



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

## CONVENOR'S REPORT No. 17 - OCTOBER 18 2022

### PRE-ELECTION FORUM

Like our previous Forums on Heritage Protection and Tree Canopy Cover, our Pre-Election Forum at the Ashburton Library on 8 October was a great success. The thirty plus representatives of resident action groups who attended heard a presentation from Professor Michael Buxton setting out the current State planning context, received a background document from Christine Pruneau (Macedon Ranges Residents Association) outlining changes to the State Planning Rules since 2014, received answers so far to a questionnaire we have sent to Victorian political parties, and heard from representatives of numerous groups about their plans for the State Election. We had a general discussion about the actions needed to make residents rights in planning, and heritage protection, State election issues.

A key theme at the Forum was the value of working together. There is strength in numbers. It is absolutely true that different groups will have different priorities, that local circumstances differ from area to area, and that one size does not fit all. However one group of residents approaching their MP with a list of demands is at real risk of being ignored, whereas many groups approaching MPs and candidates with essentially the same list of demands is much harder to ignore. In that spirit we will continue to work with like minded groups such as the Australian Heritage Advocacy Alliance, the Royal Historical Society of Victoria, and the Green Wedges Coalition. Kim Stevenson from [scaleitdownbrunswick](http://scaleitdownbrunswick.com) described the 2 two most important issues we want candidates to address as:

- ***Erosion of community voice and third party rights in planning decisions, and***
- ***The need to reconstitute and respond to concerns raised in the Victorian Parliamentary Inquiry into Protections within the Victorian Planning Scheme.***

Thanks again to Ian Morgans, Kim Stevenson, Christine Pruneau, Rosemary West and Michael Buxton for their great work in enabling this event to happen.

### SUBURBAN RAIL LOOP

The Suburban Rail Loop was discussed in detail at our Pre-Election Forum. This Thursday 20 October at 7.30pm the Surrey Hills and Mont Albert Progress Association is hosting a Forum on the SRL and its impact on the Surrey Hills and Mont Albert communities. It will feature Emeritus Professor Michael Buxton and the President of the Town and Country Planning Association Marianne Richards, and be at the Surrey Hills Uniting Church Hall, 681 Canterbury Road Surrey Hills.

On 25 September the Guardian published a quite detailed account of the opposition to the SRL. Michelle Hornstein, from the Move the Train Yard movement, described it as "more of a planning project than a transport project", due to the fact that planning authority for a massive 1.6 km radius of each station will move from local Councils to the State Government.

The Surrey Hills and Mont Albert Progress Association says that planning controls and processes will be simplified to favour fast tracking of medium and high density development, and that densification of their neighbourhood with more high rise developments is likely.

# STATE ELECTION QUESTIONNAIRE RESPONSES

A key focus of the Pre-Election Forum was the Questionnaire we have sent to the Victorian political parties. I am attaching a complete version of it. I encourage groups to send it to their local MPs and candidates. Feel free to adapt it as you see appropriate. Please also let me know what responses you receive – I am happy to advise our supporters of the responses by individual MPs and candidates.

As you can see, the Questionnaire asks candidates whether they agree that

- **Developers now have too much say in decision-making, while residents and communities have not enough**
- **Certainty and consistency need to be achieved through mandatory planning provisions and prohibitions, not Ministerial amendments that remove the need for permits and community consultations**
- **Enforcement policy (eg for illegal vegetation removal) is weak, supports a cumbersome and costly process and imposes inadequate penalties that reward bad behaviour.**
- **The rights of Councils and communities to be heard in decision-making have been eroded by successive State Government amendments to the planning framework**
  - **Developers and their associates need to be banned from making political donations**
  - **The Parliamentary Inquiry into Planning and Heritage Protection must be re-started by the new State Government.**
  - **Melbourne's Green Wedges and Agricultural Land Action Plan must be immediately released and implemented.**

The Questionnaire also identifies 11 objectives of the current Planning and Environment Act, such as protecting built heritage, protecting natural heritage, conserving and expanding tree cover, and sustaining the influence of resident and community voices in decision-making. We ask whether the use of the planning framework is achieving these objectives.

