

CORRECTED VERSION

SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Geelong — 18 March 2008

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Witnesses

Ms J. Kenwood, and

Ms C. Johnson, Queenscliffe Community Association.

The CHAIR — Christine and Joan, can I ask you to give us a brief presentation, and then we will ask a few questions and try to get a better understanding.

Ms KENWOOD — I am from the Queenscliffe Community Association. Our association congratulates the members who have supported the establishment of this committee, and we thank you for the opportunity to have input in this process.

We see our planet as becoming increasingly more polluted, with soaring land prices and medium-density housing, which brings subdivisions with boundary-to-boundary development. There must be immediate and long-term decisions made to preserve our public land and public space. As you go forward there needs to be a public process for parklands and open spaces to be given the highest order of conservation zoning. Get rid of the special use zones. Neither VCAT nor a councillor hearing panel — as in Geelong — is a suitable process for this; it needs to be a completely independent body.

There needs to be an overall policy that commonwealth, state and local governments cannot sell public lands and open spaces that rightfully belong to the people of Victoria. As we stated in our submission, QCA is particularly concerned with the loss of public land in coastal regions. In the Borough of Queenscliffe alone the federal government sold off the Crows Nest army barracks to developers, who have subdivided and sold blocks at huge profits, only affordable by the wealthy. Part of this land, closer to the shoreline, where defence installations have been, was included in the sale rather than returned to DSE and the boundary realigned with adjacent properties. We were hoping to have that land given back to the DSE as part of the coastal foreshore and to have the boundary of the piece of land realigned with the adjoining properties, but that did not happen. We now have huge Martha's Vineyard-type properties visible from our beach, where we previously kept buildings at quite a distance away and as unobtrusive as possible.

Ms JOHNSON — You should mention where it is.

Ms KENWOOD — In that area on the map you might see — —

Ms JOHNSON — It is called the Crows Nest.

Ms KENWOOD — The Crows Nest site there, near the oval.

The state government was hell-bent on selling all the former high school site to developers, but pressure from an angry community saved two-thirds of it, hopefully for a community centre. The upper section which was sold is about to become another Martha's Vineyard, with no chance for families to buy that land. And families are what we need in our borough to keep our schools and kindergartens open. Several years ago, by stealth, a local council tried to sell off small playgrounds, but an alert community had the zoning changed and they were saved. The present council is still keen to sell Golightly Caravan Park and part of a large council paddock in Murray Road. We are fearful that Victoria Park, originally designed as a botanical garden, will become a year-round caravan park. We see gradual encroachment there, with the caravan park. Council is also keen for cabins to be put in the lighthouse area, the recreation reserve and Victoria Park.

Communities should not have to spend so much time, effort and money on battling to save land that is already public property. The Queenscliff harbour redevelopment, a PP partnership, leased by Parks Victoria for 49 years to a private company, has resulted in the loss of many public assets — foreshore, traditional moorings, demolition of the iconic working slipway for a car park, another shopping precinct while Hesse Street struggles, and the ferry operator now wants more foreshore for his car park. The list goes on in that area. There is a public land grab all along our coastal area. Like Queenscliff, Portarlington is about to experience a similar public open space and harbour loss — again in the guise of developing a safe harbour. Large areas of parkland will now be taken over for infrastructure, industry, shops, accommodation et cetera to prop up the marina.

Torquay's former school site was sold to developers by the state government despite a community outcry and effort to keep it in public ownership. Belmont Common now is a golf course; it built two large dams and then asked for a permit, and council granted it. Harding Park, here in Geelong, was donated as a public park; it was a bequest. It is now a mass of high-rises with barely any public access. The botanical gardens are being taken up with other activities — such as a heap of rocks they are putting there for some aerial statue, which is rather confusing to most people; and the children's playground, which we really do not have a problem with, except that instead of buying more land especially for that, they have taken up part of the public land there.

