

RESIDENTS Voice



Illegal becomes Legal?

See Left: One of the bungalows behind house which has been converted into two flats

An owner developer wants an outer Melbourne shire council to retrospectively approve two illegal dual occupancies, both involving the conversion of two adjacent double storey houses which have been undertaken without planning permission.

Also in question are two single storey dwellings, each located at the rear of each property behind the dual occupancy.

Yarra Ranges Director of Planning, Mr Michael Corrie has told SOS that council had received no planning permit application for the two dual occupancies before the existing houses were converted, nor for any dwelling at the rear of both properties.

However, on 18 May 2001, the developer Mr Andrew Marsden applied to council for retrospective planning permission for the dual occupancies.

Mr Corrie said that as a rule, Yarra Ranges was 'not interested in retrospective permits' and would deal with the application in accordance with its planning scheme and the law.

He described the development as 'illegal' and carried out 'without regard for the law'.

The properties are located at No 11 and 13 McDermott Ave., Mooroolbark. Both blocks are sloped.

Yarra Ranges compliance officer, Mr Jeff Eeles said council issued the developer with Planning Infringement Notices for 'establishing a multi unit development without relevant planning permission' at each property. He said the notices referred to the dual occupancies and the third house at each location. The developer was fined \$500 for each property.

In July last year a private building surveyor issued a building permit for an extension to an existing bungalow at the rear of No 11. A planning permit

is required for such building work if it results in a habitable dwelling.

'The bungalow at No 11 is a fully self-contained house with a small kitchen', confirmed Mr Eeles. 'Tenants are living there. I was unable to see inside the second house built at the rear of No 13 but it appears very similar to the other bungalow'.

Jill Russell who lives at No 9 McDermott Ave said the single house at No 13 was built at the end of last year.

Mr. Eeles said powerboards at both properties clearly indicate the presence of three flats at each address.

'Both double-storey houses have two difference entrances and clearly defined private open space requirements', he said.

'I was told by the residents living in the bungalow at No 11 that two different tenants live in the double storey house at the front of the block'.

Mr. Eeles said he believed that it would have been difficult to have won approval for a second house on each block if planning permission had been sought in the usual manner.

'It would have been impossible to provide vehicle access for a second dwelling at the rear of each property because the houses at the front of the property are built close to side boundaries and both blocks are on an incline', he said.

In a letter dated 16 May 2001, Michael Corrie told Jill Russell and her husband, Andrew who alerted Yarra Ranges to their concerns about the development in October last year, that 'action has been taken with the owner of the ... two properties'.

The letter went on, 'if no (valid) planning applications have been made before 31 May 2001,

...continued page 10

ISSUE 10 - JULY 2001

ISSN 1440-6977

PUBLICATION OF

SOS

S A V E
• O U R •
S U B U R B S

INC.

IMPORTANT DIARY DATE

The Annual General Meeting
of SOS will be held
at 7.30 p.m on Tuesday
23 October, 2001 at
St Joseph's Hall,
47 Stanhope Street, Malvern.

MEMBERSHIP RENEWALS

The Good Design Guide has gone.
ResCode has arrived. Despite
achieving our key objective, we
cannot afford to become
complacent. It remains to be seen if
ResCode lives up to expectations.
Your support is still needed.
Please renew your membership as
soon as possible.

INSIDE

- 2 Neighbourhood friendly design code
- 3 Out goes GDG in comes ResCode
- 4 SOS calls for disqualification of VCAT member
- 5 The high cost of living in the shadow of a Richmond development
- 6 President's Address
- 6 SOS halts plan for tram stop led development
- 6 Big win for Brunswick residents
- 7 Fitting in with the Neighbourhood
- 8 Developers dig for gold in Bendigo
- 9 Save our Brisbane Suburbs
- 10 Bricked in
- 11 The pictures should show the full storey
- 12 Media Watch

Neighbourhood friendly design code

By John Thwaites, Planning Minister

The quarter acre block with brick veneer is not everyone's dream, but owning our own home remains a compelling goal for many of us.

It's not so much the weatherboards and brickwork but the emotional comfort that comes from having your own space and being part of a neighbourhood.

Little wonder then that our streets became battlefields in the 1990s when views disappeared from kitchen windows and big, blockish developments cast shadows over backyards and stole sunshine from our living rooms. Under The Good Design Guide, the suburban dream was fast becoming an urban nightmare.

ResCode, the Bracks Government's new residential planning laws that will replace The Good Design Guide in August this year, is about a lot more than building controls.

Ultimately, it's about neighbourhoods and how people relate to each other. It goes beyond how we live in our own space to how we can create a better environment for everyone.

Suggestions that ResCode will freeze our suburbs and be a recipe for suburban stagnation are simply wrong. With 420,000 new houses forecast to be built by 2021, the Government recognises the need for urban consolidation and creative design.

With an ageing population and smaller households, we also need a range of housing that is located near public transport to limit Melbourne's sprawl. The global competitiveness of Melbourne

will be influenced by how long we can remain one of the world's most 'liveable' cities.

ResCode will not halt change or stifle innovation, quite the reverse. It sets our builders and architects the enormous challenge of lifting the standards of housing while preserving the liveability of our streets and suburbs.

It is not about stopping flat-roofed, round or timber-clad buildings in favour of neo-Georgians, as some architects would have us believe. Anyone who says that hasn't read ResCode. It's not about the lowest common denominator design, which leads to rows of boring boxes.

It is about pulling down high fences and making our streets friendlier and more conducive to walking so that our eyes don't glaze over as we pass one garage after another.

Innovation, not imitation, is the challenge thrown up by ResCode, and the best designers will meet the test of constructing buildings that not only respect a neighbourhood's character but enhance it.

It is no challenge to take an island site and build whatever you want without regard to how that building will impact upon others. The real challenge for our design professionals is to build a structure that meets the needs of the client and the community.

New environmental standards in particular will encourage housing that is sustainable and that maximises sunlight, prevents run-off into our bays and rivers and limits the shadows cast on to



John Thwaites

neighbouring properties.

For the first time, solar access to living rooms will be protected and the code includes tougher overshadowing and overlooking standards.

ResCode will not stop development, but the development that does take place will need to be of a higher standard. The challenge now is for all of us - councils, planners, architects and residents - to use ResCode to build better homes and neighbourhoods.

For more information on ResCode contact the Department of Infrastructure website at <http://www.doi.vic.gov.au/rescode> or by phoning 1800 012 346

ResCode: Tighter numbers but new frustrations

By Robert Clark, Shadow Minister for Planning

At last a final version of ResCode has been announced. How does it stack up?

Tightening the numbers

On the positive side, ResCode moves to implement the better protections for neighbours on factors such as setbacks, overlooking and overshadowing which both sides of politics promised at the 1999 election.

We still need to check that the new ResCode standards are workable in the various different contexts in which they will apply, e.g., in inner suburbs.

Scope for argument

However, ResCode still leaves too much scope for people to argue for exceptions to be made in particular cases, meaning residents will still end up fighting such applications before Councils and before VCAT.

While some flexibility for the truly exceptional proposal or unusual circumstance is a good thing, the balance in the planning system needs to come back towards certainty and simplicity.

