

T R A N S C R I P T

SELECT COMMITTEE ON VICTORIA PLANNING PROVISIONS AMENDMENTS VC257, VC267 AND VC274

Inquiry into Victoria Planning Provisions Amendments VC257, VC267 and VC274

Melbourne – Wednesday 30 April 2025

MEMBERS

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David Davis – Deputy Chair

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WITNESSES

Kathryn Seirlis, Manager, Growth and Investment, and

Cr Stefan Koomen, Mayor, Casey City Council;

Jonathan Guttmann, General Manager, Planning and Place, and

Jaclyn Murdoch, Manager, City Development, Kingston City Council;

Brett Walters, Director, Strategy and Planning, and

Kate Murphy, Strategic Planner, Moonee Valley City Council.

The CHAIR: Welcome back to the Select Committee on Victoria Planning Provisions Amendments VC257, VC267 and VC274. We are now going to move into another panel discussion with a group of councils that we will introduce momentarily.

Before I do that, just for the purposes of the witnesses, some information: all evidence taken today is protected by parliamentary privilege as provided by the *Constitution Act 1975* and provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same thing, surprisingly, these comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Those transcripts will ultimately be made public and posted to the committee's website.

Could I firstly thank you all very much for attending. I know that this was on very short notice, so I am sure that we have bent your calendars and your lifestyles a little bit. Thank you, and we look forward to hearing your evidence today.

For the Hansard record, could I ask you, please, to state your name and the organisations you are appearing on behalf of. We might start with Ms Murphy, if you would, please.

Kate MURPHY: Hi. My name is Kate Murphy, and I am from Moonee Valley City Council.

Brett WALTERS: Brett Walters, also from Moonee Valley City Council.

Jonathan GUTTMANN: Jonathan Guttmann from Kingston City Council.

Jaclyn MURDOCH: Jaclyn Murdoch from Kingston City Council.

Stefan KOOMEN: Stefan Koomen, Mayor of City of Casey.

Kathryn SEIRLIS: Kathryn Seirlis, City of Casey.

The CHAIR: Thank you very much, and welcome. We are going to start with contributions from each of the councils, a submission you can just speak to – 5 to 10 minutes. I am going to give you a little sign when you are about to run out of your 10 minutes. We invite that, and let us start with Moonee Valley.

Brett WALTERS: Thank you, Chair. Moonee Valley council appreciates the opportunity to contribute to your deliberations. Two of the planning provisions, particularly VC257 and VC267, have direct implications for our municipality. Given the short time, as you mentioned, and the need for any formal submission to endorse through council, we have relied on our earlier submissions that remain relevant in content, namely the *Plan for Victoria* submission and our activity centres submission – both endorsed last year. Overall we support the objective of delivering essential housing in appropriate locations. We understand that reducing urban sprawl and increasing density around public transport nodes is indeed logical. However, we do advocate that future reform should be based on genuine consultation with our community, clear communication and adequate resourcing for infrastructure for its effective implementation.

With respect to VC257, the activity centre amendment, we have two of the 10 pilot activity centres in Niddrie and Essendon North. Our submission to that emphasised that the Victorian government should engage in a genuine partnership with council in planning its activity centres and residential catchment areas and ensure that transparency, good governance and policy rigour are the core principles guiding this project. While some of the concerns outlined in our submission have definitely been addressed in the updated plans, certain items remain unresolved in our view. The technical background information that presumably justified the plan, such as community infrastructure, traffic and transport impact, open space, drainage and those contamination and buffer assessments, has not been publicly released yet. This creates uncertainty, confusion and indeed suspicion in our community, particularly regarding the capacity of our existing infrastructure and services to cope with the anticipated population growth and how this will be addressed moving forward. We do agree that affordable housing is a critical issue for society. We support it through mandatory planning provisions, such as inclusionary zoning, which are absent currently from the provisions. We would look forward to further iteration of the reforms to include such mechanisms. Additionally, we anticipate that infrastructure planning, funding and provision are needed to maintain levels of amenity and service as the infill development proceeds. Council has a part to play, but it does not have the financial capacity to meet the demands of the expected growth alone.

There are particular concerns around our activity centres being centred around a particular tram corridor, which we know currently is capacity constrained, is interrupted by traffic, with cars fighting with the tram, and does not have accessible stops. Those sorts of things make it hard to imagine increasing its use. As I said, council have a part to play in the infrastructure provision, but we do not have the financial capacity to meet the demands of the expected growth alone. We also think that there is an opportunity for the Victorian government to form a narrative about the local benefits of the activity centres to the community to improve the acceptance of change. We have seen firsthand in Moonee Ponds where residential intensification has led to quite vibrant local strip shopping. Those sorts of things have not really been talked about.

With respect to VC267, the townhouse and low-rise code was introduced very rapidly in our view. Released on 4 March and enacted on 6 March, the code left limited opportunity for stakeholder engagement and insufficient time for us as councils and the community to meaningfully engage with the changes, we feel. Acknowledging, though, that this reform is in effect, several aspects of the code are concerning to our council: firstly, the effective removal or turning off of the planning policy framework around locally environmentally sustainable development policy and the inability to rely on clause 65O(1), the decision guidelines, which provides a mechanism for assessing matters not addressed by the code or overlays in the planning scheme. For example, where we have updated flood information that may inform finished floor heights or things of that nature, it will not necessarily be picked up as a result as the new information comes to hand in the deemed-to-comply stuff. We are also unable to assess good design and development applications, and objections to poorly designed compliant developments cannot be considered, as you know.

Additionally, there are some lingering concerns with the implementation – namely, that the community has got limited knowledge regarding the code and the potential impacts on the neighbourhoods. We are now managing significant concerns and industry inquiries with limited information, which is a challenge for us. We also do not support changes to appeal rights. Council officers must still give public notice of applications even though community members can no longer object and have their concerns formally considered under this provision, so we feel that that undermines trust in government, really, at all levels, as residents invest significant time and effort into preparing those objections and expect meaningful consideration by us.

Overall, we acknowledge the urgent need to deliver more housing across Victoria, and we support reform aimed at achieving this outcome. However, the approach to implementing those amendments has raised significant concerns around transparency, consultation and the loss of what we think of as essential planning tools that support good development outcomes. So we advocate for reforms that prioritise not only housing supply but sustainable design, climate resilience, infrastructure delivery and the protection of community trust in the planning system. We urge the Victorian government to ensure that future planning reforms are informed by genuine stakeholder engagement, supported by robust evidence and implemented with clear communication and adequate resourcing.

The CHAIR: Thank you very much. Mr Guttman.

Jonathan GUTTMANN: Thank you, Chair. Perhaps just to provide some context for the City of Kingston, geographically we form around the suburbs of Moorabbin down to Patterson Lakes, Dingley Village and

Clayton South and the coastal areas of Mentone, Chelsea and Cheltenham. We do apologise in advance to the committee for our late submission. We had limited time to prepare it, so we apologise that that has occurred. But I do hope to take you through it today and just perhaps prompt you to some of the key aspects.

The intent of our submission is really to provide a bit of a point of difference around the practical application of our housing strategy. We will not talk too much about process, but we do want to talk a bit about our housing strategy, and I think through the submission you will appreciate why that is potentially beneficial for the committee's inquiries. We do support the efficiency of housing and the need to provide it effectively. We do note in our submission at paragraph 2 that we partner with the development industry in doing that work together.

