

# CORRECTED VERSION

## SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Melbourne — 21 April 2008

### Members

Mr D. Davis

Mr P. Hall

Mr P. Kavanagh

Mr E. O'Donohue

Ms S. Pennicuik

Mr B. Tee

Mr E. Thornley

Chair: Mr D. Davis

Deputy Chair: Mr B. Tee

### Staff

Secretary: Mr R. Willis

Research Officer: Mr A. Walsh

### Witnesses

Mr J. Roach, acting president, Boroondara Residents Action Group; and

Ms M. Drost, convenor, Planning Backlash.

**The CHAIR** — Jack and Mary, I welcome you and ask if you could each perhaps provide a brief submission, and then we will ask questions. We greatly appreciate your being here today.

**Building model displayed.**

**Mr ROACH** — Mr Chairman, Sue and gentlemen, I will be as brief as I can. You see before you the preferred option of the residents of Boroondara, particularly the Junction ward residents, and I will come back to that in a moment. Since the submission that I put in, VicTrack has substantially changed the design and concept of its proposal. It is the same footprint but much, much larger, and, as the council described, it is three levels on the corner here, which is Cookson Street just here, three levels there, six levels here and a seven-level accommodation or residential building at the back. VicTrack has laughably described the complex as not having any impact on the heritage station. That could not be further from the truth. It is so far removed from heritage values that the statement could only be interpreted as PR spin. Actually, from the bridge here, you will not be able to see the station, so I suppose that is what they mean when they say it will not have any impact.

In our submission, on page 3, the community's response and preferred option is explained, and I remind you that this follows an overflow meeting of residents at the civic centre. The civic centre holds about 600 people, and there was standing room only. It was followed by a march of 2000 residents up Burke Road to protest against VicTrack's proposal. We say 2000 because we issued 2000 brochures to the people who were marching, and we ran out fairly early on, so it was more than 2000. I think that is representative of the community.

This model is the result of Boroondara Residents Action Group (BRAG) commissioning an architect and a landscape architect to come up with an option to preserve the open space. The people in Camberwell have told us clearly that they want the open space, but they have also said, 'The station is not very pretty; we would like it to be beautified', so that is the result. The resident community certainly does not want the open space around the station to end up like Elsternwick station. You will see at the back of my submission a photograph of what the master builders describe as a desirable connection between residential and the railways. What a disaster! The government says that is what it would like. Unfortunately this is really the first cab off the rank. If they cannot get a development on this one, they cannot get a development on the other stations, and there are many more in the pipeline.

This station is setting the standard, and it is not just the area around the station that is at risk, it is the tracks. I point out that the track is in a cutting here. This cutting extends for about 3 or 4 kilometres beyond, and if you stand at the side of the cutting, from road to road you could put a concrete apron across the top and whack a six, seven or eight-storey complex above. That is what the future holds if this gets up. God, help us!

I point out in relation to what the council said before our comments on page 7 of the submission, where we say that as well as using the construction and development industry to foster economic growth as part of the government's strategic planning, Melbourne 2030 clearly spells out that planning should create urban environments that are of better quality, safer and more functional, as well as providing more open space and an easily recognisable sense of place. You have heard all this before. Such sentiments have been totally ignored by Melbourne 2030 developments so far — totally ignored. We say that this provides an opportunity to show how it should be or, as the government says, a place to be. I end my case.

**The CHAIR** — Thank you, Jack. Do you want to say something, Mary?

**Ms DROST** — Yes, if I may. I know you are running late in time, but I would like to say a few words. I am of course here with two hats on in a way: one as the vice-president of BRAG and one as the convenor of a network or coalition of groups that has developed over these last few years, which involves now about 120 resident groups from across city, coast and country. We all seem to have the same problem: that we are not happy with what is going on at all in our great state. Open space is a major factor in making Australia attractive, and space is really what makes Melbourne livable. Space is one of the 10 factors that are looked at in studies on the livability of a city, and it is something that we are rapidly losing.

