

30 August 2024



Plan for Victoria
Department of Transport and Planning
State Government of Victoria

6 Parliament Place
East Melbourne
VIC 3002

Email: conservation@nattrust.com.au

Web: www.nationaltrust.org.au

Via: planforvictoria@transport.vic.gov.au

T 03 9656 9818

Re: National Trust of Australia (Victoria) submission on Big Ideas for the new Plan for Victoria

To Whom It May Concern,

We write on behalf of the National Trust of Australia (Victoria) (National Trust) to make the following submission to the new Plan for Victoria.

The National Trust is the state's largest community-based heritage advocacy organisation actively working towards conserving and protecting our heritage for future generations to enjoy, representing 60,000 members and supporters across Victoria.

The National Trust of Australia (Victoria) is a not-for-profit membership organisation formed in 1956. As Victoria's premier heritage organisation, the National Trust has an interest in ensuring that a wide range of natural, cultural, social and Indigenous heritage values are protected, respected and celebrated, contributing to strong, vibrant and prosperous communities.

Whilst we are an independent and non-government organisation, we work collaboratively with government, local councils, businesses, local community groups and individuals, to strengthen heritage protection, increase community involvement in heritage conservation, and provide tourism and engagement experiences for diverse audiences.

The National Trust is also Victoria's leading operator of historic properties and heritage attractions, managing over 40 sites across the state worth more than \$148 million, with 25 open to the public. Our property portfolio is diverse, including historic mansions, a remnant forest, a gaol, and a tall ship, just to name a few. We are the Committee of Management for nine properties owned by the State Government of Victoria, including Old Melbourne Gaol and Tasma Terrace. We manage more than 1,700 hectares of land, including urban and rural gardens, farms, and natural reserves. In the 2022-2023 financial year, the National Trust:

- Welcomed over 160,000 visitors to our properties
- Hosted over 280 events at our properties
- Facilitated education programs for 60,000 students
- Facilitated \$1.03m worth of donations through tax-deductible heritage appeals, for conservation and restoration works at 33 community-owned or managed heritage places that would otherwise not have access to funding streams.
- Coordinated 5 events providing learning opportunities for trades, professionals and the general public in building conservation practises, including our inaugural Traditional Trades Expo.

Summary and Position

In October 2023 the [National Trust responded](#) to *Victoria's Housing Statement: The decade ahead 2024-2034*, noting that we support the government's intention to build a modern, fit-for-purpose planning scheme. As part of this work, we seek to ensure that heritage considerations are an integral part of the broader discussion about state planning policy.

In-principle, the National Trust supports densification in heritage areas so long as it is managed in such a way that strengthens and enhances the cultural heritage values of our places. Indeed, although consultation on the new Plan for Victoria has a strong focus on improving housing, this does not mean heritage considerations should be limited to only the value heritage places add to neighbourhood character.

Additionally, while the new Plan for Victoria, has its genesis in *Victoria's Housing Statement: The decade ahead 2024-2034*, we believe an encompassing plan should not let a focus on housing density take away from the need for liveability across the whole state, particularly in the wider regions. This new Plan should deliver increased access for Victorians to live in our most equitable and vibrant communities. But equally, the Plan should invest in improving the liveability of places across the state, particularly in regional and rural areas, capitalising on their individual cultural identities and distinctiveness to make them attractive and equally desirable and equitable places to live.

Our heritage protections system and cultural heritage as a wider industry and community value provides crucial contributions to this very liveability we seek in our towns and cities. The value of heritage has recently been analysed in the Heritage Council of Victoria's newly released report, [Why Heritage: A synthesis of evidence for the social, economic and environmental impacts of heritage, 2023](#), which summarised the following results;