The point of difference that I was referring to is drawn out in paragraph 3 around our amendment C203, which is our housing strategy, which I will come to. It took six years to prepare, and paragraph 5 talks to the relationship that the council had with the Department of Transport and Planning in doing that work. It was quite an effective engagement that we had with the department around preparing the statutory amendment. It was approved by the planning minister almost a year to this day on 2 May 2004, drawn out at paragraph 6. What it really has intended to do is provide nuanced local policy and changes to our housing zone schedules. Quite critically, it embedded a preferred neighbourhood character into our city. It also importantly implemented the work of our urban cooling strategy, which is obviously quite critical to our city. Mindful of the absolute imperative to provide more housing, it expanded substantially the residential growth zone within our municipality. Our housing capacity work was subject to an independent planning panel at the time in delivering the strategy and was accepted by the panel. To provide the committee some context, our target was originally 59,000 when set by the government. It was then amended to 51,500 new dwellings, which we believe we can comply with.

I think an important paragraph for the committee is paragraph 11, which talks to the extent of community engagement that we undertook to prepare that housing work. It involved direct mail-out to 78,000 residents within the City of Kingston, explaining the nuanced nature of our local amendment. We actively promoted it through a range of media. We advised community of it through our rates notice as well as we were developing the amendment.

I think it is important at 12 that if the committee is interested and wants to know more about the extent of that engagement over a six-year period, we are happy to share further information with the committee – should it be of interest.

I want to move briefly to activity centres and perhaps share some lived experience within the City of Kingston, first turning to Cheltenham where the activity centre zone has been applied. We did structure planning in 2010 for Cheltenham. The structure planning delivered very significant development in the core of the activity centre. Apartment buildings were being built in Cheltenham ahead of more inner-city areas as a consequence of that structure planning. I then want to draw to your attention a really good practical example, I think at paragraph 16, which is a precinct that would be defined as edge of activity centre, a non-core area, in Cheltenham in the Maude and Barker precinct. In that location – and we can provide very detailed aerial photography if it is useful for the committee – are standard detached 50-by-150 allotments. Within a 10-year period every block in that area was developed for four-storey accommodation. Council in its wisdom chose to purchase two of the house blocks to be able to provide a pocket park for that precinct, but it is a very good case study into providing what is now a very small precinct of 360 dwellings at four-storey scale on the edge of an activity centre, and a model that has worked very well, we say, in Cheltenham.

I will move quickly to Moorabbin, which is one of the centres that was in the government's pilot program. I heard you hear from Mr Cripps before, from the City of Bayside. We obviously share that –

David DAVIS: And Glen Eira.

Jonathan GUTTMANN: And Glen Eira – Mr Davis is correct; we share it with Glen Eira as well. I think from Kingston's perspective the taller buildings are clearly on our side of that activity centre at the moment, which probably aligns well with where the public transport is and the major facilities. They are in the core of the activity centre, and I wish to stress the importance of that.

At paragraph 18 we draw out the fact that a number of the buildings that we have approved through our own local planning work are taller than the now introduced controls after the pilot program. We also draw out in paragraph 18 that that was another activity centre that we planned.

I will move quickly now to VC267, which is really the focus of our submission today, our housing strategy that has been approved and areas of concern for Kingston. We do suggest at paragraph 21 that there are some opportunities to further enhance and strengthen some things that we got out of our amendment. Some of the things that we were able to deliver were around built form outcomes, just the opportunity to create passive surveillance in new housing. Materials and architecture are particularly important in a place like Kingston. I think we were the first council to introduce into policy the principle of having light-coloured roofs, and that is quite important from a sustainability perspective. Then we really delved quite deeply into the implications of tree canopy and shading on homes and their sustainability credentials, as I mentioned, which is commented at paragraph 22 and was gazetted almost a year ago.

At 24 we have made some suggestions, and I will not dwell on them, just to the provisions of clause 55 that could be further enhanced. But I did want to take you to the other primary part of our submission, which is around ESD, so environmentally sustainable design, and really the role that our amendment played and local policy plays and has played in recognising best environmental practice. The built environment sustainability scorecard may or may not be something that the committee has yet heard about, but it is something that a number of local governments are using or have used. What it allows us to do – and they are explained at paragraph 29 – is have an active dialogue with developers, designers and architects around a range of different things, from rainwater tanks being replumbed into toilets and laundries to water efficiency generally; installation of solar PVs; appliances in homes, which often you would think may not be a role for the planning system but is certainly something that we are trying to do at Kingston; daylight in buildings; and natural ventilation. You will hear me talk shortly about green infrastructure and landscaping, which we think are particularly important. I am mindful you have heard a bit about that already. Some of that could be lost through these amendments, and we do have some concerns about that. We would stress, and we do at 31, that the role of planning is not just about establishing the framework; it is about the longevity of the homes that people are going to live in for several decades. These ESD components in our planning scheme are really quite critical to thinking about that. We draw parallels in that paragraph to the deficiencies in the building system following building deregulation in the mid-90s to the now kind of corrective work that we have to do. ESD is so critical to making sure that we are not doing corrective work around sustainability in the built environment in the future.

We make the point, at 34, about how pleased we were to see in *Plan for Victoria* the 30 per cent tree canopy target. We then make the point, at 35 and 36, that Kingston is not Bayside. It has 12.3 per cent of tree canopy at the moment. It struggled to increase its canopy, and we have a target to get to 15.3 per cent by 2030. In our housing strategy, which has been approved, the way we do that is explain that 36 is within our landscape guidelines, which are embedded in the scheme. Our case studies that are in our submission reinforce that we actually have a higher tree canopy outcome, which is now eroded as a consequence of the amendments in terms of some of the prescribed tree requirements that we want to achieve.

Just in concluding I make a couple of observations: our work took six years and deep engagement with our community to have our amendment approved, and it did get approved by the minister.

David Davis interjected.

The CHAIR: Excuse me.

Jonathan GUTTMANN: I would like to now make the point that there are some potential unintended consequences through the work that is envisaged, particularly through amendment VC267. I would encourage the committee to have a look at what comes out of our planning scheme, which has just gone in, as a consequence of amendment 267 and just potentially pause and reflect on the merits of a council doing something at a local level and really creating some quite dynamic and important changes, we say, to our scheme versus the challenge which is inevitably before policymakers about a more generic approach across all local government areas. Thank you.

The CHAIR: Thank you very much.

Stefan KOOMEN: Thank you, Chair. Thanks for the opportunity to be here and present. We are from the City of Casey. I am joined by Kathryn, who is the Manager of Growth and Investment. And I am the new Mayor. I have been in the job for six months but am a long-term resident with a lot of lived experience in our community seeing the growth journey that Casey has gone through. For context, the size of Casey I think is very significant to the growth that has occurred and that will be occurring in Victoria population-wise. We are the largest municipality in all of Victoria, with about 426,000 residents at last count. We have done a lot of the heavy lifting in terms of housing growth over recent decades. For context, we have grown by 200,000 residents in the last 20 years. A lot of that growth has been in greenfield sites, as well as some infills with subdivisions and the like.

