



MALVERN EAST GROUP

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MEG NewsletterSeptember/October 2015

From the Convenor's Desk

It's time for us to start considering the future of MEG. We began this group with the purpose of protecting our leafy suburb from the sort of destructive development we had seen in other parts of Stonnington. We wanted to teach people **how to oppose** inappropriate development. During the last 10 years we have explained the process to dozens of members. That part of our agenda has been successful. Protecting our leafy suburb from the ravages of development is another matter. We WEEP as we notch up another loss. We WEEP as each tree is destroyed and we WEEP as we realise that Mammon is overwhelming us. It's time to explore our options and consider the future of the Group. With our first newsletter of 2016 we will ask you for your input into deciding the future of the Group. We look forward to your response.

(N.B. 2016 is election year for councillors!)

Information on the Stonnington website

For those MEG members who are on email we have just added this information to our "Advice to Residents" sheet. If you require documentation regarding any planning application that is on advertising go to the Stonnington website. Go to *Quick Links* and click on *Planning Services*. Then click on *Planning Applications on Public Notice*. Scroll down until you find the address you are looking for. Click on the icon to the left of the address and a PDF document will appear on the top right hand side of the page.

One MEG member has complained constantly (to MEG) that the plans are not legible. This is not always the case. If you find that plans sent by email or on PDF are illegible you will need to go to the Planning Dept. and look at the plans on file. You can make copies of them.

Amendment C173

This Amendment refers to the small neighbourhood activity centre from Tooronga Rd. to Bates St. In 2014 the previous Planning Minister called all activity centres Commercial with no ratings. The small ones were to be treated in the same way as the large ones...i.e. with the result of what Jane Monk called at the IMAP Meeting in November 2014 "*a tsunami of residential development*" and what was referred to at the same meeting by a Port Phillip councillor as "*cannabalisation*" by one form of development over another. In other words any 'commercial' area was to accommodate storey after storey of residential development with the token café as a nod to the fact that the area is actually COMMERCIAL.

The Amendment has now been signed off and with Council and the developers working together there is a discretionary height limit of 25m from Boardman St. east to Bates St. and no height limit from Boardman St. west to Tooronga Rd. The discretionary height limit of 25m has already been exceeded and will continue to be exceeded so the residents at the interface of this **small** activity centre are going through hell.

Still to come is the monstrous 18 storey thing. The Amendment has removed all mandatory setbacks from the homes on the south side of John St....**absolutely nothing is mandatory.** The developer of that site is in conflict with a tenant in the existing building and in one of the VCAT hearings regarding this dispute the Deputy President of VCAT says that in her opinion this particular developer has been guilty of **“intimidatory behaviour.”** It is our opinion that this is a common characteristic of the development industry as a whole.

Other Signed off Amendments

C175 Neighbourhood Character Local Planning policy...Cl.22.23

C186 Open Space contribution. This has been increased to 8% for non-exempt subdivisions in Sth Yarra, Windsor Prahran & Armadale and is 5% for all other suburbs.

C184 Public Acquisition Overlay to 22 & 25 Regent St. and 27 Mount St. and 34 Clifton St. in Prahran.

C206 New heritage control for 420-424 Punt Rd. Sth Yarra.

Snippets of Local News

11,13 & 15 Chadstone Rd. Holmesglen is selling this site with a Permit for 6 two story townhouses. MEG has been told that they're looking at offers of \$3.5 million plus.

Roadworks in Chadstone Rd.

A resident has told us that from September onwards Council will be carrying out roadworks on this busy road. They will not continue them during the busy Christmas period.

857 Dandenong Rd. This 7 storey development is nearing completion. Our Clarence St. spy is out checking on the 'Vertical Garden.' So far there are two metal panels representing the green stems of bamboo and in less than 75cm of soil there are 6 wisteria plants less than a metre high with some grass between them. No evidence of a trellis for the wisteria to climb on. Wires 1 metre apart stretching horizontally across the wall have been installed. Wisteria is deciduous so no 'green wall' in winter.

N.B. Breaking news...The wisteria is flowering AND there was a crack in the wall AND we have been told that the crack has now been rendered!

