

August 2012

WERA Newsletter

West of Elgar Residents' Association Inc.

Reformed planning zones for Victoria

The State Government is proposing to reform the planning zones” *to ensure that they are still relevant and adequately reflect the aspirations of all Victorians. The zone reforms seek to simplify requirements; allow a broader range of activities to be considered and improve the range of zones to better manage growth*”. Details of the changes can be viewed on the Department of Planning and Community Development site www.dpcd.vic.gov.au and follow the links on Planning. Comments on the proposed zones can be made until 21 September 2012.

There are three residential zones being proposed:

- Neighbourhood Residential Zone restricts housing growth in areas identified for urban preservation
- General Residential Zone respects and preserves neighbourhood character while allowing modest housing growth and diversity
- Residential Growth Zone enables new housing growth and diversity in appropriate locations.

These proposed zones are very similar to the existing Whitehorse Planning Scheme minimal; natural and significant change zones. However it could be a considerable time before the Council is able to review and then re-assign the existing zones to the new proposed zones; and to alter the balance of the zones across the municipality.

We may see an expansion of the existing significant zones around the major activity centres such as Box Hill and Burwood; and possibly along some major roads such as Whitehorse and Burwood Highway, to the proposed Residential Growth Zones.

WERA is less optimistic that there will be any contraction of the existing Natural Change zone which covers most of Elgar and Riversdale ward residential areas. But even if these areas were re-zoned to the proposed Neighbourhood Residential Zone there may be no change to the type of building and planning permits being approved today unless Council seeks approval from Government to exercise what they are apparently encouraged to propose in respect to the zones.

For example the Neighbourhood Residential Zone proposes to:

- allow local objectives, application requirements and decision guidelines to be specified
- retain third party notice, objection and review rights

- allow a minimum lot size for subdivision to be specified
- allow the number of dwellings on a lot to be limited (the minimum cannot be less than two dwellings)
- retain the existing planning permit threshold to construct or extend one dwelling on a lot of 300 square metres but allow a council to specify a different threshold
- specify a maximum building height limit of nine metres that cannot be exceeded by a permit
- allow a local maximum building height to be specified that cannot be exceeded
- allow key residential siting and design requirements to be varied for different neighbourhoods.
- remove or reduce restrictions on non residential land uses such as a place of worship and medical centre.

Council will need to be allowed to alter ResCode Guidelines (i.e. the Standards referred in Clauses 22 of the Whitehorse Planning Scheme) as they requested the Minister last year “... *that the current structure and operation of ResCode be reviewed to allow for greater flexibility in seeking variations to the standards and to allow for different standards to be applied to different areas within a Residential Zone. In the event of this change, Council sought to introduce into the Whitehorse Planning Scheme and, more specifically ResCode, the following:*

- *for Garden Suburban Areas under Clause 22.03 of the Whitehorse Planning Scheme, a maximum building site coverage of 50% and a minimum permeability level of 30%.*
- *a minimum of 320 square metres per residence for new subdivisions and developments, with the exclusion of areas classified as substantial change areas.*

Within the present Natural Change Garden suburban areas building site coverage can be 80% with minimum permeability level of 20%.

WERA has asked the Councillors of both wards to arrange a public forum before the close of comments period to inform residents of the proposed changes. At the time of preparing the newsletter there has been no response.

WERA encourages all members to consider the proposed changes and write a submission to the Minister of Planning. As a guide we suggest that you reiterate support that Council be allowed to specify that key residential siting and design requirements to be varied for different neighbourhoods and in particular under Clause 22.03 of the Whitehorse Planning Scheme, that a maximum building site coverage of 50%; a minimum permeability level of 30% and a minimum of 320 square metres per residence for new subdivisions and developments, within the proposed zones of both Neighbourhood and General Residential.

18 Florence Road, Surrey Hills

WERA lodged an objection to this application which proposed demolishing the existing single level nursing home and construct a 3-storey building; 15 apartments on each floor. The Whitehorse Planning Department refused a permit which the developer appealed to VCAT. The appeal was heard over 3 days, 16-18 July.

Local residents including WERA members made submissions at the hearing emphasizing failure to respect neighbourhood character; overlooking; internal/external amenity and local traffic impacts. During the hearing the developers offered to increase the west facing 3rd level set back; increase window obscuration and screening on the southern side and reduce the ground floor to 12 apartments to improve internal light access.

The developers contended their proposal was modest in a residential area zoned for natural change and that the building scale was similar to the permit granted in 2004 to partly extend the nursing home to 2-storey. Residents put the view that the bulk and scale was more appropriate in an area designated for significant change such as Box Hill district Activity Centre.

WERA contended that the existing built form should not be a precedent for the proposal of 3-storey residential which is a divergence from modest change expected. Furthermore the nursing home permit 2-storey extension whilst fit for the purpose (albeit opposed by neighbours at the time) was not a built form characteristic of the area.

The developer contended that the Neighbourhood Character study being now ~10 years old did not consider the dominant form of villa units along the west side of Florence Road; pre-dated Melbourne 2030 and Melbourne @5 Million. Whilst the Tribunal cannot consider the present Government draft residential zones WERA considers the area to be appropriate for designation as a Neighbourhood Residential zone.

Also contentious was regard to “*walking distance*” proximity of the site to the neighbourhood activity centre in Union Road Surrey Hills; City of Boroondara. This centre is now in the Boroondara Planning Scheme as being subject only to incremental change primarily due to physical and heritage constraints and therefore unlikely to provide supermarket; butcher and other services offered in Balwyn; Camberwell or Box Hill.

WERA asked the tribunal to support the decision of Council and refuse to issue a permit. The Tribunal has reserved its decision.

Deakin University

The University has abandoned its efforts to build the large, high level, \$20 million bridge through the Gardiner's Creek Valley Reserve. Having built campuses on both sides of the valley, the University is still seeking to achieve some extra crossing of the parkland. As a result, WERA, Gardiner's Creek Community Group; Greenlink and other interested residents [e g .dog walkers, traders, and cyclists] were invited by Deakin University to join an advisory committee to consider possibilities.

Across the years that WERA has been involved in the efforts to preserve the integrity of the open space, we have had ongoing support from our members. In fact, we have received support from the general community, Whitehorse Council and local MPs.

As a result, WERA has put this position forward as its starting point:-

- * WERA is satisfied with existing crossings in the Reserve.
- * The discussion should not be limited to a bridge.
- * We would oppose a high level bridge, alienation of parkland and removal of current trees and bush land.
- * We would expect any outcome to maintain and improve the parkland; and should there be any new structure, its usage to be limited to pedestrians, cycles, prams and wheelchairs.

The first three meetings have been largely procedural, setting the Terms of Reference and receiving relevant information from Whitehorse Council, Melbourne Water, and a Disability Advocate.

As well Deakin has put forward 4 requests to be included:

- * Safer creek crossings.
- * Accessibility for disabled
- * I T Services conduit
- * Need for mail and maintenance buggies to cross the reserve.

The last 2 of these were not supported by the Committee; and the general view was that the existing bridges had not presented any known problems. The only problem that could be seen was that students taking a direct route across the parkland needed to climb stairs.

It is now expected that the next meetings of the Committee will attempt to produce an acceptable concept which would maintain the passive amenity and integrity of the parkland.

New Committee

Following the Annual General Meeting the new committee nominees met and the nominations of President Geoff White; Secretary Judy Sharples and Treasurer June Kavanagh were re-affirmed. Committee members are Terry Randle; Marie Dewar; Graeme Price; John Knowles and Anne McLachlan.

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President Geoff White 9898 8205; Secretary Judy Sharples 9890 8038.