

# West of Elgar Residents' Association Inc.

**W E R A** A.N.:A0031410U

## President's report

**May 2012**

Changes in our residential areas are inevitable. The housing stock is ageing and new owners either extensively renovate; or demolish and replace with a new home. More often than not, the home has a larger building footprint; is on 2 or 3 levels; and garden areas minimized. As I write this report my new neighbour is moving into a newly built house on the former Ormiston school site. Their future new neighbour, on an adjacent site has just started foundations. Of the 21 house sites in the street there have been 4 new houses built in the past 5 years.

As we become a more compact city the complexities of coping with the planning to manage change is evident at both local and State level. Whitehorse Councillors are grappling with the impacts and need our support. For example last August Council wrote to the Minister for Planning requesting that the current structure and operation of ResCode be reviewed to allow for greater flexibility in seeking variations to the standards within a Residential Zone. Council sought the ability to introduce into the Whitehorse Planning Scheme and, more specifically ResCode, the following:

- *For Bush Suburban Areas under Clause 22.03 of the Whitehorse Planning Scheme, a maximum building site coverage of 40% and a minimum permeability level of 40%.*
- *For Garden Suburban Areas under Clause 22.03 of the Whitehorse Planning Scheme, a maximum building site coverage of 50% and a minimum permeability level of 30%. (presently only 20%)*

Council also requested that Interim controls be included within the Whitehorse Planning Scheme addressing the above, along with Council's previous motion relating to a minimum of 320 square metres per residence for new subdivisions and developments, with the exclusion of areas classified as substantial change areas. The Minister did not agree to either request but asked how Council can ensure there is enough developable land into the future to meet population growth and suggested reviewing the present housing strategy.

At Council's April meeting they considered four planning applications: a 4-double & 1 single storey which was approved on the casting vote of the mayor; 6 double approved; 7-double approved on the casting vote of the mayor and a 3 double which was refused as an overdevelopment. The officers' report supported each of these applications albeit some with minor changes.

Apart from these particular applications, also approved under delegation to the Council planning department were six(6) 2 & 3 storey residential developments in Riversdale Ward and four(4) 2 & 3 storey residential developments in Elgar Ward and three(3) 3-lot and 2-lot subdivisions.

Most consolidation of existing urban area WERA considers to be less respectful of existing neighbourhood character. VCAT has just issued a decision to grant the permit at Boisdale Road, Surrey Hills 32 dwellings comprised of a three 3-storey building blocks overlooking the park and three-2 storey buildings across the 4 existing single dwelling allotments. From December 2011 to March 2012 there were five days of hearing which has been very stressful for objectors, emotionally and time management for families.

The decision again is regarded by neighbours and WERA as an over-development but which VCAT considers to be an appropriate response to the State Government provisions in the planning scheme for urban consolidation. Even before the approval was granted this development was being promoted in China as being completed in 2013. Other residential developments are advertised in Asian capital cities with a financial scenario that includes obtaining the Australian Government's first home owners grant. Who benefits from these types of developments? How many more adjoining home allotment purchases will occur as a means to obtaining a permit for this type of urban infill into existing areas of detached homes?

WERA is often at odds with VCAT because we consider it was created to review administrative decisions on the basis of due process. In practice, it sometimes acts as the de facto planning authority, exercising power to hear amended plans without going back to the Council as the planning authority. This has occurred at Boisdale Road and also in respect to the 17 Renown Street, Burwood where an interim order for amendment of plans for the construction of eight two-storey and one single-storey dwellings on two residential allotments was made by VCAT. The order allowed for preparation of amended plans to alter the roof form and reduce the visual bulk of the proposal.

If only residents could afford legal representation and expert witnesses to conduct our case for us!

The Activity Centre model of intensive development located near transport or retail nodes has been encouraged in recent years. Later this year it will yet again be tested at 719-721 Whitehorse Road, Mont Albert where there is a proposal for a 5 storey apartment building with 2 retail shops below. There are a number of issues with this plan and the local residents have met and lodged objections. One of the main concerns is over looking into the north facing properties at the rear of the site. Activity Centres were not clearly defined; their boundaries indeterminate so that developers could argue that a proximate development should proceed on the basis that it was "near enough". Such development sites are less expensive, and mostly impact on adjacent residential neighbourhoods.

For the 1000 new residents arriving in Victoria every week housing; jobs and educational opportunities are paramount but is this sustainable in the present economic conditions? Housing development is intended to be a major driver so the Government's response to the interim recommendations of the committee reviewing the Planning & Environment Act will have a significant impact on the effectiveness of community planning action groups. Recommendations which government has signaled agreement to include simplifying planning applications to merit and code assessments against planning scheme clauses and also limiting the notification of planning applications.

Whilst the report acknowledges the primary role of local council and third party rights there will clearly be a reduction of their respective involvement as implementation of the recommendations proceeds in the next 12 months.

In another busy period for WERA's volunteer committee members we also:

- Continued to campaign against Deakin University's proposed elevated bridge over Gardiners Creek which appears to have finally borne fruit as we have been invited by the University to consultative meetings to consider alternatives.
- Noted the Victorian Environmental Assessment Councils – Metropolitan Melbourne Investigation August 2011 report that comprehensively mapped all public land across the investigation area. An ongoing theme in the community views expressed to VEAC's investigation was that Melbourne's increasing urban density and expansion will negatively impact on the quantity and quality of Melbourne's public open space and its remaining biodiversity values. Mature municipalities such as Whitehorse (with < 10% of land allocated to public open space) the opportunities to gain new open space such as the former brickworks site Federation St, Box Hill are lost.
- Albany Crescent, Surrey Hills: WERA wrote to Council raising concerns about the impact of substantial modifications to the grounds of this property which is subject to a heritage overlay.
- Planning Alerts: WERA wrote to Council recommending that access to the planning applications register by residents be possible both through a free planning alerts service and also by changes to the Council website that ensures all applications are listed. This service is already provided by the City of Boroondara and several other Victorian councils. The response advised that Council meets its legal requirements by publishing these online in a monthly update. The response did not address the issues raised about community access to planning applications in a timely manner. WERA subsequently contacted Councillor's and other resident groups to consider and support an improved planning alert in Whitehorse. This issue will be raised with all candidates for election to Council later this year.
- Florence Road, Surrey Hills: 45 dwellings: WERA with local residents lodged objection to the application and Council refused as recommended by the planning officer. WERA submitted that it is an overdevelopment of the site in an area of mixed single level detached houses and units. VCAT hearing listed 16 July 2012.

The committee ability and resources in putting together submissions or reviewing the material in matters that interest or impact on residents are limited. I welcome recent interest in joining the committee but we need more. Please contact me by emailing [info@wera.org.au](mailto:info@wera.org.au).

I thank the committee members for their individual contributions. In particular I thank Elizabeth Meredith for her inspiration to us all in her long service to WERA. Despite her retirement from committee we know that she will retain a strong interest in WERA's actions.

