



Knox City Council

# **KNOX CITY COUNCIL**

# **AGENDA**

**Ordinary Meeting of Council**

**To be held at the**

**Civic Centre**

**511 Burwood Highway**

**Wantirna South**

**On**

**Tuesday 26 February 2008**

## **KNOX CITY COUNCIL**

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

**ON  
TUESDAY 26 FEBRUARY 2008 AT 7.30 P.M.**

### **BUSINESS:**

**Page Nos.**

#### **1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

#### **2. DECLARATIONS OF INTEREST OR CONFLICT OF INTEREST**

#### **3. CONFIRMATION OF MINUTES**

- 3.1 *Confirmation of Minutes of Ferntree Gully Cemetery Trust  
Special Committee Meeting held on Thursday  
20 September 2007*
- 3.1 *Confirmation of Minutes of Ordinary Meeting of Council  
held on Tuesday 22 January 2008*
- 3.2 *Confirmation of Minutes of Strategic Planning Committee  
Meeting held on Tuesday 12 February 2008*

#### **4. PETITIONS AND MEMORIALS**

#### **5. REPORTS BY COUNCILLORS**

- 5.1 *Committees & Delegates* **1.**
- 5.2 *Ward Issues* **1.**

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

	<b>All Wards</b>	
6.1	<i>Report Of Planning Applications Decided Under Delegation (160/1/06)</i>	<b>2.</b>
	<b>Dinsdale Ward</b>	
6.2	<i>Application For The Construction Of Five (5) Double Storey Dwellings At 19 King Street, Bayswater Melway Ref. 64 F3 (File No. 20076684)</i>	<b>17.</b>
	<b>Baird Ward</b>	
6.3	<i>Application For The Construction Of 4 Single Storey Dwellings To The Rear Of The 2 Existing Dwellings At 10 &amp; 12 Valerie Street, Boronia Melway Ref. 64 G9 (File No. P/2007/6984)</i>	<b>51.</b>
	<b>Baird Ward</b>	
6.4	<i>Application For The Development Of Land For Five Single Storey Dwellings At 10 Falconer Road, Boronia, Melway Ref. 64 G8 (File No. 20076691)</i>	<b>79.</b>
	<b>Chandler Ward</b>	
6.5	<i>Application For Residential Subdivision Of Land Into Two (2) Lots At 42 Mcdonald Crescent, Boronia. Melway Ref. 65 D7 (File No. 20076779)</i>	<b>111.</b>
	<b>Collier Ward</b>	
6.6	<i>Response To Wantirna Mall Petition</i>	<b>138.</b>
	<b>Dinsdale Ward</b>	
6.7	<i>Bayswater Special Rate Proposal</i>	<b>142.</b>
	<b>All Wards</b>	
6.8	<i>Economic Development Strategy 2008-2018</i>	<b>146.</b>
	<b>All Wards</b>	
6.9	<i>Knox Ecological Sustainability Summit For Business And The Greenleaf Project</i>	<b>152.</b>
	<b>All Wards</b>	
6.10	<i>The Melbourne Environment Report 2007</i>	<b>161.</b>

**7. PUBLIC QUESTION TIME**

(Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will be deferred to consider questions submitted by the public). **173.**

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

		<i>All Wards</i>	
8.1	<i>Carols By Candlelight 2007</i>		<b>174.</b>
		<b>Dinsdale Ward</b>	
<b>8.2</b>	<b>Petition – Lewis Park Skate And Bmx Facility</b>		<b>181.</b>

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

		<i>Chandler Ward</i>	
9.1	<i>Sale Of Tree Reserve Abutting 936 Mountain Highway, Bayswater (Mobil Service Station) (Melway Ref: 65 A3)</i>		<b>189.</b>
		<i>All Wards</i>	
9.2	<i>Review Of Procedural Matters Local Law</i>		<b>193.</b>
		<i>All Wards</i>	
9.3	<i>Council Signage</i>		<b>227.</b>
		<i>All Wards</i>	
9.4	<i>Key Initiatives 2007-08 Status Report – Second Quarter To 31 December 2007</i>		<b>233.</b>
		<i>All Wards</i>	
9.5	<i>Management Financial Report For The Quarter Ended 31 December 2007</i>		<b>251</b>
		<i>All Wards</i>	
9.6	<i>Adoption Of The Proposed 2008/09 – 2012/13 Long Term Financial Strategy</i>		<b>258.</b>

**10. ITEMS FOR INFORMATION**

		<i>All Wards</i>	
10.1	<i>Ward Contingency Fund Allocations For The Period 1 October 2007 – 31 December 2007</i>		<b>266.</b>
		<i>All Wards</i>	
10.2	<i>Works Report (As At Friday, 8 February 2008)</i>		<b>274.</b>

<b><u>11.</u></b>	<b><u>MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN</u></b>	
11.1	<i>Notice of Motion No. 10</i>	<b>290.</b>
<b><u>12</u></b>	<b><u>SUPPLEMENTARY ITEMS</u></b>	<b>291</b>
<b><u>13.</u></b>	<b><u>URGENT BUSINESS</u></b>	<b>291</b>
13.1	<i>Urgent Business</i>	<b>291.</b>
13.2	<i>Call Up Items</i>	<b>291.</b>
<b><u>14.</u></b>	<b><u>QUESTIONS WITHOUT NOTICE</u></b>	<b>291.</b>

GRAEME EMONSON  
CHIEF EXECUTIVE OFFICER

**5. REPORTS BY COUNCILLORS**

**5.1 Committees & Delegates**

**5.2 Ward Issues**

**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:

<b>Application Type</b>	<b>No.</b>
Building Extensions: Residential	18
Other	6
Units	6
Dwelling	13
Tree Removal/Pruning	13
Subdivision	12
Signs	9
Signage: Bus Shelters	75
Industrial Development	1
Public Toilet Facility	1
Viewing Platform at Bayswater Reserve	1
Change of Use	1
<b>TOTAL</b>	<b>156</b>

**RECOMMENDATION**

**That the planning applications decided under delegation report be noted.**

**Report Prepared By:** *Manager – City Planning (Paul Dickie)*

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

Knox City Council  
**Planning Applications Decided - Responsible Officer**  
 1 January 2008 to 31 January 2008

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7154	Adshel Street Furniture Pty Ltd	Burwood Highway FERNTREE GULLY VIC 3156 (adjacent 753 Burwood Highway)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Baird
2007/6963	John Stewart Tyzzer	829 Burwood Highway FERNTREE GULLY VIC 3156	Business Identification Signage	22/01/2008 Approved	Baird
2007/6898	Hie Ling Tiong	2/2 Tunstall Avenue BORONIA VIC 3155	Verandah	8/01/2008 Approved	Baird
2007/7016	John Williams	Lot DUPL Dorset Square BORONIA VIC 3155	Construction of new public toilet facility and bin enclosure to replace existing	4/01/2008 Approved	Baird
2007/6989	J R & J M Hicks	64 Woodvale Road BORONIA VIC 3155	Addition to existing dwelling on land affected by a Special Building Overlay.	10/01/2008	Baird
2007/7156	Adshel Street Furniture Pty Ltd	811 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Baird
2007/7126	Adshel Street Furniture Pty Ltd	655 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Baird
2007/7099	Adshel Street Furniture Pty Ltd	Lot 1 Boronia Road BORONIA VIC 3155	Five Double sided, internally illuminated advertising panels	22/01/2008 Approved	Baird
2008/6024	Raymond Elliott	6 Redfern Court BORONIA VIC 3155	Pruning of two (2) trees: Eucalyptus radiata and Eucalyptus obliqua	21/01/2008 Approved	Baird
2007/6652	A Loizou	14 Manuka Drive FERNTREE GULLY VIC 3156	Buildings and works - Single dwelling constructed above the existing shop.	16/01/2008 Approved	Baird
2007/6967	Brian Watson Surveying	11 Flower Street FERNTREE GULLY VIC 3156	Subdivision into (2) Two Lots (approved development site)	18/01/2008 Approved	Baird



No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6893	Reeds Consulting Pty Ltd	1 Malcolm Street BORONIA VIC 3155	Subdivision of Land into (2) Two Lots (approved unit site)	17/01/2008 Approved	Baird
2007/7101	Adshel Street Furniture Pty Ltd	Chandler Road (Opposite 7 Chandler Road), BORONIA	Double sided Internally illuminated advertising panel	22/01/2008 Approved	Baird
2007/7102	Adshel Street Furniture Pty Ltd	Boronia Road (adjacent 156 Boronia Road), BORONIA	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Baird
2008/6036	Kate Maree Dungan	25 Hansen Road BORONIA VIC 3155	The removal of four (4) trees: Angophora costata, Acacia melanoxylon, Eucalyptus gonicalyx and dead Eucalyptus tree.	30/01/2008 Approved	Chandler
2007/6987	Woodbuilt Construction	6 Mercia Avenue THE BASIN VIC 3154	Addition to existing dwelling - pergola and deck	17/01/2008 Approved	Chandler
2007/7176	Robert Cocks	52-54 Mercia Avenue THE BASIN VIC 3154	Buildings and Works - Garden Shed	15/01/2008 Approved	Chandler
2007/6933	Bender Pty Ltd	3/1001 Mountain Highway BORONIA VIC 3155	Addition of a loading bay to existing warehouse	7/01/2008 Approved	Chandler
2008/6035	Carol Anne Morgan	35 Boronia Road BORONIA VIC 3155	Prune five trees: Quercus palustris, 2 x Corymbia ficifolia, Quercus robur and Fraxinus 'Raywood', and remove three Populus alba trees	30/01/2008 Approved	Chandler
2007/6955	Design Wise Consultants P/L	12 Shirley Court BORONIA VIC 3155	Addition to existing dwelling	31/01/2008 Approved	Chandler
2008/6011	Teri-Jane Morris	962 Mountain Highway BORONIA VIC 3155	Removal of one (1) Eucalyptus nicholii and the pruning of four (4) trees: Callistemon salignus, Corymbia maculata, Eucalyptus sideroxylon and Eucalyptus conferruminata.	9/01/2008 Approved	Chandler

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/6864	Gary Connor	3 Renown Street FERNTREE GULLY VIC 3156	Two storey addition to existing garage and pruning of one overhanging tree	14/01/2008 Approved	Chandler
2008/6004	Trina Huynh	334 Dorset Road BORONIA VIC 3155	Pruning of six (6) trees (Liquidambar styraciflua, Syzygium paniculatum and four (4) Pittosporum undulatum) and the removal of three (3) trees (Syzygium paniculatum and two (2) Pittosporum undulatum).	8/01/2008 Approved	Chandler
2007/7128	Adshel Street Furniture Pty Ltd	1252 Mountain Highway THE BASIN VIC 3154	Double sided internally illuminated advertising panel	22/01/2008 Approved	Chandler
2007/7089	Adshel Street Furniture Pty Ltd	430 Dorset Road BORONIA VIC 3155	Double sided internally illuminated advertising panel	22/01/2008 Approved	Chandler
2008/6007	Owen Lynwood Williams	48 Government Road THE BASIN VIC 3154	Removal of two dead trees: Eucalyptus radiata and Eucalyptus obliqua and the pruning of eleven trees: 5 x Eucalyptus radiata, 4 x Eucalyptus obliqua and 2 x Eucalyptus goniocalyx	8/01/2008 Approved	Chandler
2008/6010	Simon Anthony Hunt	298 Dorset Road BORONIA VIC 3155	The removal of Two (2) trees (Eucalyptus burdettiana, Eucalyptus obliqua ) & prune one (1) Populus deltoides.	14/01/2008 Approved	Chandler
2008/6019	James Upadhya Anil	8 Bradman Court BORONIA VIC 3155	The removal of two (2) trees: Eucalyptus obliqua and Betula pendula, and the pruning of one (1) Eucalyptus radiata.	24/01/2008 Approved	Chandler
2007/7077	Jacqueline Al-Nasser	23 Sycamore Crescent BORONIA VIC 3155	The removal of one (1) dead Eucalyptus ovata and the pruning of two (2) Eucalyptus ovata	2/01/2008 Approved	Chandler
2007/7060	Simon John Humphrey	69 Claremont Avenue THE BASIN VIC 3154	Removal of one dead Eucalyptus obliqua	2/01/2008 Approved	Chandler

No/ Type	Applicant	Address	Description	Decision:	Ward
2008/6008	Robert Paul	35 Old Forest Road THE BASIN VIC 3154	The pruning of six (6) trees: (5 x Eucalyptus ovata & 1 x Eucalyptus obliqua) and the removal of one (1) dead Alnus jorullensis.	15/01/2008 Approved	Chandler
2008/6038	Graham Russell Gibson	122 Albert Avenue BORONIA VIC 3155	The removal of two (2) trees: Eucalyptus globulus, Eucalyptus bicostata & prune two (2) trees: Fraxinus excelsior, Eucalyptus saligna.	29/01/2008 Approved	Chandler
2007/6829	Graeme Bicknell & Associates	7 Gravenstein Crescent THE BASIN VIC 3154	Buildings and works to extend existing dwelling	17/01/2008 Approved	Chandler
2007/6561	A Line Surveying	43 Stewart Street BORONIA VIC 3155	Subdivision of land into two (2) lots (Approved Unit Site)	11/01/2008 Approved	Chandler
2007/6149	Brian Watson Surveying	39 Underwood Road BORONIA VIC 3155	Subdivision of land into two (2) Lots (Approved Unit Site)	10/01/2008 Approved	Chandler
2007/6945	Christopher Murray Fisher	145 Albert Avenue BORONIA VIC 3155	The construction of a single story dwelling	11/01/2008 Approved	Chandler
2007/7096	Adshel Street Furniture Pty Ltd	Dorset Road (Adjacent 180 Dorset Road), BORONIA	Double sided internally illuminated advertising panel	22/01/2008 Approved	Chandler
2007/7097	Adshel Street Furniture Pty Ltd	Boronia Road, Adjacent 35 Boronia Road, BORONIA	Double sided internally illuminated advertising panel	22/01/2008 Approved	Chandler
2007/7124	Adshel Street Furniture Pty Ltd	Mountain Highway, THE BASIN VIC 3154 (adjacent 1061 Mountain Highway, 3m east of Landscape Drive)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Chandler
2007/7100	Adshel Street Furniture Pty Ltd	Boronia Road WANTIRNA VIC 3152 (adjacent to 608 Boronia Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Collier

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7092	Adshel Street Furniture Pty Ltd	Adjacent 621 Boronia Rd, WANTIRNA (60m East of Mountain Hwy, 13.8m East of McDonalds Driveway)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7162	Adshel Street Furniture Pty Ltd	Stud Road (adjacent 102 Stud Road), Wantirna	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7165	Adshel Street Furniture Pty Ltd	Stud Road (adjacent 68 Stud Road), Wantirna	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7164	Adshel Street Furniture Pty Ltd	Mountain Hwy (Adjacent 551 mountain Hwy), Bayswater	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7098	Adshel Street Furniture Pty Ltd	Boronia Road, WANTIRNA VIC 3152 (Adjacent 589 Boronia Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Collier
2007/6896	Wayne Bruce Hunter	5 Edna Court WANTIRNA VIC 3152	Buildings and Works (extension to existing dwelling and construction of two new steel garages)	25/01/2008 Approved	Collier
2007/7086	Adshel Street Furniture Pty Ltd	760 Boronia Road WANTIRNA VIC 3152	Double sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7087	Adshel Street Furniture Pty Ltd	299 Wantirna Road WANTIRNA VIC 3152	Double sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7088	Adshel Street Furniture Pty Ltd	203 Mountain Highway WANTIRNA VIC 3152	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Collier
2007/7053	Rebellion Investments Pty Ltd	603 Boronia Road WANTIRNA VIC 3152	Proposed Business Identification Signage	31/01/2008 Approved	Collier
2007/7104	Adshel Street Furniture Pty Ltd	Boronia Road, WANTIRNA VIC 3152 (ADJACENT 570 Boronia Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Collier
2007/7106	Adshel Street Furniture Pty Ltd	Boronia Road, WANTIRNA VIC 3152 (Adjacent 535 Boronia Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Collier

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7110	Adshel Street Furniture Pty Ltd	Boronia Road, WANTIRNA VIC 3152 (adjacent to 546 Boronia Rd, 40m west of Amesbury Avenue)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Collier
2007/7091	Adshel Street Furniture Pty Ltd	Adjacent 932 Mountain Hwy, BORONIA	Double sided internally illuminated advertising panel	24/01/2008 Approved	Dinsdale
2007/7093	Adshel Street Furniture Pty Ltd	Adjacent 406 Dorset Road, BORONIA	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7095	Adshel Street Furniture Pty Ltd	Adjacent 413 Dorset Road, BORONIA	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7160	Adshel Street Furniture Pty Ltd	Stud Road (adjacent 99 Stud Road), Bayswater	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7166	Adshel Street Furniture Pty Ltd	Boronia Road (adjacent 391 Boronia Rd), Bayswater	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7169	Adshel Street Furniture Pty Ltd	Boronia Road (Adjacent 338 Boronia Rd), Boronia	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7172	Adshel Street Furniture Pty Ltd	Mountain Highway (Adjacent 655 Mountain Hwy), Bayswater	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7173	Adshel Street Furniture Pty Ltd	Boronia Road (adjacent 277 Boronia Road), Boronia	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7157	Adshel Street Furniture Pty Ltd	Mountain Highway (adjacent 965 Mountain Hwy), Bayswater	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/6809	C Sheppard	7 Charlotte Road BORONIA VIC 3155	Construction of a single storey dwelling to the rear of the existing dwelling.	16/01/2008 Notice of Decision	Dinsdale
2008/6016	Knox City Council	RESERVE Mountain Highway BAYSWATER VIC 3153	Viewing Platform to Existing Pavilion	31/01/2008 Approved	Dinsdale
2007/6782	Insporz	1 & 2/108 Lewis Road WANTIRNA SOUTH VIC 3152	Buildings and works associated with a Smoking Area and associated car parking dispensation	8/01/2008 Approved	Dinsdale

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7032	Knox City Centre Management Office	Knox City SC (master), 425 Burwood Highway and Knox Ozone 509 Burwood Highway WANTIRNA SOUTH VIC 3152	Temporary advertising signage (three promotional signs)	09/01/2008 Approved	Dinsdale
2007/6876	Sowden Surveys	25 Maida Avenue BAYSWATER VIC 3153	Subdivision of the land into two (2) Lots (approved unit site)	10/01/2008 Approved	Dinsdale
2007/6991	B R Smith & Associates Surveyors	20 Sydney Road BAYSWATER VIC 3153	Subdivision of the land into two (2) Lots	7/01/2008 Approved	Dinsdale
2007/6881	Metrosigns (Att. Mr Peter Rose)	421 Dorset Road BAYSWATER VIC 3153	The erection of one (1) internally illuminated business identification sign	22/01/2008 Approved	Dinsdale
2007/6934	A Line Surveying	2 Yarran Grove BAYSWATER VIC 3153	Subdivision of the land into three (3) Lots - Two Stages (Approved Development Site)	17/01/2008 Approved	Dinsdale
2007/7076	Woolworths Ltd	659 Mountain Highway BAYSWATER VIC 3153	Buildings & works Rooftop Platforms & Equipment	22/01/2008 Approved	Dinsdale
2007/6557	Ramsay J Pockett & Associates Pty Ltd	84 Scoresby Road BAYSWATER VIC 3153	Use and development of the land for five (5) double storey dwellings	30/01/2008 Refused	Dinsdale
2007/6992	JCA Land Consultants	232 Scoresby Road BORONIA VIC 3155	Subdivision of the land into three (3) Lots (approved unit site)	24/01/2008 Approved	Dinsdale
2007/6902	Ams Pty Ltd	11 Yarran Grove BAYSWATER VIC 3153	Subdivision of the land into two (2) Lots	24/01/2008 Approved	Dinsdale
2007/6852	Australian Convenience Foods Group Pty Ltd	5/841 Mountain Highway BAYSWATER VIC 3153	To use the land for food processing, distribution and warehousing	14/01/2008 Notice of Decision	Dinsdale
2007/7115	Adshel Street Furniture Pty Ltd	Burwood Highway, KNOXFIELD 3180 (Approx 15m east of Parkhurst Dr)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7113	Adshel Street Furniture Pty Ltd	Coleman Road (Adjacent 251 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7122	Adshel Street Furniture Pty Ltd	Burwood Highway (Opposite 434 Burwood Hwy), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2007/7118	Adshel Street Furniture Pty Ltd	Coleman Road (Adjacent 6/249 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Dinsdale
2008/6013	Glenn Francis Porter	94 Forest Road FERNTREE GULLY VIC 3156	Buildings and works - carport	23/01/2008 Approved	Dobson
2007/6868	Nsd Developments	6 Hume Drive LYSTERFIELD VIC 3156	The construction of a single storey dwelling	10/01/2008 Approved	Dobson
2007/6737	Glenvill Pty Ltd	49 Viewgrand Rise LYSTERFIELD VIC 3156	Buildings and Works - Two Storey Dwelling	7/01/2008 Approved	Dobson
2007/6965	Tracey Anne Waterhouse	23 Forest Road FERNTREE GULLY VIC 3156	Development of a double storey dwelling	18/01/2008 Approved	Dobson
2007/6878	Mark Fitzgerald	15 Riparian Way FERNTREE GULLY VIC 3156	The construction of a single dwelling	18/01/2008 Approved	Dobson
2007/6889	Damian Hooker	11 Riparian Way FERNTREE GULLY VIC 3156	The construction of a single dwelling	17/01/2008 Approved	Dobson
2007/6954	Paul Colley	4 Peter Drive FERNTREE GULLY VIC 3156	Buildings and works - Carport and Verandah	7/01/2008 Approved	Dobson
2007/6964	Carmine Lorusso	9 Roberts Street FERNTREE GULLY VIC 3156	Buildings and Works - Construction of a garage and removal of two trees	17/01/2008 Approved	Dobson
2007/6982	Dial-A-Shed	5 Jean Street UPPER FERNTREE GULLY VIC 3156	Construction of a timber shed foward of the existing dwelling	10/01/2008 Approved	Dobson
2007/7147	Adshel Street Furniture Pty Ltd	1020 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson
2007/7148	Adshel Street Furniture Pty Ltd	1101 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7151	Adshel Street Furniture Pty Ltd	1038 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson
2007/6857	Mr Anurudda Thilanka Yatawara	9 Riparian Way FERNTREE GULLY VIC 3156	The construction of a single storey dwelling and associated works.	17/01/2008 Approved	Dobson
2007/7044	Michelle Rae Foster	18 Butlers Road FERNTREE GULLY VIC 3156	Development of the land for a single dwelling	9/01/2008 Approved	Dobson
2007/6925	Phillip Ashley Muir	26 Viewline Drive LYSTERFIELD VIC 3156	Construction of single storey dwelling	22/01/2008 Approved	Dobson
2007/6828	Darren John Griffiths	11 Beech Close FERNTREE GULLY VIC 3156	Construction of a single storey dwelling	22/01/2008 Approved	Dobson
2007/7059	Geoffrey Robert Squires	5 Alfred Street UPPER FERNTREE GULLY VIC 3156	Carport	17/01/2008 Approved	Dobson
2007/7038	Kellie Anne Boothroyd	2 Barton Avenue FERNTREE GULLY VIC 3156	Construction of a garage and increase in the length of the existing driveway	9/01/2008 Approved	Dobson
2007/6999	Mrs Sandra Lorraine Thompson	22 Alexander Crescent FERNTREE GULLY VIC 3156	Buildings and Works - Construction of a garage	10/01/2008 Approved	Dobson
2007/6997	David F Clarke Pty Ltd	37 Veronica Street FERNTREE GULLY VIC 3156	Subdivision of the land into two (2) Lots (Approved unit Site)	16/01/2008 Approved	Dobson
2007/6916	AAA Action Drafting Pty Ltd	26 Butlers Road FERNTREE GULLY VIC 3156	Construction of a single storey dwelling with construction of eaves outside of the building envelope.	23/01/2008 Approved	Dobson
2007/6966	Total Project Specialists Pty Ltd	2 Nunana Court FERNTREE GULLY VIC 3156	Buildings and works - Deck and Verandah	9/01/2008 Approved	Dobson
2007/6855	Nilsson, Noel & Holmes Pty Ltd	117-119 Station Street FERNTREE GULLY VIC 3156	Subdivision of the land into four (4) Lots - Staged (approved unit site)	15/01/2008 Approved	Dobson
2007/6145	Brian Watson Surveying	17 Veronica Street FERNTREE GULLY VIC 3156	Subdivision of land into two (2) Lots and creation of carriageway easement (Approved Unit Site)	17/01/2008 Approved	Dobson
2007/7064	Newground Pty Ltd	19 Warrabel Road FERNTREE GULLY VIC 3156	Dwelling addition and garage	17/01/2008 Approved	Dobson



No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7146	Adshel Street Furniture Pty Ltd	Burwood Highway, FERNTREE GULLY VIC 3156 (Adjacent 1025 Burwood Highway)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson
2007/7149	Adshel Street Furniture Pty Ltd	Station Street, FERNTREE GULLY VIC 3156 (Adjacent to 100 Station Street )	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson
2007/7150	Adshel Street Furniture Pty Ltd	Brenock Park Drive FERNTREE GULLY VIC 3156 (Adjacent 21 Brenock Park Drive)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Dobson
2007/6932	Davis Langdon Pty Ltd	12/854 Burwood Highway FERNTREE GULLY VIC 3156	Erection of business identification signage and three (3) security bollards	22/01/2008 Approved	Friberg
2007/6769	Sketch Building Design	9 Dobson Street FERNTREE GULLY VIC 3156	Construction of a single storey dwelling to the rear of the existing dwelling	15/01/2008 Approved	Friberg
2007/7119	Adshel Street Furniture Pty Ltd	502 Scoresby Road FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7121	Adshel Street Furniture Pty Ltd	1/1662 Ferntree Gully Road KNOXFIELD VIC 3180	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7153	Adshel Street Furniture Pty Ltd	724 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7159	Adshel Street Furniture Pty Ltd	2-3/854 Burwood Highway FERNTREE GULLY VIC 3156	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/6970	John Chalmers Oswald	2/47 Kathryn Road KNOXFIELD VIC 3180	The construction of a verandah attached to the existing dwelling.	4/01/2008 Approved	Friberg
2007/6609	Eastern Subdivision Services Pty Ltd	15 Rickards Avenue KNOXFIELD VIC 3180	Development of the land for a second dwelling to the rear of the existing	18/01/2008 Approved	Friberg
2007/6985	Camden Neon Signs Pty Ltd	780 Burwood Highway FERNTREE GULLY VIC 3156	Internally illuminated and non-illuminated business identification signs	17/01/2008 Approved	Friberg

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7117	Adshel Street Furniture Pty Ltd	Ferntree Gully Road, KNOXFIELD 3180 (Approx 45m west of David Street)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7158	Adshel Street Furniture Pty Ltd	Ferntree Gully Road FERNTREE GULLY VIC 3156 (adjacent sh62 Mountain Gate Shopping Centre)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7152	Adshel Street Furniture Pty Ltd	Burwood Highway, FERNTREE GULLY VIC 3156 (Adjacent 684 Burwood Highway)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7155	Adshel Street Furniture Pty Ltd	Mountain Gate Drive, FERNTREE GULLY VIC 3156 (adjacent Sh62 Mountain Gate Shopping Centre)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Friberg
2007/7114	Adshel Street Furniture Pty Ltd	Lot RES Burwood Highway KNOXFIELD VIC 3180	Double sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7108	Adshel Street Furniture Pty Ltd	Burwood Highway (Adjacent The Knox School), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7125	Adshel Street Furniture Pty Ltd	High Street Road (40metres west of Cathies Lane), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7129	Adshel Street Furniture Pty Ltd	High Street Road (Adjacent 1318 High Street Rd), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7131	Adshel Street Furniture Pty Ltd	Stud Road (Adjacent 444 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7132	Adshel Street Furniture Pty Ltd	High Street Road (Adjacent 1401 High Street Rd), Wantirna South)	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7138	Adshel Street Furniture Pty Ltd	High Street Road (Adjacent 435 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7135	Adshel Street Furniture Pty Ltd	Stud Road (Adjacent 435 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7116	Adshel Street Furniture Pty Ltd	642 Burwood Highway KNOXFIELD VIC 3180	Double sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7112	Adshel Street Furniture Pty Ltd	Stud Road (opposite 365 Stud Road), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7123	Adshel Street Furniture Pty Ltd	Burwood Highway (Opposite 466 Burwood Hwy), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2007/7120	Adshel Street Furniture Pty Ltd	Burwood Highway (adjacent 434 Burwood Hwy), Wantirna South	Double Sided internally illuminated advertising panel	22/01/2008 Approved	Scott
2008/6025	Vicroads Eastern Projects - Contact Mary Darcy	8 Delatite Court ROWVILLE VIC 3178	Removal of one (1) Eucalyptus cephalocarpa	17/01/2008 Approved	Taylor
2007/6940	Susan Downward	4 Straughan Close LYSTERFIELD VIC 3156	Development of a single storey dwelling	16/01/2008 Approved	Taylor
2007/6897	M Rezes	86 Eildon Parade ROWVILLE VIC 3178	Construction of single storey dwelling at rear of the existing dwelling	25/01/2008 Notice of Decision	Taylor
2007/6872	AAA Action Drafting Pty Ltd	51 O'Connor Road KNOXFIELD VIC 3180	Construction of a single storey dwelling to the rear of the existing dwelling.	29/01/2008 Notice of Decision	Tirhatuan
2008/6026	Mr Verandah	PEPPERTREE HILL 105/15 Fulham Road ROWVILLE VIC 3178	Building and works associated with the construction of a verandah	24/01/2008 Approved	Tirhatuan
2007/6946	Parmalat Australia Ltd	842 Wellington Road ROWVILLE VIC 3178	Buildings and works - Milk Holding Silo & Associated Building Modifications and carparking	17/01/2008 Approved	Tirhatuan
2008/6022	Hazkem Pty Ltd	1370 Ferntree Gully Road KNOXFIELD VIC 3180	Installation of internally illuminated business identification signage	31/01/2008 Approved	Tirhatuan
2007/6969	Novatech Solutions	830 Wellington Road ROWVILLE VIC 3178	Buildilngs and works - Loading docks and associated road works	31/01/2008 Approved	Tirhatuan

No/ Type	Applicant	Address	Description	Decision:	Ward
2007/7133	Adshel Street Furniture Pty Ltd	1280 Ferntree Gully Road SCORESBY VIC 3179	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7175	Adshel Street Furniture Pty Ltd	1370 Ferntree Gully Road KNOXFIELD VIC 3180	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7136	Adshel Street Furniture Pty Ltd	1303 Ferntree Gully Road SCORESBY VIC 3179	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7111	Adshel Street Furniture Pty Ltd	1370 Ferntree Gully Road KNOXFIELD VIC 3180	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7075	McDonald's Australia Limited	1085 Stud Road ROWVILLE VIC 3178	Signage	18/01/2008 Approved	Tirhatuan
2007/7020	Douglas Gray	1370 Ferntree Gully Road KNOXFIELD VIC 3180	Internally illuminated signs.	25/01/2008 Approved	Tirhatuan
2007/6804	BMF Construction Pty Ltd	23 Kelletts Road ROWVILLE VIC 3178	Construction of a Warehouse, associated offices, watertank & carparking including dispensation	8/01/2008 Approved	Tirhatuan
2007/7140	Adshel Street Furniture Pty Ltd	Stud Road, SCORESBY VIC 3179 (Adjacent to 690 Stud Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7141	Adshel Street Furniture Pty Ltd	Ferntree Gully Road, SCORESBY 3179 (adjacent 1352 Ferntree Gully Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7142	Adshel Street Furniture Pty Ltd	Ferntree Gully Road, SCORESBY VIC 3179 (adjacent to 1381-1385 Ferntree Gully Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7143	Adshel Street Furniture Pty Ltd	Stud Road, SCORESBY 3179 (Adjacent to 627 Stud Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7144	Adshel Street Furniture Pty Ltd	Ferntree Gully Road, SCORESBY VIC 3179 (adjacent 1405 Ferntree Gully Road)	Double sided internally illuminated advertising panel	22/01/2008 Approved	Tirhatuan

<b>No/ Type</b>	<b>Applicant</b>	<b>Address</b>	<b>Description</b>	<b>Decision:</b>	<b>Ward</b>
2007/7145	Adshel Street Furniture Pty Ltd	Stud Road SCORESBY VIC 3179 (Adjacent 761 Stud Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7167	Adshel Street Furniture Pty Ltd	Stud Road ROWVILLE 3178 (adjacent 1362 Stud Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7168	Adshel Street Furniture Pty Ltd	Stud Road, ROWVILLE VIC 3178 (adjacent 1089 Stud Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Tirhatuan
2007/7171	Adshel Street Furniture Pty Ltd	Stud Road, ROWVILLE VIC 3178 (adjacent 1085 Stud Road)	Double sided internally Illuminated advertising panel	22/01/2008 Approved	Tirhatuan

TOTAL: 156

**DINSDALE WARD****6.2 APPLICATION FOR THE CONSTRUCTION OF FIVE (5) DOUBLE STOREY DWELLINGS AT 19 KING STREET, BAYSWATER Melway Ref. 64 F3 (File No. 20076684)****PURPOSE:** *Planner (Peita Tapper)*

*This application seeks approval to develop the land at 19 King Street, Bayswater for five (5) double storey dwellings. The application was advertised and one (1) objection was 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:	19 King Street, Bayswater
Applicant:	Australian Drafting Services
Owner:	JN & LM Dungen
Existing Use:	Single dwelling
Proposed Development:	Construction of 5 double storey dwellings
Area/Density:	981m <sup>2</sup> /1 Dwelling per 197m <sup>2</sup>
Zoning:	Residential 1 Zone
Overlays:	Design and Development Overlay – Schedule 6
Local Policy:	Clause 22.07 Neighbourhood Character Clause 22.10 Housing Policy
Neighbourhood Character Precinct:	Garden Suburban 1
Number of Objections:	1
Application Received:	28 August 2007
Advertising Commenced:	7 November 2007
Advertising Completed:	27 December 2007
PCC Meeting:	N/A

**Key Issues:**

- Site within Bayswater Activity Centre.
- ResCode compliance.

## 6.2 19 King Street, Bayswater (cont'd)

### **1. BACKGROUND**

#### **1.1 The Proposal**

It is proposed to construct 5 double storey dwellings at 19 King Street, Bayswater. The development will comprise the following (see Appendix B):

- Demolition of the existing dwelling and ancillary structures, demolition of the driveway and existing crossover and removal of two exotic trees.
- Construction of a new vehicle crossover and driveway adjacent to the south eastern boundary of the site.
- Construction of 5 double storey, attached, 2 bedroom dwellings, each with a single garage.
- The dwellings will be orientated on an angle along the site, setting further away from the north western boundary as they progress along the site.
- Each dwelling is proposed to have two areas of private open space, including ground level gardens facing north west and varying in area from 40m<sup>2</sup> to 42.5m<sup>2</sup> and first floor, south east facing decks between approximately 5 and 7m<sup>2</sup>.
- The dwellings are proposed to be constructed from brick, with sections of render and tiled roofs.
- The design of the dwellings matches that of the recently constructed 5 attached dwellings at 11 King Street.

#### **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:

- Located on the south western side of King Street abutting the railway line, approximately 200m north west of the intersection with Mountain Highway.
- The site area is 981m<sup>2</sup> with a frontage to King Street of 18.44m and a depth of 54m.
- The site currently contains a single storey timber dwelling, setback 12.3m from the street frontage with a driveway and crossover at the north western boundary of the site.
- The site is sparsely vegetated with only 3 trees of exotic species located in the front setback.

## **6.2 19 King Street, Bayswater (cont'd)**

- The site has a fall of approximately 2.91m from the rear to the front of the site.
- The site is not affected by any easements or restrictive covenants.

### **1.3 Surrounds**

- King Street is a dead end street which runs parallel to the Marie Wallace Bayswater Park and the railway line.
- The dwellings are located along the south western boundary of the street and consist predominately of older style single storey dwellings on large blocks.
- The area is well vegetated with an established tree canopy which includes the planting within the adjacent park.
- The subject site and surrounding area is located within the Bayswater Major Activity Centre which contains a mixture of business and residential uses.
- The site is located approximately 400m walking distance from the Bayswater train station. Two bus routes also run along this section of Mountain Highway, the 664 which runs from Chirnside Park Shopping Centre to Knox Shopping Centre and the 755 which travels past several schools in the area and the Ferntree Gully train station before reaching the Knox Shopping Centre.

### **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**

- Railway line at the rear of the property.
- Potential for overlooking to adjoining property to the south west.

## **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 was received.



## 6.2 19 King Street, Bayswater (cont'd)

CONCERN	OFFICER COMMENT
<p>Overlooking from the balconies to the private open space and habitable room windows of the adjoining property</p>	<p>The objector is at 17 King Street, which is to the south east of the subject site. All dwellings are proposed to have first floor balconies accessed from Bedroom 1 which are between 4.7m and 5.5m from the boundary with 17 King Street. As a result there is potential from overlooking to private open space and habitable room windows from the balconies of Residence's 2-5.</p> <p>The applicant has proposed to replace the existing fence either with a new 2.1m high fence or a 1.8m high fence with 300mm of trellis. While this will partly obscure views, direct views will still be available from the balconies into habitable room windows and the rear private open space. In addition, the windows affected are the only north facing windows for the dwelling at 17 King Street.</p> <p>The objector has suggested that the balconies be removed and mature planting be placed along the boundary of the two properties. It is not considered that removing the balconies will prevent overlooking, as there will still be overlooking opportunities from the bedroom windows. While planting would help to prevent overlooking, it relies on continuing maintenance and health of the tree. It is also noted that there is very limited space for planting available along this boundary due to the requirements regarding the driveway width.</p> <p>It is considered that the proposed development should be responsible for restricting views to the habitable room windows and private open space of the adjoining existing dwelling without creating an adverse amenity impact on that dwelling. Therefore a condition of any permit to issue should require that the south east facing balconies of Residence's 2, 3, 4 and 5 should be screened to prevent views into the habitable room windows and private open space of 17 King Street. The condition will require that the screening be designed in a fixed louver style which allows distant views out of the balconies but not down into the private spaces of 17 King Street.</p>

## 6.2 19 King Street, Bayswater (cont'd)

<b>CONCERN</b>	<b>OFFICER COMMENT</b>
Overflow parking in the street	<p>King Street has existing parking restrictions due to the high usage of the adjacent park. The proposal provides one on site space per dwelling, as required by the Rescode provisions. A visitor space is proposed in front of the garage for Residence 1, however this would be suitable for use by visitors to this residence only. While there are restrictions in the street, these are clearly marked and any vehicles associated with the dwellings would be required to comply with these.</p> <p>The site is located in close proximity to public transport and there will be no reduction in on-street car parking as a result of the proposal.</p>
The front dwelling should address the street frontage	<p>As currently designed the front dwelling entrance is from the shared driveway and the dwelling does not address the street. This has been raised with the applicant who has agreed to a condition being placed on any permit to issue requiring that Residence 1 be redesigned to address the street, including relocation of the dwelling entrance.</p>
Concern regarding interruption to phone lines during connection of new dwellings	<p>The phone connection pit is shared between 17 and 19 King Street and located in the front yard of 17 King Street. The objector is concerned that there will be interruption to phone services for his property when the new dwellings are connected.</p> <p>This is not an issue which can be addressed at this point of the process and cannot be resolved as a planning permit condition.</p>

## 6.2 19 King Street, Bayswater (cont'd)

## 2.2 Referrals

DEPARTMENT AUTHORITY	COMMENT	OFFICER COMMENT
Engineering and Infrastructure (Drainage)	Council's Engineering Department provided standard drainage conditions. Outfall drainage connection required	Standard conditions to be placed on any permit issued.  A condition of any permit to issue will require the submission of a drainage plan. In addition to the standard requirements the applicant is also required to construct an outfall drainage connection to the pit outside 23 King Street.
Engineering and Infrastructure (Traffic)	Council's Engineering Department provided standard traffic conditions. Required removal of street tree  Visitor Parking location is inappropriate	Standard conditions to be placed on any permit issued.  The new crossover location will require the removal of a street tree. Refer to Council's Parks Department for comment.  The Visitor Parking space is located in front of the garage for Residence 1 which blocks access to the garage and would not be appropriate to be used by visitors to all dwellings. Restricted on-street car parking is available for visitors.

## 6.2 19 King Street, Bayswater (cont'd)

DEPARTMENT AUTHORITY	COMMENT	OFFICER COMMENT
Parks Department (Street Tree)	The street tree which is required to be removed to accommodate the new driveway crossover is dead and will be removed by the Knox Parks Services at no cost to the owner/developer.	Will be acknowledged as a note on any permit to issue.
Arborist	<p>Insufficient detail has been provided in regards to excavation and potential retaining walls.</p> <p>There is the potential for excavation works, especially for the driveway, to damage the roots of trees on the adjoining property to the south. Root exploration should be undertaken to determine this.</p> <p>Some trees along the boundary of the property to the north are dead or damaged and should be removed before works commence on the site.</p>	<p>A condition of any permit to issue will require details of any site cut and retaining walls.</p> <p>A condition of any permit to issue will require that the root systems of trees adjacent to the southern boundary be located and the driveway constructed accordingly, to the satisfaction of Council's Arborist.</p> <p>As the trees are located on the adjoining property they cannot be removed as part of this application. Instead a note alerting the applicant to the condition of the trees will be placed on any permit to issue.</p>

**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.

## 6.2 19 King Street, Bayswater (cont'd)

### 3.1 Zones and Overlays

The site is located in a Residential 1 Zone. 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.

The site is also covered by the Design and Development Overlay – Schedule 6 which implements the 'Bayswater 2020: Bayswater Activity Centre Structure Plan'. Under the provisions of the Overlay, a permit is required for all buildings and works. The Schedule outlines provisions for public and private development, both residential and commercial. In regards to private residential development the Schedule provides preferred building heights, which for the subject site is between 3-4 storeys.

### 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.

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

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

## 6.2 19 King Street, Bayswater (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>URBAN CONSOLIDATION</b></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><b>Melbourne 2030 – <u>A more compact city</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u> and <u>Strategies/Implementation</u></b></p>	<p>The proposed development is supported by State and Local planning policy, Melbourne 2030 and the 'Bayswater 2020: Bayswater Activity Centre Structure Plan'. The development achieves strategic compliance by 'locating a substantial portion of new housing in or close to activity centres' (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"> <li>▪ Provides alternate forms of housing.</li> <li>▪ Reduces car dependency.</li> <li>▪ Improves alternate modes of transport such as cycling, public transport and walking.</li> </ul>
<p><b>HABITAT / IMAGE OF KNOX</b></p> <p><i>Retain/ enhance the "green leafy image"</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></p>	<p>The site contains limited vegetation none of which is of significant and includes some environmental weeds. While one tree is proposed to be retained there will also be an increased opportunity to plant new vegetation with suitable species that contributes to the green leafy image of Knox.</p>

## 6.2 19 King Street, Bayswater (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>TRANSPORT</b></p> <p><i>Reduce dependence on private cars for travel.</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></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 Bayswater Railway Station and bus interchange which provides connection to other areas within the municipality as well as providing connection to inner Melbourne.</p>
<p><b>URBAN DESIGN / ENERGY EFFICIENCY</b></p> <p><i>Promote the development of well designed medium density housing which:</i></p> <ul style="list-style-type: none"> <li><i>-Makes the environment more liveable and attractive</i></li> <li><i>-Respects the neighbourhood character</i></li> <li><i>-Improves housing choice</i></li> <li><i>-Makes better use of existing infrastructure</i></li> <li><i>-Improves energy efficient of housing</i></li> </ul>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - State Planning Policy - <u>Clause 19.03</u></b></p>	<p><u>Urban Design</u></p> <p>The design of the development reflects the desired future character for the area as outlined in the 'Bayswater 2020: Bayswater Activity Centre Structure Plan'.</p> <p><u>Orientation</u></p> <p>The driveway for the site has been relocated to the southern boundary to allow the dwellings to take full advantage of the access to northern light for the living and out door areas.</p> <p><u>Outdoor Spaces</u></p> <p>The windows to the living areas are orientated north and are also provided with direct access to the private open space areas.</p>

## 6.2 19 King Street, Bayswater (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>URBAN DESIGN / ENERGY EFFICIENCY</b> ...cont'd</p>		<p><u>Sustainability</u> The proposed dwellings have a number of shared walls and are designed to maximise the northern light to private open space and living areas. In addition the Building Regulations will ensure the development meets a five star energy rating.</p> <p><u>Housing Choice</u> The proposal improves housing choice in the Bayswater area and takes advantage of existing infrastructure servicing.</p> <p><u>Landscaping</u> There will be an opportunity to provide landscaping within the front setback to King Street and within the private open space areas of each dwelling which responds to the character of the surrounding area and provides a connection to the adjacent parkland.</p>
<p><b>WALKABILITY</b> <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><b>Melbourne 2030 - <u>A great place to be</u></b> <b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></b></p>	<p>The site is within the Bayswater Activity Centre and is therefore within reasonable walking distance of transport options, public facilities and retail shops.</p> <p>The rear of the site abuts the railway line which has a pedestrian path along it. There is opportunity to provide a connection to this path for residents of the development.</p>



## 6.2 19 King Street, Bayswater (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>SAFETY</b></p> <p><i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i></p>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></b></p>	<p>The proposed dwellings have windows overlooking the shared driveway and 'Residence 1' has windows overlooking King Street and Bayswater Park which will provide surveillance of public and private spaces.</p> <p>As noted previously, the rear of the site abuts a bike along the railway line to the rear. Surveillance of this space is limited and it is considered that development of this site provides an opportunity to increase visibility and surveillance of the path.</p> <p>A condition of any permit to issue will require that the section of the south western (rear) boundary fence which abuts common property on the site be constructed of mesh, or the like, fencing to provide visibility to the path from the development, to the satisfaction of the responsible authority.</p>
<p><b>AFFORDABILITY</b></p>	<p><b>Melbourne 2030 - <u>A fairer City</u></b></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>

**NEIGHBOURHOOD CHARACTER – Clause 22.07**

The subject site is located within the Garden Court Character Precinct, as identified within Clause 22.07 of the Scheme. As the site is located within an Activity Centre the desired future character, for “*Low scale dwellings set within an open landscape with, in some areas, occasional pockets of large native trees*” as identified in this Clause is not entirely applicable as a higher density is desired.

