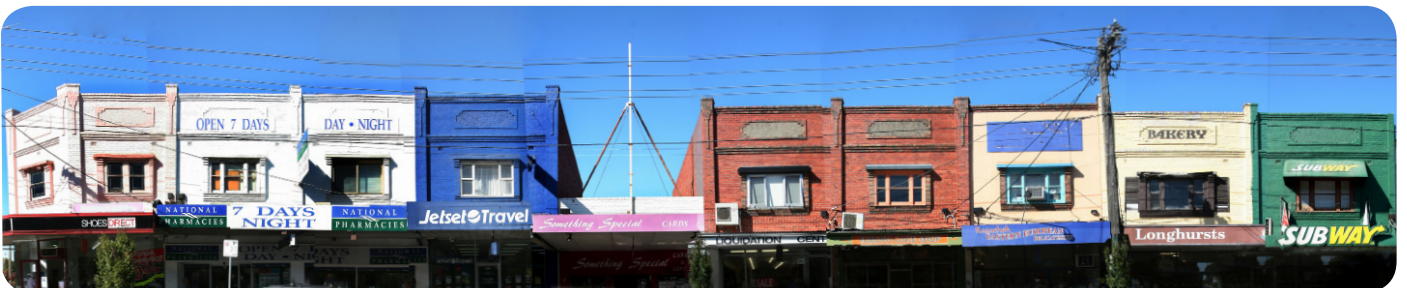


PLANNING SCHEME REVIEW 2010



Final Report August 2010



Bentleigh Bentleigh East Carnegie Caulfield Elsternwick Gardenvale Glen Huntly McKinnon Murrumbeena Ormond St Kilda East

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Acknowledgements

Thank you to everyone who played a part in this review process, particularly local residents who attended the public meetings and took the time to send in a written submission. Councillors and Council officers have also been generous with their helpful input in shaping the way forward with Glen Eira's future planning directions.

1.0 Introduction

The Planning and Environment Act 1987 (the Act), requires each municipal Council to review their Planning Scheme every 4 years and provide a copy of the review report to the Department of Planning and Community Development (DPCD).

A key aim of the Review is to improve the performance of the planning scheme and strengthen its strategic objectives. From a contrary view point opening up “hard won” local policies for public scrutiny potentially risks the continuation of such policies.

This report is detailed because it follows a format set down in accordance with the DPCD “*Continuous Improvement Review Kit*” February 2006.

The primary objective of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria and the objectives of the planning framework established by the Act.

The review must evaluate the planning scheme to ensure that it:

- (a) is consistent in form and content with the directions or guidelines issued by the Minister under Section 7 of the Act;
- (b) sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies; and
- (c) makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The review incorporates an audit of the performance of the planning scheme and looks at what has been achieved since the last review. It assesses the performance of the objectives and strategies in the Municipal Strategic Statement (MSS) and whether the implementation tools (i.e. zones, overlays, policies etc) have been effective in achieving these objectives. This is an opportunity for Glen Eira to review the future vision for land use and development and in so doing identify any gaps and set a work plan for future strategic planning initiatives.

The MSS and local content of the scheme must be consistent with State Government planning policy and Council’s own Glen Eira Community Plan 2008-2013.

1.1 Scope of the Review

The 2010 Review included an assessment of both the Council’s planning scheme and its processes. This was carried out through completion of the audit tools that form part of the “*Continuous Improvement Kit*”. In short, the review involved:

- a. An audit of Council’s performance;
- b. A stock take of achievements;
- c. An opportunity to identify and fix gaps;
- d. An opportunity to review and consider future directions;

Public consultation was an important part of this review, aiming to engage the community to ascertain their views.

1.2 Aims of this Review

The aims of this Review include a desire to build on:

- Glen Eira’s strategically driven planning scheme;

- the *continuous improvement* ethos in the Planning Department;
- reducing unnecessary delays in the planning process;
- reducing the length and improving the clarity of the MSS and local policies.
- Fair and inclusive processes to include resident objectors in town planning decision making.

The Review only involved an assessment of issues within Council's ambit of responsibility, which represents approximately 25% of the Glen Eira Planning Scheme.

2.0 The Development of the Glen Eira Planning Scheme

The Glen Eira Planning Scheme was approved by the Minister for Planning in August 1999. The first formal review of the MSS was carried out in 2004 in accordance with the *Planning and Environment Act 1987*, which at the time required that only the MSS be reviewed. Since that time a number of amendments have been made to the MSS and planning scheme in general. These changes will be discussed in this report.

3.0 Collection of data for the Review

The Review takes into account:

- Issues for Glen Eira raised by the local community, stakeholders, Council planning officers and Council;
- The *Planning and Environment Act 1987*;
- The Glen Eira Community Plan 2008-2013;
- State Planning Policy Framework;
- Melbourne 2030;
- Melbourne @ 5 Million;
- Panel Reports from planning scheme amendments;
- Key VCAT decisions;
- Review of planning application files;
- Information gleaned through the Audit tools.

3.1 State Government Reviews

A number of influences will affect the future direction of Glen Eira and the Glen Eira Planning Scheme. Over the last few years the Department of Planning and Community Development has or is carrying out a number of very significant reviews that will impact on the Glen Eira Planning Scheme in the future. These include but are not limited to:

- Review of the Planning and Environment Act (Modernising Victoria's Planning Act);
- Review of Residential Zones;
- Review of the State Planning Policy Framework;
- Review of the Local Planning Policy Framework;
- Review of Parking Provisions in the scheme;
- Heritage Provisions Review;
- Home Occupation Review;
- Retail Policy Review

Review and potential changes to these sections of the planning scheme will have an enormous impact on all planning schemes in Victoria. The ongoing nature of the above reviews potentially limits the scope of Glen Eira's Planning Scheme Review. It must be recognised that it is within this context of 'change' that the current Glen Eira Planning Scheme Review is being undertaken.

3.2 State Government Housing Capacity Assessments

The State Government has appointed a consortium, led by SGS Economics and Planning, to undertake an assessment of Metropolitan Melbourne's capacity to accommodate future housing development. This will provide a comprehensive picture of opportunities and constraints affecting the delivery of new housing in existing urban areas. In consultation with local government, the process will identify the baseline capacity, the likely supply of new housing and the scope to enhance capacity to meet future housing needs. It is possible that this may culminate in housing targets for municipalities. If this is an outcome, it is likely to be greeted unfavourably by many Councils, including Glen Eira.

4.0 Planning Scheme Review Consultation Process

4.1 Preparation of a Consultation Paper

A Planning Scheme Review Consultation Paper was prepared and released for public comment on 30th March 2010. The Consultation Paper included seven themes. These were:

- The performance of Council's Municipal Strategic Statement (MSS) in setting policy direction in relation to planning outcomes for Glen Eira;
- The continued applicability of Council prepared local policies;
- Any zoning or overlay inconsistencies;
- The effectiveness of having Significant Character Areas;
- The use of Structure Plans for Activity Centres;
- Transitioning from Housing Diversity Areas to Minimal Change Areas; and
- Emerging issues such as:
 - The relevance and need for master plans by institutions in the municipality;
 - Use of development contributions, eg. open space, drainage, etc
 - Possible policy/control gaps.

4.2 Extent of Consultation

The Consultation Paper was advertised to the general public through the *Glen Eira News* and the *Caulfield Glen Eira Leader* and *Moorabbin Leader*. The paper was available on the Council's website from 30th March – 21st May 2010.

Council also sent 120 targeted letters to major stakeholders, adjoining municipalities, local traders associations and community groups, property developers and architects (regular users of the scheme), referral authorities, schools and institutions.

