

Green Wedges Coalition

- a vision for Melbourne

24 November, 2022

Coordinator's Report

BATTLING ON: BROKEN PROMISES AND DASHED HOPES FROM STATE GOVERNMENT; OPPOSITION PICKS UP THE BATON AND PLEDGES TO SAVE THE CHAIN OF PARKS.

Last year we were enthusiastically waiting to see how the Planning Minister planned to fulfil his promise to improve Planning for Melbourne's Green Wedges and Agricultural Land, a project that was supposed to implement the State Government's 2018 election promises. We had been encouraged by the government's commitments to "*tighten controls to better protect Melbourne's Green Wedges from over-development,*" to improve protection for agricultural land, and to "*protect the environment, landscape, agriculture, and rural industry of each area, and put a cap on the size of developments.*"

And by another promise to spend \$150 million on new parklands, mostly in the Green Wedges, including the Chain of Parks in the Kingston Green Wedge, a green corridor linking the Seaford Wetlands with Mornington and a major park at Sunbury.

But little or none of this has eventuated.

1. After two and a half years' consultation – warm thanks to Alan Thatcher for drafting most of our -submissions – a Planning for Melbourne's Green Wedges and Agricultural Land consultation report and plans for new regulations and legislation were on the Minister's desk by mid-2021. We were led to expect a Ministerial announcement every month from then until the project manager, the highly respected Asok Rao, left the department in June after his contract was not renewed. Asok addressed our last AGM and was then optimistic that we'd see at least some improvement.

The former Planning Minister Richard Wynne did submit one of the PMGWAL recommendations – to make Green Wedge Management Plans mandatory – to Parliament but as it was bundled in with other Planning, Building and Heritage legislation which were opposed by the Liberal Party, it was voted down in August. Shadow Planning Minister Ryan Smith invited the Government to re-submit the Green Wedges and Distinctive Landscapes legislation separately, and said the LNP

would support it, but it was not re-submitted. Another provision, to protect irrigation land, was bundled in with other planning provisions in the VC224 amendment and adopted, despite the consultation supporting the protection of all agricultural land. Other Green Wedge provisions in the defeated legislation, such as the beneficial uses permitted in the Green Wedges to include waste processing make us think we would like to see interim legislation and planning provisions introduced, with provision for further consultation.

But none of the planning provisions we'd hoped for, such as proposals to curb the dumping of so-called cleanfill on farmland or to restrict the schools and places of worship to sites on main roads, adjacent to the UGB and not in Bushfire Management Overlays. Though we'd prefer they were prohibited everywhere in the Green Wedges: Schools and places of worship should be in the urban areas where the students and parishioners live. But the compromise option would be better than nothing.

2. And until this month, not a cent of the \$150 m had been spent on the promised regional parklands, certainly not any of the \$25 million promised for the Chain of Parks. On the contrary, State Government decided to seize the centrepiece of the Sandbelt Parklands (aka the Chain of Parks), the 36 ha Delta site, (where Kingston Council has plans for parklands) for a huge rail stabling yard with 800m of above ground railway line on the Heatherton residents' back fences for the Suburban Rail Loop.

This is the most inappropriate over-development that anyone can remember in a Green Wedge. They could have put it in the nearby industrial estate, but they chose to break their decades old promise to the communities of South East Melbourne including Heatherton, by taking their Green Wedge parkland. I have never before seen a community treated with such contempt by a Victorian Government.

Compared to which the flier from Labor MLA Meng Heang Tak during caretakers announcing that Labor has purchased another 83 ha of the Chain of Parks (for an undisclosed amount) rings hollow. And the 'promise' of a Kingston Fields for sport several kilometres away in Dingley Village even more so.

At about the same time as the government announced this in December 2020, they also announced the Minister's approval of the Alex Fraser concrete crusher's permit for another 10 years. On these two counts, the State Government would appear to care nothing about the South East Green Wedge and even less about breaking its election promises.

We renewed our efforts to meet with the Minister and his successor, Lizzie Blandford, but because of her conflict of interest, we were forwarded to the Environment Minister, one of whose officers was able to tell us the PMGWAL would be released but not until after the election. We wondered aloud how many times a Government could make the same promise and expect to be believed.

3. So here is the wild card: Matthew Guy's Liberal Party has rediscovered their Green Wedge Hamer heritage

4. So we're still having to deal with the vast inappropriate and over-development applications in the Green Wedges we were hoping would be dealt with by PMGWAL. . We wrote to Minister Wynne in 2019 seeking a meeting to discuss some of the most threatening applications that were counter to his pledge to curb over-development but he refused to meet with us. These included:

- The flood of eight current or impending religious school and Place of worship applications in Southern Ranges Green Wedges, in the South Eastern Green Wedge, in Casey's Westernport Green Wedge and now across the border in Mornington Peninsula We asked the Minister to call in and refuse or at least consider these applications together, but he said he would leave it to the Councils and to VCAT. The first of these, a huge, 3000 sq m mosque almost as big as Sydney's Lakemba mosque, was approved by VCAT in 2020 against huge community opposition, and a school application has been approved since by VCAT. Another school application next to Lysterfield Lake Park was defeated by Casey Council and our members Kate Rousseaux and Karen Cavanagh.