Limited local powers

The two powers to be given to Councils to vary the ResCode requirements are restrictive and awkward.

As with all planning scheme amendments, Neighbourhood Character Overlays will need the approval of the Minister, and the Minister has made it clear he will only approve such overlays for "special" neighbourhoods.

Yet a Neighbourhood Character Overlay is the only means provided by ResCode for "moonscaping" to be prohibited.

The second power granted to Councils is to vary the numerical components of standards. However, these can only be varied for the municipality as a whole, not for specific neighbourhoods.

Thus a Council cannot use this power either to provide greater protection to particular neighbourhoods, or to encourage more medium density development in suitable neighbourhoods, without applying the same standard across the municipality.

Nor can a Council use local policy to achieve such objectives without putting that local policy at odds with either the ResCode standards or its own municipal-wide standards.

Further, the Minister has said nothing about what he intends to do where a Council considers a local standard vital to preserve local amenity, but a panel recommends against it because, for example, it excludes too much medium density.

Single house uncertainty

The ResCode announcement has left unanswered many questions about the handling of single houses through the building system.

If a builder seeks a Council dispensation from the standards, how much time will neighbours have to make a submission? What documents of the applicant will neighbours be entitled to see?

What remedies will neighbours have if a private building surveyor wrongly certifies that a single home meets standards when it does not?

Fence restrictions

ResCode will not allow front fences higher than 1.5 metres other than on main roads, unless a planning or building permit is obtained or the Council seeks, and the Minister approves, a different municipal-wide standard or a Neighbourhood Character Overlay.

In some areas a 1.5 metre limit will be appropriate, but in many inner and middle suburbs high wrought iron and brick fences have become popular for the combination of openness and security they provide.

Conclusion

ResCode has probably improved one dimension of the planning balance, but along other dimensions it has missed opportunities or created new complexities and frustrations.

email robert.clark@parliament.vic.gov.au

Out goes the GDG - IN comes ResCode

Save Our Suburbs welcomes the long awaited release of Victoria's new housing design guidelines - ResCode.

Planning Minister John Thwaites announced the code on 24 May 2001. It will be in operation this coming August and will replace the previous Government's discredited Good Design Guide.

SOS has been encouraged by a number of key assurances by Mr Thwaites about the content of the new code but we will remain cautious until we have closely studied its detail. (See the President's Address p 6)

We particularly welcome Mr Thwaites statements that ResCode will:

- make neighbourhood character the mandatory starting point for assessing all planning permits for residential development;
- provide higher design and amenity standards for such development;
- controls to improve its energy efficiency; and,
- more development controls for councils including a provision to protect certain areas with a 'neighbourhood character overlay'.

Unlike the GDG, ResCode provides guidelines for single houses as well as multi-unit developments.

Under the present system many single houses are constructed under the building code - VicCode 1. That code provides residents with limited opportunity to object to any adverse effect upon their residential amenity.

SOS had long campaigned that there should be no difference in design and amenity standards for single dwellings and multiple units.

How ResCode will work

* From the Planning Minister's ResCode outline

- Single dwellings (no planning permit required) dealt with by building regulations
- Multi-unit development and single houses requiring planning permit go through the planning system
- Common set of objectives and standards for all housing types

Single houses in the Building System

Most single houses will not need a planning permit. Standards only varied through dispensation by council.

Change to standards

- tighter controls on front setbacks
- reduced height limit
- new overlooking provisions
- new standards to protect overshadowing

Single houses in the Planning System

Single houses require a permit

- For lots of 300 sq m or 500 sq m
- When affected by overlay controls, e.g. neighbourhood or heritage
- Controlled by 20 amenity and environmental standards

Character control emphasis wins cautious praise for code

Nicole Lindberg

ResCode: a recipe for suburban stagnation

Street c
House
horror

The ne

- Neighbourhood character is the mandatory starting point

Multi-unit housing

Planning permit required

As for single houses which require a planning permit, neighbourhood character will be the mandatory starting point when such development is designed and assessed

Higher design and amenity standards

Tougher standards include:

- Front setbacks to be consistent with neighbours
- Building height reduced from 12m to 9m
- New provisions to prevent overshadowing of 75% of neighbours' private open space by ensuring five hours of sunlight between 9am and 3pm
- Four star energy standards to be phased in for all multi-unit development by 1 March 2002
- Greater setbacks for north facing windows
- New limits on amount of hard surfaces to reduce stormwater run-off
- A 1.5 m height limit on fences except on arterial roads for noise reduction
- New powers for councils aimed at preventing the 'moonscaping' of lots

While we wait

At ResCode's launch, the Planning Minister outlined the following transitional arrangements:

- ResCode will be introduced into all planning schemes in August 2001
- Some existing local provisions may be translated directly into the new code if they have been through due process while others will need more consideration.
- Until 31 December 2001, applications for a planning permit made before ResCode commences will be considered against the current controls.
- Applications for a building permit can be considered against the current regulations as provided for in the Building Act.
- The State Government will work with councils who have prepared local policies or who have local policies in the amendment system already so their objectives can be translated into the new system.
- The State Government and local government will monitor the number of applications received during the transition period.

Background

1995: The Kennett Government introduces the Good Design Guide for medium density housing.

24 February 1998: SOS forms in response to widespread anger and frustration with the State's planning system and particularly with the inadequate standards of the GDG.

September 1999: During the last State election, the former Kennett Government promises to make significant reforms to the GDG. While in Opposition, the present Bracks Government promises to throw out the GDG and provide new housing design guidelines which 'make neighbourhood character the mandatory starting point for designing and assessing any proposed new housing'.

25 May 2000: Planning Minister John Thwaites amends Victoria's statewide planning provisions to provide 'a safety net for neighbourhood character' until ResCode came into effect.

July-August 2000: Public information sessions are held on the new draft ResCode.

August 2000: SOS tells State Government that it has significant problems with the draft code, in particular with the proposal that dual occupancies should be built without a planning permit. Submissions on the draft code are considered by the ResCode Advisory Committee.

17 January 2001: The ResCode Advisory Committee releases its report for public comment. SOS slams the report saying it is appalled by the committee's proposal that the inadequate standards of the GDG should be retained. Those standards related to overlooking, overshadowing, the provision of open space, the height of a boundary wall, the length of side walls, setbacks from side and rear boundaries and site coverage.

9 March 2001: SOS highlights a recommendation by the ResCode Advisory Committee that more than a five fold increase in density should be permitted within 400 m of a tramstop. SOS estimates that 70% to 90% of all residential areas within the inner and middle suburbs would qualify for that increase.

14 March 2001: Planning Minister John Thwaites announces that the five-fold increase in density recommendation will not be adopted.

24 May 2001: Mr Thwaites releases ResCode.

August 2001: ResCode to come into operation

Quirky rulings raise heritage hackles

By ANDREA CARSON
URBAN AFFAIRS EDITOR

A member of Victoria's town planning appeals tribunal has raised the hackles of a residential heritage group for questioning the "conservative nature of people" and their resistance to change.

The tribunal member, Anthony Quirk, has angered the Save Our Suburbs group in a series of judgments that the group claims have been critical of local councils, residents and the group itself.