We come, I guess, to this inquiry, as I mentioned prior, with limited direct impact from these planning provisions, but I think we look at them from the broader growth story of Casey and Victoria, particularly in the context of the housing targets that have been put out by the government, which in principle we are supportive of, with the infill and the outer suburbs 70–30 principle. That has led to targets. We are still going to be doing heavy lifting: 87,000 dwellings is the target for Casey, which is a lot but something we feel we can deliver. So in the context of this inquiry we have been watching with great intent how these planning provisions can facilitate potentially delivering on those housing targets, because in our community we have done a lot of the heavy lifting. We provide a lot of affordable housing for Victorians, particularly recent arrivals and migrant communities. We have a lot of people wanting to live in Casey. As populations grow, they inevitably do come out to the outer suburbs to seek housing. I think we have growth challenges ourselves, so we do see it as important for that spread of new housing to be both in inner suburbs as well as the outer suburbs. With these planning provisions, we are hoping they can help facilitate that. We are going through a housing crisis, and we feel that every day. And we also feel the homelessness. It is in our community; it is not so much necessarily in those inner suburbs. When there is a housing crisis, it comes out to our community. So we see resolving the housing supply issue as a really important challenge not just for individual councils but for the state and for the country, and it is about everyone working towards that. I think our concerns are if the planning provisions are not in place to facilitate that, we will never meet these targets and we will not actually address the supply issue. So I think we come to this inquiry being able to offer experience and a history of growth and how that has been delivered and also how we can be part of that going forward.

Kathryn might be able to speak a little bit to the history, because there are some synergies between these types of planning provisions and what has actually taken place in part of our growth story, particularly around PSPs – new precincts that have been built – and the rules around that. Kathryn, are you able to maybe speak to that?

Kathryn SEIRLIS: Thanks, Mr Mayor. And thank you, committee, for inviting us along today. We are pleased to support the inquiry in its deliberations and offer any advice and assistance where we can. As the Mayor indicated, we have been a growth area council for a very long time, and we will continue to be one for some time to come. We have welcomed many residents into the municipality, and I know that is across both our growth areas and established areas. The growth areas, in particular from a planning regime perspective, have a few similarities with some of the amendments that you are contemplating through this process. We have adjusted, and we now work within this regime where the state government are the planning authority for a lot of our growth areas. We have a role to participate in that, but we have no decision-making role in what happens in our growth areas. We have to implement it. There are no notice requirements at all for any of our applications in our growth areas, and that might seem all well and good at the start when there are no residents living in these areas yet, but these plans exist for 20 years. So we have got residents that have been in growth areas for 15 years opposite a vacant paddock, and then all of a sudden the paddock gets developed and they get no visibility on what is happening out there. That is the way the regime and the planning mechanisms work to facilitate, as the Mayor said, our substantial growth of over 5000 dwellings a year in Casey.

We have applied zones – I know they are a feature of some of the zones and controls that you are working through here. They work generally quite well. As Mr Koomen indicated, we also work in partnership with the development community to facilitate growth, and it is certainly a very well established sector in terms of the residential and industrial greenfield development market. So we are able to support and welcome many thousands of residents every year to the City of Casey. That does come at a substantial cost in terms of providing infrastructure and services, and we think we do a pretty good job at providing the best we can for those residents moving into Casey. For example, we will have secured by the end of this financial year, over the last five years, over \$130 million of land for sport reserves and community facilities. If you think about the

discussions around how we support residential growth in established areas, community and recreation facilities and open space are a very costly exercise. That was all developer contribution funded.

We then deliver kindergartens annually. We deliver rec reserves annually – I think we have delivered over 10 to 12 over the last five years as well. So it has been a great opportunity to support residents moving in in that way, which the committee and the established areas will contemplate as that envisaged growth in the infill and established areas ramps up. I think I will leave it there. Through the Chair.

The CHAIR: Terrific. Thank you so much. Thank you all for your contributions there. We will move into questions now, starting with yours truly. Mr Walters, if I could just pick up a question first of all. You mentioned flood heights and suchlike being switched off to be able to do a decision on those sorts of issues. A proposition was put by an earlier witness that that is not a problem, because even though the council can no longer deal with it, it will be picked up effectively through the building code. I guess (a) is that that true, do you think, and (b) is that actually the way to do it?

Brett WALTERS: It is true that the building system should pick up on the most current flood information. But it is possible to have a situation where the planning permit will reference different floor levels to the building permit, and then you have to go through an amendment process with the planning permit, which is a little odd. We would like to pick up these issues as early as possible in the process. So we think it is better if it is picked up in the planning process.

The CHAIR: That is, I suspect, a very diplomatic response, so thank you for that – appreciate it. There is a question I would like to put to all three councils. There has been discussion of the potential for a selective revocation of 267 with regard to the clause 55 exemptions, which obviously strikes to clause 65 of the decision guidelines and section 60 of the Act. Thinking about that potential revocation, it has been suggested that that could be the next zombie apocalypse. I guess I would like to ask the question: if that was to occur, would that have an adverse effect on planning approval times within your councils, and do you think it would have an adverse effect on investment by developers in your respective councils? Shall we start with Moonee Valley on this.

Brett WALTERS: So to walk back the existing provisions?

The CHAIR: Yes, to reinstate the council discretion and to switch on the things that have been switched off, I guess.

Brett WALTERS: I think that the deemed to comply provisions set up a framework for faster development approval – I think that is the reality, so reinstating those elements would in theory slow down future development. However, the current Moonee Valley has been able to approve developments. Eighty-five per cent of the applications are approved within the statutory timeframe, so we do not think that the planning timeframe is a major impediment to new development. What was the other part of your question?

The CHAIR: Would it discourage development?

Brett WALTERS: It is difficult to speculate on that, though I would just say that planning is only one element with respect to what drives new development. It is market driven, and the capacity of the building industry is also a more significant player in my view.

The CHAIR: Thank you. Mr Guttman.

Jonathan GUTTMANN: I have heard a number of my colleagues speak to the approval timeframe not being a factor. Kingston would agree with that position. In terms of impact on development, we would say this: because our housing strategy is so current, it is actually facilitating opportunities for housing – it is a contemporary housing strategy. We do not believe it would actually put the market in a very similar position to that which is intended by these controls anyway. I would agree with Mr Walters's summation: the biggest constraint at the moment to actual development occurring is the market preconditions – they are not the planning system. And I say that with more strength from the perspective of the contemporary nature of our housing strategy.

The CHAIR: Thank you.

Kathryn SEIRLIS: Thank you, Chair. We do not have a strong view on the impact of 267. We have only a very modest amount of applications that would be subject to the new controls. I checked today, and in terms of the notice and the removal of the appeal provisions, we have one objector-led appeal live before Casey. It is for a non-residential use in a residential area, so it would not even be factored in here. I do not think we generate a lot of objectors to our planning applications. I think everyone is busy paying their mortgage and sitting in the car on the way to work and home and doing other things. In saying that, we have not turned our mind to the impact of, as mentioned, some of the ESD and other local policy implications that may or may not be impacted by the retention or revocation of the implement.

The CHAIR: Thank you. Thinking about the suite of the three planning amendments that fall within the terms of reference of the committee, could I ask, in terms of their practical application, to what degree do they adequately address the provision of civic and social infrastructure and public open space? Maybe we will start with Moonee Valley.

Brett WALTERS: I think there is uncertainty around that for us, particularly around where the funding and indeed the land would come from. We are ringed by other councils. We have no way to develop new sporting fields or other park infrastructure without acquisition of land that might otherwise be developed for housing, indeed, so it is quite a challenge for us. The growth is a challenge in that context.

The CHAIR: Thank you.

Jonathan GUTTMANN: I think from Kingston's perspective, with respect to public open space, I did use that example in our submission about purchasing houses. We did that through the *Subdivision Act* and the open space contributions that were afforded in that area, which are higher than that which would be provided outside an activity centre. So we are generally happy that from a public open space perspective the current contributions regime does work. We are aware that the government are doing work on civic and social infrastructure that is yet to be released. We do feel that that is quite critical as a complementary tool to the nature of the kinds of reforms that are before the committee today.

