 2. Subject to the provisions of the Significant Landscape Overlay – Schedule 3 a permit is not required as long as the buildings and works do not occur within a tree protection area for existing trees and are to the satisfaction of the responsible authority.

The purpose of the zone is to recognise public land use for public utility and community services and facilities and to provide for associated uses that are consistent with the intent of the public land reservation or purpose. The Schedule 6 states that the purpose of the public land is 'Local Government', which reflects the sites ownership by Knox City Council and community use.

The purpose of the purpose of the Design and Development Overlay – Schedule 2 is to ensure that residential development reflects the existing subdivision character of the area and minimises site coverage to protect environmental values and minimise the visual dominance of development.

3.2 Policy Consideration

Pursuant to Clause 11 of the Knox Planning Scheme, planning authorities will endeavour to integrate the range of policies relevant to the issue to be determined and balance conflicting objectives in favour of net community benefit and sustainable development.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

The following table provides a summary assessment of the proposal against relevant state and local planning policies:

STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)		
POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>OPEN SPACE</p> <p><i>Improve the quality and distribution of open space and ensure long-term protection of public open space</i></p>	<p>State Planning Policy Framework – <u>A Great Place to Be</u></p>	<p>The proposed introduction of the light towers will allow for a broader section of the community to participate in the activity of lawn bowls as the hours that the greens can be used will be increased. This said, the hours and frequency of use needs to be balanced to ensure that the operation does not result in an unreasonable detrimental impact on more passive park activities or the surrounding community</p>
<p>ENHANCING THE POTENTIAL FOR LIFESTYLE AND CULTURAL ACTIVITIES</p> <p><i>To encourage the provision of places where there is a strong community focus and where the community can carry out their domestic, business, leisure or social life</i></p>	<p>Knox Planning Scheme - Local Planning Policy (MSS) – <u>Overview</u> and <u>Objectives</u></p>	<p>A key characteristic of the Knox municipality is the significant tracts of public open space and outdoor leisure and recreation facilities. To maintain economic viability, facilities need to be planned to encourage multiple use and be designed with a degree of flexibility to accommodate changing community needs. The erection of the light towers will enable a wider cross section of the community access to the greens and will also facilitate night pennant competitions at the Club</p>

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)		
POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>DANDENONG FOOTHILLS</p> <p><i>Protect and enhance the metropolitan landscape significance of the Dandenong Foothills and maintain uninterrupted view lines from within the municipality and vantage points in metropolitan Melbourne by ensuring that all buildings and works are sensitively designed and sited to sit below the dominant tree canopy height</i></p>	<p>Knox Planning Scheme - Local Planning Policy (Clause 22.01 – Dandenong Foothills) – Objectives and Lower Slope and Valley Area</p>	<p>The site is identified within the policy as being within the 'Lower Slope and Valley Area' for which it is recommended that the design and siting of buildings, works and landscaping protects and enhances the visual dominance of vegetation and also recommends that building height not exceed 7.5m.</p> <p>The lights are proposed to be installed within the open landscape of the bowling club, tennis courts and open space areas of Glenfern Park. The lights will not impact on the visual dominance of the existing vegetation as it is set away from the sparse vegetation surrounding the creek and within the adjoining residential properties. As the site is within a valley the lights will not interrupt view lines from within the municipality or from vantage points within Metropolitan Melbourne.</p> <p>While the height of the towers exceed 7.5m, it is considered that they are generally consistent with the provisions of the Dandenong Foothills Policy as discussed above.</p>

3.3 Financial Implications

There are no direct costs to Council as the club will be funding the installation and maintenance of the lights.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)**4. CONCLUSION**

As a summary of the discussions above, it is considered that the proposed installation of light towers at the Ferntree Gully Bowling Club is appropriate given the following:

- Conditions requiring the lights to be designed in accordance with the relevant Australian Standards, and to not shine direct light into the windows of adjoining residential properties will minimise the visual impact of the lighting.
- The restrictions on the operation of the light towers to 9pm weeknights and 11pm on night pennant competition nights from November to March will limit amenity impacts to adjoining neighbours as a result of noise from bowlers. Use of the greens until 9pm could potentially occur during daylight savings times without the need for the lights; therefore it is considered that this time for all weeknights of the year is appropriate. It also prohibits the lights being used on Saturday and Sunday nights.
- The proposal has been discussed with Council's Recreation Planning Department who have provided their consent to the proposal.
- As a result of the conditions recommended above, it is considered that the proposal is generally consistent with the provisions of the Knox Planning Scheme.

5. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council issue a Notice of Decision to grant a Planning Permit for the erection of four (4) 12m high light towers at the Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully subject to the following conditions:

Amended Plans

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

- 1.1 **Exact locations of the lights, including distances from the fence to Merricks Close and boundary's of the green**

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)**Recommendation (cont'd)**

- 1.2 A diagram of the light towers to be installed, showing the height and angle of the lights and to demonstrate that the lights and towers will comply with the requirements of Condition 5 of this permit

to the satisfaction of the Responsible Authority.

General

2. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Hours of Use

3. The lights hereby permitted may only operate until 11pm one night per week during the months of November to March to allow for the Night Pennant Competition, and until 9pm Monday to Friday throughout the year.

Amenity

4. In the event that any undue detriment is caused to the amenity of the area as a result of lights hereby permitted shining directly into habitable room windows, amelioration measures shall be undertaken to address this amenity issue to the satisfaction of the Responsible Authority.
5. The lights hereby permitted must comply with both the AS 4282 – Control of the obtrusive effects of outdoor lighting and Australian Standard AS 2560.2.8 specific recommendations - Bowling Greens to the satisfaction of the responsible authority.

Permit Expiry

6. This permit will expire if one of the following circumstances applies:
 - 6.1 The development and is not started within two years of the date of this permit.
 - 6.2 The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

MOVED: CR. ORPEN
SECONDED: CR. DAVEY

That Council issue a Notice of Decision to grant a Planning Permit for the erection of four (4) 12m high light towers at the Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully subject to the following conditions:

Amended Plans

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

1.1 Deletion of the four (4) 12m high light towers.

1.2 Lower level lighting installed on tracks (lights installed on wire, or the like, suspended over the green). Details must be provided of the number, height, lighting levels and angle of the lights to minimise light spill and details of the structure to be installed to suspend the lights. The details must demonstrate that the lights will comply with the requirements of Condition 5 of this permit.

to the satisfaction of the Responsible Authority.

General

2. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Hours of Use

3. The lights hereby permitted may only operate until 11pm one night per week during the months of November to March to allow for the Night Pennant Competition, and until 9pm Monday to Friday throughout the year.

6.2 Ferntree Gully Bowling Club, Glenfern Park, Ferntree Gully (cont'd)

Amenity

4. In the event that any undue detriment is caused to the amenity of the area as a result of lights hereby permitted shining directly into habitable room windows, amelioration measures shall be undertaken to address this amenity issue to the satisfaction of the Responsible Authority.
5. The lights hereby permitted must comply with both the AS 4282 – Control of the obtrusive effects of outdoor lighting and Australian Standard AS 2560.2.8 specific recommendations - Bowling Greens to the satisfaction of the responsible authority.

Permit Expiry

6. This permit will expire if one of the following circumstances applies:
 - 6.1 The development and is not started within two years of the date of this permit.
 - 6.2 The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

CARRIED

APPENDIX A/1

APPENDIX A/2

APPENDIX B/1

APPENDIX B/2

APPENDIX B/3

APPENDIX B/4

APPENDIX B/5

APPENDIX B/6

COUNCILLOR COOPER DECLARED AN INTEREST PURSUANT TO SECTION 77A OF THE LOCAL GOVERNMENT ACT 1989 IN ITEM 6.3 ON THE GROUNDS THAT THE APPLICANT IS KNOWN TO HIM.

COUNCILLOR COOPER VACATED THE CHAMBER AT 8.01PM PRIOR TO DISCUSSION TO ITEM 6.3

SCOTT WARD

6.3 APPLICATION FOR RESIDENTIAL SUBDIVISION OF LAND INTO THREE (3) LOTS AT 69-71 OLD ORCHARD ROAD, WANTIRNA SOUTH. Melway Ref. 63 H12 (File No. 20076936)

PURPOSE: *Subdivision Planner (Roxanne De Cata)*

This application seeks to subdivide the site into three lots. The application was advertised to adjoining properties and one (1) objection has been received. The proposed subdivision complies with State and Local Planning Policies and it is recommended that Council issue a Notice of Decision subject to conditions, requiring a Section 173 Agreement to enforce the building envelopes.

Land:	69-71 Old Orchard Road, Wantirna South
Applicant:	Bestway Group Pty. Ltd.
Owner:	Danny Lee
Existing Use:	Single dwelling
Proposed Development:	Subdivision into three (3) lots
Area/Density:	1755m ² / 1:585m ²
Zoning:	Residential 3 Zone
Overlays:	None
Local Policy:	Clause 22.10 Housing Policy
Neighbourhood Character Precinct:	Villa Court 1
Number of Objections:	1
Application Received:	8 November, 2007
Advertising Commenced:	27 November, 2007
Advertising Completed:	11 December, 2007
PCC Meeting:	N/A

Key Issues:

- Site previously two lots.
- Development proposes lot size variety in an existing area.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

1. BACKGROUND

1.1 The Proposal

The application seeks to subdivide the land at 69-71 Old Orchard Road, Wantirna South into three lots with the existing dwelling being retained on Lot 2 with an area of 589m². Two vacant lots are proposed with Lot 1 having a “battleaxe” entrance with an area of 699m² and Lot 3 with a frontage to Old Orchard Road with an area of 467m². Building envelopes have been shown for proposed lots 1 and 3. (Refer Appendix B).

This application is reported to Council as the deed of delegation requires the Council consideration for applications where lots are created with an area less than 500m² and no development permit exists.

1.2 Subject Site

The subject site is located on the south side of Old Orchard Road, Wantirna South and comprises a total area of 1755m². The site has a frontage to Old Orchard Road of approximately 36m and is made up of two sites previously consolidated in 1983. The site is generally rectangular in shape and contains an existing drainage and sewerage easement 3m wide across the rear (south) boundary.

The existing single storey brick dwelling is setback 8m from the frontage and has an existing brick garage attached to the western wall of the dwelling. A vehicle crossing is located on the western boundary. A second vehicle crossover is located at the centre of the frontage and was originally constructed when the site was two lots. An in-ground swimming pool is located behind the garage on the western boundary.

Vegetation is scattered across the site, a garden area exists in the south west corner of the site. Existing trees are located across the frontage (Refer Appendix A).

The surrounding land comprises of an existing residential neighbourhood to the north, east and west. Located to the south is the Blind Creek Reserve which is Council owned.

2. CONSULTATION

2.1 Advertising

The application was advertised by way of a sign on the site and notices were sent to adjoining property owners and occupiers. One objection has been received from the property adjoining to the east and is summarised as follows.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

CONCERN	OFFICER COMMENT
<i>Concerned that a dwelling will be constructed on the eastern fence-line and will be a town house</i>	The proposed building envelope for Lot 3 shows that a dwelling could be constructed within 1.5m from the common boundary with the neighbouring property. No town house or envisaged development has been included in this application. The area provided for a dwelling on Lot 3 is reasonable.
<i>Overlooking and loss of privacy.</i>	Any overlooking to neighbouring dwellings and private open space areas will be assessed as part of a building permit as required by rescode. The existing dwelling to the east has a double storey component which may overlook the subject site.

2.2 Referrals**2.2.1 External Referrals**

The application was referred to the service authorities for comment and standard conditions were provided by Melbourne Water, South East Water, TXU and Multi Net Gas.

2.2.2 Internal Referrals

The application was referred internally to Engineering Services who had no objection to the proposal and provided conditions relating to the construction of drainage and widening of the vehicle crossover on the western boundary to a double crossover to services lots 1 and 2. Lot 3 shall utilise the existing crossover in the centre of the frontage.

3. DISCUSSION

This section considers the proposed development in light of the provisions of the Knox Planning Scheme including local planning policies, any other relevant policies and objections.

3.1 Zones and Overlays

The site is located in a Residential 3 Zone and is not affected by any overlays. Within this zone a planning permit is required for subdivision of land. One of the purposes of the Residential 3 Zone is to provide for residential development with a variety of dwellings to meet the housing needs of all households and which respects the neighbourhood character and limits the maximum height of a dwelling or residential building.

The land is also located within Villa Court 1 in Council's Neighbourhood Character study (Clause 22.07 of the Knox Planning Scheme). Refer to Section 3.2 of this report.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

3.2 Policy Consideration

Pursuant to Clause 11 of the Knox Planning Scheme, planning authorities will endeavour to integrate the range of policies relevant to the issue to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

It is considered inappropriate to require the proposed building envelopes on Lots 1 and 3 as single storey, given the adjoining property to the east has a double storey component and the neighbourhood character of the area is both double and single storey. As Lot 1 adjoins the Blind Creek reserve, there is opportunity for the development of a dwelling to take advantage of the reserve as an outlook.

The building envelopes ensure setbacks and provide for only one dwelling to be constructed on each lot. This will be enforced via a Section 173 Agreement.

The following table provides a summary assessment of the proposal against relevant state and local planning policies:

STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)		
POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>NEIGHBOURHOOD CHARACTER</p> <p><i>Ensure use/development responds sympathetically to the key local characteristics which are important to an area's character.</i></p>	<p>Melbourne 2030 - <u>A great place to be</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies / Implementation</u></p>	<p>Council's Neighbourhood Character Study identifies the site within the Villa Court 1 Precinct. The study is referenced in the Knox Planning Scheme under the Neighbourhood Character Policy.</p> <p>The development is assessed against the Neighbourhood Character Policy in a later table.</p>

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>URBAN CONSOLIDATION</p> <p><i>Locate a substantial proportion of new housing in or close (within walking distance) to activity centres and other strategic redevelopment sites that offer good access to (community and commercial) services and transport, and maximise use of existing infrastructure.</i></p>	<p>Melbourne 2030 – <u>A more compact city</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u> and <u>Strategies/Implementation</u></p>	<p>The proposed development is supported by State and Local planning policy and Melbourne 2030. The development achieves strategic compliance by 'encouraging higher density housing on sites that are well located to activity centres and transport.' (Clause 12 – Melbourne 2030).</p> <p>State policy comprises of strategies with respect to 'Activity Centres' to provide a more compact city and take advantage of the existing infrastructure, services and public transport. The site is in an established location for housing, which can:</p> <ul style="list-style-type: none"> ▪ Provide a range of lot sizes for housing with a safe road network and usable public open space, thereby being cost effective. ▪ Reduce car dependency due to available public transport. ▪ Improve alternate modes of transport such as cycling, public transport and walking.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>MANAGEMENT OF METROPOLITAN GROWTH</p> <p><i>Ensure a sufficient supply of land is available for residential and other uses, facilitate the orderly development of urban areas and enhance the environmental quality and liveability for the metropolitan population.</i></p>	<p>Melbourne 2030 – <u>Better management of metropolitan growth</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives, Strategies / Implementation</u></p>	<p>The proposed subdivision is supported by State and Local planning policy and Melbourne 2030. The subdivision achieves strategic compliance by “<i>containing urban development within the established urban growth boundary</i>” (Clause 12 – Melbourne 2030).</p> <p>State policy comprises of strategies with respect to use of land for new development.</p> <ul style="list-style-type: none"> ▪ The consolidation of residential opportunities kept within an existing residential area with transport and infrastructure available. ▪ Ensure an adequate supply of land for housing to meet forecast growth. ▪ Keeping the outward metropolitan growth confined to designated areas in accordance with the Minister’s Directions under the Planning and Environment Act 1987.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>PARTICULAR USES AND DEVELOPMENT</p> <p><i>To control the subdivision and consolidation of land and ensure subdivisions achieve an attractive, liveable and sustainable neighbourhood.</i></p>	<p>Melbourne 2030 – <u>Subdivisions</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives, Strategies / Implementation</u></p>	<p>The proposed subdivision is supported by State and Local planning policy and Melbourne 2030. The subdivision achieves strategic compliance by “contributing to an urban structure where networks of neighbourhoods are clustered to support larger activity centres on the public transport network”. (Clause 19 – Melbourne 2030)</p> <p>The subdivision provides vacant land in an established area with links to open space and transport to activity centres. The varied lot sizes suit a variety of dwelling types to meet the needs of different groups of people within the neighbourhood.</p>
<p>HABITAT / IMAGE OF KNOX</p> <p><i>Retain/ enhance the “green leafy image”</i></p>	<p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></p>	<p>The site contains vegetation across the frontage which contributes to the green leafy image of Knox. This vegetation can be retained. Additional planting can occur once the dwellings are completed.</p>
<p>MAKING BETTER USE OF URBAN FACILITIES AND SERVICES</p> <p><i>Ensuring subdivision can occur in areas with existing infrastructure to reduce the cost of additional infrastructure in previously un-serviced areas.</i></p>	<p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></p>	<p>The proposed subdivision is supported by the Local planning policy and achieves strategic compliance by “maximising the use of existing infrastructure”. (Clause 21- Local Planning Policy)</p> <p>The site has all infrastructure available and can utilise existing public transport and bike paths.</p>

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
WALKABILITY <i>Promote excellent neighbourhood design to create attractive, walkable and diverse communities, whilst encouraging medium density development.</i>	Melbourne 2030 - <u>A great place to be</u> Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u>	Although the site is not located within an activity centre, the site is located on a Bus Service to Knox City. A bike path travels along Blind Creek Reserve at the rear of the site to Knox City which promotes cycling and walking along the path provided.
SAFETY <i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i>	Melbourne 2030 - <u>A great place to be</u> Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u>	The dwelling to be constructed on Lot 3 will have surveillance to Old Orchard Road, whilst Lot 1 located to the rear will have surveillance to the Reserve and bike path which provides added safety to the area.
AFFORDABILITY	Melbourne 2030 - <u>A fairer City</u>	The subdivision may not be aimed at affordable housing but it does provide an alternate form of accommodation for a diversity of household sizes.

NEIGHBOURHOOD CHARACTER

(Clause 22.07)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To retain the formal street tree planting with medium to tall trees.</i>	<u>Design Objective</u>	The existing street trees are not affected by the subdivision. The existing trees at the frontage will be able to be retained. Appropriate landscaping will be added to the site once dwellings are constructed.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>Positioning new buildings to match the setbacks of nearby dwellings and offset buildings from at least one side boundary.</i>	<u>Design Objective</u>	The building envelope for Lot 3 which fronts Old Orchard Road has been setback in line with the existing dwelling on the site and the neighbouring property to the east. All building envelopes have a setback from side boundaries which is consistent with the preferred character of the area.
<i>Maintaining the single and two storey building heights.</i>	<u>Design Objective</u>	The neighbourhood character consists of two storey brick dwellings that dominate the streetscape. No dwellings have been designed for the land at this stage however, the building envelopes do not restrict dwellings to single storey. Design will be left up to the purchaser of the lots.
<i>Locating carports and garages at or behind the line of the dwelling or where in front, incorporated into the building design</i>	<u>Design Objective</u>	The building envelope of Lot 3 requires any new garage or carport to be beside the existing dwelling. The existing garage will be replaced away from the proposed boundary and shall be in line with the front setback.
<i>Avoiding the construction of high front fences.</i>	<u>Design Objective</u>	No front fence exists currently at this site and no front fencing is proposed as part of this application.

HOUSING POLICY (Clause 22.10)	
OBJECTIVES	OFFICER COMMENT
<i>To encourage sustainable urban growth by directing housing to preferred locations (Activity Centres, Principle public transport network (PPTN), Strategic Redevelopment Sites)</i>	The site is not a preferred location, however the development proposes a minimal change outcome due to a total of three dwellings being provided on a double lot.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

OBJECTIVES	OFFICER COMMENT
<i>To encourage a range of housing types and forms to meet the needs of the existing and future community.</i>	The further development of this site allows for owners to build a dwelling which meets their needs whilst being located within an established area. Smaller private open space areas are considered easier to maintain than traditional yard areas. This type of housing is expected to be a benefit as the population ages in the future.
<i>To ensure that the community has access to social housing, owned and managed by public authorities and/or not for profit organisations, of different forms and tenures.</i>	The subdivision is not designed for affordable or social housing; however it does not compromise the community's access to affordable or social housing.
<i>To ensure that housing is located where there is access to frequent and reliable public transport services, shopping and community facilities.</i>	Bus 757 runs along Old Orchard Road and provides access to Knox City. Burwood Highway is walking distance to the north and provides Bus 732 to the Angliss Hospital and Railway Station.
<i>To ensure that housing responds to the preferred neighbourhood character for each precinct or adopted structure plan.</i>	The proposed building envelope on Lot 3 meets the neighbourhood character by matching the front setback of the existing dwellings on either side. In accordance with the neighbourhood character, single or double storey could be constructed on the vacant lots if the owners desire to do so, thereby keeping the vertical form in the area.
<i>To ensure that new development in dispersed residential areas compliment and respects the desired future character of the particular area.</i>	The site is already a double block therefore the inclusion of a second dwelling beside the existing dwelling is not out of character. A further lot is proposed as a "battleaxe" lot across the rear of the site with outlook to Blind Creek Reserve.

3.3 Rescode Assessment (Clause 56)

The design response is consistent with the objectives of Rescode. The table below outlines key consideration criteria, including where the design response requires minor changes:

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
Clause 56.03-4, (C6) Neighbourhood Character	The subdivision will alter the streetscape with the construction of a second dwelling fronting Old Orchard Road on what is essentially No 69. This dwelling will utilise the existing vehicle crossing at the centre of the frontage. The other vehicle crossing located on the western boundary will need to be widened to a double crossing to service Lot 1 and Lot 2. No street trees are affected with the widening of this crossing.
Clause 56.04-1, (C7) Lot diversity	This proposal provides the opportunity for two additional dwellings, without significantly impacting on the existing neighbourhood environment. It is consistent with State and Local Planning Policy.
Clause 56.04-2, (C8) Lot area and building envelopes.	<p>The proposed building envelope for Lot 3 meets the front setback of the adjoining dwellings whilst providing a rear yard with 83m². The open space is wider than 5m as required by the Residential 3 Zone. The envelope could be widened to the proposed boundary with Lot 2 for a distance 6.5m to allow for a garage in line with the existing vehicle crossing.</p> <p>The proposed building envelope for Lot 1 (located at the rear of the site) provides for 181m² with a courtyard area measuring 7m by 6m resulting in 42m² in the one area as required by the Residential 3 Zone. This envelope could also be widened to the western boundary for 6.5m at the south west corner of the envelope to allow for a garage on the boundary. The garage would be in line with a shed located on the adjoining property. The envelope can then be trimmed back to allow for vehicle turning area.</p>
Clause 56.04-2, (C8) Lot area and building envelopes. Continued.	The existing dwelling shall require alteration to remove the garage and reposition it within the new boundary line. The existing swimming pool also requires removal and filling as the proposed boundary line crosses the location of the pool. The existing dwelling has open space of 183m ² . Open space will be provided once the pool is removed.
Clause 56.04-3, (C9) Solar Orientation	As the site has a northern frontage, the rear yards have a southerly aspect. This can be managed on the vacant lots in the designing of a new dwelling. Whilst Lot 2 will rely on the area to the west of the existing dwelling once the pool and existing garage are removed.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
Clause 56.04-5, (C11) Common Area & Site constraints.	No common property is proposed. All three dwellings will have independent vehicle access with Lots 2 and 3 facing Old Orchard Road. A drainage and sewerage easement with a total width of 3m is located at the rear of site. A new drainage and sewerage easement must be created along the eastern boundary and within the rear boundary of Lot 3 to cater for new drainage.
Clauses 56.06-8 (C21) Lot Access	Lot 3 shall utilise the existing vehicle crossing originally provided for that side of the site, whilst the existing crossing on the western boundary shall be widened to a double crossover to service lots 1 and 2.
Clauses 56.07-1 (C22) - 56.07-4 (C25), Water use and runoff	The minor drainage within the site will be designed and installed to Council's requirements. Drainage discharge will be designed to prevent stormwater damage to property. Conditions are to be placed on the permit to ensure this.
56.09-1 (C27) – 56.09-4 (C 30) Utilities	All services are available to the site and will be connected to the requirements of the relevant authorities. Street lighting exists and Old Orchard Road is a constructed street, capable of servicing this subdivision.

