

**PUBLIC LAND @ 5 MILLION CONFERENCE
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Introduction

Good morning. I'm Duncan Malcolm and I'm here to talk about what we do at the Victoria Environmental Assessment Council and to provide a brief overview of our current Metropolitan Melbourne Investigation.

Victorian Environmental Assessment Council

The Victorian Environmental Assessment Council, or VEAC as it's often referred to, is a five member statutory body that reports to the Victorian Minister for Environment and Climate Change.

The organisation, in its various forms, has been around for 30 years and has remarkably survived successive changes in government and many controversial investigations – remember the hard fought debates around alpine parks, old growth logging, damming heritage rivers and marine national parks. Well that was us.

Our predecessor, the Land Conservation Council, was originally established in 1971 as in response to an environmental controversy. The Little Desert in north-west Victoria had been proposed for agricultural development, which many regarded as unsustainable. The then premier, Henry Bolte, realised he needed sound environmental policies to avoid an embarrassing electoral defeat. A young Liberal Minister from the Mallee, Bill Borthwick, had a plan to handball the hot potato of public land planning to a council of experts, with opportunities for broad community participation. He instructed the LCC to consider the issues “as if for a thousand years”.

This new Council's first task was to systematically review all public land across Victoria, region by region – a task it finally completed in 1987. Interestingly, public land in cities, towns and boroughs wasn't covered in investigations in those days.

It was during this lengthy investigation that the council realised that there was very little reliable information about the areas it wanted to investigate and as a result it developed an insatiable appetite for ecological data.

Today VEAC has amassed a vast and priceless array of ecological data from across Victoria, which provides us with invaluable baselines against which to measure environmental change.

And for those of you interested in the history of public land in Victoria and the history of the predecessors to the current Council I'd invite you to take a free copy of our appropriately titled book “As if For A Thousand Years” which is available at the back of the room.

Now back to the role of the Council today. The makeup of the Council today is very different to that of the LCC, which was comprised of 12 to 14 government agency and community representatives. VEAC is comprised of 5 members appointed by government. But - simply put - VEAC continues to provide sound and considered advice to the Government on how the land held for the Victorian community should be best used.

I personally believe that balance is a key goal – balancing the diverse uses of public land from conservation and environmental protection, to community recreation and tourism, to commercial resource extraction (like logging, fishing and mining).

VEAC is highly consultative. Face to face consultation and written submissions are major components in our investigations. I also believe that stakeholders participate knowing there is a reasonable probability that VEAC's proposals for land use will be implemented.

Our success rate over the years has been pretty good. Of the many recommendations made by VEAC and its predecessors over the past 30 years, around 98 per cent have been approved and implemented by government.

And here's a fact that's great for Victoria. Our state is the only one in Australia to have an independent body like VEAC looking into public land use.

You may be aware of the following investigations:

- the recent 3½ year River Red Gum Forests Investigation – which resulted in the recommendations behind the government announcing in December 2008 the creation of national parks at Barmah, Gunbower, Lower Goulburn and Warby Range-Ovens River, removing timber harvesting from key areas of public land in this area, along with new policy arrangements for Indigenous involvement in the management of public land
- and the Angahook-Otway investigation which was responsible for the establishment of a single national park – the Great Otway National Park.

Having worked on both of these investigations, the one thing I can tell you without a shadow of a doubt is that public land can be a very passionate issue with the community, especially in areas where it is used for recreation and commerce.

The River Red Gum Forests investigation attracted a huge response from the communities along the River Murray with many users wanting to keep doing the same activities they had done for years despite the obvious impact these are having on the environment. A lengthy consultation process resulted in more than 9000 submissions – most of these are still available on our website should you wish to view them.

Recently the Council was requested by the Minister to undertake two new investigations:

- One of Metropolitan Melbourne
- And the other - a Statewide investigation of Remnant Native Vegetation.

Fortunately for the Council these are not nearly as controversial as the previous two investigations. In making this request, in fact, the Minister mentioned that he considers that the focus of both these investigations is on assessment.

