



PLANNING DEMOCRACY

The Hon. **KELVIN THOMSON** - Convenor

Email: pleasant123@me.com

CONVENOR'S REPORT No. 47 - JANUARY 29, 2025

Welcome back and Happy New Year for 2025

FORUM PLANNING DEMOCRACY

WHAT IS TO BE DONE?

MAKING RESIDENTS' VOICES HEARD
IN PLANNING, HOUSING & DEVELOPMENT

Thank you to those who have RSVP'd for our Planning Forum on Saturday 8 February at the Majorca Room, Melbourne City Library, 253 Flinders Lane in the CBD, from 11am to 1pm. We have now received 60 RSVPs, so the room is at its capacity.

If those who have RSVP'd can arrive on time so we can get off to a bright start, that would be appreciated. We want to give everyone a chance to speak, so we hope that all our speakers will be considerate of others and keep their remarks brief, so we have time for some serious discussion and dialogue about actions and strategy in 2025.

If anyone would like to attend but has not RSVP'd, please let Ian Morgans know (email imorgans999@gmail.com) and he will put you on a waiting list. Conversely, if you have RSVP'd but are unable to make it, please let Ian know so we can offer your spot to someone else.

A useful piece of background reading is the Charter 29 Report, prepared by Professor Michael Buxton and other planning experts. I included it as an Attachment in Convenor's Report No. 46, or you can find it on their website at www.charter29.com.

My thanks to Ian, and to Rosemary West from Green Wedges, for their help putting this event together. I look forward to seeing you there.

facebook

Become a Planning Democracy friend on Facebook.
Email: pleasant123@me.com



ROYAL HISTORICAL SOCIETY CALL TO ACTION

The Royal Historical Society of Victoria Heritage Committee Chair, Dr Charles Sowerwine, has urged local historical societies to act to keep heritage as a planning priority. He says heritage and neighbourhood character will take a back seat under proposed Activity Centres and Walkable Catchment Zones, which will replace Neighbourhood Residential Zones, which have strict height controls. Six-storey or higher development will be encouraged, to the detriment of heritage.

He says "Yes, let's support more housing in places where people want to live. But places will become far less sought after if we forget what makes them desirable in the first place. If we destroy heritage to build housing, Melbourne will become "Hong Kong without the view", a collection of soulless high-rise buildings. Heritage makes Melbourne marvellous and makes our regional towns and cities attractive as tourist beacons and signposts to our history".

SRL PROJECT AREA EXTENDED

Yvonne Bowyer from the Surrey Hills and Mont Albert Progress Association picked up the Minister for Planning's extension of the project area for the Suburban Rail Loop to include additional homes and businesses. The decision was published in the Victorian Government Gazette just prior to Christmas (23 December). For details see the Victorian Government Gazette No. S 725 Monday 23 December 2024, Major Transport Projects Facilitation Act, Variation of the Designated Project Area for a Declared Project, Suburban Rail Loop Loop East.



FRIENDS OF QUEEN VICTORIA MARKET INC.

QUEEN VICTORIA MARKET SOUTHERN DEVELOPMENT PROJECT PUBLIC ENVIRONMENT REPORT

I made a submission to the Public Environment Report for the Queen Victoria Market Southern Development Project, which is required following the intervention of the Federal Environment Minister concerning this project.

I made use of the great work done by Mary-Lou Howie (Friends of Queen Victoria Market), B.Mc Nicholas (Heritage Matters!) and local resident Bob Evans to pull together objections to this proposal. Key heritage objections include –

- *The impact of the towers, which will overwhelm the market and diminish its historical and cultural value.*
- *Converting the Franklin Street stores into boutique retail premises will diminish the theatre of the market and weaken its cultural atmosphere.*
- *Demolition of the Franklin St stores canopy will also diminish the heritage significance of the market.*
- *Removal of the at-grade car park and its conversion into "Market Square" will drastically alter the market's functionality, and threaten trader viability.*
- *6-8 years of construction disruption will also undermine trader viability, and with it the Market's authenticity. In a world where social interaction is in decline, replaced by anonymous check out machines and food home deliveries, the Market is a place of lively and traditional interactions between traders and customers.*

We await the next developments in the EPBC process with great interest. Thanks again to Mary-Lou, B., Bob, and the other Queen Victoria Market advocates who have continued to battle for the Market to have a future, as well as a past.

