Mr Richard Willis  
Legislative Council Standing Committee on Finance and Public Administration  
Parliament House  
Spring Street  
EAST MELBOURNE VIC 3002

Monday, 5 April 2010

Dear Mr Willis,

RE: Inquiry into Victorian Government Decision Making, Consultation and Approval Processes

The Friends of Moorabbin Action Group (FOMAG) is a group of concerned local residents in the City of Kingston, Glen Eira and Bayside areas. We are pleased to have this opportunity to advocate for our basic democratic rights and integrity of public processes. Our concerns relate to the following:

- Inadequate community notification and consultation in relation to the planning, approval and decision making processes surrounding two large scale federally funded social public housing projects at 999 Nepean Hwy (City of Kingston) and 973 Nepean Hwy (City of Glen Eira). A third is proposed (on a much bigger scale) for the old gas works site in on Nepean Hwy, Highett falling in the City of Kingston.

- Lack of attention, acknowledgement and regard for community concerns involving Federally funded social housing projects including lack of due regard to issues causing “material detriment”.

- Flawed assessments concerning these issues: parking, traffic management and congestion and how the nature of these developments would impact on social/public housing clients, the local community and businesses as well as the local community, its amenities and infrastructure.

- Seriously shallow assessments relating to material detriment surrounding the above developments.

- Lack of clarity into how the planned developments would be funded, built and managed.

- Changing the rules to suit the needs of those behind such developments when ordinarily other developments would need to follow clear processes to ensure developments remain appropriate. See attachment 1.

This submission is made with the best interests of the community in mind. We support the provision of integrated social public housing and not housing policies that drive people into clustered social public housing which is an unacceptable and inappropriate form of accommodation for any public housing clients.

In addition, we the community were not engaged in what should have been a thorough and transparent consultation process at the local and state levels. Due to this, we are
concerned that public funds may be misused and are not being utilised to serve the best interests of this community and social public housing clients. It is mandatory that for any planning of this kind, extensive community consultation is carried to protect safety and amenity and ensure that public funds for these purposes are put to appropriate use which does not undermine local/civic assets nor overwhelm existing infrastructure.

Most importantly, over the years, the government has been working towards de-institutionalisation and it is alarming to think that public funds are now being used to clustering social housing clients which exacerbates their risks by leaving social housing clients more exposed to crime, drugs and violence. Recent reports and long term studies demonstrate the risks of clustering of social housing clients. See attachment 2.

Specifically, FOMAG would appreciate presenting evidence to the committee if an opportunity arises, but we provide the following information for your consideration:

1. **999 Nepean Highway, Moorabbin** a federally funded development in the City of Kingston (a 7 storey social public housing development to be shoe horned on the narrow car park at the rear of the Kingston Town Hall and the Kingston Arts and Cultural Centre and bounded by the Moorabbin Railway line which has a heavily congested South Road and even more congested Nepean Highway - see Attachment 3 picture of peak hour traffic).
   - Discussions of this project we believe was retained deliberately so, within the confines of the confidential council briefings without the ability of our elected representatives having the opportunity to publicly discuss or publicly release this information.
   - Despite Minister Justin Madden stating the government will fast track social public housing projects through planning amendment VC 56 on May 19 2009, Kingston Council failed to advise its residents by proceeding to ‘fast track’ their approval for 999 Nepean Hwy. In doing so, this clearly illustrates how the needs of the developers were placed above those of its own community. For instance, Kingston Council undertook the minimum statutory notification of surrounding shops, with no Moorabbin residents being notified to our knowledge.
   - A favourable report from council planning officers, very questionable advice from VicRoads in relation to ingress and egress and traffic movement via a report which was never provided under FOI (approx only 50% of documents were released) when we requested it, and heavy pressure from the State Government saw council approve this in a 6-2 vote on June 29. It is important to note also that no advertisements regarding this matter were released with the FOI request made on behalf of FOMAG.
   - During the process, however, there was uncertainty as to which process would be followed for the consideration of the planning application by the MAB Pty Ltd (working in partnership with the Port Phillip Housing Association who is proposed to manage the facility on behalf of the State Government). This, we believe is a reflection of the State Government’s “cherry picking” of a process which would deliver a pre-determined outcome being the planning approval with the least political fallout especially for local Labor MPs who are sitting on relatively vulnerable margins (Bentleigh at 6.8% and Mordialloc at 3.5%)
• We assume that when the then Labor Mayor established that a Labor led majority could deliver a majority to pass the application, the decision to allow it to go through a minimalist planning process appears to have been taken. By minimalist, we mean:

• Only abutting businesses in the City of Kingston were informed of the application, and not residents to our knowledge along the length of both sides of South Road as well as the small side streets, all of whom are currently suffering substantial detriment through overspill of car parking from the inadequate provision by the City of Kingston for Kingston Town Hall and Kingston Arts and Cultural Centre users and visitors and the chronically short commuter car park of 35 places provided at the Mooreabbin station - ironically this fact was identified in a City of Kingston submission made to the Legislative Council Upper House Inquiry into Public Transport.

• Residents on the other side of South Road who are residents of City of Glen Eira and residents on the other side of the Nepean Highway, who are residents of the City of Bayside were neither informed (to our knowledge) nor had the opportunity to object to both the initial and consequently the permit amendment application which successfully sought and successfully amended a Section 173 agreement making a number of changes including the total number of units which could be sold off on the private market by the developer.

• Not only is this inappropriate and a misuse of State and Federal taxpayer funds (public funds should not be used to bolster the coffers of private developers) but because certain affected residents and businesses were not given a subsequent opportunity to be informed or to submit objections because they were not initial objectors (initial objectors totalled about 38) and the council officers report concluded there would be no “material detriment” without any reasons, it appears that a minimalist consultation plan was successful even though there were 2,500 concerned locals who signed petitions tabled in Parliament and two public meetings attended by a total of about 380 people.

• Reporting of the loss of amenity and material detriment were raised in both public meetings and video recordings on the FOMAG website show a union organiser talking about the material detriment to local workers, local residents facing the dilemmas of chronic car parking congestion, and businesses talking about not renewing their leases because of the existing car parking congestion. Given that these problems would be exacerbated by the developments which provide generous car parking concessions to the developers on the basis of the profile of social public housing clients in Inner Metropolitan suburbs (where public transport is more comprehensive), the question must be asked why Kingston Council’s officers made no attempt to test the material detriment or at the very least, to address and answer points of concern which have been raised about material detriment through the various community forums and Kingston Council Meetings.

