

# CORRECTED VERSION

## STANDING COMMITTEE ON ENVIRONMENT AND PLANNING

### REFERENCES COMMITTEE

#### **Inquiry into environmental design and public health**

Melbourne— 4 August 2011

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Chair: Ms G. Tierney

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#### Staff

Secretary: Mr K. Delaney

#### Witnesses

Ms C. Hargreaves, manager, social policy, and

Ms J. Black, policy adviser, Municipal Association of Victoria.

**The CHAIR** — Welcome, Clare and Jan. Thank you very much for being here with us today, and can I also congratulate the MAV for an excellent submission. It was comprehensive, it was lengthy, but it was so enjoyable that the pages went by fairly quickly, so to speak.

I formally welcome you to today's hearing. I need to indicate to you that you are protected by parliamentary privilege and that is provided for in the Constitution Act 1975 and further subject to provisions of the Legislative Council standing orders. Essentially that means that you are protected against any action for whatever you might say here today, but if you go outside and repeat the same thing, those comments might not be protected. All evidence is recorded by Hansard, and you will be receiving the transcript in the next week or so for your verification.

We have allocated a short period for you to provide us with a presentation. Your lengthy submission has already been taken as evidence and is part of our deliberations. We would like you to speak on those key points that you think are absolutely essential for the committee to focus its attention on. To begin with, can I ask you to state your name, the organisation you are representing and your address for Hansard.

**Ms HARGREAVES** — Thank you very much for the opportunity to be here. I am Clare Hargreaves, manager of social policy at the Municipal Association of Victoria, Level 12, 60 Collins Street, Melbourne.

**Ms BLACK** — I am Jan Black, policy adviser at the Municipal Association of Victoria at the same address.

**Ms HARGREAVES** — Sincere apologies from our CEO, Rob Spence. He is caught up with a sick child today, so unfortunately he could not make it. We will just speak briefly, as you said, given that we have sent in a reasonably comprehensive submission. Clearly this is a topic dear to local government's heart. We have the same aspirations as the state in terms of what you are trying to address in this inquiry. I am sure you are all aware that the MAV is the legislated peak body for Victorian local governments. We represent the 79 councils, and because of that I suppose we have tried to think about the application of this across all 79 councils. Sometimes it is a bit harder to think about the more rural areas, but we have looked at the application across that.

This is something local government is trying to deal with every day. It sees the impacts of poor environmental planning in terms of poor outcomes for health in particular areas. I think local government as much as anybody is aware that often a geographic correlation can be drawn. I know VicHealth and others have done some work that you have heard about around the lower health status of people who are often in lower income areas such as the western suburbs and of course in rural Victoria as well.

The MAV and councils are development organisations like VicHealth, as I said. I am aware of strategies where we exhort individuals to change their lives and their behaviours and so on as one approach. Clearly if we do not assist people by improving the environment, which we are trying to do, we are making it very difficult. Local government, with the state and all the other stakeholders, has a key role in influencing that environment in terms of day-to-day decisions that have been made. We have focused in the submission on areas — which again I think you are going to hear repeatedly throughout this inquiry — around walkability and public realm improvements in that area. Access to fresh food and food security is a topic that local government is looking at much more closely, particularly around protecting viable land for agriculture around the growth areas of Melbourne, open space and of course the funding mechanisms to support not only new open space but probably I should also mention the design of Melbourne and the green wedges, and that has become topical again recently, in terms of that foundation for good health that we are trying to maintain.

Transport comes up all the time; public transport in particular not being available to new communities or not being available in a timely manner. Local government — we have mentioned the role around community transport where local government often ends up trying to fill the gaps and uses rate revenue to assist people with community transport. Housing, social housing and public housing — how that is designed and how that becomes more part of a general community so we do not have the problems of ghettoising, which perhaps we have had in the past and which, as the previous speaker has described, can actually reinforce people's problems rather than assist them.

In terms of the work of local government, the MAV and the councils certainly support the fact that we have the backup of the health legislation around a municipality being required to prepare municipal public health plans, even though it is challenging for councils. It has taken councils very much into that prevention and health

promotion-type space and thinking about these issues and how they can use all the functions of local government to improve in this area. The MAV jointly chaired the committee in the early 2000s that developed the Environments for Health framework. We are very supportive of that framework still providing a very good foundation, and that is referred to in one of your terms of reference. When it was evaluated it was seen to have been useful for councils so we are using the approach of trying to build on that with the state rather than just throwing it out and starting with something new.

