40 MOUNT VIEW ROAD, BORONIA

DEPARTMENT OF TREASURY AND FINANCE



URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director Jane Kelly
Associate Director Eleni Roussos
Consultant Mietta Gleeson
Project Code MA10834
Report Number Rep-006

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INTRODUCTION AND BACKGROUND 1_

The Minister of the Crown Administering the Education Act is the owner of the freehold land located at 40 Mount View Road, Boronia. The Department of Education and Training (DET) has deemed the site to be surplus to their requirements. On behalf of DET, the Department of Treasury and Finance (DTF) are managing the rezoning and sale of the surplus land.

This report has been prepared by Urbis Pty Ltd on behalf of the DTF and provides a review of the subject land and its physical and policy context. This report proposes the most appropriate future planning provisions for the site.

The land at 40 Mount View Road, Boronia was the former Boronia Heights College, which ceased operation in 2015. The former 'Boronia Heights College' merged with 'Boronia Primary School' to form 'Boronia K-12 College'.

Surplus Government Land Policy

The Victorian Government is a major land holder in the state and the Victorian Government Landholding Policy and Guidelines 2015 requires Government departments and agencies to regularly review their land assets. Any land that is no longer required for current or future service delivery must be offered for sale.

Given that the land at 40 Mount View Road, Boronia is no longer required as a school the site, it is surplus to the government's requirements and is required to be sold, consistent with the guidelines.

Surplus sites are offered for sale to Victorian Government agencies, local government and the Commonwealth Government via a First Right of Refusal (FROR) process. In this case, the FROR occurred from 20/10/2015 to 19/12/2015 with no government authority or agency offering to purchase the site. Where no government authorities or agencies submit an expression of interest to purchase the site or the terms of sale cannot be agreed, it may be sold by public process.

The site is currently zoned Public Use Zone - Schedule 2 (Education) and to accord with government policy it cannot be sold to a private purchaser until it is rezoned from a Public Use Zone to an appropriate zone. It is proposed to use the Fast Track Government Land Service (FTGLS) to facilitate the rezoning of the land to an appropriate zone.

Homes for Victorians Policy

The Government's housing strategy: Home for Victorians commits to undertaking an Inclusionary Housing Pilot (IHP) to deliver up to 100 new social housing homes, to be facilitated by the Fast Track Government Land Service.

Six sites across Victoria have been nominated for the IHP, including the subject site. The IHP seeks to deliver new social housing homes by securing planning certainty through the Fast Track Government Land Service and establishing partnerships with private sector developers. Proposals will be evaluated to make sure they deliver the best outcomes for social housing and value for money.

Current Planning Provisions

- Public Use Zone Schedule 2 (PUZ2)
- Environmental Significance Overlay Schedule 2 (ESO2)
- Significant Landscape Overlay Schedule 2 (SLO2)
- Design and Development Overlay Schedule 1 (DDO1)

Proposed Planning Provisions

- Rezone the site to the Neighbourhood Residential Zone Schedule 1 (NRZ1)
- Retain the existing Environmental Significance Overlay Schedule 2 (ESO2) and the Significant Landscape Overlay - Schedule 2 (SLO2)
- Apply a site specific **Development Plan Overlay Schedule 13 (DPO13)**
- Remove Design and Development Overlay Schedule 1 (DDO1)

2. SITE ANALYSIS

2.1. SITE SUMMARY

Address: 40 Mount View Road, Boronia

Municipality: Knox City Council

Size: 8.045ha

Covenants/Easements: Three easements currently apply

Current Zoning: Public Use Zone - Schedule 2

Current Overlays: Design and Development Overlay - Schedule 1 (DDO1 – Dandenong

Foothills: Foothills Backdrop and Ridgeline Area)

Environmental Significance Overlay - Schedule 2 (ESO2 - Sites of

Biological Significance)

Significant Landscape Overlay – Schedule 2 (SLO2 - Dandenong Foothills:

Foothills: Backdrop and Ridgeline Area)

2.2. SUBJECT SITE

The subject site is located at 40 Mount View Road, Boronia, located within the City of Knox municipality. The property is located within an established residential location at the foothills of the Dandenong Ranges situated approximately 40 kilometres east of the Melbourne CBD.

The site is of an irregular shape with various small frontages to Mount View Road to the east. The side and rear boundaries to the north, west and south, respectively, directly abut residential properties. The site has a total area of approximately 8.045 hectares and slopes from south to north.



Picture 1 – Subject site

The subject is vacant – with all buildings associated with the Boronia Heights College demolished in 2015. A former school oval is located within the northern portion of the site and asphalt sports courts area located to the south-west of the site.

The site accommodates a number of established trees, including both indigenous and non-indigenous species. These trees include areas of remnant patches of vegetation totalling 2.628 hectares of Valley Heathy Forest and Lowland Forest, along with 202 planted trees and shrubs which are considered to have been planted for amenity purposes associated with landscaping the school ground.

Vehicular access to the site is provided via three single width vehicle crossovers to Mount View Road. An internal road runs throughout the southern portion of the site. Additional pedestrian access is available to the site from the end of Moncoe Street, which adjoins the site's western boundary.

2.3. CERTIFICATE OF TITLE

The land is located across three land parcels and is formally known as Lot 9 LP 68864, Lot 4 LP 70606 and Lot 5 LP 6925.

A review of the Certificate of Title indicates the following encumbrances:

- An easement running along part of the western site boundary for the purpose of drainage.
- An easement in favour of the City of Knox, located along the southern boundary of the site, beginning at Mount View Road.
- An easement running along part of the eastern site boundary for the purpose of drainage.

2.4. SITE HISTORY

The site was previously used for a public secondary school, Boronia Heights College. The school opened in 1972 and was formerly the 'Boronia Technical School' and 'Boronia Heights Secondary College'. The school closed in 2015 after the 'Boronia Heights College' merged with 'Boronia Primary School' to form 'Boronia K-12 College'.

2.5. BUILT FORM AND LAND USE CONTEXT

The subject site is located on the west side of Mount View Road, approximately 400 metres south of Albert Avenue and 250 metres north of Forest Road.

The site is located within a well-established residential area of predominantly single and double storey detached dwellings, with all immediately surrounding land located within the Neighbourhood Residential Zone – Schedule 1. The Boronia Major Activity Centre is located approximately 1 kilometre west of the subject site, which accommodates a broad range of land uses including the Boronia Train Station and major commercial and community facilities.

