

Government Land Standing Advisory Committee

Tranche 20 Report

56 Kingloch Parade, Wantirna

1 June 2018

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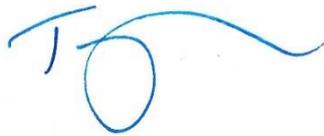
List of Abbreviations

DET	Department of Education and Training
DPO	Development Plan Overlay
DTF	Department of Treasury and Finance
GRZ1	General Residential Zone – Schedule 1
GRZ2	General Residential Zone – Schedule 2
PUZ	Public Use Zone
The Strategy	Knox Housing Strategy, 2015

About this report

On 6 December 2017, the Minister for Planning referred 56 Kingloch Parade, Wantirna (former Wantirna Heights Primary School) to the Government Land Standing Advisory Committee as Tranche 20.

This is the report under Section 151 of the *Planning and Environment Act 1987* of the Government Land Standing Advisory Committee for 56 Kingloch Parade, Wantirna.



Trevor McCullough, Deputy Chair



John Ostroff, Member

1 June 2018

1 Summary and recommendation

1.1 The site

Figure 1: Site location



The site is the former Wantirna Heights Primary School and has a total area of 1.254 hectares with frontages to Kingloch Parade and Greenlow Avenue. The site is located between Mountain Highway and Boronia Road in a predominantly residential area with good access to Schultz Reserve, Wantirna Mall, as well as education and health services. Historically, vehicle access has been confined to the southeast corner of the site from Greenlow Avenue.

The site contains some remaining buildings associated with the former education uses on the site that have been demolished.

Surrounding the site is mostly single storey conventional density dwellings, with a cluster of medium density units (dual occupancies and villa units) to the west. The dominant architectural style is typical mid-1980s brick veneer or double brick detached housing.

The site is slopes gently from the south east to the north west corner at an average 4 per cent slope.

1.2 Issues raised in submissions

The Committee considered all written submissions as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Committee has been assisted by the information provided to it as well as its observations from inspections of the site.

Most submissions were concerned with the proposal to adopt the General Residential Zone – Schedule 1 (GRZ1) as the zone for the site rather than the General Residential Zone – Schedule 2 (GRZ2) that applies to the surrounding residential area. The main concerns were that the GRZ1 would result in development that would be too high and be unsympathetic to the character of the area by reason of height and density.

Council, in addition to preferring the GRZ2, raised a number of issues in relation to the wording of the proposed Development Plan Overlay (DPO).

Other submitters raised issues such as traffic, parking, drainage, overlooking, public open space and the retention of trees on the site. In general, these issues related to subsequent stages of the planning process, that is, the Development Plan preparation and consideration of planning applications. Submitters reasonably raised these issues now on the basis that third party notice and review rights would be removed in the future under the proposed DPO.

1.3 Committee conclusion

The site owner proposes to rezone the subject land from Public Use Zone – Schedule 2 – Education (PUZ2) to the GRZ1. The Committee agrees that this is an appropriate zone if the land is to be sold. The Committee also agrees that the proposed Development Plan Overlay – Schedule 13 (DPO13) is appropriate subject to a number of changes.

The proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the *Ministerial Direction on The Form and Content of Planning Schemes*.

Table 1: Existing and proposed controls

Current planning scheme controls	Proposed planning scheme controls	Advisory Committee Recommendation
Public Use Zone - Schedule 2 - Education	General Residential Zone – Schedule 1	<i>Adopt as exhibited</i>
	Development Plan Overlay – Schedule 13	<i>Adopt with changes</i>

1.4 Recommendation

The Committee recommends that:

A planning scheme amendment be prepared and approved for 56 Kingloch Parade, Wantirna to:

- a) Rezone the site from Public Use Zone - Schedule 2 - Education to General Residential Zone - Schedule 1.**
- b) Apply a Development Plan Overlay – Schedule 13 (Committee’s preferred version is attached at Appendix D).**

2 Process summary

Table 2: Proposal summary

Proposal summary	
Tranche	Tranche 20
Site address	56 Kingloch Parade, Wantirna
Previous use	Former Wantirna Heights Primary School
Site owner	Department of Education and Training represented by the Department of Treasury of Finance
Council	City of Knox
Exhibition	13 March – 24 April 2018
Submissions	15

Table 3: Proposed planning scheme changes

Existing controls	Proposed changes
Public Use Zone – Schedule 2 – Education	General Residential Zone – Schedule 1
	Development Plan Overlay – Schedule 13

Table 4: Committee process

Committee process	
Members	Trevor McCullough (Chair) and John Ostroff
Information session	28 March 2018, St Paul’s Boronia
Hearing	17 and 18 May 2018, Knox Club, Wantirna South
Site inspections	28 March and 17 May 2018 (unaccompanied)
Appearances	<p>Department of Treasury and Finance represented by Sarah Ansell of Echelon calling expert evidence in the following:</p> <ul style="list-style-type: none"> - Planning from Robert Milner of 10 Consulting - Urban Design from Tim Biles of Message Consulting <p>Knox City Council represented by Cliff Bostock</p> <p>John Henry Purdy</p> <p>Paul Joseph Cleaves</p> <p>Luigi Rinnovasi</p> <p>Catherine Steggink</p> <p>Rowland Ward</p> <p>Kenneth James McKenzie</p>
Date of this Report	1 June 2018

3 Introduction

3.1 Zoning context

Figures 2 and 3 show the current and proposed zonings.

