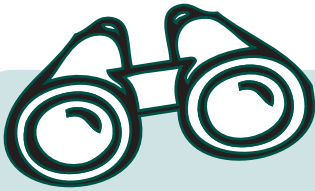




PLANNING DEMOCRACY

The Hon. **KELVIN THOMSON** - Convenor Email: pleasant123@me.com

CONVENOR'S REPORT No. 42 - AUGUST 6, 2024



YIMBY MELBOURNE TREE CANOPY COVER REPORT

YIMBY Melbourne recently produced a report on Melbourne's tree canopy cover. The report acknowledged that their plan to build tens of thousands of new dwellings in Melbourne's 19 metropolitan municipalities "will require dense, six-storey housing on a large number of lots currently zoned Neighbourhood Residential Zone and General Residential Zone", ie single dwelling blocks.

They admit this will lead to the destruction of the trees and other vegetation currently on those blocks. They propose that this loss of vegetation be made up for by additional planting on nature strips and other public open space. They attempt to calculate what the cost of this planting might be, but make no attempt to suggest who should pay for it. Theoretically developers, the State Government, or local Councils could pay for it. In practice, none of them has put their hand up to do so. If the YIMBY proposal is to be taken seriously, they need to identify who is going to pay for it, so we can check whether there is any realism behind the proposal.

Secondly, the land they suggest be used to compensate for the lost trees on private land is nearly all managed by Councils. Given this, you would think that they would have consulted with Councils or their representative bodies, such as the MAV and VLGA, to see whether the proposal has their support. There is no evidence of this having happened. The MAV has informed me that it was not consulted by YIMBY Melbourne.

Thirdly, the data they use to discuss tree canopy cover is not sourced. The Combined Residents of Whitehorse Action Groups, who have done a lot of work on the tree canopy cover issue, have advised me that the YIMBY data greatly overstates tree canopy cover in Whitehorse. YIMBY Melbourne claim that Whitehorse has 30.4% tree canopy cover. The Whitehorse City Council Urban Forest Strategy 2021-2031 states (p.6) that Department of Environment Land Water and Planning data from 2018 measured tree canopy cover across Whitehorse at 18%. This was down 2.28% from 2014, a net loss of 10% of the canopy present 4 years earlier.

In the light of this revelation, I wrote on the weekend to the Mayors of 17 of Melbourne's Councils, to ask for their most up to date information on tree canopy cover, so we can check the accuracy of the YIMBY data. I also asked them whether they had been consulted by YIMBY Melbourne concerning their plan. I didn't write to Whitehorse or Merri-bek because I already have that data.

I have just received a reply from Maroondah. It advises me that their latest tree canopy data has a total figure for Maroondah of 27.6%, well below the 35.1% quoted by YIMBY Melbourne.

I will inform you of other Councils' responses when I receive them. However, based on the inaccurate data being used for Whitehorse, Maroondah, and Merri-bek, and the glaring flaws concerning funding and approvals, it is safe to say this Report is simply an attempt to dress up and disguise an ugly plan to turn all of Melbourne into one giant concrete jungle. YIMBYs are still DOPEs (Destroying Other Peoples Environments).

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



HOMES SITTING EMPTY IN A HOUSING CRISIS

The Boroondara Heritage Group for Advocacy and Protection (BHGAP) featured prominently in a report in *The Age* by Greg Callaghan – Saturday Age Good Weekend magazine 13 July – “Derelict by Design – The empty-houses scourge politicians aren’t talking about”.

The article starts with an outline of the fire that badly damaged Shenley Croft, a historic mansion in Canterbury, which had been purchased some years earlier and left idle and unoccupied. It goes on to say that idle homes are widespread in Melbourne and Sydney. It quotes an estimate of nearly 100,000 vacant properties in the Melbourne metropolitan area.

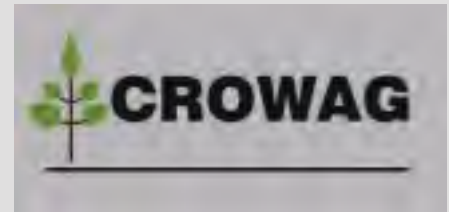
The article quotes Christina Branagan, spokesperson for BHGAP, saying “There is no credible evidence heritage is preventing new housing, except in a few cases. There are 70,000 homes in Boroondara, and 85% aren’t heritage listed... We have remarkable architecture here, built to last.... Vested interests want the land that heritage buildings are on to make money”.