The CHAIR: Thank you.

Kathryn SEIRLIS: I would support that. I think we have not reviewed in detail the implications of that to our provision of infrastructure and services in our established areas beyond our existing structure planning, where we think we can adequately accommodate existing and proposed growth. Delivery of additional infrastructure and services, not just by council but state, is an interesting and expensive proposition, and I do also await some of the outcomes of the infrastructure contributions review and other mechanisms to help understand how that balance and provision can be met.

The CHAIR: So much to look forward to. Mr Davis.

David DAVIS: I am going to try and be quick and cover as much territory as I can. I am going to start with Kingston. To summarise your very helpful submission – and I thank you both for it – you would prefer that C203 just be reinstated and you could get on with it. You are actually going to develop significant housing infrastructure, and you have actually done the work with the community and indeed with the government.

Jonathan GUTTMANN: To your significant question, Mr Davis, we have certainly done the work with the community. We do feel that amendment C203 is beneficial for the committee to consider from the perspective of the enhancements it provides. We do know that we are in a kind of unique position in that it has just been approved reasonably recently –

David DAVIS: And then the rope pulled out.

Jonathan GUTTMANN: We also see our activity centre work that we have been doing quite successfully has been really critical to that housing mix. The purpose of presenting amendment C203 today was to demonstrate, particularly from tree canopy and ESD perspectives, how we think it really does add some value to how neighbourhood development occurs, particularly away from activity centres. We do say in our submission that an unintended consequence of amendment 267 is to perhaps lose some of those local nuances that Kingston did develop with its community.

David DAVIS: Thank you. Moonee Valley, the Niddrie proposal – it seems to me in many respects it is wildly unsuitable. It does not have the transport capacity, the dense node it would desirably have. Am I unreasonable in that?

Brett WALTERS: I think it has got the potential for enhancement that would support further development. As I said in my opening statement, the current state of what is the route 59 tram, which is the main public transport element, is serviced by smaller trams, non-accessible stops. It interacts and meanders through, particularly between Flemington and the start of the activity centres. It goes through local roads, so it is quite –

David DAVIS: How long has the council been waiting for the upgrade of the tram to a modern service with bigger capacity?

Brett WALTERS: I am not sure of the timeframe, but that is with Yarra Trams and –

David DAVIS: Decades?

Brett WALTERS: Well, the whole program of upgrades of Victoria's tram system is – we are caught up in that, so it has been a while.

David DAVIS: Thank you. Now, I just want to talk about Casey – and I am pleased that you are here. I do note Casey is the largest municipality in the state. You still have a number of outstanding PSPs. I was out at Casey relatively recently. I think one of the ones – it might be Clyde South from memory – has been waiting for five, six, seven years for approval. Am I right on that?

Kathryn SEIRLIS: Yes, that is correct. We have been advocating for the VPA to commence the Clyde South PSP, which is our largest remaining PSP that is yet to be developed, and that will in itself –

David DAVIS: It has got industrial land, it has got a range of uses, but it has also got significant new housing.

Kathryn SEIRLIS: Yes, very much so, and hopefully some stabling for a railway extension, which we have been also waiting for some time on.

David DAVIS: To Clyde?

Kathryn SEIRLIS: Yes.

David DAVIS: So we are in a housing crisis and we have got a government sitting on its hands on the work on a PSP for seven years.

Kathryn SEIRLIS: I would suggest that is something you can ask the VPA this afternoon. But yes, we have been –

David DAVIS: How many houses, roughly?

Kathryn SEIRLIS: I would say –

David DAVIS: Five thousand?

Kathryn SEIRLIS: I think more than that.

David DAVIS: More than that. Ten thousand?

Kathryn SEIRLIS: Maybe more than that.

David DAVIS: Maybe more than that, in a housing crisis and a state government that will not lift a finger to move on this. You do not need to comment.

Kathryn SEIRLIS: We have been advocating on that matter. We believe it is in the work program now for pre-planning.

David DAVIS: I think this is a very important point. I want to ask you about infrastructure. You are a recipient of GAIC. GAIC is, I should say, paid for by developers who collect it from those to whom they sell the land, but the GAIC goes into the city. Has all the GAIC that has been collected in the City of Casey returned to the City of Casey? The growth areas infrastructure charge for –

Kathryn SEIRLIS: No, I am aware of the GAIC. The reporting in the Department of Transport and Planning's annual report indicates that a lot of the GAIC collected in Casey is spent in Casey. However, there is no clear directional criteria or visibility as to how that is necessarily allocated or what it gets spent on. We do not have a role in that.

David DAVIS: And the windfall gains tax is going to be applied in Casey.

Kathryn SEIRLIS: I would expect that. That is something that is applied across all councils and may in fact have a greater implication in Kingston and Moonee Valley.

David DAVIS: Will that impede the development of affordable housing – housing that perhaps young families may wish to buy?

Kathryn SEIRLIS: The windfall gains tax is not applied, in my understanding, in the growth areas. It is more if it is a rezoning –

David DAVIS: Okay. It is a middle –

Kathryn SEIRLIS: Yes, a middle –

David DAVIS: The holding charges, the land tax charges.

The CHAIR: We might come back, I think we have got a little bit of time left.

David DAVIS: A little bit of time. Thank you. I appreciate it. It is actually very important.

The CHAIR: Thank you very much. Ms Watt, please.

Sheena WATT: Thank you, Chair. I particularly have some questions for Moonee Valley, as you can appreciate; I am a Member for Northern Metropolitan Region, which does have certain coverage over areas of Moonee Valley council. I want to ask particularly about the North Essendon and Niddrie activity centres. Are you able to outline to us the consultation that the council and the community have done in the lead-up to the activity centres and then furthermore any changes that came about as a result of community consultation?

Brett WALTERS: The consultation on the activity centres was led by the VPA, not by council.

Sheena WATT: Did council participate? Obviously you made a submission. Were there any changes from the original to –

Brett WALTERS: Yes. Some of the things we raised in our submission were addressed. Kate is probably better to reflect on this one.

Sheena WATT: I am happy to hear from whoever would be best placed to answer.

Kate MURPHY: The key change was to the catchment area. We have the housing choice and transport zone 2 in our catchments, which means that the height limits are three storeys mostly, four storeys on major sites over 1000 square metres. That was a change from what we had expected from the details we got in August last year.

Sheena WATT: Okay. So there are no changes to the boundary? I understand there was a reduction in the boundary area of the activity centres.

Kate MURPHY: There were tweaks to the boundary, yes.

Sheena WATT: So there were changes to the boundaries. Were they a reduction or an addition?

Kate MURPHY: I would have to look at the map.

Sheena WATT: It is a reduction of that area, as I understand it, but if that is not the case, I am happy to be corrected. There were some reduced height limits, is that right?

Brett WALTERS: From memory, there was –

Sheena WATT: I am just trying to understand the effectiveness of your submission and others.

Brett WALTERS: Yes. Initially there was a core, then there is an inner catchment and an outer catchment. The inner catchment does not apply. Effectively that meant they got the core and the select sites along the core of that activity centre and reduced it down to three storeys predominantly in the single catchment zone that is beyond that.

Sheena WATT: So sort of a maximum of three storeys.

Brett WALTERS: With some four-storey elements, yes. So there was moderation from the initial proposal.