We have received replies so far from 3 political parties. Ryan Smith, Liberal Party Shadow Minister for Planning and Heritage, Samantha Ratnam, Leader of the Victorian Greens, and Clifford Hayes, Sustainable Australia Party Member for the Southern Metropolitan Region in the Legislative Council, responded on behalf of their parties.

The Greens and the Sustainable Australia Party agreed with every concern we raised about the current planning system, and every suggestion we put forward for reform.

The Liberal Party Opposition agreed with every concern we raised about the current system, except for "making development and infrastructure adhere to planning scheme aims and controls", where they ticked the "more information needed" box. Mr Smith also agreed with every suggestion we put forward for reform, except for the "ban developer donations" box, where he replied that "Private donations have been significantly limited by legislation".

We have also received a response from Sally Gibson, an Independent candidate for the seat of Brighton, supporting all our positions and proposals. Angela Walker has forwarded to me the response she received from the Liberal Candidate for Ashwood, Asher Judah, to a questionnaire she has sent to Ashwood candidates. Mr. Judah's responses to questions relevant to Planning Democracy were that he doesn't support land tax on the family home, supports tougher planning controls on building heights, and on density, supports preservation and protection of open spaces, canopy trees and green wedges, supports allowing the community to have a more active role in planning decisions that affect them, supports the current laws on political donations, and sees the long-term management of Melbourne's growth to be the biggest challenge facing the Victorian Government.

Thanks to all those who have responded so far. The positive nature of these responses re-inforces our view that we have strong community support for our positions. If we did not have this support, candidates and parties would be reluctant to embrace our positions.

**We have not received a response so far from the Government or from other parties. I will of course provide those responses when we receive them.**

## FLOODS

Both metropolitan and country Victorians are currently experiencing very severe flooding. While over the years there has been a tendency to characterise floods as “exceptional”, eg “one in a hundred year” events, no-one following the climate change debate thinks it will be another hundred years before we get more floods like these.

We need to ask, are we building homes in locations that will inevitably lead to disaster? This photo of flooding along the Maribyrnong River shows submerged land which belongs to the Federal Government via the Maribyrnong Defence Facility. Property developers want to build thousands of houses on this land, and certainly the previous Federal Government wanted to let them. The only thing really standing in their way was disagreement over who should pay to clean up the contaminated soil – the developers want the Federal Government to pay for it; the Government wanted the developers to.

Thousands of extra dwellings on this site would mean big money for developers, but the rest of us foot the bill. Loss of biodiversity, loss of open space, extra pressure on existing transport, health and education infrastructure. And, in all likelihood in future, taxpayer funds for flood relief, and higher home insurance premiums to cover the cost of flood insurance payouts.

### QUEEN VICTORIA MARKET

Charles Sowerwine, Chair of the Royal Historical Society of Victoria’s Heritage Committee, has written an excellent submission to Heritage Victoria on behalf of the Society opposing the Melbourne City Council plan to install freestanding, lockable retail and hospitality sheds in the Market.

The Society says the permit application poses a grave danger to the market’s heritage values. It proposes to effectively close off one half of the most historic part of the market – the 1878 sheds, with a variety of semi-permanent structures. The proposal will prevent public access, physically and visually, to a significant proportion of the sheds. The Society says horizontal transparency is important in this traditional market. The proposal will block the open visual appearance of the market. The Society also notes research showing public concern that the Market not be turned into a sanitized food hall.

The Society concludes that the proposals represent a threat to the core business of the market, its fruit and vegetable trade in traditional format, and to general merchandise, so important to tourism. It calls on Heritage Victoria to refuse the permit application.



### A WIN AT OAKLANDS JUNCTION

The Green Wedges Coalition has been successful at VCAT opposing an application for a large market in the Sunbury Maribyrnong Valley Green Wedge. VCAT upheld their view, and that of local residents, that an urban use like this should not replace agriculture on a Green Wedge site.

The Green Wedges Coalition had been approached by Ross Hoysted, who breeds and keeps thoroughbred horses on a ten acre property next door to the site. The whole area has a strong connection to horses, with the nearby Woodlands Historic Park being host to the Living Legends, where retired racehorses including Melbourne Cup winners live out their retirement. Woodlands is at the headwaters of the Moonee Ponds Creek, which can do without urban development of this kind at its source.