Three community consultation meetings were carried out as part of this Review (one for each Council Ward). These meetings were chaired by an external facilitator – Ms Jane Nathan and were well attended by local residents and local developers. Two private meetings with community members and stakeholders were also undertaken with strategic planning staff. Council received 35 written submissions.

During the consultation period, the Review Committee also met with Statutory Planning Staff (Council's users of the scheme) to discuss their concerns with the content of the scheme and to suggest possible changes.

Additionally, Council itself considered town planning issues facing Glen Eira and made valuable input into the Future Directions paper (Appendix 1).

In general, Council officers and Councillors alike were pleased with the level of interest from the community. The issues raised by the community have an important bearing on shaping decisions on the future direction of the Glen Eira Planning Scheme.

4.3 Issues for Glen Eira from Community Consultation

Councillors have been given copies of all submissions. In essence, the submissions capture the community discussion at the three public meetings.

Issues from public meetings, submissions and Council's planning officers were many and varied, however the main issues are summarised as follows:

Increasing Population

This is one of Glen Eira's major issues. A number of other issues flow from an increasing population, such as increased dwelling density, traffic and parking problems, public transport capacity and pollution.

The State Government population projections suggest that Glen Eira's population will increase from 129,576 in 2006 to 144,240 in 2026. This is an increase of 11.3% or over 14,000 people. Additionally, projections suggest that the number of households in Glen Eira will increase by 9,550 or 17.9% over the same time span. (The number of households is increasing at a higher rate than population due to the decrease in the average household size). This equates to an increase of roughly 500 dwellings per year until 2026. Where should we house these people? Glen Eira currently has strong housing policy that directs housing growth to areas located close to activity centres and public transport – Housing Diversity Areas. There are social, environmental and economic reasons for directing growth to these areas. It was suggested by some sections of the community that Council does not actively encourage 'diversity' of housing in these housing diversity areas, but instead keeps approving small one or two bedroom units which does not encourage families to move into the area.

Municipal Strategic Statement and Local Policies

There was general agreement that local policy is outdated, complex and repetitive and should be streamlined so it is unambiguous and 'gets straight to the point'. It was also suggested that links are created between other important Council documents such as the Community Plan, Municipal Public Health Plan, Disability Action Plan, Environmental Sustainability Strategy, Right of Way Policy and draft Transport Strategy.

Zoning inconsistencies

There was general owner support for all rezonings proposed as part of this review.

Significant Character Areas

There was general agreement that local policy is not an effective tool to control development in significant character areas. The Neighbourhood Character Overlay is the appropriate form of protection. The community offered strong support for the need for an appropriate control, particularly at the public meetings.

Activity Centres and Structure Planning

Current local policies relating to activity centres are outdated and require review. The status of Glen Huntly activity centre was raised as an issue - Is it a Major Activity Centre or Neighbourhood Activity Centre?

There was some support for structure plans for activity centres. However many of the written submissions indicated the hope that structure plans will control and in fact minimise development in activity centres. There was also a suggestion that our major activity centres could become pedestrian precincts by removing cars from the main road and creating a mall.

Transitioning from Housing Diversity to Minimal Change

There was strong support for increased prescription in the Housing Diversity Policy in relation to 'transition areas' being where they abut Minimal Change Areas and along tram lines.

Open Space – Public and Private

The community indicated that new unit developments should be made to provide larger areas of private open space especially in Minimal Change Areas. Public open space is becoming more and more important with the increasing population and the reduction in people's private open space. Public open space contribution requirements in the scheme should be reviewed to include the requirement for contributions from non residential and mixed use subdivisions.

The community was also concerned by the loss of trees and other vegetation that occurs when a unit development is proposed.

Master planning for institutions

There was limited interest in this issue. However those who commented were generally supportive of the idea of requiring master plans for institutions. Long term ambitions should be revealed when they impact the community.

Development contributions for drainage

Council's existing Development Contributions Plan Overlay has expired and must be removed from the scheme. There was limited public interest in this issue. However those who did respond believed they were an important form of levying developers to cover the costs of providing infrastructure – why should the current population have to pay for these upgrades through rates? This issue involves balancing the costs of justifying any overlay against likely future income for Council.

The issues noted above have been considered to inform the proposed Future Town Planning Directions for Glen Eira (see Appendix 1 of this report).

5.0 Audit of Council's Performance

The following planning audits were completed as part of this Review:

1. The Planning Scheme Review Audit
2. The Planning File Audit
3. The Planning Workload and Office Statistics Audit
4. The Planning Process Review Audit

The results of the audits are summarised in this report and inform the proposed Future Town Planning Directions for Glen Eira.

Council used the *Continuous Improvement Review Kit 2006* audit tools for each audit with the exception of the Planning File Audit. For a number of years, Council has had its own file audit system in place, with over 100 files audited each year and assessed against set criteria. Statistics for the file audit were taken from the Glen Eira auditing process.

5.1 The Planning Scheme Review Audit – Strategic Performance of the Scheme

The Planning Scheme Review Audit indicates that Glen Eira's Planning Scheme is a strategic and forward thinking document that furthers the objectives of planning in Victoria, generally advances the strategic directions of the State Planning Policy Framework (SPPF) and is in keeping with the Glen Eira Community Plan 2008-2013. There are, however, a number of improvements that can be made to enhance the scheme. These are discussed below:

5.1.1 Consistency with State Planning Policy Framework (SPPF), including Melbourne 2030

In a 'big picture' sense, Glen Eira's planning scheme furthers the directions of Melbourne 2030 with the Housing Diversity Area/Minimal Change Area differentiation. These housing policies direct increased housing intensity to appropriate locations in activity centres. This, in turn, strengthens and adds vibrancy to activity centres.

In terms of furthering the objectives of the SPPF, the following improvements to Glen Eira's scheme could be made:

- Integrate the *Ageing in Glen Eira Strategy*, *Transport Strategy (when adopted)*, *Environmental Sustainability Strategy*, *Right of Way Policy* and *Bicycle Strategy* into the MSS;
- Review the *Activity Centres Strategy 2005* and incorporate findings into the MSS and relevant local policy.
- Melbourne 2030 nominates Glen Huntly as a Major Activity Centre while Glen Eira has always maintained that this centre should only be nominated as a Neighbourhood Activity Centre. This issue will be included in the review of the *Activity Centres Strategy 2005*;
- Carry out a study of Glen Eira's Industrial, Business 4 Zoned land and railway land to ascertain need and/or possible rezoning opportunities to allow mixed use development, including residential development. The results of this study should inform a revised MSS;
- Continue with the review of Significant Character Areas with a view of including areas of high significance in the Neighbourhood Character Overlay;
- Carry out a heritage review of the Caulfield Racecourse area/buildings. Include a statement in the Heritage section of the MSS and local heritage policy about the importance of Aboriginal cultural heritage;
- Scope opportunities for increasing public open space contributions from non-residential and mixed use developments;
- Create a Tourism section in the MSS that discusses the city and statewide importance of Glen Eira's tourist sites such as the Melbourne Racing Club and Ripon Lea;
- Alter the 'Transport' section of the MSS to indicate the Principle Bicycle Network and bus routes on the transport framework plan;
- Include the Melbourne @ 5 Million 'employment corridor' on the Strategic Framework Plan in the MSS;
- Encourage Melbourne Water to pursue the amendment of the Special Building Overlay to ensure that sites currently subject to the 1:100 year flood are

- correctly mapped and sites currently located in the overlay that are no longer subject to the flood are removed as soon as possible;
- Review the Aged Persons Housing Policy to ensure the definition of Aged Care in the policy coincides with the state definition in the scheme, recognise that aged care facilities are different to dwellings in their purpose and function and will have a different built form, and clearly define 'large allotments' and 'main roads' ;

Some of these issues are discussed in greater detail later in this report.

