



# MORNINGTON PENINSULA RATEPAYERS' & RESIDENTS' ASSOC INC.

## AND McCRAE ACTION GROUP

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## Newsletter – August 2019



### *FROM THE PRESIDENT*

The Association continues to receive numerous concerns from residents and ratepayers. Many of these relate to planning matters. The most common complaints include:

- The Peninsula is not retaining its character and it is becoming more like a suburb of Melbourne.
- Unnecessary removal of trees and vegetation.
- New developments are taking away my views.
- A large number of units (often double storey) are being built on the block next door which; takes away my privacy, overshadows my property, and blocks light from my windows.
- Noise from party houses.
- What is happening with my recycle waste?
- The Shire does not enforce its laws or fine people who do not comply with its regulations.

We give advice and try to help where possible on planning matters. However often we cannot provide a solution as the concerns relate to the Shire's Planning Scheme where many of the regulations are laid down by the State Government. While the Peninsula is not part of Melbourne's Growth Corridor, unfortunately we are within Melbourne's Urban Growth Boundary, which means that many planning requirements are the same as those for Melbourne's inner and middle suburbs where dense and high rise development is being promoted.

We have been joining Peninsula Speaks on a number of initiatives to try and retain the character of the Peninsula such as opposing three storeys in much of the residential area and making a submission to the Shire on its report describing the local area character which we hope will ultimately provide a bench mark for retaining many of the features we value.

### *SHIRE TO UPDATE US ON WASTE RECYCLING*

Our next public meeting is to be held on Monday, 26 August 2019 in the meeting room of the Rosebud Public Library, Rosebud Plaza Shopping Centre, McDowell Street, Rosebud.

Guest speaker will be Daniel Hinson from the Shire. As you may be aware, China has refused to take Australia's low-grade recycle waste and this has thrown the industry into chaos. The Shire has been affected and Daniel will

### **NEXT PUBLIC MEETING**

**2 pm Monday, 26 August 2019**

**Guest Speaker: Daniel Hinson, Team Leader Waste Services, Mornington Peninsula Shire.**

**Subject: Update on waste collection and recycling on the Peninsula:**

**Location: Rosebud Library Meeting Room.  
McDowell St, Rosebud.  
Melway Map 158 Ref D12).**

**Public welcome to attend**

give us an update on the current situation and the latest plans for the future of the Rye tip.

The meeting is open to the public and we encourage all members of the community to attend.

## ***WHY THE NEIGHBOURHOOD CHARACTER STUDY IS IMPORTANT***

Neighbourhood Character is extremely important as it describes the surrounding environment in which we live. It is recognised by planners, Councils, Government and VCAT, and is taken into consideration when they make their decisions on whether or not new developments should be approved.

The Shire has produced a report on neighbourhood character to identify and understand the important common patterns of the Peninsula's residential design and development, the street layout, built form and landscaping. The study seeks to capture these unique values and develop a framework that will ensure better design and amenity outcomes for all residential areas. It is proposed that the study will result in preferred character statements which will be incorporated into the Planning Scheme to strengthen the provisions and provide increased clarity regarding character identification and protection.

Our assessment is that it is a very good report and a few specific comments we made to the Shire in our response included:

- There is a need for new development to take into consideration the sharing or views with neighbours.
- The whole Planning Scheme needs to be thoroughly reviewed to ensure any possible conflict between neighbourhood character and other development clauses is removed.
- The controls and enforcement on the removal of vegetation are failing and need to be improved.
- The Council needs to find a way of getting the Minister on-side with its (a) Housing and Settlement Strategy, and (b) the Neighbourhood Character Study.
- Unless the study results in changes to the Municipal Strategic Statement and Overlays, which form part of the Planning Scheme, then the expensive cost of the study and report is a complete waste of time.

## ***REVIEW INTO RATES CHARGES***

During the election campaign last November Premier Daniel Andrews announced he would hold an inquiry into Council rates if Labor was elected. In line with his promise the Minister for Local Government recently appointed a Panel to lead a review and to provide advice to the Minister. The terms of reference for the Panel are to:

“..... undertake an inquiry into the council rating system to identify changes that will improve its fairness and equity – this is to ensure that the burden of rates falls fairly amongst all ratepayers”.

The Panel is to report to the Minister by 31 March 2020 and is required to consult widely with the community. However exactly how this is proposed is not yet clear. We will keep you informed.

## ***CAPPING OF YOUR COUNCIL RATES***

In 2016-17 the state government introduced the capping of annual council rate increases which averaged about 6% every year. Since capping the increase has been reduced to 2.0-2.5% a year which is about a third to one half of the increases prior to the capping.

The Herald Sun recently reported that Victoria's rate-capping system has kept a lid on rate rises without having a significant impact on ratepayer services. The Essential Services Commission found annual growth in council rates per property had slowed significantly since the system was introduced without services being reduced. However a concern was that if the value of your property had increased more than the average then your rates rises could still be excessive. If rate capping had not been introduced then the owners whose properties have increased significantly would have been much worse.

We are aware of some cases on the Peninsula where rates had increased by as much as 50% due to increasing property values being significantly higher than the average property increase across the whole shire. The property value which is used to calculate your rates usually lags behind the current value of your property. However since the last valuation there has been a downturn in property values so it will be interesting to see what happens with next years' rates.

The legislation with the introduction of rate capping said that a review must be completed by 31 December

2021 to determine: (a) whether the mechanism for setting a cap on rates set out in this Part is still appropriate; and (b) whether capping is effective or needs to be amended.

Currently we support rate capping, however as it does not apply to other charges such as your waste charge, we have concerns that some councils are increasing these charges to get around the rate cap.

