

## From the Convenors

We are planning to hold our AGM in September and were hoping to have Planning Minister Matthew Guy as Guest Speaker. Matthew addressed us on two occasions when he was Shadow Minister but is in such great demand as Minister that he is unable to fit us in to his busy schedule. We need to hear what he has done (and intends to do) to bring State Planning Provisions into line with stated Coalition planning policies. This doesn't mean that we won't have an equally interesting and controversial speaker in September when we hope to catch up with all of you.

We've attached a **Membership Renewal Form** for 2011/2012 and would appreciate it if you would renew your membership as soon as possible - we very much appreciate your support!

## What is the Baillieu Government's planning approach?

At the November 2010 State election the Brumby Government was defeated partly because of its 'ram, jam, cram, and damn the residents' approach to urban development. And seven months later, the Baillieu Government's position on planning in Victoria is still unclear.

New Planning Minister, [Matthew Guy](#) made a positive initial impression on residents' groups such as MEG, however it's a real concern that the same DPCD bureaucrats who supported the excesses of the Madden-approach to "planning" ( [Melbourne @ 5 Million](#), and [Melbourne 2030: Planning for Sustainable Growth](#)), are now advising the new Planning Minister.

Mixed messages abound. The Minister has been quoted as saying that "Melbourne should not become bigger at the expense of its liveability."<sup>1</sup>; but he has also been quoted as "...planning a shake-up of Victoria's planning laws." He likened the proposed new system to the RiskSmart planning system in Brisbane, where developments of ten or fewer apartments...were fast-tracked.<sup>2</sup> We were told that one of Minister Guy's first official acts as Planning Minister late last year was to overturn the Brumby Government's planning laws facilitating high-density residential development near public transport routes<sup>3</sup>. He *did* remove the contentious Clause 16 from State Planning Provisions, but *left* Melbourne 2030 and Melbourne @ 5 Million in place. He has described these documents as 'dead and buried'. *Clearly, they are not!* So where do we stand?

At a recent meeting in Surrey Hills a senior staff member from DPCD was asked what changes in respect to planning issues would she expect under the new Government. Her reply was, "nothing much". MEG wonders if Minister Guy understands what his senior departmental staff are saying at the public forums they attend.

<sup>1</sup><http://www.heraldsun.com.au/news/victoria/bigger-may-not-be-better-for-melbourne/story-e6frf7kx-1226005987008>

<sup>2</sup><http://www.theage.com.au/victoria/goahead-for-office-tower-angers-heritage-groups-20110429-1e0w0.html>

<sup>3</sup><http://theage.domain.com.au/real-estate-news/new-broom-sweeps-away-planning-laws-20101210-18sva.html>

## Electoral review of Stonnington

Very little interest was shown by residents in this important matter: only 10 preliminary submissions and 18 response submissions were lodged with the Victorian Electoral Commission (VEC). The majority preference is to revert to nine single-councillor wards but the VEC did not allow for this option. At Council's 18 April meeting, only one councillor spoke in favour of multi-councillor wards, with the majority speaking in favour of single-councillor wards...yet, strangely, *not one* councillor lodged a submission to the VEC!

The impression we received from the Commissioner at the public meeting on 28 April was that the only issue that concerned them was the 10% alignment. According to advice from the DPCD, the only factor that would put single-councillor wards out of alignment by 2012 is that high-rise mess in South Yarra's Forrest Hill precinct – a suburban 'Docklands', we are told.

MEG has written to the Minister for Local Government requesting an urgent review of VEC's process prior to signing off their recommendation for Stonnington, and several MEG members also wrote to register their concerns about the manner in which VEC carried out this review.

## ♪ You don't know what you've got 'til it's gone ♪

*"They took all the trees and put 'em in a tree museum  
And then they charged all the people twenty five bucks to see 'em  
Don't it always seem to go, That you don't know what  
you've got 'til it's gone"*

(apologies to Joni Mitchell)

That was the beginning of an article in *The Age* (16/5/11) by Denise Gadd, and how true it is! Dr. Greg Moore from Melbourne University's Burnley College was quoted at length in the article, talking about "bad planning" that allowed the constant

removal of trees, about the way society underestimates and undervalues trees. "As well as providing shade, they remove pollution, reduce the heat-island effect, reduce electricity consumption and our carbon footprint".

He says that Melbourne is not well-treed, unlike London and Brisbane - a surprise! – believing that, in those cities, planners "have got serious" about vegetation and have decreed a minimum of 50% tree cover. Melbourne has no such target - in fact, leafy suburbs have *lost* 10% tree cover in recent years due to development.

## A 'Big Australia'... anyone?

MEG has grave concerns about issues such as traffic congestion, inappropriate development, overloaded public transport, disappearing public spaces, and inadequate infrastructure - all symptoms of the much greater issue of **unplanned population growth**.

Federal and State Governments are still clearly welded to the philosophy of economic growth fuelled by population growth, leading us to the [Sustainable Population Strategy](#) recently released by [Tony Burke](#) MP, Federal Minister for Sustainability, Environment, Water, Population and Communities.

