

CORRECTED VERSION

SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Melbourne — 28 November 2007

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Cr R. Iser, councillor, and

Mr J. Wood, group manager, city development, City of Moonee Valley

The CHAIR — I declare open the public hearing of the Legislative Council Select Committee on Public Land Development. Today's hearings are in relation to the Victorian government's policies relating to the sale and development of public land. I welcome to the hearing Cr Rose Iser from the City of Moonee Valley, and also Mr Jeremy Wood, the group manager for city development. All evidence taken at this hearing is protected by parliamentary privilege, as provided by the Constitution Act 1975 and further subject to the provisions of the Legislative Council standing orders. Any comments you make outside the hearing may not be afforded such privilege. You will be provided with proof copies of the Hansard transcript, to which you will have the opportunity to make typographical and other minor corrections.

I ask you to make a short opening statement, and then we will proceed to ask some questions. But welcome.

Cr ISER — Thank you very much. I will begin with a 5-minute brief presentation and overview of our submission, and then Jeremy Wood will assist me in answering any of the questions you may have. I take it you have a copy of our submission, which you will note relies very heavily on one specific example of Crown land in Moonee Valley, and I will talk about that in some detail.

But I would like to begin by giving some context, I guess, to Moonee Valley's thinking about this discussion. To put it in somewhat of a global context, we were very fortunate last Monday to hear some associate professors from Melbourne University and Deakin University talk about the value of open space.

The CHAIR — Who was that?

Cr ISER — That was Dr Catherine Bull and Dr Mardie Townsend, who spoke to a big community gathering in Moonee Valley about the value of open space and parkland in our municipality. A couple of the points they made were that Australia is second to Singapore in its urbanisation and that Melbourne is behind cities like New York and Los Angeles in the proportion of open space that we do have, particularly around the central areas, in which Moonee Valley is of course contained. They also spoke at length about the concept of environmental deprivation, which is a concept gaining increasing recognition in academic circles and is certainly something they felt should be better informing public policy around how we manage, deal with and retain open space and parkland. I guess it is in that context that Moonee Valley is looking at open space and parkland within its small, little part of the world.

You can see from the map, which Jeremy has kindly prepared for distribution to you this morning, the pink areas are the Crown land areas within Moonee Valley, and obviously the green marks the open space. As you can see, certainly there are large pockets of Moonee Valley that do not enjoy a great deal of open space. I guess it is within this context that an assessment of open space is surplus perhaps seems to us and our community to be a little wanting and perhaps just a short-sighted.

The particular pocket of land that our submission relies on as a case study is the little triangle on the right of the map, which is known to the community as the Bent Street reserve. Much of that pocket of land was part of the Moonee Ponds Creek. When the creek was diverted to what is now known as the concrete creek, underneath the freeway, it was filled in and it has remained a little pocket of land that has been owned by various public authorities. Small parts of it were privately owned but the majority of it was owned by the board of works and the roads corporations — former titles and entities probably before my time. That is the particular pocket of land that our submission concentrates on as a case example.

What has really struck us in dealing with this particular example is, of course, what you I guess are looking into — that is, the processes that we have come up against in terms of how the state government deals with such a pocket of land and what input the community and the council can have into that process.

Of particular note to us perhaps is the lack of consultation with the community about the value of that land — what that land might mean to the residents in the surrounding area. We certainly hope to see a process that is informed by public submissions or at least some form of community consultation that takes into account not only the council's view but also directly the views of the constituents around that area. There is a small group of residents around that area who are probably 80-plus in age and have been campaigning long and hard about the retention of this particular pocket of land. Their views, I guess, have been represented by council, but it would be important that they were also able to submit directly or speak to people about why they value the land in that area.

It is probably fair to say that in an area of Melbourne that is as densely urbanised as Moonee Valley it seems to Moonee Valley Council that the default position ought to be the retention of open space and that really the onus ought to be on the government, review panel or whatever process is put in place to prove there is not any value in retaining that open land. The default position ought to be the retention of that land as open space.