3.4 Enforcement of building envelopes

It is recommended that the building envelope plan shall be enforced via a Section 173 Agreement registered on title and enforceable by Council, to advise future purchasers of the land of the existence of the envelopes. Should the application be approved, the agreement shall require:

- No buildings, garages or sheds are to be constructed outside the building envelope;
- Only one dwelling shall be permitted to be constructed on each lot created by this subdivision;
- No further subdivision of the land to increase the number of lots is permitted;
- Two thirds of the rear boundary shall be fenced in black powder-coated mesh to provide surveillance to Blind Creek Reserve; and,
- No expiry date of the agreement will be permitted.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)

3.5 Public Open Space

No open space contribution is required as part of this application, as open space can only be asked for once. The open space contribution was previously met when the subject land was created as part of an estate.

3.6 Financial Implications

There are no direct costs to Council apart from provision of the usual domestic services.

4. CONCLUSION

The application seeks to subdivide the site into three lots whilst retaining the existing dwelling on a lot of 589m². The site provides for two additional dwellings to be constructed, one on the vacant land to the east of the dwelling with its own frontage and access and a further lot across the rear of the site with a “battleaxe” entry with an outlook to Blind Creek Reserve. To improve surveillance to Blind Creek and the bike path in the Reserve, it is recommended that a portion of the rear fencing of the site be constructed of black powder-coated mesh.

The proposed subdivision furthers the objectives of the Municipal Strategic Statement as the land has reasonable access to facilities and services (Clause 21.04) and maximum use of the existing infrastructure is best obtained by allowing development to occur within existing urban areas whilst protecting the Neighbourhood Character of the area.

Development can be controlled by the registration of a Section 173 Agreement on title. The proposal allows for lots to be created whereby purchasers can construct the dwelling of their choice to suit their needs. This is encouraged where the site is appropriate.

5. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council issue a Notice of Decision to grant a Planning Permit for the subdivision of land into three lots at 69-71 Old Orchard Road, Wantirna South, subject to the following conditions:

Amended Plans

- 1. This permit shall have no force or effect until three copies of an amended plan of subdivision has been submitted to and approved by the Responsible Authority. This plan shall show:**

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)**

- 1.1 An amendment to the building envelope on Lot 3, repositioning the envelope on the boundary between Lots 2 and 3 for a distance of 6.5m from the front setback to allow for a garage in line with the existing vehicle crossing.**
- 1.2 An amendment to the building envelope on Lot 1, repositioning the envelope on the western boundary for a distance of 6.5m from the rear (south) boundary of the envelope and increasing the remaining western setback of the envelope to allow for vehicle turning area.**
- 1.3 The provision of a Body Corporate Schedule or the provision of separate services to each lot to the satisfaction of South East Water.**
- 1.4 An easement along and within the southern boundary in favour of South East Water for the provision of sewerage.**
- 1.5 A notation on the plan detailing that two thirds of the rear boundary of the site shall be fenced in black power-coated mesh, providing an outlook to Blind Creek Reserve.**

to the satisfaction of the Responsible Authority. Once approved, these plans will become the endorsed plans of this permit.

Easement creation

- 2. All existing and proposed easements required for utility services on the land must be set aside in the plan submitted for certification in favour of the relevant authority for which the easement is to be created.**

Servicing of site

- 3. The owner/developer of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the plans of subdivision in accordance with that authority's requirements and relevant legislation at the time.**

Section 173 Agreement

- 4. Prior to the certification of the Plan of Subdivision the owner of the land shall enter into a Section 173 Agreement with the Responsible Authority which covenants that without the further written consent of the Responsible Authority;**

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)**

- 4.1 The land will be developed in accordance with the building envelope plan approved by the Responsible Authority;**
- 4.2 Only one dwelling shall be constructed on each lot within the subdivision;**
- 4.3 No buildings, sheds, garages are to be constructed outside the building envelope;**
- 4.4 No subdivision to increase in the number of lots on the plan shall be permitted;**
- 4.5 Two thirds of the rear boundary shall be fenced in black powder-coated mesh to provide surveillance to Blind Creek Reserve.**
- 4.6 No expiry date of the agreement will be permitted.**

(All costs associated with the preparation and registration of the agreement shall be borne by the applicant).

South East Water Conditions (ref:4728376)

- 5. Prior to the issue of a Statement of Compliance, the owner/developer must enter into an agreement with South East Water Limited for the provision of water supply and sewerage and fulfil all requirements to its satisfaction.**

Melbourne Water Conditions (ref:139715)

- 6. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or water courses.**
- 7. Prior to Certification, the plan of subdivision must be referred to Melbourne Water in accordance with Section 8 of the Subdivision Act 1988.**

TXU SPI Conditions (ref: 74176798)

- 8. Prior to the issue of a Statement of Compliance, the owner/developer shall enter into an agreement with SPI Electricity Pty. Ltd. for supply of Electricity to each lot on the endorsed plan.**
- 9. Prior to the issue of a Statement of Compliance, the owner/developer shall enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the existing electricity supply system.**

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)**

10. Prior to the issue of a Statement of Compliance, the owner/developer shall ensure that any private electric line in the subdivision is re-arranged to the satisfaction of SPI Electricity Pty. Ltd.

Engineering Conditions

11. All stormwater drainage runoff from the site shall be properly collected and discharged in a complete and effective system of drains within the subdivision and connected to the legal point of discharge as directed by the Responsible Authority. It shall not cause a nuisance to abutting properties. The internal drains of the proposed lots are to be independent of each other.
12. The Applicant/Owner shall be responsible to meet the costs of all alterations to and reinstatement of, the Knox City Council and any other Public Authority assets deemed necessary and required by such Authorities for the development/subdivision.

Engineering Plans required

13. Three copies of drainage plans and computations (to AHD) prepared by a qualified Civil Engineering Consultant must be submitted to and approved by the Responsible Authority. Drainage works on site must be undertaken and completed in accordance with these plans to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance. These plans shall show:
 - 13.1 Construction of approximately 28m of outfall drainage 150mm diameter connected from the south east corner of Lot 2, continuing along the southern boundary of Lot 3 and along the eastern boundary of Lot 1 to the south east corner where it shall connect to the existing 300mm diameter Council drain located in the easement.
 - 13.2 All stormwater from Lot 1 shall be directed to the south east corner as this represents the legal point of discharge for the property.
 - 13.3 All stormwater from Lot 2 shall be directed to the south east rear corner as this represents the legal point of discharge for the property.
 - 13.4 All stormwater from Lot 3 shall be directed to the south east rear corner as this represents the legal point of discharge for the property

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)**

13.5 Location and details of vehicle crossings to all lots.

- 14. Each new lot is to have an independent property inlet to the Council drainage System as per Knox Council's Civil Works and Stormwater Drainage Guidelines for broad acre subdivisions.**

Payments and Bonds

- 15. Prior to the issue of a Statement of Compliance, the owner/developer shall pay to the Council a payment for supervision of works being 2.5% of the value of all works shown on the Engineering Plans and a payment for checking of Engineering Plans being 0.75% of all works shown on the engineering plan.**
- 16. Prior to the issue of a Statement of Compliance, the owner/developer shall lodge with Council a refundable maintenance bond being 5% of the value of all works shown on the Engineering Plan.**

(A priced Bill of Quantities shall be supplied to Council to validate the value of works. This is used to determine the amount of the fees and maintenance bond and provides a record of the value of Councils assets).

Bond Return

- 17. Prior to the issue of a Statement of Compliance or the return of bonds in respect to the subdivision works – whichever is the later, the owner or his/her consultants must submit to Council the following information (whichever are applicable) in a format agreed by the Knox City Council.**
- Title boundaries, road reserves, municipal reserves and easements etc**
 - As constructed transparencies of engineering plans relating to roads, drains and other infrastructure constructed in conjunction with the subdivision.**
 - Areas where fill exceeding 150 millimetres has been placed.**

Vehicle Crossing

- 18. The existing concrete crossover located on the western boundary shall be widened to a double crossover to service Lots 1 and 2 to the satisfaction of the Responsible Authority.**

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)*****Removal of structures***

19. Prior to the issue of a Statement of Compliance, the existing garage shall be relocated from the proposed boundary and the existing landing and steps on the eastern wall shall be rebuilt to the satisfaction of the Responsible Authority.

Removal of swimming pool

20. Prior to the issue of a Statement of Compliance, the swimming pool shall be removed from the land and three copies of a plan of fill, prepared by a suitably qualified engineer indicating the extent and depth of fill placed on the land shall be submitted to the satisfaction of the Responsible Authority.

Final Engineering Inspection

21. A final inspection by Council's Surveillance Officer shall be carried out to verify the completion of works in accordance with the Engineering Plans and rear boundary fencing to Council's standards.

Time

22. The permit will expire if one of the following circumstances applies:
- 22.1 The subdivision is not started within two years of the date of this permit as evidenced by a Plan of Subdivision being certified by the Council within that time limit;
- 22.2 The Certified Plan of Subdivision is not registered within five years from the date of the certification of the plan.

The Responsible Authority may extend the time limit at the request of the landowner or occupier. Any request must be made before the permit expires or within three (3) months after the expiry date.

Council Notes

- Note:** All utility services (drainage, sewer) are to be verified onsite by the applicant/developer prior to the commencement of any works.
- Note:** All utility services (drainage, sewer) are to be verified onsite by the applicant/developer prior to the commencement of any works.
- Note:** No buildings are permitted to be constructed over Council easements.

6.3 69-71 Old Orchard Road, Wantirna South. (cont'd)**Recommendation (cont'd)**

- Note:** A road opening permit from Council is required for any works within the road reserve, including the nature strip.
- Note:** Vehicle crossing shall be constructed in accordance with Council's standard drawings, specifications and vehicle crossing policy.
- Note:** This permit does not discharge an occupier from any liability relating to the construction, maintenance or the repair of a dividing fence, pursuant to the provisions of the Fences Act 1968 (as amended).
- Note:** TXU SPI Conditions: Contact 9238 6374 It is recommended that, at an early date the applicant commences negotiations with SPI Electricity Pty Ltd for a supply of electricity in order that supply arrangements can be worked out in detail. So prescribed information can be issued without delay. Arrangements for the supply will be subject to obtaining the agreement of other authorities and any landowners affected by routs of the electric power lines required to supply the lots and for any tree clearing. Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. A financial contribution may be required.
- Note:** Telstra Advice: This approval does not cover alterations to existing Telstra network or plant. Locations of existing network can be obtained from Dial before you Dig – phone 1100. Applicant to pay Telstra the reasonable cost of any works necessary as a result of the subdivision to remove, or later the position of any existing facility of the subdivision or on any adjacent land or Government Road, pursuant to Schedule 3 of the Telecommunications Act 1997.
- Note:** South East Water Conditions: Contact 9552 3221 The owner is required to obtain a "Notice of Agreement" from South East Water. All requirements must be fulfilled prior to South East Water granting consent to the issue of a Statement of Compliance.

MOVED: CR. VAN de VREEDE
SECONDED: CR. FIELD

That the recommendation be adopted.

CARRIED

APPENDIX A /1

APPENDIX A/2

APPENDIX B

COUNCILLOR COOPER RETURNED TO THE CHAMBER AT 8.03PM PRIOR TO DISCUSSION ON ITEM 6.4

CHANDLER WARD

6.4 APPLICATION FOR THE CONSTRUCTION OF 7 DOUBLE STOREY DWELLINGS WITH UNDERCROFT CAR PARKING AT 13 ROSELLA AVENUE, BORONIA Melway Ref. 65 A8 (File No. 20076590)

PURPOSE: *Planner (Katherine Walker)*

This application seeks approval to develop the land at 13 Rosella Avenue, Boronia for the purpose of 7 double storey dwellings with undercroft car parking. The application was advertised and 7 objections have been received by Council. The proposal achieves the objectives of State and Local Planning Policies and with some minor modifications, is a suitable response to ResCode objectives and standards. It is recommended that a Notice of Decision to grant a permit be issued subject to conditions.

Land:	13 Rosella Avenue, Boronia
Applicant:	Peter Brown Architects P/L
Owner:	Apachomes P/L
Existing Use:	Single dwelling
Proposed Development:	Construction of 7 double storey dwellings with undercroft car parking.
Area/Density:	975m ² /1 Dwelling per 139m ²
Zoning:	Residential 1 Zone
Overlays:	Vegetation Protection Overlay 3
Local Policy:	Clause 22.07 Neighbourhood Character Clause 22.10 Housing Policy
Neighbourhood Character Precinct:	Bush Suburban 1
Number of Objections:	7
Application Received:	30 July 2007
Advertising Commenced:	10 October 2007
Advertising Completed:	26 October 2007
PCC Meeting:	N/A

Key Issues:

- Site within Boronia Activity Centre.
- ResCode compliance.
- Compliance with Boronia Structure Plan.
- Objector concerns

6.4 13 Rosella Avenue, Boronia (cont'd)

1. BACKGROUND

1.1 The Proposal

It is proposed to construct 7 double storey dwellings with undercroft car parking at 13 Rosella Avenue, Boronia. The development will comprise the following (see Appendix B):

- Two blocks of dwellings. Block 1 is orientated to Rosella Avenue, containing Dwellings 1 to 3. Block 2 is located at the rear of the site, containing Dwellings 4 to 7. The development is proposed to be setback 9 metres from Rosella Avenue, 4.4 metres from the rear (north) boundary, and 1 metre from the east and west boundaries with stairwell built on the eastern boundary.
- At its highest point, the development will be 6.7 metres above natural ground level.
- Each dwelling will contain a kitchen, living and dining at ground floor and two bedrooms and amenities at first floor.
- Dwellings 1 to 3 contain a 3m² balcony facing Rosella Avenue as well as a private open space area at ground level of between 30m² and 38.9m² on the northern side of the dwellings. Dwellings 4 to 7 contain two private open space areas; one to the south of between 12m² and 20m² and one to the north, between 22m² and 31m². A common BBQ area is provided for use by all dwellings to the northeast of Dwelling 3, adjacent to the car park stairwell.
- Access to each level is via a staircase from the undercroft car park or by pedestrian access (including a disabled access ramp) from Rosella Avenue.
- The proposed building materials including weatherboard cladding, rendered blockwork and colourbond roofing.
- An internal accessway is proposed, extending from a proposed crossover in the southwest corner of the site leading to an undercroft car parking area containing eight car spaces, including one car space for visitors. 14 bicycle spaces are provided.
- A number of trees are proposed to be removed to facilitate the development including species such as Liquidambar, Ash, Italian Cypress, Norfolk Island Pine and Glossy Leaf Privet. It is noted that a permit is not required to remove any of these trees pursuant to the Vegetation Protection Overlay 3.
- Rainwater tanks and solar hot water systems are included in the proposal.

6.4 13 Rosella Avenue, Boronia (cont'd)

1.2 Subject Site

The location of the subject site and its surrounds are shown at Appendix A. The key characteristics of the site include:

- An area of approximately 975m².
- Rectangular in shape with a frontage of 21.34 metres to Rosella Avenue and a depth of 45.72 metres.
- An existing single storey weatherboard dwelling.
- A fall of 2.6 metres from the northeast to the southwest.
- Vehicular access via a crossover in the southeast corner on Rosella Avenue.
- A number of trees including species such as Liquidambar, Ash, Italian Cypress, Norfolk Island Pine and Glossy Leaf Privet and other environmental weeds.
- No easement or covenants.

1.3 Surrounds

The surrounding neighbourhood is characterised by:

- Adjoining the subject site to the north, east, and west are residential properties. Multi unit developments within close proximity are at No's 3, 5, 6, 8, 9, 12, 13, 17, 18 and 20 Rosella Avenue and 2, 4, and 8 Oak Avenue, Boronia.
- Immediately adjoining the site to the north is a dwelling setback over 25 metres from the common boundary. The private open space of this dwelling abuts the common boundary.
- Immediately adjoining the site to the west is a single storey brick dwelling. There are three habitable room windows orientated towards the subject site within 9 metres of the common boundary. A galvanised iron shed is located in the northeast corner, adjacent to the common boundary.
- Immediately adjoining the site to the east is a single storey brick dwelling. There are two habitable room windows orientated towards the subject site within 9 metres of the common boundary.

6.4 13 Rosella Avenue, Boronia (cont'd)

- The site forms part of the Boronia Activity Centre and is located opposite the railway station. The site is within 400 metres walking distance of:
 - Boronia Railway Station and Bus Interchange (345 metres).
 - Boronia Village which includes Safeway and other retail outlets (400 metres).
 - Dorset Square which includes Coles, Kmart, cinemas, restaurants and other retail outlets (130 metres).
 - Chandler Park (260 metres).
 - Boronia Primary school (80 metres).

1.4 Opportunities and Constraints

Opportunities

- Located within a Major Activity Centre with excellent access to public transport, commercial, recreational and community facilities.
- Vegetation on the site is minimal and not significant.

Constraints

- Slope of the land.

2. CONSULTATION

2.1 Advertising

The application was advertised by way of a sign on the site and notices were sent to adjoining property owners and occupiers.

6.4 13 Rosella Avenue, Boronia (cont'd)

Seven objections have been received.

CONCERN	OFFICER COMMENT
Traffic generation and existing car parking problems in Rosella Avenue	<p>The level of traffic within Rosella Avenue will not unreasonably increase with seven new dwellings in the street.</p> <p>It is acknowledged that objectors have identified that there is an existing car parking problem within Rosella Avenue due to traffic generated by the Boronia Primary School located at the eastern end of Rosella Avenue.</p> <p>The proposed development provides adequate on site car parking, with 1 car space provided for each two bedroom dwelling and one visitor car space in accordance with ResCode. All vehicles exiting the subject site will do so in a forward direction, which will reduce the potential for conflict and congestion.</p>
Noise generation	Balconies and private open space areas are orientated within the site and onto Rosella Avenue, with the exception of the common BBQ area which is adjacent to the east boundary. Noise levels are not expected to be beyond that of levels normally found within residential areas and should not affect the amenity of adjoining residences.
Overshadowing	Overshadowing of adjoining properties will be minimal, and only of less sensitive areas and does not exceed the relevant standards.
Overlooking	Overlooking has been minimised through the location of windows. There is opportunity for overlooking from the Bedroom 1 windows of Dwellings 4 to 7 into the private open space area of the adjoining property to the north. Additionally there is opportunity for overlooking within the development from the Bedroom 1 windows of Dwellings 1 to 3 and Bedroom 2 windows of Dwellings 4 to 7 into each other's private open space areas. A condition on any permit issued will require permanently fixed external louvre screens to at least 1.7 metres above finished floor level with no more than 25 percent transparency be provided to these windows.

6.4 13 Rosella Avenue, Boronia (cont'd)

CONCERN	OFFICER COMMENT
Density of development	The subject site is located within the Boronia Activity Centre and the proposed density is consistent with the height and density of development encouraged within the Boronia Structure Plan.
Neighbourhood character	It is considered that the proposed development provides an appropriate response to the preferred Neighbourhood Character of the area. See section 3.2 and 3.3 of this report.
Building height	The building height of the proposed development is well under the suggested height of the Boronia Activity Centre Structure Plan. See section 3.3 of this report.

2.2 Referrals

DEPARTMENT AUTHORITY	COMMENT	OFFICER COMMENT
Arborist (Internal)	No significant vegetation on site. All environmental weeds must be removed from the site.	Placed as a condition on any permit issued.
Engineering and Infrastructure (Internal)	Council's Engineering Department provided standard drainage conditions.	Standard conditions to be placed on any permit issued.

3. DISCUSSION

This section considers the proposed development in light of the provisions of the Knox Planning Scheme including local planning policies, any other relevant policies and objections.

3.1 Zones and Overlays

The site is located in a Residential 1 Zone and is affected by the Vegetation Protection Overlay - Schedule 3. Within this zone a planning permit is required for the construction of more than one dwelling on a lot.

The purpose of the zone supports the proposed development by encouraging residential development that both respects the character of the area and meets the housing needs of a variety of household types.

6.4 13 Rosella Avenue, Boronia (cont'd)

This form of housing is not common within the locality, however is best suited to Activity Centres as it takes advantage of existing services and infrastructure, thus promoting sustainable development. This type of housing can accommodate a variety of household sizes including single dwellers, couples and smaller families.

The subject site does not contain any trees protected by the Vegetation Protection Overlay - Schedule 3. The overlay seeks to preserve remnant overstorey vegetation and requires the issue of a permit for the removal of large Victorian native trees greater than 8 metres in height and with a trunk diameter of 300mm or more.

3.2 Policy Consideration

Pursuant to Clause 11 of the Knox Planning Scheme, planning authorities will endeavour to integrate the range of policies relevant to the issue to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

3.2.1 State and Local Planning Policy Framework (Clauses 11 to 21)

The following table provides a summary assessment of the proposal against relevant state and local planning policies:

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>NEIGHBOURHOOD CHARACTER</p> <p><i>Ensure use/development responds sympathetically to the key local characteristics which are important to an area's character.</i></p>	<p>Melbourne 2030 - <u>A great place to be</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies / Implementation</u></p>	<p>Council's Neighbourhood Character Study identifies the site within the Bush Suburban 1 Precinct. The study is referenced in the Knox Planning Scheme under the Neighbourhood Character Policy.</p> <p>The development is assessed against the Neighbourhood Character Policy in a later table.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>URBAN CONSOLIDATION</p> <p><i>Locate a substantial proportion of new housing in or close (within walking distance) to activity centres and other strategic redevelopment sites that offer good access to (community and commercial) services and transport, and maximise use of existing infrastructure.</i></p>	<p>Melbourne 2030 – <u>A more compact city</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u> and <u>Strategies/Implementation</u></p>	<p>The proposed development is supported by State and Local planning policy, Melbourne 2030 and the Boronia Structure Plan. The development achieves strategic compliance by '<i>locating a substantial portion of new housing in or close to activity centres</i>' (Clause 12 – Melbourne 2030).</p> <p>State policy comprises of strategies with respect to 'Activity Centres' to provide a more compact city and take advantage of the existing infrastructure, services and public transport. The site is located in a preferred location for housing, which also:</p> <ul style="list-style-type: none"> ▪ Provides alternate forms of housing. ▪ Reduces car dependency. ▪ Improves alternate modes of transport such as cycling, public transport and walking.
<p>HABITAT / IMAGE OF KNOX</p> <p><i>Retain/ enhance the "green leafy image"</i></p>	<p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></p>	<p>The site contains limited vegetation that contributes to the green leafy image of Knox. The vegetation will be removed (no planning permit required), and will be replaced with suitable species that can grow on site.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>TRANSPORT</p> <p><i>Reduce dependence on private cars for travel.</i></p>	<p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></p>	<p>The site is located within an Activity Centre, where higher density development is encouraged to utilise existing public transport services. This will reduce dependency on car based travel and encourage alternate modes of transport.</p> <p>The site is within 400 metres walking distance of Boronia Railway Station and bus interchange which provides connection to other areas within the municipality as well as providing connection to inner Melbourne.</p>
<p>URBAN DESIGN / ENERGY EFFICIENCY</p> <p><i>Promote the development of well designed medium density housing which:</i></p> <ul style="list-style-type: none"> <i>-Makes the environment more liveable and attractive</i> <i>-Respects the neighbourhood character</i> <i>-Improves housing choice</i> <i>-Makes better use of existing infrastructure</i> <i>-Improves energy efficient of housing</i> 	<p>Melbourne 2030 - <u>A great place to be</u></p> <p>Knox Planning Scheme - State Planning Policy - <u>Clause 19.03</u></p>	<p><u>Orientation</u></p> <p>The proposed building is designed to maximise the northerly aspect.</p> <p><u>Outdoor spaces</u></p> <p>Living areas are located on the northern side of the development where possible, and have direct access to a garden area on the northern side of the dwellings.</p> <p><u>Sustainability</u></p> <p>The proposed development incorporates water tanks and a solar hot water system. The Building Regulations will ensure the development meets a five star energy rating.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p>URBAN DESIGN / ENERGY EFFICIENCY (cont'd)</p>		<p><u>Housing Choice</u></p> <p>Development for higher density residential housing provides an alternate form of housing.</p> <p><u>Landscaping</u></p> <p>The ability to landscape the common area, the setback from Rosella Avenue and plant within the private open space areas of each dwelling responds to the desired landscaped character of the surrounds.</p>
<p>WALKABILITY <i>Promote excellent neighbourhood design to create attractive, walkable and diverse communities, whilst encouraging medium density development in Residential 1 Zones within 500m walking distance of activity centres.</i></p>	<p>Melbourne 2030 - <u>A great place to be</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></p>	<p>The site is within the Boronia Activity Centre.</p> <p>The Centre includes a train station, bus services, reserves, retail and community facilities. These facilities are easily accessible by future occupants and promote a walkable community.</p>
<p>SAFETY <i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i></p>	<p>Melbourne 2030 - <u>A great place to be</u></p> <p>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></p>	<p>The proposed dwellings will provide surveillance to the proposed accessway, common areas and Rosella Avenue.</p>
<p>AFFORDABILITY</p>	<p>Melbourne 2030 - <u>A fairer City</u></p>	<p>The development may not be a form of affordable housing but it does provide an alternate form of accommodation for a diversity of household sizes.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

NEIGHBOURHOOD CHARACTER (Clause 22.07)		
POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To retain and reinforce the native vegetation backdrop and encourage the replanting of indigenous plants.</i>	<u>Design Objective</u>	There are no tall or significant trees on site that are worthy of retention. Vegetation that exists on the site is not significant and can be replaced with appropriate landscaping.
<i>To minimise the dominance of buildings from the street</i>	<u>Design Objective</u>	The proposed building at a height of 6.7 metres and located 9 metres from Rosella Avenue will not be dominant in the streetscape. While this type of development is inconsistent with the existing character and type of development of its immediate surrounds, there are aspects of the design that minimise its dominance, and are consistent with the Draft Boronia Structure Plan, which sets out the preferred character of the area.
<i>To harmonise with the materials used in nearby dwellings.</i>	<u>Design Objective</u>	Materials used in nearby dwellings are generally brick or weatherboard. The proposed development incorporates rendered blockwork and weatherboard cladding, complimenting the materials used in nearby dwellings and consistent with the Structure Plan.
<i>To minimise excavation for car access, loss of garden space, and dominance of car storage facilities.</i>	<u>Design Objective</u>	The front garden space will be maintained with a front setback of 9 metres, allowing replanting opportunities within this area. Car storage facilities will not be a dominant feature of the streetscape given that they are contained within the building at lower ground level.
<i>To maintain the continuous flow of the landscape and vegetation, and the bush character of front gardens.</i>	<u>Design Objective</u>	There is ample room within the front setback to plant vegetation. A landscape plan will be required to the satisfaction of Council to ensure that suitable vegetation is planted and in appropriate locations.