ROYAL EXHIBITION BUILDING WORLD HERITAGE BUFFER ZONE

The Victorian Civil and Administrative Tribunal (VCAT) has published its decision concerning the proposed development at 1-9 Gertrude St Fitzroy (P752 2024 Wattlevew Pty Ltd v Yarra City Council). Margaret O'Brien and other Friends of the Royal Exhibition Building and Carlton Gardens were able to persuade the VCAT not to go along with the developer's attempt to water down the previous decision on this site in September 2021. Well done, Margaret and friends!

However, she does warn of issues raised by this application. Like many other developer applications, it was made under amended Section 87A of the Planning and Environment Act. Margaret says developers are increasingly attracted to this section, rather than making fresh applications. She also notes that Section 81 of the VCAT Act leaves individuals not covered by incorporated bodies vulnerable to "break the bank" costs.

It is problematic that residents have to keep fighting over the same site because developers are able to get a permit, then come back and have another bite of the cherry, rather than act on the permit. I believe a fairer system would either (1) ban developers from seeking a new permit for the site for, say, 5 years, with the ban to apply even if the property is sold, or (2) have permits lapse if the developer doesn't act on them within, say, 2 years. Provisions like this exist, but don't seem to be enforced, with permit renewals automatically granted.

As Michael Spencer from the Fitzroy Residents Association says, you should not have an option to seek an amendment concerning issues that were in contention the first time.

GREEN WEDGES REPORT

The Green Wedges Coalition summer circular describes 2024 as a year in which they won some but lost more. Michael Buxton's address to their AGM said the only substantial items in the Green Wedges Action Plan were prohibitions on Data Centres, and a requirement for a planning permit for "cleanfill" applications – spreading waste soil from urban developments over farmland. These measures have not been implemented so far.

Green Wedges also expressed concern that the Planning Minister had approved a large secondary school application next to fire-prone Lysterfield Lake Park, overturning VCAT's 2022 refusal to approve the application. Green Wedges is not aware of any other occasion where a Planning Minister has overturned a VCAT decision. Successive Planning Ministers have refused requests by residents to overturn VCAT decisions made in favour of developers, telling residents that this would compromise the independence of the planning process.

The bipartisan Victorian Parliamentary Environment and Planning Committee November 2024 Report on securing Victoria's food supply found that population growth and urban development is putting farmers under pressure. It made 33 recommendations to better protect our future food supply, including that the Victorian Government remove all discretionary uses with no link to the agricultural or environmental objectives of the Green Wedge and Rural Conservation Zones.

GREAT WALL OF FRANKSTON



Two of the three 14-storey high rise developments known by locals as the Great Wall of Frankston have been approved. They are located at 424 and 446 Nepean Highway, a stone's throw from the Frankston foreshore. They allow for towers almost 50 metres high, with 105 and 94 apartments respectively. Developers are now taking the third high-rise plan, which was blocked by VCAT last year, to the Supreme Court.

Well-known Frankston resident Tim Costello has described the development as a "visual, environmental and social disaster". He has been particularly critical of the lack of social housing in these towers. Developers have described the most recently approved tower as a "luxury high-rise apartment complex".

Good to see the housing crisis for rich people being addressed.

LOCAL GOVERNMENT CAMPAIGN DONATIONS

Candidates for Council elections are required to disclose their campaign donations, but they aren't made publicly available until well after Council elections. This greatly undermines the effectiveness of the disclosure rules.

Donations from last year's Council elections were disclosed in December. Most reporting centred on Lord Mayor Nick Reece, who received \$950,000 – nearly a million dollars – for his campaign. The Age reported that these donations included "tens of thousands of dollars from donors with property interests in the City of Melbourne, including some with pending developments, despite promising he would not allow property developers" to donate to his campaign.