Figure 2: Current zoning

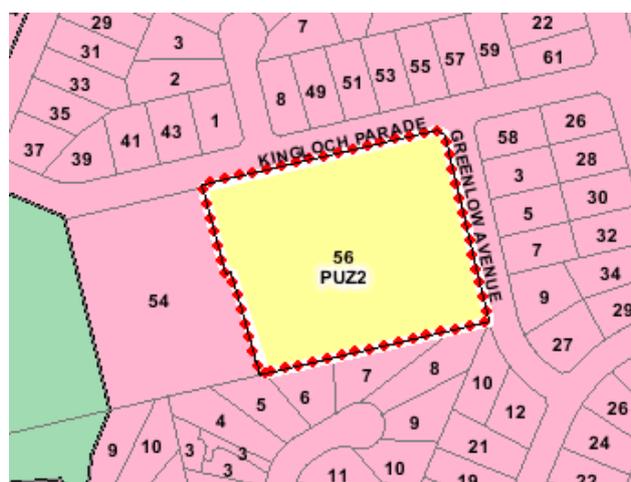
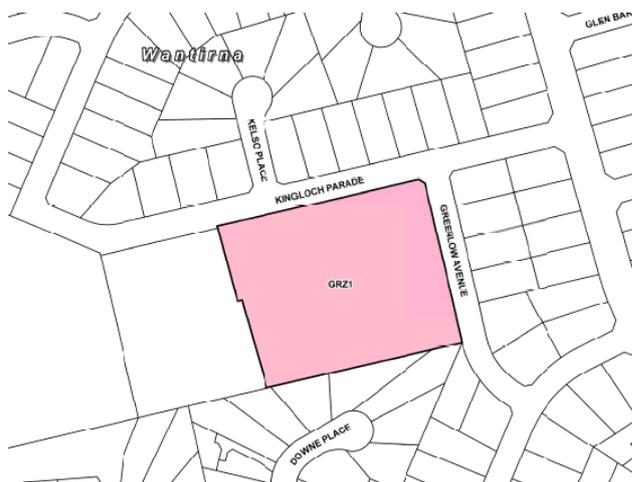


Figure 3: Proposed zoning



3.2 Site constraints and opportunities

(i) History of the site

The education uses on the Kingloch Parade site ceased in 2012 and the site is currently vacant. The land is surplus to the requirements of the Department of Education and Training (DET), and is not considered to be required for an ongoing public purpose.

(ii) Native vegetation

On 28 August 2014, TreeLogic prepared an arboricultural report that found fifty trees and two tree groups are located on the site. No trees of high arboricultural significance were identified. Fourteen trees with a moderate arboricultural rating were identified. The remaining trees and tree groups were identified as having a low or 'nil' arboricultural rating.

The proposed DPO13 requires that the Development Plan must include concept plans that show tree protection zones for significant vegetation to be retained, and an arboricultural assessment must be carried out for any significant vegetation.

(iii) Current site conditions

Echelon in its report, advised that a detailed Site Investigation was undertaken by Senversa in 2015, followed a Preliminary Site Investigation (PSI) completed in 2013, which identified potential contamination issues. The 2015 investigation confirmed that the *“chemicals of potential concern are not present in soil at concentrations considered to represent an unacceptable health or ecological risk under any future land use”* (p. 11). Following this, in 2017, Senversa undertook a limited soil inspection around areas of potential underground

storage systems which concluded that “no evidence of UPSS, including residual contamination, was identified at the locations investigated” (p. 3).

No environmental controls or overlays are proposed for the site.

(iv) Interface with surrounds

The site has road frontages to both Kingloch Parade and Greenlow Avenue and is approximately 70 metres east of the Schultz Reserve and 500 metres east of the Wantirna Mall. Within walking distance of the site are a number of bus routes. The site is surrounded by the following:

- To the immediate west is an integrated villa unit development served by a central driveway offering ‘over 55’s’ accommodation, which comprises semi-detached villas.
- To the south is conventional suburban detached housing located at the end of a cul-de-sac (Downe Place).
- On the northern side of Kingloch Parade, opposite the site, is predominantly single storey housing with the occasional double storey home.

The site is located within walking distance of the Wantirna Neighbourhood Activity Centre and the Wantirna Medical Employment Precinct. The site is located within two to five kilometres of four significant employment and industrial precincts:

- Bayswater Industrial Precinct
- Scoresby/Rowville Industrial Precinct
- Knox Central Principal Activity Centre
- Ringwood Principal Activity Centre.

The Bayswater train station is located 2.8 kilometres from the site. Various bus routes (901, 745 and 664) run close to the site.

3.3 Strategic context

(i) State Planning Policy Framework

Relevant clauses include:

- Clause 15.01 – Urban Environment, seeks to:
 - *create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

It also seeks to create safe and functional neighbourhood and subdivision design and environments that recognise and protect neighbourhood character and sense of place. Development should respond to its context in terms of urban character. Development is to include a site analysis and descriptive statement explaining how the development responds to the site and context.

- Clause 16 – Housing, seeks to provide housing choice close to jobs and services. Its strategies include facilitating housing in established areas and to support housing growth and diversity in defined housing change areas and redevelopment sites.

(ii) Local Planning Policy Framework

Relevant clauses include:

- Clause 21.06 – Housing, includes the following relevant objectives:
 - *To support a diversity of housing choices (styles, types, forms and sizes) to cater for the Knox community’s current and future needs, in appropriate locations”*
 - *To support high quality housing design that responds to the City’s ‘green and leafy’ character, local character and creates a strong sense of place*

It includes the following ‘Application of zones and overlays’:

- *Apply the General Residential Zone Schedule 1, or other zone as appropriate, to Strategic Investigation Sites (Residential) and other large residential development sites located within a Design and Development Overlay or a Development Plan Overlay*
- *Apply the Development Plan Overlay, as appropriate, to provide for integrated and orderly development of larger sites (including Strategic Investigation Sites) and achieve appropriate lot size, density and layout outcomes.*

(iii) Plan Melbourne

Plan Melbourne 2017-2050 Metropolitan Planning Strategy 2017 DELWP (commonly known as *Plan Melbourne*) was introduced into the State Planning Policy Framework of all planning schemes on 31 March 2017.

Plan Melbourne recognises the potential for surplus government land in contributing to the reactivation of land and proceeds of sale to be redirected by Government. *Plan Melbourne* states:

Government land is an important resource for delivering services to Victorians, including places to live, work and learn. The government regularly reviews its land assets to ensure that they are being used efficiently. Land that is considered to be underutilised or surplus can then be considered for community or other government purposes or be disposed of. Any proceeds can then be reinvested into other important infrastructure. More efficient use of land owned by government can help facilitate Plan Melbourne outcomes and deliver social, economic and environmental benefits.

(iv) Knox Housing Strategy

The *Knox Housing Strategy 2015* sets out the Council’s strategies to respond to the housing challenges and opportunities facing the Knox community.