SOS has written to Planning Minister John Thwaites and Attorney-General Rob Hulls asking them to ban Mr Quirk, a Victorian Civil and Administrative Tribunal planning list member, from hearing any matters that relate to heritage issues.



Ahead of their time: From left, the Eiffel Tower, Sigmund Freud and Melbourne's Federation Squares.

naturally conservative. This is Opera House, Blue Poles, the new Melbourne Museum, particularly relevant in their own environment." Mr Quirk said.

Quirk's past comments in at least six other judgments were also concerning, and could "give rise to a reasonable apprehension of bias" in the parties who appeared before him.

SOS, which has hundreds of members, mostly in Melbourne's eastern suburbs, has been backed by some local councils in its general criticism of the tribunal.

Glen Elva Mayor Noel Belich said councils were elected to make planning decisions, only to have them overturned by appointed members of the tribunal. He said decisions were often inconsistent and "made no sense".

The Age 1 May 2001, p4



SOS calls for disqualification of VCAT Member

SOS has told Planning Minister John Thwaites that certain remarks made by VCAT member Mr. A J Quirk demonstrate a policy view of planning which exceeds the statutory role of VCAT.

Consequently we have requested that Mr. Quirk be disqualified from hearing any planning matters which are to determine whether or not change to urban and suburban areas is to take place, particularly where residential development is in question.

SOS told Mr. Thwaites that certain comments in VCAT decisions are such as to give rise to a reasonable apprehension of bias (in the legal sense) in parties who appear before him.

We have also informed the Attorney-General, Mr. Rob Hulls and the President of VCAT, the Honourable Justice Murray Kellam of our concerns.

In Burke EK v Banyule City Council [2000] VCAT 2564 (31 December 2000), Mr. Quirk said, amongst other things:

'There is a strong resistance to change within the metropolitan area and major centres in Victoria. There is no doubt that this is a reaction from a community that is generally a conservative one. This also appears to be an age of nostalgia for old buildings and their preservation. A lot of Ms Burke's arguments against the proposal related to issues that the Save Our Suburbs Organisation has raised in recent discussions with the government of the day. She also presented a number of newspaper cuttings that indicated where the councils in both Banyule and Nilumbik were concerned about the proliferation of multi unit developments in the municipalities. The articles referred to among other things the Government's recent amendment to the State Section of all schemes to include neighbourhood character as a major State policy and the proposed Res Code.

I have often referred to resistance to change in my decisions. There is no doubt that generally throughout the western world people are naturally conservative. This is particularly relevant in their own environment. It can apply right across their whole life spectrum.

In relation to this general resistance to change and the conservative nature of people I recently read a book titled The Rise and Decline of the Christian Empire written by Iain Guthridge that gave some very interesting examples to which I will refer rather than directly quote. Perhaps if I do it in point form it may have some impact. For example:

- *Hayden thought Beethoven's Symphonies too rough because they did not conform to the tastes of the*

courtly age, that was passing away.

- *The Viennese were unimpressed with "The Blue Danube" when it first appeared in Vienna in 1865.*
- *Impressionist art was ridiculed when it first appeared in Paris in the early 1860s.*
- *Darwin's idea that man evolved from the animal kingdom was ridiculed.*
- *Freud's ideas on the nature of the unconscious were ridiculed.*
- *Pasteur's theory of germs as the source of most diseases was ridiculed by people including Florence Nightingale.*
- *When the Eifel [sic] Tower project was launched in 1887, 300 leading artists and writers spoke of it as a monstrosity.*
- *When Haussman carved his way through the traditional congestion of Paris to clear space for the wide and spacious Boulevards he was a barbarian. He was ruining Paris.*

In our own country, the Sydney Opera House, Blue Poles, the new Melbourne Museum and the shards at Federation square have all provoked much criticism but will generally be accepted in the long term.

... I think it is important that people do understand that planning is about change and the management of change. Planning is about the future and the development of the future rather than the protection of the past. The past can be seen to be in another world or on another planet because it is gone. What we have before us is the present and the future. In my opinion too much emphasis is being placed on the past, too much time is being spent by councils in the policing of heritage controls over wide expanses of urban areas rather than striving to properly integrate modern building practices and modern designs into an overall urban framework and preserving outstanding examples of buildings and areas rather than great chunks of suburbs. This should be done from a metropolitan rather than local perspective.'

SOS has also provided Mr. Thwaites with extracts from a number of earlier VCAT decisions by Mr. Quirk.

By Ruth Clemens,

Member of Richmond R.A.I.D

In 1998 two double storeyed units were built next door to my single storeyed Victorian house in Richmond. One of those units was built right on my northern boundary. The unit looms over my house and garden. It's brick wall has replaced my plant-covered fence. My once sun-filled, warm house has been deprived of sunlight for many months of the year. As a result my lighting and heating costs gone up by about \$300 a year. Privacy, both inside and outside my house, has been reduced. Noise levels have risen and not one day goes by when I can ignore the diminution of my quality of life and I estimate that I am out of pocket by about \$14,000 with additional on-going costs.

But I thought nothing more could happen to me ... until April this year when work began again on the unit next door to cover over its first floor balcony. I was horrified to realise that my property's now limited access to sunlight would be even further reduced, particularly my front verandah, front bedroom and front garden where plants already struggle because they are already in shade.

Planning permit inconsistency

I immediately contacted my local Yarra Council and ultimately discovered that the developer's original planning permit had been amended in September 1999 to allow the new work. I had not been notified about that amendment and I have since learnt that the developer should have applied for a new planning permit as the Administrative Appeals Tribunal (now the Victorian Civil & Administrative Tribunal) had directed that a planning permit be issued for the original development.

Then I discovered that the length of the balcony is nearly a metre longer than shown on the original plans. At my insistence, a temporary stopwork notice has been issued by the council enforcement officer. The developer has been asked to submit accurate plans which show the extra metre.

I remain appalled by the 1999 planner's report in favour of the amendment which concluded that the new work was 'unlikely to result in an increase in detriment to the owners/occupiers of adjoining properties'. Had I been notified about the amendment I would have made the discovery earlier that the balcony was a metre too close to my property than it should have been. I would have

The high cost of living in the shadow of a Richmond development



Winter 1997: No overshadowing of Ruth's house

been able to alert the council that the inaccurate plans would not represent the true impact upon my property if the balcony was roofed. A site inspection - I live within walking distance of the Richmond Town Hall - also would have revealed the inaccuracy.

How it all began

My unwelcome involvement with the development next door commenced on a sunny Sunday afternoon November 1996 when a young man appeared at my door with a roll of plans under his arm and cheerily announced that the pretty, single-storey Victorian house on my north would be demolished, my fence removed and all replaced by two double-storied boundary-to-boundary units.

Then I saw the plans. They failed to show my family room window and implied that my substantial stable building, which is used as extra living space, was little more than a brick outhouse! The council told the developer to put in amended plans which located the development one metre closer to the front boundary, lowered the roofline and correctly showed my window and stable.

However, the weekend before the AAT hearing I noticed that although the plans showed that the development was one metre closer to the front of the block, it was an extra metre. The whole development had not been moved one metre forward as the council had instructed. However after the appeal hearing, which the developer won, the AAT ruled that the whole development should be moved one metre closer to the front boundary.

