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SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Melbourne — 28 November 2007

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Ms R. West, joint coordinator, Green Wedges Coalition.

The CHAIR — I am pleased to welcome Rosemary West, the joint coordinator of the Green Wedges Coalition. Rosemary, if you would like to give us a brief presentation. We obviously have your written submission — thank you for that — and we will ask some questions after that. Welcome.

Ms WEST — Thank you very much. I am sorry we did not manage to rally up any of the others partly because with 5 minutes they did not think they would get much of say, but also the notice was a bit short. So you have just got me today. I might have a few loose ends there, but anyway, I thought I would just address the points you made in inviting me to speak.

To start with, the nexus between green wedges and the sale and development of public land including the strengths and weaknesses of the current legislative and policy framework: I could speak for hours on this, of course, but I guess what I have said is there is an imperfect nexus and it was quite an interesting exercise to go through our list of green wedge threats which we have sent you. I think of the 55 threats, 2 actually involve public land. Of course an estimated 90 per cent of the green wedges are in private hands and, of course, we want them to stay that way because that is an awful lot of sustainable agriculture in the green wedges. Yarra Ranges has the most productive agricultural production of any region in Victoria. We obviously need to protect that green wedge land for farmers. Our coalition has a number of land-holder members who want to be in the green wedges either because of the ambience or because they are farmers and some of them spend quite a bit of time in VCAT defending the green wedges against inappropriate development applications by their neighbours who are concerned to sell out for subdivision basically.

So the nexus is imperfect. We feel it was a huge achievement by the government — the introduction of the green wedge protection provisions, which was introduced with bipartisan support initially, although there is differences about the details. We feel that was a huge achievement. However, it does have loopholes. We have given you submissions that outline that so I am not here to speak really about green wedges. I suppose the important point for us is that we are a coalition. Basically we bring together the peak environment coalition or green wedge protection organisations in each of the 12 green wedges. I suppose I should say 11 because the Manningham guy is on a trip around Australia and he has not left a deputy. The Manningham council is very good so we do not really need much support there. We have got 162 community groups. You have got a list of that constituent membership list. That is the way we work.

Most of those groups would be environment groups. We do have various community groups — ratepayers and residents groups, urban amenity groups, and some of the Save Our Suburbs groups are also members of our coalition. The interesting thing about our coalition is that we are involved in planning matters. As far as we are concerned, the planning provisions for green wedges are pretty good, not perfect. As I say, our efforts to close the loopholes that are there just make us realise what an amazing achievement it was in 2003 to get the package of green wedge protection provisions. We would really commend it to everyone to support that. I would say that the green wedge protection provisions provide a sort of umbrella protection for the public open space and the environmentally significant land within the green wedges. However, there is still a need to protect those values outside the green wedges, and inside the green wedges because the protection is not perfect.

I guess in our submission we have focused on the gaps in the protection of particularly remnant vegetation. The native vegetation framework is barely worth the paper it is written on, largely because, I think, of a lack of awareness of planning issues in the environment department and in the environment groups. They think if the government puts out a policy, that is fine, but the problem is cases have been taken to VCAT. If anyone is interested in following this up, talk to the Environmental Defenders Office. I have been to a couple of presentations they have made where they have just listed case after case after case, including red-tailed black cockatoo habitat which has been cleared to put in, would you believe it, centre pivot irrigation. I do not know where they get the water from, but that is what they are doing. They are clearing the bull oaks, which are the habitat of the red-tailed black cockatoo. That is the Commonwealth Games emblem that is in danger. I find it really hard to believe that, but it is happening.

Basically there were a set of operational guidelines. A number of people sat on a committee working on that with the VFF and people — there were one or two of our members there. Actually they were VNPA and EV members, but they are people who also liaise with us so they are sort of our members as well. That negotiation went on for some time and then it was simply dropped at the beginning of last year and replaced with a handful of practice notes. We have got a letter from the EDO — and I think I included it in the documents here — which basically says

that they are not worth the paper they are written on. Really the native vegetation protection provisions are very, very — —

The CHAIR — Weak?

