

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

David Ettershank – Chair

David Davis – Deputy Chair

Ryan Batchelor

Gerogie Crozier

Michael Galea

Sarah Mansfield

Bev McArthur

Aiv Puglielli

Sheena Watt

WITNESSES

Anne Ferris, and

Mark Cassar, Liveable Moonee Valley;

Christina Branagan, Boroondara Heritage Group for Advocacy and Protection;

Douglas Klein, President, Highett Progress Association; and

Jane Oldham, Boroondara Community Group.

The CHAIR: Good morning. I declare open the committee's public hearings for the Inquiry into Victoria Planning Provisions Amendments VC257, VC267 and VC274. Please ensure that all mobile phones have been switched to silent and that background noise is minimised. I welcome any members of the public in the gallery or watching via the live broadcast. I remind those in the room to be respectful of proceedings and to remain silent at all times.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

Before we introduce the members of the panel can I just advise the panel members that 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 actions for what you say during this hearing, but if you go elsewhere and repeat the same things those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of the Parliament.

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

For the Hansard record, can you please state your names and any organisations that you are appearing on behalf of. Please, perhaps we could start with you, Jane.

Jane OLDHAM: Jane Oldham from the Boroondara Community Group.

Douglas KLEIN: Douglas Klein with the Highett Progress Association.

Christina BRANAGAN: Christina Branagan from the Boroondara Heritage Group.

Mark CASSAR: Mark Cassar from Liveable Moonee Valley.

Anne FERRIS: And Anne Ferris from Liveable Moonee Valley.

The CHAIR: Good morning, welcome, and thank you for attending on pretty short notice. We really appreciate you being here with us here today. I am David Ettershank, and I am the Chair of the committee. We might just go around the table. Georgie, would you like to –

Georgie CROZIER: Georgie Crozier.

David DAVIS: David Davis.

Bev McARTHUR: Bev McArthur.

Sarah MANSFIELD: Sarah Mansfield.

Ryan BATCHELOR: Ryan Batchelor.

Tom McINTOSH: Tom McIntosh.

The CHAIR: Okay, let us get underway. We will start with just a 5-minute statement from each of the organisations. Douglas, if you would like to kick it off for us, please.

Douglas KLEIN: Thank you. Good morning, and thank you for this opportunity. By way of general introduction, our four groups here today are representative of the many other communities concerned with these amendments and the avalanche of planning changes since the 2023 housing statement. Our various groups began networking last September, following rather frustrating final meetings of the pilot activity centre community reference groups. Initially, about 15 groups in seven of the 10 pilot centres connected, and this network has now grown to about 35 groups across Melbourne. People who have never been active on community or political issues have reached out to neighbours, initiated petitions or joined public forums, worried by the plans to transform the city. So the initiatives to codify standards and adopt deemed-to-comply principles reducing community involvement have actually united many new voices in rejecting this approach.

I personally represent the Highett Progress Association, or HPA, as I will call it today, which is apolitical. Our members attended both the SRL Cheltenham community reference group and the precinct reference group, plus the Moorabbin activity centre community reference group. The HPA accepts many of *Plan for Victoria's* objectives. Population growth and development are necessary given Australia's ageing demographics. More affordable and social housing is urgently required, and infill within existing Melbourne suburbs is preferable to suburban sprawl. However, we are concerned both with the process and the impact on Melbourne's livability, particularly the environment, without real solutions to housing affordability.

We believe that councils contribute more to good planning than would deemed-to-comply regimes, which largely exclude them. We are also concerned that rather than addressing the intergenerational wealth gap, the simplistic dialogue we have heard recently of haves and have-nots or boomers versus millennials will create or deepen divisions between generations without truly addressing underlying issues. Consultation on the VPP amendments was inadequate, as evident from the handout that you will have received relating to the Moorabbin activity centre, and that is fairly self-evident if you just go through and read the headings on each page. The consultation on the Suburban Rail Loop was far more comprehensive, despite affecting many less suburbs and millions less Victorians than these amendments will do. The VPO's own engagement report, which I have highlighted in part of the handout, details community and council concerns.

Affordable housing is often cited as an underlying objective. Many heartfelt early submissions to this committee assume these reforms will make housing more affordable, but that link remains uncertain. There are no targets for affordable or social housing, while developers state they have no margins in most apartments until pricing for existing stock increases by 15 to 20 per cent. Therefore the sweet spot for developers, rather than towers close to transport in core zones, will be more expensive three- to six-storey apartments on narrow residential streets in the catchments. But with two-bedroom apartments from \$800,000 to \$900,000 in many areas and three bedrooms starting at \$1.4 million, such homes are more suited to downsizers, like the people on this side of the table, than the people who really need new options. In short, allowing more density does not guarantee affordable housing. A missing element is the lack of commitment to social housing, especially in Victoria and when compared with other states or with past decades.

Livability will be reduced for current and future residents as the target of 30 per cent tree canopy becomes unattainable and less is done to counteract urban heat islands in suburbs like my own, Highett. Increased overshadowing, reducing sunlight and privacy will affect the physical and mental wellbeing of residents old and new. Ensuring livability requires firm, transparent commitments to developing community infrastructure to support the population growth. How such infrastructure is to be planned or funded remains unclear in both the calculation and timing of developer contributions. The impact on current and future residents and small businesses from rezoning, leading to increased land tax, council rates and liability for windfall gains tax, is also unclear.