Open space is what the founding fathers of this city used to make the foundations of a great city. I have great respect for our founding fathers, who set up a very well-designed central area for a CBD surrounded by wonderful parks and gardens — world class — and I am afraid this great government here in Parliament House a very short while ago cut off a huge slab of one of our great park areas, and that was Royal Park, to build a games village

which is actually a whole lot of expensive flats. That was an absolute disgrace, and what happened there will be remembered for many generations to come.

I just wonder when you are going to start developing the botanical gardens. Great cities need great spaces. London is one of the great cities of the world. Nobody would dare start building in some of the great parks that surround London.

**The CHAIR** — Or even some of the great stations, perhaps.

**Ms DROST** — Maybe they would want to build on the Place de la Concorde in Paris. These great cities have great spaces, and we have to keep them. For a start they are the lungs of a city.

I have in my hand a study that was done in Boroondara not too many years ago. It looked at the central east district which is the area we are looking at with this. It says:

... lowest overall provision of open space in the municipality ...

The report recommended having more open space, not cutting it off and building on it. In answer to a question about development — and that was when the report was done and a lot has gone in since — it says:

... a higher level of flats and apartments than rest of municipality ...

As far as I am concerned the central area is doing its best towards densifying the city. A lot more has gone in since, and a lot more is going in without any regard for the infrastructure.

I have a letter from Yarra Valley Water which I produce endlessly at VCAT and it is ignored, which says we are at maximum capacity for sewerage at the Camberwell Junction west of Burke Road, where VCAT has just approved a huge green Shrek — a 14-storey building at the former Henley Honda site, thanks to Minister Madden sending along a QC to promote it. What happens? When I was in London there was heavy rain and the sewage came out through the manholes. We are practically becoming a Third World city. For health we need space.

So far as the station goes, let the council buy it and put up something super that can be the heart of the area. It would be a wonderful heartland for Boroondara. The junction is in the central part of the whole spread of Boroondara. Let us have a lovely heart like this. For once let us show that Melbourne 2030 contains some common sense. I know the Melbourne 2030 document inside out. It says all the right things. For example, it says it is a great place to be. Well, it is getting less great.

It says 'A greener city'. If you read through it, it sounds great, but it never mentions trees. For a start how do you make a place green if you keep cutting out the trees? The document has good ideas in it, but the only thing that VCAT ever rules on is the section headed 'A more compact city'. Forget about the rest of it; it is ignored.

Because of the whole central area of Camberwell I became involved with groups from all over Melbourne who contacted me; it was not my doing. It has grown like topsy. We have somebody sitting here from Nillumbik who has come to listen because he is an activist out there. He does not have trouble with you people so much but with the local government. His group has trouble with the next level of government which wants to develop its open space which the group wants to keep. Sometimes I have problems with my local council, too, who want to sell off a bit of land to make some money. Do you really have to sell off the family silver to survive? Why is the government selling off all this land? I keep hearing from the 120 groups about all of their problems.

Earlier today you had in David Mitchell and the Point Lonsdale people. He is one of our network of Planning Backlash. You have certainly been out to have a look at the Kew disaster; that wonderful parkland should remain as a park. Once you lose these parks, they are gone forever; you can never get them back. We are going to destroy Melbourne permanently if we keep on knocking out the trees. It is not only happening in the parks, and you should remember this; it is not just the parks and open space they are going from, it is the infill that is going on. It was shown in the last census that nearly 35 per cent of the development that had gone on since the previous census was infill.

You should go and talk to Bob Birrell at Monash University. He can show you on his computer, area by area across Melbourne, where house after house is being built on behind and every tree goes. A house is knocked down and four houses are put up. Bob told me that one day we will wake up and Melbourne will be gone. The trees are going.

You — the state government — are swallowing up open spaces, knocking down trees and letting people build there. How much building do we want? Is the economy going to fall over if you do not keep building? Is that what it is built on! Find something else to run the economy. There is something wrong when you have to swallow up our wonderful city. The trees and the open spaces are the lungs of our city. The founding fathers had vision and made a great city. Don't wreck it.

