



MALVERN EAST GROUP
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Newsletter No. 23 - September 2010

From the Convener

As you will have seen, MEG is 'under new management'. Having taken over the task of Convener, I would like to thank my two predecessors, each of whom will remain an active part of MEG but with different roles. Now, let me introduce myself. ..

My name is David Dammary. I have lived in Malvern East for over 40 years and I worked at the Chadstone Road end of the suburb. Some of you will know me as a (almost) retired family doctor. However, I also have a long-standing interest in heritage issues and the environment, which I have studied at Monash University for a degree in Public History. I am also a member of the Access Stonnington Committee which looks at the accessibility of the whole municipality for all age groups.

I hope that I will bring these skills to help *us* to help *you*.

David Dammary

Membership renewal

We're currently updating our membership list, so if you haven't yet renewed we'd appreciate your doing so as soon as possible – a renewal form is attached.

Membership is the life-blood of MEG - we need as many members as possible so that we can continue to provide service and support to local residents, and cover our administration costs.

To our long term members, a big "thank you". And remember, if you ever get the opportunity to sign-up a new member, grab it (and the new member!).

Cars parked illegally?

When residents are having problems with illegally parked cars in their street, they should phone (03) 9200 8215, select 5 on the menu, and give all relevant details – and request immediate action!

Melbourne @ 5 million

...be afraid, be very afraid!

In December 2008 the State Government released two related policy statements: [Melbourne 2030: a planning update – Melbourne @ 5 Million](#)¹ and [The Victorian Transport Plan](#)². These documents provide a long-term plan for managing Melbourne's growth, although Melbourne @ 5 Million has not yet been gazetted.

A review of these documents, and of subsequent State Government actions, shows that the residents of Stonnington are about to become unknowing participants in an unplanned social experiment, the outcomes of which seem to have little to do with the maintenance of heritage, suburban liveability, traffic congestion, inadequate parking and public transport, declining access to open spaces, and cohesive communities.

The specific issues for Stonnington residents are:

1. **High rise, high density development** – within 400 metres of a tram, train or bus route *at the discretion of the Planning Minister*.
2. **This covers almost all of Stonnington**
3. **Councils powerless: the Planning Minister taketh, and giveth away** - the Planning Minister may intervene and use an archaic planning "ratification" process to approve any development.
4. **The Planning Minister will intervene on "economic" grounds** - in the 12 months to 30 April 2010, the Planning Minister participated in 233 planning interventions, largely on "economic" not "planning" grounds³. Who really thinks that the Planning Minister will involve himself in fewer ~~planning~~ economic issues this year?
5. **In Stonnington we must find room for 8,000 new dwellings, and 14,000 more people.**

Melbourne @ 5 million: continued...

The stated objective of these planning statements is: *"Delivering Melbourne's newest sustainable communities is the culmination of work focussed on land use, transport and environmental initiatives. It takes an integrated approach to land use and transport planning so that infrastructure and essential services will be delivered as new communities in the growth areas develop."*⁴

The enabling legislation was originally known as VC 67, however changes were made in response to Opposition, Green and DLP objections in the Parliament. The legislation was re-birthed in the form of Amendment VC 68, which was subsequently ratified by Parliament on 29 July 2010 and gazetted on 6 August 2010.

VC 68 approved the expansion of Melbourne's Urban Growth Boundary, and decoupled changes to Clause 12 of the Victoria Planning Provisions which were intended to translate the policy elements of *Melbourne 2030, a planning update: Melbourne @ 5 million* into planning schemes.

A separate planning scheme amendment will be prepared to implement the *Melbourne @ 5 million* policies. **It is this latter planning scheme amendment that will impact most on the residents of Stonnington.** More about Clause 12 later.

Well, buried in the detail of the VC 68 legislation is a FAQ sheet which poses the question:

"11. Why not increase housing density in existing suburbs instead?"⁵

This is also important. Under the growth projections for Melbourne, 316,000 dwellings will need to be accommodated in established suburbs over the next 20 years.

The focus here is on locating more intense housing development in and around activity centres, along tram routes and the orbital bus routes on the Principal Public Transport Network, in areas close to train stations and on large redevelopment sites."

So while VC 68 contains the buzz-words loved by all politicians - "delivering", "newest", "communities", and "sustainable" - it appears that **the Planning Minister has not given up his dream to radically reshape our suburban environment, free of interference from pesky Councils and noisy residents.**

If we take a look at the language of Clause 12, even Sir Humphrey Appleby (of BBC's *Yes, Prime Minister* fame) would have to be proud of how it would "...translate the policy elements of *Melbourne 2030, a planning update: Melbourne @ 5 million* into planning schemes".