The power shift underway at the moment in roles and authority between the state government, councils and the community is fundamental, far-reaching and less democratic. The government blames councils for the housing crisis, which is actually driven by interest rates, land and building costs, labour shortages and increased taxation, reducing investor activity. In fact many councils are confident of being able to meet government housing targets or get very close, and Charter 29 has already presented this committee with an alternative approach. We therefore wish the government would slow its top-down rush towards a new-look Melbourne, open its technical assumptions to councils and other experts and adopt a more transparent and collegial

approach to agree rather than enforce a vision of a higher density Melbourne. Engagement with councils and the community would ensure broader support for a larger but still livable Melbourne. Thank you.

The CHAIR: Thank you, Douglas. Anne.

Anne FERRIS: Mark is going to present first.

The CHAIR: Thank you, Mark.

Mark CASSAR: Chair, committee members, thank you for the opportunity to speak to you today. My name is Mark Cassar, and I am speaking on behalf of Liveable Moonee Valley. We are a community group which was founded in October with five people originally. We represent 800 residents today, and it is growing every day. We are not against social and affordable housing. We are not against increased density in our suburb. In fact Moonee Valley council has a strategic 2040 plan which does precisely that, but it does it in a way which is respectful to the specific conditions within our locality.

In the short time we have available today it is not possible to go through the many problems that are in these amendments. I will refer you to our submission, which is far more detailed, and I will talk about some of the most important measures. I will start with the consultation process. If the objective of the consultation process was to inform the community and to solicit feedback, it was an abject failure. We had two consultative meetings. The first one was attended by six people and the second by 20.

David DAVIS: Chaired by who?

Mark CASSAR: Chaired by Danny Pearson, and he only appeared on the first one. He did not front up to the second one. You have thrown me now. We had 20 people in the second one. Questions were raised. They were routinely dismissed as being out of scope. Those within scope were never answered.

We have had discussions with hundreds of residents. Ninety-five per cent of them have never heard of these proposals. Of the remaining 5 per cent, it is alarming that some of them think that an activity centre is a child's playground. We have raised many questions about proposed infrastructure planning both verbally and in writing to our local member, the minister and the department, and we have never received a reply. We believe that the consultation process was a tick-box exercise, with the outcome preconceived before anything started.

Niddrie and North Essendon are not appropriate sites for an activity centre. There is no train in that area. There is a tram which runs down Keilor Road, but it does not extend for the entire activity centre. In fact parts of the catchment are 1.4 kilometres away from the nearest public transport. In our area people require cars to get to work. They either drive to a train station – again, there is not enough parking at the train station, so it just fills local streets – or drive to work. There is no foundation institution, no industry and no large employer of any type. The biggest places are Woolies, and the rest is strip shopping. The largest offices that you would find are an accountant or a solicitor. If the government achieved their growth outcomes in that area and they achieved the outcome of using public transport, the tram system could not possibly deal with the volume of people that it would be required to carry.

In terms of the standards, the 30-odd standards do not capture the unique diversity in Melbourne alone, let alone the rest of Victoria. As a group we fear the loss of amenity and privacy in our backyards, the reduction of the green canopy habitat and further contribution to the heat island effect. They do not provide for the character of our suburbs at all. I will give you a couple of examples. If any particular –

The CHAIR: You have got 1 minute.

Mark CASSAR: I will be very quick. Every development will be judged on its own merits. The cumulative effect of multiple developments in an area is not considered. We think that these changes do not meet the requirements of the Act. They do not provide for fair, orderly and economically sustainable use of land, they do not provide a secure, pleasant and efficient workplace or environment for living, and they fail to balance the present and future needs of all Victorians. Thanks for the opportunity to speak to you. Again I refer you to our submission.

The CHAIR: Thank you. Obviously everyone has your submission; they are part of the public record as well as the committee. We will be getting into questions shortly, so we will tease out some of this. Okay, Christina, please.

Christina BRANAGAN: Thank you for the opportunity to speak to everyone, and thank you all for actually creating this inquiry. We really appreciate it. The community has not had a good voice, and so at last we and our councils have got a chance too to have a voice. I am from the Boroondara Heritage Group for Advocacy and Protection. We are a local community group. We have several hundred people in our network. We work on predominantly heritage-related projects, but late last year we realised that there was a real need to help inform the community very broadly in Boroondara about what was happening for the same sorts of reasons that Mark explained – pretty appalling communication program. We got very involved with talking to lots of people in the community and getting flyers out, so we now have really reached thousands of people we have been in touch with.

What we believe is we support and we want to see significantly more housing in all parts of Boroondara and across Melbourne. We recognise there is a need for densification and a need for a lot more housing, and we very much support that. We want to see a lot more social and affordable housing. But what we think is that it needs to be done correctly and that it needs to be done with council participation and with good strategic planning and the assurances of delivery of affordable homes so that people of all ages, life stages and demographics can afford to buy and rent. But it also needs to balance for caring for the huge amount of Melbourne's protected heritage, which is in the middle-ring suburbs and in particular places like Boroondara. It is our huge concern, and that is what I am going to focus on today. I am just going to talk specifically about heritage and leave it to the others to talk about some of the other issues which we are also concerned about. We do not believe the plans are going to deliver all of these things.

We really call on our MPs today and you at the committee to consider the overwhelming evidence you are starting to hear now from experts who are coming in to talk to you, and we are hoping alarm bells are starting to ring for you. In all conscience, really, I put it to you: can you really let these huge changes just go through in such a rush? They are really going to change Melbourne forever. BHGAP do not believe that this is about selfish current residents who do not want to see change. There are far more serious issues at play that you are hearing from people who really care about Melbourne and Victoria. What we think has happened here is that there may well be a great intent on behalf of the government and the state planning department, but, as was mentioned to you yesterday, the devil is in the detail and intent is not the same as excellent delivery, and that is what we think the real issue is.