The plans were endorsed in November 1997. The following month a notice was served on me by developer demanding use of a 1800mm strip of my land during the construction period. To allow that access would have caused me great inconvenience as I would not have been able to use my side entrance or get to my clothes line let alone get in or out of the back door. Naturally I refused the request. With my barrister and witnesses, I appeared at a Building Appeals Board hearing in March 1998 at which the private building surveyor represented the developer. The BAB denied the developer access to my property and he was ordered to pay insurance for my property. However, despite repeated requests by my solicitor, the developer did not ever send me a copy of a report on relevant conditions. Because I was not given the opportunity to sign that condition report, I have been liable for considerable costs for repairs to my property.

Work begins

In early January 1998 work began on the development - without a building permit. Despite my protests, the builders continued clearing the land and marking out the space for the concrete slab with white lines. As I had employed my own building surveyor to peg out my own property I was able to demonstrate that the white lines were incorrectly located, both in siting and length. The white lines indicated that the development was to be built a metre closer to the back boundary than ordered by the AAT. When I pointed that out to the developer's private building surveyor he indicated that he would seek to obtain a variation of the planning permit so the building could be located in accordance with the white lines.

I sought legal assistance and work on the site was stopped. During the construction period I called in the council's enforcement officer on multiple occasions - before and after the slab was poured because the developer continued to flout conditions placed on length and height. The units were completed in late 1998 and leased out to tenants.

Costs

By this time I had incurred substantial financial costs - about \$4000. These included fees paid to an architect, surveyors, a solicitor, a barrister. Then there were the costs involved in the lodging of fees to the Building Appeals Board, payment for the time of witnesses and the purchase of a camera with a date stamp. That was not the end of it. The costs continued. Although my house had some rising damp when I purchased it in 1986, the damp had remained dormant. However, I have been told by a damp course expert that it was highly likely that the deprivation of unlimited access to sunlight to my property activated the damp areas on the northern side of my house. After the units were built, the damp areas began to spread and smell. I was therefore compelled to take expensive remedial action to fix the damp problem which also involved replastering and repainting.

In addition, the building works next door have resulted in the extrusion of the concrete slab onto my property. That had displaced my brick paving which needed to be fixed. The construction had also narrowed my open spoon drain so extra drainage needed to be installed on my property.

As I basically work from home, my heating and lighting costs have risen. I am unable to sit outside, as had been my habit, as no sun penetrates the

garden for many months of the year. The house is much colder as my north-facing living areas and study have been deprived of sunlight, as has some of the roof. I have been forced, therefore, to purchase an expensive heating unit to supplement my existing heating system. My plan to install solar panels on my north-facing roof had to be aborted. My north-facing clothesline is now overshadowed for most of the year and thus, despite my desire to be as energy efficient as possible, I am forced to use the clothes drier. My study, originally the brightest room in the house, became the darkest so I was forced to move it to the stable. The stable had also lost access to winter sunlight but not to the same extent as the study. Altogether my combined heating and lighting bills have gone up by approximately \$300 a year. The following trend in my gas usage illustrates the dramatic rise in my bills. In August 1997, the year prior to construction, gas usage was 281 MJ. By August 1999, after the extra gas heater had been installed, gas usage had risen to 536 MJ and in August 2000 the levels had risen to 661 MJ. These expenses are of course ongoing and in addition to my estimated out-of-pocket costs of \$14,000.

Since 1998 I have endeavoured, unsuccessfully, to come to terms with my greatly diminished quality of life. I had thought it couldn't get any worse. I was wrong. Be warned!

Signs in Ruth's front garden



View of stable which appeared on plans as a small square labelled 'brick outhouse'



The development which overshadows, Ruth's property



President's SOS halts plan for tram stop led development



Address

Jack
Hammond

Congratulations to all members and supporters of SOS.

We have achieved our key objective - the demise of the Good Design Guide.

Few will mourn its passing.

On 24 May 2001

Planning Minister John Thwaites announced the GDG's replacement - ResCode.

We have welcomed ResCode but we will not know until later this year if it will save our suburbs.

By then we will see how residents, developers, builders, councils and the Victorian Civil & Administrative Tribunal use ResCode when they consider applications for building and planning permits.

We must remain vigilant. If ResCode does not deliver what the Planning Minister has promised, then the same problems which have plagued the planning system for the past five years will continue.

However we have been encouraged by Mr Thwaites' assurance that ResCode will provide the objectives and standards to 'protect the character of our suburban streets and country towns'.

Those assurances have been very heartening after our disappointment with a number of recommendations contained in the ResCode Advisory Committee's report which was released on 17 January this year.

We had been appalled to discover that the committee had recommended that the inadequate standards of the GDG should be retained, especially in relation to certain setbacks, walls on boundaries, site coverage, overlooking and overshadowing.

Residents' achievements, since our launch on 24 February 1998, are considerable. In addition to ResCode, there have been significant changes to two Acts of Parliament: the Planning and Environment Act 1987 and the Building Act 1993.

Some developers, planners and architects have characterised SOS' campaign to protect neighbourhood character as being anti-development and opposed to contemporary architecture. They are wrong. We are opposed to inappropriate development, not all development nor modern architecture.

Since 1998 it has been SOS policy that architectural drawings that form part of a building or planning permit application should be prepared by a registered architect. It is lamentable that architects design such a small proportion of new housing. In the Age on 25 May 2001, Melbourne architect Daniel Holan put the figure at a mere 6%. We would like to see many more residences designed by architects. We encourage architects to take up the challenge.

Membership renewals

Your membership renewal is now due. Please show your support for SOS by acting promptly.



On 8 March this year Save Our Suburbs turned the spotlight on a recommendation by the ResCode Advisory Committee which, if it had been accepted by the State Government, would have allowed for than five units to replace a single house if it was located within 400m of a tramstop.

The issue drew wide coverage in the metropolitan and local press and one radio.

Six days later Planning Minister John Thwaites made it clear that the State Government would not be accepting that recommendation.

SOS president, Mr. Jack Hammond QC had made it clear that if the recommendation had been accepted, 70% to 90% of all residential areas within the inner and middle suburbs would have qualified for a five-fold increase in existing housing density.

'Why? For the simple reason that virtually every house in the inner or middle suburbs would be within 400m of a tram stop, he said. Four hundred metres is a long distance, just over twice the height of the Rialto and it's the distance Cathy Freeman ran to win a gold medal in the Sydney Olympics', he said.

Mr. Hammond said that if the State Government had accepted the ResCode Advisory Committee's recommendation to allow 'more than a five-fold increase in density over existing densities' within 400m of a tram stop, train station or shopping

centre, it was inevitable that almost all residential areas within the inner and middle suburbs would be subjected to even more intensive, inappropriate multi unit development than at present.

Municipalities which would have been most affected by the 400m radius recommendation are: Boroondara, Darebin, Glen Eira, Maribyrnong, Melbourne, Moonee Valley, Moreland, Port Phillip, Stonnington and Yarra.

Bayside, Banyule, Hobsons Bay and Kingston would have been affected to a lesser extent because they do not have trams.