The Strategy refers to the 2011 Census data illustrating some significant changes to the Knox community’s composition. Such changes include:

- *‘Over 55s’ make up 25.3% of the Knox population, which represents an increase of 8% over 10 years.*

- *The proportion of children (aged 0-14 years) in Knox dropped from 20.3% in 2006 to 18.5% in 2011.*
- *The number of 'lone person' and 'couple only' households has increased slightly from 41% in 2006 to 43% in 2011.*

The Knox Housing Strategy states that the 60 plus age group is expected to be the fastest growing, though the 35-49 age group will continue to be the largest age group. Couple-only and one-person households are the fastest growing household types. Smaller house types are likely to be suitable for the 60+ age group who may be looking to downsize from the larger detached dwelling.

The Strategy aims to balance the changing household needs of current and future residents with the important aspects of Knox that should be retained and enhanced. The 'scaled' approach to development will result in more and different types of dwellings built in limited areas located close to transport, shops and services. Fewer new dwellings will be built in most neighbourhood streets and, importantly, areas with significantly environmental and landscape values.

The intent of the Strategy is to provide a diversity of housing choice and to encourage the development of smaller, well designed and accessible dwellings in locations which are well located, close to transport options, shops and services. It is also intended to minimise the loss of trees and backyard space in the Knox Neighbourhood area which surrounds the site, so as to respond to neighbourhood identity.

An intent of the Knox Neighbourhood area referred to in the Strategy is to retain its green and leafy character through the retention of front and back yards and the retention and planting of trees and vegetation. Living in the Knox Neighbourhood area means:

- Living in an area which embodies the Knox character of green and leafy streets, backyards and mostly detached houses.
- Living in a street that is mostly single and double storey detached dwellings (p.21).

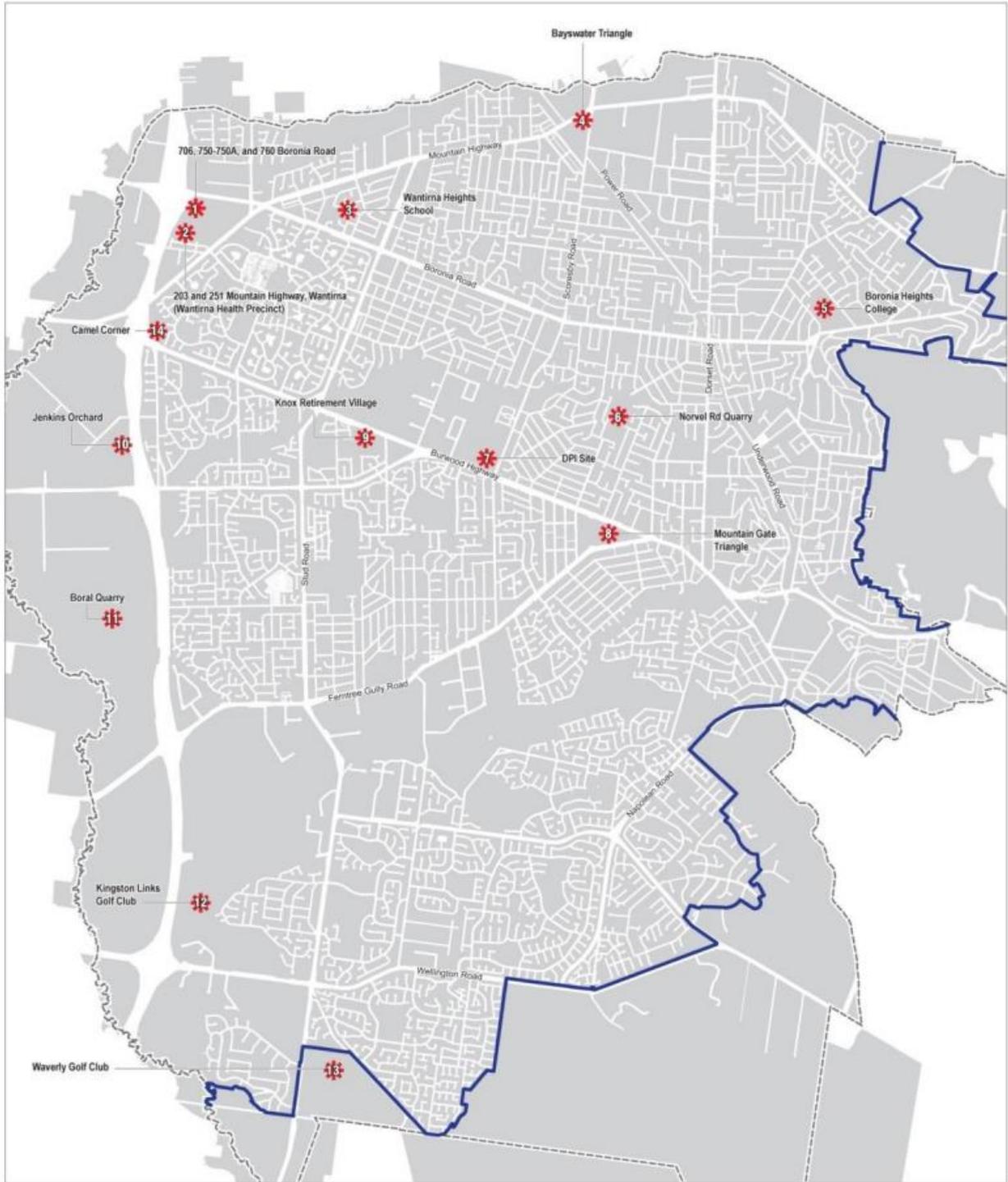
The site is identified as a *Strategic Investigation Site, Site 3, Wantirna Heights School*, in the Strategy. Such sites (Figure 4), are sites where the current land use is likely to change in a short to mid-term timeframe and could be suitable for future residential development.

In relation to this site, the Knox Housing Strategy states:

This former school site is considered suitable for residential use only. Development should be at a scale that reflects the surrounding area. It is expected that the land will be rezoned to reflect the surrounding conditions and zoning. (p.26).

