



# Malvern East Group

MEG Supports *PLANNING BACKLASH*

C/- 14 Chanak Street,

Malvern East Vic 3145

Phone/Fax 9572 3205

Email [meg@chezsamuel.com](mailto:meg@chezsamuel.com)

Web <http://www.chezsamuel.com/meghome.php>

## MEG Newsletter...June/July 2013

### *From the Convenor's Desk*

#### **Vale, Paul Mees**

Paul Mees was the voice of sanity in the insane world of Victorian Planning. The first time I heard Paul speak was at a conference at RMIT just after the release of the M2030 document. He took it apart bit by bit and some of his most scathing comments were reserved for the 'powers that be' who nominated Chadstone Shopping Centre as a Principal Activity Centre. A 'stand alone' car-based shopping precinct as a Principal Activity Centre did not make sense to Paul. Much of what State Governments proposed with regard to planning and transport did not make sense to him and he was absolutely fearless in taking them to task. As Kenneth Davidson said after Paul's death. **"The only defence against bad government now is outraged public opinion."**

### *Planning Zones Reforms*

Council's Notice Paper of July 1/13 sets out the plan for implementation and consultation regarding the new zones. Business 1, 2 and 5 will automatically become Commercial 1 and residents living in areas abutting these zones should ask to be advised of the changes. There are 3 residential zones...Neighbourhood Zone, Residential Growth Zone and General Residential Zone. For residents who want to limit development in their areas the Neighbourhood Zone is the most restrictive. When you receive notification of consultation it is in your interests to take part. Don't leave it to someone else to talk about what you want for your area.

### *How to offset environmental damage!*

State Government has come up with a plan "to offset the environmental damage to sensitive grasslands, woodlands and endangered species caused by Melbourne's expansion." (Age May 13) "Under the strategy developers will be required to pay a flat rate for each hectare of vegetation or habitat they destroy over the coming decades." This does not apply to what they destroy in municipalities such as Stonnington. It is aimed at the growth areas.

We read this article with an increasing sense of unreality. Surely it would be better to stop them destroying everything in their path in the first place? Are we being naïve? Why does everything *green* have to be a natural target for those who control the concrete pourers? Can't we have a system that says, 'You **cannot** run a massive bulldozer over **any** site. You **must** build around things that are green...like trees...and then you must plant more trees...and you must put trees in the centre of developments and design buildings around them...and so on. Trees allow people to BREATHE!'

When the Government announced that Fisherman's Bend would be a development site MEG suggested that the first thing that should be done was to decontaminate part of the land and build an urban forest before accepting any planning applications. This is not ever going to happen in and around the CBD. I suppose we should be thankful that it's going to happen anywhere but sometimes one simply despairs.

### *Breaking news...we're growing too quickly!*

"Premier Napthine says that Melbourne is growing too quickly." (H.S. May 18) At last SOMEONE in authority has stated the obvious! Melbourne is growing faster than any other Australian city and the Premier wants continued strong growth in population but a much faster growth in regional and rural Victoria. "Our Government is firmly pro-population growth," says the Premier. In the article the Premier proffered no solution to the negatives inherent in the policy which brings Melbourne to a standstill on a regular basis, which has years long waiting lists at hospitals, which has difficulty in providing ambulances, schools and all the other infrastructure a city needs in order to function efficiently, other than wanting more people to go to the country. MEG thinks this is a great idea as long as the Government provides appropriate infrastructure in country areas. As this doesn't seem to be a possibility in Melbourne, we're not too sure how he's going to manage it in the regional and rural areas. Meanwhile the 'population growth extravaganza' continues unabated.

### **Chadstone**

The sentiments expressed in a letter in the Local Review of May 7/2013 from June Halls, MEG's representative in the Chadstone area, echoed the feelings of many people in Stonnington. June finished her letter with these words, "*For Pete's sake! Is one day of peace per week too much for local residents to expect?*"

June was referring to Council's decision to have no construction on Sundays and Public Holidays at the Chadstone Shopping Centre. When this motion was put to Council recently a South Ward Councillor spoke for it telling other Councillors that in the western end of Stonnington too there is no respite from construction noise. It just goes on and on. Peace for MOST residents from the noise of endless construction is a forgotten dream. Needless to say the owners of CSC have appealed to VCAT to have this condition removed. Will VCAT have sympathy for residents? We doubt it.