I want to just now move particularly to the terms of reference of your inquiry and those that relate to heritage. We do not believe that these amendments give proper effect to several objectives set out in the *Planning and Environment Act* that connect to heritage. If we go to the particular section 4(1)(d), there is a requirement to conserve and enhance buildings, areas or places of aesthetic, architectural or historical interest or special cultural value. It is this part of the *Planning and Environment Act* that means that councils and Parliament have to look after heritage, basically. It is something you are legally required to do. We are really concerned that these amendments are going to significantly reduce the ability of councils and communities to continue to deliver long-term conservation of a world-class built heritage. It is not going to enhance them; it is going to cause their gradual decay. We have tried in our submission to give you visual examples and photographs of what we think is going to happen, so we would ask that you please have a look at those.

Councils are currently required to ensure that any new development is sensitive and sympathetic to heritage areas. We really believe, and so do many other heritage experts – people from the Royal Historical Society and the National Trust and other submissions you have had – that there is clear evidence these new amendments are going to undermine the heritage protection of many, many thousands of heritage houses, streets and buildings in all heritage overlays across Victoria if they are placed in catchment zones. We are extremely concerned that the government have ignored the advice that was given to them in their advisory committee, which was published in November but not shared with us in the community or councils till April. It was actually advised to them that they should remove all the heritage in Chadstone, Preston and Camberwell activity centre catchment zones – all the heritage should be removed from this new HCTZ zone. That advice has been ignored. I hope that you have those advisory committee reports. They are available on the VPA website – only just given to councils and us a week ago, which is appalling. If you have not got them, please let us know and we will share

them with you. But the advice was: remove all the heritage from Camberwell, Chadstone and Preston, and there was great concern about the interplay of the heritage overlay and the HCTZ zones.

The CHAIR: Terrific. Thank you so much.

Christina BRANAGAN: Thank you.

The CHAIR: Okay. Jane, would you like to –

Jane OLDHAM: Thank you. Good morning, and thank you for the opportunity to appear today. I speak on behalf of the Boroondara Community Group, a group of engaged residents that was formed in October in response to the lack of information available and the refusal of the state government to engage with our council and our community. We represent more than 800 residents who have come together via Facebook, email and also our website, and uniquely we have been engaging with the Australian and Chinese community.

It is clear from our submission that we are supportive of housing density, housing diversity and the need for a more compact city so we limit urban sprawl. We are supportive of the 12 storeys in Camberwell; in fact we have already got them. We have already got immense townhouse development in Boroondara, and there is nothing in the current zoning which prohibits townhouse development in any way or lot consolidation in any way. What we have been asking for is a pause – only a pause – so that this planning can be done well in consultation with our councils, who have the understanding of the local context and the years of planning to ensure that the community is livable. Really what this is about is ensuring that the community in the 2050s have a livable Melbourne, a livable Boroondara.

If I could turn to affordable housing, that is actually the biggest concern. There is an urgent need for more housing and for it to be genuinely affordable for middle-income Victorians, and that is fully acknowledged. The concern is that it is being left to market forces. The state government is promising that the amendments will ensure that we build a future where every Victorian can afford a home that is right for them without publishing any evidence that an increase in supply will actually lead to affordability. The evidence yesterday provided no concrete analysis, no numbers and no reference to prices today or what the costs of construction are going to be in order to deliver new townhouses and apartments and how that relates to moderate income. We have attempted to do that in our submission, and you will note that the prices there are medians as of last November, so they will actually be reflecting new stock, old stock and not actually what it is going to cost to construct going forward.

In our view, this planning reform is a hope that affordable housing will be delivered. It is not that we see that there will be meaningful price reduction in housing to enable the very low, the low and the moderate incomes to afford housing. It is going to need to drop between 18 and 45 per cent for that to happen. That is reflected in the conversations that we have had with workers and young people – people who are coming in from outer Melbourne and working in Camberwell and Boroondara.

Our concerns with VC257 are twofold: locking out the councils in relation to the introduction of catchments and then allowing short timeframes for submissions. We have shown that in appendix 1. The lack of information, the lack of transparent decision-making, the failure to undertake meaningful consultation and the failures on infrastructure planning and how it will be funded – we will pay the costs of this rushed planning in the future, and in that respect I would like to endorse everything that has been said by the previous three speakers.

What has been shared and communicated during consultation was insufficient to constitute appropriate notice to those affected, and in the submission I have annotated all the appropriate provisions in the objectives that relate to this evidence. That is what we got; that is what we received about the major change to the rezoning – clearly not sufficient. What has really concerned us is seeing the standing advisory committee reports, which Christina referred to, where they went so far as to say that the walkable catchment zone was not justified strategically and should not be applied at this time. If it were – in relation to Camberwell – they asked for major changes. There were some minor changes, but in addition to the heritage being removed, they also wanted the fringe precincts taken out and for it to be a true 10-minute walk.

VC267 – we have talked all about those concerns. In other ways it is a missed opportunity regarding CASBE recommendations.

I would like to finish by saying Disallowance is a blunt tool. These are major reforms; however, the right to disallow exists for a reason. Nobody is asking for the activity centre core in Camberwell to not happen, nobody is asking for less housing density and diversity and nobody is asking for worse livability. We want to see improved reforms. What we would like and what we believe is possible is for more work to be done. The future of Melbourne and Victoria's livability is in your hands on 14 May, and we wish for the outcome of that vote to enable much better planning and building of housing in Victoria.

The CHAIR: Thank you, Jane. No pressure – it is in our hands. All right. We will go to questions now. We will have about 4 minutes, roughly, for each one, and I will kick off. Given it is my neighbourhood, I might direct my questions first to Mark, if I may. Mark, you have been around Moonee Valley for a while.

Mark CASSAR: Yes, 15 years.

