



The Hon. **KELVIN THOMSON** - Convenor Email: [pleasant123@me.com](mailto:pleasant123@me.com)

## CONVENOR'S REPORT No. 49 - MARCH 16, 2025

### VC 257

Planning Amendment VC257, which gives effect to the Government's announcements about high-rise "Activity Centres", has been introduced and is now before the Parliament. The Built Form Overlay (BFO) for the core activity centre exempts applications from the usual provisions concerning notice, rights of objection, and appeal, thereby excluding residents and third parties. Height controls will be included in a schedule for each of the activity centre core areas. So the height limits, and whether they are mandatory or discretionary, will not be known for each area until the relevant schedule is published.

The Housing Choice and Transport Zones (HCT Zones, referred to by some way as the Ham, Cheese and Tomato Zones, on account of their initials) are a new name for the previously called "Walkable Catchment Zones". Prof. Michael Buxton has expressed concern that the strong heritage protection objectives in the current Neighbourhood Residential Zones will disappear in the Ham Cheese, and Tomato Zones, which fail to maintain heritage as an objective.

These Zones are divided into two for the purposes of height controls. The inner zone areas have a height limit of four storeys, or six storeys for lots of above 1000 square metres. The outer zone areas have a height limit of 3 storeys, or 4 storeys for sites larger than 1000 square metres. This will act as an incentive for developers to buy and consolidate multiple lots.

### RESCODE AMENDMENTS

Planning Amendment VC 267 gives effect to Government changes to ResCode. If a development meets the new deemed-to-comply standards, then local Councils must issue a permit. Residents cannot ask for a review of the decision at VCAT. Developers retain the right to request VCAT to review a local government decision to not issue a permit. Neighbourhood character has been removed as a consideration.

### TREE CANOPY TARGETS INCOMPATIBLE WITH NEW PLANNING RULES

**The Age reported on Friday 14 March (Sophie Aubrey, "Shade thrown on 'impossible' tree canopy targets) that "Councils and experts warn the Victorian Government's tree canopy goals are in conflict with its own new rules for apartment developments".**

The Victorian Government's Plan for Victoria calls for 30% tree canopy cover in urban areas. However, the new planning rules allow developments to provide as little as 10% tree canopy cover on sites of up to 1000 square metres, and 20% for larger sites. Minimum setbacks have been reduced, and permitted building coverage increased.

Blackburn and District Tree Preservation Society President David Morrison said the government's canopy targets did not add up. "It wants a greener, cooler Melbourne while trying to pack more and more buildings in". City of Banyule Mayor Elizabeth Nealy said lower canopy cover requirements on new developments undermined the broader goal of 30 per cent coverage in urban areas.

City of Whitehorse Mayor Andrew Davenport said the reforms eroded the Council's ability to protect tree cover and would "seriously undermine" its canopy goals. City of Boroondara Mayor Sophie Torney said "The government says it wants 30% tree canopy cover, yet the changes do the exact opposite – shrinking setbacks, reducing open space and making it even easier to remove trees".



*"You can't have it both ways. Without space for trees to grow, the target is meaningless".*

Thanks to Ian Stewart for passing on this report.



## IMPACT OF THE CHANGES IN SOUTH EASTERN SUBURBS

Moorabbin and Hampton East have been designated as "Activity Centres". Developments of 2-3 storeys will no longer be subject to resident or council appeals. Around the Nepean Highway buildings of 8-12 storeys will be permitted. The ResCode changes will allow a height of 3 storeys in many residential streets.

Updated plans for the Suburban Rail Loop Cheltenham Precinct have been published. The height limit along Bay Road/Nepean Highway has been reduced from 10 to 8 storeys. Many areas remain unchanged, including Gasworks and sites near the new station, which still allow for 18 storey developments. Height limits in the Bayside Business District have increased from 4 storeys to 7, or in some cases, 10.