Ms WEST — Ineffective, yes. Compared with the green wedge protection provisions they are very ineffective. Ditto, there is almost nothing to protect open space. I guess the first thing we would say is there needs to be on both counts.

We have suggested that there needs to be an authority that kind of mirrors the Growth Areas Authority. There are always lots of authorities and strengths and there is someone in the department from the UDIA. Those kind of provisions are not matched with, you know, provisions to support conservation. We feel there is a need for a green wedges and public lands authority that would be independent of the DSE. The other thing I have not mentioned is that the DSE officers are also totally indifferent to green wedges. They are happy to encourage those councils that would like to see the green wedges eroded; they give them comfort. I am not saying all of them are, but by and large the upper echelons seem — in our view they have undermined the past two ministers; I am not sure if they are undermining this one; it is a bit too soon to tell yet. They do not get far with undermining Minister Hulls, but I am sure that is why we found it so hard to get those loopholes closed. The most significant ones — four — were closed I think the day before caretakers, so it was the skin of our teeth that we got those in.

The CHAIR — Mr Hulls signed a lot of documents that day.

Ms WEST — Thank heavens for those ones.

I will just switch to New South Wales because it relates to that second point. I have not actually got a copy of the New South Wales legislative provisions, and I am hoping that you can find someone in the parliamentary library who can find them. I did attend the founding meeting of the Protectors of Public Lands, where there was a speaker from New South Wales talking about them. My recollection is they provide a sort of independent process for the assessment of the community and environmental values of public open space before it is sold. At the moment, of course, decisions are being made by councils and they are being made by state government, often without any regard at all to the community, in our view. The process for the sale of public land — there is a process in council. Sometimes if the community really jumps up and down — for example, we had five lots sold in our council and on one of the lots the residents jumped up and down and petitioned and one of them actually came to every council meeting and eyeballed the ward councillor and that was taken off the sale list. My feeling is that there should be an independent authority because maybe the reasons why the others did not is because they did not think there was any hope. The fellow who did — we had an open space strategy consultation, he came to that, met other people and realised that some people were actually fighting to protect their open space, so when he fought to protect his open space he was successful when some of the others were not.

The other thing about this authority is it needs to be independent of the councils. In the Green Wedges Coalition we find that four of the councils are strongly protective of green wedges; they do not make our members happy all the time, but they are pretty good. The other 14 really are not that concerned. There is probably a fifth one that is in the middle. We were really well aware of this when the coalition formed in 2002 and this is why we asked the state government for green wedge protection provisions, because you could not trust the councils.

The support from Parliament has been very important. We would strongly support the requirement to have a vote of Parliament to make any changes to the urban growth boundary. We would like that requirement to make any changes to the green wedge zone provisions as well. We asked for that, we did not get that, but we do have the vote of Parliament to protect the urban growth boundary. As several councils at the moment have challenges in, it will become very important, I think. We hope that it does not come to the vote. We hope the minister simply says no. We have certainly submitted to him that that is what he needs to do; otherwise, we have suggested, he will have a queue of developers from here to Albury if he opens that door.

The CHAIR — Do you think they might be coming from New South Wales?

Ms WEST — No, don't tell the people of New South Wales, or the queue will be to Sydney!

The best way that we can discuss our concerns regarding the impact of the sale and alienation of public land on environmentally significant sites is probably the list we have got. We have sent you a few lists. We have sent you

the top 10 environmentally threatened sites that Andrew Booth of Environment Victoria put up on behalf of the three groups in 2005, and I think a couple of those involve public open space.

In relation to the list of green wedge areas, something I just did on the way in was look at which ones are gone, which ones can still be saved, and which ones have been approved but not developed. I think it would be fantastic if your committee could actually take an interest in those and perhaps ask for a report on them. You have got a submission on probably the most outstanding site of all, which is the Maribyrnong River site — no, it is Moonee Valley council. Maybe they were talking about that; I was thinking it was Maribyrnong council. I am not sure whether that was one of the sites they were talking about.

The CHAIR — The Afton Street site?

Ms WEST — No. Afton Street hill, as I understand it, has been saved.