6.4 13 Rosella Avenue, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To harmonise with the heavily vegetated areas.</i>	<u>Design Objective</u>	A full materials and colours schedule will be required as a condition of any permit issued.

3.2.2 Boronia Structure Plan – (Boronia Village Precinct) and the Future Neighbourhood Character

The Structure Plan is a document that supports the proposed development and has been used as a guide to direct preferred land use, height and intensity of development.

The development is considered appropriate for the following reasons:

- The height and scale of the development is consistent with the envisaged two storey scale and is also graduated to respect the location of buildings and open space areas on adjoining properties.
- Section 5.3 of the Structure Plan 'Built Form (Building Height) Framework' suggests the subject site be 2 storey (7.5 metres in height). The two storey design is considered appropriate given the site's interface with adjoining residential properties to the north, east and west.
- A contrast of building materials, textures and colours is incorporated into the design which will add to visual interest. The development minimises blank uninteresting walls. A full materials and colour schedule will be required as a condition of any permit issued.

6.4 13 Rosella Avenue, Boronia (cont'd)

3.2.3 Housing Policy (Clause 22.10)

OBJECTIVES	OFFICER COMMENT
<i>To encourage sustainable urban growth by directing housing to preferred locations (Activity Centres, Principle public transport network (PPTN), Strategic Redevelopment Sites)</i>	The proposed development is located within the Boronia Activity Centre which is a preferred location for new housing and is within walking distance of public transport along Boronia and Dorset Roads and a train station and bus services within the Activity Centre.
<i>To encourage a range of housing types and forms to meet the needs of the existing and future community.</i>	The development comprises of 7 x 2 bedroom dwellings. These dwellings can accommodate singles, couples or smaller families. The development does provide diversity of housing within the Boronia area.
<i>To ensure that the community has access to social housing, owned and managed by public authorities and/or not for profit organisations, of different forms and tenures.</i>	The development is not specifically designed for social housing.
<i>To ensure that housing is located where there is access to frequent and reliable public transport services, shopping and community facilities.</i>	The subject site is located within walking distance of Boronia Railway Station which includes a bus interchange. It therefore has excellent access to frequent and varied modes of public transport.
<i>To ensure that housing responds to the preferred neighbourhood character for each precinct or adopted structure plan.</i>	The proposed housing type responds to the Boronia Structure Plan in terms of the type of infill development that is appropriate for this site. See section 3.5 for further discussion
<i>To ensure that new development in dispersed residential areas compliment and respects the desired future character of the particular area.</i>	The site is not in a dispersed residential area, as it is located within Boronia Activity Centre.
<i>To recognise that the environment and landscape significance of the Dandenong Foothills outweighs the need for urban consolidation in the foothills.</i>	The site is not within the Dandenong Foothills policy area.

6.4 13 Rosella Avenue, Boronia (cont'd)

OBJECTIVES	OFFICER COMMENT
<i>To ensure that lot sizes and built form of housing in the Dandenong foothills respects the environmental and regional landscape significance of that area.</i>	The site is not within the Dandenong Foothills policy area.

3.3 ResCode Assessment

The design response is consistent with the objectives of ResCode. The table below outlines key consideration criteria, including where the design response requires minor changes:

PLANNING PROVISION	DESIGN RESPONSE
<p>Objectives at Clause 55.02</p> <p><i>Neighbourhood Character.</i></p> <p><i>Dwelling diversity</i></p> <p><i>Infrastructure</i></p>	<p>Complies – See Section 3.2 and 3.3 above.</p> <p>The development does not provide internal diversity as all dwellings are two bedroom however the development is an alternate form of housing within the area.</p> <p>The development will not overload the capacity of existing infrastructure. Council's Engineers have provided a set of conditions to be included on any permit issued which should ensure that the drainage capacity in the area is not overloaded.</p>
<p>Objectives at Clause 55.03</p> <p><i>Dwelling Setback</i></p> <p><i>Building Height</i></p>	<p>The dwelling setback of 9 metres from Rosella Avenue is consistent with ResCode.</p> <p>The maximum height of the proposed building is 6.7 metres, which is well below the maximum stipulated ResCode building height of 9 metres. The objective of this standard is <i>to ensure that the height of buildings respects the existing or preferred neighbourhood character.</i></p> <p>The draft Boronia Structure Plan (which is a document that directs the 'preferred' neighbourhood character) suggests a height of 7.5 metres (2 storey) for this site.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
Site / Permeability Coverage	<p>The proposed development has site coverage of 53%, which is below the maximum of 60%.</p> <p>32% of the site will be covered by pervious surfaces, well in excess of the minimum standard of 20%.</p>
Energy Efficiency	<p>Living room and private open space areas have been designed with northern orientation in each dwelling, maximising solar access. All private open space areas will have good solar access. Water tanks and a solar hot water system is proposed as part of the development. A note on any permit issued will require the proposed development to achieve a five star energy rating pursuant to the Building Regulations.</p>
Safety	<p>While the proposed development is designed to ensure good surveillance of the common areas and Rosella Avenue, the entrances to the dwellings are not clear and could be improved. The entrances to each of the dwellings are in the common area at the rear of Dwellings 1 to 3 via a narrow internal walkway. The applicant has submitted amended plans to show that this issue can be overcome (see Appendix C) by providing access to Dwellings 1 and 2 from the street via stairs and linking the balconies and by opening up the common walkway area. However, the balcony of Dwelling 3 should also be linked to provide access to Dwelling 3. A condition on any permit issued will require this.</p>
Landscaping	<p>The development provides opportunity for landscaping of the site with appropriate vegetation, within the open space areas of the site.</p> <p>Canopy tree planting will be limited along the eastern and western boundaries within the easements, however there is adequate space along the northern boundary, within the Rosella Avenue setback as well as along the driveway.</p> <p>A landscape plan to the satisfaction of Council will be required to ensure that suitable vegetation is planted in appropriate locations.</p>
Car Parking Provisions	<p>The provision of one car space for each two bedroom dwelling, and the provision of one visitor car parking space satisfies the ResCode requirements.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
<p>Objectives at Clause 55.04</p> <p><i>Overshadowing</i></p> <p><i>Overlooking</i></p>	<p>Overshadowing of adjoining properties will be minimal, and only of less sensitive areas and does not exceed the relevant standards.</p> <p>Overlooking has been minimised through the location of windows. There is opportunity for overlooking from the Bedroom 1 windows of Dwellings 4 to 7 into the private open space area of the adjoining property to the north. Additionally there is opportunity for overlooking within the development from the Bedroom 1 windows of Dwellings 1 to 3 and Bedroom 2 windows of Dwellings 4 to 7 into each other's private open space areas. A condition on any permit issued will require permanently fixed external louvre screens to at least 1.7 metres above finished floor level with no more than 25 percent transparency be provided to these windows.</p>
<p><i>Daylight to new windows</i></p> <p><i>Private Open Space</i></p> <p><i>Storage</i></p>	<p>All new windows will receive adequate daylight.</p> <p>Private open space for each dwelling is provided in the form of a minimum 3m² balcony provided for Dwellings 1 to 3 and an area between 30m² and 38.9m² to the north of these dwellings. Dwellings 4 to 7 are provided with a total of between 36m² and 52m² to the north and south of these dwellings.</p> <p>These open space areas are located on the northern side of the dwellings with convenient access from living areas.</p> <p>Six cubic metres of externally accessible storage space has been provided for each dwelling within the car parking area.</p>
<p>Objectives at Clause 52.06</p> <p><i>Detailed Design</i></p> <p><i>Services</i></p>	<p>The design provides visual interest in terms of window sizes and proportions, the use of weatherboard and rendered blockwork and articulation. A full materials and colour schedule will be required as a condition of any permit issued.</p> <p>There is ample room for mail boxes to be provided on site which will comply with Australia Post guidelines.</p>

6.4 13 Rosella Avenue, Boronia (cont'd)

3.4 Financial Implications

There are no direct costs to Council apart from provision of the usual domestic services.

4. CONCLUSION

Clause 11 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. In this context, the development is appropriate given the following:

- The site is located within Boronia Activity Centre, which is nominated as a Major Activity Centre in Melbourne 2030. Provision of higher density housing in this location is encouraged by the Boronia Structure Plan and the Knox Housing Policy as future occupants will take advantage of existing services and infrastructure. The area has been designated as an area likely to change in response to the proposed Boronia Structure Plan and the preferred direction for the area.
- The development provides housing in a preferred location, which has access to principal public transport networks, and may result in a reduction of car based travel, and encourage the use of alternate modes of transport.
- The development provides diversity in housing choice for the area and the density of the development is appropriate given the size and location of the site.
- There will be no significant impacts on the amenity of adjoining properties, and the development satisfies the objectives of ResCode.
- The development has been designed having regard to sustainability principles with northern living room windows, northern private open space areas, bicycle storage, solar panels and water tanks.
- The landscape quality of the site will be enhanced with conditions on the permit requiring the planting of appropriate vegetation.
- A balanced outcome has been achieved which complies with state and local planning policy, and provides an acceptable outcome.

5. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

6.4 13 Rosella Avenue, Boronia (cont'd)**RECOMMENDATION**

That Council issue a Notice of Decision to grant a Planning Permit for the construction of seven (7) double storey dwellings with undercroft car parking at 13 Rosella Avenue, Boronia, subject to the following conditions:

Amended Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans amended 6 December 2007 but modified to show:

- 1.1 The extension of the access balcony on the southern side of Dwellings 1 and 2 to include access to Dwelling 3.**
- 1.2 The removal of all environmental weeds.**
- 1.3 Drainage plans in accordance with Condition 2 of this permit.**
- 1.4 Landscaping plans in accordance with Condition 7 of this permit.**
- 1.5 Colours and materials schedule in accordance with Condition 12 of this permit.**

to the satisfaction of the Responsible Authority.

2. Prior to the commencement of any buildings or works, three copies of road construction and drainage plans and computations prepared by a qualified Civil Engineering Consultant must be submitted to and approved by the Responsible Authority. Drainage and road construction works on site must be undertaken and completed in accordance with these plans to the satisfaction of the Responsible Authority prior to the occupancy of the buildings. Plans are to show:

- 2.1 An on-site detention system designed by a suitably qualified engineering consultant to ensure no net increase in storm water discharge from the proposed development.**
- 2.2 The on site detention system to be installed in a suitable location for easy access and maintenance.**

6.4 13 Rosella Avenue, Boronia (cont'd)**Recommendation (cont'd)**

- 2.3 Road design and pavements designed and constructed to Council requirements.**
- 2.4 All levels to be to AHD (Australian Height Datum).**

General

- 3. All development must accord with the endorsed plans.**
- 4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 5. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

Water Sensitive Urban Design

- 6. Prior to the commencement of any building or works a Stormwater Quality Management Report that describes the application and performance of the selected water sensitive design tools must be submitted to and approved by the Responsible Authority. Potential tools for consideration include, but are not limited to:
 - 6.1 Gross Pollutant Traps, Grass Swales, Vegetated Swales, Filtration Trench, Filtration and Conveyance Trench, Rainwater Storage Tank, Porous Pavement, Pond, Underground Storage Pit, Pervious Storage Area, Grass Buffer, Rainwater Garden.****

The Stormwater Quality Management Report must be signed by a suitably qualified engineer and describe the range and frequency of recommended on-site management actions that provide for the ongoing care and maintenance of permanent stormwater quality works that may require periodic maintenance.

Landscaping

- 7. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:
 - 7.1 A survey (including botanical names) of all existing vegetation to be retained and / or removed.****

6.4 13 Rosella Avenue, Boronia (cont'd)**Recommendation (cont'd)**

- 7.2 Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.**
 - 7.3 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
 - 7.4 Details of the surface finishes of pathways and driveways.**
 - 7.5 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
 - 7.6 Landscaping and planting within open space areas of dwellings.**
 - 7.7 Landscaping and planting within all public areas of the site.**
 - 7.8 Application of water sensitive urban design principles. (This may involve selection of appropriate plant species that are drought tolerant and indigenous to the local area).**
 - 7.9 Appropriate landscaping to support any selected stormwater quality works depicted on endorsed drainage plans.**
- 8. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**
 - 9. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority.**

Fencing

- 10. Cost of fencing shall be borne by the developer.**
- 11. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.**

Materials, Finishes and Colours

- 12. Before the development starts, a schedule of materials, external finishes and colours incorporating non-reflective, subdued tones and colours to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.**

6.4 13 Rosella Avenue, Boronia (cont'd)**Recommendation (cont'd)****Car Parking and Traffic**

- 13. Before the new dwellings are occupied, driveways and car parking areas must be fully constructed in accordance with plans submitted to and approved by the Responsible Authority.**
- 14. All driveway and carparking areas as shown on the endorsed plan must be fully constructed to the minimum standard of 100mm depth of reinforced concrete and properly formed to such levels that they can be used in accordance with the plans. Construction using any alternative hardstanding sealed surface is subject to detailed plans to be submitted to and approved by the Responsible Authority.**

Permit Expiry

- 15. This permit will expire if one of the following circumstances applies:**
 - 15.1 The development is not started within two years of the date of this permit.**
 - 15.2 The development is not completed within four years of the date of this permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

NOTES

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

6.4 13 Rosella Avenue, Boronia (cont'd)**Recommendation (cont'd)**

- Note:** Applicant is to direct all stormwater to the South East front corner of the property as this represents the Legal Point of Discharge (LPD) for the property. Applicant is to verify this on site. Connect all stormwater discharge from the property to the LPD via an Onsite Detention (OSD) system. The internal drains for all dwellings are to be independent of each other. The Applicant is to construct approximately 65 metres of outfall drainage. This drain is to be constructed in the road reserve from the LPD to the Council pit (on the North side of Rosella Av) opposite No. 22 Rosella Road. See attached sketch. $T_c = 20$ minutes; $T_{so} = 16$ minutes
- Note:** It is recommended that the design of site drainage works be progressed in consultation with consultants who have prior experience in the application of the water sensitive urban design tools described in Council's guidelines.
- Note:** Further detail on management practices to control litter, sediment, erosion and wastes from building sites is contained in Best Practice Guide for Building Site Management (Knox, 2003). Further information is also contained in Urban Stormwater Best Practice Environmental Management Guidelines (The Stormwater Committee, 1999, Section 6.3 'Construction activity', page 82 to 91). This includes a useful checklist that may be employed to prepare the Site Works and Environmental Management Plan.
- Note:** The development must meet a 5 Star Energy Rating pursuant to the Building Regulations.
- Note:** A building permit must be obtained before development is commenced.
- Note:** All letterboxes shall face towards the street frontage.
- Note:** Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Note:** A minimum of 80% of all new vegetation (both canopy trees and understorey) should be indigenous species.

6.4 13 Rosella Avenue, Boronia (cont'd)**Recommendation (cont'd)**

MOVED: CR. DAVEY
SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED

APPENDIX A/1 13 Rosella Avenue, Boronia.

APPENDIX A/2 13 Rosella Avenue, Boronia.

APPENDIX A/3 13 Rosella Avenue, Boronia.

APPENDIX B/1 13 Rosella Avenue, Boronia.

APPENDIX B/2 13 Rosella Avenue, Boronia.

APPENDIX C/1 13 Rosella Avenue, Boronia.

APPENDIX C/2 13 Rosella Avenue, Boronia.

TAYLOR WARD

6.5 WELLINGTON VILLAGE SHOPPING CENTRE - PROPOSED JOINT PLANNING PERMIT AND PLANNING SCHEME AMENDMENT. (PLANNING APPLICATION P/2007/6414 AND AMENDMENT C66)

SUMMARY: *Planner (Katherine Walker) and Project Manager – Strategic Planning (David Pietsch)*

This report outlines a proposal to undertake an extension to the existing Wellington Village Shopping Centre to introduce a new supermarket and five retail tenancies. In order to facilitate this proposed extension, a parcel of land to the south of the shopping centre is proposed to be rezoned from Residential 1 to Business 1. The proponent has submitted a joint planning permit/amendment application to facilitate the development. This report recommends Council seek authorisation from the Minister for Planning to publicly exhibit Planning Application P/2007/6414 and rezoning Amendment C66 pursuant to the Planning and Environment Act (1987).

1. INTRODUCTION

The subject site is located at the Wellington Village Shopping Centre which is situated on land within Braeburn Parade, Gearon Avenue and Wellington Road in Rowville. A site location plan is at Appendix A.

The applicant proposes to undertake an extension to the existing shopping centre building, with the addition of a single-story element at its western end. The building element is to contain an Aldi supermarket and five additional retail tenancies. An extension to the existing Ritchie's supermarket on the south-eastern side of the centre is also proposed. The proposed alterations and extensions are comprised of the following:

- Aldi Supermarket – additional floor area: 1630 square metres.
- Five retail tenancies – additional floor area: 385 square metres.
- Ritchies extension – additional floor area 500 square metres.

For the proposed extension to the shopping centre to proceed, it will be necessary for the following to occur:

- The additional area of land to the south (1710 square metres) to be rezoned from the Residential 1 Zone to the Business 1 Zone;
- The existing Development Plan Overlay (Schedule 4) to be extended in order to apply to the additional land;
- The revised Wellington Village Shopping Centre Development Plan to be approved to replace the existing Development Plan; and,

6.5 Wellington Village Shopping Centre (cont'd)

- A permit to be granted for the proposed buildings and works associated with the development, a reduction in the car parking requirements of Clause 52.06 and the erection and display of advertising signage.

Given the above, the applicant has submitted to Council a joint planning application/amendment to be assessed concurrently.

2. DISCUSSION

2.1 Background

Council adopted Amendment C4 for the development of the Wellington Village Shopping Centre in February 2002. The site was identified as a future neighbourhood shopping centre site in earlier development plans and was identified as a future activity centre in the Framework Plan forming part of the Municipal Strategic Statement. Amendment C4 amended the Knox Planning Scheme by:

- Rezoning land at the south-west corner of Wellington Road and Gearon Avenue, Rowville to the Business 1 Zone to facilitate development of a new secondary activity centre (neighbourhood shopping centre).
- Introducing a new Schedule 4 to the Development Plan Overlay, and applying the Development Plan Overlay to the land.
- Amending the Municipal Strategic Statement to reflect the zoning and the application of the Development Plan Overlay to the site.
- Amending the Schedule to Clause 52.28-5 to add the site to the list of sites where gaming machines are prohibited in shopping complexes.

Notification of this amendment was given in January 2001. Submissions concerning the amendment were made by owners and occupiers of a number of properties in the surrounding area. Objections and issues raised in relation to the proposal included:

- Traffic and other amenity impacts;
- Safety and amenity impacts of the proposed petrol station and tavern;
- Increased traffic in Yvette Drive resulting from the connection of Yvette Drive and the new access road; and,
- Overdevelopment in a largely residential area.

6.5 Wellington Village Shopping Centre (cont'd)

An independent panel was appointed by the Minister for Planning which recommended that the amendment be adopted and that a modified Development Plan Overlay be approved by Council. Modifications required to the development plan recognised the need for pathway and open space connections, additional drainage works and some definition clarification.

An existing conditions plan of the Shopping Centre, Development Plan Overlay Schedule and the existing development plan are at Appendix B.

2.2 Combined Planning Permit P/2007/6414 and Amendment C66

2.2.1 Proposed Development

The proposed Development Plan, Development Plan Schedule and alterations/additions are at Appendix C. As shown, the proposed development works to the Wellington Village Shopping Centre consists of the following:

- A new single-storey building to be constructed at the western end of the shopping centre fronting Wellington Road on vacant land which was originally set aside for a nursery. This building is to contain:
 - An Aldi store at ground floor with a leasable floor area of approximately 1630 square metres. The entrance of the store is proposed for the north-western corner of the tenancy, adjacent to the checkout area. Storage areas are to be located to the south of the building, next to the proposed loading dock.
 - Five retail tenancies totalling 385 square metres.
 - The smaller retail tenancy is proposed to be set back from the frontage to create a pedestrian space at the entrance.
 - The Aldi store and remaining tenancies will be aligned with the existing centre's frontage to Wellington Road, to reinforce the active frontage of the development. The additional building element has been setback from the rear boundary by approximately 15.8 metres at ground floor level (which has been set aside for staff car parking).
 - The proposed elevation for the extension involves a terracotta tile façade and screens at the western end building (in the form of translucent sheeting) to balance the elevation with the height of the existing shopping centre to the east, and to give a soft appearance to the articulation of the building.
- An extension at the rear of the existing Ritchies supermarket (Stage 3 of the development) of 500 square metres, to provide for additional stock loading and storage space.

6.5 Wellington Village Shopping Centre (cont'd)

- The existing driveway is to be retained and realigned. The loading area is to be located to the rear of Aldi (in order for it to remain enclosed and out of public view) with a ramped access and docked leveller.
- An additional 79 car parking spaces at the western end of the Shopping centre including a new 33 space secure staff parking area.
- A pedestrian walkway is proposed to be constructed along the rear boundary. It is proposed to extend the existing Closed Circuit Television system (currently installed in the loading lock area) to comprehensively cover this accessway and the staff car park. In addition, security lighting will be provided.
- Provision of landscaping treatments both within the site and as a buffer between the shopping centre and the adjoining residential land to the south.
- Provision of above and below ground water tanks, to store roof and surface stormwater runoff. It is intended to conserve as much water on site as possible for re-use.

