

New Residential Planning Zones: at time of preparing the newsletter we are still waiting on the Minister for Planning to approve the C160 Planning Scheme amendment adopted by Council on 28 April 2014. We hope that the Minister is not watering down the residential zones and schedules which were keenly sought by residents and mostly supported by our western ward councillors.

Boroondara and Bayside Councils joined Glen Eira in getting over 70% of their municipalities as Neighbourhood Residential Zone (NRZ). Whitehorse has only adopted 52% NRZ. Manningham has had approved mostly General residential zone (GRZ); almost no NRZ but has large areas of low density 0.4 hectare lots in the east and north of the municipality. Maroondah has mostly GRZ. Monash Council decided a "policy neutral" translation of the previous zones so that land within a heritage precinct has been rezoned NRZ and the balance of land that was previously zoned Residential 1 has been rezoned GRZ.

WERA's particular concern is that the Schedule provisions adopted by Council that varied from Rescode may not be approved by the Minister. If this occurs the only protection gained in NRZ will be no apartments. Our other main concerns after adoption of the new zones are:

Plan Melbourne provisions which were placed in all Planning Schemes in May. The concept of 20 minute access to community shopping & facilities is being used by developers to try for high intensity apartments in quiet suburban streets.

Single dwelling builds: building permit issued by private building surveyor are normally compliant with Rescode for site area permeability of 20%. However it is increasingly observed that the finished site is often significantly less than 20%. The recently updated Building Act creating a Victoria Building Authority does not address this *compliance gap* which will continue unabated by owner/developer/surveyor collaboration and to date no willingness within Councils or State Government to undertake audits of these sites. Often having moonscaped the site there is no replacement canopy trees planted which is contrary to Whitehorse Planning Scheme tree provisions.

8-14 Everton Grove; Surrey Hills VCAT hearing: 5.5 days concluded on 31 July 2014. The application was for 4 two-storey townhouses plus 26 three-storey apartments across the entire rear of the consolidated 4 lot site. Whitehorse Council refused this application under delegation. The applicant reduced the apartments to 24 and took the matter to VCAT as a Major Case, using 4 expert witnesses to support his case. The local resident community, including WERA and its members, mounted a well co-ordinated set of submissions in support of the Council's position. The total site backs onto Broughton Lea, an aged care facility. The applicant used the presence of this building as the reason for erecting the apartments.

This proposal was put forward under the current planning scheme. It could not have occurred under C160 [see above], which will restrict development to 2 dwellings per lot and no apartments in this area. WERA congratulates the residents on their organisation in opposing this application.

8 Park Rd; Surrey Hills: Council at the July meeting went against the planning officer's recommendation to approve this 3-storey 16 apartment proposal and approved issue of a permit for only a 2-storey building. At a mediation hearing earlier this year the developers representative was keen for the objectors present to cease if they amended the development to 2-storey. This site is also in an area Council adopted as neighbourhood residential so an appeal to VCAT if forthcoming will be another test for the new zones.

20 Louise Avenue; Mont Albert: this 2-storey 10 apartment proposal also in neighbourhood residential zone was refused prior to advertising by the planning department prior to *yellow sign* advertising. The applicant went to VCAT whom directed that the lodgement of appeal be advertised duly attracting 29 objections. The hearing is listed to commence 20 October 2014. This hearing will be a test of the extent to which higher intensity development such as apartments can extend into the residential zone beyond the activity centre; in this case i.e. Hamilton Street shops. Council adopted design guidelines for the Hamilton St shops is maximum 4-storey.

Broughton Road; Surrey Hills: lots of activity here

64 Broughton Road, Surrey Hills – application for construction of three 2- storey dwellings on a single allotment was supported by the planning officer but refused by Council on the casting vote of the Mayor at the 21 July meeting. An appeal to VCAT is anticipated and defending neighbourhood residential zone which hopefully will have been approved and gazetted by the Minister for Planning well prior to any hearing date late this year.

20A Broughton Road - This proposal of 5 dwellings on two former tennis courts. However the landscaping plans relies on boundary planting of canopy trees in the western easement that is not within its boundary. Being a flood prone site, the increase in probability of flooding due to reduction in permeability is a concern to neighbours. The narrow access to this site; an unnamed and unmade lane; will allow only single car passage. Also the residents at the corner of the lane will have a line of weekly waste and recycling bins on the nature strip. A mediation meeting was held on 22 July without resolution of neighbourhood issues.