• Questions must also be asked about influence of the practice of “caucusing” among Labor supported councillors following the recent expose of the expulsion of 3 Labor Councillors from the ALP for not voting along a caucus vote at a council meeting. Local media reporting clearly demonstrates the strong, unqualified support by Labor councillors who appeared instrumental in shepherding the 999 Nepean Highway
development application through council despite extensive community concern within the community and most of it within his own ward.

- What is most concerning is the parallel process by which the Planning Minister introduced the VC 56 laws prior to Kingston Council approving the 999 development, provides developers with a backup plan to “fast track” the project if all else failed.

- In fact, when the applicant submitted an application to amend Section 173 of the planning permit, the Minister’s office had advised that a planning panel would be convened to consider the application, rather than the Kingston Council (see Attachment 4) – so there was even a lack of clarity about the planning process for Minister Justin Madden who, no doubt was advised by local sources to withdraw the planning panel advice within hours of having it issued it, possibly because it would then be clear that the decision was one for the State Minister and therefore the State Government, including the inappropriate siting, a matter which would cause some political discomfort to local marginal seat Labor MPs.

- The greatest concern about this example of Government and developer led planning is that significant car parking concessions were granted to make the construction more financially viable at the expense of local residents, local businesses and amenity, even to the extent of being prepared to undermine the viability of important community assets such as the heritage listed Town Hall and the Arts Centre in Moorabbin, both owned and paid for by ratepayers, but also compromising other strategies such as structure plans, community safety, strategies to support local business, exacerbating chronic car parking shortage and the potential of the Moorabbin Railway precinct which could and should be developed as a intermodal transport hub for the sub region.

- There will be not a blade of grass for the occupants including social public housing clients, no room for garbage bins, washing lines, lack of adequate parking spaces for tenants and their visitors (leaving them to compete against each other) and we are concerned about the physical safety of occupants given the location of the site and the clustering model of this scale of housing.

- To truly understand the limitations of the site for social public housing – or any housing for that matter, and to appreciate the magnitude seriousness of this planning vandalism, we invite you to visit the site at peak times. We would value the opportunity of demonstrating to you the gross limitations of this development which has been approved through a flawed if not shamb process and which the government, given its long term involvement with this project through the funding of the Port Phillip Housing Association, should not proceed with.

2. 973 Nepean Highway, Bentleigh – the car park at the rear of the former Transformers Hotel, on the north side of South Road, nearly opposite the development outlined in point 1 – Federally funded and fast tracked under Planning amendment VC 56. (See the relative position of the two projects, separated by municipal boundaries, please see Attachment 5.)

- It is a four storey social public housing development for women (with or without children) who are homeless, at risk of homelessness and those released from the corrections system.
• The site is neither appropriate for the future occupants (in view of proposals for a take away liquor outlet within the building envelope), but neither is it suitable or complimentary to existing businesses being Silver Circle and Centrelink who want to grow their businesses and have indicated that if this social public housing development proceeds, they will need to consider relocation due to gross overdevelopment of the site.

• Car parking was chronically short for business and local residents were already reporting local employees offering to pay for car parking in private yards of nearby homes. The local MP, Rob Hudson MLA, undertook his own flawed parking inventory and misrepresenting the facts. Even the union organiser for workers in the building attended the public meeting and expressed solidarity and support of local residents. Ms April Burns speech to the public meeting is available on the video taken of the night but we do understand that she may have subsequently been leaned on to silence her.

• The City of Glen Eira declined to manage the “pretend” consultation given that it seemed to be an “au fait accompli” and having seen the willingness of the City of Kingston to be a fall guy for a State Government project, Glen Eira councillors understandably withdrew from a process over which they had neither control nor influence.

• The hoax or pretend consultation was undertaken by the Member for Bentleigh, Mr Rob Hudson (Parliamentary Secretary for Public Transport at the time).

• We have attached his letter for your information and point you to uploaded video on our website at www.friendsofmoorabbin.com of the public meeting as corroboration of some of the contents of this submission.

• Mr Hudson convened a public meeting on 1 October 2009 at 7:30pm at the Kingston Town Hall on the corner of Nepean Highway and South Road having undertaken a very limited mail out. It was only through the efforts of FOMAG member’s letter boxing extensively about 230 people attended the meeting. It was Mr Hudson who undertook to receive submissions/objections from concerned residents about the 973 Nepean Highway. We consider this process to lack probity and to be consistent with a “sham” process.

• Those who made submissions (including FOMAG see attachment 6) to Mr Hudson never received an acknowledgement of having done so, whilst others received a letter spruiking the development from the Director of Housing to whom it appears the letters of objections were passed on. We consider this a breach of privacy of those individuals who made submissions to Mr Hudson. (See attachment 7).

• The only notification received was a letter outlining that the project was approved, dismissing community concern altogether and making it obvious that the consultation process was a sham. (See attachment 8).

• Since then, a number of concerned residents have already sold their homes and moved out. Others are still hoping that common sense will prevail and that more suitable locations will be found and only integrated models for social public housing be implemented without an erosion of amenity for existing businesses and residents.
3. The Highett Gasworks Site on Nepean Highway, a VicUrban site planned was potentially to be a fast tracked development involving 730 units but since the community outcry, the authorities seem to have backed off for now but there is concern about the lack of clarity about the rules which would apply in this instance.

Finally, FOMAG notes that the site of these developments means each falls within the electoral boundaries of the Southern Metropolitan Region where the State Government won its 3rd spot by a slender 1500 vote margin and all fall within marginal Labor held state seats. We also note that Mr Hudson MP has had close connections to the Housing sector through his pre parliamentary life.

It is for all of the above reasons that FOMAG believes that approval of development should be immune to political influence and manipulation. We urge your committee to ensure that decisions involving the expenditure of public money and administration of planning processes have clear rules, unambiguous processes with no gaps especially for those communities which straddle municipal boundaries as ours does and where the amenity of local residents, valuable local assets, legitimate material detriment is considered irrespective of what process is adopted and do away with housing models which do not integrate social public housing clients as they have been proven worldwide not to work.

