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MEG NEWSLETTER...JANUARY/FEBRUARY...2014

From the Convenor's Desk

We had a break in October and part of November and came back from an amazing trip to face a mountain of 'expert witness evidence' (to add to the first mountain of stuff) from the plethora of witnesses employed by the developer of the 18 storey proposal for the "Fitness First" site in Dandenong Rd. and with the 6 day case starting on Dec.2 it all had to be read...if not actually **understood**. (*More about that later.*) So with that hanging over our heads, a submission re **Plan Melbourne** to be written and number of other MEG issues to deal with **and** with Christmas festivities to be enjoyed we didn't have time to produce a December newsletter. We'll try to make up for that with masses of newsy bits & pieces in this one.

Plan Melbourne This document replaced the *Metropolitan Planning Strategy* which was to replace M2030 and was even worse than *Plan Melbourne*. (MEG's submissions can be found on our website.) *Plan Melbourne* is essentially a wordier version of M2030...only worse! It has one redeeming feature and that is the Reformed Zones which MEG has always supported. The document proposes that at least 50% of Melbourne's residential areas be in the Neighbourhood Zone which has a height limit of 8m.

The specific issue regarding Stonnington is that the entire municipality has been placed in a sub-region on its own and classified **Inner Melbourne**. Unbelievable! The area of the old City of Prahran has long been designated 'Inner Melbourne' hence all the skyscrapers and other high-rise buildings which mar much of that area and now some 'whizz kid' has decided that *all* of Stonnington should have these blots on the landscape. With a stroke of the pen we have been made not just a picnic ground for developers but an entire banquet room complete with the feast. In a letter to the Leader on Nov.26/13 an irate resident called this whole thing "**a disgraceful plan.**" With **Planning Backlash** we are working to have this changed.

Melbourne Planning Authority *Plan Melbourne* also proposes that yet another planning authority will be making decisions about applications within the ubiquitous 400m of Chapel St. Principal Activity Centre,(PAC) High St. Armadale & Glenferrie Rd. Major Activity Centre(MAC), Toorak Village (MAC) Chadstone Shopping Centre (PAC) and Caulfield (MAC.) Not much left for Council and the residents to have a say, is there? What with that and an extension to VicSmart the entire document constitutes a 'watering down' of residents' right.

VCAT Swinburne journalism students are carrying out a study of VCAT planning decisions. (Sunday Age Jan.11) They discovered that between January & September 2013 the Tribunal overruled or altered Council decisions in 2 out of 3 cases. (Are we surprised!!!) Architect and Urban Designer consultant Jim Holdsworth said that "...the problem is that it is a subjective or qualitative argument. If you like, the law leaves room for manoeuvre." We could not count the times we have asked for a prescriptive code rather than a discretionary code such as ResCode...nor how many times successive governments have ignored our requests. Sunday Age will continue to cover this topic over the coming weeks.

2.

Reformed Zones

We can only give you information regarding the percentages of the Residential Zones in the residential zoned land of the municipality. The existing residential zoned land in Stonnington is 74%. Of this 37.5% has been placed in the Neighbourhood Zone, 57.5% in the Residential Zone and 5% in the Residential Growth Zone. (Those are the figures we got from Strategic Planning. Hope they add up.)

The remaining 26% of the municipality is Commercial, Mixed Use, etc. (We're not too sure what the "etc." is.) This recommendation is yet to be signed off by the Minister.

Commercial Zone In July 2013 all Business 1 & 2 land became Commercial 1. MEG's understanding of the use of a Commercial Zone is that it is primarily for **commercial use**...i.e. office space, retail, restaurant, etc. Alas, developers think otherwise and seem to be supported by the Government. The 18 storey proposal for Malvern East is typical of what we believe, is the misuse of the commercial zoning. In that proposal on less than half a hectare of land, there are 3 shops and 322 apartments. On the "Town & Country" site in Malvern Rd. there is one shop and 35 apartments...and that's only 2 examples.

David Morrison (Urban Designer Advisor) says, "***This nett loss of commercial employment space from our local business centres, triggered by new higher-density residential developments is a regressive and unintended consequence of the otherwise desirable objective of increasing housing densities in the metropolitan area. The trend of higher-density housing displacing significant employment space should be resisted as it progressively leads to a significant imbalance between housing density and jobs density in the local area.***"

And might we add that it also flies in the face of State Government policy which seeks to have people, "live, work and play locally."

