



KNOX CITY COUNCIL

MINUTES

Ordinary Meeting of Council

Held at the
Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 26 February 2018

KNOX CITY COUNCIL

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

ON

MONDAY 26 FEBRUARY 2018 AT 7.02 P.M.

PRESENT:

<i>Cr J Mortimore (Mayor & Chairperson)</i>	<i>Chandler Ward</i>
<i>Cr J Keogh (Deputy Mayor)</i>	<i>Dobson Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr J Taylor</i>	<i>Collier Ward</i>
<i>Cr A Gill</i>	<i>Dinsdale Ward</i>
<i>Cr T Holland</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr D Pearce</i>	<i>Taylor Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>
<i>Mr T Doyle</i>	<i>Chief Executive Officer</i>
<i>Dr I Bell</i>	<i>Director – Engineering & Infrastructure</i>
<i>Mr P Dickie</i>	<i>Acting Director - City Development</i>
<i>Mr M Fromberg</i>	<i>Director – Corporate Development</i>
<i>Ms K Stubbings</i>	<i>Director – Community Services</i>
<i>Mr R McKail</i>	<i>Governance Advisor</i>

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

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

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

Nil.

2. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

3. CONFIRMATION OF MINUTES

MOVED: CR. PEARCE
SECONDED: CR. LOCKWOOD

- 3.1 *Confirmation of Minutes of Ordinary Meeting of Council held on Monday 22 January 2018*

CARRIED

MOVED: CR. PEARCE
SECONDED: CR. LOCKWOOD

- 3.2 *Confirmation of Minutes of Strategic Planning Committee Meeting held on Monday 12 February 2018*

CARRIED

4. PETITIONS AND MEMORIALS

MOVED: CR. KEOGH
SECONDED: CR. MORTIMORE

That Council:

1. record a motion of condolence on the passing of Ms Deirdre Loveless, winner of the 2018 Environmentalist of the Year Award;
2. note Deirdre's passion for the environment and her dedication to educating children, as well as the local community, on environmental issues and initiatives; and
3. extend its deepest sympathies to Deirdre's family upon her passing.

CARRIED

4. PETITIONS AND MEMORIALS (cont'd)

MOVED: CR. MORTIMORE
SECONDED: CR. KEOGH

That Council:

1. record a motion of condolence on the passing of Mr Kevin Lawler;
2. note Kevin's tireless support for friends and colleagues and his long term service to the community as secretary of the Basin Senior Citizen's Club; and
3. extend its deepest sympathies to Kevin's family and friends upon his passing.

CARRIED

5. REPORTS BY COUNCILLORS

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5.2	<i>Ward Issues</i>	4.

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

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6.3	<i>Application for the Development of the Land for Three (3) Double Storey Dwellings at 47 Wattletree Road, Ferntree Gully (Application No. P/2016/6862)</i>	79.
	All Wards	
6.4	<i>New Fees Legislated in the Domestic Animals Act 1994</i>	112.
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15.1 Urgent Business **354.**

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TONY DOYLE
CHIEF EXECUTIVE OFFICER

5. REPORTS BY COUNCILLORS

5.1 Committees & Delegates

5.1.1 COUNCILLOR DARREN PEARCE

Councillor Pearce attended the following Meetings

- Submissions Hearing – 72 Francis Crescent, Ferntree Gully
- Lysterfield Quarry Community Reference Group
- Knox Central Advisory Committee

5.1.2 COUNCILLOR JACKSON TAYLOR

Councillor Taylor attended the following Meetings

- Australia Day Barbeque Breakfast and Awards Presentation
- Melbourne Boomers
- Opening of Templeton Reserve
- Youth Advisory Committee
- Salford Park Retirement Village
- Bayswater Early Years Hub Site Visit
- Knox Central Advisory Committee
- Knox Community Safety, Health and Wellbeing Committee
- Wantirna College
- Knox Community Sports Centre Management Committee

5.1.3 COUNCILLOR NICOLE SEYMOUR

Councillor Seymour attended the following Meetings

- Knox Disability Advisory Committee

5.1.4 COUNCILLOR PETER LOCKWOOD

Councillor Lockwood attended the following Meetings

- Citizenship Ceremony
- Arts & Culture Advisory Committee
- Eastern Regional Libraries Corporation Board
- Eastern Transport Coalition
- Knox Central Advisory Committee
- New Life for Boronia
- Public meeting – behind Wantirna Lea at Fair Park

5.1 Committees & Delegates (cont'd)

5.1.5 COUNCILLOR JAKE KEOGH

Councillor Keogh attended the following Meetings

- Submissions Hearing – 72 Francis Crescent, Ferntree Gully
- Deputy Premier, James Merlino re Knox Regional Sports Park
- Melbourne Boomers (x 2)
- Australia Day Barbeque Breakfast and Awards Presentation
- Citizenship Ceremony
- Early Years Hub Bayswater – Ground Breaking Ceremony
- Youth Issues Advisory Committee
- Knox Central Advisory Committee
- Ferntree Gully North Primary School
- Knox Factor Auditions (Knox Festival)
- Lysterfield Football Club President
- Women's National Basketball League
- Opening of The Basin Concert in the Park

5.1.6 COUNCILLOR LISA COOPER

Councillor Cooper attended the following Meetings

- Early Years Hub Bayswater – Ground Breaking Ceremony

5.1.7 COUNCILLOR TONY HOLLAND

Councillor Holland attended the following Meetings

- Australia Day Barbeque Breakfast and Awards Presentation
- Waterford Park Australia Day Lunch
- Recreation and Leisure Liaison Group Meeting
- Knoxfield Cricket Club 50th Anniversary
- Knox Regional Sports Park Masterplan – Meeting with Hon Kim Wells MP, Heidi Victoria MP and Hon Nick Wakeling MP

5.1 Committees & Delegates (cont'd)

5.1.8 COUNCILLOR JOHN MORTIMORE

Councillor Mortimore attended the following Meetings

- Leader Newspaper
- Boronia Heights Secondary College Community meeting
- Deputy Premier, James Merlino re Knox Regional Sports Park
- Australia Day Barbeque Breakfast and Awards Presentation
- Citizenship Ceremony
- Australia Day Celebration – Waterford Park Retirement Village
- Pride March
- Early Years Hub Bayswater – Ground Breaking Ceremony
- Melbourne Boomers
- Minister for Citizenship and Multicultural Affairs, Alan Tudge MP re Boronia Basketball Stadium
- Community Development Grants Programme opening of Templeton Reserve
- Eastern Alliance for Greenhouse Action Executive Committee
- Ouzo Festival
- Sri Lanka Anniversary
- Boronia Traders and Business Workshop
- Radio Eastern FM interview
- Minister for Early Childhood, Jenny Mikakos MP re Early Years Services
- Municipal Association of Victoria Metro Eastern Regional Meeting
- Knox Resident
- Member for Eastern Metropolitan Region, Shaun Leane re Knox Regional Sports Park Masterplan Options
- Lunar New Year Cocktail Reception (Year of the Dog)
- Boronia Renewal Project – Service Providers Workshop
- Boronia Renewal Project – Community Groups Workshop
- Community Safety, Health and Wellbeing Advisory Committee
- Shadow Minister for Environment, Nick Wakeling and State Member for Rowville, Kim Wells re Knox Regional Sports Park Masterplan Options
- Gambling Forum
- Eastern Regional Libraries Corporation Board
- Chinese Association of Victoria Chinese New Year Celebration
- Knox Italian Community Club luncheon
- Tour of Waterman Business Centre

5.2 Ward Issues

5.2.1 COUNCILLOR LOCKWOOD (BAIRD WARD)

- Councillor Lockwood advised that the Bayswater Wine Cellar has been recently publically sold and that the new owners propose introducing a new development as an entertainment precinct and restoring the existing building. Heritage Overlay on the building will be protected which is great positive news.

5.2.1 COUNCILLOR KEOGH (DOBSON WARD)

- Councillor Keogh advised that he had recently met with the President and Vice President of the Lysterfield Junior Football Club based at Lakesfield Reserve¹. Councillor Keogh commented that it is a great community club but in desperate need of revitalisation. The reserve has four girls teams, a strong junior cricket club and is one of fastest growing junior teams. Councillor Keogh further commented that it is an excellent site with excellent management but there is a need for improvement for the area and that a Masterplan will need to be referred for budget funding.
- Councillor Keogh advised that local residents near Quarry Reserve want to engage with Council to improve the site including barbeque facilities and to reduce anti-social activity. Councillor Keogh commented that the reserve is one of the best sites in Knox, very unique and people love it. Councillor Keogh further commented that master planning should be referred to the next budget.

5.2.2 COUNCILLOR GILL (DINSDALE WARD)

- Councillor Gill detailed the long history Council has of working with the club to create a fantastic community facility. In particular Cr Gill detailed how the club assisted Council in obtaining State infrastructure funding to construct new lighting at the oval. Cr Gill stated that it was his opinion that in the future Council should endeavour to work with the EFL to obtain more State funding which could be used to improve Maree Wallace Reserve for the entire community.

5.2.3 COUNCILLOR MORTIMORE (CHANDLER WARD)

- Councillor Mortimore extended an invite to all to attend The Basin Music Festival and advised that it will be the first time in 14 years that he will not be attending.

¹ Correction made on 6 March 2018. For further information contact the Governance team on 9298 8000.

PROCEDURAL MOTION

MOVED: CR. SEYMOUR
SECONDED: CR. MORTIMORE

That Council resolve to consider item 14.1 – Eastern Football League prior to Item 6.1 on the Agenda.

CARRIED

14. SUPPLEMENTARY ITEMS

COUNCILLOR GILL RETIRED FROM THE MEETING AT 7.35PM DURING DISCUSSION ON ITEM 14.1

ALL WARDS

14.1 EASTERN FOOTBALL LEAGUE

SUMMARY: *Leisure Service Coordinator (Peter Gore)*

This report responds to the Call Up Item resolved at Council's Ordinary meeting of 27 November 2017. The Call Up item sought information and advice on issues and options relating to the arrangement between Council and the Eastern Football League (EFL) particularly linked to the management and delivery of the local football competition program.

RECOMMENDATION

That Council:

1. Notes the report responding to the Call Up Item.
2. Commences negotiations with the EFL regarding amended Licence conditions in preparation for a new Licence Agreement commencing 2020.
3. Commences negotiations with the EFL regarding Tormore Reserve for the period 2018-2020.
4. Invites Club Presidents from all Australia Rules Football Clubs in Knox to a forum to discuss opportunities to secure greater benefits for Knox based clubs with the EFL and the general long term strategic direction of football in Knox.

1. INTRODUCTION

Council approved a Call Up item at its meeting of 27 November 2017 seeking further information and advice on items related to the EFL's management of the local competition as follows:

That Council receive a report at the Council Meeting on 26 February 2018 outlining possible mechanisms to:

14.1 Eastern Football League

1. *Introduce a license and fee upon the Eastern Football League (EFL) regulating the use of facilities owned by the Knox City Council as part of the EFL's home and away, and finals football competition;*
2. *Quarantine all revenue generated from any license introduced to be used to upgrade female facilities at Knox City Council sporting pavilions;*
3. *Ensure that the EFL's affiliation fees or other charges imposed on any Knox based sporting clubs in order to participate in the EFL's football competition do not place an unreasonable financial burden upon Knox based sporting clubs;*
4. *Ensure that gate charges or any other fees imposed at any EFL matches on facilities owned by the Knox City Council are collected and used for the benefit Knox based sporting clubs and subject to appropriate Council scrutiny and control.*
5. *Ensure that the conduct of the EFL's football competition respects and promotes competition and fair trade in a way that benefits local sporting clubs, participants and spectators.*

When investigating and preparing this report, officers have had regard to Council's Call Up Items at Council Meetings Policy, and in particular, Item 6.5 which states:

"Where preparing a report responding to a Call Up Item which will require more than 3 person days or \$5,000 in costs, then the matter which is subject to the Call Up Item should be referred by Council to the next budget considerations with a supporting business case for consideration along with other competing priorities".

Council has a crucial role to play in planning and providing for the current and future needs for sporting infrastructure which allows the community to participate in the broad range of activities that deliver health and wellbeing outcomes. Football is a key sport played in Knox and Council is the primary provider of significant infrastructure for the sport as well as providing support for local clubs through such initiatives as community grants and Club Development programs. Council works in partnership with local clubs and the EFL to support and develop football as an accessible and successful community sport within Knox.

Council officers have undertaken an investigation which included benchmarking with other active team sports and discussion with the EFL (initially on 12 December 2017 and a follow up meeting on 25 January 2018). A submission from the EFL has also been provided to Council under separate cover. The information and outcomes of this investigation are outlined below.

14.1 Eastern Football League

2. DISCUSSION

2.1 The Eastern Football League (EFL)

The Eastern Football League (EFL) is a not-for-profit incorporated association with a history that dates back to its original roots in 1903 as the Reporter District Football League.

The EFL describes its primary role as the running of the local Australian Rules Football competition as well as umpire development and increasing participation in Australian Rules Football across the Eastern Metropolitan Melbourne Region. More recently the EFL has been running a local netball program aligned to its member football clubs.

The EFL is now the largest Australian Football competition in the country, in terms of numbers of players participating each weekend. The League is only as strong as its clubs and its recent focus has been on strengthening club management and game development strategies.

While its primary purpose is to oversee the operations of the league, the EFL also has taken a strategic leadership role with some of the key challenges facing the sport including:

- Maintaining and growing participation rates in existing and new markets.
- Understanding demographic changes including an ageing population, a changing cultural mix and limited population growth areas.
- Ensuring the viability of EFL clubs and managing the expectations of players with regards to remuneration.
- Recruitment and retention of volunteers for/by clubs.
- Managing club player pathways.
- Maintaining, developing and promoting the EFL brand.

The Call Up Item has raised issues as to ways in which the current arrangements between Council and the EFL can most effectively support local football clubs and their operations within Knox. The EFL has provided information on its response to some of the ideas raised in the Call Up item.

2.2 Introduce a license and fee upon the Eastern Football League (EFL) regulating the use of facilities owned by the Knox City Council as part of the EFL's home and away, and finals football competition.

The facilities that are used by the EFL affiliated clubs during the home and away football season are currently governed under a seasonal tenancy agreement with each individual club as the tenant of the facility.

14.1 Eastern Football League

This is the same tenancy arrangement that is in place with other sporting clubs such as cricket, soccer, etc. As the competition provider, the EFL is not required to have a tenancy agreement for home and away games, with its involvement primarily being in game development, competition governance and competition integrity. A Licence Agreement with the EFL for use of the facilities would therefore not be considered appropriate while Council has direct tenancy with its local clubs.

A possible mechanism to achieve direct involvement of the EFL for the home and away season would be for Council to cease seasonal tenancies with individual clubs, and instead require the EFL to take on the seasonal tenancies for Council's Australian Rules football facilities. This would potentially provide significant efficiencies to Council's operations in that it would transfer the individual allocation of facilities and fee administration directly to the EFL. The EFL would have greater responsibility for its competition. It could also decline to do so.

Council and the EFL have an existing Licence Agreement for finals at Marie Wallace Bayswater Oval that commenced on 1 August 2015 for a five (5) year term and will sunset on 31 July 2020. Finals games are organised directly by the EFL which manages the risk and OHS associated with larger events and to ensure competition neutrality for the teams involved. Officers have received advice from Council's lawyer that Council cannot impose additional fees upon the EFL or renegotiate any of the terms of the existing Licence Agreement without the agreement of EFL. As such, a new agreement with the EFL is only possible after the final season (from 2020 onwards) or by agreement with the EFL earlier. The EFL has indicated that it believes the current Agreement to be satisfactory and does not wish to introduce new or increased conditions to the current Licence, which would possibly limit the scope for Knox based clubs or the EFL to play finals at those venues. The 2017-18 Licence fee for the EFL's use of Marie Wallace Bayswater Oval is \$665 (inc. GST).

The EFL has also suggested the current Licence fee was negotiated and accepted by Council as partly in recognition of the EFL and Council's advocacy to the State Government and AFL Victoria for increased investment at the site. The Bayswater redevelopment resulted in approximately \$500,000 of State Government and AFL Victoria funds in 2011-12.

Council may wish to consider maintaining a "peppercorn" Licence fee with a future agreement if the EFL is again able to demonstrate advocacy and assistance in securing additional capital works funding from State Government funding programs and/or AFL Victoria for further redevelopment of reserves within Knox.

Alternatively Council could consider an increased fee which would be based on a higher return on the costs associated with the licence, recognising the level of net profit made by EFL from the competition and allocation of this profit targeting Knox clubs.

14.1 Eastern Football League

The EFL also utilises Tormore Reserve for senior finals under a casual use arrangement. Council's nominated 2017-18 fee for casual usage is \$665 per day (adopted fees and charges). Council could require the EFL to have a Licence Agreement in place for the next two years until a new agreement covering both reserves can be negotiated in 2020.

Benchmarking undertaken by Council officers has identified the following Licence fees paid to other Councils by other football leagues within metropolitan Melbourne:

- Darebin City Council charges the Northern Football League \$676 per day as a casual booking fee for the use of Preston City Oval for finals day matches. The Northern Football League held final matches over 7 days in 2017 equating to a total fee of \$4,732.
- Moreland City Council also charges casual hire fees for the use of its recreation reserves to the Essendon District Football League for finals football. The majority of finals were however played at Windy Hill, nevertheless the Coburg City Oval was used on three separate days throughout the final series, with a total hire cost of \$450.00 (\$150.00 per day).
- The benchmarking has shown some consistencies with Tormore Reserve (in terms of the type of agreement and fee).
- Both Councils (benchmarked) do not have any long term Licence Agreements with their local football association, rather casual booking applications are applied for with each Council on an annual basis.

There are a range of additional staff costs associated with both ovals during the Division 1 and Division 2 finals provided to the tenant football club. Council staff generally prepare the reserves for finals in Round 16 of the football season (a few weeks out from the finals). Typical additional activities include super sopper, herbicide applications, drainage activities, rolling the centre of the ground (turf table), mowing, weeding and tidying of the entire site. If Council was of the mind to increase fees to recover this additional maintenance, this would be approximately \$3,600 per ground.

This costing is for additional maintenance and does not include general maintenance as part of regular upkeep for the reserve. A future fee could also be calculated based on an assessment of these broader costs to Council.

Recommendation

Council can implement a new licence fee and revise conditions after the sunset of the existing Agreement in 2020, incorporating Tormore Reserve as part of a new licence agreement. There is also the opportunity to introduce a new licence specifically for Tormore Reserve for the period 2018-2019 and 2019-2020.

14.1 Eastern Football League

Officers recommend that Council commence negotiations as soon as practicable with the EFL to enter into a new licence for finals at Tormore Reserve to formalise current casual use arrangements.

In parallel, discussions should also commence regarding a new combined Licence for both reserves to be implemented at the expiry of agreements in 2020.

It is envisaged that any new licence could seek (as a minimum) to negotiate higher fees ensuring, full cost recovery is returned for additional ground maintenance and improvements. This would also involve profits being used to support Knox based clubs. Alternatively, a new agreement could recognise or provide for a reduced fee in the event of successful advocacy for significant capital investment in other Knox Australian Rules Football facilities by the State Government or AFL.

Any new or revised conditions in a subsequent agreement would be brought to Council for approval prior to the expiry of the current agreement.

2.3 Quarantine all revenue generated from any license introduced to be used to upgrade female facilities at Knox City Council sporting pavilions.

Based on the current Marie Wallace Bayswater Oval Licence fee for 2017-2018 the income received directly for the EFL tenancy and usage by Council is \$665 (inc. GST) per annum.

Tormore Reserve is used four times during the finals period and this generates a total income to Council of \$2,660 per annum (\$665 – casual use per day).

Funding can be quarantined for the development of female friendly sporting facilities on an annual basis if Council resolves to do so. Council is free to decide how it wishes to apply any fees it collects.

Advice from the EFL suggests that the finals involves revenue of approximately \$375,000 and makes a profit for the League of approximately \$118,000 (senior finals) and while this is invested in programs to assist clubs, it should be noted that this is across the broader eastern region. Given Knox Council provides the facilities, there is a strong argument to have the EFL provide greater programs to Knox specific clubs and/or require a greater contribution specifically targeted to areas of need such as upgrades to female facilities at Knox City Council sporting pavilions.

There is also an opportunity for both Council and the EFL to advocate to other levels of Government and the AFL directly, to address issues associated with increasing female participation in AFL football. Given this approach, partnering with the EFL for grant submissions and advocating for additional resources to support women in sport would be beneficial for both parties. This also may be a matter to raise with Eastern Region Councils to develop an advocacy strategy seeking funding for the significant growth in women's sport.

14.1 Eastern Football League

There may also be merit in considering developing a strategic football plan for Knox or a broader strategic plan as a partnership with other interested Eastern Region Councils. Typically, such a sports and infrastructure plan for Knox would cost approximately \$35,000 and could be considered as part of current or future Council budget processes.

Some concerns have been raised about high payments to players in the competition and the possible impact on club operations. The EFL has been actively trying to introduce a player points system and the introduction of player payment rules to manage the expectations of players with regard to remuneration.

Recommendation

As funding collected through the current Licence is not currently material in value, it is proposed that the impact of contributing it to the delivery and upgrading of female friendly facilities would be negligible (at this stage), therefore, it would not be recommended to quarantine revenue generated from licenses.

This, however, should be further reviewed at the end of the current agreement, with a potential quantum increase in new licence fees. Alternatively, revenue collected could contribute to targeted development programs.

The proposed allocation of any future funding to support women's sport from any new licence negotiated with the EFL after 2020 will also be included in a report to Council prior to expiry of the current agreement once the quantum is known.

2.4 Ensure that the EFL's affiliation fees or other charges imposed on any Knox based sporting clubs in order to participate in the EFL's football competition do not place an unreasonable financial burden upon Knox based sporting clubs.

The structure of the Eastern Football League's fees and charges vary across its competitions (Junior, senior women's and senior men's). Historically these fees are based on an affiliation fee, team fees and umpire payments. In its submission to Council, the EFL has stated that it believes it has the lowest average Australian Rules Football fees across Melbourne based on a % of the fee income against all revenue income for the EFL.

Council officers undertook a comparison exercise across three key winter sporting activities (Australian Rules Football, Soccer and Rugby League) in Knox and their respective affiliation fees, insurances, player fees and charges.

14.1 Eastern Football League

The comparison case study is based on a four team club (three senior teams and a colts or women's team). The figures collected for the EFL club and soccer are based on existing Knox clubs' 2017 fees. The Rugby League fee is based on the Victorian Rugby Leagues club 2017 fee schedule. The results are in the table below.

Sport	Affiliation and Insurance	Player Fee (If applicable)	Other Fees (If applicable)	Total
EFL Club*	\$10,880	N/A	\$1,415 (Football Records)	\$12,295
Soccer Club*	\$13,790	\$11,070	N/A	\$24,860
Rugby League	\$12,600	N/A	N/A	\$12,600

* EFL and Soccer have a separate umpire fee which is not listed as the FFV was not able to provide this at the time of this report. These fees are historically based on meeting umpire payments with no surplus.

The EFL has reported that it has attempted to minimise the impact of its affiliation fees and charges by controlling annual fee escalations below CPI. An example of this is its affiliation and insurance fees have increased by 9.7% in the last ten (10) years while CPI has increase by 21.4% in the same period.

Ultimately the impact of the League's fees and charges and its impact on the viability of a club can be measured by the flow-on impact the fees have on the individual membership/playing fees. Most clubs set the players membership fees to largely cover direct playing/affiliation and insurance costs. In discussions with the EFL it has provided information on a recent article in the Courier Mail, which looked to provide an estimated participation costs amongst key sports. A key finding was the comparison of the average registration costs (Seasonal) that identified the following:

- Australian Rules Football: \$160 Junior/\$400 Senior
- Football (soccer): \$400 Junior/\$500 Senior

In addition, the EFL has advised that the funds collected through its fees and charges contribute to developing programs and events. Furthermore, clubs that are supportive of EFL suppliers can also share in the Finals Levy Rebate each year, with the total pool worth around \$32,000-\$40,000 (An average of \$3,000 to \$4,000 per club).

Recommendation

Based on the information provided by the EFL, and Council's comparison case study on fees, officers believe the EFL fees are reasonable and have been maintained at lower levels to maximise participation and affordability.

14.1 Eastern Football League

Legal advice provided by Russell Kennedy Lawyers has advised that any attempt by Council to regulate affiliation through existing seasonal tenancy agreements with clubs could be considered contrary to the Competition and Consumer Act. It is recommended that Council follow the advice of Russell Kennedy Lawyers.

2.5 Ensure that gate charges or any other fees imposed at any EFL matches on facilities owned by the Knox City Council are collected and used for the benefit of Knox based sporting clubs and subject to appropriate Council scrutiny and control.

All spectator fees are historically associated with senior sporting matches to offset costs associated with club operations and running costs. This is generally a common practice for football codes with the gate fees largely collected by Australian Rules Football and soccer clubs in Victoria. All gate receipts generated by Knox clubs during the senior home and away season and junior finals are collected and retained by the home/host club.

Legal advice provided by Russell Kennedy identified Council's inability within the current Licence to prohibit or restrict the imposition of gate charges and other fees for any EFL finals series, as the nature of its organisation has not changed during the Licence term and gate charges were known to Council during Licence negotiations.

Advice from the EFL indicates that only senior finals gate receipts are retained by the EFL. The League has reported that the funds generated by senior finals \$375,000 (with \$296,000 collected through gate receipts in 2017) go toward covering the operating costs of the finals of \$245,000 in 2017. The net profit is therefore approximately \$130,000. However it does not include an allocation of EFL staff cost which has been estimated at a further \$15,000.

Council offices have been advised that surplus funds raised are directed to development programs, community projects and some general EFL operating costs. Twelve Knox clubs (26% of EFL clubs) would be beneficiaries of these programs. Projects and programs that have been funded across the region in recent years include:

- Netball - \$81,000 to subsidise the operating loss of a new local netball competition (co-hosted at the Knox Regional Netball Centre);
- Road Safety Programs for 16 and 17 year-olds - \$36,000;
- Club Drug and Alcohol education and other development seminars through Sport & Life Training (SALT) - \$18,000;
- Sports Chaplains Placement in clubs and to help with youth tragedies - \$30,000; and
- Blue Ribbon Donation (to be used for a dedication in an eastern suburbs hospital) - \$70,000.

14.1 Eastern Football League

The impact of an increase to the current level of the existing Licence fee could be a decreased capacity of the EFL to conduct regional development programs. However, any additional funding received directly by Knox City Council could be directed back to Knox clubs specifically.

Recommendation

As gate fees are collected by individual clubs during the home and away season (not the EFL) any changes to the clubs' capacity to collect gate fees is likely to generate a negative response from clubs and club members. Furthermore, as gate fees are generally accepted practice across senior Winter sport, it is recommended that Council does not attempt to regulate fees of the home and away season.

2.6 Ensure that the conduct of the EFL's football competition respects and promotes competition and fair trade in a way that benefits local sporting clubs, participants and spectators.

The EFL has advised that, while it has a number of commercial arrangements in place with corporate partners who supply products to the league and affiliated clubs, there is no mandate that the clubs have to exclusively use a preferred supplier. The EFL does strongly encourage member clubs to support those partners by stocking a range of products from both preferred and non-preferred suppliers during the final series.

The EFL currently has commercial arrangements with CUB - Carlton Draught, Coca Cola, Elastoplast, Sherrin, TLA (Puma), Sherwood and Champion.

In general, commercial arrangements are in place to assist with lowering participation costs to clubs (sponsorship/increased buying power) and to ensure regulated pricing and consistent standards.

Clubs that are supportive of EFL suppliers share in the Finals Levy Rebate each year, with an average return of \$3,000 to \$4,000 per club.

It has been suggested that host clubs make between \$5,000 and \$15,000 operating profit (after expenses) for hosting between 2 and 4 full days' worth of games. Operational expenses include a hosting fee of approximately \$15,000.

Legal advice has identified that Council is unlikely to be able to restrict the EFL's commercial arrangements. Imposing conditions upon clubs (by either the EFL or Council) which regulate use of suppliers is likely to be considered contrary to the Competition and Consumer Act.

As such, the EFL appears to be encouraging but not enforcing Clubs to support its commercial partners (based on discussions with the EFL). Council may wish to further explore this premise with Knox based Australian Rules Football sporting clubs and there may be some benefit in inviting senior office bearers from clubs to meet with Council and discuss this and other finals related matters raised in the report. Whilst these commercial partners are not specifically Knox based, they are, however, considered leading suppliers within the sports industry (as identified in the EFL submission).

14.1 Eastern Football League

Recommendation

The current commercial arrangements for suppliers appears to be consistent with requirements of the Competition and Consumer Act. Supply arrangements for the finals series are negotiated cooperatively between the participating clubs and the EFL.

It would be valuable for sporting clubs to be invited to meet with Councillors and officers to further discuss fees and commercial supply arrangements and to identify any improvements, if any, which could be made to further enhance benefits to local sporting clubs.

3. CONSULTATION

Officers have consulted with Russell Kennedy Lawyers concerning Council's legal requirements, sought feedback from the EFL on the questions raised in the Call Up Item and benchmarked with other sport associations including the Football Federation Victoria and Victorian Rugby League, on affiliation fees and other charges.

4. ENVIRONMENTAL/AMENITY ISSUES

No environmental or amenity issues are related to this issue.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The EFL's 2017-18 Annual Licence fee to Council for use of Marie Wallace Bayswater Oval is \$665 (inc. GST) and Council charges \$665 per day for casual use of other venues for senior finals. This report identifies an opportunity for Council to increase the Licence Fee to address the costs to Council of the venue provision and the net profit derived by EFL so that a greater return to Knox clubs and the Knox community can be achieved.

Football competitions and finals operated by the EFL are likely to provide an economic impact to the local business community and sporting clubs. A study was undertaken in 2012 by the Northern Football League (NFL) on the economic impact of their 14 game finals series. However, there has not been a study of this kind undertaken in the Eastern region and separate discussions can be undertaken to gauge the willingness of the EFL to conduct a similar study for the Knox finals competition.

6. SOCIAL IMPLICATIONS

Community sporting competitions provide a range of social benefits that includes opportunities for people to interact, health and wellbeing outcomes and increased economic benefit on the local businesses.

14.1 Eastern Football League

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

Sport and recreation activities align with the Community and Council Plan 2017-21 as follows:

Goal 6: We are healthy, happy and well

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

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Peter Gore, Manager Youth Leisure & Cultural Services) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Peter Gore, Manager Youth Leisure & Cultural Services) - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

Council has indicated a desire to review terms and conditions of the Licence with the Eastern Football League for the use of facilities owned by Knox City Council. There is an opportunity to initiate discussion on revised terms and conditions prior to the expiry of the existing Licence at Marie Wallace Bayswater Oval. A new agreement would look to maximise the return to Knox based clubs (in terms of educational fees and/or contribution to future facility development). Current data suggests that the EFL has a capacity to provide a greater contribution for the use of Knox based facilities. Given the range of matters that potentially impact on Knox clubs (and the endeavours of Council to secure greater benefits for Knox based clubs with the EFL), there is an opportunity to meet with representatives of each Knox Australian Rules Football club to further understand the future direction of football and discuss the ways in which the Eastern Football League can best support local clubs.

10. CONFIDENTIALITY

There are no confidentiality issues arising from this report.

14.1 Eastern Football League**COUNCIL RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. LOCKWOOD**

That Council:

1. Notes the report responding to the Call Up Item.
2. Commences negotiations with the EFL regarding amended Licence conditions in preparation for a new Licence Agreement commencing 2020.
3. Commences negotiations with the EFL regarding Tormore Reserve for the period 2018-2020.
4. Invites Club Presidents from all Australia Rules Football Clubs in Knox to a forum to discuss opportunities to secure greater benefits for Knox based clubs with the EFL and the general long term strategic direction of football in Knox.

PROCEDURAL MOTION**MOVED: CR. SEYMOUR****SECONDED: CR. LOCKWOOD**

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

THE PROCEDURAL MOTION WAS CARRIED**THE MOTION WAS CARRIED**

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

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

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

RECOMMENDATION

That the planning applications decided under delegation report (between 1 December 2017 to 31 January 2018) be noted.

REPORT

Details of planning applications decided under delegation from 1 December 2017 to 31 January 2018 are attached. The applications are summarised as follows:

Application Type	No
Building & Works: Residential	10
Other	10
Subdivision	36
Units	34
Tree Removal/Pruning	22
Single Dwelling	8
Change of Use	4
Signage	3
Removal of Reserve Status	3
Liquor Licence	2
Car Parking Reduction	2
Boundary Realignment	1
Fence	1
Variation of Easement	1
Childcare Centre	1
TOTAL	138

6.1 Report of Planning Applications Decided Under Delegation (cont'd)**COUNCIL RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. LOCKWOOD**

That the planning applications decided under delegation report (between 1 December 2017 to 31 January 2018) be noted.

CARRIED

Official Minutes of Knox City Council

Knox City Council
Planning Applications Decided by Responsible Officer

1 December 2017 – 31 January 2018

Ward	No/Type	Address	Description	Decision
Baird	2017/6680	5 Cypress Avenue BORONIA VIC 3155	Eight (8) lot subdivision (Approved unit Site)	15/12/2017 Approved
Baird	2016/6934	6 Damar Avenue BORONIA VIC 3155	Development of the land for two (2) double storey dwellings	14/12/2017 Approved
Baird	2017/6512	3 Wadi Street BORONIA VIC 3155	Buildings and works in a Heritage Overlay (extension to existing dwelling)	14/12/2017 Approved
Baird	2017/6408	2 Rose Avenue BORONIA VIC 3155	Development of the land for two (2) double storey and one single storey dwelling	22/12/2017 Notice of Decision
Baird	2017/6679	23 Westley Street FERNTREE GULLY VIC 3156	Three (3) lot subdivision (Approved Unit Site)	11/12/2017 Approved
Baird	2017/6403	9 Linda Crescent FERNTREE GULLY VIC 3156	The construction of a double storey dwelling to the rear of the existing dwelling	21/12/2017 Approved
Baird	2017/6782	10 Pinnacle Avenue FERNTREE GULLY VIC 3156	3 lot Subdivision (Approved Unit Site)	30/01/2018 Approved
Baird	2017/6742	33 Springfield Road BORONIA VIC 3155	Four lot subdivision (Approved Unit Site)	24/01/2018 Notice of Decision
Baird	2017/6585	33 Lightwood Drive FERNTREE GULLY VIC 3156	Development of land for two double storey dwellings	27/12/2017 Notice of Decision
Baird	2016/6696	863 Mountain Highway BAYSWATER VIC 3153	Development of the land for a warehouse and ancillary office and alteration to land adjacent to a Road Zone Category 1	12/12/2017 Approved
Baird	2017/6516	68 Edina Road FERNTREE GULLY VIC 3156	The construction of two (2) dwellings on the land	5/01/2018 Notice of Decision
Baird	2017/6647	3 Donald Court BORONIA VIC 3155	Development of the land for one (1) single storey and one (1) double storey dwelling (Total two dwellings), two lot subdivision and the removal of vegetation	5/01/2018 Approved
Baird	2017/6628	5 Damar Avenue BORONIA VIC 3155	3 lot subdivision (Approved Unit Site)	11/12/2017 Approved

Ward	No/Type	Address	Description	Decision
Baird	2016/6622	2/841 Mountain Highway BAYSWATER VIC 3153	Erection of an electronic major promotion sign	7/12/2017 Refused
Baird	2017/6520	13-15 Rawlings Avenue FERNTREE GULLY VIC 3156	Construction of four (4) double storey dwellings and two (2) single storey dwellings (total six (6) dwellings)	4/01/2018 Refused
Baird	2017/6771	7 Joyce Street BORONIA VIC 3155	Three lot subdivision (Approved Unit Site)	18/01/2018 Approved
Baird	2017/6242	11 Grevillea Avenue BORONIA VIC 3155	Four (4) lot subdivision (Approved Unit Site)	29/12/2017 Approved
Baird	2017/6620	2 Farnham Road BAYSWATER VIC 3153	Four lot subdivision (Approved Unit Site)	7/12/2017 Approved
Baird	2017/6683	1 Tulip Crescent BORONIA VIC 3155	Six (6) lot subdivision (Approved Unit Site)	29/12/2017 Approved
Baird	2018/6014	60 Woodvale Road BORONIA VIC 3155	Removal of three Eucalyptus ovata trees from the site	15/01/2018 Approved
Baird	2016/6705	2/33A Devenish Road BAYSWATER VIC 3153	7 Lot subdivision (Approved Unit Site)	16/01/2018 Approved
Baird	2017/6719	1 & 2/16 Zeising Court BORONIA VIC 3155	To Remove the Common Property and Owners Corporation and re-align the boundary between the lots	7/12/2017 Approved
Baird	2018/9004	46 Commercial Road FERNTREE GULLY VIC 3156	Two lot subdivision	12/01/2018 Approved
Chandler	2017/6760	23 Tolhurst Avenue BORONIA VIC 3155	Development of the land for a single dwelling	15/12/2017 Approved
Chandler	2017/6336	15 Stewart Street BORONIA VIC 3155	Subdivision of land into three (3) Lots, Vegetation Removal, Construction works for the Subdivision and Property Boundary Fencing.	14/12/2017 Approved
Chandler	2017/6544	2 Floriston Road BORONIA VIC 3155	7 Lot Subdivision (Approved Unit Development)	29/12/2017 Approved
Chandler	2017/6721	91 Bayview Crescent THE BASIN VIC 3154	Buildings and works (extension of existing dwelling)	30/01/2018 Approved

Ward	No/Type	Address	Description	Decision
Chandler	2017/6737	14 Harcourt Road BORONIA VIC 3155	Buildings and works (construction of a single storey dwelling) and vegetation removal	31/01/2018 Approved
Chandler	2017/6735	98 & 1,2/98 Albert Avenue BORONIA VIC 3155	Re-subdivide lot 2 and common property	5/01/2018 Approved
Chandler	2017/9199	12 Harewood Close BORONIA VIC 3155	Remove one Eucalyptus tree	14/12/2017 Approved
Chandler	2017/6780	17 Flinders Crescent BORONIA VIC 3155	Removal of one (1) Hesperocyparis macrocarpa and one (1) Alnus acuminata	28/12/2017 Approved
Chandler	2017/6454	32 Robertson Crescent BORONIA VIC 3155	Development of the land for a single dwelling	8/01/2018 Notice of Decision
Chandler	2017/9196	25 Hilda Avenue BORONIA VIC 3155	Removal of 1 Acacia mearnsii (Black Wattle)	12/12/2017 Approved
Chandler	2017/6529	18 Bambury Street BORONIA VIC 3155	The construction of six (6) double storey dwellings and removal of vegetation	13/12/2017 Refused
Chandler	2016/6308	1333 & 1337 Mountain Highway THE BASIN VIC 3154	Subdivision of the land into four (4) Lots, alteration of access to a Road Zone, Construction works for the Subdivision and Vegetation removal	5/01/2018 Notice of Decision
Chandler	2018/6004	339 Forest Road THE BASIN VIC 3154	Remove two dead Eucalyptus trees	8/01/2018 Approved
Chandler	2018/6006	45 Arcadia Avenue THE BASIN VIC 3154	Remove one Syzygium paniculatum and one Eucalyptus sp.	11/01/2018 Approved
Chandler	2017/6503	8 Prospect Place BORONIA VIC 3155	The construction of six (6) warehouses and reduction in car parking	4/12/2017 Approved
Chandler	2017/6187	4 Reve Street BORONIA VIC 3155	Construction of two (2) double storey dwellings on the land and removal of vegetation	10/01/2018 Notice of Decision
Chandler	2017/6765	41 Chandler Road BORONIA VIC 3155	Five lot subdivision (Approved Development Site)	17/01/2018 Approved
Chandler	2017/6748	41 & 43 Boronia Road BORONIA VIC 3155	Business Identification Signage	27/12/2017 Approved

Ward	No/Type	Address	Description	Decision
Chandler	2017/6462	7 Prospect Place BORONIA VIC 3155	Development of the land for a Warehouse, ancillary office, landscaping and associated carparking	21/12/2017 Approved
Chandler	2018/9010	5 Democrat Drive THE BASIN VIC 3154	Remove one Eucalyptus tree	18/01/2018 Approved
Chandler	2018/6019	33 Robertson Crescent BORONIA VIC 3155	Removal of two Photinia robusta trees	22/01/2018 Approved
Chandler	2017/6635	38 Mercia Avenue THE BASIN VIC 3154	Building and Works (replacing existing deck with a new deck and carport underneath)	6/12/2017 Approved
Chandler	2017/6415	14 Waratah Avenue THE BASIN VIC 3154	Development of the land for a single storey dwelling to the side of the existing dwelling	11/01/2018 Approved
Chandler	2017/6217	1-11 Dobson Lane THE BASIN VIC 3154	Four lot subdivision	11/01/2018 Notice of Decision
Chandler	2017/6770	2/37 Moncoe Street BORONIA VIC 3155	Removal of four Eucalyptus obliqua trees	5/01/2018 Approved
Chandler	2017/6449	17-19 Bayview Crescent THE BASIN VIC 3154	Buildings and Works (Alterations and additions to dwelling, gazebo, retaining walls and 1.8m fence).	21/12/2017 Approved
Chandler	2017/6644	9 McDonald Crescent BORONIA VIC 3155	Buildings and Works (Garage) and Vegetation Removal	8/01/2018 Approved
Collier	2017/6641	26 Mint Street WANTIRNA VIC 3152	Development of a double storey dwelling to the rear of the existing dwelling	4/01/2018 Notice of Decision
Collier	2017/6497	1 Lamont Court & 128 Cathies Lane WANTIRNA SOUTH VIC 3152	Development of land for two double storey dwellings on the land and boundary realignment	4/01/2018 Approved
Collier	2017/6524	9 Hibiscus Street WANTIRNA VIC 3152	The construction of two (2) double storey dwellings on the land	10/01/2018 Approved
Collier	2017/6423	256 Wantirna Road WANTIRNA VIC 3152	Development of the land for six (6) dwellings (five (5) three storey and one (1) two storey) and alteration to a Road Zone Category 1	5/01/2018 Notice of Decision

Ward	No/Type	Address	Description	Decision
Collier	2017/9195	16 Nottingham Square WANTIRNA VIC 3152	Buildings and Works (Deck and screening)	18/01/2018 Approved
Collier	2017/6005	30 Gresford Road WANTIRNA VIC 3152	Development the land for four triple storey dwellings and alteration of access to a road in a Category 1 Road Zone.	21/12/2017 Refused
Collier	2017/6604	Lot RES1 Stud Road WANTIRNA VIC 3152	Remove reserve status of parts of tree reserves Res 4 LP 122177 Res 1 LP 120975 Res 1 Lp 122852 and creation of Road R1	16/01/2018 Approved
Collier	2018/9006	19 Nottingham Square WANTIRNA VIC 3152	Single storey extension to the rear of property, new carport and new cross over	17/01/2018 Approved
Dinsdale	2017/6541	12 Hertford Court WANTIRNA SOUTH VIC 3152	Construction of two (2) double storey dwellings	18/01/2018 Notice of Decision
Dinsdale	2017/6395	8 Mitre Crescent BAYSWATER VIC 3153	Development of two double storey dwellings	29/12/2017 Notice of Decision
Dinsdale	2017/9193	19 Wadhurst Drive BORONIA VIC 3155	Proposed upper level extension to existing warehouse and office building	8/12/2017 Approved
Dinsdale	2017/6362	9 Westham Crescent BAYSWATER VIC 3153	The construction of three (3) double storey dwellings on the land	8/12/2017 Refused
Dinsdale	2017/9200	6 Gertonia Avenue BORONIA VIC 3155	Removal of One (1) Eucalyptus scoparia tree	14/12/2017 Approved
Dinsdale	2018/9003	4 Kelly Street BAYSWATER VIC 3153	Two lot subdivision	10/01/2018 Approved
Dinsdale	2017/6728	39 High Street BAYSWATER VIC 3153	Eight lot subdivision (Approved Unit Site)	9/01/2018 Approved
Dinsdale	2017/6720	641 Mountain Highway BAYSWATER VIC 3153	Twenty lot subdivision (Approved Development Site)	8/01/2018 Approved
Dinsdale	2017/6540	60 Arbroath Road WANTIRNA SOUTH VIC 3152	Construction of two (2) double storey dwellings	4/01/2018 Notice of Decision
Dinsdale	2017/6599	573 Burwood Highway KNOXFIELD VIC 3180	24 lot subdivision (Approved Development Site)	11/12/2017 Approved

Ward	No/Type	Address	Description	Decision
Dinsdale	2017/6163	41 King Street BAYSWATER VIC 3153	Development of property for a two (2) storey apartment building containing ten (10) dwellings and basement car parking	4/12/2017 Approved
Dinsdale	2017/6469	656 & 658 Mountain Highway BAYSWATER VIC 3153	Use and development of the land for a four (4) storey building containing 24 dwellings, removal of vegetation, reduction in car parking and access to a Road Zone Category 1	22/12/2017 Approved
Dinsdale	2017/6237	24 Grandview Grove BAYSWATER VIC 3153	Development of the land for four (4) double storey dwellings	20/12/2017 Notice of Decision
Dinsdale	2017/6572	37 King Street BAYSWATER VIC 3153	11 lot subdivision (Approved Unit Site)	20/12/2017 Approved
Dinsdale	2017/6108	26 & 28 Lewis Road WANTIRNA SOUTH VIC 3152	Construction of four (4) double storey dwellings and two (2) single storey dwellings (total six (6) dwellings)	13/12/2017 Notice of Decision
Dinsdale	2017/6301	48 Orange Grove BAYSWATER VIC 3153	The construction of three (3) dwellings on the land (two (2) double storey dwellings and one (1) single storey dwelling) and the removal of vegetation	13/12/2017 Notice of Decision
Dinsdale	2017/9190	2/40 Station Street BAYSWATER VIC 3153	Reduction of car parking to enable 3 room dental clinic	22/01/2018 Approved
Dinsdale	2017/6681	8 Neal Street BAYSWATER VIC 3153	Buildings and works in a LSIO (construction of detached carport)	6/12/2017 Approved
Dobson	2017/6667	26 Logan Court LYSTERFIELD VIC 3156	Development of the land for a double storey dwelling	15/12/2017 Approved
Dobson	2018/6038	11 William Street UPPER FERNTREE GULLY VIC 3156	The removal of one (1) <i>Acmena smithii</i> and two (2) <i>Ulmus glabra</i> 'Lutescens'	30/01/2018 Approved
Dobson	2018/9012	22 George Street FERNTREE GULLY VIC 3156	Prune one <i>Eucalyptus obliqua</i> tree	29/01/2018 Approved
Dobson	2018/9000	25 Alexander Crescent FERNTREE GULLY VIC 3156	Remove one <i>Eucalyptus viminalis</i> tree	5/01/2018 Approved

Ward	No/Type	Address	Description	Decision
Dobson	2017/6367	38 & 40 Dorset Road FERNTREE GULLY VIC 3156	Use and development of the land for a Child Care Centre, new access to a Road Zone, display of advertising signage, construction of front and rear boundary fencing and vegetation removal	24/01/2018 Refused
Dobson	2017/6548	6 Clow Avenue UPPER FERNTREE GULLY VIC 3156	The construction of a two storey dwelling on the land and removal of two trees	17/01/2018 Approved
Dobson	2018/9014	12 George Street FERNTREE GULLY VIC 3156	Remove one Eucalyptus viminalis tree	29/01/2018 Approved
Dobson	2018/6034	5 Obeah Court LYSTERFIELD VIC 3156	Removal of 4 Eucalyptus obliqua trees and the pruning of one Eucalyptus obliqua	30/01/2018 Approved
Dobson	2017/9194	5 Trafalgar Street FERNTREE GULLY VIC 3156	Verandah	11/12/2017 Approved
Dobson	2017/9204	126 Forest Road FERNTREE GULLY VIC 3156	Removal of one Eucalyptus tree	27/12/2017 Approved
Dobson	2017/9201	129A Forest Road FERNTREE GULLY VIC 3156	Removal of One (1) Eucalyptus nicholii tree	14/12/2017 Approved
Dobson	2017/6087	1145 Burwood Highway FERNTREE GULLY VIC 3156	Use and development of the land for four (4) dwellings and variation to access to a Road Zone Category 1	8/01/2018 Approved
Dobson	2017/6569	46 Forest Road FERNTREE GULLY VIC 3156	Change of use (Shop exceeding 150sqm floor area) and car parking reduction	7/12/2017 Approved
Dobson	2017/6296	40 Old Belgrave Road UPPER FERNTREE GULLY VIC 3156	Construction of a single storey dwelling to the rear of the existing dwelling, associated works, tree removal and a 2 Lot subdivision	11/12/2017 Notice of Decision
Dobson	2017/6492	11 Trafalgar Street FERNTREE GULLY VIC 3156	Development of land for two (2) dwellings, 2 lot subdivision and tree removal	5/01/2018 Approved
Dobson	2017/6688	5 Obeah Court LYSTERFIELD VIC 3156	Development and use of the land for a single dwelling	8/01/2018 Approved

Ward	No/Type	Address	Description	Decision
Dobson	2017/9187	1 & 2/115 Station Street FERNTREE GULLY VIC 3156	Pruning of one (1) Eucalyptus cephalocarpa (Silver leaf Stringybark)	1/12/2017 Approved
Dobson	2017/9186	8 Nathan Street FERNTREE GULLY VIC 3156	Removal of one (1) Eucalyptus globulus (Southern Blue Gum)	1/12/2017 Approved
Dobson	2017/6456	7 Mithills Court FERNTREE GULLY VIC 3156	Development of the land for a single dwelling and associated site works	19/01/2018 Approved
Dobson	2018/6009	2 Athella Court FERNTREE GULLY VIC 3156	Removal of two dead Eucalyptus trees	12/01/2018 Approved
Dobson	2017/6586	1226 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Liquor licence (Restaurant and Cafe licence)	21/12/2017 Notice of Decision
Dobson	2018/9007	81A Forest Road FERNTREE GULLY VIC 3156	Front fence	18/01/2018 Approved
Dobson	2017/6560	28 Rathgar Road LYSTERFIELD VIC 3156	Development of six (6) dwellings (five (5) two storey dwellings and one (1) single storey dwelling)	12/01/2018 Notice of Decision
Dobson	2017/6776	60 Forest Road FERNTREE GULLY VIC 3156	Buildings and Works (Construction of addition to rear of existing dwelling)	18/01/2018 Approved
Dobson	2018/9009	36 Bales Street FERNTREE GULLY VIC 3156	The removal of one Cedrus deodara tree	18/01/2018 Approved
Friberg	2017/6600	Grd Floor Sh 11/1880 Ferntree Gully Road FERNTREE GULLY VIC 3156	Use the land for a restaurant and cafe liquor license associated with an existing cafe	4/01/2018 Notice of Decision
Friberg	2017/6275	24 Gaydon Street FERNTREE GULLY VIC 3156	Development of the land for one double storey dwelling and one single storey dwelling (two dwellings in total)	16/01/2018 Notice of Decision
Friberg	2017/6476	6/7 Samantha Court KNOXFIELD VIC 3180	Change of Use (Office), Buildings and Works (construction of a mezzanine level) and Car Parking Reduction	2/01/2018 Approved
Friberg	2017/6706	42 David Street KNOXFIELD VIC 3180	Three Lot Subdivision (Approved Unit Site)	3/01/2018 Approved

Ward	No/Type	Address	Description	Decision
Friberg	2018/9002	59 Conn Street FERNTREE GULLY VIC 3156	Four lot subdivision	10/01/2018 Approved
Friberg	2016/6821	34 Silverton Drive FERNTREE GULLY VIC 3156	Development of property for four (4) double storey dwellings	1/12/2017 Notice of Decision
Friberg	2017/6622	2R Bunjil Way KNOXFIELD VIC 3180	Removal of reserve status and creation of a Road R1	16/01/2018 Approved
Friberg	2017/6757	75 Bryden Drive FERNTREE GULLY VIC 3156	Two lot subdivision (Approved Unit Site)	21/12/2017 Approved
Friberg	2017/6329	13 Folkstone Crescent FERNTREE GULLY VIC 3156	The construction of a double storey dwelling to the rear of the existing dwelling	11/01/2018 Approved
Friberg	2017/6619	1768 Ferntree Gully Road FERNTREE GULLY VIC 3156	Development of the land for a double storey dwelling to the rear of the existing dwelling and altering access to a Category 1 Road	21/12/2017 Approved
Friberg	2016/6865	58 Mountain Gate Drive FERNTREE GULLY VIC 3156	Development of a double storey dwelling to the rear of the existing dwelling and part removal of an easement	21/12/2017 Notice of Decision
Friberg	2018/6017	7 Gaydon Street FERNTREE GULLY VIC 3156	Two Lot subdivision	17/01/2018 Approved
Friberg	2017/6142	4/35 Gilbert Park Drive KNOXFIELD VIC 3180	Change of use - Office and a reduction in car parking	21/12/2017 Refused
Friberg	2018/9011	39 Silverton Drive FERNTREE GULLY VIC 3156	Two lot subdivision	19/01/2018 Approved
Scott	2017/6636	368 Scoresby Road FERNTREE GULLY VIC 3156	3 lot subdivision (Approved Unit Development)	29/12/2017 Approved
Scott	2016/6796	6 Laver Court WANTIRNA SOUTH VIC 3152	Construction of a double storey dwelling to the rear of the existing dwelling	13/12/2017 Refused
Scott	2017/9198	1330 High Street Road WANTIRNA SOUTH VIC 3152	Reduction of car parking lots required from eleven to one	3/01/2018 Approved
Scott	2018/9005	17 Wolf Street WANTIRNA SOUTH VIC 3152	Construction of single level dwelling and garage	17/01/2018 Approved
Scott	2017/9191	41 Reita Avenue WANTIRNA SOUTH VIC 3152	Two (2) lot subdivision	21/12/2017 Approved

Ward	No/Type	Address	Description	Decision
Scott	2017/6455	2R Mowbray Drive WANTIRNA SOUTH VIC 3152	Removal of the Reservation Status from Municipal Reserve No 2 on LP 120186	17/01/2018 Notice of Decision
Scott	2017/6741	108 Harley Street North KNOXFIELD VIC 3180	Two lot subdivision (Approved Unit Site)	4/12/2017 Approved
Scott	2017/6304	67 Norma Crescent KNOXFIELD VIC 3180	Development of the land for three (3) double storey dwellings and the removal of vegetation	5/01/2018 Notice of Decision
Taylor	2017/6762	18 Le John Street ROWVILLE VIC 3178	Section 23 (Variation of easement)	20/12/2017 Approved
Taylor	2017/6376	67 Major Crescent LYSTERFIELD VIC 3156	Four lot subdivision, construction works for the subdivision and vegetation removal	14/12/2017 Approved
Taylor	2017/6784	2 Taylors Lane ROWVILLE VIC 3178	Buildings and Works (Construction of new double storey building)	11/01/2018 Approved
Tirhatuan	2016/6849	1360 Stud Road ROWVILLE VIC 3178	Three (3) lot subdivision (Approved Unit Site)	25/01/2018 Approved
Tirhatuan	2017/6405	6/1470 Ferntree Gully Road KNOXFIELD VIC 3180	Change of Use (Office) and Reduction in Car Parking	8/01/2018 Approved
Tirhatuan	2017/6637	Lot 1 Wellington Road ROWVILLE VIC 3178	The proposal is to remove seven distinct areas of vegetation as highlighted on included maps to provide access to wetland structures for works	8/12/2017 Approved
Tirhatuan	2017/9175	4/1333 Ferntree Gully Road SCORESBY VIC 3179	Installing shop signage	6/12/2017 Approved
Tirhatuan	2017/6684	Stud Park SC 1101 Stud Road ROWVILLE VIC 3178	Buildings and works (loading bay, car park and construction of hardstand storage to rear)	7/12/2017 Approved
Tirhatuan	2017/6743	13 Blake Court SCORESBY VIC 3179	Two Lot subdivision (Approved Unit Site)	7/12/2017 Approved
Tirhatuan	2017/9203	2/20 Henderson Road KNOXFIELD VIC 3180	Buildings and works	18/12/2017 Approved
Tirhatuan	2017/6286	6 & 17,18,19/8 Enterprise Drive ROWVILLE VIC 3178	Buildings and works associated with the change of use to a 24 hour ambulance station.	6/12/2017 Approved

Ward	No/Type	Address	Description	Decision
Tirhatuan	2017/6594	8 Hillview Avenue ROWVILLE VIC 3178	5 lot subdivision (Approved Unit Site)	4/01/2018 Approved
Tirhatuan	2017/9202	22 Orson Street SCORESBY VIC 3179	Two lot subdivision	21/12/2017 Approved
Tirhatuan	2017/6511	101/1091 Stud Road ROWVILLE VIC 3178	Buildings and Works	8/01/2018 Approved
Tirhatuan	2018/9001	31 South Corporate Avenue ROWVILLE VIC 3178	Parking bay shelters over a portion of existing parking bays	9/01/2018 Approved

Total: 138

Official Minutes of Knox City Council

TAYLOR WARD

6.2 APPLICATION FOR THE USE AND DEVELOPMENT OF A RESIDENTIAL AGED CARE FACILITY AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE AT 12 TAYLORS LANE, ROWVILLE, (APPLICATION NO. P/2017/6100)

1. SUMMARY:

Land:	12 Taylors Lane, Rowville
Applicant:	Message Consultants Australia Pty Ltd
Proposed Development:	The use and development of a residential aged care facility and display of business identification signage
Existing Land Use:	Vacant lot
Area:	4091 m ²
Zoning:	Low Density Residential Zone
Overlays:	Nil
Local Policy:	Municipal Strategic Statement (MSS) Development in Residential Areas and Neighbourhood Character Policy Environmentally Sustainable Development Policy
Application Received:	24 February 2017
Number of Objections:	103
PCC Meeting:	N/A

Assessment:

The original proposal was refused by Council under delegation on 18 August, 2017. The applicant appealed Council's decision, and a Compulsory Conference was heard at VCAT on 30 January 2018. At the conference, the applicant agreed to make changes to the application which addressed many of the concerns raised by Council as well as the objectors present at VCAT. It was agreed that a Planning Permit could be issued, subject to Council's approval.

It is considered that subject to the changes as submitted at the VCAT compulsory conference, the proposal to use and develop the land for the purpose of a residential aged care facility and display of business identification signage, provides an appropriate balance between the need for providing housing for the community as the population ages, and the amenity of occupants and adjoining residents.

6.2 12 Taylors Lane, Rowville (cont'd)

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

The proposal now complies with the Low Density Residential Zone.

On balance it is considered that the revised proposal responds well to State and Local Planning Policies, subject to modifications. It is recommended that Council adopt the agreement reached between the parties present at the VCAT compulsory conference that a planning permit be issued, subject to conditions.

2. BACKGROUND

2.1 Subject Site and Surrounds

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

- The subject site is located to the south-east corner of the intersection of Taylors Lane and McKay Road, Rowville. Apart from the corner splay at the intersection, the site is rectangular in shape with an area of 4091m². There are no restrictive covenants registered on the copy of title.
- The site is currently vacant.
- The site is vegetated along the McKay Road frontage with a mixture of trees and shrubs. The remainder of the site is clear of vegetation, apart from one tree near the Taylors Lane frontage. None of the vegetation is significant.
- The site is located within an established residential area, with low density single dwellings on large lots to the south, east and north-east of the site. To the west, opposite Taylors Lane are single and double storey dwellings, on lots sizes of around 700m². Further to the south is St Simon Primary School, and further south-west is Arcadia Reserve.

2.2 The Proposal (Assessed by Council Officers - 18 August 2017)

(Refer to attached plans at Appendix B)

It is proposed to use and develop the land for the purpose of a residential aged care facility, and to display associated business identification signage.

Key features of the proposal are summarised as follows:

- Construction of a three storey building setback 5.1 metres from Taylors Lane and 5 metres from McKay Road.
- A maximum building height of 11.6 metres, with an additional 2.4m high screen on the roof to screen plant equipment.

6.2 12 Taylors Lane, Rowville (cont'd)

- External walls finished in a mixture of materials including sheet cladding and pre-cast panels.
- Access proposed from McKay Road via three crossovers with a drive through drop off area and entrance to a basement carpark.
- A basement containing a kitchen, laundry, storage and 35 car parking spaces.
- 78 lodging rooms for residents.
- Communal lounge, dining and sitting areas.
- Areas of communal open space accessible by walkable connections
- Full suite of supporting services and amenities including a salon, gym and theatre.
- Two business identification signs. One 1.5m high sign on the corner of Taylors Lane and McKay Road, and one sign mid-way along the McKay Road frontage. Both signs are located at ground level, and will be incorporated into the landscaping design.
- Removal of all vegetation from the site (no planning permit required).

2.3 Assessment of the Application

On 18 August 2018, the application was refused by Council, for the following reasons:

1. The proposed development is not consistent with the purpose of the Low Density Residential Zone.
2. The proposed development is not consistent with State Planning Policy Framework, including Clause 15 (Built Environment and Heritage) and Clause 16.02 (Housing Form).
3. The proposed development is not consistent with Local Planning Policy, including Clause 21.04 (Urban Design), Clause 21.05 (Housing) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character: Bush Suburban Area).
4. The development is not consistent with Clause 52.06 (Car Parking).
5. The development is not consistent with the guidelines of Clause 65 (Decision Guidelines).

Following on from Council's decision, the applicant lodged an appeal with VCAT against Council's refusal. Four objectors to the application also registered to be parties to the hearing.

6.2 12 Taylors Lane, Rowville (cont'd)

2.4 Changes to the Knox Planning Scheme (Amendment C150)

On 14 December 2017, Amendment C150 was approved by the Minister for Planning. This amendment updated Council's Municipal Strategic Statement (MSS), introduced new planning policies, rationalised existing local planning policies, and introduced new permit exemptions for buildings and works within the Dandenong Foothills areas.

Of particular reference to this application was the amendment to objective 3.2 to the Knox Housing Strategy (now Clause 21.06), to read the following:

“3.2 Support new residential aged care facilities, except in Bush Suburban areas within the Dandenong Foothills or in a Site of Biological Significance”.

Previously, this statement referred to all Bush Suburban areas, and therefore, the application was considered to be inconsistent with Council's Policy, both from a use perspective, and a built form perspective.

This amendment to the Knox Planning Scheme means that the use of the site for a residential aged care facility is now consistent with policy, as the site is not located either within the Dandenong Foothills, or a site of Biological Significance. However, the tests within Clause 21.06 in terms of appropriate built form remain.

2.5 VCAT – Compulsory Conference

On 30 January 2018, a compulsory conference was held at VCAT. This is standard VCAT process for all major cases. The purpose of the conference was to allow the parties to the hearing to hear each other's issues/opinions with the proposal, and to see whether there was any room for a negotiated outcome. Parties to the conference were Council, the applicant, and three objectors.

Prior to the conference, the applicant provided a without prejudice set of amended plans which aimed to address Council's concerns. The main changes to the plans were:

- The number of crossovers to McKay Road reduced from three to two.
- Porte cochere drop off area re-designed.
- Site setbacks to all boundaries varied and generally increased.
- Site services relocated to be less prominent.
- Basement reconfigured.
- Reduction in height of fencing to the street to 1.5m.

Whilst a step towards a better outcome, these amended plans were not considered to be significant enough to warrant a change to Council's position that the application be refused.

6.2 12 Taylors Lane, Rowville (cont'd)

At the conference, the applicants presented their design, and the amended plans, then heard Council and the objectors express their concerns with the application.

Throughout the course of the conference, the applicants continued to amend the plans to address the concerns of Council and the objectors in attendance. After a substantial amount of negotiation, it was agreed that the plans be modified to show:

- Deletion of the top level of the building and provision of a pitched roof form with the overall height of the building not exceeding an RL 91.92 (max building heights ranging from 9.5-10.5m due to the slope of the land);
- Reduction in the number of resident rooms by 15.
- Articulation of the front façade to Taylors Lane, at both ground and first floor level, with minimum setbacks of 8.92m to Taylors Lane;
- Screening to first floor south facing windows, to screen views to the adjoining private open space area to the south;
- Screening of air conditioning plant within the pitched roof form;
- Increased landscaping strip adjacent to the vehicle access along Mackay Road;
- Retention of the existing colorbond fence along the south boundary;
- Details of the business identification signs;
- Provision of 23 canopy trees;

Conditions were drafted to be included in any permit issued, and are located in the recommendation section of this report. Sketch plans were also drafted at the conference, which are to be read in conjunction with these changes (Refer to attached plans [Sketch Plans Only] at Appendix C).

Parties signed the conditions, as part as an agreement at the conference.

The agreement includes the following statement:

“This agreement, which has officer support, is subject to the Council confirming that it gives consent. If the Council consents, this agreement stands

If the Council does not consent to this agreement by 27 February 2018 (or some other date agreed to by the applicant), the parties acknowledge that this agreement is void and the matter will proceed to hearing commencing on 26 March 2018”

6.2 12 Taylors Lane, Rowville (cont'd)

Therefore, this application is being reported to Council. The remainder of this report will assess the amended proposal as agreed by the parties to the VCAT conference.

If Council does not support the amended plans and proposed conditions as agreed by other parties at the VCAT compulsory conference, then the matter will revert back to a merits appeal on the original proposal (unless the applicant amends the application at a later date).

3. CONSULTATION

3.1 Advertising

The application was advertised to all adjoining and opposite properties, and a sign was placed on both street frontages for 14 days. Council received 103 objections. These objections can be summarised as:

Insufficient parking provision and impact on the adjoining road network

- *The amended proposed development provides car parking at a ratio that exceeds the car parking requirement for the use. Therefore, the car parking provision complies with the Knox Planning Scheme. In addition, there are indented car parking spaces along the McKay Road frontage which provides further overspill car parking if required.*

Impact on the neighbourhood character

- *It is acknowledged that the proposed development in three storey form would have a large impact on character of the area. The amended proposal (subject to Council approval) of dropping the development down to a two storey form with a pitched style roof, and better setbacks and landscaping areas, will better reflect the existing and preferred neighbourhood character.*

Impact on views

- *Under planning legislation, views are not a right and are not protected.*

Overlooking

- *At the VCAT conference, the applicant has agreed to screen all windows with an outlook to the adjoining private open space to the south from the second floor. This will address overlooking concerns raised in the objections.*

Overshadowing

- *The amended proposal of removing the third storey of the development will significantly improve overshadowing from the proposed development, and is considered to be reasonable outcome. Using Rescode as a guide, the proposal would allow the required daylight hours to the adjoining property to the south to be exceeded.*

6.2 12 Taylors Lane, Rowville (cont'd)

As outlined above, four objectors to the application registered to be parties to the VCAT process, with three objectors attending the VCAT conference.

3.2 Referrals

The application was referred to Council's Traffic and Transport Department, Council's Stormwater Department, Council's Arborist, Council's City Futures Department, Council's Assets Department and Public Transport Victoria for comment. The following is a summary of relevant advice:

Traffic and Transport

- *The proposal provides a surplus of 9 car parking spaces.*
- *The applicant should provide further information in terms of the impact of the proposal on the adjoining street network, including the nearby St Simon school.*
- *The proposal will result in a reduction in the on street car parking spaces adjoining McKay Road by 1 space.*

Officer Response: It is considered that the amendments to the proposal as agreed at the VCAT conference will improve the impact of the proposal. The reduction in 15 lodging rooms for residents will reduce the scale of the proposal, will increase the surplus of car parking provision on site to 14 spaces, and the reduction in the number of crossovers proposed will allow the number of car parking spaces in the road reserve to not be compromised. This outcome is considered satisfactory.

Stormwater

- *Standard Conditions to be placed on any permit issued.*

Arborist

- *There is no vegetation on site that requires a planning permit to be removed.*
- *The impact of the development on the trees adjoining the site to the east should be considered.*

Officer Response: The conditions of the agreement (subject to Council approval) include tree protection fencing which will protect the adjoining trees to the east from construction. All construction will be a minimum of 2.5m from adjoining vegetation.

6.2 12 Taylors Lane, Rowville (cont'd)

City Futures

- *Object to the proposed development and built form as it is not consistent with the character of the surrounding area.*

Officer Response: The conditions of the agreement (subject to Council approval), and the introduction of Amendment C150 into the Knox Planning Scheme will address the concerns raised by City Futures.

Assets

- *No objections.*

Public Transport Victoria

- *No objections, subject to conditions.*

4. DISCUSSION

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

4.1 Zoning and Overlays

4.1.1 Zone

The site is located within the Low Density Residential Zone, Schedule 2. The purpose of the zone is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater

A permit is required to use the land for the purpose of an Aged Care Facility, and the associated buildings and works.

The key decision guideline pursuant to the zone is:

“The State Planning Policy Framework, and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.”

- *The proposed development, subject to the changes as agreed at the VCAT conference, is considered to be consistent with these policies. An assessment of the proposal against this policy is contained in Section 4.2 of this report. A condition of permit will require that the site be connected to reticulated sewerage prior to the site being occupied.*

6.2 12 Taylors Lane, Rowville (cont'd)

4.1.2 Overlays

The site is not affected by any overlays.

4.2 Policy Consideration

4.2.1 State Planning Policy Framework (SPPF)

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

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

- *Subject to the changes proposed at the VCAT conference, the proposed development is considered to be consistent with this policy. The proposed development provides good setbacks, with extensive landscaping, will not exceed two storeys in height, and will provide aged care in a location where there is an aging population.*

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

- *A satisfactory Sustainable Design Assessment has been provided with the application, however this will need to be modified due to the changes to the design negotiated at the VCAT conference.*

Clause 16.02-3 Residential Aged Care Facilities – To facilitate the timely development of residential aged care facilities to meet existing and future needs.

- *Knox has an ageing population, and as a result, the demand for aged care living will continue to grow. It is considered that the design as proposed at the VCAT conference (subject to Council approval), will lead to a good urban design outcome in terms of scale, height, setbacks and landscaping.*

6.2 12 Taylors Lane, Rowville (cont'd)

Clause 16.04-2 Design and location of residential aged care facilities – To encourage well designed and appropriately located residential aged care facilities. Facilities should have access to services and public transport.

This policy recognises that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass). It also ensures that aged care facilities are designed to respond to the site and its context.

- *Subject to the design changes as negotiated at the VCAT conference, it is considered that the proposal provides an appropriate balance between the need for providing appropriate housing for an aging population, and the amenity of the area.*

Clause 18 Transport – Ensure that access is provided to all available modes of transport.

- Bus route 697 operates along Wellington Road. The 697 service provides transport to the Dandenong Market on Tuesdays only between the hours of 9.45am and 10.30am, with the return bus available between the hours of 1.15pm and 2.00pm.
- Bus routes 681/682 are available along Taylors Lane. The 681/682 service runs at various intervals between Lysterfield and Rowville from 6.10am to 9.25pm weekdays, from 8.14am to 7.05pm Saturdays, and 9.14am to 6.01pm on Sundays.

4.2.2 Local Planning Policy Framework (LPPF)

Municipal Strategic Statement (MSS)

Council's MSS encourages development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development, and influencing the urban form so that Knox itself becomes more sustainable.

With specific reference to the aging population in Knox, the MSS contains the following statement:

“The Knox community is diversifying and ageing. Knox's dominant household type remains families with children, with the number of children (and their parents) forecast to increase over the next 20 years. However, the number of people at post-retirement age is growing quickly and forecast to double between 2011 and 2031. This will see an increase in the number of smaller household types, with 'lone person' and 'couple only' households making up just over half of all households in Knox within 20 years.

6.2 12 Taylors Lane, Rowville (cont'd)

With an increase in population and demographic diversity, the City of Knox will continue to play an important role in housing provision and diversity.”

- *The proposed use of the site, for the purpose of an Aged Care Facility, is considered to be consistent with the MSS. It is acknowledged that the proposed development will not present as a single dwelling on a single lot, as encountered in the surrounding area. However, the design of the building, subject to the changes as agreed at the VCAT conference, respects the low scale single and double storey nature of surrounding development, whilst allowing appropriate landscaping setbacks and building articulation to ensure the building does not dominate the streetscape.*

Clause 21.05 Built Environment and Heritage – Development should address needs of changing household structures, creating high quality, well-designed places that respect and strengthen the local context and landscape qualities of Knox. It is important to achieve environmentally sustainable development that contributes to a more liveable and sustainable Knox, including efficient use of urban water runoff and the quality of stormwater entering waterways.

Housing liveability and amenity for occupants should be improved by supporting indoor environment quality (such as access to daylight and ventilation).

- *Subject to the changes proposed at the VCAT conference, the proposed development provides an appropriate balance between the need for providing housing for an aging population, and the amenity of area and future occupiers of the site. The combination of double storey built form, landscaping areas, setback, and screening of windows will result in a good quality urban design outcome.*

Clause 21.05-7 Advertising Signs – Ensure that advertising signs are able to adequately and appropriately identify local businesses and services whilst taking into account their visual impact on the built form, streetscape and local amenity.

- *The advertising proposed as part of this application is low scale, and is considered appropriate within a residential context.*

Clause 21.06 – Housing: The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox’s current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community’s changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

6.2 12 Taylors Lane, Rowville (cont'd)

The subject site is located within a “Bush Suburban” area, which include two distinct areas: the Dandenong Foothills and the sites of Biological Significance. These areas have distinctive and significant biological values. Limited and low scale residential development is anticipated in these areas in order to protect the environmental and biological qualities that make these areas distinct.

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

- *The site is not located in an Activity Centre. However, the site is sufficiently large to accommodate a residential aged care facility, while achieving a high quality built form and landscaping outcome.*

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

- *The proposed development would provide residents with an alternative form of housing, which will be an asset as the population ages, consistent with state and local planning policy. It is acknowledged that the site is located within the Bush Suburban area, however the site is not located within the Dandenong Foothills, nor is the site of biological significance.*

Objective 3 is to provide residential development that allows people to ‘age-in-place’. Strategies include supporting smaller scale dwellings that cater for older people, supporting new residential aged care facilities, except in Bush Suburban areas within the Dandenong Foothills or in a Site of Biological Significance, and supporting the diversification of existing aged care facilities to provide a range of housing and care levels on-site.

- *The site is not located within the Dandenong Foothills area, or within an area of Biological Significance. The proposal provides a range of facilities on site which will be supportive to people as they age, and their care levels change. Included in the proposal is areas for the specific care of people with dementia. The proposal is considered to meet this objective.*

Objective 4 is to support high quality housing design that responds to the City’s green and leafy character, local character and creates a strong sense of place.

- *The amended proposal submitted reached at the VCAT conference (subject to Council approval) will ensure that the height, setbacks, and landscaping appropriately respect the existing and preferred character of the area.*

6.2 12 Taylors Lane, Rowville (cont'd)

Objective 5 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

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

Objective 6 is to reduce the risk and impacts of bushfire in the high risk areas of the Foothills of the Dandenong Ranges and Lysterfield.

- *The site is not located in an area of bushfire risk.*

Clause 22.04 – Environmentally Sustainable Development:

This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.

- *The Sustainable Design Assessment submitted with the application is considered to be acceptable, however a condition of permit will require that the assessment be updated due to the changes as proposed (subject to Council approval) at the VCAT conference.*

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

Council's Development in Residential Areas and Neighbourhood Character Policy identifies the subject site within a Bush Suburban Neighbourhood Area, where areas will continue to contribute to the protection and enhancement of Knox's distinctive environmental and biological values, and continue to be low-scale neighbourhood where significant indigenous and native vegetation is retained and complemented.

A response to each of the key design objectives of Clause 22.07 is provided below follows:

To retain canopy trees and encourage the new planting of indigenous canopy trees

To maintain the continuity of vegetation and landscape character around and in front of dwellings.