Yours Sincerely,

Mr Tony Leech
Ms Gina Di Scala
Mr David Phillips

Friends of Moorabbin Action Group

P.S. Please feel free to contact us via the FOMAG e-mail address if you have any queries.
Mr Robert (Rob) Hudson

Parliamentary Secretary for Public transport & the Arts

379 Centre Rd Bentleigh Vic 3204

Dear Mr Hudson,

We are writing to advise you of our objection to the social public housing developments proposed for 999 Nepean Hwy & 973 Nepean Hwy Moorabbin and Bentleigh respectively. (We have recently been made aware of further proposals for social/public housing such as on the Gas works site (Nepean Hwy) which we also oppose as this is clustering not integrating social public housing residents).

Our reasons for opposing such inappropriate developments are on these grounds as per the councils own guidelines

- The proposed developments will exceed the capacity of utility services and infrastructure, including reticulated services and roads. The intersection of Nepean Hwy and South road are one of the busiest intersections in the state.
- The development will not provide adequate vehicular/pedestrian links that maintain/enhance local accessibility
- The height of the development does not respond to the neighbourhood character in terms of scale and bulk... It will be the highest development between the City and Frankston
- Neglects the parking provision for the area. The parking provision states
  o Car parking for residents should be provided as follows:
    o one space for each one or two bedroom dwelling.
    o two spaces for each three or more bedroom dwelling, with at least one space under cover.
    o If the development is for five or more dwellings then visitor car parking should be provided in the ratio of one space for every five dwellings.
    o Local employees are already parking in residential streets. The increased parking pressures these developments would place on the existing parking infrastructure would fracture it completely. Local jobs and businesses need to be protected at all costs.
    o There is also a serious lack of parking in the area for train commuters (the Moorabbin Train Station is dilapidated and unsafe and requires urgent attention) and visitors. The current parking provisions are totally inadequate and need to be expanded not reduced.
- Has insufficient open space
- The provision states that the development have an open space area of 40 sqm with one part of the private open space as secluded private open space with a minimum area of 25 sqm

- Integration with the street (breaches this provision)
  - As the development does not avoid becoming an enclave or a closed community

- Safety – the location ie: closeness to a major thoroughfare puts adults and especially children at risk from being run over and hence injured or killed.

The whole purpose of social housing is to ensure that the residents of such housing assimilate and feel part of the community. By placing them in a segregated/closed community they have by default been discriminated against.

For social public housing to work in the best interests of its residents and the local community, it needs to be integrated and not clustered. Clustering social public housing only promotes the cycle of poverty, crime and discrimination. With all the scientific evidence base research available, it is ludicrous to say that these developments are appropriate.

We hope that you reconsider this planning decision, advocate for the best interests of all concerned and show the leadership that your residents expect.

We are not opposed to social public housing but are opposed to bad decisions like this, which are neglectful, fast tracked and fail to take into consideration the needs of people from all parts of the community.

Regards,

Residents of Moorabbin
ATTACHMENT 2

Four crimes per day in estates

- Amelia Harris
- From: Herald Sun
- April 05, 2010 12:00AM

FOUR crimes are reported at Victorian public housing estates every day, figures reveal.

Victoria Police data obtained by the Herald Sun shows at least four homicides, eight rapes and 27 sexual offences were among 1565 recorded crimes committed at publicly funded homes and units last financial year.

The data, obtained under Freedom of Information laws, shows one assault was committed at a State Government-provided home every 36 hours in 2008-2009.

More than 30 instances of drugs being made or trafficked were recorded, along with 40 counts of possession.

The figures do not detail whether residents or visitors committed the crimes.

The City of Yarra, which includes Richmond, Collingwood and Fitzroy estates, was the epicentre, with 218 crimes recorded.

Start of sidebar. Skip to end of sidebar.

Related Coverage

- Energy boss's widow makes suicide payout The Australian, 14 Mar 2010
- TV sex not as bad as violence Courier Mail, 16 Feb 2010
- Tell us truth on violence Herald Sun, 16 Feb 2010
- Crackdown on drug estates Herald Sun, 29 Aug 2009
- Peter and Joh show too heady a brew The Australian, 29 Jul 2009
The region, which has 12 high-rise towers, also recorded 39 assaults, the highest of the state.

More than 130 crimes committed at Ballarat estates included 62 counts of property damage, 13 sexual offences and 13 assaults.

Victims of crime advocate Steve Medcraft said he thought many crimes in housing estates went unreported.

"In some estates I think police are the last people residents want to see there," Mr Medcraft said.

"They either handle it themselves or forget about it."

More than 150,000 Victorians live in about 78,600 publicly funded houses and flats.

Crime in estates represents less than half a per cent of offences across Victoria.

Yarra Inspector Michael Beattie said police worked with the Department of Housing on estate safety.

"A significant proportion of assaults occurring at housing estates are family violence-related," Insp Beattie said.

Insp Beattie blamed almost 50 counts of property damage recorded in Geelong last year on an increase in the number of vacant houses and flats.

Housing Minister Richard Wynne said crime would not be tolerated on publicly funded estates.

"The vast majority of people living in public housing are thoroughly decent people who want to get on with their lives," Mr Wynne said.

"Where people are undertaking illegal activity, particularly drug-related activity, where we have evidence of that and we can put those matters before the relevant tribunal and get a favourable outcome, then we'll evict them."

The Government has evicted at least four drug traffickers from the Fitzroy estate under a pilot program. It spent $83.8 million on public housing estate security over the past five years.
Dear (as addressed)

RE: STANDING ADVISORY COMMITTEE – SOCIAL HOUSING

On 29 June 2009, the Minister for Planning established a Standing Advisory Committee (SAC) under the provisions of section 151 of the Planning and Environment Act 1987 to consider applications for Social Housing Projects referred to it. The SAC comprises:

- Kathryn Mitchell – Chair
- Cathie McRobert – Deputy Chair
- Rodger Eade
- Des Grogan
- Renate Howe
- Ann Keddie
- William O’Neil
- David Whitney

The purpose of this SAC is to provide the Minister for Planning with advice and recommendations on any matter referred to it, in accordance with its Terms of Reference (copy attached).

On 16 October 2009, the Minister, through the Department of Planning and Community Development, referred Planning Permit Application No. KP245/09 in relation to 999 Nepean Highway, Moorabbin.