## 6.2 19 King Street, Bayswater (cont'd)

The objectives of the Clause recognise that this conflict may arise and states “To recognise the need for new or additional Design Objectives and Design Responses for areas affected by Structure Planning outcomes and Melbourne 2030 housing objectives”. Therefore, the following table will assess the proposal in response to the current Design Objectives for the Garden Court precinct while having regard to the fact that the site is located within an Activity Centre and is affected by the ‘Bayswater 2020: Bayswater Activity Centre Structure Plan’ and Design and Development Overlay – Schedule 6.

<b>NEIGHBOURHOOD CHARACTER</b>		
<b>(Clause 22.07)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<i>To retain the tall trees</i>	<u>Design Objective</u>	<p>There are no tall or significant trees on site that are worthy of retention.</p> <p>Vegetation that exists on the site is not significant and can be replaced with appropriate landscaping, including tall native canopy trees.</p>
<i>To maintain the continuity of garden character between dwellings</i>	<u>Design Objective</u>	<p>The new dwellings are proposed to be largely set off both side boundaries, with gardens located along the northern boundary. While there is no opportunity for planting between the proposed new dwellings, as they are all attached, there is opportunity to provide garden character to the dwelling to the north. There is very limited planting opportunity along the southern boundary due to the driveway along this boundary.</p> <p>This is considered appropriate given the higher density which is being achieved on site.</p>

## 6.2 19 King Street, Bayswater (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To minimise the dominance of buildings from the street</i>	<u>Design Objective</u>	<p>The front dwelling has been designed to address the shared driveway and presents a two storey form to King Street. While the Design Response suggests that two storey buildings should setback at the second level to achieve this Design Objective, it is not considered that this is required in this case given the site's location within an Activity Centre where increased density and built form up to 4 storey's is strongly encouraged by the Scheme.</p> <p>The impact of the built form, however, can be reduced by requiring increased landscaping in the front setback, which in turn will contribute to the garden character of the surrounding existing dwellings and parkland.</p>
<i>To minimise the loss of front garden space, and dominance of car storage facilities</i>	<u>Design Objective</u>	<p>The front dwelling will be setback an average of 6m from the street frontage, with a section of fenced area setback 3m from the street. The front yard will be largely open, with no front fence proposed, and the car storage facilities are all located behind the dwellings proposed.</p>

**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>	<p>The proposed development is located within the Bayswater Activity Centre which is a preferred location for new housing.</p>
<i>To encourage a range of housing types and forms to meet the needs of the existing and future community.</i>	<p>The development comprises of 5 x 2 bedroom dwellings. These dwellings can accommodate singles, couples or smaller families.</p> <p>The development provides a diversity of housing within the Bayswater area.</p>

## 6.2 19 King Street, Bayswater (cont'd)

OBJECTIVES	OFFICER COMMENT
<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 Bayswater Railway Station which includes a bus interchange, providing 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>	<p>The existing character of the area is of older style, single dwellings on large sites however, this is changing as a result of the 'Bayswater 2020: Bayswater Activity Centre Structure Plan'. A unit development which is almost completed at 11 King Street is very similar to the proposed development and reflects the desired future character of the area.</p> <p>The proposal reflects the desired future character of the area and also improves housing choice and makes better use of the existing infrastructure in the area.</p>

The 'Bayswater 2020: Bayswater Activity Centre Structure Plan' and the complementary provisions of Design and Development Overlay – Schedule 6 (Bayswater Major Activity Centre) encourage an increase in residential density while seeking to ensure that development acknowledges and responds to the context and physical characteristics of the centre. Environmentally sustainable and water sensitive design techniques are also encouraged.

It is noted that the proposal does not show the inclusion of any Environmentally sustainable or water sensitive design techniques, therefore a condition of any permit to issue will require the plans be modified to show such features.

### 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:

## 6.2 19 King Street, Bayswater (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b>Objectives at Clause 55.02</b>	
<p data-bbox="296 528 547 600"><b><i>Neighbourhood Character.</i></b></p> <p data-bbox="296 674 432 745"><b><i>Dwelling diversity</i></b></p> <p data-bbox="296 869 507 904"><b><i>Infrastructure</i></b></p>	<p data-bbox="576 528 1078 564">Complies – See Section 3.3 above.</p> <p data-bbox="576 651 1417 757">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 data-bbox="576 844 1417 1021">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 improved and not overloaded.</p>
<b>Objectives at Clause 55.03</b>	
<b><i>Dwelling Setback</i></b>	<p data-bbox="576 1137 1417 1243">The dwelling setback is 6 metres from King Street, which is a reduction from the 9m setback recommended by the Standard to the Objective.</p> <p data-bbox="576 1263 1417 1733">The Objective is <i>“To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site”</i>. As previously discussed, the site is located within the Bayswater Activity Centre in which an increase in residential density is encouraged and as a result the character of the area is changing. While the predominant building setback in King Street is over 10m, it is considered that requiring an increased setback would unreasonably restrict the development potential of this site which is contrary to the strategic direction identified by Melbourne 2030 and the Knox Planning Scheme for the Bayswater Activity Centres.</p> <p data-bbox="576 1753 1417 1859">Therefore it is considered that the 6m setback proposed is appropriate in this case and complies with the objective to the clause.</p>

## 6.2 19 King Street, Bayswater (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b><i>Building Height</i></b>	<p>The maximum height of the proposed dwellings is 6.84m, 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 'Bayswater 2020: Bayswater Activity Centre Structure Plan' and Design and Development Overlay – Schedule 6 controls recommends a preferred building height of between 3 and 4 storeys for this site and all along King Street.</p> <p>It is considered that the height of the dwellings is appropriate in this location and reflects the preferred future neighbourhood character of an increase in dwelling height.-</p>
<b><i>Permeability and Site Coverage</i></b>	<p>The proposed development has site coverage of 53.9%, which is below the maximum of 60%.</p> <p>46.1% of the site will be covered by pervious surfaces, well in excess of the minimum standard of 20%.</p>
<b><i>Energy Efficiency</i></b>	<p>Living room and private open space areas have been designed with northern orientation in each dwelling, maximising solar access. A note on any permit issued will require the proposed development to achieve a five star energy rating pursuant to the Building Regulations.</p>
<b><i>Safety</i></b>	<p>The proposed dwellings have windows overlooking the shared driveway and 'Residence 1' has windows overlooking King Street and Bayswater Park which will provide surveillance of public and private spaces.</p>
<b><i>Landscaping</i></b>	<p>The development provides opportunity for landscaping of the site with appropriate vegetation within the private open space and front setback areas of the site. The site offers a good opportunity to provide canopy planting in the front setback which will complement the character of the adjacent park.</p> <p>A landscape plan to the satisfaction of Council will be required to ensure that suitable vegetation is planted in appropriate locations.</p>

## 6.2 19 King Street, Bayswater (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b><i>Car Parking Provisions</i></b>	<p>The provision of one car space for each two bedroom dwelling is consistent with the provisions of this objective. A visitor car parking space has been proposed, however it is shown in front of the garage for Residence 1 and could therefore not be used by visitors to other dwellings.</p> <p>King Street provides restricted on street parking which could be utilised by visitors to the site and the site is also located within reasonable walking distance of the Bayswater train station and associated bus stops.</p>
<p><b>Objectives at Clause 55.04</b></p> <p><b><i>Side and Rear Setbacks and Walls on Boundaries</i></b></p> <p><b><i>Daylight to existing windows and North Facing Windows</i></b></p> <p><b><i>Overshadowing</i></b></p> <p><b><i>Overlooking</i></b></p>	<p>The development is generally set back from all boundaries, with the exception of the garage for Residence 1, which is proposed to be constructed within 150mm of the north western boundary. The garage is proposed to be an average height of 2.5m on the boundary. This is consistent with the provisions of the standard and meets the objective to the clauses.</p> <p>The remainder of the side and rear setbacks also comply with the standard to the clause.</p> <p>There will be no impact on existing or north facing windows.</p> <p>Overshadowing of adjoining properties will be minimal, and does not exceed the relevant standards.</p> <p>To the north west the first floor windows which face 21 King Street will be to the Bathroom and Toilet for each dwelling. These are not habitable rooms and for privacy reasons are generally obscured or have internal blinds. No screening is required to these windows under the provisions of this Clause.</p> <p>To the south east there are balconies proposed at the first floor level accessed off the bedrooms. The balconies of Residence 2 to 5 will provide direct views into the private open space and habitable room windows of the adjoining property at 17 King Street.</p>

## 6.2 19 King Street, Bayswater (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b><i>Overlooking cont'd.</i></b>	To ensure that the development complies with the objective to this Clause a condition of any permit to issue will require that the south east facing balconies of Residence's 2, 3, 4 and 5 should be screened along the south eastern side to prevent views into the habitable room windows and private open space of 17 King Street. The condition will require that the screening be designed in a fixed louver style which allows distant views out of the balconies but not down into the private spaces of 17 King Street.
<b><i>Internal Views</i></b>	There will be limited opportunity for overlooking between dwellings from the front, first floor balconies. These balconies will be visible from the communal driveway space and King Street and also are required to be screened along the south eastern side and therefore it is considered that these views are reasonable.
<b><i>Noise Impacts</i></b>	The site abuts the train line to the rear. The rear dwelling has limited windows along this façade and those proposed are to be double glazed. A solid timber fence is also proposed adjacent to the private open space for this dwelling.
<b>Objectives at Clause 55.05 <i>Accessibility</i></b>	The ground level of each dwelling will be easily accessible and provides a living area, toilet and kitchen.
<b><i>Dwelling Entry</i></b>  <b><i>Private Open Space and Solar Access to Open Space</i></b>	Each dwelling has its own defined entry accessed from the common driveway. A condition of any permit to issue will require that the front entrance of Residence 1 be re-orientated to King Street to provide the development with a connection to the street.  The private open space for each dwelling is located to the north and has a minimum area of 40m <sup>2</sup> . These open space areas are located on the northern side of the dwellings with convenient access from living areas.
<b><i>Storage</i></b>	6 cubic metres of externally accessible storage space has been provided for each dwelling within the garage.



## 6.2 19 King Street, Bayswater (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<p><b>Objectives at Clause 55.06</b></p> <p><b><i>Design Detail and Front Fences</i></b></p>	<p>The design of the development is simple with a modern influence which borrows heavily from the development currently under construction at 11 King Street. The development is well articulated along the shared driveway as the dwellings are slightly stepped along the site.</p> <p>While it is recognised that the character of the area is changing, the development must still respond to the wider residential character of the neighbourhood, specifically the way in which the development addresses the street.</p> <p>As currently designed the front dwelling does not address the street and proposes an area of high fencing set forward of the dwellings front wall. The applicant has agreed to modify the front dwelling to address the entry to King Street, which will be reflected as a condition on any permit to issue.</p> <p>In regards to the fenced area, the neighbourhood character objectives for this area recognise that front gardens and fencing is low and open. The area has been fenced off purely to provide the required amount of private open space for the dwelling. It is considered that it is a poor design outcome and that changes can be made which will allow the dwelling to be provided with the required area of private open space without the need for the unusual area currently proposed.</p> <p>Conditions of any permit to issue will require that the garage for Residence 1 be pushed off the north western boundary to mirror the location of the garage for Residence 2 and the new garden area be utilised as part of the provision of at least 40m<sup>2</sup> of private open space for Residence 1; and, the north eastern (front) fence for Residence 1 be set in line with the front façade of the dwelling.</p> <p>Another benefit of moving the fence will be that there will be increased opportunity for substantial planting in the front setback.</p>

## 6.2 19 King Street, Bayswater (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
<i>Common Property</i>	The common property will be limited to the front setback to the street and the driveway. This can be appropriately managed.
<i>Site Services</i>	There is ample room for mail boxes to be provided on site which will comply with Australia Post guidelines.

### 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 Bayswater Activity Centre, which is nominated as an Activity Centre in Melbourne 2030. Provision of higher density housing in this location is encouraged by the 'Bayswater 2020: Bayswater Activity Centre Structure Plan', Design and Development Overlay – Schedule 6 and the Knox Housing Policy.
- The development provides increased housing density in a preferred location, which has access to principle public transport networks, and has the potential to result in a reduction of car based travel.
- The development provides diversity in housing choice and the density of the development is appropriate given the size and location of the site.
- While screening is required to the first floor balconies, the remainder of the development generally satisfies the objections of Rescode and will not have a significant impact on the amenity of adjoining properties.
- The landscape quality of the site will be enhanced with conditions on the permit requiring the planting of appropriate vegetation and requiring an increase in the front boundary setback.
- As a result of conditions requiring the movement of the entrance to address King Street and the increased opportunities for planting in the front setback, it is considered that the development is consistent with the emerging neighbourhood character.
- A balanced outcome has been achieved which complies with state and local planning policy, and provides an acceptable outcome.

**6.2 19 King Street, Bayswater (cont'd)****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 construction of 5 double storey dwellings at 19 King Street, Bayswater, 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 south east facing balconies of Residence's 2, 3, 4 and 5 be screened to prevent views into the habitable room windows and private open space of 17 King Street. The screening must be designed in a fixed louver style which allows distant views out of the balconies, but not down into 17 King Street, and complements the design of the dwellings.**
  - 1.2 The section of the south western (rear) boundary fence which abuts common property on the site be constructed of mesh, or the like, fencing to provide visibility to the public path at the rear of the site.**
  - 1.3 The garage for Residence 1 be setback from the north western boundary at least 2.5m to match the location/setbacks of the garage for Residence 2 and deletion of the 'Visitor Space'.**
  - 1.4 Relocation of the entrance to Residence 1 to face King Street.**
  - 1.5 Relocation of the north eastern (front) fence for Residence 1 to be set in line with the front wall of the dwelling.**
  - 1.6 Provision of at least 40m<sup>2</sup> of private open space for Residence 1, including the area vacated by the garage as a result of Condition 1.3 of this permit.**

**6.2 19 King Street, Bayswater (cont'd)****Recommendation (cont'd)**

- 1.7 Any changes required to the depth of excavation or method of construction of the shared driveway as a result of the requirements of Condition 6.8 of this permit**
- 1.8 The incorporation of Environmentally Sustainable Design and Water Sensitive Urban Design techniques for each dwelling, i.e. solar hot water systems, water tanks etc.**
- 1.9 The provision of a gate at the rear of the site to provide the dwellings with access to the public path along the railway line.**
- 1.10 Drainage plans in accordance with Condition 2 of this permit.**
- 1.11 Landscaping plans in accordance with Condition 6 of this permit.**
- 1.12 Colours and materials schedule in accordance with Condition 11 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.**
- 2.3 Road design and pavements designed and constructed to Council requirements.**
- 2.4 Construct an outfall drainage connection to the pit outside 23 King Street.**
- 2.4 All levels to be to AHD (Australian Height Datum).**

**6.2 19 King Street, Bayswater (cont'd)****Recommendation (cont'd)****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.**

**Landscaping**

- 6. 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:**
  - 6.1 A survey (including botanical names) of all existing vegetation to be retained and / or removed.**
  - 6.2 Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.**
  - 6.3 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).**
  - 6.4 Details of the surface finishes of pathways and driveways.**
  - 6.5 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.**
  - 6.6 Landscaping and planting within open space areas of dwellings.**
  - 6.7 Landscaping and planting within all public areas of the site, including the planting of canopy trees within the front setback of the site.**
  - 6.8 Evidence of exploratory work carried out along the northern and southern boundary fences, opposite the trees on the neighbouring property, to locate any roots growing on the subject site. Details must be provided of the number of roots, their size and depth.**

**6.2 19 King Street, Bayswater (cont'd)****Recommendation (cont'd)**

- 7. 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.**
- 8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority.**
- 9. A new street tree must be planted in the naturestrip in front of the property at no cost to council. The species and timing of planting must be done to the satisfaction of Knox Parks Services.**

**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.**

**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:**

**6.2 19 King Street, Bayswater (cont'd)****Recommendation (cont'd)**

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

**Note:** Applicant is to direct all stormwater to the North 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 25m of outfall drainage from the north east front corner of the property, along the road reserve, to the pit located in front of 23 King Street. Pits are to be constructed in appropriate locations. Please contact Council's Drainage Engineers for further details.  $T_c = 20$  minutes;  $T_{so} = 16$  minutes

**Note:** Water Sensitive Urban Design (WSUD) should be addressed as part of this development, for example, water tanks or swale drains should be included in the design.

**6.2 19 King Street, Bayswater (cont'd)****Recommendation (cont'd)**

**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:** The street tree which is required to be removed to accommodate the new driveway crossover is dead and will be removed by the Knox Parks Services at no cost to the owner/developer.

**Note:** Permit may be required to remove trees on the adjoining lot. Please note that trees on the northern boundary are dead and damaged.

**Report Prepared By:** *Planner (Peita Tapper)*

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



APPENDIX A/1      19 King Street, Bayswater

APPENDIX A/2      19 King Street, Bayswater

APPENDIX B/1      19 King Street, Bayswater

APPENDIX B/2      19 King Street, Bayswater

APPENDIX B/3      19 King Street, Bayswater

APPENDIX B/4      19 King Street, Bayswater

APPENDIX B/5      19 King Street, Bayswater

**BAIRD WARD**

**6.3 APPLICATION FOR THE CONSTRUCTION OF 4 SINGLE STOREY DWELLINGS TO THE REAR OF THE 2 EXISTING DWELLINGS AT 10 & 12 VALERIE STREET, BORONIA Melway Ref. 64 G9 (File No. P/2007/6984)**

**PURPOSE:** *Planner (Peita Tapper)*

*This application seeks approval to develop the land at 10 & 12 Valerie Street, Boronia for the purpose of 4 single storey dwellings to the rear of the 2 existing dwellings. The application was advertised and no objections were 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 Planning Permit be issued subject to conditions.*

Land:	10 & 12 Valerie Street, Boronia
Applicant:	Lateral Building Design
Owner:	Little Grubs P/L
Existing Use:	Single dwelling on each lot
Proposed Development:	Construction of 4 single storey dwellings to the rear of the 2 existing dwellings
Area/Density:	2271m <sup>2</sup> /1 Dwelling per 378m <sup>2</sup>
Zoning:	Residential 3 Zone
Overlays:	Vegetation Protection Overlay 3
Local Policy:	Clause 22.07 Neighbourhood Character Clause 22.10 Housing Policy
Neighbourhood Character Precinct:	Garden Court 2
Number of Objections:	Nil
Application Received:	21 November 2007
Advertising Commenced:	4 December 2007
Advertising Completed:	18 December 2007
PCC Meeting:	N/A

**Key Issues:**

- **Distance from the Boronia Activity Centre**
- **No objections received**
- **Size and orientation of the sites**
- **Neighbourhood Character Response**



### 6.3 10 & 12 Valerie Street, Boronia (cont'd)

#### **1. BACKGROUND**

##### **1.1 The Proposal**

It is proposed to construct 4 single storey dwellings to the rear of the 2 existing dwellings at 10 & 12 Valerie Street, Boronia. The development will comprise the following (see Appendix B):

##### Existing Dwellings

- Retention and renovation of the existing single storey dwelling at the front of each block
- The single storey weather board dwelling at 10 Valerie Street has 4 bedrooms and 2 bathrooms and a variety of living areas. The dwelling is a U shape with a north facing courtyard which is accessed from a living area. The dwelling will have a total area of private open space of 133m<sup>2</sup> with an area of 40m<sup>2</sup> accessed from a living area with a minimum dimension of 5m. This dwelling is referred to on the plans as 'Existing Residence 6'.
- The dwelling also has an existing single width car port set on the northern side of the front setback to Valerie Street with an existing vehicle crossover. It is proposed to alter this to be a double car port and set it back further from the street frontage. The front fence to 10 Valerie Street is proposed to be removed and not replaced.
- The single storey brick dwelling at 12 Valerie Street is smaller than that at 10 Valerie Street and has 3 bedrooms, 1 bathroom and an open plan living/meals area which is on the northern side of the dwelling. The dwelling is proposed to have a total area of private open space of 100m<sup>2</sup> with an area of over 50m<sup>2</sup> accessed from the living area with a minimum dimension of 5m. This dwelling is referred to on the plans as 'Existing Residence 1'.
- Car parking for the dwelling is proposed within a single width garage at the rear of the site to be accessed via the shared driveway.

##### Four New Dwellings

- It is proposed to construct 4 single storey dwellings, 2 behind each of the retained dwellings. The dwellings are proposed to be constructed of brick with tiled pitched roofs and small portico entries.
- A permit was issued on 31 October 2007 (2007/6433) for two single storey dwellings to the rear of the existing dwelling at 12 Valerie Street. The current proposal is generally consistent with this approval, with the following changes shown as required by conditions of the permit:
  - provision of a minimum 1.5m wide access way to the rear easement;

### 6.3 10 & 12 Valerie Street, Boronia (cont'd)

- increase in the width of the private open space to the rear of the existing dwelling to a minimum of 5m; and,
  - increase in the width of the south facing private open space for 'Proposed Residence 2', behind the retained dwelling, to a minimum of 4.25m where a deck was proposed and 6m for the remainder of the space.
- The dwelling proposed behind the retained dwelling at 12 Valerie Street has two bedrooms and 76.5m<sup>2</sup> of south facing private open space, the bulk of which is located on the southern side of the dwelling and contains a deck off the lounge/meals area. This dwelling is referred to on the plans as 'Proposed Dwelling 2'.
  - The dwelling proposed at the rear south western corner of the site contains 3 bedrooms and a double garage. The dwelling has 103m<sup>2</sup> of north west facing private open space with the largest area located to the west of the dwelling and includes a 2.44m wide drainage easement. This dwelling is referred to on the plans as 'Proposed Dwelling 3'.
  - The dwelling proposed at the rear north western of the site contains 3 bedrooms and a double garage. The dwelling has 171m<sup>2</sup> of private open space with the largest area orientated north. The open space also contains a 2.44m wide drainage easement. This dwelling is referred to on the plans as 'Proposed Dwelling 4'.
  - The dwelling proposed behind the retained dwelling at 10 Valerie Street has three bedrooms, a double garage and 89m<sup>2</sup> of north facing private open space. This dwelling is referred to on the plans as 'Proposed Dwelling 5'.

#### Vegetation Removal

- The majority of vegetation on both properties is environmental weeds, the majority of which has now been removed from 12 Valerie Street. While a significant amount of vegetation is to be removed none of it requires a permit under the provisions of the Vegetation Protection Overlay applying to the land.
- It is proposed to retain 16 trees and shrubs on both properties, 5 within the frontage of 10 Valerie Street and 11 trees at 12 Valerie Street, including 7 in the front setback and 3 along the rear boundary

#### **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:

- A total area of approximately 2,271m<sup>2</sup>, (1,122m<sup>2</sup> at 10 Valerie Street and 1,149m<sup>2</sup> at 12 Valerie Street).

### **6.3 10 & 12 Valerie Street, Boronia (cont'd)**

- The sites are both rectangular in shape with a total frontage of approximately 34m to Valerie Street and a depth of approximately 67m.
- A fall of 5m from the front to the rear of the site.
- Existing vehicular access via a crossover to each lot on the northern boundary of each site.
- There is a 2.44m wide drainage easement along the rear (western) boundary of the property.

#### **1.3 Surrounds**

- The surrounding area contains predominately single storey dwellings located on large blocks, similar to the subject sites. Lots are generally sparsely vegetated, however there is the occasional site which is heavily vegetated. Dwellings are constructed from a mixture of brick and weatherboard with tiled or colourbond roof's. Car parking is generally located to the side of the dwelling, with some dwellings providing parking in the front setback.
- Front setbacks vary from 7.5 to 10.5m, with front yards primarily containing lawn with low level shrubs and the occasional taller trees.
- While the surrounding area predominantly contains single dwellings on large lots, there are some examples of smaller lot subdivisions. The majority of the recently developed sites contain two dwellings, however there are some older subdivisions of three or more lots, including one on the corner of Valerie Court and Boronia Road.
- The sites are located approximately 1km from the Boronia Activity Centre and 1.8km from the Boronia train station. The bus routes 737, 745B and 753 run along Boronia Road, 130m north of the subject sites which connect to Boronia Train Station and Knox City Shopping Centre.

#### **1.4 Opportunities and Constraints**

The opportunities of the site include the size and orientation of the lot.

The main constraint of the site is its distance from Activity Centres.

## **2. CONSULTATION**

### **2.1 Advertising**

The application was advertised by way of signs on the site and notices were sent to adjoining property owners and occupiers. As a result no objections were received.

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

## 2.2 Referrals

<b>DEPARTMENT AUTHORITY</b>	<b>COMMENT</b>	<b>OFFICER COMMENT</b>
Arborist (Internal)	No significant vegetation on site. Environmental weeds must be removed	Placed as a condition on any permit issued.
Drainage Engineers (Internal)	Council's Engineering Department provided standard conditions.	Standard conditions to be placed on any permit issued.
Traffic Engineers (Internal)	The crossover and driveway need to be increased in width to at least 5m for a length of 7m or 6m, as more than three dwellings are proposed to allow 2 vehicles to pass.	The existing crossover is located within 1.5m of a street tree to the north and increasing the driveway to the south will result in the driveway coming within 1m of the retained dwelling at 12 Valerie Street and a large retained tree. It is important to provide a passing area for this driveway as the slope of the land means that there is no sight line from the ends of the driveway. An alternative is to provide a vehicle passing bay on the northern side of the driveway in an area currently set aside for low level landscaping. This will allow for trees to be retained and a vegetation buffer be provided to the street. A condition of any permit will require the driveway be increased in width, to the north, to a minimum of 5m for at least 7m. The increased driveway width must be setback 5m from the site frontage.

**6.3 10 & 12 Valerie Street, Boronia (cont'd)**

<b>DEPARTMENT AUTHORITY</b>	<b>COMMENT</b>	<b>OFFICER COMMENT</b>
Traffic Engineers (Internal) cont'd.	There is a requirement for 1 visitor parking space and this should be provided.	It is not considered that a visitor car parking space is required for this development. There will be no loss of on street parking as a result of the proposal and there is ability for cars to be parked in front of the garages for all dwellings, except 'Proposed Residence 2'. This dwelling, however, has a car parking requirement of only one space and has been provided with a double garage which can provide parking for a visitors car.
	Standard traffic 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 3 Zone. Within this zone a planning permit is required for the construction of more than one dwelling on a lot.

The purpose of the zone generally supports development at a range of densities which both respects the character of the area and meets the housing needs of a variety of household types. It is considered that the development meets this objective.

The site is also located within the Vegetation Protection Overlay – Schedule 3. Within this overlay a permit is required to remove, destroy or lop native vegetation which is more than 8m in height and has a trunk of more than 300mm in diameter (at 1.2m above the base). There are no trees on either site which meet this requirement. Therefore no permit is required for any vegetation or tree removal.

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

## 3.2 Policy Consideration

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

<b>STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<p><b>NEIGHBOURHOOD CHARACTER</b></p> <p><i>Ensure use/development responds sympathetically to the key local characteristics which are important to an area's character.</i></p>	<p><b>Melbourne 2030 – <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies / Implementation</u></b></p> <p><b>Knox Planning Scheme – State Planning Policy (Clause 19) - <u>Objectives</u></b></p> <p><b>Council's Neighbourhood Character Study - <u>Desired Future Character</u></b></p>	<p>Council's Neighbourhood Character Study identifies the site within the Garden Court Precinct. The study is referenced in the Knox Planning Scheme under the Neighbourhood Character Policy (Clause 22.07).</p> <p>The development is assessed against the Neighbourhood Character Policy in a later table.</p>
<p><b>URBAN CONSOLIDATION</b></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><b>Melbourne 2030 – <u>A more compact city</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u> and <u>Strategies / Implementation</u></b></p>	<p>The site is not within 400 metres walking distance to an Activity Centre, however the site is within an existing urban area and incorporates single storey dwellings of a modest density, consistent with the neighbourhood character.</p> <p>The site is located within the Urban Growth Boundary and it is considered that the site is suitable for appropriate infill development.</p>

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	Officer Comment
<p><b>HABITAT / IMAGE OF KNOX</b></p> <p><i>Retain / enhance the “green leafy image”</i></p>	<p><b>Knox Planning Scheme – Local Planning Policy (MSS) – <u>Objectives</u></b></p>	<p>The majority of vegetation on site consists of environmental weeds. As a result of the proposal these will be removed with a small number of healthy trees to be retained, mainly in the front setback of the dwellings. The development will allow for more appropriate vegetation to be planted and the environmental weeds to be removed.</p> <p>A condition of any permit to issue will require the submission of a Landscape Plan.</p>
<p><b>TRANSPORT</b></p> <p><i>Reduce dependence on private care for travel.</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) – <u>Objectives</u></b></p>	<p>The sites are located within 140m walking distance of Boronia Road, along which bus routes 737, 745B and 753 run which connect to Boronia train station and Knox City Shopping Centre. There is also a bus route along Scoresby Road which connects Knox City Shopping Centre and Bayswater train station. The site is within 1.8km walking distance of the Boronia train station.</p>
<p><b>AFFORDABILITY</b></p>	<p><b>Melbourne 2030 - <u>A fairer City</u></b></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>

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	Officer Comment
<p><b>SAFETY</b></p> <p><i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i></p>	<p><b>Melbourne 2030 - A great place to be</b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - Strategies/ Implementation</b></p>	<p>The new dwellings will be located behind the existing dwellings which front the street. These new dwellings will not be visible from the street due to the slope of the land, however they have been designed to address the open shared driveway with windows from the dwellings improving surveillance.</p>
<p><b>WALKABILITY</b></p> <p><i>Promote excellent neighbourhood design to create attractive, walkable and diverse communities.</i></p>	<p><b>Melbourne 2030 - A great place to be</b></p>	<p>The site is located within a 400 metre walk of Business 1 Zoned land at the corner of Boronia and Scoresby Roads. There are a number of specialty shops here. It is noted that an approval has been granted for a Supermarket on this corner and construction has recently commenced.</p>
<p><b>URBAN DESIGN / ENERGY EFFICIENCY</b></p> <p><i>Promote the development of well designed medium density housing which:</i></p> <ul style="list-style-type: none"> <li>-Makes the environment more liveable and attractive</li> <li>-Respects the neighbourhood character</li> <li>-Improves housing choice</li> <li>-Makes better use of existing infrastructure</li> <li>-Improves energy efficient of housing</li> </ul>	<p><b>Melbourne 2030 - A <u>great place to be</u></b></p> <p><b>Knox Planning Scheme - State Planning Policy - <u>Clause 19.03</u></b></p>	<p><u>Orientation and Outdoor Spaces</u></p> <p>The orientation and layout of the block limits opportunities for north facing private open space and windows for the dwellings behind 12 Valerie Street, however these dwellings have been designed to maximise what northern light there is by ensuring that living areas have a north facing window and that private open space areas are increased in width where they are south facing.</p>



## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	Officer Comment
		<p>The dwellings behind 10 Valerie Street have the private open space orientated to the north and windows to bedrooms and living areas facing north.</p> <p><u>Sustainability</u></p> <p>The dwellings must meet the 5 star energy rating requirements of the Building Regulations.</p> <p><u>Housing Choice</u></p> <p>The development includes a mixture of retained dwellings and new two and three bedroom homes which provides a diversity of housing on the site and improves choice within the suburb as a whole.</p> <p><u>Landscaping</u></p> <p>There are opportunities to improve the overall landscaping of the site due to the removal of the large number of environmental weeds from the properties and replace them with planting which responds to the landscaped character of the surrounding area.</p>

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

<b>NEIGHBOURHOOD CHARACTER (Clause 22.07)</b>		
<b>Garden Court - Statement of Desired Future Character</b>		
<i>“Low scale dwellings set within an open landscape with, in some areas, occasional pockets of large native trees”</i>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<i>To retain the remnant indigenous and other native trees and encourage the new planting of large native trees</i>	<u>Design Objective</u>	The site does not contain any remnant indigenous or significant native vegetation, however there are limited tall trees on the site. As a result of the development new planting will be required including new canopy trees, which will better integrate the site with the tall tree character of the wider area of Boronia.
<i>To maintain the rhythm of spacing between dwellings.</i>	<u>Design Objective</u>	The development provides spacing between all dwellings except ‘Proposed Residence 2 and 3’ whose garages are adjoined. The dwellings are all set off the site boundaries, with the exception of the single garage for ‘Existing Residence 1’ which is set approximately 150mm off the southern boundary.  As viewed from the street the existing rhythm of spacing is maintained and garden areas are provided between the majority of dwellings within the development and to the existing surrounding dwellings.
<i>To minimise the dominance of buildings from the street</i>	<u>Design Objective</u>	The new dwellings proposed are all single storey and due to the slope of the land and the planned retention of the existing dwellings, the new development will be screened from the street.

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To minimise loss of front garden space, and dominance of car storage facilities</i>	<u>Design Objective</u>	<p>The front setbacks to the existing dwellings will not change and will be landscaped to integrate with the street.</p> <p>10 Valerie Street has an existing single storey carport in front of the dwelling with a driveway and crossover. It is proposed to increase this carport to be a double carport and set it back to attach it to the dwelling. This will not reduce the existing garden area at the front of the site and will be designed to reflect the character of the dwelling.</p> <p>While carports are not normally supported in front of dwellings it is considered unreasonable to require the carport to be relocated in this instance given the existing carport and driveway and crossover locations.</p>
<i>To maintain the openness of front boundary treatments</i>	<u>Design Objective</u>	<p>As a result of the development the existing high front fence in front of 10 Valerie Street will be removed. This will open up the front boundary to the street, consistent with the surrounding character.</p>

**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>	<p>The subject site is not located within one of the preferred locations for medium density development as it is over 400m from Boronia Activity Centres. The site is located within a dispersed residential area, for which the policy states new development can be considered if it complements and respects the desired future character of the area.</p>

## 6.3 10 &amp; 12 Valerie Street, Boronia (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>	It is considered that the scale and density of the proposed development is appropriate within this area as it contributes to the Desired Future Character of the area to provide for “ <i>low scale dwellings set within an open landscape with, in some areas, occasional pockets of large native trees</i> ”.  The dwellings also propose smaller open space areas which are easier to maintain.
<i>To ensure that the community has access to social housing, owned and managed by public authorities and/or not profit organisations, of different forms and tenures.</i>	The development 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>	The site has adequate access to local shops, including the supermarket currently under construction at the corner of Boronia and Scoresby Roads, 400m walking distance from the sites, and is also located close to a number of bus routes which travel to Knox City Shopping Centre and the Boronia Activity Centre and train station.
<i>To ensure that new development in dispersed residential areas compliment and respects the desired future character of the particular area.</i>	As discussed in the Neighbourhood Character (Clause 22.07) assessment table above, it is considered that the development as currently proposed is consistent with the preferred neighbourhood character of the precinct.

### 6.3 10 & 12 Valerie Street, Boronia (cont'd)

#### 3.3 ResCode Assessment

The table below outlines consideration of key criteria within Clause 55, including details which are required to be modified to enable compliance.

PLANNING PROVISION	DESIGN RESPONSE
<p><b>Objectives at Clause 55.02</b></p> <p><b>Consistency with Neighbourhood Character</b></p> <p><b>Infrastructure</b></p>	<ul style="list-style-type: none"> <li>• As discussed above it is considered that the proposal is generally consistent with the identified neighbourhood character of the area as defined by Clause 22.07 of the Knox Planning Scheme.</li> <li>• The site is located in an area where it can be easily connected to existing infrastructure. A Drainage Plan will also be required as a condition of any issued permit to ensure the site manages its storm water run off.</li> </ul>
<p><b>Objectives at Clause 55.03</b></p> <p><b>Street Setback</b></p> <p><b>Building Height</b></p> <p><b>Site Coverage</b></p> <p><b>Permeability</b></p> <p><b>Safety</b></p>	<ul style="list-style-type: none"> <li>• There is no change to the existing street setback as the existing dwellings will be retained.</li> <li>• The new dwellings proposed are single storey, well under the 9m height limit contained within the Residential 3 Zone. This is considered to be respectful of the existing neighbourhood character.</li> <li>• The Standard to this clause recommends that site coverage not exceed 60%. The site coverage proposed is 40.6% which complies with the standard and results in the proposal meeting the objective to the clause.</li> <li>• The Standard to this clause recommends that at least 20% of the site should not be covered with impervious surfaces. The areas of the site not covered by impervious surfaces are 45.2% which complies with the standard and results in the proposal meeting the objective to the clause.</li> <li>• All dwelling entrances are visible from the communal spaces and surrounded by low level planting to maintain this visibility.</li> </ul>

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<i>Landscaping</i>	<ul style="list-style-type: none"> <li>As a result of the proposal the large number of environmental weeds on the properties will be removed. A condition of any permit to issue will require a Landscape Plan to be submitted which will require, among other things, the planting of a number of native canopy trees and shrubs, resulting in an overall improvement to the landscaping of the site.</li> </ul>
<p><i>Access</i></p> <p><i>Car Parking Provision</i></p>	<ul style="list-style-type: none"> <li>Access is provided via the two existing crossovers servicing the site. As previously discussed, a passing area is needed within the shared driveway which will form a condition of any permit to issue.</li> <li>Each new dwelling has been provided with two car spaces, consistent with ResCode provisions which require two car spaces for each three bedroom dwelling. The retained dwelling at 12 Valerie Street has been provided with a single garage, however there is ability to park a second, tandem, vehicle within the entrance to the garage.</li> </ul>
<b>Objectives at Clause 55.04</b>	
<p><i>Side and rear setbacks/ Wall Heights</i></p> <p><i>Daylight existing windows to</i></p>	<ul style="list-style-type: none"> <li>The only wall proposed within 150mm of a boundary is for the single garage to service the 'Existing Residence 1'. This wall has a maximum height of 2.8m and length of 4m, which is below the average height of 3m recommended by the standard and well below the standard for the length of walls on boundaries. It is considered that the side and rear setbacks and extent of walls on boundaries limit amenity impacts to adjoining dwellings in accordance with the objectives to the clauses.</li> <li>The north eastern bedroom window of 'Existing Residence 6' is the only window to this room. As a result of the relocation of the carport this window will be totally covered and receive no direct sunlight access. It is therefore considered that a new window should be installed to this bedroom on the northern side and, if so desired, the east facing window be removed. This will form a condition of any permit to issue.</li> </ul>

## 6.3 10 &amp; 12 Valerie Street, Boronia (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<p><b><i>North facing windows</i></b></p> <p><b><i>Overshadowing open space</i></b></p>	<ul style="list-style-type: none"> <li>• The proposed development will not affect any existing north facing windows.</li> <li>• There will be a minimal increase to shadow to adjoining properties as a result of the proposal, which will be predominately caused by fencing. The extent of shadow complies with the standard to the clause and it is not considered that there will be an unreasonable increase in shadow as a result of the proposal.</li> </ul>
<p><b><i>Overlooking</i></b></p> <p><b><i>Internal Views</i></b></p>	<ul style="list-style-type: none"> <li>• A number of new windows and ground level decks are proposed. Where there is not adequate screening provided by fencing, trellis is proposed along the fence. This includes the majority of the rear boundary and a section half way down each side boundary. The screening proposed is considered to adequately limit views into adjoining private open space and habitable room windows.</li> <li>• There will be no internal overlooking as a result of the proposal.</li> </ul>
<p><b><i>Objectives at Clause 55.05</i></b></p> <p><b><i>Dwelling Entries</i></b></p> <p><b><i>Daylight to new windows</i></b></p>	<ul style="list-style-type: none"> <li>• Each dwelling has a clearly defined entry which is accessed from the shared driveway, with the exception of 'Existing Residence 6' which is accessed from the Valerie Street frontage</li> <li>• All new windows receive good solar access in excess of the Standard B27 requirement.</li> </ul>
<p><b><i>Private Open Space</i></b></p> <p><b><i>Solar access to open space</i></b></p>	<ul style="list-style-type: none"> <li>• The subject site is within the Residential 3 Zone which requires 60m<sup>2</sup> of private open space per dwelling, including an area with a minimum width of 5m and area of 40m<sup>2</sup>, accessed from the living area of the dwelling. Each satisfies this requirement and is considered to meet the objective of the clause.</li> <li>• The private open space for 'Proposed Residence 2' is south facing. The open space has been increased in width to comply with the requirements of this clause and will receive adequate solar access.</li> </ul>
<p><b><i>Storage</i></b></p>	<ul style="list-style-type: none"> <li>• Each dwelling has been provided with a 6m<sup>3</sup> storage area in the form of a shed in the rear yard.</li> </ul>

### 6.3 10 & 12 Valerie Street, Boronia (cont'd)

PLANNING PROVISION	DESIGN RESPONSE
<p><b>Objectives at Clause 55.06</b></p> <p><i>Detailed Design</i></p> <p><i>Front Fences</i></p>	<ul style="list-style-type: none"> <li>• It is considered that the design detail of the proposed dwellings is appropriate and responds to the existing and preferred neighbourhood character.</li> <li>• No front fencing is proposed and the existing fence in front of 10 Valerie Street is proposed to be removed.</li> </ul>

### 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 design and layout of the development is consistent with the Neighbourhood Character and Desired Future Character of the area as identified at Clause 22.07 of the Knox Planning Scheme.
- The development is considered to be consistent with the neighbourhood character of the area. This, combined with the close proximity to a new supermarket on the corner of Boronia and Scoresby Roads, results in the proposal being supported by the provisions of Clause 22.10 (Housing) of the Knox Planning Scheme.
- The layout and design of the development generally complies with the objectives of Rescode, Clause 55 of the Knox Planning Scheme, however conditions requiring the submission of landscape and drainage plans and the installation of a north facing window to the north eastern bedroom of 'Existing Residence 6' are required.
- 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.



**6.3 10 & 12 Valerie Street, Boronia (cont'd)**

- The landscape quality of the site will be enhanced with conditions on the permit requiring the planting of appropriate vegetation and the removal of the environmental weeds from the site.
- 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.

**RECOMMENDATION**

**That Council issue a Planning Permit for the construction of four (4) single storey dwellings to the rear of the two (2) existing dwellings at 10 & 12 Valerie Street, Boronia, subject to the following conditions:**

**Amended Plans**

- 1. Before the commencement of any buildings and 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 Increase in width of the shared driveway, to the north, to a minimum of 5m for a distance of at least 7m. The increased driveway width must commence with a setback of 5m from the site frontage.**
  - 1.2 Installation of a north facing window to the north eastern bedroom of 'Existing Residence 6'.**
  - 1.3 Notations showing the removal of the existing front fence at 10 Valerie Street.**
  - 1.4 The drainage plans outlined in Condition 2 of this permit.**
  - 1.5 The landscaping plans outlined in Condition 3 of this permit.**

**to the satisfaction of the Responsible Authority.**

**6.3 10 & 12 Valerie Street, Boronia (cont'd)****Recommendation (cont'd)****Drainage Plans**

- 2. Prior to the commencement of any buildings or works, three copies of drainage plans and computations 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 occupancy of the buildings.**
  - 2.1 All storm water drainage discharge from the site shall be connected to an existing legal point of discharge.**
  - 2.2 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.**
  - 2.3 The on-site detention system to be installed in a suitable location for easy access and maintenance.**
  - 2.4 All levels to be to AHD (Australian Height Datum)**

**Landscaping**

- 3. A landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
  - 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
  - 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
  - 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.**
  - 3.4 Details of the surface finishes of pathways and driveways.**
  - 3.5 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**

**6.3 10 & 12 Valerie Street, Boronia (cont'd)****Recommendation (cont'd)**

- 3.6 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
- 3.7 The plans must also show the provision of at least 10 new indigenous canopy trees and at least 30 new large shrubs chosen from Appendix 4 of Council's Landscape Guidelines for Planning Permits. These canopy trees must be a minimum two metres tall when planted.**
- 4. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**

**General**

- 5. All development must accord with the endorsed plans.**
- 6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 7. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 8. The external materials of the development hereby permitted (including the roof) shall be non-reflective and finished in subdued tones and/or colours to the satisfaction of the Responsible Authority.**

**Car Parking and Traffic**

- 9. 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.**
- 10. All driveway and car parking areas as shown on the endorsed plan must be fully constructed at or above grade and properly formed to such levels that they can be used in accordance with the plans. All grading of the accessway must be designed and constructed in accordance with Council and Australian Standards. Construction using any alternative hard standing sealed surface is subject to detailed plans to be submitted to and approved by the Responsible**

**Fencing**

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

**6.3 10 & 12 Valerie Street, Boronia (cont'd)****Recommendation (cont'd)****Permit Expiry**

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

- **The development is not started within two years of the date of this permit.**
- **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:** Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1680. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.

**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.

**Note:** Council records indicate that there is an existing property inlet located at the south east rear corner of the property. Applicant is to verify this on site. Connect all stormwater discharge from the site into the property inlet via an onsite detention system. The internal drains for all three dwellings are to be independent of each other.  $T_c = 20$  minutes;  $T_{so} = 11$  minutes.

**Note:** Drainage works in the Road reserve or in the Council easement will require a road opening permit.

**Note:** Buildings are not allowed to be built over Council easements.

**6.3 10 & 12 Valerie Street, Boronia (cont'd)****Recommendation (cont'd)**

**Note:** Water Sensitive Urban Design (WSUD) should be addressed as part of this development, eg water storage tanks, swale drains, etc.

**Note:** A building permit must be obtained before development is commenced.

**Note:** The dwelling/s must achieve a minimum 5-Star Energy Rating.

**Note:** Rubbish bin collection on behalf of Council is to be from the nature strip. If internal site collection is desired changes are required to the site layout. Details can be discussed with Council's Waste Management team.