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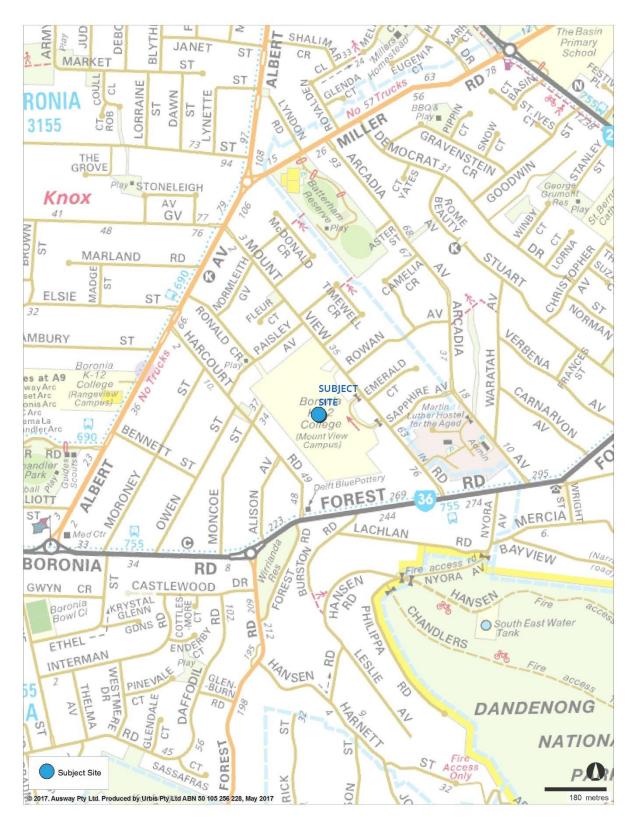
Figure 1 – Aerial of subject site





40 MOUNT VIEW ROAD, BARONIA SITE LOCATION

Figure 2 - Subject site location map





40 MOUNT VIEW ROAD, BARONIA SITE LOCATION

2.6. IMMEDIATE INTERFACES

2.6.1. North

The subject site shares a northern boundary with twelve residential properties, including No's. 1, 3, 5, 7, 11, 13, 15, 17, 19, 21 and 23 Paisley Avenue. The properties comprise of single storey dwellings, with the landscaped rear setbacks and private open space interfacing with the subject site.



Picture 2 - View to the site and surrounding properties fronting Paisley Avenue, Boronia

Source: Google, 2017

2.6.2. East

The site's eastern boundary adjoins Mount View Road and the rear of several properties fronting Mount View Road. The site's accumulative frontage to Mount View Road is approximately 140 metres, Mount View Road is a local road that accommodates one lane of traffic in each direction and provides north-south connection between Albert Avenue to the north and Forest Road to the south.

The subject site shares an eastern boundary with a number of residential properties, including 36, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62 and 64 Mount View Road. The properties generally comprise single storey residential dwellings, with the rear setback and private open space of each property interfacing with the subject site.



Picture 3 - Entry to the site and surrounding properties fronting Mount View Road, Boronia

Source: Google, 2017

2.6.3. South

The south of the subject site abuts residential properties fronting Forest Road. These properties include No's. 247, 247, 251, 253, 255, 257 and 259 Forest Road, which comprise single storey dwellings and dual occupancy developments with landscaped rear setbacks and private open space interfacing with the subject site.



Picture 4 – Forest Road, Boronia viewed north-west and adjoining properties

Source: Google, 2017

2.6.4. West

The subject site shares a western boundary with a number of residential properties, including No's. 29, 31, 33, 35, 37, 39, 41, 43, 45 and 47 Harcourt Road and No's. 34 and Units 1-9/37 Moncoe Street. These properties generally comprise one and two storey dwellings, semi-detached dwellings and dual occupancy developments of varied architectural styles. The rear setbacks and private open space of these properties interface with the subject site.



Picture 5 – View to the site from Moncoe Street, Boronia and surrounding properties

Source: Google, 2017



Picture 6 - Properties fronting Harcourt Road, Boronia

Source: Google, 2017

2.7. MOVEMENT AND ACCESS

2.7.1. Road network

Mount View Road is a local road, providing a north-south link between Albert Avenue to the north and Forest Road to the south. The road accommodates one lane of traffic in each direction and unrestricted parallel parking on both sides.

Forest Road provides a vehicular link to Dorset Road, located west of the site. Dorset Road is an arterial road providing north-south connection between the Maroondah Highway and Burwood Highway.

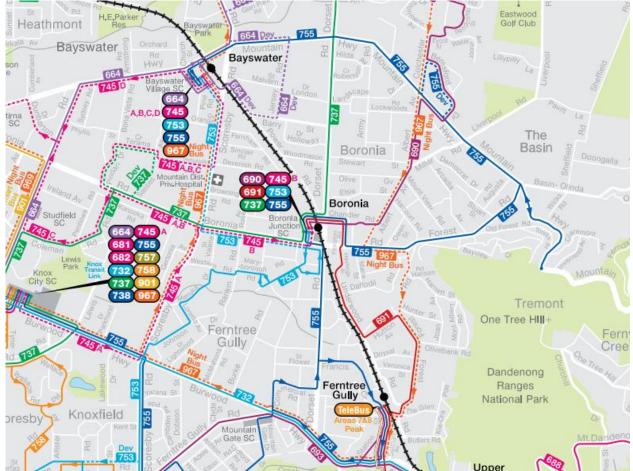
The Eastlink (M3 Freeway) is located approximately 7 kilometres west of the subject site connecting Melbourne's south eastern suburbs to the CBD.

2.7.2. Public transport

Boronia railway station is located approximately 1.2 kilometres west of the subject site, within the Boronia Major Activity Centre. The station is serviced by the Belgrave line providing convenient access to the Melbourne CBD.

The No. 755 bus route, connecting Bayswater to Knox City, runs along Forest Road. The closest bus stop is located approximately 200 metres south of the subject site. The No. 690 bus route provides connection between Croydon and Boronia and runs along Albert Avenue. The closest bus stop is located approximately 300 metres north of the subject site.

Figure 3 – Public Transport Map



Source: PTV, 2017

PLANNING POLICY 3.

STRATEGIC PLANNING DOCUMENTS 3.1.

3.1.1. Plan Melbourne – Metropolitan Planning Strategy

Plan Melbourne is the Metropolitan Planning Strategy which outlines the Victorian Government's Vision for the City of 2050. The document provides guidance on the direction of the city's growth and how it should be managed.

The plan projects that metropolitan Melbourne's population will increase to more than 8 million people by 2051. The plan projects that 175,000 new dwellings will be built within established areas of the Eastern Subregion, in which the subject site lies.

A key element of the Plan Melbourne strategy is increasing choice in the housing sector. Demographic changes including an increasing population and smaller household sizes mean that a diversity of housing is required in established areas.

Policy 2.3.1 of Plan Melbourne seeks to utilise government land to deliver additional housing. It recognises that the state government hold valuable land assets that can contribute to the delivery of additional social and affordable housing. This site represents one of these opportunities.

A significant challenge will be to provide housing to accommodate these changes in demand for new dwellings, while remaining liveable and avoiding sprawl. The redevelopment of underutilised and well-located urban land to house more people and create opportunities for new investment in businesses and services, will be critical in achieving this.

The development of the subject site would be consistent with the important state objectives of encouraging higher density development on a site that is in an established urban area accessible to the CBD, established employment areas and public transport.

3.1.2. Other

Knox Housing Strategy, 2015

The Knox Housing Strategy (2015) is a reference document in Council's planning scheme and sets out Council's plan for managing residential development within the municipality and responds to the current and future needs of the Community.

The Strategy identifies the subject site as a strategic investigation site for housing (Site 5), with all surrounding residential land located within the Bush Suburban residential area type.

Strategic investigation sites are those where the current land use is likely to change in a short to mid-term timeframe and could be suitable for future residential development. These sites are critical to housing growth in Knox, given the municipality does not have large areas of 'greenfield' land.

The Strategy states the following in regard to the residential development of the Boronia Heights College:

'The site is considered to be appropriate for residential development that is consistent with surrounding low scale of development and consistent with what is allowable under the relevant Foothills planning controls. Areas of biological significance which must remain intact are affected by the Environmental Significance Overlay (ESO3). It is recommended that the existing school oval be retained for use as public open space and that integration with the surrounding area be achieved.'

The Strategy assumes the subject site would be developed for residential use under the NRZ1 at a density of 1:1000 (25 houses), with the retention of the school oval, in its calculations of future housing capacity in Knox.

