

TRANSCRIPT

LEGISLATIVE ASSEMBLY ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Environmental Infrastructure for Growing Populations

Melbourne—Tuesday, 27 April 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 Julian Lyngcoln, Deputy Secretary, Planning,

Mr Andrew Grear, Executive Director, Planning Implementation and Heritage,

Mr James Todd, Executive Director, Biodiversity, and

Ms Lisa Opray, Director, Land Governance, Department of Environment, Land, Water and Planning; and

Mr Stuart Hughes, Director, Park Planning and Policy, Parks Victoria.

The CHAIR: I advise that the sessions today are being broadcast live on the Parliament's website. Rebroadcast of the hearing is only permitted in accordance with Legislative Assembly standing order 234. Thank you for joining us here 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. We pay our respects to them, their culture, their elders past, present and future and any others from other communities who may be joining us here today. I also extend a very warm welcome to any members of the public and the media who may be taking the time today to watch this public hearing.

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. Before we begin I need to point out just a couple of things to you all. All evidence taken today will be recorded by Hansard and is protected by parliamentary privilege. What that means is that you can speak freely without fear of legal action in relation to the evidence that you give, but it is really important to remember that parliamentary privilege does not apply to comments that you make outside this hearing even if you are just simply restating what you said here today.

You will receive a draft transcript of your evidence in the next week or so to check and to approve. Corrected transcripts are published on the committee's website, and they may be quoted from in our final report.

So again, thank you all for joining us here this morning. Can I please remind members and witnesses to mute their microphones when not speaking, to minimise interference.

My name is Sarah Connolly. I am the Chair of this committee. I am also the lucky Member for Tarneit. For those that do not know, Tarneit is in Melbourne's western suburbs and is one of the largest growth corridors in the country.

Mr MORRIS: I am David Morris, the Member for Mornington, and also the Shadow Minister for Local Government, for ageing and for housing.

Mr FOWLES: I am Will Fowles, I am the Member for Burwood, and I do not have any titles because I am not important enough.

Ms GREEN: Will, you are important to me. Will Fowles and I sit next to each other in the Parliament. I am Danielle Green, and I am the Parliamentary Secretary for Regional Victoria and for sport, as well as the Member for Yan Yean. Like Sarah, I represent very much a growing area, so this inquiry is very germane to my constituents and my portfolios.

Mr HAMER: I am Paul Hamer. I am the Member for Box Hill.

The CHAIR: Thanks, Paul. Now, I am going to throw to DELWP to introduce themselves. I think we will start off with Julian.

Mr LYNGCOLN: Thank you, Chair, and thank you, members of the committee. My name is Julian Lyngcoln. I am the Deputy Secretary of DELWP—Deputy Secretary of the planning group. I have with me today from DELWP Andrew Grear, who is the Executive Director, Planning Implementation and Heritage; James Todd, who is the Executive Director, Biodiversity division, in the environment and climate change group; and Lisa Opray, who is the Director, Land Governance, land management policy, in the environment and climate change group also. Then in addition to the DELWP members that we have here, we have asked

Stuart Hughes, who is the Director, Park Planning and Policy, at Parks Victoria, to sit in with us given that agency is important as part of our sort of broad portfolio related to this topic.

The CHAIR: Thanks, Julian. Before we kick off with an opening statement and perhaps presentation, I do want to make it clear that today members of this committee consider this a hearing from DELWP—not from Parks Victoria, Stuart. We will be in touch with you shortly, Stuart, because we absolutely want to hear from Parks Victoria. But today our questions are really going to be focused towards DELWP. So, Julian, I am going to ask if you want to make an opening presentation, no more than really 5–10 minutes, or an opening statement.

Visual presentation.

Mr LYNGCOLN: Thanks, Chair. I was of the understanding that I was to present for 20 minutes, so I will try to move through some of these slides a bit more quickly if you are looking for me to make a 5- to 10-minute opening. That is fine; we will deal with that.

The CHAIR: Look, if you have got your presentation and you want to go for 20 minutes—I am just mindful of the time. I know the committee have heard from lots of councils and consumer groups. We are really keen to speak with you and the team, so if it could be a quicker presentation.

Mr LYNGCOLN: Sure, and that being the case I am quite happy if they want to ask questions along the way, if you like. Thanks for the opportunity to talk to the submission that DELWP did make to this inquiry. In this presentation we will outline the actions being undertaken by the department relevant to the terms of reference of this inquiry into the current and future arrangements to secure environmental infrastructure, particularly parks and open space, for a growing population in Melbourne. We will cover a number of topics in this. As I say, if you wish to ask questions as we go, please—we are very happy to take those. But in terms of what we will cover, we will just give a brief overview of DELWP's roles and responsibilities in this area and the legislative and strategic frameworks we work under. I would like to say just a little bit about our engagement with traditional owners in this space; make some comment on the effectiveness of current legislation and planning controls in securing environmental infrastructure; talk about some of the benefits that we see for environmental infrastructure, the differences in access and availability to the different parts of the community and the impacts of population growth; and then just get into some specifics around our department's response to those issues and some of the specific programs and projects that we have in place.

So, first of all, in terms of our roles and responsibilities there are a number of key agencies that need to work together in this space to provide a robust response to preserving, enhancing and providing environmental infrastructure. So we work with local government, waterway managers, Parks Victoria and the Victorian Planning Authority—we will cover some of their role a bit later in the presentation—as well as business and industry and non-government organisations. As I mentioned, we work with traditional owners as well. DELWP's role is fundamental in that partnership approach in driving statewide planning policy and action, coordinating whole-of-government responses and delivering specific programs directly as well as with partners. And we do have a role in managing state-owned public land as well.

So in terms of a couple of important guiding documents for us as a department in relation to those responsibilities, the first is our corporate plan. That corporate plan identifies our seven public value outcomes, and many of those directly shape our thinking about and our approaches to environmental infrastructure, and I will touch on those in a moment. And then the second one is our community charter, which commits the departments to place-based, community-focused approaches. That charter is central to decision-making on policies, programs or processes that impact the state's vulnerable or marginalised communities in particular.

In relation to the corporate plan and those seven outcome areas—I will not run through each of those, but you can see a list of them on the slide there—we are the primary agency responsible for shaping and supporting thriving environments and communities. Much of DELWP's local work is part of a global effort to enhance sustainability and livability. So right at the broadest level that could be around combating climate change or ensuring water sustainability and environmental management but also ensuring livable and inclusive communities and supporting the agenda around self-determination by traditional owners.

Protecting, enhancing and providing new environmental infrastructure is really central to the strategic priorities and outcomes of our department in helping to build strong and resilient communities all over Victoria, including urban, regional and rural communities. And our approach to environmental infrastructure is to protect these valuable assets; enhance their size, capability, capacity and accessibility; and where possible provide new

infrastructure for growing communities. DELWP also works across local and state governments, looking for new ways to integrate environmental infrastructure into urban places.

Just in terms of the legislative frameworks that we work under—again, I will not go through each of these—you can see a list of the various Acts that apply and are administered by the ministers of our department. Those Acts typically provide that decisions about environmental infrastructure be made during settlement and land use planning processes, and I will talk a little bit about those. And DELWP has taken action to improve outcomes for the state in response to shifts in scientific and/or community consensus around these issues and in response to other developments and societal pressures.

In relation to the strategic frameworks that the department works under, the key guiding strategies are on your screen there. So they play, those strategies, an important role in terms of guiding our approach to environmental infrastructure and also drive coordinated action across the various portfolios of our department to shape and support livable, inclusive and sustainable communities.

So the three key strategies that you can see there are *Water for Victoria*, which is the overarching policy document addressing priority areas for all water reform, and that sets direction to manage Victoria's water resources to support a healthy environment across the economy and thriving communities. We also then have *Protecting Victoria's Environment: Biodiversity 2037*, and that explains how a healthy environment is fundamental to a healthy society. That strategy describes the benefits to our economy and to society provided by ecosystems and biodiversity and acknowledges the need to address the ongoing decline in the extent and quality of native vegetation on private land. It includes a target to permanently protect 200 000 hectares of private land habitat by 2037. *Plan Melbourne*: DELWP was the lead agency in putting together that whole-of-government long-term planning document. It sets out the 30-year strategy for land use in Melbourne and also makes reference to Victoria more generally in terms of the relationship of Melbourne to Victoria and includes the need to increase the sustainability and resilience of our city and the importance of fair and equitable access to quality open space close to where you live. It includes things like the concept of a 20-minute neighbourhood, which is about people being able to live locally and have access to a range of local services and activities, including open space. So that really sets the framework for a whole-of-government response to planning for growth and supporting Victorian communities.

