



COMMONWEALTH OF AUSTRALIA

**JOINT PARLIAMENTARY
COMMITTEE**

on

PUBLIC WORKS

Reference: Decontamination for disposal of the former Albion explosives factory site

SUNSHINE

Friday, 11 April 1997

OFFICIAL HANSARD REPORT

CANBERRA

JOINT COMMITTEE ON PUBLIC WORKS

Members:

Mr Andrew (Chair)

Senator Calvert
Senator Ferguson
Senator Murphy

Mr Richard Evans
Mr Forrest
Mr Grace
Mr Hollis
Mr Lee

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Present

Mr Andrew (Chair)

Senator Calvert

Mr Ted Grace

Mr Hatton

Mr Hollis

The committee met at 9.34 a.m.

Mr Andrew took the chair.

CHAIR—I declare open this public hearing into the proposed decontamination for disposal of the former Albion explosives factory site, Deer Park, Melbourne. This project was referred to the Public Works Committee for consideration and report to parliament by the House of Representatives on 6 March 1997 at an estimated cost to the Commonwealth of \$3.84 million.

In accordance with subsection 17(3) of the Public Works Committee Act 1969:

- (3) In considering and reporting on a public work, the Committee shall have regard to—
 - (a) the stated purpose of the work and its suitability for that purpose;
 - (b) the necessity for, or the advisability of, carrying out the work;
 - (c) the most effective use that can be made, in the carrying out of the work, of the moneys to be expended on the work;
 - (d) where the work purports to be of a revenue-producing character, the amount of revenue that it may reasonably be expected to produce; and
 - (e) the present and prospective public value of the work.

Yesterday afternoon the committee was briefed on the project by officers from the Department of Defence and the Victorian Urban Land Authority. The committee then undertook a lengthy inspection of the Albion site in company with Defence and Urban Land Authority officials. The Albion site is in the federal electorate of Maribyrnong which is represented by Mr Bob Sercombe. The committee extended an invitation to Mr Sercombe to be present at the public hearing today. Unfortunately he cannot join us due to other parliamentary business. He has to his credit, however, lodged a submission and I believe that a member of his staff is present in the audience.

Today the committee will hear evidence from the Department of Defence, the Victorian Urban Land Authority, the Brimbank City Council, the Victorian University of Technology, ICI Australia Operations Pty Ltd, community representatives, Dr Colin Hocking, Friends of the Striped Legless Lizard and the Delfin Property Group.

[9.36 a.m.]

KENNEDY, Air Commodore James Frederick George, Director General, Facilities, Air Force, Department of Defence, Campbell Park Offices, Canberra, Australian Capital Territory

MALPAS, Mr Keir Justin Guy, Director, Major Decontamination Projects, Facilities and Property Division, Department of Defence, Campbell Park Offices, Canberra, Australian Capital Territory

MOORE, Mr Bryce Anthony, General Manager, Development, Urban Land Authority, Melbourne Central, Floor 11, 360 Elizabeth Street, Melbourne, Victoria

PARKER, Mr Roger John, Principal, Golder Associates Pty Ltd, 25 Burwood Road, Hawthorn, Victoria

CHAIR—Welcome, gentlemen. Do you have anything to add?

Mr Moore—I am here in the capacity as consultant for the Department of Defence.

Mr Parker—I am the consultant to ULA.

CHAIR—The committee has received a submission from the Department of Defence dated 21 February 1997. Do you wish to propose any amendments?

Air Cdre Kennedy—No.

CHAIR—It is proposed that the submission be received, taken as read and incorporated in the transcript of evidence. There being no objection, it is so ordered.

The document read as follows—

CHAIR—Would a representative of the Department of Defence read the summary statement to the committee, after which we will proceed to questions.

Mr Malpas—Mr Chairman and members of the committee, the Department of Defence plans to decontaminate and release the 448 hectare former Albion explosives factory site at Deer Park for redevelopment. The decontamination will be coordinated with rezoning, a land use plan and development of the site for urban purposes. The proposed strategy will provide the best available solution in terms of cost, timing, health and environment, development planning and public interest.

The proposal provides for decontamination of the site to approved environmental standards; development of about 3,000 residential housing lots for 8,000 to 10,000 people; development of public open spaces including conservation areas, public sporting facilities, water features and historic preservation areas; development of industrial sites as a buffer to major roads, and to make the most effective and efficient use of remediated land; development of commercial centres; provision for the expansion of the Victorian University of Technology; development of a primary school and private secondary college; development of a new civic centre by Brimbank City Council; and development of a new internal road network with good external links.