Sites of Biological Significance in Knox – 2nd Edition, 2010

Sites of Biological Significance in Knox – 2nd Edition (2010) assess the biological significance of sites within Knox and is a reference document to the Knox Planning Scheme.

The subject site is assessed within the document as having a State Site Significance Level. This level of significance is based on the following features:

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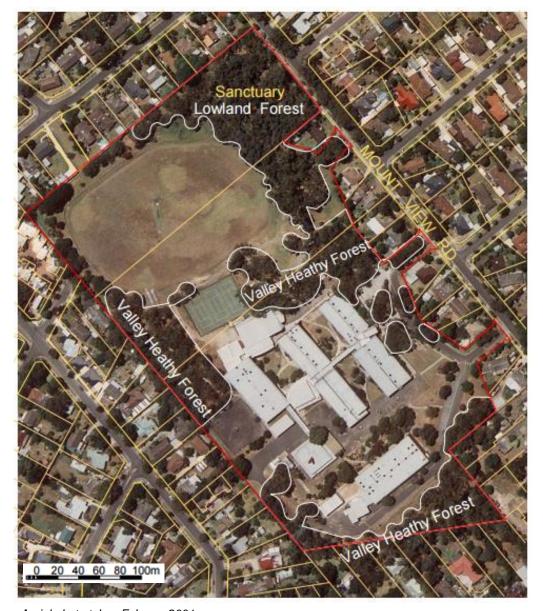
- The Ecological Vegetation Community that occurs on the site (Lowland Forest) is very rare in Knox;
- In the school's sanctuary there is a thriving population of a plant species (Lepidosperma neesii) that is very rare regionally; and
- There are several other plant species that are rare in Knox.

The areas of native vegetation within the site are highlighted in white in Figure 4 below. The document states that the remainder of the site is not biologically significant, however the welfare of the habitat is strongly linked to what occurs elsewhere in the school, and as such the recommended planning scheme overlay is best applied to whole lots in such cases.

The document assesses the northernmost part of the site, 'the sanctuary' to be most important to the biological significance of the site as it contains a number of vulnerable and endangered vegetation classes.

The document recommends that, "the sanctuary would be more ecologically secure and could be given much better care and protection under Council ownership than under present management. It would make a significant contribution to the total conservation values within Council's network of bushland reserves".

Figure 4 – Map extract from the subject site from States of Biological Significance in Knox – 2nd Edition (2010)



Aerial photo taken Febuary 2001

3.2. STATE PLANNING POLICY FRAMEWORK

State Planning Policy recognises the importance of supporting the projected population growth of Melbourne with enough employment and housing opportunities. State Planning Policy supports the facilitation of increased housing in established areas, close to existing services, jobs and public transport. The provision of a diverse range of housing is supported by State Planning Policy to meet changing household needs.

The following State Planning Polices are applicable to the subject site:

Clause 11 highlights the objective to accommodate projected growth over at least fifteen years. The Clause seeks to ensure that sufficient supply of land is available for a mix of land uses, including residential, commercial, retail, recreational and other community uses. It encourages opportunities to consolidate urban areas that take advantage of existing settlement patterns.

Clause 12 seeks to ensure that land use and development take into account the impacts on areas of high value biodiversity and seeks to conserve areas with identified environmental and landscape values. This Clause also seeks to apply measures to manage existing native vegetation.

Clause 15 outlines the need for new land use and development to appropriately respond to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. Similarly, this Clause seeks to ensure new development contributes positively to local urban character and a sense of place.

Clause 16 seeks to reduce the pressure for fringe development through the adequate supply of redevelopment opportunities within established urban areas. This Clause specifically aims to encourage the development of well-designed medium density housing in the middle and outer suburbs.

3.3. LOCAL PLANNING POLICY

Council's Local Planning Policies build upon the strategic directions of Plan Melbourne and the State Planning Policy. Local Policy encourages urban consolidation within established areas to improve housing choice and availability, while maintaining and enhancing the liveability characteristics of the Municipality and protecting areas of landscape and environmental significance.

The following Local Planning Polices are applicable to the subject site and recognise the land use opportunities and landscape values the area has to offer and seek to provide for a range of development opportunities to meet the needs of the community.

Clause 21.01 outlines the Municipal Strategic Statement (MSS) and includes key issues effecting land use and development planning in Knox. The policy identifies Knox as a largely developed municipality known for its residential lifestyle, employment opportunities, social and recreational attributes, but also one which has the lowest level of affordable housing and faces substantial change in population characteristics.

Clause 21.03 puts forward a vision for the City of Knox in 2025 covering themes of community, services and infrastructure, transport, natural environment, urban environment, economy and land use and development. The vision encourages greater diversity in housing and the protection and enhancement of the natural environment. The Strategic Framework Plan – Figure 5 below, illustrates the subject site as located within the Dandenong Foothills: Significant Environmental Landscape.

Clause 21.04 relates to urban design of the built environment within the municipality and seeks to ensure all development responds positively to the existing urban form and character and landscape qualities of the area. The Urban Design Framework encourages development which protects and enhances the landscape setting and iconic significance of the Dandenong Ranges Foothills.

Clause 21.05 seeks to manage the current and future housing needs of the municipality. The Policy outlines a key housing issue in Knox is the limited availability of the land and the resulting increased pressure for infill development within established suburbs. The Housing Framework Plan – shown at Figure 6, identifies the subject site as a strategic investigation site, with all surrounding land located within the Bush Suburban residential area. Strategic investigation sites are those which have been identified for future residential development in the short to mid-term. The policy envisions low scale residential development and the protection of environmental values for the Bush Suburban area.

Clause 21.06 seeks to protect environmentally significant areas within Knox, including the foothills of the Dandenong Ranges and sites of biological significance. The Environmental and Landscape Framework Plan

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identifies the subject site as a Site of Biological Significance within Knox, as highlighted in Figure 7 below. To protect the landscape and environmental significance of the Dandenong Foothills the following strategies are relevant to the subject site:

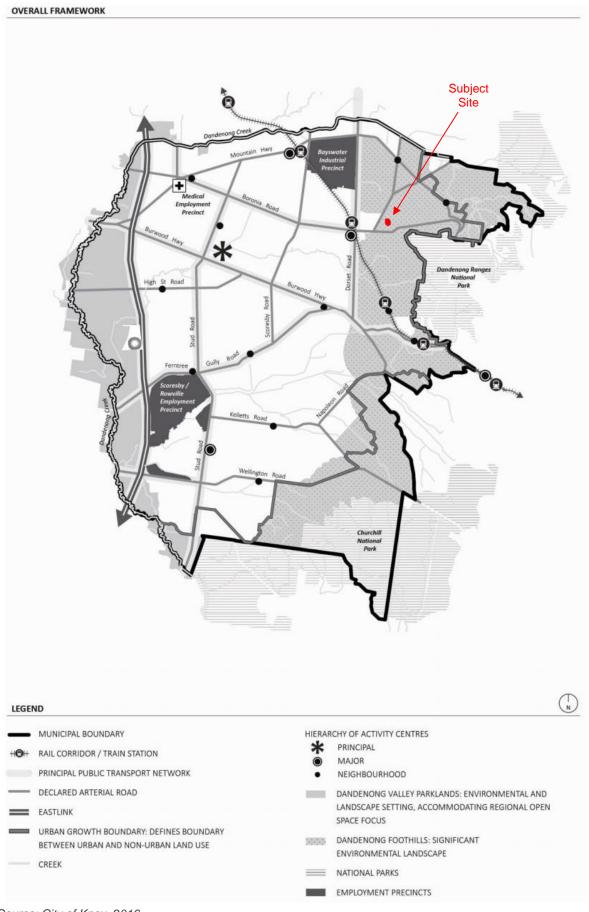
- Ensure that development maintains the character of the area as a natural bush environment dominated by indigenous vegetation where the treed slopes rise above the suburbs.
- Develop a quality interface across the suburban/rural edge of the municipality along the urban edge boundary.
- Limit development within the Dandenong Foothills Area that may compromise its landscape and environmental significance.
- Protect landscape and environmentally significant vegetation from development or works that is likely to compromise its long-term conservation.
- Encourage management of landscapes to protect their qualities over the long term.