And then finally in relation to open space, there is in progress the development of an open space strategy that there has been consultation occurring on, and I believe that strategy is close to completion. It will not be too long before that is released as well, but that will also be an important strategy in outlining the role of open space and accessibility of that to everyone. It is in line with an action that was outlined in *Plan Melbourne* to produce such a strategy, and there are already funding programs that will support the delivery of that strategy, such as the \$154 million suburban parks program that is delivering on that agenda, and I will touch on some of the funding and programs in this presentation as well.

I did mention at the start the important role that we are playing to partner with traditional owners, whether it be around country or the waterways, in particular around Melbourne and Victoria. The land and waters of the greater Melbourne area have been lived on and cared for by the Wurundjeri, Bunurong, Boon Wurrung, Wadawurung and Taungurung people for more than 40 000 years, and although those lands have been greatly modified by urbanisation since European settlement, overall Melburnians still have access to diverse open spaces that, as I said, those traditional owners have been on for tens of thousands of years. So we recognise the unique rights and obligations held by traditional owners to care for country and have been developing partnerships with traditional owners in land management in particular as a key to improving how we care for and manage our forests and land. There is a strategy called *Pupangarli Marnmarnepu*, which is the Aboriginal self-determination reform strategy for our department. That sets out a road map to building a better future with traditional owners and Aboriginal Victorians for a systemic and structural change that fully supports Aboriginal decision-making, evaluation and talent building to inform its policy and processes.

Just in terms of the effectiveness of current legislation and planning controls in securing environmental infrastructure, DELWP is responsive to the need for regulatory reform to improve outcomes for Victorians and the environment and to respond to new and emerging issues. So on the next couple of slides I will identify some key areas where DELWP is leading legislative and regulatory reform to improve the provision of environmental infrastructure, and the first of those that I will focus on is on Victoria's planning system. So the key piece of legislation there is the *Planning and Environment Act 1987*, and we are undertaking significant reforms to that legislation to ensure the ongoing efficiency and effectiveness of the planning system. While we do consider that the planning system is generally effective in securing environmental infrastructure, we

continue to undertake reform—and reforms not just to the legislation but to the Victorian planning provisions that sit underneath that legislation in line with actions identified in the *Plan Melbourne* implementation plan. So those targeted reforms will ensure that Victorians continue to benefit from an efficient, effective planning system, and I will talk a bit later about the role that the Victorian Planning Authority takes in planning in specific areas, including growth areas and how we factor environmental infrastructure into that process.

As I mentioned, that deals with not just legislation but parts of the system under that, so at the left-hand side of that slide you will see the Act itself, but underneath that there is what are called the Victorian planning provisions, which apply across all the planning schemes in the state, and then underneath that a number of mechanisms within the planning system such as a state policy, zones and overlays that guide the planning and the use and development of land. So there are opportunities in each of those parts of the system to use those as levers to drive the provision and protection of environmental infrastructure.

I will now just sort of talk a little bit in relation to legislation and waterways. Another example of legislative reform that the department has been involved in is the changes to the *Water Act* and the creation of the Yarra River Protection (Wilip-gin Birrarung murrn) Bill of 2017. So that Act was put in place to treat the Birrarung as a single entity to ensure the protection of both the waterway and its surrounds, to ensure protection of access, to ensure there are effective planning controls in place around development around that waterway, and also to engage with traditional owners and consider Aboriginal cultural values and social values in the planning and management of waterways. That is a prime example of where legislation has been used, and we are now building as a department on that work around the Yarra River and doing work around the Barwon River and waterways of the west as well.

I would like to just talk a little bit now about what we would see as the benefits of access to environmental infrastructure. Environmental infrastructure is increasingly being recognised, I think, by governments, businesses and global institutions as a capital asset that produces value to people, communities and society as a whole. I think we have definitely seen, particularly over the last 12 months through COVID, where people were living in 5-k bubbles and the like, the appreciation of having access to these sorts of assets. But it does really also underpin our economy, support community health and wellbeing and provide a wide range of environmental goods and services that are essential for maintaining a healthy, livable and sustainable environment for all.

Environmental infrastructure can be accessed and used in different ways by different people. Some aspects of infrastructure are directly used by people for production and consumption, such as clean water or fresh air and productive soils, so they have a sort of physical use value. There are other aspects of environmental infrastructure that have less tangible attributes, such as scenic landscapes that have an aesthetic value, and while that might not necessarily be linked to economic production or consumption, it can be linked to human health and wellbeing. So these attributes are deemed to have a non-use value, and DELWP's submission discusses both the use and non-use benefits we see in environmental infrastructure. A key feature of environmental infrastructure is its multifunctionality, so as population pressures increase Victorians will need to move away from more traditional notions of land use that describe land in one particular way and start using land in multiple ways for multiple people and different types of users to ensure we make the most of the resources and assets that we have.

Environmental infrastructure has unique intrinsic values but also provides goods and services, as I mentioned, that are essential to human health and wellbeing—I mentioned those ones around clean air, water, productive soils and the like—as well as providing products for use in the economy, such as food, raw materials and pharmaceuticals. Evidence shows us that some of the other benefits of environmental infrastructure relate to recreation and tourism, so obviously some of these assets are things that people like to get out and enjoy, to experience the environment for both passive and active recreational uses, and obviously the tourism sector is important, one, in terms of the Victorian economy, and our nature-based tourism industry is underpinned by the quality of environmental infrastructure that we have available. Park recreation in Victoria provides over \$200 million per year in avoided healthcare costs and up to a billion dollars a year in improved health and wellbeing.

Obviously these assets make a contribution to the local climate and a contribution to the global climate, but they play a key role as well in our livability. Well-designed, accessible and safe open spaces delight and inspire people and offer places for children to play, for people to get out and connect with nature and each other, and being close to open space improves the livability of an area, which is generally reflected in property values as well. There is important benefit in terms of ecosystems in urban areas in particular where only fragments of

native vegetation and natural habitat remain. Our parks, gardens, waterways and urban forests support our remnant biodiversity, particularly if we can keep fragments connected with biolinks and blue-green corridors. And then environmental infrastructure has a role in job creation and so creates and sustains jobs through a variety of industries, including environment and land management, tourism, recreation, urban and landscape design, boating, services and facilities management and maintenance, and asset construction.

So just moving on from benefits, there is just a bit of an illustration here around the various benefits to the community that I have just run through. The main point we are trying to make here, I guess, is that there are economic, social and environmental benefits that can be secured from effective and efficient management of environmental infrastructure. There are positive benefits for the environment, such as more habitat and greater habitat diversity, but also positive benefits for our communities.

I would just like to talk a little bit now about accessibility to these assets and the differences that can occur in terms of different people's access to them depending on where they are located. The state government does promote the idea of environmental justice, which holds that all people should have equitable access to nature for enjoyment, recreation and cultural and spiritual reasons and as a way to enhance their mental and physical health. There are many reasons that people cannot or choose not to have daily contact with nature, and that could be to do with their distance from green space and their ability to access it from other cultural issues or safety issues or from disability as well. The natural environment experiences that Victoria offers will be unfamiliar to some. Providing and improving natural spaces, facilities and programs in the right places will give people from varying cultures more opportunities to experience nature. Another important aspect of environmental justice is the notion that people with disability should have easy access to the benefits of nature as well, and Parks Victoria—you may talk with them about this when they come before the committee—is undertaking work to remove barriers to park access and participation for visitors with disability.

We do need to look to ensure that nature remains close and accessible to where people live, work and travel. As I said, we have that principle that all Victorians should have equitable access, and this will be of special importance if Victoria continues to experience population changes and growth in Melbourne and regional centres.

I might use that as a way to just segue a little bit to population growth. That is obviously one of the things that will put pressure on the availability of environmental infrastructure. Melbourne is expected to reach 9 million people by 2056 and Victoria to reach 11.2 million people in that time. While the current growth pressures in Melbourne are challenging, they are not new. We have been experiencing growth for quite a while. We may have had a little bit of a breather from population growth over the last year with COVID and obviously the reduction in international arrivals and a lot less movement interstate—and a fair bit of Victoria's population growth has been driven by people moving from other states to Victoria—but we expect that over time that will bounce back and that the kind of population figures we outlined in *Plan Melbourne* over the next few decades remain valid and we need to continue to plan for a city and a state of that size.

