



# AGM SUPPLEMENT

to the NCG SEPTEMBER NEWSLETTER 2017

# AGM Supplement to the NCG Spring 2017 Newsletter

## Advance notice

**The 2018 NCG AGM will be held on Saturday 17 February 2018**

**Put the date into your diaries now. Full details in the Summer 2017 NCG Newsletter.**

## Call for nominations to the NCG Committee 2018

Please send your expression of interest and a short CV (max 2 A4 pages) to

Dr Ursula de Jong, President, Nepean Conservation Group Inc, president@nepeanconservationgroup.org.au

by close of business, Friday 3 November 2017.



*Correa. Photo: Ursula de Jong*

*Front Cover: Lady Wren; Back Cover: Mister Wren. Photos: Ursula de Jong.*

## The NCG 2017 AGM

The NCG 2017 AGM was held on 18 February 2017 at 3.30pm in Badcoe Hall, at Point Nepean National Park. Report written by Jill Robinson.

The NCG thanks to Parks Victoria for allowing us to host the AGM at PNNP, and for providing support for us to do so. The NCG President Ursula de Jong, welcomed the audience to the NCG AGM, particularly noting, the presence of Shire Councillors, the Mayor Bev Colomb, Cr. Hugh Fraser and Cr David Gill, and members of other community groups who were also warmly welcomed.

## President's 2017 Report

Ursula acknowledges the Boon Wurrung people – Elders both past and present. Ursula set the scene, beginning with the value of Point Nepean National Park – “One of the most special parts of the world.” She showed slide of a woman sitting resting... “This is what this place is for... an inspirational place... It is our flora and fauna that keeps us honest and accountable for looking after this place.”

Ursula refers to the Constitution of the NCG and the aspirations of the organisation back when it started in 1973. She thanks the audience for their appreciation of, and support for, the NCG – “People have said today, that they are happy we are here.”

Ursula continues about the NCG's ongoing work tackling Shire Planning issues. Also, in conjunction with Parks Victoria and the Shire, the NCG coordinates the fourteen Friends Groups, as well as working closely with the Nepean Historical Society (NHS) and the participating in the 'Nepean Coalition.'

"The Peninsula has seen rapid change, perhaps more so than any suburban areas, because of increasing ease of access and because people simply want to live here. We are seeing the impacts of the 'sea change' trend. New residents to the Peninsula often bring values from the suburbs. We see this in the large new houses, the 'global styles' and consequently the degradation of the natural environment.

Ursula refers to the NCG's current Mission Statement. Shows slide representing the Australia Research Council (ARC) Linkage Grant project: 'Sea Change' Communities: Inter-generational Perception and Sense of Place (case studies in Sorrento and Queenscliff) and talks about the project objectives and outcomes. "We found that planning appeals are increasing." Ursula reiterated that the NCG is not anti-development, but we are anti-inappropriate development. "We ask that the Shire uphold the planning overlays, restrictions and specifications to protect this place".

House sizes are steadily increasing, hence the vegetation is decreasing. We have lost the Eastern Sister (Sorrento) already. Refers to the

Improving Planning Outcomes in small Coastal Towns booklet (produced as part of the ARC project.) Improving Planning Outcomes in small Coastal Towns lists five recommendations, including a call for increased transparency within the Mornington Peninsula Shire's processes. New developments need to make a positive contribution to our town and to demonstrate what value they add. For example, how does the current new development support neighbourhood character?

The Eastern Sister has been lost. We need to try to protect the Western Sister now, Sullivan Bay and the Collins settlement site constitute perhaps the most significant historical site in Victoria, for both Indigenous and colonial history.

Sorrento town itself is changing fast. The pharmacy building might have set the precedent for developments such as Ozmosis, Salt, Carmel, Morce Ave, Mitre 10 site, our foreshore and the Sorrento Sea Wall. DELWP and the Shire have taken decisions upon themselves to endorse these developments. Another example is the inappropriate paint colour at Morgan's - a limestone heritage building. You destroy the limestone by painting it. The 'Conti' has been sold, and granted permits by the Shire and Heritage Victoria. The NCG was a respondent in the major VCAT hearing, which saw the developer take the Shire to VCAT over the permit conditions. Ursula de Jong, together with Fank Hindley, spent four days in VCAT, representing the

NCG. The issues should have been resolved locally, in consultation with the community, with everyone around the table, the case should not have gone to VCAT. It is too late to get a good outcome for Sorrento.

