

Portfolio:	Planning
Witness:	Mr Richard Wynne, Minister for Planning
Committee member:	Mr Tim Richardson
Page of transcript:	Unverified Transcript – Page 7

**Relevant text:**

**Mr RICHARDSON:** Just finally in the time that we have got left, Minister, how is Victoria's local heritage and precincts then being protected?

**Mr WYNNE:** Heritage Victoria is responsible for places and objects of state-level significance which are included on the Victorian Heritage Register under the Heritage Act. They include obviously places like Flinders Street station, Parliament House, the Macedon Avenue of Honour, the Eureka flag. And a place or object listed on the Victorian heritage register is legally protected and cannot be altered without a permit. Councils are obviously responsible—

**The CHAIR:** Minister, let me interrupt you there. You will be able to take that question on notice. Thank you, Mr Richardson, and over to you, Mr Riordan.

**Answer:**

In terms of locally significant heritage places, the Victorian planning system provides for the protection of heritage places and precincts through the application of a heritage overlay, as part of the local planning scheme. In its role as a planning authority, a local council can propose the application of a heritage overlay to a place where the heritage value of that place has been adequately researched and documented as part of a heritage study. The heritage overlay is applied as part of a planning scheme amendment under the *Planning and Environment Act 1987* and follows the usual process for any amendment, including public exhibition and the right for any person to make a submission and be heard by an independent planning panel.

In October 2017, I wrote to all councils in Victoria reminding them of their obligations in terms of heritage places and indicated I would consider requests for interim heritage controls to protect places under threat where the local council had not already applied the heritage overlay. Since that time, 27 planning scheme amendments for interim heritage controls have been approved to provide protection to hundreds of properties across Victoria.

Portfolio:	Planning
Witness:	Mr Richard Wynne, Minister for Planning
Committee member:	Ms Bridget Vallence
Page/s of transcript:	Unverified Transcript – Page 14 and 15

**Relevant text:**

**Ms VALLENCE:** Referencing again the cladding rectification program for public buildings, on page 40 of budget paper 3, retiree Mrs Jenni Lewis has a cladding-impacted apartment in South Yarra. The building in which she lives was issued with an emergency order in February 2018 to carry out works to remove and replace APC cladding by 30 November 2018. She has been advised by the body corporate that she needs to find \$100 000 for replacement of the cladding on her property. The total cost for the building is \$1.5 million. How does this government expect retirees like Mrs Lewis to fund \$100 000 for these repairs?

**Mr WYNNE:** Well, we have put in place the opportunity for bodies corporate to engage in the cladding rectification agreement process—and you would be well aware of what that involves—where a local government, a body corporate and a financier come together to provide—

**Ms VALLENCE:** Sorry, Minister. The question expressly was: how does the government expect retirees like Mrs Lewis to pay this?

**Mr WYNNE:** And I will come to Mrs Lewis in a moment.

**Ms VALLENCE:** If you wouldn't mind answering the question.

**Mr WYNNE:** Well, I will answer the question because there are a range of avenues open at the moment, including the cladding rectification agreements. To date local government has not taken that up with the frequency that I would have hoped for, but we will—

**Ms VALLENCE:** Okay, so obviously we cannot get an answer to that in terms of helping retirees in that predicament. Further, in its emergency order—and I am conscious of time—the VBA advised the body corporate that the maximum penalty for failing to comply was 2500 penalty points at \$158.57 per unit, which works out to over \$396 000. Having obtained all the required compliance approvals from fire engineers, surveyors, builders et cetera, why are owners being pursued to fix and fund the rectification of malpractice? I am happy to take that on notice if we run out of time. I would like a response on notice if we run out of time.

**Mr WYNNE:** How much more time have we got?

**The CHAIR:** Ten seconds. Ms Vallence, did you want the previous—

**Mr WYNNE:** Okay, I will happily take that on notice, but can I just say the government is acutely aware of the issues confronted by many people in these bodies corporate who are—

**The CHAIR:** Minister, thank you. We need to change to Mr Hibbins. Can I just ask: Ms Vallence, did you want the last two questions on notice, not just that last one as well?

**Ms VALLENCE:** Yes. Thank you, Chair.

**Answer:**

Under the *Owners Corporation Act 2006* it is the responsibility of building owners to ensure the safety of their buildings.

Owners may be able to seek redress for non-compliant building work through Domestic Building Dispute Resolution Victoria or the Victorian Civil Appeals Tribunal (VCAT) for up to ten years post-construction.

Portfolio:	Planning
Witness:	Mr Richard Wynne, Minister for Planning
Committee member:	Mr Sam Hibbins
Page/s of transcript:	Unverified Transcript – Page 18

**Relevant text:**

**Mr WYNNE:** It is a ribbon of land, basically up the train line.

**Mr HIBBINS:** Right. Okay. A redevelopment. Okay, thanks. Can I just take you through some of the actions out of *Plan Melbourne* and just get an update?

**The CHAIR:** Sadly, Mr Hibbins, you are going to have to put those on notice. I do apologise for interrupting. However, as sad as it may be, we have come to an end, so I thank you very much for appearing before the committee today as the Minister for Planning. The committee will follow-up any questions taken on notice in writing and responses will be required within 10 working days of the committee’s request.

**Answer:**

The question from Mr HIBBINS did not outline which actions, in particular, an update was requested for. A brief update is provided below relating to three actions that were discussed during the PAEC hearing, namely, two actions on Green Wedges and one on Distinctive Areas and Landscapes.

DELWP notes that the *Plan Melbourne* Report on Progress will be published early in the coming financial year and will contain updates on all *Plan Melbourne* actions.

Action 72: Review Green Wedge planning provisions

Work is underway to improve the way the planning system supports the significant economic, environmental and sociocultural values of the green wedges. An audit of existing planning provisions has been completed, which identified short-term and long-term actions. Reform of the green wedge planning provisions involves a consultative process in coordination with work to recognise and better support strategic agricultural land in the green wedge and peri-urban region.

In 2018 the Andrews Labor Government made an election commitment to permanently protect the green wedges against overdevelopment through tightened planning controls which clearly define permitted land uses, the appropriate size and scale of uses within the non-urban green wedge region and implement permanent planning provisions and legislation to protect and support strategic agricultural land.

Action 73: Green Wedge management plans

The government continues to provide advice and support to local government in preparing and implementing green wedge management plans. Options for improving the effectiveness

and coverage of these plans will be considered as part of the green wedges planning provision review.

Action 74: Localised planning statements for distinctive areas and landscapes

In May 2018 landmark legislation, the *Planning and Environment Amendment (Distinctive Areas and Landscapes) Act 2018* was passed to recognise Victoria's most distinctive natural and cultural landscapes while providing certainty for managing sustainable growth. The Macedon Ranges region was the first area to be declared under the legislation and a new Statement of Planning Policy is expected to be finalised in mid-2019.

The government has made a commitment to declare the Bass Coast, Bellarine Peninsula and Surf Coast as distinctive areas and landscapes and work is underway complete a Statement of Planning Policy for each of these areas in 2020. Localised Planning Statements are already in place for Bellarine Peninsula, Mornington Peninsula and Yarra Ranges. A Statement of Planning Policy strengthens the protection of declared areas under the Act by providing for protected settlement boundaries, enabling integrated decision making across government and relevant responsible public entities, and recognising the connection and stewardship of Victoria's Traditional Owner communities.