The proposed development has recently become eligible to be considered by the Minister under a new streamlined planning provision Clause 52.41 Government Funded Social Housing (please see enclosed Advisory Note).

A new planning permit for the proposal has been submitted to the Minister for the same development proposal considered under Planning Permit Application No. KP245/09 by the City of Kingston. This new application to the Minister is exempt from third party notice and appeal rights.
Before the application to the Minister is considered, the SAC has been asked to consider and advise on an existing S173 agreement that applies to the land and the content of a condition of planning permit KP245/09 requiring a new Section 173 Agreement relating to parking and other matters in the context of the new application lodged with the Minister.

For the purposes of this particular matter, the members of the SAC that will review this matter comprise Kathryn Mitchell and Des Grogan.

As part of the SAC considerations, you are invited to meet with them as part of a consultation forum, on Monday 26 October 2009, from 11am to 1.00pm, in the offices of Planning Panels Victoria, Level 1, 8 Nicholson Street, East Melbourne.

The purpose of the forum is to enable DPCD, Council, the Applicant, and the objector to the proposal to put forward its views and opinion about the proposal, prior to the SAC submitting its report.

The SAC has been provided with the following information:

- Council officers report;
- Various reports and plans supporting the application (town planning, traffic, sustainable design statement); and
- The conditions contained with the planning permit issued by Council.

Once the SAC has reviewed the material and held the consultation forum, it will prepare its report for the Minister for Planning.

Please advise if you are able to attend this consultation forum by calling Nicole Maloney on 9637 9690 as soon as possible.

Yours sincerely

[Signature]

Kathryn Mitchell
Chair, Standing Advisory Committee
4.0 Review and reporting methodology

In order to meet timeframes, the Social Housing Initiative applications will be assessed by the Standing Advisory Committee using the following process:

Step 1 DPCD refers application to the Standing Advisory Committee. The DPCD provides all information specified in the social housing projects checklist set out in the Amendment VC56 - Government Funded Social Housing Advisory Note (May 2009). The relevant Council’s response or comments to the proposal is also provided. The DPCD provides a summary of the Working Group’s preliminary assessment, including copies of any relevant agency comments (particularly referral responses under Section 55 of the Planning and Environment Act 1987) and expert advice that would assist in determining the matter.

Step 2 Of the members of the Standing Advisory Committee, the Chair (or Deputy Chair) will nominate particular members to consider the application in detail and to prepare the report for the Minister for Planning or his delegate.

Step 3 The nominated members of the Standing Advisory Committee receive a preliminary briefing on the proposal by the relevant DPCD planning officer.

Step 4 The Standing Advisory Committee consults with the Applicant, DPCD, Council and other relevant experts or stakeholders, as necessary.

Step 5 The Standing Advisory Committee assesses the material before it and prepares a brief report making recommendations on the proposal to the Minister or his delegate.

The application and accompanying information and written advice from relevant agencies and experts will be the principal means of providing input to the Standing Advisory Committee process. The Council and the Applicant will be given an opportunity to be heard by the Standing Advisory Committee. At its discretion the Standing Advisory Committee may invite agencies, experts or stakeholders who raise substantive issues to present their issues at a discussion session.

The Standing Advisory Committee will have regard to relevant provisions of the planning scheme in making its assessment and any other relevant legislation and guidelines.

5.0 Timing

The Advisory Committee will have 10 working days from the date of referral in which to consult, undertake its assessment and report on an application, unless an extension is agreed to by the Minister or his delegate.

This timeframe is subject to all appropriate information being provided in the initial information package and efficient response time for any further inquiries and requests for information on Day 1.

Advance notice by DPCD to the Standing Advisory Committee of any referrals will assist in meeting these timelines.
6.0 Consultation

In order to facilitate an expeditious process, the Standing Advisory Committee may inform itself in any way it sees fit, including written or verbal information or advice obtained by way of formal briefings or discussion sessions and informal contact with Working Group members, Council, relevant agencies and other stakeholders. Any such information or advice will be openly disclosed through the final report (unless it is of a confidential nature).

Any briefings or discussion sessions will be conducted in an open, orderly and timely manner, with the minimum of formality and without the need for legal representation. The Standing Advisory Committee will establish time limits for all presentations.

7.0 Outputs

The Advisory Committee is to provide a brief report that:

- Summarises and responds to key issues.
- Sets out major strategic considerations.
- Responds to key policy provisions.
- Recommends whether the application should be approved.
  - if the application is to be approved in a modified form, the report will specify the required changes.
  - if it is to be refused, the report will specify the grounds for refusal.
- Lists any additional information sought as part of the Standing Advisory Committee process and specifies the information sources.

If necessary, the report may set out permit conditions to clearly articulate the Standing Advisory Committee’s recommendations. The report may also provide advice for DPCD consideration that it considers will improve the development outcome.

The Standing Advisory Committee may provide an on the spot recommendation, followed up by a short written report.

8.0 Standing Advisory Committee membership

The membership of the Standing Advisory Committee is:

- Kathy Mitchell - Chair
- Cathie McRobert – Deputy Chair
- Rodger Eade
- Des Grogan
- Renate Howe
- Ann Keddie
- William O’Neil
- David Whitney

An Advisory Committee of up to three members from the above list will be convened for each planning application as part of the appointment process, (discussed below). A quorum is not required for the Standing Advisory Committee to carry out its consultation or undertake its work, but must include the Chair or Deputy Chair. The full Standing Advisory Committee does not need to meet to consider every proposal. The Chair or Deputy Chair will be responsible for signing off on each report.
9.0 Appointment of the Standing Advisory Committee

Appointment of the Standing Advisory Committee will be made following the Minister's or his delegate's referral of the planning application. Engagement will be by agreement between the DPCD and PPV and the conduct of the Standing Advisory Committee will be subject to the terms of engagement and these Terms of Reference. The agreement will set out the team members, costs and payment details (where necessary).

10.0 Costs

The fee for the Standing Advisory Committee will be set at the current rates for an Advisory Committee appointed under section 151 of the Planning and Environment Act 1987.

11.0 Project support

The Standing Advisory Committee will be supported by a Senior Project Officer from Planning Panels Victoria. This person will act as the liaison between Planning Panels Victoria and DPCD and other parties for all matters.