This project was previously referred to this committee and public hearings were heard on 14 and 15 June 1994 and 3 November 1994. Decontamination work stopped in 1994 pending parliamentary approval. The PWC did not agree to the proposed works and recommended that an independent review be undertaken to address the risks and benefits of the proposal. Defence commissioned Coffey Partners International Pty Ltd to undertake the review which was completed in January 1996.

The report confirmed significant contamination at the site and continuing contamination of the ground water underlying contaminated areas of the site. The report noted the need for creation of a site development plan which takes into account the constraints and costs imposed by remediation requirements, the environment and heritage items on site. The report noted that previous land use planning considerations for the Albion site gave only limited consideration to the financial feasibility of potential redevelopment options.

It became essential therefore to propose a new model which would offer an overall process for the disposal of the Albion site. The methodology for remediation needed to be designed in conjunction with a workable new land use development plan. Part of the process involved identification of an authority or organisation with the capacity and expertise to manage and undertake such a complex remediation, development and disposal process.

The model for the proposal has been developed by the Victorian Urban Land Authority. The model forms the basis of Defence's statement of evidence. The model also

reflects commercial advice provided to Defence by Macquarie Bank Property Services, Clayton Utz and Coffey Partners International. About 300 hectares of the site, which is about 60 per cent of the site's original area, has been decontaminated and issued with certificates or statements of environmental audit in accordance with Victorian legislation. This leaves about 148 hectares in the east and south-east of the site still highly contaminated. About 309,000 tonnes of soil require remediation.

Redevelopment of the Albion site will provide benefits both to the Commonwealth and the wider community. The strategy includes a viable means of decontaminating the site to enable it to be developed for a sustainable economic purpose in accordance with Commonwealth and state environmental requirements. The cost of remediation works can be balanced against revenue from land development and sale.

Remediation options assessed as relevant to the site conditions were thermal or biological treatment, off-site disposal or on-site repository. The on-site repository is the preferred option as it is feasible technically, avoids off-site cartage, is the lowest cost and offers greatest flexibility. An integrated and practical remediation redevelopment strategy is the most effective means of minimising remediation works by ensuring the works are matched to decontamination standards required for particular land uses.

The remediation strategy involves the construction of two on-site repositories in the south-east corner of the site. The proposed preliminary land use plan for redevelopment of the site is based upon extensive studies but is subject to further more detailed refinement required as part of the preparation and adoption of an Albion local structure plan under the Brimbank planning scheme.

The remediation, estimated to take four years, has been aligned with the land redevelopment program estimated at 11 years but with the intention of completing the remediation of the site within the shortest period possible. The primary benefit of the proposal is that the Commonwealth's commitment to clean up contamination is addressed within a relatively short time frame and at least cost while maximising the commercial opportunities for the site. Other benefits to the community and local government are detailed in the statement of evidence.

Consultation has occurred at Commonwealth, state, and local government levels as well as with local interest groups, and providers of facilities and services in the region. This consultation has contributed significantly to the proposed remediation redevelopment strategy. That concludes our opening statement.

CHAIR—It would seem that the Department of Defence is hoping that the Public Works Committee, under my chairmanship, is a more agreeable group than the Public Works Committee under the chairmanship of the former chairman. The Public Works Committee believes that the delay that has occurred has been to the advantage both of the Commonwealth and to the department. Would you like to comment on that.

Air Cdre Kennedy—There is no doubt that that is the case. As I mentioned to you yesterday, the previous approach was focused primarily on remediation. Under the direction of this parliamentary Public Works Committee, the approach of addressing the risks through the independent assessment led us to an integrated approach which addresses remediation, redevelopment and divestment together.

CHAIR—Would you care to elaborate on the advantages of choosing an on-site repository for contaminated material. What do you believe will happen to that repository over time: to what degree will the contamination simply be locked in and remain a problem for future generations? Will there be some treatment of it to ensure that it becomes less hazardous as time passes?

Mr Parker—The concept for the remediation is that contaminated material will be excavated and placed into one of two repositories located in the south-east corner of the site. The repositories are designed to take two different materials—one being the lower risk material and the other being the higher risk or higher hazard material.

The reason for adopting that approach is one of flexibility and cost management. Other options have been looked at and, although they are believed to be feasible, they certainly have much higher costs and also have higher risk of cost blow-out or cost changes. The landfill option has a greater ability to manage the flexibility should more material be encountered on the site than expected at the moment.

For the long term, the concept is to be able to contain the material within the repositories. There are base linings beneath each repository of a standard that will ensure long-term security and prevention of migration of leachate out of the waste materials. There will be capping over those repositories to prevent infiltration of surface water, which is what would mobilise the contaminants to start with.