A report by The Age concerning campaign donations by developers, using the title "Friends of the Peninsula" to Mornington Peninsula Shire candidates, raised a number of issues. One was developers seeking to disguise their identity, and a second one was Council officers not reporting the names of company directors of companies making planning applications. This means Councillors genuinely might not know, or conveniently might not know, that a campaign donor of theirs, has made a planning application. A third issue was a case where a developer had made a donation to a candidate after the election was over – difficult for voters to have a crystal ball.

These reports strengthen the case for both real time disclosure of campaign donations, and for a total ban on donations by property developers, as applies in New South Wales and Queensland.

HUME AND HOVELL MONUMENT'S 100TH ANNIVERSARY

The Kilmore and District Residents and Ratepayers Association (KADRRRA) were enthusiastic contributors to commemorations on 13 December last year of the 200th anniversary of the Hume and Hovell expedition, and the 100th anniversary of the Hume and Hovell monument.

The 1824 overland expedition of explorers Hamilton Hume and William Hovell was the first good look at Victoria by Europeans. The 100th anniversary of their reaching a place from which they could see Port Phillip Bay was commemorated by the Kilmore community in erecting a bluestone monument on Monument Hill – the monument itself is a remarkable construction feat.

Her Excellency the Governor of Victoria Margaret Gardner attended and spoke. I was also able to attend, along with KADRRRA members Vyv Whitehurst and Ian Stewart, and Greg Mier, who has been a great source of legal and other advice to KADRRRA for the past three years.



With Ian Stewart (right) and Greg Mier (centre) at the Hume and Hovell 200th Anniversary.

FIRE IN THE GURDIES

I was very sorry to hear from Anne Heath Mennell, a Planning Democracy contributor from Save Westernport Woodlands, direct confirmation of the damage done by fire in The Gurdies Nature Reserve. Anne said the fire was burning in an area they had been working to protect for the past 5 years. She said "the terrain is difficult and strong winds are not helping. It's devastating..."

Our thoughts are with Anne and the other volunteers who work so hard to protect our wonderful bushland.

HIGH RISE THREAT TO BIRDS

One of our supporters has been doing work on the threat to birds posed by tall buildings, particularly those with large windows. A clean window may well reflect a garden or trees, which confuses birds. They fly into it, with often fatal consequences. One skyscraper in America caused the death of 100 migratory birds in one season alone.

She wants to see the threat to birds taken into account when high rise is being considered in areas such as Maroondah. One helpful measure is to install windows on a slant, with the bottom being inwards at around 20 degrees. This prevents the mirror effect.

THREATS TO LITTLE RIVER

The Little River Action Group and Lara Care Group have expressed concern about another proposal for the You Yangs Precinct. This one is for a 1800 acre solar and battery farm, which would be visible from Flinders Peak. Residents say the CFA has asked for it to be moved from the edge of the forest due to fire risk, but this has not happened. They are also concerned about the removal of 25 acres of native trees and grasses, and inconsistency with the Significant Landscape Overlay in place to protect views to and from the You Yangs. More information, and how to object, can be found at

WWW.YOUYANGS.ORG/PROTECT.

Local residents are also opposing the expansion of a local quarry. Thanks to Jennie Epstein for this update.



MANGROVE PLANTING AT WESTERN PORT

Neil Daly organized a symposium on mangroves titled "Mangrove planting around Western Port: past experience and future potential", at Grantville on 2 December last year.

Speakers at the symposium reviewed research and trials of mangrove plantings around Western Port. The intention of this work has been to see if mangrove plantings could arrest coastal erosion along the eastern arm of Western Port.

Neil says the experience of trialling mangrove plantings has been challenging, with mixed results, and not a lot of auditing or follow up work. He believes that authorities need to either move to a large-scale project, or to look at other options, such as developing saltmarsh, along the low-lying areas of Western Port's eastern foreshore.

TERMINATE TULLAMARINE TOXIC DUMP ACTION GROUP

After nearly 20 years of advocacy for residents in Tullamarine, Westmeadows and Gladstone Park, the Terminate Tullamarine Toxic Dump Action Group (TTTDAG) is folding up. The group has played an important role in seeing the dump closed, opposing development on the bufferland, and in ensuring that the health of local residents was not collateral damage of the dump's operations.

