

**Submission  
No 244**

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

**Name:** Mr Robert Bailey  
**Date Received:** 11 February 2022

This submission is in regard to the adequacy of the Planning and Environment Act 1987 and the Victorian planning framework in relation to planning and heritage protection.

In particular, I wish to express serious concerns about the following aspects referred to in the Terms of Reference and draw examples from the proposed redevelopment of the ex-Kingswood Golf Course site in Dingley Village.

**(2 ) environmental sustainability and vegetation protection.**

Large-scale residential developments do not adequately consider the impact they have when destroying the local habitat of birds and native wildlife. Developers ignore the consequences. The Kingswood site is home to thousands of trees, local fauna, birds and native animals but less than 20% of the area of the proposed development will be unencumbered open space. What will happen to the birds, vegetation and wildlife if this development is allowed to proceed?

Developers try to clear sites and plant new trees, which will take many years to reach maturity and cannot replace the benefits provided by the already mature trees on a site.

Recent studies have shown that large-scale residential development, where nearly all of the land area is cleared and covered by buildings and roads, has a warming effect of 2 – 3 degrees. Residential blocks are becoming smaller and smaller, covered almost entirely by buildings with no room to accommodate a garden or trees. This type of development is becoming the norm, however new developments would be more eco-friendly if the minimum size of lots was to be increased.

**(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.**

Dingley Village has a population of over 10,000 residents, normal lot sizes in Dingley are 550 – 650 square metres and there are no dwellings of more than 2 storeys.

Despite receiving over 8,000 objections from the residents, and opposition from the Kingston council, the developers of the Kingswood site have applied for a re-zoning of the site to Residential and approval to build 3-storey dwellings on lot sizes of less than 300 square metres. This is not in character with the local neighbourhood and could lead to the construction of around 600 x 3-storey dwellings.

There has been no meaningful consultation between the developers and the local community regarding the proposed development.

At present it appears that large, multi-million-dollar companies can acquire sites with the expectation of building vast housing estates, with little vegetation, high density buildings and make enormous profits without taking into consideration the concerns of the local community and of the local council.

If the developers have an unfavourable outcome, they then appeal to VCAT, are represented by QC's and against all opposition, are granted approval to proceed.

There needs to be a thorough review of the Planning and Environment Act 1987, to find alternatives to the policy of building high-density and high-rise housing clusters and to give local councils and

communities protection against the profit-driven large companies who care little about the local community.

**(4) protecting heritage in Victoria, including but not limited to —**

**(g) penalties for illegal demolitions and tree removals.**

Once a building is demolished or a mature tree is bull-dozed there is nothing anyone can do to replace it. However, if the penalty for such an action was to be substantial and in accordance with the wealth of a company this would be a greater deterrence.

Company board members and executives should also be held to account for these actions.

Substantial fines, disqualification and bans on the companies and persons responsible would be appropriate.

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

Recent trends in housing are for smaller lot sizes, clusters of buildings of a similar structure and appearance or high-rise apartment buildings.

This has resulted in vast new housing estates without a mature tree in sight, estates with scores of houses adjoining each other in narrow streets, and high-rise towers consisting of tiny apartments with inadequate parking spaces for the tenants. Also, due to the relaxation of building regulations many of these towers have cladding which is a dangerous fire hazard risk.

There seems to be an acceptance that whatever a developer builds, someone will come along and buy it. Often there is no alternative, and the buyer just has to accept it. None of the above developments have provision for educational facilities, health centres, community centres or transport.

In the case of the Kingswood, 823 new dwellings are proposed, most will be 2-3 storeys (not suitable for elderly or disabled persons), will have inadequate car parking, limited access to public transport and there is no provision for childcare, primary or secondary schools, library, sporting facilities or medical and health services. The local community, which is already at capacity in all of these services, is expected to absorb the influx of new residents.

Local Governments and communities must be given greater control over the type of housing to be built and not have to adhere to a generalised plan which fails to consider the specific circumstances or the wishes of the local community.

Robert Bailey