The CHAIR — Yes, that is right.

Ms WEST — That is a story of how to do it right. The community spoke to the council, the council represented the community, they put up a submission, they went to the local federal MP who represented them, and they got the 11 hectare site for \$1 million. I think the federal government was planning to devote a substantial amount of that to residential development, so it is worth doing. But there is another site.

The CHAIR — You are thinking of the big site?

Ms WEST — There is a big site — the 135 hectare site, which you have got a submission on from John Upsher.

The CHAIR — We do.

Ms WEST — My feeling is that that is probably the outstanding site that is at stake at the moment, and if your committee were able to do anything to protect that site, I think it would be extremely worthwhile.

The CHAIR — We are very keen to look at all public land, including commonwealth land, that can add to the stock.

Ms WEST — Yes. We counted them, and I think of the sites on our list, six were formerly owned by the commonwealth government, four by the state and two by councils — which does not mean that councils are not selling their public open space, it is just that they have not sold it in the green wedges that much. I have actually made a separate submission as a ward councillor where I have listed the public land that is up for sale or that has gone for sale in our council area, so that will be a bit more controversial locally.

We feel that if you were to recommend the appointment of a green wedges and public lands authority it should have a charter which obliged it to act in the public interest. The problem with VCAT is that it is not responding to the community. It is basically working for developers, if you look at the results. One of the planning backlash people did an analysis, and I think something like 75 or 80 per cent of cases are being won by developers, or it may be 60 per cent. I am not sure. I forget the figure, but it is overwhelmingly the developers winning against councils. The residents are winning in about 10 per cent of cases, so residents who go to VCAT without a council in support have got virtually no hope.

The CHAIR — It is 9 to 1 against them.

Ms WEST — Yes, 9 to 1 against them. We made a submission to the minister earlier this year basically suggesting changes that you could make to VCAT. One concerns the expert witness system, whereby of course the developers pay for the expert witnesses, and they get what they pay for, really. They get the advice that they want, by and large. There are some honest consultants, but there are some who work only for developers and who give the developers the results that they are seeking.

We feel it would be good if there were a panel system whereby the panel was appointed by VCAT, and VCAT appointed an expert for a specific case, probably depending on what kind of expertise is required. Obviously the developer should have to pay. We do not suggest that the payment should come from the public purse, but we suggest that they should be employed by VCAT. And VCAT has a little statement which says, 'You have got to act

for VCAT — for us — and not the developer’, but it is well known that a number of the consultants only work for developers and that they give the developers the results they want.

That is one of the serious problems with VCAT. Plus I think the VCAT members are just swayed by the QCs and expert witnesses that developers put up. Even with councils, some of the planning departments of councils are way too close to developers, in our view, and yet they are regarded as being professional. When you get a council that actually overturns a planner’s recommendation — often because they are representing the community and often because they are representing their local policy — VCAT tends to dismiss that and regard the council as just being political — ‘hello. this is supposed to be a democracy’.

The CHAIR — So does the Deputy Premier, of course. He attacks councillors who overturn decisions of officers.

Ms WEST — I had words with him about that at one stage; yes. I might mention the points made by Alan Hunt. He actually rang me to tell me he was presenting, and I have got a copy of his submission. I notice that he is supporting the fact that any release agreement for land has to be approved by Parliament, and I agree with that. There is a question of release and rezoning, I think.

We have not opposed development along the growth corridors. We see that as being consistent with green wedge protection. I would not say we support all development along the growth corridors, but we do not oppose development along the growth corridors. We were given assurances that all environmentally significant land in that area would be protected.

I just mention that the land that is proposed for development at Lockerbie is highly environmentally significant. It covers an area where several tributaries of the Merri Creek meet up with the creek, and our Merri Creek group is really concerned about that. I do not think it is a public land issue at the moment, but it is an important one. Anyway, on the issue of release, often the minister will announce a release, and it is really not extra land, it is land that has already been rezoned. They have rezoned enough land to last until 2030.