Certainly we feel that as a first step the option ought to be given to the local council to act as the committee of management. Moonee Valley Council has expressly said on a number of occasions in correspondence and otherwise that it would be very willing — we would deal with it tomorrow — in terms of managing that land and investing considerable money into developing bike links, walking links and space for passive recreation or otherwise in accordance with our open space strategy and the needs and wants of the community.

We certainly have argued very strongly about this particular parcel of land, that the option that we are presented with — which is to pay commercial or market-value rates for that land — is inappropriate; that as it currently stands this is publicly owned land, that the majority — probably 90 per cent — of this space has been in public ownership since the 1960s or almost half a century, and there really is no reason for public funds to be spent in the transfer of the land from one tier of government to the other; and that really the council is quite willing to invest that money in the improvement of the land, as has been the case for a number of pockets of land around the municipality.

Smaller pockets of land have been offered to us on that basis in terms of council assuming the role of committee of management. The inconsistency between those approaches is certainly something that has been very evident to us as well. Obviously this particular parcel of land is a bit larger — probably twice the size of any of the other pockets of land that have been offered. Nevertheless the size of the land makes it all the more valuable in terms of open space and parkland for the residents. That is my brief overview.

The CHAIR — I thank you for your contribution, because this is a very interesting case study for us in terms of small pockets of land — so-called surplus land. I, for one, am very much conscious of the need to ensure that there is sufficient open space. I know Moonee Valley well, and I think there is a need for more public space there.

There are a couple of things that come out of this, from my perspective. One is that you seem to have done the work to map all the public open space in your municipality. Obviously you have some idea of how that might compare with other municipalities. Firstly, was that a costly exercise in assembling that information? Secondly, how does Moonee Valley compare to other municipalities? You might want to elaborate on that.

Mr WOOD — It was not particularly difficult to assemble it, in as much as we have a very sophisticated geographic information system. We have all our titles as well as the land data from the land titles office on our own system to determine the ownership of the land. We were quite fortunate to be able to get this information relatively quickly. It also distinguishes between the Crown land, council-owned land, and land in other public authorities such as Melbourne Water et cetera.

The CHAIR — And public open space also potentially on some private land?

Mr WOOD — No. In the old days you used to have proposed public open space designation over privately owned property. All the land that is shown on this plan is in public ownership of one sort or the other, whether it be Melbourne Water, Parks Victoria or council. There is no private land that has actually been identified in this area as public open space.

In terms of the amount of open space that there is available compared to others, that is a difficult one because it depends on which municipalities you try to compare with.

The CHAIR — I thought there might have been some research.

Mr WOOD — There may well be some research available. I personally am not aware of it. Some councils in their own management plans identify how much open space they have, how many square kilometres of residential land they have, how many square kilometres or hectares of commercial land they have. It may be something that we could obtain.

Generally I think in some pockets of Moonee Valley we are well serviced. You have to then look on the periphery of our municipalities, too. People just do not use the open space in their own area; they go across the boundary into other locations where open space exists as well.

Moonee Valley, within its municipality, has some pockets where we are live on, particularly around our activity centres. Where that yellow shape is shown on the map we circulated, it is not far from the Bent Street site — that is Queens Park. That is basically in the centre of Moonee Ponds activity centre. The council has been very supportive of the principles of Melbourne 2030. It has been doing a lot to get urban consolidation and medium and high-density residential development in its activity centre.

The CHAIR — I know that. In that context, you would be aware and you may wish to comment on the fact that there does not seem to be any formal mechanism for measuring the open space in and around activity districts. As population densities build up, there does not seem to be any mechanism. You might comment on the need or otherwise for that.

Mr WOOD — I think there is a need for that. The council has allocated substantial funds in this current year's budget to undertake a major public open space review to do some of the things that you have been alluding to, which is to determine what is the open space demands of our community now.

The CHAIR — Is there any state government support for that?