Inner and middle ring Councils shared the concerns of SOS.

SOS was told by Councils that between 70% of 90% of all residential areas in the inner and middle suburbs fall within the recommended 400m radius.

In Glen Eira News (Vol 49 March 2001) - a council publication - the City's Mayor, Cr Veronika Martens described the ResCode Advisory Committee's recommendation that one house could be replaced by five on the same site was 'just outrageous in the extreme' and 'at odds with our local planning'.

Cr Martens stated that 'practically everywhere' in Glen Eira is 'within 400m of a railway station, tram stop and shopping centre', and that her Council 'would have no control over where higher density development goes on in our City'.

Big win for Brunswick residents

By Lucy Sussex, Brunswick Residents Action Group

Brunswick residents are celebrating VCAT's decision that a planning permit should not be granted for a 10-storey, multi-million dollar development on the Whelan the Wrecker's former site, off Sydney Rd.

The local Moreland Council had been in favour of granting a planning permit for the building, designed by Ashton Raggatt & McDougall. Indeed, the council had promoted the development proposal as a landmark building for the area. Councillors Andy Ingham and Leigh Snelling were particularly vocal in their support.

By approving the project, the council had gone against advice from their heritage advisor, Trevor Westmore and their draft maximum height requirements for the location. A small group of residents appealed to VCAT against the council's decision to grant a planning permit. The hearing was held in early May this year by VCAT members Jeanette Rickards and Laurie Hewet.

The residents had legal and planning advice, however they appeared before the tribunal without either a lawyer, or expert witnesses. They were against Jeremy Gobbo QC who acted for the developers, Trackside Pty Ltd and a host of expert witnesses including an architect and members of the urban design group, Urbis. Alison Hallahan presented the residents' case.

Despite the odds, the residents won. VCAT directed that a planning permit should not be issued. The height of the 'landmark' was cited as one reason for the refusal.

This win demonstrates that it is possible for lay people to go up against corporate and legal muscle. The mouse that roared!

Fitting in with the neighbourhood



Before development



View down the street

By **Shane Moritz**, Media manager,
Archicentre, the home advisory division of the
Royal Australian Institute of Architects

The ever changing Melbourne planning codes have led to some of the most vitriolic discourse in recent months. And like a Shakespearean tragedy, this one has several conflicts wherein lies the fundamental question: To build or not to build?

The story is a familiar one. Residents are frustrated with the exploitation of their communities. They see alternative housing as a threat to the neighbourhood identity. Developers respond with a confrontational approach, ignoring the needs or the interests of the community. The residents have a valid argument. They have to live with the visual evidence that some developers use land unwisely. Such developers build something sub-standard, and then move on, leaving the community to live with it. It is natural, therefore, that residents object to such developments.

But development does not need to be out of step with the neighbourhood.

Recently a tired old weatherboard was sold in Hawthorn in a street lined with narrow fronted Victorian weatherboards. Because of the size of the site - 500 sq m - the new owner could have replaced the house with a large 'as-of-right' neo-Georgian mansion. Instead the old house was bought by an architect Peter Sugar of Caulfield Krivanek & Sugar who had other plans. The architect worked within the context of the street, building three narrow fronted terraces. The final result sustains the rhythm of the street. If the new homes did not look so pristine, people might think they have been there since 1890, which is essentially the idea.

But there's more at stake than simply unsympathetic builders and developers. The truth is, Victorians are getting older, working longer hours, having fewer children, and ultimately beginning new lifestyles. These factors have an irrevocable effect on the way we live. For a community to sustain itself, it must provide for all walks of life. Medium-density housing happens to be one of these alternatives. Archicentre supports medium-density housing which results from creative, contemporary design. Our managing director, Mr. Robert Caulfield says 'bullying' new homes that overshadow their neighbours make him indignant. According to Mr. Caulfield: 'A new home should be a privilege, not elicit confrontation'.

As a body, Archicentre believes planning should complement a residential area and not detract from it.

Archicentre has a history of adopting ruined homes, breathing new life into them and giving them back to the community. We believe all home renovations require conscientious planning and research, something that is not evident in many new home developments today. The controversy surrounding 'as of right' houses, has led Archicentre into highly-publicised renovation projects, with the intention of showing how planning can be achieved sensitively. In 1991, Archicentre purchased and demolished an ordinary home in an area predominantly made up of Californian Bungalows. The architects devised a plan that would mirror the character of the neighbourhood without compromising architectural integrity. We reinterpreted the California Bungalow style to produce a new state of the art home, in respect to urban form and character, despite the fact that it was three times the home's original area. Today, almost ten years later most visitors are hard pressed to tell if the home is new or a spectacular renovation of an existing home. It fits in so well.

Last year in Sydney, Archicentre financed a derelict worker's cottage that was scheduled for demolition in a heritage area. The brief asked to faithfully restore the facade of a century old worker's cottage, and give it a contemporary feel.

While a quaint worker's cottage may have sentimental value, the living conditions it provides are not exactly desirable by today's standards. If Henry Ford were alive today, he wouldn't build a Model T Ford. He would build a car that enabled 21st century driving.

Conventional thinking would have dictated the home to retain the pre-existing style it had kept for 100 years but we wanted to open minds to more possibilities. The little dwelling was treated to a makeover and given a radical extension. The home retained the integrity of the original cottage while adding plenty of contemporary living space at the rear and along the side of the house. The modern extension doubled the size of the heritage cottage, creating a surprising dichotomy between history and the present.

Robert Caulfield says that although we have a responsibility as citizens to preserve our heritage, we also must acknowledge that the size of our households and types of housing are changing.

It is Archicentre's policy that architects should respect the character of the area while designing projects for its clients. As Archicentre continues to grow, we hope that this philosophy will be instilled in developers and builders as well.

**Archicentre, 530 Glenferrie Rd., Hawthorn,
3122 Telephone: 9819 4577**



After development : Picture courtesy Caulfield Krivanek & Sugar Pty Ltd

Developers dig for gold in Bendigo



Even Bendigo has boundary to boundary development

By **Judith Garwood**, Bendigo resident

Bendigo is a city with a rich history built on gold. It is considered by many people to have the best preserved Victorian architecture in Australia. Bendigo relies heavily on attracting tourists by promoting its historic public buildings, gardens and gracious period homes, both nationally and internationally.

According to the City of Bendigo's heritage policy : 'Greater Bendigo has a large number of significant built heritage assets of local, state and national significance. These are buildings, sites and precincts dating from all decades of post contact settlement since the 1850s following the discovery of gold, throughout the municipality. The total complex of buildings, infrastructure, urban spaces and natural resources represent the most significant asset and resource in central Victoria'.

Edwardian house will be remodelled



Below: Old miner's cottage (middle)

However it appears that Bendigo's heritage is not as secure as it should.

I do not have to look beyond my own street - Williamson Street - for examples of endangered heritage.

Williamson Street begins in the centre of Bendigo at Pall Mall and boasts the famous Shamrock Hotel.

Four blocks away from the Shamrock and located among intact heritage housing are two houses which residents have fought hard to save from demolition. A developer wanted to knock both houses down and build three townhouses.