- *The application proposes to remove existing vegetation on the site, none of which is significant or protected.*

6.2 12 Taylors Lane, Rowville (cont'd)

- *The development provides areas with generous setbacks for new landscaping within the two street frontages, and to the southern boundary. The applicant has agreed to plant species from the Knox City Council preferred species list. This will ensure planting consistent with the Bush Suburban location.*

To avoid building being prominent from the street.

- *The changes proposed at the VCAT conference (subject to Council approval) allow the deletion of the entire third storey of the development, whilst retaining a significant setback to Taylors Lane, and part of McKay Road. The changes to the design also require articulation along the frontages, allowing punctuated gaps at both ground and first floor level.*
- *Scale and building mass is also addressed by a mix of construction materials and architectural features (large windows, pitched roof).*

To avoid the loss of front and rear garden space.

- *The development does not compromise front and rear garden space for the following reasons:*
 - *The front setbacks will allow for significant planting, particularly along Taylors Lane.*
 - *Hardstand areas have been limited to accessways, pathways and the drop off/pick up area.*
 - *The total number of crossovers to McKay Road have been reduced to two, with no crossovers proposed across the whole Taylors Lane frontage.*
 - *5m, and will be visually transparent.*

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

- *Car parking areas are located in the basement of the building, away from the views from the street.*

4.3 Particular Provisions

Clause 52.05 Advertising Signs

Pursuant to Clause 32.03, the site is subject to Category 3 signage controls.

6.2 12 Taylors Lane, Rowville (cont'd)

A permit is required to display business identification signage on the site.

Key decision guidelines include:

- The sensitivity of the area in terms of natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The potential to obscure or compromise important views from the public realm.
- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.

As noted above, two business identification signs are proposed on the site. One 1.5m high sign on the corner of Taylors Lane and McKay Road, and one sign mid-way along the McKay Road frontage. Both signs are located at ground level, and will be incorporated into the landscaping design. No illumination is proposed.

- *It is considered that the proposed advertising signage will result in effective, clear and uncluttered business identification, will not result in an undue intrusion into the landscape of the surrounding area, and will be appropriate to the scale of the proposed building.*

Clause 52.06 – Car Parking

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

Clause 52.06-5 outlines that for a residential aged care facility, that the requisite amount of parking to be provided is 0.3 spaces to each lodging room.

- *The proposed development provides car parking at a ratio that exceeds the car parking requirement for the use. Therefore, car parking provision complies with the Knox Planning Scheme.*

In addition, there are indented car parking spaces along the McKay Road frontage which provides further overspill car parking if required. The reduction in 15 resident bedrooms as proposed at the VCAT conference (subject to Council approval) due to the removal of the third storey, will further reduce the car parking demands for this proposal by 4 spaces. This will mean an excess of 13 car parking spaces on site.

6.2 12 Taylors Lane, Rowville (cont'd)

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

Design Standard 1: Access ways – *Complies*:

Design Standard 2: Car Parking Spaces – *Complies*

Design Standard 3: Gradients – *Complies*.

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

Design Standard 5: Urban Design – *Complies*.

Design Standard 6: Safety – *Complies*.

Design Standard 7: Landscaping – *Complies, subject to the conditions agreed to at the VCAT conference being included on any permit issued.*

4.4 General Decision Guidelines

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

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

5. CONCLUSION

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

- *The use and development will provide increased housing choice as the population ages. The proposal provides a range of services on site, which will allow residents to age in place, and will be valuable to the community into the future.*
- *The conditions as agreed at the VCAT conference (subject to Council approval) will ensure that the height, scale, setbacks and landscaping will be appropriate given the sites context, providing a good urban design outcome.*
- *Car parking is provided at a ratio that exceeds the Knox Planning Scheme requirements by 13 spaces*

6.2 12 Taylors Lane, Rowville (cont'd)

- *Business identification signage will be low scale, and will appropriately identify the proposal without clutter.*
- *The proposed development is considered consistent with the purpose and intent of the Low Density Residential Zone, the Bush Suburban Neighbourhood Character area, the State Planning Policy Framework, and the Local Planning Policy Framework.*

6. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

7. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Paul Dickie, Manager City Planning and Building – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Greg Kent, Coordinator Planning – In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION

That Council adopt the agreement reached between the parties present at the VCAT compulsory conference dated 30 January 2017, that a Planning Permit be issued for the use and development of an aged care facility and display of business identification signage, 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 prepared. By CRT Architects TPI.03 - TP1.09, TP2.01-TP2.03, TP3.01- TP3.03 all marked Revision D and dated 22 December 2017 but modified to show:
 - 1.1 Deletion of the top level of the building and provision of a pitched roof form with the overall height of the building not exceeding an RL 91.92;
 - 1.2 Provide articulation of the front façade to Taylors Lane, at both ground and first floor level, generally as shown on Sketch Plan No 1 dated 30 January 2018;

6.2 12 Taylors Lane, Rowville (cont'd)

- 1.3 Provide screening to first floor south facing windows generally as shown on Sketch Plans No.2 and 3 dated 30 January 2018;
- 1.4 Details showing location and acoustic screening of air conditioning plant within the pitched roof form;
- 1.5 Landscaping strip adjacent to the vehicle access along Mackay Road modified generally as shown on Sketch Plan No.1 dated 30 January 2018;
- 1.6 Retain the existing colourbond fence along the south boundary;
- 1.7 Details of the business identification signs. Signage must not be internally illuminated and any external lighting must be appropriately baffled;
- 1.8 A minimum 1 metre clearance from any crossover to the closest electricity pole;
- 1.9 Relocation of any assets affected by alterations to the road reserve;
- 1.10 Screening to water/gas meters;
- 1.11 Tree protection measures shown in accordance with Conditions 12-19 of this Permit;
- 1.12 Engineering Plans in accordance with Condition 2 of this Permit including any necessary modifications to the development plans; and
- 1.13 Landscape plans in accordance with Condition 3 of this Permit.

including any necessary modifications to the development plans, to the satisfaction of the Responsible Authority.

Engineering Plans and Construction

2. Prior to the issue of a building permit under the Building Act 1993 for the development, three copies of engineering and construction plans and computations must be submitted to, and approved by, the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:
 - 2.1 All stormwater runoff from the property shall be properly collected in a complete and effective system of drains within the property and connected to the Council drainage system;
 - 2.2 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans; .
 - 2.3 All levels to be to AHD (Australian Height Datum);

6.2 12 Taylors Lane, Rowville (cont'd)

- 2.4 The use of water quality improvement systems is required to be provided for this development. The use of rainwater tanks, bioretention systems and vegetated swales can be used and these are to be incorporated in the stormwater drainage design plans;
- 2.5 Construction details of the indented car parking on McKay Road including the design depth and composition of pavement; and
- 2.6 Construction details of any new/modified footpaths.

to the satisfaction of the Responsible Authority.

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

Landscape Plans

- 4. 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:
 - 4.1 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary;
 - 4.2 Details of the surface finishes of pathways and driveways;
 - 4.3 Details and location of all existing and proposed services including above and below ground lines, cables and pipes;
 - 4.4 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;
 - 4.5 Landscaping and planting within all open areas of the site;
 - 4.6 The layout of the proposed development;
 - 4.7 Except with the consent of the Responsible Authority, the provision of not less than 23 indigenous or native canopy trees and additional medium/large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits, where possible. These canopy trees must be a minimum 1.5 metres tall when planted; and
 - 4.8 Any relevant Water Sensitive Urban Design techniques in accordance with Condition 2.4,

to the satisfaction of the Responsible Authority.

6.2 12 Taylors Lane, Rowville (cont'd)

5. 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.
6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.

Sustainable Design Assessment

7. Before the development starts an updated Sustainable Management Plan (SMP) must be prepared to the satisfaction of the Responsible Authority. When the SMP is to the satisfaction of the Responsible Authority it will be endorsed and will then form part of the permit. The SMP must be generally in accordance with the SMP dated 2 November 2016 but updated to incorporate the changes required under condition 1. The requirements of the SMP must be implemented before the development is occupied.

General

8. All development must be in accordance with the endorsed plans.
9. The use/development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
10. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
11. Prior to the occupation of the facility the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.

Tree Protection

12. All works, including excavation, within the critical root zone areas of the tree/s located on the west boundary of No. 4 McKay Road and the north-east corner of No. 10 Taylors Lane 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 those trees, 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.
13. Prior to any works commencing on the site, all trees and vegetation referred to in condition 12 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.

6.2 12 Taylors Lane, Rowville (cont'd)

14. 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.
15. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.
16. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
17. 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.
18. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
 - 18.1 Construction activities.
 - 18.2 Dumping and/or storage of materials, goods and/or soil.
 - 18.3 Trenching or excavation.
 - 18.4 Lopping branches, nailing or affixing signs, service lines, lights etc. to the trees.
19. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

Car Parking and Driveways

20. Before the development is occupied areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan must be:
 - 20.1 Fully constructed in accordance with plans submitted to and approved by the Responsible Authority. The plans must show existing and proposed levels of driveways and car parking areas, together with drainage layout, invert levels, surfacing and vehicular crossing proposals;
 - 20.2 Properly formed to such levels that they can be used in accordance with the plans;

6.2 12 Taylors Lane, Rowville (cont'd)

20.3 Constructed to the absolute minimum standard of 125 mm depth of reinforced concrete or other approved hardstanding sealed surface;

and

20.4 Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority,

to the satisfaction of the Responsible Authority.

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

22. Car parking areas must not be used for storage.

23. Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with ASI158. 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.

Connection to sewer

24. Before the development is occupied, the site must be connected to sewer to the satisfaction of the Responsible Authority.

Fencing

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

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

Public Transport Victoria (PTV) (Ref: DOPT2017/0129)

27. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Taylors Lane is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations during construction and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

Amenity During Construction

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

28.1 The appearance of building, works or materials on the land;

28.2 Parking of motor vehicles;

6.2 12 Taylors Lane, Rowville (cont'd)

- 28.3 Transporting of materials or goods to or from the site;
- 28.4 Hours of operation;
- 28.5 Stockpiling of top soil or fill materials;
- 28.6 Air borne dust emanating from the site;
- 28.7 Noise;
- 28.8 Rubbish and litter; and
- 28.9 Sediment run off.

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

Construction Management Plan

- 29. Before the commencement of any buildings and works, a Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:
 - 29.1 A detailed schedule of works including a full project timing.
 - 29.2 A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.
 - 29.3 The location for the parking of all construction vehicles and construction worker vehicles during construction.
 - 29.4 A fully detailed plan indicating where construction hoardings would be located.
 - 29.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing.

6.2 12 Taylors Lane, Rowville (cont'd)

- 29.6 Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
 - 29.7 Site security.
 - 29.8 Public safety measures.
 - 29.9 Construction times, noise and vibration controls.
 - 29.10 Restoration of any Council assets removed and/or damaged during construction.
 - 29.11 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site).
 - 29.12 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site).
 - 29.13 An emergency contact that is available for 24 hours a day.
 - 29.14 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
30. During the construction, the following must occur to the satisfaction of the Responsible Authority:
- 30.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;
 - 30.2 Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;
 - 30.3 Vehicle borne material must not accumulate on the roads abutting the site;
 - 30.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;
 - 30.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
 - 30.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).

6.2 12 Taylors Lane, Rowville (cont'd)

Amenity

31. Noise from the premises must not exceed limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
32. All outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent light from the site causing any detriment to the locality.
33. The amenity of the area must not be adversely affected by the use or development as a result of:
 - 33.1 Transport of materials, goods or commodities to or from the land;
 - 33.2 Appearance of any building, works, stored goods or materials;
 - 33.3 Emission of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products or oil; or
 - 33.4 The presence of vermin.to the satisfaction of the Responsible Authority.
34. All bins and receptacles used for the collection and storage of garbage, bottles and other wastes must be kept in a storage area to the satisfaction of the Responsible Authority. This storage area must be:
 - 34.1 Properly paved and drained to a legal point of discharge;
 - 34.2 Screened from view with a suitable designed enclosure;
 - 34.3 Supplied with adequate water; and
 - 34.4 Maintained in a clean and tidy condition free from offensive odours, to the satisfaction of the Responsible Authority.

Permit Expiry

35. This permit will expire if one of the following circumstances applies:
 - 35.1 The use/development is not started within two years of the date of this permit.
 - 35.2 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 six months afterwards.

6.2 12 Taylors Lane, Rowville (cont'd)**COUNCIL RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. SEYMOUR**

That Council adopt the agreement reached between the parties present at the VCAT compulsory conference dated 30 January [2018], that a Planning Permit be issued for the use and development of an aged care facility and display of business identification signage, 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 prepared. By CRT Architects TPI.03 - TP1.09, TP2.01-TP2.03, TP3.01- TP3.03 all marked Revision D and dated 22 December 2017 but modified to show:
 - 1.1 Deletion of the top level of the building and provision of a pitched roof form with the overall height of the building not exceeding an RL 91.92;
 - 1.2 Provide articulation of the front façade to Taylors Lane, at both ground and first floor level, generally as shown on Sketch Plan No 1 dated 30 January 2018;
 - 1.3 Provide screening to first floor south facing windows generally as shown on Sketch Plans No.2 and 3 dated 30 January 2018;
 - 1.4 Details showing location and acoustic screening of air conditioning plant within the pitched roof form;
 - 1.5 Landscaping strip adjacent to the vehicle access along Mackay Road modified generally as shown on Sketch Plan No.1 dated 30 January 2018;
 - 1.6 Retain the existing colourbond fence along the south boundary;
 - 1.7 Details of the business identification signs. Signage must not be internally illuminated and any external lighting must be appropriately baffled;

6.2 12 Taylors Lane, Rowville (cont'd)

- 1.8 A minimum 1 metre clearance from any crossover to the closest electricity pole;**
- 1.9 Relocation of any assets affected by alterations to the road reserve;**
- 1.10 Screening to water/gas meters;**
- 1.11 Tree protection measures shown in accordance with Conditions 12-19 of this Permit;**
- 1.12 Engineering Plans in accordance with Condition 2 of this Permit including any necessary modifications to the development plans; and**
- 1.13 Landscape plans in accordance with Condition 3 of this Permit.**

including any necessary modifications to the development plans, to the satisfaction of the Responsible Authority.

Engineering Plans and Construction

- 2. Prior to the issue of a building permit under the Building Act 1993 for the development, three copies of engineering and construction plans and computations must be submitted to, and approved by, the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:**
 - 2.1 All stormwater runoff from the property shall be properly collected in a complete and effective system of drains within the property and connected to the Council drainage system;**
 - 2.2 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans; .**
 - 2.3 All levels to be to AHD (Australian Height Datum);**
 - 2.4 The use of water quality improvement systems is required to be provided for this development. The use of rainwater tanks, bioretention systems and vegetated swales can be used and these are' to be incorporated in the stormwater drainage design plans;**

6.2 12 Taylors Lane, Rowville (cont'd)

- 2.5 Construction details of the indented car parking on McKay Road including the design depth and composition of pavement; and**
 - 2.6 Construction details of any new/modified footpaths.**
- to the satisfaction of the Responsible Authority.**
- 3. Stormwater runoff from all buildings and hardstand surfaces shall be properly collected and discharged in a complete and effective system of drains within the property and shall not cause or create a nuisance to abutting properties.**

Landscape Plans

- 4. 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:**
 - 4.1 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary;**
 - 4.2 Details of the surface finishes of pathways and driveways;**
 - 4.3 Details and location of all existing and proposed services including above and below ground lines, cables and pipes;**
 - 4.4 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;**
 - 4.5 Landscaping and planting within all open areas of the site;**
 - 4.6 The layout of the proposed development;**
 - 4.7 Except with the consent of the Responsible Authority, the provision of not less than 23 indigenous or native canopy trees and additional medium/large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits, where possible. These canopy trees must be a minimum 1.5 metres tall when planted; and**

6.2 12 Taylors Lane, Rowville (cont'd)

4.8 Any relevant Water Sensitive Urban Design techniques in accordance with Condition 2.4,

to the satisfaction of the Responsible Authority.

- 5. 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.**
- 6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.**

Sustainable Design Assessment

- 7. Before the development starts an updated Sustainable Management Plan (SMP) must be prepared to the satisfaction of the Responsible Authority. When the SMP is to the satisfaction of the Responsible Authority it will be endorsed and will then form part of the permit. The SMP must be generally in accordance with the SMP dated 2 November 2016 but updated to incorporate the changes required under condition 1. The requirements of the SMP must be implemented before the development is occupied.**

General

- 8. All development must be in accordance with the endorsed plans.**
- 9. The use/development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 10. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 11. Prior to the occupation of the facility the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.**

6.2 12 Taylors Lane, Rowville (cont'd)**Tree Protection**

- 12. All works, including excavation, within the critical root zone areas of the tree/s located on the west boundary of No. 4 McKay Road and the north-east corner of No. 10 Taylors Lane 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 those trees, 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.**
- 13. Prior to any works commencing on the site, all trees and vegetation referred to in condition 12 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.**
- 14. 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.**
- 15. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.**
- 16. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 17. 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.**
- 18. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
 - 18.1 Construction activities.**

6.2 12 Taylors Lane, Rowville (cont'd)

- 18.2 Dumping and/or storage of materials, goods and/or soil.**
 - 18.3 Trenching or excavation.**
 - 18.4 Lopping branches, nailing or affixing signs, service lines, lights etc. to the trees.**
- 19. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.**

Car Parking and Driveways

- 20. Before the development is occupied areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan must be:**
- 20.1 Fully constructed in accordance with plans submitted to and approved by the Responsible Authority. The plans must show existing and proposed levels of driveways and car parking areas, together with drainage layout, invert levels, surfacing and vehicular crossing proposals;**
 - 20.2 Properly formed to such levels that they can be used in accordance with the plans;**
 - 20.3 Constructed to the absolute minimum standard of 125 mm depth of reinforced concrete or other approved hardstanding sealed surface;**
- and**
- 20.4 Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority,**
to the satisfaction of the Responsible Authority.
- 21. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**
- 22. Car parking areas must not be used for storage.**
- 23. Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.**

6.2 12 Taylors Lane, Rowville (cont'd)**Connection to sewer**

24. Before the development is occupied, the site must be connected to sewer to the satisfaction of the Responsible Authority.

Fencing

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

Public Transport Victoria (PTV) (Ref: DOPT2017/0129)

27. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Taylors Lane is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations during construction and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

Amenity During Construction

28. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:
- 28.1 The appearance of building, works or materials on the land;
 - 28.2 Parking of motor vehicles;
 - 28.3 Transporting of materials or goods to or from the site;
 - 28.4 Hours of operation;
 - 28.5 Stockpiling of top soil or fill materials;
 - 28.6 Air borne dust emanating from the site;
 - 28.7 Noise;
 - 28.8 Rubbish and litter; and
 - 28.9 Sediment run off.

6.2 12 Taylors Lane, Rowville (cont'd)

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

Construction Management Plan

- 29. Before the commencement of any buildings and works, a Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:**
- 29.1 A detailed schedule of works including a full project timing.**
 - 29.2 A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.**
 - 29.3 The location for the parking of all construction vehicles and construction worker vehicles during construction.**
 - 29.4 A fully detailed plan indicating where construction hoardings would be located.**
 - 29.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing.**
 - 29.6 Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.**
 - 29.7 Site security.**
 - 29.8 Public safety measures.**
 - 29.9 Construction times, noise and vibration controls.**

6.2 12 Taylors Lane, Rowville (cont'd)

- 29.10 Restoration of any Council assets removed and/or damaged during construction.**
 - 29.11 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site).**
 - 29.12 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site).**
 - 29.13 An emergency contact that is available for 24 hours a day.**
 - 29.14 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.**
- 30. During the construction, the following must occur to the satisfaction of the Responsible Authority:**
- 30.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;**
 - 30.2 Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;**
 - 30.3 Vehicle borne material must not accumulate on the roads abutting the site;**
 - 30.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;**
 - 30.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and**
 - 30.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).**

6.2 12 Taylors Lane, Rowville (cont'd)**Amenity**

31. Noise from the premises must not exceed limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

32. All outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent light from the site causing any detriment to the locality.

33. The amenity of the area must not be adversely affected by the use or development as a result of:

33.1 Transport of materials, goods or commodities to or from the land;

33.2 Appearance of any building, works, stored goods or materials;

33.3 Emission of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products or oil; or

33.4 The presence of vermin.

to the satisfaction of the Responsible Authority.

34. All bins and receptacles used for the collection and storage of garbage, bottles and other wastes must be kept in a storage area to the satisfaction of the Responsible Authority. This storage area must be:

34.1 Properly paved and drained to a legal point of discharge;

34.2 Screened from view with a suitable designed enclosure;

34.3 Supplied with adequate water; and

34.4 Maintained in a clean and tidy condition free from offensive odours,

to the satisfaction of the Responsible Authority.

6.2 12 Taylors Lane, Rowville (cont'd)**Permit Expiry**

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

35.1 The use/development is not started within two years of the date of this permit.

35.2 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 six months afterwards.

CARRIED

Official Minutes of Knox City Council



Property Address 12 Taylors Lane, ROWVILLE


Application Number P/2017/6100

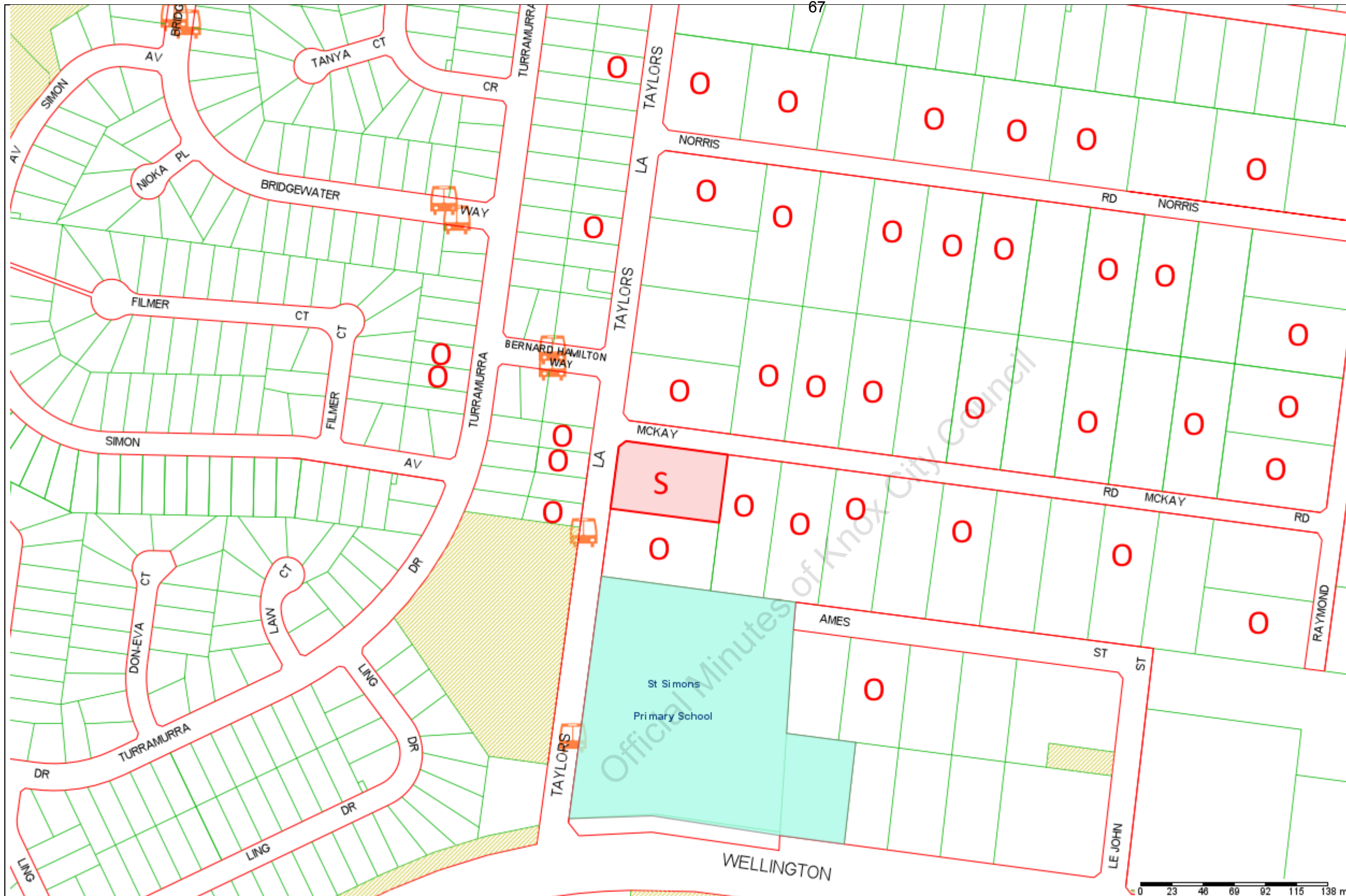
Description Use and development of a residential aged care facility and display of business identification signage

Ward Taylor

LEGEND:

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

 Scale: 1:3000



DISCLAIMER:

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

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



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REPORT APPENDIX A

Property Address	12 Taylors Lane, ROWVILLE
Application Number	P/2017/6100
Description	Use and development of a residential aged care facility and dispay of business identification signage
Ward	Taylor

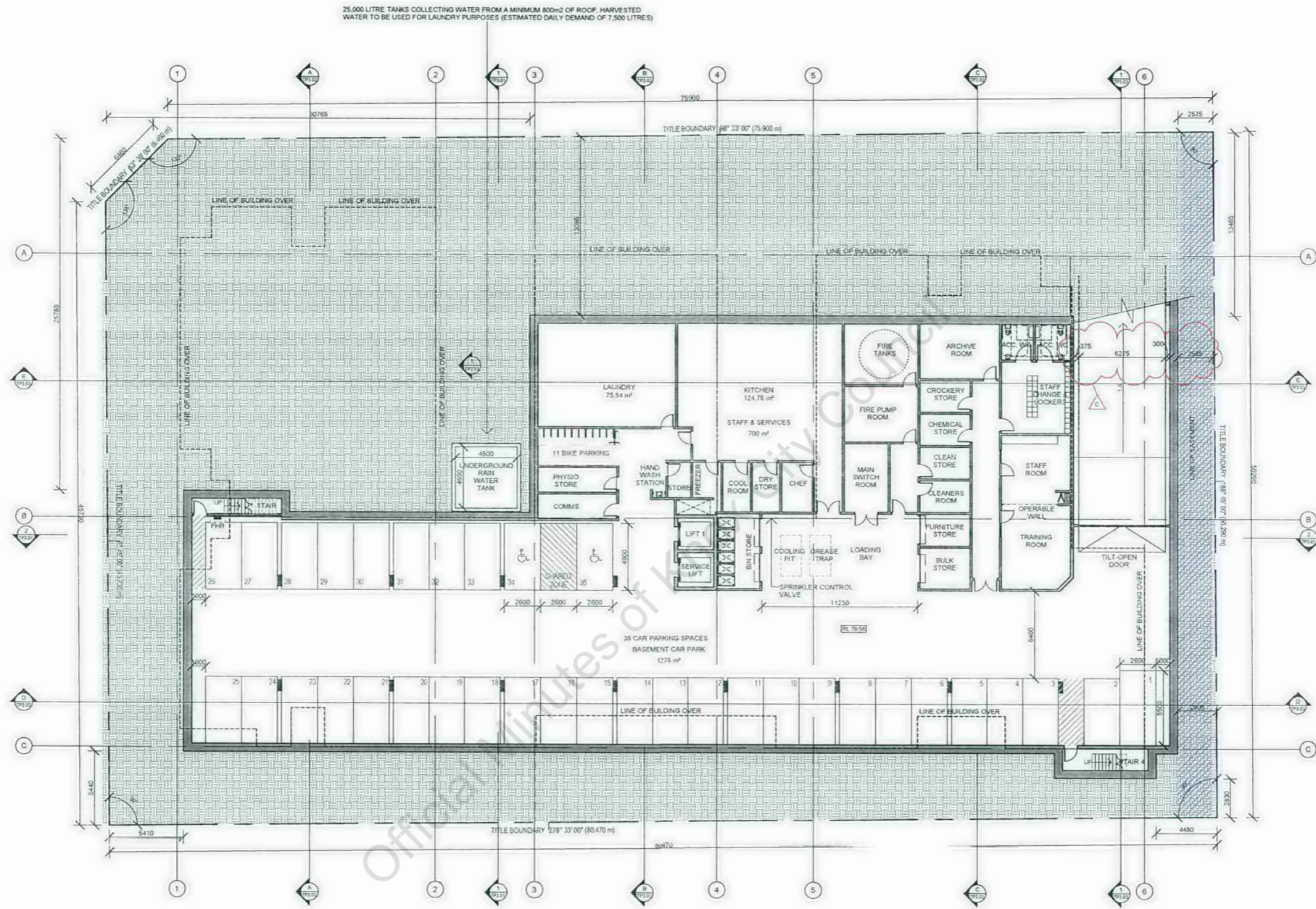
LEGEND:

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
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Scale: 1:3000

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AREA NAME	AREA m²
GFA	1976
GRAND TOTAL	1976

35 CARS

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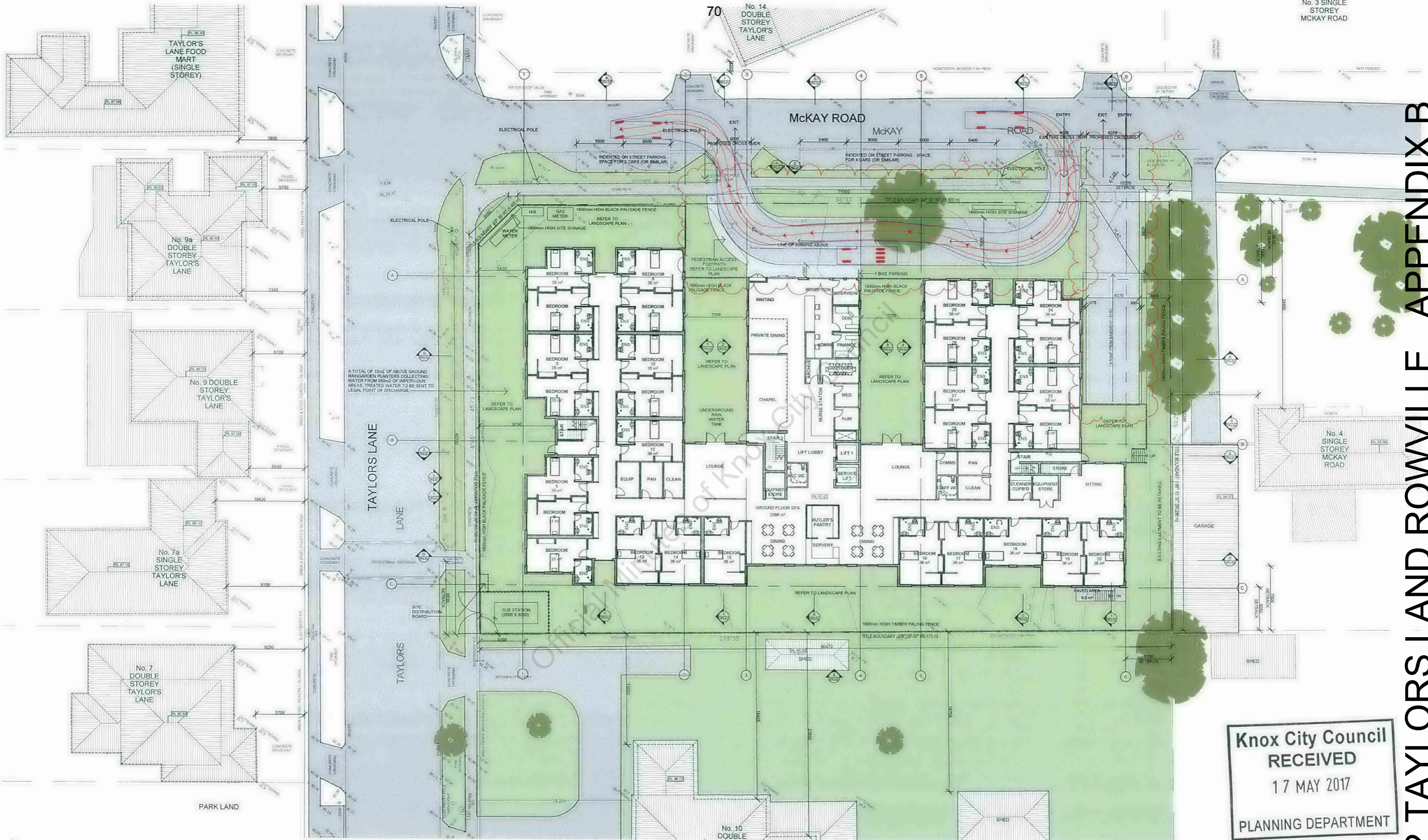
Project **BELVEDERE AGED CARE
12 TAYLORS LANE ROWVILLE**
Client **BELVEDERE AGED CARE**

Amendments		
No.	Date	Notes
B	15/05/2016	FOR REVIEW
C	09/11/2016	REVISION B
C	08/04/2017	REVISION C

Title **BASEMENT PLAN**
Sheet **PRELIMINARY
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Sheet No. **TP1.05** Revision **C**
Scale **1:200@A1**
Date **03/04/2017**





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Project **BELVEDERE AGED CARE**
 12 TAYLORS LANE ROWVILLE

Client **BELVEDERE AGED CARE**

No.	Date	Notes
1	15/05/2016	FOR REVIEW
2	08/11/2016	REVISION A
3	03/04/2017	REVISION B
4		REVISION C

Title **GROUND FLOOR PLAN**

Sheet **PRELIMINARY**
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Sheet No. **TP1.06** Revision **C**

Scale **1:200@A1**

Date **03/04/2017**



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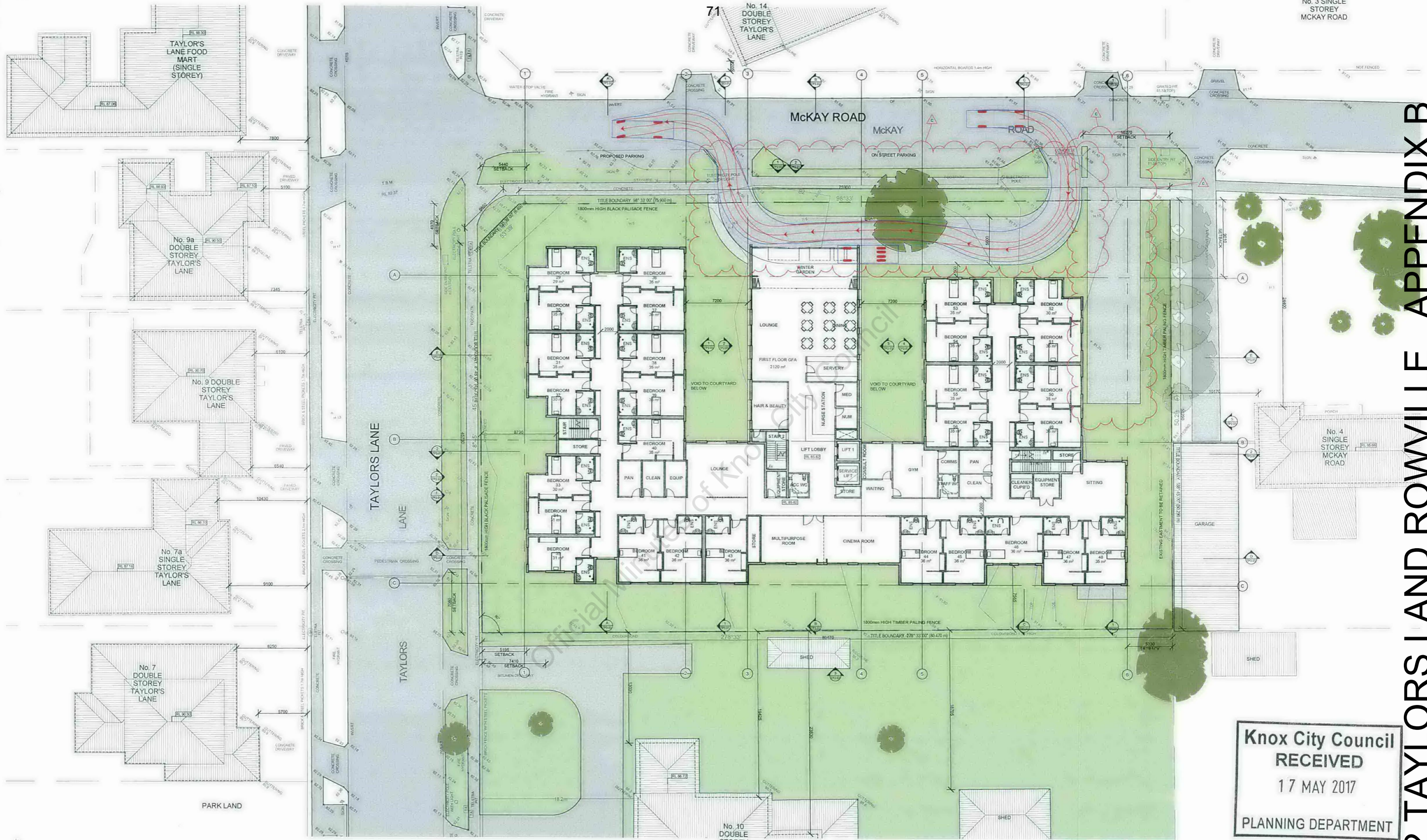
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Project **BELVEDERE AGED CARE**
12 TAYLORS LANE ROWVILLE

Client **BELVEDERE AGED CARE**

Amendments		
No.	Date	Notes
1	15/09/2016	FOR REVIEW
2	06/11/2016	REVISION B
3	03/04/2017	REVISION C

Title **LEVEL 01 PLAN**

Sheet **TP1.07**

Revision **C**

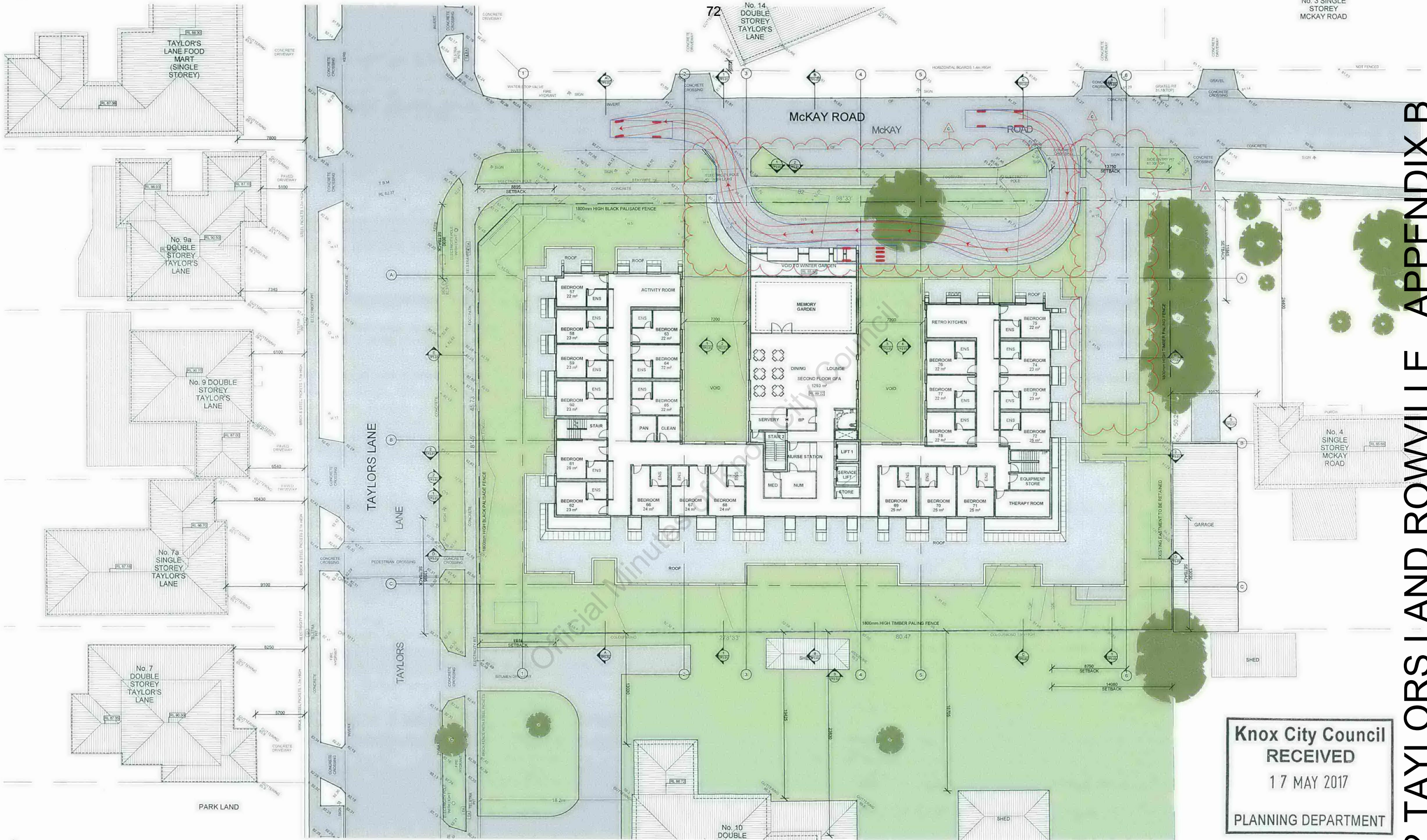
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Title
LEVEL 02 PLAN
Sheet
TP1.08
Scale
1:200@A1
Date
03/04/2017

Sheet No.
TP1.08
Revision
C
Scale
1:200@A1
Date
03/04/2017

Project
**BELVEDERE AGED CARE
12 TAYLORS LANE ROWVILLE**
Client
BELVEDERE AGED CARE

No.	Date	Notes
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2	03/04/2017	REVISION C

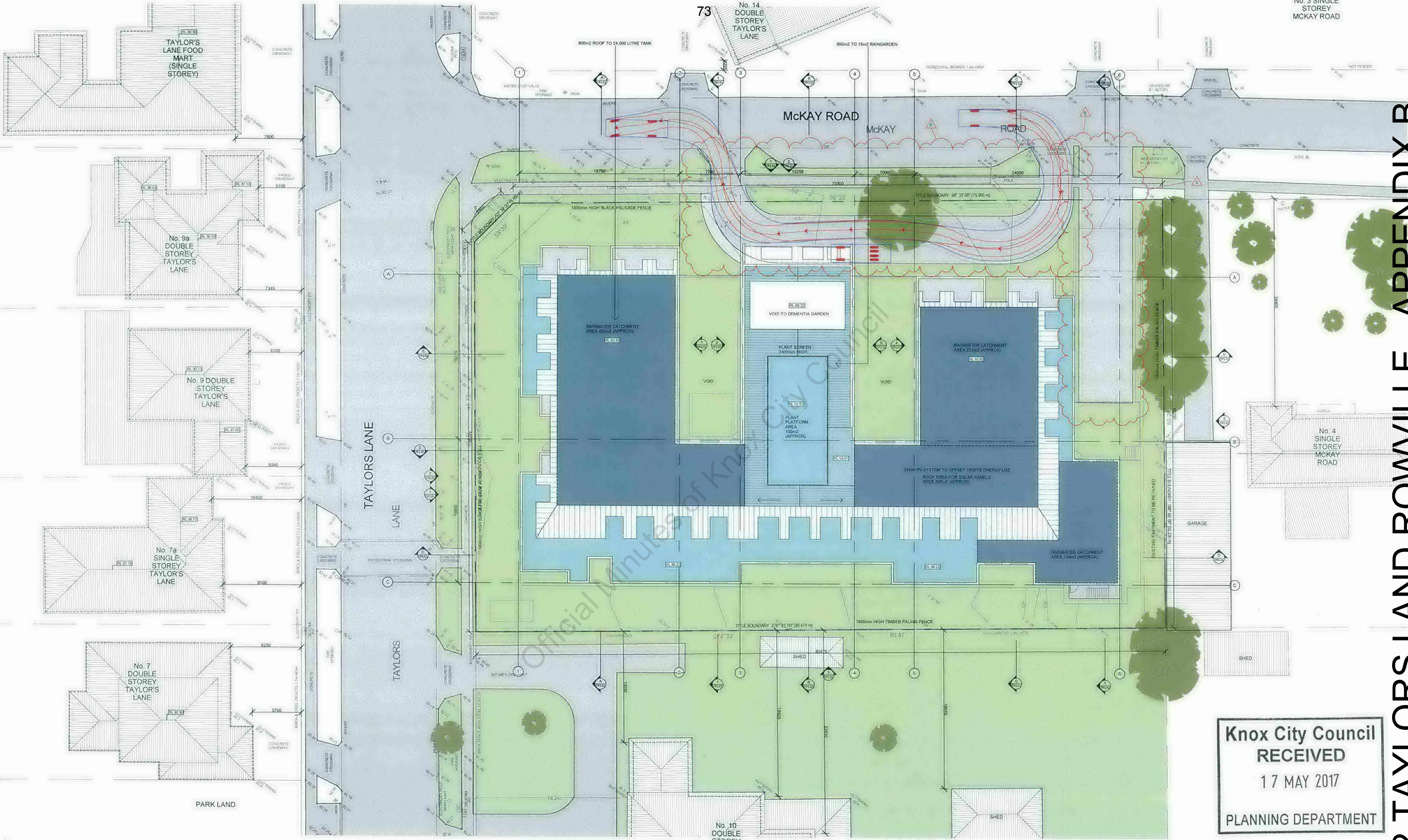
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Roof Plan
TP1.09
Revision C
Scale 1:200@A1
Date 03/04/2017

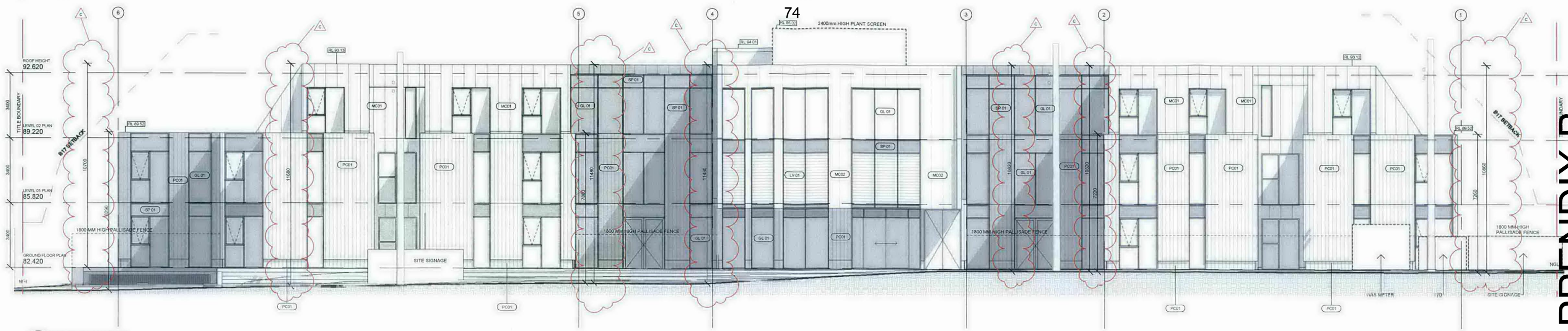
Project: BELVEDERE AGED CARE
12 TAYLORS LANE ROWVILLE
Client: BELVEDERE AGED CARE



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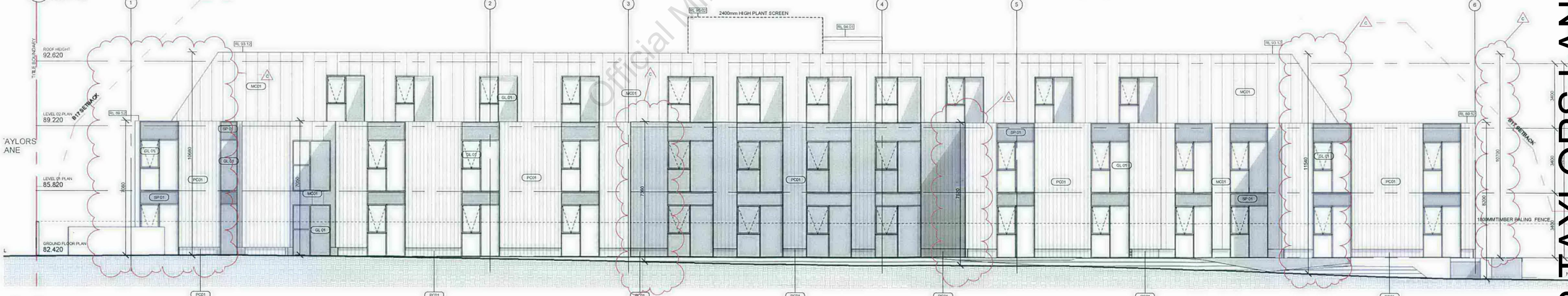
15014 12 TAYLORS LAND ROWVILLE APPENDIX B



1 NORTH ELEVATION
SCALE 1:100



2 WEST ELEVATION
SCALE 1:100



3 SOUTH ELEVATION
SCALE 1:100

- LEGEND:**
- MC 01 BLACK METAL SHEET CLADDING
 - MC 02 GOLD METAL SHEET CLADDING
 - SP 01 BLACK SPANDREL PANEL
 - GL 01 CLEAR GLASS
 - GL 02 OPAQUE GLASS
 - PC 01 PATTERNED PRECAST
 - PC 02 BLACK PRECAST

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Project **BELVEDERE AGED CARE**
12 TAYLORS LANE ROWVILLE

Client **BELVEDERE AGED CARE**

Amendments		
No	Date	Notes
1	15/09/2016	FOR REVIEW
2	08/10/2016	REVISION B
3	08/04/2017	REVISION C

Title **ELEVATIONS**

Sheet **PRELIMINARY**
NOT FOR CONSTRUCTION

TOWN PLANNING

Sheet No. **TP2.02** Revision **C**

Scale **1:100@A1**

Date **03/04/2017**

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- LEGEND:**
- MC 01 BLACK METAL SHEET CLADDING
 - MC 02 GOLD METAL SHEET CLADDING
 - SP 01 BLACK SPANDREL PANEL
 - GL 01 CLEAR GLASS
 - GL 02 OPAQUE GLASS
 - PC 01 PATTERNED PRECAST
 - PC 02 BLACK PRECAST



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Project **BELVEDERE AGED CARE**
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Client **BELVEDERE AGED CARE**

Amendments		
No.	Date	Notes
A	15/02/2016	FOR REVIEW
B	08/11/2016	REVISION B
C	03/04/2017	REVISION C



Title **ELEVATIONS**

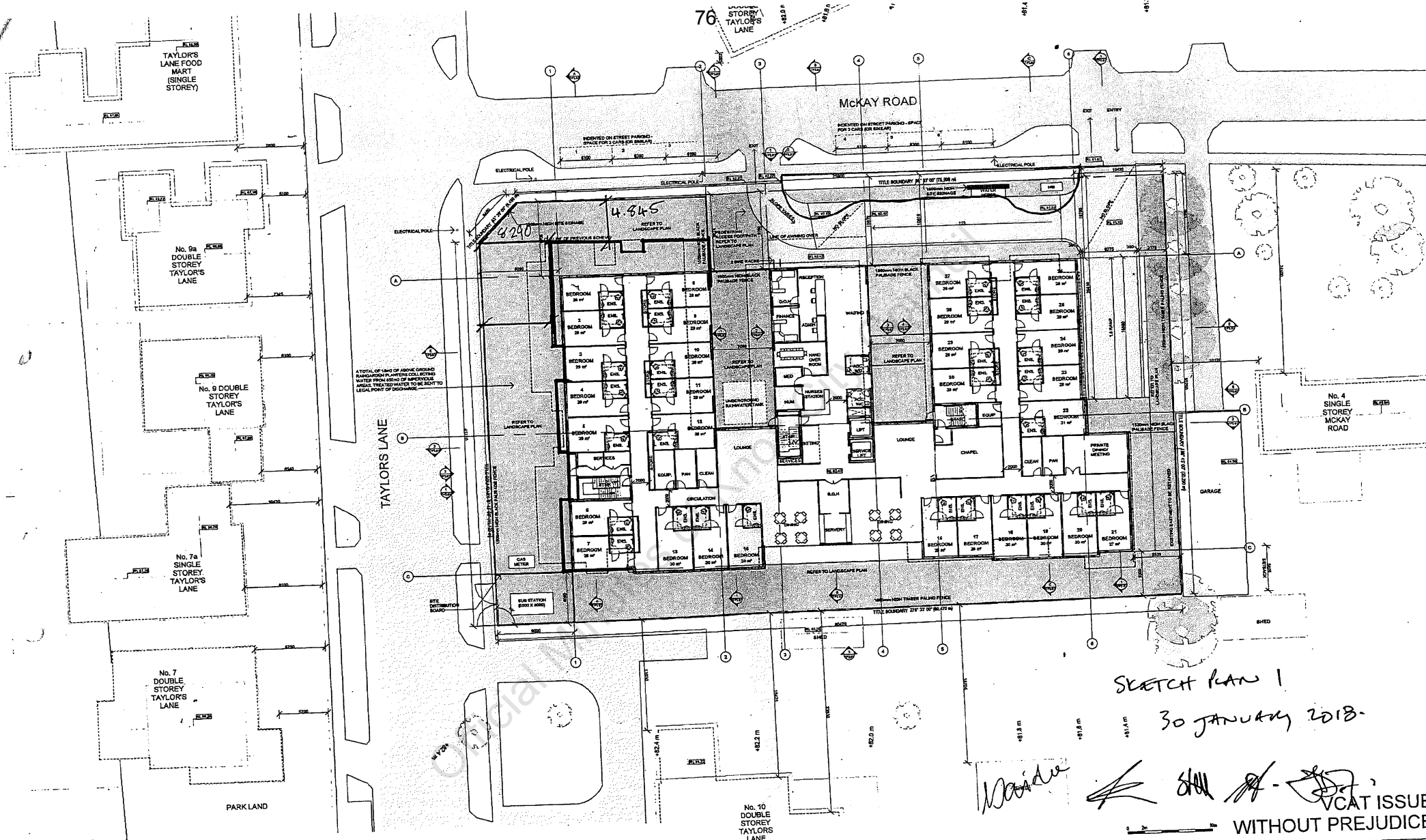
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NOT FOR CONSTRUCTION

TOWN PLANNING

Sheet No. **TP2.03** Revision **C**

Scale **1:100@A1**

Date **03/04/2017**



SKETCH PLAN 1
30 JANUARY 2018

David
VCAT ISSUE WITHOUT PREJUDICE



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Architectural
Interior Design
Urban Design

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Client BELVEDERE AGED CARE

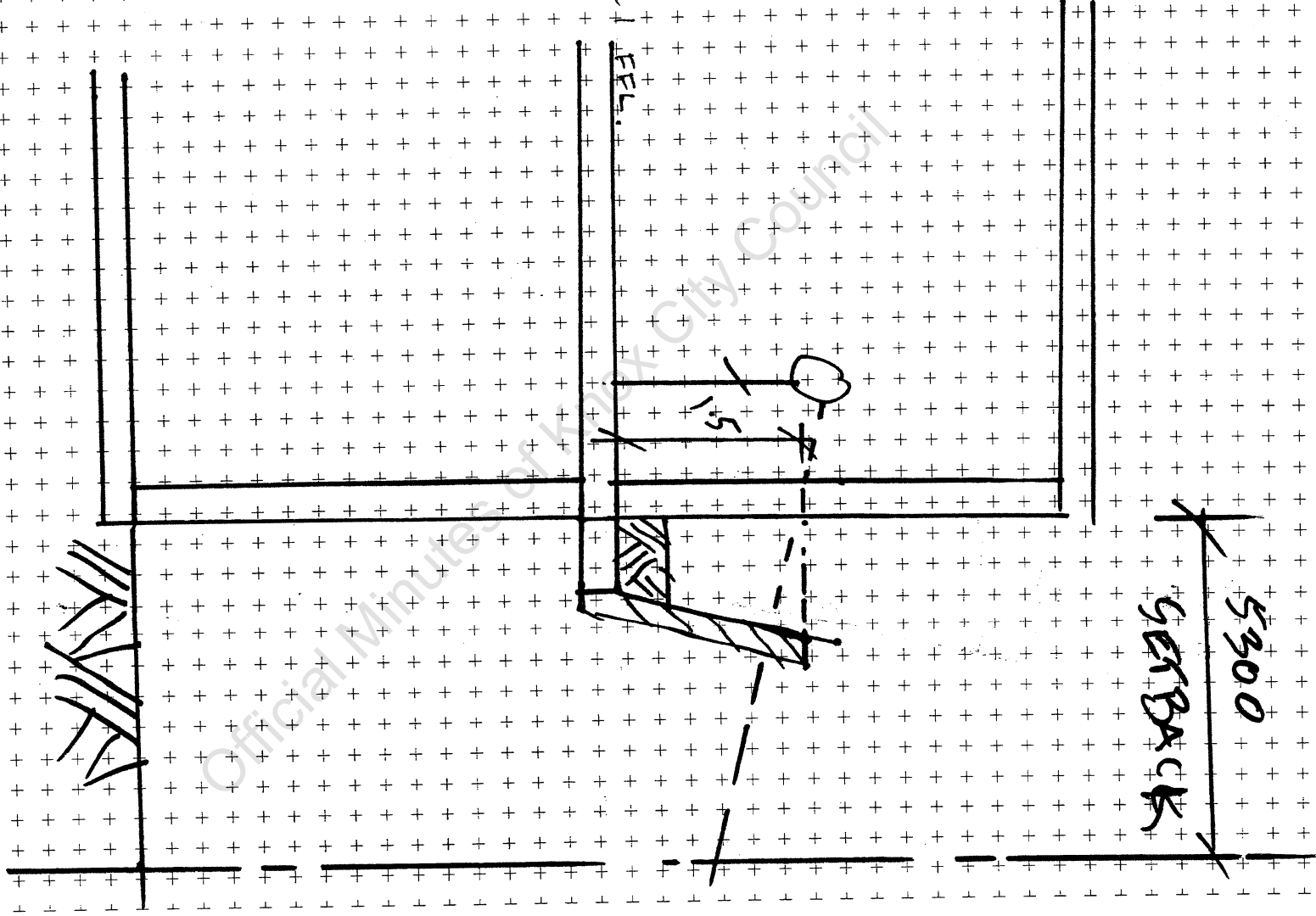
Amendments	No.	Date	Notes
	1	2018/01/30	ISSUE FOR VCAT
	2	2018/01/30	REVISED TO REFLECT VCAT COMMENTS

Sheet No.	Revision
GROUND FLOOR PLAN	TP1.06 D
Scale	Date
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30 January 2018

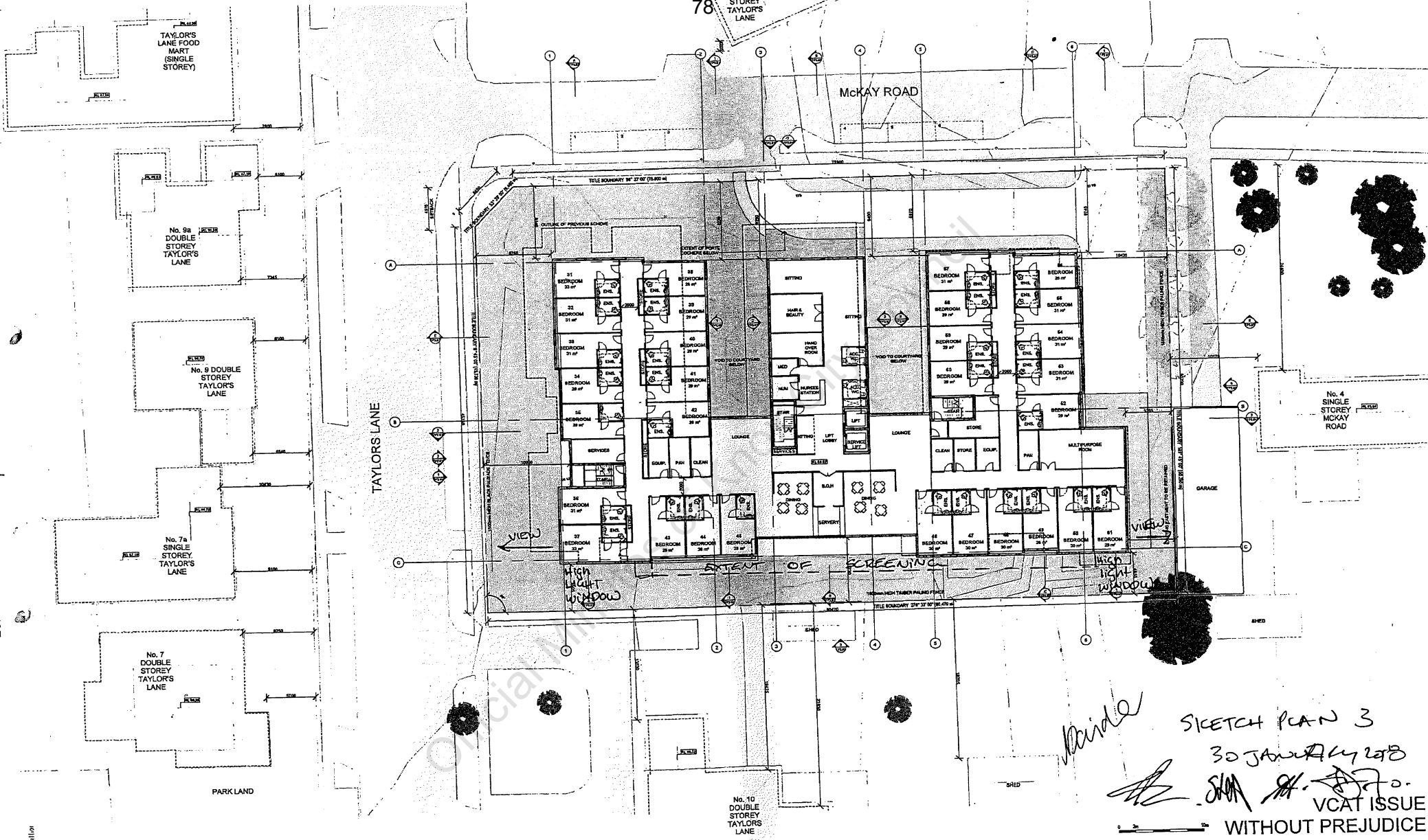
STEEL RUM Z



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Architecture
 Interior Design
 Urban Design

Project
 Date



David
 SKETCH PLAN 3
 30 JANUARY 2018
[Signature]
 VCAT ISSUE
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CHT ARCHITECTS
 Architecture
 Interior Design
 Urban Design

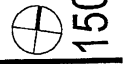
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Project: BELVEDERE AGED CARE
 12 TAYLORS LANE ROWVILLE
 Client: BELVEDERE AGED CARE

No.	Date	Notes
1	22/12/2017	ISSUED FOR PERMIT
2	30/01/2018	REVISED PER VCAT
3	30/01/2018	REVISED PER VCAT

Title: LEVEL 01 PLAN
 Sheet: PRELIMINARY
 NOT FOR CONSTRUCTION

Sheet No. TP1.07
 Revision: D
 Scale: 1:200(A1)
 Date: 22/12/2017



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BAIRD WARD**6.3 APPLICATION FOR THE DEVELOPMENT OF THE LAND FOR THREE (3) DOUBLE STOREY DWELLINGS AT 47 WATTLETREE ROAD, FERNTREE GULLY (Application No. P2016/6862)****1. SUMMARY:**

Land:	47 Wattletree Road, Ferntree Gully
Applicant:	James Livingston Planning
Proposed Development:	Development of the land for three (3) double storey dwellings.
Existing Land Use:	Single Dwelling
Area/Density:	954sqm/1:318sqm
Zoning:	General Residential Zone – Schedule 2
Overlays:	Nil
Local Policy:	Municipal Strategic Statement (MSS) Environmentally Sustainable Development Policy Development in Residential Areas and Neighbourhood Character Policy
Application Received:	1 December 2016
Number of Objections:	42
PCC Meeting:	20 April 2017

Assessment:

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

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

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

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

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

2. BACKGROUND

2.1 Application history

The original application lodged on 1 December 2016 proposed development of the land for four (4) double storey dwellings. The application was advertised by way of a sign on the site and notices sent to adjoining property owners and occupiers. Twenty-six (26) objections were received. On 20 April 2017 the proposal was discussed at a Planning Consultation Meeting.

On 21 September 2017 the application was amended from four (4) double storey dwellings to three (3) double storey dwellings (the current proposal). Sixteen (16) additional objections were received following re-advertising of the planning application.

2.2 Subject Site and Surrounds

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

- The subject site is a corner allotment located on the north-west corner of Wattletree Road and Sykes Avenue, in Ferntree Gully.
- The site is regular in shape with a splay to the south-east corner yielding an overall area of 954 square metres.
- The site is encumbered by a 2.44 metre wide drainage and sewerage easement abutting the western boundary.
- The site currently contains a single dwelling with associated outbuildings.
- Access to the site is via one single crossover to Sykes Avenue, located adjacent the southern boundary.
- The site contains established vegetation with canopy trees and shrubs.
- The land is surrounded by residential properties, developed generally with single dwellings on similar sized lots with the occasional multi-unit development.

2.3 The Proposal

(Refer to attached plans at Appendix B)

The application proposes development of the land for three (3) double storey dwellings.

Details on the proposal are as follows:

- Dwelling 1 fronts Wattletree Road with a minimum setback of 8.2 metres to the front boundary. Overall building height is 7.74 metres.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

- Dwellings 2 and 3 front Sykes Avenue, with a setback of 4.5 metres from the boundary.
- Dwellings 2 and 3 will have a maximum building height of 7.57 and 8.0 metres respectively.
- Each dwelling contains four bedrooms.
- Three new crossovers are to be constructed, one to Wattletree Road and two to Sykes Avenue. The existing crossover is to be removed with reinstatement of the kerb and naturestrip.
- All dwellings are provided with a double garage. Dwelling 3 garage is constructed over the western boundary 2.44 wide easement.
- The application proposes to modify the Wattletree Road traffic island adjacent the subject site to facilitate ease of vehicular egress from Dwelling 1 garage.
- Private open space has been provided at ground level for each dwelling, with a minimum area of 80 square metres.
- The dwellings are constructed with face brickwork at ground level, rendered first floors and pitched tiled roofs.

3. CONSULTATION

3.1 Advertising

The application was advertised by way of a sign on the site and notices sent to adjoining property owners and occupiers. The amended application was also advertised in the same manner.

It is noted that Council was informed that during the second period of advertising the sign on site had not been displayed correctly for a full 14 day period for the second advertising period however, the applicant has signed a Statutory Declaration to say the sign was displayed for the full 14 day period.

In total forty-two (42) objections were received across both advertising periods to the application, and are summarised below:

Neighbourhood character

- *The proposal is generally consistent with Council's preferred future character for the Knox Neighbourhood Area. An assessment against this Policy and the design guidelines is at Section 4.2.2 of this Report.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Overdevelopment

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

Increase in traffic/parking congestion and inadequate parking

- *Whilst the development will generate some additional vehicle movements on the local road network, the additional movements will not place an unreasonable load on the surrounding street network.*
- *Council's Transport Engineer's raise no objections regarding traffic on the local road network or to the modification of the chicane within Wattletree Road.*
- *Car parking is provided in accordance with the ratio required by Clause 52.06. Two (2) car parking spaces are provided for each proposed dwelling.*

Safety for pedestrians and traffic

- *Council's Traffic Engineers have not raised any concerns in relation to pedestrian or traffic safety that would be generated by the proposed development.*

Dominance of car storage facilities from the street.

- *The car parking facilities do not dominate the site frontages as the garages are located behind or aligned with the front façade of each respective dwelling.*

Loss of vegetation and trees and impact on fauna

- *The proposal seeks to remove all existing vegetation from the subject site. Council's Arborist did not object to the proposed vegetation removal. It is noted the site is not a designated area of biological significance and no tree controls apply. The vegetation on site is not considered to be significant and does not warrant retention.*
- *A condition of any permit issued will require a landscape plan in accordance with Council's Landscape Guidelines for Planning Permits. This will ensure adequate planting occurs within the front, side and rear open space areas of the proposed development.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Increased noise

- *The site is located within an established residential area where associated noise is a common feature of urban areas. The development will not result in an unreasonable increase in residential noise. Standard construction amenity conditions ensure that unreasonable impacts during construction can be addressed if necessary.*

Overlooking

- *The proposal generally meets the overlooking objective to limit views into existing secluded private open space and habitable windows subject to a condition on any permit that should issue. An assessment against Clause 55 Standard B6 is at Section 4.4 of this Report.*

3.2 Planning Consultative Committee Meeting

A PCC meeting was held on 20 April 2017.

The applicant agreed to provide fixed obscured glazing to bathroom windows.

No resolution was reached regarding the remaining concerns raised by residents.

The applicant subsequently amended the proposal from four (4) double storey to three (3) double storey dwellings.

3.3 Referrals

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

Traffic Engineer

- *The traffic island portion to be removed must be designed as a mountable island to Council's requirements and approval. The island must be constructed under Council's supervision to the satisfaction of the Responsible Authority. This requirement will form a condition of any permit to issue.*
- *Standard conditions to be included on any permit to issue.*

Drainage Engineer

- *Dwelling 3 garage constructed over the west boundary 2.44 wide easement is not supported. The garage or an alternative design must be constructed to the satisfaction of the Responsible Authority. This requirement will form a condition of any permit to issue.*
- *Standard conditions to be included on any permit to issue.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Assets

- *Crossovers to be reconstructed to Council standards.*

ESD Officer

- *The Sustainable Design Assessment submitted with the application did not meet Council's requirements. A condition of any permit to issue will require an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority.*

Arborist

- *None of the trees proposed for removal require a planning permit.*
- *Three plants (Acer negundo and 2 x Acacia implexa) located on the north adjoining property will be affected by the development. The Acer negundo has a Structural Root Zone (SRZ) of 2.8m and Tree Protection Zone (TPZ) of 8m. The Acacia implexa trees SRZ is 1.5m and TPZ 2.0m. A condition on any permit to issue will require a re-design of Dwelling 1 accessway so there is no encroachment into the SRZ and construction is above the natural ground level within the TPZ of these trees.*

4. DISCUSSION

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

4.1 Zoning and Overlays

4.1.1 Zone

General Residential 2 Zone

The land is zoned General Residential Zone – Schedule 2. A permit is required for the construction two or more dwellings on the land pursuant to Clause 32.08 - 6 of the General Residential Zone – Schedule 2.

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

A development must comply with the minimum garden area requirement pursuant to Clause 32.08-4:

- *The proposal provides a 46.9% garden area complying with this requirement*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Schedule 2 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping) which requires a minimum of one canopy tree per 175 square metres of the site area including a minimum of one canopy tree within each area of secluded private open space and one canopy tree within the front setback per 5 metres of width of the site.

Each tree should be required to be surrounded by 20 square metres of permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.

- *Complies. The proposed development can accommodate the required canopy tree planting; subject to conditions on any permit to issue.*

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

- *Complies. All dwellings are provided with over 60 square metres of secluded private open space with a minimum dimension of 5 metres and exceed the 80 square metres requirement of private open space.*

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

- *Complies. No front fence is proposed to either street frontages.*

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

- *Complies. The maximum building height on site is to be 8.0 metres.*

4.1.2 Overlays

No overlays apply to the land.

4.2 Policy Consideration

4.2.1 State Planning Policy Framework

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

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Key Policies:

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

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

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

- *The proposal contributes to the consolidation of urban development through the provision of increased density within an existing residential area. The development provides for dwellings with smaller open space areas than typical for the area contributing to housing choice.*
- *Should a permit be issued, the development is required to be constructed in accordance with an approved Sustainable Design Assessment.*

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

- *Neighbourhood character - This is discussed in a later section of the report (Section 4.2.2).*
- *Housing choice – The development provides for dwellings with smaller open space areas than typical for the area.*
- *Existing infrastructure – The site is located within a fully serviced and established area.*
- *Energy efficiency – This has been discussed above under Clause 15.02.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

- Location – *While the site is not located within an Activity Centre, it has access to a number of urban services within an established residential area. Subject to modifications, the subject site is capable of accommodating the proposed dwellings whilst making a positive contribution to the preferred character of the area. Refer to the assessment against Council's Neighbourhood Character Policy at Section 4.2.2 below.*

Clause 18 Transport – Ensure that access is provided to all available modes of transport.

- *Bus route 755 is available along Commercial Road to the south of the subject site. Bus route 755 provides a service between Knox City Shopping Centre and Bayswater Railway Station via Boronia Station, Ferntree Gully Station and Mountain Gate Shopping Centre. This service operates between 6.03am and 8.54pm Monday to Friday; between 7.47am and 8.52pm Saturdays; and between 8.55am to 8.54pm Sundays, at various intervals.*

4.2.2 Local Planning Policy Framework (LPPF)

Clause 21.03 – Environmental and Landscape Values: Key issues include maintaining and strengthening Knox's 'green and leafy' image and its identifiable landscape character (despite development pressures) along with recognising the importance of retaining canopy trees as the single most important factor in retaining Knox's landscape character and its natural environment.

It is important that the unique landscape character, amenity and natural values of Knox's significant landscapes (the Dandenong Foothills, Lysterfield Valley and the Dandenong Creek Valley), are maintained despite development pressures and managing bushfire risk.

- *The site is located in an established urban area reasonably close to urban services and open space areas, where existing infrastructure is readily available.*
- *The development is designed to be respectful of the preferred neighbourhood character for the area, and provides sufficient setbacks. It responds appropriately to the constraints of the site and interfaces with the wider area. The proposal will also contribute to the landscape character of the area with new landscaping opportunities.*

21.05 - Built Environment and Heritage: Development should address the needs of changing household structures, creating high quality, well-designed places that respect and strengthen the local context and landscape qualities of Knox. It is important to achieve environmentally sustainable development that contributes to a more liveable and sustainable Knox, including efficient use of urban water runoff and the quality of stormwater entering waterways.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Housing liveability and amenity for occupants should be improved by supporting indoor environment quality (such as access to daylight and ventilation).

- *Living areas of the dwellings are open in nature and will receive adequate solar access, including the SPOS of the dwellings. The proposal will also not be detrimental to the energy efficiency of the adjoining sites.*
- *There is space for outdoor clothes drying facilities and water tanks.*
- *A condition of approval will require the submission of a satisfactory Sustainable Design Assessment.*

Clause 21.06 – Housing: The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

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

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

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

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

- *The development would provide residents with alternative forms of housing styles and sizes.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

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

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

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

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

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

- *The development provides for dwellings with smaller private open space areas than typical for the surrounding area. All dwellings have amenities and a bedroom at ground level to improve accessibility for residents with reduced mobility.*

Clause 22.04 – Environmentally Sustainable Development

This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.

- *A condition of approval will require the submission of a satisfactory Sustainable Design Assessment.*

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

Council's Development in Residential Areas and Neighbourhood Character Policy identifies the subject site within a Knox Neighbourhood Area, where areas will continue to be low-scale, characterised by detached houses, dual occupancies and some villa unit developments on lots greater than 1000m². These areas will also continue to retain their green and leafy identity through retention of front and back yards and the establishment of a garden setting, including canopy trees.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

A response to each of the key design objectives of Clause 22.07 is provided below follows:

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

- *The application proposes to remove existing vegetation on the site. The vegetation is not significant and no planning permission is required to remove this vegetation.*
- *The development provides areas with generous setbacks for renewal landscaping within the two street frontages, within the sensitive interface areas to the northern and western boundaries and between Dwellings 2 and 3.*

To avoid dominance of buildings from the street.

