

# TRANSCRIPT

## LEGISLATIVE ASSEMBLY ENVIRONMENT AND PLANNING COMMITTEE

### **Inquiry into Environmental Infrastructure for Growing Populations**

Melbourne—Thursday, 25 March 2021

*(via videoconference)*

#### **MEMBERS**

Ms Sarah Connolly—Chair

Mr David Morris—Deputy Chair

Mr Will Fowles

Ms Danielle Green

Mr Paul Hamer

Mr Tim McCurdy

Mr Tim Smith

**WITNESSES**

Mr Leigh Morris, Recreation and Open Space Development Lead, and

Mr Tony Peak, Manager, Property and Rates, Whitehorse City Council;

Mr Adrian Gray, Manager, Urban Design, Brimbank City Council; and

Mr Rod Spivey, Senior Open Space Planner, and

Ms Robyn Mitchell, Coordinator, Open Space and Strategic Projects, Banyule City Council.

**The CHAIR:** I advise that the sessions today are being broadcast live on the Parliament's website and a rebroadcast of the hearing is only permitted in accordance with Legislative Assembly standing order 234. Thank you to everyone for joining us today at this public hearing for the Inquiry into Environmental Infrastructure for Growing Populations. On behalf of the committee I acknowledge the traditional Aboriginal owners of this land, and we pay our respects to them, their culture, their elders past, present and future and elders from other communities who may be joining us here today. I also extend a very warm welcome to any members of the public and to the media who may be watching us today.

This is one of several public hearings that the Environment and Planning Committee will be conducting to inform itself about the issues relevant to the inquiry. But before we begin I need to point out a couple of things to the witnesses today. All evidence taken today will be recorded by Hansard, and it is protected by parliamentary privilege. This means that you can speak freely without fear of legal action in relation to the evidence that you give. However, it is very important to remember that parliamentary privilege does not apply to comments made outside this hearing, even if you are restating what you said during the hearing. You will receive a draft transcript of your evidence in the next week or so to check and to approve, and corrected transcripts will be published on the committee's website and may be quoted from in our final report.

So thank you all for taking the time to meet with us today. I think the best way to start is for committee members to introduce themselves, and then if witnesses could introduce themselves and just state what council that you are from. Then what we will do is we will come back and start a presentation, if you would like to give a presentation. If you have got PowerPoint slides, great; if you do not, no worries. And we will hear from each of the witnesses probably for about 10 to 15 minutes, and then I know committee members have some really great questions that we would love to ask you.

So I will kick off. My name is Sarah Connolly. I am the Chair of this committee, and I am very lucky to be the Member for Tarneit. For people that are not from the western suburbs, Tarneit sits within one of the largest growth corridors in this country. Will.

**Mr FOWLES:** Thank you, Chair. I am Will Fowles. I am the Member for Burwood, which was recently named the most suburban seat in the country—yay for me.

**Mr HAMER:** And I am Paul Hamer. I am the Member for Box Hill. I will be off video and on mute most of the time because I am outside, but I will be listening intently.

**The CHAIR:** Okay, and we will have in a little bit David Morris join us. Actually, I think he is just here to be admitted. Before we get to David, I might throw over to Adrian.

**Mr GRAY:** Thank you very much, Sarah. Hello, everybody. My name is Adrian Gray. I am the Manager of Urban Design for Brimbank City Council.

**The CHAIR:** Thank you. David.

**Mr MORRIS:** I am David Morris. I am the Member for Mornington but also Deputy Chair of the committee.

**The CHAIR:** Thank you, David. We have got Robyn.

**Ms MITCHELL:** Robyn Mitchell, Coordinator of Open Space and Strategic Projects at Banyule City Council. I will not be speaking today, my colleague Rod will be speaking.

**The CHAIR:** We have got Rod. I can see you there. Yes, Rod.

**Mr SPIVEY:** Hello, everyone. My name is Rod Spivey. I am a Senior Open Space Planner with the City of Banyule.

**The CHAIR:** Thanks, Rod. We have got Leigh and Tony. Okay. We might kick off. Adrian, if you would like to kick off with a 10- to 15-minute presentation. Have you got slides?

**Mr GRAY:** No, I do not have slides, Sarah, but I guess that I will just reflect on my submission. I presume that committee members will ask questions in regard to council's submission. Also another position I hold is co-chair of *Greening the West*. *Greening the West* is a regional partnership of the western suburbs councils and other estate agencies that has been going now for five years or so, looking at or dealing with increasing green canopy cover across the west. I will talk across both—as a council representative, but at times I will reflect a bit on *Greening the West*.

I think this is a really fantastic inquiry. Environmental infrastructure is really important, and council has been doing a huge amount of work in this area now since around 2008. We have significantly transformed our parks network and spent quite a bit, around \$35 million, in upgrading our parks. That has meant that our parks are now places where people gravitate to. It is that investment and the design that I would really like to highlight that is so important around the provision of environmental infrastructure within public spaces that supports livability. That really came to the fore last year with the COVID lockdown. Before we started our transformation, a lot of our parks were not that attractive, and people were not using them, but that has completely turned around within this, say, decade or so. To see how our parks supported the community through COVID was quite incredible.

Even aside from that, we get a lot of feedback from our community today about the investment that council has made in green infrastructure. I think I have got one of those quotes in council's submission, and I will just read that out. In 2008 we started implementing what we call *Creating Better Parks*, so it has been going for a while now. In 2016 we did a survey to people to see—'What have you noticed and how do you feel about creating better parks?'. We asked them some pretty simple questions and we had around 239 responses to that survey. Over 80 per cent of those people said that they had noticed a difference to the parks, and over 80 per cent said that it made an impact on their life, changed their living, and I guess this quote in council's submission really summarises that. It says:

It's great to see council investing in the community in the form of parks, it makes me feel proud of where we live, and encourages me to get outdoors more often with the kids.

So as it says in the report—and that has gone up a little bit now, because of this financial year—by the end of this financial year we will have upgraded around 116 parks and invested around \$38 million. When we did that survey in 2016, we realised, 'Hey, this investment in park infrastructure is really having an amazing impact'—well, that statement says they are 'proud of where we live'. So there is mental wellbeing as well as physical wellbeing, because we are getting out. So two things—physical and mental wellbeing, being supported, and that really played out last year in COVID when people flocked to our parks because they had to. Well, not that—they were restricted, so they went there. I think that investment in environmental infrastructure has a flow-on effect around health and wellbeing that supports the whole community. So it is a really great thing that this inquiry has been established.

Look, there is a lot in there about what we are doing and how we are sort of transitioning from creating better parks. Now we are sort of looking at streets, not only parks, so now we are developing a policy called 'creating better streets', which is looking at how streets support people walking between the destinations in their suburbs—between schools, between parks, between train stations. How do streets actually provide a better space for people to walk—and more green infrastructure. That is sort of building on this idea of creating better parks. We are going to do creating better streets. So that is something that we are doing into the future.

Some of the challenges that we have, even though council has done a huge amount of work not only just in passive parks but in our sporting parks—and we are really doing great work now with what we call our 'oasis projects', where we can create funding from Melbourne Water and City West Water and even DELWP on the capture and use of stormwater in our parks and in irrigating sports fields. I talk about that a little bit in our submission there. Those partnerships are internal collaborative partnerships where it is not just my area of urban design, it is the engineers, it is parks, it is a whole bunch of people in council working together, and we

are getting really good funding. I think retrofitting our parks through the use of stormwater is a really, really important piece of environmental infrastructure going forward so that we can have these what we are calling oasis parks into the future. We know we are going to get hotter and we need to have parks usable and functional and cool through heat waves, so that is an important thing.

Also there is the protection of trees. We are in the process now of developing a draft Brimbank tree policy. We have got some good things in the planning scheme around provision of trees in front yards and backyards, but protection of trees is really key, I think, across all of Melbourne, and I talk about that from a *Living Melbourne* perspective. We have an urban forest strategy that says we have got to get to 30 per cent. We are currently around 8 per cent. We know that 30 per cent supports livability, so the more support that councils have through the planning scheme to protect trees in not only Brimbank but the whole west and the whole of Melbourne I think is really vital—that we have a consistent approach to tree protection across the whole city.

Other challenges: we have an abundance of public open space in Brimbank. However, we have some parts where it is just the nature of the way that certain suburbs are developed at the time that there is inequitable supply. So how do we resolve that? It is really again around making the best functional use of the spaces we have, creating connection between spaces but also looking at land opportunities at schools. I think schools, private and public, need to be more accessible to the community in those areas where we have deficiencies.