In terms of whether the proposed development is appropriate, the following design issues are currently being considered (strategic justification for the proposal is considered in the next section of this report):

- The scale and design of the proposed extension is considered appropriate. The single-storey additional building element is of an appropriate scale, given that the nature of residential development (both existing and proposed) surrounding it is a mix of both single and two-storey. The elevation treatment of the proposed development will complement the existing shopping centre and will sit comfortably with the residential area to the south and is expected to have no adverse impact on amenity. It is considered that the proposal responds appropriately to the Design and Built Form policy in Clause 19.03 of the Planning Scheme.
- In accordance with the strategies outlined in Clause 12.07 (A Greener City), the proposal has been designed in such a way as to maximise energy efficiency and to harvest stormwater runoff for reuse. It is proposed to collect roof and surface stormwater runoff for reuse on landscaped areas. The new building element is oriented to the north to take advantage of solar access, and has been effectively shaded on its western side.
- A traffic and car parking impact assessment has been undertaken by Ratio Consultants Pty Ltd. The report concludes that the access, parking and loading bay arrangements proposed will be satisfactory in accordance with Clause 52.06 Car Parking. Furthermore, the consultants note that the proposed development will provide for an increased level of staff car parking and new customer car parking will cater in the majority to single-trip Aldi customers. In the consultant's opinion, the bulk of the existing Shopping Centre car park has sufficient capacity to accommodate any additional demand which will be created by the proposal.

6.5 Wellington Village Shopping Centre (cont'd)

- Plant Design Pty Ltd (Landscape Architects) has designed a landscaping treatment for the interface between the Shopping Centre and the residential area to the south. This will assist in softening and buffering the development when viewed from residential areas and integrating it with the reserve to the south.
- Draft planning permit conditions will be included in the exhibition process. These conditions will address operational matters including hours of operation, noise, lighting, deliveries, security, waste collection, vehicle loading and unloading times, management and maintenance of landscaping and car parking areas and trolley control through a Management Plan implemented through a Section 173 Agreement. In addition to general conditions relating to the development, drainage and construction plans will be required, implementing water sensitive urban design principles and landscaping plans will be required to the satisfaction of the Responsible Authority.
- It is noted that the proposed development has been discussed with Council's engineering department, including traffic and drainage officers and landscape assessment officers. No major issues have been identified, however technical issues may need to be finalised in the later stages of the amendment process. Such issues include pedestrian access. Amending plans will be required prior to exhibition showing all existing and proposed footpaths in and around the site. An existing footpath has been incorrectly excluded from the current plan. This issue will be rectified by requiring the applicant to submit amending plans showing this footpath prior to public exhibition.
- Draft planning permit conditions for the development are at Appendix E.

2.2.2 Planning Scheme Amendment C66

The proposed planning scheme amendment consists of the following:

- Proposes changes to the Business 1 Zone and Development Plan Overlay Schedule in relation to increasing car parking provision.
- An extension of the existing Business 1 Zone to the additional portion of land to the south. The zone boundaries have been defined to facilitate a seamless interface with the adjacent residential area.
- An extension of the existing Development Plan Overlay to the additional portion of land for which the Business 1 Zone is proposed. The southern boundary of the Development Plan Overlay is to be adjusted in accordance with the Business 1 Zone boundary proposed.

6.5 Wellington Village Shopping Centre (cont'd)

The existing Development Plan (required pursuant to the Development Plan Overlay) for the centre needs to be updated to reflect the proposed development. A draft replacement Development Plan for the centre has been prepared by the applicant. The Development Plan is virtually identical to the planning permit application plans.

The proposed Business 1 Zone and revised Development Plan Overlay Schedule are shown at Appendix D.

In terms of whether the proposed rezoning is appropriate, the following issues are currently being considered:

- The Metropolitan Strategy Melbourne 2030 sets out the retail Activity Centre hierarchy. Wellington Village Shopping Centre falls under the category of Neighbourhood Activity Centre.
- Key policies for activity centres include promotion of economic activity and business synergies, the focus on centres as community hubs and the need for centres to be highly accessible.
- Council's Municipal Strategic Statement at Clause 21 sets out a range of planning strategies aimed at promoting the orderly growth of the Knox municipality and its relationships with the regional hinterland.
- Council's proposed MSS referring to the Wellington Village as being a Neighbourhood Activity Centre in accordance with Melbourne 2030.
- Clause 21.04 (Strategic Vision and Framework) identifies the provision of mixed use development in activity centres as a key element to this policy.
- Clause 21.11 (Facilitating Effective Retail Networks) includes the objective to provide a hierarchy of viable, accessible retail centres to meet the needs of the local and regional community.
- An analysis of the local retail economy has been undertaken by Essential Economics Pty Ltd. The consultants have assessed that, given the expected population growth in the catchment area and increased retail spending, there will be opportunity for increased retail floor space to be developed at the Wellington Village Shopping Centre. It was also found that the proposed expansion will not significantly impact on other retail centres in the locality and will not change the centre's hierarchical role as determined by Melbourne 2030.

3. CONSULTATION

The Planning and Environment Act 1987 requires that a planning scheme amendment undergo a formal public exhibition process prior to being submitted to the Minister for Planning for approval.

6.5 Wellington Village Shopping Centre (cont'd)

Key elements of the proposed exhibition process are as follows:

- Minister grants authorisation to place the Amendment on exhibition;
- Amendment notices sent to affected and surrounding land owners/occupiers;
- Amendment notices published in Government Gazette and local papers;
- Amendment notices sent to specific departments/authorities; and,
- Community information session on-site during the exhibition period.
- Display at centre during the public exhibition period.

4. ENVIRONMENTAL/AMENITY ISSUES

The zone boundary adjustment which will result from the proposed Amendment will also enable a better interface to be established between the expanded shopping centre development and the adjacent land to the south, zoned Residential 1. The new Development Plan can also address such issues as additional landscaping, appropriate car parking provision, loading/unloading bays and traffic management.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The processing of this amendment and planning application concurrently is funded within the existing 2007/2008 City Strategy and City Planning budgets.

6. SOCIAL IMPLICATIONS

The Wellington Village Shopping Centre is nominated as a neighbourhood activity centre and has a large catchment area servicing many residents in the local community. The expansion of the shopping centre will respond to a recognised demand in the community for additional retail outlets in this location.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The implementation of the Structure Plan will assist in the achievement of a number of Council's broader strategic objectives identified within the Community and Council Plan. In particular:

Vibrant and connected communities

- We will protect and enhance the natural environment for future generations and build community awareness of sustainability.
- We will plan and develop the physical character of Knox so that the environment and lifestyle it offers will continue to be enjoyed by existing and future communities.

6.5 Wellington Village Shopping Centre (cont'd)

- We will revitalise commercial hubs so that businesses and communities thrive.

People and organisation excellence

- We will continue to have strong commitment to community participation in all our activities and advocate with impact about key local issues.

8. CONCLUSION

At this stage of the assessment, it is considered that the proposal is well articulated and that adequate information has been provided by the applicant to proceed to formally exhibit the application. No significant issues have been identified internally to the proposal to date.

Given the above, it is considered appropriate that the exhibition of the Planning Application P/2007/6414 and Amendment C66 be submitted to the Minister for Planning for authorisation.

Council will be required to make a final decision on this development/rezoning application once the public consultation and planning assessment has been undertaken.

9. CONFIDENTIALITY

There are no matters of a confidential nature associated with this report.

RECOMMENDATION

That Council:

- 1. Seek authorisation from the Minister for Planning to exhibit Planning Application P/2007/6414 and Amendment C66.**
- 2. Subject to receiving authorisation from the Minister for Planning, place Planning Application P/2007/6414 and Amendment C66 on public exhibition for a period of at least one month, including a display in the Wellington Village Shopping Centre.**
- 3. Authorise the Director – City Development to make minor technical changes to Planning Application P/2007/6414 and Amendment C66 prior to exhibition, where changes do not affect the purpose and intent of the Amendment.**
- 4. Notify by mail the owners and occupiers of surrounding properties and relevant government authorities and Ministers. Notification will include public notices in the Government Gazette, as well as Knox Leader and Knox Journal newspapers.**

6.5 Wellington Village Shopping Centre (cont'd)

MOVED: CR. KAMITSIS

SECONDED: CR. VAN de VREEDE

That Council:

1. Seek authorisation from the Minister for Planning to exhibit Planning Application P/2007/6414 and Amendment C66.
2. Subject to receiving authorisation from the Minister for Planning, place Planning Application P/2007/6414 and Amendment C66 on public exhibition for a period of at least one month, including a display in the Wellington Village Shopping Centre.
3. Authorise the Director – City Development to make minor technical changes to Planning Application P/2007/6414 and Amendment C66 prior to exhibition, where changes do not affect the purpose and intent of the Amendment.
4. Notify by mail the owners and occupiers of surrounding properties and relevant government authorities and Ministers. Notification will include public notices in the Government Gazette, as well as Knox Leader and Knox Journal newspapers.
5. Write to the Minister for Transport to seek advice on the State Government plans for improving public transport services to activity centres, such as Wellington Village, that are experiencing further development and therefore greater demand for improved public transport services, in accordance with State Government Melbourne 2030 objectives.

CARRIED

APPENDIX A/1 – Wellington Village Shopping Centre

APPENDIX B/1– Wellington Village Shopping Centre

APPENDIX B/2 – Wellington Village Shopping Centre

APPENDIX B/3 – Wellington Village Shopping Centre

APPENDIX B/4 – Wellington Village Shopping Centre

APPENDIX B/5– Wellington Village Shopping Centre

APPENDIX B/6 – Wellington Village Shopping Centre

APPENDIX C/1 – Wellington Village Shopping Centre

APPENDIX C/2 – Wellington Village Shopping Centre

APPENDIX C/3 – Wellington Village Shopping Centre

APPENDIX C/4 – Wellington Village Shopping Centre

APPENDIX C/5 – Wellington Village Shopping Centre

APPENDIX C/6 – Wellington Village Shopping Centre

APPENDIX D/1 – Wellington Village Shopping Centre

APPENDIX D/2– Wellington Village Shopping Centre

APPENDIX D/3 – Wellington Village Shopping Centre

APPENDIX D/4 – Wellington Village Shopping Centre

APPENDIX E/1 – Wellington Village Shopping Centre

APPENDIX E/2 – Wellington Village Shopping Centre

APPENDIX E/3 – Wellington Village Shopping Centre

APPENDIX E/4 – Wellington Village Shopping Centre

SCOTT WARD**6.6 AUSTRAL BRICKS SITE, 525 STUD ROAD, SCORESBY**

SUMMARY: *Coordinator Strategic Planning (Helen King)*

A Section 173 Agreement has been prepared for the inclusion of social housing on the Austral Bricks site, consistent with the adopted Amendment C55. Under Council's 'Signing and Sealing of Section 173 Agreements' policy, this agreement is required to be signed and sealed by Council.

1. INTRODUCTION

In May 2007, Council adopted Amendment C55 which introduced new planning provisions to the Austral Bricks site to enable it to be used for residential purposes. One of the requirements for the site was to include a component of social housing as part of the future redevelopment.

In order to ensure that the social housing is provided, a Section 173 Agreement needed to be prepared, which is binding on the current and future land owners. The Agreement has now been prepared, and this report recommends that Council sign and seal the agreement.

2. DISCUSSION

Council's resolution to adopt Amendment C55 included a requirement that prior to granting a permit, an agreement between the owner of the land and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority. This requirement was proposed to be included as part of the Development Plan Overlay to apply to the site. A copy of Schedule 8 to the Development Plan Overlay is contained in Appendix A.

The agreement was to cover a number of aspects, including the provision of land to establish social housing on the land. The version of Amendment C55 adopted by Council stated that, in terms of social housing, the agreement must provide for the following:

- First, it must give the State Government's Director of Housing (or their nominee) an opportunity to purchase 3% of the total developable land area at a 30% discount based on the Valuer General's valuation on an en-globo basis to be used to establish social housing; or

6.6 Austral Bricks site, 525 Stud Road, Scoresby (cont'd)

- If the State Government's Director of Housing (or their nominee) does not exercise its right under the agreement, the Owner must contribute to the State Government's Director of Housing (or their nominee) land equivalent to the value of the 30% discount on 3% of the land as determined by the Valuer General on an en-globo basis; and
- The part of the land made available for social housing must be provided in a manner (as to agglomeration or dispersal), to enable a type (as to form of housing) and in a location on the land which is to the satisfaction of the Responsible Authority.

Following Council's resolution, Amendment C55 was sent to the Minister for Planning for approval. However, after discussions with officers from the Department of Planning and Community Development, and the owners of the site, it was considered that it would be preferable to put into place a Section 173 Agreement for the social housing requirement prior to the final consideration of Amendment C55.

As such, the Section 173 Agreement for the provision of social housing has now been prepared. It sets out clearly how the provision of social housing will be achieved on the site to achieve the requirements adopted by Council. The agreement addresses issues such as the selection of proposed lots, how the valuation of land is to be determined, and how the design standards between the Director of Housing, Council and the owner will be determined. It has been prepared in consultation with the current owners and representatives from the Office of Housing, to ensure that the intent of the agreement is able to be delivered. A full copy of the Agreement is available to Councillors on request.-

Under Council's '*Signing and Sealing of Section 173 Agreements*' policy, this Agreement needs to be presented to Council at an Ordinary or Special Council Meeting for consideration, prior to signing and sealing, as it does not meet the delegation provisions of this policy.

Council's solicitor has prepared the agreement at the owners' cost. It is considered that the agreement satisfies the requirements of Council's adopted version of Amendment C55, relating to the provision of social housing, and therefore should be signed and registered against the title.

3. CONSULTATION

The agreement has been prepared in consultation with the owners of the property, the proponents of the amendment, as well as representatives of the Office of Housing. It implements an important aspect of an adopted Amendment, which was subject to extensive community consultation and discussion.

6.6 Austral Bricks site, 525 Stud Road, Scoresby (cont'd)**4. ENVIRONMENTAL/AMENITY ISSUES**

There are no relevant environmental issues.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The owners of the property have signed the agreement, which includes the requirement for payment of Council's reasonable costs and expenses in the preparation and execution of the Agreement.

6. SOCIAL IMPLICATIONS

The requirement for social housing to form a component of the site was one of the key requirements for Council. This agreement will facilitate this outcome being realised.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The agreement will facilitate the approval of Amendment C55, which will meet a number of objectives within the Community and Council Plan, through the provision of high quality housing, with consideration for environmental implications and social needs.

8. CONCLUSION

The agreement is considered to be satisfactory. It provides the means of meeting the intended outcomes for provision of social housing required as part of Council's adoption of Amendment C55.

9. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council sign and seal the Section 173 Agreement between Knox City Council, Nubrik Pty Ltd and Evans Brothers Proprietary Limited for the provision of social housing for registration on title on land being the land comprised in Certificate of Title Volume 11023 Folios 793, 925 and 926, known as 525 Stud Road, Scoresby.

MOVED: CR. COOPER
SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED

APPENDIX A – Section 173 Agreement

SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO8**

REDEVELOPMENT OF AUSTRAL BRICKS SITE, 525 STUD ROAD, SCORESBY

The purpose of this Schedule is to ensure development of the land occurs in the manner envisaged in the *Austral Bricks Scoresby Urban Planning Guidelines*, February 2006 and to require a range of detailed planning issues to be resolved prior to commencement of redevelopment of the land.

1.0 Requirement before a permit is granted

Prior to the granting of a permit an agreement between the owner of the land and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority which in addition to the usual machinery provisions must require that the owner provide for:

- Development contributions towards:
 - the installation of traffic signals at the intersection of Stud Road and Mockridge Street, at no cost to the Responsible Authority;
 - provision of open space, including but not limited to a 10m strip and pedestrian path at the frontage of Stud Road; and
 - provision of financial resources towards establishment of a community facility by making a contribution of \$125,000 payable to Council immediately upon the approval of a Development Plan. The amount must be indexed annually from June 2007 by reference to the ABS non-residential buildings construction index (ABS 4113) until it is paid.
- a geotechnical information report, including information about the fill and compaction of the land.
- Maintenance of wetlands and stormwater quality works, including the removal of sediment, for a period of two years after the completion of road works construction and in-ground infrastructure works.
- Preparation of a Wetlands Operation Plan, to the satisfaction of the Responsible Authority, prior to hand over to the public land manager of the ownership and management of stormwater infrastructure subsequent to the maintenance period.
- Arrangements for handover to the public land manager of the ownership and management of stormwater infrastructure subsequent to the maintenance period.
- The provision of land to establish social housing on the land. The agreement must provide for the following:
 - First, it must give the State Government's Director of Housing (or their nominee) an opportunity to purchase 3% of the total developable land area at a 30% discount based on the Valuer General's valuation on an en-globo basis to be used to establish social housing; or
 - If the State Government's Director of Housing (or their nominee) does not exercise its right under the agreement, the Owner must contribute to the State Government's Director of Housing (or their nominee) land equivalent to the value of the 30% discount on 3% of the land as determined by the Valuer General on an en-globo basis; and

APPENDIX A – Section 173 Agreement

- The part of the land made available for social housing must be provided in a manner (as to agglomeration or dispersal), to enable a type (as to form of housing) and in a location on the land which is to the satisfaction of the Responsible Authority.
- Cessation of use of the mobile phone tower by December 22, 2014 and removal of the structure by June 22, 2015.
- Retention of a buffer between the mobile phone tower and residential lots within the development while use of the mobile phone tower continues. The buffer shall be defined by a detailed assessment undertaken by a suitably qualified person in accordance with the Telecommunications Code of Practice 1997.
- Preparation of an independent report to identify any redundant items, materials or features which can be salvaged, stored and used from the site within public open space (e.g. public art) that provides an interpretation of the site's industrial heritage.

Prior to the granting of a permit an Environmental Management Plan addressing the construction activities proposed on the land must be prepared to the satisfaction of the responsible authority.

2.0 **Requirements for Development Plan**

The Development Plan must be generally consistent with the objectives and principles set out or described in the *Austral Bricks Scoresby Urban Planning Guidelines*, February 2006 and the Illustrative Concept Plan, shown at the end of this Schedule.

The Development Plan must include a set of Urban Design Guidelines, to guide the built form of development and the Urban Design Guidelines must include the following:

- Setback of dwellings from frontages to collector streets and Stud Road.
- Heights and massing/building bulk of multi-unit dwellings and buildings within the neighbourhood centre.
- Lot orientation.
- Interface treatments of buildings adjacent to Stud Road open space.

The Development Plan must include a plan or plans that address the following principles:

Sustainable Neighbourhood and Water Management

- Create a compact, walkable neighbourhood with good access to public transport services and neighbourhood centre and consistent with the neighbourhood principles of Melbourne 2030 or any other sustainable neighbourhood principles contained in this Scheme.
- Provide good solar orientation of lots and solar access for future dwellings, particularly winter sun penetration to living areas.
- Integrate Water Sensitive Urban Design and sustainable water management.
- Collect, treat and detain stormwater from normal rainwater events on site before discharging into existing drainage system.
- Provide an on-site storm water retardation basin at the north-east corner of the site to temporarily hold water following major storm events.
- Stage the construction of the development in such way as to minimise disruption to on-site wetland habitat.
- Use appropriate vegetation including indigenous and drought resistant trees, shrubs and parkland grasses that will enhance the local habitat values.

APPENDIX A – Section 173 Agreement

Residential Lot Design

- Provide for the staged subdivision and development of the land with a range of lot sizes and housing types to accommodate a diverse range of housing needs. . Stages are to be not less than 50 lots.
- Provide a variety of building forms, orientation and materials.
- Use built form adjacent Stud Road to ameliorate intrusive road noise.
- Include street set backs that can accommodate gardens to complement quality streetscapes.
- Design a lot layout that maximises community interaction and personal safety, including surveillance of pedestrian link to O'Connor Road.
- Minimise visual impact of all new dwellings at the interface with existing dwellings on adjoining land by:
 - Restricting height of new dwellings to 7.5m
 - Preventing overlooking from new dwellings into existing private open space and existing habitable rooms.

Neighbourhood Centre

- The neighbourhood centre is to provide a feature entrance to the development.
- Allow for a neighbourhood centre that can provide community services and facilities such as a local shop, medical centre, postal agency, community centre, a brick sales and display centre (which may include limited office accommodation) to reflect the site history.
- Encourage a provision of a range of higher density residential opportunities in or close to the neighbourhood centre, which integrate cohesively with the retail, community services and facilities likely to be found in the neighbourhood centre.
- Orient entrances to the neighbourhood centre to a connector street to support street-based community interaction.
- Ensure the neighbourhood centre is located at a focal point within the road network and adjoining an appropriately sized area of space.
- Encourage the use of brick and clay pavers on footpaths throughout the neighbourhood centre as part of an urban design theme to reflect the history of the land.

Affordable Housing

- Provide the opportunity to incorporate affordable housing into the subdivision.

Landscape and Public Open Spaces

- Provide formal and informal public open spaces consistent with the hierarchy described in Clause 56 of the Scheme that offer opportunities for passive and informal active recreational activities.
- Avoid small and disconnected areas of open space.
- Provide a minimum 10% of the land for public open space, excluding the maximum water surface area of any wetland environment, that includes but is not limited to, an area of at least:

APPENDIX A – Section 173 Agreement

- 0.8ha suitable for informal active recreation, located towards the south-east corner of the site; and
- 4ha suitable for a public park which allows for passive recreation, located at the north-east corner of the site.
- Ensure areas of open space are generally connected by linear green corridors to enable shared pathway connectivity from the site's south-east corner, to the north-east corner and then up to Stud Road, generally aligned with the site's northern boundary.
- Provide a 10m strip of open space along the Stud Road frontage of the site (not part of the 10% minimum area of public open space).
- Provide access to areas of open space within 400m of each dwelling.
- Focus open spaces towards the rear of the site, to maximise quality and 'quiet' areas of open space.
- Integrate 'best practice' water sensitive urban design in the landscape design of the open space and streets.
- Incorporate opportunities for public art, particularly with references to the history of the site.
- Locate areas of open space and pedestrian linkages to optimise safety through passive surveillance and baffled lighting.
- Enhance existing site features especially views to the Dandenong Ranges, interesting topography, wet and dry habitats.
- Provide for removal of bunds and vegetation not suitable for retention and establishment of vegetation that will enhance local habitat values.

Pedestrian and Bicycle Circulation

- Create dedicated, shared paths through open space corridors and connector streets to enable pedestrians and cyclists to co-travel safely and encourage informal active recreation.
- Extend pathways to provide safe and direct movement of pedestrians and cyclists through and between neighbourhoods and to the Scoresby Secondary College.

