

November 2012

WERA Newsletter

West of Elgar Residents' Association Inc.

Website: www.wera.org.au

Council Elections

In Elgar Ward the previous councillors Cr Robert Chong and Cr Helen Harris have both been re-elected; Cr Chong with almost 45% of first preference votes and Cr Harris 27%. There was a 71% voter turnout. Both Councillor`s attended WERA`s meet the candidates meeting held on 11 October and also responded to the questionnaire that was sent to them prior to the meeting.

In Riversdale Ward Cr Sharon Ellis has been re-elected with almost 29% of first preference votes. There were then a further 12 counts under the preferential voting system before Cr Andrew Davenport was elected from among the other 6 candidates. Cr Ellis attended WERA`s meet the candidates and responded to our questionnaire. We were not able to get any response from Cr Davenport. In his pre-election statement Cr Davenport said ...*“I will not stand for any destruction of Gardiners Creek with the proposal by Deakin to build their pedestrian bridge. I will not stand for developers who want to over develop our streets and neighbourhood.”* All Council election results can be viewed on the Victorian Electoral Commission site www.vec.vic.gov.au

WERA congratulates the elected councillors and we look forward to discussing with them in particular the proposed changes to the planning zones. The candidate responses to WERA`s questionnaire are on www.wera.org.au

Planning Zone Proposals

Submissions to the State Government proposed changes to planning zones closed at the end of September. WERA`s submission comments included:

1. Ministerial Advisory Committee Initial Report December 2011: The Minister for Planning released the Victorian Planning System Ministerial Advisory Committee report and the Government's initial response on 11 May 2012. The Committee Initial Report states “... The Committee will deliver a final report in due course, outlining detailed recommendations on all matters raised in this initial report. The final report will be delivered to the Minister for Planning, who will then determine any further action.”

Because many aspects of the proposed changes stem from the Committee's initial report WERA asks why further detailed recommendations in a final report are not available during the comment period?

2. The Fact Sheet NEW AND IMPROVED RESIDENTIAL ZONES advises that "... After the Government's comment period concludes and the zones are finalized councils will have 12 months to consider and apply for a conversion of their existing residential zones. Criteria will be made available to assist councils with the conversion process.

What criteria will be provided to Councils and what will be their effect on the boundaries of each zone? Why are the criteria not accessible during the comment period?

3. Whitehorse Council has informed WERA that a Housing Strategy Review will commence shortly. WERA understands that the review will consider existing residential zone boundaries (including neighbourhood character) and the proposed zones.

Will the Minister await the completion of the Whitehorse Housing Strategy Review before requiring Council to finalise any changes to the residential zones?

4. Proposed Zones

- a. General Residential Zones: the proposed Objective states "...A schedule to this zone may contain neighbourhood character objectives to be achieved for the area." *Can these objectives include changes to the ResCode standards where the Council recommends?*
- b. Neighbourhood Residential Zone: the proposed Objective states "...A schedule to this zone may contain objectives to be achieved for the area." *Can these objectives include changes to the ResCode standards where the Council recommends?*
- c. Subdivision: *will councils be permitted to set minimum lot sizes in both General and Neighbourhood Residential Zones?*
- d. *Will Councils be required to zone all public transport routes as Residential Growth Zones?*
- e. *The proposal does not specify if road/street boundaries will be required to separate Residential Growth Zones from Neighbourhood Residential Zones?*
- f. *Will Commercial Zones 1 & 2 be applied uniformly across all Activity Centres regardless of their scale or will Council be allowed to rank activity centres from large to small and vary the floor size of permitted activities accordingly?*
- g. *Overlays and Structure Scheme: including permit requirements for Scheduled activities will still have effect when the Government proposals are implemented?*

It was disappointing that there were no government public information sessions on the changes. Some local Councils e.g. Mornington conducted 5 sessions without a state government representative attending. Whitehorse responded to WERA that being a State initiative it was primarily a government responsibility to explain the proposals. A WERA representative was able to meet with Senior Whitehorse Planning Officers to discuss the proposals. It was left to community groups to organise their own information sessions and hopefully correctly interpret the impact of the proposed changes. That councils went into caretaker mode during the submission period did not help discussion.

The panel appointed to review some 1800 submissions includes 2 people who work closely with the development industry. The third member panel chair has not yet released his final report on changes to the P&E Act which his Initial Report stated would be forthcoming.

WERA looks forward to receiving responses from the Minister for Planning to our queries.

Submissions are supposed to be accessible on the www.dpced.vic.gov.au but have yet to appear. The Council's submission passed at City Of Whitehorse Ordinary Council Meeting 17 September 2012 Page 65 9.1.6 Submission to the Proposed New Planning Zones can be accessed on www.whitehorse.vic.gov.au

Whitehorse Housing and Neighbourhood Character Review 2012 - 13

Whitehorse Council has commenced a review of the 2003 Housing Study and 2003 Neighbourhood Character both of which are incorporated documents in the Planning Scheme. WERA has been invited and will nominate for a position on the External Reference Group. There will be broader community engagement on the review in early 2013 at which all residents can participate.

Neighbourhood Character – VCAT supported us

VCAT has supported the view of local residents; Council and WERA that a proposal to construct a 3-storey building; 45 apartments at 18 Florence Road; Surrey Hills (Hirondel Pty Ltd v Whitehorse CC [2012] VCAT 1230 (16 August 2012) concluding that ... *“We are not persuaded the proposal contributes in an acceptable manner to the preferred neighbourhood character of the area. In making this decision we did consider whether there could be changes made to the design to address our concerns. However, we found there are too many changes required and they may have implications for adjoining properties. As such, a new design for this site will need to consider the opportunities and constraints of the site afresh taking into account the concerns that we have expressed. It follows from the above reasons that the decision of the Responsible Authority is affirmed and no permit is granted”*.

The developers had contended their proposal was modest in a residential area zoned for natural change.

The property owners had also advised VCAT that they were seeking from Council a 3rd extension to a planning permit granted in 2006 for a 2nd storey extension to the existing nursing home building. Council has since refused this extension as the building has not been used for this purpose or any other residential use for many years.

Deakin University

WERA, Gardiner's Creek Community Group, Greenlink and other interested residents have been participating in the advisory meetings arranged by Deakin University to assist the University in its desire to provide improved facilities for connecting between the two campus sites at Burwood.

Following a number of sessions of the Advisory Group and extensive discussion, WERA has put forward the following proposal:

1. A form of “On-call Shuttle” to operate between the two campus sites. This service would be available during the day for students with disabilities. At night it would be provided for safety reasons to any student who also needed to reach the student residences, public transport, car parks etc.
2. A pedestrian only pathway linking the two campuses through the reserve, developed as follows:
 - * The present pathway from the university café to the current main footbridge to be modified to meet the requirements of the Disability Discrimination Act (DDA).
 - * This footbridge to be retained and modified to meet DDA requirements.
 - * A graded path to be constructed from the footbridge until it enters the University’s Elgar Rd property.
 - * A series of ramps to be constructed within the Deakin University boundary¹.
 - * Low impact lighting to be installed.
 - * The area to be landscaped appropriately.

¹ *Layout of the ramps to be determined by the University when considering how foot traffic will best access the two sets of buildings; the student residences and various car parking alterations that will need to occur. As the current stairs to the western campus are built on Council land these could be removed when the construction is finished.*

WERA believes that this proposal will produce an acceptable concept which would have minimal impact on the Reserve and thus maintain the passive amenity and integrity of the parkland. WERA has confirmed that other metropolitan university campuses; e.g. Latrobe and Monash provide a shuttle bus for students after hours for safety reasons.

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