### **More about Chadstone**

CSC's application for an 11 storey residential hotel (240 rooms), restaurant and conference room and a 10 storey office building was refused at Council Meeting, May 6. No doubt CSC will appeal to VCAT to have this decision reversed too. Also on May 6 Council approved the demolition of the existing northern mall for construction of a new mall with 4 storeys for retail and entertainment and extension to existing Coles car park with a reduction in the statutory parking rate. Also approved is the construction of 2 cinema boxes **outside the building envelope** approved in Amendment C154. *'For Pete's sake can't the residents have any peace?'*

### **18 storeys! 375 Apts. 381 car spaces!**

The applicant for this proposal has lodged an appeal at VCAT for FTD. (*There have been many requests made to the Attorney General to extend the period of 60 days in which Council has to make a decision about a Planning Application. Nothing has been done.*) A Practice Day hearing was on May 24, Mediation (compulsory) was set down for June 27 and proved to be a total waste of time. There is a 6 day Merits Hearing from July 22. There were 85 objections to this 'thing' and 43 objectors followed this up by submitting grounds to VCAT. It will be devastating for those who live in the residential streets to the north of this proposal if a Permit is eventually granted and it will set an appalling precedent for the eastern part of our city. It is higher than anything else in Stonnington except for developments in the unfortunate Forrest Hill Precinct and the Como site in Sth Yarra. Council has endeavoured to keep highrise confined to these areas and it's sad to see the 'highrise creep' in and around Chapel St. We want to call a halt to it there and make sure it doesn't wend its way

throughout the municipality. Perhaps you could all spare an hour or more and come to the Merits Hearing at VCAT to show support for the objectors to the 'thing.' What we need in Malvern East is some of the fighting spirit shown by the Tecoma residents against Macdonalds!

What makes this application even worse is that Council in Amendment C173 regarding height limits from Bates St. to Tooronga Rd. **has not even requested** a height limit from 781-823 Dandenong Rd.

Is this because the 18 storey application was already lodged with Council or is it because Council believes that the residential streets at the interface of the residential and business zones are not worthy of such consideration? MEG suggests that **you** ask. We have done so and have not received a satisfactory answer.

Meanwhile "Melbourne apartment developers are resorting to giveaways of free marina berths, \$40,000 worth furniture packages and stamp duty rebates of up to \$45,000 to attract off-the-plan buyers in an **increasingly flooded market.**" (Age May 6/13)

### **Oh the Irony of it.....!!!**

A major developer of a number of high-rise buildings in the Forrest Hill Precinct (near Melbourne High) is Michael Yates who has joined forces with the boss of Qantas "in a bid to block an apartment building next to their Sth Yarra homes." (H.S Mar.14) They asked Melbourne City Council to refuse a 3 storey /4 apt. application near their homes in Walsh St. S.Y. Council ignored their pleas so they lodged an appeal to VCAT. Meanwhile Mr. Yates continues with his high-rise buildings in Stonnington. We hear that he has another one in the pipeline at this very moment. It's a classic "Not in MY Backyard" story.

### **And talking of VCAT**

No doubt you've heard of the increases in fees for VCAT hearings. MEG lodged a submission regarding this matter, as did a large number of residents' groups in the Planning Backlash network. Needless to say despite what residents said the fees have been increased. If you are an objector to a Planning Application that Council has refused you will not have to pay a fee to submit grounds to VCAT or appear at a hearing. Other than that we've LOST! In the Age on June 17 Jason Dowling reported that "fees have almost doubled in planning cases." It's much more complicated than that and one of our members has spent hours trying to sort out the mess. We can forward you his summation of the situation if you wish or give you his ph.no so that you can discuss it with him.

In a letter to the Age on June 18 Ann Birrell wrote about the availability of recordings of hearings. At

a VCAT Forum conducted by Justice Kevin Bell some years ago MEG asked for recordings to be made available at a reasonable cost instead of the edited transcripts that were available at \$800 a day. He agreed to this request and recordings were made available for \$50 a day. Ann Birrell says recordings are no longer available, that we can now only get transcripts and for a 3 day hearing the cost has risen from \$150 for audio to a staggering \$4500...for **transcripts!**

#### ***945 Dandenong Rd. Masonic Temple***

The proposal to demolish this Heritage listed building and replace it with a 7 storey development with basement parking has lapsed. The applicant was told that the application would not be supported in its present form and Council asked for 'Further Info.' This was not supplied by the given date and the application lapsed. So that's one thing off our mind for the moment.