Sheena WATT: Okay. I think perhaps Mr Davis talked about transport in the area, with particular reference to the tram. Is there any other large-scale infrastructure being planned around the area that communities might be –

Brett WALTERS: The main large-scale transport infrastructure that applies to Moonee Valley is a little further north and it relates to the airport rail, which council have been an advocate for.

Sheena WATT: Okay. Is there a proposal there around the train station?

Brett WALTERS: The train station, yes. It is based on the border of Brimbank and Moonee Valley, but its zone will be within Moonee Valley.

Sheena WATT: Would the proposed train station be within the activity centre or not?

Brett WALTERS: No. It is near a future activity centre – Airport West, effectively.

Sheena WATT: So, one of the 50 that is to come.

Brett WALTERS: No, beyond that.

Sheena WATT: Beyond that. Okay. Just to understand where that one sits in the scheme. We have got a reduction in the boundary, a lowering of the height limits, some train line that is coming in and –

Bev McARTHUR: Nowhere near trains.

The CHAIR: Mrs McArthur, please.

Sheena WATT: So there are some changes that have been made as a result of the submission, which I see you included in your submission to us here and the committee. Thank you very much.

Brett WALTERS: It is also worth noting that council has recognised those as activity centres in previous work.

Sheena WATT: Yes. The other thing just to note is over the last 30 years the extraordinary growth in Moonee Valley, and I just want to acknowledge that from council. You are not the only one that has had quite extraordinary growth over the last little while. We have heard from councillors before about the proportion of the growth and where it is coming from with respect to supply into Melbourne, and yes, Moonee Valley is pulling a bit of a load there. Thank you so much for making more homes for more Victorians. Is there any sort of reflection from you or others about equality and equity of growth in established Melbourne and also in our growth areas given that we have such historically low growth in some areas and some LGAs compared to others, such as Casey, which I understand has triple-digit growth, is that right? Yes. So perhaps I will go to Casey, and we can come back.

Stefan KOOMEN: Yes. Our growth has been very significant. We are on track to be larger than Tasmania, so almost a state in our own right. That is the size of it. We are almost bigger than Canberra.

Tom McINTOSH: You could get 12 senators.

Stefan KOOMEN: Yes. We have experienced a lot of that growth. But I think we are very supportive of providing affordable homes, and even infill within our existing suburbs is occurring at the moment. We would welcome any further investment in activity centres in our community to grow housing around services and transport, and there are certainly opportunities for that. Kathryn?

Kathryn SEIRLIS: I think it is just curious, observing the progression of these amendments and a lot of the similarities and things, that we are expected to support the state government's housing targets and delivery through growth. It seems to be jarring with more established communities. We cannot keep absorbing the state's housing growth and population increases. We need, as the Mayor said, others to start doing some heavy lifting.

Sheena WATT: Thank you, Kathryn. I appreciate your response.

The CHAIR: Dr Mansfield.

Sarah MANSFIELD: Thank you. Thank you for appearing and for your submissions too. I am interested: with VC267 we have heard evidence from MAV and some others that councils first learned of the full extent of the exemptions in particular only on gazettal of that planning scheme amendment. I am just wondering if that was your experience.

Kate MURPHY: Yes. We saw previous drafts, but certainly the first time we were aware of those exemptions was on 4 March.

Sarah MANSFIELD: Okay. Because obviously that planning scheme amendment was effective immediately, what was that transition period like for council in terms of adjusting your processes? What was that like practically?

Brett WALTERS: Planning was the talk of the town, that is for sure. There was a lot of frenzied activity in the back rooms of the planning department, that is for sure.

Jonathan GUTTMANN: Yes. For us it was updating websites and forms and the like. I think more for Kingston, in the space of our tree objectives and our sustainability objectives, it was trying to find a place to still have those conversations with developers outside of prescribed aspects of the planning scheme. We have turned our mind to how we best do that in the circumstances that we find ourselves in. We have ESD officers who work actively in that space. That has probably been the learning for us, the need to really dive into how we respond to applications now, where it is not as prescribed as perhaps it may have been previous to the planning scheme amendment being introduced.

Kathryn SEIRLIS: I am just going to add that the implementation and the adjusting processes, forms and reports and the like – we are just taking it methodically as applications come in, and as we need to we will in due course update everything accordingly. But I think maybe we are a bit more accustomed to the minister gazetting different things and having to accommodate requirements from the state quite frequently and regularly.

Sarah MANSFIELD: MAV suggested a longer notice period for significant changes to the VPP would be useful for councils, just to assist with implementation, identification of problems and opportunity to provide feedback. Is that something you would support?

Brett WALTERS: Yes, we are in agreement with the MAV.

Jonathan GUTTMANN: As is Kingston.

Sarah MANSFIELD: Okay. I would be interested in just following up some of your comments, Jonathan. You said you have started turning your mind to how you can still achieve some of those ESD and tree canopy objectives outside of what has been prescribed in the new ResCode. What do you mean by that?

Jonathan GUTTMANN: At paragraph 29 of our submission we outline some of the things that used to be within our local policy. The art of influence, in terms of the role of the statutory planner, is often very early engagement with the architects and designers. When it was prescribed in our scheme, which is what amendment C203 allowed us to do, we probably had a bigger stick to say, 'In Kingston now you must have a light-coloured roof on your house because it will keep the ambient temperature within it lower than what it would otherwise be.' We are not prevented from having that conversation as a consequence of the amendment. We are also yet to see whether or not the VCAT will actively defend that proposition if challenged by the market in imposing it. Our submission talks to the 60-plus year life cycle of a home. Around the things that we really think need to happen, we are just trying to have the conversation now with the design professionals that engage with our planning teams perhaps outside the statutory construct that we had previously with our amendment. How that will play out in terms of market take-up will be fascinating.

Jaclyn MURDOCH: It is very early days. We are already having those conversations prior to applications being lodged. We are having those conversations once they have been lodged. I think we have only got a handful of applications that have come back with responses to what we are saying are suggested improvements to the design or the outcome. It is really a watch-this-space-type exercise at the moment.

Sarah MANSFIELD: Are you really relying on developers to come to the table and be willing to go above what is prescribed in VC267?

Jaclyn MURDOCH: Yes.

Jonathan GUTTMANN: We are turning our mind to the end consumer, because planning is a paper exercise essentially. There are humans that sit behind the process after it is approved. We are trying to modify our communications to talk about why it is important from a consumer's perspective. We are fortunate to be a middle Melbourne council that is relatively affluent. We are hoping that consumers ask their architects and draftspeople to embrace some of the things that our planning scheme previously would encourage them to do.

Sarah MANSFIELD: Thank you.

The CHAIR: Thank you. Ms Crozier.

Georgie CROZIER: Thank you very much, Chair. Thank you all for being before the committee and providing the submissions and evidence to the committee. Could I perhaps just start with Mr Walters. Thank you for your comments. You mentioned the tram corridor. You mentioned it is pretty restricted in relation to what it can move now. Given the government's proposal, what additional transport infrastructure will be required?

Brett WALTERS: It may be more a question you would put to a transport planner. However, I think the existing tram corridor can be leveraged to create more capacity, but it would necessitate decisions to be made around the primacy of vehicles versus cars versus public transport to make effective change.

Georgie CROZIER: Yes. But difficult in terms of what?

Brett WALTERS: It is space constrained. It goes through relatively narrow streets that do not have capacity to accommodate more cars basically.

Georgie CROZIER: We have heard from community groups and representation from your community. They have been very concerned about the lack of consultation. Basically I think it was said that they thought activity centres were like playgrounds or something. They did not understand the capacity of what the government's proposals were. Given those concerns, have you had an opportunity to take those concerns back to the minister?