In plain English, what Clause 12 would mean to residents of Stonnington is a change to planning laws to allow construction of high-rise, high density development within 400 metres of existing tram and bus routes⁶ at the discretion of the Planning Minister.

So all this poses a question in an election year: who has the better access to the Planning Minister and his departmental officers? Who represents residents in a party political system where local MPs can be counted on to vote for their Party (or else!) and not the people they represent?

But that's the future of planning, Victoria-style...and all coming to a suburb near you!

¹<http://www.land.vic.gov.au/DSE/nrenpl.nsf/LinkView/1352EB2F109044AFCA2575120016BE8B25FA24FDEB7476BACA25761E001FDF4D>

²<http://www.transport.vic.gov.au/web23/home.nsf>

³ *State's planning 'seizures' attacked.* The Age, 11 August 2010 Page 12

⁴<http://www.land.vic.gov.au/DSE/nrenpl.nsf/LinkView/C350816525A0D3A3CA2575D6001DAB9ECEE2CCA29F0B7E7CCA2572DC001F183F>

⁵ *Delivering Melbourne's newest sustainable communities – frequently Asked Questions July 2010 (No. 11)*

⁶ *Green-wedge plan would be a mortal blow to liveability.* The Age. 12 July 2010 Page 13.

Caulfield Racecourse development - more traffic, fewer car parks, overloaded trains & trams

As reported in The Age on 15 August (*Anger as racing club plan gets nod*) - *"A controversial \$750 million residential, retail and business village proposed for land next to Caulfield Racecourse is a step closer after a government-appointed panel of independent planning experts ruled in its favour, despite fears it would create traffic chaos. The three-member panel backed Melbourne Racing Club's (MRC) plans to redevelop land north of the racecourse, sparking claims they ignored residents' concerns about congestion, loss of parking space on race days and the height of buildings, three of which would be up to 15 storeys. The proposal includes up to 1200 units to house 2000 people, 20,000 square metres of office space and 15,000 square metres of retail space.*

Under the plans, about 1400 off-street car spaces used by racegoers would be lost.

Malvern East Group's Mathew Knight said residents were worried racegoers would park in nearby streets if the Caulfield development went ahead. But the panel was satisfied the racing club would be able to accommodate demand for parking. Matthew said most residents felt the panel, which held six days of public hearings, had ignored their concerns, including their opposition to the MRC plan to use Crown land. The club has offered to swap three lots of freehold land totalling 7229 square metres for 5865 square metres of Crown land (the Tabaret car park). Part of the swap includes the creation of a park on Booran Rd".

Residents have many concerns about the size and nature of this proposal including:

- using Crown Land for the development, with no financial or other benefit to the local community, based on a Crown Grant which dates back to 1879
- increasing traffic on local roads, many of which are congested in peak periods already
- overloading the three train services through Caulfield Station - recent data shows these trains carry up to 1000 passengers in peak periods, when carrying more than 798 is considered overcrowded
- overloading the local No. 3 tram line
- reducing parking spaces for race goers, flooding local streets with cars on race days - there will be an estimated net reduction of 625 car parks after the development takes place
- increasing the potential for flooding during heavy rain
- and of course the visual impact of the 15-storey building!

As recently reported in the Select Committee of the Legislative Council on Public Land Development, the Caulfield Racecourse Reserve Board of Trustees meets twice a year. These meetings are closed to the public, and Minutes of these meetings are not provided. The lease agreement between the State Government and the MRC is also not available.

So should the State Government allow this development to proceed, given the various impacts the Caulfield Community will feel for decades to come? And should the State Government be allowing the alienation of part of the Racecourse Reserve from the public?

What happens next?

The recommendation now goes to Council, who can refuse it, modify it, or add conditions. Once Council has made a decision the Planning Minister will tick the "community consultation" box, and then sign-off whichever form of the proposal that he and his advisors wanted in the first place.

Democracy is a wonderful thing.

We don't always lose at VCAT

In the March 2010 quarter, a total of 37 planning cases from Stonnington went to VCAT, with 33 wins (i.e. 89%), and three losses.

In addition, 17 cases were settled by mediation during this quarter (from Council's Notice Paper of 24 May 2010)

Massive development: 590 Orrong Rd

MEG was invited to a meeting of residents concerned about the massive development at 590 Orrong Rd. The proposal has frightening implications for all residents who live within 400m of a major transport route...and that covers *all* Stonnington residents!

The development comprises two 16-storey towers, two 15-storey towers, two 13-storey towers, one 11-storey, two 9-storey, and two 7-storey buildings, plus 19 two- and three-storey townhouses, all packed into a 2.5 hectare site beside the football ground in Orrong Rd.