**Note:** In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.

**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.

**Report Prepared By:** *Planner (Peita Tapper)*

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

APPENDIX A/1 – 10 and 12 Valerie Street, Boronia

APPENDIX A/2 - 10 and 12 Valerie Street, Boronia

APPENDIX B/1 – 10 and 12 Valerie Street, Boronia



APPENDIX B/2 – 10 and 12 Valerie Street, Boronia

APPENDIX B/3 – 10 and 12 Valerie Street, Boronia

APPENDIX B/4 – 10 and 12 Valerie Street, Boronia

**BAIRD WARD****6.4 APPLICATION FOR THE DEVELOPMENT OF LAND FOR FIVE SINGLE STOREY DWELLINGS AT 10 FALCONER ROAD, BORONIA, Melway Ref. 64 G8 (File No. 20076691)****PURPOSE:** *Planner (Jayna Liew)*

***This application seeks approval to develop the land at 10 Falconer Road, Boronia for the purpose of five (5) single storey dwellings. The application was advertised and no objections were received. 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 planning permit be issued subject to conditions.***

Land:	10 Falconer Road, Boronia
Applicant:	Jasman Investments P/L
Owner:	David & Patricia Farbus
Existing Use:	Single storey dwelling
Proposed Development:	Use and development of land for 5 single storey dwellings.
Area/Density:	2,088 sqm / 1:417 sqm
Zoning:	Residential 3 Zone
Overlays:	None
Local Policy:	Clause 22.07 – Neighbourhood Character Clause 22.10 – Housing Policy
Neighbourhood Character Precinct:	Garden Court 2
Number of Objections:	None
Application Received:	31 August 2007
Advertising Commenced:	9 October 2007
Advertising Completed:	30 October 2007
PCC Meeting:	N/A

***Key Issues:***

- ***Response to Neighbourhood Character***
- ***Density within a Dispersed Residential Area***
- ***Impact on neighbouring vegetation***

## 6.4 10 Falconer Road, Boronia (cont'd)

### **1. BACKGROUND**

#### **1.1 The Proposal**

It is proposed to construct five (5) single storey dwellings on the site. The layout results in one (1) detached dwelling fronting onto Falconer Road and accessed by a single crossover, and four (4) detached dwellings to the rear. Rear dwellings are separated by a 1m width and face onto a shared driveway which runs along the eastern boundary of the site. Details of the development are illustrated in Appendix B and are described as follows:

- Unit 1 is to be constructed with an 8.9m setback from Falconer Road. Its double garage will be constructed along the western boundary of the site. The existing crossover will be maintained and will provide access to the double garage to Unit 1;
- Units 2, 3 and 4 will be located to the rear of Unit 1 and are setback 2m from the western boundary and 3m from the eastern boundary. Unit 5 will be located at the southern end of the site, 3.2m from the western boundary. Bedroom 2 to Unit 5 will be constructed along the eastern boundary;
- A new 3m wide crossover and driveway will be provided along the eastern boundary of the site and will provide access to all rear units.
- Dwellings are uniformly provided with a porch, master bedroom with ensuite, two (2) other bedrooms, bathroom, open plan living/family/kitchen area, and double garage;
- Dwellings are to be constructed with a separation of: 5m between Units 1 and 2, and 1m between all rear dwellings. External finishes will comprise brick facework with cement tiled roofing;
- Private open space provision comprises a range from 86 sqm to 136 sqm to the west and south of dwellings.

#### **1.2 The Site**

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

- The site is located on the southern side of Falconer Road, is rectangular in shape and has an area of 2,088 sqm;
- The site currently contains a single storey weatherboard dwelling which is setback 18m from the street frontage, with associated outbuildings in the rear private open space;

#### **6.4 10 Falconer Road, Boronia (cont'd)**

- Vegetation onsite comprises a Cypress hedge along the northern and eastern boundaries and a large number of indigenous, native and exotic trees in the rear yard. The Council Arborist has advised that vegetation onsite is not significant and does not require a permit for removal;
- The site has a fall of 6% from the front of the site to the southern (rear) boundary across a distance of 94m; and,
- A 1.83m wide easement extends parallel to the southern (rear) boundary.

#### **1.3 Surrounds**

- The surrounding neighbourhood is characterised by residential development, with the immediate area containing numerous multi-unit sites. Nos. 6, 8 and 12 Falconer Road are lots of similar dimension to the subject site and contain five (5) dwellings each. No. 4 Falconer Road is of a similar dimension to the subject site and contains six (6) dwellings.
- The common driveway for No.12 Falconer runs along the eastern boundary of the site. The garage wall of No. 5/8 Falconer Road is constructed along the south east boundary of the site.
- The site is located 978m from the Boronia Major Activity Centre. The Activity Centre contains numerous community, retail and public transport services such as the Boronia Railway Station and associated bus services.
- The site is located 2.2km from the Knox City Principal Activity centre.
- The site is located 122m from land zoned for Business 1 purposes at the intersection between Scoresby and Boronia Roads. Services within this area include various small shops and offices, an approved supermarket and convenience restaurant development at No. 287 Boronia Road, and a service station at No. 282 Boronia Road.
- Public transport facilities in the vicinity of the site include Scoresby Road bus services located 135m to the west of the site and Boronia Road bus services located 94m to the south of the site.
- Surrounding services and facilities include the Bayswater South Primary School located 580m to the west, Boronia West Primary School and Knox Leisureworks located 655m to the east, St Josephs Catholic Primary School located 550m to the south east, and Tormore Reserve located 828m to the east.

## 6.4 10 Falconer Road, Boronia (cont'd)

### 1.4 Opportunities and Constraints

#### Opportunities

- Located in close walking distance to commercial and community facilities at the intersection of Scoresby and Boronia Roads, including an approved supermarket development and place of worship;
- Located in close walking distance to bus services along Scoresby and Boronia Roads;
- Vegetation onsite is not significant and does not require a permit for removal.
- North-South orientation of the property.

#### Constraints

- Not within close walking distance of an Activity Centre.

## 2. CONSULTATION

### 2.1 Advertising

The application was advertised by way of a sign onsite and notices to adjoining property owners and occupiers. No objections were received.

### 2.2 Referrals

DEPARTMENT / AUTHORITY	COMMENT	OFFICER COMMENT
Country Fire Authority	CFA does not object to the grant of a permit, subject to the conditions relating to: <ul style="list-style-type: none"> <li>▪ An amended design which shows:               <ul style="list-style-type: none"> <li>-Driveways of a minimum 3.5m width;</li> <li>-Turning circle with minimum radius of 8m;</li> </ul> </li> <li>▪ Specifications for internal road construction, grade, curves and width.</li> </ul>	CFA conditions will be placed on any permit issued.
Traffic (internal)	The vehicular crossover shall be 6m wide and the driveway shall be 6m wide for the first 6m within the site to enable two vehicles to pass.  Alternatively a 5m wide vehicular crossover and driveway for the first 7m within the site is acceptable.	An amended set of plans will be required to show the driveway having a 5m width for the first 7m within the site. The narrower 5m crossover is preferable to a 6 metre width to minimise the loss of on-street parking.

## 6.4 10 Falconer Road, Boronia (cont'd)

DEPARTMENT / AUTHORITY	COMMENT	OFFICER COMMENT
Traffic (cont'd)	<p>The proposed location of the letterboxes is shown adjacent to the driveway and may obstruct sight distances. The letterboxes should be constructed to a maximum height of 900mm or relocated clear of a splayed area in accordance with AS 2890.1 clause 3.2.4. Landscaping and fencing should also be reduced in height or located clear of this splayed area.</p> <p>The visitor parking bays are located in front of the garage for units 1 &amp; 5. This is not accessible by all units and the location of the visitor space should be relocated. Visitor parking shall be available to all units.</p>	<p>An amended set of plans will be required to show re-location of the letter boxes.</p> <p>The visitor spaces to Units 1 and 5 will be utilised by these dwellings and are not for communal use.</p> <p>One (1) communal visitor space will be required pursuant to Standard B16 of ResCode.</p> <p>An amended set of plans will be required to show the double garage to Unit 2 altered to a single garage or car port setback 5m from the western boundary. A second tandem space can be accommodated to the front of the garage.</p> <p>One (1) communal visitor space can then be created next to the garage to Unit 2. The space must have minimum dimensions of 2.6m width and 5.4m length. A 'Visitor Parking' sign should be erected.</p>



## 6.4 10 Falconer Road, Boronia (cont'd)

DEPARTMENT / AUTHORITY	COMMENT	OFFICER COMMENT
Traffic (cont'd)	The driveway is to be widened in the area where the eaves overhang (in the highlighted area) to ensure that there is a clear 3m wide driveway access available for the rear units.	An amended set of plans will be required to show a clearway of 3m width and 3m height along the driveway.
Drainage (internal)	The overland flow path to the property inlet in the South East corner is currently blocked by Unit 5. The Applicant is to alter the design to provide a 1.5m clearway between the Eastern boundary and Unit 5, which will cater for the overland flow path and also provide access to the rear easement. Council's Engineering Department provided standard drainage conditions.	Amended plans will be required showing provision of the 1.5m clearway.  Conditions will be placed on any permit issued.
Arborist (internal)	Applicant must locate the roots of the Maiden's Gum that occur within the proposed building's footprint i.e. size, depth, number and direction of growth of tree roots. This information assists in determining the possible effect the development may have on tree health. Alternative methods of construction may need to be used to minimize damaging tree roots. The landscape plan should show the provision of at least 7 additional indigenous or native canopy trees and at least 14 additional large shrubs. The trees listed on the planting schedule of the current plan do not meet these requirements.	A condition will be placed on any permit issued requiring excavation of a hand-dug trench along the southern and western building lines of Unit 5 to determine the presence of any roots from neighbouring trees.  Planting requirements will be required as a condition of any permit issued.
Parks (internal)	No objection to removal of street tree by Council if the owner pays \$1,000.	Conditions will be placed on any permit issued.

## 6.4 10 Falconer Road, Boronia (cont'd)

### **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 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. The development meets the 9 metre height limitation for all dwellings.

This form of housing, while not located in close proximity to activity centres, takes advantage of existing services and is common within the immediate vicinity. The proposed three bedroom dwellings can accommodate a variety of household sizes including couples and large and smaller families.

#### **3.2 Policy Consideration**

Pursuant to Clause 11 of the Knox Planning Scheme, Council 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:

<b>STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<b>NEIGHBOURHOOD CHARACTER</b>  <i>Ensure use/development responds sympathetically to the key local characteristics which are important to an area's character.</i>	<b>Melbourne 2030 - <u>A great place to be</u></b>  <b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies / Implementation</u></b>	Council's Neighbourhood Character Study identifies the site as located within the Garden Court 2 Precinct. The study is referenced in the Knox Planning Scheme under the Neighbourhood Character Policy. The development is assessed against the Neighbourhood Character Policy in a later table.

## 6.4 10 Falconer Road, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>URBAN CONSOLIDATION</b></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><b>Melbourne 2030 – <u>A more compact city</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u> and <u>Strategies/Implementation</u></b></p>	<p>The proposed development is not located within close proximity to activity centres, being approximately 1km from the Boronia Major Activity Centre.</p> <p>However, the site is located within walking distance of an approved supermarket/restaurant development at the intersection of Scoresby and Boronia Roads (122m), Scoresby Road bus services (135m) and Boronia Road bus services (94m).</p> <p>Accordingly, while the site is not located in a preferred location for housing, the development is generally in accordance with State policy as it proposes relatively modest single storey dwellings at a density lower than 1:400 sqm.</p>
<p><b>HABITAT / IMAGE OF KNOX</b></p> <p><i>Retain/ enhance the “green leafy image”</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></p>	<p>The front setback of the site contains weed species of vegetation. Removal of this vegetation and replacement planting will improve the “green leafy image” of the site.</p> <p>The property is not subject to vegetation controls.</p> <p>A minimum of seven (7) indigenous or native canopy trees and fourteen (14) large shrubs will be required. Plantings must be provided in the front setback of the site to reflect the vegetated character of the area.</p>

## 6.4 10 Falconer Road, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>TRANSPORT</b></p> <p><i>Reduce dependence on private cars for travel.</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></p>	<p>The site is not located within an Activity Centre and is situated 978m from the Boronia Major Activity Centre and 2.2km from the Knox City Principal Activity Centre.</p> <p>However, while the site is not located in a preferred location for housing, the development is generally in accordance with State policy as it proposes relatively modest single storey dwellings at a density lower than 1:400 sqm.</p>
<p><b>URBAN DESIGN / ENERGY EFFICIENCY</b></p> <p><i>Promote the development of well designed medium density housing which:</i></p> <ul style="list-style-type: none"> <li><i>-Makes the environment more liveable and attractive</i></li> <li><i>-Respects the neighbourhood character</i></li> <li><i>-Improves housing choice</i></li> <li><i>-Makes better use of existing infrastructure</i></li> <li><i>-Improves energy efficient of housing</i></li> </ul>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - State Planning Policy - <u>Clause 19.03</u></b></p>	<p><u>Orientation</u></p> <p>An amended design will be required as a condition of any permit issued to provide north-facing windows to the kitchens of Units 2, 3 and 4 to improve solar access to living areas.</p> <p><u>Outdoor spaces</u></p> <p>The north-south orientation of the site allows for excellent solar access to private open space areas to all dwellings.</p> <p><u>Sustainability</u></p> <p>Building Regulations will ensure the development meets a five star energy rating.</p> <p><u>Housing Choice</u></p> <p>Development for higher density residential housing provides an alternate form of housing.</p>

## 6.4 10 Falconer Road, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<b>URBAN DESIGN / ENERGY EFFICIENCY</b> (cont'd)		<u>Landscaping</u> The ability to landscape the common area and the setback from Falconer Road and plant within the private open space areas of each dwelling responds to the desired landscaped character of the surrounds.
<b>WALKABILITY</b> <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>	<b>Melbourne 2030 - <u>A great place to be</u></b> <b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></b>	The site is not within 400 metres walking distance of an Activity Centre. However, the site is within close walking distance of Scoresby and Boronia Road bus services and Business 1 retail premises at the intersection of these roads. These facilities are easily accessible by future occupants and promote a walkable community.
<b>SAFETY</b> <i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i>	<b>Melbourne 2030 - <u>A great place to be</u></b> <b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/Implementation</u></b>	The proposed Unit 1 provides surveillance to Falconer Road. The rear dwellings provide good surveillance of the shared driveway from living areas to enhance property and personal safety.
<b>AFFORDABILITY</b>	<b>Melbourne 2030 - <u>A fairer City</u></b>	The development may not be a form of affordable housing but it does provide an alternate form of lot sizes to that offered in the surrounding area.

## 6.4 10 Falconer Road, Boronia (cont'd)

<b>NEIGHBOURHOOD CHARACTER</b>		
<b>(Clause 22.07)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<i>To retain the remnant indigenous and other native trees and encourage the new planting of large native trees.</i>	<u>Design Objective</u>	<p>No remnant indigenous vegetation occurs onsite. Most of the vegetation onsite, including indigenous species, will be removed to allow development.</p> <p>The only tall tree at the south west corner of the site will be retained as part of the development. Tree protection measures will be required as a condition of permit to ensure the tree will not be impacted by the development. Trees on neighbouring sites will be protected from development impacts by conditions on any permit issued.</p> <p>Replanting of a minimum of seven (7) indigenous or native trees and fourteen (14) large shrubs will be required as a condition on any permit issued.</p>
<i>To maintain the rhythm of spacing between dwellings.</i>	<u>Design Objective</u>	<p>The development is setback a minimum of 2m from all boundaries, the exception being the garage/bedroom walls of Units 1 and 5 which adjoin walls on the adjacent properties.</p> <p>Separation of 1m is provided between the garages of each dwelling. The rhythm of spacing is similar to that provided in neighbouring multi-unit developments to the east and west.</p> <p>The sense of spacing between dwellings is further provided by the staggered building layout, recessed garages, and height graduation between dwellings and garages to provide a visual break between the built form.</p>

## 6.4 10 Falconer Road, Boronia (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>To minimise the dominance of buildings from the street.</i>	<u>Design Objective</u>	<p>The single storey built form with a maximum height of 5m, combined with a 8.95m setback from Falconer Road, reduces the dominance of the dwellings from the street.</p> <p>This scale of development is consistent with the existing character of multi-unit development along the southern side of Falconer Road.</p> <p>Front setback distances are consistent with surrounding development.</p>
<i>To minimise loss of garden space, and dominance of car storage facilities.</i>	<u>Design Objective</u>	<p>No loss of front garden space will be incurred.</p> <p>A landscape plan will be required to the satisfaction of Council to ensure that suitable vegetation is planted in the front setback to improve the streetscape appearance.</p> <p>Car storage facilities will not be a dominant feature of the streetscape as the garage to Unit 1 is located behind the dwelling line. The garages to Units 2 to 4 are located to the rear of the site behind Unit 1.</p>
<i>To maintain the openness of front boundary treatments.</i>	<u>Design Objective</u>	No front fence is proposed to Unit 1.

## 6.4 10 Falconer Road, Boronia (cont'd)

<b>HOUSING POLICY</b>	
<b>(Clause 22.10)</b>	
<b>OBJECTIVES</b>	<b>OFFICER COMMENT</b>
<i>To encourage sustainable urban growth by directing housing to preferred locations (Activity Centres, Principle public transport network (PPTN), Strategic Redevelopment Sites)</i>	The subject site is not located within one of the preferred locations for medium density development as it is over 400m from the Boronia Activity Centre. The site is located within a dispersed residential area, for which the policy states new development can be considered if it complements and respects the desired future character of the area.
<i>To encourage a range of housing types and forms to meet the needs of the existing and future community.</i>	It is considered that the scale and density of development is appropriate within this area as it contributes to the Desired Future Character of the area to provide for “ <i>low scale dwellings set within an open landscape with, in some areas, occasional pockets of large native trees</i> ”.  The dwellings also propose smaller open space areas which are easier to maintain.
<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 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>	The site has adequate access to local shops, including the supermarket currently under construction at the corner of Boronia and Scoresby Roads, 122m walking distance from the sites, and is also located close to a number of bus routes which travel to Knox City Shopping Centre and is located 1km to the Boronia Activity Centre and Boronia train station.



#### 6.4 10 Falconer Road, Boronia (cont'd)

OBJECTIVES	OFFICER COMMENT
<p><i>To ensure that housing responds to the preferred neighbourhood character for each precinct or adopted structure plan.</i></p>	<p>The proposed development responds to the preferred Garden Court 2 neighbourhood character in minimising the dominance of buildings and providing an open front garden setback.</p> <p>Further assessment against neighbourhood character guidelines are provided in the table above.</p>
<p><i>To ensure that new development in dispersed residential areas compliment and respects the desired future character of the particular area.</i></p>	<p>As noted above, the development complements the desired future character of the locality.</p>

#### 3.3 ResCode Assessment

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

PLANNING PROVISION	DESIGN RESPONSE
<p><b>Objectives at Clause 55.02</b></p> <p><b><i>Consistency with Neighbourhood Character</i></b></p> <p><b><i>Infrastructure</i></b></p>	<p>Generally complies (see Section 3.2 above)</p> <p>Council's Engineers have provided a set of conditions to be included on any permit issued which should ensure that the drainage capacity of the area is not exceeded.</p>

## 6.4 10 Falconer Road, Boronia (cont'd)

<b>Objectives at Clause 55.03</b>	
<b>Dwelling Setback</b>	Unit 1 will have an 8.95m setback from Falconer Road. The setback distance is consistent with the 9m setback of No. 1/8 Falconer Road and the 8.9m setback of No. 1/12 Falconer Road.
<b>Building Height</b>	The proposed single storey dwellings have a maximum height of 5m which does not exceed the 9m height limitation pursuant to the Residential 3 Zone.  The single storey built form is respectful of the existing neighbourhood character.
<b>Site Coverage/ Permeability</b>	The proposed development has site coverage of 38% which is well under the 60% permitted by the standard.  The proposed impermeable area coverage of 58% also complies with the relevant standard (maximum 80%).  The dimensions and location of the private open space to the proposed dwellings allow for excellent solar access to these areas.
<b>Energy Efficiency</b>	The rear units receive a fair level of solar access to their living areas. Energy efficiency will be improved by a condition on any permit issued to require north-facing windows to the kitchens of Units 2, 3 and 4.
<b>Open space Safety</b>	The communal driveway shared by the rear units is substantially fronted by buildings, is accessible and useable and receives good surveillance from living areas.
<b>Landscaping</b>	Landscaping will be required as a condition on any permit issued. Suitable planting of seven (7) canopy trees and fourteen (14) large shrubs will be required within the private open space areas of each dwelling, as well as within the front yard and eastern boundary of the site to soften the appearance of the development from the street.
<b>Access</b>	Unit 1 is provided with a separate 3m wide accessway.  The four rear dwellings are provided with a minimum 3m wide driveway which allows for all vehicles to exit in a forwards direction. An amended driveway and crossover design will be required to provide a minimum width of 5m for a minimum distance of 7m within the site to allow two vehicles to safely pass.  The width of accessways comprises 35% of the street frontage. While marginally exceeding the 33% maximum width of the street frontage required by the standard, a 5 metre wide driveway is required by the

## 6.4 10 Falconer Road, Boronia (cont'd)

<b>Objectives at Clause 55.03</b>	
<p><b>Car Parking Location</b></p> <p><b>Car Parking Provision</b></p>	<p>Traffic Department to allow vehicles accessing the four (4) rear dwellings to exit in a forwards direction.</p> <p>Each dwelling is provided with an attached garage which provides safe and convenient car storage.</p> <p>Shared accessways are setback 1.5m from habitable room windows.</p> <p>Each three bedroom dwelling is provided with a double garage. The exception is the garage to Unit 2 which will be required to be altered to a single car space under cover and a single tandem car space.</p> <p>Sufficient bicycle storage facilities can be accommodated within the garages and private open space areas of the dwellings.</p>
<p><b>Objectives at Clause 55.04</b></p> <p><b>Side and rear setbacks/ Wall Heights</b></p> <p><b>Overshadowing open space/windows</b></p> <p><b>Overlooking</b></p>	<p>Setbacks and wall heights from all boundaries achieve the relevant ResCode standards.</p> <p>The garage to Unit 1 is constructed along the western boundary for the same distance as the simultaneously constructed garage to No. 1/8 Falconer Road.</p> <p>The eastern wall of Unit 5 will be required to be offset a minimum distance of 1.5m from the eastern boundary to allow for overland flows to the rear property inlet.</p> <p>The single storey built form of dwellings will cause minimal overshadowing impact to surrounding properties. Shadows from the development will encroach a maximum of 2.5m into the adjacent property to the west; however, the shadowing impact falls largely onto a garage and is equal to the existing impact caused by the 1.9m fence along this boundary.</p> <p>The potential for overlooking is minimised by the single storey height of the development, floor levels below 0.8m, and surrounding fencing to a minimum height of 1.8m.</p> <p>The rear of Unit 5 abuts the car parking areas of the Christadelphian hall to the south. A condition will be placed on any permit issued to require the provision of fencing to a minimum height of 1.8m along this boundary in order to protect the privacy of future residents. All fencing will be required to be at the developers' cost.</p>

## 6.4 10 Falconer Road, Boronia (cont'd)

<p><b>Objectives at Clause 55.05</b></p> <p><b>Accessibility</b></p> <p><b>Dwelling Entries</b></p> <p><b>Private Open Space</b></p>	<p>The low floor level to dwellings allows for future modifications to enable access by people with limited mobility.</p> <p>Each dwelling has a clearly identifiable entry that provides shelter and a personal sense of address.</p> <p>Each dwelling has been provided with a minimum private open space (POS) area ranging from 86 sqm to 136 sqm. Each dwelling is provided with at least 50 sqm of secluded POS with a minimum width of 5m and convenient access from a living room.</p> <p>The POS requirements of the Schedule to the R3Z are therefore satisfied as the areas will allow sufficient room for the recreational needs of future residents and planting of new canopy trees.</p>
<p><b>Daylight to new windows</b></p> <p><b>Storage</b></p> <p><b>Objectives at Clause 55.06</b></p> <p><b>Detailed Design</b></p>	<p>All new windows receive good solar access in excess of the Standard B27 requirement.</p> <p>The proposed dwellings are provided with externally accessible, secure storage space with a minimum storage area of six (6) cubic metres.</p> <p>Design of the proposed dwellings is respectful of neighbourhood character through the use of:</p> <ul style="list-style-type: none"> <li>- 600mm wide eaves,</li> <li>- Pitched roof form,</li> <li>- Façade articulation,</li> <li>- Use of brick external materials,</li> <li>- Single storey built form,</li> <li>- No front fence provided to Unit 1.</li> </ul>
<p><b>Common property</b></p>	<p>Common property is useable, functional and clearly delineated.</p>
<p><b>Site services</b></p>	<p>The layout of development will be required to be amended by a condition on any permit issued to allow for overland flows to the property inlet in the rear easement.</p>

## 6.4 10 Falconer Road, 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:

- As the development is consistent with the neighbourhood character of the area the density of the development within this dispersed residential area. This, combined with the close proximity to a new supermarket on the corner of Boronia and Scoresby Roads, results in the proposal being supported by the provisions of Clause 22.10 of the Knox Planning Scheme.
- The proposed development satisfies the height limitation and exceeds the private open space requirements of the Schedule to the R3Z.
- The development is respectful of the preferred neighbourhood character in providing replacement plantings, minimising the dominance of buildings, and providing separation between dwellings.
- The development is also respectful of the existing neighbourhood character in proposing a single storey built form with pitched, tiled roofing. The development is similar to the dwelling form and lot density of adjoining multi-unit development.
- There will be no significant impacts on the amenity of adjoining properties, and the development satisfies the objectives of ResCode. No objections were received regarding the proposal.
- 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 10 Falconer Road, Boronia (cont'd)****RECOMMENDATION**

**That Council issue a Planning Permit for the development of land at 10 Falconer Road, Boronia for the purpose of five (5) single storey dwellings, 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 Provision of north-facing windows to the kitchen areas of Units 2, 3 and 4.**
  - 1.2 Provision of a timber fence along the southern (rear) boundary of the site to a minimum height of 1.8 metres.**
  - 1.3 The vehicular crossover being 5 metres wide and the driveway being 5 metres wide for the first 7 metres within the site to enable two vehicles to pass.**
  - 1.4 The letterboxes for Units 2, 3, 4 and 5 constructed to a maximum height of 900mm or relocated clear of a splayed area in accordance with AS 2890.1 clause 3.2.4. All letter boxes must face onto the street frontage.**
  - 1.5 The double garage to Unit 2 altered to a single garage or car port of minimum 3.5 metre width and 6 metres length, which must be setback 5 metres from the western boundary.**
  - 1.6 A tandem car parking space of 3 metres width and 5.4 metres length located to the front of the single garage to Unit 2.**
  - 1.7 One (1) communal visitor car parking space constructed to the rear of Unit 1. The fence along the rear of Unit 1 must be altered to allow for the construction of the car parking space of minimum 3 metres width and 5.4 metres length. A 'Visitor Parking' sign should be constructed to identify the car space.**
  - 1.8 Clear access of 3 metres width and 3 metre height along the driveway to Units 2, 3, 4 and 5.**

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

**1.9 Provision of a 1.5 metre wide clearway between Unit 5 and the eastern boundary of the site in order to allow for overland flows to the property inlet located in the south east corner of the site and to provide access to the rear easement.**

**1.10 Any change in construction methods for Unit 2 in accordance with tree root investigations required by Condition 10.**

**1.11 Drainage plans in accordance with Condition 5.**

**1.12 Landscape plans in accordance with Condition 6.**

**to the satisfaction of the Responsible Authority.**

**Country Fire Authority****2. Amended plans**

**Before development commences, amended plans to the satisfaction of CFA must be submitted for approval by CFA and the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plan must be generally in accordance with the plans submitted with the application but modified to show:**

**2.1 Constructed roads / driveway with a minimum trafficable width of 3.5m.**

**2.2 Constructed roads / driveway more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimension specified by the CFA may be used as alternatives.**

**Country Fire Authority****3. Water supply****3.1 Reticulated Water Supply**

**3.1.1 Operable hydrants, above or below ground must be provided to satisfaction of the CFA.**

**3.1.2 The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelopes, the rear of all lots) must be 120m and hydrants must be no more than 200m apart.**

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

**3.1.3 Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))**

**Country Fire Authority****4. Roads**

- 4.1 Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**
- 4.2 The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.**
- 4.3 Curves in driveway must have a minimum radius of 10 metres.**
- 4.4 Must provide a minimum trafficable width of 3.5 metres, be clear of encroachments 4 metres vertically and have no obstructions within one metre of the formed width of the road, to the satisfaction of the Responsible Authority.**

**Drainage plans**

- 5. 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:**

- 5.1 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.**
- 5.2 The on site detention system to be installed in a suitable location for easy access and maintenance.**
- 5.3 All levels to be to AHD (Australian Height Datum).**



**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)****Landscape plans**

- 6. Prior to the commencement of any buildings or works, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
  - 6.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
  - 6.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
  - 6.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.**
  - 6.4 Details of the surface finishes of pathways and driveways.**
  - 6.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
  - 6.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
  - 6.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
  - 6.8 The plans must also show the provision of at least seven (7) additional indigenous or native canopy trees and at least fourteen (14) additional large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits. These canopy trees must be a minimum two metres tall when planted and must be planted in the following areas of the site: front setback, private open space of dwellings, and along the eastern boundary of the site.**

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

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

- 7. 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.**
- 8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority.**

**Street trees**

- 9. All works associated with the removal and replacement of the street tree/s must be undertaken by Council and the owner/developer must bear all costs associated with these works. The owner/developer must pay all costs to Council prior to the commencement of any works approved under this permit.**

**Please contact Council's Landscape Services Unit on 9298 8109 to organise payment of such costs. For details regarding the cost of and arranging the timing of the removal and replacement of the street tree/s please contact Council's Parks Service Team on (03) 9298 8423.**

**10. Tree Protection**

**Prior to the endorsement of the development plans, root investigation works are required to assess the potential impact of the construction of Unit 5 on the Tree Protection Zones (TPZ) of the following trees to be retained on the land or on neighbouring properties: Cape Lilac (*Virgilia capensis*) with a TPZ of 4.7 metres from the base of the tree located in the south western corner of the site; Messmate eucalyptus (*Eucalyptus obliqua*) with a TPZ of 11.7 metres located on the neighbouring property 7 metres south west of the laundry to Unit 5; and a Messmate eucalyptus with a TPZ of 9.6 metres located on the neighbouring property approximately 6 metres south of Bedroom 1 to Unit 5.**

**The investigation must locate any tree roots within areas where the building footprint encroaches on the TPZ of the above trees. Root investigation works must be undertaken sensitively via methods such as air-knife, Ground Penetrating Radar, hand digging or hydro-excavation so that tree roots are not damaged.**

**Before the investigation starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.**

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

On completion of the tree root investigations, Council's Arborist should be contacted on 9298 8319 to inspect the tree roots and determine if the trees listed above will be adversely affected by construction of Unit 5.

11. All works, including excavation, within the critical root zone area of the trees to be retained must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority.

Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.

12. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.

- 12.1 The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.

- 12.2 The fence and signage is to be maintained throughout the construction period and removed at the completion of all works. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.

- 12.3 Prior to erecting the fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

**12.4 The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**

- **Construction activities.**
- **Dumping and/or storage of materials, goods and/or soil.**
- **Trenching or excavation.**
- **Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.**

**Fencing**

- 13. All fences and landscaping near accessways shall be splayed, reduced in height or visually permeable to ensure safe sight lines in accordance with AS2890.1, Clause 3.2.4.**
- 14. All costs associated with the provision of the fencing are to be borne by the owner/development under this permit.**
- 15. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.**

**External materials**

- 16. The external materials of the development hereby permitted (including the roof) shall be non-reflective and finished in subdued tones and/or colours to the satisfaction of the Responsible Authority.**

**General**

- 17. All development must be in accordance with the endorsed plans.**
- 18. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 19. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**

**Permit expiry**

- 20. This permit will expire if one of the following circumstances applies:**

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

**6.4 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

**20.2 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.**

**Council notes**

- Note:** Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1680. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Note:** A Road Opening Permit shall be required for any works within or affecting the road reserve.
- Note:** Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- Note:** The dwellings must achieve a minimum 5-Star Energy Rating.
- Note:** In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- 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:** 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 10 Falconer Road, Boronia (cont'd)****Recommendation (cont'd)**

**Note:** Applicant is to direct all stormwater to the South East rear 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 five dwellings are to be independent of each other.

**Tc = 20 minutes; Tso = 13 minutes**

**Note:** The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans.

**Note:** Water Sensitive Urban Design (WSUD) is to be addressed as part of this development, for example, water tanks or swale drains should be included in the design.

**Note:** Floor levels are to be designed appropriately and raised above the natural ground surface level to provide protection from any possible flooding, which may occur within the development.

**Note:** All utility services (eg. Drainage, Sewer) are to be verified onsite by Applicant/Developer prior to commencement of any works.

**Note:** No buildings are allowed to be built over Council easements.

**Report Prepared By:** *Planner (Jayna Liew)*

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

**APPENDIX A/1**

**APPENDIX A/2**



**APPENDIX B/1**

**APPENDIX B/2**

**APPENDIX B/3**

**CHANDLER WARD****6.5 APPLICATION FOR RESIDENTIAL SUBDIVISION OF LAND INTO TWO (2) LOTS AT 42 McDONALD CRESCENT, BORONIA. Melway Ref. 65 D7 (File No. 20076779)****PURPOSE:** *Subdivision Planner (Roxanne De Cata)*

***This application seeks to subdivide the site into two lots. The application was advertised to adjoining properties and six (6) objections have 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 including, requiring a Section 173 Agreement to enforce tree protection and building height limits.***

Land:	42 McDonald Crescent, Boronia.
Applicant:	JCA Land Consulting Surveyors
Owner:	Brett Knight
Existing Use:	Single dwelling
Proposed Development:	Subdivision into two (2) lots
Area/Density:	1029m <sup>2</sup> / 1:514.5m <sup>2</sup>
Zoning:	Residential 3 Zone
Overlays:	Design and Development Overlay 2 Vegetation Protection Overlay 3 Significant Landscape Overlay 3
Local Policy:	Clause 22.10 Housing Policy Dandenong Foothills
Neighbourhood Character Precinct:	Bush Suburban 1
Number of Objections:	6
Application Received:	25 September 2007
Advertising Commenced:	13 November, 2007
Advertising Completed:	5 December, 2007
PCC Meeting:	NA

**Key Issues:**

- **Located approximately 450m outside the Boronia Activity Centre.**
- **Protection of mature trees to retain tree canopy.**
- **Compliance with Dandenong Foothills Policy.**

## **6.5 42 McDonald Crescent, Boronia. (cont'd)**

### **1. BACKGROUND**

#### **1.1 The Proposal**

The application seeks to subdivide the land at 42 McDonald Crescent, Boronia into two lots with the existing dwelling being retained on Lot 1 with an area of 528m<sup>2</sup>. The rear lot proposes a “battleaxe” entrance with an area of 501m<sup>2</sup>. A building envelope has been shown for proposed Lot 2, which is setback 2m from significant vegetation. (Refer Appendix B).

#### **1.2 Subject Site**

The subject site is located on the north western side of McDonald Crescent, Boronia and comprises a total area of 1029m<sup>2</sup>. The site has a frontage to McDonald Crescent of 28.04m and an average depth of 48.39m and is generally rectangular in shape. An easement for drainage and sewerage 1.83m wide exists along the north-western (rear) boundary.

The existing single storey weatherboard dwelling is setback approximately 10m from the frontage and has an existing vehicle crossing on the north-eastern boundary which leads to a galvanised iron shed and carport. A new carport has been constructed on the south-eastern boundary. Vehicles currently mount the kerb and cross the nature strip to access the new carport.

Vegetation on the site comprises both protected species and weed species located in both the front and rear yard. These will be further discussed under internal referrals later in the report. (Refer Appendix A)

#### **1.3 Surrounds**

The surrounding land comprises of an existing residential neighbourhood developed with original dwellings from the early 1960's. At the other end of McDonald Crescent at No's 1, 3 and 5 the lots are developed with attached dwellings. Recent approvals in the area have been for second dwellings at No 4 and No 27 McDonald Crescent.

### **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. Six (6) objections have been received and are summarised as follows.

**6.5 42 McDonald Crescent, Boronia. (cont'd)**

<b>CONCERN</b>	<b>OFFICER COMMENT</b>
<i>The development is undesirable in this proximity. The overlay should have been DDO 1 minimum lot size 1000m<sup>2</sup></i>	The subject site is within the Design and Development Overlay - Schedule 2 for which the minimum lot size is 500m <sup>2</sup> . Therefore an owner can make an application to create lots of 500m <sup>2</sup> and larger, which meet this requirement.
<i>Developers who purchase these properties never live in them, they leave it for the residents to put up with it.</i>	The question of whether an applicant should live on the property is not a planning consideration and cannot be included in this assessment.
<i>Traffic and parking problems, noise and loss of amenity and privacy.</i>	The construction of a dwelling on the vacant lot will require a planning permit in accordance with the design and development overlay which will provide the opportunity to assess the location of windows and loss of privacy. The overlay has also determined that lots of 500m <sup>2</sup> are appropriate in this neighbourhood. On-site parking will be required to be provided in accordance with the requirements of Rescode.
<i>Loss of remnant vegetation and tree canopy replaced by roof tops. Loss of native flora and fauna</i>	The Significant Landscape Overlay applies to the vegetation on this site and a planning permit is required to remove, lop or destroy vegetation. This will be further discussed in 2.2.2.
<i>The value of our property will be negatively affected</i>	Property valuation is not a planning consideration.

**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, Telstra, South East Water, SPI Electricity and Multi Net Gas.

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

### 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 the creation of a drainage easement and the requirement to construct the second vehicle crossing.

The application was referred internally to the Council Arborist who inspected the site and found that there were no indigenous or native trees as per the Vegetation Protection Overlay 3, however a permit is still required to remove, destroy or lop vegetation if the circumference of the trunk is 0.5m or greater and if the tree has a height of 5m or more as per the Significant Landscape Overlay 3.

The site comprises an English Oak approximately 12m in height and a Lilly Pilly 8m in height which are located in the rear yard. The English Oak is worthy of retention and has a Tree Protection Zone of 7.5m within the rear yard. The Lilly Pilly has been lopped at a height of 1.5m without a planning permit and is now no longer worthy of retention. Within the frontage exists a *Corymbia calophylla* 14m in height adjacent to the new carport which has had a lower branch pruned back without a permit. This tree will also be affected to some extent through compaction caused by vehicles. Other trees located throughout the site are weed species and should be removed and replaced with more suitable species.

There are three trees within the nature strip, a Bottle Brush 6m in height, a *Corymbia calophylla* 10m in height and an *Agonis* 5m in height. The *Corymbia* has a tree protection zone of 5m but is only located 3m from the proposed crossover. The Council Arborist suggests positioning the crossover 1m to the south east running in line with the gravel driveway to minimise the damage to the roots and provide sufficient room for the *Agonis* on the other side.

## **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. 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.

**6.5 42 McDonald Crescent, Boronia. (cont'd)**

The land is also affected by a Significant Landscape Overlay (SLO3). The Significant Landscape Overlay seeks to identify significant landscapes and conserve and enhance the character of significant landscapes.

Specifically Schedule 3 relates to the Dandenong Foothills Lower Slope and Valley Area which is significant due to its areas of mature street trees, significant views to the Dandenong Ranges, the gently sloping terrain and visual dominance of vegetation in many areas.

A permit is required to remove, destroy or lop a tree if the circumference of the trunk is more than 0.5m or the height of the tree is 5 metres or more.

This does not apply to environmental weeds or to pruning or lopping according to horticultural practice for improving the trees health or structural stability.

The land is also affected by a Vegetation Protection Overlay Schedule 3 (VPO3). The VPO3 seeks to preserve remnant over storey vegetation and requires a permit for the removal of large native trees greater than 8 metres in height and with a trunk diameter of 300mm or greater. There are no trees protected by this Overlay on the subject property.

The land is also affected by Design and Development Overlay 2 (DDO2). Pursuant to Clause 43.02-3 a permit is required to subdivide land. The purpose of the overlay is to identify areas which are affected by specific requirements relating to the design and built form of new development.

Design and Development Overlay 2 relates to the Lower Slope and Valley Area and states that land in the Residential 3 Zone must not be subdivided into lots less than 500m<sup>2</sup> unless the subdivision is in accordance with a permit that was granted for development on or before the 31 October 2006 for the development of more than one dwelling (not a dependent persons unit) on a lot.

The site is also subject to the Dandenong Foothills Local Planning Policy outlined at Clause 22.01 of the Knox Planning Scheme which acknowledges that whilst much of the area is urban, its unique character requires the maintenance of Sympathetic Building types and generally low development density. Area 2 – Dandenong Foothills: Lower Slope and Valley area states:

- The design and siting of buildings, works and landscaping protects and enhances the visual dominance of vegetation, including canopy trees and native understorey plants to ensure that:
  - There is a continuous vegetation canopy across residential lots and roads.
  - Development blends with vegetation of the hillsides to maintain and enhance the appearance of the area as an extension of the Dandenong Ranges National Park.



**6.5 42 McDonald Crescent, Boronia. (cont'd)**

- Development does not rise above the tree canopy height to maintain the significant landscape character of the area and near and distance view lines.
- Indigenous trees and understorey vegetation be retained and protected
- A minimum of 80% of all new vegetation (both canopy trees and understorey) be indigenous.
- Building height does not exceed 7.5m.

The land is also located within Bush Suburban 1 in Council's Neighbourhood Character study (Clause 22.07 of the Knox Planning Scheme). Refer to Section 3.2.3 of this report.

**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 appropriate to include a Tree Protection Zone over the English Oak and restrict the construction of a new dwelling on Lot 2 to single storey in line with the neighbourhood character. This will be enforced via a Section 173 Agreement. The existing dwelling has a number of canopy trees within its frontage which can be retained. Future planting on Lot 2 can be required at the time of approving a dwelling for that site.

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

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

<b>STATE AND LOCAL PLANNING POLICY FRAMEWORK (Clauses 11 to 21)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<p><b>NEIGHBOURHOOD CHARACTER</b></p> <p><i>Ensure use/development responds sympathetically to the key local characteristics which are important to an area's character.</i></p>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies / Implementation</u></b></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>
<p><b>URBAN CONSOLIDATION</b></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><b>Melbourne 2030 – <u>A more compact city</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives and Strategies/ Implementation</u></b></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>

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>URBAN CONSOLIDATION</b></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><b>Melbourne 2030 – <u>A more compact city</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives and Strategies/Implementation</u></b></p>	<ul style="list-style-type: none"> <li>▪ Provide a range of lot sizes for housing with a safe road network and usable public open space, thereby being cost effective.</li> <li>▪ Provide a range of lot sizes for housing with a safe road network and usable public open space, thereby being cost effective.</li> <li>▪ The site is not within 400m walking distance to an Activity Centre, however the site is located within an existing urban area and an additional dwelling makes use of land which is otherwise underutilised.</li> <li>▪ The site is located within the Urban Growth Boundary, identified in Melbourne 2030 and Clause 11 of the planning scheme for further urban consolidation. It is considered that the proposed subdivision will enable an appropriate form of infill development to occur.</li> </ul>
<p><b>MANAGEMENT OF METROPOLITAN GROWTH</b></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><b>Melbourne 2030 – <u>Better management of metropolitan growth</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives, Strategies / Implementation</u></b></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>

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>MANAGEMENT OF METROPOLITAN GROWTH</b></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><b>Melbourne 2030 – <u>Better management of metropolitan growth</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives, Strategies / Implementation</u></b></p>	<ul style="list-style-type: none"> <li>▪ The consolidation of residential opportunities kept within an existing residential area with transport and infrastructure available.</li> </ul>
<p><b>PARTICULAR USES AND DEVELOPMENT</b></p> <p><i>To control the subdivision and consolidation of land and ensure subdivisions achieve an attractive, liveable and sustainable neighbourhood.</i></p>	<p><b>Melbourne 2030 – <u>Subdivisions</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives, Strategies / Implementation</u></b></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>

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<p><b>HABITAT / IMAGE OF KNOX</b></p> <p><i>Retain/ enhance the “green leafy image”</i></p>	<p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></p>	<p>The site contains vegetation in the rear yard which is considered significant and contributes to the green leafy image of Knox. This vegetation can be retained. Additional planting can occur once the new dwelling is completed.</p>
<p><b>MAKING BETTER USE OF URBAN FACILITIES AND SERVICES</b></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><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Objectives</u></b></p>	<p>The proposed subdivision is supported by the Local planning policy and achieves strategic compliance by “<i>maximising the use of existing infrastructure</i>”. (Clause 21- Local Planning Policy)</p> <p>The site has all infrastructure available.</p>
<p><b>WALKABILITY</b></p> <p><i>Promote excellent neighbourhood design to create attractive, walkable and diverse communities, whilst encouraging medium density development.</i></p>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/ Implementation</u></b></p>	<p>Although the site is located out of the area designated in the Boronia Structure Plan, a Bus Service to Boronia Shopping Centre is available from Albert Avenue. Boronia Heights College and Batterham Reserve are located within walking distance.</p>
<p><b>SAFETY</b></p> <p><i>Improve community safety and encourage neighbourhood design that makes people feel safe.</i></p>	<p><b>Melbourne 2030 - <u>A great place to be</u></b></p> <p><b>Knox Planning Scheme - Local Planning Policy (MSS) - <u>Strategies/ Implementation</u></b></p>	<p>There will be no change to the streetscape with the existing dwelling being retained within the frontage other than a second vehicle crossing. Each lot having its own entrance shall provide clear identification for each site.</p>

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
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 and does not compromise the communities access to affordable housing.

NEIGHBOURHOOD CHARACTER (Clause 22.07)		
POLICY/STRATEGY OBJECTIVE	PLANNING PROVISION	OFFICER COMMENT
<i>Retention of large trees.</i>	<u>Design Objective</u>	The existing English Oak is recommended for retention with a Tree Protection envelope to ensure construction near the tree is carefully managed. The proposed building envelope submitted with the application is not satisfactory as it does not allow for the English Oak to be retained.
<i>Retention of large trees.</i>	<u>Design Objective</u>	To ensure the future health of the <i>Corymbia calophylla</i> in the front yard, the new driveway surface should be of porous paving. Other trees within the frontage can be retained.  Additional landscaping will be required for the site once a Planning application for a dwelling is received.
<i>Designing new buildings to fit the streetscape and provide sufficient space for trees and understorey planting.</i>	<u>Design Objective</u>	The neighbourhood character consists of single storey dwellings which sit below the tree canopy. Three canopy trees within the frontage can be retained, preserving the streetscape. The addition of a tree protection envelope over the English Oak within Lot 2 will ensure that a new dwelling allows for sufficient room to retain the tree.