1. *80% of Australians are involved in at least one heritage activity every year and the majority were involved in more than one.*
2. *Listed heritage buildings at best achieve premium prices in terms of property sales (and at worst prices that are no different to unlisted buildings).*
3. *Over 90% of buildings on the VHR [Victorian Heritage Register] are in use every day by people and businesses. They are not monuments.*
4. *The social benefits of engaging with heritage include networks, friendships, exercise, creative inspiration and mental health benefits.*
5. *The greenest building is the one that already exists - if we ignore embodied carbon we underestimate the emissions from new buildings by 25%. Demolishing an existing building and replacing it with a new one contributes to an increase in carbon emissions.*
6. *Caring about your neighbourhood builds social connections and has wellbeing benefits.*
7. *Old buildings are good for creative industries. They are also great places to meet and enjoy events.*
8. *Heritage is worth \$1.1bn to the Victorian economy each year (and that is an underestimate).*
9. *Culture and heritage visitors spend more and stay longer than other visitors.*
10. *Less than 10% of buildings in Victoria have heritage protections.*

Heritage is not a barrier to change or combatting planning pressures, but when properly considered and integrated into planning processes, provides an opportunity for thoughtful and innovative design solutions that protect what the community values and provide great places to live, work and play. Indeed, valuing our heritage provides proven solutions to many of the identified issues this new Plan seeks to solve, including sustainable housing supply.

Investing in Heritage for Planning

“Protecting heritage means ‘freezing’ sites”

False. Inclusion on the Victorian Heritage Register (VHR) or a local council Heritage Overlay does not stop development or change. The system of planning and heritage permits allows heritage sites and objects to be adapted, altered and changed. Only four heritage permits were refused by Heritage Victoria in 2020-21. Over 90% of sites on the VHR are in use every day as businesses or homes – they are not monuments, and the others are often industrial remains or sites that add character and distinctiveness to local places. Owners (and others) spent \$1.25 billion on heritage building works in Victoria in 2021-2 (nearly 3% of all investment in building permits).¹

Heritage on all fronts is being called into question through a spread of misconceptions scapegoating our protection systems for contributing to the housing crisis and locking up developable land. This is a single-minded approach to planning.

Such campaigns are being used against our state system for Cultural Heritage Management Plans, which provides an essential fulfilment of the rights of Victorian Traditional Owners to protect their cultural heritage. The National Trust supports the rights of Aboriginal and Torres Strait Islander peoples to make decisions about their cultural heritage. We support the recent [Statement by the Aboriginal Heritage Council of Victoria](#) regarding unhelpful suggestions that Victoria’s cultural heritage system is the key culprit in the current housing shortfall.² First Peoples heritage values and perspectives should meaningfully contribute to how we plan for the protection and development of Victoria.

Indeed, what makes Melbourne one of the most liveable cities in the world is our vibrant culture, underpinned by our heritage. By embracing Country, First Nations culture, and heritage we only bring more richness and vibrancy into our places. Good housing solutions reflect the values of the communities they serve. We don’t need endless suburbs built over Country, we need nuanced and enriching development that embraces the things we love about our cities.

Misguided attacks that target our heritage protection systems as the key culprit in the housing crisis are ignorant of what’s required to make Victoria a great place to live. Despite these

¹ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage.*

² ‘Cultural Heritage Management Plans (CHMPs) apply to only a fraction of new housing developments in Victoria. For the fraction of developments requiring CHMPs, this approval process is one among many that is needed to develop land in Victoria.’ Statement by the Aboriginal Heritage Council of Victoria, Wednesday 31 July 2024.

simplistic perceptions having been repeatedly disproven,³ such scare tactics are receiving an undue amount of media and government attention, bending support away from good planning outcomes.

Heritage controls do not stop property owners from modifying or extending their properties. Indeed, the draft planned capacity for housing targets for the new Plan for Victoria notes that 'Heritage Overlay application does not necessarily denote a 'no change' area. Analysis indicates HO development occurs at expected densities, despite being developed less often.'⁴

The State Government needs to show leadership in addressing the [negative perception of what heritage controls actually do](#). Heritage is not a stopper on development or the economy, in fact it is a system that generates more jobs, greater economic contributions and sustainable quality buildings for our society.

Recommendation:

- LEAD by example and provide clear messaging disproving and disparaging anti-heritage rhetoric.

