

Comments to Green Wedge Coalition Annual General Meeting December 2021

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Context to present development pressure

The cities which survive this century will be those with the best quality environments. Urban hinterlands are a critical element in sustaining cities. Maintaining the rural values of Melbourne's green wedges and its broader peri-urban area is essential if the city is to remain a viable place to live. Lose these values and our city will become just another casualty to anonymous global urban sprawl, another city that has obliterated the last vestiges of nature.

Fifty years ago, a system of green wedge protection was put in place which has set the framework for all future decisions about planning Melbourne's hinterland. This framework served Melbourne well for 20 years until the arrival of the Kennett government in the 1990s. It was a regulatory framework, introduced by the metropolitan planning authority, the Melbourne and Metropolitan Board of Works, in close collaboration with the premier, Sir Rupert Hamer, and other Liberal Party ministers. In fact, Sir Rupert initiated the concept of green wedge protection as planning minister, a far sighted move inconceivable today. The embrace of deregulation by both Liberal-National and Labor party governments has dealt grievous blows to the MMBW-Hamer system.

In just a few years, between 1995-2001, over 4,000 of green wedge land was rezoned for residential development and a substantial area of land in the broader peri-urban zone subdivided. For example, the Kennett government approved 61 amendments, excising a further 800 ha in the Dandenong ranges and Upper Yarra Valley contrary to the regional strategy plan. The Brumby Labor government rezoned 43,000 ha of green wedge land, and the Baillieu Coalition government a further 6,000 ha. Today, the green wedges and peri-urban areas are under renewed threat of development.

The enemy of the green belt concept is incremental development. The original MMBW rural zones were based fundamentally on protecting rural values. These values were clearly defined and included agricultural, landscape, habitat, water and other environmental and natural resource attributes. All residential, retail, commercial, industrial and other urban related values were prohibited. Restaurants, retail sales, tourist and accommodation, schools, religious centres and rural industrial uses were regarded as inconsistent with this core protection ethic. From the beginning, the MMBW and government maintained this protection principle rejecting all submissions to its strategic planning which proposed diminishing the rural character of land. The MMBW made clear that it intended to reduce landowner expectations for subdivision because, it argued, rezonings raised expectations, led to cumulative pressure for subdivision which, in turn, raised the value of land so progressively making rural land uses uneconomic. Development led inexorably to more development until the rural characteristics to be protected were lost.

In 2003, the Bracks Labor government initiated a decisive shift back to the concept of protection. Planning minister, Mary Delahunty and her staff, although opposed by her department and significant sections of the government, put in place perhaps the most radical planning measure even adopted by an Australian government. Minister Delahunty established

both a legislated urban growth boundary (UGB) and stronger protective provisions in green wedge zones. But the most radical feature was the removal of the planning minister's power to alter the UGB and land use provisions unless both houses of parliament agreed. Planning ministers almost never legislate to reduce their powers much less make their wishes subject to the will of parliament in this way. In contrast, the current planning minister, Richard Wynne, has vastly increased the use of his powers at the expense of local government and communities. Despite minister Delahunty's action, parliament has overridden the intent of the 2003 legislation and expanded the UGB three times. In addition, the 2003 legislation allowed a wide range of urban related uses to be considered in the green wedges and broader peri-urban areas despite some minimum land size and maximum development size restrictions.

The international debate on green belt land uses is over whether zones should be multi-purpose or homogeneous. Green belts surrounding many cities already allow multiple rural uses and in this sense are multi-purpose rural landscapes. Such uses include many different forms of agriculture, outdoor recreation, biodiversity protection, water use and other environmental uses with benefits to the health and well-being, economies and social harmony of nearby urban populations. The protection of rural green belt values underpins all such uses with a protectionist ethic. However, proposals to broaden the concept of multi-purpose uses by injecting urban related uses fundamentally changes this notion by including uses which are inconsistent with rural preservation, threatening the traditional purposes of green belts. Such urban uses will eventually destroy any green belt where they are permitted. The only defence is strong regulatory prohibitions on urban uses of any kind to prevent incremental losses eventually merging inconspicuously into devastating landscape change.

Current government review of green wedges

The two main threats to the future of green wedges are further expansions to the UGB and the incremental approval of urban related uses and developments in the green wedge and broader rural zones. The UGB seeks to confine urban development to the area inside the boundary but allowing urban related uses and developments outside the UGB is an expansion of the urban growth boundary by stealth.

The uses able to be considered in the Green Wedge Zone that are most inconsistent with the preservation ethic are: caravan park; exhibition centre; function centre; group accommodation; materials recycling; place of assembly, place of worship, primary school; research and development centre; research centre; residential building; residential hotel, restaurant; restricted place of assembly; secondary school; solid fuel depot. This is a substantial list. None are appropriate for a green belt. Approvals for many of these uses are proceeding and will incrementally spell the death knell for large areas of the green wedges even if the UGB stays in place.

