

Your local voice



www.wccc.com.au
info@wccc.com.au

PO Box 3701
Weston Creek ACT 2611

Telephone **(02) 6288 8975**

Record of Proceedings

Regular Monthly Meeting

Wednesday 26 July 2006

at The Weston Club, Liardet Street, Weston.

1. Welcome:

The Weston Creek Community Council (WCCC) Chairperson, Mr Jeff Carl, opened the meeting at 7:50pm and welcomed attendees to the meeting. Mr Carl outlined the main agenda items for tonight's meeting, indicating that our first guest speaker will be Detective Superintendent Michael Kilfoyle of ACT Policing's Southern District. Our second guest speakers will be representatives from the ACT Planning and Land Authority (ACTPLA) who will make a presentation on the Planning System Reform Project which provides new planning regulations for the ACT.

2. Apologies:

Ms Jacqui Burke MLA; Ms Karin Macdonald MLA; Mr Bill Stefaniak MLA; Mr Richard Mulcahy MLA; Mr Brendan Smyth and Ms Jane Smyth.

3. Police Report:

The Chairperson then introduced Detective Superintendent (DS) Michael Kilfoyle and invited him to speak. DS Kilfoyle said that he wanted to follow up what was said at the last meeting of the Community Council and to also give an overview of what is happening and some crime statistics.

The first topic raised by DS Kilfoyle was the new purchase agreement reached between the ACT Government and the Australian Federal Police. This agreement will mean, despite current overall budget trends, that there will be greater funding for the police force in the future. This will result in more police being in police cars doing police work rather than paper work in the office.

The extra funding will allow the force to increase its numbers by 27 positions by the end of this year and for 40 more positions in 2007 and 10 more in 2008. This increase will bring the ACT force closer to national strength averages on a population basis.

He hoped that the increased funding will allow for the return of police buses which have been used in the past to collect information from the public and improve public relations.

In Weston Creek burglaries have reduced by 30 per cent in recent times however motor vehicle theft has shown a slight increase. The latter statistic is often a reflection of who is operating in the area at the time. While there has been an increase in motor vehicle theft the good news was that the recovery rate is very good with more than ninety per cent of motor vehicles being recovered and returned to their owners. There had also been a drop in the number of assaults.

Mr Carl thanked DS Kilfoyle for his report and invited questions and comments from the meeting.

The first comment was that the Weston Creek Festival, aka “Up the Creek”, will be held again in October and this could be a good opportunity for the police to bring the bus around and meet the people of Weston Creek. DS Kilfoyle noted this suggestion and said he would raise it with the appropriate officers.

Another comment from an attendee was that there seemed to be much “coming and going in Sheaffe St”. the attendee had noticed this because they belonged to a dog walking group which met twice a day and they had observed this activity. It was possible that drug selling was involved. DS Kilfoyle thanked the attendee for this information and said that it would be followed up.

Responding to the question which asked for a comparison of crime statistics from Weston Creek to other districts, DS Kilfoyle said that Weston Creek appeared to have more favourable statistics than most other areas. This could be a reflection of the gradual ageing of the population in Weston Creek.

Another attendee reported that there had been instances of rock throwing at motor vehicles in the Stirling area near the embankment along Hindmarsh Drive and while she was driving in her car a rock narrowly missed crashing into her windscreen.

One attendee raised the issue of what will happen to police volunteers once the increased numbers of permanent police is accomplished. DS Kilfoyle said that the volunteers will still be needed more than ever. He said that the work they did was particularly valuable in saving police time over matters such as the filling in of motor vehicle accident reports and manning the front counter and the like. It was important to remember that if you attend the police station, a permanent officer is always available even if your inquiry is handled by a volunteer in the first instance. The volunteers are trained to be able to refer serious matters immediately to uniformed personnel.

In response to a query about the adequacy of forensic staff DS Kilfoyle said that the ACT Police used the services of the wider AFP for forensic work. The matter of the level of service required was currently being looked at.

The Chairperson thanked attendees for their questions and thanked the police officers for their attendance.

4. Planning System Reform Project

Mr Carl then introduced representatives from the ACT Planning and Land Authority to make a presentation on the new planning regulations for the ACT. The presentation was made by Ms Jacqui Lavis, Director, Statutory Planning and Development Services.

Ms Lavis began by explaining that she had left new planning information at the back of the room and she hoped that people will take a copy of the information home. In the package the first document dealt with the old legislation and the second was a landscape document which dealt with the new Territory Plan. In addition there were a number of single sheets outlining particular aspects of the new arrangements.

There will be three new categories of developments, namely: an Exempt development category, a Prohibited development category and an Assessable development category.

Developments in the Exempt development category will be about minor alterations and additions for example such as installing a garden shed on a residential development. The Prohibited development category will ban such developments that are clearly incompatible with the Territory plan such as an industrial development in a residential area. The category with the most interest is the Assessable development category where development applications will be subject to assessment by planning and government officials. Under the first two categories there will be no right of appeal nor allowance for public comment.

Assessable developments will in turn be divided into three sub-categories and these are Code assessments, Merit assessments and Impact assessments.

