

17 March 2009

Statutory Planning Systems Reform
Department of Planning and Community Development
GPO Box 2392
Melbourne 3001

Submission: **NEW RESIDENTIAL ZONES FOR VICTORIA**

This submission is concerned with the Land Uses aspect of the Draft.

SUMMARY:

That the commercialization of residential zones be minimized by the deletion of certain proposed Land Uses.

AMENDMENTS IN THIS DRAFT RE LAND USES:

The Draft continues the current Uses with the following additions :

Substantial Change Zone – Section 1 [Permit not required] – ‘Office up to 100square metres’

Limited Change Zone – Section 2 [Permit required] – Convenience shop, Food and drink premises, Extraction, Place of assembly - ‘The site must adjoin, or have access to, a road in a Road Zone’

OBSERVATIONS:

For the past ten years I have been involved with and gained an understanding of state and local planning matters as a member of various committees [Mornington Peninsula National Trust Branch, Mornington Peninsula Shire’s Mornington Structure Plan Community Reference Group, Kangerong Ward Action Group, etc.].

I am concerned that many of the current Land Uses, and those proposed in the Draft, permit and encourage the creeping commercialization of residential zones on this Peninsula and throughout the State.

The Draft proposes:

Limited Change Zone -

NO PERMIT REQUIRED

Bed and Breakfast

Circus[must satisfy the 1997 Code of Practice]

Carnival [ditto]

PERMIT REQUIRED

Service Station [must adjoin a business or industrial zone]

Car wash

Convenience restaurant

Convenience shop

Food and drink premises

Takeaway food premises

Community market

Leisure and recreation [eg squash court]

Plant nursery

Medical centre

Place of Assembly – [eg funeral parlour, reception rooms]

Substantial Change Zone

Office up to 100 square metres

I believe that the complete aim of residential zone planning should only be as stated in two of the four Purposes-

‘protect the neighbourhood character of the area’

‘achieve neighbourhood character’

New residential development can achieve this, but in the list above [apart from Bed and Breakfast] none of these *per se* can do this – by their very nature they must negatively affect neighbourhood character, rather than add to it.

A Circus or Carnival, although temporary, is incompatible with neighbourhood character. A service station and carwash by definition must be industrial in construction and style. Food and drink establishments are not ‘residential’. The other examples listed also are by nature not residential but commercial.

The fourth objective tries to be a catch-all for non-residential uses –

*‘In appropriate locations, to allow educational, recreational, religious, community and **a limited range of other non-residential uses** to serve local community needs’*

The major problems which cause community angst, municipal involvement and cost, and VCAT intervention constantly erupt in this uneasy and unresolvable interface between residential and non-residential uses.

Issues of 24 hour opening, noise of deliveries and waste management and exhausts, traffic and parking by customers and users, live and amplified music indoors and outdoors, light spill, odours, access in non-Road Zone roads all negatively affect the amenity of residents, especially those who abut and are near