The 18 Storey Saga We have already told you that the applicants for this 'thing' requested an adjournment on the first day of the Merits Hearing in June 2013. Council was the only party that was notified. Needless to say they got what they wanted and eventually after second Practice Day Hearing the dates were set for a 6 day hearing commencing on December 2/2013. Council was represented by a barrister and 2 expert witnesses. The applicant was represented by a Q.C., an instructing solicitor and no less than 6 expert witnesses. The architect of the 'thing' was given permission to address the Tribunal on 2 occasions...**not** as an 'independent' expert witness but as...well, we're not too sure...was it as a salesman for the 'thing?' (Are any of these 'expert witnesses' actually **independent?**) Council and residents were out-manned, out-gunned and out-moneyed and it will be a miracle if this application is refused by VCAT.

Amendment C173 Councillors' recommendation regarding the Panel Report for this Amendment was made on Sept.30/13 and duly sent off to Minister Guy to be 'ticked off.' Alas, despite numerous requests, letters, emails, texts and personal appeals, we have to report that the Minister **still** has not signed off on it. Council was circumspect in its Recommendation. No outrageous demands were made and the Minister's lack of cooperation in this matter is a complete mystery.

The Panel Report was one of the worst we have ever read. An example of its total bias can be seen in the Appendices. Recommendations by the applicant for the 18 storey 'thing,' recommendations by the owner of the Dan Murphy site and recommendations by the panel are all listed. There is no listing of Council's recommendations nor those of the presenting residents. One bemused MEG member asked, "**WHERE** do they get these people from?" Well, who knows!!!

3.

191-193 & 195 Wattletree Rd. Malvern

You might remember that we told you about this application for a carpark on 191-193 and a 4 storey medical centre (what else?) with 27 medical suites and four 2 storey apartments on 195 Wattletree. The applicants have appealed to VCAT for FTD and the case will commence on Feb.10/14. (FTD...Failure to Determine within 60 statutory days.)

Some Local Snippets

Reg Hunt Site Can't resist telling you that not a blow has been struck. There is a permit for a 7 storey retirement home for that site. Not sure how old the Permit is...7yrs?...or is it 8? (Ron in Sydare Av. would know!) We note that the most recent owner Arcare seems to be addicted to the purple fence with the advertising signs. Do they have a Permit for those signs?

Old 'Weeroona' Site This huge development site on Waverley Rd. between Serrell St. and Nirvana Av. has had a "For Sale" sign up for years. It now has an added "Under Contract" sign. Does anyone know anything about this?

Town & Country Nursery in Malvern Rd. This much-loved nursery will close at the end of January to make way for... (you've guessed it!)...5 storeys of 35 dwellings and **one** (only) shop. Another example of misuse of a site in a Commercial Zone in our opinion. We thought that Commercial sites were primarily for commercial uses. How wrong we were. The good news is that 'Town & Country' will move to 1311 High St. Malvern.

Cabrini is Proud Cabrini's C.E.O. reported in 2012 that the demolition of 2 Cabrini-owned properties in Wattletree Rd. Malvern 'made way for a new research and education precinct in partnership with Health Workforce Australia.' No mention of the fact that the 2 destroyed properties were in a H.O. They have been replaced with that 4 storey black thing that you see as you drive west along Wattletree Rd.

Stonnington's Christmas Decorations We don't know how many letters we've posted in those red boxes!

Tooronga Rd Depot It was reported in the Leader on December 3 that the depot is not for sale. (Council isn't selling it!) The Property Council has apparently identified 20 land sites in Melbourne for residential and commercial development...one of these is Tooronga railway station **and** the depot. *What would we do without the Property Council telling us what to do with our land?* We already have State Government, developers and VCAT to do that AND we will soon have the Melbourne Planning Authority to add to that lot. Why do we need anyone else sticking their noses in where they are clearly unwanted?

Also in the December 3 Leader The Uniting Church has listed the Ewing Kindergarten for sale "along with a house in Kooyong Rd. Armadale and a manse, church, office and consulting room in Cromwell Rd. Sth Yarra." The kindergarten has a lease until December 2014. MEG has been told that since this was reported in the December Leader the kindergarten site has been withdrawn from sale.