Another thing that I have mentioned in there around challenges is electric line clearance guidelines. That has an impact on the functionality of street trees, and it is really important that there are guidelines around electric line clearance. But I think that guideline needs to be different for metropolitan Melbourne as opposed to fire-prone areas. When we are pruning our trees and on those hot days they cannot provide shade, it adds to the burden of power usage on those days. So I think we need to look separately at the electric line clearance guidelines within the city as opposed to those areas that are fire prone.

I have mentioned already the provision for how *Living Melbourne*, which was released in 2019, takes a metropolitan approach to urban forestry. Supporting that consistently across all of Melbourne I think is a real key, and I know now that City West Water is housing a person in that endeavour. But I go back to *Greening the West*. *Greening the West* is a great example. I think it is the only partnership in Melbourne and Australia where people work together for green infrastructure, and we have been able to generate \$40 million worth of funding for a variety of green infrastructure projects across the west. It has been an amazing thing to be a part of that, and what it means to collaborate seems to make things happen a lot more easily.

I will just quickly finish now. One of our signature *Greening the West* projects was Upper Stony Creek, which has been a fantastic collaboration between Brimbank, Development Victoria, DELWP, Melbourne Water, City West Water and the federal government. That was an \$11.6 million infrastructure project that resulted in a fantastic wetland for the local community in Sunshine North. However, the project also included the naturalisation of concrete channels, and it really got difficult to deliver that component because of the complexities and costs associated with the legacy of soil contamination. So I think there needs to be better support at a state level for local councils in removing concrete channels and dealing with any legacy around soil contamination.

That is probably it from me. Thank you very much for the opportunity for us to tell a bit of a story about Brimbank. We have done a lot, and we are planning on doing a lot more. The more that the state government can work in partnership with local government, I think it is a really good thing.

**The CHAIR:** Thank you, Adrian. Tony and Leigh, if you can just introduce yourselves. Maybe I will throw to you for a 10- to 15-minute presentation or discussion of your submission.

**Mr L MORRIS:** Okay. Thank you. My name is Leigh Morris. I am the Recreation and Open Space Development Lead.

**Mr PEAK:** Tony Peak. I am the Manager of Property and Rates.

**Mr L MORRIS:** Thank you, committee, for the opportunity to present today. We have got a submission in here, which we will mainly talk through, which builds upon our formal submission that we sent through, and I will open to questions from you if you have any. Firstly, Whitehorse City Council would like to acknowledge the Wurundjeri and all the peoples of the Kulin nation as the traditional custodians of the land. We pay our

respects to their elders past, present and emerging. Wurundjeri connection to this land dates back more than 40 000 years, and evidence of this connection still exists today.

Thank you for the opportunity to present this morning, committee. Just a bit of a snapshot to give some context with regard to where the City of Whitehorse is located: we are approximately 65 square kilometres in area, bordered by Highbury Road, Warrigal Road, Union Road and the Eastern Freeway. We are between 12 to 22 kilometres from the Melbourne central business district. We have got a population of about 180 000 people, with a density of 27.82 persons per hectare.

Planning for environmental infrastructure open space within the City of Whitehorse is really underpinned by our open space strategy. It is quite a mature age strategy, as we refer to it, and it was adopted in 2007. We are aware that it is time for review shortly. But whilst the strategy is mature age, it is still really current in the current context because the intensity of population growth has exacerbated some of the gap areas that the strategy has identified. Funding for our strategy is delivered through both council rates and our open space reserve, which is set at 4 per cent under the Whitehorse planning scheme—a mandatory requirement for a public open space contribution, which is 4 per cent of the value. Subdivision of land on a strategic site can be at a higher rate in discussions with council and the developer. The 2007 *Whitehorse Open Space Strategy* identified that there were 18 gap areas within the City of Whitehorse that we needed to address, with 13 priority areas being highlighted. The strategy has a 15-year life, so we are nearing the end of its life.

As you have probably heard throughout the committee, establishing new open space within urban areas is rarely straightforward. It is really expensive and it has its distinct challenges. The City of Whitehorse has a tried and tested way of purchasing sites. We have got a commitment to purchasing on market, and I just wanted to highlight and talk through the way that we go about that process of creating those new open spaces. The process is that we have got spatial mapping that is exercised across the whole city. We preidentify sites that we think would address the gap areas and have good suitability. They are mapped and they are set to a property alert, and Tony can talk further about the process in a moment. We get an alert to say that a property might be coming up to the market. We do a brief assessment, have a look at it to revisit from our initial assessment, and then we brief our executive. If there is support to purchase the property, we then prepare a report to go to council. This needs to happen in a really quick time frame because we purchase on market. It is a four- to six-week window, which means that we need to move really quickly to get council adoption and support for the project. We then go to the purchasing side of things, and Tony could touch quickly on that.

**Mr PEAK:** Thank you, Leigh. Being an acquiring authority council, we endeavour to always buy our properties from the market. We identify properties that are for auction via the land information certificate process that our rate department processes. We do engage buyers advocates to buy, and we endeavour to pay a fair market price, as established by an auction process. We identify the properties on size and try to buy the largest site we can in a gap area. We try to buy a site that does not have a lot of improvements attached to it that add value to the land value. So what we are really looking for is pretty much a pull-down in most of the cases, or a site ripe for redevelopment. One of the issues moving forward that may be an issue for us, and we are still working our way through this, is that under the new provisions of the *Local Government Act* for land purchases there needs to be a community consultation process in accordance with our community engagement policy for any purchases. As Leigh said, we purchase on a three-to-four-week window; that is going to be a bit of an issue moving forward. How we do that is probably—we think we will do a broad consultation around the gap areas and seek feedback once the new Act is in place so that the community consultation is not on an individual property purchase basis but on a filling-the-gap-area basis.

Once we purchase quite often we get a lot of good, positive feedback from the community. We do not disclose before we go to auction that we are purchasing because we do not want to establish a commitment that if it is above the price we want to pay, we will have to pay at any price, and we also do not announce because obviously if a vendor's agent knows that the council is a potential purchaser, we will probably be bidding against fake bids. We do have a strategy to get best value, because it is an open space reserve and the reserve is, in essence, money that is being contributed by development funds and is administered on behalf of the community. So our strategy is to buy well, to buy fairly and to ensure that we honour our statutory obligations around our acquisition obligations. I will hand back to Leigh.

**Mr L MORRIS:** We have purchased six new sites and we have created five new open spaces since the adoption of the strategy: Chaucer Street, Oak—I will probably run through the suburbs. They are Burwood, Mitcham, Box Hill, Box Hill South and Mont Albert. We recently purchased a site in Burwood. In total that

will have added about 11 500 square metres to our open space network, which is a really great success with that model. The total value of all the sites collectively is about \$11.5 million in purchase price, and that does not include the capital improvement or the open space improvement as well that we have created with those things. That is our open space model and how we acquire.

Some things that we just want to talk through and reinforce are that the City of Whitehorse will benefit from a number of key Victorian government infrastructure projects, including the Suburban Rail Loop, both in Box Hill and Burwood, the North East Link Project and the current level crossing removal project in Mont Albert. We just want to reinforce that it is critical that there is no net loss of open space as part of these projects, because open space within these areas is at a premium and removing that open space will be—whilst we agree with the sentiment and the projects and what they are achieving, the value of the open space also needs to remain in place. We wanted to reinforce that. Tony might just touch on quickly some previous examples of some Victorian government projects that have actually resulted in a loss of open space.

**Mr PEAK:** Thank you, Leigh. One of the issues for us is that the community have benefited from the level crossing removals but we have had a loss of open space, and yes we have had some compensation under the *Land Acquisition and Compensation Act* from the authority. However, it is difficult to get broadacre land in the built-up areas. So whilst the compensation is welcome, the loss is significant. And quite often these projects have resulted in a loss of tree amenity. I appreciate that tree amenity does not come into the provisions of the compensation payable; it has always been a bit of a grey area. For example, in Blackburn we lost a significant number of cypress pines that had been there for a number of years. Yes, they were not indigenous and native but they were of significance to the local community. So the infrastructure projects need to be aware that there is a strong bond with the community around the open space that is lost and it does mean that the pressure comes to council to replace that open space, and that is problematic in built-up areas. I guess the point we were trying to make there is if those impacts can be minimised that would be a great help to us.