5.1.2 The creation of clear links between the State and Local Planning Policy Framework (LPPF)

Glen Eira's local planning policy framework should be re-ordered and particular sections re-named so that they coincide with the order of the SPPF. Current 'best practice' policy writing suggests that the MSS and local policy should be merged into one streamlined document so that all local policy directions are contained in one area. This will greatly reduce repetition between sections in the MSS and local policies and make the LPPF easier to use. It has also been suggested that, in time, the state and local planning policy frameworks could be merged for further ease of use, providing a 'one stop shop' for policy direction.

Any review of the MSS, Phoenix Precinct Policy and Urban Villages Policy should refer to Glen Eira's 'Major Activity Centres', not 'Urban Villages' in keeping with Melbourne 2030 and to avoid confusion.

5.1.3 Emergence of issues with the MSS and local policies since the last review

As a general rule, Glen Eira has little difficulty defending local policy at VCAT, which is a good indication that the underlying philosophy of policies is sound. However, recent decisions highlight the following changes should be made:

- Include the draft heritage guidelines in the scheme as reference documents to strengthen them;
- Provide prescriptive guidance for 'transition areas';
- Use a Neighbourhood Character Overlay in lieu of the existing Significant Character statements in the Minimal Change Area Policy as the current use of policy is considered to be the incorrect tool to better protect areas of significant character; and
- Review the Commercial Centres Policy.

Council's main issue with VCAT is that it is only required to 'consider' policy but does not have to 'apply' it. This is not merely a Glen Eira issue. The Planning and Environment Act should be amended to ensure that VCAT must implement policy, not merely 'consider' it when reviewing a planning application.

It is considered that the Monash Medical Centre Precinct Structure Plan Policy has fulfilled its purpose for guiding development in this location. Development in this area is now complete and there are other policies in the scheme to guide medical centre development. This policy is no longer required and should be removed from the scheme.

Council's Development Contribution Plan Overlay has expired. Both the Overlay and any information relating to it within the LPPF should be removed from the scheme.

Part of the Urban Villages Policy that relates to Carnegie contains a sunset clause that has expired. This has resulted in a 'policy vacuum' for Precinct 1 of the Carnegie Urban Village. This expired policy statement should be removed from the scheme and new policy relating to this area of the urban village be developed.

Between 2005 - 2010, Council prepared 7 planning scheme amendments which resulted in the requirement for a panel hearing and preparation of a Panel Report. Of the 7 panel reports, only 2 panels noted inconsistencies within the Glen Eira planning scheme.

- Amendment C67 suggested that the designation of Glen Huntly shopping centre should be resolved to provide a clearer framework regarding expectations of development in this area. Council is well aware of this inconsistency.
- Amendment C68 suggests that the Mixed Use Zone, while a residential zone, is clearly meant to be located within or adjacent to activity centres and should be noted as an applicable zone in the Commercial Centres Policy. It also noted that the Business 3 Zone is 'strategically inappropriate' in a Housing Diversity Area because it does not allow residential development.

All suggestions are valid and will be incorporated in the review of the LPPF.

5.1.4 Assessment of the Strategic Objectives

The intent and direction of the residential policy in the MSS is based on sound planning principles and no major changes are proposed as part of this review. Planning for residential development in Glen Eira is straight forward with the Housing Diversity Area and Minimal Change Area policies. Developers are directed to Housing Diversity Areas and are aware they are taking a risk if they purchase in a Minimal Change Area intending on constructing more than two dwellings. It is considered that the strategies in the MSS are achieving the desired outcomes.

Information relating to Significant Character Areas takes up 15 pages of the Minimal Change Area Policy, yet the desired outcome of protection of these areas from inappropriate development has not been achieved as local policy is not the correct planning tool for protection of these areas. Council is currently undertaking a review of character areas with a view to including precincts in a Neighbourhood Character Overlay if they are found to warrant such a control. During the public consultation process, protection of significant character areas was a major issue for residents.

One of the strategies in the industrial section of the MSS states:

Maintain Virginia Park and surrounding industrial sites as the municipality's main industrial precinct.

Amendment C75 is currently underway to rezone Virginia Park to part Business 3 and part Business 2. A Panel Hearing will shortly be conducted in relation to this amendment. This amendment challenges the correctness of the current MSS position on Virginia Park and possibly other industrial sites. Amendment C75 represents a shift from the old concept of industrial zoning being related to manufacturing. The shift is one to more technology based service industry. There is possible scope for other industrial sites to be recognised for similar future land uses including for residential development. This is considered worthy of further review.

The objective of the Heritage section of the MSS is:

To identify, protect, enhance and promote understanding of Glen Eira's heritage.

Heritage controls were introduced in Glen Eira in 1999 and 2000, with further properties added in 2003. One important historical precinct was not included in the original review of properties for the *Glen Eira Heritage Management Plan 1996*. The Caulfield Racecourse is one of Glen Eira's most significant properties and contains a number of buildings and structures that may be of heritage value. A heritage review of the Caulfield Racecourse area is considered important.

5.1.5 Changes made to the SPPF that require amendments to the LPPF

Clause 16.06-2 of the SPPF relates to residential aged care facilities and states:

Encourage planning for housing that...recognises that residential aged care facilities are different to dwellings in their purpose and function and will have a different built form (including height, scale and mass).

Council's Aged Persons Housing Policy states:

It is policy that aged persons housing is designed to respect the neighbourhood context in relation to built form (including height, gradation of bulk, building materials, finishes and colours).

Council is asking the developer to 'respect' the 'neighbourhood context' but Council should also note in the policy that these facilities are different to regular dwellings in terms of height, bulk, etc to ensure that neighbouring residents do not form the opinion that any proposed development must essentially look like a regular house. Arguably as currently worded, Council's policy is contrary to a State policy, which it must not be.

Also, the definition of 'aged care' in Council's policy should match the definition in the planning scheme. It currently does not.

Clause 18.06 and 18.07 of the SPPF relate to Health and Educational facilities.

18.06-2 Hospitals and other large health facilities should be located in areas highly accessible by public transport.

18.07-2 Secondary and tertiary education facilities should be located in areas which are highly accessible to public transport....Tertiary education facilities should be encouraged to locate within or adjacent to activity centres.

The Non Residential Uses in Residential Zones Policy encourages development adjacent to activity centres and also on main roads, preferably on a corner site. A statement relating to access to public transport should be provided in this policy.

5.1.6 Links with the Council's Community Plan

The existing LPPF is generally in accordance with the current community plan. However, changes to the MSS are required to delete reference to the previous Council plan and to include the new one as a reference document.

Preparation of a Childcare Centre Policy is a requirement of the Community Plan. An amendment to introduce this new policy is currently underway (C64).

The introduction of an Environmental section in the MSS will reflect Council's response via the Environmental Sustainability Strategy.

5.1.7 Consistency with the Form and Content of Directions under the Act

The existing LPPF is considered to be consistent with the relevant Victorian Planning Provisions (VPP) practice notes. Only minor changes are likely to be required.