Council received twenty two objections to the proposed development and a large number of residents turned up to an applicant/objector meeting held on site at which they voiced concern that period houses in a heritage precinct could be demolished

The houses are a weatherboard miner's cottage built in the 1880s-1890s. The larger brick house next door to the cottage was built a little later.

Local residents had assumed that because the houses are situated within a heritage precinct, they would be protected from demolition. However we were dismayed to learn that the City of Greater Bendigo had issued permits to demolish both houses after a heritage advisor's report prepared for council stated no objection to the demolition of the buildings.

Then on 2 October last year, VCAT revoked both demolition permits because they had not been advertised.

A subsequent heritage report prepared for council stated that the houses were in such a

state of disrepair that they should be demolished. Council has since issued a demolition permit for the miner's cottage. The developer wants to replace that cottage with one single storey townhouse. The larger Edwardian house will be retained but extensively remodelled inside and it will share its site with two single storey units.

It is ironic that the council has issued a demolition permit for the miner's cottage when its own heritage brochure states: 'Our heritage is a significant economic and social asset which gives Bendigo so much of its distinctive appeal. Bendigo's heritage is everywhere. It is represented in the humble miner's cottage, scattered mining relics as well as the grandiose public buildings and stately mansions of the gold boom'.

And last year I welcomed my new nextdoor neighbours to our leafy street. In January this year my neighbours decided to sell their house and return to the town from whence they had come, but not before subdividing their backyard. A colorbond fence sprang up literally overnight. A block of 183 sq m was advertised as 'just right for a two storey townhouse'. Just right for whom I ask myself? Certainly not the neighbours over whose backyards the townhouse will tower over! And what about the character of the neighbourhood? How will a two storey construction crammed on a small block fit in with all the old homes set in gardens?

These are only a few examples of inappropriate development which are becoming all too familiar throughout Bendigo.

So far appeals to our local Labor member, Jacinta Allen and Planning Minister John Thwaites have had little effect.

Sadly it seems that all is not well in our beautiful historic city. The weekly walk I take with my sister, Glenda Murdoch - SOS' municipal representative for Bendigo - has become a 'walkwatch'. Once we walked purely for pleasure and exercise, now we are on the alert for inappropriate development.



Save our Brisbane suburbs



An old Queenslander occupying a prime site in Indooroopilly

By **Michael Yeates**, an architect and life long resident of Brisbane is concerned about the destruction of neighbourhood character in his city's suburbs.

Recent articles in *The Australian* have identified the ongoing battles in Australian cities to 'save our suburbs'.

Interestingly though, battles in Brisbane were not specifically identified. Yet, arguably, Brisbane is a specific case worthy of detailed study in regard to the planning and political processes. The whole city is administered by one large local authority - the politically powerful Brisbane City Council (BCC). It covers 30 km from north to south and 20 km from east to west.

Because the BCC is a major planning authority, it might be assumed that planning processes would be well developed and that at least in relative terms, both the processes and the outcomes might be exemplary.

However, current battles to 'save our suburbs' suggest that this is not the case despite a massive BCC public relations effort to convince residents to the contrary.

The first major round of the on-going battle by residents against inappropriate development took place in the late 1980s when Brisbane's timber and tin Queenslanders were being demolished at a rapid rate and replaced by 3-storey walkups known as 'six packs'.

BCC sought to regulate the 'timber and tin' areas with heritage guidelines and placed an increased value on preserving the old buildings.

The houses in the 'timber and tin' areas are made of wood with corrugated tin roofs and date from the latter half of the 19th century to the early 1920s. They encompass a range of architectural styles, from small workers' cottages through to elaborate colonial homesteads and more modest houses built in the early decades of the 20th century.

However, many owners transport 'timber and tin' houses - which are easily moved - to new sites both within and beyond the city. There is now a thriving market in 'timber and tin' houses of various periods and merit. These houses are displayed in large numbers like old vehicles in a car yard.

The relocation of those houses to other sites means their probable survival but what of the suburbs left behind?

In many areas, rather than the 'six packs' being built, 2-5 or more dwellings are being built on a lot where previously one house stood. However, such medium density development leaves little, if any, space for the trees or backyards so characteristic of Brisbane's older suburbs.

This medium density housing tries to look like the older houses. That solution is proving acceptable to development control planners but it is hardly a worthy way to preserve the character of our suburbs.

Brisbane's planning processes are therefore directed to 'planning' the redevelopment of much of the 'timber and tin' area so characteristic of this city and replace it with a pseudo version with much less open space and few if any remaining old trees. Was there an alternative?

The effect of our housing design guidelines has been to legitimise the removal and replacement of existing houses with so many approved variations that precedents exist for almost any kind of development thus removing the effectiveness of appeals.

As each area is redeveloped, it is irrevocably changed. As the character disappears, the redevelopment value peaks, then reduces. The developers then move on to a new area, again borrowing, or perhaps, more accurately, stealing the existing residential amenity with BCC planning approval. As this happens in each new area, the battles flare and then are lost.

Brisbane appears not to have a city-wide suburban protection group so that issues are made explicit, the processes identified and the failures recorded and made obvious. But it certainly has had, and continues to have the 'battles'.

With only one councillor representing up to 25,000 people in each of 26 council wards, our suburbs deserve more local input and arguably, increased control, not necessarily over whether development is permitted as that is a planning function, but definitely over the standards and quality of proposals.

Clearly, Brisbane's character is changing. If there is value in preserving the 'timber and tin' and the suburban character of the inner and middle suburbs and the outer villages, perhaps it is time for Brisbane residents to form Save Our Suburbs in Brisbane.



One of Brisbane's old timers

Bricked in!

After a site inspection, Council confirmed the existence of the walled-in windows. The windows had not been shown at all on the permit application plans. The Council immediately lodged their own s87 appeal with VCAT for amendment of the permit on the grounds of "a material mis-statement or concealment of fact in relation to the application for the permit", to try and get the wall altered for health and amenity reasons.

This s87 appeal included a stop order but when the stop work request had to be withdrawn by Council on a technicality at a preliminary VCAT hearing, the presiding Member withdrew the whole s87 appeal instead of just the stop order request.

I only discovered the error on checking later with VCAT for the written decision. My subsequent complaint was initially lost but finally resulted in a directions hearing where it took 20 minutes before the member understood his mistake and reinstated the amendment request.

To win the case, Council will have to rely on VCAT accepting that although the building has been effectively finished, it has not been constructed in accordance with all the permit conditions and should thus be deemed to be incomplete. Therefore, at the same time as the s87 appeal, Council also lodged a separate s114 enforcement request at VCAT to redress other permit conditions that had been broken regarding the number and screening of new windows at the rear of the site overlooking neighbouring properties.

Both the amendment and enforcement cases will now be heard together in August.

However, I had also detected another flaw in the developer's application, confirmed by an independent site survey - not only did the new wall cover the northern side windows of the neighbouring property, but it was built nearly a foot over the actual boundary. The threat of court action over the boundary issue has thus added weight to the case.

Developers should always have their own survey done to avoid this problem, especially for old and often irregular inner city subdivisions.