The other issue that we have with some of the other state government issues is the open space, the first right of refusal. We purchased a school site. When the state government sells land to council, the expectation is that we will pay highest and best-use value—so we will pay the highest price for the land. That is problematic in that we are using it for a lesser use. So we struggle with that, and we have put forward a number of suggestions. With the one we did with the Nunawading Primary School we put a caveat on the title that if we did sell the site we would pay the market value difference of 40 per cent. So we got a 40 per cent discount and we said if we ever sold this site we would pay a 40 per cent premium back. The problem we have, as I said, going back is that the state government and the government instrumentalities are really the only providers of large sites that we see in the future us being able to buy, whether they are school sites—more the land—or old VicRoads land.

If we are expected to pay highest and best-use value, and that is sometimes high-density redevelopment value, for a lesser use of open space, it is really problematic, because what it ends up doing is it impacts our ability to deliver the end outcome. So, for example, for the one at Nunawading Primary School we got a discount of \$4 million. That \$4 million helped with the final fit-out. We ended up spending \$30 million on a community centre. If we had to spend that extra \$4 million buying the land, obviously we would have to scale back some of the development principles or the final product that was delivered to the community.

So the point I am trying to make is I appreciate the state government want to yield as much as they can from these land sales, but we have got to work out some way of getting a win-win scenario where the land that we purchase is sold to council at a price that reflects the use that we are putting it to. We have run into that roadblock quite a bit through the last couple of years. It seems to be more around the state government land monitor process and policies that we seem to end up getting bogged down in, and we end up having to do a whole lot of negotiating; we have to do a whole lot of meetings and things like that, where there is no identifiable process that allows us to escalate and seek some remedy, whether it is from the ministers or from, you know, the ministers' advisers. It seems to be that we just have to do a whole lot of really hard negotiating, and sometimes that gets political. I will throw back to Leigh, if Leigh wants to add anything to that.

**Mr L MORRIS:** No. Probably just to reinforce that whilst we have quite a healthy, large reserve—so we have north of \$40 million-plus—when we are talking about purchasing strategic sites that cost upwards of \$5 million-plus, that reserve will not address the gap areas and enable us to purchase these strategic sites, so I think that is why part of our argument is that if we are paying a premium for a site, it decreases our reserve, which means we cannot address other gap areas.

Probably just—because I am mindful of time—to wrap up our submission, there was just some further commentary that we wanted to add with regard to *Victoria's Draft 30-Year Infrastructure Strategy*. There is an action around that which regards—I will just read the action. It says:

The Victorian Government should immediately reform local government developer open space contribution schemes to explicitly state an objective of connectivity and mandate financial contributions are used for open space connectivity improvements and tree planting.

From council's perspective we just want to make sure and maintain that council has a flexible approach to use our reserves so we can use them for those large strategic sites that will create great connectivity but then also purchase smaller sites, small local open spaces, that are critical to addressing gap areas. So we need to maintain that flexible approach, because both of them go hand in hand. I think that is the main part that we wanted to feed back today, so thank you for your time.

**The CHAIR:** Thank you. Rod.

**Mr SPIVEY:** Thank you. Hello. My name is Rod Spivey. I am a Senior Open Space Planner at Banyule City Council. Firstly, thank you for the opportunity to attend the public hearing for the Inquiry into Environmental Infrastructure for Growing Populations. In terms of context, Banyule comprises 20 suburbs located to the north-east of Melbourne approximately 7 to 21 kilometres from the CBD. The total land area of the municipality is 6251 hectares, which is roughly 63 square kilometres in size. The population density is 21.06 persons per hectare. Banyule is very fortunate to have some of the best open space in metropolitan Melbourne, including land along the Yarra River, the Plenty River and the Darebin Creek as well as a myriad of parks and reserves that are well distributed across the municipality. Banyule has approximately 906 hectares of public open space managed by both council and Parks Victoria, which is equivalent to approximately 453 MCGs. Open space represents 14.5 per cent of the total municipal land area. I guess I would really like to stress that open space and associated environmental infrastructure are essential with regard to physical and mental health and wellbeing and commensurate to the standards and benchmarks in the state government's draft metropolitan open space strategy. Banyule aims to provide a green city that provides high-quality, sustainable, accessible and well-maintained open space within a 5-minute walk of residents, which equates to approximately a 400-metre radius.

In terms of open space provision, population predictions estimate that between 2016 and 2031 the population will increase by approximately 16 000 people within Banyule. If the current provision of open space—the 906 hectares—was to remain static, it is estimated that by 2031 open space within the municipality per 1000 people will have reduced to 6.28 hectares, compared to 7.07 hectares back in 2016 per 1000 people.

As stated in the Banyule *Public Open Space Plan*, a key challenge for council going forward is to maintain the current level of open space provision in the face of rapidly increasing population densities, increasing land values and tightening financial resources. Acquiring new open space and installing environmental infrastructure, in particular in high-activity centres such as Heidelberg, Greensborough and Ivanhoe, needs to be given a very high priority, as does addressing existing gaps within the open space network and mitigating physical barriers to parks and reserves, such as barriers associated with arterial roads, train lines, creeks and the like. Land acquisition may not always be required if barriers that prevent convenient access can be mitigated, such as signalised crossings of busy roads, traffic calming and bridges et cetera.

So what impact does a reduction in open space provision have on environmental infrastructure? I guess Banyule's position is: any reduction in open space provision will result in parks and open spaces being more intensively used, and consequently the type and quantum of environmental infrastructure provided will need to accommodate a greater range of passive recreational pursuits and frequency of use. Multipurpose infrastructure will be crucial going forward. Perhaps a simple example to demonstrate this is that the traditional half basketball court will need to include additional goals, line marking, rebound walls, potentially lighting and improved surrounds that cater to a much broader user group and demographic. So designs will need to accommodate more intensive and extended, longer periods of use.

So how is this all funded? There are four sources of revenue that are used to fund environmental infrastructure, land acquisitions and improvements to open space, and these are essentially rates, grants, divestment of public open space and open space contributions. Whilst these sources of revenue are very effective and provide a high level of revenue, what Banyule has noticed is that there is a significant discrepancy between the value of funds being generated and the value of actions contained in the Banyule *Public Open Space Plan* and other key

strategic documents, such as landscape master plans, public realm plans and the like. So I guess there is a bit of a gap in that funding.

So in conclusion, Banyule is very keen to ensure the current provision of open space is maintained going forward. We are also very keen to improve access to open space where there are existing gaps in the network. We are keen to mitigate barriers that prevent convenient and safe access to open space. We are keen to ensure environmental infrastructure is equitably distributed across the municipality and designed to accommodate a diversity of views, and we are keen to investigate access to public schools and other land in public ownership through joint use agreements.

I am not too sure if, Robyn, you might want to add a little more to this?

**Ms MITCHELL:** Thanks, Rod. No major additions to that. Just to emphasise that no net loss that was mentioned. Maintaining what we have got is great, but with no net loss. It would be great if we could increase that obviously in future. And I think there are a lot of barriers we need to overcome to make that happen. Otherwise thanks for the opportunity to talk, and I think that is it for us.

**The CHAIR:** Thanks, Rod and Robyn. Look, I will kick off with the first question. Those presentations were really thorough and insightful by all of you. I am going to throw this open to everyone, and feel free to jump in. How variable is the access that residents of different communities within your LGAs have to parks and open space? And how would you compare that access to parks and open space for residents of the LGA overall with residents in newer suburbs located further away from central Melbourne?

**Mr GRAY:** What was the first question?

**The CHAIR:** How variable is the access of residents within different communities within your own LGA? So it might be one end of the LGA up here that is slightly newer compared to an older part. Do you think there is equitable access across your whole LGA? And then what do you think that access is like compared to residents who are further out, away from central Melbourne?

**Mr SPIVEY:** Well, I can potentially answer on behalf of Banyule, if I am okay to jump in? Certainly I think the distribution of open space is quite equitable across Banyule. There are certainly pockets that have gap areas, and like I was saying in the presentation, we may not need to actually acquire land in many of these instances to I guess satisfy these gaps. It may be looking at solutions around the barriers that create that access to the open space.

I guess the other issue in terms of provision is in the activity centres where we have a lot of mixed land use—residential, commercial, whatever the case may be. Those areas that are earmarked for significant growth going forward, you know, in many cases we find that we already have a bit of a shortage in open space in some of these locations. So with that significant growth I guess they are going to be key areas that we are really going to need to target going forward, and the local parks program that has been administered through DELWP is going some way to addressing that. Banyule council has been successful in obtaining a grant for a pocket park in Ivanhoe, and it is actually the creation of additional open space in one of these designated high growth areas.