We were before COVID in the middle of the third major population boom in Melbourne's history, and many of the benefits we enjoy today are the result of that good planning and intervention by governments over many, many years to secure natural assets and open space. As Melbourne continues to grow, land will continue to be set aside for environmental and recreational purposes. However, there might also be opportunities to use the environmental infrastructure and resources we have more effectively, and as our population grows that will become a more and more important task.

I will not spend too much time on this slide. That just outlines the population growth figures that I mentioned there. So you can see the kinds of figures we had back in the mid-70s and where we expect to be heading by the mid-2050s. And, as I said, while we have had a little bit of a slowdown on that in the last year or so and we might see that over the next couple of years, we do expect that that will bounce back over time and those numbers still in that sort of order of time will be what we will need to be planning for.

So what does that mean in terms of environmental infrastructure? Well, it certainly means that parts of our environmental infrastructure are under pressure and that as further urbanisation of our cities and towns and increased utilisation of the existing environmental infrastructure occurs, that will create pressure. DELWP was established specifically to create thriving environments and communities and combine portfolios that plan for the future of those communities and our land, water and associated assets, and while other departments and agencies do play a very important role in securing and providing environmental infrastructure, DELWP is

uniquely placed as a planning and coordinating department that impacts every single Victorian in terms of that land/water/environment asset for the state.

I will get down now to a bit more specifically what that means in terms of some of our programs and projects. Starting with waterways, you can see there some of the programs outlined. Waterways are a very important environmental asset. Waterways have the potential to provide safe, accessible and well-connected recreation and transport thoroughfares for pedestrians and cyclists. They support multiple recreational opportunities and provide an opportunity to connect with nature. Protecting and improving the health of waterways and catchments is a critical task for decades to come, and investing in protection is more cost effective than paying to restore waterway health over time.

In the past four years, we have seen investments—\$200 million to improve waterway health and \$22 million to strengthen catchment management—and that has included a series of long-term, large-scale restoration projects at flagship waterways across the state. And since the writing of our submission that we put into this inquiry, in the 2021 Victorian budget there was a further commitment of \$562 million over four years to make our rivers healthier, improve our precious native habitat and help secure the future of our waterways. That includes a \$224 million program to improve the management and monitoring of our rivers, creeks and waterways and \$65 million that will go towards improving our iconic urban waterways and protection for the Yarra and Barwon rivers and Melbourne's western waterways.

To ensure a statewide approach, DELWP works with its delivery partners through a range of programs and strategies. That includes the Victorian waterway management program and the *Victorian Waterway Management Strategy*. In addition, each catchment management authority must lead the development of its own regional waterways strategy, which is aligned to the statewide strategy, and each CMA also develops regional catchment strategies as the primary planning framework—integrated water, land and biodiversity resources.

In addition, Victoria's integrated water management framework and the IWM forums have been established to protect urban waterways and take a collaborative approach across the shared responsibilities for managing the urban water cycle. The water services regulatory framework and its institutional arrangements are fair about core services, and the IWM process provides an opportunity to work through areas of shared interest, including other organisations with intersecting responsibilities, such as the Victorian Planning Authority, VicRoads and large landholders.

In terms of open space and parks, they are obviously critical, with strong population growth and more people living in higher density housing with smaller areas of private open space. There is often little opportunity to create large tracts of new open space in those very established areas. That really means for us that creative thinking will be needed on local pocket parks, high-quality maintenance of existing parks and how best to share spaces and innovate in terms of repurposing surplus public land to meet growing demand. The suburban parks program will deliver 6500 hectares of new and upgraded parks and walking trails in Melbourne. The \$154 million program is a landmark investment in suburban parks, and DELWP is administering the suburban parks program with delivery partners, including councils, Parks Vic, Melbourne Water and traditional owners. That includes a local parks program, which is investing in 29 new pocket parks and up to 16 off-leash dog parks and upgrading existing suburban parks through the park revitalisation grants program. There is also the northern metropolitan trails program, which is providing \$10 million in targeted investment to extend the northern metropolitan trails network across the local government areas of Banyule, Darebin, Hume, Moreland, Nillumbik and Whittlesea.

Just in terms of how we go about, I guess, creating and protecting metropolitan parks, there is a program of public acquisition overlays. A PAO is something that exists within the planning system, and it is a way of putting a protection over a piece of land. So a public acquisition overlay over land that might be needed in future for open space and parks would be a way of preserving the ability to acquire that land. There are over 205 public acquisition overlays in the name of the Minister for Energy, Environment and Climate Change, and the majority of those seek to add to the Crown land estate by purchasing strategic blocks over time, particularly where they adjoin major metropolitan parks already. To date, that program has delivered over 600 hectares of additional open space to the Crown estate within Melbourne.

If I could turn now to canopy trees and wildlife corridors, you can see there some of the approaches taken there, whether that be for planning for biodiversity response or having strategic measurement tools around that. Certainly in terms of the cooling and greening of Melbourne, there are actions within *Plan Melbourne* that

outline the approach that we will take to that, including mapping and strengthening planning provisions around that and then demonstration projects such as the green roof demonstration project that DELWP is doing with the City of Melbourne at 1 Treasury Place to create a 1500-square-metre green roof.

Just finally, in terms of finishing off, I will just make mention of a couple of other specific projects as well. They include things like the Harkness cemetery and Greening the Pipeline projects as well as the Djerring trail plus one strategic project relating to water management and growth areas. The Harkness cemetery project is really about the reimagining of a memorial park. That is being done in collaboration, and the design and approach will look for solutions that will allow for memory and loss, life and celebration—but to intertwine that with access to shared open space. That long-term legacy project will demonstrate how we can optimise and creatively design open space to maximise its value. It goes back to that principle I mentioned earlier about the multifunctionality.

In terms of Greening the Pipeline, that project will repurpose 27 kilometres of reserve to connect communities and improve cycling and walking options for the area, and it celebrates its heritage and provides a creatively designed green corridor where water is managed sensitively. So you can see the partners for that project—they are listed across the top of the slide there.

Finally, just in terms of the Djerring trail, this is part of a program done in combination with the level crossings program, and a key component of that program has been the Caulfield to Dandenong level crossing removal. As well as the stations and railway line that have been built as part of that, there have been 22.5 hectares of new public space created underneath the rail corridor, and that new trail will provide an off-road route through seven suburbs, weaving its way through the project's 22.5 hectares of open space.

Look, I might wind up there, given we are well into our time. So thank you very much for the opportunity to go through that presentation and to talk to some of the elements of our submission. Obviously there is further detail around a lot of that in our written submission. We would welcome now any questions that the committee would like to ask of us.

The CHAIR: Thanks so much, Julian. That was absolutely fantastic. I get very excited seeing my patch there, Williams Landing. For my colleagues that did not know, that was Williams Landing there from Greening the Pipeline, and indeed it is an incredibly popular park with the local community in Williams Landing.

Julian, I am going to start off with the questions and then throw to colleagues. As I said, that was a great presentation. I love a lot of those pictures with lots of foliage and trees, but I do have to say, Julian—and to the rest of the witnesses today—that does not represent my community at all, unfortunately. We have one of the lowest tree canopy and urban shade areas in the state, if not in the country. So I really want to focus my questions to you today to ask the questions that are not only coming from my community but my local council and also councils that are very much like Wyndham city in these really large growth corridors.

New estates are popping up, houses are being built within five months from go to whoa and people are moving in. It is very, very dry; it is very dusty; it is very hot; and there are not many trees. I am really keen to hear from you your thoughts and if there is a tree canopy or urban shade strategy for these very fast growing areas with estates popping up and what we are doing to ensure that developers are not only creating enough quality open space for the thousands and thousands of people moving into these estates but also ensuring that things like nature strips are designed large enough, wide enough, to have some really great trees out there and there is street beautification. I think there are some great photos there of large trees—that does not exist in my electorate, and I know that people really want to see that. So I have to ask you the question: is there a strategy in place, and what are we doing to ensure, check and follow up to make sure that developers are pulling their weight? And is there something that you would suggest to this committee that we as a government should be doing and putting in place to make sure that that happens?

Mr LYNGCOLN: Yes, thank you, Chair. Certainly in a former life I have worked out in the west and am well across those challenges around the greening of the west and, you know, the differences between what we are seeing in some other parts of the city and some of the challenges in establishing trees and the like in that part of the city as well.