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

<b>NEIGHBOURHOOD CHARACTER</b> <b>(Clause 22.07)</b>		
<b>POLICY/STRATEGY OBJECTIVE</b>	<b>PLANNING PROVISION</b>	<b>OFFICER COMMENT</b>
<i>Keeping new buildings below the tree canopy height and minimising the overall height of buildings over one storey.</i>	<u>Design Objective</u>	Via a Section 173 Agreement, it is possible to ensure that the new dwelling is single storey in construction, thereby keeping the roofline below the tree canopy and consistent with the preferred character of the area. There are a number of large trees within the frontage of the site which can be retained. Further planting for Lot 2 can be required at the time of assessing a dwelling for the site.
<i>Locating carports and garages at or behind the line of the dwelling or in the rear yard.</i>	<u>Design Objective</u>	A new carport has been constructed alongside the existing dwelling, back from the front setback line as required in the neighbourhood character study.
<i>Avoiding the construction of high front and side fences.</i>	<u>Design Objective</u>	The site presently has a low trellis front fence which would be retained. A requirement can be included in the Section 173 Agreement to avoid fencing along the common boundary between Lot 1 and Lot 2, in the area forward of the existing dwelling, thereby keeping an open garden appearance at the frontage.

<b>HOUSING POLICY</b> <b>(Clause 22.10)</b>	
<b>OBJECTIVES</b>	<b>OFFICER COMMENT</b>
<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 within a preferred location however the development proposes a minimal change outcome with a second lot for a single dwelling being proposed at the rear of the site.

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

<b>HOUSING POLICY</b>	
<b>(Clause 22.10)</b>	
<b>OBJECTIVES</b>	<b>OFFICER COMMENT</b>
<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 will allow 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>	The site has good access to the Boronia Activity Centre with Bus Service 690 travelling down Albert Avenue.
<i>To ensure that housing responds to the preferred neighbourhood character for each precinct or adopted structure plan.</i>	The preferred character of the area is to retain canopy trees. The Council Arborist has recommended the retention of the English Oak in the rear yard. A building envelope had originally been submitted with the application which provided only a 2m wide setback to this tree. It is suggested that as a planning permit is required for the construction of a dwelling, that no building envelope be enforced, at this early stage, however a tree protection zone will be required over the English Oak.
<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 located within the DDO2 where the minimum lot size is 500m <sup>2</sup> . Recent approvals for second dwellings in the area reflect the zone and overlay and the desired future character of the area.



## 6.5 42 McDonald Crescent, Boronia. (cont'd)

<b>DANDENONG FOOTHILLS POLICY</b>	
<b>(Clause 22.01)</b>	
<b>OBJECTIVES</b>	<b>OFFICER COMMENT</b>
<i>To protect and enhance the significant landscape of the Dandenong Foothills and maintain uninterrupted views lines from within the municipality, ensuring that all buildings and works are sensitively designed and sited to sit below the dominant tree canopy.</i>	The construction of a new dwelling will be subject to a further Planning Permit application which can require additional planting where appropriate. The subdivision can ensure the new dwelling is single storey via a Section 173 Agreement registered on title.
<i>To promote the maintenance and improvement of the continuous closed tree canopy by allowing enough open space within new development for the retention of existing canopy vegetation and growth of new canopy vegetation.</i>	The retention of the English Oak and its tree protection zone will provide an open area within the lot in which the canopy tree will be retained. The existing vegetation at the front of the site includes three large canopy trees which will be retained. No further planting in the frontage is required.
<i>Maintain the low density residential character of the landscape areas by ensuring that preferred subdivision patterns and lot sizes are retained.</i>	The density of the subdivision is in accordance with the Design and Development Overlay – Schedule 2 which ensures lot sizes are not smaller than 500m <sup>2</sup> , thereby retaining a satisfactory subdivision pattern for the area.
<i>Ensure that new buildings, works and landscaping protect the physical and visual amenity.</i>	The requirement for a Section 173 Agreement will ensure that the new dwelling is constructed as single storey, thereby providing low scale development to protect the visual amenity of the foothills.

## 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:

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b>Clause 56.03-4, (C6) Neighbourhood Character</b>	The subdivision will alter the streetscape with the construction of a second vehicle crossover, however the property frontage is 28m in length and complies with Council's policy of 20m or greater. The second dwelling will be accessed via the existing vehicle crossing down a battle axe driveway and essentially be hidden from the streetscape. Existing trees within the frontage shall be retained.
<b>Clause 56.04-1, (C7) Lot diversity</b>	This proposal provides the opportunity for an additional dwelling, without significantly impacting on the existing neighbourhood environment. It is consistent with State and Local Planning Policy.
<b>Clause 56.04-2, (C8) Lot area and building envelopes.</b>	<p>A suggested building envelope had been submitted with the application which provided a 2m setback from the English Oak tree. The Council Arborist has determined that this tree requires a tree protection zone of 7.5m. A tree protection zone is considered the appropriate method of protecting the tree, as a planning permit will be required for the construction of a new dwelling. It would therefore be considered inappropriate to design an envelope which would restrict the lot, but to leave the assessment until an application is made for the second dwelling should the subdivision be approved.</p> <p>The plans submitted with the application detail a proposed carport for the existing dwelling, however a site visit has found that this carport has since been constructed. Porous paving should also be used in the proposed driveway. The Council Arborist has also noted that the position where vehicles currently mount the kerb and channel to this carport is too close to the street tree and a vehicle crossover should be constructed a further 1m to the south-east. The open space provided for the existing dwelling meets the requirements.</p>
<b>Clause 56.04-3, (C9) Solar Orientation</b>	The site has northern orientation with both rear yards able to make use of solar orientation. This can be managed on the vacant lot when designing the new dwelling. The existing dwelling has sufficient rear north facing yard.

**6.5 42 McDonald Crescent, Boronia. (cont'd)**

<b>PLANNING PROVISION</b>	<b>DESIGN RESPONSE</b>
<b><i>Clause 56.04-5, (C11) Common Area &amp; Site constraints.</i></b>	No common property is proposed. Both dwellings will have independent vehicle access. A drainage easement 1.83m wide is located along the rear of site. A new drainage easement must be created along the north-eastern boundary within Lot 2 to cater for new drainage.
<b><i>Clauses 56.06-8 (C21) Lot Access</i></b>	Lot 2 shall utilise the existing vehicle crossing, whilst a new crossing is required to service Lot 1.
<b><i>Clauses 56.07-1 (C22) - 56.07-4 (C25), Water use and runoff</i></b>	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.
<b><i>56.09-1 (C27) – 56.09-4 (C 30) Utilities</i></b>	All services are available to the site and will be connected to the requirements of the relevant authorities. Street lighting exists and McDonald Crescent is a constructed street, capable of servicing this subdivision.

**3.4 Public Open Space**

The proposal does not generate the opportunity for a further Public Open Space Levy to be applied as only two lots are being created.

**3.5 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 two lots whilst retaining the existing dwelling on a lot of 528m<sup>2</sup>. The vacant lot to the rear will have an area of 501m<sup>2</sup> and will utilise the existing vehicle crossing. A further planning permit will be required to construct a dwelling therefore applying a building envelope at this early stage will only restrict the dwellings design. In order to protect the English Oak and ensure its future retention, a tree protection zone of 7.5m is recommended. This will guarantee that any construction proposed within the tree protection zone receives Council's further consideration. To protect the future of the *Corymbia calphyalla* in the front yard, porous paving is recommended to protect the roots from compaction caused by vehicles. The new vehicle crossover should also be positioned 1m to the south east to increase the setback from the existing street tree.

## 6.5 42 McDonald Crescent, Boronia. (cont'd)

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 responds to the Dandenong Foothills Policy by retaining existing tree canopy within the frontage and preserving the streetscape, retaining a significant tree within the new lot, restricting new development to single storey and preventing dividing fencing forward of the existing dwelling.

The maximum use of the existing infrastructure is best obtained by allowing development to occur within existing urban areas.

Development shall be controlled by the need for a further planning permit to construct on the land and via a Section 173 Agreement which enforces both the tree protection zone, the height of a new dwelling to single storey and preventing fencing between the lots forward of the existing dwelling. The proposal allows for a lot 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 two lots at 42 McDonald Crescent, Boronia, 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:**
  - 1.1 **A 2m wide drainage easement in favour of Knox City Council from the north east corner of Lot 1, across to the north east boundary of Lot 2 and to the north east corner of Lot 2 where is shall meet the existing drainage easement along the rear boundary.**
  - 1.2 **A 2.8m wide sewerage easement along and within the north (rear) boundary of Lot 2 in favour of South East Water pursuant to Section 12 (1) of the Subdivision Act 1988.**
  - 1.3 **A tree protection zone for the English Oak with a radius of 7.5m.**

**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)**

- 1.4 The location of the proposed vehicle crossover shall be re-positioned 1m to the south east to increase the distance from the *Corymbia calophylla* (Marri) street tree.

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;
  - 4.1 Only one dwelling is permitted to be constructed on each lot created by the subdivision.
  - 4.2 Construction on Lot 2 of PS 613561 Q shall be limited to single storey.
  - 4.3 No construction shall be within a tree protection zone (as shown on the endorsed plan) without the written consent of the Responsible Authority.
  - 4.4 The driveway to Lot 1 shall be constructed of porous paving to minimise damage to the *Corymbia calophylla* located within the frontage.
  - 4.5 No fencing along the common boundary between Lots 1 and 2 is permitted forward of the existing dwelling on Lot 1.

**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)**

**(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:5002053)***

- 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:142728)***

- 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.**

***SPI Conditions (ref: 74184130 )***

- 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 existing electricity line to the dwelling shall be replaced with an underground service.**
- 10. 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.**
- 11. 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.**

**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)*****Engineering Conditions***

- 12. 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.**
- 13. 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***

- 14. 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:**

- 14.1 Construction of approximately 20m of outfall drainage from the north east corner of Lot 1 to the north east corner of Lot 2, connecting to the 225mm diameter Council drain in the rear easement of Lot 2.**
- 14.2 All stormwater from Lot 1 shall be directed to the north east rear corner as this represents the legal point of discharge for the property.**
- 14.3 All stormwater from Lot 2 shall be directed to the north east rear corner as this represents the legal point of discharge for the property.**
- 14.4 Location and details of all vehicle crossings to the site.**
- 15. 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.**

**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)*****Payments and Bonds***

16. 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.
17. 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***

18. 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***

19. Prior to the issue of a Statement of Compliance a vehicle crossing shall be constructed to service Lot 1. This crossing shall run straight to the gravel driveway in order to provide a 4m setback from the Corymbia calophylla (10m high) street tree, to the satisfaction of the Responsible Authority.

***Removal of structures***

20. Prior to the issue of a Statement of Compliance, the existing outbuildings shall be demolished and removed from proposed Lot 2 to the satisfaction of the Responsible Authority.



**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)*****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, 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: No buildings are permitted to be constructed over Council easements.**

**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. For assistance with the setback from the street tree contact Council's Arborist, on 9298 8125.**

**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: SPI Conditions: Contact 9238 6374 A site visit has determined that an existing overhead service line to the dwelling exists. The service will not meet the height requirement of 4.6m clearance over the new driveway.**

**6.5 42 McDonald Crescent, Boronia. (cont'd)****Recommendation (cont'd)**

The service must be replaced with an underground service to a new supply pit located on the boundary. This work must be carried out by an Registered Electrical Contractor and a Certificate of Electrical Safety sent to this office before SPI will consent to the issue of a Statement of Compliance.

**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.

The following South East Water agreement options are available:

- Application for Notice of Agreement – Works, if South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.
- Application for Notice of Agreement Subdivision – Non works, if South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (ie; subdivision prior to building).
- Plumbing industrial, Commercial, Units and Private Water application, if South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the buildings. (ie; building prior to subdivision).

A copy of the appropriate application form can be obtained from the website: [www.southeastwater.com.au](http://www.southeastwater.com.au) (property tab / land development).

**6.5 42 McDonald Crescent, Boronia. (cont'd)**

***Report Prepared By: Subdivision Planner (Roxanne De Cata)***

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

**APPENDIX A/1**

**APPENDIX A/2**

**APPENDIX B**

**COLLIER WARD****6.6 RESPONSE TO WANTIRNA MALL PETITION**

**SUMMARY:**            *Landscape Architect (Justin Schreuder)*  
                              *Coordinator Asset Strategy (Craig Dinsdale)*

***This report responds to a petition requesting Council urgently upgrade the footpath at Wantirna Mall Shopping Centre.***

**1. INTRODUCTION**

At the 18 December 2007 Council meeting, Cr. Cossari tabled a petition with 1,075 signatures from business owners/operators and customers of the Wantirna Mall Shopping Centre expressing concerns about the footpaths. The petition wrote:

*“WANTIRNA MALL COMMERCIAL TRADERS ASSOCIATION*

*We the undersigned, agree that the footpath in the Wantirna Mall is in urgent need of an upgrade, and request the Knox City Council attend to this matter urgently....”*

**2. DISCUSSION**

Council’s *Footpath and Shared Path Asset Management Plan’ (May 2005)* provides a framework to help Council focus its scarce renewal funding to the neediest areas in a strategic and efficient manner.

The Council footpaths in Wantirna Mall are predominately rated as Condition 2 and 3 (1-excellent and 5-failed), which suggests they are in reasonable condition. The balance of the footpaths comprise of a minority of sections that are rated Condition 1, 4 and 5 respectively. A Council engineer recently inspected the footpaths and confirmed that they are in a satisfactory condition and do not exceed intervention levels as set out in Council’s Road Management Plan.

It is acknowledged that some concrete slabs have previously lifted between 10-15mm and 10mm gaps opened, however these have recently been repaired by grinding and filling. These minor rectification works are in line with current maintenance practices employed by Council to mitigate the risk to the community until such time when they exceed intervention levels.

Wantirna Mall is one of 11 ‘Neighbourhood Activity Centres’ in Knox identified under the State Government’s planning blueprint, ‘Melbourne 2030’. This accords it status as a significant commercial and community hub. As part of Council’s Place Management Program, Wantirna Mall has received funding in the current 2007/2008 financial year of \$30,000 for preparation of a streetscape concept design (Capital Works Program 2007 - 2011) and is being currently prepared. Some consultation with local businesses has taken place to identify trader priorities.

## **6.6 Wantirna Mall Petition (cont'd)**

A further \$1,000,000 has been identified in the Place Management Program for streetscape and public realm improvements during the 2008/09 – 2009/2010 financial years (\$500,000 in respective years) subject to Council's annual budget deliberations.

Separate to these scheduled 'Place Management Program' works, footpath renewals at the Mall have been identified and programmed for the 2010/2011 financial year. Preliminary estimates value the cost of these renewal works at \$52,400.

An opportunity exists to bring forward the footpath renewal budget allocation from 2010/2011 for Wantirna Mall and combine these funds with the place management funding (e.g. \$1,000,000 allocated for streetscape and public realm improvements during the 2008/09 – 2009/2010). This opportunity will be pursued by Council officers and incorporated into the streetscape concept design work in the coming months.

### **3. CONSULTATION**

Council representatives have occasionally attended meetings of representatives of Wantirna Mall Traders Association. It is intended to continue dialogue with the Association during the streetscape design and construction process.

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

The proposed streetscape concept design will improve the environment and amenity of the shopping centre. Initiatives are expected to include Water Sensitive Urban Design, improved landscaping and water and energy saving features.

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

Aligned with the Place Management Program, the Wantirna Mall Shopping Centre is listed in the 2007 - 2011 Capital Works Program. In addition, Wantirna Mall is included in the 2010/2011 Footpath Renewal Program. Please refer to above for details.

### **6. SOCIAL IMPLICATIONS**

Wantirna Mall serves an important role as a focal point for the local community. Council's Place Management Program is a holistic program with a strong focus on social interactions.



## 6.6 Wantirna Mall Petition (cont'd)

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Council is committed to a place management approach to revitalising its Activity Centres across the municipality. The Place Management model of managing activity centres responds to all the elements of an activity centre and community that cannot be fixed simply through streetscape and infrastructure works. It has a triple bottom line effect by responding to the local social, economic and environmental aspects of a community. In order to achieve success, Council's Place Management approach has a long-term focus.

Council's Place Management Program and the footpath renewal program applications are consistent with the broader strategic objectives identified in Council's Community and Council Plan 2006 – 2010. In particular:

- Caring and safe communities;
- Quality urban development;
- Sustainable Community; and
- Sound Stewardship.

### **8. CONCLUSION**

Wantirna Mall is an important Neighbourhood Activity Centre within the City of Knox. It is currently identified in the 5 Year Program of Works that form part of the Capital Works component of the Place Management Program. Some detailed design improvements for all of Wantirna Mall are currently being pursued. It is possible to bring forward Council's footpath renewal budget allocation from 2010/2011 for Wantirna Mall and combine these funds with the place management funding (e.g. \$1,000,000 identified for streetscape and public realm improvements during 2008/09 – 2009/10). This will lead to more immediate improvements to the footpaths at Wantirna Mall and integrate two major Council programs.

### **9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

**6.6 Wantirna Mall Petition (cont'd)****RECOMMENDATION****That Council**

- 1. Note the contents and proposed actions of this report, particularly that Council consider bringing forward funding allocations in the Footpath Renewal Program for footpath renewals at Wantirna Mall and integrates these funds with any proposed place management funds in the 2008/09 – 2009/2010 Capital Works Program, subject to Council's annual budget deliberations.**
- 2. That the lead petitioner be advised of the contents of this report.**

***Report Prepared By: Landscape Architect – (Justin Schreuder)  
Coordinator Asset Strategy (Craig Dinsdale)***

***Report Authorised By: Director – City Development  
(Angelo Kourambas)  
Director – Engineering and Infrastructure  
(Ian Bell)***

**DINSDALE WARD****6.7 BAYSWATER SPECIAL RATE PROPOSAL**

**SUMMARY:** *Coordinator Economic Development (Randal Harkin)*

*On 22 May 2007 Council agreed to a request from the Bayswater Traders Association by agreeing to declare its intention for a Special Rate to be applied to businesses in the Bayswater Shopping Precinct. The proposal did not receive significant support and was strongly opposed by a number of persons who would have been liable to pay the Special Rate. As a result of this, the Bayswater Traders Association has now written to Council withdrawing its request.*

**1. INTRODUCTION**

On 22 May 2007 Council agreed to a request from the Bayswater Traders Association by agreeing to declare its intention for a Special Rate to be applied to businesses in the Bayswater Shopping Precinct for the purposes of marketing and promotional activities related to the precinct.

In accordance with the provisions of the Local Government Act 1989 persons liable to pay the Special Rate were notified in writing and notices were also placed in the Knox Leader and Knox Journal on 19 and 20 June 2007.

A Special Committee of Council comprising Cr. Penna, Cr. Gill and Cr. Cossari was also established to hear submissions received in relation to the proposal.

**2. DISCUSSION**

Following the prescribed period of advertising a number of submissions were received in relation to the proposed Special Rate. Whilst the majority of submissions opposed the proposal the Special Committee noted that a letter opposing the proposal and containing erroneous information had been circulated. The Bayswater Traders Association stated its concern that a number of those submissions opposing the proposal may have been influenced by the erroneous information which claimed that each business would be liable for a much greater amount than would have been the case.

Recognising that this was a possibility the Special Committee arranged for a public meeting to be held in the Bayswater Shopping Centre on 10 December 2007. Notices to this effect were placed in the Knox Leader and Knox Journal and all persons liable to pay the proposed special Rate were notified in writing.

The meeting was attended by around 25 interested parties. Those present were overwhelmingly opposed to the proposal; there were no speakers who expressed their support.

## **6.7 Bayswater Special Rate Proposal (cont'd)**

Following the Public Meeting a letter was received from the Bayswater Traders Association (Appendix 1) on 18 December stating that “.....*after careful consideration the committee of the Bayswater Traders Association has decided it would like to withdraw its application for a Special Rate Scheme*”.

After consideration of all submissions the Special Committee is of the view that Council should not proceed with the proposal to declare a Special Rate Scheme for the Bayswater Shopping Centre.

### **3. CONSULTATION**

In addition to the requirements of Section 223 and Section 163 of the Local Government Act 1989 Council staff had a number of individual meetings with persons who would have to pay the proposed Special Rate. Through public notices in the local papers members of the community were also invited to attend the submissions hearings and the Public Meeting.

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

Should Council resolve to not proceed with the special Rate Scheme, there will be no environmental amenity issues.

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

Should Council resolve to not proceed with the Special Rate Scheme, there will be no ongoing financial and economic implications. However it should be noted that the process for testing and preparing a Special Rate proposal is complex and the protracted nature of this proposal has engaged a considerable amount of officer time.

### **6. SOCIAL IMPLICATIONS**

Should Council resolve to not proceed with the Special Rate Scheme, there will be no social implications.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

There is no specific relevance to Knox Community and Council Plan.

### **8. CONCLUSION**

As the Bayswater Traders Association (as originator of this proposal) has withdrawn its request for a Special Rate to be applied to businesses in the Bayswater Shopping Precinct it would be inappropriate for Council to proceed with this proposal.

### **9. CONFIDENTIALITY**

There are no issues of confidentiality.

**6.7 Bayswater Special Rate Proposal (cont'd)****RECOMMENDATION****That Council**

1. Note that the Bayswater Traders Association has withdrawn its request for a Special Rate to be applied to businesses in the Bayswater Shopping Centre.
2. Under Sections 163 and 164 of the Local Government Act 1989 resolve to discontinue the process for the introduction of a Special Rate Scheme that would be applied to businesses in the Bayswater Shopping Centre.
3. Advise in writing all persons who would have been liable to pay the Special Rate.

***Report Prepared By: Coordinator Economic Development  
(Randal Harkin)***

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

**APPENDIX A**

**ALL WARDS****6.8 ECONOMIC DEVELOPMENT STRATEGY 2008-2018**

**SUMMARY:** *Coordinator Economic Development (Randal Harkin)*

*The purpose of this report is to provide Council with a draft Economic Development Strategy and to seek Council approval for the strategy to be exhibited for public comment and consultation. It is a new strategy, prepared as a replacement for the 'Knox Economic Development Policy 2003 – 2007'.*

**1. INTRODUCTION**

The current 'Knox Economic Development Policy 2003 – 2007' was adopted by Council in 2002 following a review of the '1998 – 2001 Knox Economic Development Strategy'. Its aim was to establish an economic development framework which would contribute to the City's future vitality and prosperity and enhance Knox's role as a preferred location for Victorian business. With that policy ending in 2007 Council's Economic Development Committee in early 2007 commenced a detailed review of the policy and preparation of a replacement strategy. An important part of the review was to ensure that the new Strategy is consistent with and builds upon the 'Prosperous and Modern Economy' objectives and initiatives outlined in Knox Vision 2025. The draft Economic Development Strategy 2008 – 2018 is attached as Appendix 1.

**2. DISCUSSION**

Whilst key elements of the 'Knox Economic Development Policy 2003 – 2007' such as the Place Management Program or remain relevant, substantial changes have taken place in the Knox economic and social environment and new opportunities have since emerged that underline the need for a different approach to building the local economy.

Over this period EastLink has proceeded from concept to reality and brings with it almost unprecedented opportunities for the municipality; particularly with regard to increased local employment opportunities in the Scoresby/Rowville Employment Precinct.

Key challenges and opportunities include the following:

- According to the 2006 ABS Census, manufacturing with around 16.5% of total employment, is the City's largest generator of jobs, a 1% increase from the 2001 Census. In the context of the Knox Economic Development Strategy it is important to note that this sector has been and will continue to be subject to considerable change resulting from advances in technology and intense competitive pressures from local, national and global producers. The extent and speed to which change can and does take place highlights the need to have specific and targeted strategies to ensure that opportunities are maximised and that the City's natural and competitive advantages are not just maintained but significantly enhanced.

## 6.8 Economic Development Strategy (cont'd)

- In the period between the 2001 and 2006 Censuses employment in Knox increased by 24% (13,246 persons) as compared to the overall increase for Melbourne of 29.4%. Part time work increasingly represents a greater proportion of Knox employment. Over the same Census period the number of males in part time work rose by 55% whilst for women the rise in part time employment was 44%. This trend towards casualisation of the city's resident workforce highlights the need for the provision of workforce skills training and attraction of investment that will provide substantial full time employment opportunities that can be filled by Knox residents.
- Knox is experiencing a decline in the skill intensity of occupations as compared to the Melbourne Statistical Division (SD), i.e. people tend to work in occupations that are less skill intensive than in the Melbourne SD. A "skills intensity index" indicated a 5.2% increase for full time employment in the Melbourne SD in contrast to a decreased skills intensity level of - 0.21 for Knox i.e. the level of skills required for jobs in Knox declined whilst, on average, for the rest of Melbourne they were increasing.
- Higher skilled jobs invariably attract higher rates of pay and these results indicate a probability that pay for Knox workers will decline relative to the rest of Melbourne. This in turn would affect worker standard of living and have a number of other knock on effects such as the status and image of Knox as desirable place to live and work. Nevertheless there is a number of local high tech and knowledge based enterprises in a range of diverse activities. Whilst they are not extensive they do include operations utilising nanotechnology, optical fibre technologies, robotics and biotechnologies. With these as a platform there is a unique opportunity to attract similarly focussed businesses that are highly skilled, knowledge intensive and with the capacity to offer sustainable and rewarding career opportunities. However the competition for this type of investment is severe and in the absence of robust and aggressive investment attraction packages there is a high probability that potential investors could be persuaded to locate elsewhere.
- With the coming on line of major infrastructure developments such as EastLink and Australian Synchrotron, Knox has strong, if transient, competitive advantages. The draft Economic Development Strategy recognises the importance of building on these and provides for immediate actions and longer term strategies to maintain and enhance the perception of Knox as a premier place for new investment.



## 6.8 Economic Development Strategy (cont'd)

- It also needs to be noted that Knox is a net exporter of jobs with a resident worker to local employment ratio of less than 1.0, i.e. there are more workers in Knox than there are available jobs. Whilst in any municipality there will always be a significant number of residents whose journey to work takes them to other LGA's, in Knox the proportion is very high at around 60% which is in contrast to our neighbouring municipalities. This underscores the need to provide more local jobs and programs to develop resident worker skills. This can only be achieved by having locally based programs in a partnership with local stakeholders.

In response to Knox Vision 2025 and key challenges, trends and opportunities the draft Knox Economic Development Strategy is composed of the following six principal sections:

1. **Preface**, which incorporates an overview together with a regional context and information relating to the Knox Council Planning Framework.
2. **Strengths**, an overview of the City's competitive advantages and opportunities.
3. **Challenges**, summarising the new dimensions to competitiveness and sources of competition, key issues and specific challenges.
4. **Strategic Objectives**, together with strategies and implementation actions.
5. **Implementation, Monitoring and Evaluation**, opportunities for cooperation and partnerships and ongoing assessments.
6. **Economic Profile**, providing a detailed summary of the principal features and characteristics of the local economy and economic environment.

A copy of the Draft Economic Development Strategy 2008 - 2018 is attached (Appendix 1 circulated separately).

### **3. CONSULTATION**

There has been extensive consultation undertaken through the preparation of the Draft Economic Development Strategy. This has included feedback from contact with individual businesses such as through the Mayor's business roundtables; one on one interviews conducted as part of the skills audit project with Swinburne University; and, as part of the Economic Development Unit's industry visitation. The Economic Development Unit has also conducted regular survey of local businesses and business confidence and has sought additional feedback through its information programs and business breakfasts.

## **6.8 Economic Development Strategy (cont'd)**

It is also proposed that the draft Economic Development Strategy would be made available for comment from the wider business and resident community. This would be facilitated through:

- Direct mail to a sample of local businesses, residents and other stakeholders. (E.g. Government departments such as Department. of Innovation, Industry & Regional Development, Department. of Sustainability & Environment, Austrade, AusIndustry).
- Email distribution to 3500 businesses on the Economic Development website.
- Ability to download the strategy document from [www.knowbusinessdirect.com.au](http://www.knowbusinessdirect.com.au) and [www.knox.vic.gov.au](http://www.knox.vic.gov.au).
- General notification to residents via Knox Horizons.
- Evening “drop in” information and question and answer session at the Civic Centre.

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

Implicit in the Draft Strategy are numerous tasks and actions that will influence local environment and amenity. Strategic objectives of the strategy which will have direct environmental and amenity implications are:

- Development of the Knox Central Principal Activity Centre.
- Development of the Scoresby/Rowville employment Precinct.
- Establishment of strong sustainable energy efficient industry clusters.
- Fully developed and highly functional major, neighbourhood and local activity centres.
- A more balanced business mix, including more business support services and tertiary industries.
- Redevelopment of the Bayswater/Bayswater North Industrial Precinct.
- Availability of world-competitive infrastructure in transport, telecommunications and supporting services.

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

Adoption of this Strategy would entail a substantial increase in resources directed to implement all of the identified actions. In summary, an initial budget in year 1 of approximately \$535,000 and an ongoing annual budget of around \$350,000 have been identified. The economic development budget for 2007 – 2008 is \$121,286 which includes a one off amount of \$30,000 for preparation of the new economic development strategy.

## **6.8 Economic Development Strategy (cont'd)**

Implementation of this Strategy will have profound implications for the Knox economy the benefits of which will flow through to the wider Knox community. Rates from commercial and industrial land have been budgeted at in excess of \$13 m for the 2007/2008 financial year and represent 22.3% of total rates to be raised. This strategy is designed to assist local businesses to take advantage of advances in technology, attract new knowledge based industries and to develop technology based industry clusters. It will provide strategic direction for greater utilisation of commercial and industrial land and redevelopment of older industrial sites and precincts.

### **6. SOCIAL IMPLICATIONS**

The Economic Development Strategy has been designated as one of Council's key strategic documents and sets out the path by which the Knox Vision 2025 of a Prosperous and Modern Economy will be achieved. As such it has significant social implications. It aims to guide the development of the City's activity centres as vital and vibrant commercial and community hubs. It details actions and tasks that will attract greater investment in knowledge based and high tech industries with more jobs and career opportunities for residents and, complementary to this, it incorporates initiatives by which residents will gain the skills and qualifications necessary to take advantage of these opportunities.

By providing a greater number of job opportunities and resident workers with the skills and qualifications to take advantage of these increased opportunities a greater proportion of Knox resident workers will have the benefit of being able to live and work locally.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Preparation of this Strategy has been guided by the key theme of 'A Prosperous and Modern Economy'. It is a 10 year plan designed to achieve the vision by providing a series of objectives linked to a specific five year list of actions that will provide measurable and tangible outcomes. It represents in essence a roadmap towards achieving the Knox 2005 vision of 'A Prosperous and Modern Economy'.

The Strategy has also relied on Council's Community and Council Plan 2006 - 2010 (2007 update) as a point of reference particularly with regard to those trends identified as relevant to the key objective 'To encourage leading edge, sustainable, economic development'.

### **8. CONCLUSION**

The draft Economic Development Strategy 2008 - 2018, details a five year program of tasks and actions that will be needed to progress a successful implementation of the Community and Council's Vision 2025 as expressed in the goal of "A Prosperous and Modern Economy".

**6.8 Economic Development Strategy (cont'd)****9. CONFIDENTIALITY**

There are no issues of confidentiality.

**RECOMMENDATION**

- 1. That Council authorise the draft Economic Development Strategy, shown as Appendix 1 to this report, to be made available for public consultation and comment as outlined in Section 3 of the Report.**
- 2. That relevant Federal and State Government departments be provided with copies of the draft Economic Development Strategy.**
- 3. That relevant Federal and State Government departments be familiarised with the draft Strategy and in particular, to initiatives where their funding support would be appropriate.**

***Report Prepared By: Coordinator Economic Development  
(Randal Harkin)***

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

**ALL WARDS****6.9 KNOX ECOLOGICAL SUSTAINABILITY SUMMIT FOR BUSINESS AND THE GREENLEAF PROJECT**

**SUMMARY:**            *Conservation Officer – Sustainability (Deanne Jones)*

*This report responds to the Call Up item regarding ‘an ecological sustainability summit’ for business in Knox and provides a context as to how a business summit comfortably fits within existing programs, including the Greenleaf project, the Sustainable City Plan Review and the Draft Economic Development Strategy.*

**1. INTRODUCTION**

Council, at the 18 December 2007 meeting, requested a report on hosting an ecological sustainability summit to engage with businesses within Knox.

*‘That a report be presented to the February 2008 Ordinary Council Meeting for Council’s consideration on hosting an ecological sustainability in business summit on, or close to, World Environment Day 2008. The summit will need to bring together businesses, State Government and Federal Government, Council and external experts to explore how together we can make a difference within Knox to achieve a Zero Nett emission Knox by 2025.’*

Council is currently, through the 2007-08 financial year, undertaking a review of the Sustainable City Plan rolling out a behaviour change program titled the Green/leaf project, and finalising an Economic Development Strategy. The ecological sustainable summit provides an opportunity to seek input to the review of the Sustainable City Plan whilst also providing an opportunity to understand businesses needs regarding sustainable development in an ongoing approach to achieve the aspirations of Vision 2025.

The Economic Development Strategy will shortly be exhibited for public comment (subject to Council resolution) and has objectives strongly aligned with the Greenleaf project and the review of the Sustainable City Strategy. Objective 4 seeks to establish ‘strong, sustainable energy efficient clusters’, through the partnerships, investment programs and training.

The Green/leaf behavioural change program seeks to establish an ongoing partnership through which individuals, business, schools and Council can work collectively to reduce our combined impacts upon the environment. The program seeks to engage the different segments of the community in a meaningful dialogue and deliver actions across themes in a way that suits individuals.

## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

The Green/leaf project is proposed to approach the broader community in the following groups:

- Business:
  - Small to medium enterprises through the Village Green program 'Vic 1000' program
  - Large Business through round table networking and potential partnership with Swinburne National Centre of Sustainability
- Schools: through the Schools for Sustainability program
- Residents: through practical 'skills based' themed workshops

It is acknowledged that there will be segments of the community that will be interested in reducing their environmental impacts however will be unable to attend structured sessions and programs. As a result, Council Officers are working to develop an e-learning platform in partnership with the National Centre for Sustainability, Swinburne TAFE and the Victorian Local Government Association. This is subject to funding and successful grants.

Council has the following roles in relationship to environmental programs:

- Leadership through action in its own projects
- Advocacy for change
- Information, education and support within Knox.

Council has achieved a 30% reduction in greenhouse emissions through;

- implementing energy efficiency measures in its buildings
- purchasing accredited green power for 50% of the power required for Council's streetlights
- purchasing 10% green power for the Civic Centre and Amaroo Gardens
- installing solar photovoltaic panels at the Rowville Child Care Centre and solar hot water systems at Knoxfield Preschool and Amaroo Gardens
- setting up a Revolving Energy Fund (Strategic Planning Committee Meeting, 13 February 2007) to accelerate energy reduction within its own buildings and to further demonstrate its commitment to achieving energy reduction across its facilities
- downsizing of Council fleet and purchasing of fuel efficient vehicles.

## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

### 2. DISCUSSION

The Green/leaf project is a behaviour change project that aims to achieve a range of key initiatives identified in the Knox vision 2025:

- 20% reduction in community greenhouse gas emissions by 2010 by working with the community
- water conservation being actively promoted to the wider community
- encouraging every household to embrace a sustainability initiative, all homes implement at least one initiative to work towards achieving sustainability
- planting a minimum of 100,000 trees in public space per year until 2025 to enhance natural habitats.

In addition, the program will build on best practice by providing simple, practical and affordable solutions to sustainability issues for local businesses, residents and schools.

#### **Business Summit**

It is believed that a Business Summit on or around June 5 (World Environment Day) may not suit businesses with the added pressures of end of the financial year. It is therefore proposed that a Business Summit be hosted in the week of World Earth Day (April 22<sup>nd</sup>) which seeks to *'promote environmental citizenship and year round progressive action worldwide'* ([www.earthday.net](http://www.earthday.net)).

The ecological business sustainability summit would provide an ideal opportunity to promote opportunities for Council to better work with businesses including:

- Introducing the 'Vic 1000' program delivered by Village Green for small – medium enterprise
- Facilitating business sustainability round table discussions/ potential partnership with Swinburne National Centre for Sustainability
- Establishing networks as outlined in the Draft Economic Development Strategy and promote key objectives
- Raise the awareness of environmental issues and how business can make a difference utilising a key note speaker and local case studies.

## **6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)**

### **Large Business**

Leading from the ecological sustainability summit, the Green/leaf Project will bring together large businesses and Local Government to explore the importance of planning and acting to reduce environmental impacts.

A Swinburne, National Centre for Sustainability program, the 'Business Transformers' is currently being investigated as a means of catering for large businesses.

### **Small-Medium Enterprises (SME)**

The proposed program for SME's will involve the use of an already existing program called 'Vic 1000' facilitated by Village Green and the sustainability fund. Through a better understanding of their business operations, participating businesses will be empowered to reduce their level of environmental impact, while at the same time saving significant amounts off their operating costs. The program will take place over a twelve (12) month period and will include workshops, individual business audits and one on one contact. Businesses involved in the program will also learn the art of sustainable business management. The topics covered within the workshops include sustainable business management, energy, waste, water and visual merchandising and sustainable business marketing strategies.

Potential recruitment will occur in conjunction with the Economic Development Unit and will link into existing networks such as Traders Associations, Knox Business Direct, Business Breakfasts and Knox Business Life Newsletter. Council can continue and expand the program to support more SME's into the future.

### **The Residential Project**

The residential component of the Green/leaf project will build on the success of existing behaviour change programs such as Darebin City Council's 'Sustainable Homes' program and will include:

- the delivery of a series of themed 'skills based' workshops that cover the five pillars of sustainability; water, waste and purchasing, energy, biodiversity and transport
- providing an e-learning component including online pledges, self audits and case studies (subject to grant funding)
- building partnerships with the local community.

In addition to raising awareness of sustainability issues, this project aims to take steps towards long-term shifts towards sustainable behaviours.



## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

The residential workshops will be tailored to engage different groups by delivering the same themed workshop/information session at different time slots and at different locations. The workshop themes include:

- My impact upon the environment - ecological footprint and introduction to sustainability
- Biodiversity - through the Gardens for Wildlife program
- Energy
- Water
- Waste minimisation & green purchasing
- Green cleaning

In addition, an e-learning component will also have the potential to reach more residents within the municipality and provide participants with an accessible range of sustainability tools. Tools include online water and energy audits, pledges, forums and real-time data. Swinburne University's National Centre for Sustainability will oversee the development of the web-interface to enable the 'time-poor' sector of the community to take part in the program. The e-learning component is currently the subject of a grant to assist in the development.

### **Compact Fluorescent Bulb replacement program**

Building upon the strength of the current shower head exchange program, officers are exploring a similar opportunity for incandescent light globe replacement. This program would compliment the Green/leaf Program. Residents would benefit from the financial savings on their energy bills without incurring any costs, and reduce their environmental footprint. Previous pilot programs have demonstrated ongoing financial savings of around \$100 per year in a typical home.

### **Schools for Sustainability**

'The Schools for Sustainability Program' was introduced in 2007 and aims to assist in implementing and supporting environmentally sustainable programs and projects within schools. 'The Schools for Sustainability Program' includes single point contact, themed networking sessions (water, energy, waste and biodiversity), distribution of a quarterly newsletter, Student Sustainability Ambassador Conference, links to local community groups and businesses, email updates, promotion of external projects and recognition of school projects through Knox Pride, Resource Smart and other award programs.

## **6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)**

### **Green Travel Plan**

Council was recently successful in a grant to develop a Green Travel Plan for Talaskia Avenue, Ferntree Gully with the intent to replicate this model across Knox. The Green Travel Plan supports individuals and organisations to find alternatives and greener travel options.

### **3. CONSULTATION**

From the recent consultation for the 2025 Vision, 97% of community members surveyed believe issues associated with the 'sustainable natural environment' were important or very important.

Consultation also found the community was keen to implement sustainable practices and saw Council in a support role through providing education programs and more particularly in assisting with making efforts to be sustainable more affordable.

The Economic Development Strategy includes strong themes on sustainability, business attraction and partnerships. The Business Summit provides an ideal opportunity to engage business in environmental initiatives, both to assist in formulating Council's Sustainable City Plan review and facilitating business into programs that suit their size. Feedback from the summit can be used to assist Council in formulating how together Council, State and Federal Government, Business and Community can reduce our combined impact upon the environment.

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

Through 'The Knox Greenhouse Action Plan (GAP) 2003 – 2010', Council has achieved its 30% greenhouse gas emissions reduction goal. The GAP action plan also identified a 20% reduction goal for the Knox Community. This project will assist in achieving this goal by encouraging participants to achieve the following:

- 10% reduction in water usage off the baseline
- 10% reduction in waste from baseline going to landfill
- 10% reduction in car travel through transport planning
- 10% reduction in energy usage off the baseline

In Council's Vision 2025, a target of Zero Nett Emissions has been identified for Council, community and business.

## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

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

Council has already committed \$103,000 in the operating budget for 2007/08 to commence a behaviour change project. The 'Ecological Business Sustainability Summit' will cost approximately \$6,000 and could be funded from the existing budget allocated to the environmental behaviour change project or through the economic development program.

Council is applying to the Sustainability Fund (Round 3) for a 3 year behavioural change program at a total cost of \$310,000. Only 10% of the applications are successful (based on the previous two rounds) and this figure could be even lower, due to heightened awareness of environmental issues and the greater number of applications expected in Round 3. Council's contribution of \$103,000 towards the project is likely to be seen as a positive. It is expected that funding announcements will be made in February/ March 2008.

An ongoing program over several years will assist in embedding sustainable behaviours in the community. Only when this sustainable behaviour is the norm in the Knox community will Council achieve its Vision of Zero Net Emissions for Council, Community and Business by 2025. There are also potentially significant economic benefits for residents and business in implementing sustainable practices while also saving precious natural resources.

The Green/leaf project also delivers on key aspects of the Draft Economic Development Strategy 2008-18.

### **6. SOCIAL IMPLICATIONS**

Research suggests (McKenzie-Mohr and Smith, 1999), as we move towards a world with twice today's inhabitants, we will be forced to alter our lifestyles dramatically so that our burgeoning population does not outstrip the earth's ability to support humanity and other species. The behaviour change project provides more than just information, it also provides skills, knowledge and confidence to live sustainably.

An improved local environment will provide cleaner air, cleaner water, less congested roads, support local business and improve the health and wellbeing of the community.

It is anticipated that the community who participate in the programs will reduce their demand for water and energy, thus reducing ongoing costs of running a house and reducing the impacts of projected price rises.

## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Within the Knox Community and Council plan, the following strategies are in place to achieve the Council's Strategic Objective of a Sustainable Natural Environment:

*'To make progress toward being a national leader in environmental sustainability'*

- Promote and educate communities and developers about sustainability, environmental conservation and mitigating the effects of climate change.
- Advocate to and partner with Government, community, industry and business to promote sustainability and mitigating the effects of climate change.
- Encourage a reduction of the community's negative impact on the natural environment through increased awareness.
- Continue programs to work towards the achievement of zero net greenhouse gas emissions by 2025.

The Green/leaf project will also meet the following 2025 Vision items and outcomes set within the Sustainable City Plan:

- Achieving zero net emissions from residents, industry and business by 2025.
- Actively promoting water conservation to the wider community.
- Encouraging every household to embrace sustainability initiatives. All homes implement at least one initiative to work towards achieving sustainability.
- Initiating community wide Council ideas, activities and projects.

### **8. CONCLUSION**

Hosting a Knox Ecological Sustainability Summit for Business will provide an opportunity to:

- Engage with business to raise awareness regarding the Draft Economic Development Strategy
- Raise awareness within business of opportunities to become for environmentally, economically and socially sustainable.
- Hear from industry leaders on best practice & future trends
- Provide constructive input into the review of the Sustainable City Plan.

## 6.9 Knox Ecological Sustainability Summit for Business and the Green/leaf project (cont'd)

- Enable businesses to enter into programs such as the 'Vic 1000 or Business Transformers' to reduce costs and their environmental impacts
- Establish networks / partnerships of like minded businesses to collaborate on future learning's.

The Knox Vision 2025 of zero nett emissions for Council, community and business can only be achieved by working collectively. An ecological business sustainability summit as part of a larger behaviour change program will provide a platform for engagement with local business within the municipality.

Working with the community through a behaviour change program has been adopted by Council through the Local Environmental Priority Statement as one of two key priority projects as part of the Sustainability Accord process.

In addition to Council's commitment, the Greenhouse Action Plan also sets a target for the community of 20% reduction in greenhouse gas emissions by 2010 from 1996 levels. To achieve these targets, a program to actively engage with the community is essential and compliments other works that Council has committed to.

## 9. CONFIDENTIALITY

This report is not of a confidential nature.

## RECOMMENDATION

### **That Council**

1. hold an 'Ecological Business Sustainability Summit' for Knox businesses in the week of World Earth Day (22 April, 2008) as a platform for engagement with business on Council's behaviour change project and the new Economic Development Strategy;
2. notes the future plans and direction of the new behaviour change project Greenleaf;
3. notes the valuable contribution business can make to the Sustainable City Plan review; and
4. considers the future funding of the behaviour change project as part of the annual budget process.

**Report Prepared By:** Conservation Officer – Sustainability  
(Deanne Jones)

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

**ALL WARDS****6.10 THE MELBOURNE ENVIRONMENT REPORT 2007**

**SUMMARY:**            *Conservation Officer – Sustainability (Nadine Gaskell)*

*This report is in response to a call up item by Council requesting a report to be tabled at the February 2008 Council meeting “detailing how the State of the Environment report recently released by the Port Phillip and Westernport Catchment Management Authority applies to Knox, what actions Council is currently undertaking to mitigate these risks to waterways and remnant vegetation and what urgent actions are required in the short and medium term by Council to protect environmental values.”.*

**1. INTRODUCTION**

In December 2007 The Port Philip and Westernport Catchment management Authority released The Melbourne Environment Report. This report describes the condition and trend of native vegetation, quality of water in rivers and bays, groundwater supply, National and State regional parks and environmental community groups.

