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1. Executive Summary

The Knox Planning Scheme is in a state of transition. The previous Planning Scheme Review undertaken in 2015 recommended a significant planning scheme rewrite which was implemented into the Knox Planning Scheme via Amendment C150 in December 2017. Given its recent implementation, it is considered unrealistic to evaluate the effectiveness of the changes resulting from the planning scheme rewrite at this stage. The State Government initiated Smart Planning program is also proposing to introduce a new Planning Policy Framework (PPF) into all Victorian planning schemes.

This Planning Scheme Review is a concise review of the Knox Planning Scheme which includes:

- Identification of planning issues (determined from a review of VCAT cases and discussions with Council’s Statutory Planners);
- A list of outstanding actions from the previous Knox Planning Scheme Review 2015 that should be carried over to this review; and
- A list of actions from the Knox Community and Council Plan that should be included in this review.

The recommendations of this review are as follows:

Recommendation	Description	Priority
R1	Adopt the report as the review required pursuant to section 12B (1) of the <i>Planning & Environment Act 1987</i> .	H
R2	Forward the report to the Minister for Planning as required by section 12B (5) of the <i>Planning & Environment Act 1987</i> .	H
R3	Review the Knox Residential Design Guidelines to ensure consistency between the Knox Planning Scheme and Knox Housing Strategy.	H
R4	Progress the local elements of the State Government Smart Planning Program including the new Planning Policy Framework.	H
R5	Progress relevant Knox ‘Lean’ actions that have planning scheme and planning process implications.	H
R6	Prepare a planning scheme amendment to ‘fix up’ previous identified anomalies in the Knox Planning Scheme.	H
R7	Conserve, protect and enhance sites of biological significance and increase connectivity between current sites, review vegetation controls, net gain requirements and implementation tools including the development of a native vegetation local policy and other changes to the VPO Schedules.	H
R8	Progress the amendment to introduce a packaged liquor local policy into the Knox Planning Scheme.	H
R9	Continue progressing the Land for Business project that is currently being implemented through Amendment C164.	H
R10	Continue progressing the Boronia Renewal Project including a planning scheme amendment to implement the findings of the Strategy.	H

Recommendation	Description	Priority
R11	Work in partnership with Maroondah and Yarra Ranges Councils and the State government for the Bayswater Business Precinct, with a focus on business networks, precinct amenity, streamlining assessment and new investment.	H
R12	Continue to support, where applicable, the ongoing development of Strategic Investigation Sites in accordance with associated Development Plans.	H
R13	Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox, including a planning scheme amendment if required to facilitate its progress.	H
R14	Continue to participate in the Eastern Metro Group of Councils, and provide input into the Eastern Metro Land Use Framework Plan and collaborate regionally to plan for improved infrastructure in and between key priority employment precincts, activity centres and residential areas.	H
R15	Progress the preparation of a business case for the maintaining and protecting of Council's Indigenous and post-European settlement heritage resources including reviewing the 1993 Knox Heritage Study.	H
R16	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail, improved bus services, and the Dorset Road extension.	H
R17	Review of Zone and Overlay Schedules in accordance with the comments of this review report to ensure that they are achieving their intended purpose.	M
R18	Progress the preparation of Rural Land Strategy and a Green Wedge Management Plan, which could be aligned within the one document.	M
R19	Review how to increase the provision of social housing in Knox through planning scheme provisions.	M
R20	Implement the Affordable Housing Action Plan including advocacy for an increase for the supply of social and affordable housing at key strategic sites and across the municipality.	M
R21	Progress Council's Development Contributions Plan, and its implementation into the Planning Scheme.	M
R22	Progress the development of a structure plans for the Bayswater Activity centre.	M
R23	Progress the development of a structure plan for the Burwood Highway East Corridor.	M
R24	Develop the Wantirna Health Precinct Structure Plan in partnership with the Victorian Planning Authority and the Department of Health and Human Services.	M
R25	Complete Flood Mapping and Modelling Study of stormwater sub catchments across the municipality and prepare a planning scheme amendment to revise/ introduce the Land Subject to Inundation Overlay and/ or Special Building Overlay.	M

Recommendation	Description	Priority
R26	Implement Council's Housing Strategy including continuing to liaise with the owners of the strategic redevelopment sites, and facilitate good urban development outcomes.	M
R27	Explore and where appropriate leverage Council's own land to pilot and partner the development of a range of housing models.	M
R28	Continue preparation of the Strategic Asset and Investigation Strategy, and ensure that any required land use changes are implemented.	M
R29	Ensure community safety is considered in the preparation of any structure plans.	M
R30	Continue to monitor any changes to the Bushfire Management Overlay (BMO) and if relevant, inform affected parties.	M
R31	Review tree canopy cover in Knox, and in particular, review the effectiveness of the planting of trees in accordance with endorsed Landscape Plans.	L
R32	Prepare a reverse buffers policy, as it remains an issue with the continued development of strategic sites.	L
R33	Continue to implement initiatives to achieve resource efficiency, reduction in water and energy use including monitoring and evaluating the efficacy of Clause 22.04 (Environmentally Sustainable Development Policy), and if required, make improvements.	L
R34	Review Clause 22.04 (Environmentally Sustainable Development) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) to improve built form outcomes.	L
R35	Reduce the backlog of missing footpaths in Knox by the identification and inclusion of footpath infrastructure, as required, in future strategies and structure plans.	L

2. Introduction

The Knox Planning Scheme (the Scheme) commenced on 25 November 1999 and provides the statutory mechanism to achieve Council's strategic objectives. It is a statutory document that informs, guides and regulates land use and development within the Knox municipality and sets out objectives, policies and provisions relating to the use, development, protection and conservation of land.

Information contained within the planning scheme details how people can develop their land and what restrictions or controls might be on land. It is the framework for which Council makes decisions on planning permit applications. The format and content of the planning scheme must comply with and is guided by a specific Ministerial Direction which outlined in Section 7 of the *Planning & Environment Act 1987* (the Act).

The Scheme can give support to those Council strategies, policies and plans that have a land use and development aspect, however, the extent of influence is limited by the requirement that:

- The local content of a scheme must be consistent with State policy objectives and strategies; and
- All changes to a scheme must be approved by Minister for Planning.

As of June 2018, the local content of the Knox Planning Scheme comprises:

- The Municipal Strategic Statement – consisting of 10 strategic themes and seven (7) local area statements;
- Seven (7) local policies;
- 20 zones, with 32 associated schedules; and
- 14 overlays, with 42 associated schedules.

This Planning Scheme Review is a concise review of the Knox Planning Scheme and includes further recommendations that will improve urban planning process and outcomes within the City of Knox.

This review has been prepared having regard to Planning Practice Note 32 Review of Planning Schemes and the Continuous Improvement Review Kit (DSE, 2006).

3. Background

There is a legislative requirement to review the Knox Planning Scheme. The last review of the Knox Planning Scheme was completed in April 2015 and recommended an extensive rewrite of the local content of the Knox Planning Scheme, including the local planning policy framework, along with new local planning policies for environmentally sustainable development (ESD), advertising signage and gaming. This review was implemented through Amendment C150, which was introduced into the scheme on 14 December 2017.

Section 12(B) of the Act requires Council to review its planning scheme no later than one year after each date by which it is required to approve its Council Plan under Section 125 of the *Local Government Act 1989* or within a longer period as is determined by the Minister.

Given Council approved the Community and Council Plan on 26 June 2017, the Planning Scheme Review is to be completed by 26 June 2018, and forwarded to the Minister for Planning.

The objective of a review under Section 12(B) of the Act is to enhance the effectiveness and efficiency of the planning scheme in achieving:

- The objectives of planning in Victoria; and
- The objectives of the planning framework established by the Act.

The review must evaluate the planning scheme to ensure that it:

- Is consistent in form and content with the directions or guidelines issued by the Minister under Section 7 of the Act (Structure of Planning Scheme);
- Sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies; and
- Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

Any review should:

- Identify major planning issues;
- Demonstrate how the scheme implements the State Planning Policy Framework (SPPF);
- Assess the strategic performance of the scheme;
- Document the strategic work that has occurred since the previous review and any additional work required to strengthen the strategic direction of the scheme;
- Articulate the monitoring and review of the scheme that has occurred;
- Outline consultation process and outcomes required in undertaking the review; and
- Make recommendations arising from the review, including any future planning scheme.

On completion of the review, Council must report the findings to the Minister for Planning.

It is important to reiterate that the previous Planning Scheme Review from 2015, was only implemented six months ago via Amendment C150 on 14 December 2017. In light of this, this Planning Scheme Review will not be as comprehensive given that Council has not had a significant amount of time to understand the full impacts of the previous review.

3.1 Significant Planning Scheme Amendments

Since the completion of the last review (April 2015) 54 planning scheme amendments have been gazetted, including 26 Council initiated amendments.