Council's problems

Council planners need to spend more time on adequate site inspection and assessment of applications, thus saving ratepayers' money (and residents' costs) for damage control later, in this case including four VCAT appearances by Council lawyers.

Planners also need to be more helpful in dealing with complaints, especially when there are language or other cultural barriers. In this case, Council should have offered an interpreter and initiated the site inspection after the resident's first complaint, as well as explaining her legal options to challenge the permit.

An initial comprehensive site inspection would have revealed the long-term existence of the abutting windows. Instead, the planner relied on the developer's incomplete plans, although to his credit, he did question other inadequacies to the extent that it took half a dozen requests over 5 months for all the appropriate information to be supplied for the application to even be processed.

Resident's problems

In this case, the widow claimed she had never received notice of the development from Council. Residents should be aware that such information is

very important. Some projects can be stopped or at least amended. Never ignore letters from Council about nearby planning development. Contact Council as soon as you become aware of an application; check the plans and object in writing if warranted.

In this case, Council could have been made aware of the side windows during the application process so the permit would have required the new abutting wall to be set back from the boundary.

Even after a permit is granted, it's important to act quickly if a breach of the permit conditions is identified (before-and-after photos always help). It's much easier to correct a problem before construction becomes too far advanced. Here, an appeal to VCAT to amend the permit to change the wall while it was still only half-built would have been legally more simple and more likely to succeed.

VCAT's problems

This case also highlights the administrative problems that can occur at the Tribunal. The most common problems are the loss of documents sent to VCAT and errors in documents sent by VCAT to other parties, where things like the case number, property address or even the content of the letter may be factually incorrect.

Check document details carefully and always follow up with VCAT if there seems to be an inconsistency and don't be content with verbal confirmation - get it in writing.

Remember the price of justice is eternal vigilance.

Ian Wood is a member of SOS who acts for residents opposing inappropriate development. He is currently doing a Masters in Planning and Environment at RMIT.

**Contacts for Ian - 112 Kent St.
Richmond 3121
Ph/Fax: 9429 3581
Mobile: 0409 137 046
Email: ian.c.wood@bigpond.com**

continued from page 1

action will be initiated through the Victorian Civil & Administrative Tribunal to seek an order enforcing the return of both properties to single residential occupancies'.

The letter also informed the Russells that council had issued Planning Infringement Notices which 'require the landowner to bring the property (sic) into conformity with the Yarra Ranges Planning Scheme, by returning both properties to single occupancies'

Both the extended bungalow and the single storey house are separated from the dual occupancies by a dividing fence.

Michael Corrie says Mooroolbark is characterised by single detached houses built on blocks which are generally larger than 800 sq m.

Bedroom window obscured by single-storey section of wall 100mm away



Rear view - new extension to right, obscuring windows in wall to left

by **Ian Wood**, BSc, Dip Ed, community planning consultant

I met her on her third attempt. Twice between July and Sept 2000, this quiet, unassuming migrant widow in her mid-70's had gone to Yarra Council to stop a wall being built as part of a rear renovation which was obscuring several windows along the northern side wall of her house close to the boundary. Each time she had visited the planning office she had been told a permit had been approved and nothing could be done. Her son had been told the same over the phone.

This time she had brought an Australian neighbour along with her to the planning counter, since her English was poor. They were still getting the same response. Talking to them later, I found their story hard to believe so I accompanied them back to the property with a camera and there it was - a new brick wall, partly double storey, built only 100mm away from her existing windows.

By now it was at least 3 months since she first realised what was happening, so too much time had elapsed to appeal to VCAT on her behalf for cancellation or amendment of the permit, so I referred the matter to Council's head planner.

Show your neighbourhood in a good light

By Lesley Coleman, member of the Beaumaris Conservation Society

One of the most important challenges faced by those fighting inappropriate development is how to describe 'neighbourhood character'. With neighbourhood character now a key consideration, it is crucial that we demonstrate to VCAT members exactly what is meant by the characteristic elements of our neighbourhoods.

My partner, Rod Winning and I are video film makers and active members of the Beaumaris Conservation Society Inc. I have been writing BSC submissions against inappropriate development for three years. When the BSC made a submission on ResCode, Rod and I decided to make a short video which described the character of our beloved Beaumaris. We used visual images to explain how greatly elements like density and site coverage impact upon neighbourhood character.

Recently, we have been more directly involved in fighting an inappropriate two-storey dual occupancy proposal close to our home. We realised that the best way to get our message across to the chairperson was to present video evidence. By filming the street and the surrounding streets we could show that there is a very definite,

homogenous character that should be respected. The video provided very strong evidence to the Tribunal. We are still waiting for the result. We believe video evidence is pretty hard to disregard and will become more important as time goes by. I wouldn't mind betting that planning and legal firms will soon start using video evidence to show the parts of an area which they believe defines neighbourhood character. We believe residents should be made aware that neighbourhood character can be shown far more clearly and concisely with video evidence than any number of photographs.

Rod and I are offering our video making services to those putting together a case against inappropriate development. For \$990 we will visit you and film what you consider is the neighbourhood character you wish to present together with any interviews you want to organise. We will edit the material, add music and provide you with four copies on VHS.

Contact us on 9589 5661

The pictures should show the full storey

By Paul Crompton, proprietor Artscene

Drawings which honestly represent the appearance of the final building are critical to the assessment of a new development proposal.

But all too often such drawings can be inaccurate at best. Sometimes they can be considered as absolutely fanciful.

So called 'artist's impressions' of a development play an important role in decisions whether building or planning permits should be granted.

Residents too, also assess such drawings before deciding whether to accept or object to a proposed development. It is understandable, therefore, that tempers rise if the constructed development does not correspond to the presentation drawings.

Recently, local residents approached me about a proposed multi unit development which they believed would be a gross overdevelopment.

They had expressed their concerns to the council's town planner but were dismayed when that planner fully supported the development.

After examining presentation drawings, I was able to identify several documentary errors. More importantly I was able to demonstrate by my own drawings not only what the developer had omitted from his submission to council but what this bulky development would really look like.

The permit application, which had been supported by the town planner, was the last of a group of seven to be considered at a council meeting. While waiting for the council's decision on our proposal, I observed other residents presenting their objections to the other six proposals under consideration during the council meeting. It seemed to me that although most residents had valid objections, they were unable to suitably demonstrate those concerns. It also

became apparent that many people, including councillors, have some difficulty understanding architectural plans. This was also raised by one of the councillors, who informed the meeting that it was easy for incorrect drawings to get past councillors. The councillor said that even though councillors view submissions every week, they still had problems understanding the drawings. The councillor then commented that on that basis what chance did residents have in understanding such drawings. The purpose of this article is to express my understanding of the community's concerns with inappropriate development and to offer my services in preparing accurate representations of contested developments. I have worked in the building industry for 45 years. Although I have not been involved in residential construction, my role as project manager extended to developing plans and presenting ideas to management for approvals. I regret my services cannot be performed for no cost but my fees will be minimal. Like all of you, I wish to see an end to the destruction of our suburbs and the loss of their architectural character.

