

**MALVERN EAST GROUP**

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MEG NEWSLETTER....JULY 2015**From the Convenor's Desk**

It was with sadness that we heard of the death of East Ward Councillor Adrian Stubbs. Adrian had become a most responsive Ward Councillor and one whose work was appreciated by so many residents...including me. As Mayor his memorable 'stoush' with ex Planning Minister Matthew Guy will go down as a really gutsy response to an arrogant action by a Minister who overrode Council's own Planning Scheme and gave a developer what he wanted at 661 Chapel St. Adrian's further response when the Minister attacked him personally from the floor of the Upper House is well remembered.

Adrian, you set a great example for other councillors and I can hear you saying, "You didn't always think that, Ann!"

MEG Membership Subscriptions

It's that time of the year again! MEG Membership Subscriptions were due on July 1. We'll attach a Membership Renewal Form to this newsletter. If you intend to continue your MEG membership would you please renew ASAP. It is easier for us if this is all over and done with quickly. If you choose not to renew we thank you for your support in the past.

AGM ...Thursday September 10....Kildara Centre

This is just a reminder about our AGM. During August you'll receive a flyer about this meeting. Professor Michael Buxton of RMIT has agreed to be our Guest Speaker. Michael is a controversial figure in the area of Planning. I think he has managed to disagree with every Planning Minister we've known. He will (we hope) have something to say about RMIT's recent research into VCAT decisions as well as giving us his views on how Melbourne should be developed.

We also want to remind you that this is MEG's 10th AGM ...an important milestone in the history of a residents' group. We look forward to meeting you on September 10.

VCAT...no respecter of persons!

We told you in our last newsletter about VCAT overruling ex Planning Minister Guy. On June 10 we read in the Age that Crown Casino "*triumphed over Planning Minister Wynne...to win a decision that will allow it to erect a 14m long electronic promotion sign above busy Kings Way.*"

Now we can report that after nearly 2 years of waiting for a Ministerial decision a developer "lost patience" and lodged an appeal against Planning Minister Wynne for not making a decision about a Fishermans Bend development. In Business Age June 17 Clay Lucas said the CEO of the Melbourne Planning Authority said that "no formal assessment of the project has been done since it was lodged with Matthew Guy's Dept. in September 2013."

MEG wonders why these Planning Ministers don't get an Attorney General to do something about VCAT. We really can't have Planning Ministers being treated at VCAT the way residents are treated.

And further to that story is one in the Herald Sun on May 18 where we read that a case heard by Deputy President of VCAT Justice Helen Gibson will have to be reheard because Justice Greg Garde who heads VCAT found that she had a conflict of interest. The case was the developer of the Palace Theatre versus the City of Melbourne and some community groups... including the National Trust of which Helen Gibson is a member! She must have forgotten! You can see that, contrary to popular opinion, VCAT spares no-one!

VCAT prices.

The Age June 24... *"The massive fee hike that Labor railed against in oppositionwill not be wound back but will be capped."* Fee changes saw VCAT revenue jump by nearly \$1million last year and the number of cases went down to 2186 from 3443. Attorney General Pakula said that Labor was committed to *"providing all Victorians with access to justice and would develop a new fee regime at VCAT when the existing fee regulations expired next June."* We wonder what that means! MEG thinks he means that we'll all have access to justice IF we can afford it.

Foreign Investment in Housing

We found this titbit in an Abercrombie & Beatty ad. on May 13...

*"Directors Jock Langley and Time Derham have just returned from Beijing and Hong Kong with instructions to secure homes between \$5million and \$25million for several significant buyers. We urge any owners in **Stonnington** and **Boroondara** with any interest in selling to make immediate contact. Total discretion assured."*

Now how about that?

Property Council...likes and dislikes

Likes...Property developers. Foreign Investment. Property developers.
Foreign Investors. Property developers. Speculators.
Foreign speculators. Property developers. School sites sold for development.
Huge population increases. VCAT. Increasing the GST.
Queensland planning system...everything decided in 6 months.