In our view that should be made to last till 2030, and for that the government needs to set some density limits. The developers are at the moment carving it up into 50-by-150 — I am not sure; 1000 metre, probably 1000 square metres, I am not exactly sure what the relationship is — blocks, and they are putting covenants on it so that that can never be subdivided, whereas in the city your traditional suburban blocks are being subdivided all the time, of course. That seems to us to be wrong.

As far as we are concerned, we would prefer to see the amenity of the existing residential areas protected — but not totally protected. We think that a certain amount of development is probably acceptable, but we would prefer to see them protected, and the new areas, it seems to us, they could be planned for increased density. Of course the developers are saying, ‘We find it easier to sell if we are selling more land’, and maybe they do, but that is where we think the government needs to provide some control, so I guess it is very important.

I am sorry; I am slightly off the track. It is very important that that land supply is made to last till 2030. That said, the releases of land within that rezoned land, we do not actually oppose them, but we think that they should be sustainable, and that is what Alan has focused on.

The other point that Alan makes is the need to support farmers. We do not agree with him that the green wedge is not for the benefit of farmers; we do think it is very much for the benefit of those farmers who want to farm, but it is also for the benefit of the community obviously. We do certainly agree with Alan that there is a need to assist farmers, and to reduce the pressure for the release of farmland from the green wedge, by a substantial and compulsory reduction in the general rates for farmland. We agree with his proposals for a levy to finance that, and we agree with his proposal that, if the land subsequently rezoned, then those concessions were to be given back. I just thought I would mention that. I think that would be our summary.

Perhaps I should allow some time for questions, but I could go through the applications, because I have just marked the ones that are still able to be saved and the ones that have already been approved.

The CHAIR — Be very brief.

Ms WEST — Okay.

The CHAIR — Then we will get to questions.

Ms WEST — Devilbend: the 365 hectares, I think, of Devilbend has been saved. There is still 40 hectares that is up for tender. The local Devilbend Foundation is very much wanting that land to be preserved for a kind of appropriate associated purpose. It does not have environmental values. It is farmland with pine trees on it and a house, but they are concerned that the tender process is going through without giving them a chance to fundraise and to put up a reasonable tender.

The Sunbury racecourse: we have not really opposed that; we have got bigger fish to fry in Sunbury. There is environmentally significant land there that council is jockeying to rezone, and so is the developer. We have not worried too much about the racecourse. I simply make the point that there was no public process. It was simply rezoned; it was rezoned out of the green wedge, and there was no public process and really there needed to be. It may well be that if you went to the community, there would have been another use for it. Obviously it was not — I do not think it was — environmentally significant. It is not a matter that our local members have expressed a worry over.

Plus it is sort of like water under the bridge. We tend not to waste too much time worrying about water under the bridge. We are basically concerned about things that are on the go at the moment.

The airports — a serious problem is arising. With two of the airports in Melbourne — green wedges Tullamarine and Moorabbin — there is a big issue at the moment in my council work with my other hat at Moorabbin, where there is a golf course that is going to be resumed for office and factory development when the lease expires in November next year. Any assistance for that would be excellent.

There are master plans on both of those airports. The federal minister has just approved a swag of new non-aviation-related development on Tullamarine, which does involve the alienation of public land. Our groups have not expressed concern about it, but I do not know — presumably because it probably is not environmentally significant and possibly it has not even come to their notice — but the Moorabbin airport land, the golf course, is going to be a big issue, and we would appreciate the committee's support on that.

I suppose I would say I recently attended the conference of the Australian Mayoral Aviation Council, which is all the airport councils around Australia, and there is general concern around all of the councils about the lack of state planning controls over airports.

I am aware that the planning minister has commented along these lines publicly as well, and I just feel that, with a new government going in, it would be a very good thing if the committee could support our representations to the minister to do something about applying proper planning controls. Apart from anything else, you need a level playing field, which, when industry is on the airport and off the airport, and AMAC strongly supports aviation-related development, whereas what you are having on the airports is aviation land developments being pushed off and replaced by the more profitable, big Coca-Cola warehouses.

They are cluttering our streets — 'cluttering' is too light a word — with B-doubles, so we are getting huge problems. B-doubles are along Centre Dandenong Road and even Ross Street, a dirt road through the green wedge, so you can imagine how that is being cut up by the trucks going through there.