The other issue we have is the green corridors. Boundaries of seaside towns must be defined and green corridors maintained. Coastal towns stand to lose their identities as town boundaries merge through rapid development. A proposed development for the flood plain along the borough of Queenscliff's western boundary could result in the merging of Point Lonsdale and Ocean Grove — two totally different townships. This sensitive corridor of wetlands from Lake Victoria to Ramsar listed Swan Bay must be preserved. We are very conscious of that sensitive area and keeping it as a green corridor.

The other issue is public air space. When we see what has happened in Yarra Street, there have to be strong processes to stop this happening in other areas. We have lost the lovely view down Yarra Street out onto Corio Bay and the You Yangs. And we can see this happening in other areas. I will hand over to Chris now.

Ms JOHNSON — Joan Lindross from the Geelong Environment Council and the Queenscliff Harbour Forum requested the opportunity for somebody make a presentation, and she was told it was okay, so my presentation is partly done in relation to that.

The CHAIR — Bearing in mind the time we have. I am certainly very aware of that submission.

Ms JOHNSON — It is quite short. The view of these two organisations is that no public land, whether it is called public land or government land, should be sold. This includes leasing of public land, even in terms of long term, like 50 years. This is the pseudo-sale of public land, and the government of the day favours PPPs.

Surplus land — what is it? It is not defined. Who defines it as surplus? The role of the government should not be of real estate agent but as guardians of public assets for future generations. The philosophy is now held by the government at all levels that public land is available for alienation and sale to so-called worthy causes — Geelong Football Club, cricket, netball, the sporting facilities at Kardinia Park, which are hard to fight. What about the members of the community who do not play sport? How are their leisure needs being met? Community consultation processes are often extensive. We refer to the Queenscliff harbour — two years of public consultation which involved all areas of the community: business people, boat owners, all sorts of people. What happened to the public involvement in these processes, which are largely planning issues? It was ignored. Parks Victoria stepped in; there was a tendering process; and we now have a Queensland-style development in that harbour area, which was originally supposed to be a community harbour. So you put at further risk public consultation and community involvement in these processes.

She also refers to this alienation of air space, as in the Yarra Street one that Joan mentioned. While this committee does not believe that planning is part of its brief, planning and other regulatory processes are central to the protection and preservation of public-government land. The committee needs to look into this. Without adequate protection through planning and other regulatory processes, the ongoing protection of public-government land is at risk.

The final thing that we have comment to make on is the green wedges. If you look at the map, it is an area designated as the Lonsdale Lakes. This is partly an issue with regulation. It was originally zoned flood plain. The Geelong Environment Council and the Point Lonsdale open spaces group had a very extensive document put together to recommend the area be covered by Ramsar. That is with the state government and is currently being looked at.

The CHAIR — Can we have a copy of that please?

Ms JOHNSON — I can organise to get a copy of that. It comes back to the issue in part of zoning. Originally, as I said, it was zoned flood plain and, I think, public recreation. This is a very old zoning. It has happened in other places like Apollo Bay. While it does not directly refer to public land, the impact of a very large-scale development will increase the population of Queenscliff by something like one-third without amenities or any utilities being provided by the developer and all the costs and consequences being imposed upon the community. You have a Ramsar and a marine park site here, a marine park here, and Lake Victoria, which is as far as I know a nature reserve, here. You have this critical area of wetland corridor that, because it is zoned residential, is at risk of having medium to high-density housing on it. The issue in relation to that is also that it is state government policy not to have urban development on coastal areas. As a consequence what you end up doing is destroying the character of places like Queenscliff, Point Lonsdale and other coastal towns which are based on viewing corridors of old established gardens. When you start imposing this medium to high-density housing you lose a lot of that.

The impact again then on public open space is that public open space becomes more critical. When people lose their back gardens they do not have places to recreate in and there is more pressure on public open space. If you look at Queenscliff, we are surrounded by it and currently under pressure. This site here, which Joan referred to as the Crow's Nest site, it was suggested by the community that the Marine Discovery Centre be placed on this site. The commonwealth said 'No, we want the money from it'. In regard to government coffers, even if they got a lot of money for it in our terms, it would not have been a lot of money in federal government terms. It was sold off. We fought to save the high school site; we fought to save the harbour, which has gone into a PPP for 49 years; and we are currently battling this issue. Okay, it is on private land but they bought a section of land that was residential and rural and tried to put pressure on the City of Greater Geelong to rezone the rural area as residential — echoes of Barwon Heads.