- Ten – now down to six - four-storey residential buildings proposed by Ryman Healthcare for a 'retirement village' on the Mount Eliza Business College site where the Mornington Peninsula Green Wedge meets the sea (see the pic on our meeting notice). Ryman exploited a loophole in a legacy Special Use Zone 2, that dated back to Mornington Council. After receiving 1068 objections, Council refused this application and VCAT upheld their refusal, for which the local Save Sir Reg's Wedge group deserves the lion's share of the

credit. Ryman has lodged a scaled down application and VCAT is considering their decision on Ryman's appeal against Council's refusal.

At the same time, Council is trying to rezone this land to GWZ, which would prohibit retirement village. Unfortunately they have included all of the SUZ2 sites in the C270 amendment, including land already protected by Clause 51.02. This means the Portsea and Mornington golf courses could lose their SUZ2 protection, and could be opened up to residential development, against Council policy to keep residential development out of the Green Wedge.

Let's hope the Councillors can send a supplementary addendum to the Minister and ask her to delete the sites covered by clause 51.02 from the C270 amendment.

- Others itemized in recent Green Wedge circulars, included eight cases in which agricultural land was approved by Councils or VCAT for discretionary uses including a golf driving range on Mornington Peninsula and the Rosemaur art gallery/function centre application on Harkaway farmland and an urban-style market on agricultural land (at Oaklands Junction),

1. And ominously, State Government's Building Victoria's Recovery Taskforce appointed to encourage a construction-led recovery, actually lobbied the Mornington Peninsula Shire Council to approve the Ryman Healthcare retirement village. They were firmly told Council did not consider this a suitable use for the site. This was in the MP Shire Council's February minutes: we don't know what other inappropriate developments in Green Wedges or elsewhere this taskforce may be quietly assisting.

We note that similar committees, the Victorian Investment Committee, and the Metropolitan Waste Management and Resource Recovery Group (which is supposed to represent Councils) made a similar pitch for a 15-year extension of the permit for the Alex Fraser concrete crusher in the Kingston Green Wedge, which the Minister then granted for 10 years (in practice probably forever.)

And that the supposedly neutral transitions in the new simplified Municipal Planning Strategies may be - in at least one case - not as neutral as they seem. Please ensure your Council reviews its MPS and please get involved.

We were – and are - concerned that if the minister is unable to protect the Green Wedges from these very conspicuous inappropriate and over-development applications, what would he protect in the Green Wedges? We hope they do not signal the dominance of the economic development forces in cabinet that we saw in the dying days of the Brumby Government. With Minister Wynne retiring in the New Year, we give him credit for keeping Labor's promise to lock down the Urban Growth Boundary, and hope that he and in time a new planning minister will keep Labor's 2018 promises to protect the Green Wedges from applications like those detailed in this year's report, hopefully with PMGWAL as a blueprint.

The Green Wedges did survive a number of threats last year:

- Congratulations to the Southern Ranges and Westernport members including Rosalie Counsell and for their efforts to hold the line against the influx of School and Place of worship, and against the apparently bogus \$34 million application for an art gallery as an excuse for a restaurant and function centre in the Green Wedge at Harkaway. And to Professor Buxton for his brilliant expert witness report to that hearing, and for allowing me to incorporate much of his argument into the Green Wedges Coalition case against the Ryman VCAT appeal.
- Kahn Franke, Sarah Hunter and the Nillumbik Green Wedge Protection Group have been working with their new, more supportive Council for a planning scheme amendment to curb the applications to allow "cleanfill" to be spread over farmland and gullies, damaging the environment and farm properties downstream.
- Frankston Council adopted a Green Wedge Management plan that firmly rebutted submissions from the Committee for Frankston to rezone Green Wedge land into an industry zone. Warm thanks to David Cross, Jenny Hattingh and Michele McKinley for their excellent presentations.
- Leigh Eustace and I are working on behalf of the Green Wedges Coalition to oppose another retirement village on the Mornington Peninsula Green Break at Mount Eliza, as well as the Ryman application.
- Diana Donohue has had to work against Kingston Council to oppose various inappropriate application including large indoor recreation facilities for basketball on the Hawthorn Football Club land and possibly soon for a Waterpark also at Dingley Village, and with Council to oppose

an application for the MetroMix concrete batching plant to extend its permit date for another ten years, despite having acquired an industry-zoned site for the purpose. This seems to have been inspired by the Minister's approval of the Alex Fraser application.

- Silvana Anthony, Michelle Hornstein and too many Heatherton residents to name deserve applause for their resistance to the train yard, and other threats to their neighbourhood Green Wedge. For example, a mulch-processing facility next to a market garden, where Silvana is supporting Council's refusal at VCAT, and an equally toxic Council mulch storage facility next to a market garden and an autistic school that does not need a permit as it is on Public Use zoned land.