## CHADSTONE ACTIVITY CENTRE UPDATE

The Victorian Planning Authority has issued an update on planning for the Chadstone Activity Centre. Some areas have been removed from the "walkable catchment" and limits placed on where six storey buildings are permitted. The Authority is introducing a new funding mechanism to raise funds for new and upgraded local infrastructure. (I haven't personally seen any detail about this. Given how contentious the failure to provide infrastructure to match population growth has been, to say this is a matter of public interest is masterly understatement!). The Authority says that feedback about overshadowing "is helping us refine our plans to make sure important parks, streets and places remain sunny all year round".

## "DESIST FROM HIGH-RISE HIGH DENSITY" PETITION

Members from resident action groups attended the Victorian Legislative Council on 5 March to support the petition "Desist from High-rise Density Zone Planning", and to listen to the parliamentary debate accompanying it.

The petition was signed by around 4000 Victorians. It expressed opposition to the announced 10 high-rise, high density zones in the municipalities of Bayside, Boroondara, Darebin, Frankston, Glen Eira, Hume, Kingston, Monash, Moonee Valley, Stonnington, Whitehorse and Whittlesea.

The petition said "municipal heritage overlays and designations will be overridden, resulting in the destruction of thousands of irreplaceable heritage properties, and tree canopy protections will be overridden, resulting in the loss of neighbourhood amenity and the exacerbation of urban heat island effects". It also said "These plans are not accompanied by proper health or education service plans or plans for additional open space despite proposed massively increased local populations".



As I reported last time, Woolworths are at it again in Elsternwick. Rosetta Manaszewicz points out that Woolworths were twice rejected by council for two towers. They appealed to VCAT and were again rejected. On the second occasion, VCAT granted a permit for one 9 storey tower and one 6 storey tower. Woolworths submitted a construction management plan which was not consistent with the VCAT order. It was rejected by Council.

Now VCAT has gone direct to the Minister. Rosetta says this is akin to permit shopping – when you don't like the umpire's verdict you try to bypass it completely. The new application increases heights in one tower by 3 storeys, compared to the VCAT decision, and an increase of one storey for the other tower, compared to the VCAT decision.

Residents would welcome any support from members of the public and resident action groups. Stop the Elsternwick Towers has a Facebook page where you can find further information.

## KINGSTON RESIDENTS ASSOCIATION

EST. 2012

Thanks to Rosemary West and the other Kingston Residents Association members for the opportunity to be the Guest Speaker at their AGM on 1 March. Among other things, I said that I believe in the principle of subsidiarity, and that local residents, not State or Federal Governments, should decide how much population growth they have.

I also said that **"I believe that our democracy is weaker and more fragile than it has been for over 100 years. In order to survive, it has to be meaningful. All the fine words you might hear about democracy at school or at Citizenship Ceremonies will ring hollow if you have no actual say in the world around you. If people have no genuine say, they become cynical and apathetic about democracy. We need to give people some power over what happens in their world, even if they sometimes make mistakes"**.

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# HERITAGE MATTERS

## VALUING DARKNESS – SOLVING LIGHT POLLUTION, SYMPOSIUM AND ROUNDTABLE

**HERITAGE MATTERS** campaigner **B. McNicholas** is supporting the “Valuing Darkness -Solving Light Pollution Symposium and Roundtable, which runs from 19 to 21 March. It will be held at the Melbourne City Conference Centre, RMIT University, 333 Swanston St., Melbourne.

It has been organized by the Australasian Dark Sky Alliance, and co-hosted by the Illuminating Engineering Society, International Association of Lighting Designers, and the Network for Ecological Research on Artificial Light. This three day symposium will explore light pollution’s impact on urban planning, ecology, human health and cultural heritage.

There are also specific events taking place, such as the “Dark Sky Place-making, reducing pollution, on 21 March from 1pm-3pm, a workshop for everyone looking for dark sky designation in their local area. Given the threat posed by artificial light at night (ALAN) at places like Royal Park and Wattle Park, this is a useful event. To register for one or more of the program activities, go to <https://www.australasiandarkskyalliance.org/>.