Clause 22.01 applies to land located within the Dandenong Foothills. The subject site is located within the key landscape area of the *Dandenong Foothills: Foothills Backdrop and Ridgeline Area*. The policy seeks to protect and enhance the landscape significance of the area and to ensure that buildings and works are designed to respond to the existing views and tree canopy. Clause 22.01 specifies the following for the Dandenong Foothills backdrop and Ridgeline Area:

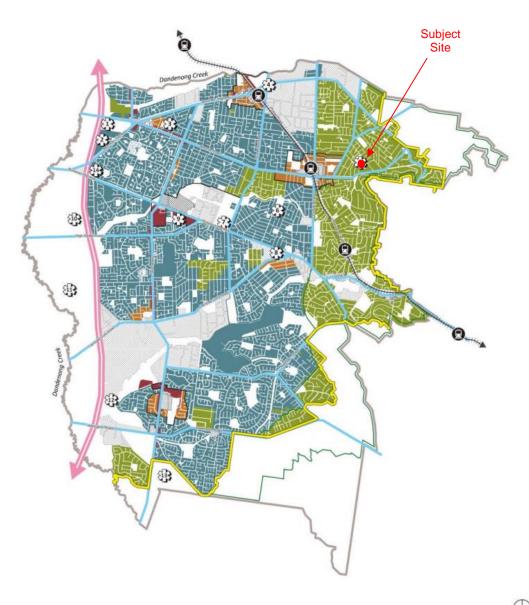
- The design and siting of buildings, works and landscaping minimises the threat associated with bushfire.
- The design and siting of buildings, works and landscaping protects and enhances the visual dominance of vegetation, including canopy trees and native understorey plants, to ensure that:
 - There is a continuous vegetation canopy across residential lots and roads.
 - Development blends with vegetation on the hillsides to maintain and enhance the appearance of the area as an extension of the Dandenong Ranges National Park.
 - There is effective screening of development and use of suitable colours and materials to maintain distant views and the appearance of a heavily vegetated natural hillside.
 - Development does not rise above the tree canopy height to maintain the significant landscape character of the area and near and distant view lines.
 - The significant landscape character of the area is protected and enhanced by retaining existing vegetation and planting indigenous canopy and understorey vegetation.
 - Buildings and works located on sites at high points and along ridges are designed, finished and sited so that they are not highly visible from the valley area below.
- Indigenous trees and understorey vegetation be retained and protected.
- A minimum of 80% of all new vegetation (both canopy trees and understorey) be indigenous.
- Building height does not exceed 7.5 metres.

The development of the subject site would be consistent with State and Local Planning Policy encouraging an increased supply and diversity of housing on a site that is located within an established urban area, close to existing services. Similarly, the existing and proposed overlays will help to ensure the protection of the existing environmental and landscape values of the site.

Figure 5 – Knox Strategic Framework Plan (subject site in red)



Source: City of Knox, 2016

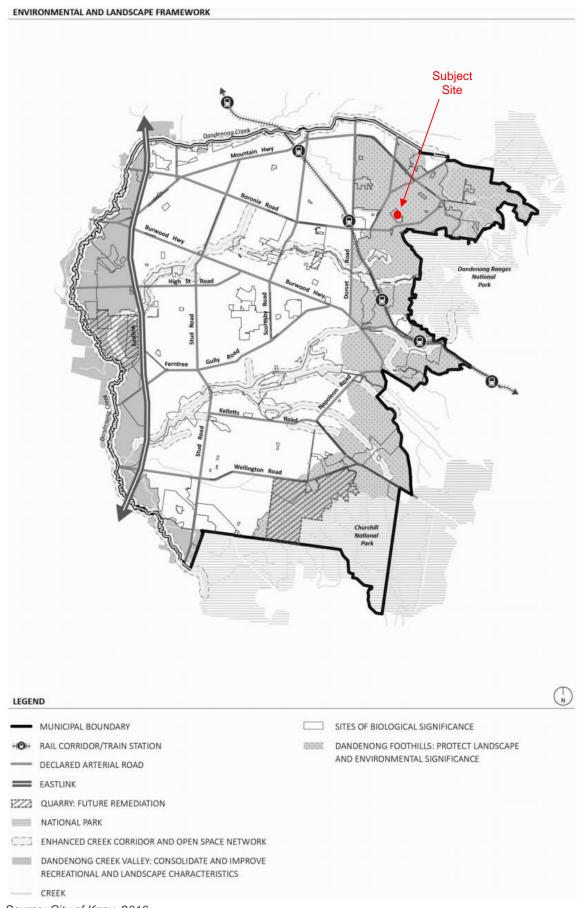




Source: City of Knox, 2016

* See also Clause 21.07 Economic Framework Map

Figure 7 – Environmental and Landscape Framework



Source: City of Knox, 2016

3.4. CURRENT PLANNING CONTROLS

3.4.1. **Zoning**

The site is located within the Public Use Zone – Schedule 2 (Education). The zone facilitates uses that are consistent with the 'education' intent of the public land.

3.4.2. Overlays

The subject site is affected by the Design and Development Overlay – Schedule 1 (DDO1), the Environment Significance Overlay – Schedule 2 (ESO2) and the Significant Landscape Overlay – Schedule 2 (SLO2).

DDO1 applies to the *Dandenong Foothills: Foothills Backdrop and Ridgeline Area* to land zoned NRZ and aims to ensure residential development and subdivision reflects the character of the area and allows for the retention of established vegetation. DDO1 applies the following mandatory development controls:

- The site area covered by buildings must not exceed 40%.
- The site area covered by buildings and impervious surfaces must not exceed 60%
- Land in the Neighbourhood Residential Zone must not be subdivided into lots less than 1,000 square metres.

SLO2 applies to the *Dandenong Foothills: Foothills Backdrop and Ridgeline Area* and aims to protect existing vegetation and ensure the landscape character of the area, including views to the foothills of the Dandenongs. The SLO2 requires planning permit permission for buildings and works and to remove, destroy or lop vegetation listed in the schedule.

ESO2 applies to *Sites of Biological Significance* and aims to protect and manage sites within the municipality that are identified as being of biological significance. ESO2 requires planning permission for the removal of vegetation indigenous to Knox.

3.4.3. Clause 52.01 Open Space Contribution and Subdivision

The schedule to Clause 52.01 of the Knox Planning Scheme requires the following contribution of public open space for land subdivided in the Residential Growth Zone, General Residential Zone or Neighbourhood Residential Zone:

- Subdivision of land into lots having an area of 725 square metres or more: 5 % of total land to be subdivided.
- Subdivision of land into lots having an area of less than 725 square metres: 8.5 % of total land to be subdivided.