Appendix 1 provides a summary of the State initiated amendments. Significant amendments (both State and Council initiated) approved during this time, include:

Amendment Number	Title	Description	Gazettal date
C131	Knox Housing Strategy and Rowville Structure Plan	Implemented the Knox Housing Strategy 2015, the Rowville Plan 2015, and the new residential zones, to manage housing growth and change.	17 Mar 2016
C152	Fixes errors associated with Amendment C131	Amended street setback requirements, private open space requirements and application requirements in various zone schedules, as well as the minimum lot size subdivision requirements in the Design and Development Overlay Schedule 3.	18 Dec 2016
C133	Boronia Activity Centre	Provided clearer guidance on use and development of land, particularly relating to residential development. These changes were applied on an interim basis, with an expiry date of 15 December 2019 to allow for a further strategic review of the Boronia Structure Plan and related planning controls.	3 Dec 2015
C74	Jenkins Orchard Development	Rezoned the former Jenkins Orchard land (located adjacent to Eastlink) to a mixture of Commercial 1 and General Residential Zones to provide for residential development and a neighbourhood centre.	17 Dec 2015
C137	The Basin and Alchester Villages	Implemented new built form guidelines and height limits for The Basin and Alchester Village neighbourhood activity centres.	17 Nov 2016
C141/C162	Upper Ferntree Gully	C141 implemented the Upper Gully Strategic Plan and associated documents, and introduced mandatory height limits. C162 slightly increased the mandatory height limits to align with Amendment VC110 (Reformed Residential Zones).	6 Apr 2017
C150	Planning Scheme Review 2015	Implemented the findings of the Knox Planning Scheme Review 2015 by replacing the Municipal Strategic Statement, introducing new local planning policies, and updating other local policies, zone, overlay and particular provision schedules and maps.	14 Dec 2017
C149	Knox Central	Implemented the objectives and strategies of the Knox Central Structure Plan October 2017 through the application of local policy, zones and overlays.	24 May 2018
VC110	Garden Area Requirement	Implemented the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, "garden area" and making associated changes to the residential zones.	27 Mar 2017
VC136	Better Apartments	Implemented the Better Apartments Design Standards, including statewide planning requirements for apartment developments and a new definition for the term 'Apartment'.	13 Apr 2017

Amendment Number	Title	Description	Gazettal date
VC133	Smart Planning Changes	Revised the structure of planning schemes, including changes to align with a new Ministerial Direction on The Form and Content of Planning Schemes issued under section 7(5) of the <i>Planning & Environment Act 1987</i> (the Act).	25 May 2017
GC13	Bushfire Management Overlay	Updated the mapping and ordinance for the Bushfire Management Overlay (BMO) across Victoria, and introduced two BMO Schedules, with predetermined bushfire protection measures and streamlined rules, which simplify the application process for new dwellings.	3 Oct 2017
VC138	Native Vegetation	Implemented reforms relating to the Victorian Government’s review of the planning provisions for native vegetation removal following the release of <i>Protecting Victoria’s Environment - Biodiversity 2037</i> .	12 Dec 2017
GC76	Residential Zones Changes	Introduced consistent maximum building heights, and removed local variations to the Neighbourhood Residential Zone relating to number of dwellings on a lot and height requirements.	21 Dec 2017
VC142	Smart Planning Changes	Removed unnecessary permit triggers, expanded permit exemptions for land uses and buildings and works, removed outdated provisions, updated references, improved and updated definitions, and improved the usability of the Victoria Planning Provisions (VPP).	16 Jan 2018

3.2 Implications for the Knox Planning Scheme

Council’s established policies for development in activity centres, the scaled approach for residential development, and the protection of the Dandenong Foothills (including mandatory height controls) has been reinforced by these amendments. The approval of major amendments, including Knox Housing Strategy, the Planning Scheme Rewrite and Knox Central, have significantly strengthened the strategic direction and format of the scheme, and will continue to improve its performance. The State Government’s recent focus on apartment dwellings and other residential development, bushfire and biodiversity, have strengthened Council’s established biodiversity, bushfire and other environmental policies, and guide further reform of the scheme.

Conflict has occurred with:

- The implementation of the new garden area and building height controls for Knox’s residential areas, in particular within activity centres; and
- The standardisation of zone and overlay schedules, in particular the mandatory drafting of Design and Development (DDO) and Development Plan Overlay (DPO) Schedules (including a maximum number of objectives and sub-clauses), which has resulted in changes to the intent of these controls.

3.3 Current Projects and Planning Scheme Amendments

There are a number of current projects and planning scheme amendments underway that will impact on future changes to the Knox Planning Scheme.

These are identified below:

Knox City Council	Description
Amendment C164 (Land for Business)	<p>The project consists of a staged approach involving both a Land for Business Review (strategic review of existing commercial and industrial land, trends and projections) and a Directions Plan. A major component of the project is to undertake an amendment to provide additional policy support to ensure that Council’s significant business locations are strengthened.</p> <p>The draft Directions Plan and Amendment were on exhibition from 19 March to 30 April 2018, with a Planning Panel hearing likely to be held in late 2018.</p>
Amendment GC88 (Packaged Liquor Policy)	<p>Council is working with the South East Metropolitan Councils Alliance (SEMCA) and Maroondah City Council to prepare a packaged liquor local policy to address packaged liquor outlet density and to minimise alcohol related harm in the assessment of planning applications for packaged liquor licences.</p> <p>Authorisation will be sought from the Minister for Planning to prepare and exhibit Amendment GC88 in mid-2018.</p>
Boronia Renewal Project	<p>A review of the Boronia Structure Plan 2006, known as the Boronia Renewal Project, is currently underway. It is anticipated that the Boronia Renewal Strategy will be completed in 2018, and a planning scheme amendment to implement the findings of the Strategy will be undertaken in 2019.</p>
Heritage Study	<p>A business case is proposed to be prepared in 2018 to further investigate the scope, cost, timing, and other implications, of a municipal wide heritage study, incorporating post contact, built form, natural and indigenous heritage and a review of the 1993 City of Knox Heritage Study. If the business case is supported, this project could commence in 2019/2020.</p>
Knox ‘Lean’	<p>Council has begun the implementation of the Knox Lean process improvement methodology across the organisation to improve customer service, efficiency and effectiveness. The Knox Planning Scheme can assist in these process improvements by reducing permit triggers and other “red tape” reductions, to provide efficiencies in the planning permit assessment process.</p>

State Government	Description
Smart Planning Project	<p>This program aims to improve the current Victorian planning system by simplifying and updating the Victoria Planning Provisions to be easier to understand, be more responsive to emerging issues in Victoria, and have greater consistency between state and local policy, as well as using more modern digital tools to improve its operation.</p> <p>The program has recently made changes to the Victoria Planning Provisions (VPP) to reduce permit triggers, remove superfluous and outdated provisions, update references and land use definitions and clarify common points of confusion. It is expected that additional changes and actions will result from this project.</p>
Planning Policy Framework (PPF)	<p>A key part of the Smart Planning Project is a review of the current Planning Policy Framework (PPF) which is included in every planning scheme in Victoria. This new PPF will combine state, regional and local planning policy under specific themes, with a smaller simplified 'municipal context and vision' section, rather than the existing MSS. It also proposed to restructure and reform the particular provisions and further integrate Vic Smart into the scheme including new code-based assessment provisions for simple proposals to support small business, industry and homeowners.</p> <p>It is anticipated that the implementation of this new structure by the DELWP will begin after the completion of this review (mid-2018). It is likely to have a significant impact on Council's resources as the existing framework within the Knox Planning Scheme will need to be transitioned into the PPF structure.</p>
Plan Melbourne	<p>Plan Melbourne 2017-2050 (released by the State Government on 11 March 2017) is the metropolitan planning strategy that defines the future shape of Melbourne over the next 35 years. The Plan includes a number of directions, policies and actions to guide the change in Melbourne.</p>
Eastern Metro Region Land Use Framework Plan	<p>One of the actions from Plan Melbourne is for each of Melbourne's six regions to have a Land Use Framework Plan. Council is working closely with DELWP and other Councils in the eastern region to prepare and finalise the Eastern Metro Region Land Use Framework Plan. It is anticipated that once finalised, this Plan will be able to inform the 'regional' layer of policy content within the new PPF.</p>

3.4 Implications for the Knox Planning Scheme

Projects including Amendment C164, Amendment GC88 and the Boronia Renewal Project will result in changes to the Knox Planning Scheme in the short term. Council, through its 'Lean' Project, is keen to increase the efficiency and effectiveness of a number of processes, including planning processes. The restructure and transition of the State Planning Policy Framework and the Local Planning Policy Framework into the PPF is likely going to take a considerable amount of Council resources, and it is expected that this will occur by the end of 2018. The forthcoming Eastern Metro Region Land Use Framework Plan may inform the regional layer of the new PPF.

4. Major Planning Issues Facing the Municipality

4.1 Strategic Context (Community and Council Plan 2017-2021)

The Knox Community and Council Plan 2017-2021 was adopted by Council on 26 June 2017. The Plan sets a vision for the City of Knox and identifies our eight community and council goals that will drive Council activities over the next four years. This Plan was formulated in partnership with our community. It provides a guide for individuals, businesses, local groups and other levels of government on strategic priorities for Knox. These priorities have been developed from information gathered through a community engagement process, supported by an analysis of State of Knox data, and with reference to key government and social policies. Throughout the community engagement process and in the preparation of the Community and Council Plan 2017-2021, a number of initiatives were specifically included that relate to planning issues in the municipality.

Out of the 95 initiatives with the Community and Council Plan, 23 have a connection to the Knox Planning Scheme and planning processes, and are therefore considered in this Planning Scheme Review. Of the 23 planning related initiatives from the Community and Council Plan: one has been completed; 12 are underway; six are ‘as required’; and four have not commenced. A response to each of the Community and Council Plan initiatives is included as Appendix 2.

The following initiatives (underway, as required, or yet to commence), should be reflected as actions in this Planning Scheme Review:

Initiative Number	Initiative Description	Delivery timeframe	Recommended action in the Planning Scheme Review
1.1.1	Complete Flood Mapping and Modelling Study of stormwater sub catchments across the municipality.	2017-2019	Following completion of the flood mapping and modelling, prepare a planning scheme amendment to revise/ introduce the Land Subject to Inundation Overlay and/ or Special Building Overlay.
1.1.3	Continue to implement initiatives to achieve resource efficiency, reduction in water and energy use.	2017-2021	Continue to monitor and evaluate the efficacy of Clause 22.04 (Environmentally Sustainable Development Policy), and if required, make improvements.
1.2.3	Conserve, protect and enhance sites of biological significance and increase connectivity between current sites.	2017-2021	Undertake a review of vegetation controls, to ensure the controls are robust and will result in a green and leafy character.
1.3.3	Undertake a strategic review of the Boronia Structure Plan including a detailed assessment of strategic sites (ie Boronia Park).	2017-2018	Continue the review of the Boronia Activity Centre, and the preparation of a Renewal Plan.