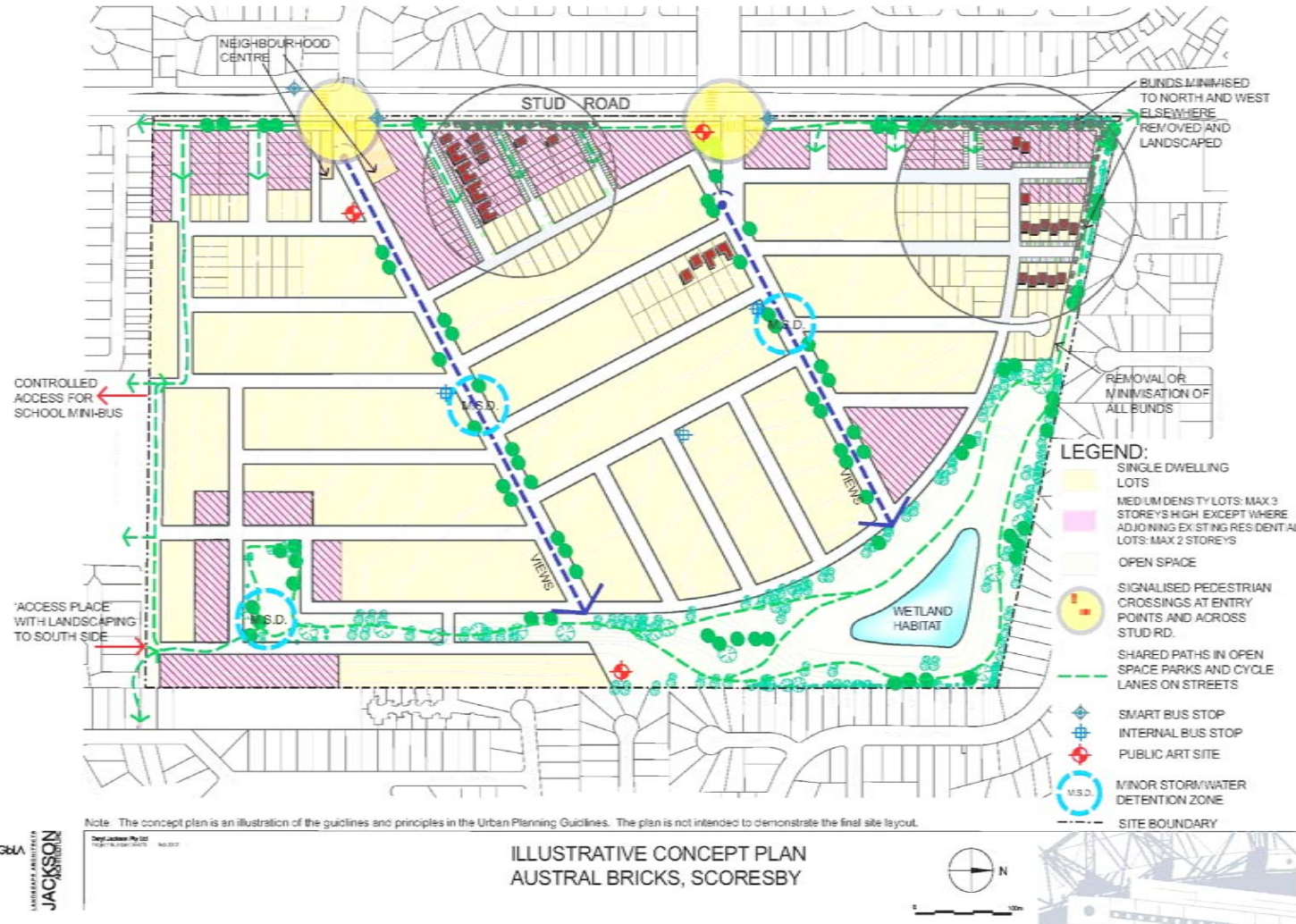
Neighbourhood Street Network

- Provide two signalised entrances to the land from Stud Road.
- Locate connector streets on the view axes and along parkland edge.
- Ensure the local street layout is simple and easy to follow.
- Provide access to public open spaces through very low traffic volume streets.
- Ensure the street layout enhances natural surveillance and safety along the edges the Scoresby Secondary School grounds at the south eastern corner of the site.
- Integrate traffic calming mechanisms, provision of appropriate lighting and shade that will enhance pedestrian permeability and safety.
- Provide the opportunity for bus movement through the site that will facilitate and encourage the use of public transport.

Incorporated Document

Austral Bricks Scoresby Urban Planning Guidelines, February 2006

APPENDIX A – Section 173 Agreement



7. PUBLIC QUESTION TIME

Following the completion of business relating to Item 6, City Development, the business before the Council Meeting was deferred to consider questions submitted by the public.

Question Time commenced at 8.16 pm.

The following questions were raised with Council:

Question 1(a)	<p>During a phone conversation with Graeme Emonson on 31.12.07, it was indicated that the Knox Bowl (Lewis park) was to be demolished based on maintenance costs. Graeme Emonson also stated that the Knox Bowl (Lewis Park) facility costs \$35,000 per annum to maintain. I mentioned that this claim was absolutely ludicrous – the riders have primarily maintained the facility themselves for many, many years. The riders clean the bowl and its rubbish with their own brooms, mops, shovels. I made Mr Emonson aware of this, and he only replied with “someone isn’t doing their job then”. If someone “isn’t doing their job” and haven’t been for many years; this would obviously indicate that the bowl doesn’t require as much maintenance as the Council has been led to believe or is trying to portray to the community.</p> <p>Could Council please explain how maintenance costs for Knox Bowl (Lewis Park) have increased from \$9,000 per annum (according to the City of Knox Skate and BMX Plan – June 2002) to \$35,000 per annum in 2007?</p>
Answer	<p>As there were more than two questions raised in relation to this issue, this question will be responded to in writing in accordance with the Procedural Matters Local Law.</p>
Question 1 (b)	<p>With a population of approximately 1/3 under the age of 25 (approximately 50,000 people) in the City of Knox, and both the Gilbert Park bowl and Lewis Park bowl primarily funded by State Government and 3rd parties such as AMP Capital Shopping Centres, how is that Council cannot maintain two skateboard/BMX facilities when they currently maintain 239 minor reserves and 80 playing fields?</p>

7. Public Question Time (cont'd)

Answer	Chief Executive Officer, Mr Graeme Emonson responded that a review of the provision of Skate and BMX facilities in Knox dates back to 2002 when Council determined to upgrade skate and BMX facilities in Knox and determined that due to the specialised nature of the facility that it was appropriate to provide a high quality specialised facility rather than a multiple number of facilities of a lesser quality. Mr Emonson indicated that the issues raised by the questioner could be considered in conjunction with the petition presented earlier at the meeting.
Question 2	What will be replacing the Knox City Skate Park if so, will it be as useful or utilized as the park at this time?
Answer	As there were more than two questions raised in relation to this issue, this question will be responded to in writing in accordance with the Procedural Matters Local Law.
Question 3 (a)	It was my understanding that Lewis Road Skate Park was to be left in site for two years after the construction of the new skate park is this correct and what will be grounds at Lewis Rd be used for?
Answer	As there were more than two questions raised in relation to this issue, this question will be responded to in writing in accordance with the Procedural Matters Local Law.
Question 3 (b)	What is the geographic distribution of the users of Lewis Rd Skate Park and how will it impact on them to use the new park?
Answer	Chief Executive Officer, Mr Graeme Emonson advised that when Council first considered its options in relation to building a skate facility, Lewis Park was the preferred location. However, after considerable negotiations it was concluded that it was not possible to construct a major regional skate park facility at this location. Council was then faced with the challenge of finding a new location for a skate facility in the municipality. A broad range of criteria was developed to assess potential sites against. Two (2) sites, one in Bayswater and the other at Gilbert Park were identified as the best options. Council took a balanced view in assessing these sites against the criteria and Gilbert Park, was determined the most appropriate location. Mr Emonson indicated that he would make the criteria available to the questioner.

7. Public Question Time (cont'd)

Question 4	Will the lights if accepted be used for night pennant only, as we are against them being used for any other reason?
Answer	Councillor Orpen responded that the questioner's issues had been addressed with the recommendation moved earlier in item 6.2.
Question 5	Why do we allow owners etc to take up residence without first requiring a crossover?
Answer	Acting Director – Engineering, Mr Kelvin Ward advised that he would look into the matter raised by the questioner and indicated that Council does have provisions to work with owners to ensure crossings are provided.
Question 6 (a)	In relation to Boarding Houses in Ferntree Gully – Will Council revalue its spending budget to include housing “have nots” supervising and monitoring of existing operations, enforcing broken by laws and challenging the VCAT Decision?
Answer	As there were more than two questions raised in relation to this issue, this question will be responded to in writing in accordance with the Procedural Matters Local Law.
Question 6 (b)	In relation to boarding houses in Ferntree Gully – “What are the Council strategies to restore our residential amenity”?
Answer	<p>Chief Executive Officer, Mr Graeme Emonson advised that Council shares the concerns raised by the questioner in relation to the concentration of boarding houses. Mr Emonson advised that there are three pieces of primary legislation that govern the operation of boarding houses. They are: the Planning Scheme, the Residential Tenancies Act and the Health Act. Mr Emonson indicated that Council has been advocating strongly to the State Government in relation to provisions of the Planning Scheme which do not currently require boarding houses with less than 10 habitable rooms to apply for a planning permit. Council considers this provision to be too liberal and is seeking a reduction in the number of rooms to trigger a planning permit application. Council is also advocating for greater integration between the legislation and accreditation for the management of boarding houses. The Chief Executive Officer advised that Council sought two pieces of legal advice with respect to appealing the recent decision of VCAT in relation to 24 Craig Avenue. Both advices indicated that Council is only able to seek leave to appeal to the Supreme Court if there is an error of law in the decision by VCAT. Both advices indicated that an appeal of this nature by Council is unlikely to be successful.</p> <p>Councillor Orpen further responded that she had submitted a ten page letter of complaint and has called on the Government to review the processes of VCAT.</p>

7. Public Question Time (cont'd)

Question 7	How can we be guaranteed that permit conditions concerning boarding houses in Ferntree Gully are enforced?
Answer	<p>The Chief Executive Officer, Mr Graeme Emonson advised that in relation to the building regulations, permits may be issued by private building surveyors who have the responsibility to ensure that building regulations are enforced. In respect to planning permits, Council is responsible for the enforcement of conditions. Mr Emonson acknowledged that a number of conditions in relation to the properties mentioned by the questioner have remained outstanding for an unacceptable period of time. Mr Emonson advised that an internal audit has recently been undertaken in relation to the outstanding conditions. Mr Emonson apologised for the delays incurred and provided a commitment to seek finalisation of these matters at the earliest opportunity. With respect to a 173 Agreement referred to by the questioner, Mr Emonson indicated that Council used legal representation to formalise the 173 Agreements. The clause referred to by the questioner was added by Council's solicitors and this was regrettable. An application to utilise the facility as a boarding house was made to Council and was refused. Council's decision was overturned by VCAT.</p>

Question Time Concluded at 8.46pm.

TIRHATUAN & TAYLOR WARDS**8.1 SIGNALISATION OF THE INTERSECTION OF STUD ROAD AND
TIMBERTOP DRIVE, ROWVILLE**

SUMMARY: *Senior Transport & Traffic Engineer
(Daniel Przychodzki)*

At the Council meeting of 23 October 2007, a Call Up item requested a brief report be prepared on the current situation with regards to the planning and future provision of full signalisation at the intersection of Stud Road and Timbertop Drive, Rowville.

Council has previously made requests, throughout a number of different forums, to both VicRoads and the Department of Infrastructure (DoI) for the installation of traffic signals at this intersection with little success.

It is recommended that Council continue to advocate to VicRoads for the installation of traffic signals to improve pedestrian access to public transport services, particularly the new Smart Bus service beginning in March 2008, and to help provide a more connected community.

1. INTRODUCTION

Timbertop Drive is located on the western side of Stud Road and serves as one of two entry and exit points into the Timbertop housing estate, with the other entry point being Seebeck Road located approximately 500m to the south.

Currently, the intersection of Timbertop Drive with Stud Road is unsignalised. As such, Council has received correspondence from concerned residents with respect to perceived safety issues for both vehicular and pedestrian traffic trying to access Timbertop Estate across Stud Road.

Additionally, with the impending introduction of the Smart Bus service along Stud Road, due to begin in March 2008, it is anticipated that this service may increase the number of pedestrians trying to cross Stud Road to access the bus stops, thus creating a greater need to provide a safe location for pedestrians to cross.

2. DISCUSSION**2.1 Existing Conditions**

Timbertop Drive is classified in Council's road hierarchy as a Collector road, carrying about 2,130 vehicles per day¹, and is one of two routes that provide access to the Timbertop Estate, which has over 800 properties.

¹ Data collected July 2005

8.1 Signalisation of the Intersection of Stud Road and Timbertop Drive, Rowville (cont'd)

The role of the Collector road is essentially to collect traffic from the local road network and provide access to the surrounding arterial road network. These roads should carry between 3,000 to 6,000 vpd, are generally wider and naturally would be expected to carry higher traffic flows compared to a traditional local street.

The traffic volumes on Timbertop Drive are considered appropriate given the road layout and consequent hierarchical classification as a Collector road.

The volume of local traffic accessing Timbertop estate is not expected to grow significantly as the estate is fully developed. The majority of any traffic increases would come from houses that increase car ownership, potentially as a result of changing family demographics.

2.2 Crash History

A brief analysis of VicRoads on-line crash database, Crashstats, identifies that during the five year period, 1/1/2001 – 31/12/2005, there was one casualty crash at the intersection of Timbertop Drive and Stud Road.

It must be noted that Crashstats only counts crashes that result in a person (or persons) being injured and requiring medical treatment. The above figure does not include crashes that resulted in property damage only, that is, crashes where no one was injured.

The Crashstats data is one of the main factors included when calculating a benefit – cost (b/c) ratio, as the cost of crashes to the community can be quite large. Therefore another site requiring a similar treatment that has more casualty accidents would most likely have a higher b/c ratio and rank higher on VicRoads priorities.

The data also identifies that although local residents may perceive the intersection to be dangerous for pedestrians and vehicles, the actual crash data does not support this.

This is further reinforced when considering the volumes of traffic along Stud Road. For such a busy road there seems to be very few casualty crashes at this intersection. It is noted that both the volume and composition of traffic on Stud Road may change once the EastLink tollway opens, which will have an effect on the operation of the intersection.

2.3 Social Issues

Timbertop residents have identified to Council that they will often catch the northbound bus to Stud Park Shopping Centre to change to the southbound bus service, rather than try to cross Stud Road to access the southbound bus stop. This could add up to another 20 minutes to their trip, creating an inconvenience on those residents wanting to use public transport.

8.1 Signalisation of the Intersection of Stud Road and Timbertop Drive, Rowville (cont'd)

Additionally, residents have reported that it can take them up to 10 minutes to cross Stud Road, near Timbertop Drive, particularly during the evening peak period. This would most likely be due to the volume and speed of traffic at this location, as it is often difficult, especially for slower moving pedestrians, to find a suitable gap to be able to cross.

Experiencing lengthy delays at the first or final stages of a trip can contribute to a sense of social dislocation amongst the Timbertop estate residents. Correspondence indicates that they are becoming increasingly frustrated by the difficulties they encounter almost everyday and the installation of traffic signals would be most welcomed.

2.4 Future Considerations

Experience has shown that although the introduction of traffic signals can reduce the frequency of serious crashes, of which there are very few at this site, they can also have negative impacts.

It is well known and documented that traffic signals can increase the number of minor crashes at the intersection. In particular, it would be expected that there would be an increase in the number of nose-to-tail (rear end) type accidents that occur at this intersection as a direct result of traffic signals.

Traffic signals may also change local traffic patterns within the Timbertop estate, resulting in increased traffic on several local roads.

Residents in the southern areas of the estate, which previously used Seebeck Road to enter and exit, may try to filter through the local roads to get to Timbertop Drive signals. This would most likely be the case if they want to head south on Stud Road. Whilst on the return trip, particularly during the evening peak, those travelling southbound on Stud Road would most likely prefer to turn into the estate at the lights, where it is presumed the turning movement would be fully controlled (i.e. Green arrow), and filter through the local streets to return home.

In either case, if signals were installed at Timbertop Drive, it is expected there would be an increase in through traffic, albeit predominantly local traffic, on the nearby local streets.

3. CONSULTATION

Council has advocated to VicRoads, the Department of Infrastructure (DoI) and Local Members of Parliament for the provision of traffic signals both in writing and through formal presentations and discussions. This has included not only the issue of safe access and exit from the Timbertop Estate, but also the provision for safe pedestrian access across Stud Road for purposes of accessing the bus stop.

8.1 Signalisation of the Intersection of Stud Road and Timbertop Drive, Rowville (cont'd)

To date, Council has been advised by VicRoads that there is no funding budgeted for the provision of these signals. This response is most likely based on their benefit / cost ratio calculation identifying that the signalisation of this intersection does not rank high enough to warrant funding, when compared with other similar projects across the state.

The response from DoI to Council's request to install a signalised pedestrian crossing as part of the Smart Bus program was also negative. The DoI indicated that it is not part of their (Smart Bus) program or their directive to install pedestrian signals.

Although the residents of the Timbertop estate haven't formally been surveyed, it is expected that any type of traffic or pedestrian signal treatment would be supported and welcomed by the residents.

4. ENVIRONMENTAL/AMENITY ISSUES

The installation of traffic signals would not be expected to have significant impact on the surrounding natural environment.

As explained previously, the signals may result in additional property damage only crashes at this site, and would most likely result in an increase in local through traffic on surrounding local roads that feed into Timbertop Drive.

However, it is expected that traffic signals will improve access to and from Timbertop estate.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Council has been advocating for VicRoads to install these signals within one of their road safety / improvement programs. As such, there are no direct costs to Council.

However, preliminary capital cost estimates, as provided by VicRoads, for particular traffic signal treatments are as follows;

- pedestrian operated signals - \$350,000
- T intersection signals - \$430,000

As can be seen, the above figures are not trivial and VicRoads would require benefits to the community to offset the capital and ongoing costs of such an installation.

6. SOCIAL IMPLICATIONS

It is anticipated that traffic signals will not reduce the number of crashes at this site, but will reduce the risk of serious injury crashes and improve access to and from Timbertop estate for both vehicular and pedestrian traffic.

8.1 **Signalisation of the Intersection of Stud Road and Timbertop Drive, Rowville (cont'd)**

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

Improvements to public transport access fits within the Strategic Objective of the Knox Community and Council Plan of 'Accessible Transport Choices':

To advocate for and facilitate improvements in transport infrastructure and services for increased choices.

8. CONCLUSION

The installation of traffic signals at the intersection of Timbertop Drive and Stud Road, would contribute significantly to reducing the delay that both pedestrians and vehicles are currently experiencing when attempting to cross Stud Road.

Traffic signals would also reduce the risk of serious crashes occurring at this intersection, and would provide easier access to public transport.

9. CONFIDENTIALITY

There are no issues of confidentiality with this report.

RECOMMENDATION

That Council continue to advocate to VicRoads for the installation of traffic signals at the intersection of Timbertop Drive and Stud Road, Rowville.

MOVED: CR. VAN de VREEDE

SECONDED: CR. KAMITSIS

That Council

1. continue to advocate to VicRoads for the installation of traffic signals at the intersection of Timbertop Drive and Stud Road, Rowville;
2. develop and implement an advocacy plan –
 - a. to consider with the Department of Infrastructure (DOI) safe access to the SmartBus stop located on the eastern side of Stud Road near Timbertop Drive (southbound service) as the primary action, and
 - b. to explore options for delivering full signalisation;

8.1 Signalisation of the Intersection of Stud Road and Timbertop Drive, Rowville (cont'd)

3. consider funding in the Capital Works Program to provide assistance to VicRoads and/or the DoI for the design of traffic signals at the intersection of Timbertop Drive and Stud Road, Rowville; and
4. seek support from the Member for Scoresby for Council's request for traffic signals at the intersection of Stud Road and Timbertop Drive.

CARRIED

COUNCILLOR GILL VACATED THE CHAMBER AT 8.55PM DURING DISCUSSION ON ITEM 8.2

COUNCILLOR GILL RETURNED TO THE CHAMBER AT 8.56PM DURING DISCUSSION ON ITEM 8.2

ALL WARDS

8.2 USE OF COUNCIL ROADS FOR B-DOUBLES AND HIGHER MASS LIMITS VEHICLES

SUMMARY: *Special Projects Engineer (Joe Cusmano)*

This report presents to Council an outline of VicRoads' proposal for blanket use of Council roads (with some exceptions) for use by B-Doubles and Higher Mass Vehicles.

The report outlines Council's and MAV'S position and presents arguments for and against the proposal. A detailed street listing has been recommended for those local streets considered to be suitable for use by B-Doubles and Higher Mass Vehicles which could be Gazetted. All remaining local streets will require written permission from Council for use by B-Doubles.

1. INTRODUCTION

Council received correspondence from VicRoads on 5 December 2007 with regards to the Gazettal of Council roads for use by B-Doubles and Higher Mass Limits Vehicles.

VicRoads is seeking municipal assistance in expanding, as far as possible, the available access to B-Doubles and Higher Mass Limits Vehicles on the Victorian road network. VicRoads have produced a paper entitled "Higher Productivity Vehicles and Higher Mass Limits Vehicles with Road Friendly Suspension – November 2007" to assist Councils in the consideration process. This document is shown in Appendix A and it presents a strong argument for the blanket Gazettal of local roads for use by B-Doubles and Higher Mass Vehicles.

The details of VicRoads' case for blanket Gazettal of local roads will be outlined in the discussion section of this report.

VicRoads are requesting Council to respond by 25 January 2008.

2. DISCUSSION

2.1 Existing Situation for B-Doubles and Higher Mass Vehicles

B-Doubles and Higher Mass Vehicles can use declared main roads, highways and freeways as of right. However, in order to use any other road the operators of these vehicles need to obtain special permits from the relevant Councils.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

In the City of Knox, there are several streets (27) within the industrial and commercially zoned areas where Council permission has been given to the operators of these vehicles. Permits are then officially issued by VicRoads. Appendix B shows the street listing of permits issued.

Council permission is provided, usually in letter format. Council issue permissions to a street and vehicle registration specific and usually for a 12 month period. Other requirements are:

- The vehicle should be able to access and egress the site in a forward direction.
- On-street parking conditions are not guaranteed and will not be altered by Council.

Before issuing special permission, Council's Traffic Engineers undertake an inspection to ensure the request for B-Double usage is satisfactory. The key concerns are possible damage to infrastructure assets such as: road, kerb, footpath, drainage and amenity issues. Issuing special permission on a 12 month temporary basis is a resource impost on the Traffic and Transport unit with up to 50 letters issued to freight operators per year.

2.2 Proposed B-Double and Higher Mass Vehicles Usage

The proposal suggested by VicRoads is to have local roads, which are Council's responsibility, Gazetted as "Local Road approved for B-Doubles and Higher Mass Limits Trucks" so special Council permission will no longer need to be issued to individual operators with all endorsed as suitable roads being published in the Victorian Government Gazette.

In essence, VicRoads are suggesting a blanket approval of the whole of the municipality's local streets with a specific list of streets which are to be exempted.

In determining which roads might be excluded, consideration should be given to the following factors:

- Truck drivers avoid roads that are difficult to negotiate or where there is less need to access, such as residential streets.
- Semi-trailers have general access to the road network and B-Doubles have similar axle mass, width and height limits. Accordingly, a B-Double should have little difficulty travelling on routes suitable for semi-trailers, noting that B-Doubles require just over a metre extra swept width when turning.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

- Higher Mass Limits Vehicles without tri-axle groups (see attached information bulletin, *B-Doubles & Higher Mass Limit Trucks – May 2004*), such as rigid trucks, semi-trailers and buses, have general access to the road network. It is only roads for semi-trailers and B-Doubles with a tri-axle at the Higher Mass Limits of an additional 2.5 tonnes that requires endorsement, as some older, longer span bridges need to be checked for adequate capacity.
- Railway level crossing safety is important with adequate sight distance and vehicle “stacking space” between crossings and intersections.

2.2.1 VicRoads’ Case Supporting the Proposal

- B-Doubles and Higher Mass Limits Vehicles are essential to Australia’s economy as they continue to provide transport efficiencies to many industries, including primary producers, processors, manufacturers, warehousing and retail industries. This is important if Australia is to successfully compete in the global market.
- Transport operators of B-Doubles can carry approximately 50% more freight than a conventional semi-trailer.
- Higher Mass Limits Vehicles have more effective mechanical suspensions and reduce the impact of heavy trucks on roads.
- B-Doubles have a good safety record. The vehicle’s design is more stable, has better roll resistance with less sway than semi-trailers.
- B-Double drivers must pass a graduated driver training course.
- Less road wear by using B-Double trucks as a result of less vehicles on the road to complete a given freight task.
- Higher Mass Limits Vehicle operators participate in National Heavy Vehicle Accreditation Schemes for 100% mass compliance.

2.2.2 VicRoads’ Case Against the Proposal

- Railway level crossing safety is important. Adequate sight distance is required. Also adequate vehicle stacking space between crossings and intersections is required due to the 7m extra length.
- Turning swept path is just over 1 m more than a conventional semi-trailer.
- Overtaking time required is a couple of seconds more than for semi-trailers.
- Technically B-Doubles will create more road wear due to one extra axle group. (However may be less road wear for a given freight task because of the reduced number of movements).

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

- B-Doubles may affect longer bridges due to an extra axle group of the vehicle being on the bridge at the same time.
- Poor condition bridges may need to be upgraded to carry heavier vehicles.