5.2 The Planning File Audit

Glen Eira's Planning Department has been pro-active in carrying out file auditing for a number of years now. Every month the audit committee carries out an audit of files for a particular planning staff member or it may be an audit of a particular application type. The processing of a planning application requires demonstration that an array of controls, policies and procedures have been satisfied. The audit process is designed to ensure full statutory compliance. This file audit is an important part of Glen Eira's self auditing system. Council's Insurance provider, CMP, carries out a biennial risk management audit of Council processes. In March 2010, the Planning Department **scored 100%** for the quality of systems we have in place, including the *Planning Office Guide*, our ongoing auditing of files, and the risk management awareness that all planning staff demonstrate.

5.2.1 Description of the proposal and advertising

In most files audited, the planner accurately described the proposal, consistent with planning scheme definitions. It is documented in the file that all information has been submitted and proper consideration has been given to advertising.

5.2.2 Site Inspections

In all files audited, the planner documented whether a site inspection took place. In instances where a site inspection was not carried out, sound reasons were always documented.

5.2.3 Register

Council maintains an electronic and hard copy register of all planning application details. All applications are registered within 5 working days.

Glen Eira uses the Pathway system of electronic file management. All correspondence, referrals, internal referral responses, planning reports, advertising consideration and decisions are easily accessed by anyone in the planning department, when required.

5.2.4 File Management

The vast majority of files audited were found to be kept in good order. Information is kept in date order and file notes are normally typed and printed for easy reading.

5.2.5 Recommendation for improvement:

It is considered beneficial that the file audit team considers changing the audit template to coincide with the audit template in the *Continuous Improvement Kit*. This will assist with the next Planning Scheme Review scheduled in 2014.

5.3 The Planning Workload and Office Statistics Audit

The Glen Eira Planning Department has a current staff of 32 people, including administration, planners, managers and the director.

5.3.1 Workload – Statutory Planning

In the 2009/10 financial year, a total of 1127 applications were lodged with Council with 931 decisions made. By May 2010, 813 applications were approved and 39 applications were refused. Figure 1 on page 13 indicates the main land use and development category for all applications received, with the vast majority of applications relating to residential development and residential subdivisions.

A further 177 requests were made to amend plans or planning permits in the same year.

On average, each statutory planner at Glen Eira has an average of 20 'live' applications to assess at any one time.

Figure 1

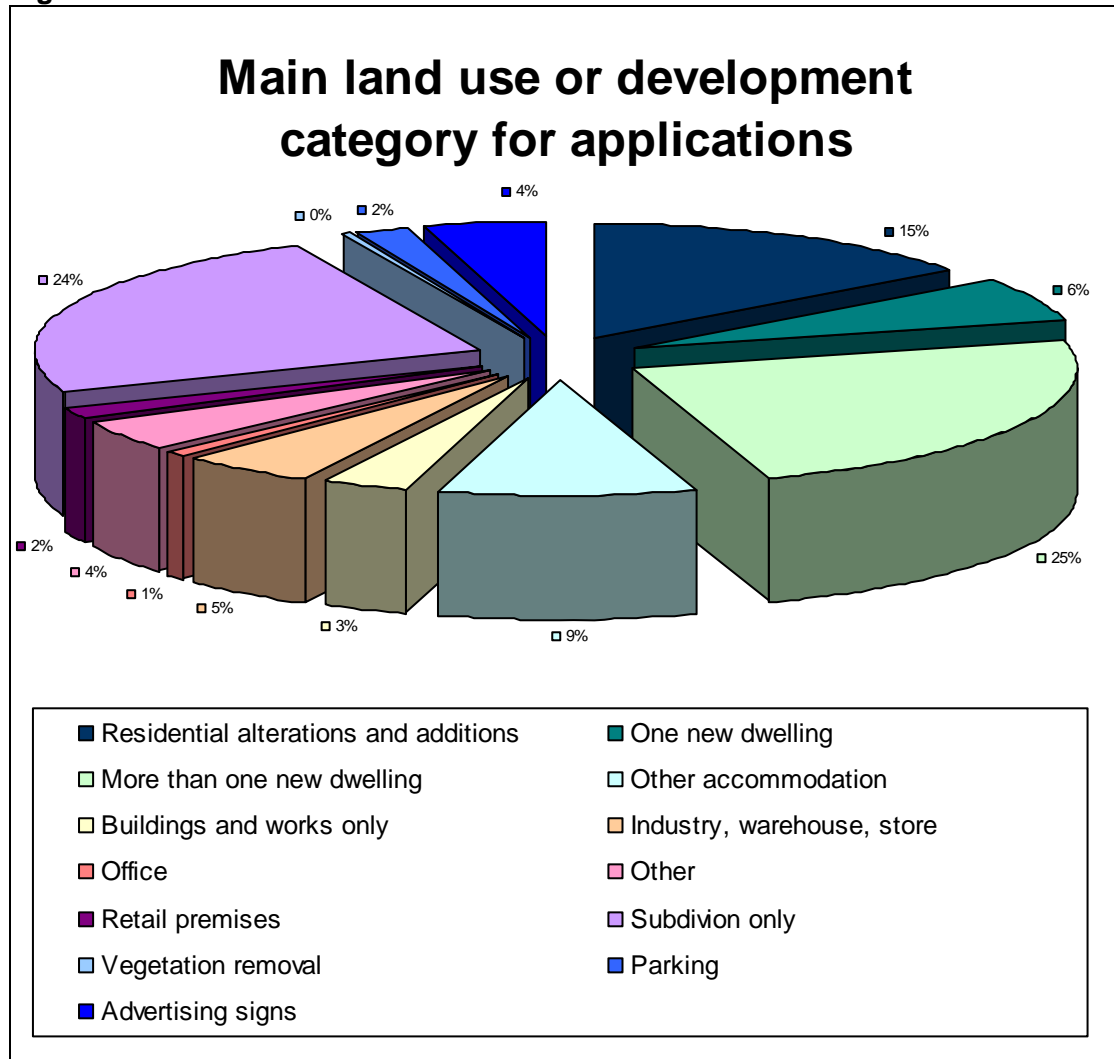


Figure 2 below indicates the time taken for Council to decide applications.

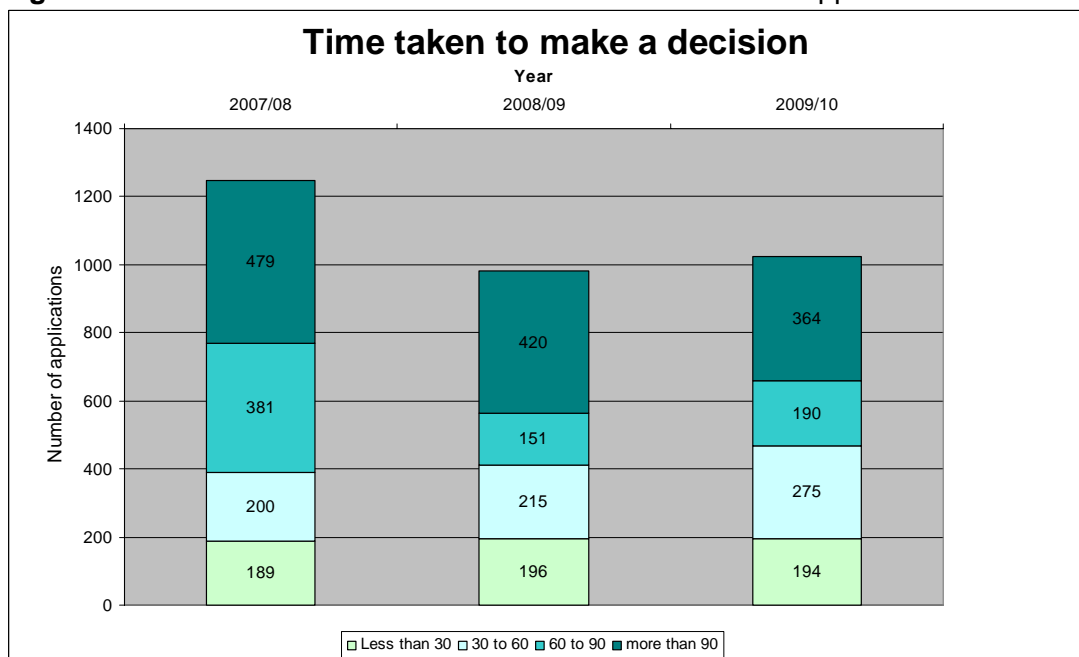


Figure 2 on page 13 indicates an increase in the number of applications decided within 60 statutory days. Three of Council's four fast tracking processes have only been up and running in the last twelve months (see section 6 of this report). As more applicants take up these fast tracking options, it is envisaged that a higher number of applications will be decided within the statutory time limit. It is important to state that fairness, involvement and transparency in decision making has not been sacrificed for speed.

