

Knox Planning Scheme Review

September 2023

knox



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1

Executive summary

The Knox Planning Scheme has gone through significant changes since the last Planning Scheme Review in 2018 and will continue to see important changes over the next few years.

The State Government's Smart Planning Program which was introduced in 2018, has included major reforms and has introduced changes to the Victorian Planning Provisions to make planning schemes more efficient, accessible, and transparent. This review has been an opportunity to assess the Knox Planning Scheme in light of the state-wide changes and to identify any adjustments or further investigations required for the Knox Planning Scheme to respond to these reforms.

The Smart Planning reforms include a key initiative to restructure the Planning Policy Framework (PPF) into a new format, and seek improvements to the PPF to better align Local, Regional and State policy. The Knox PPF translation is currently underway, with a recommended draft endorsed by Council in February 2022, pending a decision by the Minister for Planning. This restructuring of the local policy represents an opportunity to address a number of issues raised in this review and past planning scheme reviews. Some of the other policy work identified in this review would need to be undertaken subsequent to the PPF finalisation, once there is certainty about the final PPF format and wording.

In addition to the State Government initiatives, this review has been informed by consultation with internal departments who are frequent users of the Knox Planning Scheme (including the Statutory Planning team), and an evaluation of the VCAT decisions since the last review.

This report discusses key issues identified as part of the analysis, and puts forward recommendations for further actions and investigations. One of the key priorities in the short term is a review of the Knox Housing Strategy, which can potentially address the identified issues and improvements regarding residential zoning and built form, as well as matters in relation to neighbourhood character.

The full list of recommendations is presented in Section 2 of this report, where a level of priority is designated for each recommendation. The Implementation of some of the recommendations is already planned through Council's current work program, however, some of the recommendations are subject to further investigation, business case approval and/or budget allocation.

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Review recommendations

	Recommendation	Timing	Resourcing	Team/s
	High priority			
R1	Adopt the report as the review required pursuant to section 12B (1) of the Planning & Environment Act 1987.	Planning Scheme Review action	Existing resources/ budget	City Strategy & Planning
R2	Forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.	Planning Scheme Review action	Existing resources/ budget	City Strategy & Planning
R3	Commence a review of the Knox Housing Strategy	1-3 years (Council plan action)	Subject to funding	City Strategy & Planning
R4	Following approval of the PPF translation, undertake a review of the PPF and impact of the translation of Clause 22.07 policy into Local Planning Policy.	1-3 years (timing depends on when the Minister approves the PPF)	Existing resources/ budget	City Strategy & Planning
R5	Investigate a review of the vegetation protection controls in the planning scheme.	1-2 years	Existing resources/ budget	City Strategy & Planning

	Recommendation	Timing	Resourcing	Team/s
R6	Work in partnership with Maroondah and Yarra Ranges Councils and the State government on the Bayswater Business Precinct.	Current project	Existing staff resources; subject ongoing funding through operating budget	City Strategy & Planning
R7	Review the heritage study business case, to recognise and protect Aboriginal and post-European settlement heritage, including reviewing the 1993 Knox Heritage Study, and investigate funding opportunities to progress the business case.	Not on the current work program	Subject to funding	City Strategy & Planning
R8	Update Council's flood modelling across Knox. Complete Flood Mapping and Modelling Study of the municipality and implement through a planning scheme amendment to revise or introduce the application of overlays and potential rezoning of land.	Current project	Existing resources/ budget	City Strategy & Planning
R9	Continue to partner in the Elevating ESD Targets project and support progression of the amendment. Investigate alternative options should the amendment not be supported by the Minister for Planning.	Current project	Existing resources/ budget	City Strategy & Planning
R10	Facilitate and support the implementation of the Boronia Renewal program.	Current project	Existing resources/ budget	City Strategy & Planning

	Recommendation	Timing	Resourcing	Team/s
R11	Finalise and implement the Bayswater Renewal Strategy as the structure plan for the Bayswater Activity Centre, including incorporating the relevant recommendations into the Knox Planning Scheme.	Current project	Renewal Strategy with existing resources/budget Planning Scheme amendment requires additional funding	City Strategy & Planning
R12	Continue to collaborate with the State government partners to facilitate the development of the Wantirna Health Precinct.	Current project	Existing resources/budget	City Strategy & Planning
R13	Progress implementation of the Knox Central program.	Current project	Existing resources/budget	City Strategy & Planning
R14	Facilitate the implementation of the adopted Social and Affordable Housing Strategy through the Planning Scheme and other strategic planning projects.	1-3 years	Subject to funding availability	City Strategy & Planning, Community Wellbeing
Medium priority				
R15	Review current policy regarding neighbourhood activity centres in the Knox Planning Scheme and scope any further strategic work required.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning
R16	Review the Transport and Infrastructure Local Planning Policy in the Knox Planning Scheme in light of transport-related State Government reforms and to reflect local transport plans and policies adopted by Knox, in consultation with the Traffic and Transport team.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning

Recommendation	Timing	Resourcing	Team/s	
R17	Review public and shared housing reforms and Residential Aged Care Facilities policy changes and the impacts of this policy change on built form to be considered in the next Knox Housing Strategy Review.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning
R18	Review Accessible design policy in the Knox Planning Scheme and the Accessibility Guidelines for Residential Developments.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning
R19	Review the reformed Residential Zones and ResCode reforms under the Performance Assessment Model - to be considered in next Knox Housing Strategy review.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning
R20	Review the Knox Land for Business Directions Plan and Clause 22.02 Employment Land policy.	Medium term	Subject to funding/ staff resource availability	Economic Development
R21	Investigate opportunities to incorporate Climate Response Plan strategies into processes and policies and the Knox Planning Scheme.	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Sustainable Futures
Low priority				
R22	Incorporate relevant recommendations into Knox Planning Scheme should Council adopt the draft Biodiversity Resilience Plan.	1-4 years	Subject to funding/ staff resource availability	City Strategy & Planning, Biodiversity
R23	Investigate how findings from the integrated Major Infrastructure Development Plan (if adopted) can inform the Knox Planning Scheme.	1-4 years	Subject to funding/ staff resource availability	City Strategy & Planning, Leisure Services

	Recommendation	Timing	Resourcing	Team/s
R24	Prepare a planning scheme amendment to ‘fix up’ previously identified anomalies in the Knox Planning Scheme.	1-2 years	Existing resources/ budget	City Strategy & Planning
R25	Investigate the effectiveness of Bush Boulevards Policy in the Knox Planning Scheme	Medium term	Subject to funding/ staff resource availability	City Strategy & Planning, Statutory Planning
R26	Undertake a review of the “Further strategic work” items in the Knox Planning Scheme.	1-4 years	Existing resources/ budget	City Strategy & Planning
Ongoing				
R27	Leverage recognition of Bayswater as a regionally-significant industrial precinct.	Ongoing	Existing resources/ budget	Economic Development
R28	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail and improved bus services.	Ongoing	Existing resources/ budget	Multi-team
R29	Continue to monitor any changes to the Bushfire Management Overlay (BMO) and if relevant, inform affected parties.	Ongoing	Existing resources/ budget	City Strategy & Planning, Statutory Planning
R30	Continue to support, where applicable, the ongoing development of Strategic Investigation Sites in accordance with associated Development Plans.	Ongoing	Existing resources/ budget	City Strategy & Planning, Statutory Planning
R31	Monitor how the new Buffer Area Overlay will be implemented to deal with conflicting land uses, for any implications/opportunities for Knox.	Ongoing	Existing resources/ budget	Multi-team

	Recommendation	Timing	Resourcing	Team/s
R32	Monitor impact of Windfall Gains Tax and provide ongoing advice regarding Council owned land.	Ongoing	Existing resources/ budget	Multi-team
R33	Ongoing recognition and promotion of the Eastern Region Land Use Framework Plan.	Ongoing	Existing resources/ budget	City Strategy & Planning
R34	Monitor impact of Rural Workers Accommodation through Statutory Planning.	Ongoing	Existing Resources	City Strategy & Planning, Statutory Planning
R35	Ensure community safety is considered in the preparation of any structure plans.	Ongoing	Existing Resources	City Strategy & Planning
R36	Monitor the effectiveness of tree planting for development sites in accordance with endorsed Landscape Plans.	Ongoing	Existing resources/ budget	Statutory Planning
R37	Place greater focus when assessing all planning applications on reducing impact of natural hazards.	Ongoing	Existing resources/ budget	Statutory Planning

3

Introduction

The Knox Planning Scheme commenced on 25 November 1999 and provides the statutory mechanism to achieve Council’s strategic objectives relating to land use and development. 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.

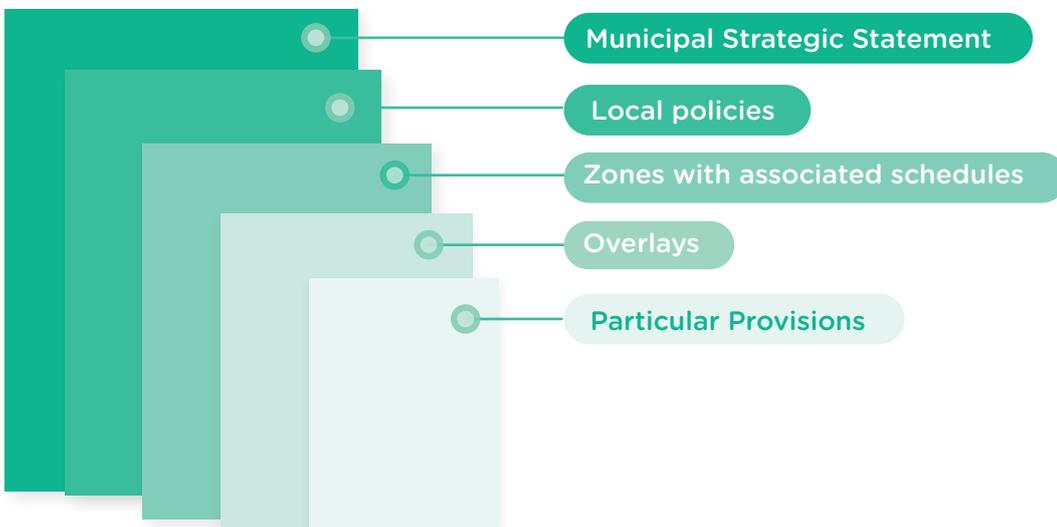
Information within the planning scheme details how people can develop their land and what restrictions or controls might be on land. It is the framework which guides Council’s decision making on planning permit applications. The format and content of the planning scheme must comply with and is guided by Section 7 of the Planning & Environment Act 1987 (the Act) and a Ministerial Direction on the Form and Content of Planning Schemes.