I might just talk briefly to some of the process around the creation of new suburbs. I talked in the presentation about the growing population, and as you point out, a lot of that growth is occurring in the western part of Melbourne, where there are a number of growth areas. The Victorian Planning Authority plays a very key role

in planning for those future suburbs, so where new land supply is to be opened up in the greenfields they run through what is called a precinct structure planning process, and that is really a process of sitting down and mapping out for those new areas what all the various infrastructure requirements will be—you know, where the roads go, where the schools go, where the open space should be. So those precinct structure plans play a really critical role in ensuring the provision of all of the different assets that new communities will need as they set up there—and as you said, that can happen very rapidly once those plans are in place where that kind of population growth is occurring.

The VPA at the moment is doing a review of its guidelines that guide how it does that precinct structure planning process, and certainly things like the provision of open space and tree canopy forms part of the scope about thinking about the sorts of things that should guide the VPA. I mentioned that 20-minute neighbourhood concept that is within *Plan Melbourne* as well, and certainly the VPA has been looking at how to build those sorts of concepts as well into that planning process.

As you said, there is sort of a competition around space that occurs. Land developers would obviously like to maximise the amount of land that goes into develop land that they then sell. Road authorities and the like want to see plenty reserved for the kind of infrastructure they provide. So the challenge there is to come up with plans that strike the right balance and do provide enough space to provide not just greenery but proper trees and canopy, as you mentioned there. We do have—

The CHAIR: Can I ask you there, Julian?

Mr LYNGCOLN: Yes.

The CHAIR: Do you think that currently the balance is right?

Mr LYNGCOLN: Look, I think what I would say there is that I do think that more can be done. I think that we have got actions within *Plan Melbourne* around cooling and greening the city, and so there is plenty of work to be done on that front. As I said, I would certainly acknowledge that what we see in the west is, you know, I think a great opportunity for more work to be done in that space, particularly around the challenges around tree canopy cover. There is a role for us to play in setting a framework around that but also working in partnership with local government and the like as well to try and build that into the planning frameworks, the plans for those future suburbs, and then to work with partners. I think the real challenge is: our role is really in setting that planning framework. How do we then make sure that those plans are followed through and delivered on? And that goes to a whole range of issues around the collection of contributions and the various ways that government plays a role then in the provision of infrastructure for those communities.

The CHAIR: But at the moment there is no planning or strategy about cooling. You know, you said you have got cooling Melbourne, which is fabulous, but the plans to do cooling of, say, particular parts of Wyndham where we do know it is hotter out there because there is no tree canopy or coverage, there is nothing in place at the moment to direct us.

Mr LYNGCOLN: Yes, the actions in *Plan Melbourne* around cooling and greening the city apply to the whole of metropolitan Melbourne, and while there have been specific projects that have been done with places like the City of Melbourne, there is the opportunity to look at how we roll that kind of thinking out to other parts of metropolitan Melbourne. Certainly the urban heat island effect that you talked about is a critical one for us, and so that tree canopy in the parts of the city that are suffering more from that is something that we would need to look at.

The CHAIR: Okay. All right. Thank you. I will stop there because I know my colleagues have lots of questions as we come around. I am going to throw over to David.

Mr MORRIS: Thanks, Sarah. I want to continue the vegetation theme, but can I just ask Julian a very quick question first. In your presentation, I think it was slide 14, you were talking about multiple uses of land. It was not clear to me exactly what were the implications of that.

Mr LYNGCOLN: Yes, so in terms of those multiple uses, I guess one of the implications is access, and so I gave you that example towards the end there around that cemetery project. Obviously one of the uses of that land is for people to go and remember and visit loved ones and the like, but also that is good open space that could have other recreational benefits. So how do we take the opportunity to take pieces of land like that and think about the multiple reasons people might want to use that land and try and encourage the access in that

way? There will be other cases, though, where there might be more sort of competing uses, particularly if land is going to be used for food production and the like. So with some of those assets that are provided around protection of waterways, there can be competing use around protecting that waterway and the health of that waterway and people wanting to access it for recreational purposes that could, depending on how that is done, have a detrimental effect. So it is about how we manage those different potential uses in a way that we try and optimise the outcomes across different users of it.

Mr MORRIS: This is not the substantive question I wanted to ask, but I guess the cemetery example raises the issue of the management regime, where normally you would have a cemetery trust running a cemetery, for example, which is obviously Department of Health rather than DELWP. Without getting into the details, I would be interested if you could just give us offline perhaps a quick summary of what the management arrangements are in place for that Harkness cemetery land just as perhaps a guide for a piece of work that I do not think we have even thought about doing yet.

Mr LYNGCOLN: Yes, I am happy to take that on notice then come back with those arrangements. But I think that is a good point that in terms of the management of pieces of land, what are the objectives for those that have been put in charge of managing it? Have those objectives been set broadly enough? This comes up as well in relation to particularly very urbanised areas around schools and ovals. While the primary purpose that oval might be for the school and for education purposes, if that is a potential asset for the community more broadly, how do we create opportunities for those assets to be shared beyond just the school use? A lot of that comes down to who is in charge of managing a piece of land, what their objectives are and other opportunities for sort of broadening objectives for the land manager.

Mr MORRIS: Sarah, if you will indulge me, I will now get to my substantive question—

The CHAIR: Go for it.

Mr MORRIS: and I think, Julian, you will probably be the appropriate person to address this to. As Sarah mentioned, we have heard from a range of agencies and community members but also local councils, and we had some commentary with some of the outer councils that was quite critical of the Melbourne strategic assessment process. The suggestion—and it was not my suggestion but the suggestion the committee heard—was that it does not sufficiently protect native vegetation, because de facto it creates an expectation within the development industry that wholesale clearance is an appropriate way to go. So when you have got scattered older trees, for example, they get bowled over because they are not in a group. Does the department have a thought on, first of all, whether it is an issue and, secondly, how it might be addressed?

Mr LYNGCOLN: Thanks for that question. If it is okay, I might throw to James Todd, who is our ED, Biodiversity, and I know has got quite a bit of knowledge around the Melbourne strategic assessment and particularly that western grasslands reserve in the west of Melbourne there, which I think you are referring to. So, James, I might get you to talk to that one.

Mr TODD: Thanks, Julian, and thanks for the question. Perhaps by way of context it is worth noting that the Melbourne strategic assessment program is part of a program that sits underneath commonwealth approvals for the urban development of Melbourne, so this is under the commonwealth *Environment Protection and Biodiversity Conservation Act*. This is a strategic assessment that sets up how land can be cleared and native vegetation can be cleared but also what the offset requirements are that need to be put in place to compensate for that clearing in Melbourne's growth areas. So primarily there are two ways in which that happens. One is that there are 36 conservation areas within Melbourne's growth areas that are set aside for conservation, and that covers some 4000 hectares. Most of those are native vegetation, including grasslands and grassy woodlands north of Melbourne. In addition to that, there is a 15 000-hectare western grassland reserve to the west of Werribee, which is primarily about conservation of grasslands but also includes wetlands, some riparian vegetation and other types of vegetation. Then there is also a proposal for a 1200-hectare grassy eucalypt woodland reserve north of Melbourne.

Essentially the way that the commonwealth approved those conditions for Victoria, in terms of identifying the 36 areas within the growth areas that are set aside as conservation reserves, was based on the best available science and ecological information, including surveys of areas, but it also considered the size and configuration of areas, because one of the things that is important here is that there needs to be a fair expectation that the values of those areas can persist over time, particularly when they do become surrounded by urban development to some extent. It is really important that areas that are set aside within the urban context are big

enough and they have the right shape, are in certain conditions—that there is a reasonable expectation that the values of those areas can be maintained over time. That was done through site assessments and based on the best available advice from scientists and the like. Then in addition to that obviously there is a requirement that those areas are protected through the planning scheme as well. So as subdivisions occur within those growth areas, those areas that have been identified are set aside in the planning scheme, and there is a range of management arrangements in place for those depending on the local circumstances. Sometimes they are managed by councils; sometimes they may be managed by Parks Victoria et cetera. Of course the other part of that is that the levies that are collected through the Melbourne strategic assessment program are then provided to the land managers to ensure that the threats to those areas are managed and the values are maintained.

So that is how the program works. It is fully funded, obviously, with 100 per cent cost recovery through developer levies. The recent Melbourne Strategic Assessment (Environment Mitigation Levy) Bill that was passed through Parliament last year means that it has also got a funding base in the way that levies are set that will ensure that there is the required amount of funding to manage those areas, whether they are inside the growth boundaries—those 36 areas, as I mentioned—or whether they are part of the western grassland reserve.

