

June Column

Greetings Everybody

Trust you are well despite the onset of winter chill.

This column is larger than usual due to the amount of important Material.

NEW LAWS FOR SHORT STAY APARTMENTS

Minister Jane Garrett issued the following media release on May 23 ;
The Andrews Labour Government will introduce new laws to help stamp out bad behaviour when it comes to short stay accommodation in Victoria.

Under the reforms, for the first time apartment owners could be liable for any damage, noise or loss of amenity caused by their guests.

VCAT would also be given new powers to award compensation of up to \$2000 to neighbours, and ban short stay apartments which are repeatedly used for unruly parties.

Guests could face fines of up to \$1100 for a range of conduct breaches, including:

- creating unreasonable noise or behaving badly
- causing a health, safety or security hazard
- damaging common property
- obstructing a resident from the using their property.

Short stay apartment owners may be ordered to pay neighbours' compensation and any damage caused by their guests to common property.

The government acknowledges that the majority of short stay accommodation is used responsibly in Victoria and these reforms are designed to reduce the number of isolated incidents of bad behaviour.

The new laws will encourage short stay apartment owners to take more steps, such as bonds and screening practices, to ensure their apartments are not used for unruly parties.

In addition, Consumer Affairs Victoria will help conciliate in short stay disputes that cannot be resolved through the owners corporations dispute resolution processes.

The changes are part of the Andrews Labor Government's election commitment to protect apartment residents from disruption and damage to their properties caused by rouge short stay visitors.

The announcement follows months of consultation with stakeholders and industry on recommendations made by an independent panel into short stay accommodation in Victoria.

The panel's report estimated short stay accommodation generates around \$792 million in revenue and more than \$160 million in wages in Victoria. It represents a multi-billion dollar industry and supports more than 64,000 jobs.

There are an estimated 170,000 short stay properties in Victoria representing 27 per cent of the national total. Nationally, the panel found the industry supported \$31.3 billion in economic activity and 238,000 jobs.

Amendments to the *Owners Corporations Act 2006* were introduced to Parliament on Tuesday, 24 May.

My Comment

You may recall I was a member of a panel appointed by the government last year to review and recommend on the short stays issue. I was the only representative up against industry interests. I was the only one who proposed a ban on letting for a period of time. As there was no chance of getting anything longer I recommended a 7 day minimum, which would have done away with weekend parties, the main source of trouble. Not unexpectedly that was voted down too. I submitted a dissenting report to the Minister. In my opinion the proposed legislation does not go far enough and is deficient in a number of respects.

Residents' Bill of rights

There have been meetings around Melbourne voicing widespread resident objections to Government and Council plans for re-development. As a result a residents' Bill of Rights has been developed and is being distributed. It reads as follows:

RESIDENTS' BILL OF RIGHTS (RBR)

We, the current residents of Melbourne, country and coastal areas of Victoria, call on the government and opposition at all levels to act to protect our homes, communities and cities from over-development.

WE REJECT:

- The current trend of excessive population growth through the ever increasing levels of immigration.
- The excessive influence of vested interests and lobby groups upon residential planning and government decision making.
- The increasing densification of residential areas and the consequent impact on our infrastructure without commensurate infrastructure upgrades at all levels.
- The continual changes to planning law and regulations that provides no certainty for the peaceful enjoyment of our neighbourhoods by the current and future residents.
- The continual urban sprawl into Melbourne's green fringe and farming land.

We DEMAND:

- Population growth targets to be limited to sustainable levels based on OECD averages which is currently around 0.63%. (Australia's rate of growth is currently 1.7%).
- Infrastructure be upgraded to meet current needs and kept ahead of requirements to meet our cities population growth requirements.
- A bipartisan planning environment that provides certainty and protects residential areas against densification in any form.

- Councils to be the sole "responsible Authority" for issuing planning permits and building permits.
- VCAT's role to be confined to resolution of legal planning disputes and ensuring that lawful planning regulations are met.
- FIRB rules and penalties designed and strictly applied to prevent destruction of existing housing stock and neighbourhood character by foreign nationals.
- Expansion and development of regional cities and associated infrastructure to support population growth and lifestyle quality.
- Developer donations to be deemed illegal with mandatory disqualification, forfeiture, or dismissal from or of any current or future development.
- Protection of current open space and tree canopy to retain or replace as required on all redevelopment sites.
- Government, at all levels, legally required to assess and protect the interests of residents ahead of developers' interests.
- All planning committees and reference groups to have resident representation.
- Legislate to ensure permits can be refused where a poll of residents/owners living within 300m radius of the proposed development indicates objection by a majority of existing residents/owners.
- A national uniform code be developed to define minimum dwelling size, minimum open space per bedroom and maximum occupancy limits.
- Enforceable minimum Victorian building standards regulations administered by an independent authority.
- Any breach of a planning permit or building standards should result in a prosecution by the relevant authority or the State or local Government to ensure proper rectification
- Developers to meet infrastructure costs necessary for all new developments including drainage, sewage, water supply, telecommunications, gas and electricity.
- Developers to be required to contribute to a general community/Council infrastructure fund, based on the number of bedrooms or estimated improved value of the property.
- Neighbourhood character, architecture and heritage requirements to be met by every new residential development.
- Establishment and enforcement of resident and visitor car parking standards, for new multi-dwelling developments, at the rate of 0.75 spaces per bedroom, for residents and 0.25 spaces for visitors.
- Character protection for heritage and traditional local shopping strips.

supporting residents' groups in Melbourne, country & coastal areas.
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Pressure for more schools

The following is a quote from part of an email from our local member:

"Children have even been asked to bring in headphones so they can listen to lessons on their iPads, as there's four teachers competing against each other in a double classroom jammed with 100 students," - Julie in the [Herald Sun](#).

Take north Melbourne Primary School for example, some of our kids are learning to read and write in unheated stairwells. The Government is really keen to invest in building Victoria as the "Education State", except the state of education for our city kids is nowhere near where it needs to be.

Western Distributor Project

A meeting with officials is being held in North Melbourne this month to hopefully explain more. I will be attending.

GENERAL

If any reader would like to become a member of the DCA or has any suggestions they wish to put forward regarding activities or issues, they are welcome to contact us on gardnerjohnstone@gmail.com. We're also on Facebook.

If you would like to contact me about any aspect or becoming a committee member you are welcome to email as above.

Regards to All
Roger Gardner
President DCA