3.4.4. Clause 52.17 Native Vegetation

Clause 52.17 applies to native vegetation and seeks to ensure that the permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. Pursuant to Clause 52.17 a planning permit is required to remove, destroy or lop native vegetation, including dead native vegetation, with some exemptions.

This Clause also includes the requirement for native vegetation offsets to be undertaken, based on the biodiversity score of the vegetation to be removed.

Figure 8 – Zoning Map

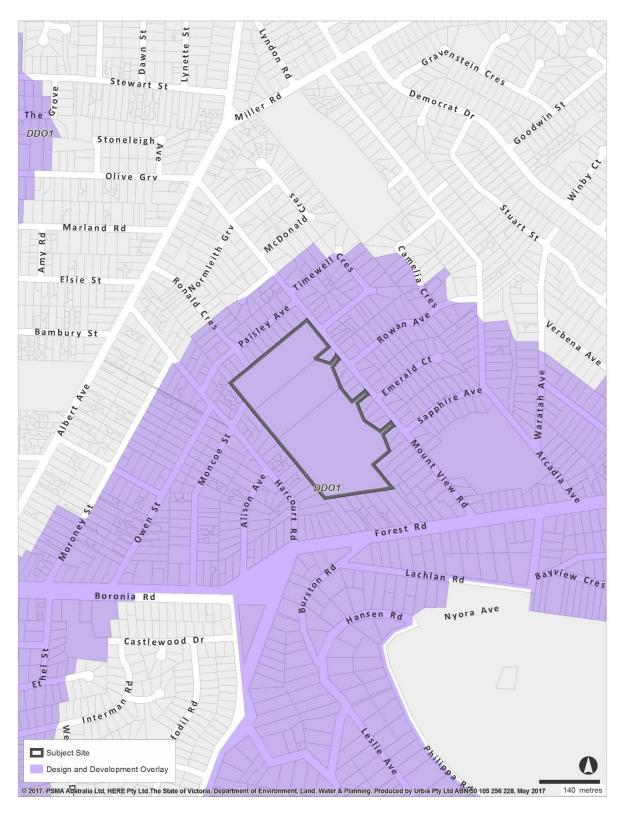




40 MOUNT VIEW ROAD, BARONIA PLANNING ZONES

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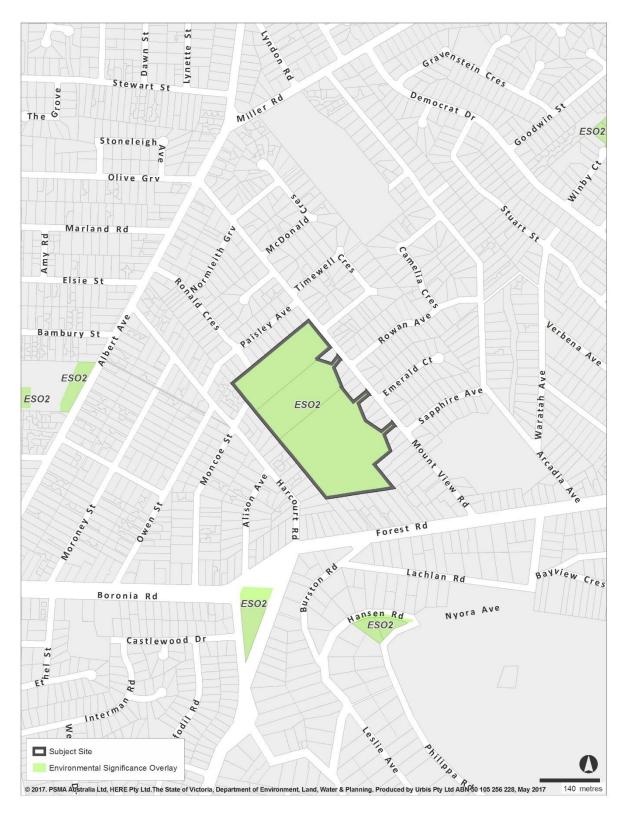
Figure 9 – Design and Development Overlay – Schedule 1 Map





40 MOUNT VIEW ROAD, BARONIA DESIGN AND DEVELOPMENT OVERLAY (DDO1)

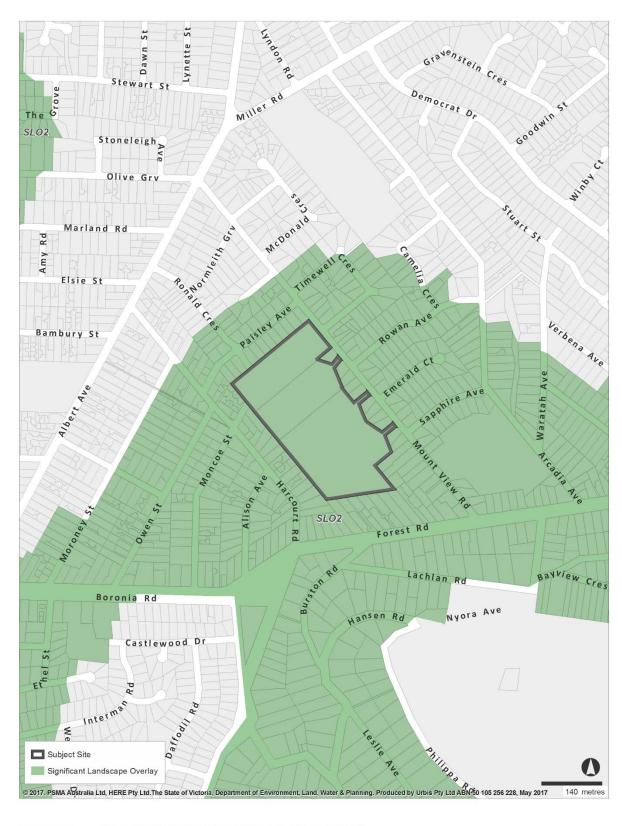
Figure 10 - Environmental Significance Overlay - Schedule 2 Map





40 MOUNT VIEW ROAD, BARONIA ENVIRONMENTAL SIGNIFICANCE PLAN OVERLAY (ESO2)

Figure 11 - Significant Landscape Overlay - Schedule 2 Map





40 MOUNT VIEW ROAD, BARONIA SIGNIFICANT LANDSCAPE OVERLAY (SLO2)

3.5. RELEVANT AMENDMENTS

3.5.1. Amendment C150

Amendment C150 implements the findings of the Knox Planning Scheme Review 2015 which was adopted by Council in May 2015. The Amendment proposes to rewrite and update local content of the Knox Planning Scheme, including replacing the Municipal Strategic Statement (MSS), introducing new local planning policies, revising and updating other local policies, zone, overlay and particular provision schedules and map changes. The amendment does not remove any key policy directions from the local policy.

The following proposed changes under Amendment C150 are relevant to the subject site:

- Updates to the wording of Schedule 2 to the Environmental Significance Overlay, including the following new environmental objectives:
 - To recognise the role that sites of biological significance play in contributing to Knox's livability and the health and wellbeing of the community.
 - To achieve a net increase in the extent of habitat and improve its ecological condition in the sites of biological significance, recognising the key role that those sites play in conserving Knox's natural environment and associated community benefits.
- Updates to the wording of Schedule 2 to the Significant Landscape Overlay
- Updates to Schedule 1 to the Design and Development Overlay, this includes the exemption from a planning permit requirement that states:
 - A permit is not required to construct a building or to construct or carry out works, provided that the site area covered by buildings does not exceed 40% and the site area covered by impervious surfaces does not exceed 60%.
- Updates Clause 21.03 Environmental and Landscape Values.