The Melbourne Environment Report outlines that 100% of rivers and creeks in the Urban Melbourne area of Port Phillip and Westernport region are in moderate to very poor condition.

It also identifies the permanent alteration of natural ecosystems through urbanisation across urban Melbourne. Only 5% of the original native vegetation remains and nearly half of this consists of vegetation types that are endangered.

The condition of our waterways generally deteriorates progressively downstream as a result of poor quality drainage and runoff from urban and agricultural land. Weeds, bed and bank erosion, loss of instream habitat and the barriers to fish migration and lack of streamside vegetation all contribute to poor stream health.

Urbanisation and land clearing as well as extraction of water for urban and agricultural uses have led to modified flows in many rivers and creeks as well as loss of vegetation connectivity.

**The importance of revegetation along waterways in Knox**

Vegetation fragments are important social and environmental assets. Revegetating where possible to create habitats corridors will contribute to the Regional Catchment Strategy target of increasing native vegetation across the catchment to 35%.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

By Council re-establishing vegetation along waterways in Knox municipality it:

- Strengthens the Green Leafy image of Knox.
- Enhances the positive experience of passive recreational opportunities.
- Re-establishes quality habitat value of iconic fauna species within Knox such as the Platypus and the Powerful Owl.
- Improves air quality.
- Assists in reducing the urban heat island effect.

## 2. DISCUSSION

### **The Dandenong Catchment**

The Dandenong Catchment lies Southeast of Melbourne and has approximately 485 kilometres of rivers and creeks.

Dandenong Creek is the major creek in the catchment. It originates in the Dandenong Ranges National Park and discharges into Port Phillip Bay. Major tributaries in Knox include Blind Creek and Corhanwarrabul Creek. Major sub-catchments of Dandenong Creek in Knox are Dobson and Old Joes Creeks plus a number of directly draining minor sub catchments. Monbulk Creek and Ferny Creek also fall within the Dandenong Catchment.

Most of the stream sections outside the Dandenong Ranges National Park have been subjected to a series of channelisation and straightening works for urban development and flood mitigation as a result of the development in the 1960's and 1970's.

Prior to development the Dandenong Creek and its tributaries outside of the National Park were vastly different from their current state. The system would have been characterised by meandering channels and floodplains. Changes in the flow regime that have arisen from development of the catchment will have increased erosion rates and created channel enlargement.

Despite extensive urbanisation there are many rare and threatened species of flora and fauna that exist in the Knox municipality and rely on movement along fragmented habitat corridors for food and nesting.

The Powerful Owl, a threatened species in Victoria (listed on the Flora and Fauna Guarantee Act, 1988) uses the Dandenong Creek as a corridor for food gathering and roosts along the Upper Dobson's and Dandenong Creek. Protection of this species becomes more and more difficult with fragmented and degraded native vegetation.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

Council's Vision 2025 aspires to ensure the natural environment is protected and enhanced by:

- Achieving no further extinctions of flora and fauna or ecological vegetation classes;
- Further identifying Sites of Biological Significance (SoBS) and seek to protect and enhance through linking these to other sites of significance and best practice bushland management; and
- Planting a minimum of 100,000 trees in public spaces per year.

The Knox 2001 / 2010 – Sustainable City Plan outlines a broad objective to:

*Increase water quality (including reducing levels of pollution) and the associated environmental values in local waterways through a range of initiatives.*

To date some of the progress Council has made is:

- Supporting the revegetation and environmental weed removal activities of the passionate and extremely active Friends Groups:
  - Blind Creek Billabong – Works between (Rankin Rd and Wattle tree Road, Ferntree Gully)
  - Koolunga - works within the reserve, which includes a tributary creek to Blind Creek, Ferntree Gully
  - Old Joes Creek - works between corner of Market St and Army Rd to Dorset Rd, Boronia.
  - Water Quality monitoring of Old Joe's Creek and Dandenong creek conducted by the Knox Environment Society and the First Friends of Dandenong Creek.
  - First Friends Dandenong Creek – Manson's reserve works within the reserve, which abuts Dandenong Creek, Wantirna
- In addition environmental weed removal and revegetation has been carried out at:
  - Ferny Creek, Brenoc Park Drive, Ferntree Gully
  - Yarrabing wetland, Wantirna -through annual community planting events.
  - Blind Creek at Timothy Drive, Wantirna – weeds control. Revegetation, biannual community/school planting days
  - Blind Creek , Dorset Road to Helene Court, Boronia
  - Blind Creek, High Street Road , Wantirna South



## 6.10 The Melbourne Environment Report 2007 (cont'd)

- Manson's Reserve – Dandenong Creek – weed control carried out by Council officers, community planting days (including national tree day)
- Ferny Creek Revegetation – Melbourne Water, Corridors of Green funding 2003-2007 has allowed for Council to initiate revegetation works and environmental weed removal between Hancock Dive, Ferntree Gully to Henderson Rd, Knoxfield. This work has been achieved through assistance from school group plantings, Conservation Volunteer Australia.
- Ferny Creek tributary, Kings Park, Upper Ferntree Gully
- Golden Grove tributary to Dobson's Creek, The Basin– Melbourne Water, Corridors of Green Funding (2005) allowed Council to initiate environmental weed removal and revegetation. Some of this work has been achieved through community planting.

### **Benefits of Waterway Habitat Corridors**

Riparian zones are the areas adjacent to creeks, rivers, lakes and wetlands, including banks and floodplains, which exert a direct influence on the water and aquatic ecosystems.

Riparian zones support high plant and animal biodiversity. They are also important areas for maintaining water quality in waterways and protecting banks from erosion.

Riparian vegetation provides natural wildlife corridors up and down waterways. Vegetation connectivity is important to provide the uninterrupted corridor for food, shelter and safety from predators.

In addition this vegetation lowers the stream temperature, which increases the health of the waterway by allowing a larger diversity of macro invertebrates. In turn this provides food for a larger variety of indigenous wildlife.

### **How can Council respond?**

By moving to re-establish vegetation along riparian zones to create wildlife corridors in Knox, Council will also ensure improved water quality, reduced erosion and reduced environmental weed invasion.

There are several overarching documents produced by State Government agencies that outline the strategic approach for waterways and habitat corridors which inform Council on priority areas for improvement.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

### STATE AND REGIONAL WATERWAY STRATEGIES

#### Victorian Regional River Health Strategy

The Victorian Regional River Health Strategy (VRHS) was released by the Victorian Government in 2002. The objective of the VRHS is to achieve healthy rivers, streams and floodplains which meet the environmental, economic, recreational and cultural needs of current and future generations.

- Rehabilitation of waterways where there is the greatest potential for environmental and community gain for the resources invested; and
- Rehabilitation of waterways where there is a high level of community commitment.

Under the broad State-Wide framework of the VRHS, are a number of finer-scale, basin specific strategies, known as Regional River Health Strategies (RRHS). The RRHS was developed by Melbourne Water and was released in 2005. The priorities identified under in the RRHS are:

- Protection of waterways with existing high values or those that are in good condition.
- Rehabilitation of waterways where there is the greatest potential for environmental and community gain for their resources invested.
- Rehabilitation of waterways where there is a high level of community commitment.

The key element of the RRHS is Melbourne Water's objective to have all of Melbourne's natural waterways in good condition by 2025.

#### Living Links

Living Links is a large scale, collaborative program, which involves local, State Government agencies, community organisations/groups and the Port Phillip and Westernport Catchment Management Authority (PPWCMA).

Knox City Council is a founding Partner of this program.

The program aims to develop a master plan and investment prospectus as a first step in establishing a series of habitat corridors, along the Dandenong Creek linking existing open space, conservation reserves, recreation areas and fragmented patches of native vegetation.

The primary objectives of Living Links are to:

- Establish a series of habitat corridors.
- Improve the condition of waterways and coastal zones.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

- Improve connectivity between fragmented environmental, social and recreational assets.
- Increase community participation, knowledge, and investment in environmental protection, restoration and enhancement projects.

### **Waterway Management Activity Plan**

Waterway Management Activity Plans have been completed for Upper Dandenong Creek, Blind Creek and Ferny Creek, Corranwarrabul Creek and Monbulk Creek. The plans examine all publicly owned land within the drainage reserves, some privately owned land adjacent to waterways and all floodplains. Some of the themes are:

- Vegetation management including management of remnants, significant sites, weeds and identification of revegetation opportunities.
- Identification of landscape development opportunities within the broad stream corridor and the consideration of local government priorities, to inform direction of funding under Melbourne Water grant programs and incentives.
- Consideration at a broad scale of amenity needs, enabling management of open space and recreational activities.

### **Objectives:**

- Protect higher remnant values in the Upper Catchment
- Seek to re-establish continuity in natural processes as far as possible
- Rehabilitate disturbed areas where technically and financially reasonable

Melbourne Water is responsible for:

- Flooding and drainage
- Stream form
- Improving water quality
- Managing stream vegetation and natural resources

The plan identifies opportunities for Council projects/works to make improvements along the waterway.

Currently Council funds \$20,000 annually to undertake revegetation along waterway habitat corridors. These funds also allow Council to lever Melbourne Water Funding, usually on a dollar for dollar basis, to augment Council revegetation. (Works summarised above).

## **6.10 The Melbourne Environment Report 2007 (cont'd)**

However, to develop a staged program using the outlined strategies would require a significant injection of funds to provide a greater lever for matching Corridors of Green funding thus halting any further depletion of waterway vegetation and returning connectivity of currently fragmented vegetation and improving waterway health.

In the past, large amounts of the plantings in these projects have been implemented by schools, volunteers and friends groups. It is anticipated there will be continued growth in this engagement approach, particularly in corporate engagement.

This would include working with Melbourne Water to coordinate projects that complement Council activities.

### **Promotion of Water Sensitive Urban Design**

The Melbourne Environment Report (2007) has identified drainage, flood control works and the efficiency of paved surfaces to move large volumes of stormwater into waterways as a major contributor to poor water quality in urban Melbourne.

In addition to revegetation along waterways, revegetation within Water Sensitive Urban Design (WSUD) initiatives would add value to biodiversity within the urban environment as well as assist in improving storm water quality before entering the waterways.

Council has adopted the Water Sensitive Urban Guidelines which encourage Water Sensitive Urban Design (WSUD) to be employed in new developments within the municipality as well as implementing the practice in new and renewal Council works. To date it has been difficult to achieve works on the ground.

## **3. CONSULTATION**

### **State-wide Consultation**

Consultation was undertaken with friends groups, community stakeholders and other government agencies across the Port Phillip and Westernport Catchment area during the preparation of the Melbourne Environment Report.

During the preparation of the Waterway Management Activity Plans outlined in this report, Melbourne Water consulted extensively with other government agencies and community stakeholders, to establish a combined vision and action plan.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

### Local Consultation

Extensive community consultation was carried out in 2006 for Council's Vision 2025. At this time 97% of those surveyed described the natural environment as either very important or important.

The importance of biodiversity protection and the role that linear reserves play in connecting fragmented vegetation has been discussed with the Environmental Advisory Committee along with proposals to effect change.

### 4. ENVIRONMENTAL/AMENITY ISSUES

Council has the potential to make a strong impact on environmental and amenity issues by funding a staged revegetation program of the waterway habitat corridors.

Benefits of the revegetation of the waterways habitat corridors include the following:

#### Biodiversity

- Knox currently supports many rare and endangered flora and fauna species. Additional habitat loss and failure to ensure vegetation connectivity and create habitat corridors will threaten survival of endangered species and will lead to possible extinction.
- Vegetation connectivity reduces the fragmented 'island effect' of remnant vegetation and allows movement of fauna and flora.
- The Powerful Owl, a threatened species in Victoria (listed on the Flora and Fauna Guarantee Act) uses the Dandenong Creek as a corridor for food gathering and roosts along the Upper Dobson's and Dandenong Creek.
- The Upper Dandenong Creek system (including Dobson's Creek ) and Monbulk Creek are the only substantial platypus populations in the Dandenong Valley
- The Knox community consistently expresses their appreciation of the "Green leafy image" of the municipality. During the community consultation process for Vision 2025, 97% of the surveyed residents expressed the natural environment as very important or important.
- Garden beds designed for amenity purposes using indigenous plants, ensuring that, amenity planting and revegetation planting does not compromise one another.

## 6.10 The Melbourne Environment Report 2007 (cont'd)

### Pollution

- Trees absorb vast amounts of toxic chemicals from the air including sulphur dioxide, nitrogen dioxide, ozone, carbon dioxide and carbon monoxide. One study cites that 100 trees can remove approximately 450 kilograms of pollutants from the air and 5 tons of carbon dioxide. (*The Value of Trees* by the USDA Forest Service).
- Trees absorb urban noise reducing background noise pollution.
- Native vegetation retained or planted along the riparian zone of a waterway will avoid the problems of bank erosion, sediment and nutrient runoff, reduction in water quality and weed invasion along waterways.
- Trees and vegetation can contribute to a reduction in the heat island effect of urban communities through shading.

### Stormwater

- 100 mature trees can capture around 950,000 litres of rainwater per year which reduces the strain on stormwater systems, cleans stormwater and replenishes groundwater. Natural drainage like this works out to be approximately 25% cheaper to build than conventional roadside stormwater systems. (*Urban Forests* by the Local Government Commission).

### Erosion

- Native vegetation planted along creek/waterway banks/riparian zones filters and absorbs stormwater runoff which reduces the flow and lessens the opportunity for erosion to occur.

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

Addressing the impacts of clearing and urbanisation will be a long term project, engaging a broad spectrum of the community.

Council historically allocates \$20,000 pa for waterway corridor revegetation which is matched by Melbourne Water funding.

In order to improve the health of waterways ongoing investment in planting programs is required. An example is below:

An investment by Council of \$100,000 per annum would provide the ability to develop a staged revegetation program for Habitat corridors along the waterways in the Dandenong catchment. Funding at this level would enable 10,000 square metres of habitat vegetation (this may be 1Km in length by 10m wide or 500 M in length and 20M wide or another derivative).

### **6.10 The Melbourne Environment Report 2007 (cont'd)**

The additional plantings will result in a minor increase in maintenance in the early years as indigenous plants are anticipated to establish quickly. This will result in a reduction in broad scale mowing into the future.

The opportunity exists at times to leverage matching funding from other agencies to extend the program.

The financial implications of not revegetating the waterway habitat corridors will compound in the future to Council, local businesses and residents, through reduced health and loss in amenity values and potentially results in reduced property values.

The cost benefits of injecting funds into well planned revegetation programs along the waterway habitat corridors include the following:

- Planned revegetation will reduce maintenance, for instance mulch between trees to reduce mowing & spraying, trees rather than bollards.
- Fewer funds may be required to install, upgrade and maintain stormwater systems which will reduce costs to Council.
- The ability to commit to longer term partnerships to deliver the program.

## **6. SOCIAL IMPLICATIONS**

Revegetation of waterway habitat corridors would:

- Encourage passive and active recreation through enhancing the amenity of shared path routes along the waterways as well as promoting community participation in the revegetation programs.
- Result in increased surveillance and promote a positive perception of safety.
- Promote positive community outcomes as outlined in research undertaken demonstrates links between physical and mental health with a connection to nature (School of Health and Social Development, Deakin University)

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Protecting and enhancing the biodiversity values of Knox is a key objective of the Knox 2001 -2010 Sustainable City Plan

*Increase water quality (including reducing levels of pollution) and the associated environmental values in local waterways through a range of initiatives.*

## 6.10 The Melbourne Environment Report 2007 (cont'd)

In the Community and Council Plan 2006 - 2010, under the Key Result Area of a Vibrant and Connected Community, the Council's objective of a Sustainable Natural Environment will be achieved through the following key strategic objectives:

- Healthy Connected Communities
- Sustainable Natural Environment

Knox Vision 2025 aspires to no further extinctions of flora and fauna or ecological vegetation classes

## **8. CONCLUSION**

- The *Melbourne Environment Report (2007)* outlines that 100% of rivers and creeks in the urban Melbourne area of Port Phillip and Westernport region are in moderate to very poor condition.
- It also identifies the permanent alteration of natural ecosystems through urbanisation across urban Melbourne. Only 5% of the original native vegetation remains and nearly half of this consist of vegetation types that are endangered.
- The condition of our waterways generally deteriorates progressively downstream as a result of poor quality drainage and runoff from urban and agricultural land, weeds, bed and bank erosion, loss of instream habitat and the barriers to fish migration and lack of streamside vegetation.
- There are many rare and threatened species of flora and fauna that exist in the Knox municipality and rely on movement along fragmented habitat corridors for food and nesting.
- The Knox community consistently expresses their appreciation of the “green leafy image” of the municipality. During the community consultation process for Vision 2025, 97% of the surveyed residents expressed the natural environment as very important or important.
- By providing a staged program to re-establish vegetation along riparian zones to create wildlife corridors in Knox, Council will also ensure improved water quality, reduced erosion and reduced environmental weed invasion.
- The staged revegetation program would contribute to Council's vision of planting 100,000 trees per year.
- The Melbourne Environment Report (2007) has identified drainage, flood control works and the efficiency of paved surfaces to move large volumes of stormwater into waterways as a major contributor to poor water quality in urban Melbourne.
- Continued promotion and uptake of Water Sensitive Urban Design is required.



**6.10 The Melbourne Environment Report 2007 (cont'd)****9. CONFIDENTIALITY**

There are no confidential issues within this report.

**RECOMMENDATION**

**That Council**

- 1. note the report; and**
- 2. request that a Business Case be considered for the development of habitat corridors along Knox's creeks and waterways as part of Council's Long Term Financial Strategy and annual budgetary process.**

***Report Prepared By: Conservation Officer (Nadine Gaskell)***

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

**7. PUBLIC QUESTION TIME**

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

**ALL WARDS****8.1 CAROLS BY CANDLELIGHT 2007**

**SUMMARY:** *Events and Cultural Development Officer  
(Malcolm Russell)*

***This report reviews the Carols by Candlelight event held at the Ferntree Gully Recreation Reserve on Saturday, 1 December 2007 and recommends that next year's event be held on Saturday, 6 December 2008.***

**1. INTRODUCTION**

Knox City Council's Carols by Candlelight is a free community celebration of Christmas that attracted record numbers of over 15,000 people on 1 December, 2007 for an evening of participation, sharing, reflection and enjoyment. Strong programming and the ongoing support by the general community in their attendance ensured the success of this event.

The 2007 Carols provided the opportunity for:

- Children to be involved in free art activities and entertainment
- Volunteers (both Council and community) to contribute to their community
- Community organisations to raise funds
- Local churches and their congregations to participate in this major citywide event
- Community members of diverse abilities to be given equal and enjoyable access and involvement with the event
- The community to share an evening of quality entertainment and celebration.

The program provides high quality children's and family entertainment with a mix of participatory activities and performances in a variety of musical styles from community music to popular songs, both contemporary and classic.

This report provides an overview of the results of the 2007 event and recommends the date for the 2008 Carols by Candlelight event.

**2. DISCUSSION****2.1 Carols Program**

The theme for this year's Carols was "Peace On Earth" reflected through the programming, graphics, stage decoration and artistic direction.

The evening consisted of a children's program and a main entertainment program hosted by TV personality, Brian Nankervis, including singers Joe Camilleri, Alyce Platt and country music star, Adam Harvey, culminating in a fireworks display.

## 8.1 Carols by Candlelight 2007 (cont'd)

The following improvements in the programming were implemented in 2007:

- Increased participation in the candle lighting ceremony that involved 20 of the 30 local Knox churches and their congregations.
- The further development of audio visual equipment with screens used for the second year to provide greater access for all members of the audience particularly given the large increase in attendance and most particularly those who were sight and/or hearing impaired. The screens were also used to regularly acknowledge Council and sponsors.
- The securing of high profile performers in Joe Camilleri, Adam Harvey, Alyce Platt & Brian Nankervis as highlights of the program.
- The increased involvement of local performers, creating the opportunity for them to perform in a professional performance environment in front of a large crowd and on a program with internationally recognised artists.
- The increase in the number of volunteers.
- The continuation of a high level of involvement of church groups in staffing of the arts activities for children.
- The level and quality of promotional material and exposure produced by Council.
- Additional support from Council staff in the preparation of the site.
- The increased professionalism of stage management to ensure event continuity.
- The Santa segment as a special event through scripted and rehearsed theatrical performance.
- Delivery of timely Fire Safety Season messages and recognition of CFA as part of candle lighting message.

## 2.2 Event Management

Improvements in event management introduced in 2007 included:

- The development of Council's commitment to this event as Knox's flagship Access & Inclusion event for the year as part of International Day of People with Disability. This included increased access parking, ramps, audio visual screens, wheelchair tracking, signage, pre-event promotion, printed program layout, food and sight line access, site planning and management.
- A safer, better run and controlled family event was realised by upgrading site security.
- Occupational health and safety (OH&S) and public risk management through coordination and planning between Council and St John's, Police, SES and all contractors.

## 8.1 Carols by Candlelight 2007 (cont'd)

- The engagement of a Site Manager to facilitate increasingly demanding issues surrounding public risk, OH&S, access and inclusion, production quality, rubbish removal and recycling, increasing audience numbers and the associated site planning and on the day coordination, along with maintenance and minimisation of ground repair and reinstatement.
- Successful trial of low cost healthy “Christmas Dinner” of turkey, ham, salad, potato and Christmas pudding as a potential future feature of the event.
- More formalised process for Lost Children through better recording of children’s and parents’ details.
- The introduction of a new sound system which allowed for clearer reception and lower noise levels beyond the perimeter of the event while still catering for increased audience numbers.
- The formalisation of a Friday night rehearsal to assist in planning, risk assessment, production quality and experience for young performers.
- Road crossing safety improvement coordinated by SES under the direction of Knox Police.
- Increased Police presence along with their active involvement in the planning and implementation of the event.

### 2.2.1 Logistics

Logistical support for the event was provided by Council staff and Knox Police, St. John Ambulance, CFA and Ferntree Gully Fire Brigade and State Emergency Service. Low cost parking was organised by St. Joseph’s College.

### 2.2.2 Publicity and Promotion

The promotion of Carols throughout the community was undertaken in a variety of ways:

- Advertisements placed in the Council page of local newspapers.
- Use of Council website and on hold message system.
- 100 colour posters were displayed in Council Community Centres, Libraries and sponsors’ business locations.
- Front page coverage of Carols in local newspaper.
- Editorial coverage of feature artists.
- 8,000 printed programs with song sheets were distributed at the event by volunteers.

## **8.1 Carols by Candlelight 2007 (cont'd)**

Improvements in publicity and promotion in 2007 included:

- Quality of design and layout of all promotional material through the use of an illustrator to create unique and distinctive images.
- Program layout and design to include biographies of all artists, feature artist photographs, a clearer site map and generally improved design layout.
- Securing sponsorship from the Knox Leader involving lead-up feature articles and front cover wraparound week of the event.

## **2.3 Community Fundraising and Volunteerism**

### **2.3.1 Illoura Early Intervention Centre**

Illoura House coordinated the sale of candles (donated by TXU Eastern Energy) and plastic fluoro necklaces and bracelets. The proceeds of \$13,048.90 will assist in delivering important services provided by Council at this centre.

## **2.4 Volunteers**

A total of 121 individual volunteers from the community and Council assisted with the running of the event including:

Knox SES, Ferntree Gully CFA, St. John Ambulance Knox, Holmesglen TAFE, RAFT Anglican Church, Knoxfield Church of Christ, Latter Day Saints Wantirna, along with 20 children and their parents from a range of churches throughout Knox who assisted in the Candle Lighting ceremony.

The event organisers are most grateful for the commitment of all volunteers and acknowledge the major impact their involvement has upon the quality delivery of Carols by Candlelight.

Knox City Council staff volunteers in particular make a major contribution to the behind the scenes smooth running of Carols by Candlelight. Their active engagement with the general public also contributed significantly to the goodwill surrounding this event.

## **2.5 Community Organisations Fundraising**

Three community organisations raised funds from Carols by Candlelight through stalls and/or undertaking tasks related to the event.

## **2.6 Proposed 2008 Event Date**

It is proposed that Carols by Candlelight 2008 be held on Saturday, 6 December 2008, launching the Christmas season in Knox. The proposed date does not conflict with scheduled Carols events by neighbouring councils.

**8.1 Carols by Candlelight 2007 (cont'd)****3. CONSULTATION**

The Knox Carols by Candlelight event was planned and coordinated in consultation and involvement of the Knox community. As part of the development of the program, an invitation was sent to churches within Knox seeking their involvement both on stage and the promotion of their own Christmas programs

**4. ENVIRONMENTAL/AMENITY ISSUES**

This year's Carols by Candlelight event was for the first time awarded with Wastewise Bronze Certification in recognition of its commitment to waste and litter reduction through improved recycling and site cleaning procedures.

Significant improvements were made to the stage sound system to enable better audio quality at a lower audible level for those in attendance while minimising the noise levels for surrounding residents.

The numbers of toilet cleaning shifts were increased by over 50% from previous years to support safe and hygienic use. In addition the cricket pavilion change rooms previously not used by this event were converted into family toilets with change tables added to cater specifically for increased numbers of young families while shortening waiting times for other existing toilet infrastructure.

Notice to residents on the potential stress to pets created by fireworks was improved through the inclusion of relevant warnings in event publicity material including newspaper ads, promotional flyers and letters to householders in the immediate vicinity.

**5. FINANCIAL & ECONOMIC IMPLICATIONS**

Council's budget (not including staff time) for the 2007 Carols by Candlelight was \$80,034

The actual expenditure for the 2007 Carols by Candlelight was \$80,786. The over expenditure, which will be managed in the overall 2007/08 budget, of \$752 was mainly attributed to infrastructure increases to accommodate recent growth in audience size.

The event also raised cash and in kind sponsorship to the value of \$15,000.

*Cash*

Ferntree Gully Holden	\$5,000 (GST exclusive)
Myer Knox City	\$5,000 (GST exclusive)

## 8.1 Carols by Candlelight 2007 (cont'd)

### *In-kind*

Knox Leader – Media promotion

Tru Energy – Candles

Hire-IT – equipment

KSM Promotions – printing and supply of banners

*Total of In-kind* \$5,000

In addition, the staging of the event enabled \$15,000.00, to be raised for community groups. They included Illoura House, 4<sup>th</sup> Knox Scouts and St. Josephs College

## **6. SOCIAL IMPLICATIONS**

The Knox Carols contributes to community wellbeing through the provision of an event which offers a venue, stage and facilities for performers, equal access to an event to people of all abilities, healthy catering choices and appropriate fun art activities for children and young people that encourage participation by all the family. It provides fundraising opportunities for organisations to deliver services to the community and promotes volunteerism.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Carols by Candlelight addresses the City's vision of *'Active Community Life, through the contribution provided by arts, cultural and recreational opportunities to the vibrancy of community life in the City.'*

## **8. CONCLUSION**

The Knox Carols by Candlelight is one of the largest Christmas celebration events in metropolitan Melbourne outside of the CBD.

The event fosters a sense of community and Christmas spirit and has achieved an excellent level of performance, production and attendance.

A high attendance over recent years at this event, now in excess of 15,000 people, is a testament to both its popularity and success.

The opportunity to build upon the involvement of families and community organisations in this event and the further integration of arts and cultural activity culminating at Carols are the focus for the future of this program. In view of the success of the 2007 Carols by Candlelight event, it is recommended that Council continue to support the planning and coordination of the event for the benefit of the community.

## **9. CONFIDENTIALITY**

There are no issues of confidentiality related to this report.



**8.1 Carols by Candlelight 2007 (cont'd)****RECOMMENDATION****That Council**

1. Note the evaluation of the 2007 Knox Carols by Candlelight event.
2. Approve the staging of the 2008 Knox Carols by Candlelight to be held on Saturday, 6 December 2008 subject to budgetary provision with the 2008/09 budget.

***Report Prepared By: Events and Cultural Development Officer  
(Malcolm Russell)***

***Report Authorised By: Director – Community Services  
(Kerry Stubbings)***

**DINSDALE WARD****8.2 PETITION – LEWIS PARK SKATE AND BMX FACILITY**

**SUMMARY:** *Team Leader Leisure Development (Heather Callahan)*

*This report responds to a petition tabled at the 22 January 2008 Ordinary Meeting of Council regarding the future of the Lewis Park Skate and BMX facility.*

**1. INTRODUCTION**

At the 22 January 2008 Council meeting, a petition was tabled in relation to the future of the Lewis Park Skate and BMX facility. The petition reads;

*“We, the undersigned, hereby earnestly request that the Knox City Council reconsider its decision to demolish Knox Bowl (Lewis Park), and that the Knox Bowl (Lewis Park) be preserved and maintained for the benefit and use of the community and the current and future generations of participants and supporters.*

*Your petitioners therefore hereby request that the Council reconsider its decision to demolish Knox Bowl (Lewis Park), and that the Knox Bowl (Lewis Park) be preserved and maintained for the benefit of the community and the current and future generations of participants and supporters.”*

The petition has been tabled with 573 signatures along with an attachment of a further 1146 names obtained through an online listing that supports the petition.

This report responds to the petition and recommends a future approach with the provision of skate and BMX facilities at Lewis Park.

**2. DISCUSSION****2.1 Background****2.1.1 Lewis Park Skate and BMX Facility**

The Lewis Park Skate and BMX facility has been operational for over twenty (20) years and comprises two concrete bowls and a steel ‘spine ramp’ which was relocated to Lewis Park from the former Rowville Skate Park in 2003. Its location is within an area of Lewis Park that provides limited natural surveillance.

## **8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)**

### **2.1.2 Gilbert Park Skate and BMX Park**

Council has recently completed construction of a new Skate and BMX facility at Gilbert Park which is a major focus for future skate, BMX and youth activities within the City. It is unknown at this stage as to what impact this facility will have on the ultimate activity levels at the Lewis Park Skate and BMX facility, although some reduction in usage of the latter is expected as the Gilbert Park facility establishes itself as the predominant skate and BMX facility in Knox.

### **2.2 Analysis of Petition**

In 2001, Council received a petition with 728 signatures requesting that Council address the lack of safe skating facilities within the City of Knox. This was in reference to the perceived inadequacies of the Lewis Park Skate and BMX facility. In response to this petition Council provided funding to undertake consultation and research to prepare the Knox Skate and BMX Plan (2002).

The key action of the Knox Skate and BMX Plan was the 'development of a centralised skate and BMX facility within the Lewis Park precinct', as opposed to creation of small localised sites across the City, or use of temporary facilities. This approach was adopted by Council as part of the 2002 Plan. The preferred site in Lewis Park was identified at that time to be a location at the extension of Melbourne Street. However, following a detailed site analysis and consultation process with relevant stakeholders, it was determined in 2005 that Council was unable to deliver a centralised skate and BMX facility within the Lewis Park precinct at the preferred Melbourne Street location. Therefore, to identify an alternative site, a further site selection process was undertaken in 2006 with Gilbert Park being determined by Council as the preferred site to develop a centralised skate and BMX facility in accordance with the 2002 Plan.

Due to the lack of the natural surveillance, the existing Lewis Park Skate and BMX facility location was assessed as an unsuitable site to develop a new centralised skate and BMX facility.

Whilst not specified within the Skate and BMX Plan (2002), it is implied that the development of a new centralised skate and BMX facility within the Lewis Park precinct (which was the original stated intent of the 2002 Plan) would result in the decommissioning of the current Lewis Park Skate and BMX facility. However, it is noted that this intention is implicit rather than expressly stated in the 2002 Plan.

Based on the level of feedback recently received, including the petition tabled at the 22 January 2008 Council Meeting, it is apparent that the existing Lewis Park facility continues to enjoy a level of use. It is expected that this use will be continued for at least a reasonable period of time.

## 8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)

### 2.3 Future of Lewis Park Skate and BMX Facility

To enable a full and informed analysis of the ongoing level of use, costs, benefits and risks associated with the Lewis Park Skate and BMX facility it is recommended that a review of the facility be undertaken over the next two (2) years. It is considered that a period of two (2) years should be a sufficient period to enable a full assessment of all aspects related to the Lewis Park facility to be analysed.

It is suggested that this review could be supported through a reference group comprising community representatives and other appropriate stakeholders. Council plans to establish a community reference group to assist with the effective development of the new regional Skate and BMX facility at Gilbert Park. One option could be to have this group support the review of the Lewis Park Skate and BMX facility as well as the management and development of the new Gilbert Park facility. This approach is not preferred as there is a need to ensure a clear focus on promoting community engagement in the management and programming of the new regional skate facility and this focus is likely to be less effective if the Lewis Park review is included in the group's terms of reference. The preferred approach would be to establish a separate reference group to provide specific input to the review of the Lewis Park Skate and BMX facility at Lewis Park.

This review could incorporate the establishment of a 'Lewis Park Skate and BMX Facility Reference Group' (Reference Group) comprising:

- Facility users and Knox residents (x4)
- Skate/BMX industry representatives (x2)
- Council's Recreation and Leisure Liaison Group representatives (x2)
- Police representation (x1)
- Youth Council representation (x1)
- Councillors (x2)
- Relevant Council Officers

This Reference Group could be established to consider and provide input into information gathered as part of the review process, which could include:

- Monitoring utilisation of the Lewis Park facility (including reference to the utilisation of the Gilbert Park facility).
- Ongoing assessment of the facility's physical condition.
- Operational and facility management issues, including risk management.
- Benchmarking similar facilities.

## 8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)

- An analysis of cost: benefit of facility retention/decommissioning.
- Implications of the improvements proposed within the Knox Central Urban Design Framework.

The Reference Group could report upon a two (2) year review process to the Recreation and Leisure Liaison Group (RLLG) which in turn could provide advice to Council regarding the future of the Lewis Park Skate and BMX facility in February, 2010.

The role of the RLLG (as a broad based, representative group of Knox recreation and leisure interests) is to assist Council with its community engagement process and provide valuable information to support the decision making of Council with respect to leisure and recreation matters. A specific objective of the RLLG is to engage in discussion on 'special interest' topics. A review of the Lewis Park Skate and BMX Facility fits very well with the terms of reference of the RLLG.

### 3. CONSULTATION

Community engagement relating to skate and BMX facilities since 2001 is listed below:

#### 3.1 Petition 2001

In 2001, Council received a petition with 728 signatories requesting that Council address the lack of safe skating facilities within the City of Knox. This was in reference to the perceived inadequacies of the Lewis Park facility. In response to this petition Council initiated a consultation and research process to develop the Knox Skate and BMX Plan (2002).

#### 3.2 Skate and BMX Plan (2002)

As part of the development of the Knox Skate and BMX Plan (2002) various forms of consultation were undertaken with a number of stakeholders. An outline of the consultation undertaken includes:

Consultation Type	Stakeholder
Telephone interviews	Various Knox City Council officers.
Focus group meeting (internal)	Various Knox City Council officers.
Focus group meeting (external)	Various Stakeholders including young people with an interest in skating, in-line and BMX, representatives from the sport of Mountain Boarding, a representative from the Knox BMX Club and an outreach worker from Open Family.
Interviews - peak sporting bodies	Peak sporting bodies of Roller Sports Victoria and BMX Victoria

**8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)**

Telephone interviews – local government authorities	Local Government Authorities included City of Greater Geelong, City of Whitehorse, Boroondarah City Council, City of Casey, Shire of Yarra Ranges and Mornington Peninsula Shire Council
Interview – not for profit skating Event Co-ordinator	Interview conducted with B-Cubed (a not for profit skating agency)
Interviews with skaters and riders	Interviews with skaters and riders at the Lewis Park Skate and BMX facility.

**3.3 Design of the Gilbert Park Skate and BMX Facility**

Extensive consultation has been undertaken as part of planning for the centralised Skate and BMX facility at Gilbert Park. The consultation has included the following stages and tasks:

Stages	Tasks
Stage 1 – Project activation: background review, prepare Work plan, consultation logistics (May – September 2006)	<ul style="list-style-type: none"> <li>• Develop project communication plan</li> <li>• Background document review</li> <li>• Stakeholder scan</li> <li>• Initial phone interviews</li> <li>• Draft consultation material</li> <li>• Story/advertisement in local press</li> <li>• Information sheet/flyer</li> <li>• Arranging consultation program</li> <li>• Letter to surrounding Councils</li> </ul>
Stage 2 – Consultation activities (October – December 2006)	<ul style="list-style-type: none"> <li>• Web forum</li> <li>• Database of contacts</li> <li>• Face to face interviews</li> <li>• On-camera interviews</li> <li>• Site assessment</li> <li>• School workshops x 2</li> <li>• Activities at event - Boronia Heritage Festival</li> <li>• Roving workshops/interviews</li> <li>• Short film rough cut</li> </ul>
Stage 3 – Review concept and consultation activities (October – December 2006)	<ul style="list-style-type: none"> <li>• Reference group meetings</li> <li>• Meeting with public artist</li> <li>• Consultation Data Analysis and Report Draft</li> <li>• Working concept plan</li> <li>• Primary school workshop</li> <li>• Internal council workshop</li> <li>• Face – to – face interviews</li> <li>• Multi-stakeholder workshop</li> <li>• Technical workshop with skaters and BMX riders</li> </ul>

**8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)**

Stage 4 – Concept refinement and final review stage (December 2006 – February 2007)	<ul style="list-style-type: none"> <li>• Internal workshop – Plan C and Concrete Skate Parks</li> <li>• Revised concept</li> <li>• Feedback and notification</li> </ul>
Stage 5 – Final concept plan (March 2007)	<ul style="list-style-type: none"> <li>• Display at Knox Festival</li> <li>• Final concept</li> <li>• Disseminate draft concept plan to participating key stakeholders for comment</li> </ul>

**4. ENVIRONMENTAL/AMENITY ISSUES**

Given the location of the Lewis Park Skate and BMX facility there are limited residential impact issues. However, the site is not highly visible and therefore has poor surveillance, which can create an association with undesirable behaviour.

Some environmental degradation occurs due to the use of BMX facilities. This impact is monitored with reactive maintenance works undertaken as required.

**5. FINANCIAL & ECONOMIC IMPLICATIONS**

The cost of maintenance of the Lewis Park Skate and BMX facility is estimated to be \$15,000-\$20,000 per annum. Funding has been provided in the 2007/2008 Budget to meet this cost.

The cost of minor rehabilitation works at the Lewis Park facility has previously been estimated at \$25,000. The extent of these works to be undertaken over the forthcoming 2 year period will be assessed on an ongoing needs basis to ensure ongoing safety, risk management and useability.

Longer term retention of the Lewis Park Skate and BMX facility would require consideration within Council's Long Term Financial Strategy.

**6. SOCIAL IMPLICATIONS**

As defined in Council's Youth Plan 2005 – 2009, Skate and BMX facilities provide:

- Active participation for young people in recreation, sports and arts/cultural activities, builds positive self-esteem and promotes positive self image whilst enhancing one's health and wellbeing.
- Opportunities for young people to connect with their community, thus strengthening relations between young people and other members of the community.
- Open space and recreation areas for both socialising and recreating.
- A catalyst for young people to build communities around shared experiences of place, ideas and interest.

## **8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)**

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

The provision of assistance to local community sporting groups contributes to Council's Key Result area of Caring and Safe Communities.

- **Responsive Services**

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

- **Strong Communities**

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

- **Active Community Life**

We will contribute to the vibrancy of community life in the City by promoting and resourcing the arts, cultural opportunities and leisure and recreational activities.

### **8. CONCLUSION**

Council received a petition in 2001 requesting that Council address the lack of safe skating facilities within the City of Knox. This was in reference to the perceived inadequacies of the Lewis Park Skate and BMX facility.

Council has constructed a new Skate and BMX facility at Gilbert Park, commencing operations in December 2007.

On 22 January 2008, Council received a petition requesting Council to consider the retention of the Lewis Park Skate and BMX facility.

Whilst it is expected that a decrease in activity at the Lewis Park Skate and BMX facility will occur following the completion of the new Gilbert Park Skate and BMX facility, it is recommended that a two (2) year review process be undertaken, including the monitoring of utilisation, ongoing condition assessment, the determination of operational issues, risk management, benchmarking and cost benefit analysis, to enable Council to determine the future of the Lewis Park Skate and BMX facility in early 2010.

The establishment of a Reference Group to consider and provide input into information gathered as part of the review process and involvement of Council's Recreation and Leisure Liaison Group ensures an effective consultative approach as part of the two (2) year review process.

### **9. CONFIDENTIALITY**

There are no confidentiality issues with this report.



**8.2 Petition – Lewis Park Skate and BMX Facility (cont'd)****RECOMMENDATION****That Council**

1. Endorse the retention of the Lewis Park Skate and BMX facility for a period up to February 2010 to enable a full review of the facility's future at that time.
2. Endorse a review of the Lewis Park Skate and BMX facility to be reported to Council in February 2010.
3. Endorse the establishment of a 'Lewis Park Skate and BMX facility Reference Group' to consider and provide input into information gathered as part of the review process.
4. Endorse the development of draft Terms of Reference for the Lewis Park Skate and BMX Facility Reference Group to be presented at the 13 May 2008 Strategic Planning Meeting of Council, following consideration of the draft Terms of Reference by Council's Recreation and Leisure Liaison Group.
5. Endorse Council's Recreation and Leisure Liaison Group to consider the outcomes of the review process and recommend to Council a future approach with the provision of skate and BMX facilities at Lewis Park in February 2010.

**Report Prepared By:** *Team Leader Leisure Development  
(Heather Callahan)*

**Report Authorised By:** *Director – Community Services  
(Kerry Stubbings)*

**CHANDLER WARD****9.1 SALE OF TREE RESERVE ABUTTING 936 MOUNTAIN HIGHWAY,  
BAYSWATER (MOBIL SERVICE STATION) (MELWAY REF: 65 A3)**

**SUMMARY:** *Coordinator – Property Services (Angela Mitchell)*

*This report is presented following the closing of submissions pertaining to the sale of the tree reserve abutting 936 Mountain Highway, Bayswater, to Mobil Oil Australia and recommends that Council dispose of the land.*

**1. INTRODUCTION**

Since 1996, Mobil has had a licence agreement to use the Council owned tree reserve for the purpose of ingress and egress from the Mobil Service Station at 936 Mountain Highway, Bayswater. The licence has now expired and Mobil have presented a proposal to purchase the tree reserve from Council. The area is 251m<sup>2</sup> and is situated within the property as indicated on the attached plan (refer Appendix A). The tree reserve is registered within Certificate of Title Volume 8943 Folio 432.

**2. DISCUSSION**

In August 1994, a request was made by Mobil Oil Australia to acquire the tree reserve abutting the service station on the corner of Mountain Highway and Dorset Road, Bayswater. The tree reserve was originally created so that a permit could be issued for the service station on the site. This was due to the fact that the planning scheme ordinance at that time contained a prohibition on service station sites abutting Mountain Highway. It was identified at that time that it was not possible to sell the land to Mobil due to this planning scheme restriction. Therefore, it was subsequently agreed in 1996 to enter into a licence agreement until such time as the changes had occurred to the planning scheme. The planning scheme amendment was finalised some time ago.

Council, at its meeting on 13 November 2007, resolved as follows:

“That Council, being of the opinion that the area of tree reserve, Volume 8943 Folio 432, abutting 936 Mountain Highway, Bayswater and shown on the plan attached in Appendix A, is not reasonably required for public use, hereby resolves to:

1. Under Section 189 and Section 223 of the Local Government Act 1989, that statutory procedures be commenced to sell the area of tree reserve (251m<sup>2</sup>) at the prevailing value, and that under Section 223 of that Act public notice of the proposed sale be given in the Knox Leader and Knox Journal.

**9.1 Sale of Tree Reserve Abutting 936 Mountain Highway, Bayswater (Mobil Service Station) (cont'd)**

2. Hear submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr Davey, Cr Gill and Cr Penna, to consider submissions on Tuesday, 22 January 2008 at 5.00pm.
3. That a further report be presented to Council following the conclusion of the statutory process.”

In accordance with Council's statutory obligations under the Local Government Act 1989, advertising was undertaken on 20 and 21 November 2007 in the Knox Leader and Knox Journal respectively. At the conclusion of the statutory period no submissions were received. Considering this, it is now recommended that Council proceed with the sale of the area of tree reserve to Mobil Oil Australia.

**3. CONSULTATION**

Public notice was given in the Knox Leader and Knox Journal on 20 and 21 November 2007 respectively. No submissions were received in the prescribed time.

**4. ENVIRONMENTAL/AMENITY ISSUES**

A tree reserve is an area of land set aside by planning authorities to act as a buffer between roads and other land to restrict crossover access and provide opportunities for landscaping, recreation and community infrastructure.

The tree reserve in question has no tree plantings and has been used as ingress and egress to the petrol station since the time of the issue of the planning permit.

**5. FINANCIAL & ECONOMIC IMPLICATIONS**

It is proposed that any sale of Council land would be subject to the purchaser being liable for all Council's costs in relation to the sale and the land to be sold at a valuation obtained in accordance Council's Valuation of Council Land for Sale Policy.

The sum of \$69,000 for the sale of this area of tree reserve is in accordance with a valuation prepared by Council's valuers.

**6. SOCIAL IMPLICATIONS**

The sale of this tree reserve provides no social implications.

**9.1 Sale of Tree Reserve Abutting 936 Mountain Highway, Bayswater (Mobil Service Station) (cont'd)**

**7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

This program is consistent with the strategies of the Knox Vision 2020 and Community and Council Plan, particularly in relation to Sound Stewardship. This project represents high standards of governance and provides for a strategic approach to reviewing Council's land holdings.

**8. CONCLUSION**

As there were no submissions received in the prescribed time, Council may now resolve to sell the area of tree reserve abutting 936 Mountain Highway, Bayswater, to Mobil Oil Australia for \$69,000.

