

Submission to the Parliament of Victoria

Outer Suburban/Interface Services and Development Committee

Parliamentary Inquiry into UGB Impact of the State Government's decision to change the Urban Growth Boundary

Specifically

(d) any unintended consequences including the impact on all landholders

and purchasers to be impacted; and

(f) any alternative options, including any used in other jurisdictions...

By

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*'Decision making processes should effectively integrate both long term and short-term economic, environmental, social and equitable considerations.'*¹

This submission is made on consideration of

- The review of the Urban Growth Boundary
- The proposed route of the Outer Metropolitan Ring Road/E6 Transport Corridor
- Impact on biodiversity of changing the Urban Growth Boundary in relation to the area north of Donnybrook Road in the local government areas of Hume, Mitchell and Whittlesea.
- Placement of the proposed Intermodal and Logistics Precinct – including the proposed Donnybrook/Beveridge Interstate Freight Terminal (ILP).

Notice is also given that I am interested in presenting to the Committee

¹ DSE Strategic Impact assessment report, p.

When, in 186m Bishop Perry's coach breasted the final hill on his journey from the town of Melbourne to stay at 'Braemore' the home of John Sherwin at Merriang, he commented on the pleasing view that lay before him. He was looking north along the upper reaches of the Merri Creek, and at a small village of Merriang that nestled in the eastern side of this pleasant valley, close to this permanent source of fresh water. This land, together with adjacent land to the west of the creek, became the 'granary of Melbourne'², with the Merri Creek supporting a flour mill at Donnybrook. When the Melbourne-Sydney railway was opened in 1872, trains from Donnybrook carried dairy produce and other consumables to the growing city. With the exception of a small amount of subdivision in the 1970s this area, at the northern extremity of the City of Whittlesea, has remained rural, and while almost all traces of indigenous settlement have been lost, the cultural landscape of white rural settlement in the late nineteenth and twentieth century has been preserved.

As a result of the 'Melbourne @ 5 million' planning proposals, this landscape is about to alter permanently. This submission invites a review of the decision to destroy this valuable landscape considering both long term and short-term economic, environmental, social and equitable considerations. I will argue that the placement of the proposed Intermodal and Logistics Precinct – including the proposed Donnybrook/Beveridge Interstate Freight Terminal (ILP) - north of the proposed Urban Growth Boundary (UGB) will have consequences beyond those already described in the reports provided for comment, and that all those consequences can be avoided by relocating the ILP within the proposed UGB on land with less landscape and biodiversity values south of Donnybrook Road, or at an alternative site in an area already set aside as industrial. The route of the proposed E6 Transport Corridor could then be realigned to avoid the sensitive areas of the recent Merriang Local Area Project Biodiversity Project, protecting the iconic Merri Creek for future generations.

Notice is taken of the exclusion of the ILP from submissions invited by the Urban Growth Authority as part of their review of the changes they proposed to the UGB. In the area under consideration on the northern fringe, the placement of the E6 corridor would seem to be driven by the placement of the ILP, and no sense can be made of any discussions without making mention of the proposed freight terminal. Its impact on the area is very significant. This Parliamentary Inquiry into the UGB expansion and related issues, by allowing the entire proposed changes to the area to be debated rationally, creates an opportunity is for debate which is appreciated by members of the affected community such as myself.

Economic considerations

The City of Whittlesea has stated in its earlier submission that 'it would be inappropriate to allow freight planning alone to dictate the shape and form of Melbourne. Given the location of the freight terminal at the northernmost point of the investigation area, it follows that all land between the existing UGB and the freight terminal automatically becomes developable land. Careful

² JW Payne, *The Plenty – a Centenary History of the Whittlesea Shire*, Lowden Publishing Co., Kilmore, 1975, p. 51.

consideration of the appropriate land uses within the land in between must be given, as well as consideration to how the terminal will interact and interface with surrounding land uses.³

There are three significant economic impacts of the proposed changes – effect on tourism, loss of local food production and land management costs.

The effect on tourism would be a major economic effect of the proposed changes in Melbourne's north. The old approach to Melbourne from the Hume highway along Sydney Road through the industrial areas from south of Craigieburn to Coburg was difficult and unattractive. This was avoided by the diversion of traffic from the Hume, via the Craigieburn Bypass to the Western Ring Road and the Tullamarine Freeway. These new proposals will again bring tourists approaching Melbourne along the Hume Freeway through a heavily industrial area. As the road comes down from the final foothills of the Great Divide, the long vista will be one similar to that currently experienced in the Dynan precinct of Melbourne, with containers, rigs and cranes, shunting yards and trucks, warehouses and fast food outlets. The juxtaposition of the heavy transport industry against the final foothills of the Great Dividing Range will not be attractive to tourists. Neither will it look good from the air. This area is in the direct flight path of aircraft approaching from Sydney and Canberra, giving tourists their first glimpse of Melbourne and its surrounds.