Dislikes...Residents. Resident objectors. Third Party appeal rights. Councils.
Consideration of social impact. Resident objectors. Planning Overlays.
Consideration of numbers of objectors. Stamp Duty.
Property tax on foreign nationals. "Better Apartments" document.
Victorian planning system ...18 months to decide on an application.

Finally, the Property Council is prepared to support a minimum standard on apartment design, *"only on the condition that developers 'co-authored' the reforms."* (The Age May 14) MEG doesn't know if that's a **"like"** or a **"dislike."**

Better Apartments

Recently we sent to those members who have email the document and survey regarding basic requirements to force developers to build better quality apartments.

(Apologies to those members who are not on email. Some messages we simply can't send in hard copy.) On May 14 an Age article urged us to have our say on standards. The article suggested that ...*"the majority of Victoria's apartments are so small that they would be considered unliveable in Sydney."* Reforms (if we ever get them) will bring new regulations re size, access to daylight, ventilation, noise, accessibility to services, etc. but no such regulations will happen before the middle of 2016. In the meantime thousands of 'dogboxes' will have been added to the present selection. You might remember that the State Government architect presented a document re minimum standards to the previous Planning Minister in October 2014. It was 'leaked', quickly withdrawn and stamped 'confidential.' On p.10 of Minister Wynne's document there is a table showing the number of apartment buildings approved from 2011-2014 and Stonnington comes second only to the CBD. There have been 5088 such approvals in our municipality during that period. The closest to that is Port Philip with 4066. And still they force more and more on us. Stonnington is like the 'golden goose' to developers.

Better spaces mean bigger price tags:architect

The Age May 30. Architect, Craig Yelland, supports "Better Apartments" but says they will come at a price.

"Developers of large apartment towers and their design and engineering consultants have the most to lose from the review and say the process will hurt the industry and buyers."

Yelland says the Discussion Paper promised what *"every apartment dweller wanted: bigger, brighter, cross-ventilated homes with nice views."*

MEG wants to know why **liveable** spaces should cost more to the buyers. Why can't property developers and the people they employ take a cut? Do they really have to make millions & millions on every deal?

Recognising Objectors Bill

According to HS (May 27) Councils & VCAT will give more weight to the **number** of objections to a planning application. These decision-makers will be required *"to have regard where appropriate to the number of objectors."* An Item in Council Notice Paper June 22 analyses the Bill. It seems that Minister Wynne will need to define his terms. Numbers have to be taken into consideration where appropriate. They are to be considered when an application has **a significant social effect**. No-one seems to know precisely what these terms actually mean though Julie Szego in the Age on June 18 calls **a significant social effect** *"a typically bland euphemism for traffic chaos and clogged lanes at the council pool."* It appears that the sheer volume of objections won't suffice.

Liberal MP, Heidi Victoria, said that the Amendment would not give residents any more protection. She labelled it *"a waste of Parliament's time that would merely line the pockets of planning lawyers."* (Leader June 23)

In the same edition of the Leader we are told that the 590 Orrong Rd.'debacle' cost ratepayers \$900,000 plus costs to LendLease for the failed Supreme Court action. The article also tells us that during the last 5 years \$3.9 million has been spent on legal battles in VCAT.

Non-compliant buildings

MEG thinks that Minister Wynne could be doing something really useful by dealing with the flawed Building Code instead of having someone counting numbers of

objections. In the Age June 17 Fire Protection Association spokesman said the *"fire systems in high-rise buildings were not designed to operate on multiple levels"* and that's why *having non-combustible cladding is required.*"

Age May 28...Victorian Building Association recently sent *"about 20,000 letters to architects, builders, surveyors and other industry professionals. But only 30 responses were received."* Aisha Dow reported that there will be a VBA audit of major constructions around inner Melbourne between 2005 and April this year, *"including large apartments, hotels and public buildings over three storeys."*

On June 3 Bus. Age stated that *"Government inaction, lax registration of builders and poor oversight of surveyors is having a 'profound' impact on homeowners and renovators, Victoria's Auditor-General says in a scathing report on the industry."*

Minister Wynne is cited saying that *"the Auditor-General's findings **were being considered.**"* Well, that's a relief!