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:

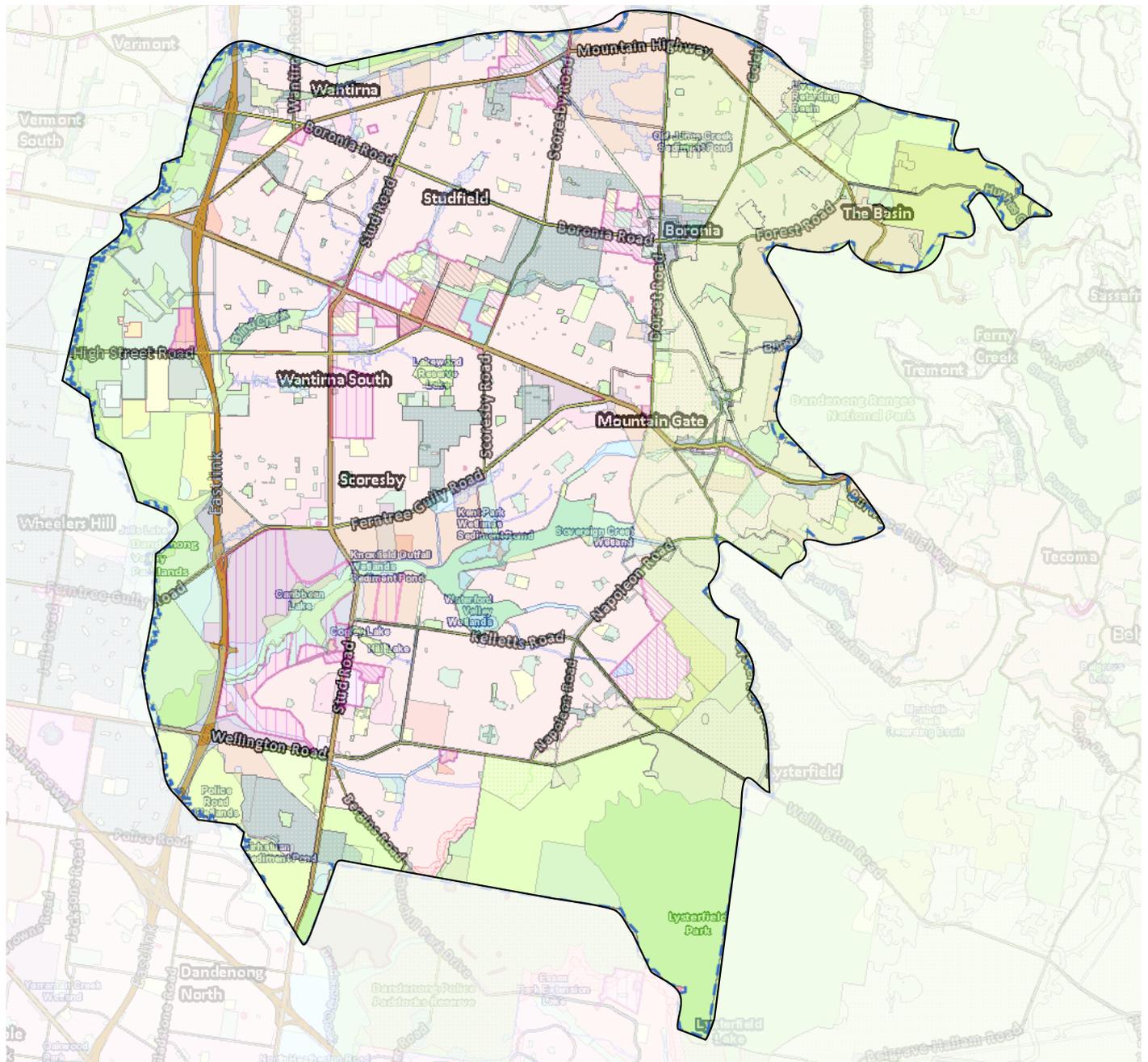
- The local content of a scheme must be consistent with State policy objectives and strategies; and
- All changes to a scheme must be approved by Minister for Planning.

Planning schemes

The planning schemes contain provisions that are set at the State level, as well as local content. As of April 2023, the local content of the Knox Planning Scheme comprises:



Knox area with zones and overlays of the Knox Planning Scheme



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Background

There is a legislative requirement to review the Knox Planning Scheme every four years. The last review of the Knox Planning Scheme was completed in June 2018 and recommended a concise review of the Knox Planning Scheme, progressing the local elements of the State Government Smart Planning Program including the new Planning Policy Framework (PPF), reviewing the Knox Residential Design Guidelines to ensure consistency between the Knox Planning Scheme, and the Knox Housing Strategy, amongst a number of other recommendations.

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 25 October 2021, the Planning Scheme Review was required under the Act to be completed by 25 October 2022 and forwarded to the Minister for Planning.

Officers initially planned to undertake the Planning Scheme Review following the completion of the Knox Planning Policy Framework (PPF) translation (Amendment C191knox). Council endorsed the draft PPF in February 2022 and advice at the time from the then Department of Environment, Land, Water and Planning (DELWP) was that the translation would be finalised in 2022. Such timing would have provided for efficiencies and a more logical sequence due to certainty of the final PPF content through the Planning Scheme Review. An extension of time was therefore sought from the Minister to enable this, which was granted to Council.

DELWP (now Department of Transport and Planning (DTP)) did not progress the PPF throughout 2022 and has not finalised the associated amendment as of the date of this report. To meet the Planning Scheme Review deadline, it is required for the review to be undertaken prior to the PPF being finalised. While there is a risk associated with this approach, it is considered acceptable as any inaccuracies/ inconsistencies as a result of the final PPF can be considered as part of the next Planning Scheme Review (expected in 2026).

Objective

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.

Review

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.

A key purpose of the Planning Scheme Review is to update the vision in accordance with the Knox Community and Council Plan 2021-2025 which was adopted by Council on 25 October 2021. This is discussed further in Section 7.1.



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Methodology

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

Council Officers have undertaken extensive background work to inform the Planning Scheme Review. The key inputs and process informing the Planning Scheme Review are:



Section 12B (5) of the Act requires that, on the completion of the review, Council reports the findings of the review to the Minister. The following will be undertaken:

- Present the Planning Scheme Review as a report to Council including a list of prioritised recommendations.
- Submit the endorsed report to the Minister.

6

Summary of State Government planning reforms

This section identifies key strategic directions, initiatives and actions that have occurred, or are underway, at the state and regional level since the 2018 Review, and their implications for the Knox Planning Scheme.

Project description and status	Implications for Knox	Potential actions
6.1 Planning Policy Framework (PPF) translation		
<p>The program restructures the PPF into a new format and includes improvements to the PPF to better align Local, Regional and State policy to make policy more consistent and easier to understand.</p> <p>Council officers have completed the draft PPF which has been peer reviewed by an expert consultant and endorsed by Council. The draft PPF has been submitted to DTP as Amendment C191knox pending their review and determination by the Minister.</p>	<p>The intention of the PPF translation is to retain a policy neutral approach where all existing policy can continue to be utilised under the new framework. The substantial work to date has focused the rewording and collaboration with DTP officers towards clarifying Council’s intentions contained within existing local policies.</p> <p>Additionally, the PPF has highlighted existing strategic gaps within the Knox Planning Scheme that will require future strategic work to rectify (this is not part of the current PPF project).</p>	<p>At this stage no action is required however once implemented a review will be required to assess gaps and outstanding actions identified during the initial drafting stage.</p>
6.2 Managing buffers for land use compatibility VC175, March 2021		
<p>Updated the PPF and Clause 53.10 Use and Activities with Potential Adverse Impacts. Inserts the Buffer Area Overlay (BAO) into the VPP at Clause 44.08.</p>	<p>Investigate whether there is any benefit in applying the BAO anywhere in Knox considering residential development has already occurred in proximity to high impact sites such as quarries and landfill sites.</p>	<p>Further investigation on how the new BAO will be implemented and how conflicting land uses will be managed using these mechanisms.</p>

Project description and status	Implications for Knox	Potential actions
Continued.		
<p>The BAO which can be used in certain circumstances to prevent future encroachment and intensification of incompatible use and development within the buffer areas of industry, warehouse, infrastructure, or other uses with potential off-site impacts.</p>	<p>Management of the buffer area, along with ownership of the buffer area (by the emitter) is not always possible.</p> <p>Balancing conflicting objectives, e.g. limiting development vs. achieving growth aspirations.</p> <p>How the proposed BAO will work in conjunction with the proposed Strategic Extractive Resource Areas. Implementation of the provisions is at present unclear.</p>	<p>The applications of BAO would need to be investigated for any implications/opportunities for Knox.</p>

6.3 Built Environment Climate Change Adaptation Action Plan 2022-2026

<p>The Built Environment Climate Change Adaptation Action Plan 2022-2026 will give support to a greater focus on reducing the impact of natural hazards, and planning in light of extreme weather events experienced in the last 5 years.</p>	<p>Gives Council impetus to initiate changes and identify gaps within strategic planning projects and associated changes to the planning scheme with a specific focus on managing natural hazards and climate change effects.</p>	<p>Continue facilitating the Elevating ESD Targets project and progression to amendment. Reassess required work to be undertaken to align with planning, should the amendment not progress.</p>
<p>Specifically, it notes updating planning provisions to respond to climate change, and review bushfire provisions in planning schemes and building standards.</p>	<p>Aligns with Council's adopted Climate Response Plan.</p>	<p>Identify conflict between clauses, such as clause 52.12 (Bushfire Exemption), and the Knox strategic direction to provide a greater emphasis on environmental outcomes.</p> <p>Continue to progress flood mapping work to protect vulnerable areas within Knox.</p>

Project description and status	Implications for Knox	Potential actions
6.4 Guidelines for golf course redevelopment (25 June 2020)		
<p>Provides guidance to local councils, the Victorian Government, golf courses and clubs and the development sector on the key planning steps and considerations for the future development of surplus golf course land.</p>	<p>Provides a structured approach to redevelopment on these sites.</p>	<p>To be used in potential future decisions for Waterford Valley and Churchill-Waverley Golf Courses.</p>
6.5 Melbourne Industrial and Commercial Land Use Plan		
<p>Provides an overview of current and future needs for industrial and commercial land across metropolitan Melbourne and puts in place a planning framework to support state and local government to more effectively plan for future local government to more effectively plan for future employment and industry needs, and better inform future strategic directions.</p>	<p>The Bayswater Business Precinct (BBP) is categorised as a regionally-significant industrial precinct.</p> <p>Knox Land for Business Plan does not address the commercial land across Knox, its variability or interconnectedness. This would be required to be addressed separately from the previously completed strategic planning work.</p>	<p>Leverage recognition of Bayswater as a regionally-significant industrial precinct in the Bayswater Renewal Strategy.</p> <p>Investigate the need for a review/development of a Knox commercial/industrial strategy dependent on strategic direction, including the activity centre hierarchy and interplay within the municipality.</p>
6.6 Public and shared housing reforms and residential aged care facilities (VC152)		
<p>Implemented a streamlined approvals process for aged care accommodation. The amendment implements a new particular provision to support a simpler and streamlined assessment process for residential aged care facilities.</p>	<p>Community Care Accommodation</p> <p>Clause 52.22 Community Care Accommodation use exemptions; the assessment is limited to building and works and does not include a Neighbourhood Character assessment.</p>	<p>Assess impacts of the provisions to determine if it is resulting in undesirable outcomes, or conflicts with other Knox policy (including bushfire) and evaluate if further action is required.</p>

Project description and status	Implications for Knox	Potential actions
Continued.		
<p>It also included the introduction of permit exemptions for Community Care Accommodation.</p>	<p>Rooming house For a Rooming House in accordance with exemptions at Clause 52.23-3 no permit is required.</p> <p>Aged care Changes to Residential age care facilities present challenges for built form and maintaining consistency with the neighbourhood character policy. The reformed Residential Zones also present a challenge in this context in particular height controls which is a maximum of 16 metres and not subject to any other controls.</p>	
6.7 Reformed residential zones (VC110, VC148, GC172)		
<p>VC110 and VC148 simplified and modernised the residential zones as part of the Smart Planning Program reform.</p> <p>This included new mandatory maximum building heights and number of storeys. Amendment GC172 corrected height inconsistencies in schedules to the GRZ and NRZ that occurred when Amendment VC110 was implemented in 2017.</p>	<p>Key changes include increasing the mandatory heights in Bush Suburban (NRZ1) and Ferntree Gully Activity Centre (NRZ6) from 8 to 9 metres.</p> <p>The change in height has resulted in a wider gap between the discretionary height under the SLO and DDO8 and those in the new zones, but there is no further guidance in place.</p>	<p>Explore revision of Application Requirements and Decision Guidelines within the overlays, where there are gaps in relation to heights, to provide greater guidance for assessment of planning applications.</p> <p>Could be considered in next Knox Housing Strategy review.</p>
6.8 ResCode reforms to adopt a Performance Assessment Model (PAM)		
<p>Proposed to apply a new model to residential development by replacing ResCode assessment for objectives/standards with the PAM process.</p> <p>The reform is currently under consultation.</p>	<p>ResCode variations through local schedules have not been reflected in the new model. PAM system attempts to make assessments quantified. This may impact existing ResCode variations through local schedules (that are currently unquantified).</p>	<p>Translate existing local schedule variations to the new model.</p>