Initiative Number	Initiative Description	Delivery timeframe	Recommended action in the Planning Scheme Review
2.1.1	Continue to support the development of the Stamford Park residential estate.	2017-2020	Continue working with the owner of the site to ensure that the estate is developed in accordance with the Development Plan.
2.1.2	Implement Council's Housing Strategy including facilitation of strategic redevelopment sites.	2017-2021	Continue to liaise with the owners of the strategic redevelopment sites, and facilitate good urban development outcomes.
2.2.1	Explore a range of mechanisms to improve and encourage high quality and sustainable design in the built form.	2017-2018	Review Clause 22.04 (Environmentally Sustainable Development) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) to improve built form outcomes.
2.3.1	Implement the Affordable Housing Action Plan including advocacy for an increase for the supply of social and affordable housing at key strategic sites and across the municipality.	2017-2021	Continue to advocate for the provision of social and affordable housing on key strategic sites, including Council owned development sites.
2.3.2	Explore and where appropriate leverage Council's own land to pilot and partner the development of a range of housing models.	2018-2019	Continue preparation of the Strategic Asset and Investigation Strategy, and ensure that any required land use changes are implemented.
3.1.3	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail, improved bus services, and the Dorset Road extension.	2017-2021	Identify and include priority transport projects, as required, in future strategies and structure plans.
3.2.1	Reduce the backlog of missing footpaths in Knox.	2017-2021	Identify and include footpath infrastructure, as required, in future strategies and structure plans.
4.3.1	Implement a community safety program and build community connections to improve perceptions of safety within key locations across the municipality (including the Boronia Activity Centre).	2017-2021	Continue the review of the Boronia Activity Centre, and the preparation of a Renewal Plan.
4.4.2	Inform residents and conduct inspections of all properties within the Bushfire Management Overlay areas to ensure compliance with relevant legislation.	2017-2021	Continue to advise affected residents and property owners of any changes to the Bushfire Management Overlay in conjunction with the Country Fire Authority (CFA) and other authority requirements.
5.2.1	Undertake a strategic review of the Boronia Structure Plan including detailed assessment of strategic sites.	2017-2018	Continue the review of the Boronia Activity Centre, and the preparation of a Renewal Plan.
5.2.2	Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox.	2017-2021	Progress the development of a new Civic and Arts precinct for Knox, and undertake a planning scheme amendment if required to facilitate its progress.

Initiative Number	Initiative Description	Delivery timeframe	Recommended action in the Planning Scheme Review
5.2.3	Advance the planning for the Wantirna Health Precinct in partnership with the Victoria Planning Authority and Department of Economic Development, Jobs, Transport and Resources.	2017-2018	Continue working with the Victoria Planning Authority to jointly scope and project manage the Wantirna Health Precinct project.
5.2.5	Implement the strategic review of land for business and employment in the municipality.	2017-2019	Progress Amendment C164 through the Panel process and Council adoption, and if supported by Council, forward to the Minister for Planning for approval.
5.3.1	Participate and collaborate regionally to plan for improved infrastructure in and between key priority employment precincts, activity centres and residential areas.	2017-2021	Continue to participate in the Eastern Metro Group of Councils, and provide input into the Eastern Metro Land Use Framework Plan. The purpose of this is to set out the regional planning priorities.
5.3.3	Progress the development, implementation and evaluation of Development Contributions Plan (DCP) planning including addressing infrastructure information gaps and mapping necessary to inform these plans.	2017-2020	Continue the development, implementation and evaluation of the Development Contributions Plan.
5.4.2	Advance the next stage of the collaborative Strategic Investment and Development Program in partnership with Maroondah and Yarra Ranges Councils and the state government for the Bayswater Business Precinct, with a focus on business networks, precinct amenity, streamlining assessment and new investment.	2017-2020	Investigate further strategic work to improve the amenity of the Bayswater Business Precinct.
6.1.1	Deliver health promotion and harm minimization programs, including: <ul style="list-style-type: none"> • Education/ capacity building programs with sporting clubs focused on cultural change; and • Advocacy to improve planning policy responses and regulatory framework that manage the density of alcohol outlets within places or locations. 	2017-2021	Continue progressing Amendment GC88 with the South East Metropolitan Council Alliance and Maroondah City Council.
7.1.2	Develop a plan for the ongoing protection and management of indigenous and post European settlement heritage resources related to Knox.	2018-2021	Prepare a business case for the preparation of a revised/ updated heritage study (addressing indigenous and post European settlement heritage).

4.2 Major Planning Issues

This section identifies the major planning issues facing the City of Knox. Given that these issues were identified through consultation with Council's Statutory Planners, a review of VCAT decisions and the annual report for the Knox Housing Monitoring and Review Program. A short summary of these tasks is provided below. Following this, the major strategic issues are more clearly defined, using information obtained from the Statutory Planners and from the review of VCAT decisions.

4.2.2 Statutory Planning Consultation

Crucial to the success of any review of the performance of a planning scheme are the views of the users of the scheme, primarily Council's Statutory Planning Team. Two consultation sessions were held with Council's Statutory Planners in April and May 2018. Council's Statutory Planners advised that the Knox Planning Scheme appears to be performing well, however it is considered premature to assess the full impact of the Local Planning Policy Framework given that the new structure was introduced in December 2017 through Amendment C150. Early indications that the red tape reduction measures introduced through Amendment C150 (such as for less complex applications triggered by overlay controls within the Dandenong Foothills) have been successful. This will require ongoing monitoring through the next review time period.

Notwithstanding this, the planners identified the following as areas where the scheme could be improved:

- Infill residential development controls, which should be revised to address the impacts of Ministerial changes to the General Residential and Neighbourhood Residential Zone Schedules (particularly with private open space and garden area requirements and building heights);
- Policy direction on non-employment generation uses such as churches and gyms, which are impacting on the jobs and investment focus in industrial and commercial zone land; and
- Biodiversity controls should be strengthened.

4.2.3 Review of VCAT Decisions

Between January 2015 (the conclusion of the last review) and December 2017, approximately 130 cases have been heard before the Planning and Environment List at VCAT dealing with matters determined by Council. Council officers internally record the outcomes of any VCAT decisions that have significance from a policy view, and that may impact the performance of the Knox Planning Scheme.

An analysis of these significant decisions, has identified several policy matters, some of which have relevance on the performance of the Knox Planning Scheme. Upon review of merits proceedings where Council had determined to refuse or approve an application, VCAT set aside (rejected) the Council decision in about 37% of all applications for review in this class. There were a total of 94 matters before VCAT which related to Council's Refusal to Grant a Planning Permit. Of these matters, the Tribunal set aside the Council's decision on 44 occasions (or in 47% of all instances).

Similarly to the comments from Council's Statutory Planners, the issues identified through VCAT decisions relate to:

- Infill residential development, and the requirements of the relevant zone and overlay schedules;
- Development in activity centres;
- Non-residential uses; and
- Advertising signs.

4.2.4 Planning Issue 1: Residential Development

The Knox Housing Strategy (2015) reinforces a scaled approach to residential development - the limiting of development in the Bush Suburban and Knox Neighbourhood areas, the encouragement of development in the Local Living and Activity Areas, and the protection of the strong 'green and leafy' character of Knox as the preferred future character of residential areas. The Housing Strategy has been implemented into the Knox Planning Scheme by way of the Local Planning Policy Framework, zones and overlays (and in particular the Design and Development Overlay). Clause 22.07 (Development In Residential Areas And Neighbourhood Character) further specifies design and siting requirements including canopy tree planting, side and rear building setbacks, garage locations, crossovers, upper level setbacks, accessible dwellings, and front fencing.

The 2017 Knox Housing Monitoring and Review Program Annual Report also concluded that:

“The percentage of new approvals that were for dwelling types consistent with their Housing Policy Area improved from 68% in 2016 to 84% in 2017. This suggests that the new Knox Housing Strategy 2015 and new residential zones have become more engrained in the development and assessment process in their second year of operation [Amendment C131 was gazetted in March 2016]. In addition, the percentage of dwellings approved in higher-density areas improved from 50% in 2016 to 74% in 2017, suggesting the Housing Strategy continues to be successful in its goal of direct development to these preferred areas.”

There is clear support for the Knox Housing Strategy and the 'scaled' approach to residential development, and more specifically there is clear support for Council's preferred neighbourhood character, as demonstrated by the following significant VCAT cases:

- Saloumi v Knox CC [2016] VCAT 7699 (13 May 2016) where Council refused to grant a planning permit for the development of three double storey dwellings at 31 Kumala Avenue, Bayswater:

“The issues on which I find this proposal fail, also relate to the size of the dwellings, not their typology. This is because I do not see that the typologies in themselves should lead to a prescriptive response that a proposal is unacceptable. It is the response of the built form to the surrounding neighbourhood, as is the first principle of addressing neighbourhood character in Clause 55.01 and 55.02.”

- Boden v Knox CC [2016] VCAT 901 (6 June 2016) where Council refused the construction of a double storey dwelling in the rear yard and alterations to the existing dwelling:

“However, despite the broad policy support for infill development in well located areas, I am not persuaded that a second dwelling can be accommodated on the review site...The result is a development that does not achieve either the character outcomes for the Knox Neighbourhood Area or many of the design objectives and guidelines in Clause 22.07-4. There is clear intention in policy to retain large backyards for landscaping and open space, to design buildings to accommodate landscaping including canopy trees in front and rear gardens and provide landscaped rear yards...”

- Murray Crescent Projects Pty Ltd v Knox CC [2018] VCAT 4412 (21 March 2018), further articulates this policy support:

“However, in my view, the balance of the policies in the scheme, as they relate to this site, do not give precedence to those which support additional housing growth over those which require consideration of neighbourhood character. As such, in my view, the overall policy direction for this site is for any development to be tempered so that it appropriately responds to neighbourhood character policy.”

The majority of appeals to VCAT (by developers or objectors) relate to residential applications (60% of application appeals to VCAT related to 2-10 dwellings). It is therefore important to further refine the residential framework in the Knox Planning Scheme, and the following matters to be reviewed have been identified:

a. Residential Design Guidelines

Council's Statutory Planners have identified a number of inconsistencies between the requirements of the current residential zone schedules, and the Residential Design Guidelines that were introduced when the Knox Housing Strategy was endorsed in 2015. It has been identified that contradictory requirements between the residential framework in the Knox Planning Scheme and the Residential Design Guidelines increased confusion for the community.

