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SUBMISSION

TO

THE HOUSE OF REPRESENTATIVES
STANDING COMMITTEE
ON

ENVIRONMENT & HERITAGE

Secretary: *A. H. Davis*

RECEIVED

OCT 2003

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON
ENVIRONMENT AND HERITAGE

A/T 2600

INTRODUCTORY REMARKS

- Environmental reporter Melissa Fyfe, in the Sat. Age Aug 9 '03 stated —

The House of Representatives Standing Committee on Environment and Heritage, aims to produce a blue print for sustainable cities 2025 and has called for submissions.

- The Inquiry, among many other things, will investigate if green zones, in city planning, contribute to urban sprawl & if green zones could be more MULTI PURPOSE.

I agree wholeheartedly and welcome the opportunity to make this submission.

CONFUSION

- Does M/Council know what it is doing
- Does M/C know what it is there for
- How stupid to be getting conflicting instructions year after year
- It could still be happening if I had not informed them.

• Planning Dept.
• Dont cut anything
• Plant 1000's of
• shrubs & trees

• Fire Protec. Office
• Cut the whole
• property to
• 4" high.

CREATING DANGER

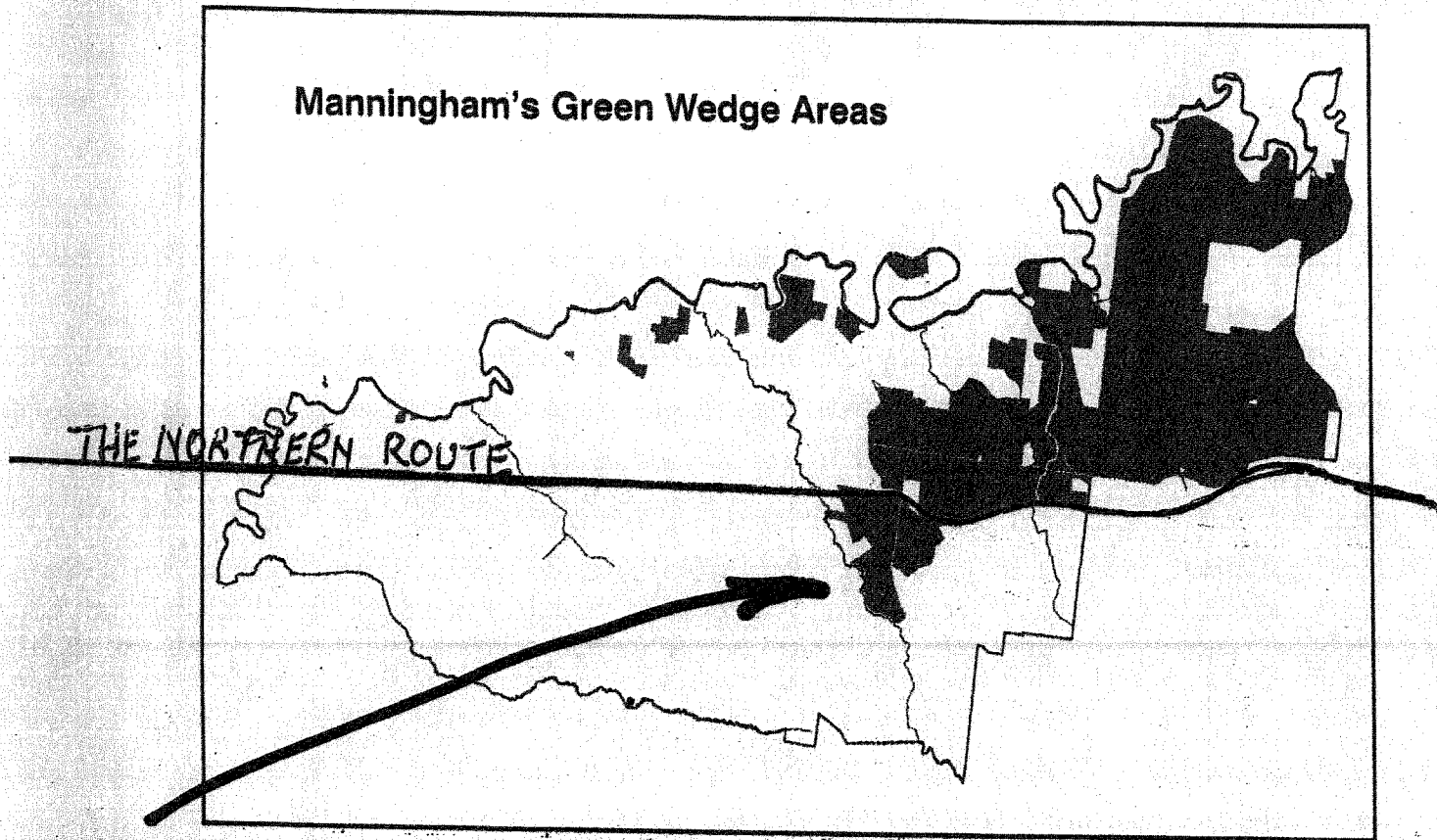
- Planting 1000's of trees and shrubs, of any kind, is exactly what this area does not want.
- Unless Council deliberately wishes to create a fire tunnel to the surrounding residential suburbs.