Three lessons from this we hope PMGWAL may learn from:

- One bad planning decision leads to another:
 - the decision to extend Alex Fraser's concrete crusher permit has encouraged a concrete batching plant to stay on its Green Wedge land,
 - the decision to take the Delta core parkland site for a train yard means extra pressure to replace green passive recreation parkland with more synthetic turf and sportsgrounds on existing Green Wedge parks, eg at Kingston Heath Reserve;
 - failing to hold the line against one retirement village in the Green Wedge encourages another aged care operator to apply for another one.
- Just because something is a "good" use doesn't mean it should be allowed in the Green Wedges (eg schools, places of worship, recycling facilities, manufacturing industry and an indoor recreation waterpark). The Green Wedges are for environmental conservation, agriculture, rural open landscapes and parks.
- We cannot rely on Councils to protect the Green Wedges, though some do this well, and must hope State Government can provide more consistent, principled guidance when Councils fail.

We now need to work energetically and watchfully together, to review the new PMGWAL policy and action statements when they are released and to ensure they provide the long-awaited protection urgently needed and promised, and to work with Government and all parliamentary parties to stop the planning loopholes that undermine the Green Wedges.

Rosemary West,
Coordinator

Welcome also to Professor Michael Buxton, whose participation in an online meeting we had with DELWP officers earlier this year marked a turning point in our relations. Welcome and thanks also to Julia Hamer, who is continuing her late mother's and father's commitment to the Green Wedges by serving, jointly with Professor Buxton, as our patron. And to our stalwart committee, delegates and members for keeping our show firmly on the road. And to Leanne Ennis for hosting our facebook page.

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Green Wedges Coalition

- a vision for Melbourne

November, 2022

circular

Dear Green Wedge supporters,

1. Emeritus Professor Michael Buxton will be guest speaker at our AGM this Thursday 24 November at 7pm by zoom. He will speak on *'Protecting Green Wedges in a parallel planning universe.'* Details and zoom link in the attached invitation ([Click here](#)) Professor Buxton's article on the Planning Parallel Universe where citizens' rights are denied. ([Click here](#)).

2. How to vote for the Green Wedges

The short answer is: carefully, and below the line in the Legislative Council, where a preference whisperer is at work and even the major parties and Greens may direct your preferences to candidates you would not support if you vote above the line. You need to mark only five spaces, but we suggest you put at least one of the major parties on your list, even if you put them last on your list. ([Click here](#) to see a helpful table posted by MTTY showing how the preferences are likely to flow in the South East Metropolitan Region) Some surprises: the Sack Dan Andrews party is preferencing Labor and the Labor DLP party is preferencing the LNP. Sustainable Australia Party is preferencing differently in different regions, and with the Liberals are the only party opposing both the Heatherton Train Yard and the SRL. The Greens and Animal Justice are preferencing Labor above the Liberals.

As our Coalition has been unable to meet with either of the Planning Ministers since 2018, or with the Environment Minister to whom our request was recently re-directed because of the new Minister's conflict of interest, comparison is not straightforward.

3. The Labor government has spectacularly broken their 2018 election pledges to:

- *“permanently tighten controls to better protect Melbourne’s green wedges against over development, with the protections enshrined in legislation.”* And to:
- deliver the Sandbelt Parklands (aka Chain of Parks), as part of a \$150 million pledge to fund parklands, mostly in the Green Wedges.

DELWP officers spent two and a half years in two rounds of consultation, which supported stronger protection for Green Wedges and agricultural land, but the resulting Planning for Melbourne’s Green Wedges and Agricultural Land (GWAL) consultation report and action plan sat on the Minister’s desk for 12 months and have now been shelved until after the election.

The Government has broken both of these 2018 promises by seizing the centrepiece of the Chain of Parks, the 36 ha Delta site (where Kingston Council has plans for parklands) for a rail stabling yard on residents’ back fences in Heatherton.

Compared to which the flier from Labor MLA Meng Heang Tak announcing that Labor has purchased another 83 ha of the Chain of Parks rings hollow. And the ‘promise’ of a Kingston Fields several kilometres away in Dingley Village even more so.

As no Labor candidates or MPs attended election forums run by Planning Democracy, the Defenders of the Green Wedge or Kingston Residents Association, we have no idea what if anything they may have to offer Green Wedges. Beyond an undertaking that the Environment Minister Lily D’Ambrosio will look at the PMGWAL report with a view to releasing it after the election. (PMGWAL has been delegated by the new Planning Minister Lizzie Blandthorn to the Environment Minister because of her conflict of interest as her brother is a lobbyist with Hawker Britton.)

