

CORRECTED VERSION

SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Tuerong — 27 September 2007

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Ms M. Clarkson, treasurer,

Mr J. Edgerton, member, and

Ms S. Todd, member, Devilbend Landcare Group.

The CHAIR — I call the Devilbend Landcare Group. I take this opportunity to note in the audience Neil Burgess, the member for Hastings. I welcome the Devilbend Landcare Group: Mr Roger Turner, chairman; Ms Maria Clarkson, treasurer; and Mr Jamie Edgerton and Ms Susan Todd, who are members. I ask you to give an explanation of your views, and then we will ask some questions.

Mr TURNER — Certainly, thank you. First of all I apologise for Julie Edgerton's absence; Jamie will represent her views, I am sure. Thank you very much, Chair, for giving us this opportunity. I am Roger Turner; I am privileged to be the chairman of the Devilbend Landcare Group.

The Landcare group comprises active members representing some 50 households, the majority of which adjoin or are close to the Devilbend Reserve. The aim of the Landcare group is principally to develop and pursue Landcare policies which will support the long-term sustainability of the area as a whole. Inevitably our focus is attracted by the — and I do not use these words with any reservation — wonderful jewel we have in our midst in the form of the Devilbend Reserve. Following on from Mr Atkins's presentation of earlier, I commend those who have been involved with the process of the disposal of Melbourne Water's land that has led to this hugely satisfactory outcome in terms of the 1017 hectares which have become the conservation reserve.

We are delighted as a group to be assisting Parks Victoria with the development of its own management strategy for those 1017 hectares. We are also pleased to be a part of the practical activities — weed management programs and so forth — all of which help us to be educated in how we, too, can cultivate and care for our own land in concert with what is happening within the reserve.

Turning to the issue at hand, I first of all thank Mr O'Donohue for having sought our views in the first place. We were very pleased to have been consulted on the matter that you are now considering. We took the request seriously; we canvassed our membership in its entirety and we discussed the many points which arose in our committee, which comprises 14, of which we 4 are members. It was not difficult, I have to say, because the views, the conclusions and the recommendations are totally unanimous. I have not heard — either in the discussions before or since we held our committee meeting and sent you our submission — heard anybody say anything to the contrary of those opinions, either within the community or on its periphery.

We summed up the conclusions, recommendations and arguments in the submission, which I hope you have all had an opportunity to see. I will not go over it. Has anybody not seen it? Thank you. So I will not go over the discussion, but I thought it might be helpful if we rehearsed the actual conclusions and recommendations. The trouble with being last — and you have already heard from Mr Atkins and also the Devilbend Foundation — is that it is likely we are going to repeat things you have heard already. I hope you will forgive us for doing that. The source of the opinion is different from the source from which you have already heard it.

The first conclusion is that the reserve has the scope to offer a wide range of recreational and educational activity. There is a strong feeling that the reserve should not be closed off but should be made available to as many people as want to take advantage of it. But clearly that has to be controlled in order that priority no. 1, the preservation of the wildlife habitat, is maintained.

Next on the list of priorities is education in flora and fauna conservation. This will be subordinate to the highest priority of preserving the habitat but it will still be a high priority. Following that will be the opportunity to research into ecological topics and, if possible, to obtain nearby off-site facilities if that proves to be desirable.

One of the difficulties is that the number of visitors which the reserve will attract is at this stage totally unknown. It is interesting that — and this was the discussion we were having earlier on — the peninsula is effectively Melbourne's back garden. I have recently seen the statistics from the shire, which show that last year more than a million overnight visitations were made to the peninsula. The majority of them come from Melbourne. How many of those will choose to visit the reserve when it is open is impossible to judge. We think it will be at least five years before we have a serious idea of what the visitation rates are and indeed how they will increase in the years that follow.