Recreation Strategy

Council circulated its draft Recreation Strategy 2015-2024 for community comment by August 4 2014. WERA has submitted its response to the draft strategy which will be available on our website for your information. The draft strategy was based on a significant survey of residents to determine community preferences for recreational activities access and requirements across Whitehorse. The results indicated that there is a substantial change away from participation in organised sports such as football and cricket towards walking, running, cycling, dog walking and less organised recreational activities. In its response WERA argued that this finding should prompt Council to review its current expenditure on sporting clubs

and ovals in view of the declining numbers of residents who actually participate in these programs. WERA also made the point that population growth combined with increased urban density will put increased pressure for community access to high quality open spaces which will provide for multi-purpose access and activity for all ages and abilities. As private open spaces (gardens and backyards) disappear there is an expectation that Council will provide suitable alternatives for residents living in medium and higher density developments.

However, WERA noted that Whitehorse has relatively low levels of open space per capita which are accessible to all residents. This is particularly true of the western precincts of Elgar and Riversdale where sporting ovals are the primary form of open space designed to complement private open spaces in a garden suburban setting. The open space strategy will therefore be critical to Council's capacity to provide the recreational facilities which residents will want now and in the future. The high cost of land in Whitehorse is a significant barrier to the acquisition of the size and quality of open spaces which will support the preferred recreational opportunities in the future.

Changing skyline

Melbourne Water (MW) has announced that the Cypress trees planted around the former open reservoir sites on Canterbury and Elgar Roads to protect water quality are now approaching the end of their life and will require removal over the next five to twenty years. The reservoirs were covered some decades ago.

Draft Landscape Plans for the two Surrey Hills reservoir sites (at the corner of Tower Street and Canterbury Road and also at Elgar Road) can be viewed online at: <http://www.melbournewater.com.au/surreyhillsip>. The plans aim to enhance environmental, amenity and heritage values whilst protecting the water supply assets.

The removal of the cypresses will be one boundary at a time. The roots of these old trees will not be removed because of the risk of damaging the storage walls.

Replacement planting is proposed to be shrubs and grasses on the storage wall earth slopes. No canopy trees will be replanted on the sloped surface to minimize future risks to the storage structure. Canopy trees will be confined to the flat area along each storage site boundary.

West of Elgar Residents Association has made a submission to MW suggesting that:

1. Plant selection should include vegetation ecologically related to the area to complement the Whitehorse Biodiversity Strategy 2014.
2. Preferable that the number of trees removed should be replaced with the same number of trees.
3. Some 10 to 12 metre high canopy trees should be included to complement the new residential planning zone which requires two 12 m canopy trees per lot.
4. A survey of bird species around the reservoirs should be undertaken from now to summer as a base from which a further survey in 3-5 years can be undertaken to assess changes.

Suggestions from neighbouring residents have also requested consideration of creating an open public park area at both sites.

There will be a further change to the skyline because Telstra has announced that they are replacing the monolith tower with a single pole. Surrey Hill's skyline will be markedly different.

Tree Loss in Mont Albert

The former Ormiston school site lost two trees on the St Georges Avenue frontage recently. The trees an English Oak and a Bunya-Bunya both estimated to be 80 years old were placed on the Councils significant tree register for vegetation protection overlay prior to the site being sub-divided in 2006.

Despite Council's planning permit conditions issued in 2011 for a single dwelling on this site including tree protection zones for the trees these were ignored by owner and/or contractors in excavations for a tennis court (included in the permit) and a brick front fence. Mid 2014 the owners applicant and Council's arborist agreed that the tree roots had been severed within the structural root zone and that the trees' stability have been compromised as a result of the work and will at some stage be toppled by strong winds. The trees were removed in July for safety reasons and a fine issued by Council.

Tree protection zones were no protection in this instance. However the original application for a tennis court and brick fence should have raised alarm bells at Council. What was expected when a permit was given for these works? No amount of tree protection can save a root zone when you excavate so close. The issue is not actually with the excavation process but the planning process risk assessment to allow excavation in the first place!

Election of committee

The present committee was re-elected un-opposed at the AGM. President Geoff White; Secretary Judy Sharples; Treasurer June Kavanagh; Committee Terry Randle; David Knowles and Pat Tan. We would still welcome some new interest in working on the committee.

WERA not quite 21 years

WERA was formed in 1994 and was incorporated as an association in 1995. More on the history of WERA will be in the November newsletter. Your recollections of involvement with WERA would be greatly appreciated.

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