I have one final comment, and it relates to the coastal strategy that you were referring to earlier. The harbour is a very hotch-potch development; they keep changing it. They have just got consent from the council to build what they call a navigational light. They showed a lot of navigational lights, about 40 of them, in the briefing meeting we had. None of them was attached to restaurants, as this one is, and none of them had a public viewing platform.

The CHAIR — This is recent, is it?

Ms JOHNSON — Yes, last year. It is part of this, what we call, Queensland-style marina development. Everything in the current coastal strategy says that you should not have anything built on the coast that disrupts the view. Even in their own simulated drawings the top of this building appears over the ridge line of Suma Park, the hills at the back of Queenscliff. It fits into a lot of government regulations as to why and how they can build it, and we end up with our hands tied because things comply with Rescode or they comply with a whole lot of processes. We have attempted to use the coastal strategy at VCAT hearings, and it appears to be ignored, even though it does a lot in our terms of excellent work in regard to development on the coast. VCAT does not seem to take that into account.

The CHAIR — Joan and Christine, thank you for your heartfelt submission. I think there are a lot of interesting points in it. There is a lot I would like to ask questions on but I am just going to ask on two. The first is about the Queenscliff harbour development. As you mentioned, that has been put into a PPP for 49 years. There has been recent controversy about the involvement of Mark Stone, the head of Parks Victoria, in that process, and the Ombudsman commented on that in a parliamentary report. Do you have a view about the involvement of Mark Stone and whether it is appropriate for there to have been a close involvement with the particular developer?

Ms JOHNSON — We think it was totally inappropriate.

Ms KENWOOD — We went to the Ombudsman about that.

Ms JOHNSON — We have some of the details; we have the cover note of the tendering document for part of this process in relation to this particular developer getting the tender. This is where it went off the rails. The process got to a point where it got to Parks Victoria and we said, 'Great, it is going to be a community-style harbour which is not going to be full of shops and expensive berths'. It went to Parks Victoria, went into a tendering process and ended up with these — I hope I do not get into trouble — 'mates of Mr Stone's'. He went on trips to South Africa and all sorts of things. In the tendering process it did not go back to public consultation when they could not get a tenderer, it was handed over. We have a copy but we also have photocopied sections of it so that you can access it, and the critical parts of that — —

The CHAIR — We might take a copy of that, if that is possible.

Ms JOHNSON — Yes, you can have that; we have made that for you.

Ms KENWOOD — I would just like to say that we have one of our members here who did a lot of research on that area, if you wish to talk to Mr Alf McKenzie.

The CHAIR — I am conscious of our time pressure, and we may well hear from him a bit later. In terms of this tendering process, do you think that this was corrupt, or do you think it is just the appearance of an excessive closeness?

Ms KENWOOD — It certainly was not transparent.

Ms JOHNSON — Yes, and we are concerned about the lack of expressions of pecuniary interest as well; declarations of connections with people. These sort of things were not made public, and there is a great deal of concern about the sorts of things occurring, particularly when the community had an understanding that a particular harbour was to progress and Parks Victoria, of which Stone happens to be the head, ended up with what we are calling a Queensland-style marine, including this 200 feet restaurant with a viewing platform and tower, and so it goes on. It was supposed to be a community harbour.

The CHAIR — Others may want to say more.

Ms KENWOOD — We also had concerns about Gavin Muir's involvement.

The CHAIR — What is Gavin Muir's involvement?

Ms KENWOOD — Gavin Muir later went bankrupt, and he was in that consortium at the time, but he has since died. We are told that his interest in it was sold on.

The CHAIR — My second question relates to the Stockland development that you pointed to there, and I understand that that is an earlier iteration of the plans?