On June 2 the Age reported that LendLease is being sued by the Austin Hospital because materials used for plumbing were *"not fit for their intended purpose."* The alleged faulty works were done by Boulderstone Hornibrook which was bought by LendLease in 2010. (Is that the builder LendLease is using at 590 Orrong Rd.???) MEG calls on the Minister to forget the 'numbers' and fix the faulty materials issues.

Overcrowding to pay the rent

Age May 21. *"Overseas workers and students are sleeping in single beds in 'shifts' to cram more bodies into already overcrowded Melbourne apartments. This situation (as well as the non-compliant cladding) has been highlighted by the fire in the high-rise Lacrosse building at Docklands."*

On June 17 the Age reported that the MFB is concerned that what has not been addressed are the fundamental issues of *"overcrowding, education of rooming house operators, search and entry powers and fire safety provisions in the Building Code of Australia."*

Some years ago MEG drew attention to the issue of 'overcrowding' after hearing stories from some Malvern East residents. We urged you then to report any suspicion of overcrowding to Council. We can assure you that Council will investigate.

Melbourne is Australia's biggest-growing city...oh goodie!

Age June 26 *"New Bureau of Statistics figures show Victoria gained an extra 101,500 residents in the year to December and Melbourne an extra 95,600."*

9340 of those were from interstate.

Does your heart good to hear that, doesn't it?

Review of the State Heritage Act

Closing date for submissions to this review is Aug.31. Workshops will be held on July 21 at Level 15, 1 Spring St. The morning workshop will be from 10-12 and there's another one in the afternoon from 2-4p.m. RSVP to ...

Heritage.ActReview@delwp.vic.gov.au with RSVP as the subject or if you're not on email ring 9208 3059 for further information.

Dairy Bell Site...60,60A and 60B Belgrave Rd.

After purchasing this large site last year Little Projects has finally lodged a planning application for a development of 6 storeys, 154 apartments, 160 car spaces with 153 for residents and 7 for the shops proposed in Waverley Rd. in 2 basement

levels. There is no visitor parking. The main entrance for residents is on Belgrave Rd. The site is in a combination of Commercial 1 Zone and GRZ.

On first viewing the plans seem to be a huge improvement on the developments between Tooronga Rd. and Finch St. All the rooms have direct light, the 1br.apts are 50 sq.m. plus and 70 sq.m. plus for 2 br. There is landscaping...a courtyard garden and rooftop garden and they are **actually** adding trees to the site instead of ripping them out. Wonders will never cease!

It's a pity that this isn't a 4 storey proposal rather than 6 but let's not forget that the developer of the site on the corner of Tooronga and Dandenong Rds. was granted a Permit for an 18 storey building (a mortal sin if ever we saw one!) for a site of this size. Given that, we wouldn't want to be residents of Sycamore St. but at least Belgrave Rd. residents won't have endless delivery trucks accessing the site. Planning Dept. requested more information from the applicant and this has been supplied.

Next step is advertising. Demolition is almost complete.

Cabrini

We told you in our last newsletter that Cabrini had sold its office building in Auburn Rd. for a reported \$12 million. Apparently they needed to replace that office space and on Age May 27 reported that "*Cabrini Health has signed a deal to lease the top floor of Shell's old headquarters in East Hawthorn.*" Cabrini is leasing the 2000 sq.m. at 8 Redfern St. at a rate of around \$300 per sq.m.

The construction of the addition to the hospital has finished and now Council is carrying out works in Isabella St. Our sympathy to the residents. Does it never stop!

Caulfield Racecourse Reserve

We asked Minister Wynne to consider an inquiry into the management of the Racecourse Reserve after "a damning report by the Auditor General" last September. It is our understanding that although State Government has commenced no less than 79 inquiries the one we asked for is not among those chosen to be investigated. Are we surprised?