Mr WOOD — There has not been state government support for that particular initiative, but it is one that we feel we have to have that strategic planning basis for, because as you probably know, when development applications are lodged for subdivision, council can apply a 5 per cent open space contribution. As we have recently found out with the government decision for what is known as the Lombards development right down at the bottom of Mount Alexander Road — —

The CHAIR — This is the one that burnt down?

Mr WOOD — This is the one that burnt down. There is going to be about 400 apartments there, plus a proposed 22-storey office development, where there could be 1000 people working there. We were in VCAT a matter of two weeks ago arguing the issue of open space. We valued the site at \$12.5 million. Five per cent of that would have been \$625 000. The proponent appealed that decision. It was then determined that the open space contribution should not be anything more than 2.5 per cent. Part of our inability to argue a higher amount is that we did not have a very good strategic basis upon indicating, as you were alluding to earlier, what are the other demands for open space of a more densely populated city.

Our strategy will hopefully give us that basis. We will also then approach the Minister for Planning to try to have a set amount introduced into our planning schemes, so it does not become the subject of appeal before VCAT. You can imagine if someone can eventually go to VCAT, say in the Lombards case, and save \$312 000 and they spend \$50 000 on a QC and legal support, the economics are pretty much in their favour. We have to spend the same money obviously as the respondent.

If you can put a set amount into the planning scheme — and there are a couple of councils around Melbourne that managed to do that some years ago — it does not become an appealable issue. Again, we would hope to convince the minister that we have the strategic justification about what our planning policies are in terms of urban consolidation, and what are our demands and capacity to actually use that money in a beneficial way to either embellish and improve our current open space or, in some cases, often look at purchasing open space.

The CHAIR — Thank you, that is quite helpful. On a semi-regional rather than a strictly municipal basis — you obviously have Royal Park and so forth in that direction — this large commonwealth site to the south of the Maribyrnong just across the border, does the council have any views on the future of that site?

Mr WOOD — Can I respond to that?

The CHAIR — We have a submission that deals with that site.

Mr WOOD — From?

Cr ISER — From Maribyrnong.

The CHAIR — Another party.

Mr WOOD — I was going to say that we have had some discussions with the City of Maribyrnong about the future of that site. We have also had some preliminary discussions with VicUrban that seems to be the body that will most likely end up having development rights for that site when they eventually do a deal. VicUrban has a plan which shows how they would master-plan that particular site. It is a difficult site to develop because it has substantial heritage buildings on it — it has, I think, a couple of hundred heritage buildings on it — so they have to look at how they manage that. There are some contamination issues of course, and then there is very much this issue of open space.

My understanding is that Maribyrnong was very keen to see at least 50 per cent of that site retained as open space. That is not the plan I have seen in the preliminary master plan that VicUrban has done.

We are very interested, of course, because one of the things we would like to see happen is that there be one or two or maybe three pedestrian bridges across the Maribyrnong River between some of that quite substantial open space and open space on our side of the river to link it together — what we would like to see is — —

The CHAIR — You have got most of the open space around that fringe with pathways and so forth?

Mr WOOD — Correct — bike paths.

The CHAIR — You want the bridges across?

Mr WOOD — We think that bridges across would help both, but obviously we would be reluctant if VicUrban or a developer said, ‘We can maximise development on our side now and borrow your open space on the other side of the river without contributing anything’.

The CHAIR — And ‘Thank you very much’.

Mr WOOD — We are on a knife’s edge, if you like. We want to be proactive about it and provide benefit for our community and the Maribyrnong community, as well as the people who will ultimately be living in this new estate, but we want to make sure it is not at our expense without them contributing significantly to the enjoyment and the possibility of open space development on that site. It is a wonderful site. You may have walked along the Maribyrnong and looked over it. It has some great potential; it really has.

Cr ISER — If I could follow on from that, we have also made several presentations to the state government regarding our view of the linear park link along the Maribyrnong. Obviously we are not looking at just the Moonee Valley side of that but also how that is integrated with our neighbouring municipalities, so it is easy to draw the borders; but we are very conscious of what is happening on the other side of the river in terms of developing that linear park and working with the relevant authorities to do that.