Ms JOHNSON — That is the original one.

The CHAIR — I understand your point about the proximity between Lake Victoria and Swan Bay and the importance of those wetlands. As I understand it, there is discussion of a scaled-back but still significant development. Do you have a view about that new development and its likely impact?

Ms JOHNSON — Our understanding of the scaled-back development, when you add up all the houses and what it has done is to reconfigure the number of lots and how it is going to have them on the site rather than actually scale back the number of houses. Okay, it is a private piece of land and it is 'entitled' to build. We have been in negotiations with Stockland for a long time. When we suggested to them that they were fairly well off, they had a very bad environmental reputation and that maybe they could hand this parcel of land over to build an echo-tourism lodge or something like that on it, where they would get wealthy overseas visitors to come, the community would then restore the wetlands with some support from state-federal-local government, and it could be seen as a way of improving the reputation of Stockland, but we got laughed at.

Ms KENWOOD — We have great concerns about Stockland and their idea that Swan Bay tidal movements will flush out these waterways, it is ridiculous.

Ms JOHNSON — Yes, it is ridiculous.

Mr TEE — Thank you very much for your presentation and I have read your submission or letter, but I do not have any questions at this stage.

Ms KENWOOD — I would just like to say that our planning officer, Natalie Walker who will be speaking too later, was on the tender panel of the harbour.

The CHAIR — Thank you.

Mr O'DONOHUE — Thank you very much for your submission this morning. I note in your submission of 20 September you made reference, as well as today, to the proposed sale of the caravan park. I also note your comments about proliferation of poker machines in the borough and I think those are real issues of concern more broadly to Victorians. I think the loss of caravan parks is a real threat for people who want to have affordable holidays on the coast, and it is part of our Australian tradition.

Ms KENWOOD — Locking out families, yes.

Mr O'DONOHUE — I simply make those comments and thank you for your submission this morning.

Ms JOHNSON — The other issue with that too is that councils are being forced more and more to find ways of raising revenue because of less money coming in from state and federal governments. We are in the position where we have to maintain this amazing — —

I think we have the largest area of coast in the state, if not the country, that needs to be managed and maintained. The council, as much as I have issues with it, is forced into a position where it makes more money from cabins, according to council research, but cabins again are this PPP stuff where you have a unit such as a cabin which is much harder to remove than a caravan park or a tent. You can pack up a tent, attach a caravan to the back of a car, and they have gone. What has occurred in the past is that we have had the joint use of areas such as the botanic gardens, which in the off season people walk through, sit in and whatever people do when they are not camping, at work or whatever; then during peak season it becomes a caravan park, so it has a dual use. But the risk is that these areas will be taken over as permanent places as more and more pressure gets put on recreational opportunities. We are losing a lot of our establishments in Queenscliff that accommodated people, like hotels, through apartments. They are being bought and sold off for apartments.

Ms KENWOOD — And only occupied for short periods of the year.

Mr HALL — Thank you, Joan and Christine, for your presentation. Two quick questions in regard to two sites you identified here: in relation to the Crows Nest site, were you aware that that was offered to either or both state and federal government prior to being sold privately?

Ms JOHNSON — No.

Ms KENWOOD — I do not know, are you aware if it was offered?

Ms JOHNSON — Whenever we tried to gain any access to information, we were told that it was commercial and confidential, or something like that. We only came into the process at the end when it was looking at how it was going to rezone it so that it could put houses on it.

Mr HALL — All right, we might follow it up with the borough later this afternoon, whether it had an option to buy that.

Ms JOHNSON — It is another cost issue again, as I said.

Mr HALL — Yes, I understand that. And in terms of the Queenscliff High School site, you said that now two-thirds of it is being retained and one-third was sold for development? Who actually owns the two-thirds that is being retained now, is that the borough or is that still state government?