A submitter to the Panel for Knox Planning Scheme Amendment C150, outlined in the Panel Report dated 4 April 2017, raised concern as to whether the former Boronia Heights College site requires specific strategic direction.

Council responded that the amendment does not propose any site specific planning provisions for the site and added that this land was formerly a public use, but is not public open space. In addition, Council noted that there is sufficient strategic guidance within the Knox Planning Scheme to address the issues raised by the submitter, and that these would be addressed at the time of rezoning request/development proposal.

The Panel agreed with Council's response that existing policy, strategic priorities and processes are adequate to determine the future planning provisions for the site.

Council accepted all recommendations of the panel report and Amendment C150 was adopted by Council at an Ordinary meeting of Council on 22 May 2017. Amendment C150 was submitted to the Department for approval on 29 May 2017.

3.5.2. Amendment C49

Amendment C49 was incorporated into the Knox Planning Scheme on 11 April 2013 and implements the recommendations of the Sites of Biological Significance in Knox – 2nd Edition, 2010.

The amendment removed the Vegetation Protection Overlay – Schedule 1 and Schedule 3 from the subject site and applied the Environmentally Significant Overlay – Schedule 2 to the site.

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RELEVANT DEVELOPMENTS IN THE AREA 4.

Below is a key strategic planning project that is of relevance to the potential re-development of the subject

1286 Mountain View Highway, The Basin

The site underwent a combined planning permit and amendment process which was approved and gazetted in 2013/14 for the rezoning of the land from the Industrial 1 Zone to the Residential 3 Zone, the application of the Environmental Significance Overlay 2 and the subsequent residential subdivision and vegetation removal.

The land was already subject to the Significant Landscape Overlay Schedule 3 and the Design and Development Overlay – Schedule 2 (500 sqm minimum lot size from subdivision).

The land comprised a total site area of 19,000 square metres and was subdivided into 22 residential lots.

It was submitted that the combination of controls provided adequate protection for the environmental and landscape values of the site.

Figure 12 – 1286 Mountain View Highway, The Basin



Subject Site ---- 1286 Mountain View Highway

5. ASSESSMENT OF DEVELOPMENT POTENTIAL

The site's local and policy context can be summarised as follows:

- Located within a well-established residential area, including single dwellings, dual-occupancies and semi-detached dwellings.
- Includes sensitive residential interfaces at each site boundary.
- Accommodates significant areas of vegetation, particularly in the northern portion of the site.
- Serviced by public transport options to the north and south of the site.
- Provided with access to a range of services and facilities within the Boronia Major Activity Centre.
- Strong policy support for the retention of significant vegetation.
- Is identified as a strategic investigation site for residential development.
- Policy basis for built form outcomes and residential densities that reflect the landscape values of the surrounding area.

The large size of the subject site provides a unique opportunity to regulate the subdivision pattern to ensure a high level of protection of the existing vegetation and appropriate treatment to the residential interfaces while providing an increased provision of housing in a well serviced area of the municipality.

Based on the site's locational and policy context, it provides opportunity to deliver housing at a greater density than could currently be achieved on sites in the surrounding area, while providing for the protection of existing vegetation and meeting existing policy objectives.

In considering the suitability of the site to be developed for residential purposes, matters of site contamination, site access and traffic generation and flora and fauna must be considered. A summary of the site investigations that have been undertaken is provided below.

5.1. SITE CONTAMINATION

A Detailed Site Investigation Report (2015) and Supplementary Environmental Assessment Works Report (2017) have been prepared by Senversa to assess the potential for soil contamination. The initial report highlighted that the site was historically used for agricultural uses prior to being developed as a school in the 1970's, which could be a potential source for contamination.

Since the time of the Detail Site Investigation all buildings and potentially contaminated infrastructure have been removed. However the Supplementary Report identified that the location of the underground storage tank and triple interceptor trap that were removed have traces of contaminants greater than adopted guidelines for residential use and maintenance of ecosystems. The report recommends that prior to residential development the hydrocarbon impacted soil that was used to backfill the underground storage tank excavation should either be removed or be further assessed in accordance with IWRG Guidelines.

The Department of Education and Training are undertaking the recommended further work to ensure the site is suitable for residential development.

5.2. TRAFFIC

A Traffic Report has been prepared by GTA Consultants, which assesses the anticipated traffic and transport implications of the proposed rezoning and includes recommendations for car parking, pedestrian and bicycle movements and waste collection. The findings of the report are based on the potential residential development of the site for 90 dwellings, which is an estimate based on the high side.

The report found that the indicative residential development is expected to generate fewer peak hour vehicle movements than the former College and comparable daily traffic volumes and that it is considered that the traffic from the indicative residential development could not be expected to materially impact on the performance and safety of the surrounding road network.

The report also noted that it would be expected that resident car parking would be within each individual lot and visitor car parking could be accommodated kerbside on internal roads. The report anticipates that waste would be stored on individual lots and brought kerbside for Council's typical waste collection service.

5.3. **FLORA & FAUNA**

A report was prepared for DET by Landserv in 2014 prior to the demolition of the buildings and a Vegetation Assessment has been undertaken by Brett Lane & Associates Pty Ltd, which outlines implications under relevant national, state and local legislation and policy frameworks for any future development of the site.

The assessment found that vegetation in the study area consisted of remnant patched totalling 2.628 hectares of Valley Heathy Forest (EVC 127 and Lowland Forest (EVC 16). The species richness and structural diversity of the understorey within patches varied across the study area, consistent with the former use as a school. A large number of scattered trees and shrubs were also observed, with the majority of trees and shrubs considered to have been planted for amenity purposes associated with landscaping of the school grounds. This included 202 planted trees and shrubs.

The Vegetation Assessment recommends the following generally for the site:

- All mapped habitat zones and indigenous scattered trees should be retained and protected within any future development. As shown in Figure 13.
- Tree Protection Zones should be implemented during any construction activities.
- Rubbish removal should be undertaken.
- In addition to the high-threat weeds identified in the report, the following high threat weed species should be controlled: Pampas Grass (Cortaderia selloana); and Mirror Bush (Coprosma repens).
- Security within the broader site should be improved to prevent removal of fallen timber.

5.3.1. Conservation Sanctuary

In regard to the 'Conservation Sanctuary', the Vegetation Assessment recommends the following:

- Transfer ownership of the 'Sanctuary' to Council.
- Management of the sanctuary to be undertaken by Council as recommended on page 48 of Sites of Biological Significance in Knox – 2nd Edition (Lorimer, 2010).
- Control high threat weeds and remove dumped refuse.
- Repair and maintain the perimeter fence to prevent unauthorised access.
- Provide a walkway along the north-western boundary.
- Manage the adjoining Habitat Zone 6 similarly for conservation (as it provides a useful buffer).
- Work with Knox Environment Society (or similar interest group) to provide public education on the value of the site.

5.4. OPEN SPACE

Discussions have occurred with Council officers regarding the provision of public open space at the site. In particular it has been proposed that the 'sanctuary' be given to Council to satisfy a future open space obligation that would be required should the land be subdivided for residential purposes.

This matter was recently raised at an internal Council meeting, with informal confirmation given that that this part of the site could be considered as the open space contribution for the site, under Council ownership.

It is anticipated that further discussion with Council will occur before this matter is finalised. This contribution is considered a positive outcome for the site by retaining the values of the site.