Project Description and Status	Implications for Knox	Potential Actions
6.9 Rural workers accommodation (Sept 2021, VC2020)		
<p>Removes the need for a planning permit for worker accommodation for up to 10 people in the Farming Zone.</p>	<p>Issues may arise given that permit may not be required for all rural workers accommodation and may not be required to be on the same property.</p> <p>These include amenity impacts from the accommodation and targeting of rural land for this use which means Knox could lose valuable rural land.</p>	<p>Monitor through Statutory Planning and any enforcement issues that may arise.</p>
6.10 Planning for green wedge and agricultural land		
<p>This project investigates further ways protect the green wedges against overdevelopment through tightened statutory planning controls.</p> <p>Consultation has occurred and submissions are being reviewed to determine which of the proposed planning system reform options will be implemented.</p>	<p>The edge of the municipality is affected by this. Its focus is on agriculture values of green wedge land, and less weight is given to other important green wedge values such as landscape, character, and environmental values.</p> <p>KCC faces significant development pressure from landowners or interested parties with regard to land in proximity to the UGB, who argue that the land is incapable or unsuitable for agriculture.</p>	<p>Potential that this project could alter land use permissibility and allow uses that conflict the Knox's green wedge land. The policy will require further review at a local level if adopted.</p>
6.11 Strategic Extractive Resource Areas (SERA)		
<p>Proposes the use of a State Resource Overlay (SRO) to identify and protect extractive resources. The SRO1 would be applied in locations where it would (1) manage the encroachment of sensitive uses around existing extractive industries,</p>	<p>At this stage no SERAs have been proposed in Knox. The SERA pilot projects are located in Wyndham City Council and South Gippsland Shire Council. Knox LGA has 3 quarries some of which are likely to continue operation in the coming decades. This includes two hard rock quarries in Rowville</p>	<p>Monitor the progress of this reform and if required, consider potential review in context of Land compatibility policy in Knox Planning Scheme.</p>

Project description and status	Implications for Knox	Potential actions
Continued.		
<p>and (2) identity existing extractive industry operations, and land where extractive industries may be developed in the future (with separate planning permission).</p>	<p>and Lysterfield on the outer edge of the UGB and in close proximity to existing suburban development. The introduction of an SRO as a standard buffer around the SUZ areas is not always practical and if applied to Knox would need to be considered in the local context.</p> <p>SRO includes an exemption from review rights.</p>	
6.12 Eastern Region Land Use Framework Plan (LUFP)		
<p>The Eastern Metro Land Use Framework Plan has been developed to guide the application of Plan Melbourne's nine guiding principles with 32 directions at a regional and local level. It is currently in draft form.</p>	<p>Key aspects of the eastern part of the region, e.g. the various regionally significant industrial precincts and the Wantirna Health Precinct to Bayswater corridor, are not given the required emphasis or identification in relation to their strategic importance.</p> <p>The plans to accommodate housing growth and diversity needs to be subject to local area plans and local context that balance amenity, environment, character, and access.</p>	<p>Ongoing; create awareness of LUFP. Alignment with future MPS.</p> <p>A further action could be added to focus on the legislative and policy reform that would support Councils to develop partnerships with social housing providers and leverage contributions to acquire and develop social and affordable housing.</p>
6.13 Transport and land-use planning		
<p>A series of amendments implemented by the State government reformed the Transport related components of the Victorian Planning Schemes.</p>	<p>The update to the State Planning Policy together with the new Planning Policy Framework gives Knox the opportunity to review how its local content addresses these changes and to ensure local transport policies respond to the future.</p>	<p>Review the content of Clause 21.09 (PPF 18.01-1L and 18.02-1L) and improve clarifications.</p>

Project description and status	Implications for Knox	Potential actions
Continued.		
<p>VC200 – February 2022 VC204 – December 2021 VC205 – January 2022</p> <p>Their aim is to simplify and streamline permit application assessments for State significant projects and to improve transport related policies and zones to be more consistent in planning schemes.</p> <p>The new Transport Zone and policies align planning provisions to be consistent with the vision and objectives of the Transport Integration Act 2010 to reflect planning for all modes of the transport system rather than for individual modes.</p>	<p>State exemptions could see rail projects, including car parks exempted from permit requirements. Should permit be required, the Minister would be the responsible authority.</p>	<p>Together with Council's Traffic and Transport Team - review or update the relevant reference documents (Knox Bicycle Plan Review 2008, Knox Mobility Study 2011, Knox Integrated Transport Plan 2015 and Knox Liveable Streets Plan 2012) to identify whether additional contents could be included in the Planning Scheme.</p>
6.14 Sex work		
<p>Currently not implemented (to be within the Knox Planning Scheme late 2023).</p> <p>The objective is to support the government's decriminalisation of sex work to:</p> <ul style="list-style-type: none"> • improve the safety of sex workers • reduce the stigma around sex work • address discrimination against sex workers. <p>This will be achieved by treating sex work in the planning system in the same way as other businesses that provide personal services by removing planning restrictions that prevent:</p> <ul style="list-style-type: none"> • brothels from establishing in commercial and mixed-use areas; and • sex workers from operating a home-based business. 	<p>Consultation did not form part of the process of implementation, and Council was unable to provide input, due to the sensitivity of the topic.</p> <p>Sex service premises will be subject to the same planning controls that apply to a 'shop'. Sex work will be able to be carried out as a 'home based business' in any dwelling.</p>	<p>Monitor through Statutory Planning and any enforcement issues that may arise.</p> <p>Potential VCAT reviews red dot decisions to be considered in future.</p>

Project Description and Status	Implications for Knox	Potential Actions
6.15 Windfall Gains Tax (WGT)		
<p>From 1 July 2023, a Windfall Gains Tax (WGT) will apply to land that is subject to a government rezoning resulting in a value uplift to the land of more than \$100,000.</p>	<p>Potential increased costs to Council owned land being rezoned and sold.</p> <p>May have indirect implications for future developer contributions negotiations by Council.</p>	<p>Ongoing internal consultation and advice on implications for Council owned land.</p>
6.16 Neighbourhood Activity Centres		
<p>Plan Melbourne identifies a network of activity centres in Knox and provides the overarching policy objectives to improve walkability and providing the choice to live locally - giving people the ability to meet most of their daily needs within a walking distance from home, with access to safe cycling and local transport options</p>	<p>While considerable strategic planning work has occurred for larger centres in Knox, limited direction exists within the Knox Planning Scheme towards the purpose and direction of smaller centres. Currently there are ongoing initiatives related to defining and scoping the role of Neighbourhood Activity Centres (NAC) through the State Government with involvement from select LGAs.</p> <p>Knox may have further opportunities to partner/seek grant funding to participate in these programs.</p> <p>Planning for NACs to align with Knox Strategies to create, enhance, and maintain places and spaces for people to live, work, play and connect and to provide, maintain and advocate for accessible and sustainable ways to move around Knox.</p>	<p>Review Knox Planning Scheme to include Knox-specific sustainability content to clause 18.01-3S/3R (refer to item 5.12)</p> <p>Create awareness of program and resources to better plan for NACs, including participating in State Government initiatives to define smaller centres.</p> <p>Integrate the mobility concept and walkability maps as key part of activity centre planning in Knox.</p>

7

Strategic planning context

Council Plan 2021-25

The Knox Community and Council Plan 2021-2025 was adopted by Council on 25 October 2021. The Plan sets a vision for the City of Knox and identifies five community and council key directions that will drive Council activities over the next four years.

This Plan was formulated in partnership with the community. It provides a guide for individuals, businesses, local groups and other levels of government on strategic priorities for Knox. These key directions have been developed from information gathered through a community engagement process, supported by an analysis of State and Knox data, and with reference to key government and social policies. Throughout the community engagement process, and in the preparation of the Council Plan 2021-2025, a number of initiatives were specifically included that relate to planning issues in the municipality. Out of the initiatives within the Community and Council Plan, eleven have a connection to the Knox Planning Scheme and planning processes and are therefore considered in this Planning Scheme Review.

Vision

The existing reference in the Knox Planning Scheme to the Knox Community and Council Plan 2017-2021 needs to be replaced by the new Council Plan. This will include the inclusion of the new vision under clause 21.02 Vision of the Knox Planning Scheme. This is proposed to be done as part of the PPF translation (Amendment C191knox) which has been submitted to DTP and is awaiting the Minister's determination.

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



Initiatives from Council Plan

Initiative	Progress and potential work
<p>Develop and implement a Social and Affordable Housing Strategy and Action Plan to increase the supply of social housing and address homelessness in Knox (1-4 years).</p>	<p>The direction of planning policy drives diversity in smaller dwellings to meet the need of Knox’s emerging older demographic and increase in demand for smaller dwelling.</p> <p>There are opportunities to identify potential social housing sites with new structure plans in Boronia and Bayswater.</p> <p>Council has adopted a new Social and Affordable Housing Strategy in line with the above Council Plan initiative. The next step for strategic planning is to investigate the implementation of strategies and actions in the Social and Affordable Housing Strategy through the Planning Scheme and other strategic planning projects.</p> <p>State government initiatives discussed in 6.6 Public and shared housing reforms and Residential Aged Care Facilities to facilitate more social and rental housing that is affordable to low income households in Knox.</p>
<p>Commence review of the Knox Housing Strategy 2015 (3-4 years)</p>	<p>Review the Knox Housing Strategy with focus on impacts of the 6.1 (PPF Translation) and 6.7 (Reformed Residential Zones and Rescode reforms), adoption of a Performance Assessment Model (PAM), and the potential development of an Activity Centre Strategy.</p> <p>The Knox Housing Strategy review will include addressing the following ongoing residential concerns including built form and neighbourhood character, private open space, and landscaping associated with residential development which are discussed in section 11 of this report.</p>
<p>Build on regional partnerships by contributing to the work of the Eastern Affordable Housing Alliance (2-4 years).</p>	<p>The development and implementation of the Social and Affordable Housing Strategy and Action Plan, to increase the supply of social housing and address homelessness in Knox will need to consider research done by Eastern Affordable Housing Alliance, and consider targets set out in the Social Housing Report.</p>
<p>Facilitate and support the implementation of the Boronia Renewal program (1-4 years).</p>	<p>Amendment C192 was exhibited in 2023 and a panel hearing was planned for December 2023.</p> <p>Additional implementation actions will continue to support linked projects across different Council departments, as funding/resources are made available.</p>

Initiative	Progress and potential work
Progress implementation of the Knox Central program.	Monitor project and provide any support required.
Update Council’s flood modelling across Knox	The City’s flood modelling and mapping is currently being coordinated by Knox’s Stormwater team. Melbourne Water (MW) is also updating their flood mapping in Knox. These mapping projects, once completed, are likely to lead to a Planning Scheme amendment to update the existing Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO).
Develop an Integrated Major Infrastructure Development Plan for sport, leisure and recreation.	The result of a completed plan will require investigation into how the content can be incorporated into the Knox PPF.
Finalise and implement the Bayswater Renewal Strategy.	Progress the Bayswater Renewal Strategy to adoption and commence amendment process.
Enhance sustainable transport utilisation through delivery of active transport infrastructure.	Support Elevating ESD Targets and associated Amendment C197knox. Consideration of sustainable transport through renewal strategies, activity centre planning, and associated local area plans.
Undertake vegetation mapping analysis and habitat corridor planning to manage our urban biodiversity.	<p>A preliminary review of the VPO2 has been undertaken with recommendations on how to improve accuracy of the current overlay. This study can inform potential future amendments however, a broader review of vegetation controls within the municipality is required, towards updated Knox current provisions and background documentation.</p> <p>A Biodiversity Resilience Plan is also currently being prepared by the Biodiversity team addressing canopy vegetation, biodiversity corridors and land acquisition. Once this project is completed, it can potentially inform the planning scheme. Planning issue 7 in section 11 of this report details the reduction in tree canopy cover that is occurring throughout the municipality.</p>

Other key strategic plans by Council

Climate Response Plan 2021-2031

The Climate Response Plan sets out a pathway to a net zero emissions Knox City Council by 2030 and actions to help our community reach net zero emissions by 2040.