There is also the good example of the Afton Street reserve, where Moonee Valley council paid a considerable sum — I think it was \$1 million — —

Mr WOOD — Just under \$1 million.

Cr ISER — We paid just under \$1 million to the commonwealth for a very large area of land, which we are currently developing as a wetland conservation area. I guess that is a clear indication of what our priority might be for some of the land along there. We would certainly like that to be the same across the river.

The CHAIR — A reciprocal arrangement.

Cr ISER — Yes.

Mr WOOD — I think the purchase cost was about \$5 a square metre, which is substantially less than what the state government is seeking from us, even at a reduced amount, for the Bent Street site.

Cr ISER — Yes.

The CHAIR — Good on the commonwealth government — the former commonwealth government.

Cr ISER — That is right. It has on occasion been put to us that if we were happy to pay money for that site, why are we not happy to pay money for a smaller site?

The CHAIR — The answer is it might pay some.

Cr ISER — Yes, but if we were paying the same rate I think it would come out to something like \$25 000, which is considerably less than the \$600 000 that has been put to us.

Mr WOOD — Could I just make one more point on the river issue? You might be aware that the community cabinet visited Moonee Valley on 24 April, and we gave a detailed presentation on four issues. One of those issues was the importance of the Maribyrnong River as a linear park. One of our concerns has been the fact that we believe the Maribyrnong River has been very much under-done, if you like, and under-supported for decades.

If you look at state government reports such as the Two Rivers project, a report that still has not been released — I think we kicked up a bit of a stink about it — that report was meant to be about the Maribyrnong and the Yarra. It is a report of about 60 pages, and something like 45 pages is all about the Yarra. There are about 15 pages, including the index and other things, related to the Maribyrnong.

Our wish in our submission to the community cabinet was to try to get the Maribyrnong River declared a regional linear park; to get it elevated in the hierarchy. Parks Victoria would then have much better access to funding to provide some significant improvements to the river, not only in terms of the interface and the land along the edge of the river but also the river itself, which has some real problems with erosion because of bluestone in the banks. It is a bit like the Yarra, which is being eroded now because of increased boating traffic.

This is what you would like to see; you would like to see some more activity up there, but a much better management approach is needed. We cannot do it. We can help, along with Maribyrnong and Brimbank councils and others that about it, but we cannot do it by ourselves.

The CHAIR — Would it be possible to get a copy of your plans for the linear parks and so forth and also that community cabinet submission?

Mr WOOD — Absolutely.

Ms PENNICUIK — Thank you very much for your submission and your presentation here today. It is a very interesting case study. Other parties have raised with us the issue of the lack of transparency in declaring land surplus to needs and perhaps not allowing local communities to have a say on whether something is surplus. It might be surplus in terms of a government department thinking it is but not in the local community.

I was interested in another development you were talking about. It was not the Bent Street site; it was the one that burnt down. I have forgotten the name.

Mr WOOD — Lombards.

Cr ISER — It is in my ward as well.

Ms PENNICUIK — The council, it seems, asked for what I would have thought was a minimal open space provision of 5 per cent. I would have thought that would have to be the absolute minimum.

You said that perhaps you were not able to argue strongly enough without a strategic framework, but what reason did VCAT give for 2.5 per cent being an adequate amount?

Mr WOOD — It did not actually get to a full hearing in the end because based on legal advice and information and looking at some of the precedents in other cases, 2.5 per cent was deemed to be the best we would get. That was the indication we were getting from the mediator from VCAT. The proponent put forward the fact that there is already land abutting the Lombard site, which is Delhi Reserve, and also Debney Park. They also mentioned the fact that just on the other side of the freeway is Royal Park, and there is a significant amount of open space available there. They indicated that within their development on a podium level there is going to be about 3000 square metres of piazza, if you like, and they were saying, 'We consider that is public open space'. Our argument is it might be available to the public, but the public are not going to be feeling it is very inviting to go into

that space, because it is going to be basically the front yards of a number of ground floor units that will face onto that piazza. They were a number of the reasons that the proponent or the applicant put forward to VCAT in this mediation.