The purpose of this strategy is to "...outline the Government's framework for a sustainable Australia ...to ensure that future population change is compatible with the economic, environmental and social wellbeing of Australia...(whilst) ...ensuring that we have in place the necessary policy settings and governance arrangements which will deliver improvements in our wellbeing, at the local, regional and national levels into the future".

In his detailed analysis of the strategy, Monash University's **Dr Bob Birrell** said<sup>4</sup>, "the document...was of very little relevance to addressing the problems facing Australian cities."

**The strategy declines to nominate a population target, and makes no attempt to predict how Australia's major cities will grow over coming decades.** According to Dr Birrell "Tuesday's (Federal) budget showed Australia was on track for a 36 million population by 2050". This was the very "big Australia" scenario originally embraced by Mr Rudd, and which caused the apparent need for a population strategy – *which omits to specify a target!*

**So just what are the benefits of a "big Australia"?** Economist **Ross Gittens** makes extensive use of Productivity Commission research which concludes that<sup>5</sup>:

- "Modelling to assess the effect of a 50% increase in our skilled immigrant intake found that, after 20 years, real gross domestic product was only about 4% higher than otherwise. The increase in real income per person was minor, and most of the gains accrued to the migrants themselves.

- Furthermore, changes in migration flows are unlikely to have a significant and lasting effect on the ageing of Australia's population
- Population growth and immigration can magnify existing policy problems and amplify pressures on 'unpriced' entities, such as the environment, and urban and social amenity."

We've chosen to quote **Michael Stuchbury**, guest commentator on the Sunday current affairs program *ABC Insiders* (15/5/11) for our final comment on the sustainable population strategy. Stuchbury said that **Tony Burke's Sustainable Population Strategy is "...the most facile document that can be imagined. To produce a report full of glossy photographs but not specify what population represents a sustainable target, and to conclude that issues of infrastructure, social cohesion and liveability will be dealt with on a community-by-community basis, is just rubbish"**.<sup>6</sup>

So, while the commentators and academics debate exactly what has been achieved by the development of this 'strategy', the outcome for residents is quite clear. *We've ended up with a 'Claytons' Sustainable Population Strategy – the strategy you get when the Federal Government decides it doesn't want to be constrained by another pesky 'target' to which residents will hold you accountable.* So it isn't really a strategy at all. And that will make the 'ram, jam, cram, and damn' crowd very happy.

As always: whenever you hear a politician speak about 'sustainable population', ask to be shown what supporting infrastructure is planned, how it will be funded, and when it will be delivered!

<sup>4</sup><http://www.theaustralian.com.au/national-affairs/population-strategy-of-little-relevance-says-top-demographer/story-fn59niix-1226055473117>

<sup>5</sup><http://www.smh.com.au/business/beware-gurus-selling-high-migration-20101219-19201.html#ixzz1MOLF9pQA>

<sup>6</sup><http://www.abc.net.au/insiders/>

## Caulfield Racecourse

MEG received an email confirming that Glen Eira Councillors agreed to Amendment C60 with certain conditions. Melbourne Racing Club has agreed to enter into a 173 Agreement regarding infrastructure beyond the Amendment C60 land. The club must discuss with Council the management of parking and public open space...well, what's left of it! The resolution notes that C60 rezones land and does not necessarily authorise development though it sets a height limit of 20-storeys in the Smith St Precinct. A development plan still has to come before Council and any development not consistent with the approved development plan requires planning approval with third party rights. Student housing applications have the same conditions.

Now if all of that confuses you instead of informing you, we're sorry about that but we're not too sure exactly what's going to be built ie on Crown Land, on land acquired by Melbourne Racing Club with profits from the use of Crown Land, etc.

This whole issue is extremely complicated and it is worth noting that not all Glen Eira Councillors are part of this decision - some have even been excluded from voting because they have previously expressed an opinion about the issue! On top of this development, a major sub-division has been approved along Kambrook Rd where stables, parking and offices currently sit. Who knows what type of development is planned there.

### **Show more empathy for developers!**

At a recent planning consultative meeting, MEG confronted developers with the fact that neither State Government policies nor Council's Heritage Advisor supported a 4-storey proposal at 253 Waverley Rd, Malvern East. The applicant's representative turned to the gallery and suggested that residents put themselves in the seat of the developer so they realise how *difficult* things are for developers...now there's a quaint notion. Needless to say, he didn't have any takers.

### **MEG won right of reply at VCAT**

MEG is proud of the fact that we were instrumental in getting a 'right of reply' at VCAT hearings for Council and residents. Prior to September 2010 the applicant always had the last say. MEG lobbied at VCAT forums for us to be permitted to query issues brought up by the applicant, *and we were heard*. Wonders will never cease!

It's interesting that in a recent case involving members of the Macedon Ranges Group, the developer's representative demanded 'right of reply', and when he didn't get it, lodged a complaint to VCAT about unfair treatment. Don't you love it when the boot is on the other foot?