### SAVING MOUNT ELIZA’S RESERVOIR AS A PUBLIC WETLAND

I have been reporting on and supporting the efforts of the South-Eastern Centre for Sustainability to keep the decommissioned Kunyung Road reservoir in Mount Eliza in public hands. These efforts have now received support from the Victorian Opposition. The Liberal Shadow Minister for the Environment, and the Liberal Candidate for Mornington, put out a Press Release on 3 October committing to keeping the land in public hands and maintaining it as public open space as a wetlands area.



### 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.*

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## ROYAL EXHIBITION BUILDING AND CARLTON GARDENS

The good news at the Royal Exhibition Building is that the promenade deck underneath the World Heritage listed Royal Exhibition Dome is now open to visitors for the first time in a century.

Well done to the Friends of the Royal Exhibition Building and Carlton Gardens, and to Protectors of Public Lands, who campaigned for this outcome for many years.

The bad news is that the Melbourne City Council has resolved to extend the licence for the Melbourne International Flower and Garden Show from 2024 to 2029, with unseemly haste. I wrote to Council asking that the licence extension be delayed until the completion of the World Heritage Management Plan Review of the site.

Heritage activists such as Bea Mc Nicholas, Margaret O'Brien and Fiona Bell were dismayed that the approval was off the back of a Council Agenda sent out publicly on the afternoon of Thursday 22 September, Australia's National Day of Mourning for Queen Elizabeth, the day before the Aussie Rules Grand Final holiday, and two days before the Grand Final itself. The co-incidence of the death of the Queen and the Grand Final made the week similar to the week between Christmas and New Year, when it is unreasonable for decision makers to expect residents to be involved in consultation and decision-making.

Furthermore, it is clear that a licence which doesn't start till 2024, the year after next, and then runs for 5 years, is both a big decision, and one which requires no haste. Resident action groups continue to believe that more consideration needs to be given to alternative locations for the Festival which would not have the same impact on a World Heritage listed asset.

## KILMORE'S EQUINE OVERLAY

The Kilmore and District Residents and Ratepayers Association Inc. (KADRRRA) battle against overdevelopment in Kilmore has turned to the issue of Kilmore's Equine Overlay. Vyvienne Whitehurst has written to Mitchell Shire asking what happened to the Equine Overlay in the transition from the Shire of Kilmore to the Shire of Mitchell.

The Overlay was in place during the life of the Shire of Kilmore. As there is nor record of the Overlay being removed by the Mitchell Shire, it should still be in place, but the Overlay does not appear on Mitchell Shire planning documents, and planning decisions now appear to be made as if it does not exist.

Vyvienne says the omission is causing community distress, with property developers encroaching on properties which were covered by the Equine Overlay. KADRRRA do not want to see Kilmore become an outer housing suburb of Melbourne, without any thought given to Kilmore's horse heritage, history or husbandry. They do not want this area to "become back to back housing estates, with no yards for kids to kick a ball around, as is what is happening with the re-zoning that has been legislated by Council in much of this area".

As the Overlay has never been officially rescinded, KADRRRA has asked Council to formally reinstate the Equine Overlay and Equine Precinct area.



## BEAUMARIS MODERN OPEN DAY

Thanks to Beaumaris Modern for inviting me to their Open Day last weekend to see some of the innovative architecture for which Beaumaris is famous. Some of Australia's best-known mid-century modern architects designed their earliest homes in Beaumaris. These architects were experimenting with new materials and design ideas. Houses were placed on the block to gain northern light, roofs were often flat or skillion and with large eaves. Inside houses were open plan, full of colour and modern patterns.

The Open Day, which happens only for one day every few years, gives the public an opportunity to see the creativity and design flair of these architects. It also shows how homes can be sympathetically restored and remain assets for many years to come. Beaumaris Modern is a community group formed with the aim of celebrating, educating and promoting the importance of preserving the wonderful mid-century architecture of Beaumaris. More strength to their arm!