You have already heard that our vision is in concert with that of the foundation, which is a 50-year vision. That really means 50 years plus. So if we are going to have a handle on what those visitation rates are, we do not think we should do anything too precipitate until we know what those visitation rates are. Choosing 5 years as a time in which to get an understanding of those visitation rates is a touch arbitrary; it could be 3 or it could be 10 years. My personal view is that 5 years is the minimum.

In the longer term — and the problem is that all the visitors who wish to visit will themselves begin to impact upon the habitat itself. If priority no. 1 is to preserve the habitat, it is a concern that the visitation might itself interfere with that. Equally, if the education programs grow in the way that we expect them to then they, too, have the potential to impact on the habitat.

It is interesting that even after only such a short time since the reserve's future has been announced and declared we have already had approaches — and this is just to the Landcare group, not to the foundation — from educational establishments and institutions asking how they can have access to the reserve so that they can develop ecological and environmental education programs. They are particularly keen to have young kids in there and revegetation programs where they can perhaps take ownership of a small part of the land, that sort of the thing, in order to teach the next generation the importance of all this conservation. Again, the amount by which that will grow is a matter of speculation. We will need time to know just how great that will be.

The land which is being proposed for disposal will of course make an ideal site for such an education and research centre. The concern is, of course, that if we sell the land we will only do it once. It is not a decision that you can reverse in five years' time when you find that the loading and the visitation rates have increased more than you expected. An additional point here, which was not in our submission, is that retaining that land, or at least deferring the sale, is fiscally prudent in that the land value will only go up. If you do not sell it now but choose to sell it later, you will not have lost anything, I do not suppose.

Another conclusion is that there probably is not a need for an educational research centre immediately, so there is not an immediate pressure on the budget to find money to buy an educational research centre. We think the requirement will emerge in the future, but quite how far ahead is impossible to say at this stage.

With a slight change of tack here in the argument I turn to the possibility that the land might be sold. We think that the disposal of the land for commercial purposes is not in the best interests of the reserve. I think you have heard a number of arguments on that point, but the main thing is that if any activity were placed there which was commercially viable, in order to attract enough people for it to be commercially available it is bound to be detrimental on the area and particularly on the reserve.

Now, of course, the shire's planning process should be able to guard against that, but you have already heard Mr Edgerton tell us that the system is not foolproof. Disposal of the land for agricultural purposes may have a detrimental effect on the reserve. I think this was something Mr Kavanagh was referring to early up on with regards to whether there could be other activity which might be acceptable. Of course it could be sold and used for agricultural purposes. There is a danger there that chemical run-off perhaps from a vineyard or something like that might have a detrimental effect on the water. It might be possible to covenant against that if one chose to do so, but we think you would be a hostage to fortune to allow it yourself to go down that path where ultimately you might not be in control of the water that is coming in from that quarter.

Finally we concluded that the realignment of the boundaries to allow disposal of the land on a single title would be less detrimental to the reserve and in keeping with green wedge provisions. I was delighted to hear Mr Atkins say exactly the same thing. If the shire is thinking along those lines, that would be very much with our support.

Those conclusions — that was a pretty hurried scamper; and I hope it was not too disjointed, but it led us to three pretty succinct recommendations. The first is that ownership of the land for disposal should be retained by the state until such time as the Devilbend Reserve's visitation rates are better understood. We think that a period of five years would be about right in which to be able to assess what those visitation rates are and therefore be able to draw a long-term conclusion.

The final recommendation is the one to which we have just referred, which is that the boundaries of the land for disposal be realigned to form a single title in order to safeguard the property within the green wedge provisions. That concludes our formal presentation. As I said, effectively all we have done is to repeat what was in the submission, which you already have. But if we could answer any questions, we would be delighted to do so.

The CHAIR — I have one question for you in terms of the Landcare group. It seems to me, and I understand this from Roger's comments earlier about the smaller creek running into the Devilbend Reservoir itself — has your Landcare group looked at the possibility of any rehabilitation along that watercourse?