## ***PROPOSED NEW GOVERNMENT REGULATIONS FOR COUNCILS***

Last year the government introduced a new “Bill” into parliament which proposed to update the way in which Councils are elected and operate. It was a significant change to the “Act” under which Councils now operate.

We were very hopeful when the government announced about 4 years ago that there would be new legislation that the Act would be significantly improved providing ratepayers and the community with increased openness, transparency and improved rules for the conduct of councillors and staff. However we were bitterly disappointed when the draft “Bill” was made available for public comment.

For example, it proposed that our existing wards and councillor representation would change back to the “bad old days”, when if a councillor did not support you, then you had no other councillor in your ward that you could turn to. While it had 10 pages saying how councils should be open and transparent, it then had a single sentence which said that information could be withheld from the community if “public availability of the information would be contrary to the public interest”.

Together with Ratepayers Victoria we made a 54 page submission outlining 90 concerns with the proposed Bill, however not one of our suggestions was adopted. While the Bill was passed in the Lower House, fortunately it did not make it through the Upper House before the 2018 Election so it has to go back to parliament. We lodged our complaint with about 80 members of parliament suggesting that there needs to be a Royal Commission into Councils or at least an open public inquiry before it is reintroduced into parliament.

The latest is that the Minister has asked for comment on some further 6 reforms but these are only a tip of the iceberg and do little to improve the Bill and we again made a strong complaint. Unless the Bill is significantly improved then ratepayer associations including ours will be wasting their time dealing with councils.

## ***RESPONSE FROM LOCAL GOVERNMENT VICTORIA***

In regard to our submission above we have just received the following from Local Government Victoria

*“Thank you for your email regarding the proposed Local Government Bill 2019.*

*I can confirm that your submission has been received and your feedback on the proposed reforms will be considered as part of the Minister for Local Government’s commitment to introducing the Local Government Bill into Parliament later this year.” (The typical answer when they intend taking no notice,)*

## ***PROTECTING OUR PENINSULA***

A concern we have identified is that when new housing developments are proposed **ALL** of the vegetation is being removed from building sites prior to construction. This is allowed to occur because of the planning rules introduced across the whole of Victoria after the “Black Saturday bush fire” in 2009.

The entire Peninsula is designated as a Bushfire Prone Area and large proportions of the Shire are also subject to a Bushfire Management Overlay. A report by the Shire’s consultants, Ethos Urban, says this allows an “as-of-right removal” to mitigate bushfire risk on resident’s properties (even in built up areas such as the centre of Mornington and Rosebud).

They say the unfortunate consequence is the often negative impact on neighbourhood character of the highly valued ‘treed’ character of the Shire’s settlements as well as the integrity of the Shire’s biodiversity, including native flora and fauna.



**Historic Moreton Bay Fig about to be removed**

## *UGLY MOBILE TELEPHONE TOWERS*

Have you noticed the ugly mobile telephone towers which are popping up all over the peninsula?

While technology with mobile phones has dramatically changed over the last decade little had been done to improve the look or architectural appearance of the towers.

We have become aware that two new towers are being proposed along Point Nepean Road in Capel Sound adjacent to the beach by Optus. We were consulted on one of these but not the other – it was not until we read a newspaper report did we understand there were two – are they deliberately keeping us in the dark?

We made a number of suggestions which Optus totally ignored. It appears to us that they had no real intention of consulting with the community but did so just to say that they had consulted with the community.

Optus is owned by SingTel which is majority owned by the Singapore Government who we suggest have no interest in our Peninsula apart from making money and are not prepared to invest a small amount to make the towers blend into the environment.

We have asked the Hon Greg Hunt MP to pass our complaint onto the Federal Minister and we will be writing a letter of complaint to Optus.



**An unsightly mobile phone tower**

## *SINGLE USE PLASTICS*

The Nepean Ratepayers Assoc. has written to Shire CEO, John Baker on one of the major risks to our coastal environment and our marine life - single use plastic products saying the most effective way to reduce the amount of single use plastic going into Port Phillip Bay, the ocean and landfill is to avoid using these products in the first place.

They say:

- Many Councils throughout Australia have legislated to ban the use of single-use plastics in council facilities and at council supported events. In Victoria, councils including Bayside, Banyule, Monash, Darebin, Melbourne, Geelong, Indigo Shire, Wyndham and the Surf Coast Shire have implemented or are developing policies to ban single use plastics.
- The Mornington Peninsula Shire should take immediate steps to declare its support for reducing the use of single use plastics and develop a policy and implementation plan that will lead to the ban of all single use plastics on the Peninsula.
- The Council is well placed, with resources and expertise to become leaders in this area and we believe its time the Council showed greater commitment toward saving our environment.

We will discuss this matter at our next public meeting with the purpose of supporting the Nepean Ratepayers Associations request to the Shire.

## *COMMENT ON THE COST OF THE ROSEBUD SWIMMING POOL*

We are pleased that construction has commenced on the Rosebud Swimming Pool, however we are concerned that the Shire staff does not have the expertise to manage the cost of such a large project. The history is:

- 13 March 2018. The Council passed a resolution: “that there be a budget cap of **\$41.57 million** on the total capital expenditure including grants, any loan capital repayments and income from land or other sales for the Rosebud aquatic centre but not including interest on loans.
- 14 August 2018. Council indicates the cost of the pool will be **\$47.57 million**
- 28 June 2019 we received a response form the Shire being very coy about the total cost but gave us the impression that it was **\$45.86 million**
- 17 July 2019. The “Peninsula News” reports the cost is **\$42 million** and Council agreed to an undisclosed contingency.