The key actions include to Protect the natural environment, support sustainable transport and achieve low emissions building design.

Implications and potential work

Support Elevating ESD targets project and progression to amendment. Reassess work to be undertaken to align the planning should amendment not progress.

Potential action:

Investigate Climate Response Plan integration into processes and policies

Key strategies Underway

Open Space Strategy 2023

Council's Open Space Team has commenced work on the new Open Space Strategy to guide the of open space planning across the municipality for the next 10-20 years. This will be a significant body of work, it is anticipated that that the entire project will take at least 2 years to complete provision.

Potential action:

Support Open Space team through development of the Strategy.

Biodiversity Resilience Plan

The study seeks to identify emblematic species and conservation actions, develops and tests a framework to assist Council when making decisions about the purchase of land for conservation purposes. The study includes an investigation to identify and quantify the value of areas critical to the movement of wildlife across the municipality. It also includes a summary of best practice Biodiversity Sensitive Urban Design (BSUD) into future developments and projects in Knox.

Potential action:

Through the development of targeted planning controls, Council can integrate environment protection within the social and economic context of the City of Knox.

8

Summary of key current & completed strategic planning

Knox Land for Business Directions Plan



Amendment C164 was approved and gazetted by the Minister of Planning in March 2019. The amendment implemented findings of the Knox Land for Business Directions Plan, December 2018 in the Knox Planning Scheme, by amending the Municipal Strategic Statement and local planning policies. Monitoring and evaluation of the effectiveness of the policy is ongoing.

Knox Central Structure Plan, October 2017



Amendment C149 implemented the recommendations from the Knox Central Structure Plan into the Knox Planning Scheme. The Minister for Planning approved and gazetted the Amendment in May 2018.

Wantirna Health Precinct



Amendment C185knox (for Wantirna Health Precinct West) is a project being undertaken by the State Government. Exhibition of this amendment relating to part of the precinct was undertaken in March-April 2023. The amendment will proceed through the Panel Hearing process to determine matters. The amendment proposes that the land will be rezoned to the Comprehensive Development Zone (CDZ) and there will be an accompanying Zone Schedule and a new Incorporated Document (a Comprehensive Development Plan - CDP) inserted into the Knox Planning Scheme.

Development Contributions Plan

The Development Contributions Plan (DCP) is a mechanism in the Planning and Environment Act 1987 that enables councils to collect levies from new development towards the cost of infrastructure. Investigation into feasibility of the preparation of a DCP for Knox commenced in 2017 following an initial scoping during 2014-2016.

At its meeting on 28 August 2023, Council resolved to authorise officers to formally withdraw Amendment C186knox for the Knox DCP based on officer recommendation that the DCP does not present a strong case for the amendment to be pursued at this point in time. The amendment was subsequently withdrawn pursuant to the resolution.

Draft Green Areas and Rural Strategy (GARS)



The Planning Scheme currently identifies gaps in strategic direction for the rural and Green Wedge areas of the municipality and requires further strategic work in this regard.

The GARS project has been undertaken to address this issue. The project covers Green Wedge precincts in Lysterfield and The Basin as well as land within the Dandenong Valley and the Healesville Freeway corridor. These precincts have high environmental and landscape significance and contain land predominantly used for rural, conservation, resources, open space, recreation and other public purposes.

The draft GARS provides a vision, objectives, and strategic directions for these precincts and includes actions to achieve the objectives. Council endorsed the draft GARS in October 2021 and public consultation on the draft strategy was undertaken in late 2021. The final GARS is planned to be presented to Council for adoption in late 2023. Following adoption, the implementation of this strategy would entail the preparation of a planning scheme amendment to incorporate the relevant recommendations into the planning scheme (subject to budget allocation).

Review of Rowville Low Density Residential Zone and adjoining land



Amendment C189knox proposes to apply new planning scheme controls to affected properties in Rowville. The proposed controls will better reflect and protect the unique character of properties along Taylors Lane, Murray Cres, Vista Crescent and Fordham Court.

The amendment was placed on exhibition in July 2022 and following the panel process, Council adopted the amendment at its 22 May 2023 meeting with minor changes.

Norvel Estate rezoning and planning permit application



Combined Amendment C184knox and associated planning application propose to rezone and subdivide the former quarry at Norvel Estate to facilitate residential redevelopment. The proposal includes 138 residential lots, a bushland reserve and a stormwater and parkland reserve.

At the Council Meeting on 22 November 2021, Council resolved to request authorisation from the Minister for Planning to prepare and exhibit Amendment C184knox and the planning application and conditional authorisation was granted by the Minister. The exhibition is planned for June - July 2023.

Waterford Valley residential aged care facility

Amendment C176knox amended the Knox Planning Scheme to enable the consideration of a residential aged care facility with associated uses at the site at 145 and 153 Bunjil Way, Knoxfield.

The Minister for Planning approved and gazetted the Amendment in March 2020.

Kingston Links Golf Course



Amendment C142knox allowed for the rezoning of the Kingston Links Golf Course and the future development of the land for a new residential housing estate.

The Minister for Planning approved and gazetted the Amendment in October 2018.

Boronia Train Station Precinct Redevelopment Plan



The draft concept plan presents Council's position on the Boronia Train Station Precinct. The draft Concept Plan was endorsed in confidence at the Council meeting and the Concept Plan report has been communicated to LXR and other stakeholders.

The current State Government made an election promise for the renewal of the Boronia Train Station and decking of the southern part

9

Overview of VCAT decisions

Between January 2018 (the conclusion of the last review) and March 2023, approximately 105 cases have been heard before the Planning and Environment List at VCAT dealing with matters determined by Council.

The majority of appeals since January 2018 have been against applications that were refused. Chart 1: Appeal Type shows that 84% of have been appeals against refusals. Chart 2 indicates that the breakdown is consistent across all periods.

Chart 1: Appeal type

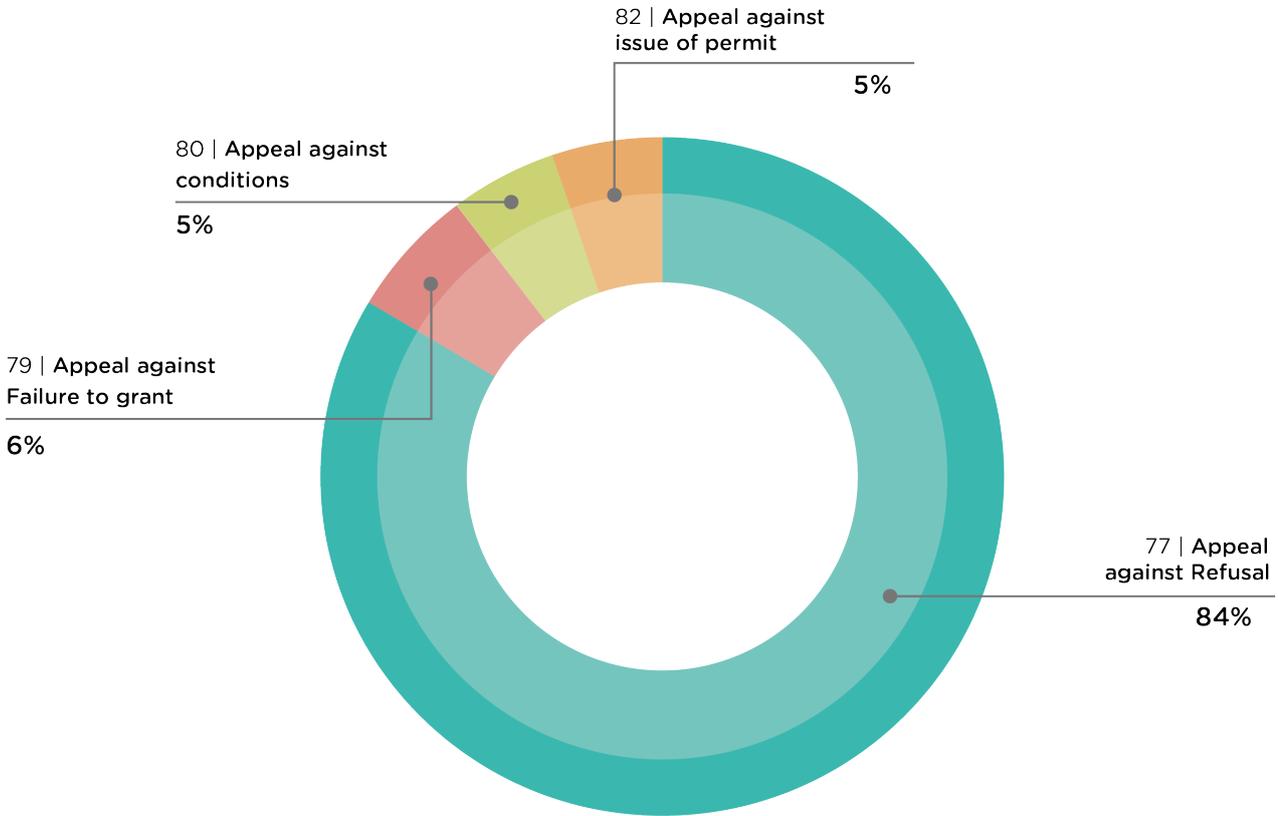
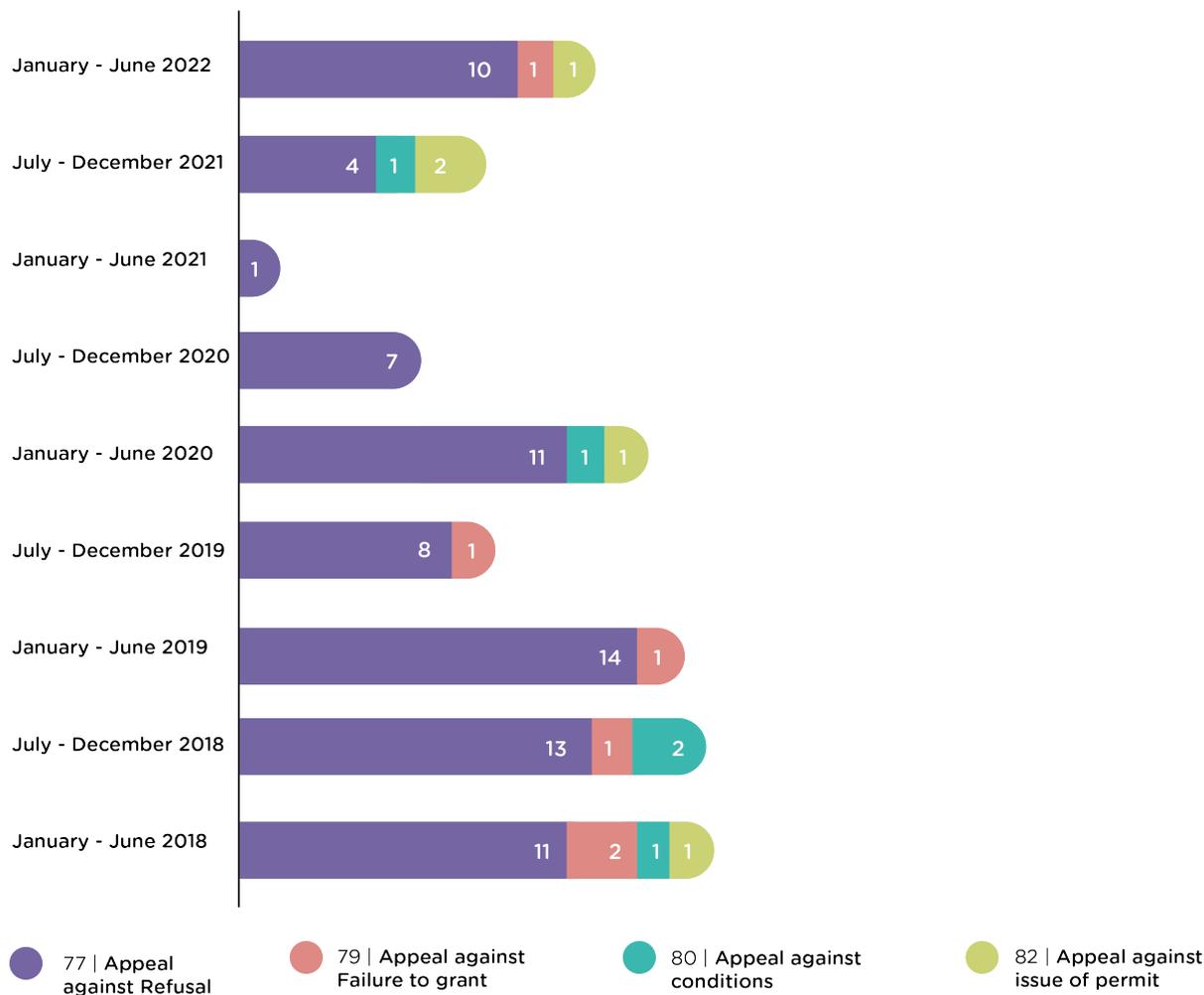