I probably cannot finish without saying that councils repeatedly raise at MAV state council meetings and so on do that it is great to have plans and aspirations for what we would like to do but often the implementation can be difficult or the councils themselves may not have the resources to achieve some of the aims that they would like to achieve. There is no doubt that we need to work in partnership with everybody but particularly with the state where we can look for mechanisms which the state can use to support councils in their role. We are frequently looking for those and looking to have discussion with you about those sorts of ideas. We are not research experts, so we have not, in the same way as perhaps some of the other people presenting have, done that sort of detailed work on the research background. I think we are drawing on that research to try to apply it in a day-to-day sense in Victorian local government. Thank you.

**Mr TEE** — Thank you for what is a very helpful submission. I was particularly interested in some of the key environmental design features that you have identified, which really sort of say that if you are going to have a healthy environment, you are going to have a footpath that meets particular standards and you are going to have a park within a certain distance, and I appreciate that. I suppose it is then about how the Victorian government implements those and what tools and so on it uses. I just want to start in terms of that discussion by going through what I call the municipal plans that you do every four years and which you talk about there. A view has been expressed to the committee that, while they are good and worthwhile, it might be that it is time to take the next step and to either find best practice or review how they have been implemented or review whether they have been successful. The question is: is there enough being done in terms of one council learning from another? Is there a role perhaps for the state to use those tools to bring in some of those guidelines and recommendations that you have put forward?

**Ms HARGREAVES** — Yes, I think that is absolutely spot on. Of course we do have a close working relationship with the state in this area, and I think looking at what sort of improvements can be made in the practice is really important. In some other departments we are working with on other topics we have, as you said, taken the next step and in some areas are perhaps being more specific about some of the things that we might try to follow through across all Victorian councils and make sure, for instance, they are included in health plans where they are relevant. So if we are looking for a particular benchmark or review, as you were saying, around open space developments, whatever it might be and how we progress that — I know it is kind of related to food security, for instance — perhaps not so much a model policy but a best practice policy can then be promoted to be picked up across a number of councils rather than the work being done by one council.

Councils are very open to that, I think, in that they do not necessarily want to reinvent or research themselves. If there is a good policy and some ideas about how we could make a difference in the community, they are happy to sort of take that on, so we would certainly be happy to continue to work with both the Department of Health and VicHealth around extending the work that is done.

**Mr TEE** — And that is about incorporating, I suspect, some of those recommendations around walkability and open space and having a look whether or not they fit into those plans, and if so, how. I suppose the next question then is what else? Do these design features apply equally into terms of both areas, and I suppose the middle suburbs then as well as the inner urban suburbs — that is the first part of the question. The second part is if they do, is that something then that the government should ask the Urban Renewal Authority and the GAA to incorporate as part of their precinct structure plans or whatever tools they use?

**Ms HARGREAVES** — I might let Jan comment, but certainly any mechanisms that can be used to strengthen the front-end negotiation particularly, certainly in growth areas, with the developers and so on — we all understand that there are competing objectives and that there are market imperatives and there is a price ceiling beyond which people do not want to go in terms of the affordability of housing and so on, but if you do not have some of these aspects stated as things that are required — —

I worked in the municipality of Bellarine when it was rapidly developing and we had the very same issue of footpaths that were just not standard at all, so you had mothers with prams not being able to walk up and down the street, let alone a person with a disability. So you do get that legacy of it not being built in at the front end. Jan, do you want to comment on the different areas?

