

An Overview and Some Opinions why Mount Evelyn won.

It is obvious that MEEPPA's work on the DDO(2) was the key to this amazing decision. As the co – author of this massive undertaking we had realized 2 to 3 years ago that this would give our village the best fighting chance. That is why at the last Public Meeting in March of this year Franc (Smith – President MEEPPA) stated publicly on stage directly to the Woolworths Management and Corporate Team who flew from Sydney for the night,...

"We are NOT Johnny Come lately's to this whole process and very soon you will find that you may have picked on one of the few smaller communities in this country who will beat you. We will not capitulate and armed with our knowledge of the Planning Issues we will embarrass you significantly.... We know our stuff and we know our people. We have been under siege from you for so long that we are battle seasoned and hardened – so bring it on and you will soon learn that how as a community we have kicked your bums in... because when your 'Dozers' roll over the hill WE WILL be waiting in the trenches for you...you've declared war on our town and we will not flinch – we have made knowledge our weapons but as Corporate Clowns (Sorry Clones) you simply have no idea of what Secret Weapon awaits you ..."We never aim to compete – we aim to win.. And be warned - we shall!....'

(The Secret Weapon was of course the DDO(2) and they had never heard nor had any knowledge of what Franc was referring to). Woolworths never took the time to really understand it but more amazingly never successfully complied and failed to address the Technical aspects of the protected built forms and how they should match the amenity of the existing structures. They never treated Franc's words seriously and Malleson's (for Woolworths) arrogance was their undoing - treating MEEPPA as ignorant Community ..'Hill Billies'..

The Significant Parts of the Determination.

The document consists of 100 Paragraphs or *Clauses* 'Clause Numbers in *Red Brackets (*)* with page nos. if available across the 27 or so pages). Each paragraph is assigned a number. In red are the important parts that Woolworths did not address.

1.
3 Key Clauses are apparent all as important as one another but the main Clauses would be (51) Pg.15 ..'If the application had been considered us last year we may have considered authorizing it etc...(52) ..but on Jan 17th the planning controls 'Design & Development Overlay 2" (DDO 2) had changed and they had to ..'apply these new provisions'.. As referred to above they NEVER gave the DDO nor it's provisions serious consideration nor awarded them enough technical consideration.

2.
In addition when *they did* realise the 'powers' of DDO (2) it was too late and they attempted ..'Planning on the run'....(81) precisely what MEEPPA successfully accused them of as one of the major items in the two part and very long (A(MEEPPA Town Submission (B) MEEPPA Environment Submission which was delivered over 2 days. DDO 2 also took the form of a 'Social Control' **as much as** a Planning Control."Therefore due to the nature of that forward planning DDO 2 is a reflection of the aspirations of this community and it's determination in engaging Planning **with** the community rather than **at it:** and so the degree of involvement in this DDO should be looked upon in **equal terms – Essentially then DDO 2 is a Social Impact Planning Statement that speaks to the developers as much as it 'speaks out' for this Community's aspirations and needs....."** Though possibly not interpreted as literally by the decision it reinforced the notion that DDO 2 was a Community initiated planning control that had been

planned for nearly a year in advance of the original application and therefore the 'amended plan' which became the formal 'Woolworth's Plan'. In any event DDO2 would have always been treated as a 'Seriously Entertained Proposal' had it not been incorporated into the Planning Scheme by the time of the final hearing.

3.

In addition to this MEEPPA also hammered home the 'Residential / Commercial Interface' (where residential properties of Snowball Ave. abut the new Commercial properties). (75,77,79,86,87) ... "the interface needs to be managed not ignored"... Their response was a decorated concrete wall 125 metres long and 14 metres high at it's highest point. Once again the DDO demands relevant ..'setbacks' the actual building line. When these areas meet you just cannot have a 'cliff face' it has to be stepped down with *transitional elements*. It failed miserably at this along with the Traffic hazards it further created. In addition to this it led to a completely *static frontage* without any of the *active frontages* promoted both in the planning Scheme and the DDO(2)(88) In fact Angus Witherby (Town Planner & Expert Witness for MEEPPA) is of the view that this decision creates a precedence for 'Interfacial Transition' which may well be referred to and used in future cases.

4. In addition to 'Planning on the Run' MEEPPA also stated that the Application 'smacked of ad hoc planning and too much too late'..(Thus) . 'too many compromises are being made to fit this development on this site'....(81 top pg.22)

5. Conclusion.(95) Seals the fate of the whole development ... '**We consider that the built form and design of this supermarket development is not appropriate for Mount Evelyn, due to the impact it will have on the prevailing village character of the town. The scale suggests an overdevelopment, having regard to the attributes and constraints of the site....**'

It follows from the above that the decision of the Council should be affirmed. A permit should not be granted for this development, based on the plans before us.

The Bulk, the Visual Bulk, the massively large flat roofed area, the overall Scale compared to land available, the 'prevailing village character' ARE ALL elements of the DDO provisions and it is very difficult to see how a Supermarket half this size could even be 'contained' within those parameters, Woolworths are now in the process of looking at much larger 'footprints' (in excess of 4000 sq. metres ! – Thornleigh NSW) larger than the whole space available to them here including the 'Specialty' Shopping Mall– so we believe that Woolworths would not consider a much smaller development. Unless of course it's to just 'show off' their name. They tried this in Maleny and the results of this are quite well known (See Our Comments Section)" **Three years later, the developer now admits "We were wrong. I understand how residents felt."** (Graham)

The DDO, whilst a long drawn out affair through some 29 Drafts (?) through an Independent Panel Approval Process (Where MEEPPA 'cut their teeth' for VCAT as a 'Training Ground') – drafted and redrafted at every stage which started out at 7 – 8 pages was reduced to 5 by Council and then reduced to 1 ½ pages by the 'Panel' before going back to Council for ratification and then onto Justin Madden – was a process started by 9 authors and finished by 2- no one had ever bothered to count the hours, days months but it has severely taken it's toll in illness, burn out, attrition but a process we committed ourselves too (with detractors and a serious lack of support from the other Township Group METIC) but now we are vindicated for the stand we took and what we have achieved.