It is recommended that Council's Residential Design Guidelines be amended to ensure they align with the current residential framework in the Knox Planning Scheme.

b. Clause 22.07 Development in residential areas and neighbourhood character

A design guideline at Clause 22.07-4 requires the construction of a single storey rear dwelling (in developments of three or more dwellings) in Knox Neighbourhood Areas. This matter was explored in *Karfarm Holdings Pty Ltd v Knox CC* as cited in *Furozandeh v Knox CC* [2018] VCAT 160, and the member determined that the requirement of a single dwelling to the rear (in a development of three or more) appears to be arbitrary.

"[26] That said, the specificity of this design guideline is curious. It is only where three or more dwellings are proposed that the single storey height is sought. If this was a proposal for two dwellings, this element of the design guideline would not be relevant and a two storey form in the rear of the lot would be acceptable under this policy guidance. It would seem that this element of the policy is directed to addressing potential impacts from the extent of development across the site rather than two storey building form per se. This begs the question, what is the impact of such building form that is of concern where it is acceptable in some situations and not in others.

[29] It follows from what I have set out above that the overall intent of limiting building height to single storey in the rear yard flows from an objective for buildings to respect the prevailing scale of buildings in the street, respect the spacious open yards of neighbouring properties and to retain 'large backyards for soft landscaping and open space' consistent with the Knox Neighbourhood Area character."

It is recommended that further consideration be given to dwelling requirements in the Knox Neighbourhood area (including the single storey dwelling requirement relating to three or more dwellings) to determine if these directions should be revised or strengthened.

There were also concerns raised with the achievement of the accessible design requirements contained at 22.07-7, within activity centres, where higher density forms of development are encouraged. The clause does not apply to sites affected by Design and Development Overlays, including Knox's main activity centres and as such Council cannot require accessible design to be considered in these areas.

It is recommended that accessible design requirements be considered for all activity centres, including those that are also affected by a Design and Development Overlay (Bayswater, Boronia, Ferntree Gully Activity Centres).

Clause 22.07 applies to development on residentially zoned land, except those areas affected by either a Development Plan Overlay or a Design and Development Overlay. Council's Statutory Planners noted that there was important policy direction from Clause 22.07 that could not be applied to other areas of the municipality, e.g. the Bush Suburban area that is affected by a Design and Development Overlay.

It is recommended that the land to which Clause 22.07 applies should be reviewed or revise the DDO's to include accessible design requirements.

c. Landscape Plan

Another concern raised by Council's Statutory Planners related to the requirement for a landscape plan, including the identification of plant species, as part of the application process rather than as a permit condition. It has been noted that this may be somewhat onerous, and can be considered as a condition on permit instead.

It is recommended that the timing for the requirement of a landscape plan be reviewed.

4.2.5 Planning Issue 2: Private Open Space in Residential Areas

The Knox Housing Strategy 2015 was implemented via Amendment C131. When approving the final amendment, the Minister for Planning made a number of changes to the schedules to the zones in relation to private open space and building heights to be consistent with the residential zones changes that were made through VC110.

a. Private Open Space Requirements

In particular, Amendment C131 made changes to the private open space requirements for development in Council's Bush Suburban areas outside the Foothills (the area identified for the lowest intensity of Knox's urban residential character areas). Council's adopted requirement of 100sqm of private open space, including 60sqm of secluded private open space, was reduced to 60sqm of private open space, including 40sqm of secluded private open space. This open space areas requirement is considerably smaller than what is required in the more intense Knox Neighbourhood residential character area which has an 80sqm requirement (with 60sqm of secluded private open space). This has resulted in a policy anomaly which does not support the 'scaled approach' sought by the Knox Housing Strategy.

It is recommended that a review of the private open space requirements be undertaken of the Bush Suburban areas to ensure the 'scaled' approach to residential development in Knox can be achieved. Developments in Bush Suburban areas should provide increased private open space areas compared to Knox Neighbourhood areas.

b. Secluded Private Open Space

The Bush Suburban area of the municipality, that is not located in the Dandenong Foothills area, is within a General Residential Zone Schedule 5. With respect to residential development applications in these areas, garden space requirements are often met, however instead of using this garden space to meet secluded private open space requirements, balconies are increasingly being provided. This is not the preferred outcome for the character of the Bush Suburban area.

It is recommended that a review be undertaken to assess how 'at grade' secluded private open space can be encouraged in the 'Bush Suburban' area of the municipality (that is not located in the Dandenong Foothills area), that is GRZ5 in the Knox Planning Scheme.

4.2.6 Planning Issue 3: Development in Bush Suburban Areas

The Knox Housing Strategy identifies land in the Bush suburban typology as the areas where the lowest level of development is expected, and the accompanying *Knox Residential Policy Map* indicates that detached dwellings and dual occupancies are the preferred housing types in these areas, regardless of lot size. The following matters to be reviewed have been identified:

a. Number of Dwellings

This has created conflict where the size of lot may be able to accommodate more than two dwellings. As demonstrated in *M & Lord Investments Pty Ltd & Siavas Pty Ltd v Knox CC [2017] VCAT 909*, where Council refused the development of the land for the construction of four (4) dwellings and associated vegetation removal at 58 Woodvale Road Boronia, VCAT overturned this decisions for the following reasons:

27. ..., in my view, the Tribunal can only give quite limited weight to the highly prescriptive indication in the table to the Residential Policy Map of what forms of development Council wishes to occur in each of the four 'Residential area types'. That is, where this table indicates that the intended forms of residential development in 'Bush Suburban' areas is simply 'detached dwellings' and 'dual occupancy', I find that it would be quite inappropriate for the Tribunal to slavishly apply this table and regard any other form of proposed redevelopment in a 'Bush Suburban' area such as this as effectively prohibited...

29. As a matter of 'orderly planning', such slavish application of the table also runs contrary to the basic approach of each site needing to be assessed on its own merits. Even within a relatively small area, particular properties have their own features and own constraints/opportunities - real variation can exist. As one example, one of the features which the KHS nominates as favourable for a potential 'three or more villa unit development' is lots over 1000 sqm in size – the subject land here has an area of 1316 sqm.

30. In terms of the proper role of 'policy', it is also important to appreciate the distinction between higher level planning controls (which can impose mandatory requirements) compared to planning policies (which provide guidance). While both are important, they are not the same thing and the policy framework 'cannot be all things to all people' – there is a consistent line of previous Tribunal decisions confirming that the policy framework is there to provide guidance, rather than being an end in itself.

39. In the situation where the proposal has such a high level of compliance with the GRZ Schedule 5 and the Clause 22.07 Design Standards and Guidelines, as I said at the hearing, surely this is telling us that there has been real thought and respect put into the design response here and that this is the type of proposal which Clause 22.07 and Schedule 5 are encouraging.

While the preferred dwellings types are still supported for the Bush Suburban area, it is recommended that consideration be given to providing greater direction on when villa units or townhouses might be considered in the Bush Suburban area, particularly on lots over 1000m².

4.2.7 Planning Issue 4: Activity Centre Development

In addition to the number of appeals relating to infill residential development within Knox, there have also been a number of appeals relating to larger scale residential development in major activity centres such as Bayswater and Boronia. Decisions of note include 16-20 Station Street, Bayswater, 31-39 Erica Avenue, Boronia and 601 Boronia Road, Wantirna, where in each case, Council's decision to refuse the application was overturned by VCAT. The following matters to be reviewed have been identified:

a. Building Heights

The following VCAT cases have provided comments in relation to building heights in activity centres, and more specifically, have provided comments in relation to preferred building heights being exceeded:

- In SCK Development Pty Ltd v Knox CC [2016] VCAT 1891, where a development over 9 metres was approved at 601 Boronia Road, Wantirna as:

"It is supported by both State and Local planning policies which encourage increased residential densities and a diversity of housing in and around activity centres. The proposal will introduce a significant housing component to the activity centre to enhance its vitality and ongoing viability...the height of the apartment building is acceptable, having regard to the strategic and physical context of the review site and its surrounds. The Council has included a policy in the Planning Scheme which seeks to limit height to three storeys or 9.0 metres, but given this is not also included as a mandatory height in a Design and Development Overlay or other control, there is scope to depart from it..."

- In Lifestyle Living Pty Ltd v Knox CC [2016] VCAT 446, which related to the development of a six-storey building with three basement levels, 33 dwelling, office and retail development, at 16-20 Station Street, Bayswater and was approved as:

"It is acceptable to build within the view shadow created by a five-storey building next door, as this building is anticipated by the Overlay; The building's six-storey height, subject to the foreshadowed modification, protects views to the Dandenongs as far as can be expected under the Overlay; The building's six-storey height respects the Overlay's design objectives relating to the Centre's hillside location; The building's scale and interface with Macauley Place is acceptable; The building's design is of exceptional quality in terms of the outcomes sought by the Planning Scheme; The internal amenity of the proposed serviced apartments is acceptable given they provide temporary, rather than permanent, accommodation; The building provides equitable development opportunities for adjoining properties; and Minor changes to the basement's design will ensure that it provides an acceptable level of access and convenience."

- In Fidias Pty Ltd v Knox CC [2017] VCAT 932 for a five (5) storey building containing 52 dwellings, three (3) shops and a medical centre, and reduction in car parking at 31-39 Erica Avenue, Boronia:

The tribunal found that the height of the proposed development was acceptable given the site context, *"having regard to the final consideration set out in DDO7, it appears that there is some support for a building on the review site that will exceed the specified height"*, however the Tribunal did not consider the proposal to be of outstanding architectural merit, but the tribunal member was: *"persuaded that the shortcomings with the proposed development can be addressed by way of permit conditions."*

From these cases it is clear that higher built form in activity centres is supported, however further work may need to be undertaken to determine the parameters for when preferred building heights should be exceeded.