4. Liberal Party Leader Matthew Guy announced he would save the Delta site and keep the Chain of Parks. He has pledged to spend \$20m on developing it for the planned sportsgrounds. He also announced he would call off or at least pause the SRL and undertake consultation on this or any further infrastructure plans, which Labor has notoriously not done. His Shadow Planning Minister Ryan Smith has had no reply to his letter to the new Planning Minister asking her to release the Planning for Melbourne’s Green Wedges and Agricultural Land report.

Greens leader Dr Samantha Ratnam has called on government to look for another site for the train yard, and Sustainable Australia Party MLC Clifford Hayes has been consistently critical. The Greens and Sustainable Australia Party have also called for the PMGWAL report to be released.

For the How to Vote Card put out by the long-suffering residents of Heatherton in Move The Train Yard (MTTY) who have put up with the inconvenience, noise, smells, dust and health impacts of the sand quarries and subsequent landfills on the strength of the 1994 promise they would be remediated as parklands to serve the recreational needs of Melbourne’s south eastern suburbs, ([Click here](#)). For the

opinion piece: *Promises, Promises*, which I have submitted to The Age in my personal capacity as a journalist, (Click here). For Kingston Council's statement condemning a string of broken promises suffered by Kingston including approval of the Alec Fraser concrete crusher in 2021. (Click here)

I have never seen a community treated with such contempt by a Victorian Government as this one.

5. Kingswood (adjacent to the Green Wedge) is another hot Clarinda electorate issue, with a Golf Course Redevelopment Strategic Advisory Committee report pending since last December's hearing. The Golf Course Redevelopment SAC was appointed to hear Australian Super's application for over 800 houses in a three storey development after Council voted to refuse it. Word is the Environment Minister will support a scaled down version.

The Liberal Party has pledged to stop the development, with local candidate Anthony Richardson suggesting a secondary school for the site. Even better if the cashed up Australian Super writes it off and hands the course to Council to run as a public golf course.

Rossdale Golf Course, adjacent to the Edithvale Wetlands, is also now lining up with an application for residential subdivision and development for the Golf Course Redevelopment Strategic Advisory Committee pipeline.

6. The Greens, Sustainable Australia Party and Independent candidate for Brighton, Sally Gibson, have also called for the PMGWAL report to be released, in their responses to a Planning Democracy survey, reported in Kelvin Thompson's convenor's report. These parties all agreed that

- *Developers now have too much say in decision-making, while residents and communities have not enough*
- *Enforcement policy (eg for illegal vegetation removal) is weak and imposes inadequate penalties that reward bad behaviour.*
- *The rights of Councils and communities to be heard in decision-making have been eroded by successive State Government amendments to the planning framework*
- *Developers and their associates need to be banned from making political donations (apart from Mr Smith*
- *The Parliamentary Inquiry into Planning and Heritage Protection must be re-started by the new State Government.*

Liberal Planning spokesperson Ryan Smith also agreed to these points apart from a ban on developer donations: he said private donations have been significantly limited by legislation.

7. Mornington Peninsula Shire Council resolved last month to approve an amended version of their C270 amendment, which proposes to rezone the Moondah Mansion site at Mount Eliza to Green Wedge Zone. This followed the shock refusal by a planning panel to support Council's attempt to rezone the Moondah Mansion site, along with another of the Special Use Zone 2 sites Council was proposing to rezone in C270.

The Council resolution means the amendment must be given weight as a seriously entertained planning proposal by the VCAT that is considering the application by Ryman Healthcare

However Council officers took over a week to forward the resolution to VCAT and they seem to have ignored the planning panel's grounds for recommending against rezoning the mansion site, and have not bothered to provide the Minister (and VCAT) with a strategic justification in line with the requirements of Planning Practice Note 46.

Fortunately, Council resolved to support the panel recommendation to delete the Hearn Road Mt Martha Scout Camp site from the amendment. This would have removed the SUZ2 protection of the land as a scout camp and allowed residential development on the six lots comprising the campsite.

Along with over 1000 local submitters, we have strongly supported rezoning the Moondah Mansion site to GWZ3 at both VCAT hearings and at the planning panel for C270. But we, like other submitters, were so preoccupied with the Ryman application that we overlooked the trojan horse peril of rezoning the four sites that are already protected from Ryman-style applications by Clause 51.02 (the Metropolitan Green Wedge core provisions).

As a result of the CFA and other submissions to the C270 panel we have realised that the SUZ2 sites already protected by Clause 51.02 are in fact better protected by the SUZ2 than they would be by the GWZ3, because the GWZ permits residential development such as dwellings, whereas the SUZ prohibits them. To understand how serious a threat more residential development can be to the Green Wedge, ([click here](#)) to read Helen Gibson's definitive statement.

It would have been sensible to simply delete the four sites covered by Clause 51.02 from the amendment, (the Mornington and Portsea golf courses, the Hearn Road Scout camp and a S-E Water pipeline site), pending further review. However the Council officers were unconcerned that rezoning these sites to GWZ would provide an incentive for these sites to be fragmented and sold off for residential development in the form of dwellings on up to five separate titles (not including the six Hearn Road titles.)