Under the Code assessment sub-category the application will be certified that the development meets all the requirements of the Territory Plan and associated building codes. No flexibility will be allowed and third party appeals will not be allowed. There will be no requirement for public notification. Examples which would be code assessed would be applications to build a house in an existing residential area or to establish a new business in a shopping centre.

Merit assessment will be for developments which do not comply with the code. Under this sub-category there will be requirements for some notification of the proposals to nearby neighbours and there will be third party appeal rights. Examples of the kind of development applications which will be covered under this sub-category could include an application to establish a child care facility in a residential area or to establish a gymnasium in a commercial area.

Impact assessments will cover all those uses in the schedule in the Bill to be presented to the Legislative Assembly. Also those uses not listed in the development table of the Territory Plan. Development applications under this category will have full notification and appeal rights. Examples of the kind of developments could include proposals to establish a scientific research facility or for a waste management plant.

Where third party appeals will be allowed the appeals will be limited to matters which are material to the development and which have been raised during the course of the notification process.

In the case of Exempt development applications for example for backyard sheds or a new house meeting the requirements, applicants will still have to obtain a private building certificate from a qualified building assessor.

Part One of the New Territory Plan will cover strategic directions and administrative procedures. Part Two will cover zones, Part Three will cover codes and Part Four will cover Territory Plan definitions.

There will be new Zone structure and development tables in Part One. Zones replace land use policy areas.

All new applications will have to meet the appropriate codes.

Allowance has been made under the new arrangements for Variations to the Territory Plan. There will be major variants requiring public consultation and there will be minor variations which may go straight to the Legislative Assembly and be signed off.

The current leasehold land tenure provisions will remain but commercial and broader range of uses may be subject to shorter leasehold terms. There will be a five year restriction for concessional leases granted outside a competitive process.

There will be compliance penalties to enforce the legislation and a reform timetable will be introduced by the beginning of 2007/2008.

The meeting was then opened to questions.

The first question related to the timetable for introducing the new arrangements. Will the Bill be passed before the new Territory Plan is finalized? Shouldn't we wait until the Territory Plan is finalized before introducing the development application arrangements? The answer to this question was that the Bill will be introduced before the Territory Plan is finalized. We will have to make assessments without the Plan but the outline of the Plan is included in the Bill.

Following up that question the next question was will there be a register of development applications under each category and how public will the register be? There will be a public register and it will be on the web site.

The next question also followed the first two: what happens if you think that there is a construction going on which is not complying with the new development application process? For example, if a development application to build a new backyard shed means that something more substantial is being erected what can neighbours do about it? In these instances people with problems should raise them with the Authority and it will assess the situation and come to a conclusion about what is to be done.

As far as penalties for illegal structures are concerned will the Authority consider demolition as a penalty? The answer was that this will always be considered as a last resort. In most instances it is hoped that alterations to the structure will be sufficient. Additional monetary penalties may also be imposed.

Another questioner was concerned about Code development applications. For example “creeping forward” over agreed boundaries can be a problem. Builders and developers will have to realize that there will be a finality about this. They must do the right thing otherwise there will be penalties.

The issue of a reasonable time frame to complete buildings and renovations was raised. The questioner was aware of a renovation which was still incomplete even though work commenced 15 years ago. In the meantime the site was full of builder’s waste and rubbish. This issue will highlight the fact that under the new arrangements a tougher regime for builders will start and it will be enforced.

In Weston Creek there was a lot of concern about dual occupancies. Usually there is no right of third party appeal. Will they be Code assessed in the future? The answer to this was that this will happen by the end of this year. A comment from the floor was that Codes do not work at the moment particularly where there are unusual sites and sites with large falls from front to back, for example.

In response to a question on major and minor variations to the Territory Plan Ms Lavis said it will still be possible to raise issues as they are presented to the Legislative Assembly.

Under the Impact assessment arrangements it was explained that these could not go forward without getting a certificate. Generally speaking all large and complex developments will require appropriate certificates.

The Chairperson thanked the representatives of ACTPLA for their attendance which was endorsed by the people present.

GENERAL BUSINESS:

5. Neighbourhood Watch

Mr Carl explained that the WCCC had extended an invitation for representatives of Neighbourhood Watch to present a short report at every meeting of the WCCC under general business and he asked if there was a NW representative present to make report. There being no representative present the Chairperson moved on to the next item.

6. Need for Volunteers for the WCCC

The Chairperson explained that the next meeting of the WCCC will be the AGM and that under our constitution no personal applications to join the committee could be made from the floor at the AGM. At the moment there were quite a few vacancies and unless the Community Council could find more volunteers the services that it has provided over the years will have to be cut back. Mr Carl also informed the meeting of the roles performed by various members of the committee and asked interested people to see him or other committee members after the meeting.

7. Demolition of fire damaged ANU building

The Chairperson announced that agreement has finally been reached for the ANU building in Heysen Street which was burnt out in the 2003 fire to be demolished over the next month or so.

The Chairperson closed the meeting at 9:10 pm.

Next Meeting:

The next meeting of the WCCC will be held on 23 August 2006. This meeting will follow the WCCC AGM which will commence at 7.45pm.