Mr MORRIS: What about the aspect I raised in the question and that is that it creates a perception that outside the protected areas there is wholesale clearance, including scattered trees that are not unprotected getting bowled over? Do you see that as a valid argument?

Mr TODD: I think that it is probably worth separating areas that need to be retained for their nature conservation values versus things like trees that may also have amenity value, and that is where, obviously, they get those sorts of matters in terms of retaining larger trees—get picked up through the planning process, precinct structure planning and the like, to consider how those kind of landscape elements might get retained. But as I said, it is really important to note that areas that have been set aside—the 36 areas within the growth areas, amounting to 4000 hectares—need to be large enough to actually provide the necessary biodiversity values and benefits going forward.

Mr MORRIS: Yes. I do not disagree with that. I guess that the point that was put to us is that outside of those areas the system is not working. But is it your view that the PSP process adequately picks up vegetation that is not otherwise protected?

Mr TODD: I might, Julian, if Andrew is able to respond to that one, in terms of how other bits of the environment get picked up through the PSP process and considered through that process.

Mr MORRIS: Yes.

Mr LYNGCOLN: Thanks, James. And there are mechanisms within that PSP planning process to identify different bits of land for different uses. And once the VPA goes through that planning process a lot of that land is then reflected in the planning controls that are put on that land. So if there is particular land that is considered to be of value that needs to be kept for open space, then there would be planning controls put in place to ensure that that land is protected from development, and consideration will be given to how close residential development and the like encroaches into areas as well. And there is the opportunity, whether it be through trails or protection of open space, to look at where there are existing things that need to be protected and build that into those plans.

Mr MORRIS: So your view, Julian—or the department's view, I should say, rather than personalising it—the department's view is that the process and the controls we have in place are adequate to achieve what is intended?

Mr LYNGCOLN: Look, I think our view would be that that is a good process for leading to an outcome. I cannot say I have done specific assessment in terms of quantifying the outcomes of that to be able to say what you have just asked there, but certainly from a process point of view the view would be that that is putting those mechanisms in place that I referred to and that is providing protection.

Mr MORRIS: Thanks for that. Thanks, Sarah.

The CHAIR: Thanks, David. I am just about to throw to Danielle, but I just want to ask you just quickly, yes or no, on the back of David's last question there, do you think, Julian, it is appropriate to have nature strips included as open space when it comes to these developments? My understanding is open space is also the nature strips in new estates.

Mr LYNGCOLN: I am not familiar with the specific counting of open space in relation to that. If that is right, my answer would probably be that it depends. You know, there are nature strips and there are nature strips. There are wide nature strips with very mature trees and the kind of thing you would like to walk and cycle alongside and the like, and then there are very thin strips of grass. So it would depend a bit on the type of nature strip, I would think.

The CHAIR: Okay. Thank you. Danielle.

Ms GREEN: Thank you so much. I just wanted to tease out a little bit the issue of trees being bowled over or not being bowled over. On [Zoom dropout] in the City of Whittlesea. It seems to me—and I have asked some of the other local councils that have appeared before us—that other growth—

The CHAIR: Danielle, can I just stop you there. I do not know if it is happening to anyone else, but we cannot quite hear you. It keeps dropping in and out.

Ms GREEN: Okay. I will turn my camera off then.

The CHAIR: Okay. If you want to repeat that, that would be great.

Ms GREEN: It might be a bandwidth issue. A lot of my experience derives from the City of Whittlesea, which does not seem to have the issue of massive red gums and trees being bowled over, to use David's term, and also Sarah's experience with the west. I know that we have got more river red gums in Whittlesea, but they seem to have a section within their planning scheme that actually the developer has to go through many more hoops in order to remove them. The City of Whittlesea had so many precinct structure plans, particularly when David Turnbull was the CEO, that had been done well before the VPA took over doing PSPs, so I am not sure whether it is particularly something that is the City of Whittlesea, whether it is something that other councils are not applying or whether the VPA has not applied, but it seems to me that they do not have that wholesale loss of big trees that other municipalities have—and I was even noticing it when we had Ballarat before. They were a bit cranky with me because I had identified that I had seen that particularly in the development of the west of Ballarat.

The other part of my question was: the City of Whittlesea had been—before they were sacked—critical of DELWP saying that they had not actually protected the urban forest north of the urban growth boundary in the Mernda-Wollert area. Did you want to make comment on both of those matters, please?

Mr LYNGCOLN: I might start, and others can jump in after me if they have got anything to add as well. Look, in relation to tree removal, I guess there are various parties that can seek to remove vegetation for a variety of reasons, whether that be for the construction of an infrastructure project, a road and the like—and obviously in these growth areas there is road and rail infrastructure that is provided that can impact on vegetation—or for other residential and commercial development. There is a variety of mechanisms within the legislative framework to provide protection around that. At the most valuable sort of vegetation asset end of that, as James said before, there is EPBC legislation. So if you are impacting on particular types of vegetation or wildlife, you may trigger what is called a controlled action and have a variety of processes you would need to go through under that federal legislation.

At the state level there are assessments that project proponents need to do to determine whether an environment effects statement is required, and certainly there are plenty of road and rail projects that can end up in that space. Removal of trees and vegetation might be one of the triggers for requiring an EES, and there are certainly current live EES processes on road projects where removal, particularly of very old trees, is one of the issues that has meant there is a process to go through there. And usually the principles there are looking at: is there a way to avoid that loss in the first instance in delivering that project, and if not, are there other ways to mitigate it? And so if you take something like the North East Link Project, where there is quite a bit of vegetation loss, there are quite significant offset requirements on that project in terms of putting vegetation and trees back as well in terms of offsetting what is removed.

Ms GREEN: Julian, can I say that I do not think it is a problem when it is other government entities, because they are quite clear on the process and the protocol. I think what all of us are referring to is more when it is developers doing that. My observation is that it is much stronger. There are many more hoops that seem to have to be gone through, which I think is a good thing in the City of Whittlesea. In Hume next door it is certainly not like that, and I think it is not like that in the west either—and now we are seeing it in the regional areas. So I would really like to understand what it is in Whittlesea, whether that is something that was initiated

by the council and then is not being followed through in other areas now that the VPA is doing most of the PSPs. I think that is a real problem for urban heat, but I also think, given my electorate in particular, Mitchell shire abuts Whittlesea, and I would like to see that they would be doing the same thing in Mitchell as what Whittlesea has been doing—and across the board. Maybe it is something that DELWP could have a look at, to see whether there is a greater retention. My sense of this, if I am correct, is that there is a greater retention of those big trees by developers because they have to compared to other areas.

Mr LYNGCOLN: Yes, thanks. If we move away, I guess, from what I was talking about around the state protections, and within the Victorian planning provisions as well there are protections for native vegetation there, there is obviously a role that local government plays as well, and some councils will be more advanced than others in identifying what they have actually got and ensuring that there are appropriate protections within their own planning schemes, because each council, in addition to the Victorian planning provisions, has its own local planning scheme where they can protect a whole range of things, whether it be heritage or the things we are talking about here. So those councils that have done that strategic work, identified what they have got, identified things they want to protect and reflected those in their local schemes, are going to be better placed, obviously, than councils that do not.

I do not have a specific view about those individual councils you mentioned and the circumstances that led to that, unless anyone else in the group here has got a specific knowledge of those. But, yes, I would generally acknowledge that there is a difference between councils sometimes as to how advanced they are in that work and how strong the protections are that they have got within their own local planning schemes. There are opportunities, I think, where there are councils that do not have that, to work with them to build that up.

Ms GREEN: But is there something then that we should have as a recommendation from this inquiry? Because I think that is really concerning, given we have got so many growth councils. And if we are saying that maybe one is way out ahead and the others are not, should there not be a change? Because all the while we are losing vegetation and creating urban heat islands that then have to be ameliorated later.

Mr LYNGCOLN: Yes. Obviously without speaking for your committee as to where you might go with that, I think if you did through this inquiry identify what you saw as best practice by a council or councils in relation to the responsibilities they have at the local government level, you may well want to say something about that practice and the opportunity to bring other councils into that best practice space.

The CHAIR: Danielle, did you have any other questions on that before I throw to Will?

Ms GREEN: I did actually have a question specifically about the northern woodland, which is around Mernda and Doreen, because before the City of Whittlesea was sacked they were saying that the protections they had expected for that urban woodland outside the urban growth boundary had not been properly enacted. Is that your understanding? Given the legislation that was just passed last year, is that what will enable this to occur given the funds will flow?

Mr TODD: Julian, I can take that one.