Mr TURNER — Not in that particular area. What we have looked at together with Parks Victoria is a general strategy for how we can manage the entire park. Of course that is not our job; it is Parks job, but we are delighted to be working in concert with it. The work we have done so far has been with the intent of not cutting across the management plan, which it has not yet formalised. So we are working in the same direction, and in that area of we are concentrating on areas where we know we can do some good fairly quickly. We have had a fair old bash at that already. Because the area in question is outside of the reserve, we have not considered it. It is not in Parks Victoria's jurisdiction, so we are not at liberty to — —

The CHAIR — But, as I understand it, your Landcare activities are broader.

Mr TURNER — Absolutely, but — sorry, if I am going a long way around to answering your question — we have focused so far on what is already the reserve. Now that does not mean that we cannot cover areas that are outside the reserve, but we have not done so yet. From what we know of that area, there is much that could be done in terms of revegetation and the removal of weeds and the other things to bring it in line with the reserve.

As you have already heard Dr Cuming say, there are pockets of natural vegetation in there, and, as you have heard Mr Richards say, there are already species of birds which are either living there or they may have gone now but they have been observed there in recent times, demonstrating that it is land that could be very easily rehabilitated and brought back to being part of the reserve.

Ms TODD — Are you referring to the Devilbend Creek coming into the new reservoir and not the waterway coming off? The 40 hectare block, which is not really a creek as such.

The CHAIR — No, the remnants of it, the dams are on — —

Mr TURNER — It is the catchment area.

Ms TODD — It is the overflow from the dams that will go underneath the Graydens road — —

The CHAIR — It is interesting that when you look at a contour map, it is pretty clear that there certainly was a watercourse — —

Mr TURNER — Certainly it is the catchment area, and it only flows when it is wet. That water is principally retained in those dams. The whole hydraulic equation of the whole reservoir is quite interesting in its own right. A point which I think was being asked earlier was: what is the role of the catchment drains? In the south-western area they were built largely to stop chemical run-off from what were then orchards, but further round they were built to stop the water which is naturally saline from going into the reservoir, and that water was run straight off and down into Balcombe Creek. Of course the main body of the reservoir was kept fresh by pumping in the water, I think principally from Cardinia.

Because of the regular throughput as it was being drawn off and replenished, the quality of the water could be kept at the right level for it to remain potable. That is going to be a difficult equation to balance when there is not that water being pumped in from outside, and the maintenance of a freshwater import or clean water import is going to be very important. I think that the catchment that comes in through the 40 hectares is going to play an important part in that.

Ms TODD — There is a hydrology study, due out now actually. Parks Victoria is expecting the results of that shortly.

Mr TEE — I thought it was in your submission, but it might have been in the foundation's submission, a suggestion or an indication that there had been an attempt to effectively obtain funds privately to purchase the block.

Mr EDGERTON — I could speak about it, if you like, with my other hat on.

Mr TEE — Yes, please.

Mr EDGERTON — One of the advantages for the future of the reserve of the formation of been Devilbend Foundation is that we have access to a far wider array of funding sources than does Parks Victoria. So

we have been in very close dialogue with Parks Victoria, and I think it appreciates the potential for the Devilbend Foundation to seek funding from the federal government, from philanthropic organisations and even from overseas.

The CHAIR — The Trust for Nature?

Mr EDGERTON — The Trust for Nature is another possible source. One option we are exploring as a foundation, if indeed the government insists on selling the land, is to try to still keep it, if not in public ownership then in the ownership of the foundation, with support from whatever source we can arrange. It is definitely a fallback strategy, because we believe, as we said in the submission, it is much more in the public interest to keep it in public ownership, and we can use our powers to attract funding to manage and finance some of the lower key developments that we were referring to — education facilities, research facilities, a cultural heritage centre and the like.

Mr TEE — Thank you.