95% of planning decisions are made under officer delegation from Council. This vastly enhances the efficiency of the decision making process in Glen Eira.

The number of planning application reviews to VCAT has remained steady at around 110-120 per year for the last few years.

In the 2009/2010 financial year, 114 VCAT appeals were lodged. Only 17% of appeals were lodged by objectors, being less than 3% of all applications lodged. Thirty-eight appeals were lodged against Council's refusal of an application and only eight of these refusals (21%) were overturned by VCAT. 25% of appeals were resolved through mediation.

5.3.2 Workload – Strategic Planning

Table 1 below, contains a comprehensive list of local amendments to the Glen Eira Scheme approved from 2005. These amendments change the planning scheme by rezoning land, varying overlay controls and introducing new local policies. The list of planning scheme amendments that are currently being assessed by Council which are yet to be decided upon are found in Table 2.

Table 1 APPROVED PLANNING SCHEME AMENDMENTS 2005 - 2010

NO	DATE	DESCRIPTION	CHANGE TO PLANNING SCHEME
C38	30/6/05	31 Station Street, Caulfield	Alterations to Clause 36.02 and 37.01 to apply Category 1 signage to parts of the Caulfield Racecourse. Incorporation of the Caulfield Racecourse Signage Plan at Clause 81 of the scheme.
C41	23/6/05	47 Rosanna Street, Carnegie	Rezoning Public Park and Recreation Zone to Residential 1
C42	15/9/05	Student Housing Policy	Local Policy
C43	23/6/05	47 Rosanna Street, Carnegie	Removal of Covenant
C44	31/3/05	242 Glen Huntly Road	Rezone land from Public Use Zone 4 to Mixed Use Zone
C50	18/10/07	Aged Persons Housing Policy	Local Policy
C51	9/6/06	Intersection of North and Warrigal Rds	Remove Public Acquisition Overlay
C52	7/12/07	219-221 East Boundary Road	Rezone land from Industrial 3 to Residential 1

NO	DATE	DESCRIPTION	CHANGE TO PLANNING SCHEME
C53	26/10/06	Monash University Caulfield	Rezone to Priority Development Zone, Incorporated Plan Overlay and changes to Phoenix Precinct Policy
C54	21/8/08	Cnr Hotham and Glen Eira Roads	Rezone Business 3 and Residential 1 to Mixed Use Zone
C57	24/1/08	53 Magnolia Road, Elsternwick	Remove Public Acquisition Overlay
C58	24/4/08	Minor Heritage Overlay mapping amendment	Mapping of state listed heritage properties revised
C61	3/7/08	257 Alma Road	Rezone land to Mixed Use
C62	16/10/08	285 Centre Road	Rezoning to Public Use Zone
C63	16/7/09	Heritage Fix-up amendment	Corrects minor mapping and schedule anomalies in the Heritage Overlay
C65	16/4/09	92 Bignell Road	Rezone land from Residential 1 to Public Park and Recreation Zone
C66	29/10/09	14 Ripon Grove, Elsternwick	Rezone land from Residential 1 to Business 1.
C67	25/3/10	1115-1129 and 1151 Glen Huntly Road, Glen Huntly (Safeway)	Rezone land to part Business 1 and part mixed Use and planning application for alterations to existing supermarket and car park.
C72	24/9/09	32 Howitt Road, Caulfield North and various sites in Glen Eira (minor heritage fix up amendment)	Includes 32 Howitt Road in the Heritage Overlay Schedule and corrects minor mapping and schedule anomalies in the Heritage Overlay.
C73	19/7/10	Normanby Road	Rezoning part of this road from Residential 1 to Road Zone 1.
C79	4/6/09	State Government Amendment	Alteration to Clause 61.01 to make the Minister for Planning the RA for Monash University.

Table 2 CURRENT PLANNING SCHEME AMENDMENTS UNDER CONSIDERATION

NO	DESCRIPTION	CHANGE TO PLANNING SCHEME
C56	Amend the Minimal Change Policy and create a Neighbourhood Character Policy	
C60	Melbourne Racing Club land	Rezone land to Priority Development Zone, proposed Road Zone Closure Overlay, incorporated document, changes to the Phoenix Precinct Policy and MSS
C64	Childcare Centres Policy	Introduces a new local planning policy into the planning scheme.
C68	115-129 Poath Road, 131-159 Poath Road, Hughesdale	Rezone from Business 3 to Mixed Use and Business 1 and apply and Environmental Audit Overlay
C74	365A Hawthorn Road, Caulfield South	Rezone land from Business 3 to Business 1. Apply Environmental Audit Overlay over site.
C75	Virginia Park Estate 236 East Boundary Road	Rezone to part Business 3 and part Business 2, application of a Development Plan Overlay and changes to the MSS.
C76	235-7 Murrumbeena Road, Murrumbeena	Rezone from Residential 1 to Business 1 and planning application for development.
C77	1030-1082 Dandenong Road, 3-7 Egan Street and part 15-17 Koornang Road, Carnegie	Rezone from Business 4 to Business 2 Zone and apply the Environmental Audit Overlay
C78	791-793 Warrigal Road, Bentleigh East	Rezoning to Business 1 and development application.
C82	Monash University Campus Sir John Monash Drive	Western Precinct Development – incorporated plan. Minister for Planning is the RA.

The number of amendments to the scheme is relatively low, indicating that the scheme is operating quite efficiently. Over the last 5 years, there has been no major shift in policy direction in the Glen Eira planning scheme.

5.3.3 Introduction of new Local Policy

Since 2005, Council has introduced two new policies to the scheme to provide guidance to planners, developers and the community on these discretionary uses. A further local policy for Childcare Centres has been developed and is currently awaiting authorisation to commence an amendment (C64) to bring this policy into the scheme.

5.3.4 Student Housing Policy

The Student Housing Policy (Amendment C42) was approved in September 2005. The purpose of this policy is to establish reasonable location, design, amenity, car parking and management standards that apply to student housing in Glen Eira.

5.3.5 Aged Persons Housing Policy

The Aged Persons Housing Policy (Amendment C50) was approved in October 2007. The purpose of this policy is to establish reasonable location, design, amenity, car parking and management standards that apply to aged persons housing in Glen Eira.

