### NOTICE OF AN APPLICATION FOR AN AMENDMENT TO A PLANNING PERMIT

<table>
<thead>
<tr>
<th>THE LAND AFFECTED BY THE APPLICATION IS LOCATED AT:</th>
<th>Dingley Reserve, 31 Marcus Road, DINGLEY VILLAGE VIC 3172</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE APPLICATION IS TO AMEND PERMIT NUMBER KP-2016/322 by</td>
<td>Temporary closure of all market stall sites and relocation of 25 market stalls to public car park area and a waiver of bicycle parking space pursuant to Clause 52.34</td>
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<tr>
<td>THE APPLICANT FOR THE AMENDMENT TO THE PERMIT IS:</td>
<td>Dingley Village Neighbourhood Centre Inc</td>
</tr>
<tr>
<td>THE APPLICATION REFERENCE NUMBER IS:</td>
<td>KP-2016/322/A</td>
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This can be done during office hours and is free of charge

Any person who may be affected by the proposed amendment to the permit may object or make other submissions to the responsible authority.

An objection must:
- be made to the Responsible Authority in writing,
- include the reasons for the objection, and
- state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

| THE RESPONSIBLE AUTHORITY WILL NOT DECIDE ON THE APPLICATION BEFORE: | 08-July-2019 |

If you object, the Responsible Authority will tell you of its decision.

Privacy Notification: The personal information provided in a submission/objection is collected for planning purposes in accordance with the Planning & Environment Act 1987 (the Act). The public may view an objection or submission in accordance with Section 57 of the Act whilst the planning application is current. In accordance with the “Improving Access to Planning Documents” Practice Note dated December, 1999, a copy of your submission will be made available on request. If you fail to provide contact details your objection may not be considered. For information regarding access to Planning documents please contact Council’s Planning Department on 1300 653 356.
Application to Amend a Planning Permit
VIA Section 72.

THIS FORM **CAN** BE USED TO AMEND PLANS, CONDITIONS AND/OR THE PREAMBLE ON A PLANNING PERMIT.

If you need help to complete this form, read [How to Complete the Amend an Application for Planning Permit Form](#).

Please note questions marked with an (*) are mandatory and must be completed.

### 1. The Land
Address of the land. Complete the Street Address and one of the Formal Land Descriptions

<table>
<thead>
<tr>
<th>Street Address *</th>
<th>Unit No.:</th>
<th>St No.:</th>
<th>St Name:</th>
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<tbody>
<tr>
<td>Marcus Road</td>
<td>31</td>
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**Formal Land Description ***
Complete either A or B. This information can be found on the certificate of title

**A**

<table>
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<tr>
<th>Lot No.:</th>
<th>44</th>
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| On Lodged Plan, Title Plan or Plan of Subdivision No: | 4681 |

**OR**

<table>
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<tr>
<th>Crown Allotment No.:</th>
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<tbody>
<tr>
<td>Section No.:</td>
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### 2. Planning Permit Details
Plans/documents for which permit are being amended? *

| Planning Permit No.: | KP322/2016 |

### 3. Development Costs
If the permit allows development, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit. *

<table>
<thead>
<tr>
<th>Cost of Proposed Amended Dev</th>
<th>$ 0</th>
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<tbody>
<tr>
<td>Cost of Permitted Development</td>
<td>$ 0</td>
</tr>
<tr>
<td>Cost Difference (+ or -)</td>
<td>$ 0</td>
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</table>
4. **The Amended Proposal**

You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

**What is the amendment being applied for?** *

- [ ] What the permit allows
- [x] Plans endorsed under the permit
- [x] Current conditions of the permit
- [ ] Other documents endorsed under the permit

List details of the proposed changes.

*If the space provided is insufficient, attach a separate sheet*

Provide 2 sets of plans clearly identifying all proposed changes to the endorsed plans plus one A3 set of all plans, together with; any information required by the planning scheme, requested by Council or outlined in the Council checklist; and include a description of the likely effect of the proposal.

5. **Existing Conditions**

Describe how the land is used and developed now? *

- [ ] Yes
- [ ] No

Eg. Vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats.

Have the conditions of the land changed since the time for the original permit application? Yes [x] No [ ]

Please provide details of the existing conditions.

Bike spaces and all of the 37 approved market stall sites are now incorporated into the Harold Box Hall/ Dingley Library redevelopment construction site and not available for use until December 2019.

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are helpful.

6. **Title Information**

Encumbrances on title?*

- [ ] Yes (if ‘yes’ contact Council for advice on how to proceed before continuing with this application)
- [ ] No
- [x] Not applicable (no such encumbrance applies)

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering ‘register search statement’, the title diagram and the associated title documents, known as ‘instruments’, eg. Restrictive covenants.)
7. **Applicant and Owner Details**

Provide details of the applicant and owner of the land.