A big thank you to the tireless Helen Van Den Berg and the other TTTDAG members for their efforts to protect local residents and the environment. Thanks also to Kaye Oddie for passing on this news.



MUSIC VENUE COLEBROOK STREET BRUNSWICK

The Brunswick Residents Network reports that VCAT has overridden resident objections and Merri-bek Council permit conditions, in approving a major music venue at 11-17 Colebrook St Brunswick.

The building, known as the Melville Grain Stores, is on the Victorian Heritage Register. VCAT has allowed the venue to have up to 875 patrons (rather than Council's proposed 500). It has also allowed the venue to open till 1am on Fridays and Saturdays, and 11pm on other days. This will likely be problematic for local residents. Brunswick Residents Network says "With no police or Council

enforcement likely at 1am in the morning, some poor underpaid security guard must now stand in the laneway, encouraging drunken patrons to walk around the block rather than cut through past the townhouse windows".

A noteworthy element of this case is that there are no statewide regulatory settings for patron noise from within or outside a venue. This seems to be a regulatory oversight, and gives residents little protection from excessive noise.

KHALIL GIBRAN

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

SANDOWN RACECOURSE UPDATE

The Planning Panels Victoria's Sandown Racecourse Advisory Committee has recommended that a controversial proposal to develop Melbourne's Sandown Racecourse for housing be approved. The redevelopment proposal is for 7500 dwellings.

However John Kanga, who was elected as chair of the Melbourne Racing Club on a platform of opposition to selling off Sandown for housing, has reaffirmed the Club's commitment to retain the facility for horse racing. He wrote on social media, "For the avoidance of doubt, racing continues at Sandown indefinitely". Thanks to Ian Stewart for this update.



DIRTY DEEDS DONE DIRT CHEAP

The Sydney childhood home of AC/DC founders Angus and Malcolm Young has been demolished by property developers. The Young family moved into 4 Burleigh Street Burwood, in Sydney's inner west, after migrating from Scotland. Malcolm and Angus started AC/DC in the home in 1973. Angus's iconic schoolboy outfit is based on the uniform of the nearby Ashfield Boys High School that he attended. The Burleigh property was added to the National Trust of Historic Homes in 2013.

The property developer Burwood Square Ltd general manager Leon Kmita has apologized and said the company was unaware of the property's significance. Yep.

VICTORIA'S STATE FORESTS

Nina Earl, winner of the 2021 VEFN Best Friend Award, has put in a submission to the State Government consultation concerning "The future of Victoria's state forests". She has supported the Government's decision to cease logging of State forests. She has urged the removal of forest-damaging road access and four-wheel drive tracks. She wants tracks clearly defined to reduce the incidence of off-road and off track vehicle and foot traffic. She would like to see small scale small business and hospitality near State forests, but not in them.



WATTLE PARK UPDATE

Local residents have contacted Heritage Victoria to raise ongoing issues with the state of Wattle Park. The two heritage listed trams in the picnic area have been wrapped in green shade cloth since 2023, awaiting restoration. The western bitumen tennis court remains in disrepair, as does the secluded lily pond and fountain.

Residents have also expressed concern about the mountain bike jumps in the eastern protected bushland, which they consider are a tripping hazard for walkers, and about yellow and black tape around gum trees in the bushland east of Monsborough Drive. They have asked whether the tape is to protect them, or to mark them for removal.

MITCHELL SHIRE COUNCIL PERMIT REFUSAL

The Mitchell Shire Council has refused an application for 5 dwellings at 1 George Street Kilmore. (PLP013/24). The Council said the development does not strengthen the equine industry, or support the cultural identity of the immediate area. Council said the proposal was inconsistent with the neighbourhood character, and was critical of the visitor car space plans. Thanks to Ian Stewart for this information.

PARKING PROBLEMS IN GLEN EIRA

The Glen Eira residents blog ("Parking: An Unmitigated Mess, 13 December 2024) has looked at the 2021 Census results for car ownership in one bedroom dwellings and two bedroom dwellings in Glen Eira. They found that 75% of residents living in single bedroom dwellings own cars, and 87% who reside in two bedroom dwellings own cars.