Brett WALTERS: Council recently, not this week but the month before, in a council meeting made a resolution around some of the planning changes and wrote to the minister on those.

Georgie CROZIER: Could we have a copy of that letter, that request?

Brett WALTERS: Yes, it is public.

Georgie CROZIER: Okay. Have you not met with the minister previously, or have you had a request to meet with the minister previously?

Brett WALTERS: I cannot recall off the top of my head what meetings we have had in the lead-up to the gazettal.

Georgie CROZIER: Okay.

Brett WALTERS: Sorry.

Georgie CROZIER: That is all right.

Brett WALTERS: But we can delve into that.

Georgie CROZIER: Take it on notice. That is fine. Thank you very much. Mr Guttman, can I come to you. Thank you very much for your detailed submission. I just want to go back to your amendment C203 and ask: when the government put out their affordability partnership to build 800,000 Victorian homes in a statement in September 2023, did you, as part of the work you were doing, take that it would be incorporated into that ambition?

Jonathan GUTTMANN: Yes, we did.

Georgie CROZIER: Thank you. On that, literally, as you said, it was gazetted a few months after that statement was done. You speak in your submission about the work that you did with the community and say that over a period of six years council has expended significant sums of money to develop its housing strategy and subsequent planning scheme amendment, including multiple stages of extensive community consultation. Can you give an indication to the committee of how much money you have actually spent on this process?

Jonathan GUTTMANN: It would be very difficult to actively quantify. It certainly went through an independent planning panel. There were legal advocates for council; there are a range of different consultants that have helped us over the years to develop the strategy. There was quite significant officer time and community time spent working it up. I do not want to leave the committee with the impression, though, that the entire strategy is being thrown out as a consequence of this amendment. It is component parts of the amendment that concern the City of Kingston around eroding some of the local nuance. To accurately quantify it, Ms Crozier, would be quite difficult at this notice.

Georgie CROZIER: That is all right. I understand that. Given it was over six years, it would be quite a significant amount of money given the planning requirements that you went through.

Jonathan GUTTMANN: Yes, and effort from our officers in our successive councils.

Georgie CROZIER: Thank you. You also set out in paragraph 11 the detail of what you did do with the community around the consultation, which I think is in stark contrast to the current process by government around these activity centres. If we look at what you have said – direct mail to over 78,000 owners and occupiers, with tailored letters advising of existing and proposed controls, and the summary brochure – it is very extensive work that you have undertaken. Then you put in that further information went out through brochures that were included in rates notices, online consultations were offered and over 500 submissions were received. Can you just talk the committee through what you did with those submissions? What happened in that process?

Jonathan GUTTMANN: Yes, we would be happy to. There were probably two stages, developing the strategy and then the amendment. This comment at paragraph 11 very much focuses on the amendment stage. Our process is that once we receive submissions they are digested by our professional team, which has worked on this work together for the amount of time we spoke about in our submission. We are then required – and it is a job we like doing – to provide advice to our council on the nature of the individual submissions and whether or not there should be changes to the intent of the planning scheme amendment.

Georgie CROZIER: If I can say, out of those 500, I mean, it is a very extensive consultative process that you went through with your local community. You fed that back to council and then council were informed about community concerns. Is that fair to say?

Jonathan GUTTMANN: Yes. It was not just concerns, I should say, but all feedback. And we got feedback from the market as well that we perhaps were not providing enough housing, and we got feedback from others that we were providing too much. But yes, that is a process that we follow at council.

Georgie CROZIER: That is quite different from the current process by government.

Jonathan GUTTMANN: I think quite a different challenge, to be fair. When we are dealing with our local community it is different than dealing with the entire state of Victoria. We probably could not expect any government to do it the same way.

Georgie CROZIER: Well, I would expect them to do better than they have done.

The CHAIR: Thank you. Thank you, Ms Crozier. Mr McIntosh.

Tom McINTOSH: Thank you, Chair. I would like to thank you all for coming, for starters, but also ask a question that I asked of the previous group of councils, and that was around the *Plan Melbourne* and *Plan for Victoria* targets of the 70–30 model. Given they are from slightly different areas of Melbourne I would be interested in your feedback as to how you view those numbers of 70–30 that we are looking at here.

Stefan KOOMEN: Yes. I mentioned in my initial opening that we are very supportive in principle of the 70–30 split. We think, as an outer council that has done a lot of the heavy lifting, a lot of greenfield sites and a lot of growth right up to the urban boundary, that the next phase needs to be a combined effort of inner councils as well as ourselves. As I mentioned, our target of 87,000 dwellings is not something to shy away from. We are happy to do that, but I think our concern is that if the housing in the inner area is not delivered, for whatever reason that may be, we will just never reach the targets and we will be back as councils, state governments and federal governments talking about a housing crisis for years and years to come. It is about looking at it as a bigger picture, and obviously being mindful of our own residents, but making sure that we are all doing what we can to put people in homes. I think, as I mentioned in my opening, that the consequences of not doing that are felt overwhelmingly and disproportionately in our outer suburban communities, where people are looking for affordable housing, and if there is no housing their homelessness is on our doorstep. On a day-to-day basis I get residents complaining and concerned about tent cities and people living in parks, and that is a consequence of not having enough homes in whatever form. We certainly want to continue to do the heavy lifting, but there has to be a shared approach to this, and we have to look to the bigger picture. I think that is where we want to play our role.

Jonathan GUTTMANN: From Kingston's perspective, we did draw out in our submission the role of activity centre structure planning. We took the committee to Cheltenham to show the example of Cheltenham delivering housing well ahead of other parts of Melbourne because that structure planning was done. We are a strong supporter of 70–30 and we would say that transport infrastructure is particularly critical. I think we are the municipality with the most level crossing removals. They are particularly catalytic in terms of connecting up our city. There is obviously another significant transport project that starts in our city that is also quite critical in terms of that balance.

The final point I will make is we are also a major industrial city; we have Moorabbin, Braeside and Clayton South. 70–30 is more and more important in terms of providing a balanced workforce to support the manufacturing sector that we have in the state of Victoria, and we are noticing the increased commutes from other LGAs into our city to support our industrial sector. So housing and affordable housing is particularly critical in maintaining the required balance to ensure that key workers are accessible to a number of the local small to medium-scale businesses that exist in our industrial areas as well.

Tom McINTOSH: Thank you.

Brett WALTERS: We do not have an endorsed position on the specifics of 70–30. However, we support the overall objective of delivering essential housing, and the logic around public transport nodes is sound from a planning point of view. I note the planning institute have also made a submission along those lines. We just underscore that the supporting infrastructure cannot be taken for granted and it needs to respond to that intensification.

Tom McINTOSH: I think the other point that I just want to follow up, and it might be more for you, Casey, is just the flip side. We have talked about services and infrastructure, but also there are the pressures on agriculture, and obviously you have got some pretty significant horticultural land around you. What are the realities or consequences if you have to keep expanding and what does that mean for pretty prime agricultural or horticultural land around you?