**9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

**RECOMMENDATION**

**That Council, having completed the statutory process in accordance with the Local Government Act 1989, hereby resolves to:**

- 1. Proceed with the sale of the area of tree reserve (251m<sup>2</sup>) registered in Certificate of Title Volume 8943 Folio 432 as shown on the plan attached as Appendix A.**
- 2. Authorise the sale of the tree reserve to Mobil Oil Australia for \$69,000 plus Council's costs in relation to the sale.**
- 3. Sign and seal the transfer of land documentation associated with the sale of the tree reserve as shown in Certificate of Title 8943 Folio 432.**

***Report Prepared By: Coordinator – Property Services  
(Angela Mitchell)***

***Report Authorised By: Director – Corporate Development  
(Mick Jaensch)***

APPENDIX A

**ALL WARDS**

**9.2 REVIEW OF PROCEDURAL MATTERS LOCAL LAW**

**SUMMARY:            *Acting Manager – Governance (Carrie Bruce)***

***The Procedural Matters Local Law is the main instrument for Council regarding the conduct of meetings. It deals with the use of the common seal, the election of Mayor and meeting procedures for all Council and Committee meetings. The Procedural Matters Local Law was originally adopted in 1997 and reviewed in 2002.***

***Since 2002, there have been a number of legislative changes that have impacted Council's current Local Law. As a result of this, it is appropriate for Council to review the Local Law and also take the opportunity to ensure the document aligns with contemporary thinking around the conduct of meetings.***

**1. INTRODUCTION**

The Procedural Matters Local Law has provided good guidance in regards to the conduct of meetings since being adopted by Council in its current form in 2002. There have been some minor interpretative issues throughout this time, however, these issues have been able to be overcome within the context of the Local Law and through the development of supporting policies.

The redrafted Local Law as presented in Appendix A has been updated to incorporate changes in legislation that have occurred since 2002 as well as to address some minor issues that have been identified by Council, the Chief Executive Officer and staff over the past five years. The proposed changes are not significant in nature and do not change the general principles of the existing Local Law.

**2. DISCUSSION**

The procedure for making a Local Law is set down in Part 5 of the Local Government Act 1989 (the Act) and requires that before Council adopts a revised Local Law it must first give notice in the Government Gazette stating:

- The purpose and general purport of the proposed Local Law; and
- That a copy of the proposed Local Law can be obtained from the Council office; and
- That any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under section 223. Council must then consider any submissions in accordance with section 223.

## 9.2 Review of Procedural Matters Local Law (cont'd)

After this process, Council may then adopt the Local Law and must again give notice in the Government Gazette specifying the title of the Local Law and its purpose and general purport. A copy of the Local Law must be available for inspection at the Council offices and a copy is also sent to the Minister.

In preparing the redraft of the Local Law, staff have undertaken a comprehensive review of Meeting Procedure Local Laws for many major Councils in metropolitan Melbourne.

Detailed below are the key changes that have been incorporated into the draft Local Law. Many of the changes are proposed to simplify the Local Law and ensure that the document is contemporary, based on current terminology and meeting procedure.

1. The numbering system has been redesigned to align with the practice used in the development of State and Federal legislation.
2. The name of the Local Law has been changed to more accurately reflect the role of the Local Law. It is proposed that the Procedural Matters Local Law No. 1 of 2002 be changed to be the Meeting Procedure and Use of Common Seal Local Law 2008.
3. The procedure for conducting the statutory meeting has been revised to ensure that it complies with recent changes to legislation. Provisions relating to the setting of Councillor allowances at the statutory meeting have been removed as allowances are now required under the Act to be set for the full term of the Council within seven months of a general election.
4. Language has been simplified to enable the document to be more easily read and understood and ensure clarity whilst at the same time bringing the document in line with contemporary practice.
5. The order of business for a Council meeting agenda has been reviewed to reflect current practice and again align with changes in legislation as follows:
  - Renaming of Pecuniary Interest to Declarations of Interest and or Conflict of Interest.
  - Reference to call up items has been included in the order of business.
  - The section around petitions has been renamed to allow for presentations, petitions and memorials. This will clarify when these types of issues should be raised during a Council meeting.
  - Reference in the order of business relating to public question time has been removed as there is a specific provision in the Local Law relating to public question time. These two provisions were seen as conflicting.

## 9.2 Review of Procedural Matters Local Law (cont'd)

6. New provisions have been drafted to clearly articulate the process in regards to the following issues:
  - Suspension of standing orders (refer section 23)
  - Confirmation of minutes (refer section 27 (c))
  - Foreshadowing motions (refer section 35)
  - Withdrawal of motions (refer section 36)
  - Separation of motions (refer section 37)
7. Section 53, Notice of Amendment or Rescission, has been substantially revised as the process for undertaking an amendment or rescission motion was somewhat unclear under the previous provisions.

The provisions within this section provided that a rescission motion could only be passed on the vote of the majority of the whole of the Council. This has been removed as this practice is inconsistent with the provisions of the Local Government Act. Decisions are made by a majority vote of those Councillors present at the meeting.

In addition, the provisions requiring the Chairperson to exercise their casting vote against a rescission motion have also been removed. This is also inconsistent with the provisions of the Local Government Act which provide that in the event of an equality of votes, the Chairperson has a second vote. The Act does not stipulate that the Chairperson must cast their casting vote against the motion in the event of a tied vote.

Following a briefing with Councillors, it has been requested that policies be developed to support the Local Law in relation to:

- The process and timelines for calling special meetings; and
- The process and timelines for a notice of amendment or rescission, with a particular emphasis on the acting upon Council resolutions within 24 hours of a meeting.

These policies will be presented to Council prior to the adoption of the redrafted Local Law.

### **3. CONSULTATION**

Throughout the drafting process, a number of discussions were held with the Chief Executive Officer, Director - Corporate Development and key staff who work with the Local Law on a daily basis.



## **9.2 Review of Procedural Matters Local Law (cont'd)**

A copy of the revised Local Law has been referred to Council's solicitors for review to ensure that the Local Law is consistent with the Local Government Act, National Competition Policy Provisions and the recently revised principles under the Human Rights Charter. Advice received indicates that the document is consistent with the principles of these Acts. Some amendments have also been made to the document to ensure clarity and consistency of language.

In accordance with section 223 of the Act, or where Council determines, a committee of Council shall consider any written submissions which are received by Council in relation to the proposed Local Law within 14 days after the publication of the public notice. The Act also provides that persons making submissions may be heard in support of their submission.

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

There are no environment or amenity issues associated with this report.

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

There are no financial or economic implications associated with this report.

### **6. SOCIAL IMPLICATIONS**

There are no direct social implications associated with this report, however the review of the Local Law will support Council's approach to community engagement and provide a consistent and clear process for the decision making processes of Council.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

The development of a Local Law in regards to meeting procedure is a key requirement for a good decision making process. This aligns with Council's requirements in the Knox Community and Council Plan in regards to effective governance which requires Council to conduct itself in an open, honest and accountable way and ensure all activities promote good governance.

### **8. CONCLUSION**

It is proposed that Council, in accordance with Sections 119 and 223 of the Local Government Act 1989, seek submissions from the community in relation to the draft Meeting Procedure and Use of Common Seal Local Law 2008.

### **9. CONFIDENTIALITY**

There are no issues of confidentiality associated with this report.

**9.2 Review of Procedural Matters Local Law (cont'd)****RECOMMENDATION****That Council**

- 1. advertise the proposed Meeting Procedure and Use of Common Seal Local Law 2008 in the Government Gazette and in local newspapers seeking submissions in accordance with sections 119 and 223 of the Local Government Act 1989.**
- 2. hear submissions in relation to this proposed Meeting Procedure and Use of Common Seal Local Law 2008, in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following committee of Council comprising Cr\_\_\_\_\_, Cr\_\_\_\_\_ and Cr\_\_\_\_\_, to consider submissions on Tuesday, 18 March 2008 at 5.30pm.**
- 3. consider a further report in relation to this matter at the conclusion of the submission process.**

***Report Prepared By: Acting Manager – Governance (Carrie Bruce)***

***Report Authorised By: Acting Director – Corporate Development  
(Rodney McKail)***



# **KNOX CITY COUNCIL**

## **DRAFT**

# **Meeting Procedure and Use of Common Seal**

## **Local Law 2008**

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## PART 1 - INTRODUCTION

### 1. Title

This Local Law is known as the Meeting Procedure and Use of Common Seal Local Law of 2008.

### 2. Period of Operation

This Local Law commences to operate on 1 July 2008 and ceases to operate on 30 June 2018 unless revoked earlier. Upon its commencement, Local Law No. 1 of 2002 (Procedural Matters Local Law) is revoked.

### 3. Purpose

The purposes of this Local Law are to:

- (a) Revoke Local Law No.1 of 2002 (Procedural Matters Local Law);
- (b) Regulate the use and control of the **Council's common seal**;
- (c) Prohibit unauthorised use of the **common seal** or any device resembling the **common seal**;
- (d) Regulate the proceedings for the election of the **Mayor**;
- (e) Regulate proceedings of Ordinary and **Special meetings of Council** and **Meetings of Special Committees** and **Advisory Committees of Council**;
- (f) Provide penalties for non observance of the provisions of this Local Law;
- (g) Authorise the charging of fees as permitted by the **Act** for the provision of information; and
- (h) Generally maintain the peace, order and good government of the municipal district.

### 4. Authorising Provisions

This Local Law is made by the Knox City **Council** under the provisions of Sections 91 and 111 and Schedule 8 to the **Act**.

### 5. Area of Operation

This Local Law operates throughout the whole of the municipal district.

## 6. Definitions

Unless inconsistent with the subject matter, the following words and phrases in this Local Law have the meaning indicated:

<b>WORD(S)</b>	<b>MEANING</b>
Act	The Local Government Act 1989.
Advisory Committee	An Advisory Committee established by <b>Council</b> .
Agenda	The notice of a <b>Meeting</b> setting out the business to be transacted at the <b>Meeting</b> .
Authorised Signatory	Includes any <b>Director</b> , the Manager – Governance and any <b>Councillor</b> .
Chairperson	The Chairperson of the <b>Meeting</b> and includes an acting, temporary or substitute Chairperson.
Chief Executive Officer	The Chief Executive Officer of <b>Council</b> .
common seal	The common seal of <b>Council</b> .
Council	Means Knox City Council
Council Meeting (or 'Meeting')	Any <b>Ordinary Meeting</b> or <b>Special Meeting</b> of <b>Council</b> .
Councillor	A Councillor of <b>Council</b> .
Director	A member of staff occupying a second-level position in the core part of the organisational structure of <b>Council</b> .
formal motion	A motion set out in Schedule 1.
Mayor	The Mayor of <b>Council</b> and includes a person acting as the Mayor.
Meeting	An <b>Ordinary Meeting</b> or a <b>Special Meeting</b> of <b>Council</b> , a <b>Special Committee</b> meeting or an <b>Advisory Committee</b> meeting.
Minutes	The collective record of proceedings of <b>Council Meetings</b> .
Notice of Motion	A notice setting out the text of a motion which is proposed to be moved at the next relevant <b>Meeting</b> .
offence	A wilful act or default contrary to the Local Law.
Officer	A person employed on <b>Council</b> staff.
Ordinary Meeting	An <b>Ordinary Meeting</b> of <b>Council</b> , at which only general business may be transacted.
Penalty Unit	Has the same meaning as in the Sentencing Act 1991.
point of order	A procedural point, not involving the substance of a matter before a <b>Meeting</b> .
Special Committee	A special committee established pursuant to Section 86, 87 or 88 of the <b>Act</b> .
Special Meeting	<b>Meeting</b> convened under section 84 of the <b>Act</b> .
Statutory Meeting	A <b>Meeting</b> held for the election of <b>Mayor</b> , and where necessary, for the taking of Declarations of Office and taking of the Oath of Allegiance by <b>Councillors</b> .

## PART 2 - THE COUNCIL'S COMMON SEAL

### 7. Form and Use of the Common Seal

- (1) The **common seal** must have in it the words "Knox City Council".
- (2) The **common seal** must be used only on the authority of **Council** or the **Chief Executive Officer** and every document to which the common seal is affixed must be signed by the **Chief Executive Officer** and an **Authorised Signatory of Council**.

### 8. Authority for Use of Common Seal

The **common seal** must be affixed to a document only for the purpose of giving effect to a decision which has been:

- (a) made by **Council** resolution;
- (b) made by resolution of a **Special Committee** to which power to use the **common seal** has been delegated; or
- (c) made by the **Chief Executive Officer** or a **Director** under delegation.

### 9. Keeping of the Common Seal

The **Chief Executive Officer** or the **Officer** to whom the duty has been delegated must keep the **common seal** in safe custody.

### 10. Unauthorised Use of the Common Seal

Any person who uses the **common seal** or any device resembling the **common seal** other than in accordance with **clause 8** is guilty of an **offence**.

**PENALTY: 10 Penalty Units**



## PART 3 - ELECTION OF MAYOR

### 11. Procedure for Election of Mayor

- (1) The **Mayor** must be elected at a **Statutory Meeting** specifically convened for the purpose and held:
  - (a) annually, in accordance with section 71 of the **Act**; or
  - (b) as soon as possible after there occurs any vacancy in the office of **Mayor**.
- (2) The **Chief Executive Officer** must prepare the **Agenda** for the **Statutory Meeting** in time to give each **Councillor** at least 24 hours notice of the **Meeting**.
- (3) At the commencement of the **Statutory Meeting**, the **Chief Executive Officer** must act as temporary **Chairperson** and Returning Officer.
- (4) The **Agenda** for the **Statutory Meeting** must include the making of the declaration of office and taking the oath of allegiance by each **Councillor** in accordance with sections 63 and 64 of the **Act**.
- (5) At any **Meeting** to elect the **Mayor** the temporary **Chairperson** must deal with:
  - (a) the receipt of nominations for the election of **Mayor**; and
  - (b) the election of the **Mayor**.
- (6) Only the business specified in the **Statutory Meeting Agenda** can be transacted at the **Statutory Meeting**.
- (7) Any **Councillor** is eligible for election or re-election to the office of **Mayor**<sup>1</sup>.
- (8) In determining the election of **Mayor** the following will apply<sup>2</sup>:
  - (a) The **Chief Executive Officer** must invite nominations for the office of **Mayor**. If there is only one nomination (which must be seconded), the candidate nominated must be deemed to have been duly elected.
  - (b) If there is more than one nomination (each of which must be seconded), the **Councillors** present at the **Meeting** must vote for one of the candidates by a show of hands (or by secret ballot if **Council** so resolves).
  - (c) In the event of a candidate receiving an absolute majority of the votes, that candidate must be declared to have been duly elected.

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<sup>1</sup> Under Section 78(1) of the Local Government Act 1989, a candidate for the office of **Mayor** must not be precluded from participating in the debate or voting on the election of **Mayor**.

<sup>2</sup> Given the provisions of section 90(1)(d) of the Act, it is assumed that "an equality of votes" can only take place when all votes cast are evenly distributed between two or more nominees. This would not be so where for example there were four votes for one nominee, four votes for another one and one for another (in which case resort would then be had to the clause 11(d) process). If alternatively the distribution were to be three votes for each of three nominees, paragraph (iv) and section 90(2) would require determination by lot (regardless of the fact that no nominee had a majority of votes).

- (d) In the event of no candidate receiving an absolute majority of the votes the candidate with the fewest number of votes must be declared to be a defeated candidate. If because of an equality of votes no candidate can be declared to be a defeated candidate a second vote will be taken. If after the second vote there is still an equality of votes and no candidate can be declared to be a defeated candidate, the defeated candidate will be determined by lot. In conducting the lot the names of all candidates that have the least number of votes must be placed in a container. The first name drawn will be deemed to be the defeated candidate.

No further nominations must be accepted and the **Councillors** present at the **Meeting** must then vote for one of the remaining candidates by a show of hands (or by secret ballot if **Council** so resolves).

- (e) If one (1) of the remaining candidates receives an absolute majority of the votes, he or she must be declared to have been duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates by a show of hands (or by secret ballot if **Council** so resolves) must be repeated until one (1) of the candidates receives an absolute majority of the votes. That candidate must be declared to have been duly elected.
- (f) In the event of two (2) remaining candidates having an equality of votes and one (1) of them having to be declared duly elected, the result will be determined by lot. In conducting the lot, the names of the remaining candidates, having an equality of votes, will be placed in a container. The first name drawn will be deemed to have been duly elected.
- (g) The **Chief Executive Officer** will conduct the lot.

## 12. Chairperson

- (1) After the election of the **Mayor** is determined, the **Mayor** must assume the position of **Chairperson**.
- (2) The **Mayor** must chair all **Council Meetings** at which he or she is present.

## 13. Where Mayor is Absent

- (1) If the **Mayor** is absent from a **Council Meeting**, the **Chief Executive Officer** must take the Chair and invite nominations from the **Councillors** present for a temporary **Chairperson**. If there is more than one nomination the **Chief Executive Officer** will act as Returning Officer for the election of a temporary **Chairperson**. If there is more than one nomination the procedure for determining the temporary **Chairperson** will be in accordance with clause 11.
- (2) The **Chairperson** may vacate the Chair for the duration of any item under discussion whereupon a temporary **Chairperson** elected by the **Meeting** must take the Chair until such item has been determined.

## PART 4 - MEETING PROCEDURES

### Division 1 - *Council and Special Meetings*

#### 14. General

- (1) In all cases not otherwise provided for herein, the rules, forms and usages of the Victorian Parliament are to apply, so far as they are applicable, to the proceedings of **Council**.
- (2) Where a circumstance has not been provided for in this Local Law, or it is unclear how it should be dealt with, **Council** may determine the matter by resolution.
- (3) **Council** may, by resolution, adopt policies which complement this Part and which facilitate the conduct of **Meetings** or the conduct and actions of **Councillors** in the proper and appropriate fulfilment of their role and function in the public office of **Councillor**.

#### 15. Date, Time and Place of Meetings

- (1) The dates, times and places of **Meetings** are within the discretion of **Council**.
- (2) **Council** may, by resolution, at an **Ordinary Meeting** or, where permissible, a **Special Meeting** fix the day and time upon which any **Ordinary Meeting** must be held.
- (3) **Council** may change the date, time and place of any **Council Meeting** which has been fixed and must provide reasonable notice<sup>3</sup> of the change to the public.

#### 16. Notice of Meeting

For the purposes of section 89(4) of the **Act**, the **Chief Executive Officer** must give reasonable notice to the public of any **Council Meeting**.

#### 17. Agendas

- (1) The **Chief Executive Officer** must send the **Agenda** for an **Ordinary Meeting** to every **Councillor**, at his or her residential address or such other address as nominated by that **Councillor**, not less than 48 hours before the time fixed for the holding of the **Meeting**.
- (2) An **Agenda** must not be delivered to a **Councillor** who has been granted leave of absence unless the **Councillor** has, in writing, requested the **Chief Executive Officer** to continue to provide **Agendas** for **Meetings** held during the period of leave.
- (3) The **Chief Executive Officer** may include any matter on an **Agenda** which he or she thinks should be considered by **Council** at the **Meeting** to which the **Agenda** relates.

#### 18. Business

- (1) Unless otherwise provided in this Local Law, no business may be conducted at an **Ordinary Meeting** unless it is business notice of which has been given either by inclusion in the **Agenda** or any report accompanying the **Agenda** or in a **Notice of Motion**.

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<sup>3</sup> Reasonable notice generally includes an advertisement in a newspaper circulating in the municipal district, a notice on a notice board accessible to the public at Council's offices and on Council's website.

- (2) A **Councillor** may up to one hour before the commencement time of a **Meeting** lodge any **Notice of Motion** on any item that they wish to move at the **Meeting**, and:
  - (a) if lodged must be lodged in writing with the **Chief Executive Officer**;
  - (b) if received more than 24 hours before the **Meeting**, the **Chief Executive Officer** must distribute a copy of the **Notice of Motion** to all **Councillors** prior to commencement of the **Meeting**;
  - (c) if received within 24 hours of the **Meeting**, the **Chief Executive Officer** must distribute a copy of the **Notice of Motion** to all **Councillors** attending the **Meeting** prior to commencement of the **Meeting**;
  - (d) if lodged, the **Chairperson** must call on the **Councillor** to move the **Notice of Motion** in conjunction with clause 19(1)(i) of the **Agenda**; and
  - (e) must be deemed withdrawn if not moved by the **Councillor** when invited by the **Chairperson** to do so.

## 19. Order of Business

- (1) Unless **Council** resolves otherwise but subject to clause 19(2), the business of an **Ordinary Meeting** must be conducted in the following order:
  - (a) Opening
  - (b) Apologies and requests for leave of absence;
  - (c) Disclosures of interest or conflict of interest of any **Councillor**;
  - (d) Confirmation of **Minutes**;
  - (e) Presentations of petitions and memorials;
  - (f) Reports by **Councillors**:
    - (a) Committees and Delegates; and
    - (b) Ward Issues.
  - (g) Consideration of reports by **Officers**;
  - (h) Matters deferred or continued from previous **Meetings**;
  - (i) Motions for which notice has previously been given;
  - (j) Supplementary items;
  - (k) Urgent business;
  - (l) Call up items;
  - (m) Questions without notice; and
  - (n) Confidential business where the **Meeting** is closed to the public under section 89(2) of the **Act**.
- (2) Public Question Time will be held following the completion of business on the **Agenda** relating to planning matters unless determined otherwise by resolution of **Council**.

## 20. Reports by Councillors

- (1) A report of a **Councillor** may include:
  - (a) a report on any committee on which a **Councillor** represents **Council** and will generally provide an update of any meeting or action that has occurred since the last **Council Meeting**; and
  - (b) an update on Ward issues of which **Council** should be made aware. A maximum of two such issues can be raised at any **Meeting**.
- (2) A **Special Committee** is not required to report on matters delegated to that **Special Committee**.
- (3) **Councillors** may report to **Council** in a written or verbal form on any issue in respect of which they are acting as a delegates of **Council**.

## 21. Urgent Business

- (1) Business must not be admitted as urgent business unless it:
  - (a) relates to or arises out of a matter which has arisen since distribution of the **Agenda**; and
  - (b) cannot safely or conveniently be deferred until the next **Ordinary Meeting**.
- (2) **Council** may resolve by a majority of those present to admit (without the required notice) an item considered to be urgent business.
- (3) The process for raising urgent business will be as follows:
  - (a) a **Councillor** will indicate to the **Chairperson** his or her intention to request consideration of an item of urgent business.
  - (b) when called upon by the **Chairperson**, the **Councillor** must state the nature of the business and the nature of urgency, also explaining why it could not have been incorporated on the initial **Agenda** or reasonably deferred to a subsequent **Council Meeting**, and why it cannot be considered as a "Call Up" item.
  - (c) after this brief explanation by the **Councillor**, the **Chairperson** will call on the **Councillor** to move that the item be considered. In doing so **Council** will be aware of the provisions of sub-clause (1).

Once moved and seconded the motion to include an item of Urgent business may be debated like any other normal motion.
  - (d) once an urgent item has been admitted, the **Councillor** must first move the motion in its entirety. If the motion is seconded the normal debate will pursue. If it is not seconded the motion lapses for want of a seconder.
  - (e) if requested by the **Chairperson**, the motion must be written and presented to the **Chairperson** when moved and seconded.
  - (f) if the motion to consider the additional item of urgent business is not carried, no further discussion can occur.
- (4) The **Chief Executive Officer**, in consultation with the **Mayor**, may prepare a written supplementary report on any item of business that has arisen since the preparation of the **Agenda**. **Councillors** must receive a copy of any supplementary report at least 24 hours before the time fixed for holding the **Meeting**.

**22. Questions without Notice**

- (1) Any **Councillor** may ask a question without notice.
- (2) The question must be directed to the **Chairperson** but may require an answer from the **Chairperson**, a **Councillor** or an **Officer**.
- (3) The **Chairperson** or **Councillor** may respond if he or she deems it appropriate, however the **Chairperson**, **Councillor** or **Officer** may take the question on notice and provide written advice within 5 working days.

**23. Suspension of Standing Orders**

- (1) Subject to clause 19, the provisions of this Local Law may be suspended for a particular purpose by resolution of **Council**.
- (2) The suspension of such provisions (standing orders) may only be used to enable full discussion of any issue without the constraints of formal **Meeting** procedure.
- (3) The purpose of such suspension is to enable the formalities of **Meeting** procedure to be temporarily suspended while an issue is discussed.
- (4) Such suspension should not be used purely to dispense with the processes and protocol of the government of **Council**.
- (5) Once the discussion has taken place and before any motions can be put, standing orders must be resumed.

**24. No Motions may be accepted during Suspension of Standing Orders**

No motion may be accepted by the Chair or be lawfully dealt with during any suspension of standing orders.

**25. Special Meetings**

- (1) The **Mayor** or at least three **Councillors** may by a written notice to the **Chief Executive Officer** call a **Special Meeting** of the **Council**.
- (2) The notice necessary to call a **Special Meeting** must be delivered to the **Chief Executive Officer** in sufficient time to enable reasonable notice to be given to **Councillors** and members of the public.
- (3) In giving such notice, **Councillors** should have regard to any need for preparatory investigations to enable the business to be undertaken.
- (4) The notice referred to in clause 25(1) must specify the date and time of the **Special Meeting** and the business to be transacted.
- (5) The **Chief Executive Officer** must call the **Special Meeting** as specified in the notice.
- (6) Unless all **Councillors** are present and unanimously agree to deal with another matter, only the business specified in the notice may be transacted.

**26. Minutes**

The **Minutes** must record the business of the **Meeting** and in particular:

- (1) The name of the **Councillors**:

- (a) who were present and a record of their attendance relative to items considered during the entire **Meeting**; and
  - (b) who submitted apologies or have been granted leave of absence;
- (2) The names of Executive **Officers** in attendance and their organisational titles;
- (3) Any disclosures of interest or conflicts of interest;
- (4) Arrivals and departures (including temporary departures) of **Councillors** during the course of the **Meeting**;
- (5) Each motion and amendment moved (including motions and amendments that lapse for want of a seconder) and motions and amendments withdrawn by resolution or by leave of the **Meeting**;
- (6) Whether motions or amendments were carried or lost;
- (7) The vote cast by each **Councillor** upon a division, either FOR or AGAINST, and the declaration of the result of the division on the motion or amendment;
- (8) The failure of a quorum;
- (9) Closure of the **Meeting** to members of the public in accordance with the provisions of section 89(2) of the **Act**;
- (10) When specifically requested by a **Councillor**, a record of his or her support or opposition for any motion; and
- (11) Any other matter which the **Chief Executive Officer** thinks should be recorded to clarify the intention of the **Meeting** or the reading of the **Minutes**.

## 27. Confirmation of Minutes

- (1) At every **Council Meeting**, the **Minutes** of the preceding **Meeting** must be dealt with as follows:
  - (a) if the **Minutes** have been delivered to each **Councillor** at least 48 hours before the **Meeting**, a motion can be passed for confirmation of the **Minutes**; or
  - (b) if the **Minutes** have not been so delivered, a motion may be proposed to allow any adjournment to allow time for the **Minutes** to be read after which a motion can be passed for confirmation of the **Minutes**.
- (2) No discussion is permitted on the **Minutes** except as to their accuracy as a record of proceedings.
- (3) If a **Councillor** is dissatisfied with the accuracy of the **Minutes**, then the **Councillor** must:
  - (a) state the item or items with which he or she is dissatisfied; and
  - (b) propose a motion clearly outlining the alternative wording to amend the **Minutes**.
- (4) Once the **Minutes** are confirmed, the last page must be certified by the **Chairperson**.

**28. Quorum and Adjournment**

- (1) A quorum is a majority of the number of **Councillors** within the whole of **Council** as constituted or members of a **Special Committee** which the whole **Special Committee** as constituted comprises, present at the **Meeting**.
- (2) Business must not be conducted at any **Council Meeting** or a **Special Committee Meeting** unless a quorum is present.
- (3) The **Councillors** present at any **Council Meeting** may from time to time adjourn the **Meeting**.
- (4) No discussion is allowed on any motion for adjournment of the **Meeting**, but if on being put the motion is defeated, the subject then under consideration or the next on the **Agenda** or any other that may be allowed precedence must be discussed before any subsequent motion for adjournment is moved.

**29. Failure to Raise a Quorum**

- (1) If a quorum is not present within 30 minutes of the time appointed for the commencement of a **Council Meeting**:
  - (a) the **Meeting** lapses;
  - (b) the **Chairperson** or in his/her absence the **Chief Executive Officer** must convene another **Council Meeting** to be held within 14 days of the adjourned **Meeting** and ensure that the **Agenda** for it is identical to the **Agenda** for the **Meeting** which has lapsed; and
  - (c) the **Chief Executive Officer** must give all **Councillors** notice of the reconvened **Meeting**.
- (2) Despite clause 29(1)(c), this requirement does not apply in respect of any **Councillor** who has been granted leave of absence pursuant to section 69 of the **Act** and who has not requested the **Chief Executive Officer**, in writing, to continue to give notice of **Meetings** to be held during the period of leave of absence.

**30. Failure to Maintain a Quorum**

- (1) If a quorum cannot be maintained after a **Council Meeting** has commenced the **Chairperson** must adjourn the **Meeting**, and then reconvene the **Meeting** within 30 minutes after it was adjourned, in which case:
  - (a) if a quorum is then present the **Meeting** must resume; or
  - (b) if a quorum is not then present and if, after using his or her best endeavours to restore a quorum, the **Chairperson** is unsuccessful, the **Chairperson** must announce that the **Meeting** has lapsed, whereupon the **Meeting** lapses.
- (2) If a **Meeting** lapses under clause 30(1)(b), the undisposed business must, unless it has already been disposed of at a **Special Meeting**, be included in the **Agenda** for the next **Ordinary Meeting**.
- (3) Despite the loss of a quorum in the circumstances set out in this clause, the business transacted at the **Meeting** to that point will remain valid and be capable of being acted upon.

**31. Time Limit for Meetings**

- (1) A **Council Meeting** must not continue after 10.30 pm unless a majority of **Councillors** present at the **Meeting** votes in favour of its continuance.



- (2) In the absence of such continuance resolution, the **Meeting** must stand adjourned to a time, date and place to be determined by the **Chairperson**.
- (3) Where practicable, the **Chairperson** will determine, and advise all **Councillors** present of, the adjourned time, date and place of meeting, prior to closing the **Meeting**.
- (4) In the event that it is impracticable to comply with clause 31(3) the **Chief Executive Officer** must give reasonable notice to each **Councillor** and the public of the date, time and place to which the **Meeting** stands adjourned and of the business remaining to be considered.
- (5) Despite clause 31(4), this requirement does not apply in respect of any **Councillor** who has been granted leave of absence pursuant to section 69 of the **Act** and who has not requested the **Chief Executive Officer**, in writing, to continue to give notice of **Meetings** to be held during the period of leave of absence.

### 32. Addressing Meetings

- (1) Once acknowledged by the **Chairperson** as being the next speaker on an item, the **Councillor** has the floor and may stand when addressing the **Meeting** and must not be interrupted unless called to order or time has expired.
- (2) Except for the **Chairperson**, any **Councillor** or person who addresses the **Meeting** must direct all remarks through the Chair.

### 33. Motions and Amendments

- (1) Motions and amendments must relate to the powers or functions of **Council**, be clear and unambiguous and not be defamatory or objectionable in language or nature. Except in the case of urgent business, a motion or amendment must be relevant to an item of business on the **Agenda**.
- (2) The **Chairperson** may require any motion or amendment to be put in writing before it is considered.
- (3) The **Chairperson** may refuse to accept any motion or amendment which contravenes this or any other clause.

### 34. Procedure for Moving a Motion or Amendment

- (1) The mover must state the motion without speaking to it.
- (2) The **Chairperson** must call for a seconder unless the motion is a call to enforce a **point of order** or a **formal motion** that does not require a seconder.
- (3) If there is no seconder, the motion lapses.
- (4) If there is a seconder, the **Chairperson** must call the mover to address the **Meeting**. The mover may, without speaking to the motion, reserve his or her address until later in debate.
- (5) After the mover has addressed the **Meeting** (or reserved his or her right to speak), the seconder may address the **Meeting**.
- (6) After the seconder has addressed the **Meeting** (or after the mover has addressed the **Meeting** if the seconder does not address the **Meeting**), the **Chairperson** must call upon any **Councillor** who wishes to speak against the motion.

- (7) If no **Councillor** speaks against the motion, then the **Chairperson** may put the motion or call any other member to speak.
- (8) Any **Councillor** except the mover or seconder of the original motion may move or second an amendment.
- (9) A **Councillor** may speak once on the motion and once on any amendment except for the mover of the original motion (but not the mover of an amendment) who has the right of reply after which the motion must be put to the **Meeting** for decision. The mover may not exercise the right of reply when he or she is the only speaker to the motion, or the last person to speak having reserved the right to speak later in the debate.
- (10) A **Councillor** may be permitted by the **Chairperson** to speak more than once to a motion to make a personal explanation.
- (11) A **Councillor** calling the attention of the **Chairperson** to a **point of order** is not regarded as speaking to the motion or the amendment.
- (12) No motion or amendment may be altered or withdrawn without the consent of the seconder.
- (13) Amendments must be dealt with one at a time.
- (14) An amendment must be relevant to the motion upon which it is moved and not negate the original motion.
- (15) A subsequent amendment must not be considered until any previous amendment is decided upon but amendments may be foreshadowed.
- (16) No right of reply is available to an amendment.
- (17) The mover and seconder of a motion may propose a variation to the motion if leave of the **Meeting** is granted.
- (18) No further amendments or debate may be accepted after the mover of the original motion has exercised his or her right of reply.
- (19) The mover of a motion must not introduce new material when exercising any right of reply.

### 35. Foreshadowing Motions

- (1) At any time during debate, a **Councillor** may foreshadow a motion to inform **Council** of his or her intention to move a motion at a later stage in the **Meeting**, but this does not extend any special right to the foreshadowed motion.
- (2) A motion foreshadowed may be prefaced with a statement that, in the event that a particular motion before the Chair is resolved in a certain way, a **Councillor** intends to move an alternative or additional motion.
- (3) A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the **Meeting**.
- (4) The **Chief Executive Officer** is not required to have foreshadowed motions recorded in the **Minutes** until the foreshadowed motion is formally moved, but may do so if it is considered that this would improve clarity in recording the outcomes of the **Meeting**.

**36. Withdrawal of Motions**

Before any motion is put to the vote, it may be withdrawn with leave of the **Meeting**.

**37. Separation of Motions**

Where a motion contains more than one part, a **Councillor** may request the **Chairperson** to put the motion to the vote in separate parts.

**38. Debate**

A **Councillor** may speak only when called by the **Chairperson**:

- (a) to speak in debate;
- (b) to ask or answer a question;
- (c) on a **point of order**; or
- (d) to make a personal explanation.

**39. Order of Speaking**

If two or more **Councillors** wish to speak at the same time, the **Chairperson** will determine the order of speakers.

**40. Chairperson May Speak**

The **Chairperson** may address a **Meeting** upon any matter under discussion, and is not deemed to have left the Chair on such occasions. However, such address should only take place after all other **Councillors** have had the opportunity to address the **Meeting**.

**41. Speaking to Subject Matter**

A **Councillor** must not digress from the subject matter of the motion, amendment or business under discussion.

**42. Points of Order**

- (1) The **Chairperson** is the final arbiter of all points of order.
- (2) The **point of order** may be taken on the ground that a matter is:
  - (a) contrary to this Local Law;
  - (b) defamatory;
  - (c) irrelevant;
  - (d) outside **Council's** functions or powers;
  - (e) improper; or
  - (f) frivolous or vexatious.
- (3) The ruling of the **Chairperson** upon any **point of order** is not open to any discussion and will be final and conclusive.
- (4) The **Chairperson** may take a **point of order**.

**43. Interruptions, Interjections and Relevance**

- (1) A **Councillor** must not be interrupted except by the **Chairperson** or upon a **point of order**.

- (2) If a **Councillor** is interrupted by the **Chairperson** or upon a **point of order**, he or she must remain silent until the **Chairperson** has ceased speaking, or the **point of order** has been determined.

#### 44. Resumption of Adjourned Debate

If a debate is adjourned by motion, the **Councillor** moving the adjournment has the right to be the first speaker upon the resumption of debate unless he or she has already spoken to the motion or amendment.

#### 45. Disorderly Expressions

If a **Councillor** or an **Officer** uses any expression that is disorderly or offensive to any other **Councillor** or **Officer**, the **Chairperson** must require the offending **Councillor** or **Officer** to withdraw the expression and make a satisfactory apology to the **Meeting**. A **Councillor** or **Officer** required to withdraw a remark must do so immediately without qualification or explanation.

#### 46. Personal Explanation

- (1) A **Councillor** or an **Officer** may, at any **Council Meeting** and at a time decided by the **Chairperson**, make a personal explanation for a period not exceeding two (2) minutes on any statement made (whether made at a **Council Meeting** or not) affecting that **Councillor** or **Officer**.
- (2) A personal explanation must not be debated.

#### 47. Time Limits

- (1) A **Councillor** must not speak longer than the time set out below unless granted an extension by the **Meeting**:
- the mover of a motion or amendment - 5 minutes
  - the mover of a motion exercising a right or reply - 2 minutes
  - any **Councillor** on update of Ward issues under clause 19(1)(f) - 2 minutes (per item)
  - any other **Councillor** on any other matter - 3 minutes
- (2) A motion for the extension of time will, if carried, allow a **Councillor** a further two minutes to speak but no further extension must be permitted.

#### 48. Gallery to be Silent

Any person in the Public Gallery must not, during a **Council Meeting**, interject or take part in the debate and must preserve silence at all times other than where people are permitted to address the **Meeting** as provided elsewhere in this Local Law.

#### 49. Removal of Disorderly Visitors

If a person in the Public Gallery is called to order by the **Chairperson** and thereafter again acts in breach of this Local Law, the **Chairperson** may order him or her to leave, failing which the **Chairperson** may order him or her to be removed from the Public Gallery.

#### 50. Chairperson May Adjourn Disorderly Meeting

If the **Chairperson** is of the opinion that disorder in the vicinity of the **Meeting** makes it desirable to adjourn the **Meeting**, he or she may adjourn the **Meeting** to a later time on the same day or to some later day as he or she thinks proper.

## 51. Suspensions

**Council** by resolution may suspend from a **Meeting**, and for the balance of the **Meeting**, any **Councillor** whose actions have disrupted the business of **Council**, and have impeded its orderly conduct.

## 52. Removal from the Meeting

The **Chairperson**, or **Council** in the case of a suspension, may ask any **Authorised Officer** or member of the Police Force to remove from the **Meeting** any person who acts in breach of this Local Law or whom the **Chairperson** has ordered to be removed from the Public Gallery under the provisions of this Local Law.

## 53. Notice of Amendment or Rescission

- (1) A **Councillor** may propose a motion to amend or rescind a decision of **Council** provided:
  - (a) a notice is delivered to the **Chief Executive Officer** within 24 hours of the **Meeting** at which the decision was made outlining:
    - (i) the decision proposed to be amended or rescinded; and
    - (ii) the **Meeting** and date when the decision was made; and
  - (b) the previous motion has not been acted upon.
- (2) No action or further action must be taken to implement a resolution of which a notice to rescind or amend has been given.
- (3)
  - (a) The **Chief Executive Officer** must advise all **Councillors** of any **Notice of Motion** delivered under this clause within 24 hours of receiving it.
  - (b) The **Chief Executive Officer** must list any such **Notice of Motion** on the **Agenda** of the next **Ordinary Meeting** for consideration and debate.
  - (c) Such **Notice of Motion** must be deemed withdrawn if not moved at the next **Ordinary Meeting**.
- (4) A second or subsequent **Notice of Motion** to revoke or amend an earlier resolution must not be considered by **Council** until a period of three (3) months has elapsed after the date of the **Meeting** at which the first or last motion of revocation was dealt with.

## 54. Formal Motions

Unless otherwise prohibited, **formal motions** may be moved at any time and must be dealt with in accordance with Schedule 1 to this Local Law.

## 55. Voting

- (1) When called upon by the **Chairperson**, the **Councillors** present must vote by a show of hands or as **Council** otherwise determines.
- (2) For the purposes of voting at a **Council Meeting**, the **Chairperson** must put the motion or amendment first in the affirmative, then in the negative.
- (3) The **Chairperson** may require that the vote be re-counted as often as may be necessary for him or her to satisfy himself or herself of the result.

**56. Vote to be Taken in Silence**

Except that a **Councillor** may call a division, **Councillors** must remain seated in silence while a vote is being taken.

**57. Casting Vote**

- (1) In the event of an equality of votes, subject to the **Act** and this Local Law, the **Chairperson** has a second vote.
- (2) Clause 57(1) does not apply in the event of an equality of votes in respect of the election of the **Mayor**, or in cases where the **Act** provides that a matter is to be determined by lot.

**58. Divisions**

- (1) If a division is called by a **Councillor** immediately after a motion is put to the **Meeting** and before the next item of business has commenced, the vote must be taken by **Councillors** voting in the affirmative first rising and then those voting in the negative rising. The **Chairperson** must state the names of **Councillors** so voting, declare the result and have the details recorded in the **Minutes**.
- (2) As a division is a separate and distinct vote, no **Councillor** is prevented from changing his or her original vote at the voting on the division, and the voting by division will determine **Council's** resolution on the issue.

**59. Public Question Time**

- (1)
  - (a) Members of the public are permitted to prepare and submit to an **Ordinary Meeting** up to two (2) questions on any **Council** matter.
  - (b) All questions to be asked must be registered by completion of the appropriate form which must be lodged prior to the commencement of Public Question Time. Questions may be lodged online or by facsimile transmission, to the main facsimile transmission number as advertised, up to one (1) hour before the published commencement time of the **Meeting**, or in person at the Civic Centre, 511 Burwood Highway, Wantirna South during normal office hours. Any questions being lodged after this time must be done so in person and placed in the question box provided at the place of the **Meeting**.
  - (c) The presentation and answering of questions from persons present in the Public Gallery will occur in accordance with clause 19(2).
  - (d) Questions will be directed to the **Chairperson** who will read the question and ascertain whether the questioner is present in the Public Gallery.
  - (e) If present in the Public Gallery, the questioner will have the right to make a brief introductory statement. The time allowed for such statement and question will be up to two (2) minutes.
  - (f) Where a meaningful response to the question cannot be provided at the **Meeting** by the **Chairperson**, **Councillors** or staff, or a detailed or researched response is required, the question may be taken on notice, in which case an answer must be provided by letter to the questioner within five (5) working days.
  - (g) Any **Councillor** wishing to provide a personal response to a question will be permitted to do so after the **Chairperson** has had the opportunity to respond.

- (h) If the questioner is not present in the Public Gallery, a response must be supplied in writing.
  - (i) Where the **Chairperson** deems appropriate, a response must be supplied in writing.
  - (j) Questions and answers should be as brief as possible and no discussion will be allowed on any question except for the introductory statement as provided in paragraph (e).
  - (k) The number of questions that may be asked during a **Meeting** on any one (1) issue will be limited to two. It is at the total discretion of the **Chairperson** which two (2) questions will be asked where there are more than two (2) submitted.
  - (l) The **Chairperson** will have the right to refuse to receive or answer any question, or to take the question on notice.
  - (m) A time limit of 30 minutes will apply to Public Question Time but may be extended by resolution of **Council**.
  - (n) **Meeting** procedures as detailed in this Local Law apply during Public Question Time.
- (2) In the case of **Advisory Committee** or **Special Committee Meetings**, no visitor is entitled to address the **Meeting** without the prior approval of the **Chairperson**.

#### 60. Addressing the Council

Except as provided for in clause 59(1)(e), a person other than a **Councillor** or **Officer** must not address the **Council Meeting** until a resolution approving such has been carried by a majority of **Councillors** present at the **Meeting**.

#### 61. Election of Chairpersons and Delegates

- (1) In determining:
- (a) the **Chairperson** for an **Advisory Committee** or a **Special Committee**; or
  - (b) delegates to another organisation
- Council** must follow, as nearly as is practicable, the procedure for election of **Mayor**.
- (2) This clause is subject to:
- (a) the requirements of section 73 of the **Act** in relation to the chairing of **Meetings**; and
  - (b) the requirements of section 90 of the **Act** in relation to voting.

#### 62. Production of Documents

- (1) A **Councillor** may, at a **Council Meeting**, require the production of any documents kept in the municipal offices that are directly relevant to the business being considered at the **Meeting**.
- (2) The **Chief Executive Officer** must use his or her best endeavours to produce the documents at the **Meeting** or, if this is not feasible, as soon as practicable after that time.

### 63. Recording Proceedings

A person must not operate audio tape or other recording equipment at any **Council Meeting, Advisory Committee** or **Special Committee Meeting** without first obtaining the consent of the **Mayor** or **Chairperson** (as the case may be). Such consent may at any time during the course of such **Meeting** be revoked whereupon any person operating the audio tape or other recording equipment must cease operating it.

### 64. Petitions

- (1) A petition:
  - (a) must be in a legible and permanent form of writing, typing or printing;
  - (b) must not be defamatory, indecent, abusive or objectionable in language or substance; and
  - (c) must not relate to a matter beyond the powers of **Council**.
- (2) Every page of a petition must bear the wording of the whole of the petition or request.
- (3) Any signature appearing on a page of a petition which does not bear the wording of the whole of the petition or request must not be considered by **Council**.
- (4) Every page of a petition must be a single piece of paper and must not be affixed to any piece of paper other than another page of the petition.
- (5) No motion may be made on any petition until the next **Ordinary Meeting**, except if the matter or issue is already listed for consideration of **Council** on the **Agenda** for the **Meeting** at which it is presented in accordance with this Local Law, or if **Council** determines by a majority of those present that the matter is urgent and should be dealt with at the **Meeting** at which it is presented or by a **Special Committee**.
- (6) A **Councillor** presenting a petition must state the number of signatures attached to it and the subject matter. The **Councillor** may also speak to the petition.
- (7) A **Councillor** may, when presenting a petition, refer the specific request to an **Officer** for referral to a specific program. An example of the intent of this clause would be to refer a request for playground equipment to the following year's capital work program. If any action would require unallocated expenditure or would change an adopted program within the current financial year, it must be referred back to **Council**. Should a referral occur, there is no requirement for the matter or issue to be considered at the next **Ordinary Meeting** in accordance with clause 65(5).
- (8) After a petition is tabled, the head petitioner must be advised of progress of the particular issue.

### 65. Offences

It is an **offence**:

- (a) for a **Councillor** to not withdraw an expression considered by the **Chairperson** to be offensive or disorderly, and to not satisfactorily apologise when called upon twice by the **Chairperson** to do so.