The Standing Advisory Committee will further be supported by a nominated DPCD planning officer forming part of the relevant Working Group. The officer will assist with any required further information and provide assistance with the review. The contact for the DPCD is:

The Priority Projects Unit  
State Planning Services  
Department of Planning and Community Development

A council planning officer must also be nominated for each application as a contact point for any Standing Advisory Committee inquiries on local matters.

Signed:  
Justin Madden MLC, Minister for Planning

Date:  29 Jun 2009
Friends Of Moorabbin Action Group
Campaign Against Planning Vandalism Update

IMPORTANT INFORMATION FOR RESIDENTS
Thank you for your support of the local campaign against planning vandalism in Moorabbin and now Bentleigh (see pic). This campaign included signing & tableing of a petition against the 7 storey development at rear of Kingston Town Hall (collected nearly 1200 signatures), writing letters to the editor (most not published) and attending the rally recently.

With another proposed public housing development across the road, we now need your support by attending the meeting (see details to right) and helping with campaign tasks such as letterboxing.

State Government Plans More High-Rise Social/
Public Housing for Bentleigh & Moorabbin

The State Government is fast-tracking another social housing development situated on the carpark behind the old transformers site at 973 Nepean Highway, Bentleigh.

This is now the second bad development in Moorabbin being facilitated by the State Government without consultation of local residents. Labor State Member for Bentleigh, Rob Hudson will be holding a public meeting in a bid to water down your concerns around safety, car parking, traffic congestion and public open space for families. Come along and ask him why he is supporting an undemocratic process delivering bad developments.

Please take the neighbours in your street with you as a show of community solidarity in taking a stance against planning vandalism in the Moorabbin/Bentleigh area.

Join the campaign: URGENT LETTER BOXING HELP NEEDED
If you can help, please call Jock on 0407 877 057

Friends of B. (MOAG) Inc., Telephone: 9555 7856, Fax: 9555 4994, P.O. Box 9080, Hawthorn 3122. Email: friends@moorabbin.org.au
ATTACHMENT 6

16 October 2009

Mr Rob Hudson
Parliamentary Secretary for Public Transport and the Arts
Rob.hudson@parliament.vic.gov.au

Mr Hudson

As the nominated representative of FOMA (Friends of Moorabbin Action Group), I am writing to you to express the grave concerns of the group with regard to the multiple social public housing developments occurring within the Moorabbin district, namely:

- 973 Nepean Highway, Bentleigh
- 999 Nepean Highway, Moorabbin
- Hightett Gasworks Site, Hightett
- Back of Bowling Club – Linton Street & South Road, Moorabbin (rumoured site)

As local residents of Moorabbin we strongly object to the lack of process and consultation with residents for these developments for the following reasons:

- We are not against social public housing, we are against clustering of social public housing. In the 1950’s and 1960’s high rise public housing was prevalent and evidence shows that these developments were unsuccessful as they resulted in increased crime, gang activity, youth despondency, alcoholism and drug abuse. Research also shows that any clustering of public housing prevents residents from successfully integrating into the community, creates social stigmatism and entrenches inter-generational disadvantage. Surely thought and consideration should be made a priority in planning these developments as the potential for failure is overwhelming.

- Research shows that the integrated social public housing model which provides accommodation for low income families or persons in a house or unit purchased by the Government has been proven to be successful as it moves away from high rise accommodation and segregating the social public housing residents. We are all for the successful integration of these residents into the community and providing them with the opportunity to better their quality of lives and escape the cycle of poverty and crime. By pursuing high rise social public housing and not adopting the more successful integrated housing, it appears that the government is applying a quick fix bandaid solution and not considering the welfare of those to be housed in such developments.

- Currently the Moorabbin residents are experiencing traffic congestion and increased road accidents on the corner of Nepean Highway and South Road due to the opening of the South Road extension (estimated to be an additional 40,000 cars per day). Additional stress on this intersection resulting from the two social public housing developments is unacceptable.
20 NOV 2009

Re: Social Housing in Moorabbin

Dear [Name],

Thank you for your letter to Mr Rob Hudson MP dated 16 October 2009, outlining your concerns with respect to the social housing developments proposed at 973 Nepean Highway (Corbie St) and 999 Nepean Highway (South Road proposal). As Executive Director of Housing & Community Building I have been asked to respond on Mr Hudson’s behalf.

As part of the Nation Building – Social Housing Initiative, development proposals are still based on good policy, planning and design factors at a State and local level and are socially responsible. They are consistent with the State Government’s planning documents Melbourne 2030 and the Victorian Transport Plan. The developments have been extensively reviewed and are considered by the Victorian Government to be an exciting opportunity to provide much needed social housing in the area.

The projects fulfil Kingston City Council’s strategic objectives for the Moorabbin Activity Centre increasing housing diversity and addressing a critical shortage of housing for low income households. Housing and Community Building’s needs index for social housing, which compares social housing demand with supply across the state, ranks the City of Glen Eira as third in the Southern metropolitan region and sixth in Victoria in terms of social housing need.

You raise the issue of appropriate social housing models, particularly with respect to integration within the community and desirable levels of density of development. I can advise you that our approach to assessing larger scale social housing developments under Nation Building involves stringent analysis. This is based on domestic and international evidence which indicates the success of models which combine high-quality well located housing with access to support services. This integrated approach to housing with support services not only assists residents to maintain their tenancies but also contributes to creating a thriving community.
Accordingly, proponents for funding under Nation Building were required to demonstrate how their management model, tenancy mix and service provision will support social housing clients. Further under the Social Housing Initiative the Victorian Government is required to assess proposals against the requirement to reduce concentrations of disadvantage.

The Australian Government’s Department of Families, Housing, Community Services and Indigenous Affairs then undertakes a further independent assessment against the specified criteria. Both proposed developments have been assessed as meeting these criteria.

I believe the developments as proposed, through the quality of the built form, the excellent management model and place based support services provide a model of integrated social housing in the community in line with that which you rightly propose is appropriate for individual and community well being.

The South Road proposal will be managed by the Port Phillip Housing Association. It will provide 75 apartments for low income households in a seven-storey apartment complex, immediately next to the Kingston Arts Centre. The Corbie Street development, operated by Women’s Housing Limited (WHL), will provide 49 apartments for low income women. WHL intends housing women who already live in the local community and want to remain close to their family, friends and place of work.

