

## **Select Committee on Public Land Development**

### **Legislative Council**

### **Parliament of Victoria**

## **Inquiry into the Sale and Development of Public Land and Open Space**

## **Submission from the City of Greater Dandenong**

### **Introduction**

The City of Greater Dandenong currently manages over 450 hectares of public parklands which are accessible to residents of the city and visitors.

In addition to Council land, there are also extensive tracts of open space within the city owned and managed by other government agencies such as Melbourne Water.

Council has an adopted open space strategy which is currently under review to determine the adequacy of the open space network, particularly in terms of quantity, quality and accessibility. The intent of the revised Open Space Strategy is to provide an easily understood and useful document which guides the future development and improvement of public open spaces across the City in a sustainable way. In conjunction with this review, the City of Greater Dandenong is pleased to take the opportunity to make a submission on the Inquiry into the Sale and Development of Public Land and Open Space.

The focus of this submission is consultation associated with the sale of government land and arrangement for the management of public land.

### **Benefits of Open Space**

Having a good open space network can have many benefits for the community. It is not only for recreation, but influences our sense of social and health wellbeing, and has ecological and economic benefits.

Some health and well-being benefits of open space include: increased opportunity for sport and exercise, stress relief and mental health, and general improvement in the 'liveability' of our urban environment.

Open spaces and parks influence the impression by the public of the municipality which flows through to a range of economic benefits, such as encouraging economic development and urban renewal.

The environmental benefits of open spaces may include conservation of flora and fauna and their habitat including corridors, and protection of sites of cultural interest.

### **1. Community Consultation**

There is an obligation under Section 189 of the Local Government Act for a Council to notify the public of its intention to sell or exchange land. This process facilitates community consultation and enables the public the opportunity to make a submission in relation to the sale or exchange of land, especially where the land has a recreational, environmental, ecological, cultural or historical significance.

However, this requirement does not extend to the state or federal government. They are under no obligation to follow adequate public consultation for the sale of state or federal government land, yet there is an onus on local government to maintain and protect key public open space for community use on behalf of the state and federal government, which is cost-shifting and an abrogation of state responsibilities.

Before any land which is or has been used as open space or similar is considered to be sold for private development, the state and federal government should consult with the local government to determine if the land is required for community use. Issues have arisen in this municipality where Council has experienced considerable public protest where state government departments have decided to sell public open space for residential development, without notifying Council or facilitating any community consultation. The land may have been declared surplus to the state government's requirements, however, it has failed to take into account any other state policies and objectives, such as one of Melbourne 2030's key directions: "Areas of special resource, environmental and landscape significance will also be protected, with improved environmental and other standards for locating urban and rural living development". Moreover, local government can ill afford, in most cases, the cost of purchasing such land on behalf of the community.

Public open space should not be removed from the public realm without being directly replaced within the same time frame, with replacement open space of equivalent quality and quantity.

## 2. **Tenure**

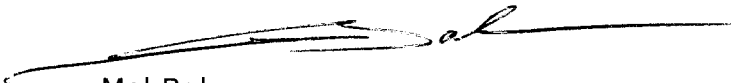
Tenure arrangements for parkland managed by council and owned by state government have terms less than the average human life span. In addition, to improve the parkland council invests very significant sums of money in capital and maintenance without any longer term assurance for the local community. On some of the parklands owned, the state government also contributes little or nothing towards the improvements or maintenance

### **Conclusion**

A process needs to be developed which takes into account federal, state and local government strategies, to determine the future of public open space and how change in use or management should be considered and implemented.

- A process is required whereby maintaining the 'community benefit' is assured as part of any sale or utilisation of public land, taking into consideration local municipal strategies in conjunction with state strategies such as the Parks Victoria "Linking People, Linking Spaces" and "Melbourne 2030".
- Tenure arrangements for land that Council maintains and protects on behalf of the state and federal government should be available for longer terms which recognise both community benefit and any Council investment in the development and/or maintenance of the land.
- Legislative mechanisms which require Local Government to advertise land sale should be extended to state and federal government. The public should always be notified of any proposed sale, enabling community consultation.
- A process should be developed which ensures that any funds generated from the sale of public open space are used to acquire the immediate replacement of equivalent open space.

Yours sincerely,



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