The CHAIR: Sure. And obviously you have seen a fair bit of densification just in that period.

Mark CASSAR: Of course.

The CHAIR: How do you feel about that?

Mark CASSAR: Look, as I said, we do not have a problem with increased densification. Moonee Valley, as I said, has a plan. The government could allocate a quota to every municipality and require them to build a strategic plan to deliver that outcome, but we have got this blunt instrument. The answer is not to kick the table over.

The CHAIR: I will come to that.

Mark CASSAR: Yes.

The CHAIR: Okay. How do you sense that the community is as a whole with regard to that process of making for a more compact city and densification? Is there generally support in the community for that to happen?

Mark CASSAR: Yes, I think there is.

The CHAIR: Okay. Have you had the opportunity to have a look at – and this is only a small subset – GC252?

Mark CASSAR: Yes.

The CHAIR: This came out I think last week, and it is sort of where the rubber hits the road. I guess this is where all the theoretical stuff is actually crystallised into geographical form. Could I ask specifically then: having had the chance to review this, albeit probably briefly, what is your sense of the community's feeling about GC252 for the Moonee Valley catchment?

Mark CASSAR: Can you remind me of what that one is specifically for?

The CHAIR: GC252 is the one that came out, which is actually the maps –

Mark CASSAR: Establishing the area?

The CHAIR: and it is showing how 267 will be applied.

Mark CASSAR: It is the wrong area. I mean, Keilor Road itself – you could see some larger buildings springing up along Keilor Road. Although when you get up to 12 storeys, it is underneath the direct flight path for Essendon Airport, so it is limited by that. There will be a wind tunnel if you develop that the way they are planning to. But there are opportunities for significant development in that area. As you go further west towards the freeway there is no public transport. It does not make sense to me at all. In my background I actually understand something about queuing theory. There is no way you are going to run trams at the required volume down that road, not without major – I do not know, you would have to redirect it, make it maybe one lane or something like that. But none of that has been planned.

The CHAIR: Okay. This is where the rubber hits the road in terms of clearly there being support within the community for increasing density. As you said, you have had very limited consultation opportunities. Could I ask: was there any consultation with the community specifically over the 252 maps?

Mark CASSAR: Not that I recall.

Anne FERRIS: No, not with 252. As you said, they only came out and were only delivered, like, a week ago.

The CHAIR: Right.

Anne FERRIS: We have had a number of information sessions and a number of discussions with residents about the maps et cetera and catchment and density –

Mark CASSAR: Driven by us.

Anne FERRIS: All driven by us. So yes.

The CHAIR: There has been no proactivity from the department in taking this out to you.

Anne FERRIS: Absolutely not, no.

Mark CASSAR: We have not had anyone from the department address our community forums or anything like that. We invited them; they just did not come.

The CHAIR: So you cannot get departmental reps to attend the community briefings?

Mark CASSAR: To attend the community sessions, no.

Anne FERRIS: No. And we have actually had face-to-face meetings with department reps in our homes. They actually came, which was fantastic. Unfortunately, there were 11 action items out of that, and none of them have been responded to. That was in December.

The CHAIR: So it has been very tokenistic.

Anne FERRIS: Yes, despite numerous calls and emails to the participants to say, ‘Can we please have answers?’ Some of them were actually: ‘Please give us the standard, the letters of referral et cetera’ – some of the key reports, so we could understand the detail. ‘We understand the concepts, but please give us the detail,’ and we have received nothing.

The CHAIR: Thank you very much. I really appreciate your candour today. Mr Davis.

David DAVIS: Thank you, Chair. I am going to start with Christina. I have had a number of conversations with Christina, who is somebody I know well from walks around heritage areas in the City of Boroondara. Just to understand completely as you unpack the impact of the zones, the catchment zone in particular, on heritage properties that have got various types of overlays – state-level overlays, local and so forth – just explain what will happen if it goes forward in its current form. New layers, existing layers – what do we think will happen?

Christina BRANAGAN: Okay. We tried to give examples in our submission, so I hope you can have a look. But what we think is going to happen and what we have been advised by our Director of Urban Living and other experts that we had spoken to is that, because the neighbourhood residential zone will be removed and replaced with the HCTZ zone, that zone basically at its head will promote densification and more housing. What is going to happen is, although the heritage overlay will remain in those heritage precincts, the heritage overlay will become pretty impotent, basically. So what we will start to see is that currently the council would generally be trying to keep to two to three storeys in a heritage precinct, because most heritage streets are at that sort of level – historic streets. It is generally accepted in all conservation principles here in Australia – the Burra Charter, or in the way the heritage council, Heritage Victoria, works – that prevailing heights in heritage precincts are an important thing to try and retain. What we absolutely think is going to happen, initially at least on non-contributory sites in a heritage precinct, is that a developer will be able to seek to put a three-, four-, five-, six-storey apartment block or townhouses up on 500 square metres or 1000 square metres, which is not

huge. They will go up, and the council will not be able to have any control. By using the heritage consultants as they are now, as required in the *Planning and Environment Act* in that section I drew your attention to, they are required, through their planning scheme clauses, to try and conserve and enhance the cultural value of those areas.

David DAVIS: So is it fair to say that over time the heritage values, the heritage protections will degrade?

Christina BRANAGAN: Absolutely.

David DAVIS: And those heritage sites will be replaced by dense development.

Christina BRANAGAN: Yes. We think that what is going to happen initially is that completely inappropriate developments will happen and the heritage nature of the streetscapes will degrade and over time what we will then see is requests perhaps by owners or developers to come in and remove entire streets from a heritage precinct, because the way a heritage precinct works is it is generally a collection of houses of a similar era and they have got their own heritage study and statement of significance.