- *The development incorporates punctuated gaps at both ground and first floor level providing a reasonable level of separation between each dwelling.*
- *Scale and building mass is also addressed by vertical articulation, a mix of construction materials and architectural features (large windows and porch treatment) so the dwellings will generally appear regressive within the streetscape.*

To avoid the loss of front and rear garden space.

- *The development does not compromise front and rear garden space for the following reasons:*
 - *The development provides 46.9% of garden area exceeding the minimum 35% garden area required by the General Residential Zone.*
 - *The private open space area and associated boundary setbacks are adequate to accommodate new canopy tree plantings in accordance with Schedule 2 of the General Residential Zone.*
 - *Hardstand areas have been limited to accessways and pathways constructed of pavers.*
 - *No front fencing is proposed to either Wattletree Road or Sykes Avenue, hence the front gardens are to remain visually open within the streetscape.*

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

- *Car parking facilities are either aligned to the front façade of Dwellings 1 and 2 or recessed as for Dwelling 3 and will not dominate the streetscape.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

To retain large backyards for landscaping and open space.

- *Dwellings 1 and 3 have been provided with 60 square metres of secluded private open space with a minimum 5-metre setback to the northern boundary, a sensitive interface. The secluded private open space is sufficient for the reasonable recreation of future occupiers of each dwelling, for the planting of screen landscaping and service facilities.*

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

- *The proposal is low-scale in an urban context that will continue to retain the green and leafy identity and character through the retention of front and backyards, and the establishment of a garden setting that includes canopy trees.*
- *The proposal has good compliance with Schedule 2 of the General Residential 2 Zone and Clause 55.*
- *On this basis, the buildings are consistent with the prevailing scale of buildings in the street.*

Overall it is considered that the proposal is consistent with the requirements of Clause 22.07 – despite the land having an area less than 1,000sqm – given the satisfactory response to the ley design objectives.

4.3 Particular Provisions

Clause 52.06 – Car Parking

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

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

To each dwelling at a ratio of one car space to each one or two bedroom dwelling and two spaces for each dwelling with three or more bedrooms (with studies or studios that are separate rooms counted as bedrooms). One visitor space is required to be provided for every 5 dwellings.

- *Each dwelling has been provided with a double garage.*
- *Dwelling 3 double garage is constructed over an easement located adjacent to the western boundary.*
- *A condition on permit will require the construction of the garage or an alternative design to the satisfaction of the Responsible Authority.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

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

Clause 52.06-8 details the design standards for car parking. The provision of car parking should meet the design requirements of this Clause.

An assessment of the design standards, including any areas of non-compliance are considered below:

Design Standard 1: Access ways – *Complies.*

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

Design Standard 3: Gradients – *N/A*

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

Design Standard 5: Urban Design – *Complies.*

Design Standard 6: Safety – *Complies.*

Design Standard 7: Landscaping – *Complies.*

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

Neighbourhood Character and Infrastructure

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

Residential Policy – *Complies, refer to Section 4.2.2 above.*

Infrastructure – *Complies.*

Site Layout and Building Massing

Street Setback – *Complies with objective.*

If there is a building on the abutting allotment facing the front street, the minimum setback from the front street is the same distance as the setback of the front wall of the existing building on the abutting allotment or 9 metres, whichever is the lesser. The north adjoining dwelling is setback 9 metres from Wattletree Road, a minimum of 8.2 metres is proposed for the development falling short of this standard.

The proposal meets the objective in so much as the proposed setback makes efficient use of the site whilst maintaining a setback that is generally consistent with the surrounding area. The front setback allows for adequate landscaping within the Wattletree Road frontage that will maintain the green and leafy character of the area.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Building Height – *Complies.*

Site Cover/Permeability – *Complies.*

Energy Efficiency – *Complies. A condition of approval will require the submission of a satisfactory Sustainable Design Assessment.*

Open Space – *Complies.*

Safety – *Complies.*

Landscaping – *Complies, a condition on any permit issued will require that appropriate landscape plans are submitted to the satisfaction of the Responsible Authority.*

Access – *Complies subject to conditions.*

Parking Location – *Complies.*

Amenity Impacts

Side and rear setbacks – *Complies.*

Walls on boundaries – *Complies.*

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

Overshadowing open space – *Complies.*

Overlooking – *Can comply. There is potential for overlooking to the north.*

- *Overlooking issues can be resolved by a condition on permit requiring an increase in the northern boundary fence height and privacy screens replaced with obscured glazing.*

Internal views – *Complies.*

Noise Impacts – *Complies.*

On-Site Amenity and Facilities

Accessibility – *Complies.*

Daylight to new windows – *Complies.*

Private Open Space – *Complies.*

Solar access – *Complies.*

Storage – *Complies.*

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

Detailed Design

Design Detail – *Complies.*

Site Services – *Complies.*

Front fence – *Complies.*

4.5 General Decision Guidelines

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

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

5. CONCLUSION

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

- *The development is consistent with the objectives and policies of the Knox Neighbourhood Area. The proposal complies with the General Residential Zone - Schedule 2 and is generally compliant with ResCode subject to conditions on any permit to issue.*
- *The proposed dwellings are generally consistent with Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07 of the Knox Planning Scheme) in that the design has ensured the retention of front and rear yard open space, first floors are reasonably setback from ground floor areas and the dwellings incorporate materials consistent with the area. In addition to this, all dwellings are provided with usable areas of private open space and appropriate internal amenity.*
- *The development is consistent with State and Local Planning Policy Framework (including the Municipal Strategic Statement).*
- *The development is generally compliant with Clause 52.06 (Car Parking) and Clause 55 (ResCode) subject to changes that will be conditioned on any permit to issue.*

6. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**7. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Paul Dickie, Manager City Planning and Building – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Deborah Metcalfe, Senior Planner – In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the development of the land for three double storey dwellings at 47 Wattletree Road, Ferntree Gully, subject to the following conditions:

Amended Plans

1. Prior to the commencement of any buildings or works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - 1.1 The driveways and crossovers for Dwellings 2 and 3 to align.
 - 1.2 A notation stating the traffic island portion to be removed shall be designed as a mountable island to Council's requirement and approval. The island must be constructed under Council's supervision.
 - 1.3 A Build Over Easement approval for the Dwelling 3 garage or alternatively an amended design providing the required number of parking spaces and the dwelling modified to remove construction over the easement. Modifications to the dwelling shall not result in reductions to the setbacks and limited to enable the removal of the garage from the easement.
 - 1.4 Dwelling 1 accessway designed so no encroachment occurs within the Structural Root Zone (SRZ) of three plants (*Acer negundo* and 2 x *Acacia implexa*) located on the north adjoining property.
 - 1.5 Dwelling 1 accessway constructed above the natural ground level within the Tree Protection Zone (TPZ) of the *Acer negundo* and 2 x *Acacia implexa*.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

- 1.6 A new timber paling fence 2.0 metres in height constructed to the northern boundary with a free standing 600mm trellis fence constructed above the new fenceline. The plans are to show all trellis fencing setback 200mm from the new fenceline or integrated into a new fence.
- 1.7 Annotated no front fencing to Wattletree Road and Sykes Avenue front boundaries.
- 1.8 Dwellings 1 and 3 north facing upper storey habitable windows screened with fixed obscure glazing (non-openable) to a height of 1700mm above finished floor level. The windows may be clear and openable above 1700mm. Adhesive film must not be used.
- 1.9 Location of the combined electrical supply metre box, which must not be located in the corner splay.
- 1.10 Drainage plans in accordance with Condition 2.
- 1.11 Landscape Plans in accordance with Condition 3.
- 1.12 Sustainable Design Assessment in accordance with Condition 11.

To the satisfaction of the Responsible Authority.

Drainage

2. Prior to commencement of any buildings or works, three copies of drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:
 - 2.1 All stormwater drainage discharge from the site connected to a legal point of discharge.
 - 2.2 The internal drains of the dwellings to be independent of each other.
 - 2.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.
 - 2.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.
 - 2.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.
 - 2.6 All levels to be to AHD (Australian Height Datum).

To the satisfaction of the Responsible Authority.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

Landscaping

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

- 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.
- 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).
- 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.
- 3.4 Details of the surface finishes of pathways and driveways.
- 3.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.
- 3.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- 3.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).
- 3.8 Planting of this site to comprise 40% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the 'Landscape Plan Guidelines' and 40% additional native species (across all plant forms) from plant list 2 of the 'Landscape Plan Guidelines'. Remaining plant species (20%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.

To the satisfaction of the Responsible Authority.

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

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

General

6. All development must be in accordance with the endorsed plans.
7. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
8. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
9. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.
10. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

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

Car Parking & Accessways

12. Before the dwellings are occupied, driveways and car parking areas must be:
 - 12.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and
 - 12.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and
 - 12.3 Treated with an all-weather seal or some other durable surface; and
 - 12.4 Line-marked or provided with some other adequate means of showing the car parking spaces.

To the satisfaction of the Responsible Authority.

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

Fencing

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

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

Amenity During Construction

16. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:
 - 16.1 the appearance of building, works or materials on the land
 - 16.2 parking of motor vehicles
 - 16.3 transporting of materials or goods to or from the site
 - 16.4 hours of operation
 - 16.5 stockpiling of top soil or fill materials
 - 16.6 air borne dust emanating from the site
 - 16.7 noise
 - 16.8 rubbish and litter
 - 16.9 sediment runoff
 - 16.10 vibration

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

Stormwater

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

Traffic Island

18. Alterations to the traffic island on Wattletree Road shall be constructed under Council's supervision, and completed to the satisfaction of the Responsible Authority prior to the occupation of the dwellings.

Permit Expiry

19. This permit will expire if one of the following circumstances applies:
 - 19.1 The development is not started within two years of the date of this permit.
 - 19.2 The development is not completed within four years of the date of this permit.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

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

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

NOTES

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

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.
- The total Permissible Site Discharge for the property including all dwellings is 5.1L/s to the existing Council drainage system for a 5 year ARI event.
- Applicant is to direct all stormwater to the kerb and channel near the north-west 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 site to the LPD via an Onsite Detention (OSD) system. The internal drains for the dwellings are to be independent of each other.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.
- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

Other Notes:

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.

6.3 47 Wattletree Road, Ferntree Gully (cont'd)**Recommendation (cont'd)**

- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.
- All litter and rubbish associated with the construction must be contained on site at all times.

COUNCIL RESOLUTION**MOVED: CR. LOCKWOOD****SECONDED: CR. PEARCE****That Council:**

Issue a Notice of Decision to refuse to grant a Planning Permit for The Development of the Land for Three (3) Double Storey Dwellings at 47 Wattletree Road, Ferntree Gully for the following reasons:

- 1. The proposal fails to satisfy relevant State and Local Planning Policy Framework strategies and objectives, as it is not considered to be respectful of the preferred neighbourhood character. The design response does not adequately respect the adjoining context having particular regard (but not limited to) the built form of the dwellings.**

6.3 47 Wattletree Road, Ferntree Gully (cont'd)

- 2. The proposal fails to satisfy relevant Local Planning Policy Framework objectives and strategies, particularly Clause 15 (Built Environment and Heritage), Clause 21.03 (Environment and Landscape Values), Clause 21.05 (Built Environment and Heritage) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) of the Knox Planning Scheme.**
- 3. The proposal fails to satisfy the preferred dwelling typology of Clause 22.07-4 by constructing three (3) double storey dwellings on a lot less than 1000 square metres.**
- 4. The proposal fails to satisfy the relevant Clause 55 objectives and standards, in particular:**
 - 55.02-1 Neighbourhood character**
 - 55.02-2 Residential Policy**
 - 55.03-1 Street setback**
 - 55.04-6 Overlooking**

and therefore represents an overdevelopment of the site. The design fails to respond appropriately to its opportunities and constraints resulting in unreasonable impact on the character of the area.

CARRIED











Property Address 47 Wattletree Road,
FERNTREE GULLY


Application Number P/2016/6862

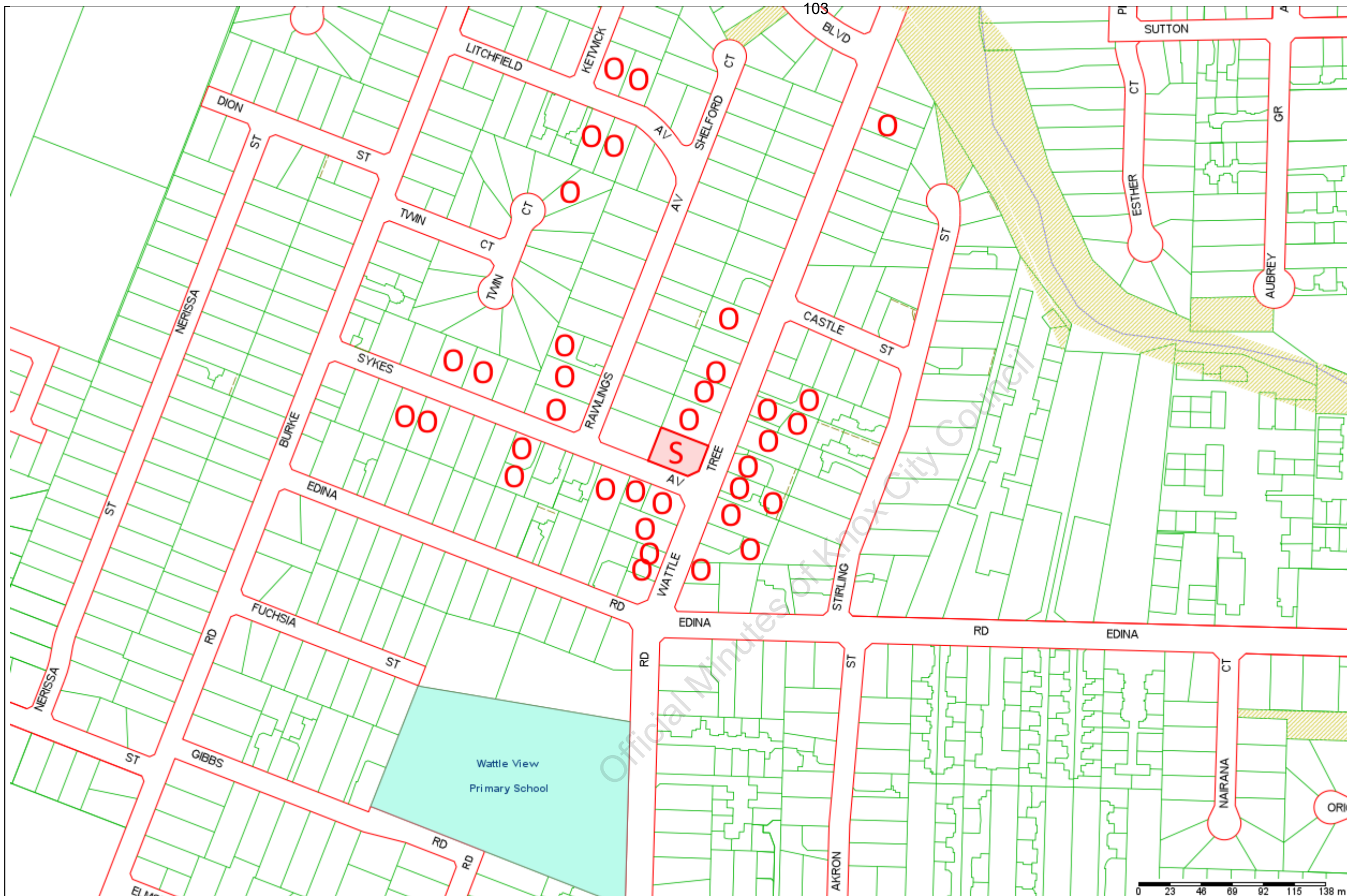
Description Construction of three double storey dwellings

Ward Baird

LEGEND:

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

 Scale: 1:3000



DISCLAIMER:

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


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



Property Address	47 Wattletree Road, FERNTREE GULLY
Application Number	P/2016/6862
Description	Construction of three double storey dwellings
Ward	Baird

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DRAWING SCHEDULE

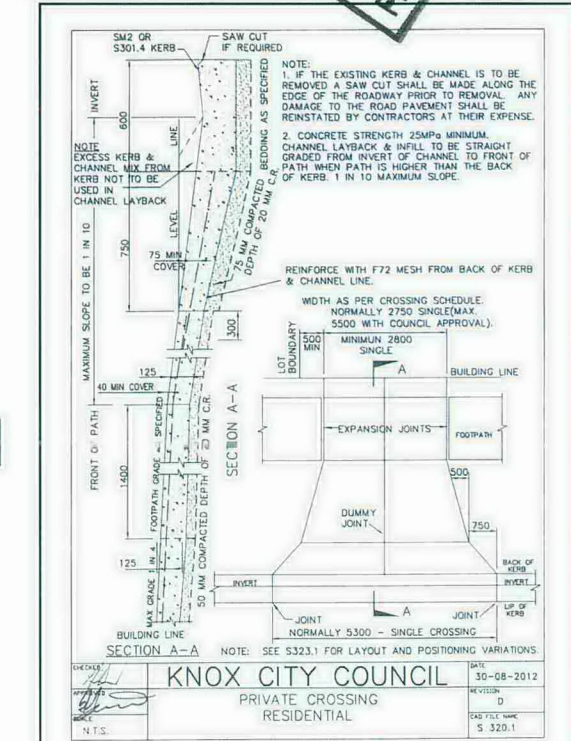
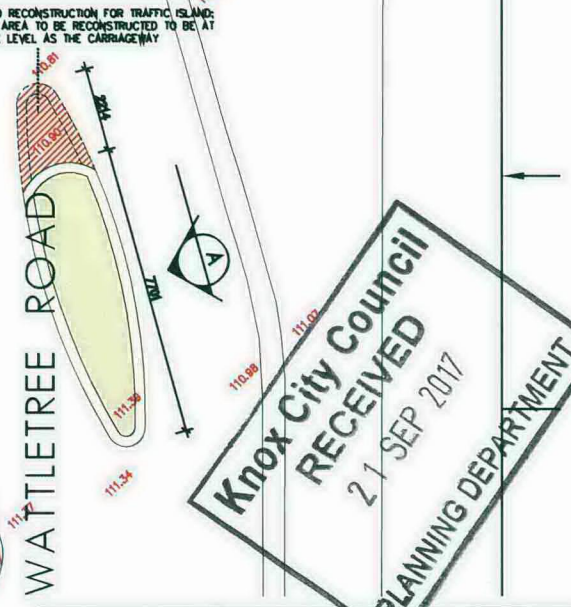
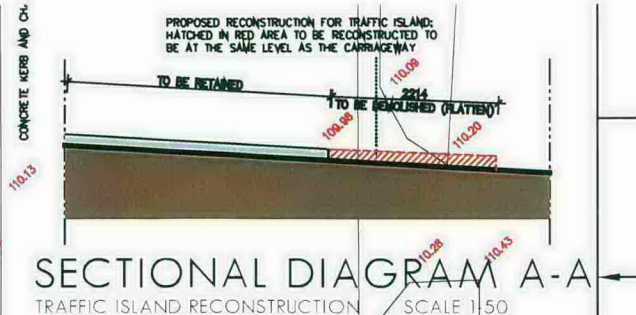
TPA01	GROUND FLOOR PLAN - AREA ANALYSIS	1100
TPA02	FIRST FLOOR PLAN	1100
TPA03	ELEVATIONS, MATERIALS AND FINISHES SCHEDULE	1100
TPA04	DETAILED SITE ANALYSIS - NEIGHBOURHOOD AND SITE DESCRIPTION	1300
TPA05	DETAILED SITE ANALYSIS - DESIGN RESPONSE	1300
TPA06	DETAILED SHADOW ANALYSIS - 9AM, 12 NOON AND 3PM SEPTEMBER 22	1200
TPA07	GARDEN AREA ANALYSIS	1100

AREA ANALYSIS

SITE AREA		984.0 M ²
(INC. DWELLING PER 238.5' SITE AREA)		
DWELLING 1		
GROUND FLOOR	94.6M ² (10,250)	
FIRST FLOOR	79.5M ² (8,650)	
GARAGE	37.9M ² (4,050)	
OVERALL	211.6M ² (22,850)	
COURTYARD		
SERVICE AREA	60.0M ²	
FRONT GARDEN	8.2M ²	
OVERALL	123.1M ²	
DWELLING 2		
GROUND FLOOR	89.2M ² (9,650)	
FIRST FLOOR	76.9M ² (8,250)	
GARAGE	38.9M ² (4,050)	
OVERALL	202.6M ² (21,850)	
COURTYARD		
SERVICE AREA	62.0M ²	
FRONT GARDEN	168.3M ²	
OVERALL	248.4M ²	
DWELLING 3		
GROUND FLOOR	94.7M ² (10,250)	
FIRST FLOOR	88.9M ² (9,250)	
GARAGE	37.1M ² (4,050)	
OVERALL	217.7M ² (23,450)	
COURTYARD		
SERVICE AREA	60.1M ²	
FRONT GARDEN	18.9M ²	
OVERALL	105.0M ²	
OVERALL BUILDING AREA		
	632.0M ²	
BUILDING/SITE COVERAGE		
	390.1M ² 40.4%	
IMPERVIOUS PAVING AREA		
	110.1M ²	
IMPERVIOUS PAVING/SITE COVERAGE		
	11.6%	
PERMEABLE SITE COVERAGE (IF PERMEABLE TO PAVE)		
	48.1%	
GARDEN AREA		
	447.3M ² 46.9%	

LEGEND

- RETRACTABLE CLOTHESLINE
- PROPOSED CANOPY TREE
- OUTLINE OF HOT WATER SOLAR PANELS
- EXISTING MATURE CANOPY TREE
- GRASSCOVER GENERALLY (ALSO INCL. ALL PERMEABLE SURFACES)
- EXISTING TREES TO BE REMOVED
- R.C.C. PAVING
- RUBBISH BINS



STANDARD CROSSING DRAWING

47 WATTLETREE RD FERNTREE GULLY APPENDIX B



LANDSCAPE NOTES

- THIS LANDSCAPE PLAN IS BASED ON THE ARCHITECT'S TOWNPLANNING AND IS TO BE USED FOR TOWNPLANNING PURPOSES ONLY.
- PLANT SELECTION SHALL BE AS PER THE PLANT SCHEDULE IN LOCATIONS AS SHOWN ON THE DRAWINGS. ALL PLANTS ARE TO BE TRUE TO SPECIES AND THE BEST OF THEIR RESPECTIVE KINDS. PLANTS ARE TO HAVE WELL DEVELOPED ROOT SYSTEMS AND SHALL BE FREE OF PESTS AND DISEASE. WATER PLANTS WILL BE WATERED BEFORE AND AFTER PLANTING.
- SPRAY ALL AREAS SHOWN ON THE DRAWINGS AS GARDEN BED AND LAWN WITH AN APPROVED NON-RESIDUAL CONTACT HERBICIDE (GLYPHOSATE) FOLLOWING MANUFACTURER'S SPECIFICATIONS.
THE HERBICIDE SHALL BE DYED RED TO IDENTIFY EXPOSED AREAS. LEAVE SPRAYED AREAS FOR A PERIOD OF 10 DAYS PRIOR TO BEING WORKED. RESPRAY ANY WEEDS STILL ALIVE AFTER 10 DAYS.
- DETERMINE pH OF SOIL USING pH KIT AVAILABLE AT MOST NURSERIES. pH SHOULD BE SLIGHTLY ACIDIC TO NEUTRAL pH 6.5 TO 7.0. IF pH IS OUTSIDE OF THIS RANGE, CONTACT YOUR LOCAL NURSERY TO OBTAIN ADVICE ON HOW TO ADJUST THE pH LEVEL. SOME PLANTS TOLERATE HIGH AND LOW pH LEVELS.
- IF SOIL IS MAINLY SAND BASED ADD GYPSUM TO AID IN BREAKING UP THE SOIL AT THE RATE OF 1.0KG/M² TO LAWN AREAS AND 2KG/M² FOR GARDEN BED AREAS.
- INSTALL SUB-SURFACE DRAINAGE WHICH DISCHARGES TO STORMWATER OR SOAKAGE PITS IN AREAS WITH POOR DRAINAGE.
- CULTIVATE SOIL FOR GARDEN BED AREAS TO 300MM DEPTH AND LAWN AREAS TO 100MM DEPTH. DEEP RIP IN TO 400MM DEPTH AREAS OF HARD-PANING OR COMPACTION.
- USE ON-SITE TOPSOIL WHERE POSSIBLE AND IMPROVE WITH ORGANIC MATERIAL AS REQUIRED. IMPORTED TOPSOIL SHALL BE FERTILE, FRAGILE SOILS CONTAINING ORGANIC MATTER AND FREE FROM PERSISTENT WEEDS AND THEIR ROOTS, STONE OR RUBBLE, CLODS OF TOPSOILS AND OTHER EXTRANEUS MATERIAL.
- SPREAD GOOD QUALITY TOPSOIL CONTAINING COMPOST TO 100MM DEPTH FOR GARDEN BED AREAS TO 50MM DEPTH FOR LAWN AREAS TO IMPROVE DRAINAGE IN DAY SOILS. RAISE SOIL LEVELS BY 20MM IN GARDEN BEDS.
- SPREAD 75MM COMPACTED DEPTH ORGANIC MULCH OVER ALL GARDEN BED AREAS. TOP OF MULCH SHALL BE LEVEL WITH ADJACENT SURFACE.
- PLANT SHRUBS (AS PER DETAIL) IN HOLES OF THE SAME DEPTH AS THE ROOT BALL AND TWICE THE DIAMETER OF THE ROOT BALL. WATER PLANTS PRIOR TO AFTER BACKFILLING. DO NOT TREAD IN PLANTS. PLANT ROOT BALL IN THE SOILS AND NEVER IN THE MULCH.
- APPLY FERTILISER SPECIFIC TO INDIVIDUAL PLANTS REQUIREMENTS. TREES SHOULD BE STAKED FOR THE FIRST ONE TO TWO YEARS (AS PER DETAIL).
- ALL CLIMBERS WILL REQUIRE A WIRE OR TRELIS CLIMBING FRAME TO BE ATTACHED TO ADJACENT SURFACE.
- INSTALL RUBBER EDGING BETWEEN ALL LAWN AREAS AND GARDEN BEDS.
- AREAS INDICATED FOR LAWN ARE TO BE RE-GRADED TO PROVIDE SMOOTH CONTOURS AND ARE TO BE RANVED TO ELIMINATE SOIL CLODS, RUBBLE AND EXTRANEUS MATERIAL. A LOW MOW GRASS MIX AND COMPLETE LAWN STARTER IS TO BE USED. LAWN AREAS ARE TO BE KEPT CONTINUOUSLY MOIST UNTIL ESTABLISHMENT.
- GARDEN BEDS ARE TO BE WATERED, NEEDED, FERTILISED, PRUNED AND MULCHED ON A REGULAR BASIS BY A LANDSCAPE CONTRACTOR OR THE OWNER TO ENSURE PLANTS SURVIVE AND THRIVE. THIS IS TO TAKE PLACE FOR A PERIOD OF SIX MONTHS AFTER COMPLETION OF THE LANDSCAPE CONSTRUCTION. ANY PLANTS THAT DIE OR ARE DISEASED ARE TO BE REPLACED WITH THE SAME SPECIES AS LISTED IN THE PLANT SCHEDULE.

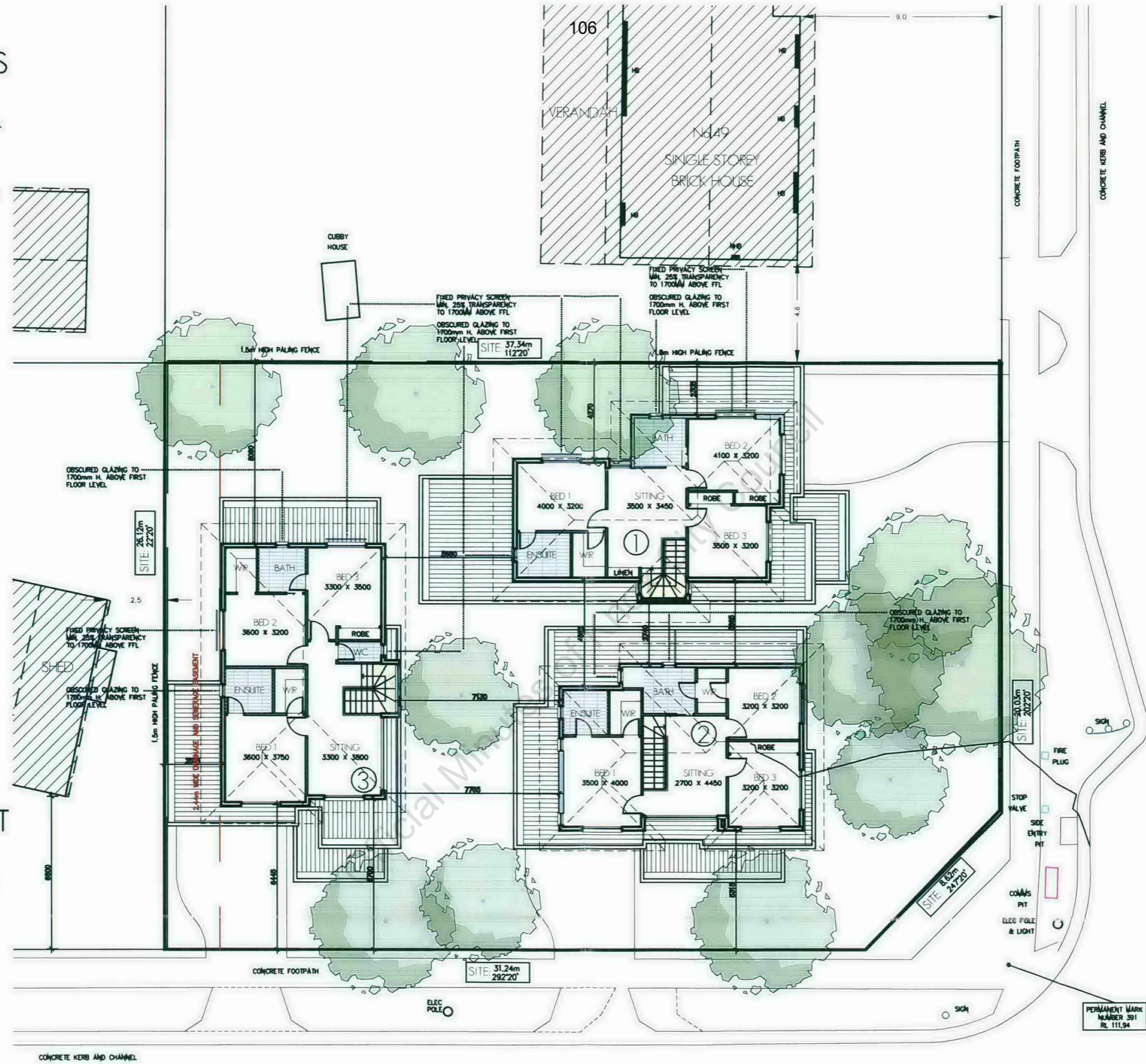
WATERING IN ACCORDANCE WITH CURRENT WATER RESTRICTIONS

- WATERING IS TO BE DONE USING PROGRAMMABLE SYSTEM OR BY HAND WATERING ACCORDING TO WEATHER CONDITIONS BUT GENERALLY TEN MINUTES EVERY SECOND DAY TO GARDEN BEDS DURING ESTABLISHMENT PERIOD (SIX MONTHS) AND DURING SUMMER DRY PERIODS. OTHER TREES AND AS PLANTS BECOME ESTABLISHED WATERING SHOULD GRADUALLY BE REDUCED TO CONSERVE WATER AND PROMOTE DEEP ROOT SYSTEMS.
- RAINWATER COLLECTION TANKS SHOULD BE INSTALLED AND USED FOR IRRIGATION WHERE POSSIBLE. ALL PLANTS HAVE BEEN SELECTED FOR DROUGHT TOLERANCE BUT DO REQUIRE WATERING DURING DRY WEATHER CONDITIONS WHILE ESTABLISHING ON SITE AND WILL GROW MORE RAPIDLY WITH REGULAR WATERING. SUITABLE SYSTEM IS A LOW WATER USE DRAIN SYSTEM TO ALL TREES AND SHRUBS. PROGRAMMABLE TANKS LOCATED AS DIRECTED BY OWNER.

CONCEPTUAL PLANT SCHEDULE

(ALL TO BE RE-CONFIRMED AT LATER DATE BY LANDSCAPE ARCHITECT)

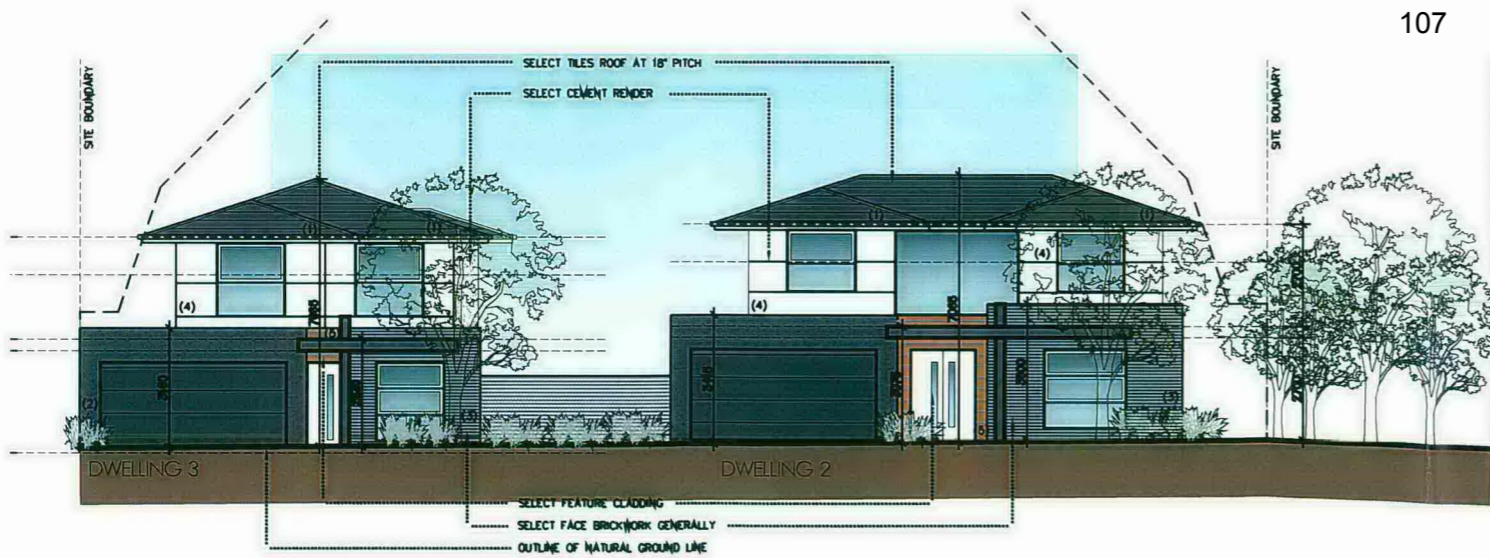
- UNRAID LAYER PLANTS
- CORREA TUSKY BELLS
 - MYOPORUM PARYVORUM
 - VIOLA HEDERACEA
 - BRACHYCOMME MULIFIDA
 - WITTADINA GRACILIS
 - CHRYSANTHEMUM FRUTESCENS
 - CORREA REFLEXA
 - CORREA GLABRA
 - GREVILLEA ROSAURINFOLIA
 - CALLISTEMON 'CAPTAIN COOK'
 - ROSMARINUS OFFICINALIS
 - TALL SHRUBS
 - ACACIA RETINODES
 - RHAPROLEPIS
 - CALLISTEMON VIMINALIS
 - MELALEUCA ERIOFOLIA
 - LAGERSTROEMIA INDICA
 - PYRUS CALLERYANA
- DWARF BOOBIALLA
NATIVE VIOLET
ROCKY DASY
ROCKLEY HOLLAND DASY
MARGUERITE DASY
COMMON CORREA
ROCK CORREA
- BOTTLE BRUSH
ROSEMARY
- WIRLDA
PINK INDIAN HAWTHORN
- KEEPPING BOTTLEBRUSH
SHARP PAPERBARK
CREPE MYRTLE
BRADFORD PEAR



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47 WATTLETREE RD FERNTREE GULLY APPENDIX B





SOUTH-WEST ELEVATION (I.E. FACING SYKES AVENUE)

SCALE 1:100



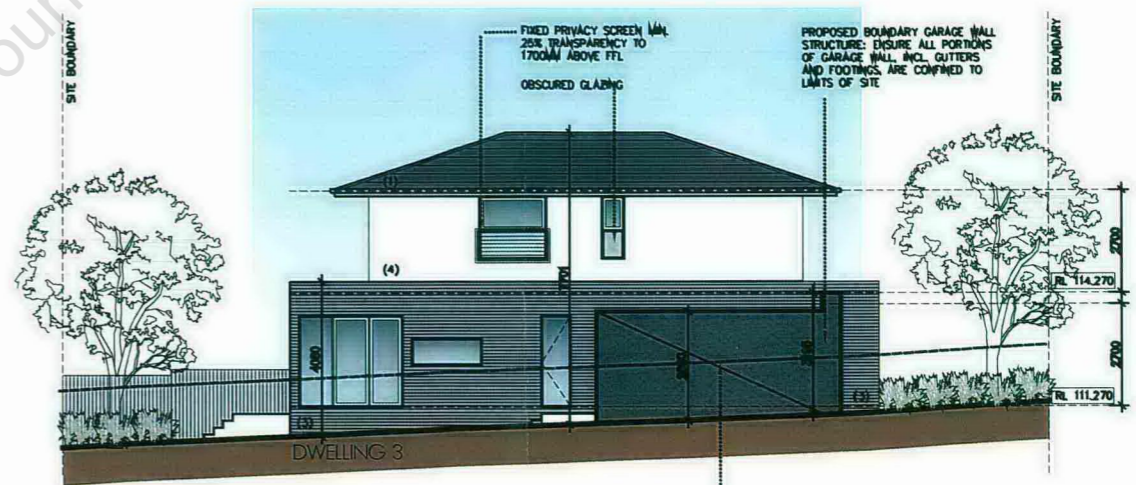
SOUTH-EAST ELEVATION (I.E. FACING WATTLE TREE ROAD)

SCALE 1:100



NORTH-EAST ELEVATION

SCALE 1:100

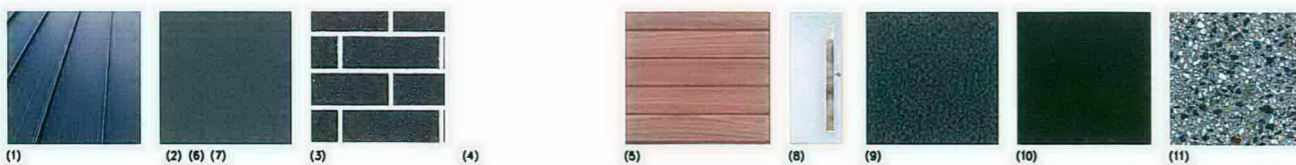


NORTH-WEST ELEVATION

SCALE 1:100

MATERIALS AND FINISHES SCHEDULE

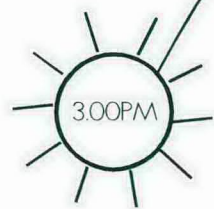
- | | | | |
|---------------------------|--|----------------------|---|
| ROOF: | (1) SELECT STEEL ROOFING SELECT "STRATCO - EBONY" FINISH OR SIMILAR | FRONT DOORS: | (8) SELECT HIKES DOOR, "D11" ALUMINIUM FRAMED DOOR, WITH DURACOTE FACE, SELECT "DULUX - MONUMENT" |
| WALLS: | (2) GROUND FLOOR GARAGE - CEMENT RENDER, SELECT INTEGRAL "DULUX MONUMENT" OR SIMILAR | WINDOWS: | (9) ALUMINIUM FRAMED, SELECT "STEGORAL GUARROAL GLOSS POLYESTER" OR SIMILAR |
| | (3) GROUND FLOOR - SELECT "MELBOURNE BRICK, NUVO FUSION DOWN" OR SIMILAR | GARAGE DOORS: | (10) SELECT "COLORBOND - DULUX, EXTREME SATIN BLACK" OR SIMILAR |
| | (4) FIRST FLOOR - CEMENT RENDER, SELECT "DULUX, LEXICON HALF" OR SIMILAR | DRIVEWAYS: | (11) BORAL PAVING "EXPOSED AGGREGATE, HALLMARK" FINISH |
| FEATURE: | (5) GROUND FLOOR FEATURE - SELECT "BORAL SHADOW CLADDING, SPOTTED QU" OR SIMILAR | | |
| FASCIAS/DOWNPipes: | (6) SELECT COLOURBOND FINISH "MONUMENT" OR SIMILAR | | |
| GUTTERS: | (7) SELECT COLOURBOND FINISH "MONUMENT" OR SIMILAR | | |



- A** WATTLETREE PRIMARY SCHOOL (APPROX. 200M SOUTH)
- B** FARHILL PRIMARY SCHOOL (APPROX. 1.2KM WEST)
- C** FARHILLS HIGH SCHOOL (APPROX. 1.6KM WEST)
- D** BORONHA K-12 COLLEGE (RANGEVIEW CAMPUS) (APPROX. 1.6KM NORTH EAST)
- E** BORONHA CENTRAL (APPROX. 1.6KM NORTH EAST)
- F** BORONHA TRAIN STATION (INCL. 6 BUS ROUTES) (APPROX. 1.6KM NORTH EAST)
- G** FERNTREE GULLY TOWNS (APPROX. 400M NORTH)
- H** DOBSON PARK (APPROX. 500M SOUTH EAST)
- I** PICKETT RESERVE (APPROX. 800M SOUTH)
- J** NO DISCREPANCY DIFFERENCE IN SITE LEVELS BETWEEN SUBJECT SITE AND ADJOINING ALLOTMENTS
- K** EXISTING BOUNDARY (ALL CONSTRUCTION)
- L** SIGNIFICANT ON STREET CAR PARKING AVAILABLE IN FRONT OF SUBJECT SITE

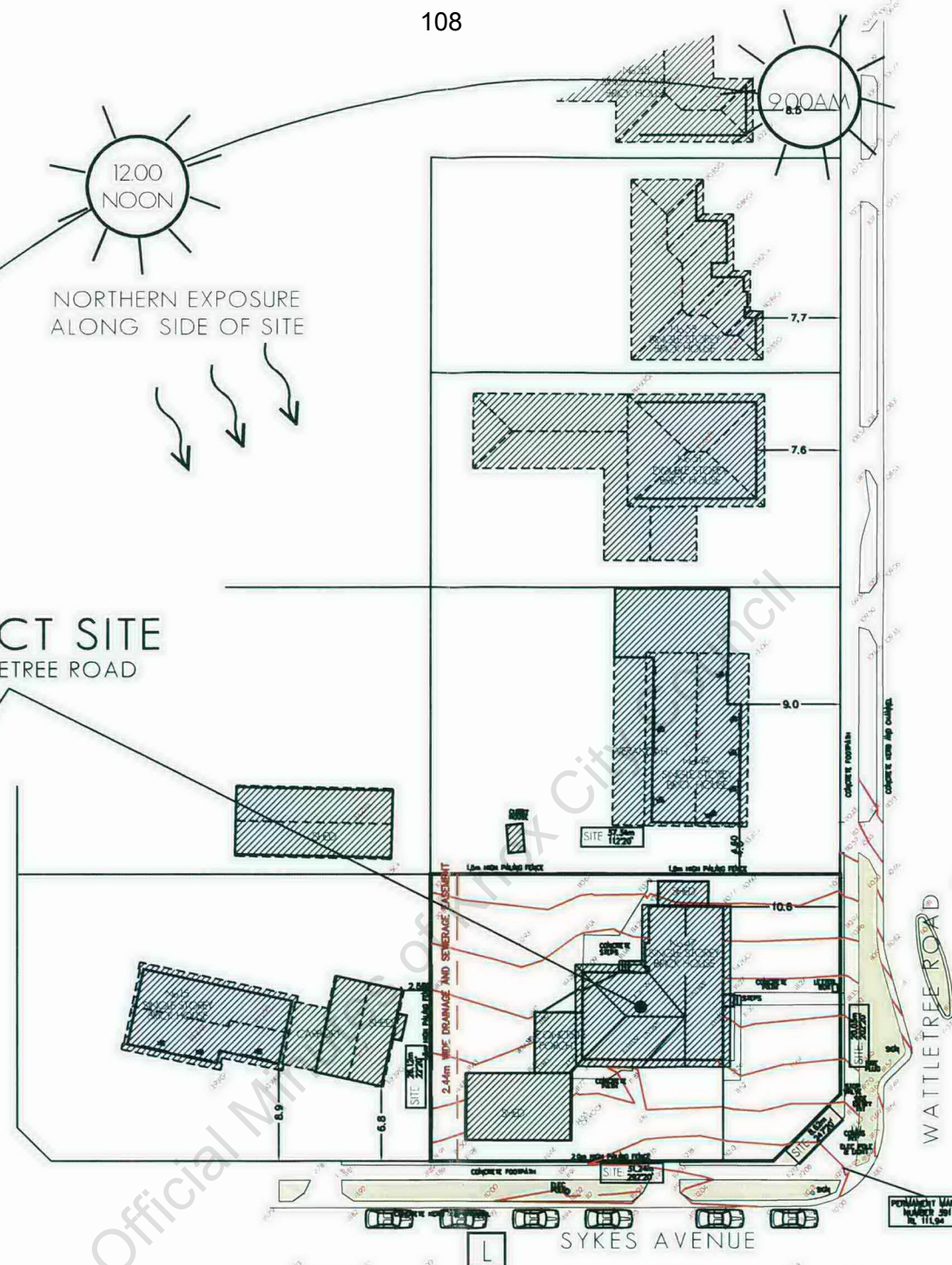
SUBJECT SITE

- LARGE SITE AREA - 956.8 m²
- COMFORTABLE SITE FALLS FROM SOUTH EAST TO NORTH WEST (1:390M SLOPE OVER 40.72M APPROX LENGTH)
- WIDE STREET FRONTAGE - APPROX 39.86M OVERALL LENGTH
- SIGNIFICANT NORTHERN EXPOSURE - 37.54M ALONG SIDES
- SUPERIOR LOCATION IN RISING MIDDLE SUBURBAN PRECINCT
- SUBJECT SITE IS "RIPE" FOR RE-DEVELOPMENT



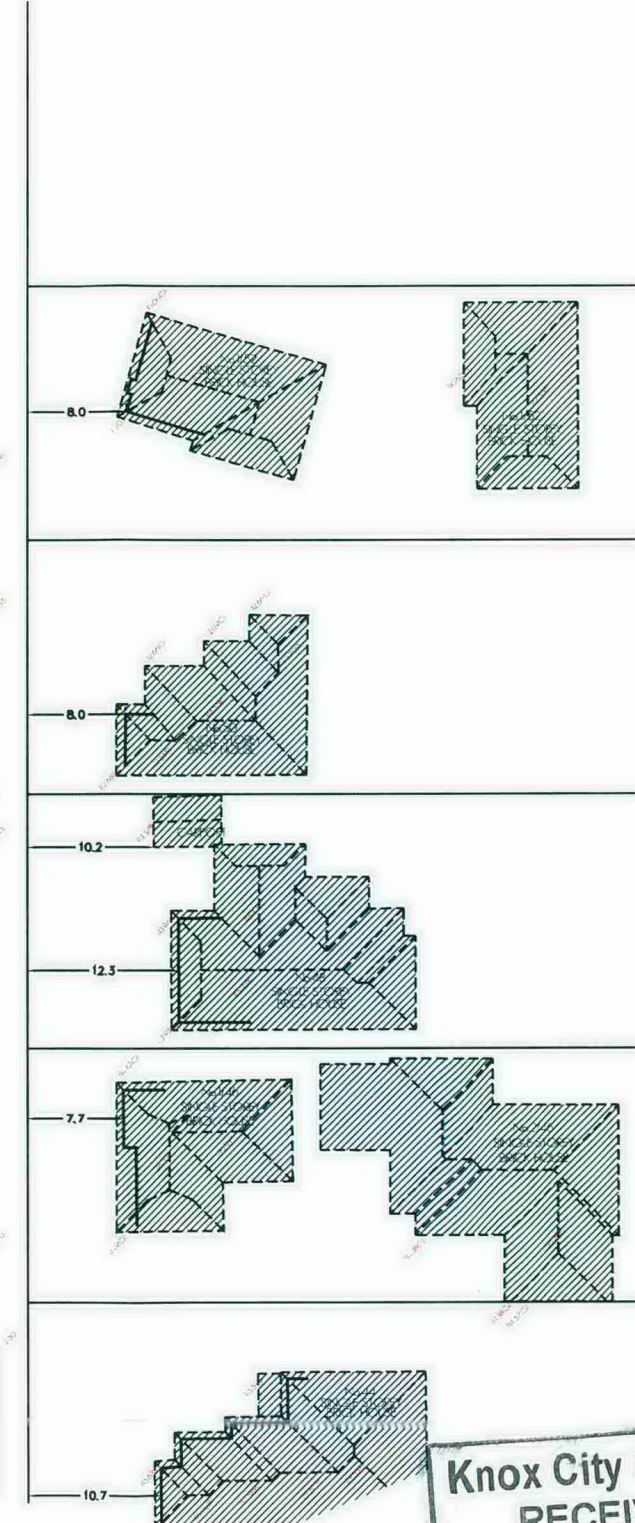
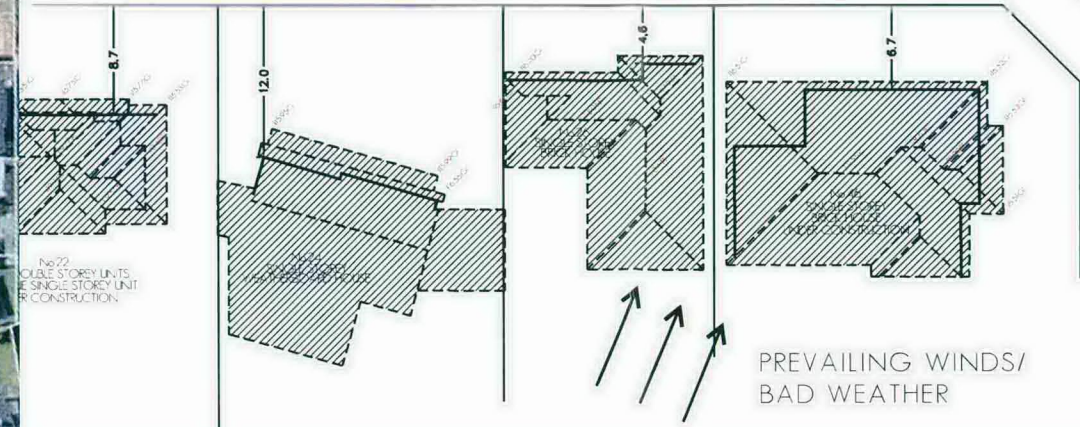
SUBJECT SITE
47 WATTLETREE ROAD

RAWLINGS AVENUE



WATTLETREE ROAD

SYKES AVENUE



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- A PROPOSED TREES INCLUDING EXISTING STREET TREE AND SITE TREES TO PROVIDE SCALE AND FOREGROUND TO DEVELOPMENT
- B EXISTING ON-STREET CARPARKING NUMBERS TO BE GENERALLY RETAINED AS IS
- C COMFORTABLE REAR YARDS PROVIDED GOOD PROPORTIONS, GREAT ALL ROUND EXPOSURE, (INCL. MIDDAY SUN)
- D MAIN FAMILY AREAS ARE LOCATED TO THE REAR OF THE FLOOR PLANS. THEY TAKE ADVANTAGE OF THE LARGE REAR GARDENS AND THE SIGNIFICANT SOLAR EXPOSURE AVAILABLE TO THESE YARDS.
- E GOOD SURVEILLANCE OF WATTLETREE ROAD AND SYKES AVENUE AVAILABLE FROM FRONT AND SIDE ROOMS OF ALL DWELLINGS
- F DESIGN OF INTERIORS OF NEW DWELLINGS INFLUENCED BY REAR PRIVATE OPEN SPACES. MAIN SITTING AREAS HAVE PHYSICAL AND VISUAL ACCESS TO THESE YARDS.
- G DESIGN OF INTERIOR OF NEW DWELLINGS UNDERTAKEN IN MODERN CONTEMPORARY MANNER. PLENTY OF LIGHT AND OPEN SPACE, FEW HALLS AND FEW VISIBLE DOORS, (ESPECIALLY ON GROUND LEVEL).
- H 800 CARSPACES AVAILABLE ON SITE. 300 CARS TO BE STORED BEHIND SECURE GARAGE WALLS/ DOORS
- I CLOTHES LINES CONCEALED IN REAR YARDS, AWAY FROM PUBLIC VIEW
- J OVERLOOKING OF ADJOINING PROPERTIES MINIMIZED THROUGH USE OF PRIVACY SCREENS AND TINTED GLASS AND HIGHLIGHT GLAZING AND EXACT LOCATION OF WINDOWS
- K EXISTING CROSSOVER TO BE RELOCATED SLIGHTLY



DESIGN RESPONSE

THIS PROPOSAL RESPECTS, ACKNOWLEDGES AND IMPROVES THE EXISTING NEIGHBOURHOOD CHARACTER.

- DWELLINGS HAVE DISTINCT STYLE AND 'FEEL' FROM FRONT. AN ARTICULATED MODERN APPEARANCE NOT TOTALLY OUT OF CHARACTER WITH THE PREVAILING ECLECTIC STREETSCAPE AND VERY MUCH IN KEEPING WITH A NEWLY EMERGING TOWNHOUSE AESTHETIC.
- DWELLINGS ARE NOT PHYSICALLY ATTACHED AND HAVE INDIVIDUAL CHARACTER AND IDENTITY.

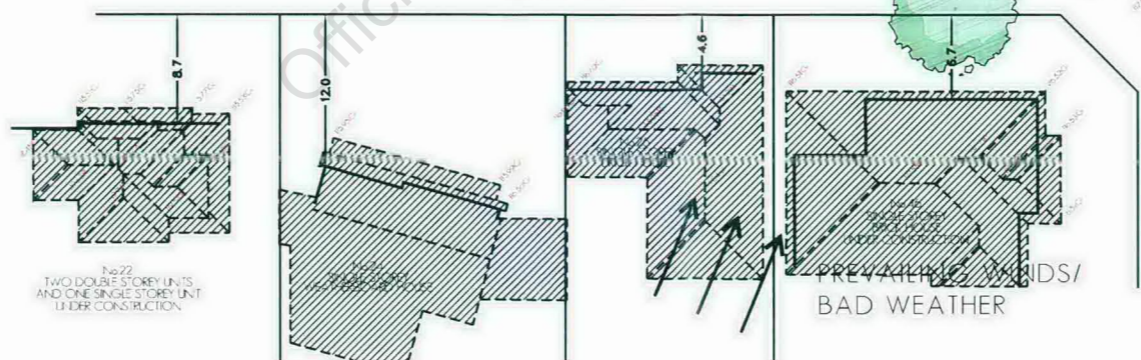
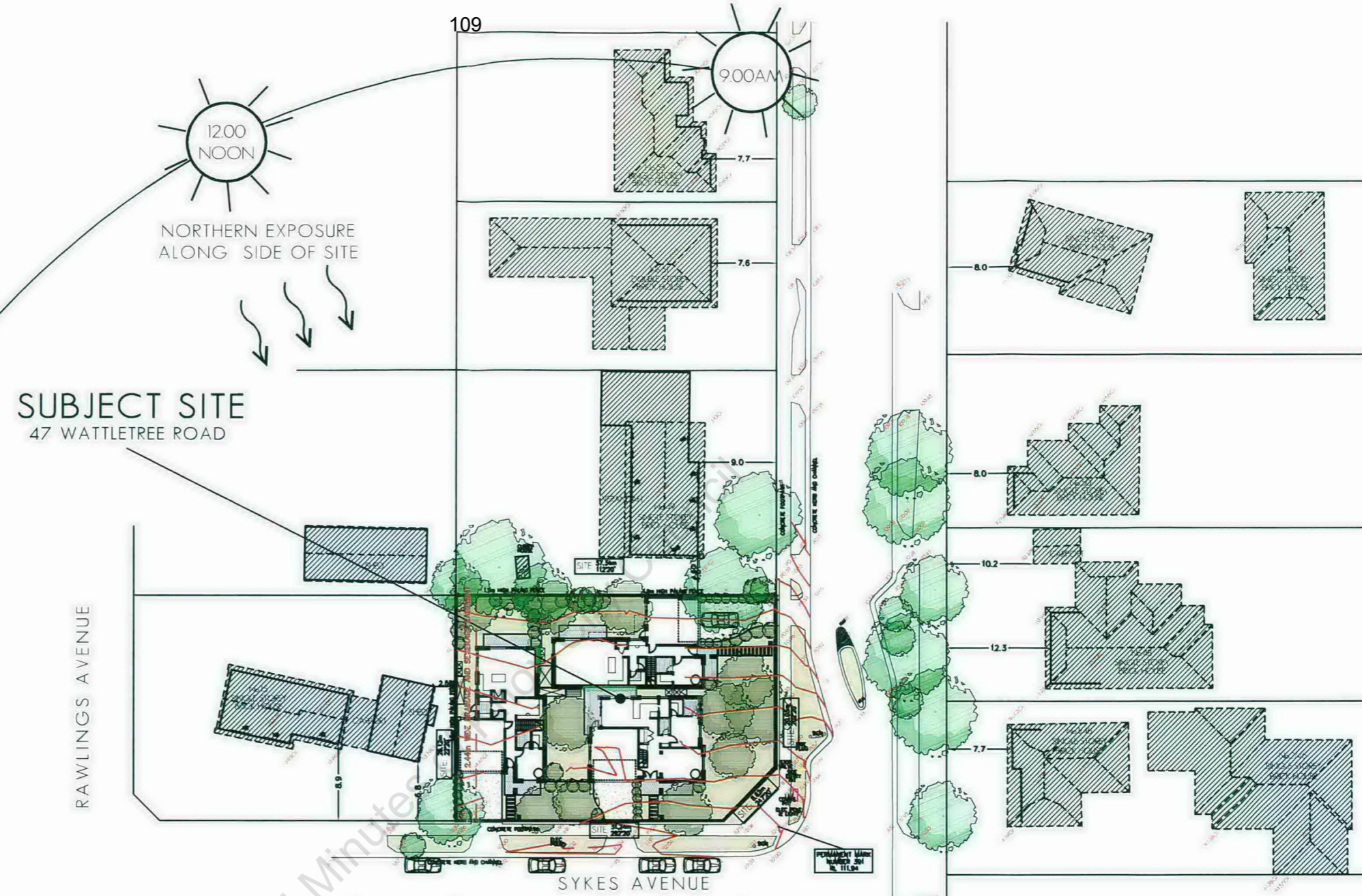
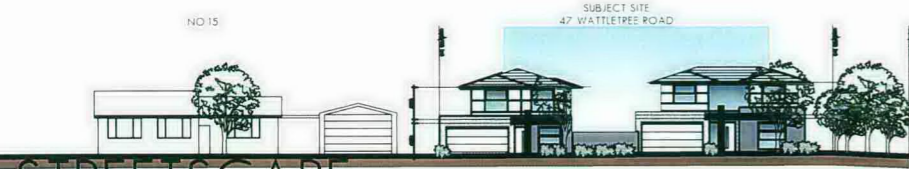
GENERAL NOTES

DENSITY IS APPROPRIATE AND RESPONDS TO SITE LOCATION IN AN ESTABLISHED RESIDENTIAL PRECINCT. ALL INFRASTRUCTURE AVAILABLE; PROXIMITY TO PUBLIC TRANSPORT, PARKS, SCHOOLS, SHOPS ETC

EXISTING AND PROPOSED ESTABLISHED LANDSCAPING WILL INTEGRATE DEVELOPMENT FURTHER INTO NEIGHBOURHOOD.

MATERIALS AND FINISHES PREFERRED:
 (1) CLAY TILE ROOFING
 (2) SPACED BRICKWORK
 (3) PITCHED TILED ROOFING, ALL RESPONDING TO MATERIALS COMMONLY FOUND IN THE FERNTREE GULLY LOCALITY

BUILDING FORM IS ARTICULATED. DWELLINGS ARE BROKEN UP AS 3/4 IDENTIFIABLE, INDEPENDENT FORMS.

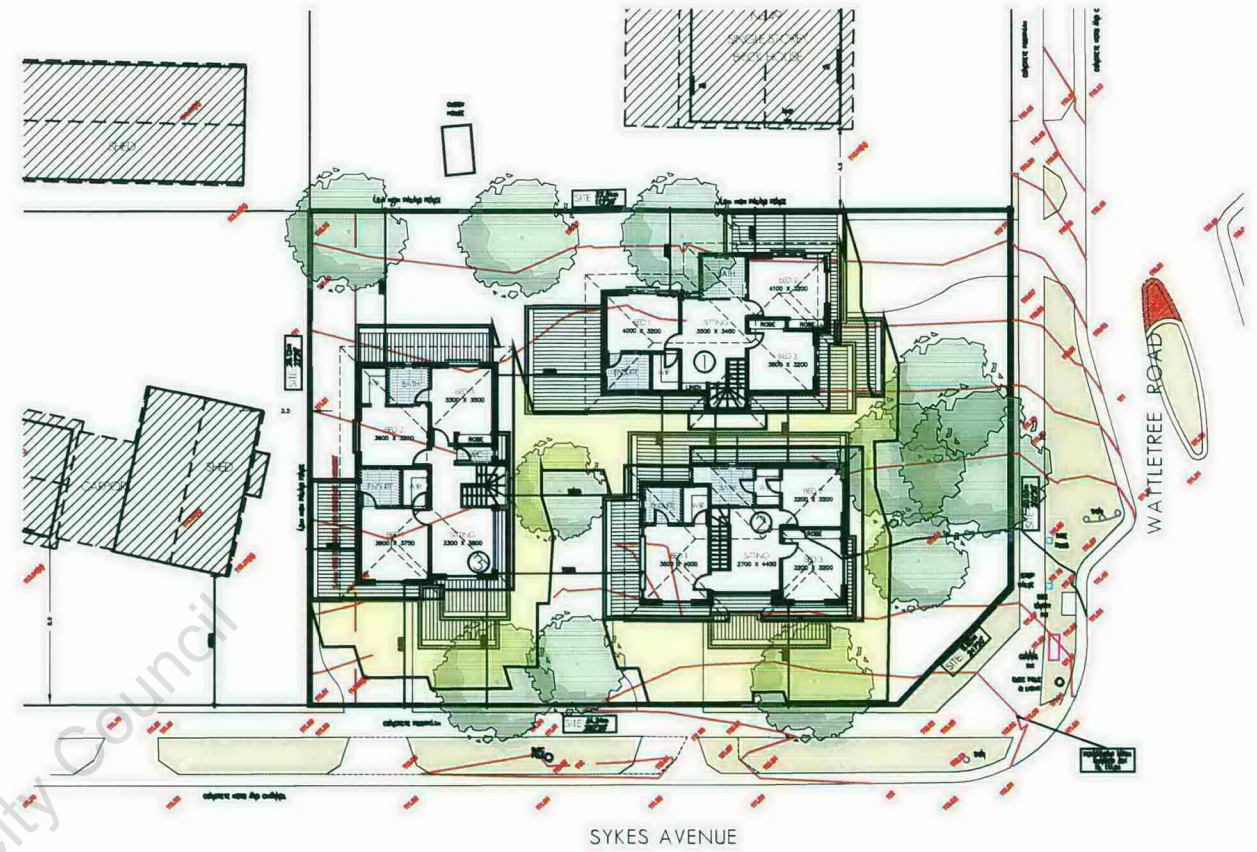


47 WATTLETREE RD FERNTREE GULLY APPENDIX B





SHADOW ANALYSIS - 9AM



SHADOW ANALYSIS - 12 NOON



SHADOW ANALYSIS - 3PM

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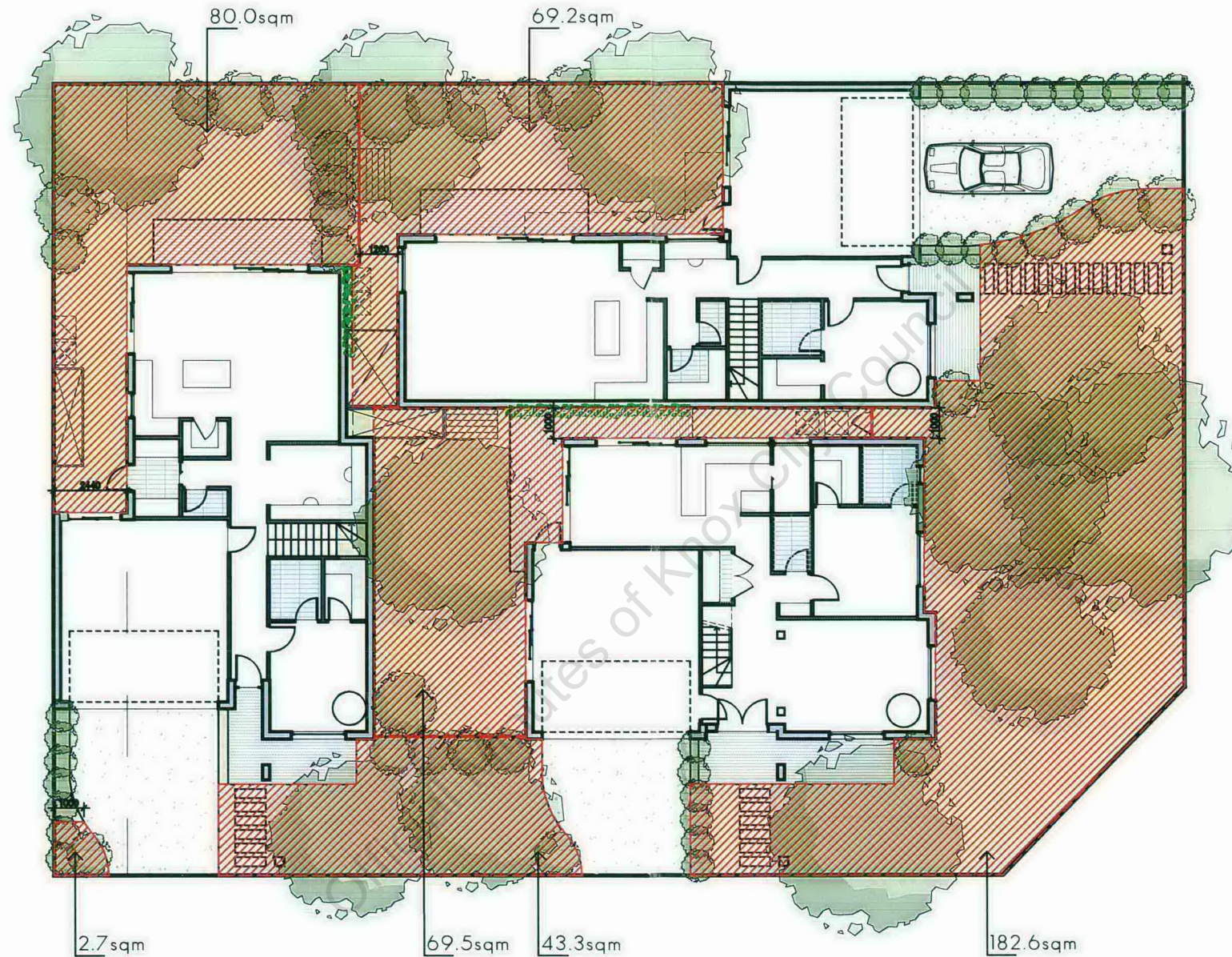


GARDEN AREA ANALYSIS

DEFINITION UNDER CLAUSE 72
KNOX CITY PLANNING SCHEME:

- AN UNCOVERED OUTDOOR AREA OF A DWELLING OR RESIDENTIAL BUILDING NORMALLY ASSOCIATED WITH A GARDEN.
- IT INCLUDES OPEN ENTERTAINING AREAS, DECKS, LAWNS, GARDEN BEDS, SWIMMING POOLS, TENNIS COURTS AND THE LIKE.
- IT DOES NOT INCLUDE A DRIVEWAY, ANY AREA SET ASIDE FOR CAR PARKING, ANY BUILDING OR ROOFED AREA AND ANY AREA THAT HAS A DIMENSION OF LESS THAN 1 METRE.

TOTAL GARDEN AREA:
447.3M (46.9%)



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GROUND FLOOR PLAN

SCALE 1:100



ALL WARDS**6.4 NEW FEES LEGISLATED IN THE DOMESTIC ANIMALS ACT 1994**

SUMMARY: *Manager – City Safety and Health (Steven Dickson)*

Amendments to the Domestic Animals Act 1994 allows dog and cat foster carers to register with Council and which provides them with reduced rates of dog and cat registration for animals in their care. The changes also require reduced fees to be introduced to accommodate these legislative amendments within the 2016/2017 financial year.

RECOMMENDATION

That Council adopts the following fees under the provisions of the Domestic Animals Act 1994 and amends the current 2017/18 fees and charges:

1. A Foster Carer permit fee of \$50.
2. A registration fee of \$7.00 for a dog in the care of a registered foster carer.
3. A registration fee of \$4.00 for a cat in the care of a registered foster carer.

1. INTRODUCTION

On 15 December 2017 the Victorian Parliament passed the *Domestic Animals Amendment (Puppy Farm and Pet Shops) Act 2017*. This Act introduced amendments to the *Domestic Animals Act 1994* (DAA) and now allows foster carers to register with Council. Those that register as a Foster Carer with Council are entitled to reduced rates of dog and cat registration for animals in their care. As a result, new fees must be introduced into Council Fees and Charges for 2017/2018 financial year for the reduced animal registration fees and a fee for a Foster Carer permit. These Act amendments and fees will come into effect on 10 April 2018.

2. DISCUSSION

The DAA defines foster care as the care of stray, abandoned or unwanted dogs or cats that is temporary or for the purpose of finding a new home for that animal. Foster care can only be provided for up to 5 dogs (or animal adult equivalent dogs, i.e. female dog with puppies), or 5 cats (or animal adult equivalent cats i.e. female with kittens); or a combination of 5 dogs and cats (or animal adult equivalent dogs and cats) at any given time. This is in addition to any pets that the foster carer may own.

6.4 New fees legislated in the Domestic Animals Act 1994 (cont'd)

Under current Victorian law, there is no requirement for foster carers to register with Council, however all animals over three months of age are required to be registered, even if the animal is only with a foster carer temporarily (full registration fees are currently \$42 for a desexed animal and \$167 for non-desexed animal).

Amendments to the DAA will allow a person who provides or intends to provide foster care for animals to apply to Council for a foster carer registration permit. This is an annual registration and remains in force until 10 April of the following year. Registration will be voluntary, however those registered with Council will be able to:

- Receive reduced registration fees for each dog or cat they foster for the first 12 months that animal is in their care;
- Supply pet shops with cats and dogs, should they wish to do so.

Legislation states that the reduced animal registration fee for a dog or cat in foster care is not to be more than twice the levy amount required to be paid by the Council to the State Treasurer. Currently the fee payable to the Treasurer is \$2.00 per cat and \$3.50 per dog, so it is proposed that Council registration for this category of animals would be \$4.00 and \$7.00 respectively. After the first 12 months the registration fee reverts to the normal (\$44 or \$22 concession card holder) animal registration fees charged by Council. The cost of these registration fees does not cover the cost of administering this new requirement under the DAA. The full animal registration fee of \$44 would be required to cover the full cost of administering these new registration fees.

In addition to the reduced rates of animal registration, the new amendments will allow Council, by resolution to set a fee for foster carer registration. It is proposed that the fee for this foster carer permit be \$50, which will cover the basic cost of administering the registration, noting the significant community benefits provided by animal foster carers. It should also be noted that in addition to any Foster Carer permit, Council's General Provisions Local Law 2010 will require an excess animal permit when more than 2 dogs or 2 cats are kept on a premise, which attract an application fee of \$133 and permit fee of \$76 in the 2016/2017 financial year.

3. CONSULTATION

These amendments are a legislative requirement under the DAA that Council is required to implement. Council has not undertaken any community consultation on this topic.

4. ENVIRONMENTAL/AMENITY ISSUES

Annually, Council receives many complaints associated with animals kept on residential property, with the most common being nuisance related (e.g. barking). All complaints are investigated by Community Laws to determine if an offence exists and are dealt with under the relevant legislation.

6.4 New fees legislated in the Domestic Animals Act 1994 (cont'd)

A Foster Carer permit would have conditions associated with it to ensure that the carer is compliant with the relevant legislation and Local Laws. This would help in addressing any amenity issues that may be present. Foster carers requiring the Additional Excess Animal permit, may be subject to further conditions. Failure to comply with permit conditions may result in numbers of animals permitted on the property to be reduced, and continual non-compliance could result in the permits being revoked.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The amendments to the DAA will require Council to issue a permit to foster carers. There will be additional administrative work associated with the issuing of the Foster Carer permit and annual renewal notices which will be covered by the proposed \$50 permit fee.

Animals in foster care are transitional and are frequently rehomed and replaced by a new foster animal. There will be an increased administrative burden on Council to maintain the animal registration database as regular updates of the database will be required to be made with each change of animal at a property. This additional administrative burden will not be covered by the maximum fees permitted under the DAA.

The number of expected foster carers who may register with Council is unknown with only five foster carers known to Council at this time.

6. SOCIAL IMPLICATIONS

The proposals contained in this report comply with legislation and support the recent amendments to the DAA. Council support for foster carers of animals is considered to be an important humane activity in caring for lost and non-owned animals, which would be expected to have strong community support.

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

Goal 4 – We are safe and secure

Strategy 4.4 Promote public health, safety and amenity.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Steven Dickson, Manager City Safety and Health) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Paul Anastasi, Coordinator Community Laws) - In providing this advice as the Author, I have no disclosable interests in this report.

6.4 New fees legislated in the Domestic Animals Act 1994 (cont'd)**9. CONCLUSION**

Due to amendments to the *Domestic Animals Act 1994* commencing 10 April 2018, the following fees are required to be introduced:

1. A Foster Carer permit fee of \$50.
2. A registration fee of \$7.00 for a dog in the care of a registered foster carer (\$3.50 of this fee is payable to the State Treasurer). This is the maximum fee allowable under legislation.
3. A registration fee of \$4.00 for a cat in the care of a registered foster carer (\$2.00 of this fee is payable to the State Treasurer). This is the maximum fee allowable under legislation.

10. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. KEOGH
SECONDED: CR. COOPER

That Council adopts the following fees under the provisions of the *Domestic Animals Act 1994* and amends the current 2017/18 fees and charges:

1. A Foster Carer permit fee of \$50.
2. A registration fee of \$7.00 for a dog in the care of a registered foster carer.
3. A registration fee of \$4.00 for a cat in the care of a registered foster carer.

CARRIED

COUNCILLOR HOLLAND VACATED THE CHAMBER AT 7.56PM DURING DISCUSSION ON ITEM 6.5

COUNCILLOR HOLLAND RETURNED TO THE CHAMBER AT 7.57PM DURING DISCUSSION ON ITEM 6.5 AND PRIOR TO THE VOTE

ALL WARDS

6.5 KNOX RURAL LAND - SUPPORTING WILDLIFE CONSERVATION AND CONNECTIVITY

SUMMARY: *Manager City Futures – Tanya Clark*

This Report provides a progress update on the ‘Protecting Our Rural Land’ project and an overview of the key outcomes of the ‘Knox Wildlife Conservation and Connectivity Report, November 2017’. Council is currently undertaking a strategic review of the City’s peri-urban, green wedge and rural land, the ‘Protecting Our Rural Land’ project (the Project). A key component of the Project is the ‘Knox Wildlife Conservation and Connectivity Report, November 2017’. This study provides a contemporary evidence base supporting wildlife conservation and connectivity across the City.