Mr LYNGCOLN: Thanks, James.

Mr TODD: So you are right, in that progress on the 1200-hectare grassy eucalypt woodland reserve, which is part of the Melbourne strategic assessment program, has not progressed as quickly as acquisition of the western grassland reserve. In response to the VAGO report that came out last year DELWP is developing a strategy for the protection of that area, and it will not necessarily be about land purchase. It may be through a range of different mechanisms, including entering into private land management agreements with landowners to protect that asset on their property, and we are obviously engaging with councils and other stakeholders in the development of that strategy. We are on track to develop that strategy to inform how we are going to go forward with securing that area, but as I said, it will not be necessarily through the same mechanism that we have applied in the western grassland reserve, where there is a public acquisition overlay, which then determines the way forward. It will be through a range of different mechanisms.

The CHAIR: Thanks, Danielle. I am going to throw to you, Will.

Mr FOWLES: I just had a follow-up question on the urban heat island effect and tree cover, particularly more in the inner areas. There is a tension between the rules regarding tree clearing around powerlines and maximising the density of the urban canopy. I think the lay view in the middle-eastern suburbs is that those tree

clearing rules go way too hard—that the prospect of a bushfire in Hawthorn is pretty slim. I wondered how DELWP approaches the tension between its obligations post Black Saturday regarding those line-clearing rules but also maximising the density and quality of the urban tree canopy.

Mr LYNGCOLN: Thanks. Well, there are a number of challenges really, I guess, or competing tensions around provision of trees, whether it be the safety factors around utilities that you mentioned or roadside safety, which is another one obviously, where there can be a tension between ensuring that there is good tree canopy cover and preventing fatalities and serious injuries that can result from people running off the road and hitting trees as well. A number of agencies and departments across government have got to sort of grapple with those tensions and try and come to sensible outcomes. In relation to the clearing for powerlines, the utilities do have quite strong powers that have obviously been put in place for safety reasons. That is not legislation that our portfolios administer. I do not have a strong view around whether that has gone too far, other than to observe, as you have, that that plays out at times with people questioning whether we have got the balance right there.

Mr FOWLES: From an environmental perspective though, DELWP would like to see where possible, presumably, the maximum retention of that urban tree canopy?

Mr LYNGCOLN: Yes. From a DELWP point of view obviously tree canopy is an objective we would like to see delivered on. We respect that there are safety factors that need to be considered, but obviously we would want to see that done in a way that is not overly conservative and that safety is protected, but in a way that still maximises the tree canopy that could be provided.

Mr FOWLES: Thank you. Thanks, Chair.

The CHAIR: We are going around—round table—so it will come back to me. Julian, one of the things that a lot of growth area councils have talked about is they have really expressed the appreciation for the funding they have received for environmental infrastructure from the Growing Suburbs Fund. The Growing Suburbs Fund is one of my favourite funds, being the Member for Tarneit. But they have also suggested that there is a real need for dedicated funding for environmental infrastructure either within that Growing Suburbs Fund or as a separate fund. It has been suggested that having a dedicated fund is a way of accelerating the delivery of some of this large-scale environmental infrastructure, such as the western grassland reserve. Are you able to suggest to us whether a fund is indeed required? Do we need to be funding this from a separate bucket?

Mr LYNGCOLN: Yes, thanks. I will talk a little bit about funding arrangements, and then I might get James to just talk to the specifics of the Growing Suburbs Fund and the western grassland reserve that you mentioned there. Look, in relation to funding, a couple of things: there are obviously different layers of government that make contributions to this kind of infrastructure. There are different sources of funding for those different layers of government, whether that is coming from one of the various types of contributions that developers are required to pay—DCPs, ICPs, GAIC, open space contribution. Obviously local government has got an ability to spend off its own balance sheet as well, and then there are specific state projects and programs. Whether it makes sense to bring all that together into a single fund, I do not have a strong view, but I would say that the regime of contributions that we have got is very complex. A lot of the time they are only contributions. A contribution that is collected and provided to local government or collected by state government usually is only paying for part of the infrastructure that it is there to collect and it is up to that level of government to find the remainder, so that can be a challenge at times in terms of timely infrastructure provision.

The open space strategy that I mentioned is coming is going to, I understand, deal in part with some of these issues around funding and finance as well as around provision of open space. Look, it is a very complex one. I would not be saying definitely a single fund is the answer, but there is no doubt that looking across the range of funding sources and whether there are ways to simplify that and better ensure outcomes from those contributions I think is worthwhile. James, did you want to talk about the Growing Suburbs Fund and perhaps particularly the western grassland element of that?

Mr TODD: Thanks, Julian. I will not talk about the Growing Suburbs Fund. What I will talk about is the basis for the Melbourne strategic assessment program. As I mentioned before, it is obviously an offset program under the federal approvals. So the purpose of the program, say in the western grassland reserve sense, is to acquire the land and ensure that it is managed to maintain the values and manage threats and the like. I mentioned also the legislation that was passed through Parliament last year, and that Act, the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act*, ensures that the program, including the acquisition of the western grassland reserve, and its management operates on a full cost recovery basis. That is funded

through developer levies that apply a polluter-pays principle, which is that the more damage perhaps the developers are creating in terms of those matters of national environmental significance, the more levy they have to pay to compensate for that, and that money then goes towards, in the case of the western grassland reserve, its acquisition and management.

Under the MSA Act, the levies will be adjusted annually according to a tailored composite index designed to reflect changes obviously in the costs of implementing the program through either land purchase or through management and also to ensure that full cost recovery is achieved. So over the next five years we will see those levies increase by about 18.4 per cent each year, and under the Act the levy rates will be fully reviewed each five years. So we would expect that with the advent of that Act there will be a greater flow of funding for the program, but of course noting that the program itself is dependent on the rate of development under that sort of arrangement.

The CHAIR: Thank you. I am going to throw to Paul. I can see you are now there.

Mr HAMER: Thanks, Sarah. I have a few questions, but the question I will ask now is just, I guess, following on from this discussion about funding. We have received quite a lot of evidence about the open space levy, which is collected generally by local government. I would be interested from, I guess, a strategic whole-of-government, whole-of-state perspective as to whether that system, which is, I guess, enabled by state legislation, is having the desired effect. Does it need to be more prescriptive? Does it need to be less prescriptive? What changes do you see that could be made to that system to actually facilitate some better outcomes? Because I think that in some of the evidence that we have heard there are a number of councils that are sitting on relatively large piles of money, and I am not sure if this is true or not, but I have heard that under the current legislation there is a requirement for at least a substantial proportion of that money to be used on acquisition, so split between acquisition and infrastructure, but most has to be acquisition. Obviously that is usually the highest cost, but in some areas, particularly in built-up areas, there might be other options. You might actually be looking more at infrastructure rather than acquisition. So, yes, I would just be interested in exploring your thoughts from that sort of strategic and whole-of-state level about how those levies are applied and how we could improve that.

Mr LYNGCOLN: Yes. Thanks for that question. So, look, in relation to contributions, the first thing I would say about that is that I think it is a good thing that there is a specific open space levy that local government does have access to collecting that obviously plays a critical role in terms of the provision of open space. So having a dedicated contribution around that is a good thing. In terms of whether the design of that is delivering the outcomes we want, the challenge with the design of any of these sorts of contributions is how prescriptive you make them. You talked about some things you could do to make it more prescriptive about how that money is spent, when it is spent and the like. In doing that, though, you need to be really careful about trying to foresee the various circumstances of different councils, and you pointed out some of the reasons that might make more sense to spend more money on infrastructure or acquisition or the like. So you have to be a little bit careful, I think, about getting too prescriptive, because sometimes that can lead to some perverse outcomes or prevent some councils from taking an approach that might actually be in fact quite sensible.

Mr HAMER: Should it be less prescriptive?

Mr LYNGCOLN: My view would be that if it is going to be less prescriptive, you would want some other mechanisms to ensure you are getting the outcome. You would want plenty of transparency, so a requirement for governments to report on what they have collected and how it has been spent so that there is an ability for people to look at that, to look at the outcomes they have actually delivered with what they have spent so there is an accountability around it. But certainly on a range of contributions, whether it be GAIC or DCPs or open space contribution, we have found that being quite prescriptive can actually lead to not achieving the outcomes you wanted because you did not foresee some particular circumstances. So I would generally favour less prescription but having reporting mechanisms in place so that there is transparency and accountability for those that need to deliver on those outcomes.