David DAVIS: I am conscious of time, and I want to ask one more question – of Jane too. The second point I would say is: so your advice is to remove the catchment zones out of these amendments?

Christina BRANAGAN: Yes, that all heritage overlays should be removed from a catchment zone, and that is the advice that the government was given by its special advisory committee – or the minister was given – in those reports that just were released.

David DAVIS: Thank you. Jane, I am just going to come to you, because I am conscious I have only got about half a minute. What you are suggesting is that we would pause this process and the government would go back and begin negotiating and discussing with local communities and councils and come out with an alternative way forward?

Jane OLDHAM: Yes. In fact our council has already got that. It is delivering it. It has been asking to work with the state planning to develop that further, develop its plan further, so it can demonstrate how it can meet the targets.

The CHAIR: Terrific. Mr Batchelor.

Ryan BATCHELOR: Thanks so much, Chair. And thank you all for coming along today, some of whom I have met before and had many conversations with over the last couple of years and others who I am meeting for the first time. Thanks so much for coming in. We had evidence in the last hearings before Easter from some planning consultants that this process has been conducted in secret. It appears from the evidence today that you have had pretty considerable engagement with the representatives of the state planning process over the course of the last –

Mark CASSAR: We would not characterise it like that.

A witness: Not considerable, no.

Ryan BATCHELOR: Maybe if –

The CHAIR: We will get the question the table, and then you will be right to answer. Please, Mr Batchelor.

Ryan BATCHELOR: My question is: how many times have you met with representatives of the state government since September 2023 to discuss planning, and how many opportunities have you been given to provide written feedback on materials produced as part of this process?

The CHAIR: Maybe we will take that from the top of the table and work our way down.

Anne FERRIS: The first one was: how many times have we actually been –

Ryan BATCHELOR: I am just saying: how many times have you met with representatives of state government, whether that be state planning officials or others, to discuss planning matters that you are concerned about since September 2023?

Anne FERRIS: I have met with them face to face three times. That is not representative of the number of times that we have asked for meetings with them.

Ryan BATCHELOR: And were they one-on-one meetings? Does that include community reference group meetings that may have occurred?

Anne FERRIS: The community reference meeting – none of the current sitting parliamentarians came to that.

Ryan BATCHELOR: No, that is not what I said.

Anne FERRIS: I beg your pardon.

Ryan BATCHELOR: I asked about anyone in the state government, so whether that is officials of the department or whether that is state government, like members of Parliament. I am just interested to know how many opportunities you have had to participate in discussions about these.

Anne FERRIS: At the information session that we had there were a number of state parliamentarians there, yes, in which over 400 of our residents participated.

Ryan BATCHELOR: And how many officials? Sorry, I am not trying to be difficult. How many times has there been an opportunity for discussion on these matters?

Anne FERRIS: We have asked numerous times to be given an opportunity to go and discuss the issues and understand the detail, and we have received very little feedback to participate, to be given the opportunity to present.

Ryan BATCHELOR: I appreciate that, but the question I have asked is how many meetings you have had. You have said three, but it might be useful if you want to take it on notice to go back and look through your notes, your diary.

Anne FERRIS: If you want the exact number, if that is important.

Ryan BATCHELOR: Yes, that would be great.

Anne FERRIS: Okay.

The CHAIR: Christina.

Christina BRANAGAN: I might take answering that on notice if that is okay in terms of the quantitative data. I think what is more important for here today is to talk about the quality of those engagements. I have to say they have been very, very few. We have met with you and Mr Berger. We put things to you. We requested: 'Could we meet with the minister or the VPA or the DTP' –

Ryan BATCHELOR: Have you met with anyone from the department? Have any government officials been involved in –

Christina BRANAGAN: No, we have not. We have been seeking through our –

Ryan BATCHELOR: So there have been no meetings that you have been involved in that department and officials have been involved in?

Christina BRANAGAN: Can I finish, please? I feel like I am being controlled here. What we are trying to get across is the fact that there may or may not have been some discussions, but we have been asking to meet – for example, to talk about the concerns we have about heritage – and talk to some people for many, many months since we met with you in September, October. We have been asking and seeking through our other MPs and through our federal MP to see if we cannot get a hearing to talk about the concerns we have about heritage. The only response we have been given ever – and our council have been given – about heritage is 'The heritage overlay remains. The heritage overlay remains.' That is all we have been given. In terms of other meetings we have had, as you know, we have met with you and Mr Berger. The DTP came to a meeting at Hawthorn, which I have to say was very –

Ryan BATCHELOR: Sorry, DTP?

Christina BRANAGAN: A couple of people from the DTP came for a meeting at Hawthorn. We were super controlled; we were not really allowed to have our questions answered. For example, when I put it to a senior person afterwards when we hung around did he realise that there are about 4500 heritage places in the Camberwell Junction activity centre, he told me he did not know that.

Ryan BATCHELOR: I am just conscious of time. Mr Klein, how many engagements do you think you would have had?

Douglas KLEIN: Almost nothing. A lot relating to SRL, because I am from Highett, so SRL is more relevant to us. We are on the fringe of the Moorabbin activity centre. So a lot of discussion around SRL. In terms of the Moorabbin activity centre, obviously the two meetings, the 5 hours of the consultative group itself – no other discussions. That was part of the frustration that led to some of the groups reaching out to each other last September, because we were hearing from our councils – and in this case I refer to Bayside – that they could not get meetings with the minister, but they were meeting with community groups.

Ryan BATCHELOR: Sorry, you are saying Bayside told you that they did not have a meeting with the minister?