The Wyndham Cove marina development was opposed by us because it is the only residential development that has been approved in the green wedge since the government's green wedge protection provisions in 2003. That involves the purchase of a million-dollars-worth of council-owned land as part of that development. Interestingly the developer has not continued with his \$100 000-a-year down payments that he was supposed to be making. He made one, and since then the project is officially designated as on hold, so it is not principally a public land issue, and I am not even sure whether the public land involved is actually to be used for the residential development or for an associated wetlands development.

It could be the wetlands development, but that development is really on the nose. We said that if the government wants a marina there, we would certainly accept a modest marina, zoned for that purpose, but we think the 1000-berth marina that this developer is proposing to put in as a sweetener to the government to be allowed to put in 240 houses is quite environmentally irresponsible, and our local member, the Western Region Environment Centre, believes there are going to be serious consequences, including the sort of damage to the seabed that we are likely to see with channel deepening, although obviously not on the same scale, but there is also apparently a risk of

salt water getting into the freshwater aquifers on which the Werribee South farmers' hugely fertile land depends, so that is on the nose.

It has been approved, but it has not been commenced; the rezoning has been approved. The retirement village on Kororoit Creek was approved by VCAT, so it has been approved. I think it has been built, but I am not 100 per cent sure. I did make a query a couple of months ago and was told it had been approved, but we do not know if it has been built on.

In regard to the Rockbank land there was an article in the paper a year ago about that. I think the name of the consortium might be JL Land, not JLand. That is a good example of where the commonwealth government has sold land quite irresponsibly in our view. We believe if the commonwealth has land that is surplus, by all means sell it, but there should be a process about community need. Maybe in this case there would not have been a community need, but it should have been sold with some sort of covenant that prevents it being sold to developers, who then pressure to breach the green-wedge provisions by developing it inappropriately. Minister Hulls said no to that one. No doubt it will come back — they still own it.

What has happened is we have heard that several of the small holdings around that have been bought by just low-level spec developers — people who are wanting to develop it and who are complaining about not being able to. So when you get a sale like to a developer, who is basically sitting on it and land banking and waiting for a softer minister, then you also encourage land around it to be sold for that purpose. I do not think those people are properly using that land to its best farming capacity. So I guess that is an issue around the sale of land, where there also need to be some provisions, not just looking for the public benefit that might be retained in protecting that land — and we are arguing that if one level of government wants it, then it should be transferred from one level of government to another free.

I guess that Maribyrnong land, which is next on my list. It was given for nothing to the federal government for a defence site, and now the defence department is wanting to sell it. We think they should just give it back to the state government as public open space. It has amazing heritage and environmental values.

The Steiner Melbourne Water development has been approved. I do not know whether it has been built yet. That was a disaster, partly because it led the minister to prohibit education centres in the green wedge, which wiped out all the little kinds of quite useful things like vigneron courses on vineyards, ecological farm management courses and so on. When I say it wiped them out, it wiped out the possibility of further ones; the existing ones have existing use rights. Our own member in Western Port green wedge runs this kind of thing. He has people there every weekend, learning all sorts of things, from Koori arts and how to grow Koori food to organic and environmental farming. It is quite amazing and it is a pity to close off that option.

The compost screening project on Melbourne Water land is covered by a public-use zone, which means it is not covered by the green wedge protection provisions, either the core provisions or the zone provisions. We feel, fair enough, we understand public-use zoned land is independent of those things, and presumably the understanding is that the government is going to follow its own policies. However, we feel in a case like this if a government agency, like Melbourne Water in this case, is planning to lease off land for public use, it should come under the core provisions. We would appreciate that kind of suggestion. That is the only example we have got there. I am pretty sure there have been other examples. There has been at least one other that I can think of — it was a retirement village build on green wedge land that was mistakenly zoned public-use zone; it went to VCAT and VCAT approved it — outrageous.