The Mornington Peninsula National Parks are wonderful places. Less dogs are being brought to the Parks since the dog ban was introduced, but dogs are still present. National Parks face lots of challenges – with high volume of visitors, parking, rubbish. How can we welcome people and teach them how to treat this place with great respect? We want them to come, but to act respectfully. It's not a case of whether or not they can come, but how can they come?

**There is good news too**, the NCG released the revised and updated Indigenous Plant Brochure in June 2016 (colour brochure made available to attendees). We are looking for funding to get another 5000 printed as there is great demand for them in our community.

On the 29 October, the NCG together with the MPS hosted a Biodiversity and Fire Management Workshop, which brought many different groups and people together. The outcome is to develop a Fire and Conservation Strategy for the Nepean Peninsula. To that end the workshop came up with six actions. The sixth action was the need for a local weather station: the data from Hastings and Frankston is not accurate enough. The actions will be prioritised and the NCG will work with the MPS to implement them. The Shire does not have capacity to

assist more, and the NCG requires more help.

## **Point Nepean National Park**

NCG and other groups submitted comments on the revised draft PNNP Master Plan. The NCG is generally supportive of the directions. One suggestion had included acknowledging aboriginal people and their heritage – this has been comprehensively addressed in the revised Master Plan. NCG highlighted the need to acknowledge that Point Nepean is a National Park, that the natural values must be listed and respected. We also argued that sustainability should be the framework in which the Master Plan is situated. In the interest of caring for this place into the long term, bi-partisan decision-making is required.

## **Friends groups**

We have fourteen Friends Groups working with us and we wish to acknowledge the work and contribution of these groups. Volunteers are an essential part of the ecosystem. The NCG acts as an 'umbrella organisation' for these groups, with the Shire and Parks Victoria. Our volunteers are getting older and we need the next generation of volunteers coming through. NCG, the Shire and Parks Victoria thank our volunteers and encourage others to get involved – all encouraged to talk to neighbours and invite them along!

**Membership** – each year we report that our membership is stable. But if we want to be sustainable into

the future, if we want to continue to make a difference, we need grow: to be active vibrant advocates for our place. Everyone is encouraged to sign up new members again this year. If each of our 400 members signed up just one new member, we would have 800 in 2017; in 2018 we would have 1600, and so on. Let's aim high.

**Seasonal Rambles** – these are informal walks in different locations around the Nepean Peninsula. We run three or four throughout the year, all welcome. They are advertised in newsletters and on the website; and members are emailed information too.

**Community “Nepean Coalition” Meetings** – Wayne Chamley and Julie Corridon have attended these monthly meetings on behalf of the NCG. This is the opportunity for Councillors, Shire officers and representatives from community groups to meet together to raise and discuss issues of concern or interest to the wider community. We really value the meetings and encourage our Shire to continue them.

### **Thank you to our 2016 Committee Members**

Edward Cohen, Jill Robinson, John Franklin, Eddy de Jong, Wayne Chamley, Ian Haskins, Lisa Howard, John Trewarne, Sarah Patterson, Ruth Belfrage, Rebecca Cohen (retired in June), Julie Corridon. Every person on the Committee is a volunteer, each person gives as much time as they can and as much energy as they

can. While the committee works hard and achieves much, there is always more to do. John Franklin, Wayne Chamley and Julie Corridon are retiring from the Committee, though John is continuing as Membership Officer and Julie is continuing as Convenor of Friends of Tuckey Track. John, Wayne and Julie were thanked by acclamation for their hard work and contribution to the NCG.

### **Issues raised by members at the 2017 AGM**

1. MPS removing the Environmental Significance Overlay between Mt Eliza and Portsea,
2. MPS introducing ‘VicSmart’ into the Shire planning scheme.
3. The need for a change of culture on the Mornington Peninsula: suggests developers are directed to architects or to sessions to learn ‘how to live down here’. A change of culture is key. We are not going to win it through legislation, VCAT is not effective.
4. For greater impact, suggestion that the NCG works with like-minded groups.



*Clematis in full flower, Spring MPNP. Photo: Ursula de Jong*



## AGM Guest Speaker: David Gabriel-Jones

Report by Jill Robinson

David Gabriel-Jones was the guest speaker at the 2017 NCG AGM. Mr Gabriel-Jones is Principal of the Public Land Consultancy (TPLC) which provides independent advice to managers and users of Crown Land and other public land. TPLC's territory is the governance of parks and reserves, roads and lanes, rivers and coasts. Mr Gabriel-Jones looked at the deficiencies of the current Coastal Management Act and argued that in framing the new Coastal and Marine Act, government should consider a major reworking of the coastal jurisdictions, coastal tenures and coastal funding. David also suggested expanded advocacy roles for conservation groups.