I also believe that the proposed addition of 124 apartments within the sizeable Moorabbin Activity Centre is not an over concentration of social housing. The developments are well designed, multi level apartments, a style of living increasingly favoured by the general population in centrally located districts, particularly by singles, couples and smaller family units.

The location is ideal for low income residents as it provides ready access to employment opportunities, transport, community, and health facilities, including schools, child care facilities and medical centres. Access to open space is within a kilometre. Living in such a central location will significantly enhance the social and economic opportunities and outcomes for residents.

Both the Port Phillip Housing Associations and Women’s Housing Limited have excellent records in tenancy and asset management, particularly in multi level developments. Port Phillip Housing Association has been recognised nationally, having won awards for overall excellence in the community housing sector and in asset management.

The agencies have a highly personalised approach to tenancy management resulting in a harmonious neighbourhood and social environment. Both agencies provide ongoing services to residents if and when required, and of course have policies and procedures in place in the unlikely event that local residents’ amenity is affected by the actions of the occupier of a unit. In responding to concerns about anti-social behaviour, it is important at the outset to acknowledge that the incidence of such behaviour is limited to a small percentage of social housing tenants and that as outlined above both agencies are well placed to manage any incidence promptly and effectively.

Considerable effort has been expended to ensure integration of the developments with the local surrounds and streetscape.

In the case of Corbie Street the two principle frontages of the site are residential in character featuring single and double storey houses and some town house developments. The proposal consists of a two storey built form of walk up dwelling, in keeping with the scale of residential context. The current ground level car park will be concealed behind these dwellings but still accessible via the Nepean Highway. Above the car park will be three levels of apartments. The higher level is set well back from the street, and forms a transition height between the two storey section of the proposal in front and the five level form of the office building behind.
The South Road development has given careful consideration to landscaping solutions, with plans developed in consultation with the City of Kingston. The various landscape elements, including the proposed tree species, street furniture, public lighting, garden beds and footpath, are supported by the Council and are considered to form a safe pedestrian precinct connecting the proposed development and Moorabbin Station.

Acknowledging the need for recreational space, each unit at South Rd will enjoy outdoor space with private terraces and a communal courtyard. The communal courtyard will enable children to have a space to play in. I understand that agreement has been reached for a landscape plan to be prepared for land immediately east of the site, which will also provide opportunities for passive recreation. In addition, nearby to both developments is the Moorabbin Reserve and there a number of smaller parks and reserves.

With respect to your concerns about traffic congestion, I am pleased to advise that this issue has been extensively reviewed. VicRoads has provided consent for the South Rd proposal. This followed the receipt of independent expert advice which indicated that the proposal will generate only a very small increase in traffic, as social housing residents have a low rate of car utilisation. The advisors concluded that the proposal will have no impact on the existing operations of South Road.

Furthermore, the South Road proposal will have no impact on parking for train travellers. The site, as you may be aware, is currently an at grade car park with 43 parking spaces. In accordance with the City of Kingston’s planning permit, the development will be required to provide the same number of parking spaces, as is currently the case. The proposal will therefore not give rise to parking issues.

The provision of car parking at Corbie Street has been also been assessed by qualified traffic engineers and their report concludes that parking for all uses can be adequately accommodated on this site. The traffic engineers report also notes that the development improves the character and amenity of the area by replacing an open car park with attractive, well integrated housing, achieves a high standard of design and architecture, and promotes environmental and social sustainability. Of the 374 car spaces available as part of the developments, only 30 have been allocated to the proposed development.

Once again, I thank you for your correspondence and I trust that this letter addresses your matters of concern.

Yours sincerely

Margaret Crawford
Director of Housing &
Executive Director, Housing and Community Building
Department of Planning and Community Development

Our Ref: CMIN014895
File: 08 DEC 2009

973 NEPEAN HIGHWAY, BENTLEIGH
PLANNING PERMIT APPLICATION NO. SH2009002667
GOVERNMENT FUNDED SOCIAL HOUSING

Thank you for your recent letter regarding the above Planning Permit application for the development of a part two and part four storey multiple dwelling building with a reduction in the statutory rate of car parking submitted to the Minister for Planning in accordance with Clause 52.41 of the Glen Eira Planning Scheme.

The Department of Human Services (Office of Housing Victoria) has confirmed that this project is recommended for funding under the Social Housing Initiative of the Commonwealth’s Nation Building Economic Stimulus Plan. Accordingly, the Minister for Planning is the Responsible Authority for the determination of the application.

After careful consideration, the Minister for Planning has resolved to approve Planning Permit No. SH2009002667 subject to conditions. Please find enclosed a copy of the planning permit issued for the above development. You will note that a number of concerns raised by Council have been addresses in condition 1 of the permit. The Minister for Planning has also encouraged the Council to examine the parking restriction arrangements in the surrounding residential streets, given the variation in the controls.

Please also find enclosed a copy of a letter from the Minister for Planning to the local member Mr Rob Hudson MP, Member for Bentleigh. This letter addresses many of the concerns raised by the community regarding the development.

Should you have any queries regarding this matter please contact me on 9637 9589 or e-mail kate.kraft@dpdvc.vic.gov.au

Yours sincerely,

KATE KRAFT
Program Manager – Nation Building
Priority Projects Unit

Encl.

Privacy Statement
Any personal information about you or a third party to your correspondence will be protected under the provisions of the Information Privacy Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Planning and Community Development, PO Box 500, East Melbourne, 3002.
FAST FACT | Plans for the 49-unit public housing project in Bentleigh include 30 parking spaces and 28 bicycle spaces.

Parking squeeze cash

Workers in desperate hunt for car spaces as costs spiral in busy South Rd precinct

Planning | Adrian Gallantyne

CENTRELINK workers are offering Bentleigh residents cash to park in their driveways because of a chronic parking shortage.

In a letter to some residents, two Centrelink employees have offered a "reasonable monthly fee" in exchange for parking at properties around South Rd.

The parking demand and responses in the area is becoming increasingly challenging and makes moving her car every hour unrealistic.

"That's impossible, we work there eight hours a day," the employee, who would not be named, said.

She was forced to get to work an hour before her shift started to secure a car park within a 10-minute walk from the office.

Glen Eira councillor Jan Nagle said the parking problem in streets around the Centrelink office, charging recently went from $4.50 a day to $8 an hour.