In terms of how it compares to the growth areas, I guess the growth areas have a bit of an advantage in that they are still rolling out a lot of the open space and they have things like precinct structure plans that clearly provide guidance as to where the open space is and all those connections. So it is a bit of trickier situation in an established council, where it is not quite as simple to obtain that land to accommodate some of those outcomes. Thank you.

**The CHAIR:** Thanks.

**Mr L MORRIS:** With regard to the City of Whitehorse's perspective, our open space network, some areas are really well serviced by open space and there are no gap areas, but in other areas, particularly within the Box Hill precinct, which is a designated part of the Victorian government's metropolitan activity centres, open space in those areas is at a premium. Creating new open space in those areas to address those gap areas is extremely expensive because of the price of the land. It is something that we are aware of that we need to address, which is why we were reinforcing that there are other areas that are really well serviced within the city, particularly Box Hill, which will be impacted by some of the Victorian government Big Build projects. We need to maintain those open space areas so that we do not have a net loss of those areas.



The other big parcel of open space that would provide a tremendous amount of connectivity and really align with what the principles of this committee are around is the Healesville freeway reserve. We continually have been advocating for that Healesville freeway reserve to be created and established. It is a linear reserve that would create a great connection from Springvale Road all the way down to Boronia Road and would provide a huge amount of open space and probably create a better balance across the city as well.

**Mr GRAY:** From a Brimbank perspective, it is similar, really. We have got a pretty good provision of open space across the municipality, with some pockets where people are outside of that 400- to 500-metre radius. Access is good, and we have improved the access and the functionality of our parks, like I said earlier.

Brimbank is not a growth corridor. We are this mix of a middle ring, say, in Sunshine, and then almost an outer ring if you go up to the Calder Freeway. We have, like other municipalities, a whole mixture of suburban forms based on when they were constructed—last century mostly. The most recent areas in Brimbank are Cairnlea and Derrimut—Cairnlea done towards around 1990 and so forth, and Derrimut the beginning of this century. In general, though, they have pretty good provision; Cairnlea in particular has good open space and quite good connectivity. If I talk about Derrimut, though, there is a good supply of parks, but given the density and the lack of private open space, those areas are really going to be struggling to be cool suburbs in the future if the streets and the private land are not contributing to having a green suburb. Certainly the parks are. There is accessibility, but I think the suburban form does not lend itself to having an overall green suburb. I just make a point that Whitehorse said. If this is correct, Tony, you spent around \$11 million to create a 1-hectare park, if you put it all together. Is that the correct statistic: 11 500 square metres, so just over a hectare if you put it all together?

**Mr PEAK:** Yes.

**Mr GRAY:** We have looked at similar sorts of studies where they say, ‘This area is lacking’. If you want to buy a consolidated block, you have to buy multiple houses, and it would cost around about that: \$10 million, \$11 million. That would take some time if you were to do it that way. In areas where you do not have big parcels of land, it is a real challenge to provide that usable land. I would say that a 1-hectare park is probably the minimum you would want for it to have lots of functions: be accessible, be green and so forth. It is a challenge where there is not distribution. I think that our parks are quite accessible, and that is based on the work that we are doing and will continue to do.

I am not sure about the walkability of some of the streets in the new suburbs. I have friends who live out in Tarneit, around that way, and the streets are not that inviting to walk through, I feel, as the form of streets in a lot of suburbs. The streets have not been made for people, really, I think in some of the newer suburbs, and that is a big thing. I think streets need to be built for people movement, so they can move to places within their suburbs.

**The CHAIR:** Thanks, Adrian. I think sometimes those streets are built to maximise the number of houses that will fit in as opposed to the streetscape and beautification. I am going to hand over to David for a question.

**Mr MORRIS:** Thank you, Sarah, and thank you all for your presentations. I must say, to Adrian particularly, I had quite a bit to do with Brimbank between 2010 and 2014 and the work that has been done, particularly over the last few years, has been fantastic. Without picking out any particular council I think it is fair to say you are probably starting from, let us say, a starting point further back than many other municipalities. I just wanted to say well done on that and keep up the good work.

Can I go specifically, for the purpose of my question, to Leigh and Tony? I have got hopefully a quick one, and then I would like to ask about the highest and best use issue. The quick one is just on the 11 500 square metres that have been added. What is the—not the average size, because I can do the arithmetic on that—most common size of those blocks that have been added?

**Mr L MORRIS:** It is varying. We have a preference for larger sized small local open spaces—so plus 1000 square metres. We do have some smaller ones that we have acquired, but our preference is to land on those larger ones, so between 750 and 1500—some of them are 2000. We have not acquired any really large sites. Probably the largest one was Wattle Valley Road reserve, which is a lineal bushland site connection.

**Mr PEAK:** I would just add, we had the opportunity—

**Mr L MORRIS:** Sorry, there was some technical audio issue. We dropped out.

**Mr MORRIS:** We have got you now.

**Mr PEAK:** Just to pick up on Leigh's comment, we had an opportunity to buy a property at auction recently. The opportunity to buy side-by-side blocks presented and we went with that option. We could have bought one across the road of about 750 square metres, but we do go for a larger site. We ended up buying 1500 square metres, which is probably a bit more than we wanted but we prefer to be at the top end of the range that Leigh spoke to. So if we have got a choice of buying 1100-plus to 1500, we would go into that space, which is what we demonstrated recently by buying—there were three properties in the one street offered on the same auction day by the same vendor—the two side by side, even though the land was larger than we really needed, because we wanted that mass.

**Mr MORRIS:** Right. I guess the starting point for my question, and it makes sense, was whether those lots are big enough for the purposes, but given when most of the subdivisions in Whitehorse were done, you have got that starting point of relatively large lots, or by 21st century standard anyway.

**Mr PEAK:** We are lucky in that a lot of the subdivisions worked on the old 750-square-metres-and-up block size; yes, we are fortunate.

**Mr MORRIS:** On the issue that you highlighted towards the end of your discussion of buying for best use and the point that often councils are seeking to acquire land for a lesser use, I guess there are two questions around that. You mentioned that you got a \$4 million discount on the Nunawading Primary School site. How was that achieved?

**Mr PEAK:** Initially we were dealing with the Department of Education and Training. It was a Crown land site and it got brought into Treasury and Finance, and we negotiated with Treasury and Finance. How we negotiated it was that we really just had to explain what we were proposing to do and the capital investment we were making and the benefit to that community that that investment would yield. It did take a number of meetings. It was not a simple process. Then an offer came from Treasury and Finance. One of the issues that I did raise was that there was no discernible path. There was no process for us to do that, so I think some of it may have been through contacts or through political contacts, maybe even at a council level. I was not privy to all of those conversations; I did the negotiation section.

**Mr MORRIS:** Yes, I understand that, but that background is useful. I am not familiar with the site and its current circumstances, but how intense is the development? Is there still plenty of open space with it? I think you mentioned a community—

**Mr PEAK:** There is some open space. One of the reasons council was very keen to purchase it is it abutted an existing reserve, so we did create that linear space. It also had an orientation that worked for us from a design perspective, and it had dual street frontage, like most of the large school sites do, so there were a number of factors that swayed council to really want to purchase it.

**Mr MORRIS:** This issue has troubled me for a long time. I go back to the 1980s in terms of council participation—I was a councillor, back preamalgamation—and towards the end of that period we started to get this highest and best-use coming in, but prior to that, if there was surplus federal land and we wanted it for municipal purposes, then it was a very simple transaction and not too painful financially. It was much the same with state land, although we had little experience with that.

I am just thinking aloud here—you mentioned the agreement that you pay less for the land, and if you then later onsell it, you do not get all the windfall profit—but do you think there is an opportunity to develop a framework where you say if a particular parcel stays within the public sector and remains in use for public use, then it could transfer between at a discounted rate, at a rate that reflects the purpose for which it is used rather than what it might get if it went to market?

**Mr PEAK:** I think there is some merit in that concept, that it is a shift in public use. So, for example, the school site that we purchased, really the zoning once we purchased it went from PUZ education to PUZ local government.

**Mr MORRIS:** Yes.

**Mr PEAK:** So there really was just a shift in the schedule associated with the public use zoning. I think if that process could have a structure around it, it maybe needs to link into the planning scheme. I do want to say, though, I fully support—there is a time and a place for the state government and all government authorities getting highest and best-use value for land. My point that I am trying to make is I do not think it is equitable between government authorities, levels of government, especially if the use is for a lesser use. So if you are selling to a private development market and there is no government use, I think obviously the state and local government councils should achieve highest and best use.

**Mr MORRIS:** Absolutely, and that is why I am sort of suggesting it stays in public ownership and is used for public purposes.