RECOMMENDATION

That Council:

1. Note progression of the *Protecting Our Rural Land* project from mid 2018.
2. Note the *Knox Wildlife Conservation and Connectivity Report, November 2017* as a contemporary evidence base to inform strategic land use and biodiversity planning, land management and education programs, and planning for future infrastructure.

1. INTRODUCTION

The most significant landscape characteristic of Knox is its appearance as a suburban area set in a larger natural and rural landscape. Rural and green wedge land plays an important role in shaping the overall identity and character of the municipality. Maintaining the unique landscape character, amenity and natural values of these significant landscapes, despite development pressures and managing bushfire risk, is a key issue for Knox.

In 2015/16 Council approved a Business Case to facilitate a strategic planning review of all rural and green wedge zoned land, and all land outside Knox’s Urban Growth Boundary. This was in response to the 2014 Planning Scheme Review project that identified, as one of its top priorities, the need for this work to occur as the planning scheme currently provides no guidance for this land resulting in a major policy gap.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

In 2016, Council's City Futures department commenced the '*Protecting Our Rural Land*' project (the Project). The Project will produce evidence-based strategic direction for rural land in Knox, with the overarching aim to protect and enhance its rural qualities. It will not explore the expansion of urban uses in rural areas.

The project will provide the basis for:

- policy in the Knox Planning Scheme that defines future public and private land uses for rural land, for example: recreation, agriculture, habitat for wildlife, low intensity housing compatible with the sensitive landscape, water corridors etc;
- strengthened policies and controls for development to protect the most sensitive areas;
- actions relating to land management and community education and participation, including revegetation and pest management; and
- informing the location and design of potential future infrastructure such as the Dorset Road extension and Wantirna Health Precinct.

The ***Knox Wildlife Conservation and Connectivity Report, November 2017***, is a critical piece of research that provides Council with evidence-based recommendations to support wildlife movement both within and beyond the rural land precincts.

It is recommended that this Report be adopted by Council to continue to inform the broader Rural Land project, and more specifically, integrated biodiversity planning and immediate actions to strengthen existing wildlife habitats and enhance connectivity.

2. DISCUSSION

2.1 What land forms part of the *Protecting our rural land* Project?

Land subject to the Project is broadly defined as rural land. It is a mix of public and private land both within and outside the Urban Growth Boundary. It includes parts of the heavily vegetated Dandenong Foothills, pastoral landscape of the Lysterfield Valley, and the floodplains and recreational areas of the Dandenong Creek Valley separating Knox from the suburban character of the balance of the eastern suburbs of Melbourne.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

It includes four precincts broadly based on location, landscape characteristics and planning controls. These are (see Appendix A – Precinct Map):

- Precinct 1: The Basin Rural Landscape;
- Precinct 2: Lysterfield Valley and Hills Rural Landscape (sub-precinct 2a: Lysterfield Valley and Hills, sub-precinct 2b: Lysterfield quarries and surrounds);
- Precinct 3: Dandenong Creek Valley;
- Precinct 4: Healesville Freeway Reservation and surrounds.

2.2 What are the key drivers of the Project?

- The need for land use and development policy for rural areas to align with and implement Council's key strategic documents, including the *Knox Community and Council Plan 2017-2021* and Knox Planning Scheme. There is currently a limited evidence base to support contemporary strategic direction for these areas.
- The *Knox Planning Scheme Review 2015* recognised that there is limited or no policy guidance for rural areas in Knox (particularly outside the Urban Growth Boundary) beyond the basic zone provisions and some overlays in selected areas only. This puts Council at risk of poor land use and development outcomes in some of the most sensitive and visible areas in Knox. Such outcomes could fundamentally change the landscape and environmental values of these areas.
- This risk is exacerbated by the State Government implemented zoning reforms across all relevant planning schemes in 2013. The reforms enable more planning permit exemptions, less conditions on Section 1 (no permit required) and Section 2 (permit required) land uses, and less prohibited uses. This means a broader range of uses are either as-of-right or permissible with a permit in the rural suite of zones. Without strong policy, this puts Council at greater risk of development outcomes such as inappropriate subdivision, schools and warehouses that require large landholdings rural areas can provide, and prominent buildings such as sheds and shipping containers that can adversely impact landscape values.
- The need to protect and strengthen habitat areas and connections for wildlife between them is critical for the conservation of biodiversity and the healthy functioning of ecosystems.
- The need to protect and strengthen local and regionally significant waterways for their ability to naturally mitigate flooding events and improve water quality.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

2.3 What is the Project staging and timing?

The Project includes five stages:

1. Scoping (complete);
2. Background Research and Analysis (currently underway);
3. Review Findings and Re-scope;
4. Strategy Development, including community engagement;
5. Implementation and Evaluation.

While stage 2 is currently underway, it is anticipated that stages 3 and 4 will commence in the 2018/19 financial year.

In mid-2016, the project was partly placed on hold to enable other critical priority projects to progress, such as the *Knox Planning Scheme Rewrite* and *Future proofing business land in Knox*. Given that some of these projects are now complete, it is recommended that the Project re-commence early to mid 2018.

2.4 Where does the *Knox Wildlife Conservation and Connectivity Report* fit into the Project?

The Report was commissioned as part of Stage 2: Research and Analysis to identify current fauna movement patterns, gaps in the landscape, and the elements needed to strengthen movement patterns in the future.

Connections between large tracts of habitat is important because they can support larger populations of wildlife species, increasing the likelihood of survival into the future.

Ecology Infrastructure, together with Urban Ecology in Action and EcoAerial, were appointed to:

- review wildlife connectivity across Knox, and in its regional context; and
- collate and analyse written and spatial (mapping) data on the presence of wildlife in Knox.

2.5 What did the Report find and why is it important?

The Report was completed in November 2017 (see Appendix B - *Knox Wildlife Conservation and Connectivity Report, November 2017*).

The Report found:

- Knox overall contains a high diversity of fauna (237 species). Each rural land precinct has a unique group of fauna species. Written and mapped records of wildlife presence of a range of species in Knox are now combined into a single master database to form a comprehensive 'Knox Wildlife Atlas' for the first time.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

- There is pressure to develop rural land precincts. The likely presence of the 'focal species' declines significantly when property sizes are below the 4 hectare threshold. Without the rural land precincts and the habitats they provide, many wildlife species would not exist in Knox. The precincts also provide an important role in Knox as a transition between the Dandenong Ranges to the east and the suburbs to the west. Waterways are particularly critical corridors.
- Using ten 'focal species', the locations and features of the Knox landscape that support their movement were used to make recommendations to protect, connect and enhance these habitats.

The Report makes 18 recommendations in total, grouped as 'high' and 'medium' priority (see pages 90-93 of the Report in Appendix B). The primary consideration of each recommendation is "the long-term impact on the survival of fauna species within the [Knox] area". The recommendations will be further analysed and assessed by Council officers to determine priorities and feasibility. Council will be updated on any recommended changes to existing Council policy, including changes to the Knox Planning Scheme.

A summary of the highest priority recommendations are:

- Develop policies and controls in the Knox Planning Scheme to, for example:
 - create 'protection buffers' around existing areas of native vegetation, particularly creeks and their tributaries, and farm dams;
 - maintain the minimum lot sizes in rural land precincts, and support lot consolidation;
 - protect identified habitat areas in rural land precincts, e.g. locations with multiple overlapping ecological values (such as creeks and sites of biological significance);
 - protect identified areas of habitat connectivity, such as wildlife corridors (e.g. creeks, road reserves) and 'stepping stones' (i.e. isolated patches of vegetation); and
 - apply an ecologically sensitive development approach construction of infrastructure in areas with features of ecological values, such as roads or bridges.
- Maintain the new 'Knox Wildlife Atlas', with opportunities to create an interactive public interface.
- Educating landowners on land management practices that support wildlife habitats, e.g. planting a mix of large trees and understorey vegetation for different species.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

- Reduce the barrier effects of infrastructure such as underground pipes and new roads by, for example, using open culverts or bridges.
- Continue to support and grow the 'Gardens for Wildlife' program, as it provides a valuable opportunity to link people to nature and involve the residential and business community in land stewardship.

The recommendations can inform:

- strategic land use planning and changes to the Knox Planning Scheme as part of the *Protecting our rural land* project;
- strategic biodiversity planning such as identifying opportunities for habitat linkages to support fauna movement in particular utilising creek corridors, bush boulevards and roadside reserves;
- gaps in Council's current policies and practices, and potential future projects;
- land management practices (for example, pest management, given the need to protect vulnerable local wildlife from pest animals);
- future development of Strategic Sites such as the Boral Quarry; and
- development of future infrastructure, such as the Dorset Road extension.

As such, it is recommended that Council adopt the Report to enable its findings to be further considered and where immediately relevant, applied.

3. CONSULTATION

This Report has been prepared jointly between the City Futures and Biodiversity teams.

There has been no community engagement on either the *Protecting our rural land* project or *Knox Wildlife Conservation and Connectivity Report* to date.

If Council supports the recommendation to adopt the *Conservation and Connectivity Report*, its findings benefit local environment groups by providing data and recommendations to guide priority actions for their group to support fauna movement and enhance connectivity.

Consultation on the broader Project will occur as part of Stage 4: Strategy Development. The approach to community engagement will be informed by the findings of Stage 2: Background Research and Analysis, and confirmed as part of Stage 3: Review Findings and Re-scope. Council will be briefed and consulted on the proposed approach before community engagement commences.

Council will be briefed on any proposed changes to existing Council policy, including any proposed changes to the Knox Planning Scheme.

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

4. ENVIRONMENTAL/AMENITY ISSUES

The broader *Protecting our rural land* project and *Knox Wildlife Conservation and Connectivity Report* support the protection of some of Knox's most sensitive areas of environmental and landscape values, and strengthen biodiversity at local and regional scales.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The remaining stages of the broader Project are funded in the 2017-18 Council budget.

The *Knox Wildlife Conservation and Connectivity* study and Report was jointly funded at a cost of \$50,000 by City Futures and Biodiversity within existing operational budgets.

At the 18 December 2017 Council meeting, Council received a report on pest management in Knox, and resolved to consider a business case in regard to the control of foxes and other pest animals as part of the 2018/19 budget process. Implementation of the *Knox Wildlife Conservation and Connectivity Report* supports Council's approach to pest management given the need to protect vulnerable local wildlife from pest animals.

6. SOCIAL IMPLICATIONS

The broader Project is expected to have social benefits by developing policy to protect and strengthen the landscape and environmental values of rural areas in Knox, which are highly valued by residents and visitors.

Recent studies have established direct links between the health of individuals and communities and their contact with nature.

Supporting the local community in their goals to protect and enhance local biodiversity values assists in empowering the community and improves social networks and resilience.

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

The *Protecting Our Rural Land* Project and *Knox Wildlife Conservation and Connectivity Report* will implement Goal 1 of the *Knox Community and Council Plan 2017-2021*: 'We value our natural and built environment' and Strategies 1.1 (Protect and enhance our natural environment) and 1.2 (Create a greener city with more large trees, indigenous flora and fauna).

The Project will also implement Strategy 1.3 (Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure).

The Report will inform the review of the *Knox Revegetation Plan 2012* (Council Initiative 1.2.1).

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Tanya Clark, Manager City Futures - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Claire Anderson – Acting Coordinator City Strategy and Planning - In providing this advice as the Author, I have no disclosable interests in this report.

Nadine Gaskell – Biodiversity Coordinator - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

This Report provides a progress update on the *Protecting our rural land* project. The Project will produce evidence-based strategic direction for rural land in Knox, with the overarching aim to protect and enhance its rural qualities, providing the basis for strengthened policies and controls in the Knox Planning Scheme, and other actions outside the planning system.

A key component of the Project is the *Knox Wildlife Conservation and Connectivity Report, November 2017*, which provides a contemporary evidence base supporting wildlife conservation and connectivity across the City. It is recommended that Council adopt this Report to inform strategic land use and biodiversity planning, land management and education programs, and development of future infrastructure in Knox.

10. CONFIDENTIALITY

There are no confidentiality issues associated with this Report.

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. LOCKWOOD

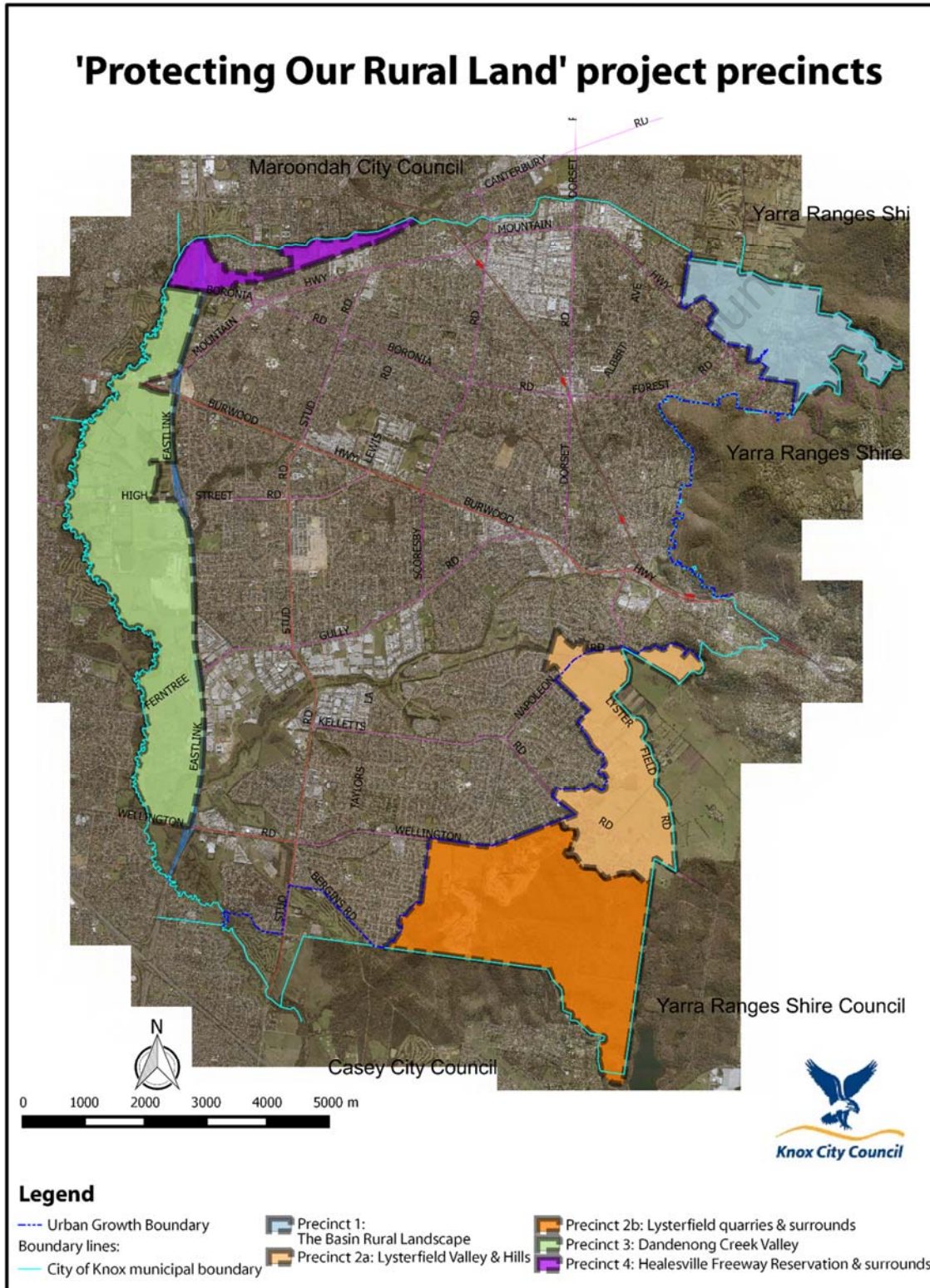
That Council:

1. Note progression of the Protecting Our Rural Land project from mid 2018.
2. Note the *Knox Wildlife Conservation and Connectivity Report, November 2017* as a contemporary evidence base to inform strategic land use and biodiversity planning, land management and education programs, and planning for future infrastructure.

CARRIED

6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

APPENDIX A – Precinct Map



6.5 Knox Rural Land - Supporting Wildlife Conservation and Connectivity (cont'd)

APPENDIX B – *Knox Wildlife Conservation and Connectivity Report, November 2017* is circulated under separate cover.

Official Minutes of Knox City Council

7. PUBLIC QUESTION TIME

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

Question Time commenced at 7.58pm

The following questions were raised with Council:

Question 1	This is a two part question. If the aim of allowing med-high density development in activity centres and main corridors is to curb over-development of our local streets, why is Knox Council still approving dozens of both sub-divisions and unit developments monthly in our already choked local areas and, when will this stop?
Answer	As the questioner was not present in the chamber a written response will be provided.
Question 2	Reduction in car parking from 11 to 1 space.
Answer	The Acting Director – City Development responded that he would provide a written response when he had details of the car parking reduction.
Question 3	Guard rail – repair "Forest Rd" under rail bridge.
Answer	The Director – Engineering & Infrastructure responded that he is familiar with that piece of guard rail and will follow up with operations and construction on the schedule of replacement and repair.

Question Time concluded at 8.02pm

ALL WARDS**8.1 REVIEW OF KNOX PARKING POLICY**

SUMMARY: *Senior Traffic Engineer (Deborah Wilding)*

An updated version of the Knox Parking Policy was presented to Council for consideration and endorsement on 23 October 2017. This followed a six week public consultation period. Council resolved that the policy be deferred to an Issues Briefing meeting for further discussion and possible refinement before being presented to Council for consideration. The policy was considered at the Issues Briefing meeting on 5 February 2018 and is now presented to Council for endorsement.

RECOMMENDATION

That Council

1. endorse the draft Knox Parking Policy as presented in Appendix A;
2. progress implementation of parking management plans in accordance with the policy; and
3. receive a report after the Policy has been in place for two (2) years, to outline the performance of the Policy, in addition to any opportunities for improvements

1. INTRODUCTION

The Knox Parking Policy has been developed in order to better manage the increasing demand for parking throughout the municipality.

The final Knox Parking Policy (Appendix A) includes relevant changes taking into consideration issues raised from the six week public consultation period. Feedback on written comments received from the public consultation process is summarised in Appendix B. The policy was presented to Council at its meeting on 23 October 2017. At this meeting, the Policy was deferred for further discussion to an Issues Briefing on 5 February 2018 and is now presented to Council for endorsement.

2. DISCUSSION**2.1 Background**

Parking demand in Knox continues to increase, especially in activity centres where there is increasing development, retail activity and demand from commuters wishing to park to catch the train.

This creates challenges in providing for the movement of people and goods throughout the municipality while still maintaining a safe and pleasant environment for people to live and work.

The Knox Integrated Transport Plan 2015-2025 identifies the need to 'Develop a Parking Policy that considers parking at activity centres, shopping precincts and other major attractors'.

8.1 Review of Knox Parking Policy (cont'd)

The draft Traffic and Transport Service Plan has also identified parking management as a key activity, with the development of a parking policy for Knox and parking management plans for high parking demand areas as key outcomes for the service.

Managing the parking needs of the community through the use of policy framework will shift Council's focus on the management of parking from being reactive to strategic.

The Knox Parking Policy provides a decision-making framework that assesses parking for a precinct based on two main criteria. The identification of:

- Parking Zones around activity centres based on the proximity to the centre itself and how far people will travel for parking.
- A Parking Hierarchy assigning priority based on safety, access and functional needs.

The Knox Parking Policy will be used to progressively prepare Parking Management Plans for each activity centre over a five year period.

Importantly, further consultation with residents and business owners will occur prior to each plan being developed and presented to Council for consideration and endorsement.

2.2 Development and Consultation on the Knox Parking Policy

In preparing the Knox Parking Policy, parking policies and parking management plans for other municipalities were reviewed and input was provided from Council departments with various responsibilities in relation to parking management.

The Draft Knox Parking Policy was then reviewed by an independent traffic engineering consultant to identify possible gaps and areas for improvement.

Feedback on the Draft Knox Parking Policy was sought at an Issues Briefing on 1 May 2017. Council then considered and endorsed the Draft Knox Parking Policy at its meeting on 24 July 2017.

Once approved by Council, the Draft Knox Parking Policy was made available for public consultation. The public consultation period was extended to six weeks to allow a wider consultation process to occur. The public consultation process included a number of different communication tools in order to gain feedback from a broad variety of stakeholders:

- On-line survey - A total of 382 responses were received to the survey (a copy of the survey is attached as Appendix C).
- Media release - provided general information about the Policy. The Knox Leader wrote articles relating to parking around Wantirna Mall and Upper Ferntree Gully Shopping Centres while at least one community newsletter wrote an article on the Policy.

8.1 Review of Knox Parking Policy (cont'd)

- Flyers – 800 flyers were handed out during four pop-up stalls, to Council libraries, community centres and businesses in key activity centres.
- Email newsletters - Business and community groups received information on the Policy through the KnoxBiz website and the sustainable transport e-newsletter (to primary schools).
- Pop-up stalls - Four pop-up stalls were held at Wantirna Mall, Upper Ferntree Gully, Boronia and Stud Park Shopping Centres. The stalls were manned for a two-hour period at each location with flyers handed out.
- Facebook posts – posts provided during the consultation campaign highlighted the on-line survey and pop-up stalls.

The comments and suggestions received from the surveys, letters and facebook posts were collated into similar type responses. Overall, 132 different comments/ suggestions were identified.

The table in Appendix B summarises these comments and responds on the appropriate path to address the issues raised. Many comments raised related to specific parking restrictions in local streets, which can be addressed at a later stage as part of implementing Parking Management Plans. Other comments relate to transport advocacy, planning scheme issues, Council maintenance, funding and behaviour change programs. The main issues raised and how they may be addressed are shown below in table 1.

Table 1.

Issue Raised	Response to Comment
<p>The impact of multi-unit developments on parking in local streets. Many residents wanted to reduce the number of multi-unit developments or increase on-site parking</p>	<p>The State Planning Scheme regulates the use and development of land including residential zones and the number of parking spaces for developments.</p> <p><i>Implications for the Knox Parking Policy.</i> The Policy is not able to address this issue directly. Strategic advocacy at a whole of local government level may influence this.</p>
<p>Provision of indented parking bays or widening narrow roads</p>	<p>Council has a separate policy for the retrofitting of additional off-street parking on narrow residential streets.</p> <p>Council may consider widening some roads when they are due for reconstruction to provide more on-street parking.</p> <p><i>Implications for the Knox Parking Policy.</i> The Policy only manages available on street parking.</p>

8.1 Review of Knox Parking Policy (cont'd)

Issue Raised	Response to Comment
Enforcement of parking restrictions on a frequent basis	<p>Community Laws manage parking enforcement based on available resources.</p> <p><i>Implications for the Knox Parking Policy.</i> Enforcement is referred to in the Knox Parking Policy (clause 6.3.7).</p>
Keeping streets clear for access	<p>The Knox Parking Policy aims to ensure access for all road users. The policy considers the road hierarchy and width in combination with parking restrictions to provide access.</p> <p><i>Implications for the Knox Parking Policy.</i> Individual parking management plans will consider issues on particular streets.</p>
Provision of more general and accessible parking	<p>Accessible parking is a high priority and included in the Knox Parking Policy. Council aims to meet DDA guidelines, Australian Standards and the building code.</p> <p><i>Implications for the Knox Parking Policy.</i> Individual parking management plans will consider the quantity and placement of accessible parking bays within a precinct.</p>
Allowing parking on nature strips	<p>The Victorian Road Rules do not permit parking on naturestrips.</p> <p>Council may consider widening some roads when they are due for reconstruction to provide more on-street parking.</p> <p><i>Implications for the Knox Parking Policy.</i> The Policy is not able to address this issue.</p>
Not supporting paid parking	<p><i>Implications for the Knox Parking Policy.</i> The Policy mentions new technology and various methods to manage parking, including future consideration of paid parking.</p> <p>There are no immediate plans to trial paid parking. Any implementation of paid parking will require investigation to ensure there are no detrimental effects. Any proposal would have to be raised with Council for approval.</p>

8.1 Review of Knox Parking Policy (cont'd)

The on-line survey revealed that of the residents who responded, the majority live in detached houses, had three or more bedrooms and have at least two cars per household. Responses were received from all suburbs across Knox.

The on-line survey enabled Council officers to:

- Inform the community about parking constraints.
 - These relate to privately owned carparks, naturestrips, schools, hospitals and commuters.
- Establish parking priorities close to shops, schools and hospitals.
 - Differing views prompted a review of the parking hierarchy splitting it into two parts: special needs and general parking restrictions.
- Establish preferred walking distances.
 - The results indicate that the parking zones proposed in the Knox Parking Policy are at suitable distances.
- Seek views on parking restrictions, concerns and locations.
 - The Knox Parking Policy will direct Parking Management Plans for each activity centre and include:
 - The majority of residents in each street to support restrictions in local residential streets before implementing restrictions.
 - Parking provided where possible while ensuring safety and access along local roads.
 - Parking patterns that indicate long-term parking predominately occurs in carparks and private property while short-term parking occurs on street.
- Seek views on public transport use.
 - Although only 28 percent of those surveyed used public transport, 34 percent of those using public transport walked to train stations.
- Seek views on parking associated with development applications.
 - There was minimal support for reducing parking requirements for developments close to other amenities.

2.3 Changes to the Knox Parking Policy

Responses to the survey questions and written responses, including feedback from internal stakeholders have prompted the following changes (shown in italics) to the Knox Parking Policy.

- Review Date: change to – 3 years from the Council meeting endorsing the policy.
- 1: Additional bullet point to reflect the need to support access and movement

8.1 Review of Knox Parking Policy (cont'd)

- 2: Context wording re-written to provide greater clarity
- 4.1 changed to -
Community and Council Plan 2017-2021 – Goal 3 – We can move around easily.
- 5. Accessible Parking -team name reference was changed from Local Laws to *Community Laws*.
- 6.2.1 sentence changed to - Zone A the key activity centres within Knox are identified in *Appendix A*.
- 6.2.1.1 extra point added - *limit restrictions to working hours where feasible.*
- 6.2.1.2 extra wording included in italics - more than 51% support from abutting property owners *in each road segment.*

Extra point added - *limit restrictions to working hours where feasible.*

- 6.2.2 Table 1

The parking hierarchy table was split into two parts -

Part A - Special Needs Parking Bays

Extra wording (in italics) added to -

6	Flexi-Car Parking/ <i>Recharge Station for Electric Cars</i>	Car spaces are needed where motorists can easily find a booked share car <i>or connect and pay for electricity.</i>
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Part B - General Parking Restrictions

- 6.2.3.3 extra wording included in italics -
Zone B – within individual streets *or road segment*, shown to have a high parking demand and supported by more than 51% of affected residents *in the road segment*; and
Zone C - within individual streets *or road segment*, shown to have a high parking demand and supported by more than 51% of affected residents *in the road segment.*
- 6.3.8 Technology
 - wording removed - ~~without the need for additional human resources~~
 - extra point included - *Recharge stations for electric cars*

8.1 Review of Knox Parking Policy (cont'd)

- Extra section included -

7. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

3. CONSULTATION

The development of the Knox Parking Policy was undertaken in consultation with Council officers and feedback was sought from the Executive Management Team and Council. An independent review of the Policy by an established traffic consultant has also been sought.

A public consultation process then included a number of different communication tools: on-line survey, media release, a flyer, email newsletters, pop-up stalls and Facebook posts. Feedback from this process was reviewed and where appropriate included in the Knox Parking Policy.

Future consultation with residents and business owners on individual parking management plans and within individual streets will be provided as required.

4. ENVIRONMENTAL/AMENITY ISSUES

Parking availability affects the quality of life of residents and the operation of businesses. It is therefore important that all parking needs are considered in a fair and equitable manner. This is particularly important given the growing demand for on-street parking within the municipality.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Consultation on the Knox Parking Policy, individual parking management plans and any changes to line marking and signage can be accommodated within existing budgets.

6. SOCIAL IMPLICATIONS

Providing a parking environment encourages safe and equitable access and movement for various users.

8.1 Review of Knox Parking Policy (cont'd)

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

The Knox Parking Policy supports Goal 3 'We can move around easily', Strategy 3.1 'enable improved transport choices supported by integrated and sustainable transport systems and infrastructure'.

The Traffic and Transport service provides local traffic and parking management advice, ensuring the community expectations for road safety and access is met through continuous improvements to the local road network.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Matt Hanrahan, Manager Sustainable Infrastructure – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Deborah Wilding, Senior Traffic Engineer – In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The Knox parking policy will ensure the equitable use of available parking spaces across the municipality and inform the development of parking management plans for activity centres.

The policy represents a shift from the current reactive approach towards managing parking demand through a more strategic and transparent methodology. This represents a new approach for Knox and as such, it is appropriate to review and report back to Council after a period of two years, on the implementation and performance of the Parking Management Plans, incorporating opportunities for improvement.

10. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

8.1 Review of Knox Parking Policy (cont'd)**COUNCIL RESOLUTION****MOVED: CR. LOCKWOOD****SECONDED: CR. KEOGH****That Council:****1. Endorse the draft Knox Parking Policy as presented in Appendix A, with the following amendments:**

- Under Item 1. Purpose – include a further Dot Point – *To inform and educate residents, employees and visitors to activity centres and trip attractors as to Council's approach to managing competing parking demands.*
- Under Item 2. Context – amend Paragraph 3, Sentence 1, to – *This policy has been developed to facilitate the provision of on-street parking and parking in Council owned/controlled car parks and Council controlled car parks (controlled but not owned) using signage, line marking and parking permits.*
- Under Item 5. Definitions, include a further item – *Scheduled Parking Zones. Described as: Parking zones/spaces that may have different parking restrictions in place over the course of the day to meet different competing demands (e.g. early morning loading zones, followed by short stay parking).*
- Under 6.2.1.1 Zone A – Activity Centres, Dot Point 1 – include further sentence – *This is to ensure that priority is given to customers/shoppers to allow for ease of access to businesses.*
- Under 6.2.1.1 Zone A – Activity Centres, after Dot Point 2 – include a further dot point – *To meet different competing demands, Scheduled Parking Zones may be used.*
- Under 6.2.2 Parking Hierarchy, Table 1, Part B: General Parking Restrictions under Priority 5, Comments – include further sentence – *Consideration to be given to access, lighting and perceptions of safety.*
- Under 6.3.1.2 Business, Dot Point 4, include further sentence – *Parking agreements to include the capacity for Council to negotiate with private car park owners in regard to parking restrictions and the types of parking.*

8.1 Review of Knox Parking Policy (cont'd)**Council Resolution (cont'd)**

2. Progress implementation of parking management plans in accordance with the Policy; and
3. Receive a report after the Policy has been in place for two (2) years, to outline the performance of the Policy, in addition to any opportunities for improvements.

CARRIED

Official Minutes of Knox City Council

KNOX POLICY



KNOX PARKING POLICY

Policy Number:		Directorate:	Engineering & Infrastructure
Approval by:		Responsible Officer:	Manager – Sustainable Infrastructure
Approval Date:		Version Number:	1
Review Date:	3 Years from		

1. PURPOSE

The purpose of this policy is to:

- Establish a framework that Council will follow in order to apply parking restrictions, permits and other parking measures.
- Support access and movement for road and parking users.
- Ensure the equitable use of available parking spaces across the municipality.
- Provide safe and accessible parking for residents, employees and visitors to the municipality.
- To inform and support the development of parking management plans.

2. CONTEXT

The look and feel of cities is changing faster today than ever before. Improvements in technology, better use of land, the growth of new communities with new interests and pursuits, changing family structures, and the emergence of new types of businesses have all helped to make cities highly desirable places to live.

As Melbourne continues to grow and change, Knox is presented with challenges and opportunities. The changes in demographic trends and housing growth place pressure on our infrastructure, including the transport system to support Knox becoming a productive and liveable place.

There is continued growth in requests for parking restrictions within the municipality. This is influenced by an increase in the number of multi-unit developments, industrial and business developments, and commuter parking demand around railway stations. A consistent approach is required for managing parking within the municipality to ensure a fair and equitable use of parking resources.

This policy has been developed to facilitate the provision of on-street parking and parking in Council owned/controlled car parks using signage, line marking and parking permits. It aims to prioritise the differing needs of parking user groups while improving parking management within activity centres and the surrounding residential areas.

A consistent approach to parking management in Knox will also encourage compliance with parking restrictions throughout the municipality and assist with parking enforcement as part of Council's Community Laws service.

The policy will complement the 'Retrofitting of Additional On-street Parking Infrastructure on Narrow Residential Streets' Policy.

3. SCOPE

This policy should be referred to by Council when considering requests from residents or business owners to introduce or modify parking restrictions, including parking permits, on streets and Council managed carparks within Knox.

This policy only refers to Council managed streets and carparks.

4. REFERENCES

4.1 **Community & Council Plan 2017-2021**

- Goal 3 – We can move around easily

4.2 **Relevant Legislation**

- Road Safety Act 1986
- Road Safety Road Rules 2009 (Victorian Road Rules)
- Local Government Act 1989
- Knox Planning Scheme
- Disability Discrimination Act 1992

4.3 **Charter of Human Rights**

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 **Related Council Policies**

- Retrofitting of additional on-street parking infrastructure on narrow residential streets policy

4.5 **Related Council Procedures**

- Traffic Engineering Guidelines
- Civil Works Guidelines
- Standard Drawing for Construction of Parking Indents.

4.6 **Related Council Plans**

- Integrated Transport Plan 2015
- Carpark Asset Management Plan 2013
- Road Management Plan 2015
- Liveable Streets Plan 2012-2022

4.7 **Structure Plans**

- A new Plan for Rowville
- Alchester Village Place Program
- Bayswater 2020: Bayswater Activity Centre Structure Plan
- Boronia Structure Plan
- Ferntree Gully Village Place Program
- Knox Central Urban Design Framework
- Mountain Gate Place Program
- The Upper Ferntree Gully Plan

4.8 **Standards and Guidelines**

- Australian Standards AS/NZ 2890 Parking Facilities
- Australian Standards AS/NZ 1742.11 Manual of uniform traffic control devices – parking controls
- Austroads – Guide to Traffic Management Part 11: Parking

5. **DEFINITIONS**

Council	Knox City Council.
Accessible Parking	A car parking space that is accessible for people with a disability who are eligible for a permit. Users of these parking spaces must display a valid parking permit in their vehicle (obtainable as part of Council's Community Laws service).
Bicycle Parking	An area dedicated to safe parking for bicycles at a bike rail or enclosure.
Bus Zone	An area set aside for buses to safely stop at a flagged bus stop or designated rest area.
Taxi Zone	An area designated for taxis to wait for passengers.
Carpooling	Two or more people using the one vehicle to access and park in an area.
Clearway	An area of no stopping along a main traffic route which enables a constant traffic flow at peak times.
Mail Zone	An area set aside for an authorised mail van for the collection or delivery of mail. The road rules do not allow parking within 3 metres of a mail box unless otherwise signed.
Commuter Parking	Parking attributable to anyone who parks their car and then transfers to public transport for their trip. This is often (but not exclusively) associated with train travel.
Flexi-car parking	A car parking space dedicated to a car sharing service designed to reduce car ownership.
'Hockey Stick' line marking	'L' shaped line marking at the beginning and end of an area where parallel parking is permitted
Loading Zone	An area designated for the loading and unloading of

	goods for the servicing of businesses using a registered truck or courier vehicle.
Long term parking	Areas where parking is 5 hours or longer including areas where no restrictions apply.
Medium stay parking	Areas where 3 to 4 hour parking restrictions apply.
No Parking restrictions	A driver of a vehicle is only permitted to stop for up to 2 minutes (to drop off or pick up passengers or goods) and the vehicle cannot be left unattended.
No Stopping restrictions	A driver of a vehicle must not stop on a length of road to which the restriction applies other than to avoid an obstruction or to change direction to reverse into a parking space or driveway (Exemptions apply to authorised vehicles).
Parking Hierarchy	A structure for determining assignment and priority across composite parking needs based on safety, access and functional need.
Parking Management Plan	Development of a precinct based approach to parking within key activity areas, which proposes area wide parking controls to meet and balance key user needs. The Parking Management Plan guides decision making on parking matters.
Parking Zones	Designated precincts within an activity centre, based on proximity to the centre itself which inform the provision of parking solutions.
Permit Holder	A person who holds a parking permit that entitles them to park in a location as specified on their permit (an area, street or accessible parking bay).
Permit Parking	Parking that is restricted to businesses or residents holding a valid parking permit for a given parking area or street. The area or street is designated by signage with the wording 'Permit Holders Excepted'.
Short Stay parking	Areas where parking restrictions are 2 hours or less.
Travel/trip attractor	An activity or place which attracts large numbers of people and car parking such as a shopping centre, hospital, school or train station.
Work Zone	A temporary parking area for construction vehicles to allow for deliveries to construction sites.

6. COUNCIL POLICY

6.1 Introduction

Council will consider changes to parking restrictions in line with the following guidelines while aiming to provide a balance between the competing user needs within a local street or area.

Parking provision within an area will primarily be assessed utilising a decision making framework that is based on two key criteria:

- **Parking zones** - designated precincts within an activity centre, based on proximity to the centre itself which will inform the provision of parking solutions; and
- **Parking hierarchy** - a structure for determining assignment and priority across composite parking needs based on safety, access and functional need.

Having regard to the above two criteria, Council will be in a position to develop Parking Management Plans around activity centres. These Parking Management Plans will provide the basis for decision making by Council relating to future parking restrictions.

6.2 Parking Decisions

6.2.1 Parking Zones

The majority of parking concerns within Knox are focused around a combination of:

- **Activity centres** - where mixed use development demands a balancing of parking needs across key user groups, including retail, commercial, residential, (comprising multiple housing types) visitor and community use; and
- **Trip attractors** - such as schools/health facilities, where peak parking demand generates high demand for parking in areas which typically have limited capacity to support such demands.

In effect, both activity centres and trip attractors each require a balanced approach to meeting user needs.

The designation of parking zones allows Council to prioritise and balance parking provision across key user groups, having regard to the immediate function of the area. Each area around an activity centre or trip attractor will be divided into parking zones:

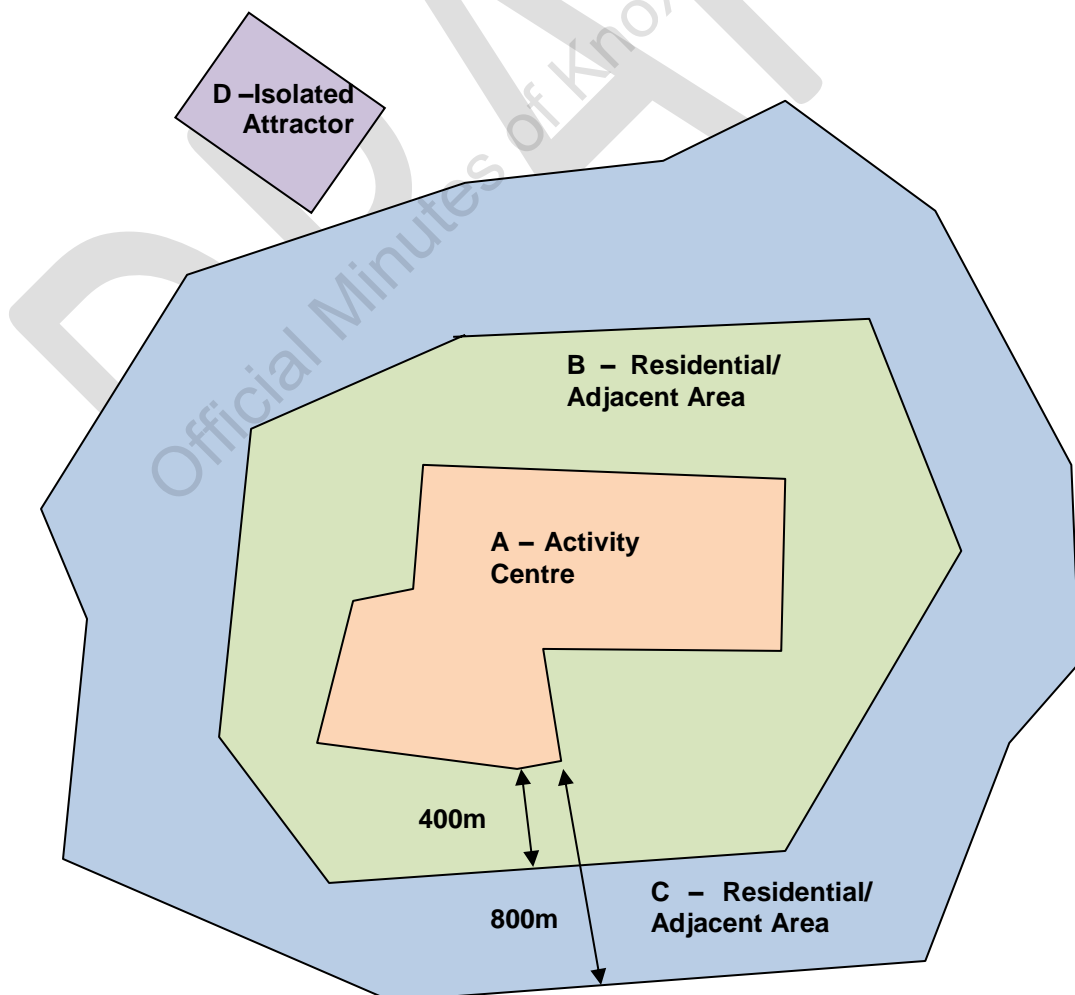
- Zone A represents the area encompassing the activity centre within easy walking distance of parking attractors. The key activity centres within Knox are identified in Appendix A.
- Zones B (typically up to 400m from the activity centre) and Zone C (typically 400m to 800m from the activity centre) represent residential/adjacent areas where parking may be impacted upon by the activity centre and the parking needs of these areas.

- Zone D is an area around an isolated attractor such as a school, sports facility or hospital affected by a high demand for parking.

A combination of parking restrictions will be considered for each zone taking into account:

- parking hierarchy;
- proximity of the street to an activity centre;
- demand for parking;
- street width;
- street function;
- traffic volume;
- capacity; and
- topography.

Diagram 1 – Parking Zones



6.2.1.1 Zone A – Activity Centre

Zone A encompasses an Activity Centre where there is a high demand for parking associated with travel both to and within the area. Parking priority will be in accordance with the Parking Hierarchy shown in Table 1.

In general within Zone A:

- Preference will be given to short stay parking in the immediate vicinity of businesses and services to ensure sufficient parking turnover;
- Access for specialised services such as accessible parking, loading, bus, mail and taxi zones will be provided where appropriate;
- Provision for staff will be considered in Council carparks constructed for the service of the shopping centre if capacity is available;
- Unrestricted parking for staff in off-street Council car parks furthest away from the parking attractor may be provided;
- Businesses will be encouraged to fully utilise their private parking spaces for staff before consideration of any additional staff spaces in public carparks; and
- Residents' vehicles shall predominantly be parked off-street within their properties. On-street parking for exclusive personal use are not supported.
- Limit restrictions to working hours where feasible

6.2.1.2 Zones B & C – Residential/Adjacent Areas

Zones B and C are residential/adjacent areas, approximately 400 metres and 800 metres away from an activity centre (Zone A) where the demand for parking is generally lower than within the activity centre itself. Consequently, longer parking times are allowed in these zones.

In general within Zone B and C:

- Residents' vehicles shall predominantly be parked off-street within their properties. On-street parking for exclusive personal use is not supported (ie the preference is for time based restrictions with permits for residents rather than permits only). Parking will be a mixture of medium to long term parking; and
- Parking restrictions will be considered on a case by case basis only, depending on street conditions, an assessment of competing parking user groups (e.g. business staff vs. residential) and more than 51% support from abutting property owners in each road segment.
- Limit restrictions to working hours where feasible

6.2.1.3 Zone D – Travel attractors outside activity centres

Parking around schools, hospitals, sporting facilities or other large travel attractors outside activity centres require short stay parking restrictions during operating hours to manage congestion and allow drop-off/pick-up of visitors.

In general within Zone D:

- Parking restrictions will be in place at school crossings, in line with the Victorian Road Rules. These restrictions are in place to ensure good sight lines when school crossings are operational.
- Parking restrictions during school start and finish times may be considered to support access to nearby residential properties and to reduce congestion around schools.
- Schools will be encouraged to provide accessible parking bays for school/parent use within the school carpark. If this is not feasible, on-street bays may be considered where the Australian Standards can be met and funding is available.
- Staff parking for schools should predominantly be provided within the school grounds. Any additional on-street staff parking requirements should have minimal impact on residents.
- Hospitals, child care facilities and other similar travel attractors are encouraged to provide staff and customer parking needs within their site and minimise on-street parking. Parking restrictions may be considered around these travel attractors to reduce the impact of customer, visitor and staff parking on residential areas and to ensure parking is still available for residents.
- Sports facilities may require temporary parking restrictions in local streets during sports finals to manage congestion and facilitate traffic flows.

6.2.2 Parking Hierarchy

The management and prioritisation of all new and reviewed parking restrictions and changes will be considered in line with the following parking hierarchy (Table 1). Although the types of parking have been prioritised, there may be some situations where a parking user has a higher priority.

Table 1 – Parking Hierarchy

Part A: Special Needs Parking Bays

Priority	Type of Parking	Comments	Applicable Parking Zones
Highest 1	Accessible Parking <ul style="list-style-type: none"> • Accessible Permits 	Accessible parking bays are required in carparks to provide access to facilities for people with disabilities.	A,D
2	Bicycle Parking	Safe bicycle parking is important in supporting and promoting active transport in the municipality.	A,D
3	Bus Zones	Stopping areas for buses and access to bus stops is important to support public transport in the municipality.	A,B,C,D
4	Taxi Zones	Access to taxi services near trip attractors supports residents with limited mobility, no access to a motor vehicle or who are unable to drive.	A,D
5	Mail Zones	Mail zones are used to reinforce parking restrictions near a mail box or permit general parking outside mail collection times.	A,D
6	Flexi-Car Parking/ Recharge station for Electric Cars	Car spaces are needed where motorists can easily find a booked share car or connect and pay for electricity.	A,B,C,D
7	Work Zones	Work zones are temporary parking areas used to ensure access to a work site for deliveries where parking is limited.	A,B,C,D
8	Loading Zones	Local businesses require parking for deliveries where no off-street loading facilities are available.	A,D
9	Car pooling	Staff carpooling within employee parking areas is encouraged over single occupant vehicles to reduce car use.	A,D
Lowest 10	Motorcycle Parking	Specific parking for motorcycles can be provided where small spaces are available within carparks.	A,D

Part B: General Parking Restrictions

Priority	Type of Parking	Comments	Applicable Parking Zones
Highest 1	No Stopping/No Parking Areas or Clearways	These areas are a high priority to address safety issues, regulatory requirements or ensure access.	A,B,C,D
2	Short Stay Parking <ul style="list-style-type: none"> local school parking visitor customer 	Short stay parking is needed to create a high parking turnover: <ul style="list-style-type: none"> near schools for drop off areas near facilities for visitors or shoppers 	A,B,D
3	Local Resident Parking <ul style="list-style-type: none"> Time based Residential Permits 	Providing local residents and their visitors with parking within a reasonable distance of their homes.	B,C
4	Medium Stay Parking <ul style="list-style-type: none"> visitor customer 	Medium stay parking for customers or visitors has a lower priority as parking for longer periods impedes parking turnover.	B,C
5	Long Stay Parking <ul style="list-style-type: none"> Staff Business Permits 	Local employees have a lower priority as this impedes parking turnover for customers. Long stay parking may be provided further away from travel attractors.	A,B,C,D
Lowest 6	Unrestricted Parking <ul style="list-style-type: none"> Commuter Other all day parking 	Unrestricted parking is provided in carparks (for businesses or commuters) or in streets where there is a lower parking impact and demand furthest away from travel attractors.	A,B,C,D

6.2.3 Parking Management Plans

A Parking Management Plan is a local precinct plan, which provides a strategic direction for Council in assigning parking within the area.

Activity centres have a high demand for parking and the provision of parking management plans for the area around them will reduce the impact of parking while balancing the needs of all users.

Parking Management Plans are not the same as a 'Parking Overlay', which is a tool available to include in the Planning Scheme.

6.2.3.1 Parking Management Plans for Activity Areas

Council will progressively prepare parking management plans for areas around activity centres which will include consultation with local stakeholders. Priority is given to areas with the greatest level of change. A list of the activity centres in Knox and the draft program for undertaking the parking management plan in the next 5 years is shown in Appendix A.

6.2.3.2 Endorsement

On an annual basis, Parking Management Plans will be presented to Council for consideration and endorsement.

6.2.3.3 Implementation of Parking Management Plans

The implementation of Parking Management Plans will be undertaken as a staged process as parking demand increases in the various zones. Parking restrictions will be implemented as follows:

- Zone A – upon approval by Council of a Parking Management Plan;
- Zone B – within individual streets or road segment, shown to have a high parking demand and supported by more than 51% of affected residents in the road segment; and
- Zone C – within individual streets or road segment, shown to have a high parking demand and supported by more than 51% of affected residents in the road segment.

6.3 Specific Parking Requirements

6.3.1 Parking Permit Schemes

6.3.1.1 Residential

- Parking permit schemes will not be implemented to create exclusive parking for residents alone ie 'permit only' zones.
- Parking permit schemes may be implemented in combination with short/medium term parking restrictions where there is capacity in a street.
- Following implementation of a residential parking permit scheme in a street:
 - A maximum of 2 permits will be allocated for a single house within a property. A charge applies for a subsequent permit (as determined in the Council budget).
 - 1 permit per unit will be allocated up to a maximum of 4 units within a property. A charge applies for a subsequent permit (as determined in the Council budget).
 - No permits will be allocated for multi-unit developments over 5 units as on-site visitor parking is required as part of the Knox Planning Scheme.

- Parking permits will not be allocated where the provision for private residential parking (i.e. a garage) is being used for other purposes (i.e. storage).
- Permit holders will not be guaranteed a parking space and use of these spaces will be on a first come first served basis.
- Permits will be reviewed annually.

6.3.1.2 Business

- After a review of the business properties, street and carpark conditions, an assessment of competing parking user groups (e.g. business staff vs. residential) permits may be allocated within a designated area if capacity allows.
- A charge applies to all business permits (as determined in the Council budget).
- Permit holders will not be guaranteed a parking space and use of these spaces will be on a first come first served basis.
- Parking agreements with Council will be considered in private carparks where signage complies with the Australian Standards and a formal agreement is signed in line with the requirements of Council's Community Laws service.
- Permits will be reviewed annually.

6.3.1.3 Accessible/Disabled

- Where possible, existing on-street and off-street accessible parking bays will be progressively upgraded to be in accordance with DDA guidelines, Australian Standards and the building code.
- In circumstances where it can be demonstrated that existing accessible parking bays are consistently experiencing over 85% occupancy rates, a new bay will be considered in the vicinity if feasible.
- New accessible parking bays will be supported where warranted, provided they can be installed in accordance with the relevant Australian Standards. A business case may need to be prepared to seek Council funding.
- Accessible parking bays will not be provided for permanent exclusive or private use.

6.3.1.4 Developer Contribution Plans

Developer contribution plans may be considered where parking is limited and additional parking is required. Any development contribution plan will depend on available land for parking and Council's determination of properties benefitting from the parking area.

6.3.1.5 Zone Restrictions

Work zones

- Work zones may be considered along the length of the property frontage for deliveries by construction vehicles where time based parking restrictions would normally apply.
- Work zones will not be provided where there are 'no stopping' restrictions and traffic management would be more appropriate.
- Work zones will generally operate during the working hours of 7am-5pm and be available outside these hours for general parking.
- When a work zone permit application is approved by Council's Traffic and Transport and Asset Preservation teams, the installation and removal of work zone signage and the reinstatement of all previous signage will be paid for by the developer/contractor.

Bus zones

- A Bus zone may be dedicated to buses at all times or during specified times. In the case of bus zones that are time based, other vehicles may use the area outside of the restricted time.
- Bus zones will only be marked with signs where other restrictions apply along a length of street in line with the road rules, 20 metres before and 10 metres after a bus stop flag, or to reinforce a bus stop in areas of high parking demand.

Loading zones

- Loading zones are time restricted to 30 minutes per loading/unloading activity. A shorter 15 minute time period will be considered where demand for loading/unloading facilities and turnover is higher.
- On-street loading zones will depend on the type of businesses and the localised demand for loading/unloading. Loading zones will only be considered in locations where road safety is not adversely impacted for any road users including workers carrying out deliveries.
- At least one on-street loading zone per 2000m² of retail space within a shopping centre will be provided where no on-site loading spaces can be accommodated.
- Businesses will be encouraged to undertake loading/unloading activities at the rear of business premises.

Taxi zones

Taxi zones may be provided in areas where there is a high demand for taxis and requests are received from residents and/or the Victorian Taxi Association.

Mail zones

Mail zones may be installed, where there are existing mail boxes within a section of road, when requested by Australia Post.

Waste collection

Council may impose parking restrictions on waste collection days on a case by case basis to allow for safe and accessible waste collection and through access for general traffic.

6.3.2 Fee-based Parking

6.3.3.1 General

Council may consider imposing fee-based parking where the parking demand is deemed to be unsustainable or to encourage higher turnover.

6.3.4 Road Space for Parking and Access

6.3.4.1 Lane widths

The minimum road width required for through traffic lanes and space for parking are as follows:

- Through lanes = 3 metres
- Space for parking = 2.1 metres

6.3.4.2 Road widths

In order to allow for parking on streets, the following minimum road widths (between face of kerbs) are required to meet the number of through lanes and space for parking in a street (indented parking bays are not included):

- Through only < 5.1 metres
- 1 Through lane + parking on 1 side = 5.1 metres
- 1 Through lane + parking on both sides = 7.2 metres
- 2 Through lanes + parking on 1 side = 8.1 metres
- 2 Through lanes + parking on both sides = 10.2 metres

6.3.4.3 Road Hierarchy

Each public road has been classified by the type of function the road performs and is listed as a road hierarchy classification in Council's Road Management Plan.

6.3.4.4 Parking Users

Where there are competing parking demands, priority will generally be given to those higher on the parking hierarchy (Table 1).

6.3.4.5 Parking Restriction Combinations

Parking restriction combinations within parking zones will depend on the local demand for parking, the proximity to an activity centre, parking users, road width and function of the street. The aim is to ensure a fair and equitable balance of parking between all competing user groups to ensure maximum utilisation of the available parking resource:

6.3.5 Signage

Parking signage will be installed in accordance with the Australian Standards to ensure it is easily understood by all users and is consistent and enforceable.

6.3.6 Line marking

Solid centrelines may be used to reinforce no-stopping restrictions or provide a guide to motorists as to where parking is not permitted.

Parking lanes may be used on roads with a width of 10.2 metres or wider to clearly define the on-street parking separate from the through traffic lanes.

'Hockey stick' line marking may be used in areas of high parking demand to define the clearance between parked vehicles and crossovers.

Parallel parking bays may be used where there is a need to formalise the on-street parking and/or define parking spaces clear of crossovers. Parking bays must be marked in accordance with the Australian Standards.

A yellow edge line may be used to restrict parking where signage is unsuitable.

6.3.7 Enforcement

Enforcement of the Victorian Road Rules related to parking restrictions is undertaken by Council's Community Laws service or the Victorian Police.

Residents, business owners and other customers can phone Council to report issues or log an online request of overstaying or illegal parking behaviour.

6.3.8 Technology

Technology can improve the efficiency and processing of parking fines, assessment of parking occupancy rates and mass surveillance of parked vehicles. It may also be used to inform any future decisions around the introduction of fees or revised restrictions in a particular locality. New parking technology will meet increased business and community demand for improved access to parking availability.

Council may trial or implement technology, as appropriate, to meet business or community parking demand. This may include:

- Electronic parking payment transactions
- In-ground parking sensors

- Automatic Number Plate Recognition (with GPS tag)
- Dash Cam (in vehicle parking violation photography)
- Other parking technologies as available and appropriate in meeting parking needs within the municipality
- Recharge stations for electric cars

7. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

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PARKING POLICY APPENDIX A

Year 1

- Ferntree Gully Village Centre
- Wantirna Mall/ Wantirna Health Precinct
- Upper Ferntree Gully Neighbourhood Activity Centre/Angliss Hospital
- Boronia Major Activity Centre

Year 2

- Bayswater Major Activity Centre
- Knox Central Principal Activity Centre

Year 3

- Rowville (Stud Park) Major Activity Centre
- Mountain Gate Neighbourhood Activity Centre
- The Basin Neighbourhood Activity Centre

Year 4

- Alchester Village Neighbourhood Activity Centre
- Studfield Neighbourhood Activity Centre
- Scoresby Village Neighbourhood Activity Centre

Year 5

- Knoxfield Shopping Centre
- Wellington Village Shopping Centre
- Knox Gate Shopping Centre
- Gateway Shopping Village
- Rowville Lakes Shopping Centre

This appendix has been designated by the CEO as confidential information under section 77(2)(c) of the Local Government Act 1989. This document has been declared confidential in accordance with Section 89(2)(h) of the Local Government Act due to any other matter which the Council or special committee considers would prejudice the Council or any person.

Section 77 Confidential Information and 76BA General Councillor conduct principles apply to all information and documents produced by Knox City Council.

Knox Parking Survey							APPENDIX B		
Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Public Transport									
Improve public transport (including efficiency, reliability, connections between services and bus services in local areas)	6			X					
Not enough public transport in Knox to rely on in place of cars.	5			X					
Create shuttle bus service (to stations and multi-purpose carparks)	3			X					
Encourage more use of public transport	2			X			X		
Prioritise public transport and pedestrians	1	X							
People with medical conditions have difficulty finding parking near public transport	1							X	May be able to apply for a temporary/permanent disability permit.
Create Rowville Rail	1			X					
Bicycles									
Increase secure bicycle parking (at trains, libraries, hospitals and shopping centres)	4		X	X		X			
Create more bike paths	1					X			
Improve footpaths and bike paths	1					X			
Encourage Council staff to ride bikes to work	1						X		
Bike lanes are good but do not reduce the number of parking spaces in an area	1		X			X			
Pedestrians						X			
Create footpaths through carparks	1					X			
Pedestrians crossing the street is difficult with so much parking	1		X					X	Main routes reviewed.
Do not want to walk to shops	1							X	Personal comment
Accessible parking									
More accessible car parking spaces (including shopping centres, hospitals, libraries, major bus stops and train stations)	10	X	X						
Review location of accessible parking bays	2		X						
Parking time limits should be double for people with disabilities	1							X	Part of parking regulations

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Hospitals									
Reduce parking costs at Hospitals	4			X					
Lobby government to remove pay parking at hospitals	1			X					
Discourage Hospital staff and visitors using shopping centre car parks	1		X				X		
Provide a day permit for customers/visitors with special medical needs	1			X				X	Requires agreement by hospitals to approve a permit in their carparks
Increase the short stay parking for a longer distance (1- 2 km) around a hospital	1		X						
Schools									
Create drop off zone outside schools	3		X						
Create one-way area around schools	2		X						
Allow parking near schools at pick up times	2		X						
Install restrictions during school times	1		X						
30 minutes parking in adjacent street during school times, 2 hour parking outside school times	1		X						
Pick up/drop off zone within school grounds	1			X				X	Requires discussion with individual schools
Walk to school area from nearby parks	1						X		Requires discussion with individual schools

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Business									
Businesses to provide enough parking for staff (including schools and hospitals)	4			X	X			X	Requirements set in the Planning Scheme
It is unsafe/inconvenient for staff to walk long distances to staff/all day parking areas	2							X	Public parking for staff provided where possible. Unable to cater for all needs.
Encourage businesses to share car parking areas out of hours	1			X				X	Requires discussion with individual businesses
Discourage business staff and customers parking in residential streets	1		X				X		
Home businesses create parking issues	1		X		X	X			
Parking near train stations									
Allow all day parking in streets around train stations during the working hours	1		X					X	In conflict with other responses
No on-street parking near train stations	1		X					X	In conflict with other responses
Encourage residents to offer parking in properties for train commuters	1							X	Decision by individual residents
Share rides to the train station	1						X	X	Decision by individual residents
Place taxi zones and bus zones on railway land	1			X					

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Parking - general comments									
Create indent parking bays	22							X	Refer to Council's Retrofitting of Additional Off-street Parking on Narrow Residential Streets
Provide more parking (including at hospitals, shops, parks and train stations)	18			X		X		X	Limited on-street parking. Additional off-street carparks depend on other stakeholders
Allow cars to park on naturestrips	13							X	This is in conflict with the road rules
Do not introduce pay parking	12					X			
Parking on-street/both sides (makes street unsafe, property access and visibility difficult)	14		X						
Keep street clear for two way traffic flow	10	X	X						
Streets too narrow for parking	10					X			
Keep roads clear for emergency, delivery and service vehicles	7	X	X						
Ban parking on one side of street	7		X						
Install parking restrictions with permits for residents	5		X						
Widen narrow roads	4					X			
Increase parking times (for lunch, movies, hairdresser, library)	4		X						
Only allow parking where it is safe	3	X	X						
Encourage all residents to park within property	3			X			X	X	Decision by individual residents
Create angle parking (for drop off zone, accessible bays and more parking outside schools)	2					X		X	May not be sufficient road width

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Too many residents parking on street at night time	2		X					X	Personal comment
Line mark parking bays clear of driveways	2		X						
Implement short stay parking during working hours (include mornings on weekends) in residential streets to ensure visitor parking	2	X	X						
Do not allow parking on main roads	2		X					X	In conflict with other responses
Need on-street parking on main roads	1		X					X	In conflict with other responses
Parking on even numbers side one day, odd numbers on another day	1		X					X	Difficult to manage parking. Constant parking changes
Provide some longer term parking instead of having empty short term parking bays	1		X					X	In conflict with other responses
Implement more short term parking	1		X					X	In conflict with other responses
Stop residents/visitors from one street parking in another street	1							X	Public roads are not for exclusive parking. Time based restrictions create a turnover of parking in high demand areas
Allow on-street parking for visitors	1	X	X						
2 hour parking limits in activity centres (zone A) and adjacent residential area (zone B)	1	X	X						
A maximum 4 hour parking in streets 800m from activity centres	1	X	X						
Support short stay parking in shopping centres and unrestricted parking in residential streets	1	X	X						
Parking restrictions are annoying for residents	1							X	Personal comment
Parking on nature strips causes damage	1					X		X	Already part of parking regulations
Parking only permitted in designated bays or marked zones	1		X						

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Everyone has the right to park as long as necessary. Do not fine people for overstaying limits	1							X	Personal comment. Unable to cater for all needs
Provide parking for seniors	1							X	Unable to differentiate seniors vehicles from other vehicles other than if an accessible permit is provided
Parking signage needs to be clearer	1					X			part of routine maintenance/reviewed when requested
Not all houses have a parking space outside their property	1							X	Agreed. On-street parking is public parking to be shared
Allow residents to park outside their houses	1							X	In conflict with other responses. Unable to cater for all needs
Carparks									
Widen car spaces in shopping centres	3	X				X		X	Decision made by owner. Council carparks to meet Australian Standards where feasible
Construct multi storey carpark for commuters with no cost or minimum cost	2			X		X		X	Decision made by owner. Council carparks to meet Australian Standards where feasible
Use air space above carparks (for rain collection or solar energy). This also provides shade for cars	1			X		X		X	Decision made by owner
Use electronic technology advising where empty car parking spaces are available	1			X		X		X	Decision made by owner

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Create carparks on unused or underutilised land	1			X		X		X	Decision made by owner
Residents are parking reserve car parks	1							X	Personal comment. Unable to restrict
Tall vehicles obstruct visibility	1								Personal comment. Unable to restrict
Enforcement									
More frequent parking enforcement required (including around schools, football finals, accessible parking bays and illegal parking such as on nature strips, footpaths, across driveways, alongside solid centrelines, not leaving 3m clearance for through traffic and double parking in court bowls)	23					X			
More patrols by parking officers after hours and on weekends	7					X			
Conduct community media campaign about parking (advise community of road rules, not restricting traffic flow, allowing adequate visibility, no parking close to intersections, no naturestrip parking, no parking over driveways, encourage parking close to kerb)	4					X	X		
No parking fines (only revenue raising) around sports grounds	1							X	In conflict with other responses. Unable to cater for all needs
Parking for Developments									
Multi-unit developments to provide adequate on-site parking (including for residents and visitors)	25				X				
Require all developments to provide a minimum 2 car spaces per unit/house	23			X	X				
Reduce the number of multi-unit developments	24			X	X				
Do not allow parking dispensation for unit developments	9				X	X			

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Developments should provide one car space per bedroom (include off-street visitor parking)	4			X	X				
Developments with 3+ bedrooms should provide more parking (at least 3 car spaces)	4			X	X				
Review current parking conditions, restrictions and street width before approving new developments	3			X	X	X			
All apartments to have at least 1 car parking space	2			X	X				
Require developers to create/pay for indented parking bays	2				X	X			
Allow parking dispensation only if there is public transport, shopping AND medical facilities available nearby	1				X	X			
Development is too centralised	1			X	X				
Only allow 2 dwellings per property	1			X	X	X			
Require developments to have parking underground or on roof top	1					X			
Developments to have separate entry and exits	1				X	X			
Developments to comply with Council regulations not State regulations	1			X	X				
Development should not rely on on-street parking	1				X	X			
Construct driveways long enough for visitor parking	1				X	X			
Planning Scheme									
Lobby the State Government to increase the number of parking spaces required per unit	5			X					
Work with State Government authorities to address parking concerns	2			X					
Planning for parking should include a review of demographics (elderly, young families, similar challenges/issues, community lifestyle)	3		X						
Limit the number of planning scheme changes	1				X				
Challenge VCAT parking reports	1				X	X			

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Miscellaneous									
Knox is car dependent. Car usage is not reducing while development increases	3			X			X	X	Personal comment. Advocate for more public transport
Improve street lighting (including public parking areas)	2							X	Infill lighting and improved lighting is continually investigated
Balance all user groups (pedestrians, cyclists, public transport and drivers)	1	X							
Look at better using on-street space (bike lanes, traffic management, pedestrian friendly areas - such as Bayswater)	1	X							
Do not allow sporting clubs to use facilities which do not have suitable parking (such as overflow parking in residential areas)	1					X	X		
People will always choose to park where they will incur the least cost (fees, time and convenience)	1							X	Personal comment
Traffic movement to have priority over parking	1	X							
Walking and cycling are leisure activities and should not take precedence over work and business	1							X	Personal comment. All trips include some form of walking
Create incentives to change parking habits	1						X		
Apply extra registration fee for car owners with more than one car	1			X					
Create overpass through Boronia Shopping Centre for Dorset Rd	1			X		X			
Limit changes to time restrictions	1	X	X						
Remove speed humps (causes pain for aging population)	1					X			
Review the policy requirement for 51% support for long roads -(ie. Parking restrictions for residents experiencing parking concerns should be separate from the rest of the street)	1	X							
Use CCTV to capture accidents and crimes	1			X		X	X		
Council ignores community	1							X	Personal comment

Written Comments on Parking in Knox	Number of similar comments	Included in Parking Policy	Consider in Traffic Management Plan	For advocacy consideration	Consider in Planning Scheme requirements	Council (maintenance, funding)	Behaviour change issue	Other	Response to comment
Comments on survey									
How many responses were received	2							X	383 survey responses
How did we come up with questions	1							X	Questions from within traffic team based on main criteria and areas where change is possible
What other consultation/steps in process was done	1							X	Refer to Council reports
Survey should have included questions on parking costs and space to comment on parking regulations	1							X	noted
Policy should include reference to Community and Council Plan 2017-2021	1	X							
Survey not related to residential concerns	1							X	Survey relates to whole municipality including residential areas
How will those not on Facebook be contacted	1							X	Response sent. Refer to Council report
TOTAL	423								

This appendix has been designated by the CEO as confidential information under section 77(2)(c) of the Local Government Act 1989. This document has been declared confidential in accordance with Section 89(2)(h) of the Local Government Act due to any other matter which the Council or special committee considers would prejudice the Council or any person.

Section 77 Confidential Information and 76BA General Councillor conduct principles apply to all information and documents produced by Knox City Council.

We would appreciate your input to help Council ensure that there is an appropriate balance for car parking within the area. The survey will take about 10 minutes to complete. (*denotes required field)

1. Where do you live?

Street Name

Suburb*

2. *What type of home do you live in?

Detached House

Townhouse/Unit

Apartment/Flat

3. *How many Bedrooms are there in your home? _____

4. *How many cars do you have in your household? _____

Parking Priority

5. *Who should be able to park closest to SHOPS? (Rank 1 – 6 where 1 is the closest)

<input type="text"/>	People with disabilities
<input type="text"/>	People on a longer/major shopping trip
<input type="text"/>	People parking all day
<input type="text"/>	People on a short shopping trip
<input type="text"/>	Taxis
<input type="text"/>	Public Transport Services

6. Did you know that many shopping centres have private off-street carparks NOT owned or managed by Council?

Yes

No

7. *Who should be able to park closest to a SCHOOL at pick-up/drop off time? (Rank 1-5 where 1 is closest)

<input type="text"/>	Parents picking up or dropping off students
<input type="text"/>	Public transport services
<input type="text"/>	Residents
<input type="text"/>	Teachers
<input type="text"/>	People with disabilities

8. Did you know that State Government schools are NOT required to provide parking for staff under the planning scheme?

Yes

No

9. *Who should be able to park closest to a HOSPITAL? (Rank 1-7 where 1 is the closest)

<input type="text"/>	People with disabilities
<input type="text"/>	Public transport services
<input type="text"/>	Taxis
<input type="text"/>	Visitors
<input type="text"/>	Patients
<input type="text"/>	Hospital staff
<input type="text"/>	Residents

10. Did you know that Public hospitals are NOT legally required to provide car parking on site for all staff?

- Yes No

Walking Distances

11. *If you are driving to the following locations, how long are you willing to walk from your parked car? (Tick)

	N/A	2min	5min	10min	20min
Train Station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shopping Centre	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hospital	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visiting a friend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Did you know that Council is NOT responsible for providing commuter parking but does try to accommodate additional parking where possible?

- Yes No

Parking Restrictions, Concerns and Locations

Parking restrictions are intended to improve safety and access along a road, whilst allowing a range of people to park closer to their destination.

13. *What is your view on the following statements?

	Strongly disagree	Disagree	Neutral	Agree	Strongly Disagree	N/A
Parking concerns should be reviewed as a local precinct rather than by individual streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sometimes it is necessary to remove parking to improve walking, cycling an public transport facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. *What are your MAIN parking concerns at the following locations? (Tick one per row)

	No parking concerns	Poor visibility	Not enough parking	Overstaying time limits	Restricting 2 way flow	Blocking access to property	Illegal Parking	N/A
Shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business/Industrial Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hospital	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks/Recreational Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Train Station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. Did you know that parking on nature strips is ILLEGAL under the Victoria Road Safety Road Rules 2017?

- Yes No

16. *When you visit the following places, where do you usually park?

	Local Street	Carpark	Inside a residential property	N/A
Shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visiting a friend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hospital	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Train Station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Transport Users

17. *Did you use the train, bus or tram in the last week? If not, skip to question 20.

- Yes No

18. What public transport did you use? (Tick all that apply)

- Train Bus Tram

19. How did you get to the train, bus or tram?

- Walking Cycling Car as Driver Car as Passenger Taxi/Uber
 Other: _____

Parking Requirements for Development Applications

Council receives development applications which sometimes seek to have less car parking spaces than required under Council's planning rules.

20. *Should Council reduce parking requirements if the development is...

	Yes	No
Close to public transport	<input type="checkbox"/>	<input type="checkbox"/>
Close to a shopping centre	<input type="checkbox"/>	<input type="checkbox"/>
If suitable alternate (on-street) parking is available	<input type="checkbox"/>	<input type="checkbox"/>

21. Did you know that the number of parking space for a private development are set by the State Government?

- Yes No

22. Do you have any further suggestions on how Council can manage parking in the municipality?

Thanks you for your time and assistance.

ALL WARDS**8.2 COUNCIL'S MASTER PLANS**

SUMMARY: *Coordinator - Open Space and Landscape Design –
Andrea Szymanski*

This report has been prepared in response to a Council resolution from the Ordinary Council Meeting 22 September 2015, requesting 'that a status report (for Open Space & Activity Centre Streetscape Master Plans) be updated and reported to Council on an annual basis to assist Council with the Budget development process'.

This report focuses on Master Plans for Council's Open Space and notes Activity Centre Streetscapes.

RECOMMENDATION

That Council notes the current status report for Council's Master Plans for Open Space and Activity Centre Streetscapes.

1. INTRODUCTION

This report incorporates a requirement from Council (Ordinary Council Meeting of 28 July 2015) for the status report to include:

1. *Endorsed Master Plans, including;*
 - *when endorsed by Council;*
 - *the estimated percentage completed;*
 - *stages completed where applicable;*
 - *stages currently funded (within current financial year);*
 - *stages to be completed where applicable, including the major components (e.g. car parking, pavilion, play facilities etc) and the anticipated funding sources;*
 - *current capital works ranking; and*
2. *Master Plans currently under development (within current financial year).*

2. DISCUSSION

Council generally prepares master plans as part of the annual Capital Works Program.

Master plans are intended to:

- reflect community aspiration for a particular location;
- address, where practicable, issues and concerns that may be present in a specific location;

8.2 Council's Master Plans (cont'd)

- bring together competing and complementary opportunities to improve the public open space and landscape amenity, for the benefit of the community and stakeholders;
- guide future investment, in a way that ensures improvements undertaken in the short-term are not likely to prohibit long-term improvement opportunities; and
- demonstrate a clear and concise intent for a site.

Master plans are prepared for a variety of Council assets or locations including:

- open space;
- activity centres; and
- buildings.

For the purposes of this report, only master plans that pertain to open space and activity centres have been included.

The development of master plans for open space is guided by the criteria in the Knox Open Space Plan 2012-2022 and considered annually, during the capital works budgeting process.

In the case of activity centres, employment precincts, industrial precincts or other commercial services areas, upgrades (therefore requiring a master plan) are identified as a result of broader overarching and holistic strategic planning exercises such as structure planning.

Structure plans detail all the social, economic and environmental improvements that need to happen in a place. Physical improvements which subsequently require master plans advance part of a structure plan's objectives.

Ranking for upgrades in activity centres is determined by the application of Place Program 'ranking criteria'. The ranking criteria is confirmed annually by Council for application through the capital works budgeting process.

2.1 Master Plans for Open Space

Generally, master plans for open space include a range of improvement opportunities and asset renewal projects, which may include but not limited to:

- new paths;
- new furniture;
- improved play spaces;
- improved sports pavilions and change rooms;
- improved car parking;
- unstructured recreation elements such as, half court basketball courts and hit-up walls;
- fitness equipment;
- picnic and recreation facilities;

8.2 Council's Master Plans (cont'd)

- Crime Prevention Through Environmental Design (CEPTED) principles;
- stormwater retention opportunities;
- biodiversity enhancement, and
- sports facilities such as, cricket nets, lighting and oval fencing.