Mr HAMER: And are there any areas where you would see there should be change, perhaps not in terms of prescriptive or non-prescriptive but just more generally, if there would be opportunities for regulatory policy or legislative change that could actually assist that—or is the system working pretty well?

Mr LYNGCOLN: Yes. Well, look, I am definitely supportive of review of contributions more generally, because obviously each of these contributions, while they are set up for a purpose, do not work in isolation. If

you are a developer coming along and you have got a list of these different contributions, obviously what you are interested in is the bottom line about what they add up to, and if you are the council you are looking at what is coming in and what other funding you need to provide as well. It has become very complex, I would say. We have a number of different types of contributions, and legislation around some of those contributions is quite complex—you know, GAIC is quite complex in particular—so I would definitely support that if there is going to be a review done it should be done holistically rather than just looking at individual contributions. But certainly the questions you have raised should be looked at as part of that around how prescriptive you are, how much you tie the funding that is collected to particular outcomes in terms of location and timing of that and how you ensure that you can monitor the outcomes that you are getting from it. So certainly that is something that we are looking at within DELWP—the overall regime of contributions and how we simplify and optimise that system.

Mr HAMER: Thanks, Julian. I have a couple of questions on a completely different matter, so do others want to ask questions? I can hand it back to you, Sarah, and we can go around.

The CHAIR: Sure. I will just ask: members, do you have any questions on some of the issues and points that Paul has raised? I will take that as a no. Go ahead, Paul.

Mr HAMER: Thank you. My other issue that I would like to explore is just in terms of, I guess, the costs and benefits. I was really interested in your submission where you referred to some of the works on the benefit streams and particularly in terms of the quantification of those benefit streams. I think that it would probably be very broadly agreed in terms of some of those qualitative benefits that derive from having more open space, having more trees et cetera, but it is often very difficult to actually get down to quantifying it, particularly in the context of promoting or trying to argue for additional environmental infrastructure.

This might be something that could be taken offline or you could provide more information to the secretariat on. There was a particular document that you referred to which was linked to your submission which looked at the economic benefits of individual items, but looking at it from a whole-of-state perspective. It was looking at the state reserves, so it was like all of Parks Victoria and all national park and state park assets, as a sort of combination of what the combined health benefits were to providing that. I would be interested in trying to understand that at a local level, so how that sort of translates almost back down to a community level. One program that I am particularly interested in as an MP in a built-up suburban area is the metropolitan parks program and I guess trying to then understand some of the quantification of the benefits of even putting in a fairly small investment and small size of investment in terms of not just monetarily but also just from an area perspective—how much of a difference that can make, and equally, if those parcels of land are taken away for various reasons, because there are often lots of pressures on them, what disbenefit that might have, so that you might need to then look at various offsets. Sorry, that was a very long preamble and some of the details you probably do not have immediately to hand, but if you know of those resources and if they exist, I would be very interested in getting some more information on that.

Mr LYNGCOLN: Yes. Thanks. Look, I will make a couple of general comments and then some of that I will have to sort of take on notice a little bit. I mean, I think the observation is right, that a lot of advances have been made in terms of how you quantify some of these benefits. The academic world is developing methodologies for this and we have got a far better understanding at a broader level around health benefits, wellbeing benefits and the like that can come from a broad approach. As you say we have got some information about that. I agree it gets harder once you get down to individual project level, and this becomes a challenge in making business cases for funding. Where those projects are sort of making a small contribution to a much bigger agenda, it gets harder to quantify the individual benefits of that project when the benefits really come from the aggregation of a program of projects over time.

Various jurisdictions have tried to look at sort of almost like accounting frameworks for environmental assets as a way of doing that. Certainly I think—we had some discussion earlier about vegetation removal—part of the reason that we have quite strong offset requirements a lot of the time, even if it is relatively small bits of removal of vegetation, you do not want to suffer that death-of-a-thousand-cuts type of thing. When it is a small loss it does not seem like much, but once it accumulates over lots and lots and lots of different projects, it becomes a big issue. So I would have to take on notice what specific tools we have around the individual projects and how we try and quantify the costs and benefits of those, but I agree in general that it is easier to do at the aggregate global level and much harder to do down at the individual project level and that that does create a challenge for us at times in making business cases for funding.

Mr HAMER: Yes. Thanks, Julian. If you do have any of that information, I would appreciate having a look at it. Just to follow on, then, there was some evidence that we heard in an earlier hearing sort of looking at the small area parks that are very localised to, say, residents living within 400 metres of that park, compared to a larger regional park that many people may need to drive to but can provide a lot more facilities or not necessarily just even facilities but just a lot more space in that sort of aggregated form. I was wondering—again from a departmental or statewide point of view—whether there is a particular preference or pros or cons of one versus the other. I mean, I know ideally we would provide all of them, but in a competing world of competing priorities, I am just interested in your thoughts as to where is the strongest investment.

Mr LYNGCOLN: Yes. Thanks for that. Part of the answer will be to cheat a little bit and do a bit of a teaser for that open space strategy that I mentioned that is coming and will not be too far away, because that does sort of turn to some of those sorts of issues of the different types of open space that can be provided and where it is best to provide different types. In relation to pocket parks, which are sort of the smaller, more localised parks, over the last 12 months through COVID I think there has been a renewed appreciation for the provision of at least that type of open space. Even if it does not provide all of the benefits that some of the bigger open space and parks would provide in terms of, like, really feeling you are out of the urban area and connecting with nature and having longer trails and the like, when people were restricted within 5 k's and maybe did not have access to that kind of open space, at least having pocket parks was a good thing. So there has been investment both in supporting the provision of pocket parks as well as the larger open space and trails. You certainly would not want to be relying on pocket parks alone. I would see that more as a supplement to other open space where people perhaps have got to travel further to get to that other open space, but I would see a role for it. What you have alluded to is that if pushed and faced with a choice, what do you do? I agree, ideally we would have all of it. But I would think over time we would see investment in both of those things and, as I say, the open space strategy will talk to some of those issues when it comes out.

Mr HAMER: Thank you.

Ms GREEN: Thank you. Paul and Chair, can I just add to that just a little bit. With the protection of the river red gums in the City of Whittlesea, because of their propensity to drop limbs, with those trees it has actually meant—because they need a buffer zone around them—that that has led to many pocket parks being established from the get-go. I suppose that is my frustration that I see in good development in that you have these things from the get-go and do not have to retrofit them later. It just seems a bit weird to me, having that experience, to see that we are then bolting them on later and the state is providing funding for them when they just should be done when the development is done.

Mr LYNGCOLN: Yes, absolutely. You should be factoring in, certainly in planning new growth areas, the provision of open space so, as you say, that it is provided within the initial planning and can be protected as development occurs rather than having to retrofit. Obviously there are parts of established Melbourne where that did not happen so the opportunities for retrofit do get looked at. Certainly the 20-minute neighbourhood principle that is in *Plan Melbourne* is about people being able to access those sorts of things locally. When we say access locally, we are talking about being able to walk and cycle to those things, not to have to drive long distances. The 400 metres Paul mentioned is used as a bit of a guide around that: 400 metres is probably a 10-minute round trip there and back. People will walk 10 minutes to lots of things, 20 minutes starts to become a stretch and beyond that you start to see the big drop-off of people accessing those things—so providing them as locally and as close to people as possible is an advantage. Hence what I said before that while ideally you would love to see big, open, well-connected spaces, if people do not have access to that within a short walk or ride, then at least providing them with something closer gives them some access to nature and some of that open space.

The CHAIR: Thanks, Julian. I am going throw to David, and then we are going to finish up with Will.

Mr MORRIS: Thanks, Sarah. I am interested in a comment at the top of page 37 of the submission, but I will just read out the relevant sentence:

If Melbourne Water and other public land managers are to optimise the liveability and amenity of public land as well as deliver on their core responsibilities, they need the regulatory environment and funding to do so.

I am interested particularly, Julian, in how you believe the regulatory environment could be improved to deliver that. But being a bit cheeky, I am also interested in the funding aspect.