It is now too late for this to happen in time for VCAT to take it into account, but not too late to undertake an assessment in the light of PPN6, which requires any change in development possibilities to be assessed. This could enable the Councillors to adopt a supplementary report to the Minister recommending deleting the golf courses and S-E pipeline sites from C270.

Council voted to endorse all of the panel's recommendations except for the Moondah Mansion site on Kunyung Road Mt Eliza, which they still propose to rezone to GWZ3 and to delete from the schedule to Clause 51.02. (See Council's plans under the Addendum on the October Council agenda.)

The C270 panel recommended against rezoning the Moondah site and the Scouts Vic camp-site at Hearn Road, Mount Martha – though they supported rezoning the

other sites - because they said Council had failed to comply with the Ministerial Planning Practice Note 46 which requires strategic assessment of these sites.

In a series of strong resolutions since 2018, Councillors have shown they want the Green Wedge protected and the Ryman development stopped. But they have been undermined by their strategic and statutory planners.

- **8. Another unfulfilled government promise – going back to the ill-fated Brumby Government – is the Western Grassland Reserve.** The 15,000 ha WGR was promised as an offset for the rezoning of 43,600 ha of Green Wedge land in 2010 for urban development, including the last and best 5000 ha of themeda (kangaroo) grassland and habitat for EPBC-listed endangered species including the golden sub moth and the legless lizard. The WGR was a sweetener to win Victorian Greens support for what must be one of the worst environmental atrocities ever committed by a government.
- Twelve years later, less than 20% of the promised Western Grassland Reserve has been acquired, and significant grasslands identified and promised for protection inside the UGB have not been acquired and are also now weed infested. Which makes us wonder why we should believe the Government will replace the Delta site or any of the parkland they are taking for the SRL.

But a heroic group of grasslands enthusiasts in the Grassy Plains Network, backed, by the Victorian National Parks Association, have been working with the Melbourne Strategic Assessment team in DELWP and are offering two bus trips, for interested people to have a look at some of the good and bad grasslands in the proposed reserve. Leaving from

- Melton, from 1pm to 5.30pm on Sunday 27 November and from
 - Little River at 9.30 am on Sunday 4 December (a more technical tour).
- These are free but it is necessary to book a place on the bus, and to watch two online forums beforehand. For details including links to the online forums and booking details ([Click here](#))

I hope to see you there.

Happy to discuss: please on-send this circular to your members and anyone you think may be interested and/or post it – or parts of it – on your website or facebook page.

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Green Wedges Coalition

- a vision for Melbourne

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The Hon Ryan Smith, MP
Shadow Minister for Planning

19/8/2022

Dear Mr Smith,

Urgent request for meeting re Planning for Melbourne's Green Wedges and Agricultural Land (PMGWAL)

We warmly welcome your statement acknowledging the Hamer Liberal legacy of the Green Wedges and also your and Mr Guy's statements criticising the State Government's choice of the Heatherton Chain of Parks site for the SRL rail stabling and maintenance facility and pledging to shelve plans for the Suburban Rail Loop because of this and other serious planning and funding flaws.

We are writing to urgently request a meeting or meetings with you as well as the Leader: we got to know and work with Minister Guy when he was Planning Minister and we valued the strong support for Green Wedges and for a permanent Urban Growth Boundary in the Plan Melbourne strategy he developed during the Coalition Government. We note that Plan Melbourne has survived and that while its Green Wedge provisions have been strengthened by the Labor Government, their performance has not matched their promises on Green Wedges.

In 2018, we welcomed the Labor Government's pledge to better protect Melbourne's Green Wedges and agricultural land from inappropriate and over-development and to fund the acquisition of the Sandbelt Parkland in Kingston and other parks in the Green Wedges (attached). We also welcomed your Coalition pledge of \$10 million for sportsgrounds on the Kingston Green Wedge. This would have been intended for the Delta site as this is the only site within the Sandbelt Parklands (Chain of Parks) to have been finished with a level surface suitable for sports-fields. (See attached Council's 2017 plan for sports-fields on the Delta site.)

We supported the Labor Government's development of a Planning for Melbourne's Green Wedges and Agricultural Land policy to fulfil their pledges through two and a half years consultation. But we are increasingly concerned that the policy statement and Action Plan that have been ready for imminent release since July 2021 have not been released. We are also concerned that the project manager's contract was not extended. We have sought the new Minister's reassurance that this does not mean the project will be watered down or shelved, but she refuses to meet with us. We fear it may not be released despite statements from the new minister's office that it will be released in the next few months.

We urgently request a meeting with you to discuss how best we can support you in holding the State Government to these pledges and in particular, in promptly releasing the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan which is designed to implement the 2018 pledge and the Plan Melbourne policy to protect the Green Wedges.