Response to Big Ideas

More housing options for all Victorians including social and affordable homes

"Older buildings are not environmentally sustainable – we need more energy efficient new buildings"

False. Our built environment is currently the world's single largest contributor to greenhouse gas emissions. It consumes around 33% of our water and generates between 33% and 40% of our waste. As much as 25% of Australia's carbon emissions come from buildings. However, energy efficiency schemes frequently ignore embodied energy, but the energy embodied in existing Australian buildings represents 10 years of energy consumption for the entire country. 'Demolishing an existing building and replacing it with a new one will increase carbon emissions by 2050' is the summary conclusion of the 2020 English report, 'Know your home, know your carbon'.⁵

The [2021 State of the Environment Report](#) states that "Our built environment is currently the world's single largest contributor to greenhouse gas emissions. It consumes around 33% of our water and generates 40% of our waste . . . As much as 25% of Australia's carbon emissions come from buildings." In summary, "The greenest building... is the one that is already built."⁶

The *Victorian Housing Statement* framework places significant emphasis on new builds, however, incentives for adaptive reuse and retrofitting of existing building stock is essential in the fight against Climate Change and the task of creating more housing faster. Indeed, such

³ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

⁴ Housing Targets Modelling webinar – July 2024

⁵ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

⁶ Carl Elefante, <https://carlelefante.com/insights/the-greenest-building-is>

objectives, now specified in the state government [Built Environment Climate Change Adaptation Action Plan 2022–2026](#) were [recommended by the National Trust](#).

Heritage, and in particular heritage conservation, is an inherently sustainable practice. It is now well established that investment in materials and the embodied energy of existing buildings generally emits less emissions than demolition and new construction, and the conservation of landscapes protects trees and plants that sequester carbon and provide crucial habitats to support biodiversity.

Climate change is one of the most urgent policy drivers for our time. Despite evidence for the role of cultural heritage in decarbonisation, reducing waste and ecosystem resilience/ biodiversity, the role of cultural heritage is often overlooked in key policies which prevents the benefits of caring for cultural heritage from being realised. It also leads to a risk of ‘maladaptation’ as policies designed to deliver wider benefits fail to do so, because for example traditional knowledge has been lost or ignored. This is a significant research topic that needs a collaborative approach to identify the work currently taking place across universities in the natural and built environment sectors, and to make the connection between that and cultural heritage initiatives. It also involves moving the debate from a narrow focus on how to retrofit listed heritage items to the bigger question of how doing more to conserve, repair, mend and adapt what we have now (whether protected or not) can contribute to addressing climate breakdown.⁷

Additionally, the ongoing maintenance and redevelopment of existing buildings has been proven to provide sustainable employment opportunities and economic benefits. ‘In Victoria for example, alterations and refurbishment of existing residential buildings represent around 16% of construction activity.’⁸ The ‘reuse first’ approach that heritage conservation naturally incorporates is an essential mindset for policy, development and investment decision-making as we combat the climate crisis. However, there has been a severe reduction in State Government funding to support conservation with the [discontinuation of the Living Heritage Grants Program](#), which demonstrated how investment in restoration leads to positive heritage, economic, and social outcomes.

Case Study Example: Victoria’s Heritage Restoration Fund

An effective example of a program supporting local heritage custodians to restore their properties is the Victorian Heritage Restoration Fund (VHRF), established in 2013 as a Committee of Management providing a program of restoration grants to local government Councils for heritage places in private or public ownership. The VHRF was formerly known as the Melbourne Heritage Restoration Fund, which has been successfully operating in Melbourne for over 30 years and was developed in 1988. The VHRF is administered by the National Trust of Australia (Victoria) and is one of the few grant-giving bodies providing funding to private property owners focused on increasing social amenity through streetscape improvement and providing support to

⁷ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

⁸ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

heritage custodians through access to experienced heritage conservation and trades professionals.