Figure 13 – Vegetation Study Area and Native Vegetation



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6. ANALYSIS

6.1. ZONING

In proposing a new zone for this site, consideration has been given to a number of possible options, as summarised in the table below. Based on the analysis, the Neighbourhood Residential Zone – Schedule 1 is considered the most appropriate for the site and the delivery of policy objectives, and having regard to the site's physical context.

The review within the following table is based on logical application of zones, their individual intended purpose, the appropriate transition from adjoining zones and a review of DELWP's Planning Practice Note 78, 'Applying the Residential Zones'.

Table 1 – Zoning Options

Zone Option	Commentary
NRZ1	The NRZ1 is an existing zone within the Knox Planning Scheme and includes mandatory controls of a maximum building height of 8 metres and a garden area requirement of between 25% and 35%.
	Within the schedule the zone specifies a minimum area of private open space and secluded open space for dwelling proposals.
	The NRZ1 applies to all land adjoining the subject site.
GRZ	The GRZ includes mandatory control of a maximum building height of 11 metres and a garden area requirement of between 25% and 35%.
	Six GRZ schedules apply to land within Knox. It is considered that the GRZ2 would be most relevant to the subject site as it applies to 'Knox Neighbourhood Areas'.
	The GRZ2 has a mandatory maximum building height of 9 metres and specifies a minimum area of private open space, along with the requirement for the provision of a minimum of one canopy tree per 175 square metres of the site area including:
	- a minimum of one canopy tree within each area of secluded private open space; and
	- a minimum of one canopy tree within the front setback per 5 metres of width of the site (excluding the width of one driveway).
	Each tree should be surrounded by 20 square metres permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.
	The GRZ is not widely applied to land in Boronia, east of Dorset Road.
RGZ	The RGZ includes a discretionary building height of 13.5 metres.
	The RGZ is generally applied in Knox on residential land surrounding or within an activity centre, where higher density development is supported.

Zone Option	Commentary
LDRZ	The LDRZ applies to land to the south of the subject site, between Forest Road and the Dandenong. The LDRZ is generally applied on the fringe of urban townships and enables low-density housing.
MUZ	The MUZ applies to land in Knox that is strategically located to make use of services and enable higher density development. In Boronia, mixed use land is located within the Boronia Activity Centre. The MUZ provides more flexibility in uses allowable at ground level, rather than being a strictly residential zone.

From an investigation of the site itself, the physical context in which is it located, and in the context of the objectives and provisions of the Knox Planning Scheme, it is considered that the Neighbourhood Residential Zone 1 would be the 'best fit' for the future zoning of the land as it allows for residential development at an appropriate density that will complement the character of the area, while protecting and enhancing the existing landscape setting. The application of the NRZ1 and relevant overlays are addressed below.

6.1.1. Neighbourhood Residential Zone – Schedule 1

The rezoning of the land to the Neighbourhood Residential Zone – Schedule 1 (NRZ1) and its subsequent redevelopment for predominantly residential purposes would provide for an appropriate revitalisation of this area of Boronia and contribute positively to the existing and preferred character and use of the immediate area. The application of the NRZ1 to the land and its future redevelopment would allow the site to contribute to the character of the area, while providing certainty in the built form outcomes that would be supported in this location.

The NRZ1 will require any future residential development on the site to meet a minimum mandatory garden area requirement of between 25% and 35% and a mandatory maximum building height of 8 metres (or up to 9 metres, dependent on the slope of the site). Given these mandatory controls must be applied in combination with the minimum site coverage, permeability controls and open space requirements of ResCode, it is clear that these controls will enable the protection of the character of the area, including the retention of established and significant vegetation on the site and space for the future planting of canopy trees

The NRZ1 also requires private open space of 80sqm or 20% of the area of the lot, whichever is the lesser. but not less than 60%. At least one part of the private open space should consist of secluded private open space with a minimum area of 40 square metres and a minimum dimension of 5 metres at the side rear of the dwelling with convenient access from a living room.

When applied across the site, the NRZ1 in conjunction with the existing ESO2 and SLO2 and a newly proposed DPO (discussed below), will support the enhancement of the canopy cover of the Dandenong Foothills and ensure that any future development of the site respects this existing character.

6.2. **OVERLAYS**

6.2.1. Environmental Significance Overlay – Schedule 2 (Existing)

The Environmental Significance Overlay – Schedule 2 (ESO2) will continue to be applied to the entire site in its existing form. The existing indigenous vegetation, including state significant areas of flora present on the site, will continued to be adequately protected by the ESO2.

6.2.2. Significant Landscape Overlay – Schedule 2 (Existing)

The Significant Landscape Overlay - Schedule 2 (SLO2) will continue to be applied to the entire site in its existing form. The existing controls of the SLO2 will allow for the adequate protection of existing vegetation and ensure that built form does not detract from the landscape character of the area, including views to the foothills of the Dandenongs.

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6.2.3. Design Development Overlay - Schedule 1

It is considered appropriate to remove the existing Design Development Overlay -Schedule 1 (DDO1) from the site. The provisions of the proposed Development Plan Overlay Schedule (as outlined below) are appropriate to ensure a coordinated and considerate outcome is achieved for the site and provides Council the opportunity to determine on matters beyond lot site and site coverage.

6.2.4. Development Plan Overlay

It is considered that a Development Plan Overlay (DPO) should also be applied to the site to guide the form of future development. The purpose of the DPO is to identify areas that require the planning of future use or development to be shown on a plan before a permit can be granted and allows strategic master planning to occur upfront. A 'site-specific' Development Plan Overlay Schedule is proposed.

The DPO for the subject site should require the preparation of a Development Plan that seeks to achieve the following:

- A range of dwelling types.
- Internal amenity for future residents.
- Designation and protection of the Sanctuary and other native vegetation as appropriate.
- A street network which improves the connectivity within the neighbourhood.
- Sustainable design features.

The Development Plan Overlay will also specify the requirements that the Development Plan should address, including:

- Concept plans for the layout of the site
- Traffic management report
- Native Vegetation Management Plan
- **Environmental Management Plan**
- A concept landscape plan including public open space
- Demonstration of best practice ESD principles.

One of the purposes of the Development Plan Overlay is to exempt an application from notice and review if it is generally in accordance with the approved Development Plan.

6.3. RESPONSIBLE AUHORITY

There is increased pressure on the government to increase the supply of affordable housing as well as streamline its provision. The Inclusionary Housing Pilot (IHP) is a state significant program and project for the government and community. To facilitate efficient decision making on the six sites in the IHP it is considered appropriate that the Minister for Planning become the responsible authority.

Having the Minister as the responsible authority will expedite planning approval to facilitate timely delivery of much needed affordable housing to the community. The Minister is already the responsible authority on some other sites in the IHP and it is appropriate that he become the responsible authority for this site in Boronia so that a consistent approach to decision making, process and outcome is maintained.

7. STRATEGIC ASSESSMENT

WHY IS AN AMENDMENT REQUIRED? 7.1.

The subject land has been declared surplus to the needs of the State Government. The site is zoned Public Use Zone 2 (Education) and is required to be rezoned from a Public Use Zone prior to its sale to facilitate its future use and development.

HOW DOES THE AMENDMENT IMPLEMENT THE STRATEGIC OBJECTIVES **7.2**. OF PLANNING IN VICTORIA?

The rezoning of the land to the Neighbourhood Residential Zone – Schedule 1 meets the objective to provide for the fair, orderly and sustainable use and development of the land as it will allow use and development which responds to the existing established residential area. It is considered that the design controls of the NRZ1 paired with the existing overlays and proposed DPO will provide appropriate guidance for future permit applications.