We would also urgently like to discuss with you some of the serious current inappropriate and over-development threats to the Green Wedges which we were hoping would have been stopped or at least curbed by now, in accordance with the Labor Government's 2018 election pledges. Top of this list of threats is the Suburban Rail Loop's proposed Heatherton rail stabling facility, which you have rightly assessed as inappropriately located and have pledged will not go ahead if you are elected.

We find it hard to imagine how a government could so mindlessly abandon its promises to better protect the Green Wedges and to implement the Chain of Parks when the run-down Moorabbin Industrial Estate is just over a kilometre away, closer to the Cheltenham Station and much in need of the redevelopment and new associated industries that would have been attracted by having the Rail Stabling Facility located there instead of on parkland in the Green Wedge.

While we support public transport and the idea of an orbital rail loop, from sitting through most of the ten weeks of the EES hearings we have learnt there are so many things wrong with the ill-considered plans for the SRL that we are glad to see you have decided to shelve it. If and when you decide to reconsider some kind of rail link to Monash and perhaps Deakin University, we would encourage you to consider proposals we have seen from the Rail Futures Institute, which was also critical of the SRL at the EES hearing.

We also noted that the SRL proposes to take parkland along the route as well as the train yard, not just for stations, which are underground and would require minimal above ground infrastructure, but for high rise development for 'value capture' to pay for the project. About half of the Sir William Fry Reserve in Cheltenham is to be taken for high rise development with more park land grabs at Burwood and Box Hill. (see attached media release by the combined community groups along the line). We think residents of the suburbs along the northern and western parts of the loop - Doncaster, Heidelberg, Bundoora, Fawkner, Broadmeadows, Sunshine, Werribee etc - may be interested to know that the SRL will be coming for their parks if this project is allowed to proceed. If we as a community learnt anything from Covid, it was the importance of parks and public open space.

We are also glad to see Mr Guy reassert your party's commitment to community consultation, which has been virtually non-existent in the SRL exercise. This has been more than mere discourtesy: it meant SRLA did not talk to anyone who knew what was under the ground in Heatherton before making their choice. And they did not factor in the cost of the extra 2km of tunnelling required for the Heatherton route, which also meant tunnelling between old unlined putrescible tip-sites, compared with Moorabbin which is on a direct line between Cheltenham and Clayton and avoids the tip-sites.

We would also like to talk with you about some other threats to the Green Wedges (listed below), which indicate that improved protection is urgently needed if the Green Wedges are to survive for future generations, including:

- Ryman Healthcare's scaled-down plan for a retirement village on the Green Wedge at Mount Eliza is due in VCAT in October. We supported Mornington Peninsula Shire Council's resolution to ask the Minister to call this in and determine it concurrently with the C270morn planning scheme amendment to rezone this and other inappropriately zoned SUZ2 land on Mornington Peninsula to Green Wedge Zone, but so far nothing has happened and we fear VCAT may approve the retirement village before the land can be rezoned.
- Seven religious School and Place of worship applications have been lodged or proposed in Designated Bushfire Prone Areas of the Southern Ranges Green Wedge: we hope the PMGWAL will include constructive suggestions, to prohibit these uses in the Green Wedges at least in Bushfire Prone Areas and unless they are on the UGB and on a main road (as proposed in the PMGWAL options paper.) Two of them have been approved by VCAT and another is due soon at VCAT. The previous Minister refused our request to call in and determine the remaining cases. If some of these cases are still unresolved after the election, we will ask the new government calls them in.
- The Alex Fraser concrete crusher was given a 10-year extension in the Green Wedge at Kingston in 2020. This has now been designated as part of the Heatherton train yard project: we fear they plan to use it to process or store contaminated soil from the SRL tunnels.
- Kingston Council plans to fence off part of the cricket ground on the Kingston Heath Reserve for a synthetic hockey pitch, despite a survey of 4000 Kingston residents which found that "*Above all, the Kingston community values its open spaces, Residents aspire to neighbourhoods that feature high quality and well-maintained open spaces.*"

Their top priorities are

- *Protection of natural environment, and*
- *Well-maintained open spaces.*

Their top like is "Great walking/jogging/riding paths connecting the community."

This would not be necessary if the Heatherton sports fields were available. Council's preferred site for the hockey pitch was the Delta land, according to the Kingston Green Wedge Management Plan.

- A function centre/restaurant in the guise of a proposed art gallery (Rosemaur) on Harkaway farmland in the Green Wedge was approved by Minister Wynne. contrary to government policy to protect agricultural land.
- An application for a cemetery on environmentally significant land in the Dandenong Creek catchment is opposed by the City of Greater Dandenong Council.
- A list of eight agricultural properties under threat or lost through VCAT or Council approval of development applications. This includes an application we unsuccessfully asked Minister Wynne to call in for a Queen Vic-style urban market on a riding school and agistment horse property at Oaklands Junction (waiting a VCAT decision).
- Developers are paying landowners millions of dollars to allow 'cleanfill' to be dumped on Green Wedge farms displacing farming and damaging the environment. We are hoping for help from PMGWAL with these.
- Melbourne Water is selling off Green Wedge land at Christmas Hills and refusing to consult with Council or community groups who want larger lot sizes for sustainability.
- We are glad to see you are also planning to block the 800-lot medium density development on the Kingswood Golf Course. We lodged a submission to the Golf Course Redevelopment Advisory Committee and would be happy to talk with you about how this land, which is zoned Special Use for golf and associated activities, could be retained as a golf course. Kingston has no public 18-hole golf course since the Moorabbin Airport Corporation closed the Moorabbin public golf course on the airport land.