2.2.3 Council issues with B-Doubles

The following matters need to be considered when assessing the suitability of Council roads for use by B-Doubles:

- Infrastructure damage to kerbs, footpaths, drainage due to heavier vehicle and turning circle.
- Public and resident concerns with amenity. Large vehicles and trucks in general are a concern with noise, emissions and vibrations on the road and area in general.
- Residents often are pushing for “Truck Bans” rather than encouraging the use of bigger and heavier vehicles on local roads. There is also issues on arterial roads, especially near community centres, schools, kindergartens, playgroups, etc.

2.2.4 Outcome of MAV Meeting held on 19 December 2007

Following the correspondence by VicRoads on 5 December 2007 to Victorian municipalities, the Municipal Association of Victoria (MAV) received concern from some Councils on the following grounds:

1. There has been no consultation with the Local Government sector about this matter, which does represent a significant change of position and process.
2. The criteria for exclusion of certain local roads does not take account of specific issues relevant to Councils.

The MAV have also pointed out that there are a number of industry processes: MAV-VicRoads Liaison Group, Truck Operations Committees and the VicRoads Freight Council which are relevant to this matter, but this issue has not been specifically raised to date. Recently a “Large Truck Impact Working Group” was established to identify key issues and develop a discussion paper to discuss balanced needs. These existing committees should be involved in the process.

A meeting on 19 December 2007 with approximately 60 Councils in attendance was held to hear Councils' views. Knox City Council had two representatives attend. A subsequent Truck Working Group meeting discussed the matter at length and agreed:

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

1. Councils have the right to decide and control which local roads are suitable for access by B-double vehicles.
2. The preferred system of route classification is for Councils to identify those routes on which B-double vehicles can travel (in preference to the alternative process of providing a blanket approval with exceptions).
3. **Councils will respond by 15 February 2008** with comments in relation to the suggested process (see below) for reviewing their road networks into the future, in relation to access by B-double vehicles. VicRoads are proposing to update their publication listing roads approved for use by B-doubles, and unless they receive updated information from Councils, will repeat the existing information.
4. Councils will assess the information provided by the MAV Truck Impact Working Group (involving representatives of MAV, Councils, VicRoads, The National Transport Commission and the Victorian Transport Association) in April 2008. This output will identify the nature of the freight challenge for Victoria, the impacts of various types of freight vehicles and suggested processes for local government to manage the situation into the future, including a route assessment framework.

The suggested process into the future:

1. The status quo (re the VicRoads listing of approved B-double local roads) be extended beyond March 2008.
2. Councils review the Latrobe Council process and provide feedback to the MAV. (This process starts with an audit, then updates the list of approved roads, which goes out for extensive community consultation, and the Council then decides on a final listing.)
3. Councils be given until June 2009 to complete the review of their road network, including the assessment of Performance Based Standards (PBS) routes.
4. Councils take account of the outcomes from the MAV Truck Impact Working group re suggested 'good practice' assessment processes, and related matters.
5. Any Council is able to:
 - a. Complete an update at any time and forward it to VicRoads.
 - b. Use any process it deems appropriate to assess B-double routes.
6. VicRoads can determine the most suitable timing for producing the updated list of approved roads, given that it will happen on a cyclical basis.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

Council officers consider the above process to be fair and reasonable and should be used at Knox for any other local roads which are not for industrial access.

2.2.5 Council's 2007 Road Asset Management Plan

The streets classified as "Local Streets" are the Council managed streets which VicRoads are seeking to extend B-Double routes to. Main traffic functions of these streets are:

- to provide vehicle access to abutting properties;
- to provide access for emergency and service vehicles to all properties;
- to provide a network for the movement of pedestrians and cyclists; and
- to be a good street in which to live or conduct a business.

However, "Local Streets" can be broken down into various sub-categories in accordance with Council's 2007 Road Asset Management Plan. There are five hierarchy classifications of Council controlled "Local Streets". They are:

Link Roads;
Collector Roads;
Industrial Roads;
Access Roads; and
Unsealed Roads.

The most suitable roads that can accommodate B-Double vehicles and provide industrial and commercial properties with a competitive edge are those classified as "industrial roads". These roads have all been assessed. Also, other roads such as Link Roads and Collector Roads have been considered where access is only available to Industrial Roads via these roads. The definition and functions of these roads have acknowledged business needs in the Road Asset Management Plan.

2.2.6 Suggested Suitable B-Double Routes for Knox

As mentioned earlier in this report, Council issues permits for B-Doubles on 27 streets in Knox. These streets have already been assessed as being suitable routes for B-Double use. Therefore, it is considered that these streets shown in Appendix B be Gazetted as official B-Double streets.

A further detailed investigation of industrial, link and collector roads throughout the municipality has been undertaken. This has determined that a further 51 streets are deemed to be suitable for B-Double usage. The lists of these streets are detailed in suburb category in Appendix C.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

3. CONSULTATION

Consultation with relevant Council officers within the Engineering & Infrastructure Directorate has been undertaken and through forums held by the MAV, with other Councils.

The MAV have sought to develop an industry wide position on the establishment of B-Double routes through the use of a set of Municipal guidelines. The suggested process into the future is outlined in Section 2.2.4 and should provide Council with ample time to develop a list of streets and undertake community consultation.

The list of streets detailed in Appendix C has been subjected to a technical assessment based on the guidelines and are deemed suitable for Gazettal as B-Double routes.

It is suggested that Council has no need to undertake consultation on the lists shown in Appendix B and C as several of these roads have already been used by B-Doubles and they comply with the functional aspects of the Road Asset Management Plan which has in the recent past been subject to community consultation. The roads included only have industrial uses. Roads which have some residential frontage have been excluded.

4. ENVIRONMENTAL/AMENITY ISSUES

The proposed B-Double routes outlined in Appendix C are deemed to be suitable and should not have an effect on the environment or residential amenity. Any noise, vibration and vehicle emissions from B-Doubles will be similar to that of the semi-trailers which currently use the roads. Residential amenity is considered to be protected in the development of the list outlined in Appendix C.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There is no direct impact on Council's finances with regards to costs to implement a Gazetted list of B-Double routes, apart from the operational budget and staff resources. Primarily, VicRoads will undertake the Gazettal process for the acceptable list of streets outlined in Appendix C.

Overall, B-Doubles and Higher Limits Vehicles are essential to Australia's economy as they continue to provide transport efficiencies to many industries, including primary producers, processors, manufacturers, warehousing and retail industries. This is important if Australia is to successfully compete in a global market.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)

6. SOCIAL IMPLICATIONS

Maintaining and improving suitable truck routes should minimise the need for trucks to use residential access roads, hence maintaining residential amenity. By Council maintaining control in determining suitable streets for Gazettal as B-Double routes, social implications can be addressed.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The key result area of “Caring and Safe” communities identified actions for a sustainable environment. Regulating truck routes to Industrial Link and Arterial Roads will minimise volumes, noise and emissions of carbon dioxide in providing an acceptable residential environment in local access roads and residential areas.

Creating a strong community through partnerships and initiatives to provide a safe, healthy and cohesive environment is achieved by managing the traffic on our roads.

8. CONCLUSION

The roads listed in Appendix C are suitable for use by B-Doubles as the use conforms with the key functional elements of the Road Asset Management Plan.

Adopting the list of roads in Appendix C will:

- reduce compliance and processing costs for the road freight industry, VicRoads and Knox City Council;
- increase compliance with Road Safety (Vehicles) Regulation 1999; and
- potentially boost economic growth.

However, if any further review or expansion of the list is undertaken, it is suggested that the process outlined in Section 2.2.4 be used and that further consultation be undertaken with affected residents.

9. CONFIDENTIALITY

There are no confidential matters in this report.

8.2 Use of Council Roads for B-Doubles and Higher Mass Limits Vehicles (cont'd)**RECOMMENDATION****That Council**

- 1. approve the streets shown in Appendix C attached to this report as being suitable for B-Double and Higher Mass Limits vehicles usage, and advise VicRoads of Council's support for Gazettal of the nominated streets; and**
- 2. support in principle the MAV's outlined process for any other Local Streets to be considered for B-Double usage in the future.**

MOVED: CR. COOPER

SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED

APPENDIX A/1

APPENDIX A/2

APPENDIX A/3

APPENDIX A/4

APPENDIX B**STREETS WHERE B-DOUBLE PERMISSION IS
CURRENTLY GRANTED BY CITY OF KNOX**

	Street Name	Suburb	Section	Permits Issued
1.	Nyadale Drive	Scoresby	Ferntree Gully Rd to Rocco Dve	Yes
2.	Rocco Dve	Scoresby	Nyadale Dve to Jellico Dve	Yes
3.	Jellico Dve	Scoresby	Nyadale Dve to Rocco Dve	Yes
4.	Koornang Rd	Scoresby	Ferntree Gully Rd to end	Yes
5.	Janine St	Scoresby	Ferntree Gully Rd to East Boundary Rd	Yes
6.	Keith Campbell Crt	Scoresby	Janine St to end	Yes
7.	Corporate Ave	Scoresby	Wellington Rd to end	Yes
8.	South Corporate Ave	Scoresby	Corporate Ave to end	Yes
9.	Myer Place	Scoresby	Wellington Rd to end	Yes
10.	Jaydee Court	Scoresby	Wellington Rd to end	Yes
11.	Viewtech Place	Scoresby	Wellington Rd to end	Yes
12.	Barry St	Bayswater	Dorset Rd to Power Rd	Yes
13.	Power Rd	Bayswater	Scoresby Rd to Barry St	Yes
14.	London Dve	Bayswater	Dorset Rd to Jersey Rd	Yes
15.	Jersey Rd	Bayswater	Mountain Hwy to Barry St	Yes
16.	Holloway Dve	Bayswater	Dorset Rd to Barry St	Yes
17.	McLellan St	Bayswater	Barry St to Holloway Dve	Yes
18.	Millennium Crt	Knoxfield	Ferntree Gully Rd to end	Yes
19.	Henderson Rd	Knoxfield	Ferntree Gully Rd to Henderson Dve	Yes
20.	Rushdale St	Knoxfield	Ferntree Gully Rd to Henderson Rd	Yes
21.	Gilbert Park Dve	Knoxfield	Ferntree Gully Rd to Rushdale St	Yes
22.	Forbes Close	Knoxfield	Gilbert park Dve to end	Yes
23.	Samantha Crt	Knoxfield	Gilbert park Dve to end	Yes
24.	Lewis Rd	Wantirna Sth	Burwood Hwy to Wadhurst Dve	Yes
25.	Kinglsey Crt	Rowville	Stud Rd to end	Yes
26.	Summit Rd	Lysterfield	Wellington Rd to end	Yes
27.	George Street	Wantirna Sth	EastLink to High Street Rd	Yes

APPENDIX C

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN WANTIRNA SOUTH)**

	Street Name	Road Classification	Section	Permits Issued/Suitable
1	Lewis Rd	Link Road	Burwood Hwy to Wadhurst Dve	P.I./suitable
2	Bridgewood Crt	Industrial Road	Lewis Rd to end	suitable
3	Sherwood Crt	Industrial Road	Lewis Rd to end	suitable
4	Eastgate Crt	Industrial Road	Lewis Rd to end	suitable
5	Woodbine Crt	Industrial Road	Lewis Rd to end	suitable

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX (IN KNOXFIELD)**

	Street Name	Road Classification	Section	Permits Issued/ Suitable
1	Wadhurst Dve	Industrial Road	Lewis Rd to end	suitable
2	Parkhurst Dve	Industrial Road	Burwood Hwy to end	suitable
3	Millennium Crt	Industrial Road	Ferntree Gully Rd to end	P.I./suitable
4	Henderson Rd	Collector Road	Ferntree Gully Rd to Henderson Dve	P.I./suitable
5	Rushdale St	Collector Road	Ferntree Gully Rd to Henderson Dve	P.I./suitable*
6	Gilbert Park Dve	Industrial Road	Ferntree Gully Rd to Rushdale St	P.I./suitable
7	Forbes Close	Industrial Road	Gilbert park Dve to end	P.I./suitable
8	Samantha Crt	Industrial Road	Gilbert Park Dve to end	P.I./suitable
9	Griffith St	Industrial Road	Gilbert park Dve to Rushdale St	suitable*
10	Brand Rd	Industrial Road	Gilbert park Dve to Rushdale St	suitable
11	Kingston Park Crt#	Private Road	Stud Rd to end	P.I./suitable

* Some pavement cracking – may need testing.

Private Industrial area, but Council has previously issued B-Double permits.

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN BAYSWATER AND BAYSWATER NORTH)**

	Street Name	Road Classification	Section	Permits Issued/ Suitable
1	Barry St	Link Road	Dorset Rd to Power Rd	P.I./suitable
2	Power Rd	Link Road	Scoresby Rd to Barry St	P.I./suitable
3	London Dve	Industrial Road	Dorset Rd to Jersey Rd	P.I./suitable
4	Jersey Rd	Collector Road	Mountain Hwy to Barry St	P.I./suitable
5	Holloway Dve	Industrial Road	Dorset Rd to Barry St	P.I./suitable
6	McLellan St	Industrial Road	Barry St to Holloway Dve	P.I./suitable
7	Reid St	Industrial Road	Holloway Dve to Barry St	suitable
8	Brunsdon St	Industrial Road	Barry St to London Dve	suitable
9	Wigan Rd	Industrial Road	Barry St to London Dve	suitable
10	Melrich Rd	Industrial Road	Dorset Rd to Wigan Rd	suitable
11	Malvern St	Industrial Road	Scoresby Rd to Jersey Rd	suitable
12	Edelmaier St	Industrial Road	Malvern St to Barry St	suitable
13	Kearney St	Industrial Road	Malvern St to end	suitable
14	Ramage St	Industrial Road	Dorset Rd to Clare St	suitable
15	Clare St	Industrial Road	London Dve to end	suitable
16	Newcastle Rd	Industrial Road	Dorset Rd to London Dve	suitable
17	Amsted Rd	Industrial Road	London Dve to Newcastle Rd	suitable
18	Dunlop Crt	Industrial Road	Mountain Hwy to end	suitable
19	Service Rd (west side)	Access Road	North, Ramage St to South Holloway Dve	suitable
20	MacQuarie Place	Industrial Road	Mountain Hwy to end	suitable
21	Kalman Dve	Industrial Road	Mountain Hwy to end	suitable
22	Isa Way	Industrial Road	Kalman Dve to end	suitable
23	Havelock St	Industrial Road	Mountain Hwy to end	suitable
24	Michellan St	Industrial Road	Mountain Hwy to end	suitable
25	Service Rd	Access Road	Michellan St to Waldheim Rd	suitable

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN SCORESBY)**

	Street Name	Road Classification	Section	Permits Issued/ Suitable
1	Nyadale Dve	Industrial Road	Ferntree Gully Rd to Rocco Dve	P.I./suitable
2	Rocco Dve	Industrial Road	Nyadale Dve to Jellico Dve	P.I./suitable
3	Jellico Dve	Industrial Road	Nyadale Dve to Rocco Dve	P.I./suitable
4	Koornang Rd	Industrial Road	Ferntree Gully Rd to end	P.I./suitable
5	Janine St	Industrial Road	Ferntree Gully Rd to East Boundary Rd	P.I./suitable
6	Keith Campbell Crt	Industrial Road	Janine St to end	P.I./suitable
7	Corporate Ave	Industrial Road	Wellington Rd to end	P.I./suitable
8	South Corporate Ave	Industrial Road	Corporate Ave to end	P.I./suitable
9	Myer Place	Industrial Road	Wellington Rd to end	P.I./suitable
10	Jaydee Crt	Industrial Road	Wellington Rd to end	P.I./suitable
11	Viewtech Place	Industrial Road	Wellington Rd to end	P.I./suitable
12	St Andrew Crt	Industrial Road	Corporate Ave to end	suitable
13	Caribbean Dve (private)#	Private	Ferntree Bully Rd to end	P.I./suitable
14	Dalmore Dve#	Private	Caribbean Dve to end	P.I./suitable
15	Lakeview Dve#	Private	Caribbean Dve to end	P.I./suitable
16	International Crt#	Private	Caribbean Dve to end	P.I./suitable
17	Elman Dve#	Private	Caribbean Dve to end	P.I./suitable
18	Centre Rd#	Private	Stud Rd to East Boundary Rd	P.I./suitable

Private Industrial area, but Council has previously issued B-Double permits.

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN ROWVILLE)**

	Street Name	Road Classification	Section	Permits Issued/ Suitable
1	Kingsley Crt	Industrial Road	Stud Rd to end	P.I./suitable
2	Tampe Rd	Industrial Road	Stud Rd to end	suitable
3	Mosreal Place	Industrial Road	Tampe Rd to end	suitable
4	Laser Dve	Collector Road	Service Rd to Henderson Rd	suitable
5	Service Rd	Industrial Road	Henderson Rd to Laser Dve	suitable
6	Henderson Dve	Industrial Road	West of Laser Dve to east of Valleyview Dve	suitable
7	Neutron Place	Industrial Road	Henderson Dve to end	suitable
8	Seismic Crt	Industrial Road	Laser Dve to end	suitable
9	Macro Crt	Industrial Road	Laser Dve to end	suitable
10	HiTech Place	Industrial Road	Laser Dve to end	suitable

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN LYSTERFIELD)**

	Street Name	Road Classification	Section	Permits Issued/Suitable
1	Summit Rd	Access Road	Wellington Rd to end	P.I./suitable

**STREETS WHERE B-DOUBLE PERMISSION IS PROPOSED TO BE GRANTED
BY CITY OF KNOX
(IN FERNTREE GULLY)**

	Street Name	Road Classification	Section	Permits Issued/ Suitable
1	Fitzgerald Street	Industrial Road	Burwood Hwy to Amay Cres	suitable
2	Amay Cres	Industrial Road	Fitzgerald St to Fitzgerald St	suitable
3	William St	Industrial Road	Burwood Hwy to Amay Cres	suitable
4	Thomas St	Industrial Road	Burwood Hwy to Kelvin Ave	suitable
5	Kelvin Ave	Industrial Road	Burwood Hwy to Fitzgerald Ave	suitable
6	Gifford Ave	Industrial Road	Burwood Hwy to Kelvin Ave	suitable
7	Davis St	Industrial Road	Thomas St to Amay Cres	suitable
8	Dempster St	Industrial Road	Kelvin Ave to end	suitable

TIRHATUAN WARD**8.3 ROWVILLE COMMUNITY CENTRE AIR-CONDITIONING SYSTEM**

SUMMARY: *Acting Coordinator, Facilities – John Williams*

The report informs Council on actions proposed to improve the air-conditioning at Rowville Community Centre.

1. INTRODUCTION

This report has been prepared as a result of a petition presented to Council on 18 December 2007 requesting an upgrade to the air-conditioning system at Rowville Community Centre, and subsequent investigation into the efficiency of the existing system.

2. DISCUSSION

The existing HVAC (Heating, Ventilation and Air-conditioning) system at Rowville Community Centre has experienced on-going problems since the redevelopment of the Centre in 2003-04.

Numerous user groups have reported problems with the system since 2004, and several attempts have been made to rectify the deficiencies in the system, including the installation of a Summer/Winter switch. This installation has contributed to the failure of the mechanical services board, by manually overriding the automated control system.

The original HVAC system (with an analogue control system) was designed to be compatible with a “passive” user group. That is to say, multiple user groups utilising an open plan facility. With the redevelopment of the facility into more of a sectionalized facility where individual groups occupy contained areas within the building, the HVAC system has difficulty providing balanced air delivery throughout the entire building.

Recent investigations by Council officers in conjunction with mechanical consultants have revealed that the analogue control system is not capable of providing the flexibility required, nor can it be modified to achieve this.

The recommendation is that the entire control system be replaced with a digital system, capable of providing individual heating and cooling requirements to various areas of the building.

3. CONSULTATION

Discussions have taken place with various user groups and the Centre Manager regarding on-going problems with the HVAC system.

8.3 Rowville Community Centre Air-Conditioning System (cont'd)

4. ENVIRONMENTAL/AMENITY ISSUES

The proposal to replace the analogue control system with a digital system will have a positive effect on user amenity without creating any environmental issues such as increased power usage. The power consumption is expected to marginally decrease.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The estimated cost to upgrade the control system is \$35,000. The proposal has no funding allocation for the current financial year, however, identified potential savings in some Facilities' Capital Works Programs may provide the necessary funding for this work to be carried out this year. If funding is not available this year the work will need to be considered as part of future Capital Works Programs.

The proposal is also likely to have a positive effect on future maintenance and running costs.

6. SOCIAL IMPLICATIONS

The proposal will provide a more comfortable environment for user groups at this facility.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The proposal has relevance to the following objectives of Council's Community & Council Plan 2006-2010:

- Healthy, Connected Communities
- Dynamic Services & Facilities
- Culturally Rich & Active Communities

8. CONCLUSION

The upgrading of the control system will improve the air flow and alleviate the necessity to replace the whole HVAC system in the foreseeable future, and will provide a more accessible system in regards to maintenance. It will have a positive impact on future maintenance and running costs, and provide the flexibility to cater for varying demands of different user groups simultaneously.

8.3 Rowville Community Centre Air-Conditioning System (cont'd)**RECOMMENDATION****That Council**

- 1. note that the heating and cooling problems at Rowville Community Centre can be rectified by installing a digital control system; and**
- 2. fund the improvement work with potential savings from the 2007/08 Facilities Capital Works Program, or if no surplus funding is available in 2007/08, consider funding as part of the 2008/09 Capital Works Programs.**

MOVED: _____ CR. VAN de VREEDE

SECONDED: CR. DAVEY

That the recommendation be adopted.

CARRIED

ALL WARDS**8.4 CONTRACT NO. 1637 – NON BIN BASED WASTE COLLECTION SERVICES, HARD AND BUNDLED GREEN WASTE**

SUMMARY: *Waste Management Coordinator (Geoff McMeeken)*

This report considers the option that is available to Council to extend the above contract and recommends a 24 months extension as specified.

1. INTRODUCTION

In February 2006 Council advertised two contracts for the provision of waste collection services throughout the municipality being:

- Contract No. 1636 for Bin Based Waste Collection Services including Receipt of Recyclables from 2 October 2006 to 29 June 2012.
- Contract No. 1637 for Non Bin based Waste Collection Services for Hard and Bundled Green Waste from 2 October 2006 to 30 June 2008.

both with the option of two (2) 12 month extensions for each contract.

The services proposed were, in part, based on recommendations contained in Council's Waste Management Plan (the Plan) 2006-2013.

The Plan made reference to the Victorian WorkCover Guidelines in relation to manual collection of hard and green waste and the uncertainty associated with the ongoing provision of these services. Accordingly, the contract for the Hard and Bundled Green Waste was set at a shorter 21 month term.

Contracts for the waste collection services were awarded by Council at their meeting on 26 April 2006 with WM Waste Management Services Pty Ltd being awarded Contract No. 1637.

This report presents the information relevant for Council to consider extending the contract and looks at the following:

- Performance of the contractor undertaking the services since commencement on 2 October 2006.
- The contractor's rates to continue the service for the proposed 24 month extension.
- The viability of continuing the manual collection of the hard and bundled green waste service based on the Victorian WorkCover Authority Guidelines.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

2. DISCUSSION

2.1 Performance of the Contractor in Undertaking the Services

WM Waste Management Services Pty Ltd (the contractor) have undertaken the hard waste and bundled green waste components of the service as specified in the contract and their performance is outlined as follows:

2.1.1 Hard Waste Collection

This has been undertaken twice per annum with the municipality divided into 13 areas with one week allowed for each area. The first collection of the calendar year is undertaken through the months of April to June and the second collection between October to December. Each collection is completed in two runs which enables metals to be collected separately from the mixed hard waste.

The performance of the contractor has proven to be satisfactory during the three collections undertaken since the start of the contract.

Monthly contract meetings are held with the contractor and Council's contract administrator and issues raised that have required attention by the contractor have been done so in a timely manner. Occupational Health and Safety audits have also been undertaken regularly and again issues raised have been addressed in a timely manner.

Issues have been experienced with the integration of Council's Customer Response System into the service and the contractor has worked co-operatively to assist Council in resolving these issues.

The contractor has been proactive in resolving long standing issues that Council has had with the hard waste collection in some areas of the municipality and has also been proactive in reviewing the waste collection areas with minor changes being made to improve the service. The contractor also uses vehicle tracking devices which verify the trucks' locations against a date and time which has proven useful in verification of the service being done in particular locations.