The VHRF is currently partnered with six Councils—Melbourne City Council, Yarra City Council, Ballarat City Council, Casey City Council, Greater Bendigo City Council and Merri-bek City Council - to deliver their grants programs for restoration projects to places included in the Heritage Overlay. Over the last three years \$800,000 in grants funding has been awarded to over 70 projects, contributing to more than \$3 million worth of conservation works to support owners of heritage properties across Victoria.

The centralised management of the fund provides efficiencies and savings for Councils, as well as access to the National Trust's expert heritage conservation staff who administer the fund. The VHRF Committee transparently and independently assesses applications and oversees the distribution of grants and works undertaken.

There would be significant benefits in expanding this program to other councils across the state but the ability to do so would require support from the State Government.

Working with existing buildings and fabric requires a problem-solving design process that fosters innovation, and the past holds many of the answers to how we should build in the future for climate resilience and lower energy consumption. The expertise of heritage professionals, particularly traditional trades' people to repair and retrofit built structures is an asset for the resilience of heritage and non-heritage buildings alike. The education of our practitioners to work with existing built fabric and environmental infrastructure through traditional techniques, would provide vital and existing solutions to the presenting problems.

Furthermore, traditional and vernacular buildings are living artefacts, providing examples of (now 'alternative') uses of materials and methods which can reduce embodied energy in building construction such as the use of calcium oxide as a binder instead of carbon-producing cement, or how to build thermal mass in a building without using cement. Their continued existence and resilience mean that they are time-proven and can be tested and measured for reference in performance standards or incorporated into modern standards.

Passive climatic features are present in many heritage places, such as period homes with verandahs, light-coloured pitched roofs, thick walls and proportionally large established gardens that provide shade, insulation, wildlife habitat, and carbon dioxide and water absorption capacity.

Despite the potential for reuse, retrofitting, and restoration to inspire innovation and provide both positive heritage and environmental outcomes, there are few incentives in place to encourage this. Indeed, the opposite is true—a culture of knock-down/rebuild is being fostered by government policies which incentivise new construction. This may provide short-term economic benefits, but it is an unsustainable practice resulting in long-term environmental impacts and adding to the destruction of heritage places valued by communities.⁹ When

⁹ [Hewson, M. 29 May 2024. Heritage advocates mourn Waverley. Geelong Independent.](#)

adapted our existing buildings could provide more long-term housing faster than new builds that may only have a short life span.

Working with existing structures may look like a constraint best eliminated by virtue of it making spaces more responsive to existing community needs, character and values. However, even beyond the considerations of the short- or long-term lifespan of built structures, developing more spaces does not mean that they will be occupied, utilised as designed, or be tenanted long term. Indeed, a focus on long term occupancy and attracting new people to communities should be paramount in any public good driven development, and utilising heritage values helps to achieve this.

For example, the philosophy behind plans in *Victoria's Housing Statement* to demolish 44 high-rise public housing towers across Melbourne and rebuild in their place is unsustainable both from a climate change, and community wellbeing perspective. Rather than an immediate response to demolish and rebuild, options to retrofit and refurbish the towers should be meaningfully explored, especially considering the [social significance](#) many of these buildings possess to their communities.

We would encourage the state government to meaningfully explore a system of planning policy that requires an investigation of the reuse of an existing building before demolition is approved. Not only will this support efforts to stop land banking by property owners and the resulting increase in land prices, but it would also encourage sustainable investment in existing building stock that is more climate conscious.

Recommendations:

- EDUCATE the current and next generation of designers and practitioners to work with existing buildings. ***Innovation happens in heritage.***
- IDENTIFY and SUPPORT conservation and adaptive reuse of existing buildings, including heritage buildings, specifically as an alternative to new construction. ***Heritage is Climate Action.***
- DEVELOP and IMPLEMENT policies and programs to incentivise the adaptive re-use, retrofitting, and restoration of heritage buildings and other existing building stock.
- REQUIRE property developers to meaningfully explore options for adaptive reuse before applying for a permit for the demolition of existing buildings and REQUIRE a planning permit prior to the issue of a building permit for the demolition of existing buildings.
- FUND a sustainable stream of revenue to support the ongoing maintenance and restoration of existing buildings.
- LEAD by example through State government infrastructure projects and PROVIDE exemplary case study examples of adaptive re-use.