Chadstone Shopping Centre The bus interchange is complete. No trees, no waiting rooms, no protection from wind and rain, shade sails for summer, gas heaters out in the open going full belt during winter, spring...(are they to be switched off in summer???). One resident said they'd have to start fracking for gas to supply them. Another resident said she had seen a bus mount the footpath to access a spot in the interchange. (Poor design? Poor driver? Who knows?)

More about Chadstone

Target is open. Finding it presents a problem. Make sure you have comfortable walking shoes and your GPS when you make the trek to the new Target store.

We read in the Age on Oct 2 due that some workers at Chadstone *'earn as little as \$6 an hour.'* Perhaps this is why certain areas at Chadstone are not as clean as they ought to be or perhaps it's because they can't get enough people to work for so little!

Dairy Bell Site

At our last count there were 216 objections to this 6 storey complex in Waverley Rd. The applicant wants a car parking waiver of 54 spaces. That's a lot of 'waiver' but if you don't ask you'll never get! MEG hopes the applicant doesn't 'get.' Some objectors said that there

was nothing as tall as this “within 10kms.” Objectors should be aware of the FACTS prior to writing and objection.

Cresthaven

On the grapevine we hear that Blue Cross won't begin demolition for a year.

ArCare's Activities

ArCare here, ArCare there, ArCare everywhere! Just opened is an ArCare facility in Malvern Road, one is being built on the Reg Hunt site on Dandenong Rd. and now they've applied to demolish their single storey facility on the corner of Waverley Rd and Nirvana Av. to build a 2 storey ArCare facility. There's another Aged Care facility in the process of being built by Regis on Waverley Rd. to the west of Karma Av. Waverley Rd. is rapidly becoming an Aged Care precinct.

Caulfield Racecourse Course Reserve

The Trustees(???) of the Reserve are holding community consultation about a Strategic Land Management Plan for the Reserve comprising 54 hectares of Crown Land which was set aside in 1858 for 3 purposes, a racecourse, public park and public recreation ground. As far as MEG can see only one of those has been fulfilled...i.e. the racecourse. Following a scathing Auditor General's report the Trustees(???) are going to do something about the other two. No trees allowed in the park! What's a park without TREES!

MEG has been represented at the community consultation and we have the distinct feeling that it's all a 'done deal'

887 Dandenong Rd. (Ad. in Domain Sept.12)

*“An amazing investment opportunity in the verdant streets of Malvern East near Caulfield Station, Monash University **and** Chadstone Shopping Centre!.”*

Versatile, isn't it? And mobile to boot!

Needless to say no mention of the 2 significant trees to be destroyed making our 'verdant streets' somewhat less 'verdant.'! Our leafy suburb is becoming less and less leafy as each 'monument to Mammon' is approved by the decision-makers.

Concert in Ardrie Park The Christmas concert in Ardrie Park has been cancelled because residents complained about illegal parking. Surely Council could provide the 'tow-away' service for one night! Ardrie Rd. residents will no doubt have sympathy with residents in the Chadstone area who are subjected to illegal parking for weeks on end around the Christmas period.

Cabrini nurses threaten a strike

Leader Sept.8 Talks have broken down between the nurses and the Board of Cabrini over a new pay deal and the hospital's plan to charge nurses for parking.

Who's moving?

(Age Sept.7) 9.8% of Stonnington's population moved in the year 2013-2014

Attempt to vary a covenant

15 Mountfield Av. has a single house covenant. The applicants have applied for a variation of the covenant to 'two private dwelling houses.' MEG seems to remember residents of that area using the single house covenants to defeat developments in the past. Now someone wants to take advantage of the dual occupancy with 9m height limit allowed in the Neighbourhood Residential Zone. We shall follow this with interest.

Advertising by Vanguard of apartments in the 18 storey thing

Seen at Chadstone an advertisement by Vanguard for 1 bedroom apartments at \$450,000 and 2 bedroom apartments at \$650,000.... in Dandenong Rd.! MEG has been told that these expensive apartments (flats) are advertised as being in Malvern NOT Malvern East. They're

spreading their advertising net wide and perhaps being a little misleading. Aren't the apartments in this complex selling? There's 322 of them on that site and a few hundred more between Clarence and Finch Sts. Is it possible that there's an over-supply?