Also, existing open space may need to accommodate users that are not traditionally associated as open space users, such as the seniors groups, child care centres and kindergartens. Their facilities present different issues and associated challenges that may or may not be able to be addressed via the master planning process.

However, the master planning process is designed to identify issues for further consideration.

2.2 Activity Centre Master Plans

Activity centre master plans are generally streetscape plans, intended to improve the customer/community experience in a nominated activity centre.

Locations are generally local retail centres but may include employment precincts, industrial precincts or other commercial services areas.

Activity centre master plans are usually prepared after the development of a structure plan for an activity centre. For example, the Ferntree Gully Street scape Master Plan was prepared in conjunction with the Ferntree Gully Structure Plan.

The recent service review which recommended the cessation of the Place Program, has resulted in the transfer of the master planning process for Activity Centre Streetscapes to the Open Space and Landscape Design Team within Community Infrastructure.

2.3 Existing and Proposed Master Plans

Council has endorsed twenty (20) Master Plans for Open Space between 2008 and 2017/18.

Nine (9) of these Master Plans are substantially complete with approximately 75% of works completed.

Eleven (11) endorsed Open Space Master Plans are currently in staged delivery and a further eleven (11) are currently in development or scheduled for development in the 2018/19 financial year.

A list of all Council Master Plans for Open Space and Activity Centres is attached at Appendix A.

8.2 Council's Master Plans (cont'd)

This list includes:

- the location of the master plan;
- the year endorsed by Council, or planned to be endorsed by Council;
- the estimated percentage of the master plan that has been implemented;
- the major components implemented;
- components that are budgeted for implementation;
- components that are yet to be budgeted for implementation; and
- the capital works ranking of the master plan.

2.4 Master Plan Implementation/Funding – Open Space

Once a master plan has been adopted by Council, it is referred to Council's Capital Works Program (CWP).

On occasion, funds are provisionally referred to the CWP ahead of Council adoption, to enable implementation to begin upon formal adoption.

The majority of funding for open space master plans is allocated from Council's Open Space Reserve – Unstructured Recreation Program, with the majority of works staged over several years.

In addition to Open Space Reserve funding, master plan implementation often includes expenditure on renewing existing assets, eg. footpaths, play spaces, furniture, pavements or other items eligible for Council's renewal programs such as planting and drainage improvements.

Funding for specific sports facilities such as, pavilions, sports lighting, fencing, etc., is guided by the Leisure, Minor Capital Works Grant Scheme Policy 2017.

Where a master plan proposes an improvement or change to sports facilities it may take considerable time for implementation given the requirement for co-funding from the sporting group involved along with State and or Federal funding, where possible, for implementation of associated capital costs.

Funding for other items such as, carparks has generally been considered as low priority, unless the existing location is an impediment to other improvements which will benefit a significant number of community members.

It is of note, when a master plan is prepared and adopted by Council, it may not be fully implemented. This is because Council is not always the funding body for all components of the master plan and all proposed works are considered against other master plan projects. Over time, priorities may also change in conjunction with emerging and changing needs.

Also, cost escalation of civil and landscape works, when implemented over several of years, may result in higher costs to complete the adopted master plan than originally estimated.

8.2 Council's Master Plans (cont'd)

Consequently, the lower priority items of a masterplan, when considered at later stages of implementation, may seem expensive and of lesser priority than the high priority items in a recent master plan.

However, a Council endorsed master plan essentially provides a clear community and Council vision for the reserve, helps in staging priority works and assists in seeking external funding opportunities.

2.5 Master Plan Implementation/Funding – Activity Centres

Once structure plans have been endorsed by Council a master plan would usually follow.

Funding for this program is largely via rate revenue but other funding sources may include State and Federal government grants, e.g. Mountain Gate Shopping Centre.

Activity Centre Streetscape Master Plans also ensure that asset renewal capital programs are able to be utilised to the better effect.

It is noted however that Council has indicated that it will moving away from the funding of streetscape works in activity centres.

2.6 Master Plan Outcomes

Council generally receives positive feedback from the community as master plans are implemented.

In many instances, changes in the way communities use the local park or shopping strip is in evidence immediately, as people use the new footpaths, street furniture and facilities.

For example, a survey conducted post the implementation of Stage one (1) of the Ferntree Gully Streetscape Master Plan indicated that:

- almost 90% of respondents thought the new street trees and garden beds had improved the look and feel of the village;
- 95% of respondents thought that the new, wider footpaths have made it easier to get around;
- 90% or respondents like the new pedestrian crossing, making it safer and easier to cross station street; and
- over 60% of respondents thought that the performance of Ferntree Gully Village had improved.

8.2 Council's Master Plans (cont'd)

2.7 Other Major Projects in Reserves

On occasion, projects are proposed to be delivered in reserves that are not guided by a master plan.

Council's operational processes ensure that, on these occasions, works are considered in light of any future potential.

For example, a new playing field was designed and implemented for Colchester Reserve in Boronia.

While there was no master plan for this Reserve, Council has consulted and collaborated to ensure that footpaths, existing stormwater treatments and future revegetation works were not compromised by the design of the new playing field.

2.8 Local Reserves Planning

There are many smaller local reserves which are not of sufficient land size or use, to be considered for a master plan.

However, where there is a playground located in a reserve it may be subject to a plan prepared under the Playground Renewal Program, which is consistent with the Knox Play Space Plan.

Between 2013 and 2017, Council has renewed thirty-seven (37) play spaces as part of the Playground Renewal Program.

As part of the development of these playgrounds, the local community is consulted to gain an understanding of local aspirations for the reserve as a family play space. This informs the playground design and associated infrastructure, e.g. natural play spaces, furniture, paths, planting and signage.

2.9 Summary

Council has taken an approach that ensures that areas of identified need are considered for master planned improvements, via its capital works ranking process.

Other areas are considered in a master planning sense, to align with asset renewal principles.

Adopting a master planning approach to open space and activity centre streetscape improvements ensures that investment in new and renewed infrastructure is aligned and optimised in a holistic manner and meets with community aspirations.

8.2 Council's Master Plans (cont'd)

Master plans should take into account the level of service that Council provides for each reserve. The development of a master plan considers the initial implementation cost of new and renewed assets/infrastructure in the short and long term. Design and selection of materials affects ongoing maintenance costs, which are considered to ensure that works delivered are able to be maintained to a standard considered acceptable by the community.

3. CONSULTATION

Master plans are developed with community, Council and other external government agency input.

The various strategic plans that guide the prioritisation of master plans are also subject to community consultation.

In addition, the annual capital budgetary process, which lists the financial requirements for the nominated projects, is subject to community review and comment.

4. ENVIRONMENTAL/AMENITY ISSUES

The development of master plans to guide capital investment in locations across the municipality ensures that all opportunities are considered in order to maximise environmental, social and economic potential.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Several Capital Works Sub-Programs contribute to the implementation of master plans including:

- New and Upgrade Capital Program – incorporating the Unstructured Recreation Program and the Structured Sporting Reserves Program; and
- Asset Renewal Capital Works Programs, including Playgrounds, Drainage, Park Assets and Facilities (buildings).

Currently, works to sporting pavilions are not eligible for funding from Council's Open Space Reserve by resolution of Council at its meeting of 23 February 2010.

It is planned that Council receive a briefing in regard to the application of the Open Space Reserve. It is noted that the use of funds sourced through open space contributions by developers is informed by the Subdivision Act. Following a briefing, it is the intent that any specific Policy requirements identified by Council in the use and application of Open Space Reserve Funding will be reflected in Councils 'United Funding Allocation Policy'.

8.2 Council's Master Plans (cont'd)

The value of works to be completed in endorsed Open Space Master Plans is in the order of \$10-15 million. This excludes;

- works that are budgeted for in the 2018/2019 year;
- building works, and co-funded club specific facilities; and
- the value of works for master plans that are currently being developed.

The balance of funds in Council's Open Space Reserve, as at the end of January 2018, is \$13 million.

The value of works funded for reserve master plans over the past ten (10) years is estimated to be in the order of \$16.5 million.

Activity Centre Streetscape Master Plans were previously funded through the Place Program, various asset renewal programs and external grants.

The value of works that have been completed in Activity Centre Streetscapes Master Plans to date is in the order of \$7 million.

As a part of Council's budget process, ranking criteria are presented to Council for consideration and endorsement.

The endorsed ranking criteria then forms the basis of ranking and prioritising the new and upgrade projects for the coming financial year.

6. SOCIAL IMPLICATIONS

Well considered master plans provide greater social cohesion, generated through the community engagement processes, in the development of master plans and an immediate improvement in social amenity, by their implementation.

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

The provision of good public open space is an essential requirement of a healthy community and is reflected in the Knox Community and Council Plan 2017-2021 as:

Goal 1 – We value our natural and built environment.

Strategy 1.1 – Protect and enhance our natural environment.

Goal 4 – We are safe and secure.

Strategy 4.3 – Maintain and manage the safety of the natural and built environment

Goal 6 – We are healthy, happy and well

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

8.2 Council's Master Plans (cont'd)

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (David Yeouart, Manager Community Infrastructure) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Andrea Szymanski, Coordinator Open Space and Landscape Design) – In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

Council's practice has been to spread master plan implementation projects across the municipality, rather than concentrating funds on one or two reserves.

Given the number of master plans that are not complete or pending and the additional costs being experienced in delivering the various stages of work, Council may wish to consider reducing the spread of master plans, with a view to their local completion.

This will ensure that the community consultation undertaken during the development of the master plan remains current and approved works are fully completed within a reasonable timeframe say, 2 - 3 years.

Since the adoption of the Knox Open Space Plan, Council continues to make significant advances in improving its open space network, in the areas of most need.

10. CONFIDENTIALITY

There are no confidential issues with this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. PEARCE

That Council notes the current status report for Council's Master Plans for Open Space and Activity Centre Streetscapes.

CARRIED

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed or in progress	Works programmed for 2018/19	Works yet to be funded
Bayswater						
Marie Wallace Park	2015		75%	Performance stage, viewing lawn, picnic facilities, toilet block, concrete walls and play space, decommissioning of power lines and road widening completed. Dog park investigation in progress. Water park feasibility in progress.	Bridge design and construction. Bike training area, natural play and additional BBQ and picnic facilities area have been documented and budgeted for delivery 2018/19, subject to budget approval.	Reserve signage, spectators viewing area, gym equipment stations to be funded in future years. Potential water play park, potential dog park and potential art work to large concrete walls yet to be approved/funded.
Boronia						
Boronia Renewal Project & Boronia Park Master Plan		2018		Renewal Project in progress	Background summary report and Key directions report. Commence Boronia Park Masterplan.	
Chandler Reserve	2003 & 2014		90%	Play space, picnic and BBQ facilities and social activity area completed. Netball courts resurfaced with new lighting.		Tree and garden planting and final path connection budgeted for delivery in 2019/20, subject to budget approval.
Tormore Reserve	2015		25%	Paths connections, furniture, carpark modifications and new cricket nets completed.	Additional path connections and lighting budgeted for delivery 2018/19, subject to budget approval.	Play space upgrade, picnic shelter, viewing terraces, active space.
Ferntree Gully						
CSR Quarry Reserve	2009 & revised 2015		90%	Quarry Road surfacing, carparking, all ability path connection to waters edge, terraces and boardwalk completed. Landslip monitoring continues. Engineering consultants (GHD) have been engaged to provide Council with engineering investigation and concept designs for potential water egress and access, fishing pontoon, viewing lookout from Lady Talbot Drive, signage and fencing. Water tests have been commissioned. These tasks were identified in the recent Environmental and Risk Management Plan (ERMP).	Weed eradication and revegetation works budgeted for 2018/19, subject to budget approval.	Play space, BBQ and picnic facilities with drinking fountain, additional paths, seating, planting and additional infrastructure as identified in the ERMP are works yet to be funded.
Dobson Street Reserve	2015		95%	New retarding basin, renewal of play space and associated infrastructure currently under construction and to be completed by March 2018. Tree and garden bed planting to be delivered in the subsequent Autumn months.		

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed or in progress	Works programmed for 2018/19	Works yet to be funded
Fairpark Reserve	2015		25%	Toilet block, social space including BBQ and picnic facilities completed. Currently liaising with Melbourne Water with a view to daylighting Blind Creek from Manuka Drive to Scoresby Road.	Play space renewal budgeted for delivery in 2018/19, subject to budget approval.	Widening of Blind Creek Trail, daylighting Blind Creek, AFL football goal netting, carpark improvements, signage, potential oval expansion, path networks link, planting and other landscape amenity items.
Ferntree Gully Village Square		n/a		On-hold following Council land purchase at Station Street.		
Mountain Gate Shopping Centre Reserve	2016		20%	Path upgrade and new social space seating to be completed by June 2018.	Lighting to be installed in 2018/19, subject to budget approval.	
Pickett's Reserve	2016		80%	Gravel carpark expansion, sealing of existing carpark, path connections and removal of existing play space completed. Play space renewal to be completed by June 2018.		Potential installation of football nets - subject to relocation of gym. Circuit path and entry signage to be delivered in future budgets.
Tim Neville Arboretum – Management Plan	2007		85%	Playground, boardwalk, carpark, paths, picnic facilities, planting, furniture, war memorial, lake reconstruction. Lake shelter design currently in progress to be delivered by June 2018.	Feature tree planting and various feature gardens. Centenary of Armistice Commemorative Path Works - subject to successful grant submission with Dept. Veterans Affairs (DVA).	Amphitheatre refurbishment.
Knox Regional Netball Centre		2018		Feasibility Investigation into Netball facilities and subsequent Masterplan in progress.		
H V Jones Reserve		2018		Draft Masterplan being prepared by consultants.		
Knoxfield						
Carrington Park Reserve	2016		15%	Seats programmed to be installed around circuit path. Building feasibility and investigations progressing.		Future reserve works subject to outcomes of facility revision feasibility and investigations.
Gilbert Park	2009	2018		Skate park constructed. Carpark renewed as part of capital renewal program. Design for pavilion completed. Revised Master plan currently in progress.		Key issues behind the pavilion not progressing was a lack of required club funding (as per the Sporting Club Contributions Policy) and hesitation from Baseball Victoria to invest into the regional site (as they are three or four other options in the South/East region). Note, Pavilions are not funded from Open Space Reserve.
RD Egan Lee Reserve		2018		Draft Master plan being prepared by consultants.		

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed or in progress	Works programmed for 2018/19	Works yet to be funded
Lysterfield						
Lakesfield Reserve		2018/2019			Lakesfield Reserve Landscape Concept Plan scheduled for development in 2018/19.	
Major Crescent Reserve		2018/2019			Major Crescent Reserve Landscape Concept Plan scheduled for development in 2018/19.	
Rowville						
Stud Park Reserve	2016		20%	Path connections between Fulham Rd and Simon Avenue completed.	Upgrade existing netball/basketball courts, picnic shelter, active outdoor recreation facilities, reserve fencing and gym equipment budgeted for documentation and delivery in 2018/19, subject to budget approval. Public Toilets to be installed.	Path links, signage, open lawn area, sports lighting (sports lighting not funded from Open Space Reserve) general landscape amenity, to be funded in future stages.
Arcadia Reserve	2015		80%	Paths and Stage 1 of the play space renewed in 2016. Stage 2 of play space, 1/2 basketball court, planting and furniture to be delivered by June 2018.	Stage 2 of play space, 1/2 basketball court, planting and furniture to be delivered by June 2018.	Additional paths, tree planting and skateable elements to be funded in future stages.
Row Reserve	2015		100%	Playground renewed in 2016. Paths, gym equipment and basketball court, planting installed in 2017.		
Peregrine Reserve		2018		Draft Masterplan currently on public exhibition (Feb 2018)		
Scoresby						
Benedikt Reserve	2014		70%	New paths, furniture, relocated carpark new play space including nature play elements completed.	New tennis court, half court basketball and hit up wall proposed for delivery in 2018 as part of 2017/18 capital works budget.	Picnic shelter, path link and tree planting to be funded in future stages.
Scoresby Reserve	2015		20%	Stage 1 carparking improvements completed. New tennis courts and additional new car parking area proposed for delivery in 2017/18.	Detail design for social space to be completed in 2018/2019.	Toilet block, open lawn area, exercise equipment, new paths and pedestrian lighting, to be funded in future stages.
Scoresby Village	2015		0%		Detail design for village landscape amenity to be completed in 2018/2019.	Renovate/extend exiting toilet block. New play space and landscape amenity budgeted for delivery in 2019/20.

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed or in progress	Works programmed for 2018/19	Works yet to be funded
The Basin						
Upper Ferntree Gully						
Talaskia Reserve	2016		20%	Stage 1 works recently tendered (approx. \$140K over budget). Scope of works to be reviewed and retender with the aim to deliver Stage 1 by June 2018.		Picnic facilities, accessible paths, nature play area and sensory walk, junior and adventure play spaces, tree planting and landscape amenity improvements, to be funded in future stages.
Upper Ferntree Gully Streetscape	On hold - Not yet endorsed.		0%		Potential works in Activity Centres are subject to further Council direction.	Integrate UFTG Station with the town centre, streetscape improvements to Burwood Highway and prominent corners in the town centre, improve pedestrian movement and create opportunities for play and experiential amenities.
Wantirna						
Templeton Reserve	2016		75%	Stage 1 works including accessibility paths, improved connection to the pavilion and social space to be completed. Playground renewal schedule for delivery by June 2018.	Circuit path budgeted for delivery in 2018/19 subject to budget approval.	Picnic shelter and BBQ facilities, drinking fountain, multi activity area, gym equipment, path links and connections, terraced spectator seating, open lawn areas, carpark improvements, lighting, tree planting to be funded in future stages.
Wantirna Reserve		2018		Draft Master plan being prepared by consultants.		
Schultz Reserve		2018/2019			Masterplan scheduled for development in 2018/19.	
Wantirna South						
David Cooper Park (Former Jenola Parade Reserve)	2008		75%	Path works, BBQ facilities, picnic tables and picnic shelter, 1/2 basketball court, memorial seat, tree planting WSUD rain garden works completed.		Feature art entry sculpture, playground upgrade, exercise stations, landscape amenity improvements, feature tree and additional planting to be delivered with future funding
Llewellyn Park	1998 & updated 2015		15%	Stage 1 path works completed.	Revegetation works planned for delivery in 2018.	Dog park, picnic facilities, playground, furniture, carpark improvements to be funded in future stages.

	Year endorsed by Council	Year expected to be endorsed by Council	Est. % Implemented	Works completed or in progress	Works programmed for 2018/19	Works yet to be funded
Lewis Park		2018		Draft Master plan being prepared by consultants.		Master plan to consider and align with Knox Central, Knox Community Gardens and Vineyard, Melbourne Water daylighting of Blind Creek, future development of the DEPI land, future Westfield developments, etc.

Official Minutes of Knox City Council

ALL WARDS**9.1 ANNUAL REPORT – EARLY YEARS ADVISORY COMMITTEE*****SUMMARY: Manager – Family and Children’s Services (Janine Brown)***

The Early Years Advisory Committee’s (EYAC) current Terms of Reference (TOR) requires an annual report to Council to advise of the topics and key themes discussed by the Committee in the preceding year. This report provides the annual report of EYAC activities and achievements for 2017.

RECOMMENDATION

That Council notes the report on the activities of the Early Years Advisory Committee between January 2017 and December 2017.

1. INTRODUCTION

Since the commencement of the EYAC, Council’s Municipal Early Years Plan (MEYP) has provided the strategic framework for the work of the Committee. The MEYP expired at the end of 2015. Many of the key objectives of the MEYP continue to be relevant in the context of the lives of children and families in the Knox Community. Council has recently refreshed its strategic objectives for the Knox community and the current Knox Community and Council Plan continues to include the needs of children and families as an important focus.

In addition, Council has approved the Key Life Stages Plan 2017-2021 that brings together Council’s previous MEYP, Youth Strategic and Active Ageing Plans. This Plan focuses on the key life stages of early childhood, youth and older age and recognises that intervention during these key life stages has the greatest benefit for individuals, families and the community and will continue to build on the work initiated through the MEYP.

Recently Council finalised a review of all of Council’s Advisory Committees. The EYAC will continue to meet as a committee on a bi-monthly basis, as per the Terms of Reference. The newly established Life Stages Group will now encompass the Early Years Advisory Committee, Youth Advisory Committee and the Active Ageing Advisory Committee. This group is proposed to meet together to consider common themes and issues on a six monthly basis. Further, larger groups of Committees including the Life Stages, Sustainable Development, Inclusive, Active and Creative Communities and the Grants Evaluation Advisory Committees will meet on an annual basis.

9.1 Annual Report – Early Years Advisory Committee (cont'd)

2. DISCUSSION

The current EYAC TOR outline the Committee's key focus, which include to:

1. Provide advice and recommendations on the implementation of the early years key objectives of the Key Life Stages Implementation plan as incorporated in the Knox Community and Council Plan 2017-2021;
 - a) The advice and recommendations in relation to these plans include:
 - Agreed priorities;
 - The outcomes and achievements of the Knox Community and Council plan's early years objectives; and
 - Effective communication and consultation strategies to facilitate engagement with the community and other key stakeholders on development and implementation of the Knox Community and Council plan's early year's objectives.
2. Provide advice to Council on emerging issues affecting families and children and the related services within the Knox community;
3. Identify emerging key research, policy and legislative issues that might impact on the implementation of the Key Life Stages Implementation Plan 2017-2021;
4. Consider advice and information made available through other Council advisory and community consultation processes related to families and children, local early years services and early years issues; and
5. Provide council with an annual report on the key discussions topics and achievements of the EYAC.

2.1 EYAC Topics and Key Themes for 2017

The Committee discussed and agreed to a Work Plan for 2017. The key topics proposed for the Work Plan emerged from a combination of upcoming policy changes for the early years in Victoria, issues identified through the Council and Community Plan and experiences and observations of the life of children and families in the Knox community as reported by individual Committee members. Key themes included:

- Access and participation - the right support at the right time for multicultural families,
- Community Capacity Building - grandparents as carers,
- Middle Childhood -the level of support for parents for this age group,
- Social/Emotional Development and Children's Mental Health,
- Family Violence- outcomes of key Government enquiries and initiatives,
- Community Capacity Building / Community Connection Points,
- Investment in the Early Years, and
- NDIS System for Young Children and their Families.

9.1 Annual Report – Early Years Advisory Committee (cont'd)

Due to time constraints, timing and availability of presenters, not all topics in the agreed Work Plan were explored in 2017. The Committee will consider topics that are outstanding for the 2018 Work Plan.

In addition to the topics outlined in the 2017 Work Plan, the Committee provided feedback on the following:

- Council's Municipal Disability Leadership Model,
- Council's future role as Cluster Manager to the Knox Preschools,
- Council's Access and Equity Plan 2017-2022, and
- The Knox Family Violence Project.

In the November 2017 meeting, the EYAC considered key insights and issues identified over the past 12 months resulting from the Work Plan and the opportunity to provide feedback relating to key policy and strategic work undertaken by Council.

The Committee has identified the following for Council to note:

- The professional and personal growth described by a number of Committee members over the past 12 months. Committee members expressed a broader understanding of the challenges shaping the health and development of a child and family's life.
- Whilst there was general support for Council's new Municipal Disability Leadership Model, the Committee noted the challenges experienced by some families in transitioning to the NDIS. In particular, families who had moved from an early childhood intervention service system to school. Some families were reported to be waiting for a long time to confirm individual Plans and to access adequate services.
- In considering Council's implementation of the Early Years Management Framework for its funded preschool services, there was a view that the implementation of the Early Years Management Framework would relieve some pressure for families and could have the potential to eliminate financial inequality between those preschools with lower enrolments across Council's cluster of services.
- In considering Council's draft Access and Equity Plan 2017-2022, it was noted that Rowville was identified as an area with limited transport options for all residents and in particular for those residents with disabilities or children with disabilities. The Committee noted that this issue may place significant financial pressure on families in the Rowville area.

9.1 Annual Report – Early Years Advisory Committee (cont'd)

- An increasing Aboriginal population in the Knox community with a large proportion of this growth relating to young children and their families. The Committee considered and discussed the issue of Aboriginal people being the “Nation’s First People” as distinct to people who have arrived from overseas being referred to as “multicultural”. The Committee also considered the issues raised by expert presenters that racism and discrimination are still occurring in the community and the lower overall health and wellbeing outcomes for the Aboriginal and Torres Strait Islander community compared to the rest of the population in Knox.
- The increase in residents born overseas, with a significant increase in residents from China. Discussion centred on issues and emerging challenges for multicultural families including: language barriers, elder abuse, racism, exclusion, and cultural isolation.
- An increase in the numbers of older people in the Knox community and an increase in grandparents in caring roles of younger generations.

The Committee discussed where intergenerational links could be strengthened to support grandparents as carers and noted the focus on intergenerational work in Council’s Life Stages Plan.

- Knox residents experience higher rates of family violence compared to other municipalities within the Eastern Metropolitan Region. The Committee considered evidence that family violence has a significant impact on children, their development and learning outcomes. The Committee noted the recommendations of the Royal Commission and discussed how these recommendations might influence how early years services are planned and delivered in community settings.

These issues will be considered in the development of relevant Council plans and programs over 2018.

3. CONSULTATION

Through the agreed Work Plan for 2017, EYAC Members have had the opportunity to consider and discuss a number of key issues impacting on the lives of children and their families in the Knox community.

4. ENVIRONMENTAL/AMENITY ISSUES

The Early Years Advisory Committee continues to play a key role considering issues and advising Council in terms of child friendly spaces, which promote the health and wellbeing of Knox children and families into the future.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Family and Children’s Services Department supports the administration of Council’s EYAC. Officer time of approximately ten hours each month is absorbed within the Department budget in addition to an annual catering and supplies allowance of \$2600.

9.1 Annual Report – Early Years Advisory Committee (cont'd)

6. SOCIAL IMPLICATIONS

Research clearly states that when a community places the child as a central concern in the context of family, community and its culture, then significant and lifelong benefits will result for the community.

Children between the ages of 0-11 years represented 14% of the municipality's population, and this equates to 21,634 children according to data. (Census 2016).

The Key Life Stages Plan will continue to build on the opportunities to strengthen further partnerships with non-Council service providers and community organisations. These partnerships will provide a benefit for all children and families across Knox, irrespective of the early years services they access within the community.

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

The work of the Early Years Advisory Committee reflects the Knox Vision 2035, which guides Council's work towards establishing and maintaining strong community connections, which in turn will support the provision of Council's early years services and facilities.

The Key Life Stages Plan will contribute towards guiding other Strategic Objectives, and formulating indicators and strategies towards meeting the Key Strategic Goals outlined in the Knox Community and Council Plan.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers, providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Janine Brown, Manager Family and Children's Services - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Robyn Renkema Policy, Learning and Quality Officer - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The EYAC plays a key role in contributing to the objectives of Councils overarching plan for families and children living in Knox. Through the agreed Work Plan for 2017, EYAC Members have had the opportunity to consider a number of key issues impacting on the lives of children and their families and have highlighted these issues for Council to note as part of this report.

9.1 Annual Report – Early Years Advisory Committee (cont'd)**10. CONFIDENTIALITY**

There are no confidential issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. COOPER

SECONDED: CR. SEYMOUR

That Council notes the report on the activities of the Early Years Advisory Committee between January 2017 and December 2017.

CARRIED

Official Minutes of Knox City Council

CHANDLER WARD**10.1 PROPOSAL TO NAME THE UNNAMED RESERVE AT 23 STEWART STREET, BORONIA TO 'RAMON COWLING BUSHLAND RESERVE'**

SUMMARY: *Coordinator Property Management (Angela Mitchell)
Coordinator Biodiversity (Nadine Gaskell)*

This report seeks in principle agreement to commence the process to name 23 Stewart Street, Boronia as 'Ramon Cowling Bushland Reserve' in recognition of the bequeathing of 23 Stewart Street, Boronia by the late Mr Ramon Cowling.

RECOMMENDATION

That Council

1. Provide in principle agreement to name 23 Stewart Street, Boronia the 'Ramon Cowling Bushland Reserve' in recognition of the late Ramon Cowling (refer Appendix A).
2. Undertake consultation on the proposed reserve naming with statutory authorities, other appropriate organisations and Knox residents by placing a public notice in the Knox Leader.
3. Receive a further report on the proposed reserve naming following the conclusion of the consultation process as indicated in '2' above.

1. INTRODUCTION

The late Mr Ramon Cowling was an active community member who supported the natural environment. Prior to his death in 2016, Mr Cowling bequeathed his property, 23 Stewart Street, Boronia to Council.

The property has been identified as one of the top fifteen (15) sites of biological significance in the municipality.

2. DISCUSSION

The late Mr Ramon Cowling was an active member of the Gardens for Wildlife Program, Knox Environment Society, Friends of Old Joes Creek and Friends of Chandler Hill.

He was committed to the protection and conservation of the local native vegetation on his property, which abuts Old Joes Creek Reserve and provides significant vegetation and habitat for local fauna.

Mr Cowling and Council signed a Section 173 Agreement on 12 June 2012, which identified a number of obligations for Council, upon the gifting of 23 Stewart Street, Boronia (the subject land).

10.1 Proposal to Name the Unnamed Reserve at 23 Stewart Street, Boronia to 'Ramon Cowling Bushland Reserve' (cont'd)

These were:

1. Within one (1) year of the subject land being in the name of Council, steps will be taken by Council to ensure that the subject land is set aside for the purposes of a reserve.
2. At all times the use of the subject land must be for the purposes of a bushland reserve.
3. Within one (1) year of the subject land being in the name of Council, steps will be taken by Council to ensure a permit for demolition of all buildings on the subject land is obtained.
4. Within two (2) years of the gifting of the subject land to Council, steps will be taken by Council to ensure that the subject land is rezoned from the Residential 3 Zone to a Conservation Zone.
5. Within three (3) years of the gifting of the subject land to Council, a Public Walkway will be provided on the subject land.

Since Council became the registered proprietor of the subject land, the first four (4) obligations listed have been undertaken and Council is currently in the process of designing a public walkway on the subject land.

In discussion with Council staff, Mr Cowling's family requested that there be formal recognition of Mr Cowling by Council with one consideration being the possibility of naming the reserve 'Ramon Cowling Bushland Reserve'.

The naming of the reserve accords with the Naming and Renaming of Council Owned Facilities Policy section 6, in particular 6.2. It is intended that facilities would be named or renamed only in exceptional circumstances and that such naming would recognise a substantial contribution made to the community by an individual.

In addition to the above, the naming of the land to 'Ramon Cowling Bushland Reserve' meets the naming principles of Geographic Names Victoria who have also provided in principle agreement to the naming, subject to consultation.

3. CONSULTATION

Consultation has been undertaken with internal Council stakeholders who have indicated no objection to this name.

Discussions have also been undertaken with Geographic Place Names Victoria who have provided in principle agreement subject to Council undertaking a formal consultative process.

10.1 Proposal to Name the Unnamed Reserve at 23 Stewart Street, Boronia to 'Ramon Cowling Bushland Reserve' (cont'd)

Should Council resolve to proceed with this naming proposal, it is proposed to place a public notice in the Knox Leader seeking feedback on this naming proposal.

In addition, consultation will be undertaken with statutory authorities.

4. ENVIRONMENTAL/AMENITY ISSUES

Council values indigenous vegetation and 23 Stewart Street, Boronia contains significant remnant vegetation, which has been identified as a Site of Biological Significance and supports Old Joes Creek.

It is of note that, the site contains one of the only known white star bush plants (*Asterolasia asteriscophora*) in Knox. This species is rare in Victoria.

By the act of Mr Cowling bequeathing this property to Council, natural amenity and important habitat have been secured in perpetuity for generations to experience and enjoy.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The financial costs associated with this naming of the land are minor, including costs for correspondence, consultation and signage.

These costs can be met from existing budget allocations.

6. SOCIAL IMPLICATIONS

Public access to the property will provide an opportunity for residents to directly access Old Joes Creek Reserve from Stewart Street, Boronia.

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

Strategy 1.1 - Protect and enhance our natural environment.

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

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

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

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989, officers providing advice to Council must disclose any interests, including the type of interest.

10.1 Proposal to Name the Unnamed Reserve at 23 Stewart Street, Boronia to 'Ramon Cowling Bushland Reserve' (cont'd)

Officer Responsible – (Dale Monk, Manager Financial Services) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Authors – (Angela Mitchell, Coordinator Property Management) - In providing this advice as the Author, I have no disclosable interests in this report.

Author – (Nadine Gaskell, Coordinator Biodiversity) - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

In recognition of the significant contribution made by Mr Ramon Cowling to the Knox community, Council is asked to consider naming the subject land the 'Ramon Cowling Bushland Reserve'.

Subject to Council's in principle agreement to the name, it is proposed that further consultation be undertaken and that following this, a further report on the matter be presented to Council.

10. CONFIDENTIALITY

There are no confidentiality matters associated with this report.

COUNCIL RESOLUTION

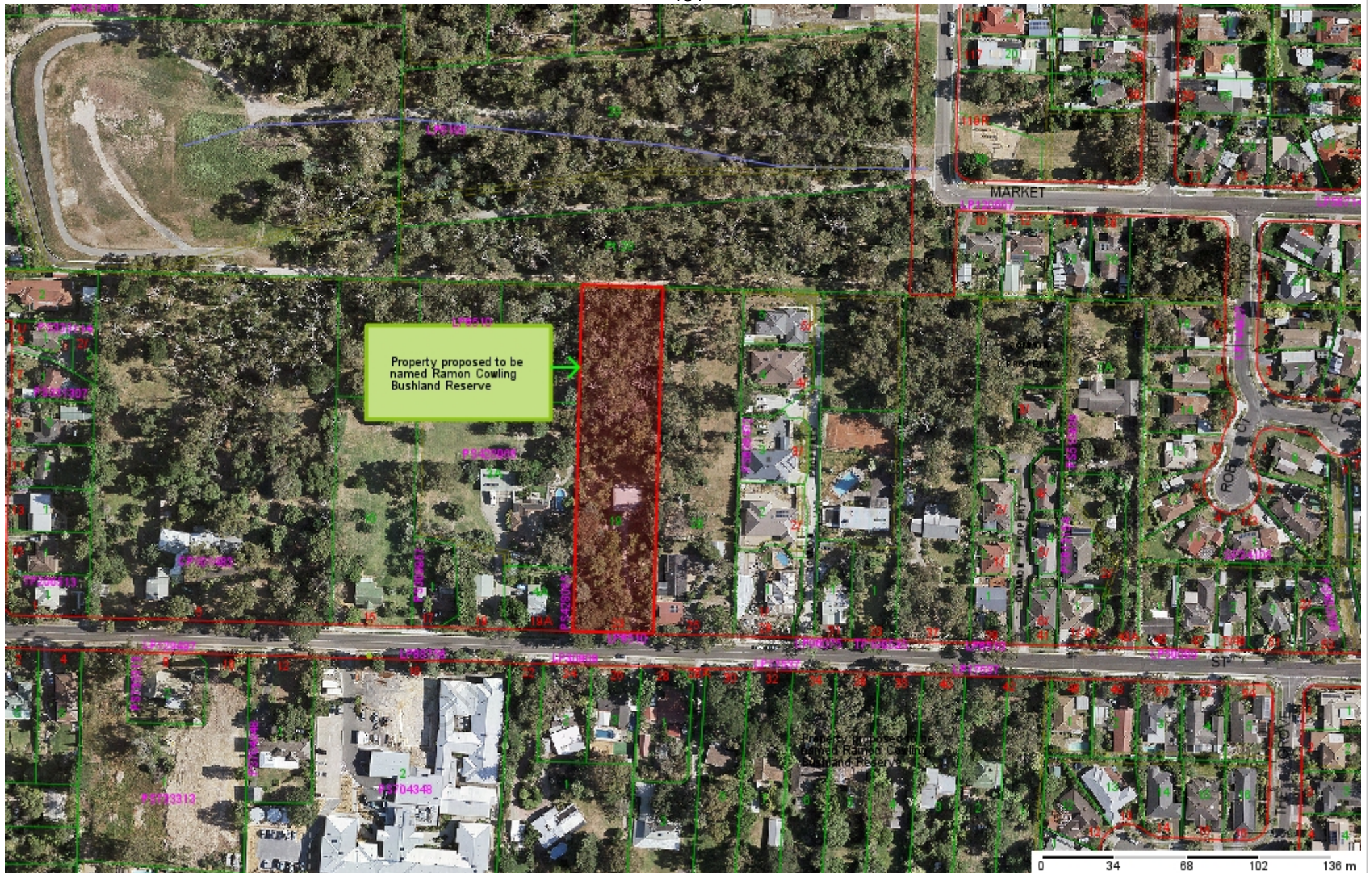
MOVED: CR. MORTIMORE

SECONDED: CR. LOCKWOOD

That Council

- 1. Provide in principle agreement to name 23 Stewart Street, Boronia the 'Ramon Cowling Bushland Reserve' in recognition of the late Ramon Cowling (refer Appendix A).**
- 2. Undertake consultation on the proposed reserve naming with statutory authorities, other appropriate organisations and Knox residents by placing a public notice in the Knox Leader.**
- 3. Receive a further report on the proposed reserve naming following the conclusion of the consultation process as indicated in '2' above.**

CARRIED



Property Proposed to be Named Ramon Cowling Bushland Reserve

Whilst every endeavour has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council in respect to inaccuracy, errors, and omissions or for actions based on this information.

DINSDALE WARD**10.2 LEASE OF PART OF 2A AND PART OF 2B SCORESBY ROAD,
BAYSWATER TO THE COUNTRY FIRE AUTHORITY**

SUMMARY: *Angela Kostarakis (Senior Property Officer) and
Tracy Vervoort (Community Development Officer)*

This report recommends the signing and sealing of two leases between Knox City Council and the Country Fire Authority for the occupancy of part of 2A Scoresby Road and part of 2B Scoresby Road, Bayswater and the surrender of the current lease between Knox City Council and the Country Fire Authority for 2A Scoresby Road, Bayswater.

RECOMMENDATION

That Council

1. Enter into a lease between Knox City Council (Lessor) and the Country Fire Authority (Lessee), in accordance with the key principles set out in Section 2.3 of this report, for occupancy of the area shown hatched on the plan (for carparking purposes), attached as Appendix C, being part of the land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater;
2. Enter into a lease between Knox City Council as Committee of Management (Crown Land) and the Country Fire Authority, in accordance with the key principles for Crown owned land set out in Section 2.3 of this report, for occupancy of the area shown hatched on the plan (for new fire station), attached as Appendix C, being part of Crown Allotment 31B, Parish of Scoresby temporarily reserved for public recreation by Order in Council dated 19 November 1968, located at 2B Scoresby Road, Bayswater;
3. Agree to surrender the lease between Knox City Council and the Country Fire Authority for occupancy of the area shown hatched on the plan attached as Appendix B, being part of the land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater; and
4. Authorise the Chief Executive Officer to sign and seal all necessary documentation pertaining to 1, 2 and 3 above.

1. INTRODUCTION

The Country Fire Authority (CFA) is currently redeveloping the Bayswater Fire Station. The new fire station will be in a similar location, however will not be on the area that is covered by the existing lease agreement between Knox City Council and the CFA (see Appendix A).

10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)

The new fire station will consist of a building located solely on 2B Scoresby Road, Bayswater (Department of Environment, Land, Water and Planning land – Crown Land), a shed located solely on 2A Scoresby Road, Bayswater (Council land) and surrounding carpark on both 2A and 2B Scoresby Road, Bayswater (see Appendix D).

It is proposed that Council surrender the current 99-year lease with the CFA for the current fire station and enter into two new leases. Both of these proposed leases are for 10 years, with a further term of 10 years, accurately capturing the geographical location of the new fire station and the status of the relevant land ownership.

2. DISCUSSION

2.1 Background

The existing Bayswater Fire Station comprises:

- CFA-owned building (motor room), a CFA-owned colorbond shed and CFA-maintained car parking area on 2A Scoresby Road, Bayswater; and
- Council-owned building (CB285 formerly RDNS building) and CFA-maintained car parking area situated across both 2A and 2B Scoresby Road, Bayswater.

2A Scoresby Road, Bayswater is Council owned land. 2B Scoresby Road, Bayswater is Department of Environment, Land, Water and Planning (DELWP) Crown land of which Council is the Committee of Management.

Sound stewardship and accountable governance practices require Council to enter into two new leases with the CFA and surrender the existing lease with the CFA once the new fire station is operational.

The CFA currently has a 99-year lease (ending 2073) with Council for part of 2A Scoresby Road, Bayswater for the purpose of providing a fire station.

The Royal District Nursing Service (RDNS) held a 75-year lease (ending 2048) for the building CB285 on 2B Scoresby Road, Bayswater. In 2007, the RDNS received permission from Council to sub-let this building (CB285) to the CFA. The CFA has occupied CB285 and the associated car parking area since this time. In April 2013, Council agreed to the RDNS' request to surrender their lease on CB285 and relinquish ownership of their building.

The Minister for Police and Emergency Services announced State Government funding for the Bayswater fire station in October 2014. Council has received Ministerial approval to grant a lease to the CFA for the purpose of operating a fire station including preparation and training for and responsive to fire and emergency incident, storage of vehicles and firefighting and emergency equipment. The CFA has obtained all appropriate permits for the new fire station.

10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)

2.2 Property and Facility

Currently the Bayswater CFA occupies facilities on both 2A and 2B Scoresby Road, Bayswater. The new fire station will be located entirely on 2B Scoresby Road with their car park traversing 2A and 2B Scoresby Road, Bayswater (see Appendix A).

2A Scoresby Road, Bayswater is a 8,525m² allotment of land that shares its south and west boundaries with the driveway access and carpark of the Bayswater Hotel facility, and its eastern boundary with 2B Scoresby Road. It is known as Lot 1 on TP712742V, contained in Certificate of Title Volume 3869 Folio 681.

2B Scoresby Road, Bayswater is a 11,579m² allotment of land bordered by Mountain Highway and Scoresby Road. It shares a boundary with 2A Scoresby Road. It is contained within Crown Allotment 31B, Parish of Scoresby reserved for public recreation by Order in Council dated 19 November 1968 with Council being the Committee of Management.

The current fire station occupies approximately 2,085m² of land being:

- 1,440m² in the south of 2A Scoresby Road; and
- 645m² in the south east corner of 2B Scoresby Road.

The new fire station will occupy approximately 3,150m² of land being:

- 510m² in the south east corner of 2A Scoresby Road for a car park; and
- 2,640m² in the south east corner of 2B Scoresby Road for the new CFA building.

Ministerial approval has been provided for the use of the additional 1,065m² open space within DELWP-owned land for a fire station.

During construction the Bayswater CFA will continue to operate from the fire station motor room on 2A Scoresby Road, Bayswater. Following the CFA's move to the new fire station, the current 99-year lease with the CFA will be surrendered.

An assessment of the CFA building (motor room) will be undertaken to determine whether to retain the building for use by Council. If this building is not required by Council, the CFA have agreed to demolish and remove the building at their cost once the new CFA fire station is built.

The CFA are active participants of the Knox Municipal Emergency Management Planning Committee and regularly work collaboratively with Council's Emergency Management Team to provide critical home safety messaging and education forums to residents and emergency preparation and response.

10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)

2.3 Proposed Lease Principles

The key principles of the two leases are:

	Crown Land Lease – between Council as Committee of Management and CFA	Council Owned Land – between Council and CFA
Lessee	Country Fire Authority (statutory authority, enshrined in legislation under the Country Fire Authority Act 1958) will be the Lessee.	Country Fire Authority (statutory authority, enshrined in legislation under the Country Fire Authority Act 1958) will be the Lessee.
Occupancy of land	The lessee is granted exclusive occupancy of the identified land for the agreed period.	The lessee is granted exclusive occupancy of the identified land for the agreed period.
Permitted use of the land	Activities associated with operating the Bayswater Country Fire Authority Fire Station, including but not limited to, preparation and training for, and response to, fire and emergency incidents; storage of vehicles and firefighting & emergency equipment.	Carpark and colorbond shed.
Hours of operation	24 hours per day, 7 days per week.	24 hours per day, 7 days per week.
Term	10 years plus a further term of 10 years.	10 years plus a further term of 10 years.
Licence fee during term	\$180 (inc GST) per annum, reviewed annually as per Council's adopted fees and charges.	\$180 (inc GST) per annum, reviewed annually as per Council's adopted fees and charges.
Asset maintenance	Country Fire Authority assumes responsibility for all CFA owned buildings and assets on the leased areas.	Country Fire Authority assumes responsibility for all CFA owned buildings and assets on the leased areas.

10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)

3. CONSULTATION

There has been extensive consultation over the years with the CFA, Ward Councillor, local Members of Parliament, Minister for Police and Emergency Services and Council staff regarding the new fire station project.

Staff from DELWP, CFA Property Services, Council's Property Services, and the Community Wellbeing's Facility Advocate have worked closely to ensure the terms and conditions of the proposed leases meet all parties' needs along with the relevant legislative requirements.

Pursuant to section 191 of the Local Government Act Council is able to lease land to a public body, (a body established for a public purpose by an Act of Parliament of Victoria), without advertising its intention. The CFA meets this requirement.

The Bayswater Master Plan endorsed by Council in August 2011 presented three masterplan options, none of which precluded the CFA remaining on the site or redeveloping.

4. ENVIRONMENTAL/AMENITY ISSUES

The use of the land for a fire station is not considered detrimental to the environment or amenity of the area.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The current 99-year lease held by the CFA for part of 2A Scoresby Road stipulates a yearly rental fee of \$10 for the term of the lease. Council is not currently charging CFA a separate annual fee for the use of 2B Scoresby Road.

Under Council's proposed Leasing and Licensing Policy, the CFA is a community group A organisation. The 2017-18 annual licence fee for such an organisation is \$180. This fee increases annually as per Council's adopted fees and charges. As a community group A organisation the CFA will not pay rates on the leased area.

The CFA is meeting all costs of the new building and has committed to pay all legal costs associated with the preparation and surrender of lease documents. They will also be responsible for all maintenance of assets within the leased areas.

6. SOCIAL IMPLICATIONS

The CFA has been at this site for over 40 years. There has been no adverse communication from either the reserve users or abutting property owners/users during that time.

10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)**7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

This report relates to:

- Strategy 5.2 Plan for a range of key strategic centres that provide a diversity of employment, services and amenities to support the changing needs of our community; and
- Strategy 8.1 Build, strengthen and promote good governance practices across government and community organisations.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Co-authors: Angela Kostarakis, Senior Property Officer and Tracy Vervoort, Community Development Officer - In providing this advice as the Officers Responsible, we have no disclosable interests in this report.

Officers Responsible: Dale Monk, Manager Financial Services and Kathy Parton, Manager Community Wellbeing - In providing this advice as the Officers Responsible, we have no disclosable interests in this report.

9. CONCLUSION

The new Bayswater Fire Station will significantly strengthen emergency response capabilities in Bayswater and surrounding areas. The establishment of relevant leasing agreements that reflect the changing situation is reflective of Council's focus on best practice governance and in keeping with legislative requirements.

It is recommended that Council agree to surrender the current 99-year lease with the CFA (once the new station is built) and enter into two new leases to accurately capture the geographical location of the new fire station and the status of the relevant land ownership.

10. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

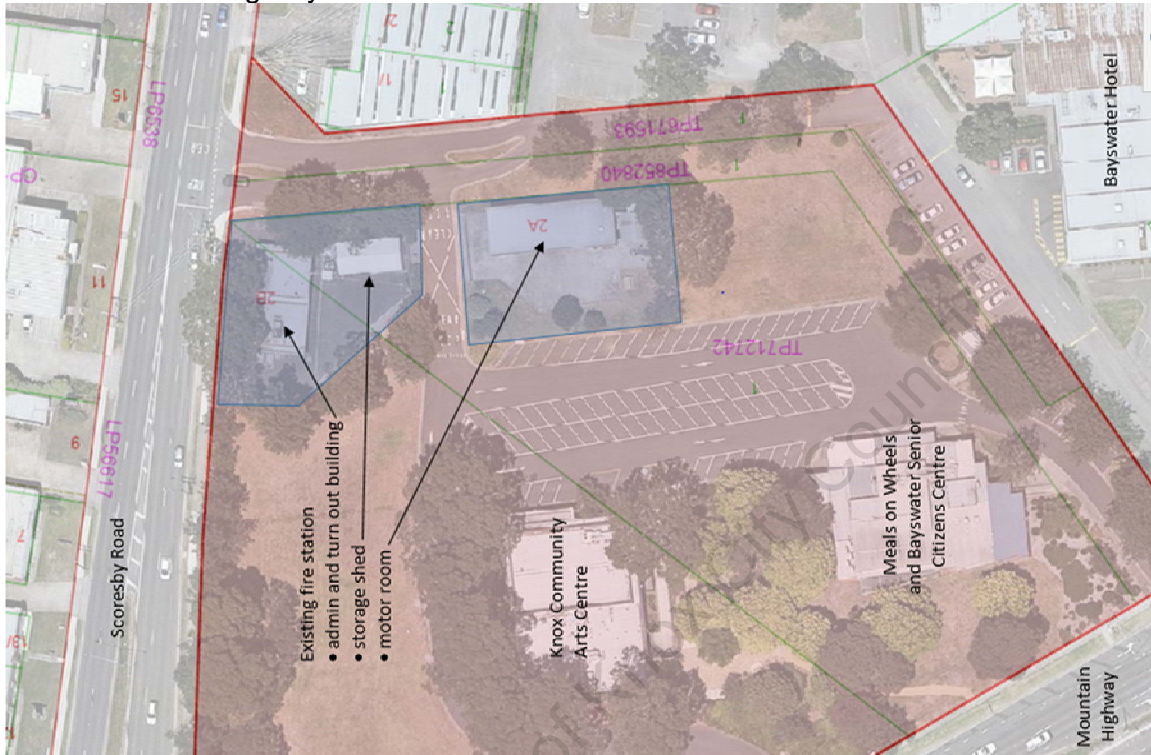
10.2 Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority (cont'd)**COUNCIL RESOLUTION****MOVED: CR. HOLLAND****SECONDED: CR. TAYLOR****That Council**

- 1. Enter into a lease between Knox City Council (Lessor) and the Country Fire Authority (Lessee), in accordance with the key principles set out in Section 2.3 of this report, for occupancy of the area shown hatched on the plan (for carparking purposes), attached as Appendix C, being part of the land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater;**
- 2. Enter into a lease between Knox City Council as Committee of Management (Crown Land) and the Country Fire Authority, in accordance with the key principles for Crown owned land set out in Section 2.3 of this report, for occupancy of the area shown hatched on the plan (for new fire station), attached as Appendix C, being part of Crown Allotment 31B, Parish of Scoresby temporarily reserved for public recreation by Order in Council dated 19 November 1968, located at 2B Scoresby Road, Bayswater;**
- 3. Agree to surrender the lease between Knox City Council and the Country Fire Authority for occupancy of the area shown hatched on the plan attached as Appendix B, being part of the land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater; and**
- 4. Authorise the Chief Executive Officer to sign and seal all necessary documentation pertaining to 1, 2 and 3 above.**

CARRIED

APPENDIX A – Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority

Location of existing Bayswater Fire Station

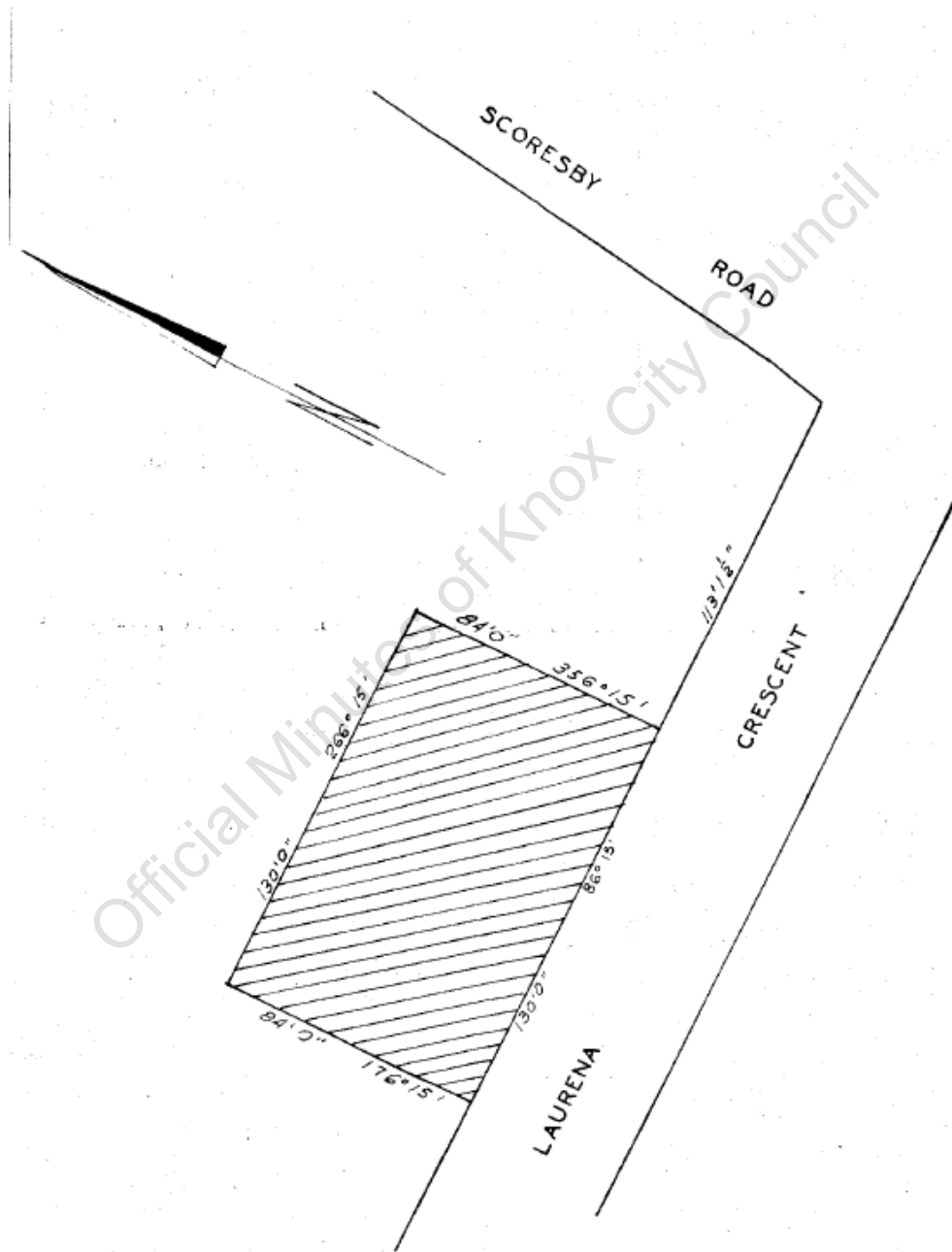



Location of new Bayswater Fire Station



APPENDIX B –Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority

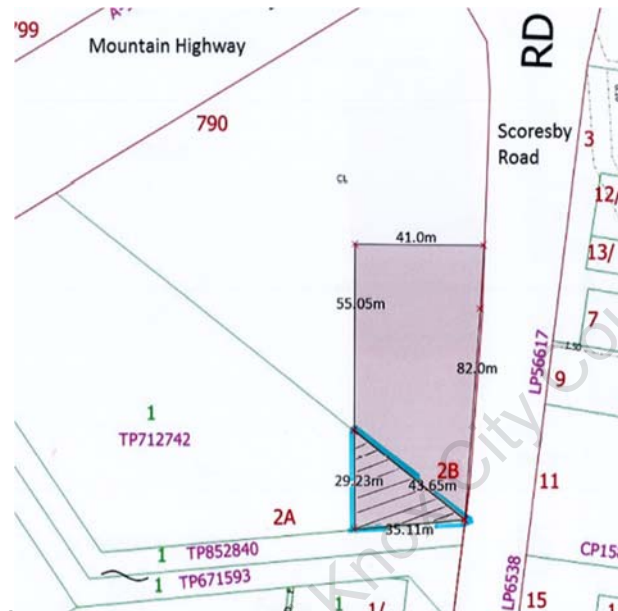
Land currently leased to the Country Fire Authority (agreement period 1974 to 2073); area shown hatched on the plan being part of land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater.



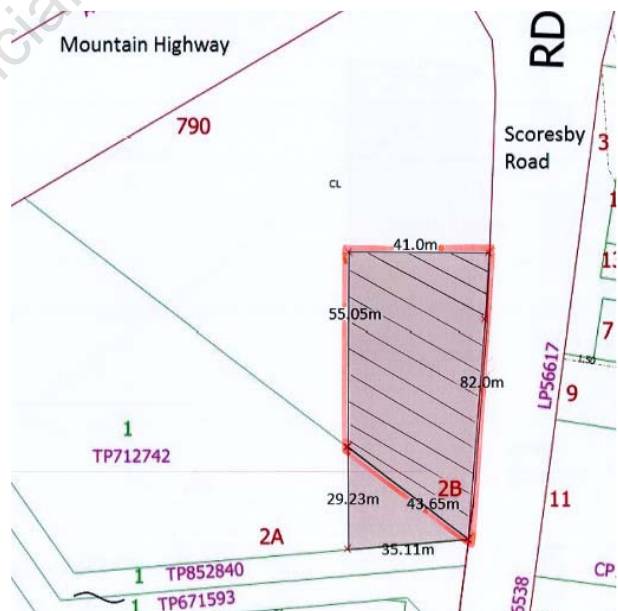
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APPENDIX C – Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority

Council-owned land to be leased to Country Fire Authority; area shown hatched on plan being part of the land contained in Certificate of Title Volume 3869 Folio 681 and known as Lot 1 on TP712742V located at 2A Scoresby Road, Bayswater

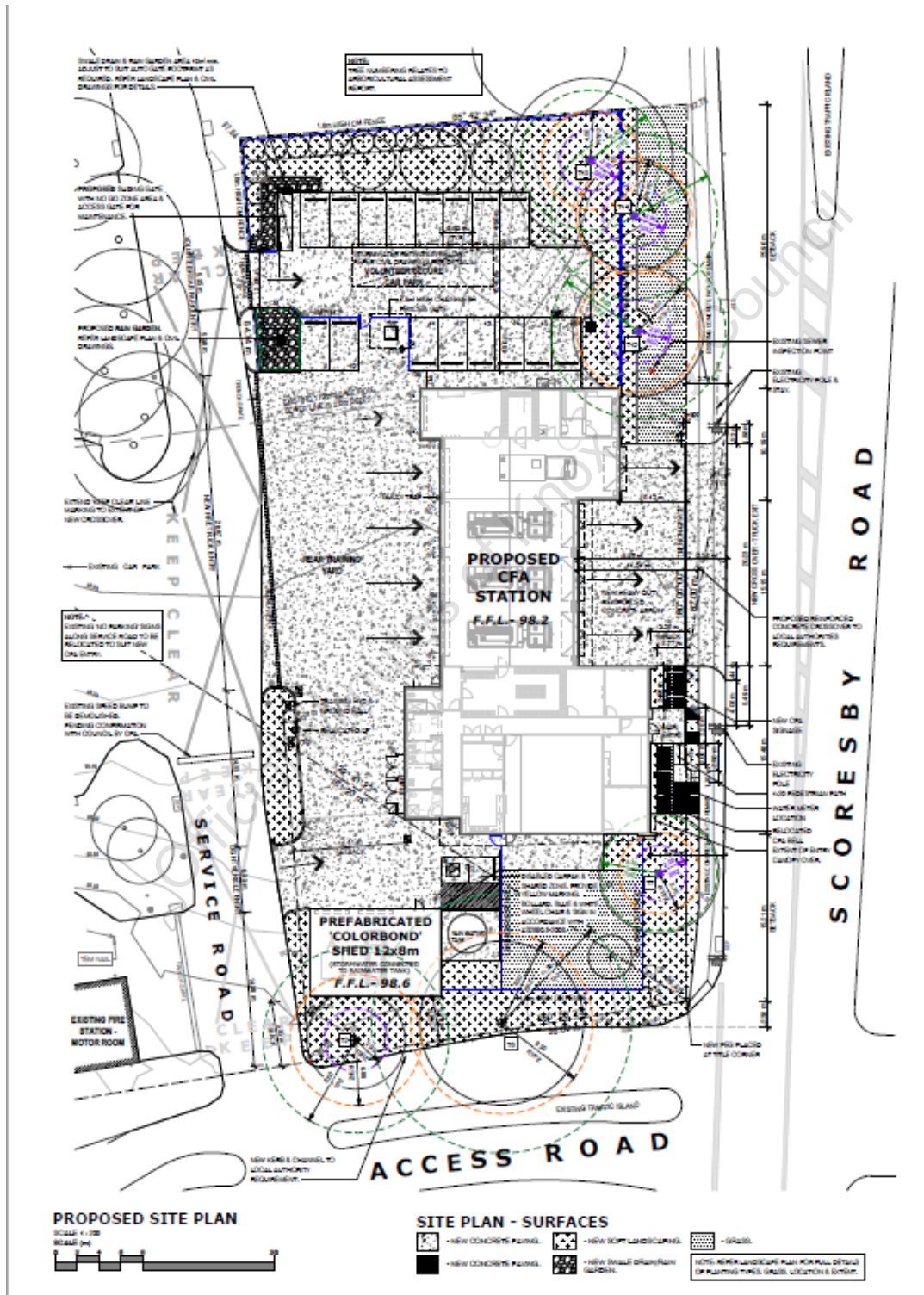


DELWP-owned land to be leased to Country Fire Authority area shown hatched on plan being part of the Crown Allotment 31B, Parish of Scoresby temporarily reserved for public recreation by Order in Council dated 19th November 1968, published in the government gazette dated 27th November 1968, page 3875, located at 2B Scoresby Road, Bayswater;



APPENDIX D – Lease of Part of 2A and Part of 2B Scoresby Road, Bayswater to the Country Fire Authority

Site plan of Bayswater Fire Station Development



3D Perspective of Bayswater Fire Station Development



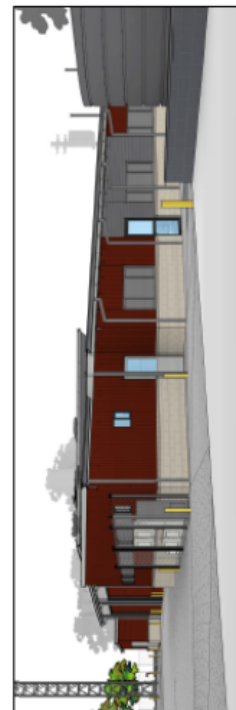
3D PERSPECTIVE 1



3D PERSPECTIVE 2

EXTERNAL COLOUR LEGEND

■	CHARCOAL MOUNTAIN - STEEL CLADDING
■	CHARCOAL MOUNTAIN - STEEL CLADDING
■	CHARCOAL MOUNTAIN - STEEL CLADDING
■	CHARCOAL MOUNTAIN - STEEL CLADDING
■	INDUSTRIAL BROWN - ALUMINIUM - SLAT PANEL



3D PERSPECTIVE 3



3D PERSPECTIVE 4

DOBSON WARD**10.3 LEASE OF COUNCIL PROPERTIES – 90 STATION STREET, FERNTREE GULLY, 94-98 STATION STREET, FERNTREE GULLY AND DEED OF RENEWAL OF LEASE 100 STATION STREET, FERNTREE GULLY**

SUMMARY: *Coordinator Property Management (Angela Mitchell)*

This report recommends the signing and sealing of leases for the Council properties at 90 Station Street, Ferntree Gully (term of three years), 94-98 Station Street, Ferntree Gully (term of three years) and Deed of Renewal of Lease of 100 Station Street, Ferntree Gully (term of five years) which commenced 21 December 2017 and are all contained within the Council property known as 88-100A Station Street, Ferntree Gully.

RECOMMENDATION

That Council

1. Enter into a lease (subject to the approval of a planning permit) between Knox City Council (Lessor) and Shane Justin Grant trading as Get Fit Stay Fit (Lessee) (ABN 51 443 311 936) for 94-98 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully) commencing 1 April 2018. The lease will be for a period of three years with the rental being \$42,000 per annum (plus GST), plus outgoings and increasing annually by CPI or 3%, whatever is the lower of the two.
2. Enter into a lease between Knox City Council (Lessor) and Houssein al Hawli (Lessee) (ABN 87 837 723 843) for 90 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully) commencing 1 March 2018. The lease will be for a period of three years with the rental being \$17,000 per annum (plus GST), plus outgoings and increasing annually by CPI.
3. Enter into a Deed of Renewal of Lease between Knox City Council (Lessor) and Hen Heng and Soc Heang Chhu (Lessee) for 100 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully). This Deed of Renewal of Lease commenced on 21 December 2017 and is for a period of five years with a rental of \$19,425 per annum (plus GST), plus outgoings increasing annually by CPI.
4. Authorise the Chief Executive Officer to sign and seal all documentation pertaining to 1, 2 and 3 above.

1. INTRODUCTION

Agents have recently negotiated leases for the currently vacant Council properties at 90 and 94-98 Station Street, Ferntree Gully and the Deed of Renewal of Lease for 100 Station Street, Ferntree Gully. These shops are all contained within the Council property known as 88-100A Station Street, Ferntree Gully.

10.3 Lease of Council Properties – 90 Station Street, Ferntree Gully, 94-98 Station Street, Ferntree Gully and Deed of Renewal of Lease 100 Station Street, Ferntree Gully (cont'd)

2. DISCUSSION

The site at 88-100A Station Street, Ferntree Gully was acquired by Council in 2017. This site contains six shops and a car park. Two of these shops are currently vacant. Agents acting for Council and staff have now negotiated a proposed lease for these two shops. A Deed of Renewal of Lease for 100 Station Street, Ferntree Gully has also been negotiated when the tenant exercised their right of the further term of five years in accordance with the lease they had with the previous owners.

With the finalisation of these leases and Deed of Renewal of Lease, the Council property will be now fully tenanted.

88 Station Street	Knoxbrooke Incorporated	Lease ends 28/8/20
90 Station Street	Proposed lease to Houssein al Hawli for a gift shop	Proposed to commence 1/3/18 for three years
92 Station Street	Baodun Chen Fish and Chips	Lease ends 1/8/19
96-98 Station Street	Proposed lease to Shane Justin Grant trading as Get Fit Stay Fit for a gymnasium (subject to planning application lodged with Council December 2017)	Proposed to commence 1/4/18 for three years
100 Station Street	Hen Hang and Soc Heong (Bakery) Deed of Renewal Lease	Deed of Renewal of Lease for five years commenced 21/12/17
100A Station Street	Med Fisher (Tattoo Shop)	Month to month lease – long term tenant

All of the above leases and lease terms meet Council's strategic intentions for this site.

3. CONSULTATION

As the leases and Deed of Renewal of Lease are less than 10 years and the yearly market rental is less than \$50,000, there is no requirement under the Local Government Act 1989 to advertise these.

4. ENVIRONMENTAL/AMENITY ISSUES

The proposed leases and Deed of Renewal of Lease are not considered detrimental to the environment or amenity of the area.

10.3 Lease of Council Properties – 90 Station Street, Ferntree Gully, 94-98 Station Street, Ferntree Gully and Deed of Renewal of Lease 100 Station Street, Ferntree Gully (cont'd)

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed lease for 90 Station Street, Ferntree Gully is for a period of three years commencing 1 March 2018, with the rental being \$17,000 per annum (plus GST), plus outgoings and increasing annually by CPI.

The proposed lease for 94-98 Station Street, Ferntree Gully is for a period of three years commencing 1 April 2018, with the rental being \$42,000 per annum (plus GST), plus outgoings and increasing annually by CPI or 3%, whatever is the lower of the two. This proposed lease is subject to planning application lodged with Council December 2017.

The Deed of Renewal of Lease is \$19,425 per annum (plus GST), plus outgoings and increasing annually by CPI.

The rentals have been determined by agents appointed by Council in accordance with commercial rentals within this area. With the finalisation of these leases and Deed of Renewal of Lease, the council property will be fully tenanted with the rental contribution being in line with the projected rental income at the time of purchase.

6. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

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

The report relates to Goal 8 'We have confidence in decision making', Strategy 8.1 'build, strengthen and promote good governance practices across government and community organisations'.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Dale Monk, Manager Financial Services) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Angela Mitchell, Coordinator Property Management) - In providing this advice as the Author, I have no disclosable interests in this report

10.3 Lease of Council Properties – 90 Station Street, Ferntree Gully, 94-98 Station Street, Ferntree Gully and Deed of Renewal of Lease 100 Station Street, Ferntree Gully (cont'd)

9. CONCLUSION

It is recommended that the leases for the Council properties at 90 Station Street, Ferntree Gully (term of three years), 94-98 Station Street, Ferntree Gully (term of three years) and Deed of Renewal of Lease of 100 Station Street, Ferntree Gully (term of five years) which commenced 21 December 2017, be signed and sealed.

10. CONFIDENTIALITY

There are no confidential issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. KEOGH
SECONDED: CR. HOLLAND

That Council

1. Enter into a lease (subject to the approval of a planning permit) between Knox City Council (Lessor) and Shane Justin Grant trading as Get Fit Stay Fit (Lessee) (ABN 51 443 311 936) for 94-98 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully) commencing 1 April 2018. The lease will be for a period of three years with the rental being \$42,000 per annum (plus GST), plus outgoings and increasing annually by CPI or 3%, whatever is the lower of the two.
2. Enter into a lease between Knox City Council (Lessor) and Houssein al Hawli (Lessee) (ABN 87 837 723 843) for 90 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully) commencing 1 March 2018. The lease will be for a period of three years with the rental being \$17,000 per annum (plus GST), plus outgoings and increasing annually by CPI.
3. Enter into a Deed of Renewal of Lease between Knox City Council (Lessor) and Hen Heng and Soc Heang Chhu (Lessee) for 100 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully). This Deed of Renewal of Lease commenced on 21 December 2017 and is for a period of five years with a rental of \$19,425 per annum (plus GST), plus outgoings increasing annually by CPI.
4. Authorise the Chief Executive Officer to sign and seal all documentation pertaining to 1, 2 and 3 above.

CARRIED

COUNCILLOR LOCKWOOD VACATED THE CHAMBER AT 8.23PM DURING DISCUSSION ON ITEM 10.4 AND PRIOR TO THE VOTE**ALL WARDS****10.4 LEASING AND LICENSING POLICY****SUMMARY: Coordinator Property Management (Angela Mitchell)**

This report provides an overview of the Leasing and Licensing Policy which has been developed to provide guidance on the leasing and licensing of Council owned and managed land and buildings to community and commercial organisations. This Policy will supersede the Tenancy by Community Groups of Council Buildings Policy.

RECOMMENDATION

That Council adopt the Leasing and Licensing Policy attached as Appendix B to this report.

1. INTRODUCTION

Council owns and manages 97 facilities that are occupied by community and commercial organisations under a lease or licence agreement. The Leasing and Licensing Policy provides guidance on the eligibility of an organisation to occupy Council land and/or buildings, creates a matrix of occupant categories and associated fees and sets out the standard terms and conditions that will apply, including term, compliance requirements, maintenance and permitted use.

2. DISCUSSION

The attached Leasing and Licensing Policy has been developed following a review of similar policies at neighbouring Councils and current practices within Council. This review has led to recommendations for a number of changes to the existing Tenancy by Community Groups of Council Buildings Policy. It is proposed that the Leasing and Licensing Policy will apply to all new tenancy agreements entered into following the adoption of this Policy.

One of the major additions to the Policy are measures that will be taken and enforced should organisations fail to provide evidence of insurance. This is required in order to mitigate risk and liability to Council.

These are identified in part 6.5.4 of the Policy as the escalation process, ie:

- 14 days overdue – A reminder notice is provided.
- 30 days overdue – A warning is provided.
- 60 days overdue – A final warning is provided advising of intention to lock out.
- 90 days overdue – Lessee/Licensee locked out until Certificate of Currency is provided.

10.4 Leasing and Licensing Policy (cont'd)

A summary of the key issues, including changes from Council's previous position and reason for the change are provided in the table attached as Appendix A and summarised as follows:

- Refined a number of administrative revisions.
- Compliance requirements – significant changes should any organisation fail to produce evidence of current and appropriate insurance.
- Clarification on definitions, organisation and tenancy arrangements and standard term.
- Enhanced eligibility criteria of tenants.
- Ensures maximum use of Council facilities.
- Includes new and amended legislation, eg Child Safe Standards.
- Clarifies sub-letting arrangements.
- Alignment with Council's policies, eg Electronic Gaming Policy.

3. CONSULTATION

Council officers have undertaken benchmarking with a number of similar municipalities on Leasing and Licensing Policies in place. The results of the benchmarking were taken into consideration during the development of the Policy. The results demonstrated that Council is largely consistent with the practices of other councils in relation to agreement preference, maintenance responsibilities, length of term, compliance and reporting.

The greatest difference between the current Tenancy by Community Groups of Council Buildings Policy and the policies in place at other municipalities is the categorisation of occupants, which allows the application of a fair and consistent approach when determining rental fees.

Internal consultation was also undertaken with the draft Policy provided to Managers whose departments manage lease and licence agreements. Feedback from this process was collated and amendments to the draft Policy made as required. The Leasing and Licensing Policy has also been addressed at the July 2017 Issues Briefing.

4. ENVIRONMENTAL/AMENITY ISSUES

The Policy will support the appropriate use of Council's facilities by external organisations and ensure that appropriate environmental and amenity issues are considered as part of the process of leasing and licensing a Council facility.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Policy will provide a consistent approach on the categorisation of occupants to ensure appropriate rental is made to Council for the use of facilities.

10.4 Leasing and Licensing Policy (cont'd)

6. SOCIAL IMPLICATIONS

The Policy supports access to facilities by community organisations that facilitate social participation and active lifestyles, improving community health and wellbeing outcomes.

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

The proposed Leasing and Licensing Policy is consistent with and supports the following goals listed within the Knox Community and Council Plan 2017-2021:

Goal 4: *We are safe and secure*

- 4.5 Support the provision of emergency services

Goal 5: *We have a strong regional economy, local employment and learning opportunities*

- 5.4 Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the community

Goal 6: *We are healthy, happy and well*

- 6.1 Mitigate lifestyle risks such as smoking, risky alcohol consumption and drug use, obesity, lack of physical activity and poor nutrition
- 6.2 Support the community to enable positive physical and mental health

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

- 7.3 Strengthen community connections
- 7.4 Promote and celebrate the contribution of our volunteers

Goal 8: *Build, strengthen and promote good governance practices across government and community organisations*

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

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Dale Monk, Manager Financial Services) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Angela Mitchell, Coordinator Property Management) - In providing this advice as the Author, I have no disclosable interests in this report

10.4 Leasing and Licensing Policy (cont'd)**9. CONCLUSION**

It is recommended that the draft Leasing and Licensing Policy attached as Appendix B of this report be adopted.

10. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. LOCKWOOD

That Council adopt the Leasing and Licensing Policy attached as Appendix B to this report, subject to Section 6.7 of the policy reading:

“The Chief Executive Officer has authority to execute all licence agreements that are categorised as Early Years and Community Group A unless the initial term of the agreement is greater than five years.

All Community Group B agreements will be referred to a Council or Strategic Planning Committee meeting for consideration.

Council approval at a Council or Strategic Planning Committee is required for all lease agreements, including agreements that do not require a Public Notice to be issued in accordance with the Local Government Act 1989.”