We have a sign we use in our rallies. Victoria is the garden state, but we say, 'Victoria: the concrete state'. Is that what you want? Thank you.

**Mr ROACH** — Could I finish by showing you what the developer wants to do, just to give you an idea of how it will look?

There will be six storeys on the corner, and six storeys here. This is what is called an open plaza in the middle. That is where our open space is going.

**Ms DROST** — Except that this was not built according to the plan that has come in, that the council, rightly, has just knocked back. That is actually much higher because it is six storeys.

**The CHAIR** — It is arguably seven if you look at the six-and-a-half as it were — one storey is half car park.

**Mr ROACH** — An interesting little thought: down the side is Railway Walk, just there is the Qantas building. The Qantas building is a lovely, I think, four storeys of glass facing that way.

**The CHAIR** — North.

**Mr ROACH** — It will be about 2 metres away from that wall, so the poor old Qantas people will be looking at on brick walls. That alleyway down there will become graffiti city. That is not what we want. The people of Boroondara have spoken loud and clear. They have marched up the street. They have come to meetings. They have been with us for four years trying to fight this issue, and they are still with us. Our membership is growing. They are all paid up, and they are dedicated. That is what they want.

**Ms DROST** — We started off with that street march. I had a thing here that said 'No development'. But then we said we would have development, so we got a top heritage architect to design this for us and do this model, and we loved it.

**Mr ROACH** — Thanks, Mary. We are done.

**The CHAIR** — Can I thank both of you for your submissions and your obvious passion about this. I share it. I know what is being proposed here will essentially ruin that central part of the junction and set a precedent for further development not only along the railway line but elsewhere as well. My question is why. Why are VicTrack and the government so determined to push on with this matter?

**Ms DROST** — Money.

**Mr ROACH** — It started off as money. I think it has developed into an arm-wrestle. We have been a thorn in their side because we have spoken out loud and clear. I think now the government is determined that this will be developed just to set the scene. If they cannot get it up here, they cannot get it anywhere else.

**The CHAIR** — Do you have a view on the transparency of these arrangements between the government and either the preferred tenderer or the contractor? Do you believe these contracts should be — —

**Mr ROACH** — We certainly have a view.

**Ms DROST** — We have got all sorts of theories on that.

**Mr ROACH** — I like the term 'preferred developer'. We used to go to tender once; I do not think there was any tendering done here. I do not know what the arrangement is, but I have a question mark on it.

**The CHAIR** — It is an expression of interest process and then a further negotiation beyond that. And the firm involved, do you know anything about that firm?

**Mr ROACH** — We know a name. He lives in Toorak but we do not know of anything else that he has done.

**The CHAIR** — The heritage arrangements that the council sought to put in place, do you have a view as to why Heritage Victoria was not prepared to — —

**Ms DROST** — I was there, I know exactly why.

**Mr ROACH** — The heritage boundary goes down here, protects this embankment here, which was a very pretty embankment. It has been allowed over recent years to fall into some disrepair.

**The CHAIR** — But it will be covered under these proposals?

**Mr ROACH** — This will be covered. This is heritage, that is all heritage, and the heritage boundary comes up along that platform there and cuts across here to the footbridge. The idea is from here you will be able to see the Palace Hotel. The view of the city, which is in that direction, has gone.

**The CHAIR** — The heritage trees down that left side, or the north side, of the station — —

**Ms DROST** — All gone.

**Mr ROACH** — They will go to about here. There are two very tall palm trees, if anyone has been to the station. They are back here. They will remain but they will be hidden behind this complex on the corner. But all these trees here will go. VicTrack, in the public relations bumf it sends out, talks about arborists and upgrading the area. It is rubbish.