**PENALTY: 20 Penalty Units**



- (b) for any person, not being a **Councillor**, who is guilty of any improper or disorderly conduct to not leave the Council Chamber when requested by the **Chairperson** to do so.

**PENALTY: 20 Penalty Units**

- (c) for any person to fail to obey a direction of the **Chairperson** in relation to the conduct of the **Meeting** and the maintenance of order.

**PENALTY: 20 Penalty Units**

- (d) for any person to append to a petition or joint letter a signature purporting to be that of any other person or in the name of any other person.

**PENALTY: 10 Penalty Units**

- (e) for a **Councillor** to fail or refuse to leave the Council Chamber after being suspended from a **Meeting**.

**PENALTY: 20 Penalty Units**

## **Division 2 - Provisions Applying only to Special Committee Meetings**

### **66. Purpose**

The purpose of this Division is to regulate:

- (a) proceedings at **Meetings** of **Special Committees** composed solely of **Councillors**; and
- (b) notice to be given of **Meetings** of **Special Committees** composed solely of **Councillors**.

### **67. Application Generally**

- (1) Except as provided in this Part, if **Council** establishes a **Special Committee** composed solely of **Councillors**, Part 4, Division 1 of this Local Law applies with any necessary modifications.
- (2) For the purposes of sub-clause (1), a reference in Part 4, Division 1 to:
- (a) a **Council Meeting** is to be read as a reference to a **Meeting** of the **Special Committee**;
- (b) a **Councillor** is to be read as a reference to a member of the **Special Committee**; and
- (c) the **Mayor** is to be read as a reference to the **Chairperson** of the **Special Committee**.

### **68. Quorum**

The quorum for a **Meeting** of a **Special Committee** composed solely of **Councillors** is the number specified in the most recent instrument of delegation, or, if no number has been specified in an instrument of delegation, a majority of the number of members which the whole **Special Committee** as constituted comprises.

**69. Notice of Meetings**

The requirements for notice to the public of any **Council Meeting** also apply to any **Meeting** of a **Special Committee** composed solely of **Councillors** to which powers have been delegated.

**70. Public Submissions**

- (1) A **Special Committee** must, at such time as is allocated by it or by **Council**, hear any person wishing to be heard in respect of his or her submissions to **Council** under Section 223 of the **Act**.
- (2) **Special Committee** members may, through the Chair, question any submitter in relation to his or her submission.

**71. Application Specifically**

If **Council** establishes a **Special Committee** composed solely of **Councillors**:

- (a) **Council** may; or
- (b) that **Special Committee** may, with the approval of **Council**

resolve that a provision of Part 4, Division 1 does not apply, whereupon that provision will cease to apply to the **Special Committee**.

**72. “Call-Up” Requests by Other Councillors**

- (1) If **Council** establishes a **Special Committee** to which powers have been delegated, the **Chief Executive Officer** must ensure that all **Agendas** for **Meetings** of that **Special Committee** are provided to all **Councillors** (whether or not members of the **Special Committee**).
- (2) A **Councillor** who is not a member of a **Special Committee** to which powers have been delegated may give written notice to the **Chairperson** of that **Special Committee** that an item on the **Agenda** is to be “called-up” for consideration by **Council**.
- (3) If a **Chairperson** receives notice that an item is to be “called-up” the **Special Committee** may consider that item and make a recommendation to **Council** about it, but must not exercise a delegated power in relation to it.

**Division 3 - Other Committees****73. Purpose**

The purpose of this Division is to regulate proceedings at **Meetings** of **Special Committees** (other than those composed solely of **Councillors**) and of **Advisory Committees**.

**74. Application Generally**

- (1) If **Council** establishes:
  - (a) a **Special Committee**; or
  - (b) an **Advisory Committee**

Part 4, Division 1 of this Local Law applies with any necessary modifications.

- (2) For the purposes of sub-clause (1), a reference in Part 4, Division 1 to:
- (a) a **Council Meeting** is to be read as a reference to a **Meeting** of the **Special Committee of Advisory Committee** (as appropriate).
  - (b) a **Councillor** is to be read as a reference to a member of the **Special Committee** or **Advisory Committee** (as appropriate); and
  - (c) the **Mayor** is to be read as a reference to the **Chairperson** of the **Special Committee** or **Advisory Committee** (as appropriate).

#### 75. Application Specifically

If **Council** establishes:

- (a) a **Special Committee**; or
- (b) an **Advisory Committee**,

then

- (i) **Council** may; or
- (ii) that **Special Committee** or **Advisory Committee** (as appropriate) may, with the approval of **Council**,

resolve that a provision of Part 4, Division 1 does not apply, whereupon that provision will cease to apply to the **Special Committee** or **Advisory Committee** (as the case may be).

## PART 5 – SUPPLY OF INFORMATION

#### 76. Purpose

The purpose of this Division is to enable charging of fees for the supply of information.

#### 77. Supply of Information

**Council** may set from time to time, fees for the supply of records of **Council** to members of the public.

Resolution for making this Local Law was agreed to by the Knox City **Council** on ????????, and

THE COMMON SEAL of the )  
 KNOX CITY COUNCIL was )  
 hereunto affixed in the presence of: )  
 )  
 ..... )  
**Chief Executive Officer** )  
 )  
 ..... )  
**Mayor** )  
 )  
 ..... )  
**Councillor** )

"I certify that this is a true copy of the Meeting Procedure and Use of Common Seal Local Law 2008 made by the Knox City Council on ?????? in accordance with the requirements of the Local Government Act 1989.

The notices required to be given by Section 119(2) of the Act appeared in Government Gazette ?????????? and in the Knox Leader newspaper ?????????? and the Knox Journal ??????????.

The notices required to be given by Section 119(3) of that Act were given in the Government Gazette No. S19 on ?????????? at page \_\_\_\_ and in the Knox Leader newspaper on ?????????? and the Knox Journal on ??????????. A copy of the Local Law was sent to the Minister for Local Government in a letter dated ??????????.

The Local Law commenced operation on ?????????? and will expire on ?????????? unless revoked earlier."

\_\_\_\_\_  
**Chief Executive Officer**

Certification Under National Competition Policy

Solicitors, Maddocks, for the Knox City Council, have certified in correspondence dated 12 February 2008 that, "In our view, Council's proposed Meeting Procedure and Use of Common Seal Local Law does not restrict competition and, therefore, complies with the legislative review principle of NCP and clause 2(b)(i) of Schedule 8 to the Local Law Act".

**Schedule 1****FORMAL MOTIONS  
PROCEDURE AND EFFECT**

<b>FORMAL MOTION</b>	<b>FORM</b>	<b>WHO CAN MOVE OR SECOND</b>	<b>IS A SECONDER REQUIRED?</b>	<b>MATTER IN RESPECT OF WHICH MOTION MAY BE MOVED</b>	<b>WHEN MOTION PROHIBITED</b>	<b>EFFECT IF CARRIED</b>	<b>EFFECT IF LOST</b>
Adjournment of debate to later hour/date	That this matter be adjourned until .....	Any <b>Councillor</b>	Yes	Any matter	(a) During the election of the <b>Chairperson</b>  (b) When another <b>Councillor</b> is speaking	Motion and amendments postponed to the stated time/date	Debate continues unaffected
Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any <b>Councillor</b>	Yes	Any matter	(a) During the election of the <b>Chairperson</b>  (b) When another <b>Councillor</b> is speaking  (c) When the matter is one in respect of which a call of <b>Council</b> has been made	Motion and amendments postponed but may be resumed:  (a) At the same <b>meeting</b> upon motion to resume  (b) At any later <b>Meeting</b> if on the <b>Agenda</b>	Debate continues unaffected
Adjournment of <b>meeting</b> to later hour/date	That the <b>meeting</b> be adjourned until .....	Any <b>Councillor</b>	Yes	Any <b>meeting</b>	(a) During the election of the <b>Chairperson</b>  (b) When another <b>Councillor</b> is speaking	<b>Meeting</b> adjourns immediately until the stated time (or date)	Debate continues unaffected

FORMAL MOTION	FORM	WHO CAN MOVE OR SECOND	IS A SECONDER REQUIRED?	MATTER IN RESPECT OF WHICH MOTION MAY BE MOVED	WHEN MOTION PROHIBITED	EFFECT IF CARRIED	EFFECT IF LOST
Adjournment of <b>Meeting</b> indefinitely	That this <b>Meeting</b> be adjourned until further notice	Any <b>Councillor</b>	Yes	Any matter	(a) During the election of the <b>Chairperson</b>  (b) When another <b>Councillor</b> is speaking  (c) During a <b>meeting</b> which is a call of the <b>Council</b>	<b>Meeting</b> adjourns until further notice	Debate continues unaffected
The Closure	That the question be now put	A <b>Councillor</b> who has not moved, seconded or spoken to the motion or any amendment of it	No	Any matter	During nominations for <b>Chairperson</b> (NB A closure motion shall not be accepted by the <b>Chairperson</b> unless the <b>Chairperson</b> considers there has been sufficient debate for and against the original motion or amendment)	Motion or amendment in respect of which the closure carried is put to the vote immediately	Debate continues unaffected

FORMAL MOTION	FORM	WHO CAN MOVE OR SECOND	IS A SECONDER REQUIRED?	MATTER IN RESPECT OF WHICH MOTION MAY BE MOVED	WHEN MOTION PROHIBITED	EFFECT IF CARRIED	EFFECT IF LOST
Laying the question on the table	That the matter lie on the table	A <b>Councillor</b> who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter	(a) During the election of the <b>Chairperson</b>  (b) During a <b>Meeting</b> which is a call of the <b>Council</b>	Motion and amendments not further discussed or voted on until:  (a) <b>Council</b> resolves to take the question from the table at the same <b>Meeting</b>  (b) Matter is placed on an <b>Agenda</b> and the <b>Council</b> resolves to take the question from the table	Debate continues unaffected
Proceeding to the Next Business	That the <b>Meeting</b> proceed to the next business	A <b>Councillor</b> who has not moved, seconded or spoken to the matter which the motion relates	Yes	Any matter	(a) During the election of the <b>Chairperson</b>  (b) During a <b>Meeting</b> which is a call of the <b>Council</b>	(a) If carried in respect to a <b>formal motion</b> , its effect is to remove that motion from consideration  (b) If carried in respect to an amendment, its effect is to dispose of the amendment and debate resumes upon the substantive motion	Debate resumed at point of interruption

**ALL WARDS****9.3 COUNCIL SIGNAGE**

**SUMMARY:** *Manager, Marketing and Communications  
(Kath Oakley)*

*This report responds to a Council resolution of 23 October 2007. It outlines the process required to develop a consistent and coordinated approach to Council signage across the municipality and recommends the development of a process that guides all future Council signage and branding.*

**1. INTRODUCTION**

This report responds to a resolution of the Council at the 23 October 2007 ordinary meeting to prepare a report regarding the development of a consistent and cohesive approach to Council signage.

Council is responsible for the provision and maintenance of signs for facilities, park and bushland reserves, works, festivals and events, sporting reserves, directional/navigational signage and gateway/boundary signage across the municipality. Council's signs are renewed, replaced and removed as required (i.e. when damaged, vandalised or have reached the end of their asset life).

The maintenance, renewal, replacement and installation of Council signage is currently a decentralised process undertaken by a number of Council Officers from differing departments occasionally resulting in an inconsistent approach to signage development and renewal across the municipality.

It is proposed that a process be developed to ensure a consistent and coordinated approach to all signage across the municipality that will guide future signage and branding of Council's reserves, events, infrastructure and facilities and reduce visual clutter across the municipality.

**2. DISCUSSION**

Council's current signage program was implemented more than 10 years ago and over that period additional signage elements have been added within the municipality.

Council's signage program is governed by a style guide, however an overall approach is required to ensure Council's signs are renewed and restored appropriately, signs that are redundant are removed, and new signs are installed to suit their environs and do not add to signage clutter around the municipality.

Council currently has an extensive signage program which includes:

- Gateway/Boundary signage
- Suburb signage



### 9.3 Council Signage (cont'd)

- Bushland reserve signage and local laws requirements (bollards)
- Parks and gardens signage and local laws requirements (bollards)
- Sporting and recreational reserve signage
- Council road signage
- Way-finding signage for local precincts
- Street blades and road signs (statutory signs compliant with Australian Standards)
- Festival signage
- Vehicle signage
- Facility signage
- Works and construction signage
- Activity Centre signage and branding

The Marketing and Communications Department has developed a style guide that governs the design elements of Council's corporate signs.

The signage style guide includes -

- Consistent 'branding' and appearance at all Council assets, facilities, services and programs across the municipality.
- Reinforcement of the corporate brand through consistent identity recognition and awareness.
- Compliance with AAA (Access Audits Australia) signage guidelines.

The development of a coordinated approach to Council signage would provide for clear communication and direction for all departments involved in the signage program.

The aim of a coordinated approach to Council signage would be to reduce signage clutter around the municipality. This may include a reduction of suburb signs, to be replaced by activity centre suburb branding. It may also include the reduction of signage at minor parks and reserves to be replaced with identification that suits the natural bushland and park environment.

The major gateways to Knox, a number of Council's fleet (i.e. Bushland Management Vehicles and Waste Collection trucks) and some community buildings (i.e. Rowville Community Centre) have recently had new signage installed reinforcing the corporate image and brand.

This has left an inconsistency in signage appearance within open space and the suburb signs in Knox. To address this issue, the Sustainability Department is in the process of developing a standard detail package for open space signage and furniture.

### 9.3 Council Signage (cont'd)

Council's reserve signs will be reviewed and redesigned to align with the new gateway signs to achieve a consistent corporate brand across the municipality. The bushland signs will vary from this theme to ensure compatibility with the natural environment, although they will retain the Knox logo as a consistent link.

The challenge is to achieve a balanced triple bottom line approach. Management of signs across Knox must ensure sound financial management, management of visual clutter in the environment and appropriate branding and identification of open space and facilities. To achieve this, the following process is proposed:

- Install consistent signage in regional parks, major reserves, reserves, reserves with sporting facilities and community facility signage as existing signage reaches the end of its asset life.
- It is anticipated that some small parks' local communities desire to retain a park sign or have a sign that signifies or recognises a local personality (such as Dr Bluett Park in Ferntree Gully). A signage design detail has been designed to accommodate this localised need.
- Install specialised signage in bushland reserves to reflect the sensitive reserve environs.
- Develop standard signage that rationalises the diverse and inconsistent signage for local laws and community safety (i.e. no golf, dogs on/off lead etc), to reduce visual clutter and consolidate information at entrance and exit points of all parks and reserves.
- Remove suburb signs from roads to reduce visual clutter and create and enable the identification of suburbs via Activity Centre signage.
- Continue the branding of corporate fleet.
- Undertake a signage review/audit for community facilities and develop standard details for the remaining components of Council's signage program.
- Incorporate work already undertaken by Family and Children's Services to ensure titles of facilities are compliant with contemporary language and the Department of Human Services classifications and requirements (i.e. Infant Welfare is now Maternal and Child Health) Some facility signage may need to be renewed to meet classification and service provision requirements.

The development of a consistent approach to signage would increase awareness of Council-provided community services, facilities and programs across the municipality.

### **9.3 Council Signage (cont'd)**

#### **3. CONSULTATION**

Consultation will be required with internal stakeholders, including Community Services, City Development, Corporate Development and Engineering and Infrastructure, as the intent of this program will overarch a number of different Council services and programs across the organisation.

It is anticipated that Council's Officers currently responsible for Council signage activities will be involved in the development of the coordinated approach to ensure it embraces all elements and aspects of Council's signage.

The current signage process is decentralised and it is proposed that no changes occur to this approach; however the development of an internal signage committee may be beneficial to ensure that Council's signage is coordinated and developed in a cross-organisational way, enabling greater communication and resulting in greater consistency to Council's external signage and branding.

Council's Marketing and Communications Department is responsible for signage design and corporate branding. Council's Sustainability Department manages the signage design details for parks and bushland reserve signs. The Operations Department manages and coordinates road, vehicle, works, street blade, suburb and gateway signage and Council's Community Services Directorate is the lead agent for facility signage. Engineering is responsible for traffic signage and 'way-finding signage' and City Strategy is the lead agent for the application of signage for all activity centres, as the relevant structure plan program is applied.

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

Reducing signage clutter is a priority for the amenity of the municipality. Creating a consistent and cohesive approach to municipal signage would enable an audit of existing signs. It would also ensure that future programing and signage requirements, including the installation and removal of signage, are undertaken in a coordinated fashion.

Increasing signage visibility to ensure facilities and reserves are easily identifiable is the primary purpose of signage. Effective signage enables greater awareness of and access to Council services and facilities.

Bushland reserve areas will need to be given specific attention as part of this signage program to ensure that the design of signage and landscape treatments is suitable to the significant natural environment.

### 9.3 Council Signage (cont'd)

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

Council currently invests in the renewal and replacement of existing signs and installs new signage as required. There are no additional funds required to roll out the proposed signage program at this stage. Individual signage programs (i.e. the development of additional signage for events and festivals) will be submitted to Council as separate activities for future budget consideration, as required.

It is anticipated that by reducing the number of signs and consolidating some signage, there will be savings in maintenance and repair of these signs.

The manufacture and installation cost of signage is significant due to the regulatory constraints that exist that govern specific materials and installation requirements.

It is anticipated that there will be costs associated with the removal of suburb signage; however it is intended that the signs will only be removed at the end of their lifespan, and the costs incurred would be accommodated by expected savings in continued maintenance.

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

Residents of Knox and visitors to the region rely on the provision of clear, easy-to-read appropriate signage. Signage ensures accessibility to reserves, sporting ovals, parks, and facilities; it notifies residents and visitors to events and also identifies the provision of operations and works services via prominent vehicle branding.

Signage has an immediate impact when first installed and progressively, over time, the impact and significance is reduced. At this point, ineffective signage becomes visual clutter and decreases the amenity of an area. Refreshing and renewing signage revitalises the sign's significance and purpose.

#### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

The development of a coordinated signage program reinforces a number of elements contained in the Community and Council Plan.

**Sustainable Communities:** Balanced quality urban development and enhancement of the built and natural environment through the provision of appropriate signage contributes to the enhancement of public spaces, encourages community activity and creates accessible localities.

**Balanced Quality Urban Development:** The provision of high quality signage for neighbourhood parks, reserves and facilities enables seamless connection to and with open spaces and facilities that are community gathering points.

### 9.3 Council Signage (cont'd)

#### **8. CONCLUSION**

The development of a consistent and coordinated approach to Council signage will improve quality open space, natural settings and facilities within Knox. It will increase the visual amenity of the municipality by attempting to decrease visual signage clutter across the municipality.

Effective signage is also an opportunity to better brand facilities and services and also to reinforce the corporate brand by clearly identifying all Council facilities and services to the community – enabling greater awareness and access to these programs.

#### **9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

#### **RECOMMENDATION**

##### **That Council**

- 1. support the development of signage standards to improve consistency and reduce visual clutter; and**
- 2. receive a further report on the proposed signage standards and associated replacement program developed in conjunction with Council's Long Term Financial Strategy.**

**Report Prepared By:     *Manager, Marketing and Communications  
(Kath Oakley)***

**Report Authorised By:   *Acting Director – Corporate Development  
(Rod McKail)***

**ALL WARDS****9.4 KEY INITIATIVES 2007-08 STATUS REPORT – SECOND QUARTER TO 31 DECEMBER 2007**

**SUMMARY:**            *Organisation Performance Coordinator  
(Wendy Reichelt)*

*This report summarises the second quarter progress of the Key Initiatives identified for 2007-08 in the Annual Plan.*

**1. INTRODUCTION**

An Annual Plan has been established for the 2007-08 financial year to assist in the achievement of the objectives of Council's Community and Council Plan, and ultimately Vision 2025. The Key Initiatives 2007-08 Status Report – Year to 31 December 2007 (Appendix A) is the second quarterly report for the 2007-08 Annual Plan.

**2. DISCUSSION**

Attached as Appendix A is the Action Report on the Key Initiatives, showing the progress made during the second quarter against the 2007-08 Annual Plan. Following are some of the highlights for the quarter. Highlights from each quarter will be used, where appropriate, in the production of the 2007-08 Annual Report.

**Community Engagement**

- Boronia Advisory Committee formed in October 2007
- Termite information seminar held in September for residential property owners and Essential Services seminar held in December for commercial property owners, attracting around 200 attendees each
- New Environment Advisory Committee community representatives appointed to help guide/inform environmental issues at Knox
- New Knox Disability Advisory Committee formed at the conclusion of the past Committee's term
- *The Volunteering is for Everyone* project kit made available on Council's website and the Volunteer 4Knox website
- Completion of the Knox Community Engagement Policy and Manual to support an effective, cross Council approach to community consultation and engagement
- Feedback sought from Knox Leisureworks users as part of review of services and facilities

**Milestones**

- Children's Week and a successful Seniors Festival Program in October, including very successful Amaroo Gardens Fete

#### **9.4 Key Initiatives 2007-08 Status Report – Second Quarter to 31 December 2007 (cont'd)**

- Another very successful Stringybark Festival held at Rowville Community Centre over the weekend of 20 and 21 October
- Completion of the draft Master Plans for Knox Park and Gilbert Park
- Presentation of 2007/08 Community Development Grants
- Opening of the skate bowl component of the new Knox Skate facility at Gilbert Park in time for use over the January school holiday period whilst associated landscaping was being completed
- Knox Pride Awards program delivered successfully for 2007
- New colour coded menu scanning system established for Meals on Wheels which has proven very successful – other municipalities showing interest in using the system for their services
- Emergency building evacuation routes completed to meet standards at Amaroo Gardens
- Finalist in the National Economic Development Excellence Awards for the Waterford Valley development
- Annual Carols by Candlelight another enormous success
- Food Safety Accreditation achieved for the Meals on Wheels Service and retained in excess of 130 delivery volunteers

#### Joint Approaches, Agreements and Grants

- \$80,000 for TravelSmart project for the precinct around Talaskia Road, Upper Ferntree Gully to develop an overall plan to encourage alternate travel modes and reduce vehicle numbers in the area
- \$80,000 Local Area Access project at Bayswater Railway Station to allow for separating pedestrians and cyclists from vehicle movements (both these grants from the Department of Infrastructure as 50/50 funding)
- Federal funding from The Australia Council to run a community dance project for people with and without disabilities at the Knox Community Arts Centre
- Establishment of supported playgroups for vulnerable families across Knox in partnership with local agencies as part of the Knox Early Years Plan implementation
- Knox Central selected as one of 6 Activity Centres across Melbourne to share in \$1.5m Expert Assistance Program from the State Government
- Grant allocation of \$100,000 from the Department of Victorian Communities has enabled purchase of an additional 12 seat bus with wheelchair capacity hoist
- Council participation in a partnership project led by Knox Community Health Service in an initiative to raise awareness of violence against women – the Knox Accord. The program included a community forum and over 1,100 people signing the Accord's petition

#### **9.4 Key Initiatives 2007-08 Status Report – Second Quarter to 31 December 2007 (cont'd)**

##### Lobbying and Leadership

- Second 2007 Mayoral Business Round Table luncheon held as a means to develop networks and connections with business leaders across Knox, and to promote the vision and activities of Council
- Mayoral elections in December saw re-election of Cr Jim Penna for a consecutive Mayoral term
- Presentation by Council's Sustainability Manager, Andrew Paxton, to the Environs Australia Annual Conference on the role of Urban Biodiversity
- First Schools' Ambassadors Conference held at the Civic Centre as part of the Schools for Sustainability Program
- Submission on the State Government White Paper process on bio diversity in climate change

##### Corporate Responsibility

- Leadership and Teamwork Development session held with Senior Management and Councillors
- Excellent Council response and dedicated teamwork displayed in the wake of two extreme storm events in December
- Opening of Recycled Goods shop at the Knox Transfer Station and Recycling Facility

### **3. CONSULTATION**

The 2007-08 Annual Plan actions are linked to and support the delivery of the Community and Council Plan 2006-2010 and Vision 2025. The community took part in the development of Vision 2025 which forms the context for the Community and Council Plan 2006-2010 (reviewed and updated in 2006-07).

The Annual Plan (Budget) 2007-08, including the Key Initiatives, was approved after public exhibition in May 2007.

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

Council's strategic planning processes reflect a Triple Bottom Line approach. Work is continuing through these strategic planning processes on the linking of Council's key environmental plans to the Annual Plan and the Council and Community Plan.

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

The Key Initiatives for 2007-08 were developed in conjunction with the 2007-08 Annual Budget and Strategic Resource Plan, and all actions are funded.



#### 9.4 Key Initiatives 2007-08 Status Report – Second Quarter to 31 December 2007 (cont'd)

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

Council's strategic planning processes reflect a Triple Bottom Line approach. Work is continuing on the linking through these strategic planning processes of the areas for action identified in the Health and Wellbeing Strategy and other key Council planning documents.

##### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

This is a report on the status as at 31 December 2007 of the Annual Plan 2007-08 Key Initiatives, which support the delivery of the Community and Council Plan 2006-2010.

##### **8. CONCLUSION**

Council's activities for the first six months show that there was an average completion rate of 51.5% of the 42 Key Initiatives. The activities and initiatives reported here are in addition to the ongoing provision of operational services.

##### **9. CONFIDENTIALITY**

There are no issues of confidentiality associated with this report.

##### **RECOMMENDATION**

**That Council note the 2007-08 Annual Plan Key Initiatives Status Report for the period ending 31 December 2007.**

**Report Prepared By:**      **Organisation**      **Performance**      **Coordinator**  
**(Wendy Reichelt)**

**Report Authorised By:**      **Acting Director – Corporate Development**  
**(Rod McKail)**

APPENDIX A/1 – Key Initiatives 2007-08 Status Report – Year to 31 December 2007

APPENDIX A/2

APPENDIX A/3

APPENDIX A/4

APPENDIX A/5

APPENDIX A/6

APPENDIX A/7



APPENDIX A/8

APPENDIX A/9

APPENDIX A/10

APPENDIX A/11

APPENDIX A/12

APPENDIX A/13

APPENDIX A/14

**ALL WARDS****9.5 MANAGEMENT FINANCIAL REPORT FOR THE QUARTER ENDED 31 DECEMBER 2007**

**SUMMARY:** *Financial Accountant (Wendy McGorm)*

***The December 2007 Management Accounting Financial Report is presented for consideration.***

**1. INTRODUCTION**

The attached Financial Reports that are presented to Council include the following:

- Management Accounting Result (*Attachment A*)
- Income Statement (*Attachment B to E*)
- Capital Works Analysis (*Attachment F and G*)
- Balance Sheet (*Attachment H*)
- Statement of Cash Flow and Cash Asset Summary (*Attachment I to K*)
- Major Variance Analysis (*Attachment L*)
- Investment and Interest Income Analysis (*Attachment M and N*)
- Rates and Sundry Debtors Summary (*Attachment O to R*)
- Capital Works Program Detail (*Attachment S*)

Attachments A to S are circulated separately.

The Income Statement and the Balance Sheet have been prepared on an accrual basis and are the results for the quarter ended December 2007.

The report has been prepared based on the 2007/2008 Mid-Year Budget Review as adopted by Council on 23 October 2007.

**2. DISCUSSION**

General discussion in regards to this report is detailed under Section 5 'Financial & Economic Implications'.

**3. CONSULTATION**

This report does not necessitate community consultation. A copy of this report will be provided to Council's Audit Committee after it has been noted by Council.

**4. ENVIRONMENTAL/AMENITY ISSUES**

This report does not have any environmental or amenity issues for discussion.



## 9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)

### 5. FINANCIAL & ECONOMIC IMPLICATIONS

The overall financial position at 31 December 2007 is satisfactory and illustrates that Council remains on target to complete the 2007/08 year within the targets established in the Revised Budget.

From a cash perspective, the results indicate a Net Surplus for the six months ending 31 December 2007 of \$36.147M which is a favourable variance of \$4.545M in relation to the Year to Date Budget. The overall surplus of \$36.147M is the result of bringing to account the full amount of Council's annual rate income during July 2007. The favourable year to date variance is attributable to a number of factors which are outlined in Attachment L.

#### 5.1 Summary of Management Accounting Result to 31 December 2007 (a)

	Full Year Revised Budget June 2008 \$'000	Forecast Outcome June 2008 \$'000	YTD Revised Budget Dec' 07 \$'000	YTD Actual Dec'07 \$'000	Variance Favourable (Unfavourable) \$'000
<b><u>Operating Statement</u></b>					
Revenue	97,697	97,697	79,487	81,628	2,141
Expenditure	(97,962)	(97,962)	(48,858)	(46,112)	2,746
<b>Surplus/(Deficit) – Ongoing Operations</b>	<b>(265)</b>	<b>(265)</b>	<b>30,629</b>	<b>35,516</b>	<b>4,887</b>
Plus Capital Income	5,887	5,887	3,691	3,678	(13)
<b>Operating Surplus (Deficit)</b>	<b>5,622</b>	<b>5,622</b>	<b>34,320</b>	<b>39,194</b>	<b>4,874</b>
<b><u>Management Accounting Reconciliation</u></b>					
<b>Add back Non-Cash Items</b>					
Depreciation	13,111	13,111	6,556	6,511	(45)
Granted Assets	(500)	(500)	(250)	(257)	(7)
WDV of Assets Sold	1,681	1,681	841	561	(280)
<b>Subtotal</b>	<b>14,292</b>	<b>14,292</b>	<b>7,147</b>	<b>6,815</b>	<b>(332)</b>
<b>Less Non-Operating Cash Items</b>					
Capital Expenditure	(23,746)	(23,746)	(7,641)	(7,099)	542
Transfers (to)/from Reserves	(1,064)	(1,064)	(2,125)	(2,664)	(539)
Kit Finance Lease	(395)	(395)	(99)	(99)	-
<b>Cash Surplus/(Deficit) for year</b>	<b>(5,291)</b>	<b>(5,291)</b>	<b>31,602</b>	<b>36,147</b>	<b>4,545</b>
Accumulated Position at 30/06/07:	5,465	5,465			
Carried Forward Projects (b):					
- Capital	(2,541)	(2,541)			
- Operating	(742)	(742)			
Brought Forward Surplus	(1,359)	(1,359)			
Proposed Mid-Year Budget Outcomes	(641)	(641)			
<b>Forecast Position at 30/06/08 Surplus/(Deficit)</b>	<b>182</b>	<b>182</b>			

**Notes:**

- A full copy of the Income Statement is provided as Attachments B to E and shown by Income/Expense Type and Organisational Structure.
- An amount of \$3.283M has been identified as being required for carried forward funding from 2006/07 to 2007/08 comprising of \$0.742M for operating projects and \$2.541M of capital works projects.

## 9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)

### 5.2 Major Variance Analysis

#### 5.2.1 Operating Surplus/(Deficit)

A complete analysis of major variances against the Revised Year to Date Budget that have impacted on performance for the period ended 31 December 2007 has been attached to this report as Attachment L. The report has been prepared based on the 2007/2008 Mid-Year Budget Review as adopted by Council on 23 October 2007.

A favourable variance on operations compared to the Revised Year to Date Budget for the period ending December 2007 was \$4.874M. The significant variances that contribute to this surplus are:

#### Positive Variations - Revenue

- Operating Grants \$0.312M – Favourable variance mainly due to three additional grants obtained for Community Safety Projects (\$0.075M), subsidy income for Regional Volunteer Project received earlier than anticipated (\$0.060M), unbudgeted TravelSmart grant (\$0.056M) and resident care subsidy income for Amaroo Aged Care facility received ahead of schedule (\$0.233M).
- Fines, Fees & Charges \$0.399M – Favourable year to date variance in child care fees of \$0.129M has an offset in reduced child care benefit of \$0.068M. There was a higher than anticipated take-up of green waste bins resulting in a \$0.040M favourable variance and fees from non-passive recreation rental \$0.087M favourable year to date.
- Operating Contributions \$0.824M – Public Open Space Contribution are \$0.758M higher than anticipated.
- Interest \$0.304M – Interest on investments performing better than anticipated due to extra funds carried forward from 2006/07 capital and operating projects and higher interest returns than budgeted \$0.284M.

## 9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)

### Positive Variations – Expenditure

- Employee Costs \$1.022M – Council's 2007/08 Workcover premium was lower than anticipated due to a strong safety record during the 2006/07 financial year \$0.279M. Family Day Care salary costs are lower than anticipated by \$0.112M due to a reduced number of available Care Providers. The Family Support and Community Education program salary costs are under expended by \$0.122M. This program is currently under review and some of the savings are offset by contract and consultancy costs. The balance of the variance is primarily due to staff vacancies across the organisation.
- External Contracts \$1.125M – Favourable variance mainly due to:
  - (a) Year to date expenditure on Waste Management is lower than anticipated (\$0.212M). It is expected however that future variations will result in this surplus being expended.
  - (b) Variance of \$0.121M in the Building Maintenance Services program as a result of reduced costs for unscheduled repairs and routine maintenance however due to the unpredictable nature of unscheduled repairs this surplus is expected to be expended.
  - (c) Variance of \$0.134M in the Drainage Maintenance Works program due to previous dry conditions. This variance is expected to reduce once storm remedial works are completed.
  - (d) Contract expenditure within the Traffic Management area on traffic devices, line marking, road furniture, traffic investigations and surveys behind schedule due to the inability to find replacement staff resources (\$0.103M).

### 5.2.2 Capital Works Program (Overview)

Performance of the Capital Works Program including details of variances is included at Attachment F, with a more detailed financial report included as Attachment S. Performance of the Capital Works Program is also detailed in the Works Report provided to Council monthly.

## 9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)

For the period ended 31 December 2007, the Capital Works Program shows an overall favourable variance of \$0.529M against the Revised year to date December Budget. This is made up of an unfavourable variation in the level of external income of \$0.013M and a decreased level of expenditure of \$0.542M. The significant variances that contribute to this surplus are:

- Under expenditure in Plant Purchases of \$0.424M year to date due to a number of large plant items still being manufactured.
- Drainage Pit and Pipe Renewal Program \$0.185M under spent year to date due to the need to reassess the condition of pipes and pits to be audited as a result of recent storms and lack of information on the condition of pipes.

### 5.3 Balance Sheet

The Balance Sheet as at 31 December 2007 indicates a continued satisfactory result. A comparison of total Current Assets of \$72.287M with total Current Liabilities of \$18.789M (Working Capital Ratio of 3.85 to 1) continues to depict a satisfactory financial position.

Current Receivables is significant due to the raising of rate debtors in July 2007. The Working Capital Ratio of 3.85 reflects the increase in current debtors resulting from the striking of the rates which will diminish over the course of the year as Council funds its operating programs and Capital Works. The rate debt will be repaid over the remainder of the financial year in accordance with the payment options chosen by ratepayers. It is anticipated that 49% of rates are paid by instalments and 51% are paid in full.

The Balance Sheet as at 31 December 2007 has been attached to this report as Attachment H.

### 5.4 Investment Analysis

There was \$23.380M invested with various financial institutions as at 31 December 2007. These funds include monies from trust deposits, employee entitlements and specific purpose reserves. This is a decrease from the funds held as at 30 June 2007 but it is an increase in funds held at the same period for December 2006. Council's investments are in line with expectations after taking into consideration funds required for carried forward projects. Attachment M and Attachment N display graphs showing investment performance for the period ended 31 December 2007.

The earning on investments to 31 December 2007 is:

	<u>YTD Actual</u>	<u>YTD Budget</u>	<u>Variance</u>
Investment Earnings	<u>\$0.779M</u>	<u>\$0.495M</u>	<u>\$0.284M</u>

## 9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)

The December 2007 Revised Budget and Actual figures indicate a favourable variance.

The higher than budgeted investment earnings is a result of higher than anticipated interest rates (refer Attachment N) and extra funds carried forward from 2006/07 capital and operating projects.

### 5.5 Debtors

Council's rate debtors comprise the largest component of Receivables owing to Council. The percentage of rates collected to 31 December 2007 of 35.91% is a slight increase on the percentage collected for the same time last year of 35.30% (refer to Attachment O). The total amount of outstanding rates debtors as at 31 December 2007 including associated interest, waste, legal and GST charges was \$42.180M of which \$2.620M relates to arrears pre July 2007.

Rate amounts owing are a charge over the property and therefore Council has recourse to collect these debts. Penalty interest at 12% also applies.

The level of Sundry Debtors owing as at 31 December 2007 is \$3.401M (refer to Attachment Q). This includes an amount of \$2.585M associated with the land exchange between Council and St Hilliers at 962 Stud Road, Rowville which is expected to be settled within the next sixty days. While the level of debt fluctuates depending on the level of invoicing, the percentage of Debtors outstanding for 60-90 days, 90 days and over has been relatively consistent for Home Help, Welfare Trust Loans, Family Day Care and Community Groups and Centres.

Follow up letters and further contact has been made with Sporting Clubs who do not have a repayment plan for amounts owing. These amounts predominantly relate to ground rentals (refer to Attachment Q and confidential Attachment T).

A recommendation to write-off sundry debtors totalling \$3,990.56 has been included in the confidential attachment to this report. This amount includes a number of home and community care debtors who have been unable to repay their debts. All avenues available to Council have been utilised in endeavouring to collect the outstanding debt. Accordingly, the relevant Manager has advised that these amounts should be written off.

## **6. SOCIAL IMPLICATIONS**

There are no direct social implications arising from this report.

**9.5 Management Financial Report for the Quarter Ended 31 December 2007 (cont'd)**

**7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Through the provision of quarterly financial reports, Council ensures that it is contributing towards meeting its objective of Stewardship of Finances and Assets which states that we will manage our assets and financial resources on behalf of the community in a responsible and sustainable manner.

**8. CONCLUSION**

In management accounting terms, the net result for the six months ended December 2007 was a surplus of \$36.147M which compares favourably with the year to date Revised Budget surplus of \$31.602M. This result comprises both the Operating and Capital Works Program but excludes the non-cash items (eg: depreciation and granted assets).

**9. CONFIDENTIALITY**

There is one attachment (T) which has been declared confidential and distributed separately due to the nature of the documents.

**RECOMMENDATION**

**That Council**

- 1. Note the Management Financial Reports for the period ended 31 December 2007.**
- 2. Approve the write-off of debts totalling \$3,990.56 which are considered no longer collectable as detailed in the confidential attachment to this report.**

***Report Prepared By: Financial Accountant (Wendy McGorm)***

***Report Authorised By: Director – Corporate Development  
(Mick Jaensch)***

**ALL WARDS****9.6 ADOPTION OF THE PROPOSED 2008/09 – 2012/13 LONG TERM FINANCIAL STRATEGY**

**SUMMARY:** *Manager Finance (Kim Helwig)*

***This report presents to Council the 2008 update to the Long Term Financial Strategy. Council is requested to formally adopt the proposed 2008/2009 – 2012/13 Long Term Financial Strategy.***

**1. INTRODUCTION**

The Long Term Financial Strategy (LTFS) establishes the key financial strategies that Council will pursue over the forthcoming five-year period that will provide the resourcing of the outcomes proposed in the draft 2006-2010 Community and Council Plan (2008 Update) and enhance Council's longer term financial sustainability.

In order to ensure the LTFS maintains its financial currency, it is important to review and update the strategy on an annual basis to account for all significant variations that have occurred since the previous edition. As a key component of this process, all managers have completed a detailed review of their operational requirements over the next five years (expenditure and income) and input into the development of the strategy.

Whilst the 2007 update of the Long Term Financial Strategy encompassed a quite significant departure from previous strategies, including the introduction of an infrastructure levy, the 2008 revision of the Long Term Financial Strategy presented to this meeting is essentially a continuation of this approach.

This report outlines the key outcomes contained within the draft 2008/09 - 2012/13 Long Term Financial Strategy (circulated separately) and highlights the major variances from the 2007 edition of the LTFS for Council's consideration and adoption.

**2. DISCUSSION****2.1 Contextual Framework**

It is important to note at the outset of consideration of the Long Term Financial Strategy the differences between this document and the Annual Budget process.

The Long Term Financial Strategy establishes a five-year financial framework for Council that clearly articulates the financial directions, goals and objectives for that period. It integrates financial strategy with the key service goals established in Vision 2025 and the Community and Council Plan and the various Asset Management and other strategic plans.

## 9.6 Long Term Financial Strategy (cont'd)

It further establishes the starting framework for the forthcoming Budget in terms of Officers preparing draft operational and capital budgets for Council consideration.

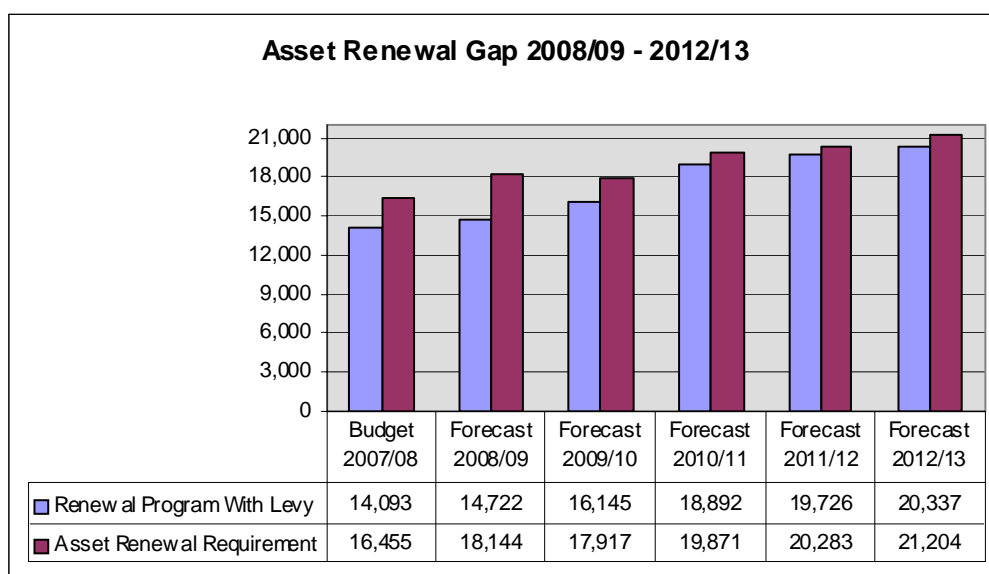
As highlighted in the introduction, the draft LTFS has been developed in conjunction with and to resource the outcomes expressed in the Community and Council Plan 2006-2010.

In addition to acting as a Resource Plan, the draft LTFS is critical in strengthening Council's ongoing financial sustainability and ensuring Council complies with the principles of sound financial management as outlined in Section 136 of the Local Government Act (1989) and to meet the objectives documented in Section 3C and 3D of the Act.

The objectives that the draft LTFS aims to achieve are as follows:

- An increased ability to fund asset renewal requirements.
- An enhanced funding level for capital works in general.
- Significantly improving Council's financial sustainability in the long-term.
- Maintaining the provision of operational services that respond to the needs of the Knox community.
- Rate and fee increases that are both manageable and sustainable.

In developing these objectives, the draft LTFS has been cognisant of the significant challenges faced by Knox City Council in replacing its existing assets as they require it. Detailed asset management inventories and plans have been established in respect of Council's road and footpath assets that have highlighted major gaps between current funding levels and that required to achieve this replacement. Many of the community's infrastructure assets are failing or have declined in their condition rating over the past four years and will soon require urgent attention.





**9.6 Long Term Financial Strategy (cont'd)**

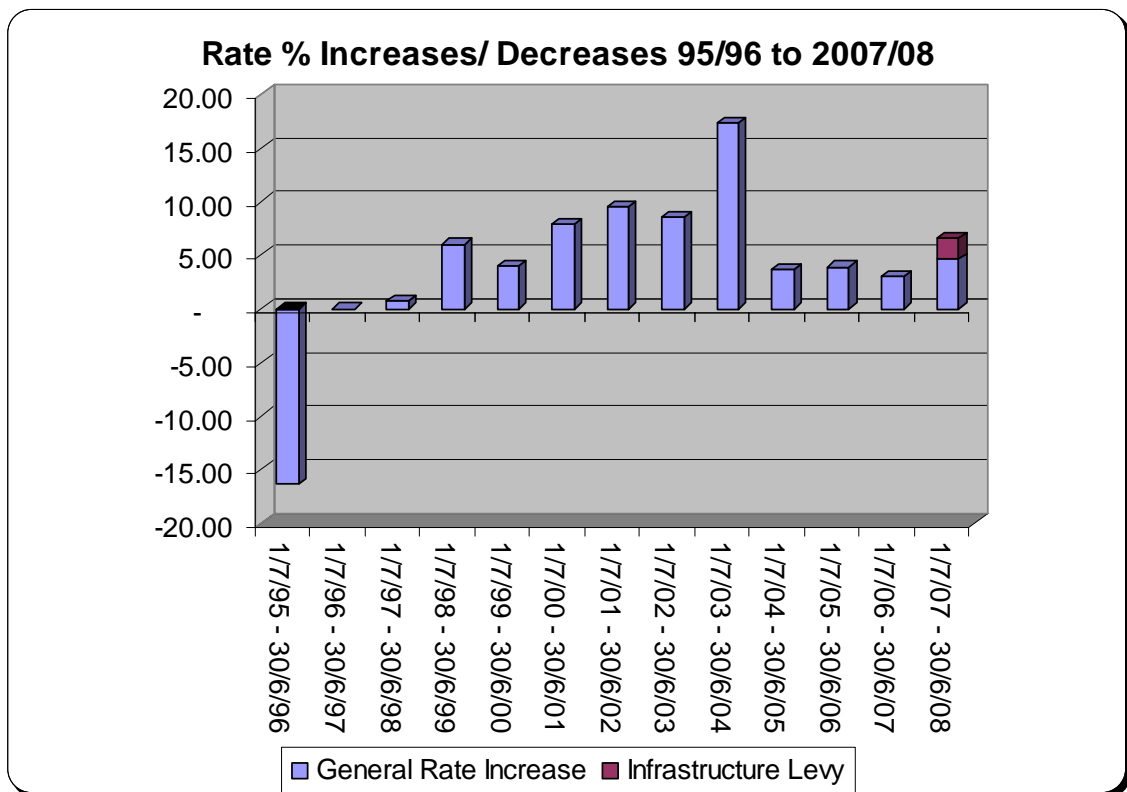
The chart highlights that even with the inclusion of the 2% infrastructure levy the asset renewal gap is not entirely bridged by 2012/13. The gap however is reduced to \$0.867M.