CARRIED

APPENDIX A – Leasing and Licensing Policy

Issue	Current Policy	Proposed Policy	Reason
Scope	<ul style="list-style-type: none"> • Includes community organisations with management rights and responsibilities for Council owned facility. • Does not include tenancy arrangements with commercial component, sporting groups subject to annual seasonal tenancy arrangements, or facilities operated and managed by Council staff. 	<ul style="list-style-type: none"> • Applies to all Council land and/or buildings occupied under lease or licence agreement, including Crown land managed by Council. • Does not include facilities allocated under Sporting Reserve Facility Usage Policy (season and annual tenancy), managed under contractual agreement, operated and managed by Council staff, or facilities where Council is the lessee or licensee. 	The scope is widened to include the wide variety of lease and licence agreements managed by Council.
Definitions		<ul style="list-style-type: none"> • List of definitions widened to take into consideration the greater scope of the policy. 	
Policy Objectives	<ul style="list-style-type: none"> • Policy objectives not explicitly defined. 	<ul style="list-style-type: none"> • List of policy objectives which reflect Council's aims of meeting community and Council needs, ensuring a transparent and equitable process, fair and reasonable rental fees, optimising use of community facilities, increasing community access to services and activities, enabling Council contribution to be reported, ensuring sound financial management and effective administration. 	The policy objectives clearly set out Council's aims in relation to leasing and licensing, balancing both the needs of the community and Council.

Issue	Current Policy	Proposed Policy	Reason
Eligibility	<ul style="list-style-type: none"> No clear guidance provided in relation to which organisations are eligible to enter into a lease or licence agreement with Council. 	<ul style="list-style-type: none"> Clear criteria are set out that must be met by community organisations to be eligible to enter into a lease or licence agreement. Conditions setting out when commercial use of a Council facility is appropriate are also included. 	<p>The eligibility criteria will ensure that suitable organisations with appropriate management structures are able to occupy Council facilities on a lease or licence agreement. The conditions around commercial use ensure that the community is not displaced or disadvantaged in favour of commercial organisations.</p>
Type of Agreement	<ul style="list-style-type: none"> No preference as to the type of agreement that should be used. 	<ul style="list-style-type: none"> Preference is for licence agreement, however lease agreement will be considered when providing exclusive use is in best interest of community or is necessary to recognise capital investment and secure long term development of facility. 	<p>The focus on licence agreements, which are shared, allows Council maximise use of Council buildings by permitting multiple occupancy where appropriate. The option to have a lease agreement recognises that there are circumstances that this is a more appropriate form of agreement.</p>
Occupant Categories and Fees	<ul style="list-style-type: none"> Occupant categories and fees are not included within the current policy. 	<ul style="list-style-type: none"> Sets out criteria against which all occupants are considered to allow placement into an occupant category. The category will then determine the fees applicable to a lease or licence agreement. 	<ul style="list-style-type: none"> Occupant categories are used by the majority of Councils that were reviewed as part of the benchmarking exercise. Currently, a number of rental fees are based on historical arrangements which do not reflect Council's aims of providing a fair, consistent and transparent approach towards the setting of rental fees.
		<ul style="list-style-type: none"> Early Years category will apply to all early years' facilities that were subject to the 10 May 2011 Council resolution. It is expected that there will be no fees for these groups. 	<ul style="list-style-type: none"> The Early Years fee recognises Council's decision at the meeting on 10 May 2011 that the organisations occupying Council facilities and specified in the report should not be charged a rental fee. It is not anticipated that any further early years organisations would be added to this category unless approved by Council.

Issue	Current Policy	Proposed Policy	Reason
Occupant Categories and Fees (cont'd)		<ul style="list-style-type: none"> Community Group A category will apply to local community, service, sport and hobby groups that are incorporated not-for-profit groups that are unable to generate income beyond operating costs and may be dependent on volunteers. The fee applied to this group will be the Community Rate (previously known as the Annual Licence Fee) in the Annual Fees and Charges Schedule. 	<ul style="list-style-type: none"> The Community Group A category reflects the value provided by community organisations towards Council's strategic aims and acknowledges the issues of funding often faced by these groups. The current rental fee is \$180 per annum which is approved by Council as part of the Annual Fees and Charges Schedule.
		<ul style="list-style-type: none"> Community Group B will include incorporated not-for-profit community, service, sport and hobby groups that have the ability to generate income from activities consistent with the organisation purpose, but do not exist to make a commercial profit. Rental fees for this category will be determined on a case by case basis taking into consideration a number of factors including market rental value, contributions made through capital and/or maintenance investment, income generation, accessibility and benchmarking of other local rental fees payable. The fee will not be less than the Community Rate. 	<ul style="list-style-type: none"> It is difficult to set a fee for Community Group B groups due to the significant differences between income potential, investment and maintenance responsibilities. The case by case basis will allow the fee to be set to a fair and reasonable rate taking these factors into account. The benchmarking showed that there is a wide variety of methods of calculation for these types of groups. It is suggested that where the recommended rental fee results in a subsidy of more than 50% of the market rental value, the fee must be approved by Council.
		<ul style="list-style-type: none"> The Commercial category is for profit-making groups, telecommunications and similar infrastructure, and groups with electronic gaming on the premises. This fee will be a market rental valuation or determined through an expression of interest or similar process. 	<ul style="list-style-type: none"> The Commercial group will be charged market rental rates, in line with the results of benchmarking, to ensure Council meets its aims of a fair and consistent approach and that maximum value is returned to Council from these assets.

Issue	Current Policy	Proposed Policy	Reason
Term	<ul style="list-style-type: none"> Standard term of five years with other terms considered depending on specific circumstances. 	<ul style="list-style-type: none"> Standard term of five years for a licence agreement. A shorter term will be given if the facility is required in Council's long-term plans. A longer term may be considered only if there is financial investment or certainty is needed for the organisation. Lease agreements will be negotiated on a case-by-case basis depending on a range of criteria including Council strategic direction, capital investment, type of facility, community benefit and organisational need. 	<ul style="list-style-type: none"> The standard licence term is in line with recent direction and ensures Council is not tied into long term agreements. Reviewing lease agreement terms on a case-by-case basis is consistent with current practice and allows Council flexibility to recognise the needs and responsibilities of lessees, which, as exclusive users, often differ from licensees.
Rent Review	<ul style="list-style-type: none"> Not included in current policy. 	<ul style="list-style-type: none"> Community Group rentals will increase in line with the adopted Annual Fees and Charges Schedule. Where an agreement is longer than five years, it will be subject to a market review every five years or upon the exercise of an option for a further term. 	<ul style="list-style-type: none"> This is consistent with the results of the benchmarking and ensures that Council is able to apply appropriate rental fees in a changing environment.
Maintenance	<ul style="list-style-type: none"> Tenants maintain facility in line with maintenance schedule, and must comply with risk management requirements. 	<ul style="list-style-type: none"> Tenants maintain facility in line with schedule and provide certificate of compliance for works where required. Tenants are required to obtain written approval prior to carrying out any works on Council buildings. Council reserves the right to inspect premises annually or as required. 	<ul style="list-style-type: none"> Greater clarification of requirements in relation to maintenance. This is consistent with approaches by neighbouring Councils.

Issue	Current Policy	Proposed Policy	Reason
Insurance	<ul style="list-style-type: none"> • Council will insure building, fixtures and fittings; tenants must insure contents and hold professional indemnity and public liability insurance. • No process if non compliance of insurance requirements. 	<ul style="list-style-type: none"> • As per current policy, with the inclusion of a value for the public liability insurance and requirement for tenants who constructed their own facility to hold building insurance. • Clarification that tenant is required to provide a copy of Certificate of Currency prior to the commencement date and thereafter annually. • Escalation process in place when insurance requirements are not met. 	<ul style="list-style-type: none"> • Clarifies the current requirement for \$20 million public liability insurance and need for Council to always have evidence that appropriate insurance cover is held by the tenant. • Ensures Council is not at risk.
Child Safe Standards	<ul style="list-style-type: none"> • Not addressed in current policy. 	<ul style="list-style-type: none"> • Sets out requirements for tenants providing services for children to comply with the Child Safe Standards. 	<ul style="list-style-type: none"> • Includes requirements that have been introduced since the adoption of the current policy.
Rates, Taxes and Outgoings	<ul style="list-style-type: none"> • Not addressed in current policy. 	<ul style="list-style-type: none"> • Tenants may pay rates, taxes and other charges and levies separately assessed if applicable. • Commercial organisations will pay an amount equal to rates. • The tenant is responsible for utilities and services, except water at recreation reserves where it is not separately metered. • A memorandum of understanding must be agreed if a facility is shared. 	<ul style="list-style-type: none"> • This is in line with requirements of the standard licence agreement and clarifies Council's position with regards to different types of occupants. • Due to the potential for high water use to irrigate sportsgrounds, where a facility is based at a recreation reserve and the water supply is not separately metered, the tenant will not be responsible for water charges.

Issue	Current Policy	Proposed Policy	Reason
Reporting Requirements	<ul style="list-style-type: none"> Tenants must provide list of office bearers at commencement of tenancy, notification of AGM, and following the AGM, a copy of their annual report and financial statements. The tenant is required to participate in a review of performance against agreed standards. 	<ul style="list-style-type: none"> Community and sporting groups required to report against eligibility criteria on request. Community organisations are required to submit information on their activities, public access, maintenance undertaken, annual and financial reports and list of office bearers. Utilisation of facility. 	<ul style="list-style-type: none"> Aligns with the requirements set out in the standard licence agreement and makes a distinction between information required from community groups who occupy facilities at a discounted rate, and commercial organisations.
Signage	<ul style="list-style-type: none"> Not included in current policy. 	<ul style="list-style-type: none"> Community organisations required to comply with Council's Community Signage on Council Open Space Policy. Commercial organisations required to comply with Knox Planning Scheme. 	<ul style="list-style-type: none"> Recognition of different expectations of the public and planning requirements for signage at community facilities and in open space and that provided in commercial areas.
Permitted Use	<ul style="list-style-type: none"> Permitted use will be identified and inserted into licence agreement. 	<ul style="list-style-type: none"> Provides guidance on purpose of permitted use clause. Requires tenant to obtain Council permission to change the permitted use. Advises that Council will not permit use that is not compatible with requirements of the facility's building permit. Allows Council to end occupancy where the use is not compatible with occupancy certificates and other approvals. 	<ul style="list-style-type: none"> Ensures the use of the building is appropriate for the type of facility at the commencement of the agreement and for its duration.

Issue	Current Policy	Proposed Policy	Reason
Terms of Use	<ul style="list-style-type: none"> • Not included in current policy. 	<ul style="list-style-type: none"> • Provides guidance on the days and times of use that will be permitted under lease and licence agreements. 	<ul style="list-style-type: none"> • Clarifies the differences between availability of the facility of leases and licences with regard to exclusive and shared use.
Sub-letting	<ul style="list-style-type: none"> • Tenant is not permitted to sub-let facility without prior written consent. 	<ul style="list-style-type: none"> • Defines sub-letting. • Sub-letting generally not permitted under a licence agreement, although permission may be given in some circumstances to casually hire the facility, or sub-licence with prior approval from the relevant department manager. • Leased facilities may sub-let with Council's prior consent. Some lessees may be granted to right to hire or sub-let facility without requiring Council approval. • If a sub-lease is approved, Council reserves the right to adjust head lease rental fee if the sub-let is more than cost recovery. Financial gain may be payable to Council. 	<ul style="list-style-type: none"> • Recognises need for some facilities to have permission to hire out facilities to maximise community benefit, such as community managed halls and Knox Athletics Track and early years facilities. • Ensures that organisations do not use Council facilities as an income-generating mechanism.
Gaming and Liquor	<ul style="list-style-type: none"> • Not included in current policy. 	<ul style="list-style-type: none"> • Council will not enter into a new occupancy agreement with an organisation that operates electronic gaming machines on the premises. • Council will not support increase in number of machines at facilities with existing gaming machines. • Liquor licence applications require Council consent before applying. 	<ul style="list-style-type: none"> • Aligns with Council's Electronic Gaming Machine Policy. • Consent for liquor licence applications to be approved in line with current practice within Knox and neighbouring Councils.

Issue	Current Policy	Proposed Policy	Reason
Keys and Access	<ul style="list-style-type: none"> Not included in current policy. 	<ul style="list-style-type: none"> Council facilities must have Council locks and padlocks. If non-Council lock added, key must be provided. Tenant-installed locks may be removed and costs charged to tenant. Tenant will be provided with up to four sets of keys and must pay for any additional keys required. Tenant must keep a key register and provide to Council. 	<ul style="list-style-type: none"> Ensures Council is able to easily and immediately access all facilities as required. Number of keys is consistent with keys provided to sporting facilities allocated under seasonal tenant agreements.
Relocation	<ul style="list-style-type: none"> Not included in current policy. 	<ul style="list-style-type: none"> Council may terminate agreement with due notice where it proposes to dispose of, demolish or carry out redevelopment works during the term of an agreement. Reasonable attempts to relocate tenant will be made and new agreement will be on no less favourable terms for the time remaining on the existing agreement. 	<ul style="list-style-type: none"> Provides clarity over the process for relocation of a group in the event that it needs to move to accommodate work that Council is carrying out on the facility.
Termination	<ul style="list-style-type: none"> Agreement can be terminated by either party by giving three months' notice. Immediate termination may be considered if tenant is non-compliant. 	<ul style="list-style-type: none"> Council can terminate agreement by giving six months' notice. 	
Crown Land	<ul style="list-style-type: none"> Not included in current policy. 	<ul style="list-style-type: none"> Agreements for Crown Land managed by Council will be in the format prescribed by the appropriate State Government department with Council's terms and conditions as additional clauses. 	<ul style="list-style-type: none"> Clarifies the process for Crown Land.

Issue	Current Policy	Proposed Policy	Reason
Delegation	<ul style="list-style-type: none"> Licence agreements must be approved by Council where the rental fee differs from the fees and charges schedule, the current market rental value is \$5,000 or more, it is for a telecommunications facility or the term is longer than five years. 	<ul style="list-style-type: none"> Licence agreements must be approved by Council if the initial term is greater than five years or the fee subsidy is greater than 50% of the market rental value. All lease agreements must be approved by Council. 	<ul style="list-style-type: none"> The occupant categories and rental fees will ensure conformity to the fees and charges schedule. By introducing the requirement to report to Council only if the rental subsidy is 50% off the market rental value, it reduces administrative requirements of the reporting process while ensuring that rental fees are more closely linked with market rental value.

KNOX POLICY



LEASING AND LICENSING POLICY

Policy Number:	TBC	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Coordinator Property Management
Approval Date:	TBC	Version Number:	1
Review Date:	TBC		

1. PURPOSE

The facilities owned and leased or licensed by Council make an important contribution to the City's ability to achieve its objectives and service delivery. The facilities referred to in this policy includes both land and buildings and applies to Council facilities occupied under a lease or licence by a community or commercial organisation

This Policy provides a framework for leasing and licensing Council owned and managed properties. It establishes the requirements for all community Lessees and Licensees to demonstrate the community benefit arising from their use of a Council property and sets out reporting requirements to ensure accountability and recognition of Council's contribution. The Policy establishes the terms and conditions that will form the basis of negotiations for leases and licenses.

Through implementation of this Policy, Council aims to:

- Maximise the community benefit arising from the use of community facilities;
- Ensure responsible management of community assets; and
- Establish a methodology for categorising the type of lessors and licensees and calculating fees.

2. CONTEXT

Council owns and manages a number of facilities that are available to the community by way of a lease or licence agreement. This policy provides guiding principles to ensure that Council's land and buildings are managed responsibly in line with legislative requirements, while maximising the occupancy and benefit provided to the community through use of these facilities.

3. SCOPE

This policy applies to all Council owned land and/or buildings property occupied under a lease or licence agreement. It also applies to Crown land that is managed by Council on behalf of the Crown.

It does not include facilities that are:

- Allocated under Council's Sporting Reserve Facility Usage Policy;
- Managed by a third party on behalf of Council under a contractual agreement;
- Operated and managed by Council staff; or
- Leased or licenced to Council by an external lessor or licensor.

This policy will apply to all leases and licences developed or renewed following its adoption by Council.

4. REFERENCES

4.1 Knox Community and Council Plan 2017

- We are safe and secure
- We have strong regional economy, local employment and learning opportunities
- We are happy, healthy and well
- We are inclusive, feel a sense of belonging and value our identity
- Build, strengthen and promote good governance practices across government and community organisations

4.2 Relevant Legislation

- Local Government Act 1989
- Retail Leases Act 2003ct 2005 (Child Safe Standards)
- Telecommunications Act 1997
- Child Wellbeing and Safety A

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the Charter of Human Rights.

4.4 Related Council Policies

- Sporting Reserve Facility Usage Policy
- Naming and Renaming of Council Owned Facilities Policy
- Community Signage on Council Open Space Policy
- Electronic Gaming Policy
- Sale of Land and Buildings Policy
- Support for Community Based Facility Development/Improvements – External Funding Submissions
- Interim Guidelines for Casual Hire of Community Facilities

4.5 Related Council Procedures

- Property Management Toolkit
- Naming and Renaming of Council Owned Facilities Procedure

5. DEFINITIONS

In this Policy:

Commercial Organisation	An organisation or enterprise whose purpose is to make a profit that can be distributed to employees or shareholders and/or an organisation that provides electronic gaming machines on Council premises.
Community Organisation	A not-for-profit incorporated association or equivalent that provides activities and services for the benefit of the Knox community. This includes community groups, sports and recreation clubs and service organisations but excludes incorporated associations that hold a licence for electronic gaming machines.
Community Tenant	An organisation occupying Council premises on a non-commercial basis.
Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Facility	Land and/or buildings that are owned or managed by Council.
Crown Land	Land owned by the Government or a Government owned statutory authority that is managed by Council.
Department	The Victorian Department of Environment, Land, Water and Planning.
Facility Advocate	The Council Officer who acts as the liaison between Council and the organisation occupying Council land and/or buildings.
Incorporated Association	A club or community group, operating on a not-for-profit basis that is incorporated under the Association Incorporation Act 1981.
Lease Agreement	An agreement under which a lessee is granted exclusive occupancy of land and/or buildings for an agreed period.
Lessee	The occupant of Council land and/or buildings under a lease agreement.
Licence Agreement	A form of permission to enter and use land and/or buildings for an agreed purpose and/or stated period. The Licensee does not have exclusive use of the premises and Council is able to allow access by other user groups or the general public at other times.
Licensee	The occupant of Council land and/or buildings under a license agreement.
Memorandum of Understanding	A document that sets out a framework and a set of principles to guide the parties in the use of Council land and/or buildings where a facility has more than one licensee.
Premises	The area occupied under a lease or licence agreement.
Tenant	In this policy, an authorised person or incorporated body that has entered into or is proposing to enter into either a lease or a licence agreement with Council for the use of Council owned or managed premises.

6. COUNCIL POLICY

6.1 Policy Objectives

The objectives of the Policy are to:

- Ensure Council-owned facilities are used to meet demonstrated community needs consistent with the Council Plan;
- Optimise use of Council's community facilities and equitable access by the Knox community;
- Ensure a transparent and equitable process of granting new leases or licences and renewals by having clear assessment criteria;
- Ensure lessees and licensees pay fair and reasonable rentals based on clear eligibility criteria and calculation methodologies;
- Increase community access to activities and services, particularly access by disadvantaged and socially isolated groups and ensure all facilities are access for all;
- Enable Council's contribution to be reported to the community;
- Assist not-for-profit and volunteer-based organisations that offer activities and services to the Knox community;
- Ensure sound financial management and effective administration of community facility leasing and licensing; and
- Ensure reliable reporting and compliance with laws, regulations and standards and effective management of risk.

6.2 Eligibility

Council staff will assess prospective tenants before renewing an agreement or entering into negotiation with a prospective lessee or licensee. To be eligible to enter into a lease or licence agreement to occupy a Council facility, community organisations must:

- Be an incorporated association or equivalent;
- Be a not-for-profit community based organisation;
- Use the facility in a manner consistent with Council's objectives and current Community and Council Plan;
- Be open to the general public or members of the Knox community;
- Adhere to all relevant Council policies and procedures and have complied with the terms of any previous lease or licence from Council (where applicable); and
- Maintain appropriate insurances, including public liability insurance.

Commercial use will be granted to ensure utilisation of a facility where an organisation is an incorporated association, registered company or equivalent and:

- There is a demonstrated benefit to the community from the commercial activity that is being conducted; or
- The use complements other uses of the facility at a time when the facility would otherwise be vacant.

6.3 Type of Agreement

To maximise access to and use of community facilities, Council has a preference to enter into licence agreements rather than leases. A lease will only be offered where Council considers that providing exclusive rights to a single tenant is in the best interests of the community, or is necessary to recognise capital investment by the tenant and secure the desired use and long term development of the property.

6.4 Occupant Categories and Fees

Organisations wishing to enter into a lease or licence agreement with Council will be placed in one of the categories set out in the table below. These categories will determine the lease or licence fee that will apply.

Table 1

Category	Eligibility
Early Years	<ul style="list-style-type: none"> • Provides services that align with Council plans and strategies • Services accessible to Knox residents • Does not have ability to generate significant income beyond operating costs • Must be an incorporated association whose constitution does not permit the distribution of funds to members • Must be on the list of organisations for which Council has approved waiving of rental fees
Community Group A	<ul style="list-style-type: none"> • Community, service, sports and special interest/hobby groups that provide activities and services to the Knox community • May generate income from use of the facility or other activities consistent with organisation purpose, but income is not significantly higher than operating costs • May be dependent upon volunteers • Must be an incorporated association whose constitution does not permit the distribution of funds to members or • Government department and community organisations that service Knox and the surrounding area • Provide an ongoing and recognised benefit to Knox and surrounding community • Provides health, support or emergency services

Category	Eligibility
Community Group B	<ul style="list-style-type: none"> • Community, service, sports and special interest/hobby groups that provide activities and services to the Knox community • Generates income from use of the facility or other activities consistent with organisation purpose, where income is significantly higher than operating costs • May be dependent on volunteers • Must be an incorporated association whose constitution does not permit the distribution of funds to members
Commercial	<ul style="list-style-type: none"> • Profit-making groups occupying the premises on a commercial basis • Sport and recreation facilities operated by organisations for the purpose of making a commercial profit • An organisation which provides electronic gaming machines on the premises • Telecommunications and similar infrastructure

Fees and charges will be consistent, transparent and affordable to encourage and retain use of Council land and/or buildings for the benefit of the community, and to maximise the return where Council land and/or buildings are used for commercial purposes.

Council's fees and charges are determined through the annual budget process with an understanding of the important contribution made by community organisations in supporting the aims of the Council Plan. The following fees will apply to the Occupant Categories in Table 1 above:

Table 2

Category	Fee
Early Years	Nil
Community Group A	Community Rate as set out in the annual Fees and Charges Schedule.
Community Group B	<p>Fees will be assessed individually by the Facility Advocate, who will make a recommendation to Council based on the following criteria:</p> <ul style="list-style-type: none"> • Market rental value assessment • Level of maintenance responsibility • Capital contributions made by lessee or licensee for the construction of any buildings • Capital and or renewal contributions required under the agreement • Ability to generate income and extent of external funding • Service and program fees • Access by Knox residents • Use of volunteers

Category	Fee
Community Group B (cont'd)	<ul style="list-style-type: none"> • Track record as Council lessee or licensee • Fees payable by lessees or licensees using comparable facilities in similar municipalities • Consistency with Council objectives <p>The Fee will be no less than the Community Rate set out in the annual Fees and Charges Schedule.</p>
Commercial	Market driven, determined by a market rental valuation carried out by a valuer or the result of an expression of interest or similar process.

Following adoption, the new occupant categories and fee structure will apply to any new tenant entering into an agreement or when an existing agreement has expired and the current tenant seeks to enter into a new agreement.

For the 2017/18 financial year, the 'Annual Licence Fee' in the Fees and Charges Schedule will apply to all organisations in a category that is charged the Community Rate. This fee will be updated from 2018/19 to reflect the terminology in this policy.

6.5 Standard Terms and Conditions

Tenancy of Council facilities will be granted by way of a lease or licence agreement, except facilities that are allocated to sports clubs on a seasonal or annual basis under Council's Sporting Reserve Facility Usage Policy.

Standard terms for lease and licence agreements have been developed to reflect the contents of this policy and relevant legislation. These terms and conditions will form the basis of all community licences and leases.

Terms and conditions for commercial agreements will be negotiated on a case-by-case basis.

6.5.1 Term

The standard term for a licence agreement will be five years, subject to the satisfactory performance of the standards outlined in the licence agreement. A shorter term may be offered if the tenant is a new or emerging group, or if the facility is identified as required in Council's long-term plans for future use, demolition, refurbishment or a major capital works upgrade.

An extension to the standard term may be negotiated on a case by case basis only if the tenant invests or has invested in a fixed asset (such as a building or playing surface) and fully maintains the asset, or has been identified by Council as requiring long term planning certainty for funding and other organisational requirement.

The standard term for a lease agreement will be determined on a case-by-case basis, having regard to the particular circumstances of the facility and lessee, including Council planning and strategic direction, capital investment, the type of facility and proposed use, the extent of community benefit, and long term planning or other organisational need. All leases will be determined by Council.

6.5.2 Rent Review

Rent will be increased annually in line with Council's Adopted Fees and Charges Schedule.

Rental fees for all lease agreements, all agreements with commercial organisations, and licences where an extension to the standard term has been granted may be subject to a market review on the exercise of an option and/or every five years.

6.5.3 Maintenance (including improvements)

Tenants are required to maintain the facility in accordance with a maintenance schedule attached to the lease or licence agreement using the services of registered and qualified tradespeople to undertake works and provide a certificate of compliance for works that require it (e.g. plumbing and electrical). Schedules will specify the responsibilities of Council and the tenant, including responsibility for maintaining the structure of the building, fixtures and fittings, grounds and any specialised equipment or playing surfaces.

Written approval is required from Council prior to the commencement of any building, renewal or improvement work to the facility. In the first instance, tenants should contact their facility advocate for advice on the approval process and to submit plans for consideration.

Council reserves the right to inspect the premises each year or more frequently as required.

6.5.4 Insurance

All tenants are required to hold the following insurance:

- Public liability insurance to the value of \$20 million;
- Professional indemnity insurance; and
- Contents insurance for the lessee's or licensee's own property.

Public liability insurance must note Council's interest, unless otherwise agreed.

Council will insure buildings and Council installed and authorised fixtures and fittings. In instances where a tenant has a land only agreement, the tenant must maintain building insurance for their building constructed on Council land.

Tenants must provide Council with a Certificate of Currency prior to the signing of the licence agreement, and thereafter annually.

Failure to comply with providing Certificate of Currency documentation in the required times will result in the following escalation process:

- 14 days overdue – a reminder notice is provided
- 30 days overdue – a warning is provided
- 60 days overdue – a final warning is provided advising of intention to lock out
- 90 days overdue – Lessee/Licensee locked out until Certificate of Currency is provided

6.5.5 Child Safe Standards

The Victorian Government introduced the Child Safe Standards on 1 January 2016 to improve the way organisations provide services for children and prevent and respond to child abuse that may occur within the organisation.

Any organisation that provides services for children is required to comply with the Child Safe Standards. In addition to the requirement to comply under the Child Safety and Wellbeing Act 2005, the tenant is also obliged under their agreement with Council to ensure that Child Safe Standards requirements are complied with at all times.

6.5.6 Rates, Taxes and Outgoings

The tenant must pay all rates, taxes and other charges and levies separately assessed in connection with the Premises (if applicable). Where rates and taxes are not separately assessed, or the Premises are shared, the tenant must pay or refund to Council the proportion that the area of the Premises bears to the total area assessed within 14 days of receipt of a written notice from Council.

Where Council land and/or buildings are occupied under the 'commercial' occupant category, rates and charges are payable.

The tenant is responsible for utility and service charges including electricity, gas, telephone, water (excluding facilities located at recreation reserves which are not separately metered), waste, sanitary services and security.

Where the Premises are shared, the proportion to be paid by each tenant will be determined by negotiation and included in a Memorandum of Understanding signed by the relevant organisations.

6.5.7 Reporting Requirements

All community tenants are required to report against the eligibility criteria upon request and must advise Council if their organisational status changes during the term of their occupancy. Tenants are required to ensure that Council has a valid certificate of currency at all times. Certificates of currency must be provided to Council at the commencement of the agreement and as required thereafter.

Community tenants are required to submit the following information to Council within 4 weeks of the tenant's annual general meeting:

- the activities undertaken by the tenant;
- the level and degree of public access to the premises;
- details of any maintenance undertaken;
- copies of the most recent annual report and financial statement; and
- a list of office bearers including President, Secretary and Treasurer.

Council officers will assist tenants to comply with the reporting requirements by providing simple reporting formats and checklists. Council officers may also seek additional information where necessary to gain a better understanding of activities, the extent of community use and opportunities for facility and service development.

6.5.8 Signage

Prior written consent must be obtained from Council before displaying or affixing any signs, advertisements or notices to any part of the premises. Signage must comply with Council's Community Signage on Council Open Space Policy or the Knox Planning Scheme.

6.5.9 Permitted Use

The permitted use defines what the tenant can or cannot do at the premises. The permitted use should be clearly defined and avoid broad or vague statements which may be open to interpretation.

Tenants must obtain Council's prior written consent for any change in the permitted use or additional use of the premises, including any planning or building permit that may be required. Consent may be granted or withheld at Council's absolute discretion and subject to other conditions.

Council will not permit a change in use of the premises that is not compatible with the building permit for the facility, without the appropriate approvals. This includes occupancy levels, and changes to the building classification. Council is permitted to determine and end any agreement under these circumstances.

6.5.10 Terms of Use

The days and times of use will generally relate to the type of agreement that is offered.

A Lease Agreement offers exclusive use to the tenant and as such, the tenant will be permitted to operate from the Premises at any time in accordance with any applicable planning permit requirements, Council's Local Laws and having regard to legislation relating to noise pollution.

Due to the non-exclusive nature of a Licence Agreement, the tenant is permitted to occupy the facility on agreed days and times of use, which allows Council the flexibility to offer the facility to other community groups and thereby maximise the use of the facility. Where a facility is shared between two or more tenants, a Memorandum of Understanding will be negotiated and signed by all tenants and Council.

6.5.11 Sub-Letting

Sub-letting is where the facility, or part of the facility, is leased, licensed or hired out to another group by the tenant. The tenant remains responsible for all its obligations under their agreement.

Under a Licence Agreement, sub-letting of a facility to another group is generally not permitted. In some circumstances, including community-managed halls, Council may give the licensee the right to hire out the premises on a casual basis to a third party (under certain terms and conditions), which will be set out in the Additional Clauses of the Licence Agreement. Council may also give the licensee permission to enter into a sub-licence agreement with a third party in some circumstances. The licensee must obtain prior written consent from the manager under whose department the licence agreement is managed.

Under a Lease Agreement, subletting of a facility is permitted by obtaining Council's prior consent. In some circumstance, Council may give the tenant the automatic right to hire out the premises on a casual basis to a third party (under certain terms and conditions), which will be set out in the Additional Clauses of the Lease Agreement.

If Council agrees to a sub-lease of the premises, Council may review and adjust the rental fee of the head lease if the sub-lease rental fee is more than cost recovery. Any financial gain from subletting may in part be payable to Council rather than the tenant.

6.5.12 Gaming and Liquor

In line with Council's Electronic Gaming Policy, Council will not enter into a new occupancy agreement with any organisation that operates or intends to operate electronic gaming machines on the premises. In addition, Council will not support any increase in the number of electronic gaming machines at any facilities with existing gaming facilities.

Proposals for new or amended liquor licenses require prior Council consent before an application is made.

6.5.13 Keys and Access

All facilities must have Council locks on all doors and tenants are not to change any lock or install locks/padlocks to any area of a facility. If locks or padlocks are added or changed for any reason, the tenants must provide a key to Council immediately, along with justification for the change. Council may remove any locks installed by the tenant and seek reimbursement from the tenant for the cost of carrying out the removal.

Tenants will be provided with up to four sets of keys at the commencement of their tenancy. Any further keys issued will be at the tenant's own cost. It is the tenant's responsibility to ensure that a key register is maintained at all times. This should be provided to Council as part of the reporting process.

Council reserves the right to change some/all locks or padlocks of a facility or to change from manual to electronic locking system as part of the capital program of renewal/replacement. Access fobs will be provided by Council in this instance.

6.5.14 Relocation

Where Council proposes to dispose of, demolish, redevelop or otherwise carry out significant alterations or additions to a leased or licensed property during the term of the agreement, Council may terminate the agreement with due notice as detailed in the lease or licence agreement and make reasonable attempt to make available to the tenant a suitable alternative premises. The agreement for a new premises will be on no less favourable terms for the duration of the unexpired portion of the current agreement where this can be achieved.

6.5.15 Termination and Renewal

Council reserves the right to terminate lease and licence agreements by providing a minimum of six months' notice in writing.

6.6 Crown Land

Where Council acts as the Committee of Management of Crown Land, Council must seek approval from the Department of Land, Water and Planning to enter into a lease or licence agreement over the portion of Crown Land. Leases and licenses will be in the prescribed form as provided by the Department and Council's terms and conditions will form part of the special conditions of the lease or licence. The Department must approve any additional terms and conditions.

6.7 Delegation

The Chief Executive Officer has authority to execute all licence agreements that are categorised as Early Years, Community Group A and Emergency Services and Welfare Support occupants, unless the initial term of the agreement is greater than five years.

The Chief Executive Officer has authority to execute licence agreements that are categorised as Community Group B occupants, unless:

- The initial term of the agreement is greater than five years; or
- The licence fee is less than 50% of the market rental value.

Should any of these provisions apply, the licence agreement shall be referred to Council for consideration.

Council approval is required for all lease agreements, including agreements that do not require a Public Notice to be issued in accordance with the Local Government Act 1989.

6.8 Implementation of Policy

This policy will apply to all new and renewed lease and licence agreements following its adoption.

7. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include change to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

COUNCILLOR HOLLAND VACATED THE CHAMBER AT 8.25PM DURING DISCUSSION ON ITEM 10.5 AND PRIOR TO THE VOTE**ALL WARDS****10.5 FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 31 DECEMBER 2017**

SUMMARY: *Acting Coordinator Management Accounting
(Lynn Tanu)*

The Financial Performance Report for the period ended 31 December 2017 is presented for consideration.

RECOMMENDATION

That Council receive and note the Financial Performance Report, attached as Appendix A, for the period ended 31 December 2017.

1. INTRODUCTION

The provision of the quarterly Financial Performance Report to Council ensures that associated processes are accountable, transparent and responsible resulting in sound financial management.

The attached Financial Performance Report (Appendix A) has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- Comprehensive Income Statement;
- Balance Sheet;
- Cash Flow Statement; and
- Statement of Capital Works.

The Financial Performance Report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget. Council adopted its 2016-17 annual budget at its Ordinary Council Meeting held 26 June 2017.

The financial year-end position of Council is anticipated by way of forecasts. The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2017-18 Forecast includes the following details:

- The 2017-18 Adopted Budget;
- Carry forward funding from 2016-17 into 2017-18 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects; and
- Adjustments as a result of officers periodically assessing Council's budgetary performance taking into account emerging events and matters.

10.5 Financial Performance Report for the Period Ended 31 December 2017 (cont'd)

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 the quarterly Financial Performance Report is provided to Council's Audit Committee.

4. ENVIRONMENTAL/AMENITY ISSUES

This report does not have any environmental or amenity issues for discussion.

5. FINANCIAL & ECONOMIC IMPLICATIONS

5.1 Financial Performance for the Period Ended 31 December 2017

The overall financial position at 31 December 2017 is satisfactory and indicates that Council, after taking into consideration carry forward funding requirements from 2016-17 into 2017-18, is on track to complete the current financial year within the targets established in the 2017-18 Adopted Budget.

For the period ending 31 December 2017, Council has achieved an operating surplus of \$68.751 million. This is \$9.697 million favourable to the year to date (YTD) Adopted Budget. Council's forecast year end position is an operating surplus of \$7.844 million, which is \$3.891 million greater than the Adopted Budget.

The total capital works expenditure for the period ended 31 December 2017 is \$18.926 million. This is \$2.654 million greater than the YTD Adopted Budget. The forecast capital works expenditure for the year is \$74.660 million and includes \$32.724 million in carry forward funding requirements from 2016-17 into 2017-18, and excludes \$19.974 million in anticipated carry forward expenditure from 2017-18 into 2018-19.

Further detail and discussion of the financial performance of Council for the period ended 31 December 2017 is provided in the attached Financial Performance Report (Appendix A).

6. SOCIAL IMPLICATIONS

There are no direct social implications arising from this report.

10.5 Financial Performance Report for the Period Ended 31 December 2017 (cont'd)**7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

This report relates to the following goals and strategies within the Knox Community and Council Plan 2017-2021 as outlined below:

Goal 8 We have confidence in decision making

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

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (James Morris, Acting Manager Financial Services) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Lynn Tanu, Acting Coordinator Management Accounting) - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

Council has achieved an operating surplus of \$68.751 million for the period ended 31 December 2017. An operating surplus of \$7.844 million is forecast for 2017-18.

10. CONFIDENTIALITY

There are no components of this report which have been declared confidential in accordance with the Local Government Act 1989.

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. KEOGH

That Council receive and note the Financial Performance Report, attached as Appendix A, for the period ended 31 December 2017.

CARRIED

KNOX

your city



Official notes of Knox City Council



Financial Performance Report

For year to date ended 31 December 2017

Contents

Financial Performance Report for year to date ended 31 December 2017

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Official Minutes of Knox City Council

Executive Summary

Financial Performance Report for year to date ended 31 December 2017



Introduction and Purpose

The Financial Performance Report for year to date ended 31 December 2017 has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- Comprehensive Income Statement;
- Balance Sheet;
- Cash Flow Statement; and
- Statement of Capital Works.

This report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget and anticipate the financial position of Council as at financial year end by way of forecasts. Council adopted its 2017-18 Annual Budget at its Ordinary Council Meeting held 26 June 2017.

The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2017-18 Forecast includes the following details:

- Carry forward funding from 2016-17 into 2017-18 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects; and
- Adjustments to the adopted budget as a result of officers periodically assessing Council's financial health and landscape as a result of emerging events and matters.

Discussion of Financial Results

Forecast

Access to the live budgetary forecast screen in magIQ for the 2017-18 financial year went live on 1 November 2017 in line with the launch of the 2018-19 budget process. Forecasts can now be updated at any stage throughout the remainder of the financial year.

The 2017-18 Forecast includes the following adjustments:

Income

- \$0.204M net increase in the final 2017-18 financial assistance grant income allocation received from the Victoria Grants Commission (general purpose and local roads funding);
- \$0.500M increase in income from supplementary rates;
- \$0.506M increase in income from the residential garbage charge;
- \$2.170M increase in Monetary Contributions with \$2.000M of this increase being in City Planning due to higher than expected income from public open space contributions;
- \$0.402M increase in Statutory Fees and Charges with the majority of this increase again being in City Planning due to higher than anticipated application numbers;
- \$0.360M decrease in grants revenue in Family & Children's Services due to lower utilisation – every effort has been made to minimise the net variance, particularly through the reallocation of staff across the childcare network; and
- \$0.356M increase in capital grants and contributions carried forward from 2016-17 into 2017-18.

Executive Summary (continued)

Financial Performance Report for year to date ended 31 December 2017



Expenses (Operating and Capital Works)

- \$15.344M in additional carry forward funding from 2016-17 into 2017-18 for both operational expenditure (\$2.335M) and capital works expenditure (\$13.009M). \$0.643M of this carry forward funding for capital works expenditure is operational in nature. These funds are required for the successful completion and delivery of key outcomes and projects;
- The above carry forward of capital works expenditure is in addition to the \$19.715M of carry forward capital works expenditure included in the Adopted Budget (making a total capital carry forward expenditure of \$32.724M);
- Anticipated \$19.974M in carry forward funding from 2017-18 into 2018-19 for approved capital works expenditure identified as being required to carry forward. This anticipated carry forward in capital works includes \$6.029M relating to the Stamford Park redevelopment, \$4.388M relating to the Wantirna South Early Years Hub, \$2.038M relating to the Bayswater Early Years Hub, and \$6.226M relating to information technology and the ICT Strategy;
- Forecast depreciation has been reduced by \$1.224M due to the lower than forecast capital expenditure in the 2016-17 financial year. The capital expenditure carried forward will not be depreciated for the full financial year;
- The forecast WorkCover premium has been reduced by \$0.140M to reflect the premium paid in August 2017; and
- \$0.164M decrease in loan interest payments as a result of the \$4.750M loan for the street light upgrade project not being required to be taken out in the 2016-17 financial year.

Operating Results

Operating Results	Year to Date			Full Year		
	Adopted Budget	Actual	Variance	Adopted Budget	Forecast	Variance
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Income	133,446	138,044	4,598	159,566	162,865	3,299
Expense	74,392	69,293	5,099	155,614	155,021	593
Surplus (Deficit)	59,054	68,751	9,697	3,953	7,844	3,891

Full year Forecast for Operating Results includes \$2.335M in carry forward net expenditure from 2016-17 into 2017-18, together with \$0.643M in additional carry forward expenditure for capital works that is operational in nature.

Income has an overall favourable variance of \$4.598M compared to the year to date (YTD) Adopted Budget of \$133.446M. This is primarily due to a favourable variance in Monetary Contributions, coupled with higher than anticipated supplementary rates income and a favourable variance in the residential garbage charge which reflects the number of tenements across the municipality. The full year forecast total income is anticipated to be \$162.865M and is \$3.299M favourable to the Adopted Budget.

Expenditure has an overall favourable variance of \$5.099M compared to the YTD Adopted Budget of \$74.392M. The favourable variance in Materials and Services of \$3.893M and Employee Costs of \$2.047M are partially offset by the early payment of the third quarter contribution to Eastern Regional Libraries Corporation. The full year forecast expenditure is anticipated to be \$155.021M and is \$0.593M favourable to the Adopted Budget. This favourable variance is after allowing for the carry forward funding from 2016-17 into 2017-18 for operational expenditure and capital works that is operational in nature (i.e. expenses that do not meet the criteria for capitalisation).

Executive Summary (continued)

Financial Performance Report for year to date ended 31 December 2017



The operating surplus for the period ended 31 December 2017 is \$68.751M which is \$9.697M favourable to the YTD Adopted Budget. The forecast surplus for the year is \$7.844M which is \$3.891M favourable to the Adopted Budget of \$3.953M.

Capital Works Program

Capital Works Expenditure	Adopted			Adopted		
	Budget \$'000's	Actual \$'000's	Variance \$'000's	Budget \$'000's	Forecast \$'000's	Variance \$'000's
Property	7,902	6,653	1,249	46,907	35,260	11,647
Plant and Equipment	1,241	1,354	(113)	10,435	6,622	3,813
Infrastructure	7,129	10,918	(3,789)	24,649	32,778	(8,130)
Total Capital Works Expenditure	16,271	18,926	(2,654)	81,990	74,660	7,330

Full year Forecast for Capital Works Expenditure includes \$32.724M in carryforward expenditure from 2016-17 into 2017-18, and excludes \$19.974M in carry forward expenditure from 2017-18 into 2018-19.

The performance of the Capital Works Program including details of variances is reported in the Statement of Capital Works.

For the period ended 31 December 2017 the Capital Works Program shows an expenditure of \$18.926 – this is \$2.654M greater than the expected YTD Adopted Budget position. After taking into consideration the capital works projects carried forward from 2016-17 into 2017-18, and also taking into account the capital works projects expected to be carried forward from 2017-18 into 2018-19, the forecast Capital Works Expenditure for the year is \$74.660M.

Balance Sheet

Balance Sheet	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Current Assets	111,075	131,543	20,468	52,486	80,296	27,810
Non-Current Assets	1,709,240	1,690,937	(18,303)	1,754,203	1,743,938	(10,265)
Total Assets	1,820,315	1,822,480	2,165	1,806,689	1,824,234	17,545
Current Liabilities	26,428	27,012	(583)	47,869	50,367	(2,498)
Non-Current Liabilities	11,407	5,803	5,604	30,483	24,366	6,117
Total Liabilities	37,835	32,815	5,021	78,352	74,733	3,619
Net Assets	1,782,480	1,789,665	7,185	1,728,337	1,749,501	21,164
Accumulated Surplus	678,890	679,453	563	635,708	647,864	12,156
Asset Revaluation Reserve	1,067,083	1,072,093	5,010	1,067,083	1,072,093	5,010
Other Reserves	36,507	38,119	1,611	25,546	29,543	3,997
Total Equity	1,782,480	1,789,665	7,185	1,728,337	1,749,501	21,164
Working Capital Ratio	4.20	4.87		1.10	1.59	

The Balance Sheet as at 31 December 2017 indicates a sustainable result. A comparison of total Current Assets of \$131.543M with total Current Liabilities of \$27.012M continues to depict a sustainable financial position (Working Capital Ratio of 4.87 to 1). Current Assets primarily comprises Cash and Cash Equivalents

Executive Summary (continued)

Financial Performance Report for year to date ended 31 December 2017



(\$23.080M), Other Financial Assets (\$26.600M) and Trade and Other Receivables (\$81.196M). Trade and Other Receivables includes \$89.491M of rates debtors (of which \$5.241M relates to arrears pre July 2017) and \$2.174M in other debtors. The working capital ratio of 4.87 compares favourably to the Adopted Budget working capital ratio of 4.20.

Trade and Other Receivables	Ageing				Total \$'000
	Current - 30 Days \$'000	31 Days - 60 Days \$'000	61 Days - 90 Days \$'000	More than 90 Days \$'000	
Rates Debtors	84,250	0	0	5,241	89,491
Special Rate Assessment	0	0	0	52	52
Parking and Animal Infringement Debtors	42	43	93	298	476
Other Debtors	1,724	261	38	151	2,174
Total Trade and Other Receivables	86,016	304	131	5,742	92,193

Rate debtors in arrears is \$5.241M. This amount has been outstanding from 2016-17 and prior.

The high rates debtors as at 31 December 2017 is due to the raising of 2017-18 rates and charges in July 2017. The percentage of rates collected to 31 December 2017 of 35.43% is slightly down on the percentage collected for the same period last year of 35.56%. Rate amounts owing are a charge over the property and therefore Council has recourse to collect these debts. Penalty interest at 9.5% per annum also applies. The due date for rates being paid in full is 15 February 2018.

Trade and Other Payables are \$5.647M as at 31 December 2017, which is \$0.302 favourable to the Adopted Budget. This has decreased from \$5.947M as at 30 September 2017.

Investment Analysis

Investment	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Cash and Cash Equivalents	30,282	23,080	(7,202)	40,794	68,291	27,497
Other Financial Assets	0	26,600	26,600	0	0	0
Total Funds Invested	30,282	49,680	19,398	40,794	68,291	27,497
Earnings on Investments	586	624	38	1,287	1,321	34

There was \$49.680M invested with various financial institutions as at 31 December 2017 – this includes Cash and Cash Equivalents (\$23.080M) and Other Financial Assets (\$26.600M). These funds include monies from trust funds and deposits and specific purpose reserves.

There are currently thirteen specific purpose reserves totalling \$38.119M as at 31 December 2017. These reserves are cash-backed, but do not usually have an allocated individual bank account.

The earnings on investments for the period ended 31 December 2017 was \$0.624M and is \$0.038M favourable to the YTD Adopted Budget as a result of current holdings of Cash and Cash Equivalents and Other Financial Assets.

Comprehensive Income Statement

for year to date ended 31 December 2017

Description	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)	
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S	
Income									
Rates and Charges		106,968	108,349	1,382	1.29%	✓	107,272	108,278	1,006
Statutory Fees and Fines		1,393	1,669	276	19.83%	✓	2,833	3,235	402
User Fees		9,839	9,959	120	1.22%	✓	14,843	14,921	77
Grants - Operating		10,201	11,183	982	9.63%	✓	20,351	20,057	(294)
Grants - Capital		1,323	1,765	442	33.44%	✓	4,724	4,603	(121)
Contributions - Monetary	1	2,489	3,764	1,275	51.21%	✓	4,932	7,102	2,170
Contributions - Non-Monetary		0	0	0	0.00%	✓	2,000	2,000	0
Increment on investment in associates		0	0	0	0.00%	✓	0	0	0
Other Income		1,233	1,354	121	9.80%	✓	2,611	2,668	57
Total Income		133,446	138,044	4,598	3.45%		159,566	162,865	3,299
Expenses									
Employee Costs		34,812	32,764	2,047	5.88%	✓	68,251	67,043	1,208
Materials and Services	2	24,947	21,054	3,893	15.60%	✓	57,071	58,399	(1,328)
Depreciation and Amortisation		11,433	11,081	352	3.08%	✓	22,867	21,643	1,224
Contributions and Donations	3	3,188	4,160	(972)	(30.48%)	✗	5,399	5,857	(458)
Borrowing Costs		82	0	82	100.00%	✓	164	0	164
Bad and Doubtful Debts		32	11	21	66.97%	✓	64	64	0
Other Expenses		279	337	(58)	(20.73%)	✗	558	775	(217)
Net (Gain) Loss on Disposal of Property, Infrastructure, Plant and Equipment		(380)	(113)	(268)	(70.37%)	✗	1,239	1,239	0
Total Expenses		74,392	69,293	5,099	6.85%		155,614	155,021	593
Surplus (Deficit)		59,054	68,751	9,697	16.42%		3,953	7,844	3,891
Total Comprehensive Income for the Year		59,054	68,751	9,697	16.42%		3,953	7,844	3,891

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✓ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✗ Negative 10% or less.

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Comprehensive Income Statement

for year to date ended 31 December 2017

Notes:

1	Higher than expected income from Public Open Space Contributions (\$1,021K favourable); income of this nature is unpredictable and is directly contingent on Developer activities in the municipality.
2	Favourable timing variance in Waste Management's contractors & services cost (\$382K) mainly due to seasonal demand in waste collection services. Favourable timing variance in Building Maintenance contractors & services costs (\$310K) in Building Maintenance Services mainly due to timing of incoming invoices. Favourable timing variance in Open Space Maintenance expenditures (\$286K) mainly due to weather condition in previous months affecting timing of activities and incoming invoices for mowing contracts. Permanent favourable variance for Public Liability and Professional Indemnity Insurance (\$185K), and Industrial Special Risk Insurance (\$68K) with a tendering process leading to lower premiums and Contracts Cost. Favourable timing variances in Information Management's contractors & services costs (\$252K) due to timing of activity and incoming invoices. Favourable timing variance in City Future's Consultant costs (\$126K) and Contract costs (\$108K) due to rescheduling of activities for the Development Contribution Plan, Wantirna Health Precinct projects, the Rural Land Strategic Review project (on hold), Strategic Asset and Investment Strategy (as per project scope) and Bayswater Back on Track projects. Favourable timing variances in Rates & Valuations with the debt recovery project (\$78K favourable), the fire services levy (\$72K favourable), and the valuation services contract (\$64K favourable). Favourable timing variance for Knox Central contract costs (\$191K) due to timing of the program's activities. Favourable variance in Traffic Management for Contracts (\$90K) due to timing of activities and for Signal Maintenance Charges (\$72K) due to timing of incoming invoice from VicRoads. Favourable timing variance in Strategy & Innovation CFBI contract (\$347K), which is partially offset by an unfavourable timing variance of \$250K in the recognition of CFBI savings. Favourable timing variance in Communications marketing (\$66K) due to rescheduling of activity in getting new Visual Identity assets and consultants (\$32K) due to timing of development of Web Strategy and Social Media Strategy which is expected to be finalised in quarter four. Unfavourable variance in Drainage Maintenance expenditure (\$239K) mainly due to more repair works required following recent storm events.
3	Unfavourable timing variance in Library Services (\$1,001K)– the second quarter contribution to Eastern Regional Libraries Corporation was budgeted for January 2018 but paid in December 2017.

The 2016-17 Forecast includes \$2.335M in carry forward expenditure from 2016-17 into 2017-18 required for the completion and delivery of key operational projects. Also included is \$0.643M in carry forward expenditure for capital works that is operational in nature.

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2017



Net (Income) / Expenditure	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance		Adopted Budget	Forecast	Variance	
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S	
Rates									
Rates and Valuation		(96,608)	(97,529)	921	0.95%	✓	(96,705)	(97,205)	500
Net (Income) / Expense - Rates		(96,608)	(97,529)	921	0.95%		(96,705)	(97,205)	500
CEO and Council									
Chief Executive Officer		293	285	7	2.43%	✓	585	585	0
Councillors		360	301	59	16.42%	✓	702	709	(7)
People Performance	1	2,604	2,051	554	21.26%	✓	3,947	3,914	33
Net (Income) / Expense - CEO and Council		3,257	2,637	620	19.04%		5,234	5,208	26
City Development									
Directorate City Development		258	204	54	21.01%	✓	516	516	0
City Planning & Building	2	(979)	(2,328)	1,348	137.68%	✓	(2,001)	(4,472)	2,471
City Safety and Health	3	1,230	1,082	148	12.06%	✓	2,812	2,638	173
City Futures	4	1,841	1,524	316	17.19%	✓	3,768	4,304	(537)
Net (Income) / Expense - City Development		2,350	482	1,867	79.47%		5,094	2,987	2,107
Knox Central									
Knox Central	5	336	152	184	54.73%	✓	671	670	0
Net (Income) / Expense - Knox Central		336	152	184	54.73%		671	670	0
Community Services									
Directorate Community Services		299	231	68	22.63%	✓	597	595	2
Community Wellbeing	6	2,178	1,914	264	12.11%	✓	3,399	3,411	(12)
Family and Children's Services	7	2,519	2,383	136	5.40%	✓	4,324	4,787	(463)
Active Ageing and Disability Services	8	1,359	(157)	1,516	111.56%	✓	2,554	2,117	437
Youth, Leisure and Cultural Services	9	3,790	4,723	(933)	(24.61%)	✗	7,651	7,841	(190)
Net (Income) / Expense - Community Services		10,145	9,094	1,050	10.35%		18,525	18,751	(227)
Corporate Development									
Directorate Corporate Development		193	205	(12)	(6.21%)	✗	387	492	(106)
Financial Services	10	(223)	(778)	555	249.34%	✓	(988)	(1,473)	485
Governance and Innovation	11	1,773	1,313	460	25.95%	✓	3,452	3,167	285
Information Management	12	3,678	3,181	497	13.50%	✓	6,388	6,340	48
Communications and Customer Service	13	1,862	1,557	305	16.37%	✓	3,650	3,716	(66)
Net (Income) / Expense - Corporate Development		7,283	5,478	1,805	24.78%		12,889	12,243	646
Engineering and Infrastructure									
Directorate Engineering and Infrastructure		335	353	(18)	(5.44%)	✗	670	696	(26)
Sustainable Infrastructure	14	(6,186)	(7,520)	1,333	21.55%	✓	2,749	2,354	395
Community Infrastructure	15	2,879	2,456	423	14.68%	✓	6,255	6,363	(109)
Operations	16	7,007	6,625	382	5.45%	✓	13,935	13,976	(41)
Net (Income) / Expense - Engineering and Infrastructure		4,034	1,915	2,120	52.54%		23,608	23,389	219

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2017



Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 5%.
- ✘ Negative 5% or less.

Notes have been provided for these variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$100K and equal to or greater than positive 5%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$100K and equal to or less than negative 5%.

Notes:

1	Permanent favourable variance for Insurance Proceed income due to claim on light poles (\$33K). Permanent favourable variance for Public Liability and Professional Indemnity Insurance (\$185K), and Industrial Special Risk Insurance (\$68K) with a tendering process leading to lower premiums and Contract Costs. Deferral of cultural survey (\$40K) in Contract costs to now occur in August 2018. Temporary favourable variance for People Performance employee costs and on-costs (\$133K) due to partial vacancies at present and Contract costs due to timing of activities.
2	Higher than expected income from Public Open Space Contributions (\$1,021K favourable); income of this nature is unpredictable and is directly contingent on Developer activities in the municipality. Permanent variances in Planning Application fees (\$275K favourable) and Supervision Fees (\$120K favourable) due to increased activity and Consultant costs (\$68K unfavourable) due to increased VCAT appeal and utilisation of consultants for backlog works. These have been reflected in the Forecast.
3	Favourable variance was mainly due to employee costs and on-costs being \$202K lower than budget, driven primarily by several vacancies across the department and there has been limited suitable agency staff to backfill these vacant roles. Recruitment has been finalised for two positions, with the commencement of the parking officer vacancy in January. The parking officer vacancy has also contributed to lower than budgeted parking fine income (\$90K), which partially offsets the bottom line underspend position at end December. The variance at the end of December is also due to lower than budgeted Pound contract costs (\$67K), due to the change of animal pound provider after the 2017-18 budget was approved. The end December results also reflect an estimated accrued movement in the debtors for the Infringements Court, due to the unavailability of actual information from the Court for December reporting.
4	Favourable permanent variance in employee costs (\$168K) across the department, mainly due to vacant roles of which some have now been filled. This is offset by a permanent unfavourable variance for Legal Fees (\$59K) relating to key strategic projects including Stamford Park, Knox Central and Kingston Links. Favourable timing variance in Consultant costs (\$126K) and Contract costs (\$108K) due to rescheduling of activities for the Development Contribution Plan, Wantirna Health Precinct projects, the Rural Land Strategic Review project (on hold), Strategic Asset and Investment Strategy (as per project scope) and Bayswater Back on Track projects. Purchase order (\$47k) has been raised for the Stage 2 contract - financial feasibility assessment, recommendations and considerations needed to pursue a Development Contributions Program in the Knox Planning Scheme.
5	Temporary favourable variance for Contract costs (\$191K) due to the timing of the program's activities.
6	Favourable variance in the Municipal Leadership Disability program (\$104K favourable) due to the delay in recruitment for the vacant positions (budgeted for 2.20 EFT positions) - this has been reflected in the forecast. Favourable permanent variance of \$30K in subscriptions due to the realignment of tasks to the City Futures team. Favourable timing variance of \$34K for the annual donation to the Country Fire Authority branches, together with a favourable timing variance of \$61K in operational grants. Favourable variance of \$18K from the reimbursement of unspent Community Development Fund grants – these amounts reimbursed will be utilised in the grant process this year. Offset by an unfavourable timing variance of \$76K in Community Development Fund grants. Favourable variance of \$31K in the Community Safety Management employee costs and on-costs with a delay in recruitment for a Community Safety Officer due to a department realignment. Favourable variance of \$19K in Social Policy & Planning due to a delay in back-filling for staff leave.
7	Favourable timing variance of \$151K in consultants for the Early Years Hubs Project, partially offset by an unfavourable variance in the Early Years Hubs Project employee costs and on-costs (\$72K) due to movement of staff. Whilst Family Childcare Network income continues to be unfavourable due to lower utilisation (\$302K), every effort has been made to minimise the net variance, particularly through the reallocation of staff across the childcare network (favourable variance of \$215K in employee costs and on-costs) resulting in a net unfavourable variance of \$33K for the Family Childcare Network. Unfavourable timing variance of \$112K in Preschool Services employee costs and on-costs due to the profiling of annual leave – this will be rectified in January 2018.
8	Favourable variance of \$490K for employee costs and on-costs across the Active Ageing and Disability Services department. This includes a favourable variance of \$348K in Active Living employee costs and on-costs due to staff movements and position vacancies, partially offset by lower than projected service delivery levels; a favourable variance of \$142K in Active Ageing and Disability Services Management employee costs and on-costs due to positions being vacant; a favourable variance of \$39K in Active Communities employee costs and on-costs due to position vacancies; and an unfavourable variance of \$39K in Active Ageing and Disability Services Assessment employee costs and on-costs. Favourable timing variance of \$905K in Commonwealth grants revenue across the department due to the January 2018 funding instalment totalling \$930K being received in late December 2017.

Summary of Net Income and Expenditure by Department

for year to date ended 31 December 2017



Notes (continued):

9	Unfavourable timing variance in the Library Services contribution (\$1,001K)– the second quarter contribution to Eastern Regional Libraries Corporation was budgeted for January 2018 but paid in December 2017.
10	Permanent favourable variance of \$140K with the WorkCover premium due to the 2016/17 rateable remuneration being lower than estimated, together with a reduction in the WorkCover rate. Permanent favourable variance of \$101K in grants revenue due to an increase in the Victoria Grants Commission grant. Favourable variance of \$82K in interest payments due to the \$4.750M loan for the street lighting upgrade project not being taken out in 2016/17. Favourable timing variances with the debt recovery project (\$78K favourable), fire services levy (\$72K favourable), the valuation services contract (\$64K favourable), and the external audit (\$35K favourable).
11	Favourable timing variance of \$347K with the CFBI contract, which is partially offset by an unfavourable timing variance of \$250K in the recognition of CFBI savings. Favourable permanent variance in fines received from those who failed to vote (\$101K favourable), and employee costs in Governance Management (\$63K) due to vacancies (one has now been filled). Favourable timing variances due to timing of activities in Minor Grants Program funding which are subject to applications received (\$41K favourable), and contracts for elections, project support for Leap and Local Government Act changes (\$33K).
12	Favourable timing variance in Employee Costs (\$161K) due to some vacancies in the department – this will be utilised in the second-half of the year to deliver the ICT Strategy. Unfavourable variance (\$36K) in Contract costs used to cover some backlog from employee vacancies. Also, there are timing favourable variances in Software Upgrade and Licensing Extensions (\$176K), Postage (\$44K) and Copier Rental Other Expenses (\$32K) due to timing of activity and incoming invoice.
13	Favourable permanent variance in the department's employee costs and on-costs (\$118K) due to staff vacancies and movements throughout the year. Favourable timing variance in Communications marketing (\$66K) due to rescheduling of activity in getting new Visual Identity assets; consultants (\$32K) due to timing of development of Web Strategy and Social Media Strategy which is expected to be finalised in quarter four; and annual report (\$25K) due to timing of invoice receipt and report design with new Visual Identity. Also favourable is variance from internal transfer reimbursement (\$27K) due to utilisation of Communication's agents to deliver outcomes for Community Services' initiatives.
14	Favourable permanent variance for Residential Garbage Charge (\$507K) – income reflects the number of tenements across the municipality; and favourable timing variance in Waste Management Contractors & Services cost (\$382K) mainly due to seasonal demand in waste collection services. Favourable variance in Traffic Management for Contracts (\$90K) due to timing of activities and for Signal Maintenance Charges (\$72K) due to timing of incoming invoice from VicRoads. Favourable variance in Asset Management for Survey/Conditions costs(\$58K) and Consultant costs (\$30K), and in Street Lighting (\$49K) due to timing of activities.
15	Favourable permanent variance in Landscaping Grants income due to an unexpected grant from Melbourne Water for Enhancing of Dandenong Creek program (\$20K) and Biodiversity Local Contributions (\$18K) for Native Vegetation Net Gain Offset – there will be corresponding future variance in expenditure to deliver these programs; and in Project Delivery Footpath/Crossing Site Protection Fee (\$44K) – this reflects the quantity of development work. These are partially offset by an unfavourable permanent variance in Water expenditure (\$67K) due to two significant cases of burst water pipes. Favourable timing variance in Contractors & Services costs (\$285K) and Electricity costs (\$25K) in Building Maintenance Services mainly due to timing of incoming invoices; in Contracts and Landscaping costs (\$49K) mainly due to scheduling of activity for minor playgrounds and Knox Regional Netball Centre in Landscaping; timing of incoming invoices for Contract costs (\$32K) in Biodiversity Management and timing of internal reimbursement (\$95K) from capital works programme for labour costs. These are partially offset by an unfavourable permanent variance relating to last year's Stormwater project (\$71K) which is covered by an approved carry forward from 2016-17.
16	Favourable variance in Employee Costs of the department, mainly due to employees on long-term work cover and extended leave as well as some vacancies of roles. Favourable timing variance in Open Space Maintenance expenditures (\$286K) mainly due to weather conditions in previous months affecting timing of activities and timing of external invoices for mowing contracts; in Workshop due to timing of external invoices for fuel, insurance and registration (\$122K) and fuel prices have been steady; in Footpath Maintenance due to slowing down of non-urgent works to achieve savings to offset an unfavourable variance in Drainage Maintenance; and in Tree Maintenance income (\$51K) due to more requests for works done at owner cost. Unfavourable variance in Drainage Maintenance expenditure mainly due to more repair works being required following recent storm events; in Local Road Maintenance expenditure due to the timing of the fire hydrant maintenance invoice from last year (\$73k) and additional works on gravel roads due to storm damage; and additional street sweeping has been required due to excessive leaf litter resulting from the extreme weather conditions.

Statement of Capital Works

for year to date ended 31 December 2017

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Expenditure - Capital Works Program								
Property								
Land		0	82	(82)	(100.00%)	8,085	8,085	0
Buildings	1	7,902	6,571	1,331	16.84%	38,822	27,175	11,647
Total Property		7,902	6,653	(1,249)	(15.80%)	46,907	35,260	11,647
Plant and Equipment								
Artworks		60	26	34	56.46%	161	161	0
Plant, Machinery and Equipment	2	244	809	(566)	(232.18%)	2,254	2,985	(732)
Fixtures, Fittings and Furniture		0	20	(20)	(100.00%)	664	684	(20)
Computers and Telecommunications		937	499	438	46.74%	7,356	2,792	4,565
Total Plant and Equipment		1,241	1,354	113	9.14%	10,435	6,622	3,813
Infrastructure								
Roads (including Kerb and Channel)	3	2,947	4,167	(1,220)	(41.38%)	8,167	11,557	(3,390)
Drainage	4	989	2,107	(1,118)	(113.05%)	2,695	4,651	(1,956)
Bridges		22	246	(223)	(997.07%)	1,000	1,145	(145)
Footpaths and Cycleways	5	956	1,541	(585)	(61.15%)	3,673	3,848	(175)
Off Street Car Parks		92	256	(165)	(179.23%)	550	550	0
Recreation, Leisure, Parks and Playgrounds		1,987	1,843	144	7.27%	7,872	9,714	(1,842)
Other Infrastructure	6	135	758	(623)	(461.40%)	692	1,315	(623)
Total Infrastructure		7,129	10,918	3,789	53.15%	24,649	32,778	(8,130)
Total Expenditure - Capital Works Program		16,271	18,926	(2,654)	(16.31%)	81,990	74,660	7,330
Represented by:								
Extension / Expansion		317	337	(19)	(6.08%)	5,875	3,898	1,977
Legal Requirements		0	136	(136)	(100.00%)	0	0	0
New		3,821	4,153	(332)	(8.70%)	26,195	21,129	5,066
Renewal		8,814	11,445	(2,631)	(29.85%)	29,229	33,634	(4,405)
Upgrade		3,319	2,855	464	13.99%	20,691	15,999	4,692
Total Expenditure - Capital Works Program		16,271	18,926	(2,654)	(16.31%)	81,990	74,660	7,330
Funding Source for Capital Works Program								
External Funding								
Contributions - Monetary - Capital		80	160	80	99.58%	172	331	159
Grants - Capital		1,323	1,765	442	33.44%	4,724	4,603	(121)
User Fees - Capital		0	24	24	100.00%	0	0	0
Proceeds from Loan Borrowings		0	0	0	0.00%	19,950	19,950	0
Other Income - Capital		0	0	0	0.00%	0	0	0
Total External Funding		1,403	1,949	546	38.91%	24,846	24,885	39
Internal Funding								
Proceeds from Sale of Property, Infrastructure, Plant and Equipment		680	467	(213)	(31.34%)	1,361	1,361	0
Reserves	7	1,430	2,336	906	63.39%	14,683	13,948	(735)
Rate Funding	8	12,758	14,173	1,415	11.09%	41,101	34,466	(6,634)
Total Internal Funding		14,869	16,977	2,108	14.18%	57,144	49,775	(7,369)
Total Funding Source for Capital Works Program		16,271	18,926	2,654	16.31%	81,990	74,660	(7,330)
Carry forward expenditure from 2016-17							32,724	
Carry forward expenditure to 2018-19							(19,974)	
Movement in carry forward expenditure							12,750	

Statement of Capital Works

for year to date ended 31 December 2017

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10.00%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Notes:

1	Favourable timing variances in the Stamford Park Development (\$0.692M), The Basin Neighbourhood House Redevelopment (\$0.500M), the Alternative Buildings Program (Pavilions) (\$0.400M) and the Replacement of Components for all Council Owned Buildings (\$0.331M). Partially offset by carry forward works carried out, including the Operations Centre Relocation (\$0.326M), the Eildon Park Reserve Pavilion (\$0.124M) and Early Years Hub - Wantirna South (\$0.111M).
2	Unfavourable variance due to utilisation of carry forward funds for purchase of plant and motor vehicles.
3	Unfavourable variance due to the majority of work carried out being on carry forward works, including road reconstructions for Winderemere Drive, Ferntree Gully (\$0.476M), Erica Avenue, Boronia (\$0.379M), Sasses Avenue, Boronia (\$0.298M), and Macquarie Place, Boronia (\$0.282M). Partially offset by a favourable timing variance for the road reconstruction for Rosehill St, Scoresby (\$0.164M).
4	Unfavourable variance due to the majority of work carried out being on carry forward works, including works on Drainage Works - 1825 Ferntree Gully Rd, Ferntree Gully (\$0.422M), Stage 2 Wetland for Mint St, Wantirna (\$0.293M), and Renewal of Water Sensitive Urban Drainage (\$0.109M). Also an unfavourable timing variance in the Drainage Renewal Program (\$0.240M) due to early completion of works achieved by utilising Regional Contract.
5	Favourable timing variance in the Footpath Renewal Program (\$0.632M) due to early completion of works achieved by utilising Regional Contract.
6	Unfavourable variance due to carry forward works being completed for the Street Light LED Bulb Upgrade (0.422M) and the Replacement of Fire Hydrants and Plugs (\$0.103M).
7	Favourable variance due to the carry forward of capital works and associated reserve transfers, particularly with the Stamford Park Building Upgrades (\$0.508M) and the Marie Wallace Reserve, Bayswater (\$0.139M). Favourable timing variance with the Early Years Hubs, Bayswater (\$0.337M) and the Playground Renewal Program (\$0.192M). Unfavourable timing variance with the development and subsequent implementation of masterplan for Talaskia Reserve, Upper Ferntree Gully (\$0.193M) and the Tim Neville Arboretum (\$0.105M).
8	Council generates cash from its operating activities which is used as a funding source for the capital works program. It is forecast that \$34.466M will be generated from operations to fund the 2017-18 capital works program (inclusive of projects carried forward into 2017-18).

The 2017-18 Forecast includes \$32.724M in carry forward expenditure from 2016-17 into 2017-18 required for the successful completion and delivery of key capital works projects (including \$0.643M in carry forward expenditure for capital works that is operational in nature). As at 31 December 2017, a total of \$19.974M of approved capital works projects for 2017-18 have been identified as being required to be carried forward into 2018-19.

Balance Sheet

as at 31 December 2017

Description	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance		Adopted Budget	Forecast	Variance	
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S	
Current Assets									
Cash and Cash Equivalents	1	30,282	23,080	(7,202)	(23.78%)	✗	40,794	68,291	27,497
Other Financial Assets	2	0	26,600	26,600	100.00%	✓	0	0	0
Trade and Other Receivables		79,262	81,196	1,934	2.44%	✓	10,161	10,692	531
Other Current Assets	3	1,527	345	(1,182)	(77.38%)	✗	1,527	1,308	(219)
Non-Current Assets classified as Held for Sale		0	314	314	100.00%	✓	0	0	0
Inventories		4	7	3	65.27%	✓	4	5	1
Total Current Assets		111,075	131,543	20,468	18.43%		52,486	80,296	27,810
Non-Current Assets									
Investment in Associates		3,741	3,981	240	6.41%	✓	3,741	3,981	240
Property, Infrastructure, Plant and Equipment		1,704,187	1,685,274	(18,913)	(1.11%)	!	1,749,150	1,738,099	(11,051)
Intangible Assets		1,312	1,682	370	28.24%	✓	1,312	1,858	546
Total Non-Current Assets		1,709,240	1,690,937	(18,303)	(1.07%)		1,754,203	1,743,938	(10,265)
Total Assets		1,820,315	1,822,480	2,165	0.12%		1,806,689	1,824,234	17,545
Current Liabilities									
Trade and Other Payables		5,949	5,647	302	5.07%	✓	25,906	24,550	1,356
Trust Funds and Deposits	4	2,802	4,506	(1,704)	(60.83%)	✗	2,802	7,232	(4,430)
Provisions - Employee Costs		16,285	15,704	581	3.57%	✓	17,155	16,016	1,139
Defined Benefits Superannuation		0	0	0	0.00%	✓	0	0	0
Provision - Landfill Rehabilitation		591	1,155	(564)	(95.38%)	✗	591	1,155	(564)
Interest-Bearing Loans and Borrowings		802	0	802	100.00%	✓	1,415	1,415	0
Other Provisions		0	0	0	0.00%	✓	0	0	0
Total Current Liabilities		26,428	27,012	(583)	(2.21%)		47,869	50,367	(2,498)
Non-Current Liabilities									
Provisions - Employee Costs		910	848	62	6.81%	✓	910	876	34
Interest-Bearing Loans and Borrowings	5	3,687	0	3,687	100.00%	✓	22,763	18,535	4,228
Provision - Landfill Rehabilitation	6	6,810	4,955	1,855	27.24%	✓	6,810	4,955	1,855
Defined Benefits Superannuation		0	0	0	0.00%	✓	0	0	0
Other Provisions		0	0	0	0.00%	✓	0	0	0
Total Non-Current Liabilities		11,407	5,803	5,604	49.13%		30,483	24,366	6,117
Total Liabilities		37,835	32,815	5,021	13.27%		78,352	74,733	3,619
Net Assets		1,782,480	1,789,665	7,185	0.40%		1,728,337	1,749,501	21,164
Equity									
Accumulated Surplus		678,890	679,453	563	0.08%	✓	635,708	647,864	12,156
Asset Revaluation Reserve		1,067,083	1,072,093	5,010	0.47%	✓	1,067,083	1,072,093	5,010
Other Reserves		36,507	38,119	1,611	4.41%	✓	25,546	29,543	3,997
Total Equity		1,782,480	1,789,665	7,185	0.40%		1,728,337	1,749,501	21,164

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✓ 0% or greater.
- ! Less than 0% and greater than negative 10%.
- ✗ Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$1M and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$1M and equal to or less than negative 10%.

Balance Sheet

as at 31 December 2017

Notes:

1	The favourable variance of \$19.398M in the cash and cash equivalents balance (including other financial assets) is due in part to the actual balance as at 30 June 2017 being \$16.335M higher than the forecast figure used for the adopted budget.
2	Other financial assets are term deposits currently held with an original maturity date of more than 90 days.
3	Prepayments are taken up at financial year end.
4	Trust funds and deposits primarily reflects the cash holdings for refundable deposits. This includes \$1.172M collected for the fire services levy; this amount is payable to the State Revenue Office by the 28th March 2018.
5	Currently no interest-bearing loans and borrowings due to the \$4.750M loan for the street light upgrade project not being taken out in the 2016-17 financial year, while anticipated borrowings for the 2017-18 financial year are not scheduled for until June 2018.
6	An adjustment was made to the landfill provision on 30th June 2017, after the 2017-18 budget was adopted. To date there has been no further change to this provision balance in the 2017-18 financial year.