Chart 2: Appeal type by period



Decisions by VCAT over the period since January 2018 have been more evenly split with decisions of Council set aside by VCAT slightly ahead at 48%. Forty five percent of Council's decisions being upheld (see Chart 3). Chart 4 shows that over the period the number of decisions set aside has remained constant reflecting that Council's application of policy continues to not always be consistent with the way it is applied by VCAT.

Chart 3: VCAT decision by period

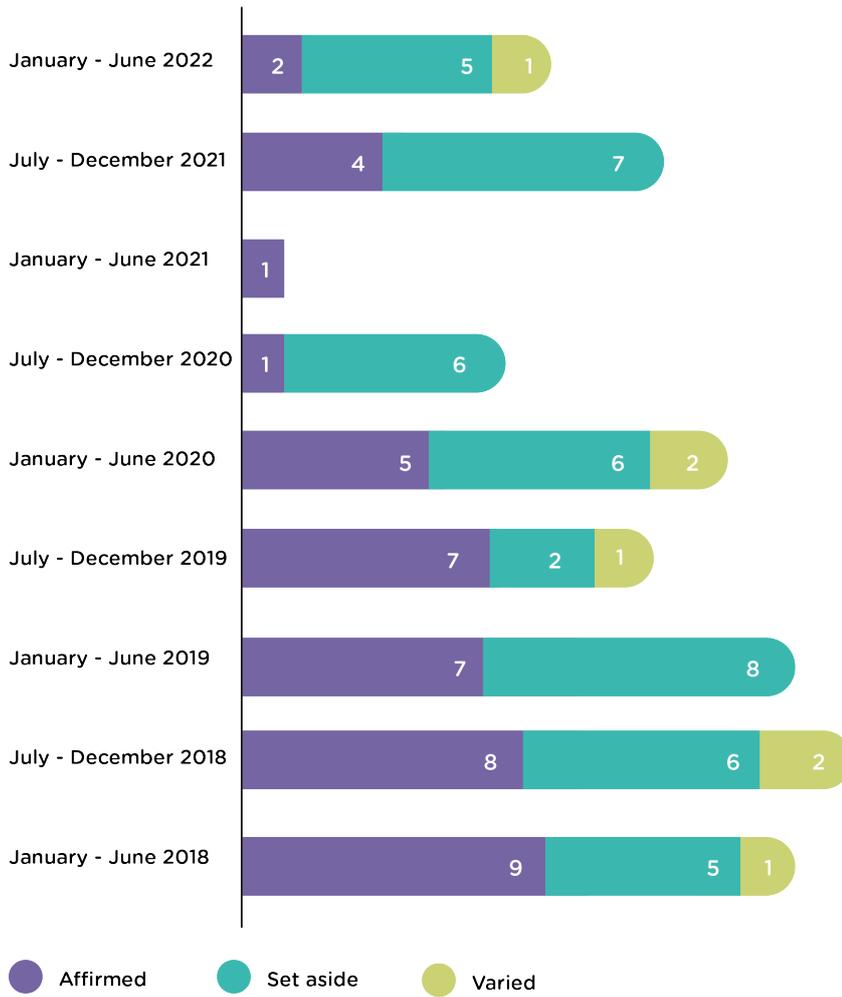
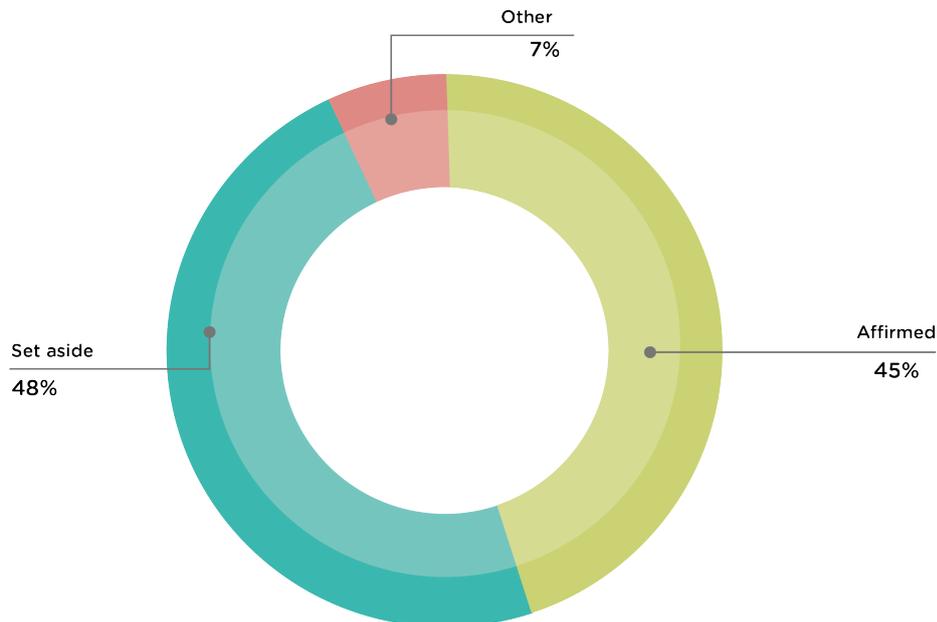


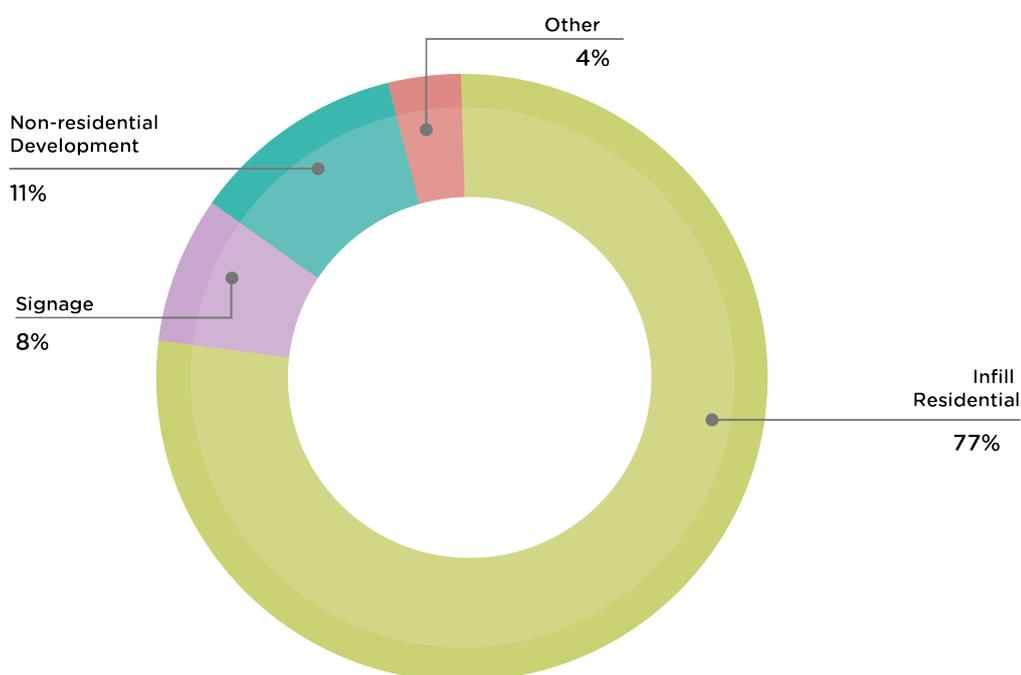
Chart 4: VCAT decisions by outcome



A review of VCAT decisions showed that the majority of VCAT appeals were disputing issues relating to residential infill development. Chart 5 shows that 77 percent of the primary application were for infill residential development. Common issues disputed included issues around Neighbourhood Character, built form and landscaping. Advertising Signs, in particular major promotional signs, were also the subject of a number of appeals with 8 percent (8 appeals) relating to signage.

Appeals for non-residential development consisted of primarily childcare centres (5 of the 12 appeals), retirement villages, medical centres, and industrial developments. A common issue across all appeal types was car parking which was identified as an issue in both residential and non-residential development.

Chart 5: Primary subject of appeal



Key VCAT Issues

Neighbourhood Character – infill residential



Neighbourhood Character remains the most significant issue for contention at VCAT and is the central issue for the majority of VCAT cases in particular those of infill residential development.

Issues relating to built form include inappropriate scale and bulk, unarticulated built form and excessive building footprints resulting in a lack of setback to boundaries for landscaping. These issues are discussed in further detail in the Planning Issues in Sections 11.1-11.3. The majority of the cases are in Knox Neighbourhood and Bush Suburban areas outside the foothills area and as demonstrated decisions are generally and even split in terms of those in favour and against Council’s decisions.

Car parking



Car Parking was an issue contended in a number of VCAT cases. In some cases, in which Council had refused applications which proposed less car parking than required in the Knox Planning Scheme, VCAT set aside Council's decision, considering a number of other factors such as proximity to transport and availability of parking in the surrounding area.

Advertising signs



The introduction of amendment C150 introduced policy objectives at Clause 22.01-2 including that major promotion signs, promotion panel signs and sky signs within areas of significant landscapes, in 'Gateways' on 'Bush Boulevards' and 'Paths into the Hills'.

The policy has had some success at VCAT with refusal of major promotional signage being supported by VCAT for the lack of integration with the surrounds. This issue is discussed in further detail in Planning Issue Section 11.