1939-1962 AGAIN?

- Given high temperature & raging N winds it could happen again.
- If nothing is done, those in power positions must accept responsibility for loss of life & property
- Just a WMO overlay will achieve very little.

which include.

WE NEED A BUFFER ZONE



We should be rezoned LDRRZ
A BUFFER between urban
and non-urban.

WE NEED A BUFFER ZONE

- A low density rural residential zone
A transitional ^{ON} zone between

LDRZ

LDRRZ

ENVIRONMENTAL
RURAL ZONE

- This would result in
MORE access roads
MORE people
MORE water in the area.

ALL SERVICES AVAILABLE

- More land for housing
people is desperately
needed
- All services are limited -
lately available in the
P.O.P.A area.
- Yarra Valley expect to do
sewerage in the not far
distant future.

DECISIONS PREDICTABLE

- Manningham decisions are not made after consultation, investigation, submission or review!
- For the past 25 years M/c has had just one preordained conclusion in their minds.
- Many people have real questions about the way this whole process has been conducted.

Why are decisions prearranged

More than 10 years ago

THE ENVIRONMENTAL INVESTIGATIVE COMM.

- X Cr. Derford
- X Cr. Polley
- X Cr. Joy
- X Mrs Birle Don
- X Perry McNeillage
- X Mark Tansley

Richard Aumann Orchardist
Daryl Cox P.O.L.A Landowners' Assn.

Warr. Ward Cr.
" " "
" " "
D/T Strategic planning
P.O.R.A (Ratepayers Assn)
Warr. Advic. Council W.A.C

Invited: (No voting rights)

- X Roger Collins Murg
- X Gabrielle O'Halloran Warr. Envir. League W.E.L
- X Doug. Seymour
- Doug. Ogden

X People who have personal biases & prejudices which cannot help but influence their decision making.

2 against 9 in discussion

2 against 6 at the vote.

Typical of a fair, honest Council Invest Live Comm. & ?

RECOMMENDATIONS IGNORED

- There have now been 5 MAJOR STUDIES into our area. (In the last 25 yrs)
- All have made it quite clear that 'SOMETHING MUST BE DONE'.
- Manningham says 'WE WILL DO NOTHING'.

MANNINGHAM TAKES NO ADVICE FROM ANYONE!

Now 5

In the last 30 years there have been 4 major studies of our area.

Any one of the 4 should have sufficed to act upon.

Manningham Council has chosen, in all cases, to 'put off' doing anything positive.

1. The GOBBO REPORT
2. The DR BENKO STUDY
3. The Environmental Studies
4. The Independent Panel

have all made it clear that the controls on the Green Wedge have led to its deterioration and degradation.

MANNINGHAM COUNCIL, AND THEIR PLANNING DEPT.,
TAKES NO ADVICE FROM ANYONE!

THE GOBBO REPORT-

almost 30 yrs ago.

2.

Under the heading "Zoning Changes", stated "This was an area of considerable complaint. There were urban fringe farmers, whose lands were zoned general farming (rural), sometimes adjoining relatively dense urban development. They were not only disappointed at not having their lands zoned for urban purposes, but complained of high rate valuations, reflecting urban values, of persistent trespassing, stock thefts, and mauling dogs. Many had held land for a long time in legitimate expectation that their lands would in due course be rezoned for urban purposes. They should not be deprived of this expectation by adverse rezoning, or by "back-zoning, which meant that land was deprived of one zoning and given a more adverse zoning."

"Planning authorities need to demonstrate more flexibility in permitting development, instead of pursuing planning objectives in a literal arbitrary fashion."

"The most balanced result would be to provide some strictly limited right to subdivide for those on the border of residential or industrial development."

