



City of
KINGSTON

Special Meeting of Council Agenda

Monday, 8th July 2013

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

<http://www.kingston.vic.gov.au>

Paul Franklin
Acting Chief Executive Officer
Kingston City Council

**City of Kingston
Special Meeting of Council**

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Notice is given that a Special Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 8 July 2013.

1. Apologies

2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

3. Environmental Sustainability Reports

3.1 New Commercial 2 Zone Translation - Planning Scheme Amendment
C136 5

4. Confidential Items

Nil

3. Environmental Sustainability Reports

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Agenda Item No: 3.1

NEW COMMERCIAL 2 ZONE TRANSLATION - PLANNING SCHEME AMENDMENT C136

Contact Officer: Jonathan Guttmann, Manager City Strategy

Purpose of Report

To provide an update to Council on the response to the resolution at the Special Council Meeting on 11 June, 2013 about the Planning Scheme Amendment C136 request, which has been prepared to address the unintended consequences of the introduction of Commercial 2 Zones.

This report seeks a decision from Council to inform the community of the importance of this Planning Scheme Amendment.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council:

1. Highlight the importance of Planning Scheme Amendment C136 to the small business and broader Kingston community.

1. Summary

During the past year the Council has played a significant role in reviewing initiatives presented by the State Government to reform Planning Zones across Victoria.

At a Planning Committee meeting on 19 September 2012, the Council considered a detailed submission to the State Government about the new zones, which raised some unintended consequences associated with components of the proposed reform. The submission identified concerns with the proposed Commercial 2 Zone.

Upon release of the final form of the Residential zones the Council has moved quickly to positively promote the new Residential zones within the community and put in place a process for significant community engagement and input to prepare for transition to 1 July 2014.

As advised the Commercial zone transition is scheduled to occur in July 2013. This short transition period means there is limited time for Council to undertake engagement with the business and broader community.

A Special Council Meeting was held on 11 June 2013, to consider the Council's response to the unintended consequences associated with the Commercial 2 Zone. At that meeting, the Council

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resolved to make a request to the Minister for Planning to authorise the preparation of a Planning Scheme Amendment to undertake a series of zoning and particular provision changes. The Officers report was provided to Council and is also available on the Council website.

Since the Council's resolution the following has occurred:

1. On 12 June 2013, the Council immediately couriered Planning Scheme Amendment C136 to the Minister for Planning, as well as submitting it electronically to the Department of Planning and Community Development. This included a covering letter from the Mayor outlining the Council's concerns.
2. On 19 June 2013, the Mayor wrote to the Minister for Planning reinforcing the urgency of this matter.
3. On 2 July 2013, a meeting was held with the Minister for Planning's Chief of Staff and Department of Planning and Community Development officers.

Although the Commercial Zones are yet to be introduced, the State Government Department of Planning and Community Development website indicates that the zones will be introduced in July 2013.

In briefings and reports provided to the Council, officers have reinforced the significant importance of Planning Scheme Amendment C136 being urgently approved.

Supermarkets and other out of centre retailing on these sites have the potential to undermine the viability and vitality of existing shopping centres, in particular Moorabbin, Mentone and Aspendale Gardens as an unintended consequence associated with the introduction of the Commercial 2 Zone in ten locations in Kingston outlined in the report considered on 11 June 2012.

The Council now has the opportunity to make small businesses and the broader Kingston community aware of the unintended consequences of the proposed Commercial 2 Zone and to provide information on how the Council's concerns can be addressed.

Author/s: Jonathan Guttman, Manager City Strategy

Reviewed and Approved By: Rachel Hornsby, General Manager Environmental Sustainability