Similar issues face Sydney. John Stamoulis, a Councillor with Sydney’s Inner West Council, says, “Next time you hear someone describe the inner west as a Not In My Backyard (NIMBY) zone, you might want to remember our housing density is almost double that of Parramatta at 1272 dwellings per square kilometre”.

Economist Cameron Murray, author of “The Great Housing Hijack”, identifies a range of reasons for the current housing shortage. He says record high migration rates post COVID “increase demand for housing, which is why property speculators, landlords and YIMBYS love keeping those rates so high”. The article notes that one of YIMBY Sydney’s three founders, Melissa Neighbour, is the owner of Sky Planning, a town planning consultancy which has developers and builders as its clients. In Brisbane, YIMBY Queensland co-founder Natalie Rayment is the Executive Director of the Wolter Consulting Group, “providing planning – to government, development and infrastructure sector clients”, according to the company website.

I am advised that the Treasurer of YIMBY Melbourne is Tristan Layton, and that he is a lawyer for Planning and Property Partners, which represents developers of apartments in Bayside.

The article concludes by noting that Boroondara Council has petitioned the Victorian Planning Minister to enforce Section 6B of the Planning and Environment Act, which prohibits development or profiting from land on which a heritage building has been neglected or unlawfully demolished. If it is enforced, it would be the first time this section has been used to stop the demolition of a home. If not enforced, Christina Branagan says “it will send a green light message to any developer with a bent to destroy heritage-listed properties”.



OPEN SPACE SEMINAR

The Combined Residents of Whitehorse Action Groups are holding a Seminar on “Maintaining our Open Space”.

**When - Wednesday 21st August,
7.30pm- 9pm.**

**Where - Blackburn Lake Visitor
Centre.**

**Presenters are Lisa Letic,
City of Whitehorse Director of
Community Services, and
Iris Wang, Coordinator Recreation
and Open Space Development.**

Whitehorse Council have developed a 15 year Open Space Strategy which is open for public comment until 30 August. The Whitehorse community is rightly concerned about the availability of public open space for passive and active recreation, access to nature, and its greening and cooling role. Attendance is allocated on a ‘first in’ basis. Bookings are essential. To assist CROWAG meet the cost of public liability insurance, attendees are asked to make a small donation at the venue on arrival. Please email the Secretary on crowaginc@gmail.com to book a place.

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SYDNEY APARTMENTS SITTING IDLE

The ABC also carried a report about Sydney apartments sitting idle – “The empty Sydney apartments sitting idle and unoccupied during a housing crisis”, by Millie Roberts and Amy Greenbank, posted 28 July. Professor Cathy Sherry from Macquarie University told ABC News homes are being left vacant in part due to the “hundreds of thousands of dollars a year in capital gains” owners can make from them.

She said “The problem is that Australia has in the last 30 years, basically exclusively relied on the private sector to build our housing, and that was just never going to work”.

This is correct. We used not to have a genuine homelessness problem, but now we do. Instead of “delivering” housing, that is, wishing and hoping the private sector will do it, State Governments need to get back into the business of actually building, and operating, housing.

Thanks to Monica Kerlin for drawing this report to my attention.



FRIENDS OF QUEEN VICTORIA MARKET INC.

QUEEN VICTORIA MARKET

The City of Melbourne Future Melbourne Committee is now considering applications for the Queen Victoria Market Precinct Southern Site Towers 1,2, and 3, 65-159 Victoria St. As Mary-Lou Howie, of the Friends of Queen Victoria Market, and B. Mc Nicholas, have pointed out, further action on this project should not be occurring in the light of the decision by the Federal Department that the proposal is a "controlled action" for the purposes of the Environment Protection and Biodiversity Conservation Act. The Queen Victoria Market is on the National Heritage Register.

It is unfortunate that these applications get rushed through with so little opportunity for resident consultation. B. Mc Nicholas and I requested the item be deferred – there are 98 pages in Agenda Item 6.1, and 114 pages in Item 6.2. It's no good saying you are committed to consultation and community engagement when your actions don't match the words.

The present situation is that the southern development site has heritage permits from Heritage Victoria, and the Planning Minister approved the Development Plan on 28 June.

Council is now considering the individual planning applications for the towers, but the State Minister has the final say on them. Mary-Lou Howie has asked Federal Minister Plibersek whether the amended plans require a further referral from the developers under the EPBC Act. The Federal Government's assessment is key to the Queen Victoria Market's future.

FRESH FOOD MARKETS STILL PLAY A ROLE

There is a lot of public concern about, and no shortage of inquiries into, the dominance of supermarket chains. Consumers are paying extremely high prices for food, while farmers receive comparatively little reward for their efforts. Fresh food markets represent one way of tackling this problem.