Stefan KOOMEN: Maybe Kathryn could talk to agriculture, but in terms of that expansion side of it, what we are finding is that the more and more you move out, if you talk to residents living in Clyde and those further out areas, the further and further you are away from the city and the further away from public transport. The more you move out, the further you are from a train station. We have had 200,000 residents and no new train station, which comes back to that Clyde rail extension, and there has been a lot of advocacy for that to all levels of government to support that at some point. But the further you move out, the further you are from that. I think there has got to be acknowledgement that there are challenges with infill with infrastructure, but it is already there and it can be maximised and potentially improved and worked within the community. But when we are building in a new area, you have no aquatic facility and you have no library, and we as a council are left with that and not necessarily a pathway to fund that. If we have to accommodate growth, and I think we all agree we need to with new supply, I think that is where that 70–30 has to be done in and around built areas, because the cost to us and our community of continually going out is more significant. Kathryn, maybe you can add too.

Kathryn SEIRLIS: Yes, thanks for that. I think it is an interesting question. It is a conundrum in terms of how we manage agricultural land being absorbed for housing if we continue outward residential growth. I recall the City of Casey back in 2011 advocated in fact to not extend the urban growth boundary as much as it has been to protect the Bunyip food belt; however, that was not supported and in fact the farmers also did not object to losing their farmland for housing, so they have moved on into purchasing bigger farms further out. It is a real conundrum that as a state we have to balance housing and other, non-residential, land uses such as farming, food security and supply.

Tom McINTOSH: I think just to your south the peninsula has got \$2 billion of ag output a year, but anyway

Kathryn SEIRLIS: Yes, they have gone down there.

Tom McINTOSH: Sorry, Chair. Thank you.

The CHAIR: You are all right, Mr McIntosh. Thank you so much. Mrs McArthur.

Bev McARTHUR: Thank you, Chair. Thank you, everyone, for coming. Now, I just want to get this on the record. The last group of councillors and your group of councils have all confirmed that, should a revocation order go through, that would not have an impact on any future development investment in your areas. That is basically what you have all agreed? I will take it as a yes. Excellent.

Georgie CROZIER: That is a nod – for the Hansard.

Bev McARTHUR: Yes, for the Hansard.

The CHAIR: We might actually get a quick verbal response; it might be useful.

Brett WALTERS: Well, it is hard to speculate, to be honest, but we think returning to the previous regime would not introduce significant delay.

Bev McARTHUR: Thank you.

Jonathan GUTTMANN: Our submission addresses that question.

Kathryn SEIRLIS: We would agree.

Bev McARTHUR: Thank you. So that is a unanimous yes from all councils that have presented. Now, the public and I could be forgiven for thinking that all this problem of increased housing is a result of recalcitrant councils who do not quickly give approvals for development, yet what you have told us is that actually it is the state government holding up planning amendments to develop more housing. I think we did not get to a figure,

but over 10,000 houses are languishing somewhere in the ether because they are sitting on the minister's desk. But you have all demonstrated – and previous councils have – that you approve development plans within the designated time period of 60 days I think. And it is not your problem that developers do not want to go ahead with putting that product to market, because often it is so expensive to produce there is not a market. So we are in a situation where it is not your fault that houses may not be built; sometimes it is the government's fault for sitting on amendments. So can we confirm that that is the situation – you are not holding up the show?

Brett WALTERS: The only thing I would say in response to that is I would not apportion blame to any entity and there are always opportunities for improving the efficiency of the planning system. I will leave it at that.

Jonathan GUTTMANN: We would say that the amendment we wanted to be approved has been and we have no amendments currently before the minister waiting for approval that relate to housing.

Bev McARTHUR: But you have approved developments as they come before you?

Jonathan GUTTMANN: Yes, and we –

Bev McARTHUR: So you have not held the system up?

David DAVIS: And now the amendment has been wheeled back.

Bev McARTHUR: Yes. And you have approved them, obviously, with the number of houses you have approved. It could also be the case, couldn't it, that people actually make a choice? They might want to go and live in Casey or they might want to go and live in Kingston; they might not necessarily want to go and live in Boroondara or Stonnington. Isn't that part of the whole market operation and the choice of individual consumers? They can go wherever they like, can't they?

Stefan KOOMEN: I think there is obviously an element of choice, but choice is influenced by factors, so someone on an average wage living and renting in Doveton is not going to go and buy a house or rent in Toorak. So I think your choices are defined by your circumstances, so I think it is a bit more complex.

Bev McARTHUR: There are plenty of flats available all over the place it seems. Now, Mr Guttman, you have provided extraordinary interesting requirements in paragraph 21 and paragraph 29. What are all those eminently important amendments to C203? They would not be included in this sort of cookie-cutter approach of development if the planning amendments were to go ahead, would they? They would be lost in light-coloured roofing materials, passive surveillance, tree canopy et cetera, water-efficient stuff.

Jonathan GUTTMANN: They would be harder to achieve, Mrs McArthur. Whether they are lost or not would be a matter for the effective engagement that our planners have with people who are putting planning propositions before council.

Bev McARTHUR: So in effect we would have a downgrading of the quality and livability of housing in at least the Kingston City Council if these planning amendments went ahead, because all these proposals are not going to be able to be incorporated in the new cookie-cutter approach.

Jonathan GUTTMANN: I made the comment in my submission that it is a particularly difficult task to be the leader in a space in this area. I will say that the environmental standards, the best standards, are applied across a number of councils. They are important principles that have been developed by our sector broadly to influence the sustainability of housing, which we say in our submission is particularly important at the moment.

Bev McARTHUR: Have any of your councils done the work on what will be the extra cost to ratepayers of infrastructure if these planning amendments were to go ahead, that you will have to provide, whether it is open space, parking, new pipework for sewerage or water or whatever – all of that work? Have you done a costing on what that might look like for your councils?

Kathryn SEIRLIS: I can start that. As most of those amendments do not directly apply, we have not needed to do that work.

Jonathan GUTTMANN: I made a comment earlier to the committee that we are aware that the government are looking at civic and social infrastructure – that was a specific question we got. We have used the public open space contributions through the *Subdivision Act*. We are increasingly thinking that that is an area where there might need to be higher levels of contribution to provide more open space.

Bev McARTHUR: From whom?

Jonathan GUTTMANN: From the people who benefit from the development rights that are provided over the land that they are developing.

Bev McARTHUR: So an extra developer contribution?

The CHAIR: Mrs McArthur, we are going to take this question, but then we will call it.

Jonathan GUTTMANN: We have got a higher rate around our activity centres than we do in our suburban areas, and we do that from the perspective that the yield in those activity centres is much higher than suburban areas, Mrs McArthur.

The CHAIR: Mr Walters, did you want to respond too?

Brett WALTERS: Only that we have not done our own internal costing on all the additional infrastructure, but we have asked for VPA's tech reports that support that analysis.

The CHAIR: Thank you, Mrs McArthur. We have got about 10 minutes left, so we might just do a bit of speed dating at the end – a few quick questions. We are going into a brave new world or on an exciting journey into change –

Bev McArthur interjected.

The CHAIR: Experiment was another term that was used. I guess it is often considered useful that when you are doing that you might actually put in place some sort of performance monitoring, continuous improvement, evaluative-type process. Conveniently, and possibly embarrassingly, the Auditor-General in 2008 or 2009 and also in 2017 recommended just such a proposal. Could I work the way up the table, please, for your council's position on adopting the recommendation from the Auditor-General or similar.

Brett WALTERS: So you are asking about monitoring and appraisal of these changes?

The CHAIR: Correct.

Brett WALTERS: I think that would be very useful to inform incremental improvement of them over time.

The CHAIR: Thank you.