Mr LYNGCOLN: Sure. Some of this goes to some of the earlier discussion we had around the governance arrangements for who is responsible for managing bits of land, what their objectives are. If you put some land under someone's control and say, 'Your objectives are around protecting safety', they are going to behave a certain way. If you say it is about protecting safety and giving community access to enjoy these areas, then they will manage it in a different way. So right at the top it could come to the objects and functions and powers of the entities that are responsible for it. I think a good example of this is that the legislation that was brought in for the Yarra River required the creation of a Yarra strategic plan. Melbourne Water had carriage of producing that plan and needed to work with all of the various government departments and agencies that had a role along the Yarra and to agree actions that would go into that plan that not just that Melbourne Water were responsible for but that all of those entities would have carriage of. And as part of that they needed to develop a really clear set of objectives for: what are we actually trying to achieve along here? And where there is competition between those, how we are going to balance those kinds of competing uses but making clear that access is important as well as protecting those environmental assets. So I think that is a good example of where there is a legislative framework, some strategic planning that had to happen underneath that brought together various players and forced a sort of confronting of the trade-offs as well. So I think it is about how you—whether that be through legislation or through other means—set the right objectives for the entity that is responsible for managing the land.

Mr MORRIS: Obviously the Yarra legislation is highly specific to a particular geographic area. Do you think it is possible to do it in a more generic sense?

Mr LYNGCOLN: Yes. Well, certainly, I mean we are now obviously looking at the Barwon and the waterways of the west as to what approach we should take there. I guess the question becomes: do you continue to do it as a specific thing or do you at some point turn that into a more generic piece of legislation? Government has started with what it has seen as the highest priority waterways, and maybe once you get through the top of the list around those you have done a lot of the job. Also there is always the opportunity for governments to do things without legislation, so the kind of strategic plan they talked about—it is always an option to produce a plan like that. What I would say is that the Yarra was not short of a plan before that legislation came along. I think there were about 50 to 60 strategy documents guiding it, and that was part of the problem—you need something that coherently brings all that together. So there is at our end legislation providing the overarching framework for that on those assets that you decide are most critical. But yes, it has been a very tailored approach.

In other places there is the distinctive areas and landscapes legislation that was applied to the Macedon Ranges first and has now been done at Bass Coast, Bellarine and Surf Coast, but again that is something you could consider over time. That is a more generic piece of legislation, and then you can pick places where you want to apply it. So that is an approach that gives you a site-specific sort of approach as well in having more generic legislation that sits above it.

Mr MORRIS: Yes. That is a good point. Do you want to make any comment on funding?

Mr LYNGCOLN: Not really. Look—

Mr MORRIS: Look, I do not want to put you on the spot, but it just sort of jumped out at me as something that we do not normally see, and I wonder whether there was anything beyond what you obviously cannot talk about. Was there something behind that that we can talk about?

Mr LYNGCOLN: No, and I think it is a bit more of a self-evident statement that if we are going to achieve the outcomes—you know, you can have the objectives and the aspirations, and you would need to make sure that there is a matching of that with the investment that can deliver on those. That is obviously a complex question because it goes to funding across different levels of government and different kinds of environmental aspect and the like, but it is just a reminder that we can do plans and strategies and set objectives but there needs to be a matching up of that with investment that would occur to make sure that can happen. Any of those sorts of entities, whether it be Melbourne Water or other statutory authorities, they do not have limitless amounts of money. It was not a statement to say, 'We think they need a lot more money'. It was more that they would want to make sure that there is adequate funding there and determine that if that is not the case, then obviously there are cases to be made to the government around that.

Mr MORRIS: Thanks for that. Thanks, Sarah.

The CHAIR: Thanks, David. Will.

Mr FOWLES: Thank you, Chair. My topic for discussion is around the way in which waterways are managed. There is a whole bunch of jurisdictional complexity. We have got all the interaction between the catchment management authorities and with Parks and—perhaps separately or together, I do not know—with DELWP. There are some hypothecated charges that happen for parts of metropolitan Melbourne. So my question, I guess, in the first instance, Julian, is: what is the integrated water management framework seeking to achieve and what other opportunities are there to decrease the complexity in this space?

Mr LYNGCOLN: Yes. Thanks, Will. We do not actually have someone from water with us, but perhaps for that question it would have been useful to have, so we might have to take some of that on notice. Look, you know, as you say, there is a large number of entities involved in water management—the authorities, the catchment management authorities and the like. There is a key role for DELWP to play in terms of setting the overarching policy framework that we want them to work to. I talked in the presentation around some of the integrated waterway management sort of work, and part of that is about setting a policy framework and being really clear about that policy intent. And then we have got a role to play in ensuring that we have got catchment management authorities that are fair in their contribution to that, and we play a big role in terms of trying to constantly look at how we can lift the performance of those authorities—

Mr FOWLES: So can I get you to focus on exactly what it is the integrated water management framework will be setting out to achieve, not in the sort of general ‘just manage stuff better’ sense, but quite specifically: what are the changes going to be that that delivers?

Mr LYNGCOLN: Look, I am not the expert on that strategy. I have come from the planning portfolio, from the water one, so unless there is someone else here on the call that wanted to have a go at that, I might take that on notice, if I can, Will.

Mr FOWLES: Sure. Obviously a dearth of volunteers for that one, and that is fair enough. Can you talk to us, though, about the relationship broadly with CMAs and DELWP? How does it operate in a functional sense? You have got all sorts of tranches of land on which you are neighbours, and then you have kind of policy responsibilities that overlap as well.

Mr LYNGCOLN: Yes. So in terms of the role of the department and the relationship to those entities, obviously, as I said before, we play a role in terms of overarching strategy and policy development that guides the work and the administration of the relevant legislation and the development of the strategies I have mentioned. We also have to a degree an administrative role as well, so good governance within the sector is something that we have a level of oversight of, looking at the capacity of those authorities. Ensuring that we are seeing good governance from the authorities themselves is something that we can continually monitor and work with them around. Then there is a coordination function. As you say, while they have got their individual responsibilities, there are lots of them and they intersect with other entities as well, so we would see DELWP as playing that sort of coordinating function of looking across all of those outcomes being delivered and, where we see issues, kind of intervening to ensure a better level of coordination. But again, as I say, I am not in that sort of space specifically in terms of managing that.

Mr FOWLES: Okay. Well, I think the waterways management piece is important and complex. So it may be, Chair, that we have to examine whether we might get someone back to [Zoom dropout] have a discussion of, I guess, quicker ones. Is there an opportunity for [Zoom dropout] management of coastal areas, which has similar jurisdictional complexity, committee of management [Zoom dropout]—

The CHAIR: Sorry, you are just dropping in and out. Well, for me you are dropping in and out.

Mr FOWLES: Thanks. I will kill the video and hopefully that is better. My question was: you have got the integrated water management framework. Coastal areas have similar complexity with jurisdictional overlap, geographical overlap—a whole bunch of different committees of management operating things in a different way. Is there an opportunity to do something similar around the coastal areas that fall under DELWP’s purview?

Mr LYNGCOLN: Yes. Andrew Grear, I know you have been involved in some work around coastal management. Did you want to talk a little bit to those issues around approaches to particularly planning on those coastal areas and the relationship between state government, local government et cetera in that?

Mr GREAR: Thanks, Julian. Thanks, Will, for your question. Look, I think it is probably prudent that we take that one on notice and amalgamate the IWM framework response with the coastal one. The formula is very similar, but I think it is probably better if we respond back to the committee on both those things as a question on notice.

Mr FOWLES: Okay. Finally, you referred a couple of times to the open space strategy being landed soon—I think was your word. There will be a bit that will come out of this inquiry that might be relevant to that strategy. I do not quite know how the timings fit together, but I wonder whether it is worth either speaking to our secretariat or awaiting the publication of our evidence and findings to perhaps feed into that strategy.

Mr LYNGCOLN: Yes. I mean, obviously there will be a question for government as to when they want to release it, but I think it is quite imminent, that strategy, so we will have some discussion offline about how the timing of those things might line up.

Mr FOWLES: Yes, well, maybe if those who are working on it could just be directed to some of the transcripts of the evidence we have taken in case there are things in there that might help improve that strategy.

Mr LYNGCOLN: Yes. We could certainly have a look over the transcripts of your hearings to see the kind of issues that are coming out and to satisfy ourselves that the strategy that is being developed has got coverage of those issues.

Mr FOWLES: Sure. Thanks, Chair. That is me, with those questions on notice coming back later.

The CHAIR: Thanks, Will. Julian and the team, I just want to say thank you very much for joining us here today and answering our questions. I think I can speak for all members: it has been very insightful, so thank you. I think, Stuart, you wanted to say something?

Mr HUGHES: Thank you very much, Chair. I definitely noted your earlier statements about the committee's interest in Parks Victoria and presenting to the committee, so we would gladly take up the opportunity to have a session specific with the committee at the first chance. Thank you.

The CHAIR: Thank you. That is fantastic. We will be in touch to set that up.

Witnesses withdrew.