## **KINGSTON PLANNING SCHEME AMENDMENT C203**

Ian Morgans has done a great submission to the Kingston City Council's consultations for Planning Scheme Amendment C203. He lives in an area of Mordialloc proposed for change to permit 3 storey dwellings. He opposes this change on a number of grounds –

- Traffic and parking. "Increased population density in three story dwellings will increase local road traffic and street parking. Our neighbourhood already resembles a car park, and there is no evidence that proximity to public transport and services reduces car ownership. Everyone will still want to own and park a car".
- Vegetation and tree cover loss. "This neighbourhood already suffers relentless tree and vegetation loss on private property". It "is a fantasy" that "Increased population density, increased demand for parking and more shading from three story dwellings" will deliver the "enhanced environmental sustainability" claimed in the Council report.
- No evidence of social benefit. "The cookie-cutter design of the two-story townhouses that are transforming Melbourne's suburbs are far less diverse than the single-dwelling homes they replace".
- Not compatible with environmental policies and strategies. "Increased population density will lead to more impermeable surface, vegetation loss, demands for additional spaces for motor vehicle transit and parking, and pressure on open space".
- Population Growth to 7.9 million by 2051 is not a foregone conclusion. "I reject the notion that a doubling of Melbourne's population is inevitable. It is not. We can choose to be a smaller city. Plan Melbourne's population projections are the product of lobbying by vested interests". Great work, Ian!

Nina Earl has also done an excellent submission to Kingston Council setting out detailed suburb by suburb comments. On the bigger picture, she says that "to markedly promote population and density within Greater Melbourne is to reduce liveability for nature and people also, which merely reduces natural values and encourages people to move further out. Greater Melbourne and its municipalities need limits to growth to prosper sustainably". Indeed.

## **HEPBURN SHIRE BIODIVERSITY THREAT**

Alison Joseph reports that a group of residents in Hepburn Shire are fighting a development for a dwelling in a farming zone on less than half the minimum 20 hectares normally required for a dwelling. The permit for a dwelling was granted in 2016, not in association with a farming use, but so that the owners could live on the land and protect the habitat. Once the permit was issued, a large amount of vegetation, including native vegetation, was cleared from the property. It was then sold.

The new owners have now applied for an amended permit, but want to build the new dwelling on some of the last remaining native vegetation on the site. This vegetation is habitat for Powerful Owls, Brush-tailed Phascogales, and Koalas. The requirement for a "defendable space" will require clearing, lopping and modification of vegetation for 61 metres around the house. The owners have not explained why they want to build amongst the trees, when there are already many suitably cleared sites on the property.

There needs to be more recognition of the importance of established trees and understorey for endangered species, and the impact of removing the interconnection between trees on arboreal species. Alison reports that Hepburn Shire has a poor record when it comes to enforcing conditions on planning permits, and that local residents are being forced to pick up the bill for the matter at VCAT, due to Council's unwillingness to protect the biodiversity on the site.

She says "Little wonder Australia is suffering from a biodiversity crisis!"

## **TOONDAH HARBOUR – WALKER CORPORATION**

The Walker Corporation, Australia's largest and wealthiest private developer, has released an Environmental Impact Statement for its development proposal at Toondah Harbour near Brisbane. They plan to replace internationally-significant migratory shorebird habitat with 3,600 apartments.

Birdlife Australia and other environment groups and local residents have been campaigning against this destructive and greedy proposal for years. People who want to help stop this project should go to the Birdlife Australia website and the Save Toondah webpage and share the information there with others.

## SAVE WESTERN PORT WOODLANDS

Save Western Port Woodlands organised a forum recently with over 200 people to hear from candidates in the Bass electorate what actions they would take to protect the Western Port Woodlands from sand mining. The Liberal Party candidate committed to protecting high value vegetation in the area and to the highest protection levels for the Adams Creek Nature Conservation Reserve near Lang Lang. The National Party candidate committed to a moratorium on new work permits in the Western Port Woodland until the Bass Coast Distinctive Areas and Landscapes project is complete, the current review of Extractive Industries Interest Areas is completed, and it is determined whether construction sands can be sourced from other locations that don't require habitat destruction.

The Greens candidate committed to a moratorium on new mines and mine expansions while further research is done to investigate alternative locations. The Animal Justice Party candidate for the Upper House Eastern Victoria region committed to an end to sand mining and land clearing in the Western Port Woodlands, and removal of the Extractive Industry Interest Area classification of the land covered by vegetation. The Labor Member for Bass made no specific commitments.