Ms PENNICUIK — The point that you just made was an interesting one; I think I was trying to get to it before. You said that once the piping of the water from Cardinia is stopped, then it will change the nature of the water in the reservoir and the land there, and the run-off will be very important. That is why I was asking before what other adjoining lands are part of that in terms of whether there is much more land that is outside the designated reserve that contributes water to the reserve — that is what I am trying to get out?

Ms TODD — There is only the Unthank land, which is up on the corner of Stumpy Gully Road and Graydens Road. They own a very large block. It has on it a very large dam, which adjoins the reserve. This is it here, actually. The 40 hectares we are talking about is here, and it is the Unthank land that comes in here. You can see the dam just there. That dam would receive run-off from their land. That family owns a lot of land around the Devilbend Reserve.

The other block they own is this block here and most of this land back here. It is a beautiful piece of water, a beautiful dam there. And there is a small amount of run-off from that dam, not much. Obviously hydrology is going to play a major part in the management of the reservoir. We were talking about drains and having wetlands to filter the water coming in on this side. We are waiting on the results of that hydrology study.

Ms PENNICUIK — And you were saying you were expecting it soon.

Ms TODD — Yes, I think it was due out this week, wasn't it?

Mr EDGERTON — I am not sure, Sue, but it is coming soon. It has been commissioned by Parks Victoria as part of its management planning exercise.

Ms PENNICUIK — So it would seem to me — this is not a question, it is maybe a statement — that we should be waiting for that.

Mr EDGERTON — Absolutely. The other thing that was interesting, that would perhaps be worth waiting for, is what Alex Atkins was talking about earlier, which is the corridor study, because we are not just talking about 40 hectares here. If you look behind it, the 40 hectares here obviously joins up to another 40 hectares of bushland, which I believe is a reception centre off Stumpy Gully Road there. If in fact they deem that this would be a major corridor in the future, then it may be viewed differently.

The point I would like to make whilst I have got the floor is that if the decision is made to sell this piece of land, I would like to see the funds put directly into a trust fund for Devilbend Reserve so it could be used to actually protect the asset that we have now acquired and so that there would be no question then of being able to manage this beautiful piece of land well.

Mr O'DONOHUE — I suppose this is also a comment, and I would invite any comment from the members who are present, but it would appear from what you were saying about the hydrologist's study and in relation to the council study that is being undertaken as well as the consultation process being undertaken by Parks Victoria, that we really will not know until early to mid next year what the sort of proposal will be for the reserve, and it would appear to me that until we know that, it is premature to be looking to sell off any parcel of the site.

Mr TURNER — I would support that 100 per cent, and you will not find anyone who disagrees with you.

Mr EDGERTON — I would support that and go one step further, if I may. If the select committee chooses to at least advise the state government to defer a decision on disposal of this land, let's say for at least a two-year period, to allow the other studies and the management planning phase to take place, it would seem to be in the state government's own interests to request Parks Victoria to do its management planning under two assumptions. One is that Block 1, as we call it — the 40-hectare block — is not available to Parks Victoria, that is its current brief; and also that with a modest and extra effort it could also be asked to examine the scenario of including these 40 hectares in the plan.

The CHAIR — Plan B, as it were.

Mr EDGERTON — So we could really see whether the arguments that we are putting forward are actually borne out with close scrutiny. It would not be a huge extra cost to include that into its planning, with and without the 40 hectares. It would make a huge difference to the decisions made in terms of the overlays and zoning of the main area, and that could be done within the two-year period.

Mr KAVANAGH — Why two years? Is that how long it will take Parks Victoria?

Mr EDGERTON — That is the rough time frame — 18 months to two years — before the eventual planning phase is complete. That is the typical planning period it takes for these management plans.

Ms PENNICUIK — Even if we just said, 'Until it is completed'?

Mr EDGERTON — Yes.

Mr O'DONOHUE — Jamie, if I may ask you to put on your foundation cap for a second: even if the foundation were able to find the resources to buy the 40-hectare site if it were to be sold, that would diminish your ability to then buy other land adjoining the reserve.