The problem is that these developments have continually been allowed to waive the requisite number of onsite car parking spots, in the (fanciful) belief that the occupants of these dwellings will not be car owners.

The result is "parked out" streets, with residents unable to exit their own driveways.

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



HOME BUILDERS DEFYING RECTIFICATION ORDERS

The Sydney Morning Herald has reported (29 December 2024) that four out of ten rectification orders issued by the New South Wales Building Commission to builders of standalone houses were not complied with inside the mandated period. 3339 complaints were received in relation to standalone houses between 1 January and 8 October 2024, resulting in 897 inspections. The Commission issued 319 rectification orders, and 126 were not complied with inside the designated period. Building inspectors have said defective building work was "very, very widespread" in parts of Sydney's south-western greenfield fringe. The New South Wales Premier has said that increasing the quantity of building in New South Wales will not come at the expense of quality.



RIQUEWIHR, ALSACE, FRANCE

Michael Hast has sent me the following YouTube link to a little video about a charming little village, Riquewihr, in the Alsace region of France.
(<https://www.youtube.com/watch?v=8u2CAKZZA-w>). Michael marvels at how this community and its lawmakers have preserved their built environment. Presumably at some point a developer approached their town council and suggested replacing the medieval houses with glass and steel boxes. Nevertheless, the village remains.

HOW HAS THE HOUSING CRISIS AFFECTED YOU?

Thanks to Siobhan Khan for pointing out that the ABC invited people in December to say how the housing crisis was affecting them (<https://www.abc.net.au/news/2024-12-17/housing-callout/104677522>). Siobhan's experience of the crisis has included the time taken to lobby to save Melbourne's liveability and heritage, the stress of being surrounded by building sites, the loss of trees, gardens and beautiful homes, the stress on the natural environment, and feelings of hopelessness at the lack of democracy.

STRATHCONA GIRLS EXPANSION BATTLE

Strathcona Girls Grammar School has bought 10 houses in the neighbouring residential estate in Canterbury. It applied to Boroondara City Council to overturn the restrictive covenant on 3 of the houses. Council rejected the application, and the school appealed to VCAT. It abandoned its claim on two of the houses, but won its application on the third. It has not revealed its plans for the house. Residents said the school did not pay rates to the Council or contribute to the area, but continued to expand into it, at the expense of the historic nature of the Claremont Park estate. (Adam Carey, "Residents war with 'parasite' school", The Age 23 December 2024).

NEW ZEALAND HOUSING CRISIS EASES

Macrobusiness reports that migration into New Zealand has fallen sharply. A year ago annual net migration was 136,000, but it has since fallen to 38,800 as of October last year.

This slowdown has had impacts on property prices and rentals. New Zealand home prices have fallen sharply, with real values back at pre-pandemic levels. And Trade Me Property's latest Rental Price Index reported an excess supply of rental properties and falling rents.

Trade Me property Customer Director Gavin Lloyd suggested "As a result of the oversupply, landlords may need to soften rent price expectations to meet the current market, which continues to favour tenants".

COMING EVENTS

Sunday 2 February, 1pm to 4pm

Friends of Edithvale-Seafood Wetlands World Wetlands Day event @ Bird Hide in Edithvale Rd, 350m west of Education Centre, toward Station St. Displays about wetlands and their inhabitants, and lots of activities for kids, including a live Australian animal exhibit.

Saturday 8 February, 11am to 1pm

Planning Democracy Forum.
See Report page 1 for details.

Thursday 27 February 6.30pm to 8pm

Whitehorse Community Forum on Victorian Government Planning Reforms.
The Round, Function Room 1 and 2.
Free event, light refreshments provided.
Register by contacting Whitehorse Council.

First Thursday & last Sunday of each month

National Trust, Encounter life on an historic farm.
Gulf Station heritage farm,
1029 Melba Highway, Yarra Glen.
Book tickets through the National Trust.



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!
PLANNING DEMOCRACY Email: pleasant123@me.com

facebook