## IMPACT OF TREE COVER ON URBAN HEAT ISLAND EFFECT

B. Mc Nicholas has also provided recent research concerning the impact of high rise buildings on the urban heat island effect. A study of the cooling effect of trees in high-rise buildings in relation to spatial distance from the buildings was written up in Sustainable Cities and Society, Volume 114 1 November 2024, 105737. This study found that trees’ cooling impact varies depending on how close to buildings they are. Tree cooling effectiveness decreased by 71-91% based on location.

A study of urban tree canopy cover in the city of Ghent, Belgium, found locations with 100% tree canopy cover were effectively 5.5 degrees cooler than paved, treeless locations. Expanding urban tree cover is likely to be the best solution for improving local thermal comfort levels during daytime heat peaks (though it provides little relief at night).

A study by the Victorian Department of Planning found that between 2014 and 2018 residential land lost 737 ha of tree canopy cover. This was a change from 15.0% cover in 2014 to 14.3% cover in 2018. YIMBYs think we can compensate for moonscaped private blocks by planting more trees on parkland, but this is in decline as well. Between 2014 and 2018, parkland in Melbourne lost 158 ha of tree canopy cover. This is a change from 21.1% cover in 2014 to 20.6 % cover in 2018.

(<https://www.planning.vic.gov.au/guides-and-resources/Dataspatial-and-insights/melbournes-vegetation-heat-and-land-use-data/>.)

A study in London found that urban tree canopy coverage in London may have reduced excess heat-related mortality by around 16% between 2015 and 2022.

(<https://pmc.ncbi.nlm.nih.gov/articles/PMC11009716/>). Less encouragingly, researchers in Washington have found that while an urban tree canopy of 40% results in cooling of as much as 4 to 5 degrees Celsius, anything less than 40% canopy cover results in only small amounts of cooling. (<http://ncelenviro.org/articles/first-in-science-city-trees-can-reduce-urban-heat-island-effect/>).

## JOSEPH ROAD FOOTSCRAY

Ian Stewart sent me an Opinion Piece in The Age from 28 February written by a resident of the Joseph Road Footscray high rise tower complex. The author describes the real world consequences of putting 8000 people into a dozen towers up to 30 storeys high.

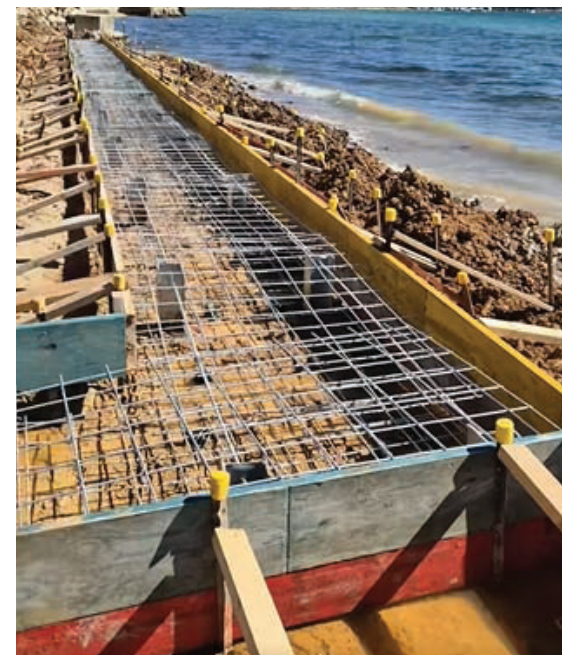
A lack of on site parking leads to a constant stream of vehicles circling the precinct looking for a park. The nearest supermarket is 1.4 kilometres away, with a single corner shop in the complex selling milk at exorbitant prices to a captive market. The complex was built without footpaths, and residents moved in before streets were paved. “The dusty streets and seemingly endless construction work are more than just an eyesore, they’re a danger.”

“Building the housing first and basic infrastructure later remains an example of how not to hit high-density housing quotas”. (“Melbourne’s ‘worst’ development a lesson in what not to do”).