Secondly, this area currently supports food production. As property values have increased, local farmers have increasingly turned from extensive agriculture to more intensive horticulture to produce food for the Melbourne market and for sale in local markets. The community is increasingly aware of notions such as food miles and the environmental and climatic effects of transporting food. The proposed changes in land use will destroy agriculture and horticulture in an area that has served Melbourne well since it was first settled.⁴

Finally, should the proposal go ahead, there are significant land management costs to be considered. Much of the land between Donnybrook Road and Beveridge Road, or Beveridge Station Road as it is also known, is severely constrained land unsuitable for development - high value redgum grassy woodland or land with other high biodiversity values. This land is currently in private stewardship at little cost to government. Local Landcare organisations such as the Merriang District Landcare Group, WACMAC Landcare Inc., are very active in the area, as is the Melbourne Water Stream Frontage Program and the Department of Sustainability and Environment's Local Area Project, the Merriang LAP. Changes in the proposed UGB will bring much of this land into public ownership either as reserves for the Merri Creek or adjacent preserved land. For example on our property, seventeen acres of land we have been managing for biodiversity for almost 40 years at the rear of the property will be 'acquired' for the proposed E6 crossing of the Merri Creek, with about half of the land cut off from the remainder of our land by the corridor and thus taken into public ownership.

³ *Delivering Melbourne's Newest Sustainable Communities: Summary & response to Submissions – Urban Growth Boundary Review*, June 2009, p. 20.

⁴ Statistics for production are available but I have not had sufficient time to research and record them here.



Photo taken from Pretty Sally's hill on the northern Highway, which overlooks the Merri valley volcanic plain and currently gives visitors approaching Melbourne from central Victoria and the North east a pleasing vista on the fringe of Melbourne. If the proposed changes to the UGB and the freight terminal proceed, then this view will become an industrial one and visitors approaching Melbourne will drive through an industrial precinct instead of a beautiful valley. Photo. G Hunter-Payne

This will be an additional ongoing cost to government for appropriate land management or this high-value land will be destroyed by the process.

Relocation of the proposed ILP to land already rated as industrial in the vicinity of Donnybrook would preserve the land to the north around the localities of Beveridge and Merriang in private hands, preserve the rural landscape for tourists approaching the city, and allow the production of food close to the city, itself providing additional opportunities for tourism and recreation on Melbourne's fringe.

There is one more economic consideration. Many local landholders made agribusiness decisions based on the security of the announcement of the UGB in Melbourne 2030. Whilst realistically we did not envisage that the boundary would remain unchanged forever, the certainty of a decade or more of restriction of further expansion allowed us to make financial decisions to advance our agribusiness. In our case, that meant considerable expense in establishing our own olive press and

concomitant buildings. It now seems that such decisions were not to our best advantage as the proposed boundary changes place our entire business at risk. If we are given no security with such basic things as legislation over urban growth boundaries, how are businesses on the urban fringe, be it this current one or on the ever expanding future fringes, ever to have the confidence to make any financial investment in their land and businesses. With no confidence in future legislation based on the failure of security of Melbourne 2030, landowners and business on the urban fringe will fail to develop and invest in their properties. The areas are likely to become derelict and unattractive, an eyesore as visitors approach our city, and home to weeds and other environmental problems.

Environmental considerations

Most of the land that lies within the boundaries of Merriang Road to the east, the Melbourne-Sydney railway to the west, Donnybrook Road to the South and Beveridge Road to the north, was the subject of the DSE's first Local Area Project – the Merriang LAP – work which is still continuing as the current proposals are being written. The land, which lies at the meeting of the Silurian hills to the east and north, and the western basalt plain which forms the base of the valley, has been recognised as having highly significant areas of native flora and fauna⁵. Much of the Merri Creek, which flows through this area, has been rehabilitated through Melbourne Water's Stream Frontage Program. Stony knolls have been fenced, significant areas set aside for regeneration of the redgum woodland, and a great deal of land has been planted with native wind breaks. The volcanic plains western grasslands adjacent to Bald Hill and covering much of this wider area have been also recognised as having significant biodiversity values.⁶ The notion that they can be developed and the loss offset by the chosen lands to the west with a lower rainfall and no significant history of landcare for biodiversity, is simply not valid. Should the ILP proposal be acted upon, a huge area that has been open ground will be covered with a hard impermeable surface (roads and buildings). There will be little opportunity for water to seep through into the ground water tables and the effect on the Merri Creek and the permanent waterholes that support its flow through the summer will be severe. Much work has been achieved along the urban reaches of the Merri Creek by the Merri Creek Management Authority and I support their concern that the reservation for the Creek is not wide enough. With the potential for loss of flow from these upper reaches, the health of the Creek may be compromised. This section of the Merri Creek has significance as an aboriginal cultural landscape and is also highly valued by local residents and by residents through the length of the Creek as it flows into Melbourne. To join the Yarra River at Dight's Falls.