Douglas KLEIN: I do not know that they did not have any, but around about September, October last year they were finding it difficult to get through, and there was discussion within Bayside groups of trying to reach out. But I cannot say it did not happen.

Ryan BATCHELOR: So Bayside have said they have not met with the minister – is that what you are saying?

Douglas KLEIN: The words we heard as a community group – and you could check with Bayside this afternoon –

Ryan BATCHELOR: I will.

Douglas KLEIN: were that they were having difficulty. The minister was prepared to meet community groups rather than councils.

The CHAIR: Jane?

Jane OLDHAM: Thank you. I will be succinct. The VPA held a webinar for 60 minutes during the five-week consultation period, which I attended. They kept to the script, so we found out nothing more than what was in that plan that I held up. They did say that they would respond to questions that were not answered during the webinar in writing. They said that by email. I did not receive anything, and I did follow them up on that – no response. The only meetings I have had, Ryan, are with you. You asked me for a submission. I wrote it. I have not received a response. I did ask you to arrange meetings with the department or the minister – no response. The DTP – three members – did attend a community information forum that Boroondara Council organised.

Ryan BATCHELOR: Sorry, DTP officials attended that forum?

Jane OLDHAM: Yes, they did – on 11 February this year. The plans, as in VC257, were released two weeks later. So they were imminent; we were told they were imminent. They had already been decided. There was nothing influential on that night, and again they kept to script. The only other person I have met was, in late March, the lady who is in charge of community engagement for the next 50, and that is how I learned about the engagement model that is being used.

David DAVIS: Not this 60, the next lot.

Jane OLDHAM: The next 50 – sorry. The next 50.

The CHAIR: Thank you, Mr Davis. We will come back to that. Thank you, Jane; I appreciate that. Ms Crozier.

Georgie CROZIER: Thank you very much. Thank you all for being before the committee and for your evidence. I am very interested in the discussion that we have had and what we are hearing. What I am concerned about is – following on from Mr Batchelor’s questions – the number of times you all have reached out wanting answers about specific issues and the blanket non-response or the frustration that you have. It is fair to say that you have all expressed that in your evidence provided to the committee. As you have said, these are significant changes. I think it was an avalanche of planning changes, Mr Klein, you referenced. I want to understand in terms of the reference groups that were put together, for that one you referenced, Mr Klein, who chaired that?

Douglas KLEIN: Nick Staikos – it was the Moorabbin activity centre.

Georgie CROZIER: Right. And Mr Pearson – the minister chaired that and did not turn up?

Mark CASSAR: Did not turn up to the second one.

Georgie CROZIER: Did not turn up to the second one. In the Boroondara, who chaired that?

Christina BRANAGAN: Mr Berger.

Georgie CROZIER: Mr Berger. All these Labor MPs have been chairing these reference groups, is that correct? What I am concerned about is in that community reference group a number of engagement principles were provided to you. One of the principles was to only engage in matters that the community can influence. Can you give me some insights into how that was put to you – I am open to any one of you on the panel – and how you were actually able to respond to that, because you are all telling the committee that you have got concerns and that they are very significant concerns. It seems to me that, as you say, it was a tick-the-box exercise, because all of those subsequent requests have fallen on deaf ears. Can you just highlight that?

Douglas KLEIN: I think if you refer to the handout that I passed around relating to the activity centre in Moorabbin, the third page is a copy of one of the slides from the first meeting which clearly says what community members can influence. If you look at what is off the table, the right-hand series of boxes – so the bigger questions – the need for more homes, the need for greater housing diversity, none of that was for discussion. The focus of the discussion was always what was on the left side of that page, so specifics of the local area. The frustration was that the first meeting was all about almost motherhood statements: would you like more entertainment, would you like more restaurants, things like that. Then the actual guts of the matter, which was the layout for the activity centre, especially the ‘toasties’, what became the HCTZs, that map was in the plan which was released at the end of August, which was just a week before the second round of meetings and a month before submissions closed. The key thing there was that the heights and the densities were not shown on any of the maps in the actual submission. You had to go, as I have put in here, to page 41 of the 51-page document and read the fine print. So it was very hard to get responses.

Georgie CROZIER: Mr Klein, sorry. I am just watching the clock. Thank you for that response – very helpful.

Another question about the presentation discussions: are there plans to demolish heritage homes? What was the response from government around that question?

Christina BRANAGAN: My understanding from talking to our director of urban living and the questions that we put ourselves is that the only response we have ever had is, ‘The heritage overlay remains’. As we have just explained to you, that is a disingenuous response.

Georgie CROZIER: So in your mind there were plans to demolish heritage homes.

Christina BRANAGAN: In the Boroondara Heritage Group’s mind there are potentially plans to reduce the size of the heritage precincts and take some streets out of the heritage precincts and therefore to mark homes to be demolished ultimately in the medium term, yes.

Georgie CROZIER: So a disingenuous question.

The CHAIR: We are just going to leave it there for the moment, thank you. Dr Mansfield.

Sarah MANSFIELD: Thank you, Chair, and thank you all for appearing today and for your submissions and – I know I have met with a number of you as well – for your advocacy.

Jane, you mentioned that you had concerns about how these planning scheme amendments would impact on livability in the long run. With specific reference to these planning scheme amendments, what aspects of them do you think will have a detrimental impact on livability?

Jane OLDHAM: The standards in 267 are more permissive, so the boundaries to the side are being reduced from 6 to 3 metres and at the front from 9 metres to 6 metres. Put a balcony in front for apartments – where do your trees go? That is a major concern. The requirements around screening of a new window looking into a bedroom window have been removed. In terms of what the actual areas will look like, you heard from the developer – sorry, I do not know his name; I could not hear – yesterday about how he has got designs ready to go.

