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## **Modernising Victoria's Planning Act**

### **Background**

A discussion paper released in March 2009 by Planning Minister, Hon. Justin Madden, invites input from the community to State Government plans to review the *Planning and Environment Act 1987*. The stated aim is to “strengthen certainty and timelines in the planning process” and to “streamline the growth area planning process”. The paper claims the review is a necessary response to Victoria’s “unparalleled population growth and expansion”; it fails to question the merits and long-term implications of this potentially unsustainable population growth.

This submission from the Carlton Residents Association (CRA) is a response to the discussion paper. CRA advocates to preserve heritage values and amenity in Carlton by preservation and maintenance of existing buildings and streetscapes and sympathetic development.

### **Comments on Discussion Paper**

#### **1. Population Growth**

The “unparalleled” population growth of Victoria is centred on Melbourne. Long discussed plans for decentralisation of population, through planned development of regional cities and country Victoria, is no longer on the Government agenda. Melbourne’s population growth of 1500 per week is not through some freak of nature but through deliberate Government policies. The State economy is now predicated on this Melbourne centric growth, regardless of its impacts on livability, sustainability and the environment. Issues of land supply, water, transport infrastructure, health and education services etc are largely ignored by the Government in the race for population growth.

#### **2. Residential Density**

Planning for increased residential density is being driven by policy detailed in *Melbourne@5million* (formally *Melbourne2030*). A primary goal of this policy is to stem urban sprawl. However, greenfields land releases on the urban boundaries and lack of transport infrastructure, particularly public transport, undermine these policies and create significant planning problems. The general community and local councils have largely rejected Government high density residential policies. Highrise apartment living has not been widely embraced in Melbourne, especially in the suburbs. Much more prescriptive policies are now being canvassed in the discussion paper to force high density development on a skeptical community. Is this the Melbourne we want?

#### **3. The Planning Process**

The discussion paper concentrates on the planning process, rather than the broader issues of unsustainable population growth. It aims to “streamline” long established planning policies through “simplifying” the permit process, notice of application, objections, decision making etc.

Much flexibility and input at the local Council and community level would be removed or significantly weakened in favor of prescriptive planning processes dictated by State Government policies. No doubt developers would welcome such an outcome.

Ministerial “call-in”, “State significance” and “site specific overlays”, which already cause havoc to orderly planning and generate many appeals to VCAT, now appear set to be formalised and beyond appeal. These processes are open to political deals between the Government and developers. We are concerned at the substantial political donations from developers to both major political parties which give the impression that influence on the development process can be bought.

The use of “private” planners to expedite the process, as canvassed in the paper, would likely further undermine accountability and the planning authority of local councils. Clarification and improved formality for assessments of “State significance” would be welcome.

#### **4. Experience in Carlton**

In Carlton (Postcode 3053), protection of Victorian Era heritage dwellings, streetscapes and the World Heritage Exhibition Buildings and Carlton Gardens are a priority for CRA. The area is subjected to unrelenting development pressures. Existing height and heritage overlays (DDO47 & 48 and Municipal Strategic Plan C60) are regularly undermined by developers through direct deals with the Government and at VCAT eg. Melbourne University Private, Barry Square highrise buildings (Ministerial call-in); College Square on Swanston, highrise student housing (site specific overlay & VCAT); Melbourne University Publishing building, Drummond St., 4 storey, 58 studio apartments (VCAT); Public Housing Estates, 550 unit private housing development (Ministerial call-in).

The discussion paper outlines processes which would facilitate even more intense development pressures on Carlton’s renown heritage areas, particularly high density unit development above 3 storeys, for the short-term profit of developers but to the detriment of community livability and amenity and the undermining of recognised heritage values.

#### **5. Conclusion**

In the view of CRA, the existing *Planning and Environment Act* should be strengthened not weakened. “Streamlining the process” could be readily achieved under the existing Act by clarification of the processes and by removing the ability of developers to push development envelopes by exploiting planning uncertainties and loopholes at VCAT, by direct appeals to the Planning Minister and to the Priority Development Panel.

Current economic woes are now cited as a driver for potentially ill-conceived “fast tracking” of development projects, including proposed highrise housing along rail and tram lines eg. as now exists along Swanston St., Carlton, without thought to long-term implications. Considerations of global warming, peak oil production, sustainable transport and water supply will be integral to planning in the long-term. The discussion paper largely ignores these critical issues.

**The Government needs to face up to the negative consequences of its Melbourne centric population growth policies; issues of livability and sustainability must be urgently addressed in any review of the *Planning and Environment Act*.**

**Ian Bird  
CRA Committee  
29 April 2009**