The Metropolitan Melbourne investigation is the topic of my presentation today.

The scope of the Metropolitan Melbourne Investigation

The area of Metropolitan Melbourne Investigation covers 29 of its municipalities. The area includes all of metropolitan Melbourne, except the Mornington Peninsula and Yarra Ranges Shires, which were covered in previous Melbourne studies undertaken by the Land Conservation Council in 1997 and 1994¹.

Public land

Broadly speaking, public land is defined under our legislation as Crown land and land held by public authorities.

Crown land is land that is owned by the Crown. It includes the following types of land:

- Large parks and reserves such as national parks, state parks, metropolitan parks, reservoir parks and nature conservation reserves (managed by Parks Victoria)
- Large 'icon' reserves such as the MCG, Melbourne and Werribee zoos, botanic gardens, and Flemington and Caulfield racecourses (these sites have a range of managers, often established under legislation specific to the site)
- Port Phillip Bay foreshores (managed by local government, Parks Victoria and committees of management)
- Frontages to the major rivers and watercourses (various managers)
- Municipal level parks and reserves including some golf courses, playing fields, swimming pools, parks and playgrounds (managed by local government and lease and licence holders)
- Linking corridors including creeksides, linear parks and rail trails. These often support interconnecting bike trails (managed by local government)
 - Community use areas such as public halls, schools (those on Crown land), and many local parks and gardens
- Lands dedicated to services and utility use, such as cemeteries, reservoirs, pipe tracks, roads, public hospitals and government buildings (managed by government departments and agencies).

Public authority land includes land owned in freehold title by Government departments and agencies such as the Department of Education and Early Childhood Development, Department of Human Services, Department of Justice, Melbourne Water and other water authorities, VicRoads, VicTrack, the Metropolitan Fire Brigade and Country Fire Authority and Ambulance Victorian.

This land is used for a broad range of public purposes including railways, roads, schools, hospitals, public housing, jails, water catchments and cemeteries. Schools and public hospitals are often a mixture of Crown land and freehold land owned by Government departments.

¹ Melbourne Study, Land Conservation Council (1977); Melbourne Area District 2 Review, Land Conservation Council (1994)

Under the Victorian Environmental Assessment Council Act, public land does not include land that is owned by municipal councils in freehold title.

I'd like to ask you a question at this point. What percentage of the Metropolitan Melbourne Investigation area do you think is public land?

Well, we are still working this one out. It is a time consuming task because of the multitude of small areas of public authority freehold land, but we reckon it's about 12% of the investigation area.

This is an interesting figure, particularly when you consider this in the context that around 34% of Victoria is public land.

Uniqueness of Metropolitan Melbourne Investigation

As I have implied this investigation has some unique characteristics.

It is a densely populated urban environment

This is the first investigation undertaken by VEAC, or its predecessors, of inner urban Melbourne.

There is, of course, a much greater population in Metropolitan Melbourne than in other investigation areas.

In 2006, around 3.5 million people and approximately 68% of Victorians lived within the investigation area². Further we know this population is growing rapidly. It is projected that around 4.7 million people will live in this investigation area by 2026³. In other words, the population is expected to increase by approximately 34% in 20 years.

It has a higher proportion of public authority land

Because this area is densely populated, the nature of the public land is quite different from most previous investigations. The proportion and number of blocks of public authority freehold land is much greater because of the amount of services, utilities, roads and railways needed for a large metropolis.

With the exception of the Kinglake National Park and the Bunyip State Park on the perimeter of the investigation area, there are no very large tracts of Crown land. Nearly 10,000 hectares of Kinglake National Park and over 13,000 hectares of Bunyip State Park lie within the investigation area.

We are still compiling our data on public authority land. But, apart from the two national parks, the largest areas of public land are mostly likely those that are managed by Melbourne Water – either as sewage farms or water catchments.