Finally, we would like to ask you to please appoint an independent Green Wedges Commissioner with responsibility to oversee the protection and vision of Melbourne's Green Wedges and to help us to stop the death by 1000 cuts. This would minimize the inappropriate and over-development applications that currently threaten the Green Wedges, saving time and funds for all involved.

Unfunded community groups such as ours cannot keep up with the increasing costs of attending VCAT to defend the integrity of the Green Wedges from the exponential growth of inappropriate applications that threaten their future.

Our membership began with over 160 community and environment groups from all 12 Green Wedges, coordinated by the main environmental coalition or Green Wedge protection group in most wedges. We have attached our charter, which outlines our history and policies.

We note that every public consultation, including we understand for the recent Protecting Melbourne's Green Wedges and Agricultural Land (PMGWAL), has recorded overwhelming support for protecting the Green Wedges for their environment, agriculture and rural open spaces. And that this is in line with other government policies to protect biodiversity, urban forests, public open space, integrated water strategy, urban cooling and action on climate change.

We request you to please commit to promptly releasing the Planning for Melbourne's Green Wedges and Agricultural Land report, including the report of the community consultation, if you are elected to Government in November, and that it will not be too late to help to protect the Green Wedges from at least some of these threats.

We look forward to discussing these issues with you as soon as possible. Please call me if you need to discuss.



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Green Wedges Coalition,
(incorporated as Green Wedges Guardians Alliance Inc. Vic Reg No. A0046546X)

CC. Hon. Ryan Smith, Shadow Minister for Planning,
Dr Matthew Bach, Shadow Minister for Transport Infrastructure
Cindy McLeish, MLA, Shadow Minister for Sport
Anthony Richardson, Candidate for Clarinda

Attach:

- ALP 2018 election pledge to protect Green Wedges & parkland pledges
- ALP 2018 election pledge of \$150m to fund parkland including \$25m for the Chain of Parks (Sandbelt Parklands);
- Green Wedges charter
- Green Wedges Coalition policy document for the VPP Review in 2020.
- List of threats to agricultural land (from July 2021 Green Wedges Coalition Circular)
- List of the religious schools and place of worship applications that blight the Southern Ranges and other Green Wedges.
- List of overdevelopments in the South Eastern and other Green Wedges, including places of worship.
- City of Kingston plans for sportsfield on the Delta site.
- SRL East combined community group's media statement on parkland grabs
- MTTY Heatherton RAID critique of State Govt decision to proceed with SRL Heatherton parkland grab in light of IAC EES report
- Further discussion of threats to the Green Wedges from inappropriate and over development (below)

Further discussion of threats:

We have been unable to meet with Minister Wynne since the last election to discuss the PMGWAL review and a number of huge and inappropriate overdevelopments awaiting his and his successors' decision including:

1. **A tsunami of seven religious School and Place of worship applications** have been lodged or are proposed in Designated Bushfire Prone areas of the Southern Ranges Green Wedge, threatening to turn the rolling hills of Narre Warren North and East into an education and Place of worship precinct at the expense of the farmland, environment and scenic landscapes the Green Wedges are supposed to protect. This will be the view from Puffing Billy.

We asked Minister Wynne to call in and refuse or at least consider these applications together, but he said he would leave it to the Casey and Yarra Ranges Councils and to VCAT. Yarra Ranges Council has refused two applications, Casey has approved all but one of theirs and VCAT has approved a huge 3000 sqm mosque, almost as big as Sydney's Lakemba mosque in the Green Wedge. Two schools have been refused and had VCAT appeals withdrawn and may be waiting to see what happens with PMGWAL: one has been approved by VCAT and another has a VCAT appeal pending.

We submit that new schools and places of worship should be prohibited in the Green Wedges as schools were until 2013 and Places of worship were in the original draft Green Wedges Protection package. Or at least Places

of worship should have the same conditions as in residential zones and should be designed to support the local neighbourhood as follows for GWZ, GWAZ and RCZ:

- a) A limit of 250 square metres
- b) Applications must be accompanied by a report that demonstrates how the place of worship will be limited to the use of residents living in the Green Wedge.

2. New Zealand-based Ryman HealthCare has lodged a VCAT appeal against Council's refusal of their scaled down application to build a retirement village for about 400 residents in eight (down from 13) apartment blocks of two to four-storeys on the heritage-listed Mount Eliza Business College site, although residential development is supposed to be prohibited in the Green Wedges (apart from single dwellings or some tourist uses).