More certainty and guidance on how places will change over time

“Caring about your neighbourhood is good for you”

True. People who are active in advocating for better quality developments in their areas are sometimes seen in a negative light. But people who are strongly attached to the places where they live often report a higher quality of life and better life satisfaction. And those with strong

*neighbourhood ties who are interested in their own roots and stories are likely to be more engaged in civic activity. There is also a link between caring about where you live and environmentally responsible behaviour.*¹⁰

'Sense of place' should not be forgotten when streamlining planning processes for big housing builds. Incorporating heritage values into urban design is what makes our towns and cities liveable, and this can only be achieved if planning decisions are being made through meaningful local consultation. The consideration of holistic values of place and community will assist in addressing the housing crisis and enrich our state with places that meet the liveability needs of Victorians.

Therefore, the National Trust believes that good decisions for local communities are best kept with Local Councils as the key planning authorities. The best role for the State Government to support timely and smooth planning processes, is by providing more capacity building resources for planners at the local level and establishing a support team at the state level to provide strategic expert guidance for all councils.

There are many examples across all types of heritage places and municipalities, of approved additions and alterations undertaken to places within a Heritage Overlay to retrofit or adapt a place to meet contemporary standards and make them fit-for-purpose. Going through this process often leads to a more thoughtful approach to change and, as a result, better design outcomes.

However, the tokenistic incorporation of heritage buildings into new developments, through practices such as [facadism](#) and [unsympathetic developments](#), have poor outcomes for both heritage places and broader planning objectives. This is exacerbated by state government policies that create unsustainable densification models in urban areas.

The [Victoria's Housing Statement](#) proposed sweeping reforms to address the need to increase the state's housing stock as a matter of priority. However, the risk of ignoring heritage in such considerations has already been made evident through planning reforms that are being rushed through to enact the State Government's commitments.

Case Study Example: Permit Exemptions for Secondary Dwellings

Problematic reforms for permit exemptions for a secondary dwelling were gazetted in January 2024 with no public consultation. Under this new policy, a permit exemption applies to places with a Heritage Overlay so long as they meet only two requirements.

While the National Trust understands the need to make building a small second home easier across the state, these reforms make the planning system more convoluted and unclear for property owners and planning authorities. In practice, the new policy would allow an owner of a property under Heritage Overlay to build an extension to an existing heritage dwelling that would not require a permit so long as it is no higher than 5 metres and finished in muted tones. However, a permit would still be required at that

¹⁰ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

same property to make small changes to the front of the existing heritage building or build an extension to the rear if it is not considered a second dwelling.

In addition, the second dwelling is only required to be “set back” from the front wall of the existing dwelling (this could be as little as 50 mm) with no conditions on the method of attachment which may require substantial demolition of the existing dwelling.

The National Trust does not believe that such permit exemptions for properties with a Heritage Overlay is practical. The reform effectively defeats the purpose of local heritage controls, resulting in uncertainty for property owners and the broader community.

Moreover, Victoria’s local planning schemes do not have clear enough policies or guidelines to facilitate innovative approaches to urban design in heritage areas. In addition, heritage approval authorities such as Heritage Victoria, and local councils are not being adequately resourced to facilitate innovative heritage planning. All of which is exacerbating the spread of misconceptions around heritage listings for property owners, who are quite reasonably confused by what having a Heritage Overlay means.