Some notes from the presentation: 'Reconfiguring Coastal Governance': Real world includes the beach, environment, animals and the 'abstract world' which is Councillors, parliamentarians, legislation, planning, zoning, regulation, policy etc. My talk is about how can we bring these two worlds together.

The Coastal Management Act 1995 needs to be fixed. We are about to get a new Coastal Marine Act 2017. What can we expect? I am sceptical. We need it, but don't think it is going to fix everything. What needs to be fixed with regards to Governance on the coast:

- Not all the coast is public land (it should be)

- Coastal boundaries are often illogical
- Development consents are confused
- Landlord – tenant relationships often fail – eg. sailing clubs, bathing boxes. These relationships are very different from typical private land tenancies
- Community involvement is poorly facilitated
- Funding is often irrational
- Regulations are unenforced and ineffective

Most beaches are Crown Land reserves in Victoria. Some are freehold land owned by local council, some freehold land owned by the Commonwealth. The default status is Crown Land. For most people, the ownership or land manager doesn't matter. But it does matter, if you are trying to fight a development, Mr Gabriel-Jones gives examples. Why are we afraid of resuming coastal freehold? He suggests councils should be buying back the few freehold coastal titles. The Victorian Environment Assessment Council (VEAC) does great work in making recommendations. But it is forbidden to investigate and make recommendations on freehold land titles.

Mr Gabriel-Jones suggests that we let VEAC assess freehold land, abolish the 19th century legislation of 'unreserved' Crown Land, rationalise the purposes of the 'reserved' Crown Land and the whole notion of reserves

being temporary or permanent, differentiate the different value and importance of different sites – eg. local significance, State significance, National significance.

‘Cadastre’ – a mess of imaginary lines. Title boundaries, (more than just private – to the coast and out to sea) provides information on different status and powers of different agencies, who manage these lands. Does it matter? Often no. Sometimes yes, eg. the seaward extent of Municipal powers and responsibilities.

For example, Lindsay Fox’s Christmas present – ‘property boundaries may move in accordance of ‘accretion and diluvium’. Fox moved his fence several times. He said it wasn’t where everyone else said it was. The land grab was approved on Christmas Eve - another 45m (two-thirds) of the beach now. This was possible because of an archaic law. We must get rid of this law.

Mr Gabriel-Jones talks about the Balnarring example of ‘adverse possession,’ a neighbour stole some of the roadside reserve. Cr D Gill stated that it took three years to fight it. It took a while to find out who even owned the offending property. Mr Gabriel-Jones predicts that Shire land is going to be stolen all around the Shire, into the future. Community vigilance is needed, to thwart the ‘adverse possession’ culprits.

There are confused development consents. One needs several consents to approve development on coastal

Crown Lands. Developers may think there are too many permits and hoops, but Mr Gabriel-Jones says there should be as many hoops as possible. Mr Gabriel-Jones gives an example of an illegal beach house being sold by Ray White. “There is no land title and no Section 32 paperwork. This is the same situation as bathing boxes.”

Beaches are in high demand – by clubs and commercial organisations, etc., who want access to ‘their’ slice of the beach. The landlord-tenant relationships on the beach do not work well. There are problems and tensions with tenures on Crown Land. Regarding community involvement – Mr Gabriel-Jones talks about the Crown Land (Reserves) Act 1978, that allows for community involvement, as does the Local Government Act and the Associations Incorporation Act 1981. And the Conservation Forests and Lands Act, though it’s never been used and never been brought into power. What’s needed? We need to revise government systems and allow proper protection for volunteers and groups such as the NCG.

Mr Gabriel-Jones concludes with a question – “What are we going to do about ‘Strategic incrementalism?’” The community has limits of acceptable levels of change, amendments are difficult, wholesale reform is even more difficult. His advice: “Don’t wait for the disaster, but continue to put pressure on Government - keep pushing”.



## NEPEAN CONSERVATION GROUP INC

ABN 44 531 738 131 Reg. No. AOO 2079IU

PO Box 157, Sorrento, 3943

[www.nepeanconservationgroup.org.au](http://www.nepeanconservationgroup.org.au) [info@nepeanconservationgroup.org.au](mailto:info@nepeanconservationgroup.org.au)