A Dilemma and a solution!

A resident objected to a multi-storey development behind a property he/she rents out. Resident appeared at VCAT to oppose the development and lost. Subsequently developer of the multi-storey proposal decided another storey would be good. Developer solved the problem of dealing with the closest property owner by offering to rent his/her property **as his site office!** No objection to the extra storey was lodged by said resident! That's one way to silence an objector! At least someone other than the developer is making a steady profit!

Corner Toorak Rd. & Chapel St.

The highest skyscraper outside the CBD has been approved by VCAT. Members Rickards and Gray "*found the building was likely to have a positive impact on South Yarra.*" They put it so quaintly don't they? We wonder what they mean by a "*positive impact.*"

How about this one?

On July 1 Benjamin Millar wrote in the Age that "*a western suburbs council is seeking urgent changes to planning laws that have paved the way for Australia's first*

*residential development **above a pokies venue.***” Maribyrnong Council found it was powerless to stop a fifth floor of 12 apts being added. The council had already lost an expensive fight against the original development of 4 storeys housing bar, bistro, café, function space and 50 hotel rooms over the pokies venue....and now the developer wants 12 apts. as well....and the planning laws can't stop it. We despair! Remember that Maribyrnong is an Inner City suburb **and so is Stonnington!**

Our final word for July

We echo Barry Humphreys' most recent word on development in Melbourne...

"It's the triumph of greed over grace."

Planning Applications

We list here **some** of the Planning Applications in which MEG members are involved.

There is the usual number of "part demolition, alterations and additions" in the Heritage Overlays. This usually means more of the ubiquitous "box on the back" which is slowly but surely altering our heritage streetscapes.

1009-1011 Dandenong Rd. ... 5 storey bldg.. 34 dwellings. Appeal against Refusal to Grant. VCAT appeal Feb.17. Refusal by VCAT.

1009-1011 Dandenong Rd. 4 storey. Multi-unit development. Car Parking waiver.

71-73 Chadstone Rd. Change of use to Veterinary Clinic.

6 Darling Rd. Constr. of multi-dwelling in GRZ & reduction in car pkg. req.

45 Thurso St. Dual occ. In NRZ. Awaiting VCAT decision.

945-947 Dandenong Rd. (Masonic Temple site) 5 storeys, 83 units, Student Accom. NOD issued at Council Mtg. May 30.

1(a) The Avenue, 239-241 Waverley Rd. (Crethaven) Permit issued by VCAT on May 30th.

2 Maroora St. 2 two storey & 1 single storey on a site. Council Mtg. June 22... deferred to Council Mtg. July 6.

51 Webster St. Removal of covenant. Permit issued.

225 Waverley Rd. Construction of extra dwelling on a lot. Permit issued.

9 Chaucer St. Demolition of dwelling in H.O. and construction of new dwelling. In advertising.

16 Batesford St. Construction of 2 dwellings on a lot. On advertising.

72,74 & 76 Serrell St. Appeal against Refusal to Grant. Permit issued by VCAT.

7 John St. Dem.of existing dwelling and dev. of single dwelling on a lot less than 500sq.m.

251 Waverley Rd. Multi-unit dev. Consultative Mtg. Awaiting Planner's Report.

568 Waverley Rd. Dual occ. On advertising.

8 Macgregor St. Dual occ. NOD issued.

1-3 Olive St. Child Care Centre. NOD issued. Appeal against conditions. June 30/2015. Awaiting decision.

805 Dandenong Rd. Reduction in car parking req. ass. with Medical Centre. S87 Cancellation or Amendment of Permit. Appealed. Awaiting hearing.

114-116 Argyll St. 10 dwellings. Appeal against Refusal to Grant. June 26. Awaiting decision.



MALVERN EAST GROUP
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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 E-mail, please provide your email address above to ensure that we have a correct current
E-mail

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

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

Membership contribution...\$5.00 per person

Total \$ _____

N.B Couples can use the one form.