The Plan refers to the possible number of dwellings for the site totalling 40, though this figure is preliminary and indicative only. The Strategy's assumption is that there will be a potential density of approximately 1:300 given the size of the site of 1.254 hectares. The likely future housing types are detached dwellings, dual occupancies and villa units.

Figure 4: Strategic Investigation Sites in the Knox Housing Strategy



STRATEGIC SITES

NOVEMBER 2013

All sites subject to future strategic work to determine the appropriate land use mix and scale of development

- Knox Municipal Boundary
- Urban Growth Boundary
- * Strategic sites



4 Issues with the proposed planning controls

4.1 What zone is suitable?

It is proposed to rezone the site from PUZ2 to GRZ1.

Clause 32.08 of the GRZ includes the following purposes:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

Schedule 1 does not specify alternative requirements to Clauses 54 and 55 of the Planning Scheme for the construction of a dwelling(s) on a lot, nor does it specify maximum building height, application requirements or decision guidelines. The Committee notes that the heading for the Schedule states:

Strategic Sites (Wantirna Health Precinct) and Residential Development Sites affected by a Design and Development Overlay or Development Plan Overlay.

Of note is that Clause 32.08-9 requires, subject to certain exceptions, that the building height must not exceed 11 metres and must contain no more than 3 storeys at any point.

With regard to the alternative GRZ2 (entitled *Knox Neighbourhood Areas*), which was supported by Council and residential submitters, there are amended requirements to Clauses 54 and 55. These include, in addition to minimum corner street setbacks, landscaping provisions, private open space and front fence requirements, a maximum building height requirement for a dwelling of 9 metres (or 10 metres subject to compliance with the slope requirement).

(i) Evidence and submissions

In regard to the GRZ, the exhibited Echelon planning report stated that:

Applying the GRZ to the site will enable a general continuation of the character and expected built form within the local neighbourhood (i.e. it will ensure that and future development is generally consistent with what is currently permitted in the local neighbourhood).

Ms Ansell on behalf of the site owner noted that this Strategic Investigation Site is considered in the Knox Housing Strategy as suitable for residential use, and that the GRZ1 is the default zone for Strategic Investigation Sites that have a DPO. She submitted that Clause 21.06-6 of the Scheme states:

Apply the General Residential Zone –Schedule 1, or other zone as appropriate, to Strategic Investigation Sites (Residential) and other large residential development sites located within a Design and Development Overlay or a Development Plan Overlay.

Mr Milner gave evidence that this Strategic Investigation Site located at the interface between different neighbourhood characteristics and a comfortable walking distance

between many services, warrants more effective, efficient and intense use. He gave evidence that the GRZ2 would have the effect of perpetuating the past and squandering the rare and different opportunities provided by the strategic investigation status. Limiting development on the site with associated private open space of at least 60 square metres, as set out in GRZ2, would constrain the opportunity for housing diversity and particularly in providing for smaller housing that catered for an ageing population.

Mr Milner concluded that the additional height should be required to be set back from street frontages and also from sensitive neighbouring abuttals which can be achieved through DPO13 which seeks to limit development to 2 storeys in sensitive locations.

Mr Biles, in his urban design evidence, noted in Clause 21.06-3 of the Scheme, that the character of the Knox Neighbourhood Areas will continue to be low scale neighbourhoods characterised by detached dwellings with large back yards contributing to the area's green and leafy character. Taking account of the requirements of the GRZ1 and associated Clause 55, together with those of DPO13, he considered that the land could be developed with a series of 2 storey detached and semi-detached dwellings, with landscaped front setbacks to Kingloch Parade and Greenlow Avenue. He opined that 2 storey housing close to the south and east boundaries would be appropriate subject to Clause 55 compliance, and that 3 storey townhouses could be located towards the centre of the site and away from street and neighbouring residential interfaces.

Mr Biles provided an indicative development layout plan illustrating the different typologies of housing that might be accommodated on the site, and gave evidence that up to 61 'Standard,' 'Medium' and 'Urban' dwellings could, in his opinion, be located on the site. He gave evidence that this number might be reduced taking account of the presence of trees to be retained, the location of open space and the building envelopes that emerge. He concluded that, based on the plan, the taller 3 storey dwellings would be largely screened from view by the foreground buildings as viewed from abutting streets.

Mr Bostock, on behalf of Council, listed the numerous clauses in the State and Local Planning Policy Frameworks of relevance to the proposal. He submitted:

The need to provide for additional housing to meet diverse needs and an increasing population is recognised. This is tempered by the need to respect neighbourhood character and Local Planning Policy which seeks to distribute housing with regard to the local context.

He submitted that, Clause 22.07, *Development in Residential Areas and Neighbourhood Character*, reinforces that residential development needs to respond to the particular built form and natural environment elements that make up the neighbourhood character of Knox. The policy directs significant housing away from areas with special local character, including the Knox Neighbourhood Area. Clause 22.07 does not apply to land in a DPO, though Mr Bostock submitted that Council was satisfied that the proposed DPO13 addressed the provisions of the Clause subject to various amendments as discussed in section 4.3 below.

Council submitted that the GRZ2 will support development consistent with the strategic policy directions, and that such zoning will allow the site to fulfil its strategic redevelopment potential as identified in the Knox Housing Strategy. Mr Bostock stated that the GRZ2

specifically relates to the Knox Neighbourhood Area that surrounds the site, and the variations to Clause 55 were specifically implemented to maintain and protect the Knox Neighbourhood character. In this context, a mandatory lower maximum building height of 9 metres is considered by Council as appropriate.

Concerns were raised by other submitters including Ms Eassom (Submission 10), Mr Cleaves (Submission 12), Mr McKenzie (Submission 13) and Mr Purdy (Submission 15), regarding the proposed GRZ1 and the likely consequences in relation to the density and height of future residential development on the site. Their preference was to maintain the existing character of the surrounding GRZ2 with more appropriate heights, setbacks and private open space, sympathetic to the surrounding residential character of the area. Ms Eassom raised concerns regarding the ‘towering’ nature of 3 storey development on the higher land within the site. It became apparent in the hearing that some submitters may have confused the GRZ1 with the Residential Growth Zone and expected that much higher densities and heights were envisaged for the site than what is actually proposed. The emphasis by submitters was on smaller affordable dwellings, suitable for older residents in accordance with a lower density provided by the GRZ2.