Ms JOHNSON — It is still state government at this point in time. The council is the manager of it as it is of all other public land in the borough. Our concern at the moment is that the community centre which was to be built on one-third of the site has stalled because of funding issues and we are concerned that if we get a more pro-development council in, the next council will change its views about the use of that area and we could end up with further housing on it as a rate base to put money back into the coffers of the council. At the moment we face the situation where on the third of the site that is having housing built on it, it is medium to high-density housing in a very visual area and it is very intrusive.

Ms KENWOOD — And lots are being sold and subdivided.

Mr KAVANAGH — On that land sold on the high school site that is retained by the government, do you know which department? Is it still retained by the education department?

Ms JOHNSON — I think it has ended up somewhere else. I think it might be in finance.

Mr HALL — Treasury and Finance, probably.

Ms JOHNSON — They were determined to sell it all off and it told the Torquay people who tried to fight the state for the Torquay Primary School site, that it was not having what happened in Queenscliff happen in Torquay, and the Torquay site now has shops on it. It has not been utilised for another community use, it has been privatised.

Mr KAVANAGH — You mentioned the rate base. Is that not an important consideration for governments, like local government, to consider the imposition on other ratepayers?

Ms JOHNSON — In relation to?

Mr KAVANAGH — If they retain land, for example for a community centre, does that not put an extra burden on rates?

Ms JOHNSON — The thing is, though, that this land is state owned, the council are managers. The state government should be more responsible about how it maintains and looks after public land. The way to fix the problem is not to sell it off so that you generate funds. It is like selling the farm to save it. Why should the Borough of Queenscliffe have the burden of maintaining these properties imposed upon it when we are very small. We are unique and we are being put in this position where we are being forced to — the council has been forced to — do this to maintain an asset which is a state and national asset, the coastline and its relation to Swan Bay and a Ramsar site of consequence — and nobody mentioned climate change.

Ms KENWOOD — I would just like to say as far as the high school site is concerned our neighbourhood house, which is a very small building in Victoria Park, is bursting at the seams because there is not enough space for the activities. We had hoped that we would get a new building on the high school site.

Ms JOHNSON — But they will not build it incrementally because of costing factors, so we are looking at \$10 million to establish a community centre on that site. Where is a borough the size of ours going to get funding to do something like that? The state government is not prepared to come up with money and it is not cost-effective to build it incrementally. Other parcels of land in the borough are under threat, like the primary school site. It seems that the way to solve the problem is to sell things off, not to manage them and look after them for future generations.

Mr KAVANAGH — Given that you are close by other municipalities over which the Borough of Queenscliffe has no control, what do you think is a solution from the Borough of Queenscliffe's perspective to the demands on its services?

Ms KENWOOD — Move the boundary over.

Ms JOHNSON — My friend Joan lives in the other side of Fellows Road but we classify those people who live in that part of Point Lonsdale as part of Queenscliff. They are part of our community. They run from the current area and of course we have tried in the past to have that area incorporated into Queenscliff. Currently it would appear that the City of Greater Geelong does very little for those residents. We provide schools, libraries —

Ms KENWOOD — Beaches.

Ms JOHNSON — Medical facilities, recreational activities all on their doorstep and the borough gets nothing for what they do. We consider these people very much part of our community and would defend them in that context.

Mr KAVANAGH — What would you like to see done with poker machines? You said it is a big problem in Queenscliff.

Ms JOHNSON — We fought them. Even before the additional ones appeared in the esplanade we were up there as having about the fifth-highest number. Now we are classified as the highest. I have a university degree in community sociology. All the research indicates that if you incorporate those sorts of things in the community, you increase the negative components of those activities. We have had an increase in theft in the community. I do not necessarily believe there is a connection but it would be interesting to find out. There has been a large amount of local theft, and you get these negative sides of human activity. People put their money into the pokies, and not being cute about it, how are they going to buy food or put a roof over their head? They are going to get it from another source, which is not always legal, is it? But we fought them. We fought them at the bowling club.

Ms KENWOOD — At the Esplanade Hotel.

The CHAIR — I thank both of you for your contribution and also for making that additional contribution on behalf of the environment council.

Ms JOHNSON — There is some additional material there too that we will leave with you.

Witnesses withdrew.