The other interesting factor that they brought into it was that council negotiated the sale of a very small strip of Debney Park to enable the widening of the road, and there was quite a lot of pressure put on council to do that. Council then negotiated a \$200 000 above-the-purchase price as a community service obligation, which council committed to spend on Debney Park. That was completely separate to the issues of the open space in our minds, but the proponent, or the applicant, put forward to the tribunal that that \$200 000 should also be taken into account as a contribution that they have made, so they were using a lot of argument to try to water down our case, which was about the expectations of those people who were living in that high-density development. They have only got small balconies and they will be using a lot of the open space, but more particularly there are going to be up to a thousand people working in the office tower, which again will be utilising the open space across the road and along Delhi Reserve, which we feel they should give a contribution towards upgrading and improving.

Ms PENNICUIK — Obviously people need to have access to open space nearby. I think it is pretty well known that people will not cross major roads, let alone freeways — —

Mr WOOD — That is true.

Ms PENNICUIK — To utilise the public open space over there, so I would have thought the inclusion of Royal Park would be a little bit of a long bow.

Cr ISER — A bit far-fetched.

Mr WOOD — VCAT generally do look at a map and say, ‘Yes, it is all over there, but there is nothing to stop people. There are pedestrian lights to get across the freeway or under the freeway’.

The CHAIR — You would be dead by the time you got across those roads.

Mr KAVANAGH — Just with the Bent Street site, if the council were not to buy it, what would happen to that land?

Cr ISER — If the council were not to buy it, the proposal that has been put to us is that it would be sold commercially by the state government.

Mr WOOD — If I can just expand on that, what originally happened was that about three and a half years ago, the department of planning and Treasury determined that the land was surplus and then they got a consultant to prepare a proposal to council to rezone the land from public open space, and it has been public open space in our research for just about ever.

The CHAIR — Forever.

Mr WOOD — It is not even as though it was other zoning. It has always been public open space. They requested council to rezone the land from public open space to residential. Council refused to do that, or deferred it pending further discussions, and that is where the matter currently stands. So they have an application in for us to rezone it. If we did not buy and the state government determined that it was going to pursue the matter — I cannot pre-empt the government decision — my thought would be that the council would be unlikely to support the rezoning; therefore the Minister for Planning would presumably have to then become the responsible authority and make a decision himself to rezone that site.

Mr KAVANAGH — How has that land been used in the past?

Mr WOOD — Basically, it has just been — —

Cr ISER — It was the creek — a large portion of it — then it was filled in in the 1960s.

Mr WOOD — When the Tullamarine Freeway was built, effectively going back to the 1960s.

Cr ISER — It is currently fenced off.

Mr KAVANAGH — It is just left as — —

Cr ISER — Growing grass.

Mr WOOD — One more thing, just on the Bent Street site, too, in the most recent response which we indicated to you in our submission that the minister came back on, where the department did say that it has — —

Cr ISER — Paper barks.

Mr WOOD — Environmental significance; it has open space importance to the area, but I think it used the words ‘somewhat degraded’, and therefore that was the decision for determining that it was surplus. We have yet to determine or get an answer as to what they mean by ‘degraded’. Do they mean it was just left unkempt, in which case that was because no-one had responsibility?

The CHAIR — Therefore they thought they could flog it off.

Mr WOOD — Whether it was that or whether degraded can also be translated to mean contaminated as a result of the landfill going back to the 1960s when the creek was filled in and diverted. We have not got the answer.

Cr ISER — We were going to run some tests to do some soil testing, but I do not know if that has actually been carried out.

Mr WOOD — We have not done that.

Mr THORNLEY — Just back on the Maribyrnong for a second, I am presuming your advocacy for a linear park would not include a dam in the middle of that linear park?

Cr ISER — Wetlands.

Mr THORNLEY — Wetlands, not including a dam. I am also assuming if you were successful in having the title transferred to the council that you would be happy to have some sort of covenant on it to prevent on-sale or other forms of development?