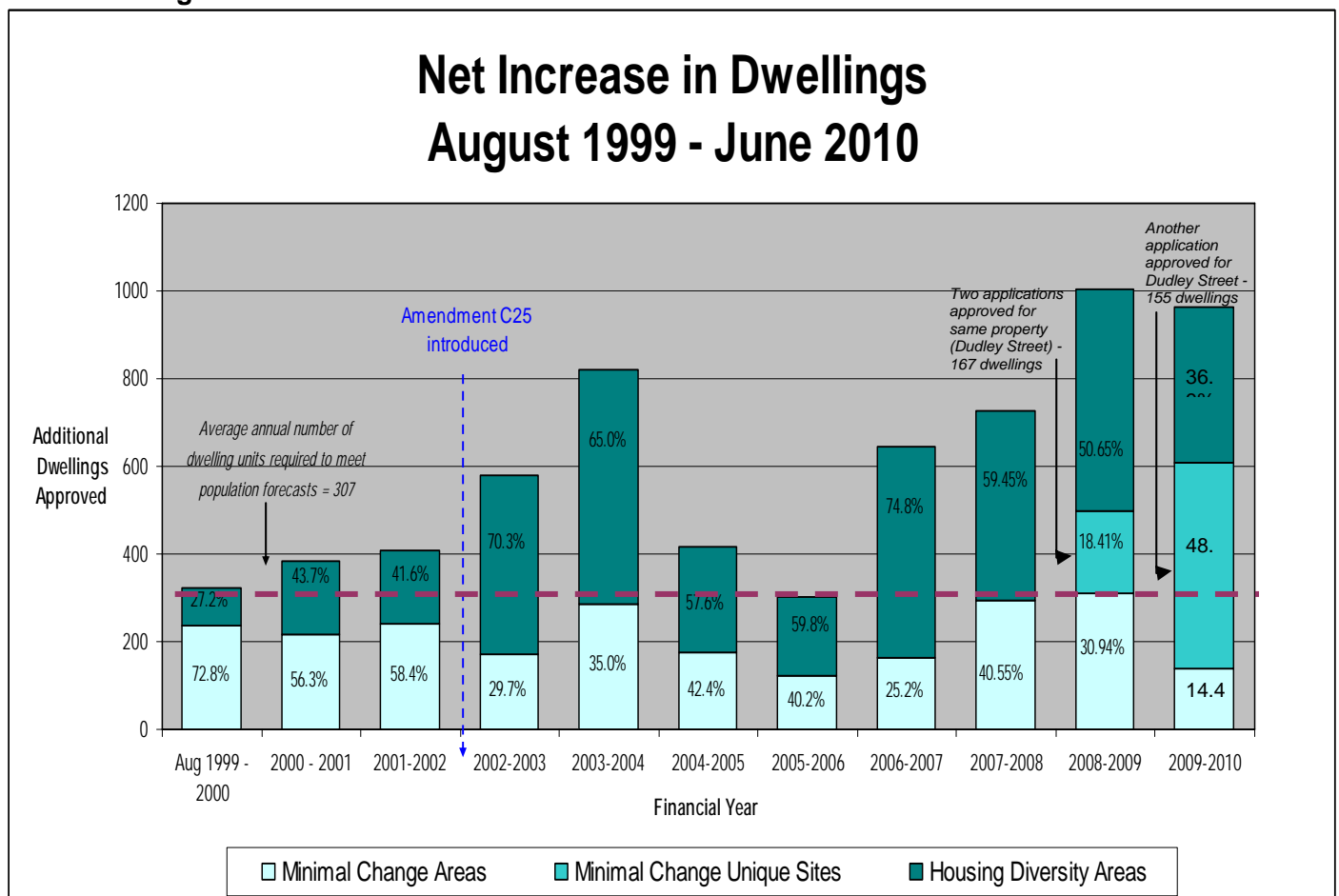
5.3.6 Keeping an eye on the effectiveness of local policy and State Government Initiatives

Quarterly statistics are prepared each year to test the effectiveness of Glen Eira's residential housing policy (Housing Diversity Area Policy and Minimal Change Area Policy).

The "Net Increase in Dwellings in Glen Eira" graph (Figure 3) indicates that Glen Eira's policy of directing the majority of additional housing to Housing Diversity Areas (HDAs) that are around activity centres and/or close to public transport is working well.

The forecast population for the City of Glen Eira, based on the new population forecasts in *Melbourne @ 5 Million* is expected to rise to 144,240 by 2026. Glen Eira's population at the 2006 census was 129,576. Council believes that construction of the majority of new dwellings for this increasing population should be able to be achieved in the existing Housing Diversity Areas that are located around Glen Eira's activity centres, along tram routes and selected main roads. Council will have to keep an eye on the State Government led "Housing Capacity" study. It is possible the findings of this study will conclude higher density residential development should occur in built municipalities such as Glen Eira. *Melbourne @ 5 Million* proposes that 316,000 dwellings will be required to be constructed in existing built up Council areas by 2026.

Figure 3



If by some means the State Government directs or mandates for higher densities in Glen Eira, the Housing Diversity areas as currently defined provides the obvious and best possible solution. That is, Council needs to be aware that higher densities in Housing Diversity areas may be a future necessity. This triggers the need for Council to review its Housing and Residential Development Strategy.

Strategic Planning staff also review and respond to State Government documents and reviews (ie. Review of the Planning and Environment Act, proposed new residential zones, review of the State Planning Policy Framework, Retail Policy Review, etc) and respond to issues within the Planning Department.

5.3.8 Planning Workload and Office Statistics Audit - Conclusions

It is considered that Glen Eira runs a very organised and effective planning team. A high level of delegation from Council, together with Glen Eira's four fast track application processes results in a large proportion of applications being processed within the statutory time frame of 60 days. Only a small number of decisions (10%) are contested at VCAT.

No changes are proposed to the running of Glen Eira's Planning Office due to the efficiency of the existing systems in place.

5.4 The Planning Processes Audit – delivering quality decisions faster

Glen Eira Council strives to continuously improve planning processes to create quality decisions delivered as quickly as practicable. Glen Eira's "Big 4" fast track processes (outlined in Section 6 of this report) have been developed in the last five years to ensure Glen Eira is a leader in town planning.

5.4.1 Pre-application meetings

All of Glen Eira's fast track processes included one or more pre-application meetings as a critical step in the process. All applicants are encouraged to choose one of the fast track processes for their application, however, if they choose not to follow one of these options, Council officers still carry out pre-application meetings for 90% of other planning applications. These meetings are always documented and written notes can be found on the relevant file. Staff from other departments occasionally attend pre-application meetings to provide initial advice if the attending planner believes this will be beneficial (eg. a traffic engineer).

5.4.2 Registration, lodgement, referral and assignment

Glen Eira has a rigorous system in place for the registration of applications. All applications are registered within 5 working days with an acknowledgement letter sent within 2 days of registration. Applications are then allocated to a planner within 5 days. 97% of external referrals are sent out within 28 days of receipt of the application.

5.4.3 Preliminary Assessment

Site inspections are considered an integral part of the application assessment process at Glen Eira. The current 21 day practice for the office is considered acceptable as it ties in with the 'Further Information' deadline and informs the planner of any additional requirements. 99% of requests for further information are made within 28 days of receipt of the application.

5.4.4 Consultation and Public Notification

In 100% of applications, Council officers document the "material detriment" decision as well as advertising requirements. It takes an average of 10 days to advertise an application upon receipt of all required further information, however with Council's fast tracking processes, advertising is guaranteed within 5 or 10 days depending on which fast tracking stream is chosen. All submissions are acknowledged within an average of 4 days.