**Mr PEAK:** I just did not want to come across as speaking negatively about the principle of highest and best use. As a valuer, it is a principle that I subscribe to. I just think in that transfer between state and local government, given that most of the broadacre sites that are probably available in the inner city—I do not know what the other councils' experiences are—generally are state government owned, yes, there is an opportunity to put that framework in place where it links somehow to the planning scheme and then has maybe a caveat on the title for any windfall or disposal, the spoils to share; there is a mechanism to repay.

**Mr MORRIS:** Terrific. Thank you. Thanks, Sarah.

**The CHAIR:** Thanks, David. I am going to throw to Will.

**Mr FOWLES:** Thank you, Chair. David has very neatly covered off on one of the questions I had, but I guess I wanted to ask by putting a general question to everyone. And that is: there has not been a lot of discussion about change in mode or uplift in utilisation of space. We have spoken a lot about aggregate space or the gross amount of space, how you add additional space; I am interested to know to what extent you measure or value uplifting utilisation? I will give a very simple example: a sporting oval used by people just playing football and then perhaps playing cricket in the summer as well, but the addition of fencing around that oval means that it can then be used as, say, a dog park from 7.00 am to 3.00 pm every day. There is no change in the amount of space, but there is a significant uplift in utilisation. To what extent do you value that, measure it, consider it as an uplift?

**Mr GRAY:** I could kick off there with that question from Will—thanks. Like all councils, in terms of what we call passive parks we have a hierarchy. So we have our flagship parks, our suburban parks and our neighbourhood parks. And you might have a sports area—a sporting park, historically—that was classified from a passive park area as neighbourhood or suburban, and so the historical facilities there from a passive perspective might be fairly basic. What we try to do these days is we want to really utilise the passive component of sporting parks, where we put in circuit paths, where we put in destinations for people, so it is integrated in there. We are doing that really well across the municipality, so that utilisation cannot just be about sports. Sports is really important for that activity for the local community, but if you look at the numbers—and we have done this anecdotally—the community visitation, say, at some of these parks where they play cricket in summer and soccer in winter, if you look at the perimeter where we have a circuit path, where we have fitness stations, where we have barbecue facilities or shelters and all that kind of stuff that attracts the local community, the numbers of use for the passive components is huge, because it every day.

So it is really important, I think, that parks function for the whole community. It is really, really important, and we also are working towards that. That is where this idea of the oasis comes from. So we trap stormwater—all parks generally have stormwater running underneath them or near them—and getting that stormwater out of the drains and into the park network and treated and stored and used for irrigation, not only in the sporting area but the passive area, supports that uplift in utilisation from our perspective. It is really a key focus for us.

**Mr FOWLES:** And the measurement of that, do you actually measure utilisation in, I do not know, percentages or scores? Where you have got, let us say, a pocket park that is used passively, it might be used at a 4 out of 10 level, but if you have got a sporting oval that is also used as a dog park that has a playground and that has a barbecue area, do you measure that in any way?

**Mr GRAY:** I guess it is descriptive in our *Creating Better Parks*. It is not measured, but our *Creating Better Parks* will sort of say, 'If we're going to treat this sporting area as a suburban park, it will have these

components to it', and there might be a dog park in there. But in terms of measuring it, do you mean the outcomes of visitations?

**Mr FOWLES:** Just utilisation. I would not be so bold as to propose the exact metric or the measurement tool or how you might describe it, but I think we all have a sense of what a well-utilised bit of public open space looks like as opposed to an underutilised bit of public open space.

**Mr GRAY:** Yes, so our *Creating Better Parks* says, 'Well, here are the functions that happen at a particular level', and then we look across the municipality to ensure that we have got those metrics and we have got those functions evenly distributed across the park network. So we look at it from that perspective in terms of distribution, those metrics, and that is just an ongoing thing for us. Our *Creating Better Parks* is due for renewal in the coming year. We are looking very closely at the utilisation and the spread of functions so that every suburb has the required options for the community to come and visit these places.

**Ms MITCHELL:** If I can just add something, Will, we do not necessarily measure either, although there are some particular items or something: we have got a playground at the moment that we are measuring, just as one example. I guess it goes back to a little bit of what David was saying in terms of measuring and then quantifying, and using that measure to then quantify. I think there is actually a massive gap in the industry across the board of open space and green infrastructure and environmental infrastructure. While we talked about property and how that can be highest and best use, and the value, you cannot yet quantify an open space or a park. I think we do not have the ecosystem services. We do not have the quantification of that yet. We do not have the shade value. We do not have the cooling value and what that does for people's health and how much money it is saving the state on people going into hospital, and I think that is what is missing. So when we are all saying it has cost us so much but we are not going to get the money back, I think that is what is missing. We do not have it. It is needed, I think.

**Mr FOWLES:** And other councils? Rod or Tony.

**Mr L MORRIS:** Yes, I think it is an interesting thing you are talking about there, Will. It is something that we are really consciously aware of as well: looking to extend the use outside of the traditional use of a sporting oval or sporting reserve, and how we can increase that utilisation. Pre-COVID, we were planning—and we had put the infrastructure into a couple of our reserves, so smart lighting infrastructure—to extend the use outside of the sporting utilisation. So organised dog walkers could go down to a sporting reserve and turn on the smart lights; they would light up the ovals at a lower lux level than what is required for AFL or sporting standards, and then we could use that. So that is something that we are looking to explore at other sites across the city. We were not able to test it, because of COVID. We actually had to put a hold on the trial. We were going to be hosting it at Mont Albert Reserve, but we have also got other sites where we are building in the infrastructure. So the Box Hill Gardens sports court lighting will be smart lighting so that you can go down and utilise the courts after hours; turn the court lights on and extend the use outside of the typical daylight hours. I think it is really important, because people's schedules change and evolve. If we can get their use and shift some of the demand outside of some of the peak times as well, it is better use, and more equitable as well.

**Mr FOWLES:** So again, to measurement, if say the provision of lighting resulted in an aggregate extra 1000 hours a month of dog-walking activity versus purchasing a little pocket park for dog walking, would you measure up the cost in that way? Would you have the ability to go, 'Well, actually the lighting is going to cost 400 grand, but the purchase of a dedicated dog park is going to be 3 million bucks'? Like, are you doing that cost-benefit analysis in some way? Is there a measurement set of tools available to you or is that something that, you know, you would like to have, even?

**Mr L MORRIS:** It is something that we would like to have, and as part of the trial and building the framework for the trial we had lots of discussions around how we actually would measure the utilisation and see what the metric might be, whether or not it was using some of the smart things, such as people's Facebook check-ins or looking at some of those things, to see that utilisation. But really the best way to measure it is site observations, but that is expensive. But yes, we will be measuring our trial to see what the success rate is. And yes, it is an interesting argument to transfer it across different levels of investment for different outcomes, but I think they are all important.

**Mr FOWLES:** Yes. Rod.

**Mr SPIVEY:** I was just also going to say it is probably a lot easier to quantify the use of active recreation. I mean, I guess it is very easy to see the numbers associated with clubs increasing, whereas with passive open space, you know, you have got such a broad, wide variety of people using that space for different purposes it is quite hard to get a fix or a quantum or something that is readily quantifiable.

I guess maybe to just also point out—and I think Adrian might have been highlighting it in his presentation—it is not just making active reserves work harder for a longer period of time; it is also looking at other opportunities through joint-use agreements with things like schools and other publicly owned land so we are really maximising the use of those facilities. A lot of the time those joint-use agreements can be very mutually beneficial. Perhaps a school might get a much higher level of ongoing upkeep and maintenance, and then the public can use those spaces after hours. I think we just need to be a little bit smart around what we do to cover some of the shortfall in the provision of open space going forward.

**Mr FOWLES:** Do you have any measurement tools for that? Do you have a way of evaluating or considering the value of a particular investment, whether it is the accretion of gross space or whether it is better utilisation of existing space or something else?

**Mr SPIVEY:** Not that I am aware of; there is no specific tool that undertakes that.

**Mr FOWLES:** Thanks. Chair, I have got a couple of other questions. We might do a lap. I think Paul had a question, but I am not sure if he is still online.

**The CHAIR:** Okay. It looks like he has dropped off. Sorry, I was going to say we will keep going. Do you want us to do a lap and come back to you, Will?