The Laverton airbase is not actually in the green wedge, but it is included here because our members are closely involved with it. That is a disaster. It is some of the best grasslands. Of course the land on Kororoit Creek is described also as being the only remaining in Brimbank and will be gone once that development is built. The Laverton airbase was sold with a few small separate reserves. Our members estimate that 60 to 80 hectares of that 120-hectare site should have been preserved for environmental protection, and the rest could have been developed sensitively. Unfortunately the applicant went to the priority development panel, which recommended approval, and Minister Hulls approved it — no, I think Minister Madden might have, but anyway it was approved.

We have mentioned the sites there. There were a couple of others I had forgotten. One was Point Nepean, which we were not actually associated with because there is a very strong group down there and they did not need us. But there are really important points to be made about the fact that the state government was able to apply planning

controls to that land. I cannot remember whether I have mentioned it to John Upsher, but I must mention I think that should apply also to that Maribyrnong land, so that if the state government wanted to prevent the development they could. But I think there was something in his submission that indicated the state government and the council are happy to work together for a fair bit of development on it, with only some 10 per cent of the site to be saved, which is fairly tragic. So Point Nepean is an important precedent for what might be done with regard to commonwealth land that is being sold, but it should not be necessary. The government should set up proper processes.

I just got an email this morning drawing my attention to the Larundel and Mont Park land, which was approved for development with some public open space to be preserved. Apparently that is being eroded as the developer puts up subsequent proposals to Darebin council and has them approved, without any community input. There was community input to the first stage, but not to the subsequent ones. We find the same thing happens with a number of green wedge issues. This is the only public land one we can think of at the moment where approval is given — and we might disagree with it — for a certain amount of development and then that is increased. Alan Hunt mentioned Eynesbury in his article. That was approved for 2100 houses and then they subsequently came back later and argued for another 700 so they could qualify for a school, despite the fact that there is a school a kilometre away on Exford Road. We feel that tendency to encroach is a real concern. I am sorry, I really wanted to leave more time for questions.

The CHAIR — Rosemary, I want to thank you for your very comprehensive presentation, which has covered a significant number of points. I have one key question and I am conscious of time. What is the role of the state government in terms of public land inside green wedges? It is twofold: is there a leadership role, as an example of management of that land on the one hand; and is there also a role for selective purchase of key pieces of land?

Ms WEST — We think there certainly is. We strongly support — and we have said that in various submissions — some kind of public acquisitions fund, which would allow the state government through Trust for Nature, Parks Victoria, which is a bit dubious, because Parks Victoria tend to say, ‘We haven’t got enough money to manage it, so we don’t want it’, or councils. There used to be a fund run by the Melbourne Metropolitan Board of Works which provided interest-free loans to councils for open space, not necessarily environmentally significant. We feel the public acquisitions fund ought to focus on environmentally significant remnants as a priority. However, there might be other pieces of land that have other values that make them important. We strongly support that.

We do not think that is enough though. Obviously, given that 90 per cent of the green wedges are in private ownership, you would lose 90 per cent of the green wedges if you relied on only that. We have on our list a few pieces of land that we think should be acquired, but this is not just public land. We are talking about acquiring land that is private.

The CHAIR — You are talking about a twofold role, with leadership in the public land that exists?

Ms WEST — Yes, we do think there needs to be a role for leadership. There is a clear community interest here. In almost every one of these cases there is strong community feeling about it. We know that the Labor Party has good policies for green wedges and certainly parkland. I have not looked up public open space separately, but I would say there probably is one for that. We feel it is a matter of putting in place some provisions that actually make that happen.

Ms PENNICUIK — Rosemary, thanks for your submission and your appearance here today. I have obviously read everything you have put in.

Ms WEST — Thank you.

Ms PENNICUIK — I have been following the issue for a while. I want to ask a sort of broad question, as you are one of the coordinators of the Green Wedges Coalition and obviously know about issues right around the whole Melbourne metropolitan area.

Ms WEST — Not in as much depth as the individual ones, but yes.

Ms PENNICUIK — So you have a sort of helicopter view. I wonder if you could make an assessment as to whether concern about threats to green wedges is lessening or increasing?