## PRIVATE BEACH WORKS AT OLIVER’S HILL FRANKSTON

Thanks to Michele McKinlay for bringing to my attention private construction work taking place at Frankston’s famed Olivers Hill and beach on Crown Land. I was astonished to see the work taking place on the beach itself.

Fortunately, the work has generated a media outcry, and investigations by the Victorian Environment Department (DEECA) and Frankston Council. Beaches are public assets, which belong to all of us, and need to stay that way.





#### FRIENDS OF QUEEN VICTORIA MARKET INC.

Bob Evans from Friends of Queen Victoria Market has prepared a rebuttal of the Lendlease document prepared for the Federal Environment Department to consider under the EPBC Act.

Bob says that, contrary to Lendlease claims in the PER, the removal of trader storage in the Franklin Street stores forces traders into a more complex, inconvenient, logistical setup, which will increase operational costs and time burdens. He says the removal of at grade car parking cuts direct, convenient access for both traders and customers, leading to inevitable foot traffic decline and reduced sales. He says the creation of an event space ("Market Square") prioritises entertainment and tourism over market functions, which shifts the market's purpose.

Bob says the Market's heritage character will be adversely changed by being hemmed in by multiple high-rise towers, by replacing trader storage with boutique retail, and by converting the car park into an entertainment precinct. He says the high-rise towers will have an oppressive psychological impact on the market by hemming it in. The open air market experience will be destroyed. He says the claim of community consultation is a shameless distortion of the truth – traders and heritage protection advocates have been "ignored, misrepresented, and tokenised".

Federal Environment Minister Plibersek and her Department have the final say concerning the project.

## "NOT A BIG ISSUE UNTIL IT IS" – FIRE SAFETY STANDARDS

Thanks to Angela Walker for passing on a report in The Age on March 10 by Rachel Eddie titled "Not a big issue – until it is: Almost 90% of apartment buildings fail fire safety standards". The headline is self-explanatory, and a matter of real concern. The article can be found at

<https://www.theage.com.au/politics/victoria/not-a-big-issue--until-it-is-almost-90-per-cent-of-apartment-buildings-fail-fire-safety-standards-20250305-p5lh2o.html>.

## PORT CAMPBELL – VIEWING PLATFORMS BLOCKING THE VIEW

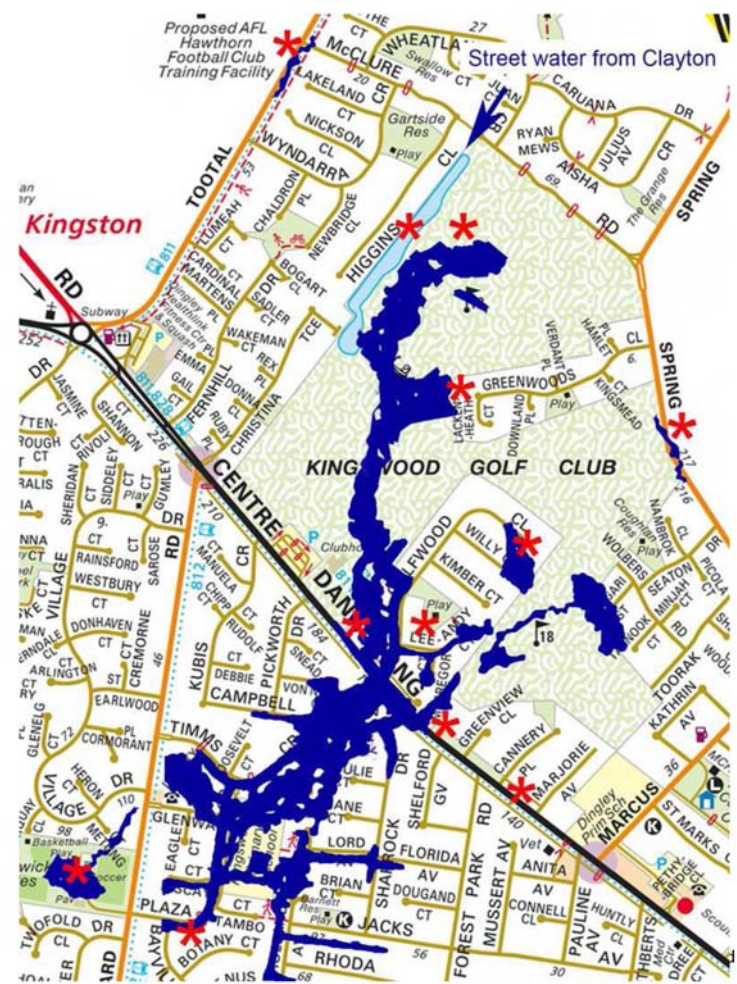
Marion Manifold, the Secretary of the Port Campbell Community Group, is promoting a petition against a streetscape project at Port Campbell. She says "The designers' egos seem to have taken over and the wooden zig-zag balustrades block what is currently a stunning view of the bay for people walking along the promenade, children or seated people, people in cars, and adjoining businesses and homes".