**The CHAIR** — It would be hard for the trees to survive underground.

**Mr ROACH** — That all goes. It could be quite pretty there.

**Ms DROST** — I want to answer your question on why Heritage Victoria turned it down. Can I answer it honestly?

**The CHAIR** — Yes.

**Ms DROST** — I do not know if you have ever been to these hearings when they have all the what-I-call guns for hire to say what they want to say. I heard the chance for us having state heritage protection destroyed by the heritage adviser who was paid to be there to give evidence. What I am saying was absolutely correct.

**The CHAIR** — Is this the government's heritage adviser or of the proponent?

**Ms DROST** — The one employed by VicTrack destroyed our chance. They had agreed to have heritage protection, and VicTrack questioned the boundaries. We went there with the view of looking at the boundaries, and he ended up twisting it all around until they finally said no heritage protection, only local level. That is the truth of it. It is not a level playing field out there when you go to VCAT and so on. When the developers can have the biggest guns for hire that they can afford — much more than we can — they destroy us. It is unfair.

**Mr ROACH** — It is interesting to note that several stations on the Caulfield line of a very similar style and age, same architect, have all received heritage approval but ours did not.

**Ms DROST** — You go to Malvern station, and you think you are at Camberwell. They are identical stations and should be equally protected.

**Mr ROACH** — It was some difference that we could not see.

**Ms DROST** — I will tell you what, a lot of us are angry out there. I am so angry about this. I have said this to the media so I will say it to you: they will get the go-ahead because no doubt somebody will send a QC in to tell them like they did about the Henley Honda site. There is only one road entrance in here at the moment, and that is into the car park. One small road entrance, very easy to picket — and it is going to be picketed.

**The CHAIR** — And this will add massively to traffic in and around Burke Road?

**Ms DROST** — Minister Justin Madden came out to visit us here just before Easter, so I took him for an hour's walk around the whole of the junction. We saw this model and walked around everywhere. We carried on to Burke Road and he sort of stood back. I said, 'Come on, just walk across'. He said, 'You can't do that'. I said, 'I can walk across Burke Road anytime I like because the cars are all stopped, it is just a parking lot'. It is so crowded; from freeway to freeway it is completely jammed. He got the shock of his life. I said, 'And how are you going to put more cars in here?'. This is what has happened.

**Mr ROACH** — What Mary is saying about picketing them is quite logical. Whether we can get the people of Camberwell to come out and do it is another matter, but if Mary's passion prevails, I am sure we will. That corner is quite high and it drops down to there. There is no access to here at all. There are shops and an embankment there at the moment, so it will require earth to be removed to get to that level. The only access is from this point just there — a couple of car bodies in there and you stop the entrance. Sorry, Mr Thornley, but that is what has — —

**Ms DROST** — I am sorry, but you are seeing the passion that is out there.

**Mr THORNLEY** — Do not apologise to me; do what you think is right.

**Ms DROST** — I am speaking with the passion of Camberwell, I am speaking with the passion of across Melbourne and across Victoria, really. I am here to reflect the feeling that is out there. A lot of people who will come to you will speak very conservatively and quietly and will be a bit overawed, but I am not, am I?

**Mr THORNLEY** — That is good.

**Ms DROST** — Mr Thornley, I have been trying to get a meeting with you and they will not let me have one.

**The CHAIR** — Do you want to ask some questions?

**Mr THORNLEY** — Sure.

**Ms DROST** — Any questions?

**The CHAIR** — We have questions, yes.

**Mr THORNLEY** — I think it is terrific that we have community activists who are passionate about what they do, so you will never have me complaining about that. What are the car parking arrangements in the proposal, do you know?

**Mr ROACH** — There are car parking arrangements for the tenants and users and residents of the building in their design, and there are, I think, 73 car spaces allowed for commuters.

**The CHAIR** — Right, six floors of car parking.

**Mr THORNLEY** — Six floors of car parking?

**The CHAIR** — One, two, three, four, five, six.

**Mr THORNLEY** — Right, it goes underground, yes.

**Mr ROACH** — Yes, but most of those are for the residents and users of the commercial building.

**The CHAIR** — Nonetheless, they will have to egress onto Burke Road and only come in — —

**Mr THORNLEY** — Yes, they will egress on Burke Road — —

**The CHAIR** — And come in the other way, will they not?

**Mr ROACH** — They will have to enter — —

**The CHAIR** — It is going to be a flood.

**Mr ROACH** — The only way they can get into the car park is through this area here, the Cookson Street area. The design does not cater for any entry from over there.