Ms WEST — I think it is increasing. I think the green wedge protection provisions have led to an expectation on the part of communities that green wedges will be protected, even if they see things that are actually permitted which seem to them not to be green uses, like quarries and tip sites. In a sense green wedges have provisions to require buffers around infrastructure like quarries, tip sites, aerodromes, sewerage farms and things and obviously those things do need buffers, so that is valid. But you tell that to the residents who have a proposal for a landfill near them, and particularly for recycling. Fortunately materials recycling was prohibited in the green wedge zones, but not necessarily in other parts of the green wedges and that is a bit of a gap. But that was prohibited as one of the four loopholes that Minister Hulls made at the last minute last year.

People are just outraged that these things could happen. There is a feeling that green wedges should be green. Even though we know that probably the western green wedges are the most environmentally diverse and significant, they are quite frequently described as brown wedges, particularly by the landowners out there who would like to sell off some land for spec. So yes, I think it has increased with the awareness of it. Plus we are basically supporting resident groups. We have people frequently coming to us and we give them what support we can. We basically cannot take up issues that do not have a local resident group supporting them. We do not have the energy and time. We are just an unfunded, very loose network. In a sense we do not have much organisational structure but our member groups have.

I should just add to that, if I could, that whenever communities have been asked about green wedges, which they were in the community consultations in the lead-up to the metropolitan strategy — Manningham did a cross-sectional survey of its population, including people in the suburbs, towns and green wedges; Casey did one; and Mornington Peninsula has done one — the overwhelming majority say that they want green wedges preserved. The councils that are not so good on green wedges have not asked their communities.

Mr THORNLEY — Rosemary, thank you for your hard work on these important issues and for making the time to both submit and present to us today. When we spoke with Alan Hunt yesterday, he actually suggested that the catchment management authorities might be a venue for a wider responsibility to include green wedges. My sense from his knowledge was that they seem to have a greater interest in and capacity around the green wedges and therefore expanding their authority to include the green wedges might be a good way of achieving something which sounded similar to what you are suggesting, which was a green wedges and public lands authority. Do you have any perspective on that as a possibility?

Ms WEST — Yes, absolutely. I would say yes and no. I think they are useful for developing initiatives like the project I think is called Grow West. They are working with farmers to encourage the farmers to preserve the environmental remnants and to efficiently farm the rest of their land and they are putting money into that. Farmers are basically being paid for preserving their remnants, so that is obviously an excellent proposal. They are not to be relied on as a regulatory authority, because that is not their business.

They had a couple of seminars recently where they had good speakers. However, one of their people who had actually been to America, where there is virtually no planning scheme and where you have suburban sprawl right out along the freeways and where people are walking away from their houses now, with the sub-prime collapse, was making recommendations that would have been appropriate for America, suggesting the purchase of development rights. Well, hello, farmers do not have development rights. That is the point about the virtue of our planning scheme. All our development rights, whether we live in a house, on a farm or what, are constrained by the zone provisions. I cannot put a 10-storey house on my residential block — it is not permitted in the planning scheme — and the local green wedge farmers cannot subdivide, so we have those controls in the planning scheme.

What I have argued is that if we need to buy back development rights from farmers, then that is a loophole that should be closed. My feeling is that those farmers have got farmland, which they mostly inherited but in some cases bought knowing very well that it was green wedge land. It has always been green wedge land. Before the Hamer reforms which institutionalised it, there was no question of developing that land. It was sort of out in the backblocks. They have always known that. Frankly, if people have bought up for those purposes, then I think speculators have to take the risk that it does not come off.

I guess I would say that the CMAs are good on conservation measures, but they are not appropriate for a regulatory authority. That is why we are suggesting a green wedges and public lands authority.

Mr THORNLEY — Unlike the IPA you are not interested in replicating the urban paradise of Houston or Cleveland, evidently.

Ms WEST — No, that is right.