**Ms BLACK** — Yes. I think the overall theme that we have tried to put into this submission is that good planning equals good health and that you do not necessarily want health tacked on as another thing. It was made very clear to us by the people who are expert in planning in our organisation that you do not want another requirement that is a tack on for a planner who is trying to assess submissions or to work on that sort of issue like an overlay or some sort of health overlay, so even though we were not looking for that sort of outcome, we were looking to a state planning framework that understood these sorts of components that the evidence is now more and more there. Unfortunately, as we heard just before — and it was fantastic to be able to listen to that presentation — the evidence is more in the negative than in the positive. There is more evidence about the outcomes of bad planning like Clare's example just then about people not being able to do things if the ingredients are not there. So the evidence about good planning is harder to find because you cannot separate out all the strands, and socioeconomic status of course has such a big impact. People's individual circumstances are so high as well that it is hard to unravel, but you certainly can see the evidence of that in planning, so I just want to say you would build on available evidence and hopefully that would be in a state planning framework which therefore would apply to wherever the areas of redevelopment or development were occurring.

**Mr TEE** — The government is in the process, so it is a good time, of developing a state planning strategy. Would you like then to see consideration in that of these sorts of design features so that it is embedded in the planning strategy and then sort of flows out to the GAA and to the councils and to the urban renewal authorities?

**Ms BLACK** — That is exactly right. Whether or not it was prescriptive it would be more around walkability and the ingredients of walkability rather than saying you had to have every footpath this wide, I suggest.

**Mrs PEULICH** — Performance-based planning?

**Ms BLACK** — Yes.

**Mr TEE** — Can you just unpick that a little bit? It is not about saying a footpath has to be 1-metre wide. It has to be about —

**Ms BLACK** — It has to be about what you are trying to achieve, so for example public realms. With that example before about open space, you can also create public realms that are not necessarily always a proper park, that are about other spaces. It could be about a basketball court; it could be about a foyer that is permeable and accessible.

**Mrs PEULICH** — I have so many questions I could ask you but I will perhaps just ask you two, if I may. Notwithstanding what you have said, and I do not disagree with what you have said — personally I think there are examples of bad planning that results from areas where councils can exercise too much discretion to the detriment of good planning outcomes. I am specifically referring to the decisions by certain councils to limit consultation in relation to proposed planning developments to make it as literal as possible and as narrow as possible to minimise the objections, no. 1, and no. 2, I think in areas close to municipal borders they choose not to consult often with residents or people who are impacted upon across the border because the act allows them that discretion. Also, with the development of structure plans they choose to only obviously in many instances focus on those things which are in their control, especially where there are municipal junctions, rather than collaborating with the abutting councils to make sure that they get a more coherent vision for the way forward. Do you think there is room for tightening up those loopholes in the Planning and Environment Act?

**Ms HARGREAVES** — I would probably have to say at this stage, in the absence of our CEO and in the absence of our planning manager today, I would probably be reluctant to stray too far into an area in terms of any specific response. We are certainly happy to take that on board, and I think as the state experiences the issue of meeting or working with the competing demands, representing your community, your citizenry and local government, the whole range of challenges that are there, apart from the resourcing available, councils have obviously got particular roles they have to carry out. I think we are aware how far they can go beyond that for

various aspirational goals, but yes, I think it is preferable for me to say that we would take that on notice and take that on board and get back to you.

**Mrs PEULICH** — I have another question in relation to green wedge, which you mentioned earlier in passing. You may have read the articles in recent times about the city of Kingston, which is bounded very much by fairly heavy residential urban development. I will not say it is high density, but it has all been built up and 80 per cent of it is in private hands. There is a wasteland where basically the net effect of mismanagement of that area has been that those who own it choose to sell it for tipping and landfill operations, which then have more significant health impacts on those communities around them — not just respiratory, especially if it is a dry period, but smell, if it is a wet period. The pits that are currently under use have as best a technology as one can use, but we know that previously filled pits that did not enjoy the same technology are often the source of problems.

I love green space. I was born on a farm, but for a community such as that there is a current process in place to decide whether we keep what has commonly been referred to as the ‘lungs’ of Melbourne, which then increases the likelihood of this being used for other purposes that perhaps could be less conducive to good health outcomes. Could you comment on what are the allowable uses currently, especially in relation to waste management, in green wedge areas?

**Ms BLACK** — We will also have to say the same to that issue, that we would have to get back to — —

**Mrs PEULICH** — Like materials recycling, tipping and that sort of stuff. Would you get back to us in relation to that?