Not Getting the Leader? Ring 9819 1139 before 11.30 a.m. It's no use leaving a message on the answering machine. Make sure you speak to a person...preferably Don. Keep ringing if the Leader isn't delivered during the week following your first call. Eventually your phone call(s) will have the desired effect. Nothing like nagging!

Cabrini ...again! We heard today that Cabrini charged a resident \$8 for parking for less than an hour. No wonder the surrounding residential streets are packed with cars.

Parking System at Chadstone The Panel for Amendment C154 wholeheartedly supported the owners of Chadstone when they proposed the present 'whizz-bang' system. MEG suggested that it would result in drivers still circling around and around looking for a parking spot. "Not, so!" declared the Panel and Chadstone's owners. What happens with the 'whizz-bang' system is that cars still circle around and around because the 'whizz bang' system can't detect a small car especially those tucked away beside some HUGE 4 wheel drive so drivers converge upon a green light only to find....**a small car!** This happens over and over again. Terrific system! Terrific Panel! Terrific applicants! Terrific pollution!

Planning Applications (We have listed some of the applications in and around Malvern East.)

100 Argyll St. More than one dwelling on a lot. Recommendation to Grant a Permit on Council Notice Paper Dec.19. Decision by Councillors deferred to Feb.3.

2 Midlothian St. 2 dwellings on a lot. Permit issued.

19 John St. Extensions to a dwelling on a lot less than 500 sq.m. Permit issued.

5 Winton Cr. Constr. of multi-dwellings. Refusal to Grant. Decision appealed. Permit issued by VCAT 24/12/13.

24 Ardrie Rd. 2 additional dwellings. FTD. VCAT hearing 19/3/14.

336 Waverley Rd. Pt. dem. And use of site for dwellings in a Comm. Zone and H.O. Advertising complete.

28 Abbotsford St. Two dwellings on a lot. Advertising complete.

176 Wattletree Rd. Pt. dem. & bldg. & works ... Medical Centre.

1-3 Olive St. Pt. dem. and use & dev. of land for a child care centre for 145 children and car parking dispensation. Info requested.

324 Waverley Rd. Pt. dem. & bldg. for use of site as a dwelling in a Commercial Zone. Info. requested.

49-51 Waverley Rd. Application for Liquor Licence for a café. (Was Shagno's café) Adv. complete.

2 Maroora St. 5 dwellings on a lot. Still no decision.

80-90 Waverley Rd. Construction of a mixed use development for dwellings & shops in Commercial Zone & DDO & associated reduction in car parking requirements and waiver of loading facilities. Appeal to VCAT for FTD.

1 Sylvester Cr. 3 storey dev. Consultative Mtg. Dec. 17/13.

114 Argyll St. Constr. of multi-dwelling dev.

10 Carrum & 18-20 Camira St. Constr. of multi-dwelling dev.

102 Manning Rd. Construction of 2 dwellings on a lot. Cons. Mtg. Jane 30/14.

12 Thurso St. Ext. to existing dwelling and constr. of second dwelling on a lot.

177-179 Darling Rd. Use of site as restricted place of assembly, reduction in car parking req. & associated business identification signs in Res.1 zone.

19 Hilliard St. Constr. of a second dwelling on a lot in Res.1 zone & second dwelling.

1A Bowen St. Construction of 3 dwellings.

23 Coolgardie St. Constr. of new dwelling on a lot with existing dwelling in H.O.

29 Bowen St. Construction of 2 dwellings on a lot.

2A Boardman St. Construction of new dwelling on a lot less than 500 sq.m.

32 Ardrie Rd. Construction of 2 dwellings on a lot. Advertising complete.

324 Waverley Rd. Pt. dem, bldg. & works associated with use of site as a dwelling in a Commercial Zone and H.O.

3B Epping Rd. (Greek Church)...Amendment to approved Permit and/or plans...Kitchen layout variation, extension to northern exit stair, changes to car pkg. landscaping setback.

45 Thurso St. Construction of 2 dwellings on a lot.

616-618 Warrigal Rd. Constr. of mixed use dev. in Commercial Zone & reduction in car parking req. & waiver of loading bay requirements.

8 Prior Rd. Constr. of 2 dwellings on a lot.

9 & 11-13 Camira St. Constr. of multi-dwelling dev.