Mr O'DONOHUE — First of all, thank you for your submission and being here today. Just to take that issue further and, I suppose, explore a bit more of Alan Hunt's suggestion of some sort of rate subsidy for farmers in the green wedge — and I note the comments you have just made — I suppose the issue remains, though, even if you take out the speculation, the fact is that green wedge land close to Melbourne can have values much higher than normal agricultural use, which can make farming a difficult proposition. Whilst you may not accept Alan's suggestion of a rate subsidy, do you see any sort of need to assist landowners in the green wedge, particularly farmers, to maintain their land and do so in a cost-effective fashion?

Ms WEST — Thank you for asking me that, because I meant to mention that one of the things that came up for discussion at one of the CMA seminars that was really useful was the fact that the market value of some of those farms is being pushed up by speculation. Bill Forrest, the CEO of Nillumbik, said we have to find a way of valuing the land so that for rating purposes we are rating people on the farmland value, not the speculative value. I would strongly support that.

My feeling is that the best ways to assist green wedge farmers is through (a) rate rebates and (b) conservation programs like the Grow West one. Another problem they have, which is a commonwealth issue — and we did not get organised in time; we really meant to put this to the parties before the federal election — is that when the old farmers retire, they want to stay in their houses, like a lot of us do. That leads to pressure to excise a lot with their house on, and then build another house. Of course a generation later that gets excised and then they say the farmland is not viable.

We feel that there needs to be some provision that if land is sold or leased, the farmers need to be exempted from that provision so that they can get the pension. There are farmers in our green wedge who are quite poor. They are not affluent, and this is very important to them. They are scrounging around, trying to find uses to make some money out of their land. They are encouraging trucks to park there. Vehicles through is a permitted use in the green wedge— we have argued that it should not be — provided it is used for the transport of goods or people. We have an application from Grenda's bus depot to establish on a green wedge site, which is obviously an urban use that should not be there, but it is permitted in the green wedge zone. There will be a row about that in council. It is a discretionary use. Council should say no. But if council says no, will VCAT uphold it? I do not know.

We need the federal government to do something to reform the pension provisions so that retired farmers can still get the pension without having to excise lots of their land — if they sell it off or lease it even to their children. They should be income tested on the profit they make out of it, but not as asset tested, because the asset test is what puts them off the pension. I think, fair enough, they should be income tested like anybody else, but not asset tested as well now.

I understand that the federal government brought in some kind of measure in September that exempted farmers who had been on their land for 20 years, but my feeling is that probably is not enough. There would be some farmers who have not been there 20 years. Sometimes they might have been on another farm and then they have only been on this farm for 10 years or something. Those are the things that I would respond to about those points.

Mr O'DONOHUE — Thank you. There seems to be a few issues there for farmers in the green wedge and maintaining their viability, which is important to the long-term viability of the green wedge.

Ms WEST — That is true. However, it is also a fact that 75 per cent of farms across Victoria have someone working off the farm. When you are talking about viability, you do not necessarily expect the green wedge to be able to support one or, in some cases, two families. It does not mean that someone in that family might not have to work off the farm.

Mr O'DONOHUE — Sure, but I suppose the green wedge are a different proposition to agricultural farm-zoned land in the Wimmera, Mallee or East Gippsland, because they have their own inherent values as part of the green wedge and other pressures as well.

Ms WEST — Not really. I think all the green wedge does is it gives it the same protection as that farmland further afield. I think it is fairly much the same. The only difference is the speculative pressures and effect on market value and price and rates.

Mr O'DONOHUE — There are a lot more potential uses in green wedge land compared to farm-zoned land.

Ms WEST — That is questionable. There are some uses in farm-zoned land — for example, they can be used for feedlots. I think green wedges can be used for feedlots too, actually. You are probably right. Certainly I have heard Michael Buxton say that about the farm zone. But certainly the rural activity zone permits a lot more uses than green wedge zones do, and there is a lot of farmland that is zoned into the rural zone. We are not expert on the rural zones; we just could not cover that as well. Someone should have but unfortunately there was not a broad coalition who could do that. We stick to our own issues.

The CHAIR — Rosemary, I think we will have to call it a day. Thank you very much for your contribution. That covered a lot of territory. We may well be in touch with you in the next little while to flesh out a couple of those issues.

Ms WEST — Fantastic; I would be really happy to help.

Witness withdrew.