An analysis of Victorian Panel reports provides further evidence for how people understand the relationship between economic and heritage issues in planning. In at least 10 cases before the Victorian Planning Panel, owners opposed the Heritage Overlay on economic grounds arguing that it would prevent the development of their property or impose additional cost burdens. In several cases, it was pointed out that this is a two-stage process and that imposing the heritage overlay does not prevent future development (Greater Shepparton C103, Maroondah C43). It was also noted that the key issue at the Overlay stage was heritage significance and that wider economic issues could be resolved at the point of a permit application.¹¹

The crux of this issue lies with a lack of adequate resourcing for Local Council Heritage Planning teams and Heritage Victoria to address the need for innovative heritage planning outcomes

Heritage Victoria plays a vital role in the identification and management of the state’s most significant heritage places. However, while Heritage Victoria is the primary State Government body relating to heritage, their remit and resources are currently constrained by the limitations of the *Heritage Act 2017* (Heritage Act), which relates solely to places and objects of state significance. There is a lack of clear leadership within the State Government with respect to heritage matters which fall outside the Heritage Act, such as state and local heritage policies, and it is unclear whether there are dedicated planning officers within the wider Department for Transport and Planning (DTP) with heritage experience and qualifications.

As such, opportunities are being missed to ensure that heritage considerations are an integral part of broader discussions about state planning policy, and that State Government policy on issues like housing, building construction, and sustainability can work with heritage objectives.

¹¹ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage.*

There is also a need to provide clear and consistent guidance to inform local heritage studies and the preparation of planning scheme amendments.

The State Government must facilitate funding and support to generate positive planning reform that both strengthens heritage and ensures sustainable densification. Using values-based approaches, such as the *Burra Charter*¹² and [UNESCO Historic Urban Landscape](#), the Heritage Council of Victoria and Heritage Victoria should be resourced to collaborate with the wider DTP and Local Councils on upgrading policy and guidance.

The National Trust further advocates for a dedicated heritage planning unit to be established within the DTP to provide expertise on heritage matters which fall outside Heritage Victoria's remit. This would include input into State Government policy, clear and consistent advice on the preparation and implementation of local heritage studies, support for the management of government-owned heritage places, and advice on issues such as illegal demolition and '[demolition by neglect](#)'.¹³

Recommendations:

- CONSULT with and RESOURCE existing State Government heritage bodies to provide planning solutions for densification in heritage areas that sympathetically respond to the cultural heritage values of such places.
- ESTABLISH a dedicated heritage planning unit within the DTP to SUPPORT Local Councils and heritage property owners.

More trees and urban greening in our parks and community spaces

"Heritage is about more than a history lesson"

*True. We get so much more than a history lesson when we engage with heritage including mental and physical health benefits, friendships and networks, connections with place, skills and confidence. For example, 'exercise' and 'socialising with friends' are the main reasons for visiting parks in Victoria which are often as important for their cultural heritage as their natural heritage...*¹⁴

Cultural landscapes such as green space in more urban contexts contribute environmentally, socially, and economically across Victoria. It is well known that trees, parks and gardens mitigate the urban heat island effect and provide health benefits to the community, as well as creating healthier ecosystems with a greater biodiversity. Furthermore, green space is essential to wellbeing and liveability in areas with increasing population density and development pressures. In any areas of unlocked land made available for new housing, significant heritage, environmental and cultural landscape values should be assessed and considered.

¹² [The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance](#), 2013

¹³ This technique is used by some heritage property owners, leaving buildings vacant and enabling land banking, thus tying up valuable areas that could be contributing to the state's housing supply

¹⁴ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage*.

The National Trust fully supports the state government's intention to increase tree and urban green spaces through the new Plan for Victoria. However, there is a clear misalignment of this intention and the implementation of planning for housing targets being drafted.

The need for increased housing density to accommodate future population increases will exacerbate pressures on our existing green spaces. As a minimum, current green space benchmarks must be maintained as we face a changing climate. To effectively mitigate these changes, the net amount of green space across both public and private open space will need to increase.

Therefore, the National Trust finds the 80% capacity for development in Significant Landscape and Environmental Overlays in the draft housing targets plan entirely contrary to the delivery of the above "Big Idea." Not only does this proposal disregard the very purpose of these overlays to protect significant landscapes and trees, but it also highlights the dire need to address the [under-prioritisation of urban environmental and tree protections](#) that might be seen as standing in the way of economic development outcomes.

