

29 October, 2007
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SUBMISSION TO LEGISLATIVE COUNCIL SELECT COMMITTEE INQUIRY ON PUBLIC LAND DEVELOPMENT

In my capacity as ward councillor, I wish to make this submission in which I will discuss examples of public open space been sold or alienated for development or is currently under threat from development in my municipality. I am not making this submission on behalf of the Council but in a personal capacity, based on my experience as ward councillor.

You may consider it as an example of the kind of challenges and open space encroachment that may well be found in some other municipalities. From my experience I cannot say whether other councils might or might not be more diligent in their protection of public open space. However, in my other submission, on behalf of the Green Wedges Coalition I have indicated that several Councils seem to me to provide a significantly higher level of protection for their green wedges, and this may or may not carry over to their approach to the protection of public open space in urban areas.

In the other submission to this committee which I have drafted on behalf of the Green Wedges Coalition in collaboration with member groups, I have focussed on the threats to green wedges and to environmentally significant vegetation across the greater metropolitan area with which our member groups are concerned as part of our coalition and in association with other umbrella groups. This submission deals directly with public open space issues in my municipality.

Many municipal councillors put open space low on their list of priorities as they genuinely believe bricks and mortar (eg community centres, sport pavilions, libraries) are more important to and highly valued by the community – and hence this city's open space is continuing to be run down, augmented only by developer contributions and – in the case of our municipality - the occasional reclaimed tip-site, which under the new EPA requirements for mounding can no longer be turned into the multi-purpose reserves of the past (such as Bicentennial Reserve, on the old Chelsea tip-site.)

Partly the reason is lack of Government funding. There is government funding for sport and recreation facilities and the former Department of Victorian Communities (now DPCD) would fund bricks and mortar community facilities, but there was nothing to fund retention of a park or public open space. For instance, the City of Kingston made a submission for DVC funding to save the popular local environmentally significant remnant bushland Chicquita Park from development but were told that parks were

ineligible, even though the Scout Hall on this park could also have been potentially lost to the development.

Our council's Open Space Strategy identifies the need for considerably more public open space to be provided by developers than the maximum five per cent that can currently be imposed in relation to a sub-division and identifies a number of local areas that are severely lacking in open space. Yet little or nothing has been done to meet this need and open space continues to be lost.

In our municipality alone, the following sites have seen the loss or potential loss of public open space on public land for development of various kinds, in some cases against the strongly expressed wishes of the community.

- **Chicquita Park:** I will support the submission made by Dr Colin Long on behalf of the Friends of Chicquita Park on this matter, which involved the sale by the Commonwealth Government and subsequent approval for development of a local environmentally significant bushland park despite every council report, planning panel recommendations, open space strategy etc along with nearly 900 objectors to the planning scheme amendment and planning permit and some 1500 petitioners recommending that it should have been saved. Chicquita Park is a prime illustration of the need to provide some formal process to ensure that public land is not sold off for development if it is environmentally significant or if it is needed by the community.
- **Moorabbin Airport:** The Kingston Municipal Golf Course, the only 18-hole public golf course in Kingston, is about to be resumed by Moorabbin Airport Corporation in November 2008 for industrial and office development, as a result of the sale of a 99 (50 plus 49) year lease by the Federal Airports Corporation to Goodmans subsidiary MAC. This illustrates the need for scrutiny by the Commonwealth Government to assess the community needs for sites to be included in leasehold or freehold sales.
- **The Mentone to Mordialloc foreshore,** where a shared use bicycle path has been approved to go along the clifftops despite strong community preference for it to be a road-side path that would leave the cliff-tops for walkers and conservation. This involves a substantial alienation of passive public open space for a more obtrusive built use.
- **Edithvale Common:** was purchased by Council from Melbourne Water so that the former unobtrusive cricket pavilion could be replaced by a larger and more obtrusive glass-fronted football social club which needs security lighting at night. This land is adjacent to the Ramsar-listed Edithvale Wetlands and is supposed to be maintained as a buffer. The adjacent sports ground is affected by salinity and is often unplayable during droughts or floods.
- **Moorabbin Reserve:** council approved the sale of part of this reserve to St Kilda Football Club for a social club and venue for the Club's 83 poker machines. This

would have let to the alienation of public open space had the club's bankers not found their proposed development to be unfeasible and refused to support the development.

- State Government is to alienate government-owned parkland on the William Fry Reserve for an gas infrastructure to occupy 4000m² of parkland on the Nepean Highway away from its proposed development site on former Gas and Fuel land at Highett. Council has requested the 4000m² to be replaced elsewhere, but Council is offering to replace only about half of this area from a relatively useless part of the adjacent proposed development area next to the railway line.
- In Patterson River Ward, Council is proposing to sell a small but well-situated park at 10 Tradewinds Lane to raise funds for an extension to a community centre. Council claims this is not public open space, but is classified as a drainage reserve and was contributed by the developer to Council. Yet this land has two clumps of what appear to be remnant vegetation, a seat and a gravel path: it looks like - and appears to be used as - a park. It is bordered by the Eel Race on one side and a path to a nearby reserve on the other. It would seem to be a suitable picnic spot for visitors to the Eel Race, far enough back from the water for children to be safe. This illustrates the need for an audit of public open space in each municipality which should be related to its use or potential use and not necessarily the zoning or other classification. Many developer contributions retain a residential zoning and unless this principle is accepted, are at risk of being sold off for development.

The ward councillor supporting this sale argues that the area is well supplied with open space, but I suggest that if it is not needed in that vicinity, the sale proceeds should go into the open space fund for the purchase of open space in areas that are in need of it. Land that is not needed by one level of government should be handed free to another level of government if community needs are identified.

This submission is written in haste, but I would like to present personally and plan to spell out the examples in more detail and to refer to some of the recommendations in the submission I have made on behalf of the Green Wedges Coalition.

I plan also to support the proposal made by my colleague Councillor Greg Alabaster that all Councils be required to analyse their open space provision and to provide adequate open space for the needs of current and future generations of residents.

Cr Rosemary West