It is recommended that greater guidance and clarification be provided for when preferred building heights can be exceeded.

b. Design and Development Overlay (Schedule 7) – Boronia

The VCAT decision review summary in the 2015 Planning Scheme Review identified development within and around the Boronia Activity Centre as an area of concern. In particular:

“Two separate and distinct issues emerged in VCAT decisions regarding the Boronia Activity Centre. The first concerned issues regarding the interpretation of undefined language within the Design and Development Overlay – Schedule 7 (DDO7); while the second concerned the definition of the Activity Centre’s boundary along Bambury Street. (pg...)”

Whilst, there has been a reduction in the number of Boronia related appeals within this review period, issues still remain with development within this area, including building heights and compliance with DDO7.

It is recommended that a review of the DDO7 that applies to Boronia should be undertaken as part of the Boronia Renewal Project that is currently underway.

4.2.8 Planning Issue 5: Residential and Commercial Land Use

The following matters to be reviewed have been identified:

a. Non-commercial Uses in Employment Areas

Whilst, the vast majority of VCAT appeals related to residential development, there were some significant decisions relating to the location of commercial and non-residential uses. This includes:

- A Change of Use - Animal Boarding (Cattery) appeal at 5/51 Kalman Drive Boronia ;
- The use and development of microbrewery and associated sale and consumption of alcohol in Rocco Drive Scoresby; and
- Use of the land for childcare centres 31 Glenfern Road Ferntree Gully and 490 Mountain Highway Wantirna.

These decisions reflect an emerging trend in the municipality for the use of non-employment generating uses such as churches, gyms, dance schools etc. in industrial and commercial zones. These uses might be suitable in some areas, especially during non-business hours (i.e. weekends), however additional concerns arise with these uses including how they impact on existing commercial and industrial activities. With the Knox Land for Business project reinforcing the role of industrial and commercial zoned land for employment and business generation, there is a need to further investigate where non-commercial uses can appropriately operate.

It is recommended that officers investigate how to provide clear guidance to developers with respect to preferred locations for non-commercial uses including gyms, churches, dance schools and similar uses (through planning policy and/or advice).

b. Non-residential Uses in Residential Areas

Parallel to the above matter, there is a need to review the current Non-Residential Uses in Residential Areas Policy at Clause 22.03. Within this clause (and more specifically Clause 22.03-3), it is noted that if a non-residential use is non-compliant with the policy direction, then it will only be considered if it is 'small scale'. However the term 'small scale' is not described or defined, which creates confusion for Council's Statutory Planners and the development community.

It is recommended that the wording of Clause 22.03 be reviewed and revised to provide better guidance with respect to the term 'small scale'.

4.2.9 Planning Issue 5: Advertising Signs

Another area of significance at VCAT, was in relation major promotional signage in prominent locations in Knox, such as the Stamford Hotel at 1200 Stud Road, Rowville (Australian Leisure and Hospitality Group Pty Ltd v Knox CC [2015] VCAT 1678).

In this case, Council refused an application for an electronic billboard on the Stud Road frontage of the site, based on the sign being contrary to local planning policy, being inconsistent with the local objective to create 'bush boulevards' along main roads, being inconsistent with the landscape character, and being a disruptive and dominant element at an important intersection. Council's decision was overturned, as the tribunal determined that:

*"a..The sign does not diminish the potential to achieve 'bush boulevards along Stud and Wellington Roads;
b..The intersection and its immediate surrounds can accommodate the sign without undue detriment to its visual qualities; and
c..The sign's effect on the operational efficiency and safety of the arterial road network will be marginal and is acceptable."*

This decision further reinforced the need for an advertising signs policy, which was implemented through C150.

It is recommended that advertising signs, and the effect of the recently introduced policy, be reviewed as part of the next Planning Scheme Review.

4.2.10 Planning Issue 7: Biodiversity Controls

The City of Knox is known for its high biodiversity values and its "green and leafy" character and Dandenong Foothills context. This was recognised by the Statutory Planners, who identified that there is a need to further strengthen these controls through more policy guidance in the planning scheme, particularly in response to the new Victorian Biodiversity Strategy which was introduced in to the scheme in December 2017.

It is recommended that biodiversity controls be reviewed having regard to the Victorian Biodiversity Strategy.

4.3 Review of Planning Panel Decisions

Since the last Planning Scheme Review, three (3) separate planning scheme amendments were referred to an Independent Panel for consideration. Broadly, the Panel supported these planning scheme amendments, either as exhibited or subject to minor modifications. The amendments included:

- Amendment C141 Upper Ferntree Gully Structure Plan;
- Amendment C142 Former Kingston Links Golf Course Redevelopment;
- Amendment C149 Knox Central Structure Plan; and
- Amendment C150 Planning Scheme Review.

The support for these amendments from independent Planning Panels reflects the extensive strategic planning work that has previously been undertaken by Knox City Council in relation to activity centres, housing growth and change, and improving the Knox Planning Scheme. No major issues have been identified from the review of recent Planning Panel Reports.

4.4 Summary

An assessment of the Knox Community and Council Plan 2017-2021, VCAT Decisions and Planning Panel Reports have provided information on the prevalent planning issues within the City of Knox. These are themed and summarised below.

Review residential development provisions, including:

- Residential Design Guidelines;
- Clause 22.07 Development in Residential Areas and Neighbourhood Character; and
- Landscape Plans.

Review development in the Bush Suburban area, including:

- Number of Dwellings;
- Secluded Private Open Space; and
- Open Space Requirements.

Review controls in activity centres, including:

- Building Heights; and
- Design and Development Overlay (Schedule 7) – Boronia Major Activity Centre.

Review guidance for non-commercial uses in employment areas, and review guidance for non-residential uses in residential areas.

Monitor the impact of the recently introduced Advertising Signs Policy at Clause 22.01.

Review biodiversity controls having regard to the Victorian Biodiversity Strategy.

5. Review of Planning Scheme Review Report 2015

5.1 Summary of Outstanding Actions

The 2015 Planning Scheme Review Report contained 23 recommendations covering a variety of strategic issues. Overall, 10 actions have been completed, 5 actions are underway or have achieved partial completion, and eight actions are yet to be commenced or finalised into a specific form designated within the recommendation (ie. DCPs, structures plans). The following is a table of those recommendations underway or not progressed, and a summary of action on these to date:

Recommendation	Status	Tasks completed
R5 - Review of Zone and Overlay Schedules	Partial completion	<p>A general review of zone and overlay schedules was undertaken as part of Amendment C150 (gazetted in December 2017). In addition, a comprehensive review of the residential zones was undertaken and implemented in 2016 (through Amendment C131).</p> <p>A review of the industrial and commercial zones is underway through Amendment C164 (Land for Business).</p> <p>Further reviews of zone and overlay schedules will be undertaken on a project-by-project basis.</p>
R6 – Review and rewrite Schedules to the Particular and General Provisions	Partial completion	<p>The schedule to clause 52.28-3 (Gaming) and clause 61.03 (Maps) were both updated as part of Amendment C150 (gazetted in December 2017).</p> <p>Further reviews of the schedules to the Particular and General Provisions will be undertaken on a project-by-project basis.</p>
R7 – Development and Implementation of a Land for Employment Strategy	In progress	<p>Amendment C164 (Land for Business) has recently been exhibited and will proceed to a Panel Hearing in late 2018.</p>
R8 – Review of Rural Areas	Not finalised	<p>Some background and research studies have been prepared in support of this project. The next step is to prepare a Background Research and Analysis Paper for Council’s consideration in mid-2019.</p>
R10 – Development and implementation of a Wantirna Health Precinct Structure Plan	Not started	<p>Council is working cooperatively with the Victorian Planning Authority and the Department of Health and Human Services to progress this recommendation, including the preparation of a joint structure plan. As yet a structure plan process has not commenced.</p>
R11 – Review of the Heritage Study	Not started	<p>A review of the existing Knox Heritage Study, and an investigation of Aboriginal cultural heritage in the municipality, has not yet commenced. A business case is currently being prepared for the 2019/2020 year.</p>

Recommendation	Status	Tasks completed
R12 – Development and implementation of policy to address existing gaps within the Local Planning Policy Framework	Partial completion	Substantial work has been undertaken to achieve this, including the introduction of policies surrounding advertising signs (clause 22.01), non-residential uses in residential areas (clause 22.03), and environmentally sustainable development (clause 22.04). Content within clause 21.03 related to biodiversity and native vegetation has also been addressed via Amendment C150 (gazetted in December 2017). An outstanding item is the development of a local policy related to native vegetation.
R14 – Review of Vegetation Protection Overlays (Schedules 1, 2 & 3)	Not started	This action is yet to commence, owing to the interaction of the VPO schedules with other controls within the Knox Planning Scheme, which are subject to ongoing review.
R16 – Development and implementation of Development Contributions Plans	Not finalised	The Developer Contributions Plan project has been staged, and work continues on a feasibility, scoping and infrastructure needs assessment, as the project progresses over the next Council cycle.
R20 – Development of a Licensed Premises Policy and Study	Partial completion	As part of Amendment C150, policy direction was provided under clause 21.08-7 (Licensed premises). Preparation of a packaged liquor local policy is currently underway through Amendment GC88. Authorisation is to be sought from the Minister for Planning to prepare and exhibit Amendment GC88 in mid-2018.
R21 – Development and implementation of a ‘Reverse Buffers’ Policy	Not started	No progress has been made regarding a formal policy. . Amendment C164 proposes measures to minimise encroachment from non-industrial and low employment generating uses that are not complementary to Council’s core employment land areas.
R22 – Review of the Boronia Activity Centre Structure Plan and associated planning controls	In progress	The Boronia Renewal Project has commenced, and the revised Strategy and associated planning scheme amendment is proposed to be completed in 2019.
R23 – Review of the Bayswater Activity Centre Structure Plan and associated planning controls	Not started	The structure plan process has not commenced, and it is scheduled to commence in the 2019/2020 financial year.