By way of contrast, the smallest area we have mapped is a CFA fire station in Nillumbik. It occupies 0.0140ha.

² Australian Bureau of Statistics, 2006 (Note: It is estimated that in 2006, 3,459,140 of the 5,128,310 Victorian residents lived in the investigation area)

³ Spatial Analysis and Research Branch, Department of Planning and Community Development, 2009.

Crown land areas cover approximately 36,000 hectares or 6.5% of the investigation area. Indications are that public authority land will make up a similar amount of the investigation area.

We deal in parcels of land – the equivalent of titles on private land. There can be several parcels making up a park or a school ground. To give you an indication of the complexity of this investigation we're dealing with about 4,400 parcels of Crown land and over 30,000 parcels of public authority land.

Urbanisation has impacted on the natural environment

We are aware that metropolitan Melbourne is much more developed than most of the areas covered by previous investigations and that urbanisation has greatly impacted on Melbourne's natural landscape and biodiversity. One of challenges will be to visualise the impacts of increasing population numbers and density on existing public lands.

The preservation of biodiversity in urban environments often occurs on public land and, as a consequence, public land can provide some urban communities with the only opportunity to see and experience their region's natural heritage.⁴

Community use of public land

In other investigations a great proportion of those who enjoyed or used public land was from outside of the investigation area, for example visitors to parks, reserves and State forests. The Metropolitan Melbourne Investigation area includes many icon tourism and recreation sites, such as the MCG, Melbourne Zoo, the Carlton Gardens and Albert Park, where large numbers of users come from elsewhere (this may also apply to large public hospitals). However, in most cases the vast majority users of the public land are likely to live within the investigation area.

Perceptions of value

VEAC and its predecessors are used to investigating and documenting a vast array of public land characteristics. These are often very distinct attributes – natural and cultural heritage values, social and recreational values, scenic values, commercial values.

For this metropolitan Melbourne investigation - even at this early stage - it seems likely that we will have to adapt our thinking to include a suite of less familiar values. These are the community values that accrue to sometimes quite small areas of public land simply because they are public, and they're not built on. They may not have any high quality habitat or recreational facilities or buildings in public use. They are often simply valued as "open space" in the midst of otherwise crowded surrounds.

In getting to grips with these kinds of community values, we are aware of the understanding and expertise that is held in local government, and we look forward to continuing to work in partnership with them.

⁴ Biodiversity, Mark J. McDonnell and Kelly D. Holland, in *Transitions: Pathways Towards Sustainable Urban Development in Australia*. P.W. Newton (ed). CSIRO Press. 2008

Terms of Reference

The final significant difference that I want to discuss stems from the terms of reference, rather than the nature of the public land. The terms of reference require VEAC, not only to report on the uses resources, condition, values and management of public land, but also on the contribution of this land to Melbourne's liveability and the opportunities for enhancing this contribution.

Past investigations have considered the importance of public land, for example, to maintaining cultural heritage, protecting the natural environment, recreational opportunities and local economies. No prior investigation, however, has explicitly asked VEAC to report on the role of public land in achieving liveability.

Liveability

What is "liveability"? Some of our speakers here today will be, or have been, answering this question and if you took notice of what is written in the media about liveability in Melbourne you'd think it was all about the quality of coffee and number of sporting events held during the year.

The Government response to the recent Victorian Competition and Efficiency Commission *Inquiry into Enhancing Victoria's Liveability* states, and I quote,

"Liveability encompasses the wellbeing of a community and comprises the many characteristics that make a location a place where people want to live. The concept of liveability encapsulates the Government's entire portfolio of responsibilities."⁵

Perhaps two points or rhetorical questions:

- How do we maintain features that enhance liveability?
- How to we add to or improve features that enhance liveability?

VEAC is also exploring the characteristics of liveability and the part that public land plays in maintaining and enhancing the liveability of Melbourne. That piece of work will be completed in June this year.