Bev McARTHUR: Oscar Stanley.

Jane OLDHAM: Thank you. What we are going to see is much more homogeneity and the loss of detail, character, the sense of place. I think what is also a real concern is that the developers are going to be able to buy and consolidate lots and build where they wish to. What that means is we lose the opportunity to create walkways, to create laneways, to actually plan for place and to deliver a community that people will want to live in in the 2050s that is going to deliver them the walkability that is being sought and the additional open space. Those considerations have not gone into the planning, and that is relevant to VC274 as well. It is not about looking at what is going to be created. These are just allowing buildings to be built.

Mark CASSAR: May I add briefly to Jane's comments. When a developer buys multiple consecutive blocks in order to build an apartment, necessarily mature trees in people's backyards are going to be ripped out with the mere promise of replacing them with saplings. On every aspect a bigger footprint, greater overshadowing, reduction in setbacks – all those things are going to diminish livability ultimately, particularly when you start consolidating. Green space will be lost hand over fist.

Sarah MANSFIELD: The department has said that *Plan for Victoria* has other provisions in it that will protect tree canopy; for example, a tree over 5 metres will require a permit to be removed. Do you think things like that provide you with some assurance? Are there other aspects of this that you think will have a detrimental impact on livability?

Christina BRANAGAN: I think we have heard other experts who have come before you saying that they think moonscaping is going to reappear. We have been shown data of just how important some of the tree canopy and gardens are. In areas, for example, such as Boroondara and in the eastern suburbs masses of the tree canopy are actually in people's private gardens, so if they are going to be going, we are going to be losing that. We have to have a plan to make up for it, and we do not see a plan for that, no.

The CHAIR: Thank you. Ms Watt.

Sheena WATT: Thank you, Chair. Thank you all for being here today and for your submissions as well as some handy takeaways. I, like Mr Ettershank, want to ask some questions to you on Moonee Valley, which is an area close to me in Northern Metropolitan Region. I am particularly interested in Essendon and Niddrie. Are there any changes that you want to reflect on between the original draft and then following consultation and how that may have changed? I am just interested to see if in fact there was any meaningful impact from community consultation on the initial draft that went to community and what was then presented after a consultation process.

Anne FERRIS: There was minimal change, which we were appreciative of, but not to the extent that we would have liked there to have been. When you look at the Moonee Valley 2040 plan, it provides a tailored –

Sheena WATT: That is the council plan.

Anne FERRIS: That is the council plan, yes. When you look at what that provides and the density that provides across Moonee Valley, that is what our residents are saying they would prefer. They understand there

are density requirements. That is a fairer and wider reaching increase in density rather than these major activity centres and catchment areas.

Sheena WATT: You are saying that preference by the community –

Anne FERRIS: Yes.

Sheena WATT: Has that come to you directly, to council or through the process? I am interested to know where those preferences are that you speak to.

Mark CASSAR: In terms of who we have mentioned it to? We have become aware, obviously, of the 2040 plan – it is available on the web, I think, on the site. Our discussions with the community have indicated that that is far preferable to what is being proposed here, particularly the catchments. The catchments and the deemed-to-comply are a big issue.

Anne FERRIS: We have presented it wherever we can. We see our role as informing residents of these plans and what is coming because the government has not done that. So we have had that role. We were at the Moonee Valley festival recently. We put up maps of the catchment areas trying to explain to our residents just what this means to them, trying to inform, trying to get as much detail as we can to understand the proposal and then provide that information to our residents. We just cannot get a lot of the detail, but what we have got about the maps et cetera – just any opportunity we have had trying to inform our residents, trying to just engage with them and show them what these changes will do to our livable Moonee Valley.

Sheena WATT: And that reflection is with community through festivals and other –

Anne FERRIS: Whatever forum we can get.

Sheena WATT: Whatever forum – I appreciate all those efforts. Is that to the activity centre as well as the townhouse code? Have you talked to the community about the townhouse code as well?

Anne FERRIS: We have not spoken specifically about the townhouse code. We have spoken about height. Is that what you mean?

Sheena WATT: More about the townhouse code, particular to VC267, which is another part of our inquiry. I just want to know if that formed part of your –

Mark CASSAR: The detail for that is only recent too. It has been difficult to obtain.

Anne FERRIS: They have only been released to us in the last few weeks, so again there has been limited time to actually go out to residents and engage.

Sheena WATT: Okay. No, that is fine.

Mark CASSAR: That was the point I was going to make.

Sheena WATT: Are there any additional comments on Moonee Valley and the sentiments of community? I understand about that forum that was held.

Anne FERRIS: There is a thirst for information. What does this mean? What are the details? If you look at the CRG report, the information about catchment areas was only, like, two pages. There was no detail, so of course residents are saying: what is the information? What are the details that we are going to be seeing? And there is nothing forthcoming.

Sheena WATT: Okay. I appreciate that. Thanks, Chair.

The CHAIR: Thank you. Mrs McArthur.

Bev McARTHUR: Thank you, Chair. Thank you, everyone, for attending. Would you agree that the level of consultation has been appalling?

Witnesses: Yes.

Bev McARTHUR: Yes. All in unison agree that that is the case. Would you be prepared to take on notice to provide us with the times that you have asked government members or departmental officials for information or to attend a meeting and give that to us as quickly as you can?

Georgie CROZIER: Or that have not been responded to.

Bev McARTHUR: Yes, the response or lack of it. Just going to Mark's comment, I think that there is not the infrastructure existing in this established area to accommodate extra residents anyway. Why has there been such an appalling lack of infrastructure provided in your area by the government and yet they want you to accommodate more people?

Mark CASSAR: You would have to ask the minister that question.