In cases of new development, measures should be put in place to prevent development sites from being 'moonscaped' and mandate the retention of trees and vegetation cover overall. Ideally, the carbon footprint of a site should not be increased. Currently, landscaping is often seen as an 'afterthought' in a new development, not as an integral component, and is confined to the perimeter of the site. The practice of utilising neighbouring properties to fulfil landscaping obligations should also be prohibited (e.g. overhanging tree canopies). Planning policy should also require increases in canopy cover, and tree management policies which take the impacts of climate change into account.

Many areas identified for housing growth have low existing open space provision, as these suburbs originally provided higher amounts of private open space. For example, at an SA3 level, the inner-city areas of Melbourne City (14.9%), Port Phillip (11.2%) and Yarra (10.8%) have significantly higher percentages of public open space than Kingston (4.6%), Monash (4.8%) and Glen Eira (4.2%). Even Boroondara, colloquially known as the 'leafy east', has only 5.1% public open space. Private open space will be significantly reduced in these areas due to in-fill development, while the demand for public open space to accommodate increased population density will increase. Trees on private property, which are an essential component of our urban forest, will be particularly affected as these are the first casualty of development and subdivision. It is vital we plan for a net increase in green space now and this must consider the inevitable reduction in private open space resulting from future housing density forecasts. Without this planning, communities will suffer higher impacts from climate change than is necessary.

The National Trust strongly supports the statutory protection of trees in both the public and private realms, and advocates for the protection of trees through the National Trusts of Australia Register of Significant Trees, which includes over 20,000 trees in 1,200 locations in Victoria. The Register is steered by the Trust's Significant Tree Expert Advisory Committee, chaired by Dr Gregory Moore OAM.

While a number of councils in Victoria protect significant trees under mechanisms such as local laws and registers of significant trees, there is a lack of consistency across the state in

protections. There is also a lack of legislation or local provisions in the planning scheme to support these registers of significant trees or local laws.

Planning Practice Note 7, Vegetation Protection in Urban Areas, provides guidance for the assessment and protection of significant vegetation in urban areas, however, it has not been updated since 1999. This practice note should be reviewed as a matter of priority, in consultation with local government, experts, and communities. A program of professional development and promotion should also be provided to local government to encourage the implementation of policies for protecting significant vegetation. Provision, funding and maintenance of green spaces necessitates planning and resourcing equal to that of other forms of community infrastructure.

Recommendations:

- REVIEW and ENFORCE minimum targets for open space within Local Government Areas based on future population density forecasts.
- REVIEW the effectiveness of current tree and vegetation protections to identify gaps and ADDRESS those gaps.
- SUPPORT private land holders with incentives to conserve and protect privately owned green space.
- EXPLORE partnerships and incentives with private land holders to increase public open space infrastructure.
- ENFORCE a significant increase in financial and other penalties for the illegal removal of significant trees and vegetation.
- REVIEW Planning Practice Note 7, Vegetation Protection in Urban Areas and EDUCATE Councils about its implementation.

Implementation of Housing Targets

“The heritage sector is a brake on the economy”

False. Cultural heritage is often seen as a brake on the economy. But cultural heritage has a role in health and social networks, in the environment and decarbonisation, in planning and development, in the arts and in employment in tourism and other sectors such as construction. In 2018 SGS Economics & Planning estimated the Total Economic Value of heritage to the Victorian economy as \$1.1billion each year – and this is only part of the figure. It omits the value of heritage building works to the economy as well as the impact of culture and heritage visitors on the visitor economy. When England set out to measure the impact of the whole heritage sector, they found that the sector has a total GVA of £36.6 billion providing over 563,509 jobs in 2019. The sector grew by 24% between 2011 and 2019 – outstripping the rest of the UK economy.¹⁵

¹⁵ Clark, Martin and Lu. August 2023. *Why heritage? a synthesis of evidence for the social, economic and environmental impacts of cultural heritage.*

Heritage helps inform us of our urban design history and identifies patterns of community behaviour and needs overtime. Valuing the nuance of our environmental and built heritage creates liveable and equitable towns and cities. Planning for densification in our state must factor in the contributions of heritage across various areas for good urban design, such as Traditional Owner expertise in designing with Country and sustainable land management techniques, green space investment, amenities infrastructure, economic benefits and community wellbeing. The National Trust would like to see more certainty around how the draft housing targets produced in the new Plan for Victoria will be implemented to ensure our existing protections are not compromised as we seek to enhance our urban areas into the future.