Social considerations

Much has been written about conserving the natural environment and being sensitive to sites of aboriginal significance. Little consideration has been given to the preservation of nineteenth and twentieth century white settlement landscapes. Yet these also have a value to the wider community which still, in part, defines itself in relation to the Australian 'bush'. The proposed route of the E6

⁵ Beardsell, Cam. *Sites of Faunal and Habitat Significance in the North East of Melbourne*, (known as the NERO report), Nillumbik Shire Council 1997. Volume 2 – Volcanic plains.

⁶ *ibid.*

transport corridor passes over two significant historical sites in the Merriang area. The first is the site of the Fred Kruger photo C,1880 of a 'Sheep & Cattle Station, Merriang, near Woodstock' (National Gallery of Victoria). This was a bluestone homestead with an adjacent quarry site from which the stone was cut. Evidence remains of the house, outbuildings and quarry.



The site of the Merriang farm photographed by Kruger on the left, and the original photograph on the right. The route of the proposed E6 transport corridor cuts through this site. Photo on the left G Hunter-Payne, on the right, F. Kruger, held in the National Gallery of Victoria.

The second is the remains of the Fausely homestead of the Kirby family, built in the first half of the nineteenth century, on the eastern side of the Merri Creek right in the path of the E6 corridor. The lines of the stone walls that formed the sheep hold can also be seen. Kirby is best remembered as the author of *Old Times in the Bush of Australia*.⁷ There are several other remains of stone cottages on this land, but only the two mentioned are directly linked to records held in the national interest. That the current survey failed to note their presence is disturbing. These records of early white settlement are important to the social history of colonial Melbourne and the early settlement of Victoria.

⁷ Kirby, James. *Old Times in the Bush of Australia*. George Robertson, Melbourne, 1896.



This view shows the corrugations left by nineteenth century ploughmen after sowing grain crops on the west-sloping hill with the view down through the volcanic plains grassland to the Merri Creek at the rear of 1485 Merriang Road. The site of the Kirby homestead is just to the left of the view in an area that will be raised by the proposed E6 transport corridor. Photo: G Hunter-Payne



Above: The rural landscape from the hill on which the historic property 'Braemore' stands, facing west across the proposed areas for development within the proposed expanded UGB and the proposed ILP



Above: The same Merri Valley from the north looking south. It is understood from the interim drawings provided to residents that the proposed ILP would be immediately in front of where the photographer stood to take this photograph.

Photos: G Hunter-Payne

The impact of transforming agricultural land held under the current Green Wedge overlay, into an industrial precinct, will cause a great disruption to the local inhabitants, with much social disturbance. Those who have chosen to purchase smaller lots, typically of 8 ha, on the hills to the east overlooking this agricultural area, will also suffer a great disruption and loss of amenity. The rural community as we now know it, will be destroyed as farmers are forced to leave when land is compulsorily acquired. Many will choose to leave sooner rather than later, and others may choose to wait but stop caring for the land that will ultimately become tarmac and freight terminal or suburban housing. If this Merri valley is given over to development in a way that echoes the current development along the once attractive agricultural landscape of the adjacent Plenty Valley, all traces of early white settlement and agriculture will be lost on the northern fringe of Melbourne. At a time when low food miles is a concept attracting a deal of support throughout the world and particularly in Europe and north America, Victoria will be abandoning the possibility of low food miles from food grown on the periphery of the current city boundary.