Cr ISER — It is not even about necessarily the transfer of title. Council is happy to be the committee of management, so I think there are two ways of approaching it.

Mr WOOD — Again, back in August the Department of Sustainability and Environment wrote to us offering another six parcels of land to the committee of management, the largest one of those being 2800 square metres and the smallest being 148 square metres. Again, this is where we came to the conclusion, why would they determine to say, ‘You can have these as committee of management’? Some of these are quite bizarre sites inasmuch as they are in the middle of land that is already managed by Parks Victoria, and we cannot even get to the site, if we were to take control of it, without actually driving across land that is in Parks Victoria’s ownership, so I would have thought that some of these sites would have gone straight to Parks Victoria rather than coming to us. There does not seem to be any understanding that we can find from them as to how they determine which ones are determined to go forward to a council as an offer for a committee of management and which ones they decide are surplus, and which ones they then just transfer to or make the responsibility of one of their existing agencies, such as Parks Victoria.

Mr THORNLEY — What is your vision for the site? It is now fenced off so no-one can use it.

Cr ISER — Yes.

Mr THORNLEY — So are you going to throw a few barbies on it, make it a kids playground; it is a little pocket park.

Cr ISER — Not shown on this map are some pedestrian and cycle links that exist around that area. There is a bike track that goes all the way up the creek.

Mr THORNLEY — I have been down it many times.

Cr ISER — Yes. You will know then that at that point it is on the other side of the freeway. The residents in this pocket here do not actually have access to that park because it is on the other side of the freeway at that point. It is perfectly located to create a safe bike access down this side. Our vision would be to work with the Moonee Valley racecourse to create the bike link on this side of the freeway that runs down and rejoins the path there, which would also be of great use to the primary school, which is the Moonee Ponds Central School — in Bent Street in fact. The principal there has spoken with me about the value of the link through there. There is a footbridge that also goes across the freeway. A significant number of students cross over that footbridge but then do not have a direct foot link through to the school, so again it would be useful there.

I have also talked with the school a little bit about whether the site could then have potential for almost a shared use in terms of creating some sports and recreation facilities for the schoolchildren, or whether it is given more a naturalistic, passive recreation purpose. That could be determined on the basis of community consultation and need. We have not necessarily developed a specific plan at this point although the number of options are very good.

Mr WOOD — It is 5 300 square metres so it is not huge.

Mr THORNLEY — It is a bit over an acre.

Mr O'DONOHUE — Thank you for your submission and for your comments this morning. Just talking about population growth in the city. What is the current population and what rate of population growth are you experiencing?

Cr ISER — The current population — —

Mr WOOD — One hundred and ten thousand people. The last census said 106 000, but you normally give a margin, so we say it is about 110 000 to 114 000.

Cr ISER — I think it is fairly static at the moment.

Mr WOOD — It is fairly static. One of our issues is going to be to retain our population to a degree. Even though the council is a very strong supporter of Melbourne 2030 in getting high density in our activity centres — and we have six activity centres in Moonee Valley, so we have quite a big responsibility, if you like, to try to provide that opportunity — that is really only going to help maintain the population. We are thinking we will get about 9000 dwellings over the next 20 years which will probably only equate to about 9000 additional people.

Cr ISER — I think one of the problems with some of the proposals that have been coming to council recently is that they are not necessarily terribly well thought out not only in terms of open space but also the design. While council is very supportive of increasing density in accordance with Melbourne 2030, the other parameters, including private open space or public open space or good design, have not necessarily been given due emphasis. I guess council feels a bit frustrated in that respect.

Mr O'DONOHUE — I think you said earlier that open space in the city is wanting. Is that the reason you want to link up with the other side of the Maribyrnong, to increase the availability of open space, given you are in effect landlocked where you are?

Cr ISER — Yes.

Mr O'DONOHUE — New land is difficult to come by.

Cr ISER — Sorry, Jeremy, if I can continue. I do not know whether you are familiar with this part of the Maribyrnong there where there are a number of links across. It is a really beautiful passive and active recreation area. The potential to increase and improve that along the Maribyrnong is certainly what council can envisage and needs the support to do.