**Applicant**

The person who will receive the amended planning permit.

**Contact**

The person you want council to communicate with about the application.

**Contact Information**

Please provide at least one contact phone number.*

**Owner**

The person or organisation that owns the land.

Where the owner is different from the applicant or contact provided in the application, the name of the person or organisation who owns the land.

8. **Declaration**

This form must be signed by the applicant.*

*Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.
9. Need help with the Application?

Contact Council’s planning department to discuss the specific requirements for this application. Insufficient or unclear information may delay your application.

If you need help to complete this form, please read .How to Complete the Amend an Application for Planning Permit Form

Has there been a pre-application meeting with a council planning officer?

<p>| | |</p>
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<tr>
<td>X</td>
<td>No</td>
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<td>Yes</td>
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<td>Date: dd/mm/yyyy</td>
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10. Information checklist

11. Have you:

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<tr>
<td>X</td>
<td>Filled in the form completely?</td>
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<td></td>
<td>Paid or included the application fee? (Contact council to determine the appropriate fee).</td>
</tr>
<tr>
<td>X</td>
<td>Attached all necessary supporting information and documents?</td>
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<tr>
<td>X</td>
<td>Signed the declaration (section 7)?</td>
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11. Lodgement

Lodge the completed and signed form and all documents with:

Council Name: City Of Kingston
Council Address: 1230 Nepean Highway, Cheltenham
Council Address: PO Box 1000, Mentone, Victoria, 3194

For help or more information
Telephone: 9581 4131
Fax: 03 9581 4500
Email: info@kingston.vic.gov.au

Privacy Notice

Your application and the personal information on this form is collected by the City of Kingston for the purpose of the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, the City of Kingston will not be able to consider your application. Your application will be available at the City of Kingston office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party’s right to privacy and copyright. Personal Information includes:

- The name, address or contact details of any third party
- Photographs of a third party or their property
- A third party’s opinion about the planning application or related issue

If you have any concerns or wish to request access to your personal information please contact Council’s Planning Department on 9581 4131.
453261 (92/706)
14 July 2019

Pam Gates
Centre Manager
Dingley Village Neighbourhood Centre Inc

By Email Transmission  dvnc@satlink.com.au

Dear Pam

Amended Planning Permit KP2016-322/A temporary relocation Dingley Village Market 31 Marcus Road

I refer to the Dingley Village Neighbourhood Centre’s request of the 9 April 2019 to amend the original planning permit for the Dingley Village Market’s temporary relocation due to the construction and redevelopment of the Council site.

Landlord consent is granted subject to complying with the conditions set out in the Amended Planning Permit KP2016/322/A. Copy of the amended plan attached.

Please contact me if you have any questions in relation to this matter.

Regards

Julian Harvey
MANAGER PROPERTY AND ARTS, CITY OF KINGSTON

cc Planning Department, Library & Education, Sport & Recreation & Community Facilities and Partnerships
Planning Department  
City of Kingston  
P O Box 1000  
Mentone 3194

Re: Application to amend Planning Permit KP322/2016

The Dingley Village Neighbourhood Centre operates the monthly farmers’ market on site at 31 Marcus Road, Dingley Village on the 3rd Saturday. The market which has now operated successfully from the site since October 2017 has evolved into a small boutique market attracting a loyal local customer base of approximately 700 people.

Due to the current redevelopment of the Dingley Village Library and Harold Box Hall and associated construction site we seek permission for a specified period for an amendment to our existing permit. We will be unable to maintain viability of the farmers market under our current planning permit conditions and plan.

The construction zone now incorporates all of our stall sites and bike parking sites, making them unavailable for use during the monthly farmers’ market.

We are requesting that we be able to close all current designated stall sites and relocate 25 stall sites to the designated public carpark, that bike parking provision be waived and required number of car parking spaces required be reduced from 80 to 39 for the period April through to 31st December 2019.

As we have now operated for 18 months we have been able to collect data on stall site usage, foot and traffic flow during the market times that will be affected by our proposed changes.

Current conditions:  
Average stall sites in use each market is 21  
Average total number of vehicles accessing onsite parking during market hours is 122 vehicles.  
Average total number of vehicles parked onsite at any one time is 19 customer vehicles.
Bike parking is rarely utilised and therefore we have no usable data.  
Foot traffic is the predominate method of accessing the farmers’ market.
This data has shown us that demand for customer vehicle parking onsite is low, with foot traffic made up predominately of young families and couples accessing the market for both shopping and as a social event. We acknowledge that a proportion of foot traffic do park their vehicles in either Marcus Road or the shopping centre carpark, despite the ongoing promotion of free onsite parking.

The reallocation of the public car park to stall sites will not create a negative impact for vehicle traffic flow and onsite car parking as the remaining car parks can address usage needs and parking attendants will continue to manage traffic flow. Stall holder vehicles will be incorporated into the temporary stall sites.