**Mr FOWLES:** I am happy either way. I have got two little-ish ones to do if you would like me to just crack on.

**The CHAIR:** Go ahead.

**Mr FOWLES:** The first one is regarding the DOT—sorry, this is to Brimbank—planting guidelines on roads with speed limits of over 80 kilometres an hour. In your submission you said that the freeways and highways now have crash barriers but they have not been implanted. I am interested to know, one, are those sorts of roads with those higher speed limits even typically council roads or not? And to the extent that often in those expansion areas you do have those higher-speed arterials planned into the system, to what extent does either the local or state government need to more actively consider the urban heat island effect and the greening of those roads and median strips and the like? And what things can we be recommending up to government in that regard?

**Mr GRAY:** Thanks for that, Will. There has been a lot of work in the last few years through the Department of Transport, I think supported by the Transport Accident Commission, in installing barriers along our 80-kilometre-an-hour roads and also along 100-kilometre-an-hour roads in Brimbank. We have done some partnership projects along Ballarat Road in sections where it was 80 kilometres with the Department of Transport several years ago. We said we wanted to do some tree planting and they said, ‘Can we do a partnership here around extending or improving the proposed barriers?’. So we worked with them on that, and what that meant was that we could get more trees in. That was a really good model I thought. It worked really well. We got more trees in because the barriers were extended.

In other situations, say on Melton Highway, where there are guide rope barriers, the guide rope barriers are very restrictive still in terms of parking. But to the point of your questions around, ‘Could these be green corridors?’, absolutely they can be; these could be really green corridors. You have got Ballarat Road extending all the way out to Bacchus Marsh and it is completely wired on all sides and the centre median and there are no trees—or very, very minimal trees—where there could be thousands or a million trees. You may have heard that *Greening the West* had a really amazing project called the One Million Trees Project that we got \$5 million of federal government funding for several years ago. We planted a million trees out here in the west in basically parks and creeks and further out. I reckon you could easily do another million trees along the freeway system, if not more; those corridors then do start to become green avenues. And that is a good thing for driving as well—not only is it mitigating and providing temperature variation, it is creating a much more pleasing environment to drive along. If you think about some of the freeways in the wetter states, say, in Queensland, where vegetation does grow a lot more easily, it is a much more pleasing aspect to drive along a freeway that has that green

vegetation. We can do that down here with the right species; it just needs good commitment. If we have done the barriers, let us do the planting.

**Mr FOWLES:** So in terms of our recommendation to government, then, are you saying that we should recommend that DOT does that planting or that DOT allows councils to do planting, or allows volunteers? What is the actual recommendation that you think would make an impact there?

**Mr GRAY:** It is DOT land, so I would be recommending that DOT carry out the planting, because they do do it to a degree. There is a massive opportunity to actually have some green corridors out in the west—on Melton Highway, Ballarat Road. I would be recommending that DOT are supported in doing that.

**Mr FOWLES:** Thanks. My final one, Chair, was just for Whitehorse. In your submission you spoke about the compensation mechanisms under LXRA and there not being compensation specifically for tree amenity. Broadly speaking, though, do you think that the LXRA has been acquitting itself well in terms of local community impacts either during removal or after a level crossing is removed? Are they doing a good job of that? Is it a program that has generally provided good net outcomes for the community?

**Mr PEAK:** Thank you for the question. I can only speak to the property side of things. We have a dedicated officer in our engineering department who does have the relationship with the authority and with the residents. My understanding is that has gone really well. We are not ungrateful as a council for the level crossing removals, and the loss of tree amenity is one issue of many. They have done a really good job on some of them—I think on the vast majority—and I think most of our residents would be appreciative of the infrastructure work. The loss of tree amenity is a bit of a gap that is in the *Land Acquisition and Compensation Act* rather than a fault of the LXRA. I hope that answers the question.

**Mr FOWLES:** It does indeed. Thank you, and thank you, Chair.

**The CHAIR:** Thanks, Will. I am going to throw over to you, Paul.

**Mr HAMER:** Sorry about that; sorry about being out for just a few minutes. If the questions that I ask have already been answered, you can just say that they have already been answered. I had a few questions just about the *Whitehorse Open Space Strategy* and particularly some of the, I guess, equity issues. Obviously I see that in some of those areas particularly, such as Box Hill, I guess per person there is not a lot of private open space, but there are equally not a lot of opportunities to actually acquire the open space. Acquiring relatively small parcels of land at the other end of the municipality does not really assist individuals where there might be the greatest demand for or the greatest pressure on private open space, so I am just wondering if you had any thoughts about that as a start.

**Mr L MORRIS:** Yes, it is something again we are really aware of, and we are currently developing a Box Hill open space review specifically for the Box Hill precinct to look at how we address and fill in those gap areas and purchase those additional sites or look to partner with developers and, whether it be the vicinity group, to work with them around creating those open spaces. We have got some things within the structure plan or our Box Hill vision about creating new open spaces in there. Repurposing car parks is identified in the Box Hill vision document. We have constructed a new multideck car park in Harrow Street. So is there an opportunity to create a new open space through converting an existing car park into a park?

**Mr PEAK:** Yes, and that is something that we are considering. Obviously the car parks are utilised, but they are underutilised, so are they better to be converted to open space if there is spare capacity in our multideck car parks without creating a traffic jam for people getting there. So it has got to be in close proximity to the existing multideck and where we can, we will look at that. The point from a valuation perspective is that for all the developers in Box Hill land is of such a premium they are developing vertically, so they do not have any opportunity to give us land. The contribution we get at 4 per cent, yes, is off a high land value, but then we have got to go out and compete at that sort of pre-COVID rate of \$11 000 per square metre. As Leigh alluded to earlier, whilst the fund looks like it has got a lot in there, you cannot buy too many central Box Hill sites, so we do have to think a little bit laterally. I am sure it is not just Box Hill; it is probably the case in all of the Melbourne metro high-density growth areas that this probably needs to be thought through as to how we provide open space for some residential towers that may generate 300 residential apartments. Whilst we are not growing horizontally, we have grown vertically, and the demands are still the same. I hope that answers the question.

**Mr HAMER:** Yes. I guess that also leads to my second question, which is just about the contributions and your general land-purchase scheme. I know you referred to a link in your submission which was on the state government landing page, although all that talked about was just identified as the Whitehorse land acquisition strategy. Is there any actual public document that you could provide to the committee, a document of that process? One of the things that I am interested in is obviously you have spent \$11 million, and did you say you had collected \$40 million or thereabouts in total? Is that correct: up till now you have collected \$40 million?

**Mr L MORRIS:** Yes, that is correct.

**Mr HAMER:** Because you have taken an on-market, opportunistic approach to the purchase of land, I just wonder how much that becomes impacted then by increasing land value. Obviously even at the moment \$40 million in the bank is not doing much compared to, say, over the last even two or three years, notwithstanding COVID. You look at property prices throughout Melbourne and that value quickly diminishes. So I am just wondering: is there a better approach to actually managing those collections?

**Mr PEAK:** There are two parts to the answer. Obviously the increase in values also increases contribution because it is 4 per cent of the market value assessed by an independent valuer. The fund increases at the same ratio; it keeps up with the changing market. The reason the \$40 million has accumulated is that not all the sites that we want have become available, so it is a bit of a waiting game. One of the things that we have got to try and identify is whether we use our acquisition powers, and that involves putting a planning scheme overlay on, which is a 12 to 15-month period, for a public open space purchase. The process to do that is quite convoluted, and obviously if we started putting overlays on lots of people's properties, whilst there is provision in the *Planning and Environment Act*, it would become quite problematic.

**Mr HAMER:** So what are the challenges there when you say they would be problematic? I mean, obviously there are, I suppose, general issues in terms of land acquisition. Do you want to just maybe elaborate on what the issue would be?

**Mr PEAK:** Apologies if people are already aware of this situation. When council or any acquiring authority wants to acquire, where they have to get Governor in Council approval fast-tracked or we put a planning scheme overlay on, the planning scheme overlay process can take anything from 12 to 15 months. Once you put the overlay on, it means that there is a restriction on that property. That property is earmarked for redevelopment. The process can start once that is on, or if the purchaser sells they get loss of sale under the *Planning and Environment Act*. One of the issues that we have got is that it involves a lot of community consultation around the overlay process, and that is why we go for a purchase. We are not saying we will rule it out. It is something we have not had an appetite to do because of the disruption that it potentially could cause to the community, because we would not just do it for one property; we would probably do quite a bit of a blanket. There just has not been that appetite to disrupt, to upset the community on that. That is why we have done a spot purchase process when properties have come up on the market, not had a strategic plan to use the planning scheme process for acquisition. I am not sure if that answered the question, so I am happy to take a supplementary on that.