(ii) Discussion

The Committee notes that the majority of submitters, including Council, have raised no objection to the development of the site for residential purposes. The dominant issue is whether the site should be zoned GRZ1 or GRZ2, taking account of the character of the surrounding Knox Neighbourhood Area.

The site is identified as a Strategic Investigation Site in the Knox Housing Strategy and is therefore considered suitable for residential development. Although the Strategy states that development should be at a scale that reflects the surrounding area and rezoned to reflect the surrounding conditions and rezoning, account has to be taken of the various housing policies contained in the Planning Scheme. For example, Clause 21.06-2 of the Scheme notes that the population of Knox is ageing with a consequent increase in lone person and couple only households. and affordability is declining with an undersupply of affordable housing. The current sizes and types of housing overall are inadequate to respond to increasing demand for smaller dwellings.

The GRZ2 would likely provide a sympathetic housing density, open space and landscape layout to accord with the surrounding Knox Neighbourhood land. However, in light of the proposed provisions of the DPO13 discussed below, the responsible authority will be in a position to require good urban design and landscaping for the development of the site, with a GRZ1 applied.

The Committee is not concerned that the opportunity to provide three storeys on the site will impact on the character of the surrounding area. Any three storey elements are required (under the DPO13) to be set back substantially from existing residential areas, and the slope on the site will assist in screening any higher dwellings from view.

The Committee notes that two Purposes of the GRZ, whether GRZ1 or GRZ2 are:

- *To encourage development that respects the neighbourhood character of the area*

- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

Taking account of the Purposes of the Zone referred to above, the requirement to comply with the various amenity provisions of Clause 55, and the provisions of the proposed DPO13, the Committee considers that the GRZ1 is the appropriate Zone for this site. The GRZ1 will create an opportunity to provide housing at a density that will more appropriately address the issues raised in Plan Melbourne, State Planning Policies, other Local Planning Policies and the Knox Housing Strategy.

The site is large enough to retain a number of trees following development, as recommended in the arboricultural report, and to provide appropriate landscaping.

The site is well-located having regard to its proximity to transport, services and facilities such as the Schultz Reserve, the Wantirna Mall Neighbourhood Activity Centre and Knox Private Hospital.

(iii) Conclusion

The Committee concludes that the GRZ1 is the most appropriate zone subject to the application of a DPO schedule that addresses the interface with the abutting residential area.

4.2 What overlays are suitable?

The site owner proposes to apply a DPO to the site in accordance with Clause 21.06-6 of the Planning Scheme which seeks the application of the DPO to Strategic Investigation Sites.

(i) Submissions

The exhibited Echelon Planning report stated that a DPO will:

... facilitate high quality development of the site through the inclusion of design outcomes addressing matters such as dwelling diversity, site access, sustainability, built form, open space and landscaping. (p 13).

The application of a DPO with a new Schedule was not opposed by any parties. The issues are about the wording of the proposed Schedule. Those issues are discussed in the next section.

(ii) Conclusion

The Committee agrees that the application of a DPO to the site is the best planning instrument to facilitate appropriate forms of development.

4.3 The form of the Development Plan Overlay Schedule

(i) What is proposed?

The Committee notes that DPO13 is intended to ensure that development is responsive to surrounding land uses.

Clause 3.0 of the DPO13 sets out six development plan objectives which include, more particularly, the provision of:

- *A range of dwelling types, as appropriate, to cater for a variety of housing needs.*
- *Provide for dwelling setbacks to Kingloch Parade and Greenlow Avenue, and a building design response that respects the built form rhythm of the existing streetscape.*
- *Protection of the amenity of adjoining sites by providing for a maximum 2 storey built form immediately adjacent to or opposite any existing or single or double storey residential development.*
- *Identification and protection of any significant vegetation along the property boundaries as appropriate.*

The development plan components include matters that are required to be to the satisfaction of the Responsible Authority. These include concept plans for the layout of the site, a traffic management report, an arboricultural assessment of significant vegetation and a landscape plan.

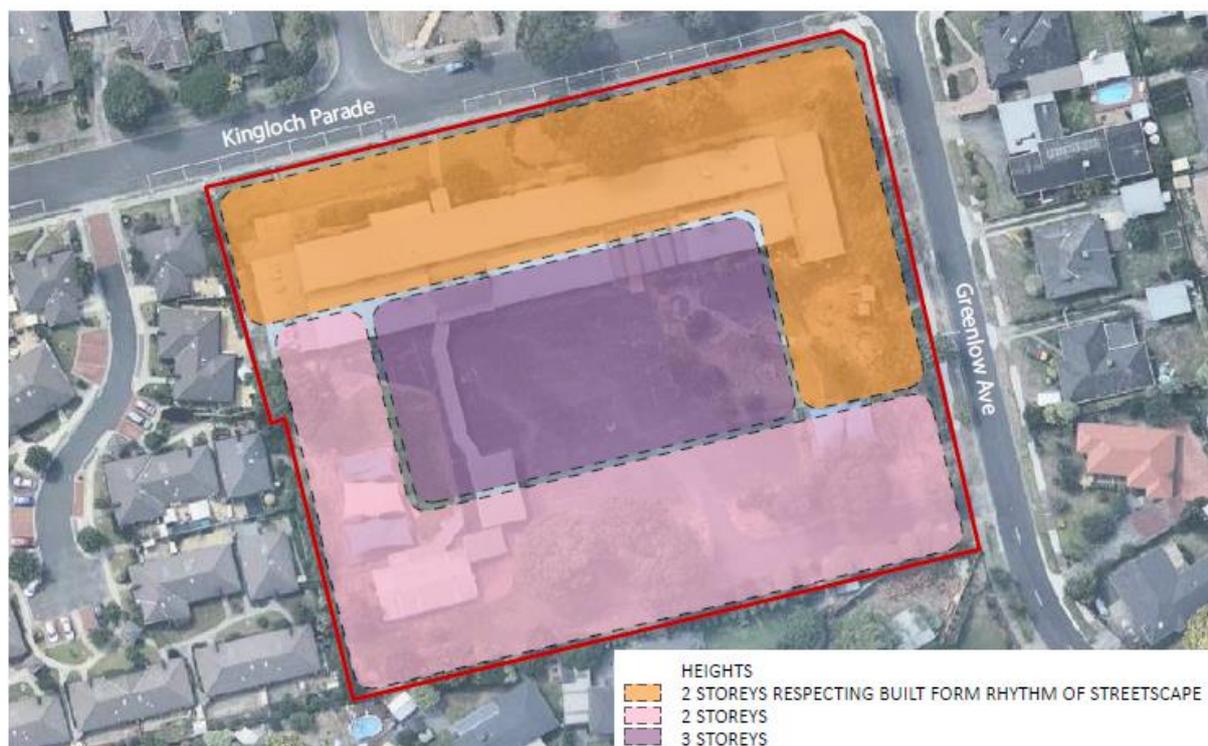
The concept plans would show lot layout and vehicle access locations; proposed earthworks and levels; a mix of dwelling sizes to provide for a diversity of housing; tree protection zones and appropriate integration of any significant vegetation to be retained; stormwater and drainage management treatments.