The Neighbourhood Centre will remain open and accessible during market operations for customers to access toilets, with entry from temporary market site through side doors. We do not believe the loss of toilet access at the Harold Box Hall will greatly inconvenience customers, as entry was outside market footprint and the current layout of sites encouraged customer flow into the Neighbourhood Centre.

There should be no additional impact on the sporting activities on the adjoining Corrigan oval, the portable change rooms and temporary mesh fencing currently provide a barrier and the siting of stalls along the boundary will provide another barrier. Traffic for stall holders is restricted to two periods of the day, entry traffic from 7am – 8.15 am, which is prior to start of play on Corrigan Oval and exiting traffic is from 1 – 1.30pm. June & July Markets do not clash with Dingley Village Football Club home games on Souter Oval. August market is on a home game day but we believe market and crowd number will be small as a winter market.

The Neighbourhood Centre will manage the changes through temporary directional signage on market days, information on changes through print and social media. Parking attendant’s onsite will also direct customers to available car parks, manage traffic flow on access roadway and provide information on temporary market siting.

Should you require further information or wish to discuss please contact the Centre Manager Pam gates on 9558 1866

Marion Harriden
Chair
Board of Governance

Appendix 1 shows the proposed area of use for the relocation market and car parking areas

Appendix 2 Current approved market layout
Re: Application to amend Planning Permit KP322/2016

Details of the proposed changes.

Suspension of all current market sites due to area now being a construction site for City of Kingston Library and Hall redevelopment.

Relocation of 25 market sites from current approved siting to market public carpark until 31st December 2019

Waive provision bicycle parking spaces until 31st December 2019, as provision is within construction zone.

Reduce number of car parking spaces required for 994 sq. metre market area from 80 to 39.

Justification that 39 car parking spaces will meet demand is based on current conditions below

Current conditions: Average stall sites in use each market is 21
Average total number of vehicles accessing onsite parking during market hours is 122 vehicles (includes staff & additional stallholder vehicles).
Average total number of vehicles parked onsite at any one time is 19 customer vehicles.
Bike parking is rarely utilised and therefore we have no usable data.
Foot traffic is the predominant method of accessing the farmers’ market.
Designated Staff & Stall holder parking area has not been utilised as public parking more than sufficient for needs

This data has shown us that demand for customer vehicle parking onsite is low, with foot traffic made up predominately of young families and couples accessing the market for both shopping and as a social event. We acknowledge that a proportion of foot traffic do park their vehicles in either Marcus Road or the shopping centre carpark, despite the ongoing promotion of free onsite parking.

The reallocation of the public car park to stall sites will not create a negative impact for vehicle traffic flow and onsite car parking as the remaining carparks are those already in use and controlled by parking officers.

Request for additional information

1. Written Consent from Public Land Manager:

‘The Heart of our Community’
Discussions were held with Steve Lewis, Manager Community Buildings and Fiona Baxter, Senior Facilities Development Planning Coordinator, that market would need to either close or be temporarily relocated during redevelopment works.

As closure would make the future of the farmers' market unsustainable the only option is relocation with staying on current site the best possible place.

The relocation is within the approved total area and temporary; new planning permit will be required to address changes in approved market site area due to redevelopment. Ali Street Community Facilities and Partnership Officer is facilitating Public Land Manager formal approval, internally on our behalf.

2. Scaled and dated and title plan
   See attached

3. Area proposes market area
   See scaled plan attached

4. Replacement bicycle parking
   Application seeks waiving bicycle parking spaces

5. Parking plan
   See scaled plan attached
   No change to traffic flow or directional signage currently in operation
   Parking attendant's positions indicated on scaled plan.

Additional concerns

Car parking: see above

Planning permit for signage:
No permanent signage is in use, temporary banners are used week prior to market on private property. Market Day signage on day of market are Feather banners erected within approved area during market hours only.

Temporary advertising board allowable under Clause 52.05.04, at the front of the reserve is used from time to time throughout the year. Site is designated by City of Kingston for use to advertise community events.

Removal of all staff & stallholder car parking.
The designated area on approved plan and the overflow parking, have not been used at any time. All stallholders have their vehicles on their stall site. Market staff have been using public parking areas.

Tree locations:
Only 4 sites are on grass with only two sited in treed area, though not up against, all other trees not within market area but on outside boundary. Two trees between stalls and roadway, currently used for car parking. Two sites sited around trees will be last in use if needed.
CONSTRUCTION ZONE

NO ACCESS

994 square metres total market area:
22 stalls with vehicle onsite
3 stalls no vehicle onsite

Farmers Market Layout
AT 31 MARCUS ROAD, DINGLEY
INGLENVILLE NEIGHBOURHOOD CENTRE

May 2019