## CARING FOR WESTERN PORT COUNTRY

Neil Daly has written in the Bass Coast Post (21/9/2022) about the need to treat Western Port as a wholistic entity. He bemoans the fact that the Bass Coast Distinctive Areas and Landscapes project ends at the border between the Bass Coast Shire and Cardinia Shire. He further regrets the fact that the Marine and Coastal Policy 2020 stops abruptly 5 kilometres inland from the high-water mark, ignoring the wider catchment area. Furthermore Ministers can permit inappropriate developments even within the five kilometre boundary, as has happened with sand mining. He notes that a decision about the future of the Lang Lang Proving Ground, much of which lies within the 5 kilometre boundary, is pending.

## VALUE OF LOCAL NEWSPAPERS

One thing which comes up regularly in my discussions with resident action groups is that the disappearance of local weekly newspapers has had a disastrous impact on the capacity of people to have their say on local issues. This was brought home to me again by the appearance in Brunswick of the Brunswick Voice, which is trying, in its words, to "put a newspaper back on the streets of Brunswick".

The edition I saw carried, somewhat to my surprise, a report of the objection I had done as Convenor of Planning Democracy to a development in Brunswick that would see the removal of trees and buildings more than a hundred years old (38 Harrison Street). I have attached a link to the report.

It appeared together with a number of other stories about planning issues in Brunswick under the very appropriate heading of "Planning". The message is clear. With a regular local paper, the community can have a serious debate about planning issues, and it is much harder for decision-makers to ignore local opinion, which is staring them in the face. Without them, we are at the mercy of Council and other consultation processes, hoping our views will not be filed away somewhere in cyberspace.



38 Harrison Street, Brunswick



## COMING EVENTS

**Thursday 20 October**  
7.30pm.

### **Surrey Hills and Mont Albert Progress Association Planning Forum –**

How the Suburban Rail Loop will impact you.

Surrey Hills Uniting Church Hall,  
681 Canterbury Road,  
Surrey Hills, or via Zoom.

**Thursday 20 October**  
7pm to 8.30pm.

### **Brunswick Residents Network Election Forum**

with Brunswick State election candidates. Brunswick Uniting Church  
214 Sydney Road Brunswick.

**Friday 21 October**  
9.30 – 10.30 am.

### **Merri-bek City Council Urban Forest Strategy Update. Coburg**

Town Hall, Bell St Coburg. A useful follow-up to our Tree Canopy Cover Forum in Moorabbin. Tickets can be booked using the Trybooking link: <https://www.trybooking.com/CDKLR>.

**Thursday 17 November**  
7pm.

### **Port Phillip Conservation Council AGM.**

Guest Speaker, internationally renowned climate scientist Dr Kathy McInnes, CSIRO Oceans and Atmosphere.  
Longbeach Place,  
Chelsea Community Centre,  
15 Chelsea Rd Chelsea,  
*behind the Library.*

## SYDNEY'S OUTSKIRTS STILL WAITING FOR SCHOOLS, ROADS, SHOPS.



What's missing from this picture? You guessed it, trees. But wait, there's more. Pretty much everything needed for a successful community is missing. According to the Sydney Morning Herald, the closest primary school was the size of a country school and now has 19 demountables. The closest shops are a 40 minute round trip, and longer in peak hour. Trains come hourly, at peak time.

Narrow roads are choked. The repeatedly promised Hospital still doesn't exist.

As the headline to the story says "Here's what's missing – everything": No schools and no services but houses keep going up". It's what happens when Governments run a Population Ponzi scheme with an economy based on property development.

## HALF OF WESTERN SYDNEY FOODBOWL LAND MAY HAVE BEEN LOST TO DEVELOPMENT IN JUST 10 YEARS

The Conversation reported on 21 September that Western Sydney University Professors of Urban Planning had found that Western Sydney may have lost as much as 60% of its agricultural land over the past 10 years. The significance of these losses is that Western Sydney has long been the foodbowl of Greater Sydney. The city relies heavily on Western Sydney for livestock, vegetables, eggs, grapes and nuts.

The Professors say that "Perishable foods grown close to urban markets not only reduce transport and energy costs, and emissions, but also improve a city's food security". They say "The loss of productive land around our major cities is an increasingly urgent issue for our food security".

Professors Michael Buxton and Andrew Butt made the same point about Melbourne two years ago, saying that urban sprawl and rural subdivision could halve Melbourne's peri-urban food production capacity from meeting 41% of the city's food production needs in 2020 to just 18% by 2050.

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