Mary-Lou Howie writes, in a letter published by The Age, **"Markets are an essential alternative in the food security of our city, meeting the demand for the purchasing of fresh food closer to the source"...** **"Unreasonable demands by market managements for stall infrastructure upgrades negatively affect the myriad small businesses by increasing overheads and thus prices"...** **"Evolving our markets into bland shopping malls is not in the interests of the markets and the community that rely on them"**.



FRANKSTON UPDATE – WIN AT VCAT

VCAT has upheld Frankston City Council's decision not to grant a permit to the "PACE" proposed high rise tower. This is the second of three high rise proposals along Kananook Creek so far to go before VCAT. The decision had little to say about environment or amenity, and therefore opens the door for a revised application, but is a win for local residents all the same. Thanks to Jenny Warfe for this advice.

Unfortunately, Frankston Council has now approved a 14 storey high-rise building at 424-426 Nepean Highway, Frankston. A planning permit for the site was issued in September 2018, but the proposal has since undergone numerous changes. Local artist Sheila Newman will be the artist-in-residence in Mornington from July 31st till August 6th. Sheila's exhibition includes portraits of Barry Jones MP. Barry is famous to an older demographic due to his brilliance as a contestant on the TV show "Pick a Box". He would have won a lot of money on "The Chase"! In Federal Parliament he chaired a 1994 Inquiry into Australia's population-carrying capacity.

Sheila says "The stated purpose of proposed Planning Scheme Amendment C160fran is to 'assist in accommodating anticipated population growth in Victoria'. Despite this clearly stated objective, residents of Frankston have been explicitly prevented from commenting on this population-growth rationale".

KHALIL GIBRAN

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

HERITAGE MATTERS

B. Mc Nicholas did a detailed submission to the City of Melbourne's Future Melbourne Committee Signs Policy Review (Agenda Item 6.1, 23 July). The Policy Review had noted that the accumulation of illuminated signs is increasing artificial light at night in the municipality, and is detrimental to the city's liveability and sustainability.

Her submission noted the importance of this policy for places like the Domain Parklands. It was critical of the new Lord Mayor's plan to 'light up the city', saying it was wrong and misleading to correlate increased night lighting with safety. It also set out the findings and advice of public health experts and researchers on the issue of ALAN – artificial light at night. Circadian rhythm disturbance is a common feature of many psychiatric disorders. Light is the primary input to the circadian clock, with daytime light strengthening rhythms and night-time light disturbing them. Therefore, habitual light exposure may represent an environmental risk factor for susceptibility to psychiatric disorders. I also did a submission to the Committee, along similar lines.

Kaye Oddie has drawn my attention to a report on The Guardian on the issue – "Let there be night: digital billboards to be turned off to curb light pollution under Melbourne city proposal". (Adeshola Ore, 18 July). Cr. Rohan Leppert said "we don't want a situation where lights are so bright when no-one is watching them – but they have the capacity to keep people awake".

Kaye makes the good point that if ALAN is a problem in the CBD, then parks like Royal Park should also be protected from it.



"BIGGER COUNCILS ARE BETTER"

The YIMBY submission to the Victorian Parliament Inquiry into Local Government Funding and Services again reveals the YIMBYS to be advancing the agenda of property developers rather than the best interests of residents. In particular they propose that "bigger is better" when it comes to Councils. They go so far as to suggest that Metropolitan councils be abolished and replaced with a Greater Melbourne Council, like that in Brisbane.

This would be highly undemocratic, and bad for ordinary residents, reducing their already compromised opportunity to have a say in the character of their neighbourhood and community.

They also propose to do away with rate capping. Rate capping is a useful protection for residents against Council waste, extravagance, and poor priorities.

It has been suggested to me that people have a look at the YIMBY submission to the Inquiry into Local Government Funding and Services (below). The deadline for submissions has passed, but there is nothing to prevent you putting forward your own views to the MPs on that Inquiry.

https://www.parliament.vic.gov.au/49ec5f/content/assets/f20267bd4b7e4e148b9134090aab28a0/submission-documents/004.-yimby-melbourne_redacted.pdf

HOUSING TARGETS AND OPEN SPACE

Macrobusiness reports that ABS and Victorian Government projections see Melbourne's population increasing by 5.5 million in 55 years, from 3.5 million in 2001 to 9.0 million in 2056.

SGS Economics and Planning have calculated that Melbourne will have 25% less open space per person within two decades. We have around 24 square metres per person now; by 2043 the average person may have only 18 square metres. "This would be truly regrettable", study co-author Marcus Spiller said.