Child care centres

Childcare centres have been the subject of 5 of the 12 appeals relating to non-residential development. As these developments are generally located in residential areas, Council's decisions are generally based on policies and provisions relating to non-residential uses in residential areas. These include built form, neighbourhood character, landscaping, car parking and amenity impacts including noise and traffic impacts. VCAT decisions are mixed determining between whether the use and development respects the development and amenity within the immediate area balanced with there being a net community benefit. These findings are reflective of a need to balance decision on localised impact versus broader overarching policy direction such as net community benefit.

Implications and potential work

A review of the VCAT decisions reveal that some of the key issues raised in the last review around neighbourhood character remain key areas of contention. To an extent this is expected as residential infill development makes up the bulk of applications considered. However, it is noted that decision making continues to be consistently challenged by VCAT with decision against Council very consistent over time. As such, policy guiding residential infill development needs to continue to be re-evaluated. Recent policy changes such as 5.1 PPF Translation and 5.7 Reformed Residential Zones and ResCode reforms to adopt a Performance Assessment Model (PAM) and their impact will need to be assessed.

Further, a review of the Knox Housing Strategy can identify any gaps in residential development policy and will provide an opportunity to revise policy in this space.

10

Overview of community engagement

Community and Council Plan consultation

A large research and engagement program was undertaken to inform the development of the Community Plan 2021-2031 and Council Plan 2021-2025.

The process began with a range of data being collected about the municipality via research, including:

- The State of Knox Report, which is a collection of data that identifies trends and changes in Knox over time.
- The Municipal Survey which asked residents and businesses about the importance of, and their satisfaction with, 16 aspects of Knox.

To validate this data and seek the opinions of our community, a variety of activities were conducted. These ranged from broad discussions about a vision for Knox, to conversations around the goals in the Community and Council Plan 2017-2021.

Community members and stakeholders were given pre-reading prior to participating in forums and focus groups which outlined background information, relevant data including the results of the COVID-19 Community Impact Survey, and findings from the previous engagement activities. A number of community members participated in multiple engagement activities, allowing for progression through the process from broad to more in-depth discussions on the future of Knox. The engagement plan for this project was adapted to incorporate online forums and focus groups, using video conferencing and collaboration tools. More than 2,000 people participated in Knox Council's engagement activities during 2020.

Key issues that influence Strategic Planning directions included Environment, Housing, Transport and Mobility, Safety, Health and Well-being form part of Community and Council Plan 2017-2021 and have been considered as part of this review.

Strategic planning consultation

Since the 2018 Planning Scheme Review, the Strategic Planning team has carried out consultation on a number of projects including:

Boronia Renewal Strategy - Exhibition carried out in March-April 2023 and sought public feedback on the draft strategy as well as the associated Amendment C192knox.

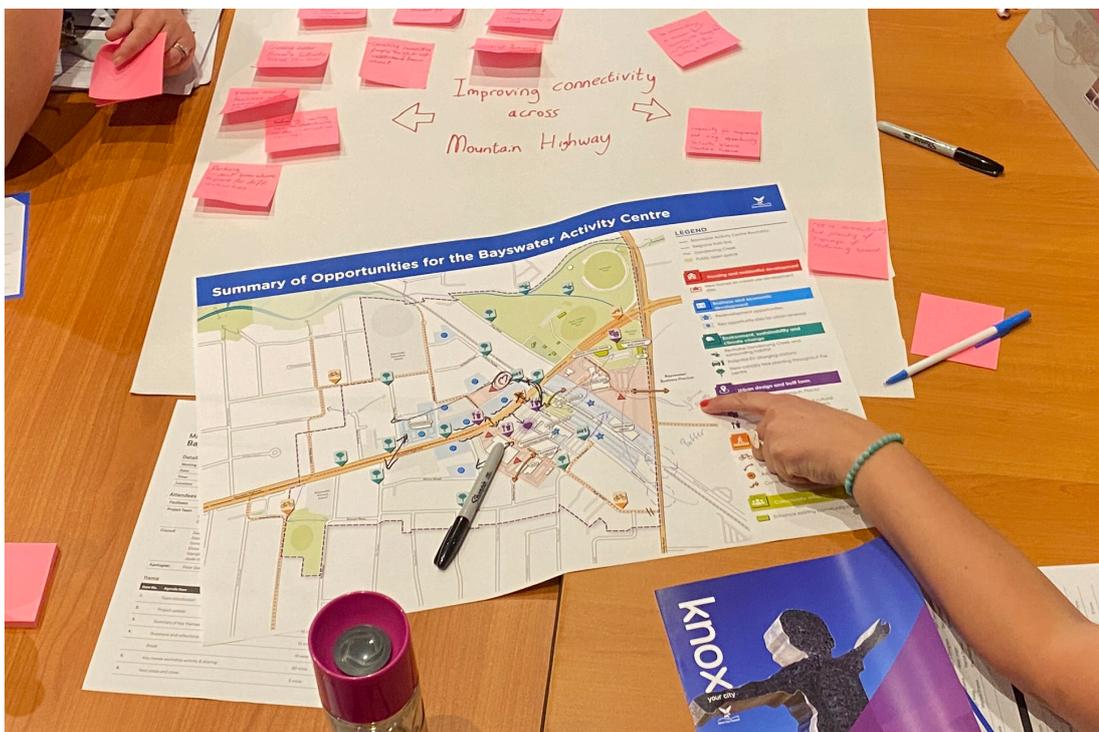
Bayswater Renewal Strategy - The Bayswater Renewal Strategy is currently being drafted. Preliminary consultation occurred in 2020 with community engagement for the Issues and Opportunities Paper occurred in October 2022.

Green Areas and Rural Strategy (GARS) - Two rounds of public engagement were undertaken as part of the GARS Project. A strong message from the consultation was that conservation and protection of the various values and conditions of the study area should be a clear priority. Biodiversity, water quality, vegetation canopy, open space, passive recreation, and rural character were some of the qualities highly valued by the community. A common concern raised was the perception that these areas may be developed in the future or may be at a risk of degradation due to nearby development or incremental changes that would detract from the above qualities.

Moving forward, Council's Strategic Planning team will continue to consult the community of a range of issues and planning matters.

Internal consultation

Consultation with internal officers focused on those who often use the planning scheme. This included workshops with Council's Statutory Planning and Strategic Planning teams.



11

Issues and opportunities

Council's current strategic work program and consultations with Statutory Planning and the Planning Scheme Review has identified existing issues remaining relevant and that there are a number of new or emerging land use and development issues that are apparent and require attention.

Planning issue 1: Residential development built form

In the 2020 municipal survey for development of the Council Plan, when asked what the main goals were in relation to the Environment and Housing, the community provided the following feedback: For the Environment, it was the importance of the natural and built environment in Knox; For housing, there was strong support for housing to meeting changing needs including increased density as a practical response to a growing population. These often conflicting priorities highlight the balance required in planning between accommodating residential growth whilst protecting the natural and built environment that is highly valued by the Knox Community.

Managing growth via planning mechanisms is entrenched in the Neighbourhood Character policy, in particular built form policy and guidelines. Knox's Neighbourhood Residential Zone and General Residential Zone areas form the major proportion of infill development areas in Knox.

The 2018 Planning Scheme Review highlighted that further consideration be given to the single storey dwelling to the rear requirement (relating to three or more dwellings) in the General Residential Zone 2 (GRZ2), now Neighbourhood Residential Zone 4 (NRZ4), to determine if the direction should be revised or strengthened.

This guideline is one of the two design guidelines at Clause 22.07 Development in Residential Areas and Neighbourhood Character that are continually challenged. The other being:

- Significantly set back first floor levels from the ground floor level

Numerous VCAT decisions since 2018 consider the application of these design guidelines, however the guideline is often overlooked and VCAT decisions give more weight to local context and broader policy within the Knox Planning Scheme.

In *Multiple Design Pty Ltd v Knox CC [2020]* where Council refused to grant a permit for construction of four townhouses including a double storey at the rear. The member set aside Council's decision and commented specifically on the policy:

“As is often commented by the tribunal policy must be applied in an intelligent and flexible way having regard to the entire strategic and policy framework affecting the future use of land while at the same time avoiding unfortunate outcomes in individual permit applications. I am satisfied that in considering both the physical and broader policy context of this site there is no need for the rear dwelling to be single storey.”

Feedback from Council Officers was that ‘the single storey dwelling to the rear’ policy was not creating as many issues in Knox Neighbourhoods, as in Local Living and Bush Suburban areas.

In *Multiple Design Pty Ltd v Knox CC [2020]* the member also stated:

“The council submits that the proposal fails to provide significant setbacks to first floor levels from the ground floor level as sought by the Clause 22.07 design guidelines. There is no prescriptive measure of what a ‘significant’ setback should be, but as I observed at the hearing, a setback or recession in building form can be a combination of both physical setback and material changes.”

The Housing Strategy review will play an integral part in addressing the above issues and provides an opportunity to further consult with internal and external stakeholders on issues of neighbourhood character and built form. The transition from Clause 22.07 to the new format local policy, presents the opportunity for the possible introduction of design guidelines in Zoning Schedules. This change in conjunction with the new Housing Strategy presents an opportunity to revise these problematic and often contended Neighbourhood Character issues.

Since the 2018 review a number of other issues have emerged in the assessment of residential development. Feedback from Council Officers was that development on corner lots, side-by-side developments, and residential development in smaller commercial centres in which there are no Design and Development Overlay have limited policy direction.



Planning issue 2: Private open space

In the 2020 municipal survey, the Knox community expressed that bushland and natural spaces are highly valued characteristics of Knox. In the private realm when asked what success would look like in the environmental space the community expressed that; 'housing lots sizes that allow for a tree to be planted next to homes.' This reinforces that in Knox the idea of 'backyards' and space for canopy trees are important measures of valued 'green and leafy' Knox character.

The last Planning Scheme review recommended that an assessment be carried out to assess how 'at grade' secluded private open space can be encouraged in the 'Bush Suburban' areas of the municipality (that is not located in the Dandenong Foothills area), that is in General Residential Zone 5 (GRZ5) in the Knox Planning Scheme.

The introduction of a mandatory garden area in Reformed Residential Zones (see section 6.7), which aimed to provide a greater balance between the need for infill development with the need to protect the suburban, leafy and backyard character, has addressed some previous issues around private open space and its application.

However, feedback from Council's Officers is that in Bush Suburban areas, private open space remains an issue. This stems from the issue that identical provisions have been applied in both the NRZ4 (Knox Neighbourhood) and the NRZ5 (Bush Suburban Outside the Dandenong Foothills), whereas greater open space is needed in Bush Suburban areas to achieve the intended vegetation planting outcomes.

The Housing Strategy review will play an integral part in addressing this issue and private open space requirements could be further refined and specified in the Zoning Schedules.



Planning issue 3: Landscaping in new developments

As discussed, the Knox community values space for landscaping and canopy trees. Landscaping throughout new developments plays an important part in keeping the desired 'green and leafy' character of Knox. Council Officers have commented that the absence of specific landscaping requirements and guidelines presents significant policy gaps which leaves development application assessment and determination of planning applications vulnerable to poor landscaping outcomes.

There is an opportunity to strengthen landscaping requirements, including policy in the Knox Planning Scheme, as there is limited guidance on canopy tree integration which is also echoed in residential schedules. The same could also be said about other forms of landscaping such as shrubbery and grassed areas for which there is an absence of requirements or guidelines.

Planning issue 4: Building heights

The last planning review suggested that any changes to the stipulated heights, in particular any increase, should not be made without further assessment. The changes to residential zones in the State Government Amendment VC110 created height inconsistencies in the Knox Planning Scheme. Amendment GC172 sought to correct height inconsistencies that occurred with the implementation of the reformed residential zones.