Mr EDGERTON — Absolutely.

Mr O'DONOHUE — Or indeed to do works to help rehabilitate part of the site.

Mr EDGERTON — That is absolutely right. We have as part of our vision, and as part of the mandate we have given ourselves in our constitution, the power to acquire property, and the purposes we would be acquiring it for would clearly be to extend the size of the reserve. We would very much like to acquire some of the blocks of private land that are already intruding into the main body of the area.

The CHAIR — A strategic purchase?

Mr EDGERTON — For strategic purposes to expand the total area of habitat and keep it in a solid block, which is very important for habitat reasons.

Mr TURNER — But it is not an option that the foundation would be able to exercise many times, and it would be a shame to have to play one such trump when actually the land is already in public ownership.

Mr EDGERTON — Just while I have the floor, also with my foundation hat on, much is made of the rationale to sell off 100 acres — the 40-hectare block — to raise money to put into the management of the reserve. We are talking about something of the order of \$2 million or not a lot more. It is a very short-sighted sort of argument, and it seems to attract a lot of people, but when you think of it, it is not a lot of money compared to the long-term value of that block of land compared to the value of the asset as and when it is properly developed in 50 years as a world-class conservation reserve. The value of that whole integrated block will dwarf any short-term fiscal advantage in selling off that block, so it seems to me a rather inadequate reason to justify the sale of public land.

The CHAIR — I have only one tiny further question. Do any of the members of your Landcare group or others that you are aware of have any plans to covenant any private land that is in the vicinity of the park?

Mr TURNER — I have not heard of any, but I have to say it is early days. Jamie is actually within the park.

Mr EDGERTON — We have a 10-acre block that is directly adjacent to the boundary of the reserve on the western side. We are currently under Landcare, but we are certainly considering covenanting a big slice of that property, 6 acres of which is pristine native vegetation.

Mr TURNER — One could argue that the Woods family was well ahead of this question when it covenanted the Woods Reserve for just this purpose, however many years ago that was — two decades or something.

Ms TODD — When you speak about covenants, any remnant bushland of course has a covenant of some sort already placed on it.

Mr TURNER — An overlay.

Ms TODD — An overlay, yes, which has restrictions on what you can and cannot do with that vegetation.

The CHAIR — But nonetheless I am also referring to the model where specific covenants are added by private landowners at their discretion.

Ms TODD — Right.

Mr TURNER — It is an interesting question. It is the first time that I have considered it. My property is a little bit further off this, and, as Sue says, I think there are five different vegetation overlays which do more than I could do in terms of protecting the vegetation. Maybe I could covenant a part of it against something, but I am not sure what I would add to the shire's own systems for protecting it.

Ms PENNICUIK — My question is to anybody, and it is similar to what David just said. I was listening to Brian saying before about the core being the reserve and the idea being to keep that as the core and build it out, whether it be private or public. A relative of mine lived at Merricks until a couple of years ago, and their land was Land for Wildlife. Is there a lot of that going on around here that you know about?

Mr TURNER — Yes.

Ms PENNICUIK — And do you have a proactive strategy about signing people up to that sort of idea?

Mr TURNER — 'Proactive' is probably too strong a word. There are many groups in the area, and they have grown for different reasons. Jan referred earlier to the 48 groups which are all affiliated to the foundation, and is it not curious that Jamie is sitting here wearing one hat when half an hour ago he was wearing a different one. A lot of people have the same interests and they overlap, and if you asked how many of us also had signboards up saying that we were Friends of Wildlife, that we had waterfront management schemes and all these other different things, you would probably find that more than half belong to more than the other half. So, yes, it is strongly interlinked.

The CHAIR — Can I thank you all very much for your generous contribution. I certainly found it very interesting, and it has added a lot.

Mr EDGERTON — Thank you for this initiative and the select committee. It is very welcome.

Witnesses withdrew.