DPO13 seeks to provide dwelling setbacks from the adjoining roads, and limit the height of the development along the site's edges to respect the single storey nature of the surrounding neighbourhood. Mr Biles gave evidence that:

The intent of this approach is to manage building scale and street setbacks at the site edges so that it is generally consistent with surrounding development in the GRZ2 area, while allowing for buildings of up to 3 storeys, in accordance with the standard Clause 55 requirements, away from interfaces to the adjoining streets or neighbouring residential properties.

Figure 5 illustrates an example of how this would be achieved on the site as proposed by Echelon Planning.

Figure 5: Proposed building height controls¹



(ii) The issue

The application of DPO13 is generally supported by all the parties. The issue is what the final form of the DPO13 should be, given that the Committee has recommended the GRZ1 be applied.

The land owner and Council both provided their preferred versions after the Hearing.

(iii) Evidence and submissions

Council proposed to include additional Development plan objectives to ensure that development more closely reflects the character of the surrounding area. The additional objectives relate to the following:

- *Details of proposed built form or housing typologies. Housing typologies and built form need to be in accordance with the objectives of the Knox Neighbourhood character at Clause 22.07-4.*
- *The requirement for active frontages to Kingloch Parade and Greenlow Avenue.*
- *A requirement to minimise crossovers to Kingloch Parade and Greenlow Avenue.*
- *Areas to accommodate the planting of appropriate trees within front and rear setbacks.*
- *A concept map to be included as Figure 1 to the proposed Schedule.*

¹ Exhibited Planning Report, Echelon Planning

The first of the Council proposed additional Development plan objectives relates to Clause 22.07 of the Scheme which, as stated in the Clause, does not apply to a DPO. In effect, Council wishes to transfer the controls contained in Clause 22.07-4 to the DPO13 and include additional design objectives. Clause 22.07-4 is headed *Knox Neighbourhood* and the intent of Council is to ensure that future development is in keeping with the preferred character of the area. Mr Bostock confirmed that, subject to the additional objectives, the DPO would be in accordance with Clause 22.07.

Mr Milner was opposed to the inclusion of this first point, and Mr Biles considered that the proposed objective fetters the creativity of house designers and the typologies as illustrated in Figure 10 of his submission. The site owner relied on the expert evidence in not supporting the first point.

With regard to the second dot point, Council clarified that this is meant to mean to include windows of dwellings fronting onto the adjoining roads and passive surveillance from the dwellings. The site owner agreed, and has proposed the addition of an objective:

Development that addresses the Kingloch Parade and Greenlow Avenue and enhances passive surveillance of these.

The third dot point on minimising crossovers was generally agreed to and the site owner has agreed to add.

The site owner submitted that the fourth dot point could be addressed with regard to a landscape plan submitted with any subsequent planning application.

Mr Milner questioned the need for a concept plan as proposed in the fifth dot point. Mr Biles accepted that a concept plan could be used provided that it was indicative and high level. Ms Ansell provided an outline concept plan at the hearing (Document 16). She submitted that, whilst the site owner's position remains that the concept plan is not required, such a high level indicative plan could be used.

Mr Milner, in his evidence, proposed two changes to DPO13:

- Under the heading to the Schedule add the following, (underlined):
The Development Plan is intended to provide for the coordinated development of the land and to ensure that development is responsive to surrounding land uses siting of development and built form.
- Under Clause 3.0, amend the third dot point of Development plan objectives to read, (strike through deleted words):
Protection of the amenity of adjoining sites by providing for a maximum of 2 storey built form immediately adjacent to ~~or opposite any~~ existing single or double storey residential development.

Mr Milner advised that while he supports a limitation on the scale of dwellings immediately abutting single and two storey established housing, the words '*or opposite any*' could unreasonably limit the scale or type of housing on parts of the site away from sensitive abutments and could cause confusion in applying the control.

Mr Bostock also raised the issue of social housing, and referred to Clause 11.06-2 which acknowledges that social housing is to be facilitated by identifying surplus government land suitable for housing. He submitted that an additional 860 dwellings are needed in Knox by

2036 to meet the minimum social housing requirements. The *Knox Affordable Action Plan 2015-2020* identifies that SISs play an important role in delivering social housing across the municipality. Council's adopted policy seeks a minimum 5 per cent social housing contribution for new residential development, and Council submitted that the DPO13 should be amended to include a minimum 5 per cent social housing contribution.

Other submitters supported the call for affordable housing, particularly for retirees wanting to remain in the area but downsize.

The site owner submitted that 38 per cent of the original school site (0.76 hectares of the total site area of 2.01 hectares) has already been developed by the Department of Housing, and a further social housing contribution is therefore not justifiable. The site owner also noted that the Department of Housing did not express interest in the site as part of the surplus land process. The site owner noted that the proposed DPO schedule requires the provision of "*a range of dwelling types, as appropriate, to cater for a variety of housing needs*" and submitted that, by allowing some smaller lots to be created and some smaller units to be constructed, this will contribute to the provision of some lower priced dwellings.