Leasing the land at 72 & 74 Bowen St.

This land has been leased by Council to MECWA for the provision of health and community services, programs and activities for people with a disability and for the elderly. The agreement will expire in 2022. The cost to MECWA is \$11 (including GST) per annum.

Neighbourhood Character Overlays proposed in Malvern East

Amendment C217...John & Boardman Sts.Manning Rd., Oak Gr., Ash Gr. & Beech St. Wilmot, Macgregor & Hughes Sts. ...Washington Av. & Boston Av. ...Sycamore & Sutherland Sts. (Council Notice Paper October 5/2015)

84 Burke Rd.

This is an application for a multi-dwelling apartment in a GRZ. Contrary to a recommendation from the Pl. Dept. on September 21 Councillors issued a Refusal to Grant a Permit for this development citing as **one** of the reasons...

"the proposed use of the rear ROW for vehicle access is not supported as it will result in traffic and safety issues."

MEG agrees and we cannot understand why this was not one of the reasons for refusal of the multiple 8 storey buildings on Dandenong Rd. with St. Johns Lane at the rear. With the present approvals there is to be more than 600 car movements a day on that bluestone lane with no mention of any of the above for a 3 storey development in Burke Rd. Where's the consistency? Is this a VicRoads ruling or is it written into the State planning laws that vehicle access is to be on the lower rated road? Vehicle access is from Dandenong Rd. for the 18 storey thing!

Recognising Objectors Bill

"It's a hoax", declared the Shadow Minister for Planning," but we'll vote for it!"

Essentially the Bill says that the Responsible Authority and VCAT will be expected to:-

"have regard to the number of objectors in deciding if a proposal may have a significant social effect."

We thought that is what they are supposed to do now if they can define a significant social effect. The Bill does not define this. In the Age on June 17 Julie Szego calls it a

"typically bland euphemism for traffic chaos and clogged lanes at the Council pool."

(MEG could say that about the southern end of Clarence St. when the army of SUVs descend upon the Dance Academy at St. Johns Hall to deposit little 'tutued' persons.)

The new factor in the Bill is that decision-makers must have regard to the number of objections which deal with the social effect of the proposal. They must 'have regard' to numbers "where appropriate." This term is repeated in the Bill and it is not clear just when numbers are appropriate. In Council Notice Paper June 22/15 Council notes the various dilemmas faced by the Planning Department when deciding if 'numbers count.' At no level does the Bill indicate which is the most important factor in assessment of a planning proposal. Is it numbers of objections or relevance of content of objections? No-one knows! "It's a hoax," says the Shadow Planning Minister....and it is just that.

Sworn Evidence

Two members of the CCC (Community Consultation Committee) were asked to speak to the Select Committee of the Legislative Council regarding the 'Recognising Objectors Bill.' Prior

to speaking to them we were astonished to discover that we had to be **sworn in**. We were amateurs speaking to elected representatives and we had to give sworn evidence. Probably you all know that expert witnesses at VCAT **do not have to give sworn evidence**. MEG has brought up this issue over and over again with the previous Attorney General, with the Senior Advisor to present Attorney General, with 3 different VCAT Presidents and nothing has changed. Expert witnesses are paid to say what they say and it is their evidence which guides VCAT decisions....and they don't have to tell the truth. Apparently unpaid amateurs are required to do so in the hallowed halls of Spring St.

Federal Government

Our most recent Prime Minister has appointed Jamie Briggs as Minister for Cities and the Built Environment. We have no idea exactly what that means but he is quoted as declaring that *"urban planning is a matter of quality of life."* Gosh!

He lives in Adelaide. Here's hoping he is aware of what 'big' cities need. MEG's suggestion is that we in Melbourne need lots of people going to live in Adelaide.

Meanwhile we read in the Age on Sept.27 that Lucy Turnbull is the chairwoman of the Committee for Sydney ...

"a high-powered think tank devoted to lobbying government for the transformation of the city through urban renewal and better transport. Its members include big business, universities, cultural institutions and the tourism sector."

You will note that no resident organisations are included in that line-up.