**Mr HAMER:** That is all right. Look, I had another question, which is probably a bit broader and it is probably to everyone in the group. I see particularly in the City of Melbourne over probably 20 years or so, they have embarked on a greening strategy, which has significantly reduced the street widths by introducing plantings and various other things, which, while perhaps not your traditional open space, has been done as part of, I guess, a general amenity. There was talk earlier in the presentations about just the walkability of local streets and also just, I guess, impacting on the urban heat island effect. I am thinking particularly in Whitehorse, because obviously I know it well, but many of the streets in all of these areas are probably similar because of the time period at which they were laid down. Is that part of your thinking at the moment? Are any of the councils thinking in terms of looking at perhaps reducing street widths or somehow otherwise implementing more of a tree-planting program through the streetscapes?

**Mr GRAY:** I could start there with that question, Paul; it is Adrian from Brimbank. It is a really big focus for us here in Brimbank. I think I mentioned earlier we are going through this process of developing and creating a better streets policy, which is exactly around that. We have done a few examples here already of what we call creating better streets. We are just changing the balance and the cross-section of the streets to support people more. It can be simple things like, instead of having a 1.2- or 1.5-metre footpath, we actually have a 2-metre footpath. We are actually starting to divert rainwater from the gutter to where the trees are, so

that you can plant more trees in the streets, and they are watered from the stormwater. It is that whole idea that the city becomes a soak: so the more water there is in the streets, the better it is for growing urban vegetation.

In some of our projects we have been successful with funding from DELWP also for this pocket park, and one of those projects is about converting a traffic island and closing a portion of road and making that a pocket park for the community. So we do look at those opportunities, and we are delivering streetscape projects in our street blocks, say, in Sunshine in particular recently, where we are making civic grants. We are sort of redistributing car parking from out in front of shops to other areas so that people can still walk in, but those spaces within the shopping precinct actually cater more for people, because we know that people walking and cycling are good for supporting traders.

So we have an urban forest strategy. I mentioned that. When *Greening the West* came out in 2013 no council in the west had an urban forest strategy. We now all have an urban forest strategy. We have lifted our canopy cover from 6.2 back then to around 8.5 or 9 now, and we have planted around 280 000 trees in our streets and parks in that period of time. So we have a really big focus on greening. It is a really big thing for us because we are vulnerable to heatwaves out here, and the statistics about that are fairly compelling when you look at the 2009 bushfires. So greening streets is I think a really big thing, and we are sort of pushing that one along, hopefully—pushing it as a council and with the community.

**Mr L MORRIS:** From a City of Whitehorse perspective it is something that we are really aware of as well, making sure—as we undertake a review and prepare a new open space strategy and prepare an urban forest strategy and then look at how that integrates with our active communities strategy—that those three strategies are really aligned and delivering on the same actions. The City of Melbourne did really well; they have overlaid their open space strategy, their blue and green infrastructure and that urban forest strategy. There are synergies across all those strategies and there are also cost savings as well because if you are delivering actions that sit across the three strategies, you can bring them all together and deliver them in a single package rather than three different business units delivering them at three different times. So it is something that we will be exploring as part of our work, particularly around the Box Hill area as well.

**Mr SPIVEY:** Yes, I think Banyule is much the same. Obviously we have an urban forestry strategy and are looking at trying to increase tree coverage throughout both parks and streetscapes. I guess similarly, the grant that Banyule has been successful in obtaining through the local parks program through DELWP is inclusive of a road closure of a section of Waterdale Road. Again part of that is trying to get some greenery into a space that is fairly devoid of any significant vegetation.

So again, it is certainly something council is very keen to progress. I guess it is all the difficulties of trying to get trees in some of the streetscapes. If you have got a very narrow road cross-section, if you are dealing with overhead services or where you have got a very minimal building setback from the shared title boundary with the road reserves, it makes getting trees into some of these locations very difficult.

**Ms MITCHELL:** To add to that, our open space plan does actually name the City of Melbourne and—I think it was—Yarra, who were doing that program over the years. I guess the pressures on the space in the inner city are greater, so we are kind of a little bit behind in that regard. But as Rod mentioned, we are starting to do that. I guess the City of Melbourne have dedicated officers for that, and that is a barrier for us doing that side of things. We need to prioritise our open spaces because it is the biggest bang for buck. We can get greater value on doing something there, and I guess that is how it is seen by the community. So I think more of those activity centres and denser locations, as Rod mentioned—there is more pressure on us to do that over the coming years.

**Mr HAMER:** Thanks for that. That is it for my questions.

**The CHAIR:** Thanks, Paul. Members of the committee will know; just for witnesses, we thought we would push back morning tea and just keep going until around 12—until members have no more questions of you. I have got one last question. It is really about hearing from you just about how you think your relationship with the state government is going. I am really keen to hear you characterise the relationship between the state government and its departments with your councils. What kinds of areas, what kinds of things do you think the state government should really be doing to improve the way in which we work with councils to provide environmental infrastructure? This is your opportunity to hit us with what we do not so well and what we can do to improve.



**Mr PEAK:** I am really not in a position to speak because I am not part of the executive team of council. I think most of the liaisons that we have at the political level and at the department head level are through our executive team. We have had some really positive experiences working with the state government. The example I highlighted with the Nunawading primary school purchase, the transaction that we did with Treasury and Finance was really professional and the executive at the education department was really great to work with. Where I think some of the problems start to be generated is when we get down into the authorities—say, Melbourne Water—that rely on, for example, the state government land policy and land monitor process. It starts to get a bit bureaucratic down at that level. When we start to really try and negotiate, we get a barrier, and then that creates an escalation up that we have to go through. I am not sure what the answer is, but I am just highlighting the issue that we have. I think at a senior level it all seems to work really well, but it is just down in the lower levels where it starts to be a problem.

**Mr L MORRIS:** As I mentioned earlier, at the City of Whitehorse we have three of your big infrastructure builds, the Suburban Rail Loop, the Level Crossing Removal Project and also the North East Link Project. I guess we are unapologetic in that we always are advancing in the best interests of our residents to protect and maintain habitat, protect the open space. We have some really robust discussions with the coordinators delivering on those streams, but we generally have a really good working relationship with them and we will advocate and position our requests and put them forward and continue to revisit them. But I would suggest that there is quite a strong working relationship across those three big infrastructure ones as well.

**Mr GRAY:** I guess here at Brimbank we have had some—I mention in the Brimbank submission Upper Stony Creek, which was with DELWP, Development Victoria, Melbourne Water, City West Water, the federal government and the private sector, not Spring Street. It was a big partnership project—complex, challenging, but we worked together really well. The project was compromised because, as I have said previously, the concrete channel still remains. I think we have a few of our creeks that are still perhaps not in a condition where the environmental infrastructure supports our community in a way that we would like. So having those discussions with Melbourne Water and those relationships—and Melbourne Water is talking to us about that. They have programs. Those programs are really vital, I think. In Brimbank a lot of our waterways are our boundary—say the Maribyrnong River, for example. So what we want along our waterways—it is improving. The council is doing a lot of work so the shared user path is a consistent shared user path, and regular crossings. Getting those regular crossings in, depending on who is involved, can be fairly straightforward or it can be tricky, so often it will involve Brimbank and a neighbouring council and Melbourne Water and Parks Victoria. So getting everybody aligned with the vision of what sort of environmental infrastructure is needed I think is crucial. Our waterways are crucial. Our waterways have got to be readily accessible to the community from both sides of the waterways, with good movement infrastructure. I have talked about Upper Stony Creek and waterways.

**The CHAIR:** On Stony Creek, Adrian, because I do know a little bit about that, what is the role of state government in managing the partnerships further up the creek, say, with businesses and bringing key stakeholders, including the community, together on the journey to create something to have a positive outcome for their community—that ability to corral all stakeholders around the one table to work through challenges and take advantage of opportunities. Do you think there is a role for state government in that?

**Mr GRAY:** Yes, for sure. If we go further upstream from Upper Stony Creek, I think Melbourne Water is interested in doing a partnership project on that as well. Melbourne Water is certainly talking to us around those opportunities. It is not consistent with all creeks. Jones Creek in Brimbank has large sections of concrete channel. So how do local government and state government work together to remove the 20th century grey infrastructure, so to speak, and put in the blue-green infrastructure that we know is best for the community and environment. There are good opportunities on that, and Upper Stony Creek shows that those partnerships do work in creating good outcomes for the community.

