



Malvern East Group

MEG Supports *PLANNING BACKLASH*

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MEG Submission re Planning Zone Reforms...September 2012

MEG has been represented at two recent meetings between the Minister and five residents. We discussed the New Residential Zones with the Minister on Sept. 10 prior to his releasing the names of the people on his 'independent' Advisory Panel.

Points from Meeting with the Minister...Sept.10/2012

Minister Guy stated the following:-

- xx** Regarding the reform introduction which was to be in October 2012 ...this will not occur until Jan. 2013 or Feb.2013. Councils will then have 12 months for implementation.
- xx** The Minister will scrap the "within 100m" of a Commercial Zone so that there will be no commercial creep into residential zones.
- xx** Commercial activity will be carried out within the boundaries of an Activity Centre as set by Council.
- xx** There will be no re-defining of Activity Centres...e.g.in the Notice Paper Sept.10 for Stonnington Council Meeting there was a suggestion that Cabrini Hospital might be listed as an Activity Centre. The Minister dismissed this and said the Activity Centres will be the Principal & Major Activity Centres set out in M2030 plus the Central Activity Centres.
- xx** Population targets **will not** be set for each municipality.
- xx** The Minister will abolish the need for small Neighbourhood Activity Centres to be placed in a Commercial Zone.
- xx** Councils should request mandatory height controls and he will accede to the request.
- xx** Councils should present the Minister with their Neighbourhood Character studies as quickly as possible.
- xx** Key words are "respects and preserves Neighbourhood Character " in General Residential Zone hence the urgency for Councils to submit their Neighbourhood Character Studies.
- xx** Councils in consultation with residents will decide on boundaries of the zones and the Minister will give approval.
- xx** Mixed Use Zone can be used to take the pressure off the Neighbourhood Zone.
- xx** New Metropolitan Strategy will be over-arching. It will not be "micro" as is M2030.
- xx** There will be peer review of the new Metropolitan Strategy.
- xx** Minister Guy stated that we could quote him in our submissions.

Comments on Minister's Responses

A matter of great concern to residents and Councils was the provision for commercial creep into residential areas near existing shopping centres ...i.e. commercial uses "within 100m of a commercial zone with the same street frontage." We are pleased that the Minister has now ruled that out. We are uncertain of the level of strategic planning that is required for the Minister to grant interim mandatory height controls and it is not clear exactly HOW the Mixed Use Zone can be used to 'take the weight off the Neighbourhood Zone.'

Comments on Planning Zone Reforms

The community's ability to know and understand the implications of the zones has been gravely minimized by the shortened timelines.

The lack of clear information from the Government has caused much uncertainty and misunderstanding.

There is a lack of strategic justification and no statement re the economic and social impacts of the reformed zones.

Specified building heights apply only to residential use. These should be applied to all uses.

There does not seem to be a great deal of distinction between the RGZ and the GRZ and we question the need for both zones when there is a Mixed Use Zone as well.

There is a lack of information concerning transitioning to the new zones, resourcing, current planning applications and VCAT appeals.

The 'as of right' commercial use and development will prevent Council or VCAT from applying any form of state or local policy regarding ...e.g. amenity, hours of operation, car parking, etc.

We are aware that there are existing 'as of right' activities and we believe that this situation is a denial of rights. People should be informed of what is proposed nearby and have the right to object and appeal. The proposed reforms will exacerbate this situation as there is an unacceptable increase in 'as of right' commercial uses. Third party rights **must** be supported.

Re the large increase in 'as of right' activities in the Commercial Zone and the actual SIZE of some of these activities...e.g. cinemas, supermarkets with over 2000sq.m., offices of any size, places of worship of 250sq.m. etc....there is no consideration of the inevitable impact of people and traffic on adjacent residential areas.

The Government's intention to stimulate local economies and to create job opportunities is laudable but without an over-arching strategy the strategy is piecemeal.

It follows that ...

a key deficiency is that the reforms will be implemented before the development of the new Metropolitan Strategy. The reforms are a strategy implementation tool for a strategy that does not yet exist.

Ann Reid (MEG Convenor)