

**Submission
No 163**

**INQUIRY INTO THE PROTECTIONS WITHIN THE VICTORIAN
PLANNING FRAMEWORK**

Organisation: Glenelg Shire Council

Date Received: 31 January 2022

Submission into the Victorian Planning Framework on behalf of Glenelg Shire Council

Commentary is provided under some of the topics relevant to Glenelg Shire listed below for consideration by the Committee.

For context Glenelg Shire Council is a small rural shire located in South-West Victoria sharing the border with South Australia. Portland is the main city with a number of other smaller settlements such as Casterton and Heywood in this rural shire.

- (1) the high cost of housing, including but not limited to —*
- (a) provision of social housing;*
 - (b) access for first home buyers;*
 - (c) the cost of rental accommodation;*
 - (d) population policy, state and local;*
 - (e) factors encouraging housing as an investment vehicle;*
 - (f) mandatory affordable housing in new housing developments;*

For a long time the cost of purchasing housing in the regional area of Glenelg had been more affordable than metropolitan areas for existing housing stock. New builds costs have been slightly higher though due to increased cost of materials and occasional requirement to contract in specialists for specific elements in construction.

Over time the steady increase in mandatory requirements in new home builds stemming from infrastructure, higher expectations of amenity, bushfire rating, energy efficiency, OHS and like have all contributed to new housing costs. Whilst most of these bring significant benefits, they each contribute to increasing costs. This in turn makes difficult to access for first home buyers as wage increases have not kept in step with increase in house prices over time.

Since the Covid pandemic there has been a significant increase in housing prices in regional areas over the last two years.

The cost of rental accommodation has also been a challenge for many years, that the Covid Pandemic has further worsened. This has been for a range of factors:

- Limited social housing;
- Steady increase in homes being used for holiday housing that yield higher incomes for owners made readily available through online sites;
- In turn investment decisions to purchase homes have been made on income yields derived from short-term not long term rentals,
- Changes to rental accommodation legislation can discourage owners from longer term rentals;
- Lack of overall available housing supply.

Glenelg Shire Council has teamed up with local seven government Council's in South-West Victoria as part of Key Worker Housing project to explore and implement solutions to current worker housing crisis. This is to help address the lack of rental options which is preventing key worker migrating to the region to perform essential worker roles.

(2) environmental sustainability and vegetation protection;

In terms of vegetation protection the laws have over time become stricter to protect whilst allowing for some safety exemptions. For an applicant seeking to remove vegetation, most require engaging a professional arborist or ecologists. Offset then in turn can add significant costs. The intent of the laws in doing this is to reduce and minimise any vegetation which is reinforced by significant costs in removing any vegetation of strong biodiversity value.

However the process and costs in doing it the compliant manner, can create an environment where applicants perceive it easier to be non-compliant in removing vegetation without permits.

The issue for Rural Shires such as Glenelg is the enforcement of these laws. They are difficult to enforce and consume much resources in doing so based on the information require by a Council to take action.

For Council to undertake formal enforcement action it needs to know without reasonable doubt whom exactly removed it (with evidence) plus the exact type and quantity of vegetation removed. This all whilst allowing procedural fairness to any alleged perpetrator.

Every year there are multiple instances of vegetation being removed without permits, but Council is simply not resourced or capable to enforce. A statewide approach to this such as EPA enforcement similar to pollution may allow for a more consistent approach to this issue.

(3) delivering certainty and fairness in planning decisions for communities, including but not limited to –

- (a) mandatory height limits and minimum apartment sizes;*
- (b) protecting Green Wedges and the urban growth boundary;*
- (c) community concerns about VCAT appeal processes;*
- (d) protecting third party appeal rights;*
- (e) the role of Ministerial call-ins;*

The two recent decisions at Glenelg of major proposals, one at VCAT and the other Panels via a Ministerial Call-in, have both determined in favour of third party concerns about these applications. Such decisions would likely temper any future investment, which some community would see as beneficial whilst others would not. It is noted in the third party participation, that some join in the process for purely academic reasons and not because there is any direct material detriment.

In terms of the Ministerial call-in there fundamentally appears little difference in process and grounds of consideration for decision making. The only difference was the Minister determines a call-in as opposed to VCAT appointed members for permit applications.

- (4) protecting heritage in Victoria, including but not limited to —*
- (a) the adequacy of current criteria and processes for heritage protection;*
 - (b) possible federal involvement in heritage protection;*
 - (c) separating heritage protection from the planning administration;*
 - (d) establishing a heritage tribunal to hear heritage appeals;*
 - (e) the appointment of independent local and state heritage advisers;*
 - (f) the role of Councils in heritage protection;*
 - (g) penalties for illegal demolitions and tree removals;*

The current legislation provides strong and robust protection and conservation for Victoria's heritage.

- (5) ensuring residential zones are delivering the type of housing that communities want.*

Overall the current residential zones can deliver type of housing that communities want. The main aspect for consideration is whether there should be a distinction of use between dwellings used for rental, short-term, long-term rental and occupation. This should be further explored to assist whether making such categories would alleviate the current rental housing crisis.