The petition can be found at <https://chng.it/spbTPWvzNm>.

## PLANNING DEMOCRACY

**Let me know if your group is doing something, or something is happening in your neighbourhood, that we all should be aware of.**

**Email: [pleasant123@me.com](mailto:pleasant123@me.com)**



## ALFRED, LISMORE, AND KINGSWOOD

I sent a support message to the Save Kingswood Group public meeting of Friday 7 March. I said "There are a number of issues which the proposed construction of 915 micro units throws up. The loss of vegetation and open space, the increasing heat island effect, the lack of provision for the education and health needs of the extra residents. But the biggest issue in my book is the flood risk. In 2025 there is no excuse for governments and water authorities not being mindful of the risk that new dwellings will be inundated by extreme weather events, which are becoming more frequent and more severe".

Right on cue, in came Cyclone Alfred, flooding southern Queensland and northern New South Wales. Poor Lismore, totally flooded only a couple of years ago, copped it again. Clearly there are many properties here which are now uninsurable, and in quite a few cases, uninhabitable. Lismore presents a nasty dilemma. Either residents are bailed out by taxpayers to relocate elsewhere – a very expensive proposition for taxpayers – or they are impoverished as a result of their properties becoming worthless, an equally poor outcome.

We need to make sure we don't have more Lismores. Our planning needs to ensure that flood prone areas are just not built on.







Jenny Warfe from Save Our Seat, and the Port Phillip Conservation Council, are campaigning against a proposal by the owners of The Eagle/Gondola in Arthurs Seat State Park to build a Luge/Rollercoaster underneath the existing Eagle/Gondola route on the north face of Arthur's Seat. The Conservation Council says the proposal involves an 8 storey tower at the summit of Arthurs Seat, an illuminated pedestrian bridge, a second restaurant, a roller coaster toboggan ride up and down the slope of the northern face of Arthur's Seat, and doubling the size of the premises at the foot.

The Conservation Council says claims that this infrastructure would have minimal impact on wildlife are not credible.

## GREEN WEDGE APPLICATION – 445 THOMPSON RD BANGHOLME

Gaye Guest is encouraging objections to an application by a Church in Green Wedge land in Bangholme. The works involve the construction of buildings and the removal of native vegetation. Objectors say the application is not consistent with the Green Wedge zoning, not compliant with an ESO3 Overlay, not compliant with EPAV Safety Regulation 1518 of 2013, not compliant with ETP Major Hazard facility, not compliant with the Broiler Code Buffer distance from a broiler farm, and that the traffic access is not suitable for large groups and commercial vehicles. The application number is PLN24/0399, and the relevant Council is the City of Greater Dandenong.

## INLAND RAIL THREATENS EUROA STREET TREES

Benjamin Preiss reports in The Age that Inland Rail (the freight project connecting Melbourne directly with Brisbane) plans to remove the plane trees that line the Anderson Street entrance to Euroa.