Bev McARTHUR: Yes. So you would agree that you have not got the infrastructure now to accommodate the existing population, let alone a new population?

Mark CASSAR: There are only two streets which go east–west across the suburb, Keilor Road and Buckley Street. In peak hour, school pick-up, that kind of thing, you cannot drive down these streets, right?

Anne FERRIS: It is stopped.

Mark CASSAR: It stops. Literally, it could take you 20 minutes to travel 200 metres.

Bev McARTHUR: So it is an appalling location to be putting any new extra development of the scale that is prescribed?

Douglas KLEIN: Ms McArthur, I think the issue is whether there are space for infrastructure, plans for infrastructure and whose responsibility it is and funding. It is the funding that is still the biggest issue for the councils. Who is going to have to pay for it?

Bev McARTHUR: Absolutely. I am looking forward to talking to them later. Somebody said that the activity centre everybody thought was a playgroup. It was clearly designed to mislead – correct? It is a tall-tower operation really, isn't it?

Douglas KLEIN: And the leaflets that went out did not make clear what it was, because it was put in the handout. Even in our case, when it said Moorabbin –

Mark CASSAR: It looked like advertising for a real estate agent. It must have been done like that by design, because you know what, when you pick that up, you glance at it and you throw it in the bin. That size – glossy, beautiful –

Bev McARTHUR: So we have got a situation here where you as volunteers are having to provide information to your communities. The government is failing dismally to provide you with any information, but it has fallen on your shoulders to inform the community. Is that acceptable?

Christina BRANAGAN: We will spend – maybe Anne does not agree, but I think a lot of the responsibility seems to have fallen on us and on our councils.

Jane OLDHAM: If I could just give you an example, we had four new activity centres declared on 2 March 2025. We doubled the number on our Facebook site in the space of two weeks, and they are continuing to grow. I can tell when our flyers have been delivered because the number of applications to join –

Douglas KLEIN: And the biggest response on our Facebook page is always anything relating to the government plans or the SRL. They are the ones that get the massive hits compared to anything else locally.

Bev McARTHUR: We learned yesterday that this whole process is not going to reduce the cost of housing. In fact we know in various council areas that houses are not being built even though developments have been approved because the cost is so great nobody can afford to go to market because there will be nobody that can afford to buy the product. So would you agree that the government's proposal is a lie in terms of suggesting that it is going to provide affordable or social housing?

Mark CASSAR: We do not believe it will provide those things.

Christina BRANAGAN: I think we have all got concerns about that, but we want to see all the detail.

Bev McARTHUR: Yes, but this is not providing it. Do you agree?

A witness: Yes.

Bev McARTHUR: Thank you.

The CHAIR: Thank you, Mrs McArthur. Mr McIntosh.

Tom McINTOSH: Thank you all for being here. I just want to follow on the consultation conversation. Any issue is something that is difficult to implement and engage community with because people have different opinions or a different journey throughout that. Seeing that the consultation has gone for over a year and that there were changes to boundaries, graduations of heights across areas and funds for community infrastructure, does that not show that throughout the consultation process there have been changes adopted over that time?

Jane OLDHAM: Could I answer that? In terms of consultation, and I have in appendix 2 provided a table of exactly what happened by dates, because the Camberwell Junction activity centre – and it was not alone – had a current structure plan that was recent, we did not have phase 1 consultation beyond a CRG meeting. What we then had was a plan delivered on 22 August, which was the first we knew, the first our council knew, about these catchments, and consultation closed on 29 September. We had one webinar – 60 minutes. The only part of that that was put up on the internet was the sales pitch. The Q and A was not there. The frequently asked questions came out in December after months of asking for them, and they gave no further information than we already had: the heritage overlay will remain. So it is not true to say there has been a year of consultation.

Tom McINTOSH: So there have been no changes adopted out of consultation?

Mark CASSAR: I would not say it was out of consultation. You see, in our in our community members of the public have got 200 corflute signs which have been erected, and the people who put them in their backyards pay \$20 for the privilege. Ben Carroll worked very hard to change some of the things, but I suspect he was more concerned about his position in Parliament.

Tom McINTOSH: So changes have – sorry –

Christina BRANAGAN: I am very confused as to what your question is, sorry.

Tom McINTOSH: So changes have occurred over the past 12 months.

Douglas KLEIN: There is one set of changes, which was the announcement a few weeks ago, in the middle of April or earlier, sorry, where what was previously called the walkable catchment zone was relabelled. So the jargon was changed and some of the heights were changed. That was one set of changes at that point. The heights were mainly in the walkable catchment zones, and the overall size of the total zone was reduced in some areas. In Moorabbin's case it was one street that was taken out. So there were some changes – one version.

Christina BRANAGAN: In Camberwell I think one or two streets went out, and we had the two versions – the HCTZ1 and HCTZ2.

Tom McINTOSH: Okay, thank you.

Christina BRANAGAN: Very, very poor response to the feedback was given in terms of what was actually done.

Bev McARTHUR: Absolutely minimal.

Christina BRANAGAN: Minimal and not going to make a difference.

Tom McINTOSH: Sorry, Mrs McArthur, I think I am just –

The CHAIR: A bit of order.

Tom McINTOSH: I am wrapping up, thanks, Mr Ettershank.

The CHAIR: Go for it, Mr McIntosh.

Tom McINTOSH: Given we are past 10 o'clock I will finish, thanks.

The CHAIR: Thank you very much. All right, that concludes this session. Can I firstly on behalf of the committee thank you very much for attending and thank you for your advocacy. Just note that you will receive a copy of the transcript for review in about a week before it is published on the website. The committee will now take a recess for 5 minutes while we reset for the next witness.

Witnesses withdrew.