Well, they haven't done much to improve anything in Sydney...i.e. any more than the Committee for Melbourne has done for Melbourne. That illustrious organisation promotes the notion of 8 million people living in Melbourne. Victoria is now the fastest growing State in Australia.

Dare we hope that the new regime in Canberra might start to promote the idea of "planting a city" in the middle of Victoria with a fast rail link to Melbourne or that the new Minister might persuade people to join him in Adelaide? MEG suspects that both ideas are a wild hope.

Helping cities breathe

In the Age Sept.27....*"Unknown to most, Melbourne's Botanic Gardens isn't just a beautiful place: it's a living laboratory."*

Researchers are discovering just how much carbon dioxide is removed from the city's atmosphere by certain trees, plants and shrubs. They are hoping that governments at all levels will use the data in their decision-making.

MEG hopes that developers and residents also use this data. Every time a tree is removed the air we breathe becomes more toxic.

Read more at....pursuit.unimelbourne.edu.au

Building Surveyors

"Victoria's building surveyors have been found guilty over more than 700 misconduct claims since 2009 and many have ignored illegal building work or serious fire risks or issued an occupancy permit when a building was not fit for occupancy."

"amid concerns that there is an inherent 'conflict of interest' in requiring private Building surveyors to assess building work while also employed by the builder."

(Age Aug.1)

Sounds like the 'expert' witnesses employed by the developer at VCAT giving 'evidence' that they are paid to give, doesn't it? Another 'cosy' relationship? Builders Collective of Australia national president Phil Dwyer said.

"in a lot of instances there was a 'cosy' relationship between developers and private Building surveyors."

Well, well, well...cosy relationships would seem to be the order of the day in the development industry. MEG has long suspected that this is so.

Meanwhile, we saw a brief note in the Herald Sun on Oct.1 that State Government has appointed former Labor planning minister and 'footy champion' Justin Madden as *Deputy Chief Commissioner of the Victorian Building Authority*.

Given Mr. Madden's record as Planning Minister this recent appointment should really fix the problems in the building industry! We can all stop worrying!

Some recent Planning Applications in Malvern East

One or more MEG members are involved in the following applications.

Dual occs.in NRZ 28 Midlothian St. 16 Batesford Rd. 15 Paxton St. 11 Bowen St. 25 Alma St. 39 Ivanhoe Gr. 64-66 Chadstone Rd. (2 dwellings on each lot.) 29 Wilmot St. 70 Ardrie Rd. 29 Macgregor St.

Dual Occ. in GRZ 568 Waverley Rd.

204 Waverley Rd. Extension to dwelling on a lot less than 500 sq.m.

7 John St. Dem. of dwelling & constr. of new 2 storey dwelling on a lot less than 500 sq.m.

13 Illowa St. Multi-unit development. Not yet advertised.

547 Waverley Rd. 3 storey bldg..with 2 dwellings and 2 storey bldg.. for 1 dwelling in GRZ.

7 Manning Rd. Pt.dem. and extension to dwelling in H.O. (Ex-Councillor's house.)

4-6 Finch St. Pt. dem. And extension to dwelling in Ho.O.

114-116 Argyll St. 10 dwellings. VCAT Against Refusal to Grant. VCAT Jan 11/16 for 3 days.

86 Burke Rd. Multi-dwelling development. VCAT Against Refusal to Grant. Awaiting date.

10 Carrum & 18-20 Camira Sts. Multi-dwelling development.VCAT Against Decision to Grant. VCAT Sept. 25/15 Awaiting decision.

24 Kardella St. Removal of trees, new dwelling and fence in an NCO. VCAT Against Decision to Grant 29/2/16

21-23 Waverley Rd. 4 storeys ...3 storeys for restaurant,4th storey caretaker's apartment. (Actual height 19m plus 1.1m for lift overrun.) Reduction of car parking req. waiver of loading & unloading bays & waiver of bicycle spaces requirement. Licensed restaurant to operate 7 days a week from 7a.m. to 11p.m. 247 patrons including 68 outside and 3(only) on site parking spaces. *(They don't want much do they?)*

N.B. If you haven't paid your MEG Sub. this is the last newsletter you will receive. If you need to check just give us a ring or send an email. Thanks for your support in the past.