One Centrelink employee said, "We're not the only ones affected by this."
Housing under attack

Angry residents let fire at meeting as government admits parking plan was flawed

PLANNING | Adrian Ballantyne

THE State Government has admitted a parking assessment it used to back up its plans for a social housing development in Bankstown is flawed.

Almost 200 residents at a volatile public meeting to discuss the proposed four-storey development at 529 Nepean Highway heard the assessment was published on August 31, days before the price of parking in a large carpark on the corner of South Rd increased from $4.50 a day to $2 an hour.

Residents said only a handful of cars were now using the carpark's 140 spaces.

"The developer asked me if I could come to a meeting to discuss the document, "it was meaningless as the fees increased, "Mr Woods told the meeting the document meant his 60 staff, now parked in nearby residential streets. "This is not acceptable," Mr Woods said. "Everything about it is wrong."

The Leader reported on September 15 that the government was fast-tracking the 45-unit development and had not informed residents or two MPs.

The development will house women who cannot find affordable housing. "But the city council wants to fast-track the housing to help those in need, "Mr Woods said. "I'm writing to the Minister (Planning Minister Justin Longdon) asking that the parking situation be examined."

Some residents who spoke said they expected the independent expert, the $14.6 million development to go ahead.

Residents also slammed a lack of consultation concerning the project. Others highlighted the lack of nearby parks and public open space for the children.

The Special Commission of Inquiry into the Nepean Highway development recommended that the development be postponed.

Eagleswell

The lowdown on high-rise

1STROMG S: A developing area, the development of the high-rise and five-storey unit block at the corner of South Rd and Nepean Highway in Bankstown has been fast-tracked by the State Government.

The area has been earmarked for a high-rise development, and the corner of South Rd and Nepean Highway is a key location.

The traffic congestion will be exacerbated if these buildings are built. As for Justin Longdon, he should have stuck to football because he certainly needs no one to prove his planning skills.

The road to the new area (at the same house) will take off two years, he would have dire consequences if anything happened to me, "Mr Woods said. "The government needs to consider the surrounding area."

"We should be looking at the high-rise potential," Mr Woods said. "It will become a major issue."

Editorial, p22

Duty of care to residents

The lowdown on high-rise

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Editorial, p22
TAKE A STAND AGAINST BAD DEVELOPMENT IN MOORABBIN!

State and Federal Governments are funding and fast-tracking the building of a seven storey public/social housing development at the back of Kingston's Town Hall (see photo).

This development will:

- **UNDERMINE** the future of thePS in Moorabbin
- **AGGRAVATE** the chronic car parking problems in front of Moorabbin Station, Moorabbin shopping centre and shops and traders
- **EXACERBATE** an already severely congested intersection

It is also of concern, a similar plan is mooted for the rear of Transformers Hotel site.

Social Housing can and needs to be built in suitable locations which clearly have not been considered or investigated.

**ACTION YOU CAN TAKE:**

1. Sign a petition calling on the State Government to stop this planning madness:
   - Petitions can be found in local shops,
   - downloaded from www.paulpeulich.com or get one sent to you by calling 9551 5687
   - As petitions to the Victorian Parliament cannot be double sided, a petition sheet is enclosed.

PROTECT MOORABBIN'S FUTURE!
FRIENDS OF MOORABBIN ACTION GROUP
CAMPAIGN AGAINST PLANNING VANDALISM CONTINUES

FOMAG, a recently formed local group, has been campaigning against local inappropriate developments being fast-tracked by the State Government and funded by the Federal Government for social/public housing.

Above: The "I love Moorabbin Rally" organised by FOMAG was attended by 160 plus concerned local residents

STOP PLANNING VANDALISM IN MOORABBIN AND BENTLEIGH!

FOMAG has received strong community support for its campaign against high density residential developments, inappropriate for the Moorabbin/ Bentleigh retail and business precinct bisected by South Road. Local business, employees, commuters and residents will be seriously impacted by these two inappropriate developments due to existing and chronic shortage of car parking. A lack of investment in commuter parking at Moorabbin station (a premium station) has left Moorabbin with only 60 car parking spots for commuters compared with 300 at other nearby stations. The significantly reduced car parking requirements for both developments means an unsustainable and dangerous mix of activity at a dangerous intersection and road. FOMAG recognises the need for more affordable and social housing and encourages the government to find suitable sites and models of delivery, protect business and jobs and local amenity. Importantly, disadvantaged families should not be forced to live on a dangerous, congested intersection, in dwellings with no open space for children to play.

More social housing for Nepean Highway, Highton

Yet another social housing development is being facilitated by the State Government, this time for the now reclaimed and formerly contaminated Gasworks site in Highton. The site will consist of 734 dwellings with 49% to be social/public housing, a lot of which will be high-rise. Although initially to be fast-tracked by Minister for Planning Justin Madden, the development has since become a topic of public scrutiny which has apparently caused the State Government to rethink its strategy of bypassing Kingston Council. The Council have since called on Justin Madden not to fast-track this development and to reinstate resident rights to object. This project has been identified by the State Government as priority for Federal stimulus funding, although a common theme appears to be emerging... all three social/public housing developments have massive reductions in car parking requirements.

www.friendsofmoorabbin.com

Please visit the FOMAG web site to see and hear what was said at the public meeting, to download the latest petition and to find out more about FOMAG's activities

To help letter box this newsletter, please call Jock on 0407 877 057
F.O.M.A.G - Tel: (03) 9555 7856 Fax: (03) 9555 4994 P.O. Box 8553, Heatherton 3202 Email: friendsofmoorabbin@bigpond.com
Over 200 local residents attended the public meeting on 1 October at the Kingston Town Hall held by Labor State member for Berri, Rob Hudson. The meeting was organised to air strong concern around the two high-density social/public housing developments which are being shoe-horned by the State Government into Moorabbin and Bentleigh without genuine consultation of the local community. These developments are to be built on car parks and are funded through the Federal stimulus package.

This follows the 160 strong "I love Moorabbin" rally held by FOMAG on Sunday 30 August to protest against planning vandalism shown by the first decision to build a 7-storey housing development on the car park at the back of our Kingston Town Hall and Arts Facility (999 Nepean Highway).