This serious situation is compounded by faults in other zones which apply to green wedges such as Green Wedge A zone and the Rural Conservation zone. The minister and other politicians show no understanding of the threats that the current zones pose to green wedges. Some officials in the planning agency (DELWP) seem to understand many of the threats but most senior officials are either silent or replicate the attitude of politicians. It seems that the real state planning agencies for green wedge and rural land are the powerful tourism and agriculture agencies which favour development. This represents an historic failure of the planning agency to fulfil its responsibilities to the people of Victoria.

This has severe repercussions. For example, the Green Wedge A zone was originally intended simply to be applied to rural-residential or large residential lots in places such as the Dandenong Ranges that could otherwise be subdivided under the standardised residential zones. But the planning agency has colluded with some local councils to allow the broader application of the Green Wedge A zone, allowing the range of urban related uses to be considered on extensive areas. Some urban related uses in the Rural Conservation zone are allowed without the restrictions which apply in the Green Wedge zone because nobody has bothered to amend the Rural Conservation Zone to include these controls.

Broader peri-urban zone

Melbourne now has an inner peri-urban zone consisting of the green wedges and rural land in a true green belt to the borders of the Melbourne Statistical Division as mapped in the Melbourne 2030 plan, and an outer peri-urban area extending to about 150 km from the CBD. These areas comprise the total peri-urban area. The spatial and demographic characteristics of this broad peri-urban area should be planned carefully. But there is no evidence that the government is concerned with any differences, special concerns or inadequate planning provisions.

The green belt areas outside the green wedges (in areas such as the Dandenong Ranges, Upper Yarra Valley, Mornington Peninsula and Eltham) and the outer peri-urban area (in areas such as Macedon Ranges) face many problems which the current planning system is making worse. Apart from the inadequacies of the Green Wedge and Rural Conservation zones, the main issues are existing land fragmentation, inappropriate township development and misapplication of planning provisions to land. Extensive land fragmentation exists because of historically inappropriate subdivision. Much of this was controlled in areas such as the Dandenong Ranges through specially written zones and the use of mandatory lot restructures and tenement controls. However, these measures and their mandatory nature was swept away by the Kennett government imposing standardised planning provisions through the Victoria Planning Provisions. Labor attempted to rewrite zones but as shown above, weaknesses continue. Labor also introduced new rural zones to Melbourne's outer peri-urban area in 2006 which addressed many inadequacies of the Kennett government zones but these were substantially weakened by the Baillieu government. Although in power since 2014, Labor has not redressed the problems associated with the green wedge and rural zones.

Massive existing lot fragmentation exists. For example, over 50,000 lots exist without dwellings in the rural municipalities in the outer peri-urban area. These lots are a time bomb. Their development will ruin rural landscapes and production over a large area. Standard zones were also imposed onto townships. Residential zones similarly are a time bomb, allowing subdivision and multi-dwelling development. Townships in Yarra Ranges and to the north and west of Melbourne, for example, include a number of rural (which prohibit multi-unit development) and residential (which allow it) zones. Mornington Peninsula uses primarily residential zones, and attempts to control development through the use of overlays. In both types of cases, extensive township subdivision is occurring often with serious environmental impacts such as the loss of vegetation and increased car use. Subdivision is expanding township boundaries with worst quality suburban type development. The 2003 UGB and green wedge legislation included legislated boundaries to all townships in the

Upper Yarra Valley. The same type of boundaries should also be applied to other peri-urban townships, including coastal towns.

Rural zones introduced between 1997-99 under the new format planning schemes widely misapplied the planning provisions under the VPPs, using the weakest zones and avoiding the use of the strongest overlays. Most councils have been allowed to maintain such inadequate planning despite the requirement for regular review of planning schemes. Again, the planning agency appears uninterested in fixing any of these three types of problems.

Cross sectoral planning

Cross sectoral planning is an alien concept to this government in the exercise of any of its responsibilities. A strong planning agency should set the framework for land use and development through a clear peri-urban protection strategy and a hierarchy of principles which are implemented through planning schemes. The planning agency should be responsible for integrating all government and local government decision making to implement clear policy decisions. All agencies should be required to consider reciprocal impacts, that is, the impacts of any proposal on other sectors. Local government capacity and intentions vary. Communities should be empowered by being given oversight of the performance of local councils. Again, the former Hamer government showed the way through a best practice system of clear planning policy and regional planning which integrated the planning of local councils with government agencies. Community participation was promoted. Handing over control of development to tourism and other interests is sectoral myopia at its worst.

Ultimately, precaution should be the guiding principle governing development. Melbourne will pay dearly in future decades for extensive peri-urban subdivision and development which removes food production capacity, further diminishes biodiversity and destroys landscapes. Few impacts are more permanent than housing and other forms of development. Governments should keep options open for they will surely be needed. Alternative futures exist other than the one allowed by lazy and development obsessed governments. Future generations would thank the current generation for not obliterating their right to decide their own futures. Instead, governments and development interests take decisions solely to further their own short term interests. Some planning panels and other key decision makers have understood this. The problem is how to get government to understand the obvious.