The contractor also manages and operates the Knox Transfer Station under contract to Council and has agreed to undertake a trial to improve recovery of items from the hard waste collection during the April–June 2008 collection period.

The contractor has advised the Council of a significant increase in the scavenging of metals from the hard waste collection which has seen the percentage by weight of metals recovered from the collection decrease from approximately 30% to 12% in a three year period which is impacting on the contractor's income.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

There has been a significant reduction in customer complaints with the hard waste collection compared to those experienced with Council's previous contractor. This has in part been due to the additional run undertaken by the contractor approximately 48 hours after the first collection in order to pick up late items.

2.1.2 Bundled Green Waste

This service has been undertaken on a fortnightly basis on the same day of the week as the garbage collection.

The performance of the contractor has also proven to be satisfactory since the inception of the contract with issues raised at contract meetings and through Occupational Health and Safety Audits all being addressed in a timely manner. The contractor has also worked co-operatively in resolving issues with Council's Customer Response System and has been proactive in resolving long standing issues Council has had with the bundled green waste collection in some areas of the municipality.

The contractor has also worked co-operatively with Council in relation to issues experienced with the depositing of the bundled green waste at the Coldstream Composting Facility where, on occasions, material has had to be diverted to the SITA landfill site in Hampton Park to be used as intermediate cover material.

The quantity of green waste has been lower than in previous years with an approximate 20% reduction over the past three year period mainly due to the drought conditions.

Some issues were experienced at the commencement of the contract with the contractor using vehicles for Knox Green waste collection that were assigned to other municipalities which caused difficulties at the green waste receival facility, however, this has now been resolved.

2.2 Contractor Rates

The contractor has submitted rates to undertake the components of the service and these are indicated in the table below with the tendered rate:

Collection	Current Rate (excl. GST)	Revised Rate (excl. GST)
Hard Waste	\$160,909.20/collection	\$193,740.90/collection
Green Waste	\$30,089.40/fortnight	\$33,171.79/fortnight

The Hard Waste component represents a 20.4% increase and translates to \$387,481 per annum. The Green Waste component represents a 10.2% increase and translates to \$862,466 per annum.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

The cost increases are calculated from the close of tenders, being March 2006 to January 2008 and are due to the following factors:

- Increase in fuel of 9.6%.
- Increase in employee wages and WorkCover of 12.1%.
- Increase in tenements of 3.4%.

The contractor has also made an allowance for the lost income through the reduction in metal being recovered from the hard waste collections. This has equated to approximately \$81,000 per annum and the contractor has claimed for 20% of this lost income.

The cost increases are considered reasonable given the changes that have occurred since March 2006.

2.3 Viability of continuing the Manual Collection of Hard and Bundled Green Waste based on the Victorian WorkCover Authority Guidelines

The contract for the Hard Waste and Bundled Green Waste Services was prepared taking into consideration (where practicable) the recommendations of the Waste Management Plan 2006-2013 (the Plan) that was developed in order to give direction to Council on the future waste services for the municipality.

The Plan advised of guidelines that had been established by the Victorian WorkCover Authority in 2003 in relation to the manual collection of non-hazardous waste and recyclable materials. The guidelines were advocating that a non-manual system be implemented in order to minimise the employer's (in this case Council and the contractor) risk exposure for the manual handling involved in providing the service. Whilst this was adequately addressed with household waste and recycling services through the use of wheelie bins, a viable alternative was not available for the hard and bundled green waste. As a result of this uncertainty, Council resolved to proceed to continue with the service but for a shorter timeframe to allow for any changes to be introduced that may be required as a result of the Victorian WorkCover Authority Guidelines.

In view of the difficulty in providing a viable cost effective alternative that eliminated manual handling, the Victorian WorkCover Authority have proposed that the guidelines be reviewed in terms of its application to the hard waste and bundled green waste collection service. They have established a working group consisting of representatives from the Municipal Association of Victoria, Waste Management Association of Australia, Victorian Transport Association and Councils with the intention of reviewing the guidelines.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

The Victorian WorkCover Authority has also engaged a technical expert to re-draft the document and it is proposed that this will be circulated for comment to the relevant stakeholders in early 2008. Any changes proposed would allow for a phase in period.

The Plan also outlined that if Council was to continue with the manual collection the risk exposure, whilst not being eliminated, could be reduced as much as is practicable by ensuring that a risk assessment was done for the service and that a risk control plan addressing manual handling issues and the use of runners for the collection be developed.

WM Waste Management Services (the contractor) have, in response to the requirements of the contract, provided Council with a quality, safety and environmental management plan which includes details on collection methodology, health and safety responsibilities of employees and employers and hazard identification and assessment including identification of risks and control measures to reduce those risks. They have provided copies of procedures for the collection of hard and green waste and induction and ongoing training records for company personnel involved in the service. They also provide reports on their Occupational Health and Safety performance on a monthly basis including notification of any incidence and/or injuries that occur.

Council also undertakes Occupational Health and Safety audits on each component of the contract service four times per annum. This includes on-site inspections of the service including the manual handling component.

A two year extension of the contract is not likely to cause any operational concerns.

3. CONSULTATION

Consultation has been undertaken with the contractor in relation to the extension of the contract and with the Victorian WorkCover Authority on the status of the development of guidelines specific to the manual collection of hard and bundled green waste.

4. ENVIRONMENTAL/AMENITY ISSUES

The provision of the hard and bundled green waste services is enabling diversion of these materials from the waste stream. A trial is proposed under the current contract to increase the recovery of hard waste items through the use of the transfer station and includes the recovery of mattresses. All green waste collected from the bundled service is converted into soils and mulched products through a composting process.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

5. FINANCIAL & ECONOMIC IMPLICATIONS

The rates proposed for the contract extension will require the following increases in the 2008/2009 Waste Management Budget:

Hard Waste Collection	\$62,000
Green Waste Collection	<u>\$80,000</u>
Total	\$142,000

The total annual cost of each service will therefore be:

Hard Waste Collection	\$387,482
Green Waste Collection	\$862,470

The increased expenditure can be offset from savings that are anticipated with the 2008/2009 Waste Management Budget in the areas of Domestic Waste Disposal, Commercial Waste Collection and Landfill Tip Costs.

6. SOCIAL IMPLICATIONS

Community feedback received relating to Council's Waste Management Plan 2006-2013, in which a number of scenarios were presented including the cessation of the hard and bundled green waste service, revealed a strong community reaction would be received if these services were not continued.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The recovery of materials through the hard and green waste collection that would otherwise go to landfill is in line with the strategic objectives of sustainable natural environment being "to make progress towards being a leader in environmental sustainability".

8. CONCLUSION

In April 2006 Council awarded Contract No. 1637 – Non Bin Based Waste Collection Services for Hard and Bundled Green Waste from 2 October 2006 to 30 June 2008 with the option of two (2) 12 month extensions to WM Waste Management Services Pty Ltd.

8.4 Contract No. 1637 – Non Bin Based Waste Collection Services, Hard and Bundled Green Waste (cont'd)

The contractor has performed both components of this contract service satisfactorily during this period and has been proactive in working co-operatively with Council on improvements to each of the services. The Victorian WorkCover Authority has, in response to issues from the industry in meeting the guidelines for manual collection of hard and bundled green waste, proposed the development of a separate guideline for this service and have established a working group to develop this new guideline. The outcome of this is not yet available for Council to consider. The contractor has in place processes to minimise the risk to both themselves and Council in providing this manual collection service. The contractor has proposed a price increase for the contract which is considered reasonable. Accordingly, it is recommended that an extension to the contract be awarded to WM Waste Management Services Pty Ltd based on a 24 month extension with the second 12 months being subject to CPI increases based on the Melbourne Transport Index movement for the preceding 12 month period.

9. CONFIDENTIALITY

There are no confidential issues associated with this report.

RECOMMENDATION

- 1. That Council extend Contract No. 1637 – Non Bin Based Waste Collection Services for Hard and Bundled Green Waste with WM Waste Management Services Pty Ltd for a two year period commencing 1 July 2008 and concluding on 30 June 2010.**
- 2. That the fee for services for the period 1 July 2008 to 30 June 2009 be based on the prices contained in Section 2.2 of this report.**
- 3. That the fee for services for the period 1 July 2009 to 30 June 2010 be based on the prices contained in Section 2.2 of this report plus CPI based on the Melbourne Transport Index movement for the preceding 12 month period.**
- 4. That the contractor be thanked for his service to date and advised of the extension and associated terms.**

MOVED: CR. COOPER
SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED

SCOTT WARD**8.5 CONTRACT NO. 1705 – KNOX LANDFILL LEACHATE POND REHABILITATION (Melway 72 D3)****SUMMARY: Waste Management Coordinator (Geoff McMeeken)**

This report considers tenders for the rehabilitation of the leachate pond at Knox Landfill, George Street, Wantirna South, and recommends a preferred contractor to undertake the works.

1. INTRODUCTION

This project is for the rehabilitation of the leachate pond at Knox Landfill, George Street, Wantirna South (previously known as Cathies Lane Landfill) and will be funded from the Reserve Fund which has \$1.2 million available.

2. DISCUSSION**2.1 Proposed Works**

The proposed works involve the reshaping of the existing leachate pond and the placement of an impervious clay liner on the base and walls of the pond. Other works include the construction of a crushed rock access track and drainage works.

The leachate pond is used to store and treat leachate generated from the landfill site prior to discharge to sewer. Whilst the landfill is closed, the requirement of Council as the landfill operator is to manage the leachate generation for a thirty year period post closure.

A risk assessment undertaken on the landfill site in 2005 identified that the leachate pond may be allowing leachate to enter the groundwater system. This contravenes the Works Approval Licence that Council has from the Environment Protection Authority (EPA) to manage and operate the landfill.

The proposed works will enable Council to verify to the EPA that the leachate pond is able to contain the leachate.

2.2 Tenders Received

The contract for this project was advertised as a single Lump Sum Quality Assured contract. In accordance with Council's Contract Management Manual, tenderers were invited to attend the tender opening process where the rank order of pricing was revealed. Two contractors were present.

Tender prices were not disclosed at the opening, only the rank order of the tenders from lowest to highest, and these were as follows:

8.5 Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation (cont'd)

Ranking Order	Tenderer
1	Enviropacific Services Pty Ltd
2	CDN Constructors Pty Ltd

2.3 Evaluation of Tenders

The tenders were evaluated against the following criteria as advertised in the tender documentation, with the weightings established prior to the initiation of the tender process:

Financial Benefit	50%
Integrated Management System	10%
Evidence of Capability	5%
Appropriate Resources	10%
Sustainability/Green Product Usage	5%
Industrial Relations/Safety Record	10%
Conformity with Documentation	5%
Current/Future Workload	5%

As required under Council's contract administration procedures, a tender evaluation panel was appointed to assess the tenders for this contract.

The tender evaluation panel consisted of the following:

- Daniella Gerente – Waste Management Officer
- Geoff McMeeken – Waste Management Coordinator
- Ken Yam - Design Engineer – Project Delivery

The Panel arrived at the following results when it completed the tender evaluation:

Ranking Order	Tenderer
1	Enviropacific Services Pty Ltd
2	CDN Constructors Pty Ltd

The outcomes which resulted from the panel evaluation have been presented in the Confidential Summary attached to this report.

8.5 Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation (cont'd)

The recommended tenderer is Enviropacific Services Pty Ltd with a tender price of \$259,567.60 (excluding GST). This price is 7.6% below the engineer's estimate of \$281,000. This price is considered reasonable for the work required.

Enviropacific Services Pty Ltd have not previously undertaken work for Council.

The company specialises in contaminated site remediation, construction of engineered lining systems for waste containment, capping of landfills and landfill management services across the eastern states of Australia.

The company has offices in Newcastle, Sydney, Brisbane and Melbourne.

The company has third party accreditation for Occupational Health and Safety, Environmental and Quality Management Systems.

Reports from project managers for works currently being undertaken or recently completed by the company indicate they have performed their respective projects satisfactorily.

It is anticipated that they will satisfactorily fulfil their requirements under this contract.

3. CONSULTATION

Consultation has been undertaken with EPA during the design process and will continue through the construction phase.

4. ENVIRONMENTAL/AMENITY ISSUES

The lining of the leachate pond will significantly reduce the risk of leachate entering the groundwater system from the landfill site.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The project cost and funding is summarised below:

Description	Cost (excluding GST)
Contract Lump Sum Price	\$259,567.60
Geotechnical Investigation	\$6,600.00
Design and Project Management Fee	\$14,100.00
Contingencies	\$20,000.00
Advertising	\$2,500.00
Total Project Cost	\$302,767.60

8.5 Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation (cont'd)

Funding of infrastructure works associated with the rehabilitation of the landfill site was previously provided for in Council's Capital Works Program. This funding was transferred to a Reserve Fund which has available funds of \$1.2 million, and covers a broader package of works which includes the rehabilitation of Llewellyn Park landfill.

The funding therefore adequately meets the contract sum of the preferred tenderer plus associated costs if the works are awarded under the terms of Contract No.1705.

6. SOCIAL IMPLICATIONS

Council has a responsibility to manage its assets on behalf of the community which includes adherence to legislative requirements.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

This item has relevance to Council's 2006 – 2010 Community and Council Plan under the theme of Social and Environmental Responsibility which has the objective to incorporate environmentally sensitive design principles into Council projects.

8. CONCLUSION

The preferred tenderer for the rehabilitation of the Knox Landfill leachate pond is Enviropacific Services Pty Ltd for the lump sum price of \$259,567.60 excluding GST (\$285,524.36 incl. GST).

The company is adequately resourced and available to successfully undertake this contract within the constraints of time, quality and cost.

9. CONFIDENTIALITY

A financial report on the highest scoring tenderer was obtained from Australian Business Research. No adverse findings or items bearing on the tenderer's ability to perform in this contract were detected. The report is confidential and available separately to this report.

A detailed confidential summary of the tendered prices and the tender evaluation matrix are also attached separately to this report.

8.5 Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation (cont'd)

RECOMMENDATION

That Council

- 1. accepts the tender submitted by Enviropacific Services Pty Ltd for the lump sum price of \$285,524.36 including GST for Contract No. 1705 – Knox Landfill Leachate Pond Rehabilitation;**
- 2. authorise the Chief Executive Officer to formalise the contract documentation in accordance with this report and to sign and seal the contract on behalf of Council; and**
- 3. advise all tenderers accordingly.**

MOVED: CR. COOPER
SECONDED: CR. ORPEN

That the recommendation be adopted.

CARRIED

DOBSON WARD**9.1 LICENCE AGREEMENT BETWEEN KNOX CITY COUNCIL AND THE KNOX HISTORICAL SOCIETY FOR THE OCCUPANCY OF AMBLESIDE, 1-3 OLIVEBARK ROAD, FERNTREE GULLY (MEL WAY REF 65 D12)**

SUMMARY: *Manager – Youth, Leisure and Cultural Services
(David Blair)*

This report recommends the signing and sealing of a Licence Agreement between Knox City Council and the Knox Historical Society for the occupancy of Ambleside, 1-3 Olivebank Road, Ferntree Gully.

1. INTRODUCTION

The agreement between Council and Knox Historical Society (The Society) covering the occupancy arrangements for Ambleside Park has expired and consequently a Licence Agreement has been prepared in accordance with Council's policy No 2004/24 for the Tenancy by Community Groups of Council Buildings.

2. DISCUSSION**2.1 Background**

Ambleside Park, listed by the National Trust as of historical interest, dates back to 1872.

In 1887, Ephram Hansen received a Crown Grant for a mixed farm of 210 acres. After living in a modest timber dwelling, he built the current building in 1899 which is an example of a solid practical Hawthorn brick house in the Italianate style of multi-chrome brick and a reflection of the progressive building techniques of that time.

Facing south with views to the west where the Melbourne City skyline can be seen, it has a central passage leading to a rear vestibule. Four bedrooms and a parlour lead off this passage. A rear kitchen, bathroom and laundry were later added. Victorian features, including stained glass leadlighted side door panels and fanlight, ceiling roses, picket fence and six foot wide verandahs, give the house a more sophisticated look than the average farmhouse.

Sheds (outhouses) for farming implements and a dairy room also form part of the homestead as do gardens which have significant trees and shrubs dating back from the 1870s, 1890s, 1920s and 1950s.

Since its establishment much of the original land has been subdivided and in 1970 the house and two acres were bequeathed to the City of Knox. It was made available to the Knox Historical Society in 1977 for the purpose of being the site of the various functions of the Society, including:

- Historical records collection, preparation and storage;

9.1 Licence Agreement between Knox City Council and the Knox Historical Society for the occupancy of Ambleside, 1-3 Olivebark Road, Ferntree Gully (cont'd)

- Exhibitions, and
- Educational and public events of a historical nature.

2.2 Licence Agreement

The key principles in the Licence Agreement are:

- **Property and Premises**

The property and premises covered by this Licence Agreement, known as Ambleside, 1-3 Olivebark Road, Ferntree Gully, are identified in Annexure D of the Licence Agreement and include the two houses and the sheds identified in this report.

- **Length of licence**

It is proposed the licence be for a five (5) year term commencing at the time of signing.

- **Licensee's Responsibilities**

1. To recognise Council's support in all written and published materials published by the Society.
2. To make Ambleside available to the public at specified times.
3. To follow Council's Good Neighbour Guidelines.
4. To maintain, clean and repair the licensed premises in accordance with the Building and Grounds Maintenance Schedule (Annexure A of the Licence Agreement).
5. To provide an annual report to Council on the activities of the Knox Historical Society.

Licence fee

An annual fee of \$109.09 excluding GST (indexed annually with CPI during (5) five years of the licence) has been determined by Council's annual fees and charges process.

The fee recognises the ongoing contribution made by the Society to preserving and promoting Knox's heritage history which contributes to the health and wellbeing of Knox residents.

The agreement will also stipulate the use of the facility and the hours of operation.

9.1 Licence Agreement between Knox City Council and the Knox Historical Society for the occupancy of Ambleside, 1-3 Olivebark Road, Ferntree Gully (cont'd)

The Tenancy by Community Groups of Council Buildings Policy states that if the market rental of a facility is above \$5,000 PA the licence is to be referred for Council's consideration. Council's Valuers have assessed the market rental of the facility as being \$24,000 PA.

It is recommended that whilst the market rental is above \$5,000, the annual fee remains at \$109.09 (excluding GST) due to the community benefit the Society provides.

3. CONSULTATION

The Licence Agreement has been discussed with relevant Council officers and representatives from the Society. Due to the tenure and the rental amount of the licence there is no requirement to advertise this proposal.

4. ENVIRONMENTAL/AMENITY ISSUES

Through the operation of a local historical museum at Ambleside, the Society contributes to the protection of Knox's heritage in the built and natural environment.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The licence fee has been determined in accordance with Council's annual fees and charges process.

6. SOCIAL IMPLICATIONS

The society contributes to a greater understanding of our history and heritage and provides ongoing information to various organisations.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

This report responds to the Community and Council Plan in the following areas:

Responsive Services

- We will plan, provide and facilitate a range of high quality accessible services for people that connect them to their local communities.

Strong Communities

- We will work in partnership with organisations and individuals to provide a safe and cohesive community.

9.1 Licence Agreement between Knox City Council and the Knox Historical Society for the occupancy of Ambleside, 1-3 Olivebank Road, Ferntree Gully (cont'd)

8. CONCLUSION

This report is presented to Council to authorise the signing and sealing of the Licence Agreement in accordance with the conditions listed in this report.

9. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign and seal the Licence Agreement between Knox City Council and Knox Historical Society for the occupancy of the facility at 1-3 Olivebank Road, Ferntree Gully. The term of the agreement is for five (5) years commencing at the time of signing and the rental commencing at \$109.09 (excluding GST) per annum.

MOVED: CR. ORPEN
SECONDED: CR. KAMITSIS

That the recommendation be adopted.

CARRIED

ALL WARDS**9.2 FAMILY SUPPORT & COMMUNITY EDUCATION SERVICE – GENERALIST COUNSELLING**

SUMMARY: *Manager – Community Wellbeing (Kathy Parton)*

This report recommends to Council a preferred provider for its generalist counselling service for the next three (3) years. This recommendation is an outcome of an expression of interest process undertaken to explore and test alternative service provider options for the provision of generalist counselling services. This process is part of the implementation of the Family Support and Community Education Service strategic review.

1. INTRODUCTION

Council conducted a Knox Family Support and Community Education (FS&CE) Service strategic review between June, 2006 and April, 2007.

Councillors were briefed on the outcome of the FS&CE strategic service review on 1 May and 7 November, 2007.

On 11 December, 2007, Council endorsed allocation of Council funding for financial counselling services to Eastern Access Community Health Service, and the co-ordination of the No Interest Loan Scheme to Knox Infolink for an initial period of three (3) years, subject to the satisfactory development and implementation of a Funding and Service Agreement in line with Council's draft Operational Funding Policy.

Council was advised that an expression of interest process was underway to determine the most appropriate community agency to provide the generalist counselling service under a three (3) year Funding and Service Agreement.

Council endorsed considering a further report outlining the preferred providers of generalist counselling services in early 2008. This report provides Council with the outcome of the expression of interest process.

2. DISCUSSION

As outlined, Knox City Council's Family Support and Community Education Service currently provides Generalist Counselling (short to medium term) and is managed and wholly funded by Knox City Council.

Council's generalist counselling services encompasses:

- Case work – defined as assessment and referral, counselling, support and advocacy;
- Crisis counselling – defined as a person requiring to be seen within 24 hours of initial contact; and

9.2 Family Support & Community Education Service – Generalist Counselling (cont'd)

- Short term counselling – defined as four (4) to six (6) sessions (One hour per session)

The services are provided to adults (defined as 18 years or over) living or working in the City of Knox on a low income.

2.1 Expression of Interest Process

In September, 2007, an expression of interest process for the provision of generalist counselling services was undertaken in order to explore and test alternative service provider options. This generalist counselling service is currently fully funded by Knox ratepayer funds and as such, Knox City Council is solely responsible for the possible transfer of this service.

Prospective service providers that currently provide generalist counselling services within Knox were identified and approached to ascertain their interest in making a submission through the expression of interest process. Prospective service providers were invited to apply for funding to support the provision of 1.3 EFT (being Council's current contribution to this service) for a period of three (3) years. The funding is required to be used to provide services at no cost to Knox residents living on a low income. Specifically, the services to be funded would include case work, crisis counselling and short term counselling.

Prospective agencies were notified of Council's expectation that the successful agency will be able to demonstrate a commitment to maintaining the current level of service currently provided to the Knox community, through meeting the service targets of a minimum of 384 new clients per annum (based on a client receiving an average of four (4) sessions of service).

Through the expression of interest process, preference was given to potential service providers that best addressed the following parameters:

- Currently providing a counselling service and complimentary services;
- Located or ability to co-locate and deliver the service in Boronia, Bayswater or Ferntree Gully; and
- Demonstrated ability to continue service delivery beyond three (3) years of Council funding.

9.2 Family Support & Community Education Service – Generalist Counselling (cont'd)

The service providers contacted were Knox Community Care, Harrison Uniting Care, Knox Community Health Service, The Bridgewater Centre and Anglicare. Submissions were received from Knox Community Health Service, Harrison Uniting Care and Knox Community Care.

Each expression of interest submission was assessed by an internal project team using the following criteria:

- That the agency's philosophy of service responds to and compliments Knox *Vision 2025*;
- That the services the agency currently provides complement the proposed service and are able to demonstrate synergies with the proposed service;
- That the proposed service is accessible to Knox residents and addresses Council's criteria (i.e. hours of operation, location of proposed service, co-location/outreach component of the proposed service accessible to Boronia, Bayswater and Ferntree Gully, accessible to people with a disability);
- That the funding will be reasonably allocated between administrative costs and staffing costs and adequate resourcing to meet the service targets;
- That the agency's staff are appropriately qualified;
- That the intake and response process proposed for the service is suitable for crisis counselling;
- That the agency appropriately demonstrates how they will deliver against the specified service targets and address the gaps in the service system; and
- That the agency demonstrates how they plan to make the service sustainable beyond the three (3) year period.