The heights of the tower blocks range from 22m to 50m, and will house at least 1500 people. The proponent's estimate of traffic movements to and from the site is 2520 per day. MEG's role in this has been to advise on process...and to express due horror at the proposal and sympathy for residents in the area.

MEG and the National Archives

...ahhh, posterity!

MEG has been recognised at a national level as part of Australia's social history.

The MEG working group has agreed to allow the National Library of Australia to archive the MEG web page in perpetuity in Canberra. It will be also added to the State Library online catalogue. The MEG working group is delighted to have been chosen and acknowledged in this way.

Formed in 2003, the Malvern East Group's objective is to oppose inappropriate development in Malvern East and work towards reform of Victoria's unbalanced urban planning regime. MEG seeks a moratorium and complete review of the State Government's flawed *Melbourne 2030* planning scheme.

MEG currently represents some 160 members, and is part of Planning Backlash, an "umbrella" for co-ordinated action by 150 groups across city, country and coast concerned with inappropriate planning in Victoria.

The working group of MEG wishes to particularly highlight the extraordinary efforts of Ann Reid, who was the Convenor of the group from its inception until late 2009. This recognition would not have been possible without all the years of hard work done by Ann.

Our new management structure is:

Convenor: David Dammary

Management Committee: David Dammary, June Halls, Gay Hartley, Matthew Knight, George Mackey, Ann Reid

Editor: George Mackey

Web Manager: Scott Samuel

MEG's web site: www.chezsamuel.com/meghome.php

State Library reference site:
<http://www.slv.vic.gov.au/about/partners/collab/pandora/>

Will Becton sell the Reg Hunt site?

According to the *Business Age* of 21 August 2010, Becton is still in a selling mood. We note that not a blow has been struck at the site at 1287-1291 Dandenong Road, Malvern East but the weeds have been mowed!

What politicians *really* think about residents' groups

...and how they (the politicians) keep fit!

The Sunday Age reported on 22 August that ex-Planning Minister Mary Delahunty (who foisted M2030 on an unsuspecting public a month before the 2002 State election) has written her memoirs. It seems that she didn't like developers who only had to donate substantially to the Labor part in order to get ready access to the Minister and a favourable planning decision. (Well...that's a surprise!) Ms Delahunty didn't like residents' groups much either. She found herself "*either admiring their single-mindedness or wanting to lean over and choke them.*" But perhaps the two most significant items mentioned in the *Age* article are that she found being in Government "*quietly corrupting*" and that she kept herself alert by during debates by doing her pelvic floor exercises. At the risk of offending those members who are "visual people", one can only speculate regarding the exercises Minister Madden does to keep himself alert!

The response by Planning Backlash's Mary Drost and Sonya Rutherford makes for a very good read. Published in the *Sunday Age* on 29 August, Mary and Sonya wrote: "*It doesn't look pretty. But it's great to finally hear something from the horse's mouth.*" They also wrote that: "*Resident groups would love an apology from Mary Delahunty for the way she has spoken of them in her memoirs. But, really, we thank her for verifying that what was simmering in the cauldron of Spring Street earlier this decade has authenticated and endorsed the complex argument that led us to the streets, the steps of Parliament, huge public meetings and now the limitless web.*"

Hopefully the media will realise the depth and breadth of this issue as news, not momentary gossip. Blowing the whistle on things that stink is a timely and good thing."

The full article can be found at:

<http://www.theage.com.au/opinion/politics/proof-theres-something-rotten-in-our-planning-processes-20100828-13wsi.html>

As already said in this newsletter: welcome to planning, Victoria-style, coming soon to a suburb near you!

Overseas student numbers drop:

but Planning Apps for student accommodation rise!

As reported in *The Sunday Age* on 6 July (*Student drop hits economy*), - "*Confidential Immigration Department figures showing new visa applications suggest that Victoria, the state that is most reliant on foreign students, will be hardest hit, with 40,250 fewer students in the next year.*"

It will be interesting to see how accurate this forecast turns out to be, and what impact it will have on the number of "student accommodation" Planning Applications in our community.

Planning Applications for student accommodation in the Malvern East area include:

- Monash University, Caulfield campus - includes a 28 storey (yes, we said 28!) building for 600 student accommodation units, a 14 storey building for 400 student accommodation units plus a nine storey building the same size as the already approved Law

Faculty building plus office buildings, retail shops and a supermarket

Note: Objections from residents or Council will not be considered regarding this proposal, as it is already in the hands of the Planning Minister.