Mr WOOD — As I said, we certainly have not become very possessive about open space and say, 'We cannot get enough there so we will go and borrow someone else's'. We are just trying to provide a great experience that people can enjoy along the Maribyrnong. If you go along the Yarra for kilometres it is fantastic, and that is in a couple of other municipalities as well. They utilise it well not only for their communities but for the whole of Melbourne, and we would see this as being not dissimilar.

Cr ISER — And certainly open space allows for better cycling and walking links too, and obviously that is something we are trying to improve.

Mr O'DONOHUE — Just dealing with the Bent Street site, I am interested in your comments about the proposed rezoning. We have had other submissions about rezoning by the state government. It is becoming more and more apparent that there is a different set of rules for the state when it comes to rezoning its own land compared to private land owners. Could you just describe to me what process the state goes through when it wants to rezone a parcel of land?

Mr WOOD — We have not got all of the information because presumably it goes through a process where it engages consultants, like it did in this case, to undertake an assessment of the strategic values of the site and what opportunities it has for other uses.

The CHAIR — Do you have a copy of that consultancy report?

Mr WOOD — We have a copy of that and we can send it to you if you like.

The CHAIR — You are happy to send that?

Mr WOOD — Absolutely. It was the Department of Treasury and Finance which employed a company called Foresite to prepare the submission to council to support the rezoning proposal, requesting council then to initiate the amendment, effectively. As I said, council in this case did not decide to do it. As you would be aware the minister has quite considerable powers. He can follow the same process that a council would in terms of doing the strategic analysis, preparing an amendment — as the minister — as he did with Lombard and as he did with the Royal Melbourne Showgrounds et cetera. He puts it out for public comment, has a panel hearing if there are submissions, receives the report of the panel and then makes a decision. Of course, he also has the authority to determine that he does not want to go through some of those processes, and there are certain criteria in the act just to approve the amendment because a project is of significance. He has the opportunity to go to both paths. In this case he was not involved per se; it was more the Department of Treasury and Finance, and it was following what you might say is the same process as any other proponent would propose to seek council's support for rezoning.

Ms PENNICUIK — Just one more question. We have been advised by the Department of Treasury and Finance that if a parcel of land is declared surplus, it is assessed by the Department of Sustainability and Environment for its public land values. Have you seen such an assessment?

Mr WOOD — First of all we met with Justin Madden back in May I think it was or June and we had a face to face with him to talk about three issues — one being the showgrounds, one being activity centres generally and the other one being the Bent Street site. He was very responsive and we asked him to follow up the letter we had written to him asking for him to reconsider the decision that the land is surplus. He wrote back — and again we could provide that letter to you — where he said that he has had the matter looked at and his officers feel the land has some conservation significance and some recreation significance but it is somewhat degraded. Therefore —

Cr ISER — It is surplus.

Mr WOOD — It is surplus. My understanding is that once that decision is made it goes across to Treasury and Finance and as far as they are concerned they have got a list of assets to dispose of. That is their charter and that is all they are doing now. What we continually have tried to do is get that decision re-looked at and also try to understand it, and we have not had that opportunity to have that with the bureaucrats or the people who have actually put it together.

Ms PENNICUIK — And you do not have a written assessment though?

Cr ISER — Just in the form of correspondence to that effect.

Mr WOOD — A couple of lines to say it is degraded and deemed surplus.

Ms PENNICUIK — It would be good if we could see a copy of that.

Mr WOOD — I will certainly provide it to you.

The CHAIR — That whole list of correspondence would actually be very good.

Cr ISER — Sure.

Mr WOOD — There are files of it, believe you me.

The CHAIR — The key stuff. Can I thank you for your submission. That has been fabulous and very informative about process as well as some of the broader issues. Thank you very much.

Cr ISER — Thank you for hearing us this morning.

The CHAIR — I wish you luck in preventing them building some very ugly tilt-ups on that Bent Street site.

Witnesses withdrew.