### **Near Melbourne High School**

The development on the corner of Chapel St and Alexandra Ave was vigorously opposed by prominent 'Old Boys' of Melbourne High, and even had a height restriction imposed on the site by former-Planning Minister Justin Madden. However VCAT issued a permit in 2009 for a 14-storey building. According to *The Age* (7/5/11) the developer has sold the site - with the permit - to Fridcorp, whose intentions are rumoured to include a 'new concept' for the site, possibly higher or greater density. It's never-ending isn't it?

### **590 Orrong Rd, Armadale**

At Council Meeting on 14 June Councillors deferred a decision on a report from Strategic Planning which outlined a strategy to engage all stakeholders in the preparation of an Urban Design Framework for this site. Lend Lease has not lodged a new proposal and it is rumoured that they may not do so because of the intense community action in opposing the towers.

There's a lesson in that for all of us. It is also rumoured that Larkfield Property Holdings, owners of the site, have put it on the market. It's MEG's opinion that the State Government should buy the site for a much needed State Secondary School for Stonnington.

### **857 Dandenong Rd**

At the VCAT hearing on 9 March Members Hewet and Davies issued a permit for this site based on the amended plans the applicant had been given permission to lodge in January *after* the three-day hearing in December. The proposal now comprises 7 storeys for 103 student accommodation units, a shop, 15 car spaces, car entry from Clarence St, and minimal setbacks from St. John's Lane. The application was supported in a letter from the Acting Executive Director of Planning Services acting under delegation from the Minister. This was the result of a request from Council for the Minister to intervene. A last minute request from Council for further Ministerial intervention resulted in a member of staff from DPCD attending the hearing on behalf of the Minister. VCAT refused permission for him to be heard. If permission had been granted, the Minister's representative from DPCD would have been in a position of arguing against a senior member of DPCD acting with delegated authority from the Minister. A fascinating scenario!

### **Planning Applications**

#### **1298 Dandenong Rd (Reg Hunt Site)**

The saga continues! In February 2011 VCAT issued an extension of time for this application. Becton now has until March 2013 to start building. Note: that's not to *complete* it, just to strike a blow!

#### **44 Washington Ave**

VCAT has issued a permit for this huge dual-occupancy block. VCAT Member Laurie Hewitt tendered a criticism that there was no Heritage Overlay in this area.

#### **95-97 Waverley Rd**

This proposal is for student accommodation above the laundromat as well as behind it. Residents appealed against Council's decision to grant a permit and *won!* MEG has heard that the applicant is preparing a new application.

#### **5-7 Waverley Rd**

The existing covenant has been removed and a permit issued for student accommodation to be built above the shops. An objector has appealed against the decision to grant.

#### **78 Millewa Av**

An application for four 2-storey dwellings was refused by Council. The VCAT hearing against the refusal to grant was scheduled for 2 and 3 May. Awaiting decision.

**4-6 Finch St**

A refusal to grant a permit on heritage grounds for a dual-occupancy block to the rear of the existing dwelling has been appealed by the applicants who are also the present occupants of this property.

**88 Argyll St**

An application for a second dwelling on this site was refused by Council and also refused by VCAT.

**600 Waverley Rd**

The application was for 3-storeys comprising parking and offices at ground level and 2-storeys of residences. Council’s refusal to grant a permit was endorsed by VCAT.

**82-84 Manning Rd**

This application by Loreto Property Group for a convent with 11 units plus communal kitchen and living areas was approved by Council with conditions. The applicant has appealed against these conditions, whilst a nearby resident has appealed against the decision to grant! Both cases are scheduled for 6 June.

**3 Winter St, Malvern**

An application for 4-storeys was refused by Council and we are awaiting VCAT’s decision.

**100 Waverley Rd**

McDonalds was successful – again - at VCAT. A permit for illuminated signage was issued.

**3 Beech St**

The applicant applied to Council for yet another extension of the permit and was refused, so has appealed to VCAT to override Council's decision and issue an extension of the permit. For how many years has this development been mooted? No date as yet for the hearing.

**617 Waverley Rd**

An application for a second dwelling on this site was refused by Councillors on 16 May.

**7 Wattle Gr**

An application for two dwellings on this lot was refused by Council and the applicant has appealed. Awaiting date of hearing.

**24 Hyslop Pde**

A nearby resident appealed against a Planning Department decision to approve four 2-storey dwellings on this site. The appeal was lost.

**253 Waverley Rd**

This application, for a 4-storey multi-unit development on Waverley Rd with 2-storey townhouses at the rear, will go to Council in the near future.

**3 Findon St**

An application for two dwellings on this lot was refused by Council and the applicant has appealed.



MALVERN EAST GROUP  
c/- 14 Chanak St  
Malvern East VIC 3145  
(03) 9572 3205  
meg@chezsamuel.com

**MALVERN EAST GROUP  
Membership Renewal: 1 July 2011 to 30 June 2012**

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

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

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

Phone: \_\_\_\_\_

If your physical address and other contact details have changed, please attach your new details.  
Please provide your email address above to ensure that we have your correct email address.

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

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

Membership contribution \$5.00 per person      Total \$.....

***To save costs and minimise administrative work, no receipts will be issued unless requested.***