Whilst Amendment GC172 addressed conflict in heights between schedules and reformed zones, a number of issues remain in development application assessments in relation to building heights. One issue is that there is no policy to guide scale and building heights in commercial and mixed use areas such as the smaller neighbourhood activity areas. There is no maximum building height in Commercial 1 and Mixed Use Zones and there are no design guidelines in particular related to heights in these areas.

In Significant Landscape Overlays which have a discretionary height of 7.5 metres, guidance for assessment is also limited. In application, the policy has been found to be broadly interpreted and often challenged.

Review of the Housing Strategy will address remaining height issues in residential areas. However residential development in and on the fringe of commercial areas will require further investigation.

Planning issue 5: Advertising signs

The 2018 review recognised issues in relation to major promotional signs in prominent locations in Knox. A review was recommended of advertising signs, and the effect of the recently introduced policy through C150. C150 introduced policy objectives at Clause 22.01-2 including the following relating to major promotional signs:

- To avoid major promotion signs, promotion panel signs and sky signs within areas of significant landscapes, in ‘Gateways’ on ‘Bush Boulevards’ and ‘Paths into the Hills’.

It also introduced a specific section on Major promotion signs:

Major promotion signs, promotion panel signs and sky signs

- Sky signs are avoided.
- Major promotion signs and promotion panel signs, including within the front setbacks of a site, are avoided where they will:
 - have a dominant visual element in the landscape;
 - be located within or adjacent to significant landscapes;
 - impact on views and vistas towards significant landscapes;
 - be located on ‘Bush Boulevards’ (outside of Knox Central, Bayswater, Boronia or Rowville Activity Centres), ‘Paths into the Hills’ or within ‘Gateways’; or.
 - have an adverse visual impact on the landscape and design character or operational efficiency of a transport corridor, including the EastLink freeway corridor.
- Major promotion signs and promotion panel signs may be supported where they are located within Knox Central, Bayswater, Boronia, or Rowville Activity Centres, are attached directly to the wall of a building, meet all other requirements of this Policy and meet all other relevant requirements of the planning scheme applicable to their location.
- Supports, cabling, lighting and electricals are concealed from the overall sign design.

As discussed, since the introduction of this specific policy in the planning scheme there has been a number VCAT cases which have tested the policy in relation to major promotional sign applications.

The policy has given weight to Council decisions not to support major promotional signs, as demonstrated by the following significant VCAT cases:

In *Maple Media Pty Ltd v Knox CC* [2020] VCAT 324 (12 March 2020) where Council refused to grant a permit for two major promotion signs at 1A/1829 Ferntree Gully Road, Ferntree Gully:

“My finding is that the proposed sign will be prominent and would visually prevail over existing signage in the area in visibility and noticeability. This is contrary to planning policies and against clause 22.01. It detracts from the other business signage of businesses in the area.”

In *Maple Media Pty Ltd v Knox CC* [2021] VCAT 282 (29 March 2021) Council refused to grant a permit to display a pole-mounted electronic and illuminated major promotion sign at 758 Stud Road, Scoresby:

“I therefore find that the proposed sign will have an unreasonable effect on Stud Road and surrounds which has been identified as a significant streetscape because of its ‘Bush Boulevard’ designation pursuant to Clauses 21.05 and 22.01 of the planning scheme. The siting, height and overall scale of the proposed sign unreasonably detracts from this ‘Bush Boulevard’ character.”

In both cases Council’s refusals were affirmed with the member directly applying policy at Clause 22.01 introduced under C150. Council Officers have advised that the introduction of specific major promotion sign has given weight to support decisions to refuse these applications.



Planning issue 6: Accessible design

In 2021, 9,170 people (or 5.8% of the population) in City of Knox reported needing help in their day-to-day lives due to disability. The number of dependant people in Knox is increasing. Research shows that when compared to Greater Melbourne, Knox has more people in the older age groups (65+). As such, there is increasing importance that the design of buildings and spaces considers the needs of residents to age in place.

In March 2022, the State Government released the current State Disability Plan, Inclusive Victoria: State Disability Plan 2022-2026 (SDP). This Plan outlines the importance of universal design principles and policies, and recommends that programs and services be accessible to as many people as possible, inclusive of age, ability, gender identity, culture, language and any other social characteristics.

In this space, policy at Knox remains limited. The Accessibility Guidelines for Residential Developments was last revised in 2017. In practice, gaps have been identified by Council Officers in this policy.

Further, accessible policy within the Knox Planning Scheme is not consistently applied. For example, for residential development Clause 22.07-7 Accessible Design does not apply to properties in most of the Design and Development Overlays (DDO). Out of the 13 DDOs only one has specific Accessible design policy.

Work needs to be performed by revising the existing guideline, identifying and rectifying gaps in the scheme. New policy should be reflective of the universal design principles within the state governments State Disability Plan, which is most effective when embedded in processes and applied early in the conceptualisation of a project.



Planning issue 7: Tree canopy cover

Bushland, natural spaces and caring for the environment are important to the Knox Community. When the community was asked what success would look like in the environmental space, the feedback was for an increase in canopy coverage and housing lots sizes that allow for a tree to be planted next to homes.

Other common feedback was preventing buildings of a height that would detract from the beauty of the views and surroundings, and preserving the beautiful open spaces & views¹.

Current policy controls have some limitations in controlling the erosion of Knox's highly valued tree canopy cover. As discussed, issues are particularly evident in Bush Suburban areas around policy for private open space and canopy tree requirements.

In some circumstances, policy is also weak on tree retention and protecting existing vegetation. Internal feedback identified limitations to the Vegetation Protection Overlay and gaps in the Significant Landscape or Environmental Significance Overlays.

Across Melbourne in other LGAs, revisions of vegetation planning provisions are occurring with an increasing importance being placed on canopy tree vegetation. Whitehorse Council has introduced a new schedule to the Significant Landscape Overlay - Schedule 9, a Municipal wide tree protection control. Monash Council previously adopted the Monash Urban Landscape and Canopy Vegetation Strategy (2018) which advocates for the protection of significant trees and canopy vegetation.

Investigation is required to determine if a review of vegetation controls within the municipality is required



Planning issue 8: Bush Boulevards

Knox has a series of significant road corridors that are identified as 'Bush Boulevards' and 'Paths into the Hills'. 'Bush Boulevards' are arterial roads with wide reservations running east-west through Knox (except Stud Road, which runs north-south) that are planted with informal avenues of native trees.

Policy for Bush Boulevards is at Clause 21.05-3 Bush Boulevards and gateways. Strategies for 'Bush Boulevards' include:

- Protect and enhance existing native vegetation within road reservations and minimise crossovers and impacts to street trees.
- Protect and emphasise views to the Dandenong Ranges.
- Outside of activity centres, require development to integrate with the surrounding landscape with substantial setbacks from the road planted with a natural arrangement of native canopy trees.

- Within activity centres, maintain a continuous setback that is planted with a native tree canopy and formal landscaping to reflect the role and context of the activity centre and to support active and pedestrian-friendly street frontages and public spaces.

Over the past years there has been some success with the implementation of Bush Boulevard Policy through planning applications, however, a number of gaps have been identified. This includes treatment at entries to Activity Centres, no minimum setbacks for non-residential and no policy for secondary roads such as Dorset, Scoresby, and Stud Roads.

The general nature of the strategy which has no quantifiable setback or canopy tree requirement has made its application difficult. A review/survey of the existing Bush Boulevard areas (what there is and what is aspirational) is recommended and it should explore options for prescribing setbacks and number of canopy trees required, with specific controls as an end goal.

Such review could also include an option to provide a specific layer for Bush Boulevards in Council's Internal Mapping system. Further, any new Structure Plans should also consider Bush Boulevards.



Planning issue 9: Knox Land for Business

The Knox Land for Business Plan was adopted in 2019. The intention of the policy was to safeguard all industrial precincts in Knox identified as 'core industrial areas'. One of the key issues identified was the pressure for non-industrial uses in industrial zones such as places of worship, recreation and retail. There has been a reduction in the number of applications being submitted for these non-industrial uses in the industrial areas. Overall, the policy has had some success in deterring such uses as dance schools, gyms in industrial areas, and has been supported at VCAT.

In terms of challenges that the policy presents, Council Officer feedback was that the strategy is too broad and being a macro/municipal-wide employment and economic based policy, does not translate adequately to provide local level land-use guidance.

A lack of flexibility has also been identified as the policy doesn't allow for uses and services which are complementary to the desired core industrial uses. Beyond propulsive industries within core employment areas, there is a lack of a research base towards expansion of local employment areas assisting in delivery

of changing market trends. Further, the policy does not allow for interim uses such as gyms that allow an industrial building to remain intact and useable in the future.

The policy does not address the commercial land across Knox, its variability or interconnectedness. A comprehensive investigation of commercial land use and its links to employment would be required separately from the currently available strategic documentation at Knox.

A review in the near future would be appropriate given the above issues to assess how efficient and effective the policy has been.



Planning issue 10: Bushfire prone areas and the Bushfire Management Overlay

The Bushfire Protection exemptions introduced under Clause 52.12 facilitate the clearing of vegetation in specified circumstances to support the protection of human life and property from bushfire around buildings and along fence lines. It contains specific exemptions from requiring a planning permit to manage and maintain vegetation to reduce bushfire risk. In application, Council Officers have identified conflict between Council's environmental policies/overlays and bushfire policy in the Knox Planning Scheme. In many circumstances these exemptions override other planning requirements. This includes Significant Landscape, Environmental Significance, and Vegetation Protection Overlays which require a permit to remove vegetation.

Any investigation of the reduction in tree canopy discussed in Planning Issue 11.7 should also investigate the impacts of Bushfire policy is having on vegetation and any required policy guidance to protect vegetation in the municipality.

Issues raised in last review	Update
<p>Providing more direction for the rural and Green Wedge areas of the municipality.</p>	<p>Being investigated as part of the GARS project. Draft strategy prepared and consultation undertaken, pending finalisation and adoption by Council.</p>
<p>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.</p>	<p>The project team is currently scoping out a Spatial Plan for the area which may identify Strategic Sites and a suite of proposals to incentivise certain industry sectors to move and operate from these sites. This may translate into planning incentives.</p>
<p>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.</p>	<p>Negotiated Social Housing contributions for Kingston Links and Norvel Development site under Section 173 Agreements; identification of potential social housing sites in Boronia and Bayswater Renewal Strategies; a new Social Housing Strategy adopted; ongoing application and negotiation regarding development sites.</p>
<p>Introducing the best mechanism for the collection of development contributions.</p>	<p>At its meeting on 28 August 2023, Council resolved to authorise officers to formally withdraw Amendment C168knox for the Knox DCP based on officer recommendation that the DCP does not present a strong case for the amendment to be pursued at this point in time. The amendment was subsequently withdrawn pursuant to the resolution.</p>
<p>Maintaining and protecting Council's Indigenous and post-European settlement heritage resources.</p>	<p>Outstanding - Recommendation 15 in the 2018 review was to 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. A business case has been prepared, however, funding has not been allocated to date.</p>

Conclusion and recommendations

This review has found that the Knox Planning Scheme is performing well in some areas and has had some significant improvements through various planning reforms. Further analysis will be required to assess the performance of the Planning Scheme following translation of the local content into the new scheme structure under the PPF translation.

Council has had some success in policies such as Land for Business, Bush Boulevards, and Advertising Signs Policy and whilst overall the scheme is operating well, this review has identified several areas for further investigation. Opportunities for improvements have been identified to better align with Council's vision and improve land use and development outcomes. A full list of all recommendations is provided in Section 2 of this report which provide a complete picture of the review findings and identifies the level of priority for each recommendation.