**Mr THORNLEY** — There is nothing under Prospect Hill Road or anywhere out this side either?

**Mr ROACH** — No, there is nothing across here, no, God forbid — it has been suggested.

**Ms DROST** — Come out and have a look. I will meet you.

**Mr THORNLEY** — I have spent plenty of time out there.

**Mr ROACH** — It does require beautification, I have got to say. It is not a pretty area at the moment.

**Mr THORNLEY** — It is not covering itself in glory at the moment, I think it is fair to say.

**Mr ROACH** — If you stand in that car park and look around you, you are in a bit of a hole. It is like an amphitheatre, the area around you; you are sort of looking up. It is a lovely space; it could be perfect.

**Mr KAVANAGH** — Ms Drost, I did not quite get the point on the space in Boroondara. Was the point that Boroondara has less space than other areas?

**Ms DROST** — That central area.

**Mr KAVANAGH** — That central area has less space than the rest of Boroondara?

**Ms DROST** — Yes, that central area has less than the rest of Boroondara.

**Mr KAVANAGH** — Can I also ask you about the sewerage capacity? Does that affect the area of the station?

**Ms DROST** — No. What the statement from Yarra Valley Water says is that on the city side — —

**Mr ROACH** — The western trunk, they called it.

**Ms DROST** — Of Burke Road it is at maximum, with no upgrades planned for another 10 years.

**Mr KAVANAGH** — But upgrades would be possible to increase the capacity?

**Ms DROST** — I tell you what, they once had it dug up outside my house — I live on Prospect Hill Road. I went out to have a look way down there, and that is the original that was put in more than 100 years ago.

**The CHAIR** — The auditors reported on all this.

**Ms DROST** — It is so old. You ask any developer. I have a cousin in America who is a big-time developer of open spaces. He said that it is far cheaper to put in new than to redo the old. Redoing the old is terribly expensive. When I saw how far they had to dig down there, boy, imagine if you had to do an upgrade! The whole place would be dug up.

**Mr KAVANAGH** — Just a little on the preferred developer that you mentioned, is that the case here with the Camberwell station? Has the government decided to give the project to a preferred developer?

**Mr ROACH** — Yes, Tenterfield Pty Ltd. He has been the preferred developer from the word go.

**Mr KAVANAGH** — Does the government say why that is the preferred developer?

**Mr ROACH** — I know not.

**Mr KAVANAGH** — I see. But you have some suspicions about that, is that right?

**Mr ROACH** — I always have a suspicion about what a government chooses to do or not do.

**Ms DROST** — Look at New South Wales.

**Mr ROACH** — Yes, I sort of pick up some points from New South Wales. There are certainly some political contributions made at times which I think gain favours — certainly gain advantage, whether it be favours or whatever you like to call it. I think the developer has an advantage here.

**Mr KAVANAGH** — Thank you.

**Ms PENNICUIK** — Thank you, Jack and Mary, for all the work you do in the community. I have to say that I agree with everything you say. It is interesting that you bring up the issue of Elsternwick station, which is the railway station that I catch the train from and arrive at every day. I have to agree with you that that station, even though it is very different in layout et cetera from Camberwell, would be a good case study to look at how perhaps — well, let us just say it is not very community friendly in the way it has been configured. There is a great big bank of walls right onto the station cutting, which leaves it having a desolate feel. Looking at the appendices to the submission you gave us today, Jack, you can see quite a lot of sheer walls abutting the street, certainly on Burke Road and it looks like on the southern side as well, where you pointed out near the Qantas building. It will block out the light to all those buildings but you will also end up with a great big tunnel —

**Ms DROST** — Tunnel.

**Ms PENNICUIK** — Down there. I am surprised that this sort of development even gets past the drawing board in this day and age when we are looking at energy efficiency. We are looking at energy efficiency, but we are meant to be looking at the impacts of the buildings around, so how a development that is going to impact on the streetscape and the energy efficiency and amenity to that level, it is surprising that it even be contemplated. I wanted to ask you, Mary, Planning Backlash these days is what? It has a 120-or-so network of groups?