Thirdly, we have got the Level Crossing Removal Project going on in Brimbank too. And similar to what Tony said, we have ongoing discussions. There are impacts on open space, and so we really push hard. We have urban design principles that state our position. We understand the need for the new infrastructure and support it. We actually advocated for it. But how do we get the highest and best use as a result of that infrastructure either in the vicinity or nearby? Being able to have those fruitful discussions and outcomes for the community I think are really important.

**The CHAIR:** Thank you. Rod.

**Mr L MORRIS:** Sorry, if I could just add some commentary around that. I think it also relates to the level of maturity in the documentation or the strategic documents that councils have, and councils are all at varying levels. We have got quite a mature-aged open space strategy, but then we have got other more progressive or more recent urban forest strategies. So we need to spend and invest a considerable amount of money to bring our other strategies up to date and then see that they align with some of the Victorian government open space planning and infrastructure planning as well. When you look at the City of Melbourne, they are really mature in their strategic documentation and they can cast a vision of those projects, and councils are catching up in that field.

**Ms MITCHELL:** I think also it depends on the scale of involvement you have with the state government. In our local parks program we were actually just commenting yesterday in the office how we have never known a bad experience at an officer level dealing with getting our corridors, our neighbouring councils, together and partnering with them to get work done and to get grants and to make things happen. Some of these pocket parks in the activity centres through the local parks program have been really fantastic, so big ticks in terms of professionalism and trying to make things work for us and trying to help us out. But I also think that if you are dealing with something a bit more strategic and a bit more policy based, then there is obviously a bigger time lag. We talked about going through buying properties and things, and you are talking about 18 months minimum to get something through, which is frustrating. You are talking with different people and about different time frames, so you have got to change over and deal with different people, strategies need upgrading and updating, and obviously that is a greater challenge. But at the same time, from my personal experience, I have always had great support from state government.

**Mr SPIVEY:** I concur with that wholly. I guess on the other extreme, though, is that with some of those very large state projects, like the North East Link Project, Fitzsimons Lane or the Hurstbridge rail duplication, the speed at which councils are being asked to review a lot of this documentation I find personally very challenging. We get these projects, and perhaps we are not geared up to review them in the time frames we are given, given we have all our other responsibilities and duties. That is just an observation, I suppose, at the other end. Some projects can move very slowly, others very fast; it is just trying to manage it all, I suppose.

**Mr PEAK:** I would just add to Rod's comment there: it is difficult, that volume of work and the volume of review that comes down. I think we need to remember that the council cycle is a monthly cycle, so we have quite often got a report up and the time frames really become quite compressed—you have got to do the preliminary work, brief your council then respond, and the time frame that we are given to sometimes do that is just so tight.

**Mr L MORRIS:** I agree. So you are talking about a behemoth, a huge organisation, that is doing the biggest infrastructure project in Australia, and maybe the assignment of officer resources that is funded to council is not balanced enough. We might be assigned one officer to respond to and who has to field 13 different inquiries that go to all different departments, and you have a three-day turnaround period. It is a very stressing thing for us, and I think it is a good point, Rod.

**The CHAIR:** Thank you. David, did you have any final questions you would like to ask?

**Mr MORRIS:** Yes, I do, Sarah. I just want to follow up on—I think Rod raised it—the issue of joint use agreements. They have been around a long time, but I am just interested to hear from all of the councils whether you have got any joint use agreements that work well or not so well. What are the issues with them operationally, but also what were the issues negotiating them? And have you had examples—and I am familiar with a number of these—where joint use agreements made a lot of sense but you just could never get to the same point to actually make it happen? I would be interested in comments from everyone on that.

**Mr PEAK:** Chair, Tony here from Whitehorse. We have got some. When we finalise them, they work really well. The negotiating process can be problematic, and it appears that you have got to have the capital funding approved in your capex budget or in your long-term financial plan to satisfy the requirements of the department that is going to do the works. There does not seem to be a lot of trust around that principle. I know that we had one at Livingstone Primary School. It works exceptionally well, but we had to wait until we got the funding in the capex budget—'Yes, we're going to do the works, and we're going to commit to doing them in this time frame'. Once we had that the document flowed relatively quickly, but it was very protracted up to that point.

**Mr SPIVEY:** Yes, that has been my experience as well. I must say, I have not had much of an experience in this regard at Banyule, but in my previous position at the City of Whittlesea we certainly entered into a couple of joint use agreements with local primary schools. I guess the amount of backwards and forwards and the amount of time it took to get all the information in and, you know, make sure everyone was happy was a fairly prolonged experience. So in many ways, yes, they are fantastic once they are all sorted out, but getting them to a point where they are resolved is a fairly long and protracted process, I find.

**Mr GRAY:** We have got several here in Brimbank as well, and I have been involved in a couple of those. The process is usually quite good, because when you have a principal who is prepared to enter into a shared use agreement, there is a willingness to work through the issues, because they see the advantage of that. So it works and is a good thing to do because the principal says, 'Yes, we want to do that'. We did approach one school one time and say, 'Hey, are you interested in exploring this?', and they said, 'No'. We are looking at another one at the moment, and I met that principal of that just last week—very excited about working, about doing a shared user agreement. We have got, nearby, an oval that sits right alongside them, so they can see the benefits of having those two spaces joined up from a community perspective and also for urban greening.

So I think they are really important. From our perspective often those opportunities sort of get picked up in, say, *Creating Better Parks* or something like that, so we have a strategic justification to go about doing that and we can sort of justify it when it comes down to putting it into our capital works program. So they are important.

I think also, whether it is a shared use agreement or not—and I think we mentioned that in our submission—out west there is a real opportunity for schools to be planted, and that planting opportunity is definitely a great partnership, and we are certainly looking at that as part of our urban forest strategy and more broadly in the *Greening the West* perspective. With schools, particularly some of the primary schools, there is a real chance there for environmental infrastructure to be much more included in the open space. And we know why. We know it is cooler, it is going to be better for the kids and so forth and so forth. So there are good opportunities around a lesser version of that in terms of greening outcomes.

**Mr MORRIS:** Terrific. Thank you all. Thanks, Sarah.

**The CHAIR:** Thanks, David. Will, did you have any last questions?

**Mr FOWLES:** Yes. I would just like to give all the submitters the opportunity: if there was just one thing you would want to see state government do differently, what would it be?

**Mr GRAY:** Difficult question. An easy question, but what can you say? Look, I think the planning scheme is a key one for me around establishing a consistent urban forest across the whole of Melbourne. So I think you will find that what is happening in the east is that the canopies are slightly decreasing, because of infill, and in the west they are increasing, because we have got more opportunity. So I think the planning schemes have really got to be consistent across that support—have the same conditions for every council around provision of trees in private land. And with those partnerships, I think we have had some good ones, but I know that Melbourne Water is very keen on having more partnerships around waterway outcomes, so it is vital that they keep going. And I think we really need help from the state government around some of the legacies of soil contamination. It is a big cost and it is a big investment for everybody, but I think the outcomes would be really good for the community going forward if we could sort of work through those as they arise.

**Mr FOWLES:** Thanks, Adrian. Rod?

**Mr SPIVEY:** Look, just off the top of my head, maybe potential funding opportunities that focused more on that passive recreation. You know, I am not taking anything away from active and sport, but we certainly know that going forward the trend is more people will be doing that more passive recreation. So I guess just trying to encourage, you know, a lot of the funding programs to function on that type of infrastructure, really.

**Mr FOWLES:** Thank you. And Whitehorse?

**Mr PEAK:** I am going to go all in. I would like to see the state government consider gifting councils some land on some of these big strategic sites for the community benefit that goes with it. I know it is a bit of a stretch, but I think it would be great; we could do more investing on the land if we did not have to buy the land.

**Ms MITCHELL:** And if I can add to Rod, as Banyule, I think a piece of work that demonstrates the value of that passive land that we can all use to leverage and to communicate the importance of it is what is missing. And it would be great if the government could lead that and produce that for us.

**Mr FOWLES:** Roger that. Thank you, all, and back to you, Chair.

**The CHAIR:** Thanks, Will. Paul, did you have any final questions?

**Mr HAMER:** No, not that would probably be heard anyway over the ruckus that is behind me.

**The CHAIR:** Okay. Thanks, Paul. Thanks, everyone. We will stop the live broadcast now. But thank you, that was a great discussion. You have raised some really interesting things for the committee to consider. Each council, depending on where it is based, and community groups are raising some really great ideas, and it is quite interesting asking what the wish list is and what you want to see state government do. We want to make sure that we consider all things, so thank you. If there is anything else you want to raise, you can do so through email and contact the committee, but I thought that was fantastic. Thank you.

**Witnesses withdrew.**