Not only is it a complicated task to benchmark percentage increases to 'available land'¹⁶ but no direction has been provided on how, say, 50% development in Heritage Overlay areas would be observed and controlled. Indeed, if the new Plan creates precedents that change development expectations for planning controls such as heritage and environmental overlays, there must be clear and irrefutable safeguards and guidance in place to ensure these new systems are not taken advantage of. For example, some Heritage Overlay areas are already densified or do not contain enough non-contributory sites to have the ability to absorb new developments without severely impacting on their heritage values.

Furthermore, the draft planned capacity for housing targets for the new Plan applies 0% capacity for development of places included on the Victorian Heritage Register. In some cases, this will be the only appropriate assessment, however 0% capacity may also be appropriate for certain sites under the local Heritage Overlay also. Applying a blanket rule such as this does not account for the variety of heritage sites at the state and local level, and their potential re-development to contribute to housing supply in a manner sympathetic to their heritage values.

A more sensible approach to planned capacity is to assess areas based on their specific contexts such as; land patterns, housing structures, design possibilities, land ownership and tenure structures, etc. For example, heritage is inherently local and values-based, therefore "capacity" in and around heritage overlay areas should be determined based on; cultural significance, local context, thematic histories, heritage policies, design opportunities, sustainability factors, and stakeholder input by; developers, experts, councils and the community.

In addition, this modelling does not clearly show that investment in livability of the wider regions, beyond regional centers, has been considered for the potential these places provide to increase the range of desirable places to live across the entire state.

Recommendations:

- ESTABLISH clear guidelines for development expectations in areas with heritage and environmental overlay planning controls.
- EXPLORE planned density increases through detailed context specific assessments of local areas, rather than abstract 'capacity' tools.

¹⁶ Housing Targets Modelling webinar – July 2024

- INVEST in creating vibrant communities in the wider regions, beyond regional centers, taking advantage of the opportunity to increase livability and housing in these areas.

Delivering on Existing Recommendations

We would like to take this opportunity to encourage the State Government to meaningfully consider the range of well-researched and advised recommendations for improving the state's planning system that already exist and should be considered as primary guidance on the new Plan.

In 2020, in response to an outpouring of community concern with the planning system, the Planning and Environment Committee of the Legislative Council established a Parliamentary Inquiry into the adequacy of the state's planning laws, with a focus on heritage protection.

While the Inquiry received nearly 300 submissions, proposed public hearings were abandoned due to insufficient time remaining before the state election.

We urge the State Government to investigate the issues raised in these submissions as key considerations in the new Plan for Victoria, such as the recommendations of the [National Trust](#).

Additionally, the Heritage Council's [State of Heritage Review: Local Heritage, 2020](#) provides a detailed audit of Heritage Overlay protections and recommends tangible and practical opportunities for improving the way State and Local Governments work together to recognise, protect and manage local cultural heritage, and prepare for future challenges.

The major strategic initiative recommended in the report is revitalisation of the state's role in providing leadership in the protection and management of local heritage. The National Trust strongly supports the recommendations outlined in the *State of Heritage Review*, the implementation of which must be prioritised if a fit-for-purpose planning system is to be achieved.

Conclusion

We call upon the State Government to meaningfully include heritage considerations in the new Plan for Victoria. We encourage incentives for meaningful incorporation of heritage building stock, landscapes and trees into development design, and ensure that Local Councils and communities are supported to be part of the decision-making about change to their places.

Yours sincerely,



Samantha Westbrooke
Executive Manager,
Conservation & Advocacy
National Trust of Australia (Victoria)



Justin Buckley
Executive Manager,
Gardens & Landscapes
National Trust of Australia (Victoria)