HOW DOES THE AMENDMENT SUPPORT OR IMPLEMENT THE STATE **7.3**. PLANNING POLICY FRAMEWORK AND ANY ADOPTED STATE POLICY?

Rezoning the land to the NRZ1 will allow for redevelopment of the site in keeping with the character and land use patterns of the surrounding environment. The application of the NRZ1 and site specific DPO will also allow for development to align with the transitional nature of the area that is characterised by infill development.

The rezoning of the site to the NRZ1 accords with the State Planning Policy Framework with respect to Clause 11 (Settlement), through the provision of land to accommodate projected growth, particularly through the consolidation of existing urban areas that take advantage of existing settlement patterns. Additionally, the NRZ1 allows for future development of the site to provide for a diversity of housing types, in a location that has existing access to services and facilities, in accordance with Clause 16 (Housing). As encouraged by Clause 9 (Plan Melbourne), the application of the NRZ1 to the subject site will contribute to the housing needs of the area and ensure the growth of established residential areas over the next 35 years.

The retention of the existing SLO2 and ESO2 supports the State Planning Policy Framework at Clause 12 (Environmental and Landscape Values) through controls that seek to protect of the existing environmental values of the site, in particular areas of high value biodiversity and remnant native vegetation.

The application of a site specific DPO aligns with Clause 15 (Built Environment and Heritage) through the provision of controls that encourage development that contributes positively to the urban character of the area.

7.4. HOW DOES THE AMENDMENT SUPPORT OR IMPLEMENT THE LOCAL PLANNING POLICY FRAMEWORK AND SPECIFICALLY THE MUNICIPAL STRATEGIC STATEMENT?

The proposed rezoning is considered a logical extension to the existing Neighbourhood Residential zoned land in this area of Boronia. The NRZ1 has specifically been chosen to ensure future development on the site can facilitate housing growth in an established residential area, while allowing a small range of other non-residential uses to serve the needs of the local community.

Clause 21.03 (Vision and Strategic Land Use Framework) outlines the vision for the City of Knox to 2025, which encourages greater diversity in housing and the protection and enhancement of the natural environment. Rezoning of the land to the NRZ1 and the application of the site specific DPO will allow for an increased supply of residential land for the provision of a diversity of housing, while the retention of the SLO2 and ESO2 will ensure development of the land supports and protects the existing environmental and landscape values of the site and those of the Dandenong Foothills.

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The rezoning of the site to the NRZ1 similarly supports the Local Planning Policy Framework of the City of Knox at Clause 21.05 (Housing), which seeks to manage the current and future housing needs of the municipality. The controls of the NRZ1 will support the development of the site for housing, in an established residential location, supported by existing services and facilities. Similarly, the application of the site specific DPO will ensure that future development of the site will positively respond to the existing character and landscape setting and significance of the Dandenong Ranges Foothills, in accordance with Clause 21.04 (Urban Design).

The retention of ESO2 and SLO2 on the site will support local policy at Clause 21.06 (Environment) and Clause 22.01(Dandenong Foothills), through the continued protection of environmentally significant areas within Knox, including the foothills of the Dandenong Ranges and site of biological significance.

7.5. OTHER KEY CONSIDERATIONS

ENVIRONMENTAL EFFECTS	Contamination issues have been addressed and the Vegetation assessment recommends the protection of the 'Sanctuary'.
SOCIAL EFFECTS	The land will be rezoned to provide a transition between the existing and emerging nature of the area. Infill development supports housing growth and diversity within an established area with good access to existing infrastructure and services.
ECONOMIC EFFECTS	The rezoning facilitates the renewal of surplus land and generates proceeds from its sale, which can be reinvested into the State for the benefit of the community.
ABORIGINAL HERITAGE	The school site is not located within an area of sensitivity.
HERITAGE ISSUES	The site is not affected by any heritage restrictions and the rezoning will not impact on the heritage nature of any sites within the surrounding area.
LAND CONTAMINATION	Both preliminary and detailed site investigations were undertaken by Senserva both prior to and after demolition of the school buildings and underground tanks. The latest report identifies the need for further soil testing or removal of fill where the former tanks were located prior to the development of a sensitive use. DET is undertaking this further work to ensure it is suitable for a sensitive use.
COMPLIANCE WITH MINISTERIAL DIRECTIONS	The Amendment meets Ministerial Direction 1 'Potentially contaminated land', Ministerial Direction 'Form and Content of Planning Schemes', Ministerial Direction 11 'Strategic Assessment of Amendments' and Ministerial Direction 9 'Metropolitan Planning Scheme'.
PROPER USE OF VICTORIAN PLANNING PROVISIONS	The Neighbourhood Residential Zone will allow for the future development of the land at an appropriate density. The proposed site specific DPO and existing SLO and ESO will provide further guidance regarding the future development of the site.

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VIEW OF ANY RELEVANT AGENCY The proposed amendment has been discussed with the City of Knox. All relevant agencies will be notified as part of the exhibition process. REQUIREMENTS OF THE TRANSPORT Redevelopment of vacant land within an established area with INTEGRATION ACT existing transport options that can provide access to social and economic opportunities having regard to the objectives of the Transport Integration Act. **RESOURCE AND ADMINISTRATIVE COSTS** The amendment will not create any burden on the resource and OF THE RESPONSIBLE AUTHORITY administrative costs of the City of Knox. The usual requirements and fees for planning permit applications will apply. **BUSHFIRE** The site adjoins a Designated Bushfire Area. Vegetation will be managed to reduce any associated risk. **RESPONSIBLE AUTHORITY** It is proposed that the schedule to Clause 61.01 be amended to enable the Minister for Planning to become the Responsible Authority for matters associated with the future use and development of the site. The complexities associated with redevelopment of the site, particularly given the proposed inclusionary housing requirement, will be best guided by the authority of the Minister for Planning and will ensure the best

outcome for the site and surrounding community.

8. CONCLUSION

The site at No.40 Mount View Road, Boronia displays a series of locational attributes, with access to facilities and services that support the surrounding established residential area. The site's residential interfaces and existing environmental attributes mean the site is suited for redevelopment for low-medium density residential use.

8.1. RECOMMENDATIONS

Based on review and analysis of the existing planning controls and policies applying to the site and locality it is recommended that a planning scheme amendment include:

- Rezone the site to the Neighbourhood Residential Zone Schedule 1 (NRZ1)
- Retain the existing Environmental Significance Overlay Schedule 2 (ESO2) and the Significant Landscape Overlay – Schedule 2 (SLO2)
- Apply a site specific Development Plan Overlay Schedule 13 (DPO13)
- Remove Design and Development Overlay Schedule 1 (DDO1)
- Amended Clause 61.01 to include the Minister for Planning as the Responsible Authority for the site.

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BRISBANE

Level 7, 123 Albert Street Brisbane QLD 4000 Australia T+61 7 3007 3800

GOLD COAST

45 Nerang Street, Southport QLD 4215 Australia T+61 7 5600 4900

MELBOURNE

Level 12, 120 Collins Street Melbourne VIC 3000 Australia T+61 3 8663 4888

PERTH

Level 14, The Quadrant 1 William Street Perth WA 6000 Australia T+61 8 9346 0500

SYDNEY

Tower 2, Level 23, Darling Park 201 Sussex Street Sydney NSW 2000 Australia T+61 2 8233 9900

CISTRI - SINGAPORE

An Urbis Australia company #12 Marina View 21 Asia Square, Tower 2 Singapore 018961 T +65 6653 3424 W cistri.com