Residents are fighting the plan. They say the town's forebears had shown great vision by planting the trees, whose outstretched limbs throw generous shadows over the footpaths, offering respite from the afternoon heat. The trees also create a sense of arrival for people visiting Euroa, or returning home. In future visitors will be met with "kerb-to-kerb concrete" rather a tree lined street.



Anne Heath Mennell has sent me the latest UK Garden Museum publication (posted 20 February 2025). It has an excellent article with the self-explanatory title "Three 'Saved' Green Spaces in London: How the City's Parks were Protected for Future Generations".

It describes in detail the battles in the nineteenth century to save Hampstead Heath, Clissold Park Stoke Newington, and Hilly Fields, Brockley, from development. One important feature of the article is the way campaigners back then realized the health value of the parks, referring to them as "The Lungs of London".

In 1865 the Open Spaces Society, Britain's oldest national conservation body, was established. Founder members included John Stuart Mill and Octavia Hill. Octavia later co-founded the National Trust. Their campaign for Hampstead Heath was finally won in 1871, with an Act of Parliament declaring that "It would be of great advantage to the inhabitants of the Metropolis if the Heath were always kept unenclosed and unbuilt on, its natural aspect and state being, as far as may be, preserved".

Octavia Hill spearheaded the successful campaign to stop Hilly Fields at Brockley from residential development. She said "We all want quiet. We all want beauty... we all need space".



*"The parks are the lungs of London."*  
– William Windham, 1808

# HOME WINDOW MANUFACTURING EXITS AUSTRALIA

Readers will be aware that property developers regularly seek to blame planning rules for the cost of housing. The real culprits are elsewhere, and seem to go un-noticed and unremarked.

For example, on March 3 Australia's last remaining manufacturer of architectural float glass shut its doors. Oceania Glass packed up after 169 years in operation. As far as I am aware, it wasn't reported in the media. The only reason I know about it is because Macrobusiness reported a heartfelt message on LinkedIn from its CEO.

According to Macrobusiness, Australia will now have to import all its windows for housing. Oceania Glass packed up amid soaring gas costs. It required large amounts of energy, particularly natural gas, to maintain the 2000 tonne furnace at the heart of its operations.

The ironic thing about this is that Australia has more gas reserves than you can poke a stick at. However, we allow gas companies to export it to the highest bidder – mostly China and Japan – rather than using it here to enable us to manufacture our own products and be more self-sufficient. Glass is yet another residential construction input that is destined to become more costly, and another little piece of our sovereignty that has quietly melted away.

## INTERNATIONAL STUDENT CHEATING

Australia has more international students per capita than any other country in the world. Although it is presented as an "export" industry, a lot of the students work here to pay for their fees, which is not "export income" at all. The rise in international student numbers has come with rising rents and housing shortages.

The Australian Financial Review has reported that it has also come with a rise in student cheating. In the University of Melbourne's latest academic misconduct report, from July 2024, 75% of reported academic misconduct cases in 2023 involved international students, despite them making up about 42% of total students. The proportion of international student cases in 2022 was 68%. International students at the University of Sydney were involved in 80% of misconduct cases last year.

Herman Chan, principal advocate at Academic Appeal Specialist said "Australia's top universities have lower entry barriers than their global counterparts. Compared to other top universities worldwide, getting into Australia's leading universities is relatively easier".

**Our Universities need to address this. Reputations matter.**

## COMING EVENTS

**Wednesday**

**19 March – Friday 21 March**

Valuing Darkness

– Symposium and Roundtable.

See article in the main Report for details.

**Weekly on Sundays**

**11am – 11.45am**

Garden Tours of Como.

Como House, South Yarra.

Book through the National Trust.



**18 April – 18 May**

National Trust Australian Heritage Festival.

For example, the Castlemaine Historical Societies will present "The Alchemy of Gold – The Golden Transformation of Victoria",

16-18 May, Campbells Creek Community Centre, Campbells Creek.

**KHALIL GIBRAN**

***"Safeguarding the rights of others is the most noble and beautiful end of a human being".***



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**That's all folks, till next time. Keep up the good work!  
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