Other submitters were generally supportive of DPO13 given the requirements contained therein, particularly the requirement that dwellings immediately adjacent to or opposite single and double storey dwellings should be a maximum 2 storeys in height. Submitters raised a number of issues relating to traffic, parking, drainage, footpaths and the location of private open space. The site owner submitted that these issues are generally best dealt with at the stages of development plan preparation and permit approval.

(iv) Discussion

The Committee agrees that it is appropriate to manage the interface issues with surrounding residential areas. The issues are how this can be best done and how prescriptive the DPO Schedule should be.

The GRZ1 allows for dwellings of up to a maximum height of 11 metres or three storeys. The DPO13 includes additional details that are required to be addressed, including a development plan objective that requires a maximum 2 storey built form in proximity to the boundaries of the site so as to protect the amenity of adjoining sites.

The DPO13 goes significantly further than Clause 55.03-1, Standard B6 with regard to setbacks of dwellings from the adjoining roads. The Committee agrees that this provides a building design response that appropriately respects the built form rhythm of the streetscape.

The Committee makes the following comments on the additional objectives proposed by Council:

- Point 1 – The Committee agrees with the site owner that this is overly restrictive on the design response and does not fit well with a GRZ1 zone.
- Point 2 – The wording proposed by the site owner in relation to enhancing passive surveillance is supported.

- Point 3 – The wording proposed by the site owner in relation to minimising crossovers is supported.
- Point 4 – The Committee agrees with the site owner that it is not appropriate to include the objective “*Areas to accommodate the planting of appropriate trees within front and rear setbacks*”. The Committee agrees that appropriate planting should be addressed as part of a landscape plan submitted with a planning application.
- Point 5 – The Committee agrees with Council that a concept plan might add clarity to the DPO schedule. The Committee agrees with the site owner that any plan should be an indicative outline concept plan. The plan provided by Ms Ansell is appropriate.

The Committee agrees that the proposed added words “*siting of development and built form*” in the purpose statement for the DPO13 as suggested by Mr Milner adds value.

The Committee does not agree with the second change proposed by Mr Milner, that is, the removal of the words “*or opposite*” from the protection of amenity objective. The Committee believes that the protection of the interface with the surrounding built form should extend to the entire edge of the site, consistent with other requirements of the DPO13 and the indicative concept plan.

The Committee notes the submission of Council and others for the inclusion of a component of social housing. The Committee feels that it is necessary to distinguish between affordable and social housing. The Committee supports the intent to generally encourage affordable housing (lower priced housing), but has not been convinced of the need to mandate a minimum requirement for social housing (public or community rental housing for low income people) on this site. The Committee notes that part of the original school site has already been developed for social housing run by the Department of Housing. The Committee is of the view that the recommended GRZ1, in combination with the DPO13 will encourage a range of housing types, including some smaller and less expensive ‘affordable housing’ options. This anticipated outcome would likely provide for some of the demand for affordable ‘aging in place’ options for local retirees. The Committee notes that neither the Department of Housing nor Council have expressed an interest in the site for additional social housing (public or community) as part of the land disposal process.

The various DPO13 components are required to be to the satisfaction of the Responsible Authority, which is significant given that under Clause 43.04-2 of the Scheme, any application for planning permit generally in accordance with the Development Plan, is exempt from notice requirements and review rights. A number of requirements set out in DPO13 will be addressed by the Responsible Authority in detail at the permit application stage.

The issues raised by submitters in relation traffic, parking, drainage, footpaths and the location of private open space are all valid issues that are more appropriately addressed at the development plan preparation and permit stages. The Committee is comfortable that the requirements set out in the DPO Schedule will allow for proper consideration of these matters.

(v) Conclusion

The Committee concludes that the DPO13 should be amended as shown in the Committee's preferred version of the DPO Schedule attached as Appendix D.

Appendix A: About the Government Land Standing Advisory Committee

The Government Land Planning Service is a 2015 initiative to deliver changes to planning provisions or correct planning scheme anomalies for land owned by the Victorian Government. The Government Land Standing Advisory Committee (the Committee) was appointed under Part 7, section 151 of the *Planning and Environment Act 1987* in July 2015.

A revised Terms of Reference for the Committee was approved in April 2018.

The Committee consists of:

- Chair: Lester Townsend
- Deputy Chairs: Trevor McCullough and Mandy Elliott
- Members: Gordon Anderson, Elissa Bell, Alan Chuck, Jenny Fraser, Prue Mansfield, Jane Monk, Rachael O'Neill, John Ostroff, Tania Quick, Cazz Redding and Lynn Sweeney.

The Committee is assisted by Ms Emily To, Project Officer with Planning Panels Victoria.

The Committee's Terms of Reference state that the purpose of the Advisory Committee is to:

- advise the Minister for Planning on the suitability of new changes to planning provisions for land owned, proposed to be acquired or to land required to facilitate the delivery of priority projects by the Victorian Government, and*
- provide a timely, transparent and consultative process to facilitate proposed changes to land owned or proposed to be acquired; or to support delivery of priority projects by the Victorian Government.*

The Advisory Committee must produce a written report for the Minister for Planning providing:

- an assessment of the appropriateness of any changes of planning provisions in the context of the relevant planning scheme and State and Local Planning Policy Frameworks,*
- consideration of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes,*
- an assessment of whether planning scheme amendments could be prepared and adopted for each proposal, including the recommended planning provisions,*
- an assessment of submissions to the Advisory Committee,*
- any other relevant matters raised during the hearing(s),*
- a list of persons who made submissions considered by the Advisory Committee,*
- a list of persons consulted or heard,*
- endorsement by the Chair or the Deputy Chair.*

Appendix B: List of submitters

No.	Submitter
1	Greg Napper
2	Rowland Ward
3	Kevin Collins
4	Luigi Rinnovasi
5	Karen and Beryl McFarlane
6	Adrian Cos
7	Dale Johnson
8	Knox City Council
9	Catherine Adilia Steggink
10	Joanna Danuta Eassom
11	Elwyn Joy Heald
12	Paul Joseph Cleaves
13	Kenneth James McKenzie
14	Carol Josephine De Navi
15	John Henry Purdy