Official Minutes of Knox City Council

Cash Flow Statement

for year to date ended 31 December 2017

Description	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance		Adopted Budget	Forecast	Variance	
		\$000'S	\$000'S	\$000'S		\$000'S	\$000'S	\$000'S	
Cash Flows from Operating Activities									
Receipts									
Rates and Charges		44,643	44,761	119	0.27%	✓	107,138	108,144	1,006
Statutory Fees and Fines		1,393	1,669	276	19.83%	✓	2,833	3,235	402
User Fees		6,340	6,927	587	9.27%	✓	14,799	14,876	77
Grants - Operating	1	7,431	8,639	1,209	16.26%	✓	20,345	20,051	(294)
Grants - Capital		977	1,412	435	44.58%	✓	4,723	4,603	(121)
Contributions - Monetary	2	2,143	3,552	1,409	65.76%	✓	4,931	7,101	2,170
Interest Received		586	624	38	6.41%	✓	1,287	1,321	34
Other Receipts		647	730	83	12.87%	✓	1,324	1,347	23
Net Movement in Trust Deposits	3	68	(2,658)	(2,726)	(4,008.52%)	✗	68	68	0
Employee Costs		(35,122)	(32,544)	2,577	7.34%	✓	(67,691)	(66,483)	1,208
Materials and Services		(30,031)	(27,178)	2,853	9.50%	✓	(45,264)	(46,592)	(1,328)
Contributions and Donations	4	(4,273)	(5,034)	(761)	(17.80%)	✗	(2,493)	(2,951)	(458)
Other Payments		(279)	(337)	(58)	(20.73%)	✗	(558)	(775)	(217)
Net Cash Provided by / (Used in) Operating Activities		(5,479)	563	6,042	110.28%		41,442	43,946	2,503
Cash Flows from Investing Activities									
Payments for Property, Infrastructure, Plant and Equipment	5	(15,771)	(18,926)	(3,154)	(20.00%)	✗	(72,468)	(64,495)	7,973
Proceeds from Sales of Property, Infrastructure, Plant and Equipment		680	513	(167)	(24.61%)	✗	1,361	1,361	0
Payments for investments	6	0	(26,600)	(26,600)	(100.00%)	✗	0	0	0
Proceeds from sale of investments	7	0	49,100	49,100	100.00%	✓	0	49,100	49,100
Net Cash Used in Investing Activities		(15,091)	4,087	19,178	127.09%		(71,107)	(14,034)	57,073
Cash Flows from Financing Activities									
Proceeds of Borrowings		0	0	0	0.00%	✓	19,950	19,950	0
Repayment of Borrowings		(261)	0	(261)	(100.00%)	✗	(522)	0	522
Finance costs		(82)	0	(82)	(100.00%)	✗	(164)	0	164
Net Cash Provided by / (Used in) Financing Activities		(343)	0	(343)	(100.00%)		19,264	19,950	686
Net increase / (decrease) in Cash and Cash Equivalents		(20,913)	4,651	(25,564)	(122.24%)		(10,401)	49,861	60,262
Cash and Cash Equivalents at the Beginning of the Financial Year		51,195	18,430	(32,765)	(64.00%)		51,195	18,430	(32,765)
Cash at the End of the Year		30,282	23,080	(7,202)	(23.78%)		40,794	68,291	27,497

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✓ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✗ Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Cash Flow Statement

for year to date ended 31 December 2017

Notes:

1	Favourable timing variance of \$905K in Commonwealth grants revenue across the Active Ageing and Disability department due to the January 2018 funding instalment totalling \$930K being received in late December 2017.
2	Higher than expected income from Public Open Space Contributions (\$1,021K favourable); income of this nature is unpredictable and is directly contingent on Developer activities in the municipality.
3	Trust deposits includes \$1.172M collected for the fire services levy; this is payable to the State Revenue Office by the 28th March 2018.
4	Unfavourable timing variance in Library Services (\$1,001K)– the second quarter contribution to Eastern Regional Libraries Corporation was budgeted for January 2018 but paid in December 2017.
5	Unfavourable variance due to the majority of work carried out being on carry forward works, including the Plant and Machinery Replacement Program (\$0.566M), the Street Light LED Bulb Upgrade (\$0.422M), road reconstructions for Winderemere Drive, Ferntree Gully (\$0.476M), Erica Avenue, Boronia (\$0.379M), Sasses Avenue, Boronia (\$0.298M), and Macquarie Place, Boronia (\$0.282M), the Operations Centre Relocation (\$0.326M) and road reconstructions for Drainage Works - 1825 Ferntree Gully Rd, Ferntree Gully (\$0.422M), Stage 2 Wetland for Mint St, Wantirna (\$0.293M), and Renewal of Water Sensitive Urban Drainage (\$0.109M); and in Drainage Renewal Program (\$0.240M), and Footpath Renewal Program (\$0.632M) due to early completion of works achieved by utilising Regional Contract.
6	Payments for investments are term deposits with a maturity of greater than 90 days that have been invested during the 2017-18 financial year and have yet to mature.
7	Proceeds from the sale of investments are term deposits held at 30 June 2017 with a maturity of greater than 90 days that have matured during the 2017-18 financial year.

Official Minutes of Knox City Council

Financial Performance Indicators



as at 31 December 2017




The following table highlights Council's current and forecasted performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the Council's objectives.

Indicator	Calculation of Measure	Full Year			Notes
		Expected Bands	Adopted Budget	Forecast	
<p>Operating Position - Measures whether a council is able to generate an adjusted underlying surplus.</p>					
<p>Adjusted Underlying Result</p>					
Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position. The adjusted underlying surplus and the adjusted underlying revenue exclude the following types of income: grants - capital (non-recurrent), contributions - monetary (capital) and contributions - non-monetary.	[Adjusted Underlying Surplus (Deficit) / Adjusted Underlying Revenue] x 100	(20%) to 20%	(0.90%)	1.57%	✓ 1
<p>Liquidity - Measures whether a council is able to generate sufficient cash to pay bills on time.</p>					
<p>Working Capital</p>					
Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity.	[Current Assets / Current Liabilities] x 100	100% - 400%	109.65%	159.42%	✓ 2
<p>Unrestricted Cash</p>					
Indicator of the broad objective that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of unrestricted cash suggests an improvement in liquidity.	[Unrestricted Cash / Current Liabilities] x 100	10% - 300%	61.72%	101.55%	✓ 3
<p>Obligations - Measures whether the level of debt and other long term obligations is appropriate to the size and nature of the Council's activities.</p>					
<p>Loans and Borrowings</p>					
Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations.	[Interest Bearing Loans and Borrowings / Rate Revenue] x 100	0% - 70%	22.54%	18.42%	✓ 4
<p>Debt Commitments</p>					
Defined as interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue.	[Interest and Principal Repayments / Rate Revenue] x 100	0% - 20%	0.64%	0.00%	✓ 5
<p>Indebtedness</p>					
Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations	[Non Current Liabilities / Own Source Revenue] x 100	2% - 70%	23.90%	18.87%	✓ 6

Financial Performance Indicators

as at 31 December 2017

Indicator	Calculation of Measure	Full Year			Notes
		Expected Bands	Adopted Budget	Forecast	
Asset Renewal Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations	$\frac{\text{[Asset Renewal Expenditure / Depreciation]} \times 100}{}$	40% - 130%	99.94%	125.72% 	7
Stability - Measures whether a council is able to generate revenue from a range of sources. Rates Concentration Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability.	$\frac{\text{[Rate Revenue / Adjusted Underlying Revenue]} \times 100}{}$	30.00% - 80.00%	69.55%	68.75% 	8

 Forecasts improvements in Council's financial performance / financial position indicator compared to the Adopted Budget position.
 Forecasts that Council's financial performance / financial position indicator will be reasonably steady and is within Expected Bands.
 Forecasts deterioration in Council's financial performance / financial position indicator compared to the Adopted Budget position.

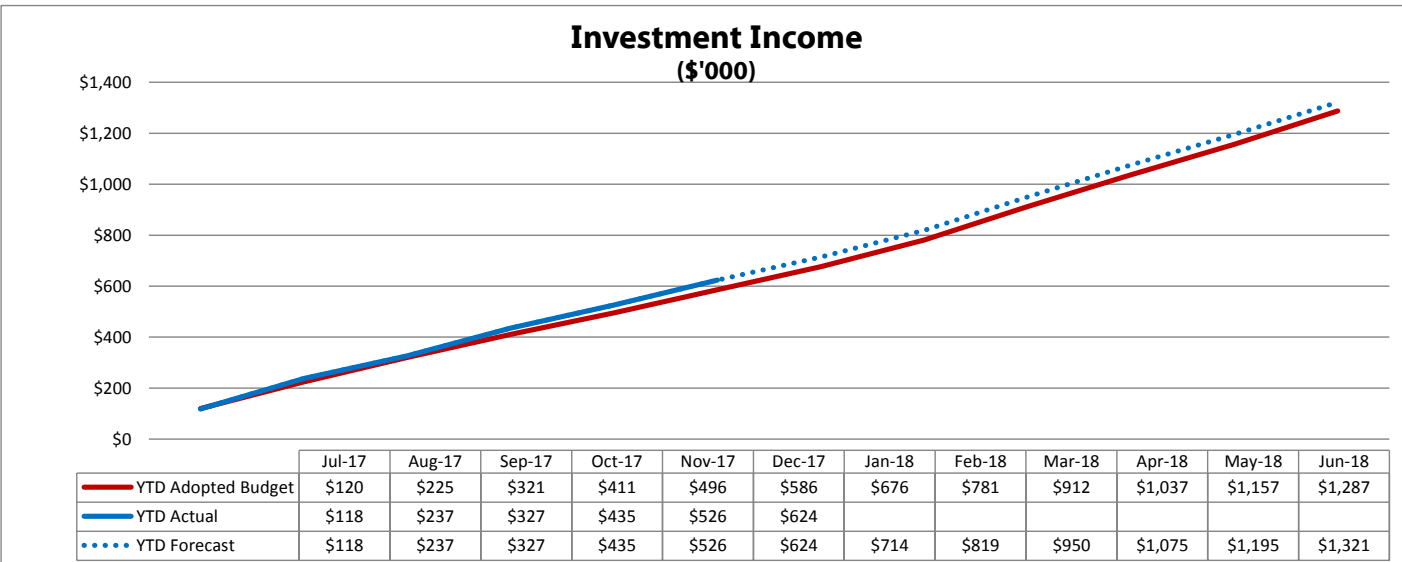
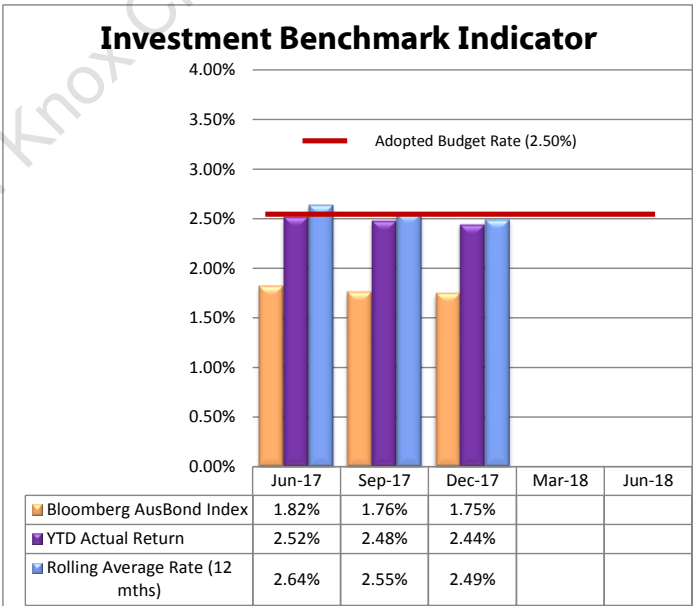
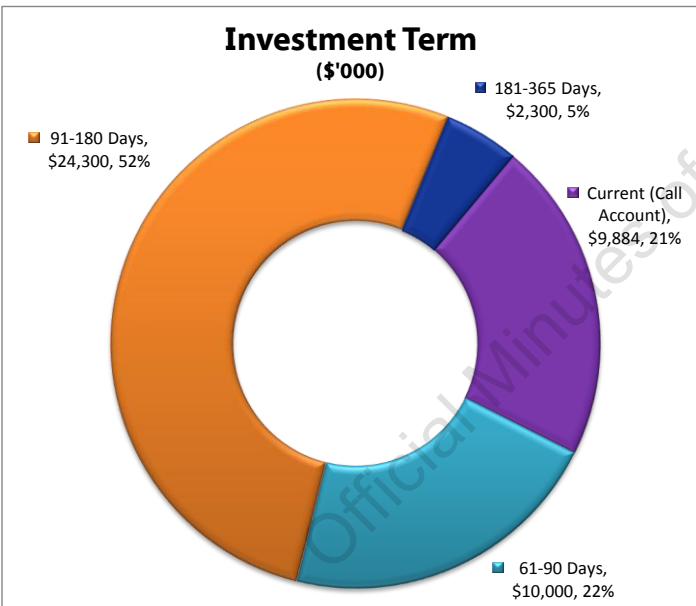
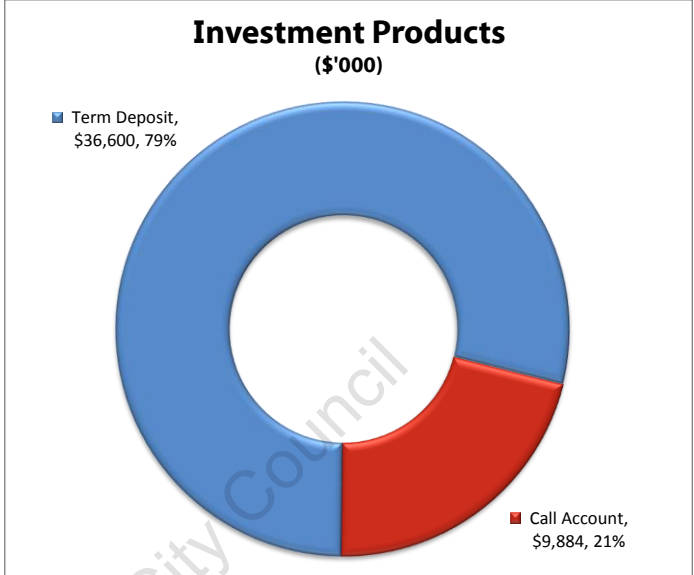
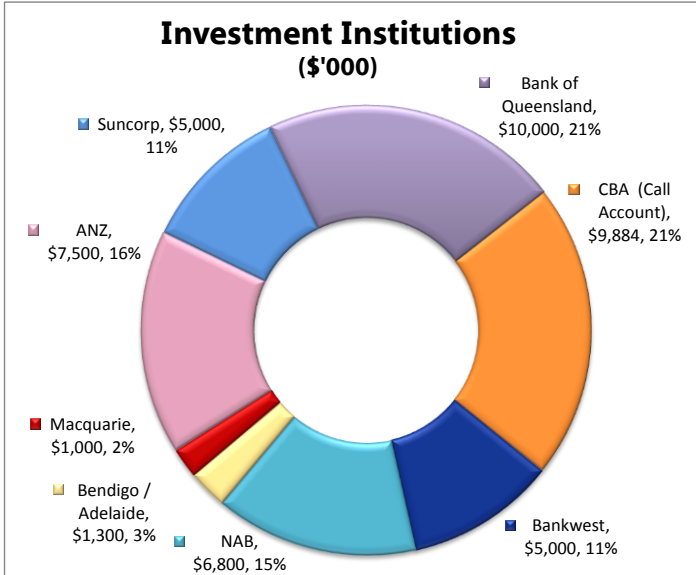
Notes:

1	Forecast adjusted underlying result ratio is within expected bands. The anticipated increase in the ratio is due to the anticipated carry forward of capital works projects from 2017-18 into 2018-19.
2	Forecast working capital ratio is within expected bands. The anticipated increase in the ratio is due to the anticipated carry forward of capital works projects from 2017-18 into 2018-19.
3	Forecast unrestricted cash ratio is within expected bands. The anticipated increase in the ratio is due to the anticipated carry forward of capital works projects from 2017-18 into 2018-19.
4	Forecast loans and borrowings ratio is within expected bands. The anticipated decrease in the ratio is due to the \$4.750M loan for the street light upgrade project not being taken out in the 2016-17 financial year.
5	Forecast debt commitments ratio is within the expected bands. The anticipated decrease in the ratio is due to the \$4.750M loan for the street light upgrade project not being taken out in the 2016-17 financial year, while anticipated borrowings for the 2017-18 financial year are not scheduled for until June 2018.
6	Forecast indebtedness ratio is within expected bands. The anticipated decrease in the ratio is due to the \$4.750M loan for the street light upgrade project not being taken out in the 2016-17 financial year, together with the reduction in the landfill rehabilitation provision as at 30 June 2017.
7	Forecast asset renewal is greater than the expected band. The anticipated increase in the ratio is due to the carry forward of capital works from 2016-17 in to 2017-18. This carry forward of capital works has also led to a reduction to the forecast depreciation for property, infrastructure and plant and equipment.
8	Forecast rates concentration is within the expected bands. The anticipated decrease in the ratio is in part due to the forecast increase over the adopted budget for Public Open Space Contributions (\$2.000M), Statutory Planning Application Fees (\$0.300M) and Supervision Fees (\$0.240M), together with the final allocation for the 2017-18 Victorian Grants Commission general purpose grant being \$0.203M higher than the adopted budget.

Investment Analysis

as at 31 December 2017

A total amount of \$46.484 million in funds were invested with various financial institutions as at 31 December 2017.



COUNCILLOR HOLLAND RETURNED TO THE CHAMBER AT 8.26PM DURING DISCUSSION ON ITEM 10.6 AND PRIOR TO THE VOTE

ALL WARDS

10.6 SUBMISSION ON THE LOCAL GOVERNMENT BILL EXPOSURE DRAFT

SUMMARY: Coordinator Governance (Andrew Dowling)

This report presents for Council's consideration, a draft submission prepared on behalf of Knox City Council, in response to the Local Government Act Exposure Draft released for consultation by the Victorian Government in December 2017.

The deadline for making submissions is Friday 16 March 2018.

RECOMMENDATION

That Council resolve to adopt the submission (Appendix A) to the State Government in response to the Local Government Act Exposure Draft.

1. INTRODUCTION

In 2015 the Minister for Local Government initiated a review of the Local Government Act 1989.

Stage 1 of the review commenced with the identification of issues via a discussion paper released in September 2015. Reform directions were developed and circulated in the form of a directions paper titled 'Act for the Future – Directions of a new Local Government Act' as stage 2 in June 2016. Knox City Council provided a detailed submission as part of Stage 2. A number of changes from the Directions Paper to the Exposure Draft have been made, consistent with the submission made by Council.

Stage 3 in 2017 involved targeted consultations by Local Government Victoria, including the formation of seven technical working groups. The Exposure draft of the Local Government Bill was then released in December 2017 which represents Stage 4.

The final stage of the review process is presentation of the Bill to the Victorian Parliament in 2018 and, once passed by Parliament, commencement of the new Act is anticipated on 1 July 2018.

The transitional timelines currently anticipated for the final Stage 5 are:

16 March to 31 March 2018	Consideration of feedback on the exposure draft Government approval
1 April to 30 June	Introduction and passing in Parliament Royal Assent
1 July 2018	Commencement of the new Bill

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Once enacted the transitional arrangements proposed for the Bill are spread out in four stages over 3 years:

Stage	Provisions Commencing	Policies Required
Stage 1, Year 1 From 1 July 2018	<ul style="list-style-type: none"> • Overarching Principles • Supporting Principles • Role & powers of Councils • Constitution of Councils 	Nil
Stage 2, Year 2 From 1 January 2019	<ul style="list-style-type: none"> • Community Engagement & Accountability • Entitlements • CEO & Council Staff • Audit & Risk Committee 	To be adopted by 1 July 2019: <ul style="list-style-type: none"> • Community Engagement • Public Transparency • Expenses • CEO Employment & Remuneration • Staff Code of Conduct • Workforce Plan • Audit & Risk Committee Charter
Stage 3, Year 2 From 1 July 2019	<ul style="list-style-type: none"> • Governance Proceedings & Rules • Local Laws • Financial Management & Council operations • Councillor integrity and conflict of interest • Councillor conduct framework • Ministerial Oversight 	To be adopted by 1 January 2020: <ul style="list-style-type: none"> • Governance Rules • Election Period • Financial Policies • Procurement • Complaints • Councillor Gifts • Councillor Code of Conduct • Internal Resolution Procedure
Stage 4, Year 3 From the 2020 elections	<ul style="list-style-type: none"> • Role of councillors & mayors • Election of mayor & deputy mayor • Council planning & reporting • Rates & charges • Council elections 	To be adopted by 1 July 2021 <ul style="list-style-type: none"> • Community Vision • Council Plan • Financial Plan • Asset Plan • Budget • Annual Report • Revenue & Rating Plan

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

2. DISCUSSION

The intent of the Draft Bill was to *'introduce a modern legislative framework for local government that clearly outlines the roles and responsibilities of councils, and allows for greater innovation and collaboration. The Draft Bill proposes to repeal and replace the Local Government Act 1989 with a modern, principle based legislative framework for the establishment and administration of a system of local government in Victoria'*.

The purpose outlined for the review was *'to revise the current legislation governing local government in Victoria to create a more contemporary, accessible, plain English Act that meets current and future needs of the community and local government sector'*.

The following principles were outlined in the terms of reference for the review:

- The recognition in the Victorian Constitution of local government as a distinct and democratic tier of government in Victoria charged with responsibility for delivering peace, order and good government for local communities.
- The necessity for the legislation to strike an appropriate balance between autonomy for councils in their operations and decision-making processes and the interests of the Victorian community and Government.
- The need to encourage greater community engagement.
- The need to reduce, wherever practicable, the imposition of unnecessary administrative requirements on the sector.

Staff have prepared a draft submission, incorporating Councillor feedback, which is attached to this report as Appendix A.

Generally the proposed Bill is supported.

One of the substantive changes in the Bill is to use regulation rather than prescription within the Bill itself. This is a fundamental shift in that it minimises the Parliament's involvement and places it primarily in the hands of the Minister. There is regular reference to regulation and best practice guidelines within the Bill that are yet to be developed.

Council's submission advocates that the development of these documents be subject to detailed consultation with the sector and be finalised well in advance of any compliance deadlines.

The submission also argues that the current review timeline provides an inadequate opportunity for the Government to carefully consider and respond to submissions (from the sector or otherwise) and advocates for an extension to the timeline for Parliament's consideration. The submission notes this would provide additional opportunities for the Government to release exposure drafts of key regulations and guidelines for consideration and feedback by the sector.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

The Municipal Association of Victoria is also leading a review of the Councillor conduct reforms that have recently been undertaken and further incorporated into the Bill. Whilst the concept is supported it is noted that:

- no other local government jurisdictions within Australia operate like Victoria,
- there are considerable inconsistencies in practices across the state,
- anecdotally, it appears that there have been a considerable number of applications for internal resolution procedures across the sector.

It is proposed that Council participates in, and monitors progress, of this review.

Given the format and in some cases technical nature of the submission the following tables represent an overview of the key changes proposed from the current Act to the proposed Bill, and the primary issues raised in Council's submission.

Part 1 is the preliminary section of the Bill.

Officers are generally supportive of Part 1. The new Bill introduces a comprehensive definition of "confidential information". The new definition aligns well to provisions of the Freedom of Information Act 1982. The Bill also comprehensively defines "gifts" and "disposition of property".

The objectives of the Bill are considered appropriate and importantly include as the first objective, that local government "continues to be constituted as a democratically elected tier of Government in Victoria"

Draft Submission

The submission raises some opportunities to strengthen or enhance the definitions of "Member of Council staff" and "municipal communities".

The submission also advocates for an the inclusion of an additional public interest basis for certain information to be confidential, where it relates to preliminary opinion, advice or recommendations which would be contrary to the public interest to disclose. This would create a category of confidential information that is consistent with the "internal working documents' exemption under the Freedom of Information Act.

Part 2 relates to Council structures.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
How councils exercise powers and perform roles minutely defined in legislation as part of the Local Government Charter.	Councils exercise powers and perform their role in accordance with the overarching governance principles.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Councils may be un-subdivided, all single wards, uniform multi-member wards, non-uniform multi-member wards, mixed single and multi-member wards.	Councils may be un-subdivided, all single wards, or uniform multi-member wards.
Mayors serve a one year term, with an option for a second year (noting the exceptions of the Cities of Melbourne and Geelong).	Unchanged. A new provision will enable the elected council to vote out a mayor mid-term if 75% of councillors agree.
All mayors except City of Melbourne are elected by and from the councillors.	Retained.
Deputy Mayor role optional for councils.	Mandatory for councils to appoint a Deputy Mayor.
Councils are not required to have a CEO Remuneration Policy.	All councils will have a CEO Employment and Remuneration Policy which is consistent with principles in the Public Sector Commission's Policy on Executive Remuneration for Public Entities.
Council CEOs not required by the Act to have a workforce plan.	CEOs to develop and maintain workforce plans that describe the organisational structure, specify expected staffing requirements for at least the next four years and set out measures to ensure gender equity, diversity and inclusiveness in relation to council staff.

The draft Submission advocates:

- For the adoption of a uniform, single member ward structure for local government, consistent with State and Federal Government.
- For community engagement to be a mandatory requirement before the Minister can recommend a change to electoral structures and in ward boundary reviews.
- For an avenue for Councils to contest the reasonableness of accounts received in regards to boundary reviews.
- For greater clarity around the role of the Mayor when providing advice to the CEO about setting meeting agendas.
- For the Mayor's power to appoint chairpersons to delegated committees to be subject to consultation with Councillors; and review by Council.
- For a CEO to have the power to appoint an acting CEO for short period, which appears to be prohibited/exlcuded under the Bill.
- For further clarification on the proposal to regulate the employment of a CEO and to align with the Victorian Government Policy on Executive Remuneration in Public Entities.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

- For a public process to be introduced for the selection of members to the Mayoral Advisory Panel and the determination of the terms of reference.
- For clarity in regards to the proposed 'workforce plan' requirements and the potential conflicts .
- For certainty that the expanded role of the Audit and Risk Committee's role is to "monitor" internal and external audit functions.

Part 3 relates to policy and decision making.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
The Council Plan and Budget may be developed with minimal reference to the local community.	Councils must have an engagement policy and must engage their community in a deliberative process to inform the Council Plan and Budget.
Meeting rules are included in council local laws based on extensive prescription in the Act.	Each council will be required to adopt and apply governance rules that describe the way they will conduct council meetings and make decisions consistent with the overarching governance principles.
The circumstances in which council meetings may be closed are weakly defined.	Council meetings should be open to the public. Councils will be able to close a meeting to the public to consider information that is confidential. The nature of confidential information will be specifically defined and will mainly relate to the types of information that would be exempt from disclosure under the <i>Freedom of Information Act 1982</i> .
Collaboration between councils is constrained by the Act.	Council collaboration is encouraged and underpinned by a new power for joint council meetings and a requirement to consider opportunities for joint procurement.
Local laws are developed with minimal limitations and penalty units cannot be indexed.	Local laws require consultation with the community and must be certified by a legally trained 'qualified' person. Penalties are automatically indexed in the Sentencing Act consistent with state legislated penalties.
Councils are largely dependent on the Act in order to meet legislative requirements.	Ministerial good practice guidelines will assist councils comply with the Act and these will be published on the Department's website. While councils will not be bound to implement guidelines, adherence to the guidelines may be used as evidence of compliance with the corresponding provisions in the Act or Regulations.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

The draft Submission advocates:

- For clarity around the definition of a “person whose rights are directly affected” by a Council decision, and how council ensures they are afforded their rights in the decision making process.
- For clarity on the governance rules that apply to joint meetings of council.
- For clarity in the council meeting processes applicable when considering whether to close a meeting to the public, and appointing delegated committees to decisions when a quorum can't be achieved.
- That election period policy requirements be revised to ensure Council's day to day operations aren't unduly impacted.
- Against the requirement for potentially repetitive community engagement processes when making a local law, to avoid unnecessary costs and delays
- For an increase to the maximum penalties that can be applied under a local law (from \$2000, to \$15,857) with annual indexation.

Part 4 of the Bill relates to Planning and Financial Management

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Limited requirement for existing strategic planning documents to be integrated and consistent.	An integrated planning and reporting framework which locates the Council Plan and Budget at the centre of strategic decision making and accountability.
The Budget runs for one year.	The Budget, like the Council Plan, will run for four years as for state budgets, but an expectation of annual review of the Budget.
No requirement for a long-term community vision.	Mandated community vision of at least 10 years developed with the local community.
No requirement for an Asset Plan.	Mandated Asset Plan of 10 years.
Strategic resource Plan of 4 years underpins the Council Plan but no requirement for a long-term Financial Plan.	Mandated Financial Plan of 10 years.
Four-year Council Plan must be finalised by 30 June in the year after the council election.	No change to timeline for finalising Council Plan.
Council submits annual report to the Minister.	Council publishes Annual Report.
No requirement to report progress against the Council Plan.	Mayor is required to publicly report annual progress against the Council Plan.
Councils not required to adopt a Revenue and Rating plan.	Councils required to adopt a Revenue and Rating plan.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Limitations restrict investment types available to councils to mitigate the likelihood of high risk investments which may compromise the financial sustainability of a council.	Retained.
Comparable performance reporting transparently captured through the Know Your Council website.	Retained.

The draft Submission advocates:

- In favour for the proposed changes to align state and local government budgetary cycles
- Against the requirement for Council to adopt a formal revised budget in order to take advantage of borrowings.
- TO extend the deadline for Councils to adopt their 4-year budget, 10-year vision and other 10 year plans following the 2020 elections.
- For clear transitional provisions that recognise any Council's existing long term community plans / visions.
- For clarity regarding the review interval applicable to long term plans.

Part 5 of the Bill relates to rates and charges.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Rating of land is exempted when used for charitable purposes, religious purposes and veterans.	Rating exemptions essentially retained but more clearly defined.
Mining exempted from rates.	Land used exclusively for mining becomes rateable.
Councils may use one of three methods to value land for rates (capital improved value, site value or net annual value).	All councils except the City of Melbourne must use capital improved value to value land for rating purposes.
A differential rate declared by a council may be no more than four times the lowest differential rate in the municipality.	Retained.
A municipal charge (a general administrative charge levied at a flat rate against all ratepayers) is limited to 20% of the total revenue from rates and charges.	A municipal charge (referred to as the fixed component of municipal rates) is limited to 10% of the total revenue from rates and charges.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
The Fair Go Rates system caps rates at CPI, with an opportunity for councils to seek a variation.	Retained.
Environmental upgrade agreements enable council-based financing mechanisms to help businesses access funding for building works to improve energy efficiency, reduce waste and cut water use.	Environmental upgrade provisions strengthened in the new Act to make clear benefits extend to the owners of residential land.

The draft Submission advocates:

- In favour of the reduction in the total amount to be raised from a Municipal Charge from 20% to 10%.
- For councils to have the option not to offer lump sum rates payments.
- For rate capping formulas to appropriately reflect the external factors that drive council's waste collection costs (eg landfill and fuel costs).
- That the 'Fair Go Rates System', rate capping, limits the capacity of local government to provide services and infrastructure that continues to meet the expectations and needs of the community.

Part 6 of the Bill relates to Council operations.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
No specific service performance principles or requirements.	The Draft Bill introduces service performance principles in recognition that councils deliver over \$7B in services each year. The Draft Bill requires councils to take account of these principles, which will mandate equitable, responsive, accessible, value added service delivery for the local community.
No complaints policy is mandated.	The Draft Bill defines 'complaint' and requires each council to have a complaints policy relating to operational delivery that defines its approach and includes an independent review mechanism.
Council procurement subject to rigid, one size tender thresholds under the Act.	Councils set their own procurement and investment policies consistent with principles of sound financial management and opportunities for collaboration and which ensure fair and open competition.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Limited powers for collaboration with other councils, other arms of government and private partners.	Greater powers for councils to engage in beneficial enterprises; co-operative business opportunities which deliver public value. Councils may establish a beneficial enterprise with other councils, other levels of government or private sector organisations so long as the enterprise is consistent with the role of a council as defined in Part 2 Division 2 of the Draft Bill.
A council must conduct a public consultation process on the proposed sale of land.	Retained.

The draft Submission advocates:

- For retention of a minimum 28 day advertising period prior to the sale or exchange of Council land.
- To remove the proposed prohibition on entering into leases that are not previously foreshadowed in a Council budget.

Part 7 of the Bill contains the integrity provisions.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
The <i>Local Government (Improved Governance) Act 2015</i> redefined the councillor conduct framework in the current Act.	Retained.
The range of possible conflicts of interest are voluminously described in the Act.	New rules define two types of conflicts of interest which apply to councillors, delegated committee members and council staff: <i>A material conflict of interest</i> exists where a councillor or staff member or a person with whom they have a defined relationship stands to gain or lose as a result of a decision. A failure to disclose such a conflict and step aside from the decision is a criminal offence. <i>A general conflict of interest</i> exists where an impartial, fair-minded person would consider that the private interests of a councillor or staff member could result in them acting contrary to their public duty. This is not a criminal offence, but a breach may be the subject of disciplinary action.
Councillors undertake a two-step process in declaring that they will abide by the Councillor Code of Conduct: first making a declaration; then within three months revising the code and, if amendments are made, making a second declaration.	Councillors make a single declaration to abide by the Code of Conduct within three months of their election. The manner and form of words of the declaration to abide by the Code of Conduct is integrated into the oath of office (made at the outset of a councillor's term) and is prescribed in the legislation to remove ambiguity in the wording.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Misconduct and Serious Misconduct is heard by Councillor Conduct Panels and Gross Misconduct is heard by VCAT.	Retained.
Councils not required to have a gifts policy.	Councils required to have in place a publicly transparent gifts policy, covering acceptance and disposal of gifts by councillors and a gift register.

The draft Submission advocates:

- For greater clarity that being a member of a club or organisation is not, of itself, sufficient to give rise to a general conflict of interest
- To clarify whether the obligation on a staff member with a conflict of interest to exclude themselves from “any action in relation to the matter” applies even after a decision has been made.
- For clarity regarding when the Chief Municipal Inspector must be notified of a breach of the disclosure requirements in relation to general conflict of interest.
- For greater clarity regarding the information required to be published from personal interest returns submitted by councillors and nominated officers.
- For greater flexibility in the appointment of Council’s Councillor Conduct Officer.

Part 8 of the bill relates to Ministerial oversight

Existing Local Government Act 1989	New Local Government Draft Bill 2018
No capacity to exempt high performing councils who exceed minimum requirements from baseline Regulations.	The Draft Bill recognises that councils have the capacity to develop and adopt arrangements that significantly exceed minimum requirements in Regulations. To recognise and encourage the adoption of higher standards, provision has been made for high performing councils to apply for and obtain exemptions from particular Regulations.
Minister can stand down an individual councillor (with pay).	Minister can suspend a councillor (without pay) subject to receiving clear evidence provided by a monitor, the CMI, the Ombudsman, IBAC or a Commission of Inquiry that the councillor is causing or contributing to governance failures or is breaching the Act and that without intervention the problem will persist.
Act provides for a range of inquiry instruments with a diverse range of powers for a range of different purposes.	Minister will have authority to appoint a Commission of Inquiry to conduct an inquiry into any matter relating to the affairs of a council or more than one council. Commission powers will be aligned to the Inquiries Act.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

Existing Local Government Act 1989	New Local Government Draft Bill 2018
The Minister has the power to suspend an entire council where there is evidence of significant governance failures or breaches of the law.	Retained.
The dismissal of a council requires the passage of a Bill through both houses of the Victorian Parliament.	Retained.
No baseline conditions that must be considered by restructuring advisory bodies in providing advice to the Minister on altering the external boundaries of a council.	Baseline conditions identified in <i>Review of Sunbury out of Hume</i> must be considered by restructuring advisory bodies in providing advice to the Minister on altering the external boundaries of a council.

The draft Submission advocates:

- For clear parameters to be developed around the power to give directions so that it does not duplicate any other jurisdictions.
- For restructuring advisory panels to be required to conduct a community engagement in a manner consistent with Council's community engagement policy.

Part 9 of the bill relates to Council election.

Existing Local Government Act 1989	New Local Government Draft Bill 2018
Voter franchise includes citizens on the state roll and property franchise voters.	No change to voting entitlement.
Elections may be conducted by post or attendance at the discretion of the council.	The Minister determines a uniform election method (post, attendance or other method) at least 12 months before the general elections based on advice from the VEC.
Countbacks only consider the votes of the vacating councillor.	Countbacks recount all votes cast in the election until a candidate is elected. Continuing councillors are not affected by this process because their positions are expressly protected by the legislation.
The Magistrates Court conducts reviews of disputed elections.	VCAT will review disputed elections.
Candidates must submit their campaign donation declarations to the CEO of the Council within 40 days after the conclusion of an election.	The rigour of the campaign donation regime will be reinforced with a requirement that returns be lodged with the Chief Municipal Inspector within 21 days of receipt of each donation.

The draft Submission advocates:

- For councils to have autonomy to select the voting system for its elections.
- For limits on the capacity to introduce new voting methods other than postal or attendance voting (eg electronic voting)
- For recklessness or intent to be an element of the offence of "using Council resources in a way that is likely to, affect the result of an election"

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)

3. CONSULTATION

Local Government Victoria commenced consultation on the draft Local Government Bill with the release of the exposure draft in mid-December, and hosted information sessions for the sector.

In addition to Council's opportunity to lodge a formal submissions there have been opportunities for staff and Councillors to attend consultation sessions by Local Government Victoria and sector peak bodies the Municipal Association of Victoria (the MAV) and the Victorian Local Governance Association (the VLGA).

As the submission is on behalf of Council, Councillors have been consulted on the submission and their feedback incorporated into the draft prepared for Council adoption.

4. ENVIRONMENTAL/AMENITY ISSUES

No environmental or amenity issues arise as a direct consequence of the draft submission on the exposure draft of the Local Government Bill.

5. FINANCIAL & ECONOMIC IMPLICATIONS

While it is anticipated that the Bill, if enacted, would have some financial and economic implications upon council, no issues arise as a direct consequence of the draft submission on the exposure draft of the Local Government Bill.

6. SOCIAL IMPLICATIONS

No social implications arise as a direct consequence of the draft submission on the exposure draft of the Local Government Bill.

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

The Local Government Act is the instrument that creates the Local Government structure and specifically provides the following objectives:

- '(a) local government continues to be constituted as a democratically elected tier of Government in Victoria; and*
- (b) Councils are constituted as representative bodies that are accountable, transparent, collaborative, efficient and engaged with their communities; and*
- (c) Councils have the functions and powers necessary to enable Councils to perform their role.'*

This report is relevant to all aspects of the Knox Community and Council Plan 2017-2021.

10.6 Submission on the Local Government Bill Exposure Draft (cont'd)**8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Rodney McKail, Governance Advisor) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Andrew Dowling, Coordinator Governance) - In providing this advice as the Author, I have no disclosable interests in this report

9. CONCLUSION

Once Council has adopted its submission, officers will submit it to the State Government by the 16 March 2018 deadline.

10. CONFIDENTIALITY

There are no confidential issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. KEOGH

That Council resolve to adopt the submission (Appendix A) to the State Government in response to the Local Government Act Exposure Draft.

CARRIED

Submission Template

Local Government Bill – Exposure Draft

Name	
------	--

If you work in an organisation or council, please provide the following information:

Organisation or council name	Knox City Council
Position	
Are you providing this submission on behalf of the organisation or council?	Organisation

Key information about making a submission

What feedback should I provide on the exposure draft bill?

Following an extensive consultation process that considered the policy issues that underpin the Local Government Act, we are now seeking feedback on the Local Government Exposure Draft Bill to inform the final draft legislation before the Government reviews it to present to the Victorian Parliament. We strongly encourage you to read the explanatory document (*A New Local Government Act for Victoria*) to assist you to navigate the draft legislation.

What is the closing date for submissions?

The closing date for submissions is **5:00 pm, Friday 23 February 2018**. Given that the draft bill is subject to parliamentary timeframes, submissions received after this date will be considered at the Government's discretion.

How do I make a submission?

Submissions can be made in three ways:

- **Online** by uploading your submission to the www.yourcouncilyourcommunity.vic.gov.au website
- **Emailing** your submission to local.government@delwp.vic.gov.au
- **Posting** your submission to:
Local Government Act Review Secretariat
C/o Local Government Victoria,
PO Box 500, Melbourne VIC 3002

How do I complete this template?

To complete this template:

- (1) Locate the part of the Draft Bill you wish to comment on.
- (2) Insert the clause number, your level of support for the clause, the proposed change and any other comments into the table.

Can I provide a submission in another format?

It is strongly preferred for submissions to be made by completing this template. However, if another format suits your needs or the requirements of your organisation you are welcome to use another format.

Will submissions be made publicly available?

Written submissions and the name of the author will be published on the www.yourcouncilyourcommunity.vic.gov.au website unless confidentiality is requested and the Executive Director of Local Government Victoria grants it, or if it is determined your submission should remain confidential. Submissions that are defamatory or offensive will not be published.

Please contact the Local Government Act Review Secretariat if you have any questions on (03) 9948 8518 or local.government@delwp.vic.gov.au

Part 1: Preliminary

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
3(1) Definitions Municipal Communities	Neutral	<p>Define what ‘conduct activities’ means in the definition of ‘municipal communities.’</p> <p>In the absence of a definition, it is unclear whether the meaning of ‘conduct activities’ would include working in the municipality, playing sport, and or being a member of a social or environmental group.</p>	
3(1) Definition of Confidential Information	Support	<p>Amend the definition of confidential information to include a public interest exemption.</p> <p>While generally supportive of the new definition of confidential information, the definition is anchored to prejudicing specific matters or activities, for example,</p> <ul style="list-style-type: none"> • Commercial negotiations • Security of property • Personal privacy. <p>Council is of the view that the definition should include a category of information that would be contrary to the public interest to release. Such a category would be consistent with the “internal working document” category of exempt documents under the Freedom of Information Act 1982 (Section 30).</p> <p>Possible drafting could be:</p> <p style="padding-left: 40px;">Council information which would disclose preliminary opinion, advice or recommendations, the disclosure of which would be contrary to the public interest.</p>	

Do you have any overall comments on Part 1 of the Exposure Draft Bill?

The review of the Local Government Act is a once in a generation opportunity. As a first principles review, rather than an iterative amendment, it is critical that the Victorian Government works collaboratively with the Local Government sector to get the legislation right, not just get it done.

Council is strongly of the view that the current review timeline provides an inadequate opportunity to carefully consider and respond to submissions and that the timeline for parliamentary consideration should be extended. This would provide additional opportunities for the Government to release exposure drafts of key regulations and guidelines that supplement the Bill.

Taking into account the numerous references to regulations and guidelines, in the Bill that are yet to be developed, it should be noted that Council's submission is premised on the understanding that the development of these documents will be subject to meaningful and detailed consultation with the sector and be finalised well in advance of the commencement of relevant provisions of the Bill, and particularly any compliance deadlines.

Part 2: Councils

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
12(4)(b) (Constitution of Council)	Do not support	<p>Adopt a uniform single member ward structure</p> <p>The multi-member ward model in the Bill is likely to result in arbitrary boundaries to accommodate uniform wards, rather than wards that reflect communities of interest, provide strong constituency representation and maximise accountability to the electorate.</p> <p>Consistency across not only the sector, but also with State and Federal electoral structures, could be achieved by mandating a uniform single-member ward structure.</p> <p>Knox City Council strongly supports single member Wards as the preferred option for providing the highest level of representation and accountability to the community.</p>	As a distinct and essential tier of government, a consistent approach to ‘representative house’ electoral models along with State and Federal governments, where members are elected on a single-member representative basis, should be retained and applied consistently.
14(2) 15 (Electoral Structure Reviews)	Do not support Support	<p>Require Electoral Structure Reviews to include community engagement in all circumstances.</p> <p>The Bill appropriately emphasises the need for community engagement in decision making by Local Government. However, the current processes for Electoral Structure Reviews do not hold the Minister to the same standard.</p> <p>Council is strongly of the view that community engagement is a critical element of Electoral Structure Reviews and that the Minister should be obliged to consider the recommendations of an electoral representation advisory panel before recommending the making of an Order in Council under Section 14(2).</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>Electoral representation advisory panels require ministerial directions to include a process for community engagement under Section 15(5). Council is supportive of this requirement, which should however, be amended to explicitly require the process for community engagement be accordance with the Engagement principles in Section 55.</p>	
<p>15(6) & (7) (Electoral Structure Reviews)</p>	<p>Do Not Support</p>	<p>Provide for regulations regarding the costs of Electoral Structure Reviews.</p> <p>Require consultation for Electoral Structure Reviews to be consistent with Council's community engagement principles.</p> <p>Sections 15(6) and 15(7) provide no opportunity for Council to manage the financial risks associated with the conduct of Electoral Structure Reviews, which is inconsistent with the Financial Management Principles in the Bill.</p> <p>There is no apparent opportunity for Council to influence, control, or arguably even sufficiently budget for the costs associated with Electoral Structure Reviews. Nor is there any opportunity to challenge any account for payment sent to it by persons appointed by the Minister to conduct a review.</p> <p>An appropriate amendment would be consistent with Section 282(4).</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
16(4) & (5) Ward Boundaries	Support	<p>Provide for regulations regarding the costs of Electoral Structure Reviews.</p> <p>Require consultation for Ward Boundaries to be consistent with Council's community engagement principles.</p> <p>The process for Ward Boundary Reviews conducted by the VEC pursuant to Section 16 appropriately requires a process of community engagement. This process should be explicitly obliged to be consistent with the Engagement principles in Section 55</p> <p>As with Electoral Structure Reviews, there is no apparent opportunity for Council to influence or control the costs associated with such reviews, or challenge any account for payment sent to it by persons appointed by the Minister to conduct a review.</p>	
17(h) Mayoral Powers	Support	<p>This section should be re-drafted to provide clarity that the Mayor may advise, but not direct the CEO with respect to setting the Council meeting agendas.</p> <p>Council is supportive of the Bill requiring a CEO to consult with the Mayor when setting the agenda for a Council meeting.</p> <p>Consideration should be given however to providing additional guidance to ensure that any advice given under Section 17(h) is not considered an improper direction under Section 163(d) (which prohibits a Councillor from directing or seeking to direct a member of staff in relation to advice provided to the Council).</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
18 (1) (a) Specific Powers of the Mayor	Support	<p>Require the Mayor to consult with councillors regarding the appointment of chairpersons to delegated committees.</p> <p>Retain Council's power to appoint the chair of delegated committees.</p> <p>Council is supportive of the Bill enabling a Mayor to appoint the chairperson of delegated Committees. It is considered appropriate however that the Mayor have duty to consult with Councillors prior to making such appointments.</p> <p>In order to preserve the general premise that a Council meeting is the highest authority of Council, it is also considered appropriate that the Mayor's decision remain subject to review by Council.</p>	
21 Deputy Mayor	Neutral	<p>This section should be re-drafted in more discretionary terms.</p> <p>This section gives the Deputy Mayor capacity to exercise the powers of the Mayor in certain circumstances, however it does so by imposing a specific duty upon the Deputy Mayor: "the Deputy Mayor must perform the role of the Mayor...." [emphasis added]</p> <p>It is readily envisaged that the Deputy Mayor may not be able to fulfil this duty. For example, he/she may be an apology for a Council meeting that the Mayor is unable to chair.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>Alternative drafting might be, for example:</p> <ol style="list-style-type: none"> (1) The role of the Deputy Mayor is to perform the role of the Mayor under Section 17 if— <ol style="list-style-type: none"> (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or (c) the office of Mayor is vacant. (2) When performing the role of the Mayor under subsection (1) the Deputy Mayor may exercise any of the powers of the Mayor. 	
23 Local Government Mayoral Advisory Panel	Do Not Support	<p>A Public process be introduced for the selection of members to the panel and the determination of the terms of reference.</p> <p>Council supports the principles of the formation of this committee. An open process for the selection of Mayors is strongly supported to ensure that membership is representative of the Local Government Sector.</p> <p>The terms of reference should also be subject to consultation with the sector.</p>	
25(3)(a) Election of the Mayor	Support	<p>This section should be amended to require the Mayor to chair the meeting once elected.</p> <p>Requiring the CEO to chair the meeting to elect the Mayor is a pragmatic solution. However, once elected, it is appropriate that the CEO vacate the chair in favour of the Mayor, consistent with the role of the Mayor in Section 17(a).</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		It is noted that in conducting the meeting and prior to conducting the mayoral election, the CEO would also be required to seek a resolution under section 26(3) determine whether the Mayor be elected for a one or two year term.	
25(5) Election of the Mayor	Neutral		There is presently not provision in the Bill to resolve a deadlock, in the event that Council is unable to achieve the absolute majority necessary to elect the Mayor. Consideration could be given to establishing a suitable mechanism within the Bill.
26 When is a Mayor to be elected	Support	The option for Councils to determine whether the Mayor is to be elected for a 1 year or a 2 year term is supported, rather than the previously prescribed 2 year term.	
30 Oath of Office	Support		The Bill facilitates Councillors taking the oath of office outside a Council meeting, which may be a pragmatic option for Councils in certain instances and avoid unnecessary delay in Councillors taking office.
32 (2) (a)	Neutral	Consider redrafting to provide greater clarity. Section 32 relates to a Councillors entitlement to be on the voters' roll. Greater certainty would be provided if the section were re-drafted to specifically indicate that a Councillor has 50 days from the day on which they lose their former entitlement to be enrolled on the voters' roll, to obtain another entitlement and avoid losing their qualification as a Councillor.	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
33(1)(e) Ceasing to hold office	Support	<p>Consider replacing “meeting of the Council” with the defined term “Council meeting”</p> <p>Section 33(1)(3) provides that the office of a Councillor to become vacant if the Councillor “is absent from a meeting of the Council for a period of 4 consecutive months without leave obtained from the Council.”</p> <p>Given the gravity of the section, using the defined term would provide greater clarity.</p>	
33(4)(b) Ceasing to hold office	Support	<p>Consider redrafting to provide greater clarity.</p> <p>The exemption in Section 33(4) relates to a Councillors becoming responsible for a child, naturally or by adoption. As such, it would appear Clause 33(4)(b) should read:</p> <p>(4) A Councillor is not to be taken to be absent from meetings of the Council during the period of 6 months immediately after the Councillor—</p> <p>(b) becomes the spouse or de facto partner of a person who becomes is a natural parent of a child; or”</p>	
43 (4) & 10(2)(c) Chief Executive Officer	Neutral	<p>Insert a provision enabling the Chief Executive Officer to appoint an Acting Chief Executive Officer for short periods of time.</p> <p>There may be times when the CEO is unable to perform the duties of the office unexpectedly, for example due to illness. As the power to appoint an Acting Chief Executive Officer, cannot be delegated [Section 10(2)(c)] and Council meetings are typically one month apart, unplanned absences, or planned absences at short notice would require calling a Council meeting at short notice to appoint an Acting CEO is not practical.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		A provision enabling Council to authorise the CEO to appoint an Acting CEO for short periods (eg up to 14 days) would be a pragmatic solution.	
43 (6) Chief Executive Officer	Neutral		Section 43(6) obliges Council to comply with any requirements prescribed by in regulations in relation to the employment of a Chief Executive Officer. No information is available as to what regulations might be proposed.
44 (3) Chief Executive Officer Employment and Remuneration Policy	Neutral	<p>Provide for regulations to clarify the application of the Government of Victoria's Policy on Executive Remuneration in Public Entities applies only to the CEO</p> <p>The legislation requires the Council's Chief Executive Officer Employment and Remuneration Policy to be consistent with the remuneration principles contained in the Government of Victoria's Policy on Executive Remuneration in Public Entities.</p> <p>Council supports in principle the alignment of the CEO remuneration policy to the Victorian Government's VPS Policy on Executive Remuneration for Public Entities but does not support the element of 'annual performance incentives'.</p> <p>The legislation should also specify which policy should prevail in the event of a conflict being identified.</p> <p>Additionally, it is noted that the Government of Victoria's Policy on Executive Remuneration in Public Entities, including the remuneration principles, goes beyond the employment of the CEO position to other executives. The legislation should clarify that the Policy required under Section 44(1) does not apply to other executives.</p>	<p>If the employment contracts of local government CEO's are to be regulated by the Government of Victoria's Policy on Executive Remuneration in Public Entities, it would be appropriate for there to be an appropriate mechanism to genuinely engage with and consult with Local Government on any change to this policy.</p> <p>The application of part of the remuneration principles* contained in the Government of Victoria's Policy on Executive Remuneration in Public Entities is in direct conflict with some of Council's existing contractual arrangements with its CEO. Specifically clauses that relate to the termination of the employment arrangement:</p> <ul style="list-style-type: none"> • Termination by Council • Termination by agreement. <p>The remuneration principles as currently worded (see 4.5 below) would effectively limit Council's available options in its employment arrangement where it seeks to terminate the agreement for any reason, or no reason, or by agreement. These contract clauses give Council greater flexibility than the underlined wording below.</p> <p>Council does not support limiting the contractual options currently at its disposal within its CEO Contract of Employment.</p>

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
			<p>*4.5 Executive remuneration arrangements must be consistent with government policy in the following areas:</p> <ul style="list-style-type: none"> • contract of employment for up to five years • total remuneration package (includes salary, cost to employer of motor vehicle, superannuation and other employment benefits, all to include associated fringe benefits tax) • assessment for annual performance incentive payment of up to a maximum of 17% or 20% of total remuneration package • termination of contract provisions • <u>no compensation for termination of a contract beyond pay in lieu of notice and accrued leave</u> • <u>under no circumstances may an unexpired portion of a contract be paid out.</u>
45 (4) Workforce Plans	Neutral	<p>Consider moving the provisions regarding workforce plans to the Planning and Financial Management section of the new Act</p> <p>Including Workforce Planning in the Planning and Financial Management section of the new Act would support its function as part of a clearly articulated and integrated strategic planning and reporting framework.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
45 (4) Workforce Plans	Neutral	<p>Add detail to provide clarity regarding the obligation to “maintain” a workforce plan.</p> <p>Councils are differently placed with respect to their capacity and capability (people and systems) to produce workforce plans over a 4 year horizon. This is particularly the case for a plan that requires Council to define, record and report on measures ensuring gender equity, diversity and inclusiveness.</p> <p>Knox currently produces a strategic workforce plan for internal management purposes. Knox has also recently completed the Listen, Learn and Lead Gender Equity Program, supported by a grant from Local Government Victoria. This provides a good platform for Council to seek to ensure gender equity, diversity and inclusiveness.</p> <p>Contemporary organisational design and management reflects a continuous process of adaptation and change, which may include restructuring. In the absence of greater clarity, the obligation to “maintain” workforce plan in a rapidly evolving context may add an unreasonable administrative burden to Council.</p>	
45(4)(c) Functions of the Chief Executive Officer	Do not support	<p>The requirement to consult with staff on a proposed organisational restructure should be deleted.</p> <p>Introduction of Change/Consultation clauses are enshrined in council Enterprise Agreements, which is the more appropriate instrument to determine and negotiate local consultation processes with respect to organisational restructuring.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
45 (5) Functions of the Chief Executive Officer	Neutral		<p>The processes and requirements prescribed for the purposes of this section regarding giving effect to gender equity may have significant implications for Council but no information has been foreshadowed as to what may be prescribed.</p> <p>As indicated in response to Section 45(4) the costs associated with establishing capability and systems to achieve compliance can be significant.</p> <p>In order to indicate whether Council is supportive of the change, more information would be required in order to understand the materiality and potential implications of the proposed regulations.</p>
45 Functions of the Chief Executive Officer	Support	<p>Provide discretion to the CEO regarding the content of a workforce plan to be made available to Council staff.</p> <p>Knox currently produces a strategic workforce plan for internal management purposes only. It is not broadly accessible to Council staff as workforce plans can include sensitive and/or confidential information that may be prejudicial to contract and enterprise bargaining negotiations if available to staff.</p> <p>The Bill should afford a CEO some discretion to provide Council staff with a high-level version of a workforce plan excluding such confidential or prejudicial information.</p>	
46(1)(b) Delegation to Community Asset Committee	Neutral	<p>Revise technical drafting to be more accessible to laypersons.</p> <p>While the technical drafting of this provision is correct, in that it provides that Council powers may be delegated “to the members” of a Community Asset Committee, it may not be evident to the layperson that members can only exercise these power as a committee.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>As such, it may be beneficial if Section 46(1)(b) were supplemented at Section 62 (Community Asset Committees with a provision stipulating:</p> <p>The members of a Community Asset Committee may only exercise delegated powers at a meeting of the Community Asset Committee at which—</p> <p>(a) all the members are, subject to this Act, entitled to attend and vote; and</p> <p>(b) a decision to do an act, matter or thing is made by a resolution of the committee.</p>	
48(2)(d)	Neutral	<p>Clarify that the gift register is required to be a public document.</p> <p>Council's obligations to the donors and recipients under the Privacy and Data Protection Act 2014 would be unambiguous if the Act stipulated the register was to be a public document.</p> <p>Consistency with Section 176(2)(c) (Councillors gift register) could be achieved by amending Section 48 with reference to compliance with the public transparency principles.</p>	
48 (3) Code of conduct for members of Council staff	Do not support	<p>Clarify that the procedural documents, guidelines or other such documents may be incorporated by reference into the Code of Conduct.</p> <p>Council's should be free to develop a principle-driven Code, similar to the contemporary Victorian public sector code of conduct. In such documents, it would appropriate for the code to incorporate detailed procedural documents (relating to conflicts of interest or disciplinary action) without including these matters within the Code itself.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
53(2)(d)	Do not support	<p>Amend the Audit and Risk Committee's role to be to monitor internal and external audit functions.</p> <p>As previously indicated, it is critical that the legislation provide clear lines of responsibility and accountability. This clause provides the audit committee charter must specify the functions and responsibilities of the Audit & Risk Committee, including that the committee "oversee internal and external audit functions."</p> <p>The term "oversee" suggests the Committee has a role in the supervision or management of these functions. As the committee does not have delegated powers, it would be more appropriate to express the Committee's role as "monitor", consistent with subsections (a), (b) and (c) of the same section.</p>	<p>Consideration should be given to describing the Audit and Risk Committee's role more broadly in relation to "fraud and corruption prevention" rather than just "fraud prevention".</p> <p>To ensure a sharp focus by the Audit and Risk Committee, the monitoring requirements of policies should be limited to those that directly relate to financial and risk management.</p>
53(2)(a)	Do not support	<p>Specify that the Audit Committee's remit is to monitor the compliance of Council policies and procedures that support financial and risk management, and those policies required by the Act.</p> <p>Section 53(2)(a) gives the Audit committee an extremely broad remit. Effective monitoring of all Council policies and procedures would require significant additional resourcing to the internal audit function.</p>	
53(5) Audit & Risk Committee Reports	Do Not Support	<p>Amend the reporting requirements of the Audit and Risk Committee to be annual, not biannual.</p> <p>Councillor members of the Audit Committee have opportunities to raise matters arising at Audit and Risk Committee meetings in a Council meeting should they consider it appropriate. In addition, Section 53(6)(b) requires the Chief Executive Officer to table reports at a Council meeting at the request of the chairperson of the Audit and Risk Committee.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		As such, biannual reporting will place an increased administrative burden on the organisation and on a committee comprising of independent members and councillors without adding significant value.	

Do you have any overall comments on Part 2 of the Exposure Draft Bill?

The removal of provisions relating to senior officers is a welcome direction providing greater freedom to Council to manage staff, including the removal of advertising restrictions that significantly increased administrative costs to Council when recruiting.

The Bill proposes the removal of includes only one reference to Senior Officers under 47(2), which differs considerably to the current definition. While welcome, the change has potentially significant implications for the way in which councils employ non-CEO executives. Clarification is required in particular, in relation to any proposed transitional arrangements with respect to senior officer contracts that Councils have in place.

Part 3: Council decision making

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
55(c) Community Engagement Principles	Do not support	<p>Redraft clause to clarify that consultation activities are not required to be representative to be procedurally valid.</p> <p>Council is not supportive of the current drafting of this clause, as the requirement that “participants in community engagement <u>must be representative of the persons and groups affected</u> by the matter” [emphasis added] could be misinterpreted.</p> <p>The current drafting (“must be representative”) could be perceived as requiring consultation to achieve a statistically representative sample in order to be procedurally valid. While Councils would always aspire to engage all interested stakeholders, it may not be able to achieve a statistically valid sample of the persons and groups affected.</p> <p>Council considers that “participants in community engagement should be representative...” is the more appropriate principle to set out in the Act.</p>	
56(2)(c) Public Transparency Policy	Neutral		<p>As previously noted, the Act does not explicitly require gift registers to publicly available and this section does not require a public transparency policy to specify whether a “registers” must be publically available.</p> <p>As previously noted, Council’s obligations under the Privacy and Data Protection Act 2014 would be unambiguous if the Bill specified whether registers were required to be publically accessible.</p>
57(b) Public Transparency Principles			<p>While public transparency is an appropriate principle to include in the Act, Council is concerned at the expectations the drafting of Section 57 may create.</p>

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
			Section 57 requires information held by Council to be “understandable and accessible”. This could be perceived as creating an unlimited obligation upon Council to provide translations of documents so they are accessible; or provide additional explanatory material so that technical documents are “understandable” to laypersons. While this may be appropriate for external-facing documents such as Council policies or on Council’s website, the administrative cost of making internal documents “accessible and understandable” could be considerable.
58 Governance Rules	Neutral	<p>Clarify that procedural documents, guidelines or other such documents may be incorporated by reference into the Governance Rules.</p> <p>Council’s governance rules are anticipated to develop over time to cover a very broad range of matters. As such, the Governance Rules may be a more practical and usable document if they incorporate detailed procedural documents for example, by reference, rather than within the Rules themselves.</p>	
58 (2) (b) Governance Rules	Do not support	<p>Revise provision to reference the community engagement principles.</p> <p>Council is not supportive of the current drafting of this clause, as the requirement to institute ‘<i>decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered</i>’ [emphasis added] is a very broad proposition and could be misinterpreted.</p> <p>As currently drafted, the section also does not provide clear guidance as to how a Council would demonstrate it has met its procedural obligations to ensure a person could “communicate their views” or that their views or interests are considered.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>It could be perceived that this provision requires Council to provide an opportunity for stakeholders to participate in the final decision making forum. While in some instances this may be offered, in other circumstances, opportunities for stakeholders to communicate their views might be offered as part of the community engagement phase.</p> <p>The Bill requires Council to uphold community engagement principles which include a requirement that participants in community engagement be informed of the ways in which the community engagement process will influence Council decision making.</p> <p>As such, the objectives of Section 58(2)(b) could be better achieved by requiring decision making processes to give effect to the community engagement principles.</p>	
60 Joint Meetings of Councils	Support	<p>Add provisions addressing the Governance Rules applicable to a joint meeting of Council.</p> <p>With an increasing focus on collaboration, the opportunity to hold joint Council meetings is a beneficial. However, differences between the Governance Rules of different councils create potential for practical or procedural impasse due to conflicting rules.</p>	
61 Delegated committees	Neutral	<p>Revise technical drafting to be more accessible to laypersons.</p> <p>While the technical drafting of this provisions is correct, in that it provides that Council powers may be delegated “to the members” of a delegated committee, it may not be evident to the layperson the members can only exercise these power as a committee.</p> <p>As such, it may be beneficial if Section 61 were reflective of section 59 (Council meetings) and provided:</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>The members of a committee may exercise these delegated powers only at a meeting of the delegated Committee at which—</p> <p>(a) all the members are, subject to this Act, entitled to attend and vote; and</p> <p>(b) a decision to do an act, matter or thing is made by a resolution of the committee.</p>	
63 Meetings to be open to the public		<p>Include provision to close a meeting to consider a resolution to close the meeting to members of the public.</p> <p>Section 89(2)(i) of the Local Government Act 1989 clearly provides that a Council meeting may be closed to the public in order for Council to consider a resolution to close the meeting. This is a very pragmatic provision enabling Council to fully debate the merits of closing a meeting, without fear of disclosing confidential information while doing so and should be retained in the Bill.</p>	It is noted that while council and delegated committee meetings are required to be open to the public, there is no requirement for community asset committee meetings to be open to the public.
64(4) Decisions where a Quorum can't be achieved		<p>Council is supportive of the inclusion of a mechanism to facilitate decision-making where a quorum cannot be maintained due to conflicts of interest.</p> <p>It is noted however, that neither Section 64 nor Section 168 make it clear whether Councillors who have a conflict of interest in a matter are able to participate in the decision to establish a delegated committee to decide that matter.</p>	
66 (2) & 3 Governance Rules - Election period policy	Do not support	<p>Provide additional guidance for the identification of matters "likely to influence voting".</p> <p>It is clear that council resources should not be used in a way that is intended to influence voting at an election.</p> <p>The prohibition on using Councils resources in a way that "likely to influence" voting at an election is a very broad statement and arguably unworkable. Different people will have different views on whether for example, council advertising or publications are "likely to influence voting". In some instances, a strict interpretation and</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		application of this provision could have a demonstrable impact on Council's day-to-day operations during the election period. Equally, the consequences of non-compliance could be significant if a more liberal interpretation was preferred.	
70(4) Making a local law	Support		<p>Council is supportive of the removal of explicit requirements in the Act requiring publication of newspaper notices, as newspaper advertising does not reflect the new digital paradigm in contemporary society.</p> <p>There is provision for regulations to prescribe methods of notice and Council would advocate that such regulations also exclude any prescriptive requirement for newspaper advertising. Diminishing newspaper readership means classified advertising in daily newspapers metropolitan and local newspapers is increasingly less likely to reach a broad cross-section of the community, let alone the target audience in a particular local government area.</p>
70 (6) Making a Local Law	Do not support	<p>Revise the section to require a further notice of a proposed local law only where there is a substantial alteration imposing additional limits on individuals' rights and responsibilities.</p> <p>The administrative costs associated with making or amending a local law are significant. Given the nature of local laws, it is likely that any alteration made to a local law in response to community engagement will "affect" someone's rights or responsibilities. The obligation to repeat the community engagement process for every such alteration would be a significant and potentially costly administrative burden. It is also likely to result in significant delays in the process of making a local law.</p> <p>Section 70(6) should include a materiality test, and in particular consider whether further consultation is warranted when proposed alterations reduce a local law's impacts on rights and responsibilities.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
70(8) Making a Local Law	Neutral		<p>Procedural requirements for making a local law require a certificate from a legally qualified person stating that each proposed local law is consistent with the requirements of the Act.</p> <p>The Bill requires an Australian lawyer to certify that a proposed local law complies with the law. It is understood that an Australian lawyer is a person who is admitted to the legal profession under the Act (or a corresponding law interstate) but such a person does not have to hold a practising certificate. Whereas an Australian legal practitioner is a person who holds a current Australian practising certificate.</p> <p>As such, it is noted that the provisions of Clause 70(8) do not require a certificate from a practicing lawyer.</p>
74 Local Law Penalties	Do not support	<p>Align penalty units for local laws to the Monetary Units Act 2004 and increase penalty units to 100.</p> <p>Councils and the community are familiar with the fixing of penalty units under the Monetary Units Act 2004 and Council considers the alignment of penalty units under local laws with penalty units prescribed under the Monetary Units Act 2004 to be the appropriate reform.</p> <p>The maximum penalty of 20 Penalty Units is insufficient in the current environment, particular for commercial enterprises, to act as a deterrent. In some cases, it is more cost efficient to pay the penalty than to comply with the Local Law. This needs to be increased significantly.</p>	

Do you have any overall comments on Part 3 of the Exposure Draft Bill?

Part 4: Planning and financial management

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
86 Financial Plan	Support		Council strongly supports long-term strategic financial planning.
87 Asset Plan	Support		Council strongly supports long-term strategic planning and the allocation of financial resources to fund the renewal of and investment in community infrastructure.
88 Revenue & Rating Plan	Support	<p>Greater clarity as to the “adoption” of budgets for the “subsequent 3 financial years”.</p> <p>Council strongly supports the alignment of budgetary cycles in local government with those of State Government. Whilst Knox implemented 4-year budgeting aligned with these principles in 2016, the reference to “3 subsequent years” is not greatly dissimilar to the Strategic Resource Plan. The assumed intention is for the subsequent years to be genuinely adopted, rather than the current “estimation” approach to the SRP structure.</p>	It is noted that the forward estimates at the state budget level are reliable funding indicators; and in contrast, uncertainty with regard to rate capping over a 4-year horizon will affect the reliability of Council’s forward estimates.
92(3) Quarterly Budget Report	Do not support	<p>Remove the requirement for the second quarterly budget report to indicate whether a revised budget is, or may be required.</p> <p>The selection of the second quarterly report for this statement is somewhat arbitrary. The presentation of this report to Council is likely to occur in February each year after the Christmas break, and not align in a timely fashion with the decision that a revised budget is required.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		Given the detailed provisions of Section 90 and 91 regarding revised budgets, Section 92(3) is considered an unnecessarily prescriptive provision and unlikely to add value to quarterly reporting.	
99 Borrowings	Do not support	<p>Remove the requirement for borrowings to be included in a budget or revised budget.</p> <p>The need to have borrowings included in an adopted or revised budget removes the potential for Council to take advantage of opportunities as they arrive.</p>	The time it takes to turn around a revised budget, have it endorsed for public consultation at a meeting of Council, seek submissions, hear submissions, consider submissions and then formally adopt a revised budget is prohibitive to an empowered and responsive organisation.

Do you have any overall comments on Part 4 of the Exposure Draft Bill?

Council strongly supports the ability of Council to adopt financial plans and documents for a period greater than the term of Council. This will result in improved investment in infrastructure for the community.

Consideration should be given to the workload the Bill imposes upon Councils in the 8 months between the 2020 elections and 30 June 2021. Taking into account the community engagement obligations and resources necessary to develop four-year budgets, a 10-year vision and other 10-year plans, at the same time as inducting a Council; Councils should be given the option of delivering these documents by 30 June 2022.

Appropriate transitional provisions should also be included to recognise that many Councils already have 10-year or longer community plans / visions and provide clarity that these are to be reviewed, and not replaced. Greater clarity should be provided in the Bill regarding Council's obligation to "maintain" such long term plans and visions; with any minimum review interval no shorter than once per Council term.

Part 5: Rates and charges

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
106(3) Municipal rates—fixed component	Support		Council supports the reduction in the total amount to be raised from a Municipal Charge (from 20% to 10%). Whilst Knox City Council does not have a municipal charge in place, such a charge is regressive in nature and unduly burdens those property owners with the least capacity to pay.
121(1), 121(2), 121(3) Payment of Rates	Do not support	<p>Amend provisions for payment of rates to maintain flexibility of payment options.</p> <p>The Bill reduces the flexibility of the current Act where councils may choose to offer a lump sum payment option.</p> <p>A number of councils only offer payment by 4 instalments with no lump sum payment option. This has increased cash collections for councils and reduced the financial impact on ratepayers. The proposed clause 121(1) forces councils to reverse their decision, despite extensive communication of the removal of payment by lump sum.</p> <p>Ratepayers experiencing financial hardship usually wait until reminder notices for failure to pay in full in late February. This then places great burden unnecessarily on the ratepayer. Instead payment by 4 instalments makes the rates easier to afford, reducing the financial pressure.</p> <p>121(1) is recommended to read: A Council must allow a person to pay a municipal rate or service charge in 4 instalments.</p> <p>121(2) is recommended to read: A Council may allow a person to pay a municipal rate or service charge as a lump sum, or provide other options for the payment of a municipal rate or service charge.</p>	Financial Services supports the mandating of payment of rates by 4 instalments but does not support the need to offer payment by lump sum.

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>Further the proposed 121(3) potentially invalidates the proposed 121(2) as it requires the minister to impose due dates for alternative payment options that Councils may offer.</p> <p>121(3) is therefore recommended to read: A payment of a municipal rate or service charge in 4 instalments or as a lump sum is due and payable on the date or dates fixed by the Minister for the purposes of subsection (1) by a notice published in the Government Gazette.</p>	
140 Rate Caps (Definitions)	Not Support	<p>Revise the definition of base average rate to ensure that it appropriately reflects waste service costs.</p> <p>The formula for calculating the base average rate includes service charges prescribed by regulations in “Rb”.</p> <p>Council understands that this formulation is aimed at waste service charges. Waste service costs are driven by external factors outside of Council’s control such as landfill costs, contractor, fleet and fuel costs.</p> <p>Changes to waste service provision such as increased recycling and food waste disposal may require these fees to be adjusted outside of CPI parameters.</p> <p>Council believes that State government policies to reduce waste to landfill will be rendered ineffective if councils, being the primary waste collection agencies, are unable to fund changes to services.</p>	Knox Council is of the strong view that the ‘Fair Go Rates System’, rate capping, limits the capacity of local government to provide services and infrastructure that continues to meet the expectations and needs of the community. Furthermore, it should be Council and its communities role in setting an appropriate rate increase to deliver on the community priorities, this should be undertaken in conjunction with the community engagement policy and principles.

Do you have any overall comments on Part 5 of the Exposure Draft Bill?

Whilst the exposure draft provides options for Council to provide alternate payment options which is strongly supported, the mandating of payment by lump sum compared with the current legislation “may allow payment by lump sum” works against the intention of the expanded payment options. Knox is disappointed with the missed opportunity to fully engage the sector in the review of the rating provisions and request that further consultation be undertaken in relation to rate exempt land used for commercial purposes, operating electronic gaming machines and differential rates.

Part 6: Council operations

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
153 Restriction on power to sell or exchange land	Do not support	<p>A minimum advertising period of 28 days to remain in the Act.</p> <p>A community Engagement Policy under Section 55 must prescribe a minimum notice period of 28 days for public consultation with respect to the sale or exchange of Council land.</p>	
154 (3) Lease of Land	Do not support	<p>Remove the requirement for proposed leases to be included in a Council budget.</p> <p>This section is considered unnecessarily prescriptive. Councils should retain the autonomy and flexibility to lease land in response to opportunities that may arise throughout the financial year.</p> <p>Where a council has previously considered a proposal to lease land, this information will be readily available to include in budget documents. However, in some circumstances, council may receive offers, or generate proposals to lease land that do not align with the budget preparation timelines. This would inhibit Council's ability to take up such opportunities, without adopting a revised budget. As indicated previously however, the prescriptive requirements of Section 99 mean preparing a revised budget to facilitate a lease is impractical at best. By requiring a revised budget to be endorsed for public consultation at a meeting of Council, the seeking and hearing of public submissions, and consideration of submissions before formal adoption of a revised budget, Section 99 would impose prohibitive lead times and costs on the timely consideration of a lease proposal outside the budget process.</p>	<p>Council has many leases with a wide variety of community organisations, private companies (eg utility providers) and state and federal government departments.</p> <p>Opening up such leases to public consultation as part of each Council budget could potentially add a significant administrative burden on council with little value to the budget process.</p> <p>Additionally, any requirement to included details of the expected returns from commercial leases in budget papers could also compromise council's ability to maximise rental yields, which is ultimately contrary to the public interest.</p> <p>Council is of the view that rather than imposing prescriptive obligations, councils should be given the autonomy to prudently manage such transactions according to the unique circumstances of each lease, and within the parameters of Council's community engagement policy as required by clause 154(4).</p>

One means to avoid the above problem could be to include “possible leases” proactively in a budget. Such speculative inclusions would avoid the problems of having to develop revised budgets in response to internal or external proposals. However without the benefit of prior consideration by Council or community engagement, such speculative inclusions are likely to result in unnecessary debate and conjecture in the community, particularly on the part of existing tenants and neighbours. This has the potential to derail, rather than facilitate a collaborative budget process.

The obligation to include lease information in the budget should only arise once a lease has been entered into. The transparency principles in Section 57 are more than adequately addressed by the requirements section 154(4).

Do you have any overall comments on Part 6 of the Exposure Draft Bill?