**Ms DROST** — It keeps growing.

**Ms PENNICUIK** — Obviously there is a concern, and we have heard the concern by many of those groups at this committee. You said before — and I agree — that we need to develop the city, but we also need to preserve and, if not increase our open spaces because we are having more intense development, then obviously the open space becomes more premium. I wondered if you had one or two key points that Planning Backlash would make to the committee in terms of ideas, recommendations and proposals to improve what is going on? You have made some points.

**Ms DROST** — I would say this: if you are going to increase the population, you should also increase the amount of open space. You have got to increase the sporting fields. You have got to have more outside facilities for more people. You cannot just keep on building and encroaching on open space, because then you would be living in ghettos. To make people happy you do not want such overcrowding that you get antisocial behaviour, and you need space so people can breathe and expand. I think more people means more open space, I am afraid, instead of encroaching on what you have got already. You have got wonderful open space in Melbourne. Do not encroach any further because you should actually be adding as you increase more population.

**Mr ROACH** — It is interesting to look around our area, which is supposed to be a leafy suburb, at the number of blocks that are being totally built on, and the trees that are going; as Mary said before, I think it is 34 per cent of developers' infill. Some of the best streets in our area have been infilled.

**The CHAIR** — Landscaped.

**Mr ROACH** — Not far from where you are.

**Ms DROST** — It is going on all across Melbourne in so many suburbs. From different areas they are telling me that in Broadmeadows they have lost a lot of their open space which was close into town for building, then they have had to move the school because they sold off the land. That had lovely open space around it, and they have taken up a park to put the school in and given them almost no land.

This is happening all over in different parts of the city. Of course you have been hearing one by one from endless areas, many of whom are connected with our network. It is a network, and we are in contact all the time between each other, so we know what is going on. There is a lot of anger and unhappiness out there about it.

**Ms ROACH** — I have got to say Mary's group is becoming quite powerful, because the networking that goes on is vigorous. She is working — —



**Ms DROST** — Twelve hours a day

**Ms ROACH** — So there is a fair bit of concern out there, and it is developing into anger. That is extending beyond Melbourne; it is into the coastal areas as well. They contact us all the time.

**Ms PENNICUIK** — Obviously I suppose the lesson for this committee is if there are 120-plus growing groups networking about the issue, then there is an issue.

**Ms DROST** — There is an issue.

**Mr ROACH** — It is a real issue.

**Ms DROST** — We just have the feeling it is being ignored. That is why we are thrilled that you are here. We want to thank you for giving your time to try and come to terms with these very important issues. Surely developing a city is not just about building and putting more people in; it is about making it livable as well.

**Mr O'DONOHUE** — Mary, you mentioned Justin Madden, and you obviously had extensive dealings, both of you, with the council. What dealings have you had with VicTrack itself?

**Ms DROST** — None.

**Mr ROACH** — They are not particularly helpful.

**Ms DROST** — I heard something. I met up with a man — I met him at a function — who was a previous head of VicTrack or was very senior in VicTrack — and he told me he had mentioned to a present senior in VicTrack to be careful of Camberwell because we are pretty strong people out there and we are not just going to lie down and take it. I think it has almost become a challenge — who is going to win? I have a feeling. No names were mentioned, but that is the truth of it.

**The CHAIR** — Thank you both for your contribution. This is a very useful way to see it. In a model like this I think you can actually begin to appreciate the enormous scale of the development and, in my view, how inappropriate it is for its location. I take your points also, Mary, about the broader issues, and I thank you both.

**Mr ROACH** — Thank you very much for the opportunity.

**Committee adjourned.**