I don't want to pre-empt this work. However, submissions made to VEAC on the Metropolitan Melbourne Investigation are indicating that, for many people, the use of public land as open space, as I observed earlier, is very important to their quality of life. It is clear that the provision of land for community infrastructure like schools and hospitals, railways and roads all contribute to liveability. These submissions are saying that open space also makes an important contribution, whether it is in the form of, parks or sports fields, an area of native vegetation or a wetland or possibly school grounds.

In summary, with Melbourne's increasing population, and in turn more densely built suburbs, an important way that public land can contribute to Melbourne's liveability is by providing a non-built environment to meet a whole range of people's needs. These needs range from active recreation and formal sports activities to quiet places for reflection, to places for protecting and appreciating the

⁵ Victorian Government Response to the VCEC Final Report: A State of Liveability: An Inquiry into Enhancing Victoria's Liveability, 2009

natural environment or places where people can be engaged and socially active in their communities.

The challenge will be to maintain functionality in the face of ever increasing use, pressure and expectations.

Some early themes from the submissions

This investigation will involve two formal submission periods. The first of these closed in March this year. Nearly 200 submissions were received from a variety of people including:

- Individuals who live near, or use, public land that is important to them
- Local governments raising issues to do with public land in their municipalities
- Environment, friends and residents groups
- State government agencies.

Detailed analysis of these submissions is underway. I don't want to get ahead of this analysis, so the following is just a preliminary indication of some of themes that are emerging:

- Many submitters want more public open space or want to protect, or get better access to, existing public open space
- Some submitters are concerned about or want to protect remaining areas of natural environment including bushland, rivers, streams, wetlands and the coast
- Submissions argued for areas that can be used for passive and active recreational areas, horse riding tracks, bike and walking paths, community gardens and for urban agriculture.
- Some expressed concerns about competing activities on public land (eg they consider active sports or bike riding to be incompatible with more passive recreation)
- Others are supporting more complementary uses of public land (eg using school grounds for recreational activities at weekends).
 - Complementary, or multiple uses, of public land is very interesting. VEAC's preliminary assessment indicates that many areas perform a range of social, economic and ecological functions beyond their primary use. For example, larger areas of open space associated with utilities and water management are frequently used for passive recreation - such as Edithvale-Seaford Wetlands - and trails along linear routes beside streamsides, roads and railways are used for recreation.
- Others again are concerned about what they consider to be inappropriate uses of Crown land (eg as locations for infrastructure used exclusively by small sections of the community or for commercial purposes).
- Comments were made about the process for disposing of surplus public land and whether this land is really surplus to community needs.

- The management of open space land and trails was raised. Parks and trails can often be made up of a patchwork of public land managed by various government agencies and local government land. Submissions indicated that this complex ownership can result in confusing management arrangements.
- Some submissions discussed the role of vegetated public land assisting communities to reduce the impacts of climate change. These submissions discussed the place of urban trees in absorbing greenhouse gases and in reducing the effects of urban heat islands.

The Metropolitan Melbourne Investigation process and status

As I mentioned earlier, the first submission period has closed. These submissions can be viewed on the VEAC website. They will be considered by VEAC as it prepares its discussion paper, which is planned for release later this year. This will be followed by the second submission period and the preparation of the final report, which is to be released in 2010.

As I also indicated, we have a consultancy exploring the meaning of liveability and the contribution that public land makes to Melbourne's liveability. I envisage that VEAC will be sharing the results of this work around the middle of this year.

And to finish up, I'd like to leave you with this thought.

I have a longstanding involvement in coastal issues as some of you know. This week – on Thursday in fact – the Victorian Coastal Council is conducting its 2009 coastal forum on the two most significant issues for the coast – population growth and climate change.

In my view these are key issues facing VEAC's Metropolitan Melbourne Investigation too. As Melbourne faces rapid population growth, and we all face unprecedented environmental change resulting from global warming, sound data and effective community participation become even more important in informing government decisions. These are VEAC's strengths – our capacity to engage the community, to independently analyse their feedback and our mandate to give independent, but considered, advice to government.