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Part 7: Council integrity

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
165 Definitions Not-for-profit	Neutral	<p>Provide clarity in the definition of “not-for-profit organisation” that it does not exclude those organisations that have paid executives.</p> <p>Such a misunderstanding could arise from sub-section (b) of the definition which states a not-for-profit organisation is one that (emphasis added):</p> <p>(b) does not share or <u>allocate the funds or profits</u> of the body or organisation with the owners, shareholders or <u>executives of the body</u> or organisation;</p>	
168 (e) Exemptions	Do not support	<p>Provide clarity that membership of a club or organisation is not of itself, sufficient to give rise to a general or material conflict of interest.</p> <p>Under the new general conflict of interest regime in Section 166, an “impartial fair minded person” would arguably not consider mere membership of a club or organisation to give rise to a conflict of interest in all circumstances.</p> <p>Similarly, under Section 167, an affected person would generally need to be a member of the governing body of a club or organisation in order to have a material conflict of interest.</p> <p>Notwithstanding, Councillors are typically members of many clubs or organisations. As such, community perceptions around conflicts of interest would benefit from an express provision that membership of a club or organisation of itself is not necessarily sufficient to give rise to a conflict of interest, similar to Section 77(b) of the current Local Government Act 1989.</p>	Such a provision is included under 168(e) for members of a Councillors family, [and to some extent section 168(f)] but the exemption does not extend presently to Councillors themselves.

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
169 Disclosure of Conflict of Interest		<p>Provide a definition of “action in relation to the matter” for the purposes of Section 169(2)(b).</p> <p>Section 169 appropriately requires a person who has a conflict of interest to disclose it, and exclude themselves from the decision making process, including any discussion or vote on the matter at any Council meeting or delegated committee.</p> <p>Section 169(2)(b) goes on however to require a person to exclude themselves from “any action in relation to the matter”.</p> <p>It is unclear whether such “action” refers to the decision making process, or extends to the implementation of that decision. This is particularly important when considering a “relevant person” includes a staff member.</p> <p>As such, there is potential for unforeseen consequences if the section is broadly interpreted so as to prevent a person who had a conflict of interest in the decision making process from “actions” in the implementation of that decision, even where their conflict of interest is no longer relevant.</p>	
169(4) & (5) Disclosure of Conflict of Interest		<p>Provide additional clarity regarding the process for considering allegations of a breach by Councillors of the disclosure obligation in relation to a general conflict of interest.</p> <p>An application to a Councillor conduct panel can be made under section 169(5) in relation to a breach of section 169(2). However, where the serious misconduct relates to a conflict of interest matter section 189(5) specifically requires that application to be made by the Chief Municipal Inspector.</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>It is unlikely that the Bill intends all allegations of a breach of section 169(2) relating to failing to disclose a general conflict of interest to be reported to the Chief Municipal Inspector. Additional clarity regarding the process for considering such allegations is required.</p>	
170(4) Disclosure of conflict of interest	Neutral	<p>Review and ensure that Section 191, and not Section 189, is the appropriate reference.</p> <p>The provisions establishes that an application may be made to Councillor Conduct Panel alleging serious misconduct where a Councillor fails to comply with the obligation to declare a conflict of interest. Such applications are made under Section 189(3), not Section 191 as references in the Bill.</p>	
174 (3) Public access to summary of personal interests	Support	<p>Add provision for regulations to prescribe the manner in which a summary of personal interests must be published.</p> <p>Section 174(2) prescribes that a summary of interests must “be prepared in accordance with the manner prescribed by the regulations”. Section 174(3) provides that such a summary must be published on Council’s internet site and be available for public inspection at Council offices.</p> <p>There is no guidance however on when and for how long the information is to be published, and whether it is intended to be updated dynamically, or if a certain number of consecutive returns are to be published (as in the current regime under the Local Government Act 1989).</p> <p>As such, there is potential for different Councils to adopt different practices with regard to publication, taking into account the administrative difficulty of compiling the prescribed information from interest returns for (typically) dozens of people, in a manner suitable for web publication and public inspection.</p>	<p>Council believes the provision requiring publication of summary of the personal interests has struck the right balance between the need for transparency and individual privacy / confidentiality.</p>

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		Including “in accordance with the manner prescribed by the regulations” in sub-sections (3)(a) and (b) would therefore be beneficial. The regulations should then provide appropriate guidance regarding publication standards, developed in consultation with the sector.	
177(3) Certain Gifts not to be accepted.	Do not support	<p>Amend sub-section (3) to enable a court to order a Councillor to transfer a gift to Council if found guilty of breaching the prohibition on receipt of certain gifts.</p> <p>Given the scale of penalty prescribed under Section 177(1) the intent of the additional penalty payable to Council under sub-section 3 of “the amount or value of the gift accepted in contravention of that subsection”; appears to be to prevent a Councillor from retaining the benefit of a gift received in contravention of section 177(1).</p> <p>The monetary value of the gift may be nominal, or unknown; and in such circumstances, Section 177(3) should enable a court to order the gift in question be transferred to Council.</p>	
185 Appointment of Councillor Code of Conduct Officer	Neutral	<p>Amend Section 185 so that a Chief Executive Officer may appoint either a staff member, a non-staff member, or an organisation to be Council’s Councillor Conduct Officer.</p> <p>Currently, the Bill enables the Chief Executive Officer to determine a member of Council staff is suitably qualified to perform the functions of the Councillor Code Conduct Officer, but requires a resolution of Council that an independent contractor is suitably qualified before he or she may appoint them.</p> <p>While Council’s power under Section 185(2)(b) is delegable, there is no apparent merit in the difference between the provisions of Section 185(2)(a) and (b).</p>	

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
		<p>Additionally, taking into account the emphasis of the Bill on collaborative procurement by Councils, consideration should be given to enabling an organisation, as opposed to a person, to be appointed as a Councillor Conduct Officer.</p> <p>There are a number of private sector organisations, that may be suitable to be appointed to discharge this function. It is also feasible that these and other organisations, (particularly law firms) would be responsive to a competitive tender process to provide the services of a Councillor Conduct Officer.</p> <p>Section 185(2) should be deleted and Section 185(1) amended to read:</p> <p>The Chief Executive Officer must—</p> <p style="padding-left: 40px;">“(a) appoint in writing, a suitably qualified person or organisation to be the Councillor Conduct Officer; and”</p> <p>Consequential amendments would also be required to the definition of Councillor conduct officer in Section 3 of the Bill.</p>	

Do you have any overall comments on Part 7 of the Exposure Draft Bill?

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Part 8: Ministerial oversight

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
209 Minister may give direction		<p>Clear parameters to be developed around the power to give directions so that it does not duplicate any other jurisdictions.</p> <p>Knox Council does not support the catch all approach for the Minister to have the power to give directions and/or intervene on any matter.</p> <p>Local Government is currently subjected to the conduct of inquiries from many jurisdictions including the Victorian Ombudsman, Victorian Auditor General and Independent Broad-based Anti-corruption Commission (IBAC) in addition to the Victorian Local Government Investigations and Compliance Inspectorate. It is also noted that a number of other 'commissions' also conduct inquiries and reviews of Local Government i.e. Victorian Human Rights and Equal Employment Opportunity Commissioner and the FOI & Privacy Commissioner.</p> <p>Knox Council strongly recommends that clear parameters are placed around the power to give directions and that it does not duplicate any other jurisdictions.</p>	

253 (2) (b) Restructuring advisory panels	Do not support	<p><i>Require a restructuring advisory panel to conduct a community engagement process that is consistent with Council's community engagement policy.</i></p> <p>In light of the comprehensive requirements Council's community engagement policy must adhere to under Part c, Division 1 of the Bill, it is appropriate that a restructuring advisory panel have regard to Council's community engagement policy when developing and conducting a community engagement process</p>	
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Do you have any overall comments on Part 8 of the Exposure Draft Bill?

Knox City Council supports the review being undertaken by the MAV in regards to the Councillor conduct reforms proposed in the Bill.

Part 9: Electoral provisions

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
276 Voting System	Do Not Support	<p>Retain existing provisions enabling each Council to determine the voting system to be used for general elections and by-elections.</p> <p>Delete section 277(7)(c) which includes “any other form of voting determined by the Minister” in the definition of “voting system”.</p> <p>Local Councils are best placed to determine the most appropriate method of voting that suits its constituents. The decision on the voting system should remain with individual Councils.</p> <p>Council is not supportive of voting methods being determined at the discretion of the Minister.</p> <p>There are significant risks associated with the loss of confidence in the voting system and these risks are not necessarily quarantined by jurisdiction or level of government. For example, the irregularities discovered in Western Australia in 2013 by the Australian Electoral Commission have had significant repercussions for all Federal, State and Local Government elections held since.</p> <p>The introduction of new technology for voting at Council elections can be expected to influence the confidence voters in Victoria and other jurisdictions have in their electoral commissions for future Local, State and Federal Government elections if similar new technology were introduced.</p> <p>Public confidence in the voting system is an essential ingredient of any democratic system. The impact loss of confidence can have on public participation is no better demonstrated than by the experience of the Australian Bureau of Statistics in conducting its online census in 2016.</p>	Council is of the view that in the event that the Victorian Parliament was satisfied electronic voting was appropriate to be deployed at elections, the technology would be approved for use in state government elections also.

		As such, Council is of the view that the decision to deploy new voting technology at Local government elections is significant enough to warrant consideration by the Victorian Parliament by way of legislative amendment.	
279 Voting is compulsory	Do not support	Replace the reference to Section 252 (which relates to restructuring orders) with a references to Section 254 (Entitlements relating to enrolment)	
318(1) Prohibition on Councillor or member of Council staff	Not Support	<p>Amend Section 318 to clarify that intent, or recklessness, is a key element of the offence of using Council resources in a way that is likely to affect the result of an election</p> <p>In its current form, Section 318 could be read as a strict or absolute liability offence, where there is no requirement to prove fault or intent in the use of resources, only a requirement that such use was “likely” to affect the result of an election.</p> <p>A suitable alternative might be (emphasis added):</p> <p>1) A Councillor or member of Council staff must not <u>intentionally or recklessly</u> use Council resources in a way that is likely to, affect the result of an election under this Act.</p> <p>This drafting is reflective of Section 318(2), which relates to the printing, publishing and distributing of electoral matter.</p>	
320 (4) Election Campaign Donation Returns	Do not support	<p>Amend Section 320(2) to specify when a nil return must be lodged with respect to election campaign donations.</p> <p>The Bill as proposed does not include a deadline for the submission of a nil return, as described by section 320(4).</p>	

Do you have any overall comments on Part 9 of the Exposure Draft Bill?

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Part 10: General provisions

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?
326 Authorised Officers	Support	<p>Powers for appointment of Authorised Officers be extended to include 'any other Act'.</p> <p>This section should be extended to include a clear power for the Chief Executive Officer to appoint authorised officers for the purposes of other legislation administered and enforced by local government, (in particular the <i>Planning and Environment Act 1987</i>).</p>	The clarity around CEOs appointing authorised officers is fully supported.
340	Support	<p>Include a requirement that regulations be the subject of consultation with the local government sector.</p> <p>Taking into consideration the emphasis on community engagement in the Bill, Section 420 should include an obligation on the Minister to consult with the local government sector before prescribing any regulation under the Act.</p>	

Do you have any overall comments on Part 10 of the Exposure Draft Bill?

Part 11: Consequential amendments and repeals

Clause (No.)	Support / Do Not Support / Neutral	What changes do you propose and why?	Are there any other comments you would like to make on this clause?

Do you have any overall comments on Part 11 of the Exposure Draft Bill?

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Official Minutes of Knox City Council

ALL WARDS**10.7 MINOR GRANTS PROGRAM APPLICATIONS**

SUMMARY: *Governance Officer - (Kirstin Ritchie)*

This report summarises the recommended grants from the Minor Grants Program.

All applications have been assessed against the criteria as set out in the Minor Grants Program Policy.

RECOMMENDATION

That Council:

1. Approve the five (5) recommended Minor Grants Program applications for a total of \$9,905.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Orana Neighbourhood House	Funding to run four workshops for the Knox Zest4 Life program. The cultural cooking workshops will be accessible to all seniors in the Knox Community.	\$2,200	\$2,200
Rotary Club of Bayswater	Purchase and installation of an air-conditioning unit.	\$2,000	\$2,000
Knox Tennis Club	Funding to repair clubs fences so they are stable and strong enough to hold wind shields.	\$1,800	\$1,705
Knox Park Primary School Parents Association	Purchase and installation of an air-conditioning unit for the school's General Purpose room.	\$3,000	\$3,000
SKGA Inc.	Funding towards the Spirit & Harmony Multicultural Festival.	\$1,000	\$1,000
	TOTAL	\$10,000	\$9,905

10.7 Minor Grants Program Applications (cont'd)

2. Note the two (2) Minor Grants Program applications approved and paid under delegated authority for a total of \$926.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Australian Red Cross - Rowville Unit	Purchase of two pull up banners with Red Cross logo and unit name.	\$440	\$440
Boronia Community Church of Christ	Purchase of three garage shelving units to hold toys and crat materials and a Fisher Price "Grow With Me" trike.	\$486	\$486
	TOTAL	\$926.00	\$926.00

3. Refuse one (1) Minor Grants Program application for a total of \$3000.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount to be Refused
Mae Collard School of Music	Funds to purchase resources for the music school: music, musical equipment, books, instruments, CDS, iPod players etc.	\$3000.00	\$3000.00
	TOTAL	\$3000.00	\$3000.00

1. INTRODUCTION

At the Strategic Planning Committee meeting held on 10 July 2017 the Committee endorsed the Minor Grants Program Policy, effective from 25 July 2017.

Minor Grant applications must be for the purposes of meeting requests for small, incidental funding requests from eligible organisations within Knox and not exceed \$3,000.00.

Under the Minor Grants Program Policy an eligible organisation must:

- provide services, projects and programs that directly benefit residents of the City of Knox;

10.7 Minor Grants Program Applications (cont'd)

- be a not for profit legal entity that provides services, support or activities to the Knox community. This expressly excludes educational institutions and State and Federal government departments and agencies; but does not exclude related not for profit organisations, including school councils/auxiliaries/parent groups who otherwise qualify under the Policy;
- be incorporated or be auspiced by an incorporated body (for grants over \$500 only);
- have an Australian Business Number or complete a Statement by Supplier form;
- have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant (for grants over \$500 only);
- hold adequate public liability insurance appropriate to the activity outlined in the application;
- be able to supply permits and plans appropriate to the funded activity where requested by Council;
- have provided evidence to Council's satisfaction of the expenditure of any previous grant provided by Council.

This report presents to Council recommended grant applications accordance with the Minor Grants Program Policy.

2. DISCUSSION

Council established the Minor Grants Program to ensure that funding may be provided to community groups who request ad hoc, incidental, community based, one-off grants.

The Minor Grants Program Policy (the Policy) sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the *Local Government Act 1989*.

In accordance with the Policy, applications for funding up to \$500 are assessed and determined under delegation. Applications for funding between \$501 and \$3,000 have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

All recipients of Minor Grants must provide proof of expenditure or purchase. In addition, Minor Grants over \$1,000.00 must meet all funding agreement requirements.

10.7 Minor Grants Program Applications (cont'd)

This report outlines the grant applications received since the 18 December 2017 Ordinary Council meeting and recommends five grants for Council's approval.

It is recommended that one applicant receive less money than requested in their application. The reason for this is that they requested an amount that was \$95.00 more than the quote provided for the project. It has been explained to the organisation that they will not be getting the full requested amount.

One grant application is recommended for refusal as it fails to comply with clause 6.10 of the Policy. The application recommended for refusal is from a small start-up privately owned business however, clause 6.10 of the Policy states that an organisation is only eligible for the grant if they are a not-for-profit legal entity that provides services, support or activities to the Knox community.

3. CONSULTATION

No consultation has been undertaken in relation to the grant applications detailed in this report as the policy specifies assessment can occur by the CEO, or delegate, and make recommendation for Council's determination.

4. ENVIRONMENTAL/AMENITY ISSUES

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

5. FINANCIAL & ECONOMIC IMPLICATIONS

The approval of minor grants is managed within Council's adopted budget.

6. SOCIAL IMPLICATIONS

The Minor Grants program allows Council the flexibility to respond to requests from community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate and support a variety of community based programs.

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

Provision of the Minor Grants program assists Council in meeting the following objectives under the Knox Community and Council Plan.

Goal 6. We are healthy, happy and well

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

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

- Strategy 7.3 - Strengthen community connections.

10.7 Minor Grants Program Applications (cont'd)

Goal 8. We have confidence in decision making

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

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael Fromberg, Director Corporate Services - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Kirstin Ritchie, Governance Officer - In providing this advice as the Author, I have no disclosable interests in this report

9. CONCLUSION

This report contains the recommendation for funding though the Minor Grants program.

10. CONFIDENTIALITY

Confidential Appendix A contains each of the individual grant applications for Council's consideration.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. COOPER

That Council:

1. Approve the five (5) recommended Minor Grants Program applications for a total of \$9,905.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Orana Neighbourhood House	Funding to run four workshops for the Knox Zest4 Life program. The cultural cooking workshops will be accessible to all seniors in the Knox Community.	\$2,200	\$2,200
Rotary Club of Bayswater	Purchase and installation of an air-conditioning unit.	\$2,000	\$2,000

10.7 Minor Grants Program Applications (cont'd)

Knox Tennis Club	Funding to repair clubs fences so they are stable and strong enough to hold wind shields.	\$1,800	\$1,705
Knox Park Primary School Parents Association	Purchase and installation of an air-conditioning unit for the school's General Purpose room.	\$3,000	\$3,000
SKGA Inc.	Funding towards the Spirit & Harmony Multicultural Festival.	\$1,000	\$1,000
	TOTAL	\$10,000	\$9,905

2. Note the two (2) Minor Grants Program applications approved and paid under delegated authority for a total of \$926.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Australian Red Cross - Rowville Unit	Purchase of two pull up banners with Red Cross logo and unit name.	\$440	\$440
Boronia Community Church of Christ	Purchase of three garage shelving units to hold toys and crat materials and a Fisher Price "Grow With Me" trike.	\$486	\$486
	TOTAL	\$926.00	\$926.00

10.7 Minor Grants Program Applications (cont'd)**3. \$3000.00 as detailed below:**

Applicant Name	Project Title	Amount Requested	Amount to be Refused
Mae Collard School of Music	Funds to purchase resources for the music school: music, musical equipment, books, instruments, CDS, iPod players etc.	\$3000.00	\$3000.00
	TOTAL	\$3000.00	\$3000.00

CARRIED

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10.7 Minor Grants Program Applications (cont'd)

Confidential Appendix A is circulated under separate cover.

Official Minutes of Knox City Council

COUNCILLOR LOCKWOOD RETURNED TO THE CHAMBER AT 8.30PM DURING DISCUSSION ON ITEM 11.1 AND PRIOR TO THE VOTE**ALL WARDS****11.1 IMPLEMENTATION OF KNOX LEAN****SUMMARY: Tony Doyle - Chief Executive Officer**

This report describes Council's approach to developing a customer focussed continual improvement culture across the whole organisation, using Lean Thinking principles, tools and techniques.

Lean Thinking is a well-established approach to continuous improvement, seeking to improve customer outcomes, effectiveness and efficiency. Lean Thinking is a management philosophy designed to identify and eliminate all forms of waste to deliver better value to customers, in Council's case the community. It is about striving to deliver exactly what the customer wants, when the customer wants it, using the minimum resources to do so.

RECOMMENDATION

That Council note the introduction of Lean Thinking into Council and a new Council report that will periodically be provided to track the benefits derived from the Knox Lean program.

1. INTRODUCTION

In the current constrained fiscal environment Council has developed a number of strategies to ensure it remains an economically sustainable organisation and continues to provide excellent services to the Knox community. One of these strategies is the implementation of Lean Thinking (Knox Lean) and the associated culture of continual improvement throughout the organisation.

In 2012, Council determined that Service Planning was an essential way to plan for the long term future of services. Service Planning was designed to provide Council with an opportunity to consider the service delivery model, align Council's investment in service delivery to our strategic direction and provide a consistent robust review of each service. Over the 4 years Council has undertaken this service planning program, it has completed 39 service reviews across all service areas.

With Service Planning in its last year, Council has recognised the need to look within each service and focus on the efficiency and effectiveness of the service delivery to optimise community outcomes in a constrained fiscal environment. Council has also recognised that there is a significant opportunity to review and improve internal and external customer facing processes.

11.1 Implementation of Knox Lean (cont'd)

This report seeks to brief Council on the implementation of Knox Lean and the value driven to date.

2. DISCUSSION

2.1 What is Lean Thinking

Lean Thinking is a well-established approach to continuous improvement, seeking to improve the customer outcomes by improving the effectiveness and efficiency of business processes. Lean is a management philosophy based on a system originally developed by Toyota, designed to identify and eliminate all forms of waste to deliver better value to customers, in Council's case the community. It is about striving to deliver exactly what the customer wants, when and how the customer wants it, using the minimum required resources to do so.

A Lean organisation understands customer value and continually focuses its business improvement effort on increasing value with less effort. The ultimate goal is to provide a perfect value creation process that has zero waste which optimises customer experience and reduces cost, through a culture of continuous improvement.

2.2 Knox City Council's Business Improvement Journey

As noted above, Service Planning is now in its final year of the 4-year program of service reviews. Over the last 12 months, officers have introduced basic Lean concepts, such as value mapping, as part of our Customer Focused Business Improvement Program.

Running parallel to this, Council has developed its Strategic Leadership Group comprised of Coordinators, Senior Managers, Directors and the CEO. This group now meets 4 times a year and to date, the forums have been used to establish a shared understanding of the need for change within our business in response to our changing environment and to build a sense of belief and empowerment across the business to drive change. Our messaging has been that anyone at Knox can be a change leader as a key tenet of Lean Thinking is that it needs to be driven from the bottom up in terms of organisation hierarchy.

Through our work with the Strategic Leadership Group, the training delivered and recognising achievements across Council, the foundations of cultural change have been laid and there is a growing appetite across the organisation to challenge the status quo.

Council's next step is to develop into a Lean Thinking organisation at every level. The aim of the initiative is to grow and embed a customer focussed continuous improvement culture across Council.

11.1 Implementation of Knox Lean (cont'd)

The objectives of this initiative are to:

- Design and implement an organisational wide program which includes the development of a Lean capability. The program will be tailored to suit various organisational roles, responsibilities and the needs of specific business units.
- Design and implement Lean and change leadership methodologies, tools and techniques to an appropriate level for Executive, Senior Management, Coordinators/Team Leaders and other team members as appropriate.
- To ensure that frameworks are in place to derive measureable benefits and sustain continuous improvement within the organisation.

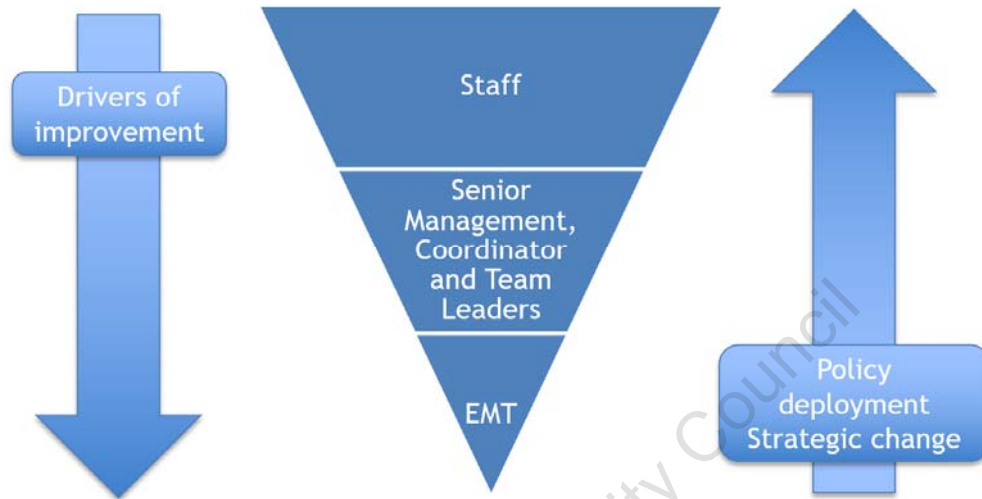
The initiative will build on Service Planning and our work on Customer Focussed Business Improvement over the last year.

We anticipate that service planning in the future will be used where the provision of a service requires review. Otherwise, business improvement effort will focus on the implementation of Knox LEAN.

We have recently appointed a partner who will deliver Lean awareness and development training to Executive Management, Senior Management, Coordinators/Team Leaders and other team members as appropriate.

Importantly, the partner will deliver additional training and provide support to Lean experts and champions within our business to ensure training capability is developed internally and Lean within Knox is sustainable within two years. Training will recognise the differing roles required within an organisation for a successful change culture and be tailored to recognise a fundamental Lean tenet referred to above that those working with a process are the best placed to lead a change to that process.

11.1 Implementation of Knox Lean (cont'd)



To be successful, Knox Lean will require:

- Strong and collegiate leadership at all levels.
- Empowerment of our people to question, test, fail, challenge, think differently, experiment and learn.
- Sharing of skills, expertise resources and data.
- Support for the business to realise potential through continued IT enhancements.
- Being change ready. Our environment will continue to evolve and adaption will be required.
- Willingness to challenge the status quo, think differently and creatively.

11.1 Implementation of Knox Lean (cont'd)

2.3 Benefits Reporting

It is proposed to introduced a new periodic report to be tabled for noting at Council Meetings detailing benefits achieved from Knox Lean activities. The major elements of the outcomes driven so far are reflected in the table below.

Initiative Title	Description of improvement	Customer benefits	Employee benefits	Risk	Financial Savings
Hard Waste Sticker	Removal of hard waste collection sticker. Improved service level.	Faster telephone call. No need to wait for sticker. Improved service level	Simpler process	Minimal	\$40,000
Follow Me Printing	Centralisation of printing function within each department. Reduction in direct printing costs.	None directly	Ease of access	None	\$144,000
E-tendering	Online solution significantly reducing advertising costs.	Simpler process which is online	Simpler process, improved use of technology	None	\$22,176
Carelink Mobile	Automation of rostering and client billing. Elimination of paper rosters requiring home care staff to visit the office to collect them. Easier management of roster changes. Improved internal service outcomes.	Improved flexibility of visits	Simpler process, improved use of technology	None	\$75,454
Finance Process Improvements	Improved processes. No change in service level.	None directly	Simpler process, improved use of technology	None	\$162,000
Elimination of paper payslips	Payslips now delivered electronically. Improved internal service outcome.	None directly	Simpler process, improved use of technology	None	\$12,000
New insurance brokerage service	Renegotiation of insurance contracts through brokerage service. No change in service level.	None directly	None directly	None	\$252,529
Total					\$708,159

11.1 Implementation of Knox Lean (cont'd)

3. CONSULTATION

No formal consultation has taken place. Internal discussion with Council's broader leadership group has occurred and capacity to undertake Lean based projects is currently being embedded in business plans being developed.

4. ENVIRONMENTAL/AMENITY ISSUES

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

5. FINANCIAL & ECONOMIC IMPLICATIONS

The 2017/18 Budget has allocated \$550,000 to fund the Knox Lean initiatives, which will be primarily spent on the implementation of Knox Lean across the organisation. The budget also balances this expense with \$500,000 embedded in the budget as savings from the program.

6. SOCIAL IMPLICATIONS

There are no direct social implications related to this report, however, the successful implementation of Lean Thinking will help build community confidence in Council and support the continued provision of current service levels.

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

Implementation of Lean Thinking to Council is linked to the Knox Community and Council Plan 2017-2021 as follows:

Goal 1 – We have confidence in decision making
Strategy 8.1 – Build, strengthen and promote good governance practices across government and community organisations.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael Fromberg – Director Corporate Services - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – John Griffiths – CFBI Lead - In providing this advice as the Author, I have no disclosable interests in this report

11.1 Implementation of Knox Lean (cont'd)**9. CONCLUSION**

The proposed report on benefits derived from Knox Lean are submitted for Council endorsement.

10. CONFIDENTIALITY

This report does not contain any confidential information

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. KEOGH

That Council note the introduction of Lean Thinking into Council and a new Council report that will periodically be provided to track the benefits derived from the Knox Lean program.

CARRIED

Official Minutes of Knox City Council

ALL WARDS**12.1 WORKS REPORT AS AT 1 FEBRUARY 2018**

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 1 February 2018.

RECOMMENDATION

That the works report, as at 1 February 2018, be received and noted.

1. INTRODUCTION

This report summarises Council's Capital Works Program for the 2017/2018 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 1 February 2018, is attached as Appendix A.

Highlights of the Works Report as at 1 February, 2018 include:

- Dobson Creek Reserve Retarding Basin – Works complete.
- Early Years Hub – Bayswater – Tender accepted.
- Early Years Hub – Wantirna South – Works progressing with steel works fabrication commenced.
- Mint Street Wetland System – Works complete.
- Templeton Reserve, Wantirna – Oval Renewal – Works substantially complete with cricket being played.
- Road Surface Renewal – Program progressing with 51 streets resurfaced (60% of works).

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. TAYLOR

That the works report, as at 1 February 2018, be received and noted.

CARRIED

Knox City Council Project Status Report

01-Feb-2018

Project Number	Project Name	Total Approved Budget
1	Bridges Renewal Program	\$599,093
All Wards	Work completed on Forest Road bridge ramps, with remaining works to be carried out over the road section.	
4	High Risk Road Failures	\$500,000
All Wards	Works completed to pavement failure at Queenstown Road, Boronia. Pavement reinstated at Anne Road pavement failure, at O'Connor Road, Knoxfield.	
7	Road Surface Renewal Program	\$4,000,000
All Wards	Program progressing well with 60% of works undertaken and 51 streets resurfaced.	
8	Drainage Pit and Pipe Renewal Program	\$2,000,000
All Wards	Drainage works have been completed at Denver Crescent, Rowville; Arnold Drive, Scoresby; Arthur Street, Wantirna South; Bunnett Road, Knoxfield; Willow Road, Upper Ferntree Gully; Waranga Road, Bayswater; Francis Crescent, Ferntree Gully; and Otira Road, Knoxfield.	
9	Footpath Renewal Program	\$1,900,000
All Wards	Program progressing on schedule at 80% expended.	
10	Bicycle / Shared Path Renewal Program	\$500,000
All Wards	Shared path works are yet to commence due to priority with road resurfacing program.	
16	Building Renewal Program	\$6,094,500
All Wards	Program is 40% committed/expended. Works nearing completion/commencing over January include: Knox LeisureWorks stage 2 - male/female change rooms and accessible toilet, Rowville Community Centre Hall One - timber flooring replacement and associated works, Rowville Preschool - accessible ramp, Rosa Benedikt Community Centre - accessible ramp, Orana - external painting, Eildon Parade Preschool - external painting, Bellbird Senior Citizen Club - both internal and external painting, Forest Road MCHC and Playgroup - external painting, Picketts Reserve - sports pavilion.	
17	Playground Renewal Program	\$1,434,367
All Wards	2016/17 Playground Renewals (carried forward): Birchfield (Harrow), Windermere, Park Ridge, Raphael Reserve Playgrounds are now completed. Eildon and Balmoral will start construction after the holiday period ends. Construction to take approximately 8 weeks. 2017/18 Playground Renewals: Feedback has been reviewed and design and documentation is currently underway.	
22	Fire Hydrant Replacement Program	\$250,000
All Wards	Final Payment to be made in June.	
24	Car Park Renewal	\$550,000
All Wards	Scoresby Road shopping centre carpark works - concrete works completed and asphalt surfacing to follow shortly. Bayswater carpark at Railway Parade and James Street - concrete works to commence shortly and will then follow with asphalt.	

Project Number	Project Name	Total Approved Budget
25	Plant & Machinery Replacement Program	\$2,985,330
All Wards	Fleet Renewal Program 48% of funding committed.	
26	Street Tree Replacement Program	\$755,000
All Wards	Street tree replacement program has been finalised. Currently undertaking nursery visits in preparation for stock ordering.	
31	Stamford Park Redevelopment	\$9,256,618
Tirhatuan	Homestead – internal flooring complete, heating/cooling completed and commissioned, sewer upgrade complete, courtyard verandah and ramps almost complete, fire services almost complete, seeking quotations for internal/external painting. Works in accordance with heritage conservation report. Homestead Gardens - well progressed with design works. Aiming to tender works in February/March. Parklands - progressing with design works and have commenced planning process.	
43	Shade Sails & Play Structure Maintenance	\$3,193
All Wards	Project completed.	
104	Roadside Furniture Renewal Program	\$100,000
All Wards	Retaining wall replaced along Frances Crescent, near Dorset Road.	
147	Energy & Greenhouse Program for Council Facilities	\$70,000
All Wards	Scoping currently underway. This project is related to Project 871 (Energy Performance Contract) and will be implemented between January and June.	
229	Building Code Australia Compliance	\$100,000
All Wards	Knox Park grandstand stairwell demolition works completed and remaining projects to be rolled out between February and June.	
345	Asbestos Removal	\$100,000
All Wards	Program of works finalised with asbestos removal projects at Alice Johnson Preschool and Bena Angliss Preschool completed and remaining projects to be rolled out between February and June.	
347	Miscellaneous Industrial Roads - Pavement Rehabilitation	\$250,000
All Wards	Rocco Drive and Corporate Avenue concrete works completed, ready for asphalt resurfacing to be undertaken next.	
409	Parks Furniture Renewal	\$50,000
All Wards	Installations almost complete.	
410	Parks Signage Renewal	\$20,000
All Wards	Continuing removal of old signs.	

Project Number	Project Name	Total Approved Budget
412	Water Sensitive Urban Design Renewal	\$326,061
All Wards	Waterford Valley Golf Course survey completed. Consultants are undertaking a water balance analysis of the lake system to provide advice for the design of the swales.	
441	Tim Neville Arboretum Renewal	\$280,000
Dobson	Consultant has been engaged and met with officers in January. Consultant is currently preparing detailed design of the lake structure for Council review and comment.	
443	Reserves Paths Renewal	\$60,000
All Wards	Inchcape Reserve works completed; Wallace Road works have started.	
459	Dobson Street Reserve Retarding Basin	\$738,692
Friberg	Contract essentially completed late January with practical completion inspection to be arranged in February.	
492	Food Act Compliance - Kitchen Retrofitting	\$50,000
All Wards	Projects finalised with works expected to occur over March - April, including Bayswater Oval Pavilion kitchen.	
494	Cathies Lane - Landfill Rehabilitation Works	\$175,000
Scott	Reinstatement of inadequate capping around gas wells exposed in cells 1 and 2 and also topsoiling of exposed areas of capping and depressions currently being undertaken, anticipate completion in February. Recommendation from consultant's investigations is that there is no current requirement to lower leachate at the site. Investigations underway on stability of embankment near leachate pond. Installed drains at top and toe of embankment and undertaking periodic surveys over twelve months to ascertain if the embankment is moving. Investigation underway to determine if high carbon dioxide levels in landfill gas monitoring bores are from the landfill or other sources. EPA have issued a draft Post Closure Pollution Abatement Notice which will govern the management of the site.	
516	Rumann and Benedikt Reserves - Open Space Upgrade	\$176,094
Tirhatuan	Design plans received from consultant required amendment internally and plans reviewed. Propose to advertise tender in February.	
536	Parkland Asset Renewal	\$64,000
All Wards	Program funding 60% expended and works progressing well.	
537	Bush Boulevard Renewal	\$30,000
All Wards	Renewal program progressing at 30% expended.	

Project Number	Project Name	Total Approved Budget
543	Llewellyn Park - Landfill Rehabilitation Works	\$175,000
Scott	Drainage improvements on the site completed in December 2017. Investigation is being undertaken to determine if a landfill gas extraction system is required. Requires replacement monitoring bores be installed further away from the landfill, which were installed in November 2016 and are now being monitored. Work to remove exposed waste in the south west and north west areas of the site completed in December 2017. Investigation being undertaken on high carbon dioxide readings in monitoring bores to determine if this is from the landfill or background sources.	
566	Artwork Renewal	\$30,463
All Wards	Restoration of the Placemaker Legacy continues and is nearing completion. Remaining works are to be reviewed in March via a deaccession process (as outlined in the Knox Public Art Implementation Plan). It is expected this budget will be fully spent by end of financial year.	
576	Early Years Facility Emergency Warning System	\$50,000
All Wards	Projects currently being scoped and quoted for: Haering Road Preschool, Boronia, The Basin Playgroup and Rowville Preschool. Implementation expected over April holidays.	
587	Upper Ferntree Gully Neighbourhood Activity Centre - Design	\$472,867
Dobson	Project on hold at Council request.	
589	KEYS - Application Review and Solution Remediation	\$70,000
All Wards	Initial scoping and discussions with business being scheduled.	
593	Marie Wallace Reserve - Masterplan Implementation	\$416,876
Dinsdale	(1) Access road carpark - works completed. (2) Pedestrian Bridge - survey completed with scope of works to be confirmed following concept plans and on-site meeting to be arranged. Works to include renewal of existing shared use pedestrian bridge as well as design of new bridge between ovals. Design & construct documentation to be prepared late in New Year.	
607	Ashton Road, FTG - Reconstruction	\$350,000
Friberg	Stage 2 of Ashton Road roadworks being packaged with Stage 2 of Kingston Street. Contract advertised with tenders closing on 13 February.	
608	Kingston Street, FTG - Reconstruction	\$265,000
Friberg	Stage 2 of Kingston Street roadworks being packaged with Stage 2 of Ashton Road. Contract advertised with tenders closing on 13 February.	
630	Early Years Hubs - Bayswater	\$5,925,571
Dinsdale	Tender evaluation completed, with recommendation for appointment of contractor accepted by Council 22 January.	

Project Number	Project Name	Total Approved Budget
649	Scoresby (Exner) Reserve - Masterplan Implementation	\$430,000
Tirhatuan	Design nearing completion following review. Project to be submitted to Knox Construction team for quoting and assessment of cost.	
660	Mountain Highway (No. 598), Bayswater Drainage - Design	\$15,015
Dinsdale	Detailed design received. Council officers have provided minor amendments and feedback. Contractor to provide revised final design and final cost estimation by end of February.	
664	Stormwater Harvesting Program Development	\$92,961
All Wards	Project proposal received and approved. The consultant has been appointed and it is anticipated to have the functional concept designs by June.	
667	Dobson Creek Catchment - Streetscape Water Sensitive Urban Design	\$186,587
Chandler	Stage 2 - Wicks Road swale survey completed. Minor renewal works within the catchment are underway.	
668	Knox Active Aging Management System (KAAMS)	\$36,266
All Wards	Project completed.	
675	Public Art Project	\$160,858
All Wards	The Knox Public Art Implementation Plan is complete and has been endorsed by Council (October 2017). Knox's most significant public artwork to date, Aeroplane Boy is due to be installed at Bayswater Station in March/April as part of the Level Crossing Removal works. Other public art projects in the last few months include mural commissions in Council facilities as part of the Immerse program.	
689	Lewis Park, Wantirna South Oval 1 Renewal	\$700,000
Dinsdale	Turf planting is progressing well.	
708	Cricket run ups and goal squares	\$44,000
All Wards	Walker Reserve and Eildon Park will have repairs when turf grass becomes available.	
710	Colchester Reserve Rugby Pitches	\$17,160
Chandler	Works completed and practical completion achieved. Reinstatement of asphalt shared path now completed.	
716	Early Years Hubs - Wantirna South	\$13,511,821
Scott	Suspended post tensioned slabs (ground floor level) completion end of January. Steel work fabrication commenced, with framing to commence mid-February.	

Project Number	Project Name	Total Approved Budget
717	Knox Central Package	\$8,085,000
Dinsdale	Negotiations to acquire parcels for future road corridor and delivery of Knox Central Masterplan continue, with conclusion expected in this financial year. Residual funding from the Operations Centre land acquisition to remain allocated to the project should additional land be required.	
718	Bulk Replacement of Street Lights with LED	\$500,000
All Wards	Project completed.	
721	Eildon Park Reserve (Pavilion upgrade), Rowville	\$97,600
Taylor	Project completed.	
724	Knox (Interim) Library	\$674,215
Dinsdale	Awaiting confirmed start date from Westfield.	
725	Placemakers Site - Design	\$222,263
Dobson	Detailed designs have been completed. Request for tender expected to be released by end of February.	
727	Knox Community Arts Centre - Outdoor Furniture	\$9,517
Dinsdale	Project completed.	
733	Preschool Office/Storage - Minor Works	\$50,000
All Wards	40% of the confirmed works have been completed and remaining works will be completed by February.	
735	Family & Children Services Buildings Door Jamb Protectors	\$25,000
All Wards	All works have been completed.	
737	Meals on Wheels site reconfiguration - Stage 2	\$50,000
Dinsdale	Meals on wheels will be relocated. Plan to be developed over the next six months.	
746	Revegetation Plan	\$100,000
All Wards	Spraying completed, mulching to commence throughout February.	
747	Chandler Park, Boronia - Masterplan Implementation	\$57,128
Chandler	Project completed.	
751	Tim Neville Arboretum - Lake Structure Upgrade	\$141,750
Dobson	Consultant has been engaged and met with officers on site in January. Consultant is currently preparing detailed design for Council review and comment.	
752	Mountain Gate Shopping Centre Reserve - Design	\$154,425
Friberg	Quote documentation being finalised. Seeking quotes for the works in early February.	

Project Number	Project Name	Total Approved Budget
755	Talaskia Reserve, Upper Ferntree Gully	\$300,000
Dobson	Currently out for tender for stage 1 construction of the Talaskia Reserve masterplan. Tender evaluation will take place in early February.	
757	Carrington Park, Knoxfield - Masterplan	\$88,644
Friberg	Seats have been ordered and aim to be installed by Parks in March.	
761	Dandenong Creek Gateways - Strategic Road Corridors Revegetation	\$95,795
All Wards	Open Space team to prepare draft sketch plan for planting works.	
769	Mint Street Wetland System - Stage 2a	\$364,038
Collier	Works completed with practical completion inspection completed.	
771	Colchester Road, Boronia – Wetland and Raingarden	\$40,000
Chandler	Project completed.	
773	Suffern Avenue (Waldheim Street) Wetland	\$368,345
Dinsdale	Construction works well underway with works anticipated to be completed by end of February.	
785	Printer Upgrade	\$43,000
All Wards	Project completed.	
786	Microsoft Office 365	\$200,000
All Wards	All Council directorates migrated to MS Exchange (cloud) and Office 365. Councillors and CEO to be migrated in March.	
787	Website Redevelopment	\$436,000
All Wards	Initial planning has commenced with the objective of selecting an Implementation Partner by end of June.	
788	Network Drive Migration	\$225,000
All Wards	Project completed.	
789	Facilities Booking Review/Upgrade	\$71,300
All Wards	Project on hold until software release available from Priava.	
791	Computer Lease	\$120,000
All Wards	Leased software and hardware expenses are incurred throughout the year.	
792	PC/Device Rollout Lease	\$280,000
All Wards	Leased software and hardware expenses are incurred throughout the year.	

Project Number	Project Name	Total Approved Budget
793	Non Leased Software and Hardware	\$120,000
All Wards	Leased software and hardware expenses are incurred throughout the year.	
794	Switch Replacement Program (Leased)	\$250,000
All Wards	Leased software and hardware expenses are incurred throughout the year.	
796	Park Crescent, Boronia - Reconstruction	\$383,040
Baird	Project packaged with Erica Avenue and Woodvale Road. Contract works completed and practical completion provided.	
798	Woodvale Road, Boronia - Reconstruction	\$114,240
Baird	Project packaged with Erica Avenue and Park Crescent. Contract works completed with practical completion provided.	
799	Windermere Drive, Ferntree Gully - Reconstruction	\$305,446
Friberg	Project packaged with Smithfield Square project. Contract works in Windermere Drive completed with practical completion inspection imminent. Plateau speed hump being modified to suit correct standard, expected to be complete by early February.	
800	Smithfield Square, Wantirna - Reconstruction	\$281,205
Collier	Project packaged with Windermere Drive project as one tender. Construction completed with practical completion inspection imminent.	
801	Sasses Avenue, Bayswater - Reconstruction	\$344,202
Dinsdale	Contract works completed.	
802	Erica Avenue, Boronia - Reconstruction	\$70,725
Baird	Project packaged with Park Crescent and Woodvale Road. Contract works completed and practical completion provided.	
803	Macquarie Place, Boronia - Reconstruction	\$270,289
Chandler	Contract works completed and final claim received. Practical completion inspection imminent.	
804	Dorset Road (169), Boronia - Flood Mitigation	\$97,000
Baird	Project completed.	
806	Cash Fues Place - Wetland System - Design	\$60,765
Collier	Contractor appointed and works will commence end of February.	

Project Number	Project Name	Total Approved Budget
809	Bayswater Activity Centre Streetscape Improvements	\$1,620,411
Dinsdale	Footpath and landscaping works are nearing completion. There are some minor rehabilitation works to be completed. VicRoads will be issuing a contract for all the works associated with the undergrounding of the powerlines including pulling cables through the underground conduits, changing over the power supply to businesses and removal of poles and overhead wires, in early to mid-February. It is anticipated that power works will be completed in the next 3 - 4 months.	
812	Asset Management System	\$20,000
All Wards	Project planned to commence in February.	
813	Information architecture design and planning	\$280,000
All Wards	Cumulative extracts built for Asset Management (LifeCycle, ProjectsPro, additions for IT Service Management and Corporate Reporting (Interplan)).	
814	Standard Operating Environment Upgrade	\$130,336
All Wards	New devices being rolled out with the new Standard Operating System.	
815	Pathway Smartclient implementation	\$90,000
All Wards	Ongoing training being delivered. Additional vendor resource being scheduled to facilitate refresher training.	
816	ePathway Payment enhancements/extension	\$80,000
All Wards	Additional online payment options created in line with new application types published online.	
817	WAN Network Enhancements	\$50,000
All Wards	Project completed.	
818	DRP Update and full test	\$141,360
All Wards	Disaster recovery resources have been moved to NextDC a purpose built DR centre (Port Melbourne). Full DR test planned for February.	
819	IT Security Audit (policies & procedures)	\$50,000
All Wards	Penetration testing rescheduled for March.	
820	Mobile phone refresh (iPhone)	\$20,000
All Wards	Replacement program in progress.	
821	Storage	\$60,000
All Wards	Project completed.	
822	Security, Email Filtering and Firewall	\$57,581
All Wards	Scheduled to commence in April.	

Project Number	Project Name	Total Approved Budget
823	DC1 - Server Room AC & UPS	\$100,000
All Wards	Waiting on 'mop-up' activities to be completed before releasing final payment.	
825	Microsoft Licensing (True Up)	\$150,000
All Wards	True-up scheduled to commence in April/May.	
826	Microsoft SQL Licence	\$220,000
All Wards	Expenses are incurred throughout the year as required.	
827	Intranet Update (2018/9)	\$615,000
All Wards	Project to be undertaken in 2018/19.	
829	Knox Community Art Centre, Bayswater	\$10,000
Dinsdale	Project completed.	
830	Park Ridge Reserve, Rowville - Oval Renewal	\$56,500
Taylor	Maintenance program ongoing. Oval grass establishment progressing well.	
831	Templeton Reserve, Wantirna - Oval Renewal	\$38,000
Collier	Further turf work occurring around boundary lines. Oval grass establishment progressing well.	
832	Knox Gardens Reserve, Wantirna South - Oval 2 Renewal	\$14,788
Scott	Oval grass establishment progressing well. Work around the field boundary underway.	
833	Knox Gardens Reserve, Wantirna South - Tennis Court Renewal	\$294,000
Scott	Discussed scope of works with Leisure and club. Sports surface specialist consultant design and documentation nearing completion.	
834	Oversowing of Sports Fields	\$30,000
All Wards	Seed varieties being considered.	
837	Westfield (Permanent) Library - Design	\$200,000
Dinsdale	Awaiting outcomes of discussions with Westfield.	
838	Bayswater Community Hub - Scoping	\$120,000
Dinsdale	Council officers engaging with the broader community on what their current service delivery needs are/gap analysis in the Bayswater area. Issues Briefing report going to Council in March to establish what Council's position will be in regards to the location of the Hub.	
839	Preschool Bathroom Upgrades - Bena Angliss Preschool	\$222,000
All Wards	Construction on site has commenced and is tracking as scheduled. Works are expected to be completed by end of February.	

Project Number	Project Name	Total Approved Budget
842	Knox Athletics - Hammer Throw Cage Upgrade	\$56,549
Friberg	Detailed design finalised. Club have offered additional funding and have asked Council to fund remainder for preferred design. Additional funding approved. To be packaged with discus cage once design completed. Athletics Club have requested construction be delayed until the period 6 June to 20 July.	
844	Score Boards - Design and Installation	\$390,000
All Wards	Project list has been finalised and approved. Approved projects have been commenced and all projects expected to be completed by June.	
845	Carrington Park Leisure Centre - Basketball Rings	\$35,000
Friberg	Project completed.	
846	Knox Gardens Reserve - Lower Oval Shelters	\$39,015
Scott	Project completed.	
847	Boronia Basketball Stadium - Safety Padding	\$36,000
Baird	Project completed.	
849	Repurposing Scoping of Facilities from Hub Projects	\$93,550
All Wards	Scoping the future use of Family and Children's Services Child Care Centres is tracking late with low impact due to other early years priorities. Once scoping is complete, information will go to Council for further advice.	
851	Senior Citizens Centres - Facilities Development Plan	\$60,000
All Wards	The third and final steering group committee meeting was held in December. The group decided that all 5 concept drawings would be presented to Council along with the final report. The consultants have been delayed due to ill health of one of its team members. The consultant will now finalise the report and costings by mid-February.	
853	Aimee Seebeck Hall, Amenities Design	\$20,000
Taylor	Consultants have been appointed for detailed design. Detailed designs are expected to be completed by mid-February.	
854	Knox Community Gardens/Vineyard Pergola Upgrade	\$10,000
Dinsdale	Knox Community Gardens Group informed Council officers that the upgrade to the pergola is no longer required.	
860	Bergins Road, Rowville - Footpath 3	\$125,000
Taylor	Project completed.	
862	Burwood Highway, Wantirna - Shared Path 2	\$137,900
Collier	Path alignment has been established.	

Project Number	Project Name	Total Approved Budget
866	Ferntree Gully Village Square - Masterplan Implementation	\$183,585
Dobson	Design subject to future development plans at the site, following Council purchase of adjoining land.	
867	Knox Regional Netball Centre, Ferntree Gully - Masterplan	\$131,872
Dobson	Seeking quotes from consultants for additional information and input into the Knox Regional Netball Centre Feasibility Study.	
868	H V Jones, Ferntree Gully Masterplan Implementation	\$143,000
Friberg	Council officers to meet and discuss proposed edits to the Draft Masterplan, prior to consultation phase 2.	
869	Gilbert Park, Knoxfield - Masterplan Review	\$177,000
Friberg	Draft Masterplan is being updated with minor edits as required. Officers will seek to consult with the club on the proposed edits.	
871	Energy Performance Audit for Community Buildings	\$418,636
All Wards	We have received the preliminary report with the final Detailed Facility Study report to be completed by February.	
874	Fulham Road, Rowville Reconstruction	\$125,000
Tirhatuan	Design nearing completion and design review almost complete. Consultation with Stud Park Centre Management and retirement village has occurred. Construction planned from mid-late April, to enable use of overlapping funds so as to complete works as one continuous contract package in July.	
875	Parkhurst Drive, Knoxfield Reconstruction	\$120,000
Dinsdale	Detailed design nearing completion with design review to follow. It is proposed to defer the funding for this project to next financial year and package with the remaining two (2) stages as one tender. Construction planned for March 2019 to enable use of overlapping funds so as to complete total necessary works as one contract early in 2019/20.	
876	Eastgate Court, Wantirna South Reconstruction	\$295,000
Dinsdale	Detailed design completed and contract advertised with tenders closing on 6 February with construction programmed from March.	
877	Rosehill Street, Scoresby Reconstruction	\$530,000
Tirhatuan	Contractor appointed and possession of site to be provided on approval of contract documentation. Commencement of construction works delayed with works now anticipated to commence around March and be completed by around late April/early May.	

Project Number	Project Name	Total Approved Budget
878	Alma Avenue, Ferntree Gully Reconstruction	\$330,000
Dobson	Contract packaged with Winwood Drive and Helene Court projects. Contractor appointed with pre-construction documentation still to be approved for Alma Avenue. Contract works completed in Helene Court with Winwood Drive to follow by early February followed by Alma Avenue anticipated to be completed by around late April.	
879	Winwood Drive, Ferntree Gully Reconstruction	\$398,000
Dobson	Contract packaged with Alma Avenue and Helene Court projects. Contractor appointed with pre-construction documentation still to be approved for Winwood Drive. Contract works completed in Helene Court with Winwood Drive to follow by early February followed by Alma Avenue anticipated to be completed by around late April.	
880	Helene Court, Boronia Reconstruction	\$337,000
Chandler	Contract packaged with Winwood Drive and Alma Avenue projects. Contract works completed in Helene Court with Winwood Drive to follow in early February and Alma Avenue to commence around April.	
884	Glenfern Road Ferntree Gully - Footpath	\$36,961
Dobson	Project completed.	
886	Schultz Reserve - Internal Pavilion Upgrades (Female Friendly)	\$100,000
Collier	Request for tender process has commenced. The closing date is 9 February.	
888	Batterham Reserve Floodlighting Upgrade	\$200,000
Chandler	Contractor appointed and works expected to be undertaken from February to April.	
889	Wally Tew Reserve Floodlighting Upgrade	\$200,000
Dobson	Contract awarded in late November 2017.	
891	Henderson Road Bridge - Preconstruction	\$545,900
Friberg	The detailed design of the bridge is now underway.	
907	JW Manson Reserve WSUD - Construction	\$240,793
Collier	Council is currently under negotiations with VicRoads for the purchase of the easement. The high cost implications to Council could signify that additional funding would be required to continue with the project. Funding may be available from Melbourne Water through the Enhancing of Dandenong Creek Program.	
923	679 Boronia Road - Service Road, Wantirna - Reconstruction	\$10,000
Collier	Survey is planned for early February now that VicRoads have completed adjacent Mountain Highway left turn lane road works. Concept plan to include assessment of median strip and service road narrowing to check if footpath can be re-aligned onto road reserve land.	
924	Cherrington Square, Wantirna - Design	\$15,000
Collier	Survey planned for late February.	

Project Number	Project Name	Total Approved Budget
925	1101 Burwood Hwy, Ferntree Gully - Design	\$5,000
Dobson	Survey completed and design 70% complete with review to follow.	
926	Windermere Drive, Ferntree Gully - Design	\$25,000
Friberg	Geotech investigation completed. Design well underway.	
927	Selman Avenue, Ferntree Gully - Design	\$30,000
Dobson	Geotech investigation and survey completed and design nearing completion with design review to follow.	
928	Barmah Drive, Wantirna - Design	\$5,000
Collier	Geotech investigation completed. Survey is completed and design is underway.	
929	Albert Avenue, Boronia - Design	\$55,000
Chandler	Geotechnical report and survey completed with design 50% complete.	
930	Forest Road, Ferntree Gully - Design	\$40,000
Dobson	Survey expected to be completed by February.	
931	Underwood Road, Ferntree Gully - Design	\$30,000
Dobson	Design completed with plans about to be finalized.	
932	Burwood Highway - service road, Ferntree Gully - Design (1)	\$10,000
Dobson	Geotech work completed and plan to survey site in mid-February.	
933	Burwood Highway - service road, Ferntree Gully - Design (2)	\$5,000
Dobson	Geotech work completed and plan to survey site in mid-February.	
934	Sheraton Cres, Ferntree Gully - Design	\$20,000
Friberg	Geotech report completed and plan to undertake survey in March.	
935	Scoresby (Exner) Reserve - Tennis Court Renewals	\$250,000
Tirhatuan	Contractor appointed and works to commence once pre-construction documentation is submitted and approved.	
936	Carrington Park Reserve - Tennis Court Renewals	\$155,000
Friberg	Survey completed and design underway.	
937	Kings Park Baseball Diamond - Safety Fencing	\$60,000
Dobson	Work on batting cages has started early and is nearly complete.	

Project Number	Project Name	Total Approved Budget
938	Kings Park Reserve - Drainage Renewal Works Oval #1	\$150,000
Dobson	Trenches have been completed. Trench work will be monitored for settlement.	
939	Millers Reserve - Oval Renewal - Design	\$15,000
Chandler	Contractors to commence plans.	
940	Wally Tew Reserve - Cricket net renewals - Design	\$10,000
Dobson	Planned to commence in March.	
941	Knox Regional Netball Centre - Court Renewals	\$20,000
Dobson	Extensive internal consultation undertaken. Sports surface consultant is nearing completion with pavement detailed design treatment required. Estimate will be submitted soon to allow business case to be established by Parks for construction funding.	
942	Tree Management	\$100,000
All Wards	Works to be carried out as required.	
943	Early Years Security Keypads	\$30,000
All Wards	Projects currently being scoped and quoted. Implementation expected during the April school holidays.	
944	Knox Central (Operations Centre Relocation)	\$500,000
Dinsdale	Design development works are progressing. Aiming for detailed design completion July 2018. Remediation and assessment works (relating to contaminated soil at current Centre) have commenced in conjunction with an independent environmental auditor.	
945	ICT - Website Redevelopment (Part of Project 787)	\$824,500
All Wards	Initial planning commenced with objective of selecting preferred Implementation Partner by end of June.	
946	Boronia Precinct Planning	\$390,000
Baird	<p>A preliminary Key Directions report is being prepared based on data collected to date. Community engagement commenced in October 2017 with 540 survey outcomes, 6 charette workshops to be delivered in January/February.</p> <p>A Social Demographic Profile based on the 2016 census has been prepared. The Community Services and Facilities Review has been prepared and is now being broadened to include non-Council organisations to build a more comprehensive understanding of service delivery in Boronia. Mapping and Audit of Council owned Assets and Services Report, which has been combined with another project to avoid duplication to become Building Asset Management Plan (BAMP) for Boronia.</p> <p>Also a Boronia – Economic Demand, Land and Site Options Analysis Report has been prepared by HillPDA Consulting. Stage 1 is to be reported to Council in March.</p>	

Project Number	Project Name	Total Approved Budget
947	Knox Skate & BMX Park - New Youth Pavilion	\$75,000
Friberg	Concept design and cost plan will be prepared for 2018/19 SRV application. Project scheduled to commence in April.	
948	Alternative Buildings Program (Pavilions)	\$550,000
All Wards	Batterham and Knox Gardens have proceeded to re-tender with submissions to be provided by end of February.	
949	The Basin Neighbourhood House Redevelopment at The Basin Primary School	\$2,500,000
Chandler	Commenced establishing an agreed list of fitout, furniture and equipment to be provided as part of the construction of the new Basin Community House for proposed implementation in October 2018.	
950	Family & Childrens Services Buildings & Facilities	\$270,000
All Wards	The Alice Johnson Preschool bathroom upgrade will be completed in February.	
951	Community Toilet Replacement Program	\$220,000
All Wards	Rowville Community Centre (Stud Park) Public Toilet is released for Tender. The closing date is 20 February.	
952	HV Jones Reserve Floodlighting Upgrade	\$250,000
Friberg	Awarding and commencing works by early February. Separately finalising application for additional power supply to the reserve and associated cabling/panel upgrades.	
953	Schultz Reserve - New Floodlighting	\$150,000
Collier	Request for quotations has commenced with quotes expected by early February.	
954	Knox BMX Track - New Storage & Start Gate Structure	\$200,000
Friberg	The proposed designs are being revised to reduce the scope of works. The initial cost estimates are higher than the allocated funds. The revised documentation will be completed by end of February.	
955	Gilbert Park Skate Park Lighting	\$25,000
Friberg	Project completed.	
956	Knox Athletics Track - Discus Cage Upgrade	\$75,000
Friberg	Survey programmed for early in new year. Intend packaging this project with the Knox Athletics hammer-throw cage project after Easter. Athletics Club have requested construction be delayed until the period 6 June to 20 July.	
957	Kings Park - New Floodlighting (Oval 2) - Design	\$2,000
Dobson	Project completed.	

Project Number	Project Name	Total Approved Budget
958	Liberty Avenue Reserve - New Floodlighting - Design	\$2,000
Taylor	Project completed.	
959	Rowville Community Centre - Lighting Upgrade	\$50,000
Taylor	Project currently being quoted with contractor to be appointed in February.	
960	Knox Regional Netball Centre Improvements to Outdoor Amenities	\$150,000
Dobson	Contractor appointed and installation works expected to be completed in February.	
961	Knox Regional Netball Centre Floodlight Outdoor Courts 5 to 8	\$200,000
Dobson	The project is on hold. Waiting for revised masterplan from Leisure Services and Open Space & Landscape team.	
962	Knox Regional Sports Park Signage	\$130,000
Scott	Concept design is completed. New location to be confirmed.	
963	Family & Children Services - Site Master Plans - Stages 1 & 2	\$50,000
All Wards	Two feature site plans have been completed and remaining plans to be completed by April.	
964	Relocate Preschool Bag Lockers	\$32,000
All Wards	Mariemont has been completed. Remaining works will be undertaken over April school holidays.	
965	Billoo Park Preschool - Toilet and Storage Upgrade Design	\$10,000
Collier	Project to be placed on hold until the childcare has relocated to the new Hub and then revisit the facility to scope works.	
966	Alexander Magit Preschool - Verandah Replacement Design	\$10,000
Friberg	Concept design has commenced with an expected completion by end of March.	
967	Goodwin Estate Preschool - Verandah Replacement Design	\$10,000
Chandler	Concept design has commenced with an expected completion by end of March.	
968	Flamingo Preschool - Verandah Replacement Design	\$10,000
Collier	Concept design has commenced with an expected completion by mid-February.	
969	Orana Neighbourhood House Kitchen Upgrade	\$5,000
Dinsdale	Project has proceeded to design phase. Design completion expected by end of February.	
970	Bayswater Scout Hall at Marie Wallace	\$150,000
Dinsdale	Awaiting scoping/funding information.	
971	Mountain Highway, The Basin Footpath (Basin Primary School)	\$10,000
Chandler	Project completed.	

Project Number	Project Name	Total Approved Budget
972	Mountain Highway, The Basin Footpath (Dorrigo Drive)	\$40,000
Chandler	Works have been completed.	
973	Mountain Highway, The Basin Footpath (Wicks Road and Basin Shops)	\$340,000
Chandler	Contractor has been appointed and awaiting pre-construction documentation to be submitted and approved. Construction works anticipated to commence in early-mid February.	
974	Bergins Road right turn lane	\$150,000
Taylor	Contractor appointed and awaiting submission and approval of pre-construction documentation. Construction works anticipated to commence in early February and be completed by April.	
975	AV Equipment Enhancements	\$150,000
All Wards	Project on track.	
976	HR System Enhancements	\$117,400
All Wards	Business case development continuing.	
977	Pathway Online Applications / Permits / Registrations	\$127,000
All Wards	Number of application types are ready for deployment, awaiting business readiness. Scoping underway for Gardens for Harvest/Wildlife & Myna birds.	
978	Microsoft Exchange Upgrade	\$50,000
All Wards	Project completed.	
979	GIS Phase 3	\$200,000
All Wards	Awaiting IT prioritisation and scheduling.	
981	Applications Support - Mobile Computing & Information Integrity (EFT) (2018/9)	\$90,000
All Wards	Project to be undertaken in 2018/19.	
982	Anne Road, Knoxfield LATM	\$10,000
Friberg	Preparing initial consultation letter.	
983	Stewart Street LATM	\$90,000
Chandler	Initial consultation with residents completed. The majority of residents have indicated their support for traffic devices. A consultant has been contracted to do the survey and design of traffic devices.	
984	Napoleon Road, Lysterfield Shared Path	\$200,000
Taylor	A consultant has been contracted to provide detailed survey and design for VicRoads approval.	
985	Napoleon Road, Lysterfield, Shared Path 4 - Design	\$10,000
Taylor	Survey completed and design anticipated to commence in February.	

Project Number	Project Name	Total Approved Budget
986	Boronia Road Activity Centre Bike Parking	\$1,500
Baird	Installation plans have been completed. Bike hoops have been ordered.	
987	Wayfinding Signage for Cyclists	\$5,000
All Wards	Installation plans completed.	
988	Marie Wallace Bicycle Repair Station	\$3,000
Dinsdale	Project completed.	
989	George Street, Scoresby Bicycle Improvements	\$139,000
Scott	Stage 1 between Zarro Street and Berrabri Drive was completed. Awaiting on VicRoads to approve Stage 2 construction works.	
990	Tyner Rd, Wantirna South New School Crossing	\$28,000
Scott	Project completed.	
991	Wellington Road, Rowville Footpath Connection	\$40,000
Tirhatuan	Construction programmed for February.	
992	Karoo Rd, Rowville Footpath Connection	\$25,000
Friberg	Project completed.	
993	Ferntree Gully Road, Scoresby Footpath Connection	\$10,000
Tirhatuan	Feature survey completed with licensed surveyor to be engaged to confirm title boundary. Design underway.	
994	Picketts Reserve, Ferntree Gully Masterplan Implementation	\$100,000
Baird	Concrete works undertaken for carpark. Asphalt to be completed shortly.	
995	Peregrine Reserve, Rowville - Masterplan	\$45,000
Taylor	Draft Masterplan being finalized. Community consultation scheduled in February.	
996	Arcadia Reserve, Rowville - Masterplan	\$100,000
Tirhatuan	Currently seeking quotes to deliver the works.	
997	Llewellyn Reserve, Wantirna South - Masterplan	\$100,000
Scott	Initial works to include planting of local indigenous plants to areas recently capped and mulched. Plants currently being propagated by indigenous seed collected locally.	
998	Templeton Reserve, Wantirna - Masterplan	\$170,000
Collier	Contractor progressing well and advanced on construction program following works extending through Christmas period. Area adjacent to cricket club pavilion completed late January with remainder of works approaching tennis club aiming to be completed by 16 February.	

Project Number	Project Name	Total Approved Budget
999	Lewis Park, Wantirna South - Masterplan	\$200,000
Dinsdale	Council officers to meet with consultant team to discuss and develop an Engagement Strategy.	
1000	Stud Park Reserve, Rowville - Masterplan	\$40,000
Tirhatuan	Scoping of detailed design has commenced.	
1001	Scoresby Village Reserve - Masterplan	\$20,000
Tirhatuan	Design stage scheduled to commence in March.	
1002	RD Egan Lee Reserve, Knoxfield	\$45,000
Scott	Council officers met with consultants to workshop the Draft Masterplan based on all various site analysis and assessment of all feedback to date.	
1003	Wantirna Reserve - Masterplan	\$50,000
Collier	Initial strategic sketch options have been developed by the consultants. Internal officers to meet and discuss.	
1004	Knox Park, Knoxfield - Relocation of Playground	\$20,000
Friberg	Project completed.	
1005	Neighbourhood Green Streets	\$50,000
All Wards	Open Space to prepare sketch plans for planting.	
1006	Bush Boulevards	\$50,000
All Wards	Open Space to prepare sketch plans for planting including rocks, logs to restrict parking where required.	
1007	Upper Blind Creek (Catchment 910) Scale Feasibility	\$50,000
Dobson	Catchment analysis completed. Investigation and site visits ongoing to assess feasibility.	
1008	Mont Albert to Forest Roads - Drainage improvements	\$20,000
Dobson	Initial model by consultants underway, with results due by early February.	
1009	Talking Tanks Initiative - Flood Protection	\$30,000
All Wards	Another set of models, of tanks installed on private land to provide flood protection, is being run to test the feasibility of other options.	
1010	Dam Condition Audit & Concept Design Solutions	\$50,000
All Wards	An internal review found that the additional retarding basins within the municipality do not meet the ANCOLD definition of a large dam and thus no dam condition audits are required at these sites.	

Project Number	Project Name	Total Approved Budget
1011	The Basin Triangle Public Toilet - Installation of Change Table	\$3,500
Dobson	Installation works completed.	
1013	Marie Wallace Bayswater Solar Panel Installation	\$40,910
Dinsdale	Project completed.	
1014	Batterham Reserve Solar Panel Installation	\$9,091
Chandler	Project completed.	
1015	Tormore Reserve Solar Panel Installation	\$40,910
Baird	Project completed.	
1016	Kings Park Solar Panel Installation	\$9,091
Dobson	Awaiting club to complete verandah project. Solar panel works expected to commence soon.	
1024	ICT - Information architecture design and planning (Part of Project 813) (2018/9)	\$150,000
All Wards	Project to be undertaken in 2018/19.	
1025	ICT - Pathway Smartclient implementation (Part of Project 815)	\$100,000
All Wards	Funds transferred to project 815.	
1026	ICT - DRP Update and full test (Part of Project 818)	\$140,000
All Wards	KCC DR resources have been relocated to NextDC Disaster Recovery Centre, local DR capabilities at Eastgate North have been decommissioned. Full DR test to occur in February.	
1027	ICT - Info-Council (Phase 2 - delegations/authorisations)	\$80,000
All Wards	ICT/Digital Strategy funding approval given.	
1028	ICT - Microsoft Sharepoint Upgrade (Part of Project 827) (2018/9)	\$415,000
All Wards	Project to be undertaken in 2018/19.	
1029	ICT - iChris - Chris21 upgrade (Part of Project 976)	\$50,000
All Wards	Project scheduled to commence in March.	
1030	ICT - Microsoft Exchange Upgrade (Part of Project 978)	\$100,000
All Wards	Project completed.	
1031	ICT - Data Integration - Spatial (2018/9)	\$70,000
All Wards	Project to be undertaken in 2018/19.	
1032	ICT - CRM Citizen Portal for Web	\$65,000
All Wards	Project has yet to be scheduled to commence.	

Project Number	Project Name	Total Approved Budget
1033	ICT - CMS Integration and Portal (2018/9)	\$160,000
All Wards	Project to be undertaken in 2018/19.	
1034	ICT - CRM Pilot, Enterprise Solution	\$1,100,000
All Wards	Project has yet to be scheduled to commence.	
1035	ICT - Payment Gateway	\$150,000
All Wards	Project has yet to be scheduled to commence.	
1036	ICT - HR System Enhancements	\$300,000
All Wards	Process mapping underway with 'roadmap' of work packages due early February.	
1037	ICT - Key Project Initiation Documentation	\$145,500
All Wards	Initiation document delivered by Pario.	
1038	ICT - Business Strategy and Benefits Identification	\$75,000
All Wards	Benefits report has been delivered and reviewed.	
1039	ICT - IT Network Security Evaluation and Upgrade (2018/9)	\$554,000
All Wards	Project to be undertaken in 2018/19.	
1040	Dandenong Creek Amenity Improvements	\$70,800
All Wards	Site maps for quoting purposes are currently being prepared. Works to be implemented following Melbourne Water daylighting of Dandenong Creek.	
1041	11 Nathan Street, Ferntree Gully - Flood Mitigation	\$97,000
Dobson	Concept proofing TUFLOW modelling report has been completed by Consultant. Detailed design in progress.	
1045	Egan Lee Reserve - Internal Pavilion Upgrades (Female Friendly)	\$3,000
Scott	SRV application has been submitted and waiting for the funding outcome.	
1046	Scoresby Recreation Reserve - Pavilion Lift Installation	\$70,000
Tirhatuan	Enabling works completed, lift to be installed by early February.	
1047	Colchester Reserve Safety Fencing	\$5,800
Chandler	Project completed.	
1052	Coonara House Solar Panels	\$13,636
Dobson	Project completed.	

Project Number	Project Name	Total Approved Budget
1053	Eildon Park - New Shade Structure Construction currently awaiting Building Permit approval process to commence.	\$10,000
1054 Scott	Knox Regional Sports Park - Masterplan Preliminary review of the site masterplan has been undertaken and possible scenarios presented to the Council meeting in December. Currently seeking stakeholder views, funding opportunities and further developed financial modelling.	\$150,000
1063 Dinsdale	Sasses Reserve Safety Fencing Contractor appointed. Works set to commence soon (duration one week).	\$15,500
Total:		\$95,574,463

Official Minutes of Knox City Council

ALL WARDS**12.2 ASSEMBLIES OF COUNCILLORS**

SUMMARY: *Governance Advisor (Rodney McKail)*

This report provides details of Assembly of Councillors established under section 80A of the Local Government Act as required under section 80A(2) of the Act.

RECOMMENDATION

That Council

1. Note the written record of Assemblies of Councillors as attached to this report.
2. Incorporate the records of the Assemblies into the minutes of the meeting.

1. INTRODUCTION

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Details of Assemblies of Councillors that have occurred between Monday 8 January 2018 and Sunday 11 February 2018 are attached to this report.

COUNCIL RESOLUTION

MOVED: CR. PEARCE

SECONDED: CR. TAYLOR

That Council

1. **Note the written record of Assemblies of Councillors as attached to this report.**
2. **Incorporate the records of the Assemblies into the minutes of the meeting.**

CARRIED

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 22/1/2018	
Name of Committee or Group (if applicable):	
Submissions Hearing	
Time Meeting Commenced: 5:00pm	
Councillors in Attendance:	
Cr John Mortimore, Mayor	
Cr Jake Keogh, Deputy Mayor	
Cr Darren Pearce	
Council Staff in Attendance:	
Kerry Stubbings	
Angela Mitchell	
Matters Considered:	
Submissions Hearing – Notice of intention to lease 72 Francis Crescent, Ferntree Gully	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 1/2/2018	
Name of Committee or Group (if applicable): Knox Disability Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance: Cr Nicole Seymour	
Council Staff in Attendance: Peter Johnston Amanda Wiggs Joy Temple	
Matters Considered: 1. Development of Annual Knox Disability Advisory Committee Work Plan 2. Update on Advisory Committee Review 3. Update on Municipal Leadership Plan 4. Information Sharing	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 5/2/2018	
Name of Committee or Group (if applicable):	
Issues Briefing	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr John Mortimore, Mayor	Cr Tony Holland
Cr Peter Lockwood	Cr Lisa Cooper
Cr Jackson Taylor	Cr Darren Pearce
Cr Adam Gill (arrived 7:29pm)	Cr Nicole Seymour (arrived 6:52pm)
Council Staff in Attendance:	
Tony Doyle	Paul Dickie (Item 1)
Ian Bell	Kathy Parton (Item 2)
Angelo Kourambas	Lisette Pine (Item 2)
Dale Monk	Matt Hanrahan (Item 3)
Kerry Stubbings	Angela Mitchell (Item 5)
Andrew Dowling	
Matters Considered:	
1. Request to Remove Public Acquisition Overlay Affecting Hansons Quarry – 1140 Wellington Road, Lysterfield	
2. Graffiti Management Framework	
3. Review of Knox Parking Policy	
4. Management Financial Report for the Half Year Ended 31 December 2017	
5. Lease of Park of 2A and Part of 2B Scoresby Road, Bayswater	
6. Forward Report Schedule	
7. General Discussion	
- Staff Matters	
- Councillor Group Photo	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 7/2/2018	
Name of Committee or Group (if applicable): Recreation and Leisure Liaison Group	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance: Cr Tony Holland	
Council Staff in Attendance: Daniel Clark Peter Gore Robert Morton	
Matters Considered: 1. Flexible Facility Management 2. Program 4000 Ranking Criteria Review 3. Knox Basketball Plan Update 4. Knox Sport and Leisure Awards Evaluation Committee	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

13. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil.

**AS PER THE PROCEDURAL MOTION ITEM 14.1 – EASTERN FOOTBALL LEAGUE
WAS MOVED AND CONSIDERED AFTER ITEM 5.2 - WARD ISSUES**

15. URGENT BUSINESS**15.1 URGENT BUSINESS**

Nil.

15.2 CALL UP ITEMS

Nil.

16. QUESTIONS WITHOUT NOTICE

Nil.

MEETING CLOSED AT 8.35PM

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on
Tuesday 27 March 2018

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Chairperson