5.4.5 Delegation

Glen Eira has a delegation system that allows approximately 95% of all applications to be decided either by the planner or by the Delegated Planning Committee (DPC). Council planners are fully aware of their responsibilities under the Deed of Delegation. The Deed was last reviewed in 2010 and allows the planning application system to run smoothly. Major applications defined by significant objection, testing of policy or developments on Council owned land are referred to Council for a decision.

5.4.6 Assessment, file-management, reporting and decision-making

Council conducts on-going training to ensure that planners assess, report and decide (or recommend) an application appropriately. In 97% of files audited, the planner has assessed the application against relevant policies. Neighbourhood and site descriptions were certified in 100% of files audited. Site inspections were also carried out (or reasons documented why an inspection was not required) in 100% of files audited. A possible reason for not requiring a site inspection may include the planner having visited the site for a previous application or when the Special Building Overlay is the only trigger for a permit. The conditions in the officer reports are accurately included on the permit/NOD/refusal in 100% of files audited.

5.4.7 Applications for Review

Glen Eira has a VCAT Coordinator who oversees all VCAT reviews undertaken at Council. Glen Eira spends 85 days on average at VCAT (based on 100 appeals per year with many appeals only taking half a day). During the 2009-2010 financial year, only 8 Council refusals were overturned by VCAT.

5.4.8 Enforcement

During 2009, 233 complaints were received in relation to breaches of the scheme, with Council's Civic Compliance Officer taking an average of 7 days to respond to a complaint. Approximately 10% of permits are checked for compliance with conditions. Council tries to be proactive, undertaking a targeted approach to compliance. The conditions targeted include Environmental Audits, S173s, overlooking or specific conditions included by the Delegated Planning Committee which respond to objector concerns.

5.4.9 Training and Support

The Planning Department has a comprehensive staff training plan in place. The plan was reviewed in 2010. All new staff are required to attend a Council induction program.

5.4.10 Planning Processes Audit – Conclusions

Quality planning decisions are made at Glen Eira in the shortest possible time frames thanks to the four fast track processes that have been implemented. Reducing planning timeframes decreases the ‘clogs’ in the system and results in each planner having a reasonably low number of live planning applications. Council has a considered best practice Delegated Planning Committee (DPC). The DPC meets one day per week to make town planning decisions. DPC hears a short report with recommendations from the planning officer then from objectors and finally the applicant. All parties have the opportunity to put their respective positions to the decision makers. Exit surveys show a strong acceptance to this process. It is believed this process reduces appeals to VCAT – participants have their “day in court” at the DPC meeting.

6.0 Glen Eira’s “Big 4” Fast Track Processes

6.1 Pre-Lodgement Certification Program

The Pre-Lodgement Certification Program offers applicants the option of lodging a planning application that has already undergone a process of assessment and certification. The program has been designed to provide benefits to all users of the planning system including applicants, residents and architects/designers.

The program requires applicants to attend meetings with immediate neighbours and a senior Council planning officer prior to lodgement of the application. The applicant is required to engage a “certifier” (a private planning consultant) to oversee the conduct of these meetings.

The certifier’s role is to provide advice and guidance to the applicant to ensure that:

- The application is consistent with applicable objectives of the Glen Eira Planning Scheme, including state and local policies;
- All necessary and relevant information is provided to allow Council to make an informed decision on the application; and
- Resident consultation has occurred.

The certifier is required to apply professional judgment and to certify that the application is of a satisfactory standard and quality to be lodged with Council and proceed directly to public notification. Council aims to issue an advertising direction within 5 business days of lodgement and generally make a decision within 15 business days of the completion of public notification. Council’s aim is to deliver a Pre-Lodgement Certification decision within 45 days. In the 2009/10 financial year, these decisions were made in an average of 35 statutory days.

In 2004 the Pre-Lodgement Certification program was recognised by the Planning Institute of Australia and national divisions with awards for urban planning excellence. This program was also discussed at the National Town Planning Conference in

Sydney in 2008.

6.2 NoRFI

NoRFI stands for **No Request for Further Information**.

This program aims to eliminate the need for further information requests by filtering planning permit applications prior to lodgement to ensure quality of information and meaningful dialogue between an applicant and Council planner.

NoRFI has been designed to provide benefits to all users of the planning system, including architects/designers and/or first time applicants.

The program requires applicants to attend at least two meetings with a Council planning officer prior to lodgement of the application. The purpose of the pre-application meetings is to provide applicants with the opportunity to discuss their proposal with a Council officer and understand what level of information is required when submitting a complete planning application to Council. In addition, the meeting also provides planning officers a chance to identify key areas of concern and provide professional advice to the applicant. Based on this information, the applicant also has an opportunity to amend their proposal prior to lodgement of their planning application with Council. When a town planner is allocated a NoRFI pre-application meeting, the same planner attends both meetings and also handles the application right through to a decision being made. This addresses head on an often heard complaint that applicants are frustrated by dealing with different planners during the process.

Once the application is lodged, Council aims to issue an advertising direction within 10 business days.

6.3 24 hour SBO approvals - “Express Lane”

The program aims to deliver a decision on an application within 24 hours where the only trigger for a planning permit is the Special Building Overlay (land prone to flooding). This application type is exempt from public notice and review under the scheme.

The program has been designed to provide benefits to all users of the planning system, especially local residents and/or first time applicants and was the first of its kind to be conducted in partnership with a referral authority.

The “Express Lane” process relies upon the up front resolution of Melbourne Water technical flooding issues. The applicant is required to seek the written approval of Melbourne Water which includes stamped, endorsed plans and planning permit conditions. Once these requirements have been met and a complete application is lodged Council is able to simply generate a report, Planning Permit and endorse the plans within 24 hours. In some instances, planning permits have been issued within 10 minutes of lodgement whilst the applicant is given a cup of coffee (drive-thru planning permits are now on the agenda!).

This process was named as a finalist in the 2008 LGPRO Awards for Service Excellence.

6.4 Heritage Fast Track approvals

The Heritage Fast Track program aims to deliver a decision on an application within 10 business days where the only trigger for a planning permit is minor buildings and works within a Heritage Overlay.

This program relies upon buildings and works applications that are exempt from public notice and review under the Glen Eira Planning Scheme.

The program has been designed to provide benefits to all users of the planning system, especially local residents and/or first time applicants.

6.5 Other Glen Eira initiatives in Statutory Processes

6.5.1 VCAT Short Report

Council's VCAT Short Report initiative received a Commendation Award at the 2006 Planning Institute of Australia Awards for Planning Excellence.

The short report, as a manageable form of presentation, was called for by VCAT to replace the often long winded, repetitive generic local government report. In response, Glen Eira Council developed a short report (and its unique cover sheet known as the "sports page"). In effect the "sports page" is an important summary to reference the key facts. The balance of the report (substantiation) focuses on the key issues.

Glen Eira's VCAT short report has been warmly welcomed by VCAT members. A VCAT member previously stated that receiving a Council report is akin to "having a haystack dropped on you". The Short Report addresses this.

6.5.2 VCAT Interactive

Working in partnership with VCAT and responding to various stakeholders, Council has kept the reform momentum going by introducing an interactive short report using an audio visual presentation. In effect, Council has moved towards a "paperless" presentation method at VCAT which relies upon visual displays of key information to focus on key issues and to assist in "getting to the point". The presentation improves understanding of the key issues, engages the audience, better informs VCAT members and stakeholders, reduces the need for site inspection, projects a professional image and is ideal for complex matters with multiple parties. It is particularly effective in connecting with parties with a non-town planning background or who are new to the process.

