

Summary of Written Submissions to Amendment C223

The below table provides a summary of the written submissions, together with an officer response to the submission and recommendations.

Submitter No.	Theme	Summary of Submission	Response to submission
1	150 Cambridge Road, Kilsyth	<p>The submitter (Kilsyth Cricket Club) supports in-principle the proposed re-zoning of the site to the Public Park and Recreation Zone.</p> <p>The submitter also raises the following:</p> <ul style="list-style-type: none"> • The re-zoning should prioritise community sport and not-for-profit group access to the parkland acquired by Council. • Modest residential development would support strengthened vibrancy of the area and promote greater engagement in community activities. 	<p>Thank you for making a submission. In response to your submission, we advise that your position is noted.</p> <p>Recommendation: No change is required to the amendment</p>
2	25 Madeley Drive, Wesburn	<p>The Department of Energy, Environment and Climate Change (DEECA) advised they have no opposition to the proposed retention of Special Control Overlay 3 to 25 Madeley Drive, Wesburn, but did question given the sites zoning in a Public Park and Recreation Zone if it was necessary to retain the SCO3.</p>	<p>Thank you for making a submission. In response to your submission, we advise that your position is noted.</p> <p>Recommendation: No change is required to the amendment. Retention of SCO3 is required to ensure that the lots cannot be further subdivided.</p>
3	Proserpina Bakery Site, 261 Mount Dandenong Tourist Road, Ferny Creek	<p>The submitter did not support the amendment.</p> <p>The submitter raised the following concerns:</p> <ul style="list-style-type: none"> • The submission would not be heard properly and it is a formality dictated by protocol. • There are many residents who protested against the building of 261 Mt Dandenong Tourist Road, with the compromise being the rules for opening hours, noise restrictions and zoning. 	<p>Thank you for making a submission and for further discussions in relation to this site and agreement to amended wording in the Incorporated document.</p> <p>Officers contacted Submitters 3, 4 and 5 to further discuss their concerns and to seek clarity on what would be more acceptable hours of use.</p> <p>It was proposed to the submitters, following discussion with the owners of the bakery, that the</p>

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		<ul style="list-style-type: none"> • Only the residences adjoining the site have been notified. The proposal affects all residents in Hilton Road and the surrounding area. • Hilton Road is used by residents to exit onto Mt Dandenong Tourist Road. The corner of Breen and Clark Road is dangerous, as well as exiting from Clark Road onto Mt Dandenong Tourist Road. Vehicles are parked on and around the corners. • When the bakery shuts at 4pm it provides some relief to all nearby residences. • Light pollution will further infiltrate into the evening with all the comings and goings. • Residents of Ferny Creek chose to live there for a particular lifestyle. They are concerned that business is put first, not residents, and it is their home and lives that the decision will impact. 	<p>hours of use in the incorporated document be amended to align with the bakery's opening and closing hours, that includes being closed on Tuesdays, and removing the following wording and allowance from the document <i>"to extend the time the premises may be open to patrons on no more than twelve (12) days per year, and only between the months of October and March (inclusive) and under no circumstances beyond 11.00pm."</i></p> <p>With respect to notification of the amendment, notice was provided to adjoining land owners as required by the <i>Planning and Environment Act 1987</i>.</p> <p>With respect to parking and traffic issues, whilst outside the scope of the amendment, Council's traffic and transport team has advised that new parking restrictions are currently being put in place along Hilton Road, to address resident's concerns</p> <p>Recommendation: Make changes to the Incorporated Document as agreed.</p>
4	Proserpina Bakery Site, 261 Mount Dandenong Tourist Road, Ferny Creek	<p>The submitter does not support the amendment.</p> <p>The submitter raised the following concerns:</p> <ul style="list-style-type: none"> • The proposed amendment has a significant impact on the already compromised amenity of their home and immediate neighbourhood. • The bakery currently, and has since the business commenced, opens at 7/7.30 am for 6 days a week - Wednesday to Monday. 	<p>Thank you for making a submission and for further discussions in relation to this site and agreement to amended wording in the Incorporated document.</p> <p>See response to submission 3 above</p> <p>Recommendation: Make changes to the Incorporated Document as agreed.</p>

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		<ul style="list-style-type: none"> • The submitter queried why a select group of residents is being asked to comment on a change to opening times and days when original requirements have always been ignored. • That there has been a failure to manage overflow parking and traffic congestion on the corner of Hilton Road and Mt Dandenong Tourist Road. • The impact of overflow parking on Hilton Road can be a problem any day of the week, but particularly on weekends, public holidays and school holidays. • Cars which cannot park within Proserpina (or sometimes choose not to when car spaces are available within Proserpina), park along Hilton Road. Other roads nearby do not share the burden of parking as they are either dirt or are particularly narrow e.g. Robert Street and Myrtle Road. • On very busy days cars will be parked on both sides of Hilton Road with only a very narrow and potentially dangerous opening for residents to travel into or from the intersection with Mt Dandenong Tourist Road. • Many neighbours have expressed their concern that at busy times emergency vehicles would not be able to get through to the forest end of Hilton Road. • Large vehicles, caravans and tradie Utes with trailers all park on Hilton Road adding to the general difficulty of movement for residents. At least one full sized bus has parked opposite their house. • Vehicles are frequently parked illegally up to the corner of Hilton Road intersections and to residences' driveways. There appears to be no council or police monitoring of the parking. 	

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		<ul style="list-style-type: none"> • Cars typically do a large U turn at the intersection of Hilton, Robert and Myrtle, which adds to the traffic concerns on Hilton Road. • On busy days residents cannot back out of their driveway into Hilton Road. • They awake in the mornings to the sounds of car doors continually banging. They now try to ensure they leave the hills early morning and stay away until after 4pm on chaotic days such as long weekends. • Minimal effort appears to have been made since Proserpina opened to protect the Hilton Road residents from the adverse impact of parking and traffic on residents. These concerns are well known to Council. • They expressed that taking away the one day of the week that residents currently do not have to put up with the traffic and car parking congestion is completely unacceptable. 	
5	Proserpina Bakery Site, 261 Mount Dandenong Tourist Road, Ferny Creek	<p>The submitter does not support the amendment.</p> <p>The submitter raised the following concerns:</p> <ul style="list-style-type: none"> • The business, Proserpina Bakehouse has been operating 6 days a week from 7-2:30 am to 4pm Wednesday to Monday, only being closed Tuesdays, since it opened. This has created access issues for residents north of the premises with the amount of on street car parking, often on both sides of the street that can be several 100's of metres down the street. • Increasing on street car parking by guests is a great concern especially leading into the bushfire season. There is 	<p>Thank you for making a submission and for further discussions in relation to this site and agreement to amended wording in the Incorporated document.</p> <p>See response to submission 3 above</p> <p>Recommendation: Make changes to the Incorporated Document as agreed.</p>

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		<p>insufficient room for a fire appliance or large vehicle when people are parked both sides of the street.</p> <ul style="list-style-type: none"> • Entering and exiting Hilton Road onto Mt Dandenong Tourist Road can be difficult (and sometimes dangerous as tourists are unfamiliar with the location and road conditions). • That business hours may be increased both from am to pm, or to 7 days a week with the proposed changes. • Danger associated with visitor traffic and parking behaviours to access by emergency vehicles. Increased hours represent even more inaccessibility. • Most other tourist hospitality businesses are closed on a Monday so the visitor numbers to Proserpina are increased due to lack of options for the tourist trade. 	