Equitable considerations

The last pillar of sustainable development is that it should be equitable. It is hard to see equity in the Growth Area Infrastructure Contribution tax, where landholders will be forced to pay for services and infrastructure that is yet to come and that they therefore have not enjoyed during their custody of the land. Nor is it equitable that this should impact on the ability of landholders within the proposed expanded UGA to take out or extend mortgages. Nor is it equitable that other land now under development or within other areas that will be developed, will not share the burden of the GAIC. But others are arguing against the raising of such a contribution payment and I support the argument put forward by Taxed Out Inc. I want to raise another inequity in this proposed new UGB and ILP development – the notion of equity with regard to landscape values.

Hill tops have been excluded from development and, in the case of our property, excluded altogether from the UGB, on the grounds that they have 'landscape values'. In fact, the landscape value in this area comes from the views we behold when on those hills. The land which rises sharply from the east of Merriang Road in the vicinity of the proposed ILP has been chosen just for those long views down the Merri valley, and across to Mt Ridley and top Macedon in the west. It is now proposed that instead of such views, that they look down on an industrial logistics precinct. Other smaller stony knolls and low hills within the designated area have been preserved for landscape values also but, from the road, any view of these central hills will be blocked by the height of stacked containers or warehouses in the proposed ILP. Likewise the view from the trains along the Melbourne-Sydney railway corridor will also be blocked with development of infrastructure supporting the ILP. Workers within the sight may be able to glimpse the hills against the eastern skyline occasionally. The home-owners who have built on the hills for the view and general amenity of the area will have a 24 hour-a-day view over the proposed ILP, the E6 transport corridor and associated side roads. They are not being offered an opportunity to further subdivide their land into urban housing, but are expected to remain on these 'rural lifestyle' blocks which will look down on what could be described as Dynon Road, thirty eight or forty kilometers north of Melbourne. This is far from equitable.

Over the past ten years, local residents have heard increasing noise from both the railway and the local. We have heard noise from the Hume in certain climatic conditions. The northern part of the Merri valley acts as a natural amphitheatre to reflect and bounce sound back around the hills. Soil moisture levels have decreased as a result of unprecedented low rainfall, causing this problem has become more apparent as sound reverberates within the Merri Valley. With much of the Merriang area covered with a hard surface for the proposed E6 transport corridor and the ILP, residents can only anticipate increasing noise levels. I can find no studies of projected noise levels in the current proposal, such as have been done for the western section of the transport link.

It is also iniquitous that those of us who had work responsibilities and were only able to attend the final day of the briefing and display of Melbourne @ 5 million at the South Morang on Saturday 4 July, only had thirteen (13) days to respond and lodge a submission. Since most people are also working, there has been insufficient time to match proposed developments with existing and proposed legislation and to fully respond using the wealth of environmental information already on public record but not used in the Melbourne @ 5 million papers.⁸ Having been told that I would receive a call back with regard to an extension by Tuesday 14 July 09 or the following day, I am still awaiting such a call and had to phone in myself on 16 July 09 to be told in an abrupt manner by the woman who answered the phone that no extensions could possibly be given, with no apology for the discourteous lack of the promised return phone call. By the governments own admission, this is a huge development of unprecedented proportion and to restrict response time from those who are

⁸ Work such as Cam Beardsell's *Sites of Faunal and Habitat Significance in the North East of Melbourne*, (known as the NEROC report), Nillumbik Shire Council 1997. Volume 2 – Volcanic plains, details the 'Merri Upland Volcanic Plains from Wallan down to Donnybrook, which encompasses the proposed developments.

most impacted as a consequence if the proposed land usage is finally put into appropriate legislation, is extremely disappointing

Summary

It is the suggested placement of the proposed ILP that has driven the proposed line of the revised UGB and therefore the route of the proposed E6 transport corridor which links the complex to the Western Ring Road at Thomastown. Were the proposed ILP to be placed along the Donnybrook Road area, there are few hills to overlook such an industrial precinct. Nor would the noise be such a problem in terms of reverberation. It is the selected site of the proposed ILP that drives the placement of the proposed E6 transport corridor through the sensitive and historic landscape of the Merriang LAP. Residential land adjacent to this area can expect to have decreasing value, with the change from rural to industrial landscape. Few areas on the rural fringe of large towns escape development. That is clearly understood. There are areas within the proposed extension of the UGB that have already been set aside for industrial development. One such area surrounds the railway line at Donnybrook and extends along the eastern side of the rail south to Craigieburn and continues through Somerton to the Cooper Street (Epping) industrial complex. To site the ILP within such an area would be to place it in an existing industrial landscape. It would then be possible to redraw the line of the proposed E6 transport corridor to meet the western section of the proposed transport corridor road south of Bald Hill, minimizing the adverse effects on the historical landscape and preserving the real landscape values of the area.

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