#### ***Our Hospitals***

Both Cabrini and The Avenue behave like octopi. Cabrini now has its car park in what was Res.1 land on which 3 houses stood. It's regrettable that our Local Policy allows a car park (amongst other things) in residential areas. As a result we have this unattractive addition to the Wattletree Rd. streetscape. Not to be outdone The Avenue also wants a new carpark and wants to demolish a heritage house in the process. These hospitals are on island sites in sensitive residential areas and they should recognise that. The Leader (June 25) reported some remarks made by Cabrini's CEO about residents in the area of Isabella St. In referring to residents' complaints about Cabrini staff behaviour when exiting the car parks in that street he said that Cabrini is "an employer and did not manage or police roads." He made it quite clear that Cabrini's neighbours' concerns are not of much consequence to hospital management. MEG members in that area have been acutely aware of that for some time.

Traffix has been appointed to undertake the Traffic & Parking assessment around Cabrini. Residents are represented on each of 2 Consultative Groups with regard to this study. MEG's Co-convenor is a volunteer on one of the groups and a number of MEG members are also taking part in the assessment.

#### ***11-15 Chadstone Rd.***

Demolition of the 3 houses on this site is complete and Holmesglen has not lodged a Planning Application with Council. A brick garage remains

#### ***Membership Subscriptions***

MEG subscriptions are now due. If you joined in May or June you need not renew until next year. We have attached a Renewal Form

on the site of No.11, all vegetation has been removed...are we surprised?

#### **Planning Applications**

We have listed **some** of the applications which are of interest to MEG members.

***114 Burke Rd.*** 3 storeys, 7 apts, 16 car spaces.

Appeal for FTD. Awaiting date.

***4 Coonil Dr. Malvern*** Medical Centre for Cabrini.

Appeal... Against Refusal to Grant a Permit.

***8 Gordon St. Malvern*** 3 storeys with basement parking. Appeal...Against Refusal to Grant a Permit. VCAT July 12/13

***3 Midlothian St.*** Construction of 3 dwellings on a lot. Adv. completed.

***69 Macgregor St.*** 2 dwellings on a lot. Adv. completed.

***121 Waverley Rd.*** Medical Centre. Notice of Decision to Grant a Permit.

***379 Wattletree Rd.*** 3 storeys, 12 apts., basement car parking. Appeal Against FTD. Awaiting date.

***648 Warrigal Rd.*** Multi-dwelling development. Appeal Against FTD. Permit issued.

***1 Clarence St.*** 3 two storey buildings on a lot. Advertising completed.

***26-28 Emo Rd.*** Alterations to existing apt. bldg. incl. constr. of 2 extra apts. Appeal Against Conditions. June 24.

***32B Epping Rd.*** Place of Assembly (Church Hall). Appeal Against Decision to Grant. June 14.

***100 Argyll St.*** Constr. of more than one dwelling on a lot. Info. requested by June 28.

***2 Stirling Av.*** Extra dwelling on a lot. Notice of Decision to Grant a Permit.

***19 John St.*** Ext. to dwelling on a lot less than 500sq.m. Info requested.

***9 Wilmot St.*** Constr. of multi-dwelling dev. Info requested.

***857 Dandenong Rd.*** Modify plan to combine apts. 504 & 505 to create one apt. with one parking space. Permit Granted.

***37 Millewa Av.*** Constr. of 2 dwellings on a lot. Notice of Decision to Grant a Permit.

***744 Waverley Rd.*** Tattoo Studio.

***31 Waverley Rd.*** Laundromat.

***2 Maroora St.*** 5 dwellings on a lot.

***24 Emo Rd.*** Second dwelling on a lot in a Heritage Overlay.

***851-853 Dandenong Rd.*** Bldg.& works to an office in Bus.2 zone.

***210 Wattletree Rd.*** Medical Centre.



MALVERN EAST GROUP  
C/- 14 Chanak Street,  
Malvern East Vic 3145  
Telephone: 95723205 email meg@chezsamuel.com

**MEMBERSHIP RENEWAL FOR PERIOD TO JUNE 30**

Family Name: \_\_\_\_\_

Given Names: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

If your physical address and other contact details have changed, please attach your new details

If you have email, please provide your email address above to ensure that we have a current email

**Please renew my membership of the MALVERN EAST GROUP (MEG)**

**Signature of Applicant.....Date.....**

**Membership contribution \$5.00 per person      Total \$ \_\_\_\_\_**