The draft LTFS is currently based on a continuance of all services at current levels (i.e. status quo). As part of each annual budget process, Council undertakes a review of each service area and the required service levels to meet community needs and that review will again be undertaken in preparing the draft 2008/09 Council Budget.

Where Council agree on changes to service levels for 2008/09, this will be reflected in the draft Budget and be reflected in future annual revisions of the draft LTFS.

The draft LTFS has further been mindful of the need to adopt a responsible, consistent approach to rate revenue, which avoids the potential for large scale rate increase in the future.

The below graph clearly highlights that Knox City Council’s approach to rate increases over the past thirteen year period has been quite dynamic and greater stability in rate increases is a key element of financial prudence.



In summary, the draft LTFS proposed represents a reasonable and responsible balance between achieving the key financial outcomes described and minimising the impact on current generations to resource them, and is included as Appendix A to this report.

## 9.6 Long Term Financial Strategy (cont'd)

### 2.2 Key Outcomes in the draft 2008/09 – 2012/13 Long Term Financial Strategy

The draft 2008/09-2012/13 LTFS has been based on achieving the following outcomes:

- The achievement of an ongoing underlying operational surplus throughout the life of the LTFS.
- An increase in capital works investment funded from Council's operations from \$15.704M in 2007/08 to \$21.632M in 2012/13.
- Increased funding for asset renewal from \$14.093M in 2007/08 to \$20.337M in 2012/13.
- The bridging of the road asset management funding gap by 2012/13 to ensure Council roads can at that point be maintained at the optimal level.
- The delivery of the Public Toilet Plan by 2014.
- The achievement of a financial structure where annual asset renewal needs are met from the base operating outcome of Council and non-renewable sources of funds such as Reserves and Asset Sales are used to fund new or significantly upgraded facilities.
- The retention of service provision at present levels.
- The inclusion of annual funding of \$0.500M to resource one-off initiatives and requirements for operational service delivery growth that drives Council toward the achievement of its Vision 2025.

In terms of the inputs required to achieve the above outcomes, the draft LTFS is based on the following:

- Base rate income has been estimated to increase by the cost escalation factor of providing Council services. This is estimated to range from 3.94 - 4.61% over the life of the LTFS.
- In addition to increasing base rates by the cost escalation factor, the LTFS includes an infrastructure levy of 2% per annum, dedicated entirely to achieving the capital works outlined above. The infrastructure levy was introduced in 2007/08 and will be maintained for the 2008/09 and 2009/10 financial years.
- The below table highlights the projected rate increases over the period of the LTFS.

Year	2008/09	2009/10	2010/11	2011/12	2012/13
<b>Cost Escalation Factor</b>	4.42%	3.94%	3.97%	4.37%	4.61%
<b>Infrastructure Levy</b>	2.00%	2.00%			
<b>Total Rate Increase</b>	6.42%	5.94%	3.97%	4.37%	4.61%

## 9.6 Long Term Financial Strategy (cont'd)

- The LTFS does not include the accessing of any loan funds. It is however acknowledged in Section 5 that there are a number of potential projects that may warrant further consideration of this position and Council will consider the most appropriate means of funding debt redemption in consideration of any of these business cases in the future.

### 2.3 Key Variations to the 2007 Long Term Financial Strategy

As previously highlighted, the draft 2008/09 - 2012/13 Long Term Financial Strategy essentially builds upon and updates the 2007 version of the document with relatively minor changes.

The following comments outline the major areas of variation with the 2007 Long Term Financial Strategy.

#### *Rating*

The 2007 version of the Long Term Financial Strategy was based on the assumption of a 6.08% increase in rates for the 2008/09 financial year. With the revised calculation of the cost escalation factor this is now estimated at 6.42% (cost escalation + 2%).

Year	2008/09	2009/10	2010/11	2011/12	2012/13
2007 Rate Increase Estimates	6.08%	5.76%	3.52%	4.14%	
Revised Rate Estimates	6.42%	5.94%	3.97%	4.37%	4.61%

In addition to this, Total Rate income has also increased between the 2007 Long Term Financial Strategy and the proposed draft strategy by \$529,000, due to increased supplementary rate revenue received in 2006/07 and 2007/08 beyond the forecast amounts.

#### *Operational Revenues*

Grant revenue is forecast to increase \$1.585M higher than the level forecast in the 2007 Long Term Financial Strategy for the 2008/09 financial year. This is largely attributable to the increased Grants Commission funding (\$556,000) and increased grants for Home Care (\$282,000), Pre-School (\$529,000) and Amaroo (\$143,000).

Interest revenue has increased by \$230,000 due both to higher interest rates and an increased level of cash held in Reserve than initially forecast for 2008/09.

#### *Operational Expenditures*

Operational expenditures have increased between the 2007 version of the Long Term Financial Strategy and the draft 2008/09 - 2012/13 Long Term Financial Strategy by \$2.8M. The variance is due to a wide range of factors and is particularly contributed to by the revised forecasts for Amaroo.

## 9.6 Long Term Financial Strategy (cont'd)

Other areas where Council resolved upon different funding approaches in the 2007/08 Annual Budget have also impacted on this variance including additional labour costs to fund increased health surveying, Bushland Management and Stamford Park.

### *New Initiatives*

Council annually considers, in conjunction with its capital works evaluation, a range of projects that are typically one-off but do not meet the criteria for capital works (i.e. they do not create an asset). In the 2007 Long Term Financial Strategy, an allowance of \$500,000 per annum was provided. This has been maintained in the revised Long Term Financial Strategy based on the funding levels provided in the 2007/08 Annual Budget.

### *Capital Works Funding Levels*

Capital works funding levels provided for in the 2008/09 - 2012/13 draft Long Term Financial Strategy are very similar to those forecast in the 2007 version. The total projected capital works program is \$1,189,000 higher than forecast in 2007, although this is attributable to additional capital contributions (\$238,000) and greater use of Reserve funds (\$1.220M).

Total funding for capital works from Council's operational sources falls from an expected \$16.862M to \$16.588; a drop of \$274,000.

Funding for asset renewal is \$223,000 above the 2007 forecast amount and funds for new/upgrade works has increased by \$344,000. Major project funding allocation has increased by \$870,000. This is consistent with Council's strategic approach to reducing the asset renewal gap.

### *Loan Borrowing Strategy*

The section in the Long Term Financial Strategy in respect of Loan Borrowings has been updated to reference Council's Loan Borrowing and Return on Investment Policy adopted by Council.

### *Reserve Funds*

The section on Reserve Funds has been updated to include new Reserve Funds for HACC Capital, Revolving Energy Fund, Revegetation Net Gain and Landfill Rehabilitation.

It is noteworthy in this section the projected deficit at Amaroo whereby the Reserve fund is extinguished in 2009/10 with significant operating deficits beyond this point to be funded from rate revenue.

The Major Projects Reserve fund comprises \$1.8M.

## 9.6 Long Term Financial Strategy (cont'd)

### *Asset Management*

Whilst progress is being made towards completing the Building Asset Management Plan, this work is not yet completed and this section is largely unchanged from the previous Plan. Figures for asset valuations and projected asset renewal have been updated.

### *Key Performance Indicators*

Council's financial performance indicators generally did not change significantly in 2006/07. With just a 3% rate increase, Council remained as the fourth lowest rates per assessment Council of the fourteen Eastern Metropolitan Councils. Council further improved its underlying operational surplus outcome and continued to trend its capital spending upwards but remained well below the average capital spend of the benchmark group.

## **3. CONSULTATION**

There has been no external community consultation undertaken in the preparation of the draft 2008/09 - 2012/13 Long Term Financial Strategy. Significant consultation was undertaken on the previous year's strategy due to the change in approach.

There is no legislative requirement for Council to prepare, publicly adopt or consult with the community in respect of a Long Term Financial Strategy. Given that this revised Strategy is a continuation of the previous years approach, it is not proposed to again undertake an extensive public consultation process. It is however recommended from a good governance perspective that the Strategy be publicly adopted through a formal Council meeting. Copies of the Strategy will also be available to the community on request.

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

The draft Long Term Financial Strategy provides financial resourcing for the 2006-2010 Community and Council Plan which embraces a number of key environmental and amenity issues.

## **5. FINANCIAL IMPLICATIONS**

The draft Long Term Financial Strategy maintains the sound economic framework as initiated in the 2007 version of the strategy as outlined below:

- An underlying operating surplus is maintained throughout the life of the Long Term Financial Strategy.
- Council's commitment to asset renewal is maintained as per the previous strategy.
- Council's ability to grow and develop its total capital spending is maintained.

## 9.6 Long Term Financial Strategy (cont'd)

- Funding of capital works from operational sources (i.e. beyond the funds provided through Reserves, Asset Sales, Contributions and Grants) continues to escalate through the period of the strategy at a higher growth percentage than the proposed rate revenue increases.
- An appropriate framework to guide decisions in respect of future loan borrowings has been maintained.

## **6. SOCIAL IMPLICATIONS**

The draft Long Term Financial Strategy provides financial resourcing for the 2006-2010 Community and Council Plan which embraces a number of key social issues.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

The draft LTFS acts as the principle resourcing mechanism for the objectives outlined in the 2006-2010 Community and Council Plan.

## **8. CONCLUSION**

The draft LTFS acts as the key resource plan in order to implement the Community and Council Plan. It further articulates the financial challenges that this Council has in addressing its long term asset renewal needs whilst maintaining a strong financial commitment to the building of new/ upgraded assets that meet community needs.

The draft LTFS addresses the financial responsibilities of Council as contained within the Local Government Act (1989) and represents a prudent approach to safeguarding and managing the assets and finances of Council.

## **9. CONFIDENTIALITY**

This report does not contain confidential information.

## **RECOMMENDATION**

1. **That Council adopt the draft 2008/09 - 2012/13 Long Term Financial Strategy as presented to this meeting and as shown as Appendix A to this report.**
2. **That the Chief Executive Officer be authorised to give public notice of this decision to adopt the proposed 2008/09 - 2012/13 Long Term Financial Strategy.**

**Report Prepared By:      *Manager – Finance (Kim Helwig)***

**Report Authorised By:    *Acting Director – Corporate Development  
(Rod McKail)***

**ALL WARDS****10.1 WARD CONTINGENCY FUND ALLOCATIONS FOR THE PERIOD  
1 OCTOBER 2007 – 31 DECEMBER 2007**

**SUMMARY:** *Coordinator - Governance (Carrie Bruce)*

*This report provides an overview of the allocations from each ward contingency fund for the second quarter of the 2007/08 financial year.*

**1. INTRODUCTION**

As part of the annual budget, each ward Councillor is provided with an allocation of \$10,000 discretionary funding for the financial year. Expenditure against each ward is at the discretion of the relevant ward Councillor in accordance with policy guidelines previously adopted by Council.

**2. DISCUSSION**

At a meeting on 10 February 2004, Council approved guidelines for the use of ward contingency funds. The purpose of these funds is for meeting:

- Requests for funding from individuals and/or community groups within Knox on a ward basis (excluding Individual Sporting Grant applications); and
- Requests for funding which are not more appropriately dealt with under another Council program or funding arrangement

While funding approval is at the Ward Councillor's discretion, the following criteria is used in determining any application for ward contingency funds:

- All requests for funding must be in writing; and
- Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community; and
- For applications of \$1,000 or more, successful applicants must provide a statement to Council that the funds have been spent in accordance with their funding application; and
- Allocated funds must provide a community benefit and be in keeping with the objectives and directions of the Knox Community and Council Plan.

**10.1 Ward Contingency Fund Allocations (cont'd)**

Ward contingency allocations for the second quarter of the 2007/08 financial year are as follows:

<b>BAIRD WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Jim Penna</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>6931.82</b>
08-Oct-07	Ferntree Gully Chaplaincy Group	Contribution towards ongoing Chaplaincy support	545.45	6,386.37
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	6,286.37
08-Oct-07	National Seniors Association - Knox Branch (Joint Grant by 9 Councillors)	Contribution towards running costs	400.00	5,886.37
18-Oct-07	Boronia Baptist Playgroup	Contribution towards purchase of 3-wheel bikes for the Playgroup	545.45	5,340.92
09-Nov-07	Foothills Community Church	Contribution towards 2007 Community Christmas Day Lunch	363.64	4,977.28
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	200.00	4,777.28

<b>CHANDLER WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Monique Davey</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>9,500.00</b>
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	9,400.00
08-Oct-07	National Seniors Association - Knox Branch (Joint Grant by 9 Councillors)	Contribution towards running costs	300.00	9,100.00
09-Oct-07	Waverley Trophies	Plaque for The Basin Fire Brigade 80 Year anniversary	150.41	8,949.59
23-Oct-07	The Knox School	Award for Water Challenges Competition	45.45	8,904.14
06-Dec-07	Boronia Bowls Club	Contribution towards cost of running local schools bowling competition	227.27	8,676.87
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	200.00	8,476.87



## 10.1 Ward Contingency Fund Allocations (cont'd)

<b>COLLIER WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr Joe Cossari</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>8,286.36</b>
08-Oct-07	National Seniors Association - Knox Branch <i>(Joint Grant by 9 Councillors)</i>	Contribution towards running costs	200.00	8,086.36
22-Oct-07	Templeton Cricket Club	Rectification works on practice nets	600.00	7,486.36
06-Dec-07	Salford Park Village Residents Committee Inc	Contribution towards cost of running Village kiosk	250.00	7,236.36
06-Dec-07	Wantirna Primary School	Contribution towards presentation of Collier Ward Award for students	454.54	6,781.82
13-Dec-07	Templeton Primary School	Contribution towards Collier Award scholarship and perpetual trophy for most outstanding Grade 6 student	454.54	6,327.28
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	200.00	6,127.28

<b>DINSDALE WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Adam Gill</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>4,574.19</b>
08-Oct-07	Marie-Lyse Serene Fernando <i>(Joint Grant by 8 Councillors)</i>	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	4,474.19
08-Oct-07	National Seniors Association - Knox Branch <i>(Joint Grant by 9 Councillors)</i>	Contribution towards running costs	400.00	4,074.19
11-Oct-07	Fairhills High School	Sponsorship of Dinsdale Award trophy	181.82	3,892.37
14-Dec-07	Bayswater CFA	Costs for conducting Annual Incident Management Workshop at Bayswater Fire Brigade	1,000.00	2,892.37
20-Nov-07	Yawarra Primary School	Contribution towards Community Water Grant	818.18	2,074.19
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	100.00	1,974.19

**10.1 Ward Contingency Fund Allocations (cont'd)**

<b>DOBSON WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Karin Orpen</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>7,240.91</b>
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	7,140.91
08-Oct-07	National Seniors Association - Knox Branch (Joint Grant by 9 Councillors)	Contribution towards running costs	400.00	6,740.91
18-Oct-07	Upper Ferntree Gully Fire Brigade	Contribution towards purchase of navigation system for fire truck	545.45	6,195.46
02-Nov-07	Lysterfield Cricket Club Inc	Purchase of equipment for junior players	500.00	5,695.46
09-Nov-07	Foothills Community Church	Contribution towards 2007 Community Christmas Day Lunch	272.73	5,422.73
09-Nov-07	Ferntree Gully Chaplaincy Group	Donation towards Chaplaincy Support provision	272.73	5,150.00
13-Nov-07	Waverley Trophies	Anniversary Plaques for: - Crime Victims Support Assoc - Knoxbrooke inc. - FTG Guides - FTG Fire Brigade	538.18	4,611.82
06-Dec-07	Friendly Pensioners Club Inc	Contribution towards purchase of new tablecloths and cutlery	500.00	4,111.82

<b>FRIBERG WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Debbie Field</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>4,687.82</b>
04-Oct-07	Knox BMX Club Inc	Contribution towards the purchase of ten new helmets for beginners to loan through the Club	600.00	4,087.82
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	3,987.82

**10.1 Ward Contingency Fund Allocations (cont'd)**

<b>FRIBERG WARD (cont'd)</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Debbie Field</b>				
08-Oct-07	National Seniors Association - Knox Branch <i>(Joint Grant by 9 Councillors)</i>	Contribution towards running costs	450.00	3,537.82
10-Oct-07	Taylor's Lane Pre School	Contribution towards purchase of new books and shelving	454.55	3,083.27
10-Oct-07	Rowville Lysterfield Community News	Annual sponsorship for advertising in Rowville Lysterfield Community News	681.82	2,401.45
22-Oct-07	Mountain Gate Cricket Club	Contribution towards costs of replacing stolen equipment	500.00	1,901.45
09-Nov-07	Windermere Reserve Pre School	Contribution towards purchase of gardening equipment	318.18	1,583.27
16-Nov-07	FRESH Youth Theatre <i>(Joint Grant by 3 Councillors)</i>	Contribution towards Youth Camp	90.91	1,492.36
16-Nov-07	Knox United Soccer Club	Contribution towards Club Newsletter production costs	350.00	1,142.36
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	300.00	842.36

<b>SCOTT WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. David Cooper</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>8,545.45</b>
08-Oct-07	Marie-Lyse Serene Fernando <i>(Joint Grant by 8 Councillors)</i>	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	8,445.45
08-Oct-07	National Seniors Association - Knox Branch <i>(Joint Grant by 9 Councillors)</i>	Contribution towards running costs	500.00	7,945.45
08-Oct-07	Knox Gardens Community Group Inc	Contribution towards the replacement of carpet in the Community Hall	605.00	7,340.45
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	300.00	7,040.45

**10.1 Ward Contingency Fund Allocations (cont'd)**

<b>TAYLOR WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Tony Kamitsis</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>7,163.63</b>
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	7,063.63
08-Oct-07	National Seniors Association - Knox Branch (Joint Grant by 9 Councillors)	Contribution towards running costs	200.00	6,863.63
16-Nov-07	FRESH Youth Theatre (Joint Grant by 3 Councillors)	Contribution towards Youth Camp	454.55	6,409.08
19-Nov-07	Theresa Kernick	Contribution towards son Benjamin's participation in U14 National Baseball Championships in Jan 2008	500.00	5,909.08
12-Dec-07	Rowville Lakes Little Athletics Club	Contribution towards purchase of marquee for the Club	700.00	5,209.08
18-Dec-07	Eildon Parade Playgroup	Replacement of carpet in Craft Room	500.00	4,709.08

<b>TIRHATUAN WARD</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Mick Van de Vreede</b>				
<b>Date</b>	<b>Requested By</b>	<b>Purpose of Grant</b>	<b>Granted \$</b>	<b>Balance \$</b>
				<b>3,654.55</b>
08-Oct-07	Rowville Preschool Inc	Contribution towards maintenance and repairs at the Preschool	500.00	3,154.55
08-Oct-07	Marie-Lyse Serene Fernando (Joint Grant by 8 Councillors)	Contribution towards youth of Knox running "One Day" events as per Oaktree Foundation's annual fundraising campaign	100.00	3,054.55
08-Oct-07	National Seniors Association - Knox Branch (Joint Grant by 9 Councillors)	Contribution towards running costs	200.00	2,854.55

**10.1 Ward Contingency Fund Allocations (cont'd)**

<b>TIRHATUAN WARD (cont'd)</b>		<b>Allocation for the period 01/10/2007 - 31/12/2007</b>		
<b>Cr. Mick Van de Vreede</b>				
16-Nov-07	FRESH Youth Theatre (Joint Grant by 3 Councillors)	Contribution towards Youth Camp	272.73	2,581.82
29-Nov-07	Rowville Little Athletics	Contribution towards purchase of new tent for shelter	400.00	2,181.82
27-Dec-07	Rosa Benedikt Centre	Contribution towards upgrade of children's sandpit and outdoor area	600.00	1,581.82
27-Dec-07	St Vincent de Paul Society - Boronia Conference	Contribution towards purchase of fax machines	100.00	1,481.82

**3. CONSULTATION**

No consultation has been undertaken in relation to this report. This information is presented as part of Council's accountability to the community.

**4. ENVIRONMENTAL/AMENITY ISSUES**

There are no environmental or amenity issues associated with this report.

**5. FINANCIAL IMPLICATIONS**

Council allocated \$90,000 in the 2007/08 financial year to ward contingencies. This report reflects allocations agreed for the period 1 October 2007 to 31 December 2007.

**6. SOCIAL IMPLICATIONS**

The ward contingency program allows Council the flexibility to respond to requests for funding from individuals and/or community groups within Knox on a ward basis. These grants provide applicants the opportunity to participate and support a variety of community based programs.

**7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN**

Provision of contingency funds assists Council in meeting its general objectives under the Knox Community and Council Plan.

**8. CONCLUSION**

This report of expenditure for each contingency account is presented for noting and provides details of expenditure for the period 1 October 2007 to 31 December 2007.

**10.1 Ward Contingency Fund Allocations (cont'd)****9. CONFIDENTIALITY**

There are no issues of confidentiality associated with this report.

**RECOMMENDATION**

**That Council note the ward contingency fund allocations for the period 1 October 2007 to 31 December 2007.**

***Report Prepared By: Coordinator – Governance (Carrie Bruce)***

***Report Authorised By: Acting Director – Corporate Development (Rodney McKail)***

**ALL WARDS****10.2 WORKS REPORT (as at Friday, 8 February 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 8 February 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 8 February 2008, is attached as Appendix A.

**RECOMMENDATION**

**That the report be noted.**

**Report Prepared By:** *Coordinator – Capital Works (Gene Chiron)*

**Report Authorised By:** *Director – Engineering & Infrastructure  
(Ian Bell)*

## APPENDIX A

<b>001</b>	<b>Bridges Renewal Program</b>	<b>\$57,000</b>
	Project works are progressing on schedule.	
<b>002</b>	<b>Lakeside Blvd Road Entrance Wall</b>	<b>\$48,500</b>
	Work commenced on 30/1/08.	
<b>004</b>	<b>High Risk Road Failures</b>	<b>\$206,500</b>
	Programmed minor project works are progressing on schedule.	
<b>005</b>	<b>Devenish Rd Reconstruction</b>	<b>\$80,000</b>
	Project completed.	
<b>006</b>	<b>Station St, FTG Reconstruction</b>	<b>\$687,282</b>
	Etheredge Mintern awarded Contract with commencement on 7 Jan. '08. Asphalt base layer placed between Selman Ave and Victoria St prior to school start - works progressing well.	
<b>007</b>	<b>Road Surface Renewal Program</b>	<b>\$2,066,860</b>
	Asphalt resurfacing work has been completed on the following projects: Clyde St, Queenstown Rd, and Sedgewick Rd.	
<b>008</b>	<b>Drainage Pit and Pipe Renewal Program</b>	<b>\$750,000</b>
	Drainage rehabilitation program is progressing on schedule.	
<b>009</b>	<b>Footpath Renewal Program</b>	<b>\$1,581,000</b>
	Program is progressing on schedule.	
<b>010</b>	<b>Bicycle / Shared Path Renewal Program</b>	<b>\$500,000</b>
	The shared path renewal program is progressing on schedule.	



<b>011</b>	<b>Office Furniture and Equipment Replacement</b>	<b>\$555,685</b>
	30 desktop computers and LCD monitors and 2 Laptops have been received and deployment is nearing completion. Consultant for VMWare/SAN project - Stage 1 has been engaged. Tender documents for this project are scheduled to be completed by end of February 2008.	
<b>012</b>	<b>Implementation of Information Systems Plan - Miscellaneous</b>	<b>\$16,100</b>
	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.	
<b>016</b>	<b>Building Renewal Program</b>	<b>\$1,589,000</b>
	Building Rehabilitation program is tracking at approx. 75% of expenditure. Major works to be completed in the upcoming month. Disabled retrofitting - tendered/quoted prices. Scoresby Toilet Block - disabled retrofitting Stud Park Tennis Pavilion - ramp, concreting and landscaping. Boronia Library - carpet replacement and internal painting. Aimee Seebeck Hall - vinyl replacement and kitchen refit. NGHaynes - waiting room refit Coleman Road Tennis Pavilion - external painting Carrington Park Toilet Block - demolished	
<b>017</b>	<b>Playground Renewal Program</b>	<b>\$492,068</b>
	Advertising for tender submissions undertaken in January with submissions about to be processed. Project delay due to engineering report and required changes, but will be completed by end of June 2008.	
<b>020</b>	<b>Open Space &amp; Reserves - Entrance Signage Replacement</b>	<b>\$50,000</b>
	Funds now to be utilised to support the Knox Gardens oval no 1.	
<b>021</b>	<b>Rehabilitation of Netball / Tennis Courts and Athletics Tracks</b>	<b>\$352,369</b>
	Stage 1 - Courts contract completed and works placed on practical completion. Stage 2 - Courts contract completed. Surfacing of courts 17, 18, 7 & 8 has commenced and will be continued early March '08 after consultation with netball centre coordinator.	

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<b>022</b>	<b>Fire Hydrant Replacement Program</b>	<b>\$75,000</b>
	Final payments to South East Water due April to June 2008.	
<b>024</b>	<b>Car Park Renewal Program</b>	<b>\$204,000</b>
	The car park renewal program has commenced, reinstatement works will be ongoing.	
<b>025</b>	<b>Plant &amp; Machinery Replacement Program</b>	<b>\$2,876,800</b>
	Program under way, 78% of funds committed, 56% of funds spent. Tender for new 37 Seat Bus approved by Council, order issued. Bus in manufacture.	
<b>026</b>	<b>Street Tree Replacement Program</b>	<b>\$150,000</b>
	Residents in Station St. FTG notified of survey results.	
<b>028</b>	<b>Cathie's Lane, Scoresby - Landfill Rehabilitation</b>	<b>\$280,000</b>
	Tender accepted for leachate pond rehabilitation. Work scheduled to start 18 February after leachate is removed.	
<b>029</b>	<b>Kelletts Road- Street Lighting Cost Share Scheme</b>	<b>\$178,000</b>
	Payment scheduled for May 2008.	
<b>030</b>	<b>Operations Centre - Compliance Upgrade</b>	<b>\$26,460</b>
	Washbay works completed.	
<b>031</b>	<b>Stamford Park Redevelopment</b>	<b>\$865,000</b>
	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.	

<b>034</b>	<b>Benedikt Park - Warm Season Grass &amp; Floodlighting</b>	<b>\$58,460</b>
	<p>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.</p>	
<b>039</b>	<b>Regional Skate and BMX Facility</b>	<b>\$618,316</b>
	<p>Civil works completed along with cleanup of site with practical completion achieved. Planting, seeding and turfing deleted from the contract and to be carried out in winter when conditions more favourable for plant survival.</p>	
<b>041</b>	<b>Basketball Development Fund</b>	<b>\$20,000</b>
	<p>Awaiting confirmation of balance of funds from Basketball Assoc. Contractor selected.</p>	
<b>043</b>	<b>Shade Sails for Family and Children's Services Facilities</b>	<b>\$30,000</b>
	<p>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 underway.</p>	
<b>044</b>	<b>Illoura Kinderlea - Toilet Upgrade</b>	<b>\$125,647</b>
	<p>Project completed.</p>	
<b>048</b>	<b>Stud Road (Knox Shopping Centre to Burwood Hwy) - New Footpath</b>	<b>\$9,510</b>
	<p>Council solicitors checking lease agreement. Following approval, a Memorandum of Consent from VicRoads is required to work within 3 metres of a through lane.</p>	

<b>049</b>	<b>Kelletts Road (St Lawrance Way to Blaxland Dve) - New Footpath</b>	<b>\$31,000</b>
	Width of proposed footpath being reviewed with discussions continuing between Melb. Water and VicRoads related to drainage capacity of shared path culvert at Blaxland Dr.	
<b>050</b>	<b>New footpaths - Blackwood Park Road</b>	<b>\$15,038</b>
	All services lowered. Agreement obtained for creation of a carriageway easement for the footpath along Ormonde Road . Planning permit has been obtained to remove a tree on the corner of the property. Construction to recommence mid Feb with completion mid March.	
<b>051</b>	<b>Pedestrian Plan Initiatives - Improved Signage, Seats and Shelters</b>	<b>\$75,000</b>
	Bayswater Wayfinding signage design having final changes made. Audit is currently being undertaken for signage on our shared paths. It is anticipated this audit will be completed by mid-Feb.	
<b>055</b>	<b>Corhanwarrabul Creek (Stud Rd to Dandenong Creek) - Shared Path</b>	<b>\$13,900</b>
	Surveying quotations for additional survey work along corhanwarrabul creek are being obtained.	
<b>061</b>	<b>Studfield Shops - Speed Humps</b>	<b>\$30,776</b>
	Speed humps completed.	
<b>063</b>	<b>Eildon Parade and Taylors Lane Intersection - Improved Bus Movement</b>	<b>\$38,771</b>
	Construction has been completed. Threshold linemarking to be completed.	
<b>064</b>	<b>DDA and Accessibility of Bus Stops</b>	<b>\$30,845</b>
	Works are being carried out as part of the bus stop upgrade for Department Of Infrastructure.	

<b>065</b>	<b>Burwood Hwy Shared Path - Land Acquisition</b>	<b>\$12,255</b>
	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.	
<b>070</b>	<b>Dog Related Signage</b>	<b>\$30,563</b>
	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.	
<b>071</b>	<b>Boronia Place Management - Dorset Rd/Lupton Way Streetscape</b>	<b>\$231,430</b>
	Contract awarded to Earthlink Contractors Pty Ltd with Possession of Site given and works commencing 6 Feb. '08. Traders invited to a "meet the contractor" session with council staff on 7 Feb. '08.	
<b>072</b>	<b>Boronia Place Management - Dorset Rd Streetscape</b>	<b>\$380,800</b>
	Contract awarded to Earthlink Contractors Pty Ltd with Possession of Site given and works commencing 6 Feb. '08. Traders invited to a "meet the contractor" session with council staff on 7 Feb. '08.	
<b>073</b>	<b>Alchester Village - Minor Place Management</b>	<b>\$72,810</b>
	Construction works are completed.	
<b>074</b>	<b>Boronia Place Management - Erica Ave Streetscape</b>	<b>\$125,079</b>
	Works reached practical completion and put on maintenance.	
<b>075</b>	<b>Boronia Place Management - Directional Signage/Gateways</b>	<b>\$88,500</b>
	Designs completed and VicRoads approval process underway. Installation Scheduled for March 2008.	
<b>078</b>	<b>Boronia Dorset Square Streetscape Works (Stage1)</b>	<b>\$608,440</b>
	Contract awarded to Earthlink Contractors Pty Ltd with Possession of Site given and works commencing 6 Feb. '08. Traders invited to a "meet the contractor" session with council staff on 7 Feb. '08.	

<b>082</b>	<b>Drainage Upgrades - Ongoing Customer Response</b>	<b>\$312,810</b>
	A revised program of works derived as a consequence of the severe December 07 storm events is currently being implemented.	
<b>089</b>	<b>7 Bayview Crescent The Basin- Drainage Improvement</b>	<b>\$33,928</b>
	Awaiting revised quotation from contractor for approval.	
<b>090</b>	<b>Power Road Reconstruction</b>	<b>\$885,107</b>
	Works are completed except for the wearing coat which is now to be laid on a Sunday in February 2008. Delayed due to rain.	
<b>091</b>	<b>McMahons Road - LATM</b>	<b>\$372,522</b>
	VicRoads have approved modified scheme. Scheme adopted at Oct Council meeting. Residents advised by letter drop. Detailed design 60% completed. Consultation with residents directly affected by devices to commence 11 Feb.	
<b>094</b>	<b>Walker Reserve Pavilion</b>	<b>\$550,000</b>
	Planning of opening occurring with Clubs. Anticipated that opening will be occurring in April 2008.	
<b>095</b>	<b>Knox Leisureworks - Smart Water Project</b>	<b>\$265,000</b>
	Works going to Tender by mid-February. Project to be implemented in 2 stages.	
<b>096</b>	<b>Accessible Public Transport (Department of Infrastructure Funding)</b>	<b>\$200,000</b>
	200 bus stops have been completed with works ongoing.	
<b>097</b>	<b>Kathryn/Anne Road Intersection</b>	<b>\$50,000</b>
	Design plans nearing completion.	

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<b>098</b>	<b>Corrie Avenue - Cullis Pde to Scoresby Rd</b>	<b>\$150,000</b>
	Design completed. Awaiting condition report on existing drainage prior to tendering. Construction programmed for April 2008.	
<b>099</b>	<b>Road Reconstruction Design Program</b>	<b>\$105,000</b>
	Survey works commenced on all projects except for Morney St. Design commenced on Arnold Drive.	
<b>100</b>	<b>Open Space Fencing Replacement</b>	<b>\$100,000</b>
	Exner reserve fencing works to begin mid February 2008. Meeting held with clubs to discuss scope of work. Further report to be forwarded to Vic Track with details of proposed fencing options for shared path. Anticipated start time February 2008.	
<b>101</b>	<b>Knox Gardens Oval No 1 Renovation</b>	<b>\$300,000</b>
	85% completed with final leveling and sodding of grass to be undertaken.	
<b>102</b>	<b>Major Reserves Conversion to Warm Season Grass</b>	<b>\$30,000</b>
	Line planting of warm season grass at Gilbert Park & Benedikt Reserves completed.	
<b>103</b>	<b>Knox Gardens Tennis Club - Courts failing base</b>	<b>\$30,000</b>
	Tennis Victoria to provide court condition report early February 08.	
<b>104</b>	<b>Roadside Furniture Renewal Program</b>	<b>\$50,000</b>
	Project funding has been fully committed to the "boundary sign" replacement program.	
<b>105</b>	<b>Knox City Tennis Club - Floodlighting Courts</b>	<b>\$32,000</b>
	Awaiting feedback from Club regarding delivery of project.	

<b>106</b>	<b>Marie Wallace Bayswater Park - Viewing Platform</b>	<b>\$120,000</b>
	Works awarded to MR Constructions to commence mid February.	
<b>107</b>	<b>Eildon Park Tennis Club - Upgrade courts</b>	<b>\$81,000</b>
	Works awarded to A.S.Lodge (Vic) Pty Ltd. Tennis club has requested that the works be held off until the end of March 2008.	
<b>108</b>	<b>Rowville Recreation Reserve, No 2 Oval - Upgrade</b>	<b>\$25,000</b>
	Survey and base plan completed. Consultants preparing design.	
<b>109</b>	<b>Schultz Reserve - Replacement of car park</b>	<b>\$30,000</b>
	Carpark construction completed. Some additional landscaping to be undertaken in the new year.	
<b>110</b>	<b>Knox Park Pavilion - Design only</b>	<b>\$75,000</b>
	Prior & Cheney Architects commissioned to commence detailed design.	
<b>111</b>	<b>Ferntree Gully Reserve - Access Road &amp; Car Park</b>	<b>\$60,000</b>
	Concept design underway. Construction programmed for May 2008.	
<b>112</b>	<b>Arboretum - Additional car parking</b>	<b>\$115,000</b>
	Design nearing completion with review underway.	
<b>113</b>	<b>Rowville Recreation Reserve - Floodlighting</b>	<b>\$120,000</b>
	Club unable to provide required funding input. Club's capacity to deliver in kind works being investigated.	
<b>114</b>	<b>Batterham Reserve Oval Lighting</b>	<b>\$86,000</b>
	Designer has reviewed scheme to satisfy VCAT requirements and Town Planning approval. Installation expected to be completed in April 2008.	



<b>115</b>	<b>Knox Community Volunteers – Feasibility Study</b>	<b>\$20,000</b>
	Consultant selection currently being finalised.	
<b>116</b>	<b>Boronia Road Footpath-Mountain Hwy to Thaxted Pde</b>	<b>\$62,000</b>
	Planning Application is being assessed for the property at the corner of Boronia and Thaxted. VicRoads may require a slip lane which will affect footpath location. Final design on hold until Planning Application resolved.	
<b>117</b>	<b>Tulip Crescent, Boronia - Footpath</b>	<b>\$35,000</b>
	Public consultation to take place February 2008.	
<b>118</b>	<b>Wellington Road Footpath - Gearon Ave to Pinehill Dve</b>	<b>\$68,000</b>
	Funds (\$65,850) to be transferred from N8042 to construct a shared path standard link between Silkwood Drive and Pinehill Avenue along the north side of Wellington Road.	
<b>119</b>	<b>Stonehaven Avenue, Boronia - Footpath</b>	<b>\$56,000</b>
	Public consultation to take place February 2008.	
<b>120</b>	<b>Wellington Road Footpath - Clauscen Dr to Braeburn Pde</b>	<b>\$65,850</b>
	Funds transferred to construct a shared path standard link between Silkwood Drive and Pinehill Avenue (project 118) along the north side of Wellington Road.	
<b>121</b>	<b>Unsealed Road Program</b>	<b>\$30,000</b>
	Program of unsealed roads adopted by Council at 23 October meeting. Policy details being worked through for presentation and public comment.	
<b>122</b>	<b>Colchester Road Barrier Treatment</b>	<b>\$20,000</b>
	Works completed by Maroondah. Knox contribution to be made.	

<b>123</b>	<b>Major Crescent Retaining Wall</b>	<b>\$65,000</b>
	Works complete.	
<b>124</b>	<b>Renou Road LATM - Design</b>	<b>\$40,000</b>
	Consultation to commence late February 2008.	
<b>125</b>	<b>Beresford Drive - Linemarking</b>	<b>\$10,000</b>
	Public consultation scheduled for March 08.	
<b>126</b>	<b>Napoleon Road Shared Path-Kelletts Rd to Murrindal Dr Link</b>	<b>\$75,000</b>
	Construction scheduled for May 2008, subject to Kelletts Road Duplication by VicRoads.	
<b>127</b>	<b>Kelletts Road Shared Path-Culvert upgrade</b>	<b>\$25,000</b>
	VicRoads undertaking these works as part of road duplication. Melbourne Water have advised VicRoads that capacity issues most likely will prevent continued use of culvert for shared path use. Considering alternatives with Vicroads.	
<b>128</b>	<b>Bayswater Railway Station - Shared Path</b>	<b>\$140,000</b>
	DOI grant confirmed for preconstruction phase only.	
<b>129</b>	<b>Mountain Hwy Shared Path-Petalnina Dr to Caravan Park</b>	<b>\$23,000</b>
	Construction scheduled to commence May 2008.	
<b>130</b>	<b>Studfield Shops - Left turn Coleman Rd to Stud Rd</b>	<b>\$150,000</b>
	Design complete and plans with VicRoads for comment.	
<b>131</b>	<b>Ferntree Gully Rd (near Kathryn Rd) - Pedestrian Signal Design</b>	<b>\$45,000</b>
	Engineering survey completed. Consultation underway with VicRoads regarding signal type and location.	

<b>132</b>	<b>Francis Crescent – Guard Rail</b>	<b>\$120,000</b>
	Consultation to commence in March 2008. Construction programmed for April 2008.	
<b>133</b>	<b>Unconstructed Recreation - Reserve Design Program</b>	<b>\$80,000</b>
	Concepts designs from consultant are currently being assessed.	
<b>134</b>	<b>Kings Park Passive Recreation</b>	<b>\$100,000</b>
	Resident survey feedback has been sent out. Concept plans currently being prepared.	
<b>135</b>	<b>Knox Central - Principal Activity Centre Program</b>	<b>\$120,000</b>
	Civic Precinct Design Masterplan is nearing completion and the consultant brief for the Lewis /Blind Creek Wetland Revitalisation Scoping Project is being finalised.	
<b>136</b>	<b>Boronia Dorset Square Streetscape Works (Stage 2)-Pavement Works</b>	<b>\$354,000</b>
	Tender advertised on 27 October 2007 and report to December Council Meeting. Construction to commence late January 2008.	
<b>137</b>	<b>Mountain Gate Place Management Design Plan</b>	<b>\$0</b>
	Design works held off for 2007/08 pending completion of Shopping Centre Structure Plan. Funding withdrawn at Mid Year Review.	
<b>138</b>	<b>Wantirna Mall Place Management Design Plan</b>	<b>\$30,000</b>
	Consultants brief to be finalized. Survey mailout complete, awaiting replies.	
<b>139</b>	<b>Cnr Lewis/Coleman Road, Knoxfield - Streetscape Improvement</b>	<b>\$110,000</b>
	Public display boards completed. Works scheduled to commence in April 2008.	

140	<p><b>Streetscape Upgrade – Burwood Hwy (Traydal Cl to Templeton St)</b></p> <p>Concept design sketch completed and to be drawn up by early February.</p>	<b>\$50,000</b>
141	<p><b>Streetscape Upgrade – Stud Rd (opposite Stud Park Shopping Centre)</b></p> <p>Concept design and further internal consultation due to take place 1st week February.</p>	<b>\$50,000</b>
142	<p><b>Water Reduction: Rainwater Tank Installation</b></p> <p>Program well under way. Round 1 installations completed end Nov. Pre schools finished. Round 2 tanks have been installed and plumbed to the roofs. Round 3 tanks have been ordered.</p>	<b>\$630,000</b>
143	<p><b>Water Reduction in Toilets</b></p> <p>Project completed.</p>	<b>\$45,000</b>
144	<p><b>Energy Reduction: Lighting and Air Conditioning in Council Facilities.</b></p> <p>Lamp replacement program is underway. Eastgate and Rowville Community Centre Digital Control system works completed.</p>	<b>\$70,000</b>
145	<p><b>Energy Reduction: Solar Panel and Solar Hot Water Installation.</b></p> <p>Works are on track to complete by 18/3/08.</p>	<b>\$135,000</b>
146	<p><b>Energy Reduction: Feasibility Studies</b></p> <p>Invitation for quotation has been sent to a number of consultants and are due by 18 February 2008.</p>	<b>\$25,000</b>
147	<p><b>Energy &amp; Greenhouse program for Council facilities</b></p> <p>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.</p>	<b>\$150,000</b>

<b>148</b>	<b>Bayswater Shopping Centre Toilet Replacement - Stage 1</b>	<b>\$139,000</b>
	Purchase order issued to W.C. Conveniences. Manufacture of Exeloo unit commenced. Due for delivery from New Zealand mid February 2008.	
<b>149</b>	<b>The Basin Shopping Centre Toilet Replacement - Stage 1</b>	<b>\$15,597</b>
	On Hold until masterplan resolution.	
<b>150</b>	<b>Operations Centre – Office Modifications</b>	<b>\$30,000</b>
	Detailed plans underway for works in mid February 2008.	
<b>151</b>	<b>Lewis Rd Reserve Toilet Replacement</b>	<b>\$119,000</b>
	Tender let in January. Works to commence by mid February.	
<b>152</b>	<b>Civic Centre – Air Conditioning Modification Works</b>	<b>\$50,000</b>
	Works being undertaken in conjunction with project 147. Works are on track to complete by 4/4/08. Project is awaiting the delivery of the new chiller and will recommence in early March.	
<b>153</b>	<b>Alpine St Shopping Centre, Toilet Replacement</b>	<b>\$140,000</b>
	Unit due for delivery mid February.	
<b>154</b>	<b>Dorset Square Shopping Centre Toilet Replacement</b>	<b>\$600,000</b>
	Tender for supply of Exeloo's let to WC Conveniences. Construction Tender has been let to Circon Constructions. Pre-construction Meeting held with Contractor on 22/1/08. Possession of site given to contractor on 4 February 2008.	
<b>155</b>	<b>Continuation of Property Information Program – Stage 3A</b>	<b>\$25,000</b>
	Project scoping scheduled to commence March 2008.	

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|------------|---|------------------|
| <b>156</b> | <b>GIS Rectification of Contours</b>  | <b>\$25,000</b>  |
|            | Purchase Order raised and contract work commenced in October 2007. This project is scheduled to be completed by end of April 2008.  |                  |
| <b>157</b> | <b>ICT Strategic Plan ( Year 1 Projects)</b>  | <b>\$45,000</b>  |
|            | Top five ICT Projects (as prioritised by EMT) are progressing well with internal project managers appointed to each project.  |                  |
| <b>219</b> | <b>The Avenue (No 56) Land Acquisition</b>  | <b>\$350,000</b> |
|            | Settlement for the purchase of this land occurred in late October 2007.   |                  |
| <b>220</b> | <b>Jenola Parade (Lot A No 91) Property Purchase</b>  | <b>\$99,125</b>  |
|            | Waiting on property owner to finalise subdivision process. Will then settle transfer of land to Council.  |                  |
| <b>221</b> | <b>Community Bus Purchase</b>   | <b>\$100,000</b> |
|            | \$100,000 Grant accepted at Mid Year Review. Council's Bus choice approved by Dept of Planning & Community Development. Funds from grant received and bus ordered from manufacture. |                  |

**11. MOTION FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN****11.1 NOTICE OF MOTION****KNOX CITY COUNCIL****NOTICE OF MOTION NO. 10****PROPOSED BY COUNCILLOR MICK VAN DE VREEDE****COUNCIL MEETING 26 FEBRUARY 2008**

I hereby give notice that it is my intention to move at the next Ordinary Meeting of Council on 26 February 2008 the following motion.

That Council:

1. Endorses the formal apology of the Parliament of Australia on 13 February 2008 to the indigenous peoples of this land, commending its courageous leadership as a momentous healing gesture for all Australians.
2. Reaffirms that we are on the traditional land of the Wurundjeri and Bunurong peoples of the Kulin Nation and respect their cultural traditions.
3. Endorses the apology agreed in 1997 by the Australian Local Government Association's General Assembly, that included the following statement:

*'Local Government expresses its deep and sincere regret at the hurt and distress caused by policies which forcibly removed Aboriginal children from their families and homes. It recognises that a great injustice was inflicted on Aboriginal peoples in the name of assimilation and integration and reaffirms its support for reconciliation between all Australians.'*

4. Reaffirms its commitment to the reconciliation process, particularly through our membership of the Inter Council Aboriginal Consultative Committee; and
5. Accepts the Prime Minister's challenge to regard the 13 February 2008 apology 'in the spirit in which it is offered as part of the healing of our nation'.

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Cr Mick Van de Vreede

Dated the 19<sup>th</sup> day of February 2008.

**12. SUPPLEMENTARY ITEMS****13. URGENT BUSINESS****13.1 URGENT BUSINESS****13.2 CALL UP ITEMS****14. QUESTIONS WITHOUT NOTICE**