Appendix C: Document list

No	Description	Presented By
1	Submission from Echelon	Sarah Ansell
2	Figure booklet	Sarah Ansell
3	Table booklet	Sarah Ansell
4	Household types	Tim Biles
5	Layout diagram of site	Tim Biles
6	Submission from Knox City Council	Chris Bostock
7	Submission	Paul Cleaves
8	Strategic Investigation Sites	Chris Bostock
9	Submission	Luigi Rinnovasi
10	Submission	John Purdy
11	Media information	John Purdy
12	Correspondence with Mayor of Knox	John Purdy
13	Submission	Catherine Steggink
14	Submission	Rowland Ward
15	Submission	Kenneth McKenzie
16	Concept Plan	Sarah Ansell

Appendix D: Panel preferred DPO13

KNOX PLANNING SCHEME

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C165

SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO13**.

56 KINGLOCH PARADE, WANTIRNA

The Development Plan is intended to provide for the coordinated development of the land and to ensure that development is responsive to surrounding land uses. [siting of development and built form](#).

1.0 Requirement before a permit is granted

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C165

A permit may be granted before a development plan has been approved provided the responsible authority is satisfied that it will not prejudice the future use and development of the land.

2.0 Conditions and requirements for permits

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C165

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0 of this Schedule, a permit must contain the following conditions:

- A construction management plan must be submitted to and approved by the responsible authority.
- All works conducted on the land must be in accordance with the approved construction management plan.

3.0 Requirements for development plan

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C165

The development plan must be prepared for the whole site.

Development plan objectives

In preparing a development plan or an amendment to a development plan, the following should be achieved:

- [A design outcome that is generally in accordance with the indicative Outline Concept Plan attached as Figure 1](#)
- A range of dwelling types, as appropriate, to cater for a variety of housing needs.
- Provide for dwelling setbacks to Kingloch Parade and Greenlow Avenue, and a building design response that respects the built form rhythm of the existing streetscape.
- [Development that addresses the Kingloch Parade and Greenlow Avenue and enhances passive surveillance of these.](#)
- [Minimisation of crossovers to Kingloch Parade and Greenlow Avenue.](#)
- [Provision of a footpath along the Kingloch Parade Frontage](#)
- Protection of the amenity of adjoining sites by providing for a maximum of 2 storey built form immediately adjacent to or opposite any existing single or double storey residential development.
- Internal amenity for future residents.
- Identification and protection of any significant vegetation along the property boundaries as appropriate.
- Sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower housing costs for future residents.

KNOX PLANNING SCHEME

The development plan may consist of a plan and/or other documents.

Development plan components

A development plan must include the following requirements to the satisfaction of the responsible authority:

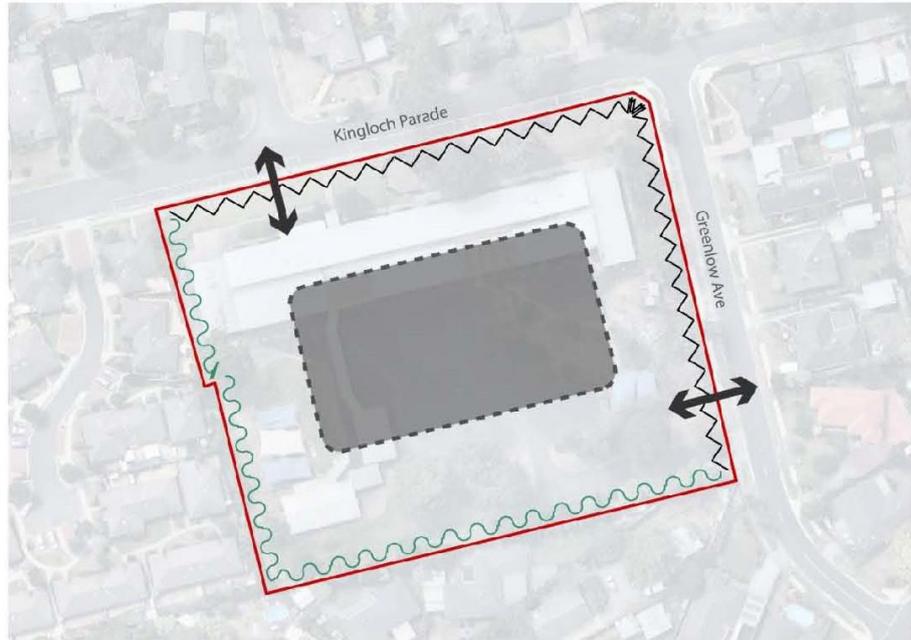
- An existing conditions plan showing the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land.
- Concept plans for the layout of the site which show:
 - Proposed lot layout and vehicle access locations.
 - Proposed earthworks and levels for future development.
 - A mix of dwelling sizes to provide for a diversity of housing.
 - Tree protection zones and appropriate integration of any significant vegetation to be retained (where relevant) with the future development.
 - Stormwater and drainage management treatments including any water sensitive design, or integrated water management elements.
- How the layout pattern and proposed development responds to the [Outline Concept Plan attached as Figure 1](#), the site analysis, and [how it](#) treats residential interfaces.
- A traffic management report prepared by a suitably qualified person(s), which identifies, as relevant:
 - Indicative access arrangements for vehicles, cyclists and pedestrians.
 - Recommendations for any traffic management measures.
- An arboricultural assessment of any significant vegetation on the land.
- A landscape plan for the site.
- Details of how the proposal will demonstrate best practice environmentally sustainable design principles.

The development plan for any part of the development area may be amended from time to time to the satisfaction of the responsible authority.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular part of a Development Plan.

KNOX PLANNING SCHEME

Figure 1: Outline Concept Plan (Indicative Only)



CONCEPT PLAN
56 KINGLOCH PARADE
WANTIRNA

- LEGEND**
-  SITE BOUNDARY
 -  POTENTIAL ACCESS POINTS
 -  OPPORTUNITY FOR INCREASED DENSITY HOUSING
 -  NEIGHBOURHOOD INTERFACE
 -  ROAD INTERFACE