**Ms HARGREAVES** — Yes, I think we need the environment manager for that one.

**Ms PENNICUIK** — There are two things I want to follow up. One is that in your evidence before you mentioned that in terms of municipal health plans and other policies, they are sort of there but it is the implementation and resourcing that is perhaps not there. One of the key things in this whole area is the relationship between state government policies, local government policies and the ability of local government to deliver many of those things with regard to its resourcing. Can you comment on that?

The other one is that in the submission you mentioned ‘Prioritising local government areas experiencing intergenerational consequences from the legacy of a poor quality built environment’. Obviously some areas have already got the structure in place that is leading to bad outcomes. Could you elaborate a little bit more on that?

**Ms HARGREAVES** — Sure. In relation to the first question, yes, I think in all areas in working partnerships with the state there is that gap between the local level, the state level and often the regional office level in decisions that are made about regional planning. As you were saying, I think we are wanting to move into the position, especially as the state will have its first preventive health plan about to come to you, that more and more we want to see the issues acknowledged and linking together, as you say, and that the plans that local government is making clearly have traction when they are translated, and looked at by, for instance, the regional officers of the government departments.

You are quite right that at the moment there is a bit of a gap in that councils can put a lot of effort into developing a plan — and you have the same thing in, for instance, the early childhood area. We can put a lot of effort into developing a plan, but unless we have agreed with the state that as we are building more kindergartens or as we are doing something in the health area this will then flow on to actual decisions that are made around budget allocations when the rubber hits the road, then yes, it does leave us not sure of what the outcomes will be.

It is a difficult area because the state will have priorities across the state and its criteria, but I think there is capacity for those things to be better joined together, as we get more sophisticated. Certainly in the MAV’s experience we find it works much better when we have formal partnership arrangements, which we do have with the Department of Health, Department of Human Services, department of education and so on, so that recognition by the state that local government is a sphere of government and has a view, but we cannot do these things separately, and if we were actually able to follow through and have the resources.

What was the other question?

**Ms PENNICUIK** — In your submission you talked about local government areas that have the consequences that result from the way they were built years ago.

**Ms BLACK** — That was talking about if you were going to look at some kind of place-based approach to look at those priority areas to have a retrofit. That has occurred in some areas in previous times over successive governments, but the most recent ones that we have the most experience with are in neighbourhood renewal, which happened in areas that had a high concentration of public housing. You may be familiar with neighbourhood renewal. The potential impact, because you are getting a changed built form, usually at the same time, so you can actually redress some of the things. I think the term the previous speaker used was ‘territoriality’.

One of the areas I was very familiar with was in Reservoir where people had the same entrance to enter six or eight blocks of flats. What changed was that they were redeveloped to allow everyone to have their own entrance and their own letterbox. Those fairly simple changes made a huge difference to the way people — —

**Mr ONDARCHIE** — And their own bin as well.

**Ms BLACK** — Yes, exactly; that is right.

**Mrs PEULICH** — So there would not be a blue around the letterbox.

**Mr ONDARCHIE** — Exactly. I take the MAV’s point. Firstly, can you pass my best to Rob.

**Ms BLACK** — Yes.

**Mr ONDARCHIE** — I take your point, in some cases, about the lack of public transport keeping up with urban development. Just in my own electorate, the people of South Morang have been waiting for a train for 12 years, and some of those families have kids who are now driving, as they have waited.

In respect of that, what is the MAV’s and councils’ view about developers playing a role in contributing to the development of state infrastructure?

**Ms HARGREAVES** — The actual state infrastructure you are saying rather than the current system we have got in place?

**Mr ONDARCHIE** — Yes.

**Ms HARGREAVES** — Yes, again I have to take that one on notice and get back to you in terms of whether we have a state policy position already or whether it is something we need to comment on to you.

**Mrs PEULICH** — In answering that, could you tell us what exists and what the arrangements are at the moment in relation to contributions?

**Ms BLACK** — Developer contributions? You would like an answer that relates to developer contributions to social infrastructure as well as state infrastructure?

**Mrs PEULICH** — No. I think the answer was that this was proposing a variation on what the current practice is. Could you just, for my benefit, outline what the current practice is?