The following incomplete actions from the 2015 Planning Scheme Review, are to be transferred to the 2018 Planning Scheme Review:

- Recommendation R7 – Continue progressing the Land for Business project that is currently being implemented through Amendment C164;
- Recommendation R10 – Develop the Wantirna Health Precinct Structure Plan alongside the Victorian Planning Authority and the Department of Health and Human Services;
- Recommendation R11 – Undertake a review of the existing 1993 Knox Heritage Study;
- Recommendation R12 – Develop a native vegetation local policy;
- Recommendation R14 – Review the VPO schedules;
- Recommendation R16 – Finalise the Development Contributions Plan and commence the planning scheme amendment to introduce the associated Development Contributions Plan Overlay/ Infrastructure Contributions Plan Overlay;

- Recommendation R20 – Progress the amendment to introduce a packaged liquor local policy into the Knox Planning Scheme;
- Recommendation R21 – Prepare a reverse buffers policy, as it remains an issue with the continued development of strategic sites; and
- Recommendations R22 & R23 – Progress the Boronia Renewal Strategy, and commence the review of the Bayswater Structure Plan.

When transferred to this Planning Scheme Review, new Recommendation numbers will be allocated to these actions.

6. Conclusions and Recommendations

6.1 Review Report Summary

As demonstrated throughout this report, the Knox Planning Scheme is in a state of transition. The current strategic base and structure was only implemented in December 2017 and will be further transformed through reforms to the structure of the Planning Policy Framework and other changes as a result of the State Government initiated Smart Planning program.

Some immediate improvements have occurred with a reduction in planning permits for smaller “red tape” type applications (such less complex applications triggered by overlay controls within the Dandenong Foothills) which were removed through Amendment C150.

Given the predominately residential nature of the City of Knox, there is a need to reinforce the strategic directions of the Knox Housing Strategy, mainly the need to protect the strong 'green and leafy' character of Knox as the preferred future character of residential areas and reinforce the scaled approach to residential development - the limiting of development in the Bush Suburban and Knox Neighbourhood areas, and the encouragement of development in the Local Living and Knox Activity Areas.

Commensurately with the level of residential change and growth within Knox, there is also a need to protect local business and employment opportunities. It is anticipated that the Knox Land for Business Directions Plan and Amendment C164 will ensure that these opportunities are protected and the key directions for business and employment are reinforced in the Knox Planning Scheme.

6.1.1 Emerging Issues

While all of these issues remain relevant, Council’s current strategic work program and consultations and the Planning Scheme Review have found that there are a number of new or emerging land use and development planning issues that are apparent and may require attention. These issues include:

- Reduction in tree canopy cover associated with residential growth;
- Improving biodiversity and net gain provisions;
- Providing more direction for the rural and Green Wedge areas of the municipality;
- Working collaboratively to provide appropriate guidance for the growth and change of the Bayswater Business Precinct with Maroondah City Council and Yarra Ranges Shire Council.
- Ensuring social and affordable housing outcomes can be achieved on Strategic Investigation Sites identified in Council’s Housing Strategy, and in accordance with the Social and Affordable Housing Action Plan;
- Introducing the best mechanism for the collection of development contributions; and
- Maintaining and protecting Council’s Indigenous and post-European settlement heritage resources.

While work on some of these issues has already commenced, these and other issues should be a medium to high priority in the recommendations to this Planning Scheme Review.

6.1.2 The Local Planning Policy Framework

The current content and structure of the Knox MSS and local planning policies was introduced through Amendment C150 in December 2017, following an extensive public exhibition and panel process. Given the significance of the changes made by C150 and the timing of this review, it is considered premature to fully assess the effectiveness of this section of the Knox Planning Scheme. The next Planning Scheme Review will assess the effectiveness of the changes that resulted from Amendment C150.

6.1.3 Zones and the Associated Schedules

The current suite of zones available through the Victorian Planning Provisions (VPP) are considered to have been applied correctly in the Knox Planning Scheme however as demonstrated through the decisions of VCAT and the comments of Council's Statutory Planners, some further refinement of the residential zone mapping and schedules are needed, including:

- Further consideration be given to the single storey dwelling requirement (relating to three or more dwellings) in the GR22 for Knox Neighbourhood areas to determine if the direction should be revised or strengthened;
- Accessible design requirements be considered for all RGZ1 and GR22 land in activity centres, including those that are also affected by a Design and Development Overlay;
- While the preferred dwellings types are still supported for the Bush Suburban area (NRZ1), it is recommended that consideration be given to providing greater direction on when villa units or townhouses might be considered in the Bush Suburban area;
- A review be undertaken to assess how 'at grade' secluded private open space can be encouraged in the 'Bush Suburban' area of the municipality (that is not located in the Dandenong Foothills area), that is GR25 in the Knox Planning Scheme;
- A review of the open space requirements be undertaken of the Knox Neighbourhood and Bush Suburban areas to ensure the 'scaled' approach to residential development in Knox can be achieved;
- Greater guidance and clarification be provided for when preferred building heights can be exceeded; and
- Biodiversity controls be reviewed having regard to the Victorian Biodiversity Strategy.

6.1.4 Overlays and the Associated Schedules

Like the current zones and schedules, the suite of overlays available in the VVPs have been applied appropriately in the scheme, however further improvements can be made to:

- The DDO7 that relates to Boronia Activity Centre – this will be reviewed as part of the Boronia Renewal Project that is currently underway;
- Vegetation and biodiversity protection requirements contained in the VPO, SLO and ESO schedules; and
- Other overlay schedules on an as-needs basis, to ensure they are in accordance with the new Ministerial Direction on the Form and Content of Planning Schemes.

6.1.5 Particular Provisions and the Associated Schedules

The Knox Planning Scheme currently consists of 49 particular provision clauses, with 11 local schedules. Given that the impact of the Smart Planning program on the proposed Planning Policy Framework is not yet known, it's considered premature to comment on whether the schedules to the particular provisions should be further revised as part of this review.

6.1.6 Incorporated and Reference Documents

Eleven (11) Knox documents are currently included as incorporated documents at Clause 81.01 of the scheme. This list was compiled through an extensive review of all reference and incorporated documents as part of the C150 Planning Scheme Rewrite Process, and does not require any changes as part of this review.

6.1.7 Key Matters Requiring Further Strategic Work

- An assessment/ mapping of tree canopy cover in Knox, and in particular, an assessment of the effectiveness of the planting of trees in accordance with endorsed Landscape Plans to determine if additional changes should be made to residential zoning and overlay provisions.
- A Rural Strategy and the preparation of a Green Wedge Management Plan, which could be aligned within the one document.
- A review of net gain requirements and implementation tools.
- A cross-municipal approach to review and prepare a strategy for the Bayswater Business Precinct.
- A review of how to increase the provision of social housing in Knox, including a framework for the identification of strategic and surplus sites in Knox for social housing, and an investigation into ways to levy and collect development contributions towards the delivery of social housing outcomes.
- Following completion of Council's Development Contributions Plan, a review of the best mechanism to implement the Plan (either a Development Contributions Plan Overlay or an Infrastructure Contributions Plan Overlay).
- A Heritage Study and strategy that addresses Aboriginal cultural heritage and post-European built form heritage.

6.1.8 Issues that Require Assistance from the Department of Environment, Land, Water and Planning

- Transitioning the State Planning Policy Framework and the Local Planning Policy Framework into the proposed Planning Policy Framework.

6.2 Review Report Recommendations

Based on the Planning Scheme Review undertaken within this report, a suite of recommendations are made to improve the Knox Planning Scheme. These recommendations are listed below and are prioritised as high, medium, or low. The prioritisation of these recommendations also reflects the timing of Council initiatives from the Community and Council Plan 2017-2021.

Recommendation	Description	Priority
R1	Adopt the report as the review required pursuant to section 12B (1) of the <i>Planning & Environment Act 1987</i> .	H
R2	Forward the report to the Minister for Planning as required by section 12B (5) of the <i>Planning & Environment Act 1987</i> .	H
R3	Review the Knox Residential Design Guidelines to ensure consistency between the Knox Planning Scheme and Knox Housing Strategy.	H
R4	Progress the local elements of the State Government Smart Planning Program including the new Planning Policy Framework.	H
R5	Progress relevant Knox 'Lean' actions that have planning scheme and planning process implications.	H
R6	Prepare a planning scheme amendment to 'fix up' previous identified anomalies in the Knox Planning Scheme.	H
R7	Conserve, protect and enhance sites of biological significance and increase connectivity between current sites, review vegetation controls, net gain requirements and implementation tools including the development of a native vegetation local policy and other changes to the VPO Schedules.	H
R8	Progress the amendment to introduce a packaged liquor local policy into the Knox Planning Scheme.	H
R9	Continue progressing the Land for Business project that is currently being implemented through Amendment C164.	H
R10	Continue progressing the Boronia Renewal Project including a planning scheme amendment to implement the findings of the Strategy.	H
R11	Work in partnership with Maroondah and Yarra Ranges Councils and the State government for the Bayswater Business Precinct, with a focus on business networks, precinct amenity, streamlining assessment and new investment.	H
R12	Continue to support, where applicable, the ongoing development of Strategic Investigation Sites in accordance with associated Development Plans.	H
R13	Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox, including a planning scheme amendment if required to facilitate its progress.	H

Recommendation	Description	Priority
R14	Continue to participate in the Eastern Metro Group of Councils, and provide input into the Eastern Metro Land Use Framework Plan and collaborate regionally to plan for improved infrastructure in and between key priority employment precincts, activity centres and residential areas.	H
R15	Progress the preparation of a business case for the maintaining and protecting of Council's Indigenous and post-European settlement heritage resources including reviewing the 1993 Knox Heritage Study.	H
R16	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail, improved bus services, and the Dorset Road extension.	H
R17	Review of Zone and Overlay Schedules in accordance with the comments of this review report to ensure that they are achieving their intended purpose.	M
R18	Progress the preparation of Rural Land Strategy and a Green Wedge Management Plan, which could be aligned within the one document.	M
R19	Review how to increase the provision of social housing in Knox through planning scheme provisions.	M
R20	Implement the Affordable Housing Action Plan including advocacy for an increase for the supply of social and affordable housing at key strategic sites and across the municipality.	M
R21	Progress Council's Development Contributions Plan, and its implementation into the Planning Scheme.	M
R22	Progress the development of a structure plan for the Bayswater Activity Centre.	M
R23	Progress the development of a structure plan for the Burwood Highway East Corridor.	M
R24	Develop the Wantirna Health Precinct Structure Plan in partnership with the Victorian Planning Authority and the Department of Health and Human Services.	M
R25	Complete Flood Mapping and Modelling Study of stormwater sub catchments across the municipality and prepare a planning scheme amendment to revise/introduce the Land Subject to Inundation Overlay and/ or Special Building Overlay.	M
R26	Implement Council's Housing Strategy including continuing to liaise with the owners of the strategic redevelopment sites, and facilitate good urban development outcomes.	M
R27	Explore and where appropriate leverage Council's own land to pilot and partner the development of a range of housing models.	M
R28	Continue preparation of the Strategic Asset and Investigation Strategy, and ensure that any required land use changes are implemented.	M
R29	Ensure community safety is considered in the preparation of any structure plans.	M