MANNINGHAM COUNCIL AND THEIR PLANNING DEPT. TAKE
NO ADVICE FROM ANYONE

DR BENKO STUDY

about 20 yrs ago

DR BENKO stated very clearly that the controls on these lands were far too restrictive and this had contributed to the deterioration and disintegration of the whole area

THE ENVIRONMENTAL STUDIES

about 15 yrs ago

Professionals employed at great cost to ratepayers to study the Botanical, Geological & Visual state of the area, gave the Council's Environment Advisory Committee these specific recommendations. (Exec. Summary)

"Sub-division should be required to have regard to land capability" and further

"Council should adopt a set of guidelines that have statutory effect. These guidelines should define acceptable ways of developing so that impact on vegetation, fauna and visual character can be minimized from house development"

No such guidelines have been prepared

MANNINGHAM COUNCIL AND THEIR PLANNING DEPT TAKE
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~~It has yet to be satisfactorily addressed and it is
important and worthy of thorough investigation.
"The whole issue of control and intervention is extremely
and again, on p 47 they concluded~~

~~in their concluding remarks of their report. They said
"If some form of realistic incentive is not provided,
from the houses constructed they could well be counter-
productive"~~

Planning
Minister

THE INDEPENDENT PANEL

about 10 yrs ago.

Council shall pass the Environment Advisory Committee
the following instruction on 27th Oct 1992
to suspend the controls over land in the area
and to provide for the implementation of the findings
and recommendations of the Biology, Zoology & Visual Studies
They have done the reverse - the controls have
been multiplied

In 1978 someone decided that the minimum lot size for a detached dwelling, in the newly created Green Wedge was to be 8 hectares (20 acres). Extensive private research by Cr. Bob Beynon and members of P.O.P.A (the Land-owners Assn.) have shown clearly that this ridiculous minimum lot size was decided upon by some unknown person. Cr. Bob Beynon has endeavoured to convince other members of Council that 8 hectares is too small for profitable farming but too big to successfully maintain.

MANNINGHAM COUNCIL AND THEIR PLANNING DEPT
TAKE NO ADVICE FROM ANYONE!

STUDY NO. 5.

THE NON-URBAN AREA REVIEW 2002

IT IS UNFORTUNATE THAT THE GENERAL COMMUNITY WAS NOT GIVEN THE OPPORTUNITY TO STUDY THE RECENT CONSULTANTS REPORT BEFORE THE COUNCIL PROPOSALS FOR THE NON-URBAN AREA WERE PASSED BY ~~THE~~ COUNCIL ON JUNE 25 2002

DELIBERATE MISINFORMATION

- Has led to unnecessary disharmony & disunity in the Park Orchards area. Some has unfortunately become untruths and vilification.
- We land-owners caught up in the Green Wedge have found it very difficult to accept, and we have done and said nothing to deserve it.

MY ALVA AVE PROPERTY

- My property is the only one in Alva Ave zoned ENVIRONMENTAL RURAL. All others are residential.
- Roz Hansen of Hansen partners was recommended to prepare a concept plan for us ^(POPA) — it was unceremoniously not approved.
- Did Manningham have any intention of considering it?

THE REAL TRUTH ?

- The Hon. Tony Plowman
(Shadow Min. for the Environment)
has stated

"In 20, 30 or 50 years time, it is essential that the green wedge areas are in the best possible condition when they become reserved for parklands and so on."

I believe what he says is the real truth and that substantial compensation would be justified Now.
Bureaucracy COVETS
OUR land.

WHAT OTHERS SAY

• The Vic. Planning & Environment Law Assn. says

'The urban growth boundary requires careful positioning and should be reviewed every 3 years along its entire length.'
They also say.

'Govt. will need to provide some compensation for rural land holders affected.'

• The HOUSING INDUSTRY of AUST.

says. 'To suggest that MELB. 2030 provides land & develop in the areas the community wants it is inaccurate.'

• THE VIC. FARMERS FEDERATION

says.

- 'We have not had the degree of consultation that should have been afforded to it/us.'
- 'The views of farmers, as primary stake holders, have been neglected.'
- 'We believe rural landowners will need to be PROPERLY considered and PROPERLY consulted, and their needs provided for, so that the land is in the best possible condition when it passes from one generation to the next.'
- 'Low density rural living should be reconsidered as a viable option for some areas to act as a BUFFER between urban and rural land!'

THE HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON

ENVIRONMENT & HERITAGE

SAYS

Taxation and other measures

must be developed to encourage

reward and compensate

private landowners for

undertaking conservation

action which have public

rather than private benefits;

Also —

There are two major issues

which require resolution:

financial incentives and

property rights;

Public Good Conservation

A bi-partisan report from the House of Representatives Standing Committee on Environment and Heritage.

The Committee has issued a 217 page report which states taxation and other measures must be developed to encourage, reward and compensation private landowners for undertaking conservation action which have public rather than private benefits.

The Committee has made 20 recommendations to help achieve long term land use sustainability. The Committee found the majority of landholders want to do the right thing, but there were two major issues which required resolution: financial incentives and property rights.

The Committee found landowners are increasingly required to undertake conservation works from which they can anticipate little or no immediate benefit. The major beneficiaries are usually the general community. Conservation activities that a landowner undertakes which benefit someone other than the landowner are public good conservation activities.