6.5.3 Heritage Advisory Service

Council has provided a heritage advisory service for many years. Though this is not a new initiative, it is worth noting that Council actively encourages developers and owners of heritage properties to use this service. Council's Heritage Advisor meets potential applicants at their property to discuss a proposed development. Sometimes a number of meetings will be undertaken to discuss changes to plans and give further advice. This free advice, given early in the development process, benefits both the applicant and planning staff in terms of ensuring that the application is acceptable from a heritage viewpoint prior to lodgement.

Applicants are encouraged to contact Council's Heritage Planner prior to lodging their planning application with Council. In some instances, an on-site meeting with Council's Heritage Advisor will benefit applicants by saving them time and going to the expense of preparing costly architectural plans.

7.0 Strategic work completed since the last Review

The following projects that were proposed in the last review have been completed:

- Activity Centre Strategy 2005;
- Student Housing Policy;
- Aged Persons Housing Policy;
- Regional Housing Statement;
- Investigation of tree/vegetation protection;
- A number of proposed rezonings.

The following projects proposed in the last review are currently being carried out:

- Neighbourhood Character Study/Neighbourhood Character Overlay Amendment;
- Virginia Park Master Plan – Amendment C75. This amendment is currently awaiting panel;
- Melbourne Racing Club Master Plan – Amendment C60 has undergone a Panel hearing process and Council is waiting for the Panel Report prior to making a decision in relation to this amendment;

The following projects proposed in the last review have not been commenced:

- Traffic and Parking Strategy and Policy - Not commenced as Council is waiting on completion of the State Government's Parking Provisions Review prior to commencing this strategy;
- Parking Precinct Plans for Elsternwick, Carnegie and Bentleigh have not been commenced for the same reason.

Since the last review, Council has focused on improving the statutory processes in the planning office. The improvements have been detailed in this report.

8.0 Strategic Gaps

Detailed discussion in the above report identifies a number of strategic gaps and proposes suggested changes to the Scheme to close these gaps. These gaps have been identified through consultation with the community, stakeholders and statutory planning staff and through the audit processes carried out as part of this Review process. Strategic projects, planning scheme amendments and suggested changes to Glen Eira's existing file audit system make up the "Future Town Planning Directions for Glen Eira", which forms Appendix 1 to this report.

Appendix 1

FUTURE TOWN PLANNING DIRECTIONS FOR GLEN EIRA

Proposed strategic projects and future amendments to the Glen Eira Planning Scheme

Theme	Objective	Action/s	When	Cost (estimate)
Municipal Strategic Statement (MSS)	<p>Ensure Council's MSS is:-</p> <ul style="list-style-type: none"> • Clear; • Simplified in intent and length; • Represents Glen Eira's land use planning philosophy; • Provides the framework to guide decision making. 	<ul style="list-style-type: none"> • Prepare a new streamlined MSS for Council consideration. • Commence the amendment process to approve a new MSS. 	<p>2011/12</p> <p>2011/12</p>	<p>To be completed internally</p> <p>To be completed internally</p>
Local Policies	<p>Ensure local policies are:-</p> <ul style="list-style-type: none"> • Effective; • Relevant; • Clear; • Guide decision making; <p>Ensure new policies address:-</p> <ul style="list-style-type: none"> • Emerging planning issues; • Gaps in Planning Scheme 	<ul style="list-style-type: none"> • Delete local policy 22.03 – Monash Medical Centre Policy. • Review/Amend the following local policies:- <ul style="list-style-type: none"> 22.01 Heritage Policy 22.02 Non Residential Uses in Residential Zones 22.04 Commercial Centres Policy 22.05 Urban Villages Policy 22.06 Phoenix Precinct Policy 22.07 Housing Diversity Area Policy 22.08 Minimal Change Area Policy 22.09 Student Housing Policy 22.10 Aged Persons Housing Policy 	<p>2010/11</p> <p>2010/11</p>	<p>To be completed internally</p> <p>To be completed internally</p>

Theme	Objective	Action/s	When	Cost (estimate)
Local Policies (cont.)		<ul style="list-style-type: none"> Investigate the need to introduce new local policies (eg advertising signage, car parking) to address emerging planning issues. 	2010/11 and ongoing	To be completed internally
Zones	Ensure zonings are consistent with the directions of the Municipal Strategic Statement (MSS) and local policies	<ul style="list-style-type: none"> Prepare an amendment to rezone properties identified in the Review. 	2010/11	To be completed internally
Significant Character Areas	Ensure the protection of Glen Eira's Significant Character Areas (as identified in the Minimal Change Areas policy)	<ul style="list-style-type: none"> Complete the review of the Significant Character Areas Prepare a Planning Scheme Amendment to apply a Neighbourhood Character Overlay (NCO) over Significant Character Areas nominated in the Review (subject to Council approval) Remove the Significant Character Area information from the Minimal Change Area policy (subject to Council approval to apply NCO). 	2010 2010/11 2010/11	\$15,000 To be completed internally To be completed internally

Theme	Objective	Action/s	When	Cost (estimate)
Activity Centres/Structure Planning	Ensure that an appropriate Planning framework (level of detail to guide future developments) is in place for Council's Major Activity Centres	<ul style="list-style-type: none"> Complete an Activity Centres Review to update existing policy frameworks (subject to Council budget approval) 	2011/12	\$30,000 - \$50,000
Transitioning	Ensure that developments respect the transition from Housing Diversity to Minimal Change areas in general and along tram lines in particular.	<ul style="list-style-type: none"> Review the Housing Diversity Areas policy to provide greater prescriptive guidance. 	2010/11	To be completed internally
Emerging Issues 1. Population Growth 2. Public Transport / Traffic and Parking 3. Open Space – Public and Private		<ul style="list-style-type: none"> Review Industrial, Business 4 zoned land and railway land for possibility of rezoning to allow residential/mixed use development Review Housing and Residential Development Strategy Continue Involvement with MAV Councillor Reference Group on Metropolitan housing growth. Integrate Transport Strategy & Bicycle Strategy with MSS Consider parking precinct plans for activity centres Increase private open space requirement in schedule to Residential 1 zone from 60-80sqm. (Minimal Change Areas) 	2011/12 2010/11 Ongoing 2011/12 2011/12 2010/11	\$20,000 To be completed internally Part of MSS review In consultation with Traffic Engineering Dept Part of Local Policy Review

Theme	Objective	Action/s	When	Cost (estimate)
4. Trees		<ul style="list-style-type: none"> Integrate Street Tree Strategy & Environmental Sustainability Strategy with MSS. 	2011/12	Part of MSS review
5. Heritage		<ul style="list-style-type: none"> Heritage review of Caulfield Racecourse Reserve Crown Land Include draft heritage guidelines as reference documents in scheme Prepare a Heritage Strategy for Glen Eira in line with Heritage Victoria requirements 	2011/12 2011/12 2010/11	\$20,000-30,000 To be completed internally To be completed internally
6. Advertising Signage		<ul style="list-style-type: none"> Prepare an Advertising Signage Policy 	2010/11	To be completed internally
7. Master Plans		<ul style="list-style-type: none"> Provide opportunity to prepare a master plan prior to expansion of institutions 	2011/12	Part of MSS review
8. Development Contributions		<ul style="list-style-type: none"> Remove existing overlay from planning scheme 	2010/11	To be completed internally

Proposed changes in work practices

Issue	Action	When
File auditing system	Alter the template for Glen Eira's planning file audit to coincide with the file audit tool in the <i>Continuous Improvement Kit 2006</i> .	Immediately

NOTE – Any changes to the Planning Scheme will require Council approval and a Planning Scheme amendment process