Ryman found a loophole in an old, laxly-worded Mornington Council Special Use Zone. The Minister responded to Rymans' request to remove an impediment to the application caused by another planning scheme amendment, but not to Mornington Peninsula Shire Council's request to rezone this land to the underlying Green Wedge Zone. He refused to authorise the preparation of a planning scheme amendment to rezone this and other land covered by the same anomalous Special Use Zone to Green Wedge Zone until after Ryman's first application was refused by VCAT in 2021.

He then authorised MPSC's C270 amendment to rezone the land to Green Wedge Zone but this will be too late to stop a VCAT approval. Mornington Peninsula Shire Council has asked the Minister to call in this application, consider it in conjunction with C270morn, and we hope, refuse it. So far she has not responded.

3. Developers are paying landowners millions of dollars to allow 'cleanfill' to be dumped on a number of Green Wedge farms notably recently in Doreen, where cleanfill has displaced farming on at least two properties, damaging the environment and farming downstream.

We wrote to Nillumbik Council and to the Minister drawing their attention to a number of Council and VCAT decisions that cleanfill – soil that is a waste product from residential development in the urban growth zones - cannot be dumped without a planning permit from Council. Hume and Nillumbik Councils have made such cleanfill applications subject to planning permits.

We are hoping the PMGWAL will deal with this problem for all the Green Wedges.

4. The Heatherton train yard would blight the South East Green Wedge and the long-planned, long-awaited Sandbelt Parklands (Chain of Parks). We have noted that this is contrary to the government's 2018 election pledge to fund the Chain of Parks, but the government has announced it will go ahead, despite concerns expressed by the EES Inquiry and Advisory Committee. (See MTTY critique.)

We support public transport and the concept of an orbital rail loop, but the State Government, via the SRL Authority, plans to acquire a crucial 36 ha of the long-planned Chain of Parks (Sandbelt Parklands) for an industrial-type rail stabling facility, which would eviscerate the Chain of Parks and the South East Green Wedge. Council has had plans for Regional Women's Sportsfields on the Delta site in Heatherton since 2017. This is the only Sandbelt Parklands site that has been filled with a level surface to permit sporting facilities. It is also the crucial link between Kingston Heath Reserve and the rest of the Chain of Parks.

What we heard and learnt through the EES indicated that someone in the SRLA made an ill-considered decision to take Chain of Parks land in the Green Wedge without properly considering alternative sites or factoring in the

extra costs of tunnelling between old, unlined putrescible landfills. The SRL business plan reveals that the SRLA began by choosing to put the rail stabling yard in the Green Wedge at Heatherton before they had even decided on a site for a Frankston-line station to link with the SRL. And that they did not seriously consider siting the train yard in the appropriately zoned nearby Moorabbin Industrial Estate, which could potentially save up to \$2b in tunnelling costs as it is on a more direct route from Cheltenham and Clayton stations.

We note that this proposal breaches the State Government’s 2018 election pledges to protect Green Wedges from inappropriate uses and to provide \$150 million for parkland including \$25 million for the Sandbelt Parklands in Kingston, none of which has been spent, as far as we know.

We welcome Mr Guy’s commitment to put a stop to or at least pause the SRL project if you are elected to government. We note that plans on the engage.vic website indicate that contracts are not due to be signed until 2023. We also note that you have said you will honor the preliminary works, which would be a pity, as they will not be needed if the project does not go ahead.

We would particularly like you to stop the preliminary works to fill an environmentally significant waterbody on the Delta site. Council’s ecological consultant, Dr Jeff Yugovic of Biosis found 21 patches of significant indigenous vegetation on the site, including around the waterbody, which he found was an ideal raptor hunting ground, providing habitat for 11 raptor species and many other bird species. He considered it significant and unusual to find this level of environmental recovery on a rehabilitated landfill. He also advised that it could be possible to retain the flora and fauna habitat if the sports fields and criterium cycling track could be carefully planned around it.

5. The Minister also had the Advisory Committee recommendations for 800 two- and three-storey residential development units on the Kingswood Golf Course (in a Special Use Zone for golf and associated activities adjacent to the Green Wedge), on his desk for many months. This land requires a planning scheme amendment to be approved for residential development. Kingston Council considered and abandoned the first amendment submitted by the developer, Australian Super, some years ago. Minister Wynne then created a Golf Course Redevelopment Standing Advisory Committee, which as far as we know has dealt with only this new and virtually identical Kingswood application. As you know, this is now awaiting a decision by Minister D’Ambrosio as a result of Minister Blandthorn’s conflict of interest.

PMGWAL is supposed to be implementing the State Government’s Green Wedge pledge and we are very keen to see what comes of it. We naturally expected this review to honour the government's promise to better protect the Green Wedges, but we have been driven to despair by these inappropriate and over-development applications and by the repeated delays in releasing the PMGWAL report. With the PMGWAL project manager’s departure in June after his contract was not renewed, we fear the project is going to be shelved.

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