Evidence provided to the Committee indicated that if landholders do not possess the financial capacity to undertake the conservation works required, then the works are unlikely to occur and the environment problems will remain and only get worse.

The transition to sustainable land use practices has to be managed sensibly and pragmatically but this is not occurring to the extent required. Landowners require access to information and financial resources to make the transition. An environmental levy would provide the public component of the financial resources required.

Some of the matters which the recommendations have noted include:-

- the generally perceived moral rights of landholders to be acknowledged and taken into account
- equity issues
- public good conservation policy principles
- conservation development fund
- tax concessions
- removal of disincentives
- rate relief
- financial assistance
- purchase of properties which have become unviable
- perpetual conservation covenants
- ecologically sustainable industries
- process to resolve disputes

State and Local Government legislation has created the land use problems. Now with the Federal Committee's recommendations giving the lead, the initiative to bring meaningful reform to the offending legislation rests with land owners.

A BI-PARTISAN REPORT from
Canberra. (217 pages)

COMPENSATE

This is US

We do.
Manningham not interested in either.

Public Good Conservation defined

All we ask for is a SENSIBLE wedge

We are sick of being regarded as 'Non entities'.

My reason for taking action.

WHERE WE ARE AT - AUG. '03

• D.S.E Dept of Sustainability and Environment's "Melb. 2030 Strategy" has received 1300 submissions.

• D.S.E is assessing these submissions.

• D.S.E will prepare a submissions Analysis Report.

• This report will be reviewed by a Govt. appointed IMPLEMENTATION REFERENCE GROUP

Made up of people from Business Green Groups Trades Hall

Via Farmers Fed.

Laborers NOT REPRESENTED?

• I.R. Group will provide FEEDBACK to the Minister for Planning

The Hon. Mary Delahunty.

along with D.S.E's Submission Analysis Report

• P.O.P.A (Park Orchards Progress Assn. Inc.) KNOW (almost 100% certain)

WHAT THE END RESULT WILL BE.

Because the Murrumbidgee Council (the current State Planning authority)

the Murrumbidgee Planning Dept
the Murrumbidgee C.E.D say.

"The Green Wedge status of Murrumbidgee's non-urban areas

WILL BE RETAINED, despite your protestations."

No matter what anyone does or says

Murrumbidgee Council (currently the State Planning authority for its green) is obviously determined to make NO CHANGE.

• The bipartisan HOUSE of REPRESENTATIVES

STANDING COMMITTEE
ON ENVIRONMENT and HERITAGE

have said they will investigate "IF GREEN ZONE CONTRIBUTE

TO URBAN SPRAWL AND IF THEY COULD BE MORE MULTIPURPOSE

• P.O.P.A says Perhaps all is not lost after all

This announcement keeps our hopes alive.

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8/9/03

I fought the 62 wildfire as a member of St Albans Rural Fire Brigade.

I can see what is going to happen again.

The way the Premier Planning Minister D.S.E. Manningham-Ballantyne and especially Paul Molloy & Chaelin Little are still going is not in the interest of rate payers and owners of property in the area, and the prevention of loss of life and property.

We take all precautions against fire, but we feel very insecure and unsafe several times every summer. Are these people going to wait until there is a Canberra type disaster in Warrandyte Park Orchards before they realize what must be done?

The Wildfire Overlay is just a bit of paper and will do nothing

to prevent a holocaust here.

In replying to the question, put by a ratepayer at the Meeting in

Warrandyte on Sept 4 03, "Why is the WFO overlay only on non

urban properties, not on residential" it was suggested that

residents tend to have well maintained gardens with shrubs

agates and gardenias etc which means they are less of

a fire risk.

So, what is an obvious solution?

Assess roads, water supply and smaller holdings would help

premises. It is essential to create a BUFFER ZONE.

between Residential and non urban.

Stoddart

Sept. 2003

CONCLUDING REMARKS

- Members of P.O.P.A are not asking for the abolition of the green wedge; not even radical change.
- Those of us on the fringe do however believe $\frac{1}{4}$ or $\frac{1}{2}$ ac. blocks on one side of a fence and min. 20 acres on the other side is rough; especially when there are demanding controls and restrictive overlays on top
- We are asking for more sensible green wedge, A MORE MULTI PURPOSE green wedge.
- we believe it is not only possible but DESIRABLE.

ADDITIONAL INFORMATION HELD BY THE COMMITTEE

ATTACHMENTS TO SUBMISSION NO. 14

**ATTACHMENTS, APPENDICES AND PHOTOGRAPHS PROVIDED WITH
SUBMISSIONS ARE HELD IN THE COMMITTEE OFFICE**