Jonathan GUTTMANN: I think if it is about output of housing, that is already captured by the PPAs process that the Department of Transport and Planning run. I think on the environmental front, however, there could be a lot more information gathered around the environmental performance of housing and whether or not these initiatives have effectively addressed that in a neighbourhood context. I am not sure, I must say, Mr Chair, whether the Auditor-General went to that area, but I think in terms of numbers of housing across each of our LGAs, there is a process established to capture that already.

The CHAIR: Thank you.

Kathryn SEIRLIS: Look, I think it would be useful; I think it will be interesting to try and understand the implications and the benefits of these specific changes versus prior controls when what we are talking about is really a challenge in a challenging environment in terms of what we are seeing in the market and in the demand and viability of a lot of these developments in the first instance. I think that would be something to also monitor – houses on the ground rather than planning documents.

The CHAIR: Thank you. Mr Davis, one quick question.

David DAVIS: I have got a quick question about heritage. Others may want to comment, but particularly to Kingston: you have a couple of very unique and sensitive zones, and I am thinking in bits of Highett around Pennydale, for example, and even Mentone and bits of Mordialloc – you have got some quite unique little zones with heritage focus on them. As I see it, and when I read your submission, they would be at risk under some of these changes, particularly 267 but more generally too.

Jonathan GUTTMANN: Through the pilot program with Moorabbin we did not experience that issue, apart from our town centre. Mentone certainly does have some heritage within it. We do hope that there is a nuanced approach to some of that heritage within the Mentone activity centre as part of the work we are about to –

David DAVIS: Pennydale?

Jonathan GUTTMANN: I need to not take the credit for Mr Cripps, who you heard from before, Mr Davis; Pennydale is actually just over our municipal boundary.

David DAVIS: Oh, okay; it is in Bayside, I understand.

Jonathan GUTTMANN: It often does get badged in either of our LGAs.

David DAVIS: Sorry, but your point is that they would be at risk, as it stands.

Jonathan GUTTMANN: I do not know whether the amendments per se will materially affect Kingston to the same extent they would other councils that have more heritage. The particular area of interest for us is the Mentone activity centre as we do that work.

The CHAIR: Would Moonee Valley or Casey care to pick up? Okay. Dr Mansfield.

Sarah MANSFIELD: Thank you, Chair. I guess a reflection from what we have heard through these hearings has been that there is broad agreement that we need more density in the inner suburbs, and a lot of the councils have actually already done a lot of the work to accommodate for that increased growth. So there is actually a lot of alignment between the state government's objectives and councils' objectives, but there seems to have been a bit of a breakdown in terms of genuine collaboration on how that is achieved; that is at least some of the evidence that we have heard. Going forward, are there any suggestions you can offer to improve that collaboration between the two levels of government?

Brett WALTERS: In Moonee Valley's case, we are working on our housing strategy right now. So it is a different situation to Mr Guttman and Kingston in that they have got a fresh strategy when they run into differences. We will be designing our housing strategy to accommodate the changes that are in place now.

Jonathan GUTTMANN: We may comment in our submission about the significant amount of time we spent with the Department of Transport and Planning to get our amendment through; we found that to be a very collaborative process. It did take time, but it did also put us in a position whereby a strong relationship was formed with the department to be able to do the nature of the planning work that was important to our local community.

Stefan KOOMEN: I think, as Kathryn has mentioned, these provisions do not directly impact Casey, but I think we can probably talk from our experience that getting houses built and getting them done in our new areas has been a similar process to what Kathryn has referred to whereby these get put in place and the houses get built. That is ultimately the outcome that we want and we are seeking going forward, because houses are important.

Sarah MANSFIELD: Thank you.

The CHAIR: Ms Watt.

Sheena WATT: Thank you so much. I will come back with an industry reflection. We have had industry experts speaking here: planners, peak bodies and also folks from the developer and construction industry. Their remarks to us are that any revocation, as is being proposed, will lead to uncertainty in the business community, lead to uncertainty in developments going forward and investment decisions being made – and yet, with the

earlier question about if you think that that may have an impact in your local area, I am sort of sensing a bit of a disconnect between what industry is saying and what you said in an earlier question about potential delays in housing delivery. Is there a case to be made that there would be further delays in housing supply if we have greater industry uncertainty and developer uncertainty, and would that happen to impact housing supply in your area?

Brett WALTERS: Given the development itself is led by industry, I think it is hard for councils to speculate on the impact. But if they are telling you that uncertainty would cause them to defer investment, I think they are in a better position –

Sheena WATT: With that, if they were to defer investment, would that ultimately lead to less housing in the LGAs that you represent? Do you have developers building in your LGAs?

Brett WALTERS: We do.

Sheena WATT: Right. And their increased uncertainty – would that therefore have an impact on housing supply in your community?

Stefan KOOMEN: I think that certainly does. I mean, when I am out turning sods on all our new residential developments, the developers and the builders talk about the need for certainty; that is definitely one. There are a number of other factors within the market: the construction sector and all of that. But certainty from government and council is very important. Kathryn mentioned the parallels between what we go through with our PSPs –

Sheena WATT: Yes, the precinct plans.

Stefan KOOMEN: and what maybe some of these provisions are. It would certainly relate exactly the same. So in terms of if there is less impediment to building–

Bev McARTHUR: Less taxes.

Stefan KOOMEN: all sorts of impediments – any impediment can reduce the housing supply. So I think having that certainty is important.

The CHAIR: All right. Ms Crozier.

Georgie CROZIER: Thank you, Chair. Just very, very quickly, we have heard from the City of Casey around their ability to cater for their communities and provide infrastructure like football fields and schools and a whole range of community services that are required when you are building new homes. Can I ask you, Mr Walters: have you got that capacity to build and find new open space that would cater for this activity centre and the numbers of people that would be proposed by the government?

Brett WALTERS: We currently have demand exceeding supply through our sporting infrastructure, for example.

Georgie CROZIER: Already.

Brett WALTERS: We have capacity-constrained libraries.

Georgie CROZIER: So this will only add to that demand.

Brett WALTERS: It is very challenging.

Georgie CROZIER: What are they going to do? How are they going to operate? They cannot.

Brett WALTERS: That is why the review of the infrastructure contributions is critical, to be able to acquire land for that purpose.

Georgie CROZIER: And Mr Guttman, you are nodding your head. Is that the same issue in Kingston?

Jonathan GUTTMANN: Yes, other than to say that we have a plan for how to try and address that. In terms of providing for playing fields within our green wedge, we certainly have some ideas that we have presented to government about how to do that. We are really mindful that being 20 kilometres from the CBD it is very difficult for a number of inner councils to provide more playing areas. We would really be very keen to use the infrastructure contribution process to address some of the shortfalls that we are also seeing, like Mr Walters.

Georgie CROZIER: But Mr Walters, you are probably more constrained than Mr Guttmann, would you say, just because of the built-up area that you are already in?

Brett WALTERS: More dense.

Georgie CROZIER: More dense already.

Brett WALTERS: I think any of the councils that have other local government areas around them have suffered from similar constraints. I am not sure what the relative densities are – people per square kilometre – between our municipalities. but it is challenging.

Georgie CROZIER: Okay. Thank you very much indeed.

The CHAIR: All right. Thanks. We might wrap it up there. Could I firstly again thank you very much for your time and your very thoughtful contributions. It is much appreciated. You will be, as I said before, provided with a copy of the transcript, and as you may have guessed, we are working on a very, very tight timeframe, so we would ask you to turn that around as quickly as you could, please.

Having said that, the committee will now take a break for 10 minutes, and we will be back with the department of planning and the VPA. It should be an exciting end to the day.

Witnesses withdrew.