Recommendation	Description	Priority
R30	Continue to monitor any changes to the Bushfire Management Overlay (BMO) and if relevant, inform affected parties.	M
R31	Review tree canopy cover in Knox, and in particular, review the effectiveness of the planting of trees in accordance with endorsed Landscape Plans.	L
R32	Prepare a reverse buffers policy, as it remains an issue with the continued development of strategic sites.	L
R33	Continue to implement initiatives to achieve resource efficiency, reduction in water and energy use including monitoring and evaluating the efficacy of Clause 22.04 (Environmentally Sustainable Development Policy), and if required, make improvements.	L
R34	Review Clause 22.04 (Environmentally Sustainable Development) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) to improve built form outcomes.	L
R35	Reduce the backlog of missing footpaths in Knox by the identification and inclusion of footpath infrastructure, as required, in future strategies and structure plans.	L

Appendices

Appendix 1 – Significant State Initiated Amendments to the Knox Planning Scheme

Amendment number	In operation from	Brief description	Policy implications
VC123	13-Nov-14	The Amendment changes the Victoria Planning Provisions (VPP) and most planning schemes in Victoria by amending Clause 34.02 – Commercial 2 Zone to make small scale supermarkets (up to 1800 square metres) adjoining, or with access to, a Road Zone permissible without a planning permit.	Increase in supermarkets in Commercial 2 Zone, which makes up the majority of Council's significant business locations.
VC124	2-Apr-15	<p>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> • Amending Clause 19.01-1 'Provision of Renewable Energy' to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria; • Amending Clauses 42.01 'Environmental Significance Overlay', 42.02 'Vegetation Protection Overlay', 42.03 'Significant Landscape Overlay', 44.01 'Erosion Management Overlay', 44.02 'Salinity Management Overlay', 52.16 'Native Vegetation Precinct Plan' and 52.17 'Native Vegetation' to introduce an exemption from requirements to obtain a permit to remove, destroy or lop vegetation; • Amending Clause 52.32 'Wind Energy Facility' to reduce the allowable distance of a turbine to a dwelling from two kilometres to one kilometre (consent is required from the owner of a dwelling to locate a turbine closer than one kilometre to the dwelling); and clarify the application of the one kilometre rule to applications for minor amendments to existing permits; and • Amending Clause 61.01-1 'Minister is the Responsible Authority' to make the Minister for Planning the responsible authority for all new planning permit applications for the use and development of land for the purpose of a Wind energy facility. 	Potential vegetation removal impacts in the VPOs and SLOs.

Amendment number	In operation from	Brief description	Policy implications
VC119	30-Apr-15	<p>The Amendment changes the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> Amending Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 September 2018; and Amending Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person’s unit or building used for agriculture to 30 September 2017. 	Bushfire controls and potential native vegetation removal.
VC125	11-Jun-15	<p>The Amendment changes the Victoria Planning Provisions and all planning schemes by:</p> <ul style="list-style-type: none"> Amending Clause 19.01-1 ‘Provision of Renewable Energy’ to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines); Amending Clause 52.32 ‘Wind energy facility’ to reference the updated Guidelines and update the application requirements to address the electricity transmission or distribution system; and Amending Clause 74 ‘Land Use Terms’ to change the definition of Wind energy facility to include the use of the transmission or distribution system of power lines to connect the wind energy facility to the electricity network. 	N/A – Knox is unlikely to have wind energy facilities
VC128	8-Oct-15	<p>The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes by:</p> <ul style="list-style-type: none"> Amending Clause 18.04-1 and Clause 18.04-2 include the National Airports Safeguarding Framework (NASF) as a policy guideline; Amending Clause 18.04-1 to update the policy guidelines by replacing Melbourne Airport Master Plan (Australia Pacific Airports (Melbourne) Pty Ltd, September 2008) with Melbourne Airport Master Plan, 2013; and Amending Clause 11.14-1 to include the Bellarine Peninsula Localised Planning Statement (Victorian Government, 2015) (BPLPS) as a policy guideline. 	N/A
VC101	29-Oct-15	<p>The Amendment:</p> <ul style="list-style-type: none"> Removes or updates a series of reference documents from the Victoria Planning Provisions (VPP) and all planning schemes that are no longer applicable or up-to-date; and Makes a number of corrections, clarifications and updates to some planning schemes. 	Fix up of reference and incorporated documents and other administrative changes will assist with reducing red tape.
VC107	26-Nov-15	<p>The Amendment makes changes to the Victoria Planning Provisions (VPP) and all planning schemes by updating wind energy provisions at Clauses 19.01-1, 52.32, 61.01-1, and 74, and by updating provisions relating to airports at Clauses 18.04-2, 45.02, 45.08 and 81.01.</p>	N/A – Knox is unlikely to have wind energy facilities.

Amendment number	In operation from	Brief description	Policy implications
VC121	21-Dec-15	The Amendment changes the State Planning Policy Framework (SPPF) of the Victoria Planning Provisions (VPP) and all planning schemes by relocating an updated Clause 11.04-9 (River corridors) to a new Clause 12.05 (Rivers), and introduces a new Clause 12.05-2 (Yarra River protection).	N/A
VC126	28-Jan-16	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by updating wind energy provisions at Clauses 52.32, 19.01-1, 61.01, 52.40 and 52.41.	N/A – Knox is unlikely to have wind energy facilities
VC127	4-Feb-16	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by: <ul style="list-style-type: none"> Amending Clauses 11 (Settlement), 12 (Environmental and Landscape Values) and 13 (Environmental Risks) of the State Planning Policy Framework to update reference to the Victorian Coastal Strategy (Victorian Coastal Council, 2008) with reference to the 2014 version; and Amending Clause 52.23 (Shared Housing) to clarify that only the use of land and not development is exempt from a permit under the provision. 	Potential impacts on control of shared housing premises.
VC130	4-Jul-16	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by amending Clause 52.32 (Wind energy facility) to delete clause 52.32-8.	N/A – Knox is unlikely to have wind energy facilities.
VC131	24-Nov-16	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by amending Clause 52.19 - Telecommunications facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government's Mobile Black Spot Programme from the notice and review requirements of the <i>Planning & Environment Act 1987</i> .	Potential impact for future telecommunication towers.

Amendment number	In operation from	Brief description	Policy implications
VC110	27-Mar-17	Implements the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, "garden area" and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.	This has had mixed impacts on recent planning permit applications, as the garden area requirement contributes to the green and leafy feeling of Knox, but it also has resulted in unsatisfactory built form outcomes.
VC135	27-Mar-17	The Amendment introduces additional classes of application into the VicSmart provisions, and increases the 'cost of development' threshold of some existing VicSmart buildings and works classes of application.	Additional Vic Smart exemptions to reduce red tape.
VC134	31-Mar-17	The Amendment changes the <i>Victoria Planning Provisions</i> and all planning schemes in Victoria by introducing the new Metropolitan Planning Strategy and making corresponding updates to the State Planning Policy Framework. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updated incorporated and reference documents.	Introduction of revised Plan Melbourne 2017-2050, and new SPPF provisions.
VC136	13-Apr-17	Amendment VC136 introduces state-wide planning requirements for apartment developments of five or more storeys.	New guidelines to ensure better built form outcomes for apartment developments.
VC133	25-May-17	The Amendment corrects inconsistencies and improves the structure of planning schemes to enable their migration into the Planning Scheme Information Management System (PSIMS) to improve access to, and more efficient amendment of, the planning schemes in Victoria.	A revised Ministerial Direction to guide the form and content of planning schemes.

Amendment number	In operation from	Brief description	Policy implications
VC137	27-Jul-17	The Amendment introduces additional classes of application into the VicSmart provisions for residential zones.	Additional Vic Smart exemptions to reduce red tape.
VC139	29-Aug-17	The Amendment: <ul style="list-style-type: none"> • Introduces new planning requirements for racing dog keeping and training facilities; • Introduces new guidelines for apartment developments; • Removes redundant references to a suite of guidelines; and • Introduces a new State planning policy for Healthy neighbourhoods. 	N/A - General fix up.
VC132	19-Sep-17	Amendment VC132 is a general amendment that makes a number of administrative corrections and other changes to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.	
GC13	3-Oct-17	The Amendment updates the mapping and ordinance for the Bushfire Management Overlay (BMO) across Victoria.	New Bushfire Management Overlay mapping – mail out was undertaken to all affected property owners.