Each agency was assessed as to whether their expression of interest submission did not meet, met or exceeded each of these criteria. After an assessment of the expression of interest submissions from each of these agencies, Council officers recommend Knox Community Health Service as the preferred provider, and now recommend that Council enter into a three (3) year funding arrangement with Knox Community Health Service. An assessment of each agency's submission is shown in confidential Attachment A.

9.2 Family Support & Community Education Service – Generalist Counselling (cont'd)

3. CONSULTATION

Consultation with the Knox based community agencies, named previously in this report, has been undertaken to investigate the feasibility of a proposed transfer of Council's generalist counselling service to a community organisation. This consultation has been designed to actively engage these stakeholders to inform Council's decision making.

An expression of interest process was conducted with five (5) community based agencies, three of whom requested to participate.

Upon Council endorsement, the preferred and unsuccessful agencies will be informed of the outcome of the expression of interest process. Further consultation will occur with the preferred provider to finalise the Funding and Service Agreement.

4. ENVIRONMENTAL/AMENITY ISSUES

Each expression of interest submission was assessed against criteria as outlined in the body of this report. The preferred provider has been able to demonstrate that they will provide a service with facilities that are accessible to Knox residents and addresses Council's criteria regarding hours of operation, location of proposed service, co-location/outreach component of the service accessible to Boronia, Bayswater and Ferntree Gully and accessible to people with a disability.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Should Council resolve to allocate funding to support the delivery of generalist counselling services to the preferred agency, the following financial subsidy would be provided over the next three (3) years:

Agreement for three (3) years across four (4) financial years

	April 2008 – June 2008	July 2008 – June 2009 (CPI 2.5%)	July 2009 – June 2010 (CPI 2.5%)	July 2010 – March 2011 (CPI 2.5%)	Total Agreement for three (3) years
	\$96,980 pa *			\$104,437 pa #	
Costs to Council	\$24,245 *	\$99,405	\$101,890	\$78,328 #	\$303,868

* Will be Prorata from actual starting date

Will be Prorata from actual finishing date

These costs are provided for in Council's *Long Term Financial Strategy* and will incur no additional costs to Council.

9.2 Family Support & Community Education Service – Generalist Counselling (cont'd)

6. SOCIAL IMPLICATIONS

The proposal for the future of the Knox Family Support and Community Education generalist counselling service outlined in this report will enable a strengthening of the Family Support System operating within and supporting the social environment, specifically through the strengthening of community partnerships, and a more integrated approach to service delivery for marginalised and vulnerable Knox residents.

The preferred provider operates within facilities that support access by all Knox residents and provides a service that aims to strengthen families through the improvement of physical, mental and social health and wellbeing of individuals, families and communities in the City of Knox. The Knox Community Health Service has a comprehensive knowledge of the Knox community and provides a high degree of specialised professionalism and is networked with other complimentary service providers in Knox.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN

The Knox *Community and Council Plan 2006 – 2010* describes the theme of a sustainable Community: Dynamic Services and Facilities. One of the strategies identified to meet this objective is for Knox City Council to identify and analyse the services required to address the changing needs of Knox's demographic. Council's proposed strategic direction for the future of the Knox Family Support and Community Education Service facilitates achievement towards the fulfilment of this strategy.

8. CONCLUSION

As part of the implementation of the Family Support and Community Education Service strategic review implementation, Council officers have progressed the identification of an alternative service provider to transfer its existing generalist counselling service to a community-based provider.

An expression of interest process has been completed for the provision of generalist counselling services. Three (3) submissions were received and assessed against established criteria.

The preferred provider recommended to Council for the provision of the generalist counselling service for the next three (3) years is Knox Community Health Service.

Upon Council's endorsement (or otherwise) of this recommendation, agencies will be advised of the expression of interest process outcomes and a Funding and Service Agreement will be developed with the preferred provider.

9.2 Family Support & Community Education Service – Generalist Counselling (cont'd)**9. CONFIDENTIALITY**

A detailed confidential summary of the three (3) expression of interest submissions is attached separately to this report.

RECOMMENDATION

That Council endorse the Knox Community Health Service as the preferred provider of generalist counselling services for an initial period of three (3) years, subject to a satisfactory Funding and Service Agreement being entered into.

MOVED: CR. FIELD

SECONDED: CR. VAN de VREEDE

That the recommendation be adopted.

CARRIED

ALL WARDS**10.1 WORKS REPORT (as at Friday, 4 January 2008)**

SUMMARY: *Coordinator – Capital Works (Gene Chiron)*

The Works Report shows projects on Council's Capital Works Program and indicates the status of each project as at 4 January 2008.

1. INTRODUCTION

This report summarises progress on Council's Capital Works Program for the 2007/2008 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 4 January 2008, is attached as Appendix A.

RECOMMENDATION

That the report be noted.

MOVED: CR. COOPER
SECONDED: CR. KAMITSIS

That the recommendation be adopted.

CARRIED

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001	Bridges Renewal Program Project works are progressing on schedule.	\$57,000
002	Lakeside Blvd Road Entrance Wall Contractor has been delayed. Construction to start January.	\$48,500
004	High Risk Road Failures Programmed minor project works are progressing on schedule.	\$206,500
005	Devenish Rd Reconstruction Works programmed to commence February 2008.	\$80,000
006	Station St, FTG Reconstruction Etheredge Mintern awarded the Contract and works to commence on 7 January 2008.	\$687,282
007	Road Surface Renewal Program Asphalt resurfacing project work will recommence mid January.	\$2,066,860
008	Drainage Pit and Pipe Renewal Program Drainage rehabilitation program is progressing on schedule.	\$750,000
009	Footpath Renewal Program Program is progressing on schedule.	\$1,581,000
010	Bicycle / Shared Path Renewal Program The shared path renewal program is progressing satisfactorily.	\$500,000
011	Office Furniture and Equipment Replacement 30 desktop computers and LCD monitors and 2 Laptops have been received and deployment has commenced. Consultant for VMWare/SAN project - Stage 1 has been engaged. This stage is rescheduled to be completed by end of December 2007. Request for quotation for this project is scheduled to be completed by end of January 2008.	\$555,685

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012	Implementation of Information Systems Plan - Miscellaneous	\$16,100
	Completion of remaining components of ePathway underway. Preschool online payments component completed and enabled on Knox City Council's Website. PIP Project Stage 2 mapbase reconciliation underway.	
016	Building Renewal Program	\$1,589,000
	Building Rehabilitation program is tracking at approx. 65% of expenditure. Major works to be completed in the upcoming month. Disabled retrofitting - tendered/quoted prices. Eildon Park Tennis Pavilion - kitchen refit and external painting and vinyl replacement. Stud Park Tennis Pavilion - ramp, concreting and landscaping. Boronia Library - carpet replacement and internal painting. Billoo Preschool - kitchen refit and carpet/vinyl replacement. Boronia Senior Citizens - external painting. Aimee Seebeck Hall - vinyl replacement and kitchen refit.	
017	Playground Renewal Program	\$492,068
	Advertising for submissions to tender is planned for mid January with actual submissions due first week of February. Project delayed due to engineering report and required changes but will be completed by end of June 2008.	
020	Open Space & Reserves - Entrance Signage Replacement	\$50,000
	Funds now to be utilised to support the Knox Gardens oval no 1.	
021	Rehabilitation of Netball / Tennis Courts and Athletics Tracks	\$352,369
	Stage 1 - Courts complete and placed on practical completion. Stage 2 - First layer of asphalt laid and final layer programmed for 14 January 2008.	
022	Fire Hydrant Replacement Program	\$75,000
	Payments to South East Water due April to June 2008.	
024	Car Park Renewal Program	\$204,000
	The car park renewal program has commenced, reinstatement works will be ongoing.	

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025	Plant & Machinery Replacement Program	\$2,876,800
	Program under way, 58% of funds committed, 52% of funds spent. Tender for new 37 Seat Bus approved by Council, order to be issued this week.	
026	Street Tree Replacement Program	\$150,000
	Residents in Station St. FTG notified of survey results.	
028	Cathie's Lane, Scoresby - Landfill Rehabilitation	\$280,000
	Tenders advertised for leachate pond rehabilitation. Anticipate work commencing February 2008.	
029	Kelletts Road- Street Lighting Cost Share Scheme	\$178,000
	Payment scheduled for May 2008.	
030	Operations Centre - Compliance Upgrade	\$26,460
	Washbay works completed.	
031	Stamford Park Redevelopment	\$865,000
	Sale of land to Stud Rd Rowville P/L was completed on 6 December 2007. Negotiations are presently underway with Vicroads regarding approval of construction details for the new road into Stamford Park and intersection on Stud Rd. A revised wetlands concept has been presented to Melbourne Water for approval.	
034	Benedikt Park - Warm Season Grass & Floodlighting	\$58,460
	Due to water restrictions the project scope is currently being reviewed to include lighting. Following the determination of costings, approval will be sort from project partner, Sport and Recreation Victoria, to vary grant guidelines. Line planting of warm season kikuyu grass completed on 19/9. Floodlighting scheduled to be installed in March 08, subject to SRV approval and community engagement.	
039	Regional Skate and BMX Facility	\$618,316
	Final pour on Skate bowl footprint to be completed by 21/12/07 and bowl to be usable by public over the Christmas break. Access path and landscaping to be finalised in January 2008.	

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041	Basketball Development Fund	\$20,000
	Awaiting confirmation of balance of funds from Basketball Assoc. Contractor selected.	
043	Shade Sails for Family and Children's Services Facilities	\$30,000
	Council has committed to assist the following centres with shade sail works and/or safety issues. Templeton Orchards PS (complete), Taylors Lane PG (complete), Blue Hills PS (complete), FW Kerr PS (complete), Billoo Park PG (complete), Forest Road PG, West Gully PG, Alice Johnson PS, Eildon Parade PS. Works at these last four centres are scheduled for January/February.	
044	Illoura Kinderlea - Toilet Upgrade	\$125,647
	Project to be completed prior to Christmas. Some further minor works to be carried out.	
048	Stud Road (Knox Shopping Centre to Burwood Hwy) - New Footpath	\$9,510
	Land acquisition documentation being checked by Council solicitors. Construction scheduled for February.	
049	Kelletts Road (St Lawrance Way to Blaxland Dve) - New Footpath	\$31,000
	Designed and quotation for construction prepared by Vicroads. Works to be undertaken in conjunction with VicRoads road duplication. Path width to be reviewed due to possible closure of culvert under Kelletts Road for shared path use.	
050	New footpaths - Blackwood Park Road	\$15,038
	All services lowered and land acquisition agreement reached. Construction to be completed in early new year.	
051	Pedestrian Plan Initiatives - Improved Signage, Seats and Shelters	\$75,000
	Completion of mapping for Bayswater Wayfinding signage expected late Jan. Consultant to undertake audit of shared path signage in early Jan 08.	

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055	Corhanwarrabul Creek (Stud Rd to Dandenong Creek) - Shared Path	\$13,900
	Majority of additional survey work along Corhanwarrabul Creek has been completed. Further design being considered along with Stamford Park development plans.	
061	Studfield Shops - Speed Humps	\$30,776
	Speed humps completed.	
063	Eildon Parade and Taylors Lane Intersection - Improved Bus Movement	\$38,771
	Construction has been completed. Threshold linemarking to be completed	
064	DDA and Accessibility of Bus Stops	\$30,845
	Works are being carried out as part of the bus stop upgrade for Department Of Infrastructure.	
065	Burwood Hwy Shared Path - Land Acquisition	\$12,255
	Funds for purchase of land held in Trust by Maddocks. Finalising terms of sale, final offer has been laid on the table. Remainder of funds will be costs associated with subdivision and titles.	
070	Dog Related Signage	\$30,563
	Dogs on lead signs have been installed at conservation bushland reserves. Stage 2, pavement linemarking has commenced with trial in Lewis Park. Will be extended across municipality in early 2008.	
071	Boronia Place Management - Dorset Rd/Lupton Way Streetscape	\$231,430
	Report presented to Council on 18 December 2007 and CEO given power of delegation to award contract after all information.	
072	Boronia Place Management - Dorset Rd Streetscape	\$380,800
	Report presented to Council on 18 December 2007 and CEO given power of delegation to award contract after all information required is obtained from tenderers.	

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073	Alchester Village - Minor Place Management	\$72,810
	Construction works are completed.	
074	Boronia Place Management - Erica Ave Streetscape	\$125,079
	Works reached practical completion and put on maintenance.	
075	Boronia Place Management - Directional Signage/Gateways	\$88,500
	Designs completed and VicRoads approval process underway. Installation Scheduled for March 2008.	
078	Boronia Dorset Square Streetscape Works (Stage1)	\$608,440
	Report went to Council on 18 December 2007 and CEO given delegated power to award contract after all information required is obtained from the tenderers.	
082	Drainage Upgrades - Ongoing Customer Response	\$312,810
	Several new projects identified due to the severe December 3 storms. A revised program of works is currently being prepared.	
089	7 Bayview Crescent The Basin- Drainage Improvement	\$33,928
	Awaiting a response from the structural engineer, who is currently assessing the merit of an alternative proposal submitted by a contractor.	
090	Power Road Reconstruction	\$885,107
	Works nearing completion. Wearing coat is to be laid in January 2008.	
091	McMahons Road - LATM	\$372,522
	VicRoads have approved modified scheme. Scheme adopted at Oct Council meeting. Residents advised by letter drop.	
094	Walker Reserve Pavilion	\$550,000
	Lock-up stage will be achieved by Christmas.	

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095	Knox Leisureworks - Smart Water Project	\$265,000
	Documentation 90% complete. Project to be implemented in 2 stages. First stage to commence early February.	
096	Accessible Public Transport (Department of Infrastructure Funding)	\$135,000
	200 bus stops have been completed and works will resume in January.	
097	Kathryn/Anne Road Intersection	\$50,000
	Survey completed and design commenced. Construction programmed for April 2008.	
098	Corrie Avenue - Cullis Pde to Scoresby Rd	\$150,000
	Design completed. Construction programmed for April 2008.	
099	Road Reconstruction Design Program	\$105,000
	Survey works in progress. Design commenced on Arnold Drive.	
100	Open Space Fencing Replacement	\$100,000
	P.O. raised for Exner reserve fencing. Works to begin February 2008. Meeting being arranged with clubs to discuss scope of work. Report to be forwarded to Vic Track with details of proposed fencing options for shared path. Anticipated start time February 2008.	
101	Knox Gardens Oval No 1 Renovation	\$300,000
	Work has commenced. Irrigation system installed and drainage work started.	
102	Major Reserves Conversion to Warm Season Grass	\$30,000
	Line planting of warm season grass at Gilbert Park & Benedikt Reserves completed.	
103	Knox Gardens Tennis Club - Courts failing base	\$30,000
	Investigation and report commenced to determine scope of works.	

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104	Roadside Furniture Renewal Program Programmed work will continue early January.	\$50,000
105	Knox City Tennis Club - Floodlighting Courts Awaiting feedback from Club.	\$32,000
106	Marie Wallace Bayswater Park - Viewing Platform Works awarded to MR Constructions, to commence mid January	\$120,000
107	Eildon Park Tennis Club - Upgrade courts Quotations called with construction programmed for February 2008.	\$81,000
108	Rowville Recreation Reserve, No 2 Oval - Upgrade Survey and base plan completed. Consultants preparing design.	\$25,000
109	Schultz Reserve - Replacement of car park Carpark construction completed. Some additional landscaping to be undertaken in the new year.	\$30,000
110	Knox Park Pavilion - Design only Prior & Cheney Architects commissioned to commence detailed design.	\$75,000
111	Ferntree Gully Reserve - Access Road & Car Park Construction programmed for May 2008. Project scope to be clarified.	\$60,000
112	Arboretum - Additional car parking Design completion by end of January 2008.	\$115,000
113	Rowville Recreation Reserve - Floodlighting Lighting plans prepared for consultation with user groups and residents. Awaiting formal advice from user groups regarding financial contribution.	\$120,000

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114	Batterham Reserve Oval Lighting	\$
	Designer has reviewed scheme to satisfy VCAT requirements and Town Planning approval. Installation expected to be completed in April 2008.	
115	Knox Community Volunteers – Feasibility Study	\$20,000
	Project brief now provided to Consultants, awaiting response.	
	Third consultant EOI now received. Now assessing submissions against selection criteria.	
116	Boronia Road Footpath-Mountain Hwy to Thaxted Pde	\$62,000
	Construction programmed for March 2008.	
117	Tulip Crescent, Boronia - Footpath	\$35,000
	Public consultation to take place February 2008.	
118	Wellington Road Footpath - Gearon Ave to Pinehill Dve	\$68,000
	Construction scheduled for February 2008.	
119	Stonehaven Avenue, Boronia - Footpath	\$56,000
	Public consultation to take place February 2008.	
120	Wellington Road Footpath - Clauscen Dr to Braeburn Pde	\$65,850
	Construction scheduled for February 2008.	
121	Unsealed Road Program	\$30,000
	Program of unsealed roads adopted by Council at 23 October meeting. Business case prepared for funding application.	
122	Colchester Road Barrier Treatment	\$20,000
	Works completed by Maroondah. Knox contribution to be made.	
123	Major Crescent Retaining Wall	\$65,000
	Construction completed.	

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124	Renou Road LATM - Design Consultation to commence February 2008.	\$40,000
125	Beresford Drive - Linemarking Public consultation scheduled for February.	\$10,000
126	Napoleon Road Shared Path-Kelletts Rd to Murrindal Dr Link Construction scheduled for May 2008.	\$75,000
127	Kelletts Road Shared Path-Culvert upgrade VicRoads undertaking these works as part of road duplication. Melbourne Water have advised that capacity issues will prevent continued use of culvert for shared path use. Considering alternatives with Vicroads.	\$25,000
128	Bayswater Railway Station - Shared Path Construction scheduled to commence May 2008.	\$140,000
129	Mountain Hwy Shared Path-Petalnina Dr to Caravan Park Construction scheduled to commence May 2008.	\$23,000
130	Studfield Shops - Left turn Coleman Rd to Stud Rd Design Commenced and with Traffic and Transport for consultation with VicRoads.	\$150,000
131	Ferntree Gully Rd (near Kathryn Rd) - Pedestrian Signal Design Engineering survey completed. Signal design to be undertaken by traffic consultants in consultation with VicRoads.	\$45,000
132	Francis Crescent – Guard Rail Consultation to commence in February 2008. Construction programmed for March 2008.	\$120,000

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133	Unconstructed Recreation - Reserve Design Program	\$80,000
	Meeting has occurred with residents and Councillor (David Cooper) at Jenola Parade. Comments from meeting to be forwarded to consultants for inclusion in concept. Residents to be fully involved in final design. Briefs for each of the parks have been returned and consultants are to be selected this week to begin design work in collaboration with Council officers.	
134	Kings Park Passive Recreation	\$100,000
	Surveys being prepared for residents.	
135	Knox Central - Principal Activity Centre Program	\$120,000
	Project Development consultant engaged October. Project deliverables agreed. Vision consultant engaged October. Timeframe for both projects established and to be completed Jan 2008.	
136	Boronia Dorset Square Streetscape Works (Stage 2)-Pavement Works	\$354,000
	Tender advertised on 27 October 2007 and report to December Council Meeting. Construction to commence late January 2008.	
137	Mountain Gate Place Management Design Plan	\$0
	Design works held off for 2007/08 pending completion of Shopping Centre Structure Plan. Funding withdrawn at Mid Year Review.	
138	Wantirna Mall Place Management Design Plan	\$30,000
	Consultants brief to be finalized. Survey mailout complete, awaiting replies.	
139	Cnr Lewis/Coleman Road, Knoxfield - Streetscape Improvement	\$110,000
	Public display boards completed. Works scheduled to commence in April 2008.	
140	Streetscape Upgrade – Burwood Hwy (Traydal Cl to Templeton St)	\$50,000
	Plants have been ordered.	

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141	Streetscape Upgrade – Stud Rd (opposite Stud Park Shopping Centre)	\$50,000
	Plants have been ordered for planting in May 2008.	
142	Water Reduction: Rainwater Tank Installation	\$630,000
	Program well under way. Round 1 installations completed end Nov. Pre schools finished. Round 2 tanks ordered. Roof and toilet plumbing commenced.	
143	Water Reduction in Toilets	\$45,000
	Project completed.	
144	Energy Reduction: Lighting and Air Conditioning in Council Facilities.	\$70,000
	Lamp replacement program is underway. Eastgate and Rowville Community Centre Digital Control system works commenced late November.	
145	Energy Reduction: Solar Panel and Solar Hot Water Installation.	\$135,000
	Purchase orders have been issued. Work to commence early February 2008.	
146	Energy Reduction: Feasibility Studies	\$25,000
	Meeting cancelled by GridX to be rescheduled in January 2008. Energy Conservation Systems to provide a quotation for the feasibility study.	
147	Energy & Greenhouse program for Council facilities	\$150,000
	Contract has been let to ACS Devco. The new Chiller has been ordered and is currently being manufactured in Canada. It is expected to arrive in Australia on 24/3/08. Works will begin on site on 3/3/08 with an expected completion date of 4/4/08.	
148	Bayswater Shopping Centre Toilet Replacement - Stage 1	\$139,000
	Purchase order issued to W.C. Conveniences. Manufacture of Exeloo unit commenced. Due for delivery from New Zealand February 2008.	

Knox City Council
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APPENDIX A

149	The Basin Shopping Centre Toilet Replacement - Stage 1	\$15,597
	On Hold until masterplan resolution.	
150	Operations Centre – Office Modifications	\$30,000
	Detailed plans underway for works in February 2008.	
151	Lewis Rd Reserve Toilet Replacement	\$119,000
	Tender to be let January. Works expected to commence early Feb.	
152	Civic Centre – Air Conditioning Modification Works	\$50,000
	Works being undertaken in conjunction with project 147. Tender process for replacement of chiller unit completed.	
153	Alpine St Shopping Centre, Toilet Replacement	\$140,000
	Unit due for delivery February.	
154	Dorset Square Shopping Centre Toilet Replacement	\$600,000
	Tender for supply of Exceloo's let to WC Conveniences. Construction Tender has been let to Circon Constructions. Pre-cast slabs and steel works have been ordered, and construction will begin at the end of January 2008.	
155	Continuation of Property Information Program – Stage 3A	\$25,000
	Project scoping scheduled to commence March 2008.	
156	GIS Rectification of Contours	\$25,000
	Purchase Order raised and contract work commenced in October 2007. This project is scheduled to be completed by end of April 2008.	
157	ICT Strategic Plan (Year 1 Projects)	\$45,000
	Top five ICT Projects (as prioritised by EMT) are progressing well with internal project managers appointed to each project.	

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219	The Avenue (No 56) Land Acquisition	\$350,000
	Settlement for the purchase of this land occurred in late October 2007.	
220	Jenola Parade (Lot A No 91) Property Purchase	\$99,125
	Waiting on property owner to finalise subdivision process. Will then settle transfer of land to Council.	
221	Community Bus Purchase	\$100,000
	\$100,000 Grant accepted at Mid Year Review. Council's Bus choice approved by Dept of Planning & Community Development. Awaiting release of funds.	

11. SUPPLEMENTARY ITEMS

Nil

12. URGENT BUSINESS**12.1 URGENT BUSINESS**

Nil

12.2 CALL UP ITEMS**12.2.1 ENVIRONMENTAL VALUES**

MOVED: CR. VAN de VREEDE

SECONDED: CR. ORPEN

That a report be presented to Council in March 2008, detailing how the State of the Environment Report recently released by the Port Phillip & Westernport Catchment Management Authority applies to Knox, what actions Council is currently undertaking to mitigate these risks and what urgent actions are required in the short and medium term by Council to protect environmental values.

CARRIED

13. QUESTIONS WITHOUT NOTICE

Councillor Orpen – My question is to the Chief Executive Officer. Given the level of community concern and the issue of outstanding permit compliance with boarding houses in Ferntree Gully, will the Chief Executive Officer afford Council a full briefing of the audit result and at the earliest opportunity?

Chief Executive Officer, Mr Graeme Emonson responded in the affirmative.

MEETING CLOSED AT 9.09PM

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on
Tuesday 26 February 2008

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Chairman