HOUSING TARGETS AND TRANSPORT

A "Melbourne on Transit" blog has studied the impact of the State Government's housing targets on our transport system. It says the targets essentially amount to doubling the amount of dwellings everywhere by 2051. They make the reasonable point that more homes = more people = more cars. They look more closely at Darebin (Melbourne's north) and Glen Eira (Melbourne's south), which now have around 150,000 people, and 1.5 cars per household (Darebin) and 1.6 cars per household (Glen Eira). They predict the changes would lead to Darebin and Glen Eira each accommodating 100,000 more cars than they do now.

As cars are 5 metres long on average, 100,000 of them bumper to bumper would be a 500 km long line – just about to Mildura. And that isn't allowing any space for them to actually move.

They say that in an established area you can only have two out of three of More Homes, More Cars, and More Trees. While they would like it to be the cars that go, my bet is that it will be the trees.

COUNCIL ELECTIONS

The next Council elections will be held by postal vote in October. In order to be sent a ballot paper, you need to have a registered address. You should check that you have the correct enrolment by 4pm Wednesday 7 August. You can check your details online at

<https://www.vec.vic.gov.au/enrolment/check-my-enrolment>.

Council candidates are increasingly declaring themselves and starting to campaign. Resident action groups and supporters should be taking this opportunity to ask them questions, to identify their commitment to giving residents a say, and to protecting our trees and our heritage. A good way to do this is to send them a link to our Liveable Victoria Manifesto, ask them to read it, and ask if they agree with its recommendations.

CITIZEN PANELS AND JURIES

Council Watch Inc has described Citizens Panels and Juries as a dud. It says they are selected by officers rather than chosen at random, and used to undermine the say of the democratically elected Councillors. They are a poor and lazy substitute for genuine community consultation, which clearly identifies the issues to be resolved, draws in as many members of the community as possible, and accurately conveys their views to Councillors.



BANDICOOT UPDATE

Craig Thomson has made a complaint to the Federal Department of Climate Change, Energy, the Environment and Water, alleging that the EPBC Act conditions under which the Peninsula Link freeway was approved have not been complied with. He believes this has been an important driver in the local extinction of the Southern Brown Bandicoot.

Craig is also working on other planning issues in Green Wedge land which could impact on Bandicoot habitat – a proposed Hindu temple in Pearcedale, and a proposed Boarding Kennel at Dromana. More information about the latter application can be found at <https://www.mornpen.vic.gov.au/Advertised-Planning-Applications/P240445-150-Boundary-Road-Dromana>.



QUEENS AVENUE TREES SAVED

Greg Mier reports that the 300 plus mature Queens Avenue trees have been saved. A strong and visible campaign has led to a successful outcome. The State Government, Level Crossing Removal Authority, and Glen Eira City Council have come up with an alternative bike path that leaves the trees in place.



TREE FELLING ON ROADSIDE RESERVES AND PRIVATE LAND

Alison Joseph has made a complaint to the Macedon Ranges Shire Council about the destruction of trees since 2019 along the road reserve where she lives. Council appears to have either approved, or acquiesced in, the large scale clearing of important habitat trees.

The Victorian National Parks Association says it has been made aware of native forest logging (commenced or planned to) on four privately-owned forest blocks in the Central Highlands, as well as in western Victoria and east Gippsland. Critically endangered Leadbeater's Possums, Vulnerable Yellow-Bellied Gliders and Endangered Long-footed Potoroos are threatened by these operations. The protections against logging on private land appear to be inadequate to prevent inappropriate clearing.

WARD MEETING NEEDED OVER TREE REMOVALS

Ian Hundley has written to his Boroondara Maranoa Ward Councillor Cynthia Watson seeking a Ward Meeting to explain to residents the Tree Protection Local Law. He says the law is good, but requires knowledge and respect.

He gives as an example an application for the removal of 3 trees at 39 Greythorn Road. The application was approved for the 2 trees at the rear of the property, but not the tree at the front. However, the tree at the front was felled as well. Council advised Ian that in the process of demolition work on the property the root structure was damaged by the operator, which necessitated the removal of the tree. He describes this as "too common a practice".

Ian has asked for a Ward Meeting to discuss tree removals. He has also requested that, having regard to the increasing number of non-English speaking households in the ward, as reported by the 2021 Census, that information about the meeting should be provided in Simplified Chinese.