- 857 Dandenong Rd - the corner of Clarence St and Dandenong Rd, across the road from Monash University - 118 student accommodation units.
- Caulfield Racecourse development - includes accommodation for 400 students.
- 945-947 Dandenong Rd - six storeys for 99 student accommodation units
- 11, 13 & 15 Chadstone Rd - a three storey building for 100 students
- 95-97 Waverley Rd - three storeys for eight accommodation units
- 5-7 Waverley Rd - three storeys for 11 accommodation units and a caretaker.

MEG played a significant role in the production of Stonnington's Student Housing Policy however the Ministerial Panel to which we presented our case would not allow Council or residents to be prescriptive in our requirements. It is merely a useful tool and is considered only a Local Policy which can be overridden at any time by State Government Policy, and it would appear that the Government wants housing of any sort, anywhere, of any quality and as soon as possible.

Stay up-to-date with Planning Applications

You can phone Stonnington Council's [Planning Services Unit](#) on (03) 8290 3329 and ask them to email to you all advertised material for a particular Planning Application?

Also, if you want to be informed of all Planning Applications within about 2klms of your address, you can register for a "Planning Alert" email. You can get these alerts by emailing your name and address to "contact@planningalerts.org.au", and your email address will automatically be added to their mailing list. To see just how much development activity is currently underway in Stonnington, you can search by "date" and/or "postcode" for all Planning Applications at: <http://www.stonnington.vic.gov.au/www/html/856-planning-register-online.asp?intSiteID=1>

The planning appeals process ...where to get information and assistance

If you are concerned about a particular development, have a look at MEG's website to get comprehensive advice about the objections process, particularly:

- **Advice to Residents**
a step-by-step description of options available if you are concerned about a development in your area
- **Do You Need Support?**
an invitation to receive advice and support from MEG if you are worried about a proposed development. Share copies of this invitation with neighbours who are also concerned.
- **Help for Objectors**
Go to MEG's website, click on "Help for Objectors" <http://malverneastgroup.freehostia.com/meghome.php>

MEG & Planning Backlash

As mentioned previously, Planning Backlash is an "umbrella" for co-ordinated action by a wide range of groups across Victoria concerned about inappropriate planning. Each group in the Planning Backlash network has its own planning and development issues but all have common concerns with the State Government's planning processes and strategies. The network connects over 100 groups and is continually expanding. Visit the [Marvellous Melbourne](http://www.marvellousmelbourne.org/drupal/?q=node/6) website at <http://www.marvellousmelbourne.org/drupal/?q=node/6> for lots of interesting information about planning issues within Melbourne as well as throughout Victoria.

Chadstone Rd development

A mystery surrounds the application for a three-storey building for 100 students at 11, 13 and 15 Chadstone Rd, north of the house rented by Dorevitch. At the consultative meeting for this proposal residents were told that Holmesglen TAFE had acquired the three houses on the site by swapping with the owners (believed to be the Gandel Property Group). We hear that Holmesglen owns the two houses on the north side of the Chadstone Rd entrance to Chadstone Shopping Centre...which the owners of the Centre want to widen to allow bus entry!

Holmesglen has lodged the application knowing that they can get Federal funding under the National Affordable Rental Scheme (NRAS). Holmesglen's representative at the meeting said that the whole thing was being operated under an Education Trust which is a *private* trust. The NRAS allows funding for projects on public land for quality housing for a minimum of 100 residents, which are rented out at 20% less than rents for equivalent housing in the private sector.

This whole situation raises lots of questions: Did Holmesglen own the property/properties beside Chadstone? If so, where would Holmesglen get the money to acquire such assets? Does the 'swap' of property automatically make the land Holmesglen has acquired *public* land? When did all this happen? Since when did student accommodation become *quality* housing? ...MEG is comprised of mere mortals who have no answers!

Town & Country Nursery is going

For those who know and love this plant nursery, you can begin your farewells. Last year VCAT allowed an application for four-storeys/27 dwellings for this site. The applicant has now applied to add a fifth storey to increase the number of dwellings to 36.

An appeal to VCAT for "Failure to Determine" has already been lodged, and on 16 August Councillors unanimously supported a Refusal to Grant a Permit for the fifth storey. Another Stonnington landmark bites the dust.

Not getting the "Leader"?

If the "Leader" community newspaper is not delivered to your door in Malvern East, call Don on (03) 9569 2900. If you don't live in Malvern East and want a copy delivered, call Don (another Don) on (03) 9819 1139, and ask for the number of the distributor in your area.



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Membership renewal for 1/7/2010 to 30/6/2011

Family Name: _____ Given Names: _____

Email: _____

If you have email facilities, please provide your email address above to ensure we have your current e-mail address.

If your address or other contact details have changed, please advise your new details below:

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, receipts will not be issued unless requested.