Contact Paul Crompton at
Artscene Studio of Fine Art,
PO Box 2697
Cheltenham 3129,
tel: 9583 1310
fax: 9583 5227
email: artscene@alphalink.com.au

Municipal Representatives

Ballarat	Greg Henderson	5331 3537
Banyule	Jane Crone Noel Withers	9457 1675 9435 4513
Bass Coast Shire	Carola Adolf	5678 22866
Bayside	Cheryl May Derek Wilson Jocelyn Lee	9596 1823 9583 2839 9596 6835
Boroondara	Keryn Christos David Tink Adele Barrett Gillian Simonson Luba Copland	9817 3755 9830 5280 9836 0640 9813 2186 9885 1869
Darebin	Lee Burton	9489 4021
Frankston	Ian McKenzie	0411 561 561
Geelong	Judy and Bob Hutchinson	5278 7203
Glen Eira	Cheryl Forge	9576 0099
Hobsons Bay	David Moore Patsy Toop Roy Armstrong	9397 5773 9397 7666 9398 1594
Kingston	Janelle House	9772 4862
Knox	Jill Wright Greg and Gayle Mackenzie	9762 7632 9379 8585
Manningham	Rosa Miot	9842 1292
Maribyrnong	Alan Ross Jack Harrison	9318 5833 9317 7843
Melbourne	Jan Salmon	9349 4779
Moonee Valley	Rick Clements Diane Adey Michael Gill	9337 5647 9379 4513 9379 9624
Moreland	Ronnie Whitmore	9380 1481
Mornington Peninsula	Meg Bredihal Arthur Moore Ralph Percy	9787 3033 5975 6148 5974 1222
Port Phillip	Phil Shaw Rohan Hamilton	9699 6371 9225 8755
Stonnington	Tom Moloney Dianne Duck Ann Reid	9510 3540 9576 1492 9569 9686
Sydney	Sally Pike	(02) 9437 1427
Whitehorse	Philip Warren-Smith John Hodgetts	9890 6107 9890 6966
Yarra	Jo Kinross Ruth Clemens	9419 8499 9428 0282

Media Watch

Stonnington Leader, 30 April 2001

'I am certainly quite rattled with what has occurred tonight. And certainly there were a number of people in the gallery who were upset'. - **Stonnington councillor Annette Stockman** commenting on an incident during a council meeting. According to the Stonnington Leader, developer Andrew Vasiliou had to be 'restrained by spectators and council staff' after his application to build a 10-storey apartment building in Claremont St., South Yarra was turned down.

Stonnington Leader, 30 April 2001

'We're angry at what is going on in the area with developments. The number of old Victorian houses being pulled down and buildings going up is awful. The buildings are overlooking, overshadowing, and trees are being demolished. If this latest one goes up in my street, I will be squashed between a nine-metre building and an 11-metre building'. - **Toorak resident Ms Judy Uglow**

Stonnington Leader, 2 April 2001

'It is a large amount of money But our opponents spend a lot of money on representation. Most of the time we are defending against high profile solicitors. We have to respond to that' - **Stonnington Council's manager of planning, Mr. Marco Negri** explaining why the council spent \$240,000 fighting cases at VCAT last year

The Age, 30 March 2001

'The question is never put to the public: Should we scrap the liveability and increase the density or should we keep the status quo? It is never explained to the public that increasing the density involves overstraining or devaluing all other urban parameters - what might be described as the Calcutta option' - **Dr Miles Lewis** criticising the Bracks Government's recently published report, Challenge Melbourne.

Moorabbin Standard, 27 March 2001

'... at about 10 am ... I heard this strange sound and looked out my window to see this huge big machine, and it about four minutes the tree was

gone. Children used to play under the shade from that lovely old tree and now it's just a dust bowl with not a blade of grass on it'. - **Cheltenham resident Patricia Dillon** mourning the felling of an 80-year-old oak on a development site at 89 Centre Dandenong Rd.

The Age, 27 January 2001

'People want to know that their house and investment will not be affected by what is next door or down the road', **Garth Greenaway, marketing director of the Greenfields Sanctuary Lakes estate** quoted in an article which claimed that some home owners 'burnt in inappropriate development in Melbourne's established suburbs' had turned to new housing estates for 'greater planning protection'.

The Australian, 24 January 2001

'I'm interested in markets, I happen to believe in markets. But I don't believe in markets in architecture. It's a snatch-and-grab operation by greedy developers and compliant architects. If we don't make the rules, they'll tread on us'. **Former prime minister Paul Keating** addressing a public forum on urban design in Sydney.

Sunday Herald Sun, 22 October 2000

'The sheer size, out-of-character design and building materials used for the dwelling have created an imposing eyesore ... This is like having someone living in our backyard - it has destroyed our amenity and that of our neighbours. One window looks right into our daughter's bedroom - it is unacceptable'. - **Essendon resident Jerzy Gill** commenting on a double-storey development next door built after a private building surveyor issued a building permit for a 'garage extension'. The airconditioned building has a living room, bedroom, bathroom, kitchen and balcony.

Metro News, 13 September 2000

'[A] phantom dauber has scrawled on an inner city wall: "Save Our Suburbs. We Will Oppose Inappropriate Graffiti". What do a bunch of do-gooders have to do to get some respect in this town?' - **Item in the Metropolis column**

Spotlight



Urban Design Award for SOS President

SOS President Jack Hammond has won one of Stonnington Council's inaugural Urban Design Awards.

Jack was presented with the Community Participation Award by the City's Mayor Cr Leon Hill on 6 June 2001.

Jack accepted the award on behalf of all members and supporters of Save Our Suburbs and the SOS committee.

He told those attending the awards that SOS would like to see many more architects involved in the design of residential buildings.

VCAT: Let's try mediation

The Victorian Civil & Administrative Tribunal is seeking to promote mediation as an alternative way to solve planning disputes.

An information brochure on mediation is now available from VCAT.

The brochure describes mediation as a 'flexible and informal approach to settling disputes'.

It says parties to a dispute would have a confidential meeting with an independent mediator with the aim of trying to realize a practical solution to a planning dispute.

The brochure is available from VCAT's Planning List, 55 King St., Melbourne 3000, ph: 9628 9777, fax: 9628 9789.

Requests for mediation should be addressed to the Principal Registrar of Planning List.

Contact SOS

mail PO Box 5042 Y,
Melbourne, 3001
phone 03 9849 0023
email sosmelbourne@sos.org.au
website www.sos.org.au

Sponsorship
IS Advertising 9596 8000
Printing courtesy Multi-Art Design & Printing 9329 3833
Website design by Peter Billingham 0414 227 389
Can you help SOS by offering your skills? Call Di to find out 9849 0023

R E S I D E N T S
Voice

Essential Reading



12 Residents Voice Issue 10, July 2001

special offer for Residents Voice readers

Written by Dr. Miles Lewis, Reader in Architecture in Melbourne University. 309 pages with illustrations.

Name	
Address	
Suburb	
State	
Telephone	
<input type="checkbox"/>	Copies of Suburban Backlash @ \$15 each
Plus postage & handling Victoria \$5.50 each	
Interstate \$8.80 each	
Total \$	

Cheque or Money Order payable to: Save Our Suburbs Inc
PO Box 5042 Y,
Melbourne 3001

All proceeds to SOS