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. Further work is underway in this space via the PPF translation as a policy neutral amendment. Given the significance of the changes and the timing of this review (awaiting DTP finalisation), it is expected that the next Planning Scheme Review will be well-timed to assess the effectiveness of the PPF translation and any further work required as a result.

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 refinements of the residential zone mapping and schedules are needed with a possibility of introduction of design guidelines in Zoning Schedules.

The transition from Neighbourhood Character Policy in Clause 22.07 to the new local policy format as part of the PPF translation also provides additional opportunities for a review of this policy.

The planned review of the Knox Housing Strategy will be the correct mechanism to review the residential zones and evaluate the application of the Neighbourhood Character Policy.

Overlays and the associated schedules

Similar to the current zone schedules, the suite of overlays available in the VPPs have been applied appropriately in the scheme, however further improvements can be made to:

- The DDO6 Bayswater Activity Centre – this will be reviewed as part of the Bayswater Renewal Project that is currently underway.
- The DDO7 Boronia Activity Centre – this will be reviewed as part of the Boronia Renewal Project that is currently underway.
- The Special Building Overlay – needs to be reviewed once the flood mapping project is completed by Council and Melbourne Water.
- Vegetation and biodiversity protection requirements contained in the VPO, SLO and ESO schedules would benefit from a review.

Other overlay schedules may be reviewed on an as-needs basis, to ensure they are in accordance with the new Ministerial Direction on the Form and Content of Planning Schemes.

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 is considered premature to comment on whether the schedules to the Particular Provisions should be further revised as part of this review.

Incorporated and reference documents (eleven documents)

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.

Other key matters requiring further strategic work

- Reduction in tree canopy cover - 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.
- Housing Strategy Review - The current Knox Housing Strategy was adopted in 2015 which reviewed residential zoning across Knox. The strategy was incorporated into the Knox Planning Scheme via Amendment C131 in 2016. Council Officers are currently scoping whether it is required to undertake a review of the Knox Housing Strategy to ensure Council can plan for and support diverse housing to meet changing community needs.
- A Heritage Study that addresses Aboriginal cultural heritage and post-European built form heritage.



Appendix

Progress against the 2018 recommendations

Rec no.	Description	Current status	Outstanding tasks
R1	Adopt the report as the review required pursuant to section 12B (1) of the Planning & Environment Act 1987.	Completed for 2018	Completed 2023
R2	Forward the report to the Minister for Planning as required by section 12B (5) of the Planning & Environment Act 1987.	Completed for 2018	Completed 2023
R3	Review the Knox Residential Design Guidelines to ensure consistency between the Knox Planning Scheme and Knox Housing Strategy.	The Knox Residential Design Guidelines were updated in 2019	No further action required.
R4	Progress the local elements of the State Government Smart Planning Program including the new Planning Policy Framework (PPF).	Council's preferred version of the PPF was endorsed by Council February 2022. This document is currently with DTP for consideration.	No further anticipated work (pending the Minister's decision).
R5	Progress relevant Knox 'Lean' actions that have planning scheme and planning process implications.	Completed	No further action required.

Rec no.	Description	Current status	Outstanding tasks
R6	Prepare a planning scheme amendment to 'fix up' previous identified anomalies in the Knox Planning Scheme.	Administrative and 'fix-up' errors within the Knox Planning Scheme continue to be logged and actioned. Between the previous Planning Scheme Review, one fix up amendment has been progressed (C173knox).	Progress further fix up amendments as required.
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.	A preliminary review of the VPO2 has been undertaken with recommendations to fix existing errors, and further significant tree protection.	Progress VPO2 recommendations to an amendment. Further determine the need to update the remaining VPO schedules. A relevant action has been included in the 2023 review.
R8	Progress the amendment to introduce a packaged liquor local policy into the Knox Planning Scheme.	Amendment GC88 was progressed to address this action, but was ultimately refused by the Minister for Planning.	No further action required.
R9	Continue progressing the Land for Business project that is currently being implemented through Amendment C164.	Amendment C164 was approved and gazetted by the Minister for Planning in March 2019.	Monitoring and evaluation is required. A relevant action has been included in the 2023 review.
R10	Continue progressing the Boronia Renewal Project including a planning scheme amendment to implement the findings of the Strategy.	Amendment C192 was exhibited in 2023 and a panel hearing was planned for December 2023.	Complete the amendment process and adoption of the Boronia Renewal Strategy. A relevant action has been included in the 2023 review.

Rec no.	Description	Current status	Outstanding tasks
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.	A governance framework and a working group for the BBP project has been developed including members of Maroondah, Yarra Ranges and Knox Councils.	A key next step is to develop a spatial plan for the BBP. A relevant action has been included in the 2023 review
R12	Continue to support, where applicable, the ongoing development of Strategic Investigation Sites (SIS) in accordance with associated Development Plans.	The currently active SIS amendments include: C184knox - Norvel Road Quarry Ferntree Gully which has been authorised to proceed to exhibition. C194knox - Rezoning of Boral Quarry at 191 George Street, Wantirna South is in the conceptual stages of an amendment. C185knox - Wantirna Health Precinct has been lodged for approval with the Minister for Planning.	Strategic Investigation Sites will be revisited when an updated to the Knox Housing Strategy is undertaken. Progress both C184knox and C196knox. Continue to monitor all other SIS projects as required.
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.	C198knox - Rezoning of areas within Knox Central has been authorised for exhibition in December 2022.	Ongoing

Rec no.	Description	Current status	Outstanding tasks
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.	Key aspects of the eastern part of the region, e.g. the various regionally significant industrial precincts and the Wantirna Health Precinct to Bayswater corridor are not given the required emphasis or identification in relation to their strategic importance.	Ongoing, create awareness of LUF. Alignment with future MPS from PPF.
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.	No significant strategic heritage projects have been undertaken.	Outstanding A relevant action has been included in the 2023 review.
R16	Continue to advocate for all priority transport projects, including the Knox Tram, Rowville Rail, improved bus services, and the Dorset Road extension.	The priority transport project has been subject advocacy from Council.	Ongoing advocacy as required.
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.	Completed as part of Amendment C150 in December 2017.	No further action required.

Rec no.	Description	Current status	Outstanding tasks
R18	Progress the preparation of Rural Land Strategy and a Green Wedge Management Plan, which could be aligned within the one document.	The draft GARS was endorsed by Council on 25 October for the purpose of community engagement. Consultation on draft GARS commenced on 8 November and closed on 23 December 2021. The consultation received significant feedback including through online surveys, community pop-up sessions, intercept surveys, online sessions, social media, and email submissions. This feedback is currently being analysed by the project team. Once completed, a consultation report will be prepared and presented back to Council.	Finalise and implement the GARS
R19	Review how to increase the provision of social housing in Knox through planning scheme provisions.	Council adopted a new Social and Affordable Housing Policy in 2023.	Implement the Social and Affordable Housing Policy including changes to the Knox Planning Scheme
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.	As above	As above
R21	Progress Council's Development Contributions Plan, and its implementation into the Planning Scheme.	Following a revision of the infrastructure list a feasibility review/cost benefit analysis is being undertaken which will help form a final position to be communicated back to EMT and Council.	Recommendation to be presented to EMT and Council.

Rec no.	Description	Current status	Outstanding tasks
R22	Progress the development of a structure plan for the Bayswater Activity Centre.	The new Bayswater Renewal Strategy is currently being drafted.	The new Renewal Strategy will be submitted for adoption in 2024 with the amendment process to follow.
R23	Progress the development of a structure plan for the Burwood Highway East Corridor.	No progress towards the development of a structure plan.	Future action will require additional funding for preparation.
R24	Develop the Wantirna Health Precinct Structure Plan in partnership with the Victorian Planning Authority and the Department of Health and Human Services.	Masterplan was prepared by the VPA and an amendment is underway for the Wantirna Health Precinct West.	A new action is included in the 2023 review to continue support for the project.
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.	The City's flood modelling and mapping is currently being coordinated by Knox's Stormwater team and Melbourne Water (MW).	Once the project completed, implement through the planning scheme amendment.
R26	Implement Council's Housing Strategy including continuing to liaise with the owners of the strategic redevelopment sites, and facilitate good urban development outcomes.	Ongoing work on strategic redevelopment sites and planning application review.	Ongoing

Rec no.	Description	Current status	Outstanding tasks
R27	Explore and where appropriate leverage Council's own land to pilot and partner the development of a range of housing models.	Council is exploring a range of housing models through its structure planning process and rezoning surplus land as required. Also, the Social and Affordable Housing Policy has been adopted which will guide this.	Ongoing
R28	Continue preparation of the Strategic Asset and Investigation Strategy, and ensure that any required land use changes are implemented.	Council Officers prepared an initial draft Strategic Asset and Investment Strategy (2019) to begin the process by which Council can make evidence-based decisions concerning future asset leveraging. As of May 2021, Council Officers commenced a major revision of the initial draft SAIS (2019). This new phase of work is currently subject to internal consultations.	Monitor the impact of the Windfall Gains Tax to come into effect on 1 July 2023.
R29	Ensure community safety is considered in the preparation of any structure plans.	Safety Forums held by Council's Community Safety Team in December 2021. Applied CPTED Crime Prevention through environmental design principles in Structure Planning.	Ongoing consultation with Community Safety team and application of CPTED principles.
R30	Continue to monitor any changes to the Bushfire Management Overlay (BMO) and if relevant, inform affected parties.	BMO mapping has been updated.	Ongoing monitoring and review of BMO and investigation of issues highlighted in this review.

Rec no.	Description	Current status	Outstanding tasks
R31	Review tree canopy cover in Knox, and in particular, review the effectiveness of the planting of trees in accordance with endorsed Landscape Plans.	<p>A preliminary review of the VPO2 has been undertaken. Further work is required.</p> <p>A biodiversity resilience plan is currently being prepared addressing canopy vegetation, biodiversity corridors and land acquisition.</p>	A broader review of vegetation controls within the municipality is required, towards updated Knox current provisions and background documentation.
R32	Prepare a reverse buffers policy, as it remains an issue with the continued development of strategic sites.	The State Government has progressed Buffer Area Overlay (BAO) through VC175 which can be used in certain circumstances to prevent future encroachment and intensification of incompatible use and development within the buffer areas of industry, warehouse, infrastructure, or other uses with potential off-site impacts.	Assess the implication of VC175 changes and assess if the reverse buffers policy is required for strategic sites.
R33	Continue to implement initiatives to achieve resource efficiency, reduction in water and energy use including monitoring and evaluating the efficiency of Clause 22.04 (Environmentally Sustainable Development Policy), and if required, make improvements.	<p>Council is pursuing a joint Planning Scheme Amendment (Amendment C197knox - Elevating ESD Targets) with 23 other Victorian Councils to introduce new Environmentally Sustainable Development (ESD) planning controls into local planning schemes.</p> <p>On 21 July 2022, councils lodged a planning scheme amendment with the State Government.</p>	Continue ongoing partnership with other Councils on the Elevating ESD Targets project, including the proposed Amendment C197knox. Consider alternative options should the current amendment not progress.

Rec no.	Description	Current status	Outstanding tasks
R34	Review Clause 22.04 (Environmentally Sustainable Development) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) to improve built form outcomes.	As above	As above
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.	Improve walkability by ensuring footpath infrastructure are delivered as part of site redevelopments and integrated as part of structure.	Apply walkability studies for Activity Centres and structure plans. Review policy to ensure consideration of footpath provision are delivered in the statutory planning process.

¹ <https://www.knox.vic.gov.au/sites/default/files/2021-10/community-engagement-report-2020.pdf>