**Ms BLACK** — We can get back to you.

**Mrs PEULICH** — No, sorry.

**Ms BLACK** — I am sorry. My understanding, and this will need to be checked, is at the moment the developers have a significant role in terms of the infrastructure within their development that relates to some of the built infrastructure but also social infrastructure. In terms of them collaborating on state infrastructure like railway lines, for example — if we can use that as an example — my understanding is that they currently do not have a role in that. Is that yours there?

**Mr ONDARCHIE** — But should they play a role?

**Ms BLACK** — Yes, and your question is: should they play a role? They are saying we need to check whether or not we actually have a state council position on that. Neither of us is necessarily aware of what that is. We will get back to you on that.

**Mr SCHEFFER** — I want to come back to a matter that was touched on briefly with the previous witness, Professor Giles-Corti. I suppose the jumping-off point was your section there on open space. We put a lot of energy into our urban planning in relation to open space and its positive health effects. You have here that one of the evidence-based health-related benefits is social participation and interaction. I just want to put the proposition that was touched on earlier that it is not only open space, it is also cinemas, theatres, restaurants, public libraries, exhibition spaces — all of those things that are a focus for a community — dance venues for young people and all of those sorts of things that are really important. They largely operate in a private sphere, particularly cinemas and so forth. We have no problem as a community in putting public investment in multifunction centres, for example, in communities, which are sort of okay but they are part of a community facility. We have a problem, it seems to me, with public investment in a cinema, for example. Have you had an opportunity to think about how local governments, a state government or federal government might have some constructive intervention in that space?

**Ms HARGREAVES** — Yes, I think there are certainly examples, you would have them yourselves, of councils engaging in mixed-use developments for both hubs and some of the space seem to be appropriately taken up by private operators for particular activities.

**Ms BLACK** — An example of that is in Darebin where I was most recently working. That council purchased some private property in Northcote which they then sought to lease to a restaurant provider to provide the revitalisation of a moribund shopping strip. It had lots of shops that were underperforming and not meeting their best use. Many of them were closed and nearly empty. You can try High Street in Northcote now, I think you cannot say for sure, but on all sort of measures it seems to have had a significant impact in terms of allowing, or it is very good timing, the change in that strip.

**Mr SCHEFFER** — Is that the exception proving the rule in the sense that yes it does happen and maybe that is a mechanism for it to operate, but in general, looking at the submissions we have received so far, there is a lot of emphasis on open space, there is heaps of emphasis on sporting fixtures and stadiums. There are all sorts of things around sporting activities and getting out into the outdoors, but there is not a lot on, for example, the health benefits of older people dancing in venues. That would seem as though it would have an enormous benefit, but we do not talk about that much.

**Ms BLACK** — I take your point. I think for many of us in looking at the terms of reference, we have moved down a particular path. We have not gone down the path of the whole social infrastructure.

**Ms HARGREAVES** — We could write another submission.

**Ms BLACK** — We certainly could. We could write another submission of similar length on that. I think we have made one comment that it would be very good to have an agreed minimum standard, a minimum requirement, within any community of social infrastructure that could be agreed to. But you are always going to need whatever happens in a particular local community.

**Ms HARGREAVES** — I would just perhaps make the comment that, as you are aware, especially since the amalgamation, councils tackle all functional areas that we need in a community. Certainly in terms of economic development/tourism and those areas, you would be aware now that councils are very much on the front foot about all of those sorts of activities. Councils are frequently talking to private developers and operators in a whole range of areas in terms of encouraging employment in the municipality and so on. I think they are looking for all of those opportunities to create a more viable community and have the sort of amenities you are talking about.

**Mr SCHEFFER** — Could you send us something on that if you have got something ready to hand?

**Ms HARGREAVES** — Yes.

**The CHAIR** — We are close to running out of time. Can I ask two questions that I do not necessarily need the answers to now, but could you provide them? One is the position of the MAV on developments on highly productive land, if you have a position.

**Ms BLACK** — Sorry, developments on — what was the word?

**The CHAIR** — Highly productive land — food production land. The second one is whether you believe that the newly established RDAs could play a role in ensuring that health and wellbeing regional planning plays a role in regional planning with developments in a particular given region, whether it be western or south-eastern.

**Ms HARGREAVES** — Yes, we can certainly do that.

**The CHAIR** — We are done. Thank you very much. That was good.

**Witnesses withdrew.**