FINES FOR TREE CLEARING IN THE UK AND GERMANY

Thanks to Susan Toole for pointing out the stronger position in the United Kingdom and Germany for illegally cutting down trees. In the UK, the Forestry Act has been amended to allow uncapped fines. This will deter property barons from illegally flattening trees and accepting the penalties as a cost of doing business. The changes also mean a failure to replant illegally felled trees after a court order to restock them could result in a prison sentence.

<https://www.theguardian.com/environment/2022/dec/23/tree-felling-punishable-jail-term-uncapped-fines>

In Germany trees cannot be cut down between 1 March and 30 September, to protect wildlife. Trees with a certain circumference require a permit before they can be felled. Felling a tree without a permit can lead to a fine of up to 100,000 euros.

COUNCIL BRIEFINGS TO BE OPEN TO THE PUBLIC

Council Watch reports that the Mornington Peninsula Shire has voted to livestream Council briefing meetings. This is a win for open government, and consistent with the views of IBAC. Hopefully other Councils follow suit.

FERNTREE GULLY AND BORONIA

Bronwyn Stephen advises that following an unsuccessful mediation session, the application for a high rise aged care facility at 2-8 St Elmo Avenue Ferntree Gully will head to VCAT for a full hearing in September.

In Boronia, Knox Council has passed planning changes allowing 10 storey buildings at the intersection of Boronia and Dorset Road, with 3 storeys in the surrounding streets!

People in the inner urban areas who think that agreeing to high rise in the inner areas is somehow "saving" the outer urban and peri-urban environments, should go and have a look sometime at what is happening on Melbourne's outskirts. It isn't stopping any urban sprawl whatsoever.

WAR ON PLASTIC

I attended a workshop on 16 July at the Abbotsford Convent concerning the problem of polystyrene in Melbourne's waterways. The group was particularly focused on reducing polystyrene pollution of the Yarra and other waterways from construction sites. Polystyrene leaches harmful chemicals into waterways. They are ingested by birds, fish and frogs, and damage their internal organs. Polystyrene takes over 500 years to decompose. The workshop included EPA representatives, and supported the EPA developing and implementing an EPA Guidance Note on managing polystyrene pollution in the construction industry.

Nina Ninucha has set up a Clean Up Vic Roads group, which is pressing the State Government to have VicRoads do more about the litter problem on their roads. We have met with Ministerial and Departmental staff, and hope for regular cleaning of highly visible and increasingly unsightly parts of Melbourne.

I was appalled to come across large scale litter dumping at one of the entrances to Woodlands Historic Park, off Oaklands Road north of the well-known Melbourne Airport Viewing Area. There is no excuse for such civic irresponsibility, though it might help if Council tip fees were kept in check.



COMMITTEE FOR MELBOURNE AND MELBOURNE CHAMBER OF COMMERCE MERGER

In July the Victorian Chamber of Commerce and Industry announced that the Committee for Melbourne and the Melbourne Chamber of Commerce will amalgamate, under the Victorian Chamber of Commerce and Industry umbrella.

The Committee for Melbourne has long been a mouthpiece for these vested interests, so this merger simply recognizes reality. Revealingly, the new body will still be called the Committee for Melbourne – clearly industry believes the name still fools some people in the media and beyond.

INQUIRY INTO 2022 FLOOD

The Legislative Council Environment and Planning Committee tabled its Final Report for the Inquiry into the 2022 flood event in Victoria. The Report makes 90 findings and 73 recommendations to the Victorian Government. You can find the report here –

<https://www.parliament.vic.gov.au/get-involved/inquiries/floodinquiry/reports>

HERITAGE PROTECTION IS CLIMATE ACTION

The National Trust has re-issued research backing up the proposition that "The greenest building is the one that is already built". It quotes the 2021 State of the Environment Report – "Our built environment is currently the world's single largest contributor to greenhouse gas emissions... As much as 25% of Australia's carbon emissions come from buildings". It also quotes a 2011 study by the US National Trust for Historic Preservation, which found that building reuse almost always offers environmental savings over demolition and new construction. It takes between 10 and 80 years for a new building that is 30% more efficient to overcome the negative climate change impact of its construction.

Historic England found that refurbishing and retrofitting a typical historic building emits less carbon by 2050 than building a new one.

COMING EVENTS

**Saturday 17 August
10am to 2pm**

Moonee Valley Community Repair Café and Waste Sort Dwell, 76 St Leonards Rd Ascot Vale.

Broken household items can be repaired. A large range of small items can be collected and recycled.



Thanks as always for your support. You can opt out of receiving these Reports by replying to this email and typing STOP in the subject line.

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