Amendment number	In operation from	Brief description	Policy implications
VC141	21-Nov-17	<p>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> • Amending Clause 19.01-1 – updating policy guidelines to the revised document Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (Department of Environment, Land, Water and Planning, November 2017); • Amending Clause 43.01 – Heritage Overlay, to ensure that an application to subdivide land for a place which is included in the Victorian Heritage Register is referred to the Executive Director under the <i>Heritage Act 2017</i>; • Amending Clause 52.19 – Telecommunications facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government's Mobile Black Spot Program from the notice and review requirements of the <i>Planning & Environment Act 1987</i>; • Amending Clause 52.32 – Wind Energy Facilities, to reflect changes proclaimed through the <i>Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017</i>; • Amending Clause 66 – Referral and Notice Provisions, to include the Executive Director specified in the Heritage Act 2017 as a determining referral authority for an application to subdivide a heritage place included in the Victorian Heritage Register; and • Amending the Victoria Planning Provisions (VPP) to update the style and format based on the revised Ministerial Direction on the Form and Content of Planning Schemes (updated April 2017) issued under section 7(5) of the <i>Planning & Environment Act 1987</i>. 	N/A - General fix up.
VC138	12-Dec-17	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria to implement reforms relating to the Victorian Government's review of the planning provisions for native vegetation removal following the release of Protecting Victoria's Environment - Biodiversity 2037.	Introduction of new Victorian Biodiversity Strategy may impact on future net gain policy.
VC140	12-Dec-17	The Amendment makes the State Planning Policy Framework for Bushfire clearer and more directive to enable a resilient response to settlement planning for bushfires.	Updates bushfire provisions.
GC76	21-Dec-17	The Amendment introduces a maximum building height for dwellings and residential buildings consistent with heights specified in existing overlays, where these heights exceed the default height in the General Residential Zone. The Amendment also removes local variations to the Neighbourhood Residential Zone which specify a maximum number of dwellings on a lot, a maximum building height of 9 metres for dwellings and residential buildings and additional height exemptions for slope or land liable to flooding.	DDO1 conflicts will need to be reviewed.

Amendment number	In operation from	Brief description	Policy implications
VC142	16-Jan-18	The Amendment includes a wide range of reforms across the Victoria Planning Provisions (VPP) that generally remove permit triggers, expand permit exemptions for land uses and buildings and works, remove superfluous and outdated provisions, update references, improve and update definitions, clarify common points of confusion and improve the usability of the Victoria Planning Provisions (VPP).	A wide range of reforms as part of the implementation of the Smart Planning Program.
VC144	27-Feb-18	The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by updating advertising signs provisions at Clause 52.05, updating home based business definitions at Clause 52.05 and 73, and correcting minor errors at Clauses 52.05 and 62.	N/A - General fix up.
VC145	28-Mar-18	<p>The Amendment amends the Victorian Planning Provisions (VPP) and all planning schemes by:</p> <ul style="list-style-type: none"> • Amending Clause 11.05-2 – Distinctive areas of state significance, to reference the Yarra Ranges Localised Planning Statement; • Amending Clause 43.01 – Heritage Overlay, to reinstate administrative corrections that were made in Amendment VC132 but inadvertently removed by Amendment VC141; • Amending Clause 52.19 – Telecommunications Facility, to clarify notice and review exemptions for telecommunications facility permit applications that are funded (or partly funded) by the Victorian or Commonwealth government; and • Separating clauses and subclauses into separate documents and the consequential renumbering and rationalisation of certain clauses to enable their migration into the Planning Scheme Information Management System (PSIMS). 	N/A - General fix up.

Appendix 2 – Community and Council Plan Initiatives

Initiative Number	Initiative Description	Delivery timeframe	Comments	Status	Include in Planning Scheme Review
1.1.1	Complete Flood Mapping and Modelling Study of stormwater sub catchments across the municipality.	2017-2019	A planning scheme amendment will be required to implement the revised flood modelling, and to revise/ introduce the Land Subject to Inundation Overlay and/ or Special Building Overlay.	Not commenced	Yes
1.1.3	Continue to implement initiatives to achieve resource efficiency, reduction in water and energy use.	2017-2021	The recently introduced Environmentally Sustainable Development Policy should be monitored and evaluated for its efficacy.	As required	Yes
1.2.3	Conserve, protect and enhance sites of biological significance and increase connectivity between current sites.	2017-2021	One of the Council targets is to increase canopy tree cover on private land, and although there is existing strong protection for native vegetation within the Knox Planning Scheme, a review and strengthening of vegetation controls would ensure that the green and leafy character is enhanced further.	Not commenced	Yes
1.3.3	Undertake a strategic review of the Boronia Structure Plan including a detailed assessment of strategic sites (ie Boronia Park).	2017-2018	This review commenced in 2017, and is anticipated to be completed in 2018. The planning scheme amendment to implement the review will likely commence in 2019.	Underway	Yes
2.1.1	Continue to support the development of the Stamford Park residential estate.	2017-2020	The Stamford Park Development Plan was endorsed on 15 February 2017. Council will continue working with the owner of the site to ensure that the estate is developed in accordance with this Plan.	Underway	Yes
2.1.2	Implement Council's Housing Strategy including facilitation of strategic redevelopment sites.	2017-2021	Council's Housing Strategy was implemented on 17 March 2016 via Amendment C131. Council officers continue to liaise with the owners of the strategic redevelopment sites.	As required	Yes

Initiative Number	Initiative Description	Delivery timeframe	Comments	Status	Include in Planning Scheme Review
2.2.1	Explore a range of mechanisms to improve and encourage high quality and sustainable design in the built form.	2017-2018	Clause 22.04 (Environmentally Sustainable Development) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) provide direction to improve outcomes, however this can be further reviewed and enhanced.	Not commenced	Yes
2.3.1	Implement the Affordable Housing Action Plan including advocacy for an increase for the supply of social and affordable housing at key strategic sites and across the municipality.	2017-2021	This initiative is overseen by Council's Health and Wellbeing Department. However as conversations and negotiations arise with the developers of the strategic sites, Council officers advocate for the including of social and affordable housing.	As required	Yes
2.3.2	Explore and where appropriate leverage Council's own land to pilot and partner the development of a range of housing models.	2018-2019	<p>The Stamford Park redevelopment is an example of where Council's own land has been developed, and a range of housing models were able to be achieved. This model will continue to be explored on other Council sites.</p> <p>In addition, Council is preparing the Strategic Asset and Investigation Strategy. This will investigate Council owned land and redevelopment potential, as well as different partnership and development models.</p>	Underway	Yes
3.1.3	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail, improved bus services, and the Dorset Road extension.	2017-2021	As each strategy or structure plan is prepared, the priority transport projects need to be included to ensure continued advocacy.	As required	Yes
3.2.1	Reduce the backlog of missing footpaths in Knox.	2017-2021	This initiative relates primarily to Council's infrastructure delivery program, however as each strategy or structure plan is prepared, there may be scope to identify and include missing footpath connections.	As required	Yes

Initiative Number	Initiative Description	Delivery timeframe	Comments	Status	Include in Planning Scheme Review
4.3.1	Implement a community safety program and build community connections to improve perceptions of safety within key locations across the municipality (including the Boronia Activity Centre).	2017-2021	The current review of the Boronia Activity Centre will address perceptions of safety.	Underway	Yes
4.4.2	Inform residents and conduct inspections of all properties within the Bushfire Management Overlay areas to ensure compliance with relevant legislation.	2017-2021	Following the gazettal of Amendment GC13 on 3 October 2017, newly affected residents were informed about the Bushfire Management Overlay. Ongoing communication, as required, will be provided.	As required	Yes
5.2.1	Undertake a strategic review of the Boronia Structure Plan including detailed assessment of strategic sites.	2017-2018	This review commenced in 2017, and is anticipated to be completed in 2018. The planning scheme amendment to implement the review will likely commence in 2019.	Underway	Yes
5.2.2	Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox.	2017-2021	Amendment C149 implements the Knox Central Structure Plan, and was recently gazetted. The Structure Plan sets up the framework for the new Civic and Arts precinct, however the implementation of this precinct will continue.	Underway	Yes
5.2.3	Advance the planning for the Wantirna Health Precinct in partnership with the Victoria Planning Authority and Department of Economic Development, Jobs, Transport and Resources.	2017-2018	Council officers have been liaising with the Victoria Planning Authority to determine the framework for the delivery of this project.	Underway	Yes
5.2.5	Implement the strategic review of land for business and employment in the municipality.	2017-2019	The project 'Land for Business' is being implemented via Amendment C164. This has recently been exhibited, and will be referred to a Panel in 2018.	Underway	Yes
5.3.1	Participate and collaborate regionally to plan for improved infrastructure in and between key priority employment precincts, activity centres and residential areas.	2017-2021	Council is part of the Eastern Metro Group of Councils, and all Councils are guiding the preparation of an Eastern Metro Land Use Framework Plan. The purpose of this is to set out the regional planning priorities.	Underway	Yes

Initiative Number	Initiative Description	Delivery timeframe	Comments	Status	Include in Planning Scheme Review
5.3.3	Progress the development, implementation and evaluation of Development Contributions Plan (DCP) planning including addressing infrastructure information gaps and mapping necessary to inform these plans.	2017-2020	This project has commenced, and the current stage includes the review of potential infrastructure to be included.	Underway	Yes
5.4.2	Advance the next stage of the collaborate Strategic Investment and Development Program in partnership with Maroondah and Yarra Ranges Councils and the state government for the Bayswater Business Precinct, with a focus on business networks, precinct amenity, streamlining assessment and new investment.	2017-2020	Council, together with Maroondah and Yarra Ranges Councils, will need to review the best tool to enhance the amenity within the precinct. Once determined, all Councils will need to work towards this.	Not commenced	Yes
6.1.1	Deliver health promotion and harm minimization programs, including: <ul style="list-style-type: none"> • Education/ capacity building programs with sporting clubs focused on cultural change; and • Advocacy to improve planning policy responses and regulatory framework that manage the density of alcohol outlets within places or locations. 	2017-2021	The South East Metropolitan Council Alliance, together with Knox and Maroondah City Councils, is in the process of preparing a local planning policy to manage the density of packaged liquor outlets. Subject to authorisation from the Minister for Planning, this amendment will be exhibited in 2018.	Underway	Yes
7.1.1	Determine the most effective role for Council in the protection and maintenance of heritage assets in Knox.	2017-2020	This matter was reported to a Council meeting on 25 June 2018, and it was resolved that although Council has a role as an advocate, as a planning authority and as a custodian, the most effective role for Council is as a planning authority.	Completed	No
7.1.2	Develop a plan for the ongoing protection and management of indigenous and post European settlement heritage resources related to Knox.	2018-2021	At its meeting of 25 June 2018, Council resolved to prepare a business case for a revised heritage study.	Underway	Yes