Mr. Hudson, flanked by bureaucrats from the Office of Housing, fielded a barrage of questions for two and a half hours on a range of issues including: the shortage of car parking for businesses and commuters in the precinct, clogged local streets due to car parking overflow, the lack of public open space for disadvantaged families, the inappropriateness of the dangerous, congested South Road, Nepean Highway intersection for high-density residential developments, the failed concept of high-density social housing which entrenches inter-generational disadvantage, the excessive bulk and over-shadowing of neighbouring homes and the removal of residents rights to object. When asked whether he supported the two inappropriate developments, he responded "I’m not opposed to social housing."

Rob Hudson was emphatic that he knew nothing about the 999 Nepean Highway proposal prior to the decision being made, and claimed that the State Government played no role in 999. FOMAG has now waded through the vast amount of misinformation being used by the State Government to create confusion within the community. FOMAG has established that the State Government chooses which sites receive funding, making them viable or not.

In reality, full and genuine consultation of the local community would have identified that there are a myriad of problems with these developments. By amending the planning scheme, removing council powers and third party appeal rights, Minister for Planning Justin Madden has "set up" the community to be lumped with two inappropriate developments to the detriment of not only our standard of living but to residents forced to live within the high-density developments.

973 NEPEAN HWY (Glen Eira)
- Officially fast-tracked under VGS-56 & funded through the Federal stimulus package
- 4 storey social/public housing development
- For women (with or without children) who are homeless, at risk of homelessness and those released from the corrections system
- Development to have massive reductions in car parking (30 spaces of existing pool)

999 NEPEAN HWY (Kingston)
- Funding determined by State Govt
- Unofficially fast-tracked & funded through the Federal stimulus package
- 7 storey social/public housing development
- For 150+ residents
- 26 car parking spaces
- Managed by the Port Phillip Housing Association, funded by the State Government

Above: Kingston Council's CEO John Neveux, Janice Munt, MLA for Moorabbin and Kingston Mayor Arthur Athanasopoulos at the public meeting

Rob Hudson MLA for Bentleigh forced to listen to 200 unhappy local residents at the recent public meeting

Saying his piece: Jock, FOMAG committee member, opposing both developments

Cr. Paul Peulich argued the case for local residents and business against the two inappropriate developments
What is fast-tracking?

"Fast-tracking" is the bypassing of democratic processes by the State Government, removing council powers to approve or reject a planning application. It also means you have no right to object to council or at the Victorian Civil and Administrative Tribunal and you have no opportunity to voice your concerns. The Minister for Planning can approve any development with no regard for the local voice or good planning principles.

Was 999 Nepean Highway fast-tracked?

It is still unclear as to what the official process was. Questions have been raised as to the validity of the council decision by FOMAG who is currently investigating the legalities of the process. The Minister for Planning amended the planning scheme (VC 56) on May 19 exempting social housing projects from proper process and removing 3rd party appeal rights. Kingston Council made its decision on June 29. The council planning department facilitated the developer's application, giving massive concessions in car parking. Kingston Council did the minimum statutory notification of surrounding shops, with no Moorabbin residents notified. A favourable report from council planning officers, poor advice from Vic Roads, and heavy pressure from the State Government saw council approve this in a 6-2 vote.

Why make a bad car parking situation worse?

All three developments, 999 and 973 Nepean Highway and also the Gasworks site are to have massive reductions in car parking requirements. This means that the hundreds of spots that would have been mandatory for a normal residential development have been waived making the developments cheaper to build. For Moorabbin/Bentleigh in particular this is unacceptable as employees and commuters are already forced to park in residential streets. This will be compounded by the influx of hundreds of new residents many of whom the government claims will not be driving.

Is concentrated public housing good policy?

Public housing which concentrates residents into high rise or medium density developments and housing estates was common in 1950's and 60's and commonly found in the UK, the US, Eastern bloc countries and some parts of Melbourne. Research shows that residents prefer a more integrated model of housing which reduces inter-generational disadvantage, provides more open space and better quality of life to residents. Governments typically spot purchase accommodation in residential streets for public housing purposes and provide support to those who need it.

What are the views of our local Councillors?

KINGSTON DECISION TO APPROVE HOUSING AT REAR OF KINGSTON TOWN HALL (1999)

Voted FOR: Arthur Athanasopoulos, Steve Staikos, Rosemary West, Trevor Shewan, John Ronke, Donna Bauer

Voted AGAINST: Ron Brownlee, Paul Peulich

Absent: Lewis Dundas (has indicated opposition to development)

TO ADVOCATE TO THE STATE AND FEDERAL GOVERNMENTS NOT TO FUND 999 AND FIND MORE SUITABLE LOCATIONS

Voted FOR: Paul Peulich, Donna Bauer

Voted AGAINST: Ron Brownlee, Lewis Dundas, Rosemary West, Trevor Shewan, Steve Staikos, Arthur Athanasopoulos, John Ronke

"A bad planning decision lasts for a lifetime, affects the amenity of the local neighbourhoods and the quality of life of the residents." Bill McArthur, Municipal Association of Victoria

Despite having used the Parliament and media to launch attacks on critics of the two developments, Ms. Janice Munt, MLA for Mordialloc, sat silently at the back of the public meeting and missed an opportunity to show support for the projects in the face of 200 angry residents.

"To people who have been offended by that comment I apologise..." Kingston Mayor Arthur Athanasopoulos forced to say sorry at the public meeting after accusing those who attended the community rally of being a 'rent-a-crowd'.

Under planning amendment VC 56, social housing "projects can start sooner without being held up by red tape." Justin Madden, Minister for Planning

"If you're asking my view about the development, I'm not opposed to social housing." Rob Hudson, MP for Bentleigh, with links to the social housing sector, came under sustained attack by the 200 people who attended the public meeting.

Cllr. Rosemary West, one of three to speak in favour of the developments, was heckled and booted when she defended the process and the location.

"Businesses will leave Moorabbin if they don't have reasonable access to parking." April Burn, Union organiser for workers at 973 described the dire parking situation facing employees on a daily basis and affecting residents in the Bentleigh/Moorabbin precinct.

"It would take you longer to get a permit for a garage." Matthew Guy, Shadow Minister for Planning comments on the fast tracking of development and lack of open and transparent planning process.

"High-Rise public housing entrenches inter-generational disadvantage. This model does not deliver good outcomes." Frank, F.D.M.A.G.

ACTION YOU CAN TAKE!

- Please CC your letters and emails to FOMAG on friendsofmoorabbin@bigpond.com or P.O. Box 8553 Heatherton 3203