With the long-term operation of the repositories, there will be a requirement for monitoring for some years. Based on that monitoring, it is expected that with time the monitoring can be diminished or be discontinued. There will be a need for maintenance of the surfaces of the repositories but that should not be much more difficult than managing some open space areas or public areas where mowing of the lawn and management of surfaces is required.

CHAIR—Do you believe that there will be a breakdown in the level of hazardous material over time?

Mr Parker—There is some evidence on the site that there is decreasing concentrations of the organic explosive contaminants. The metals and asbestos material certainly do not change with time. There is some evidence that it is happening now on-site. It may continue in the repositories but that is not the intent of the repositories. The material will be locked up for a long time.

CHAIR—When you say that there is some evidence, do you mean that it is breaking down because it is being leached off-site or is it breaking down because of some other biological reason?

Mr Parker—Biological reasons.

CHAIR—So there is no hazard posed to the surrounding community currently from the leaching.

Mr Parker—There is leaching going on as well but the evidence for breakdown would suggest that it is a biological process.

CHAIR—This committee has had some experience with decontamination as it was also involved in the Maralinga clean-up. In the case of Maralinga, the contamination was obvious. It could be picked up on a Geiger counter and, in fact, in some instances the radioactive material was actually visible to the human eye. As far as I am aware, there was nowhere that we wandered yesterday that posed a threat to us as individuals. There was no threat indicated. Is it fair to say that people could occupy that general area as if it were a recreation area without facing any threat to their health?

Mr Parker—Over much of the site, if it were being used as a place where people had general access, they could be provided there was cover over the site to prevent contact. Obviously, on one trip out there that is not a concern to you and you were not handling the soil. But if people were using the site regularly, particularly if, for example, children were coming into contact with soil, there would be a health risk. Covering the soil would minimise risk. But if that soil is excavated or turned over, the risk of exposure comes back again.

CHAIR—If it were set up as an oval, for example, irrigated and covered with grass, the risk would be minimal?

Mr Parker—In terms of health risk there is still an environmental risk of this material being leached downwards to the ground water.

Senator CALVERT—When did the actual physical work commence on decontaminating the site? Was it about 1988?

Mr Malpas—The demolition of buildings started in about 1988 and decontamination started, as far as I am aware, in 1992 under the site management agreement with ADI at the time.

Senator CALVERT—My colleague, Mr Hollis, and I were here in 1993. We were told in a similar hearing to this of all the benefits of thermal desorption. Can you tell me why all of a sudden this whiz-bang treatment idea that was supposed to be the be-all and

end-all of everything has fallen from favour, and why were we not told about the integrated approach that you are now favouring?

Mr Malpas—The thermal desorption approach was one proposed by the previous Defence managers of the site. Although it was a fairly costly method of treating the soil, it was extremely effective in removing all traces of explosive organic compounds from the soil. We have a mixture of contaminants on the site, as you are aware, and thermal desorption does not actually work on some of the other contaminants that are on site. So, whilst it was an extremely good method of dealing with explosive contaminated soil, it certainly was not the be-all and end-all for all the contamination that there is on site.

As you are aware, from evidence presented to the committee in 1994, at that time the unit cost for thermal desorption treatment—we are not concerned with the remainder of the handling of the volumes of soil but just the treatment alone—was of the order of \$90 a tonne.

Senator CALVERT—Was any material actually treated?

Mr Malpas—As far as I am aware, none was treated by thermal desorption on the Albion site.

Senator CALVERT—But the soil that was going to be treated was stored, and it still is stored. Is that right?

Mr Malpas—Yes.

Senator CALVERT—What started back in 1993 or 1994? Was some of the highly toxic material placed in one area ready for treatment and covered with tarpaulins?

Mr Malpas—The decontamination process as started by ADI was twofold. The first method of dealing with part of the contamination on site was the cartage of soil to licensed landfill. To cart soil to a licensed landfill offsite, you are required to prove that the soil does not exceed certain contamination levels. Therefore, ADI assessed that soil, and where that soil was less than a certain level, they were able to take it to a licensed landfill.

As a result of that, some 60 per cent of the site was able to be certified as decontaminated. Amongst the soil that they removed from the ground was soil that was too contaminated to go to landfill and that was the soil that you saw yesterday stockpiled under tarpaulins on the remaining dirty portion of the site.

CHAIR—And that will go into the repositories, I presume.

Mr Malpas—That will go into the repositories.

Senator CALVERT—We knew the cost was something like \$90 per tonne for treatment at the time and after having the briefing yesterday we realised how effective this repository idea is. Would you like to hazard a guess as to why that approach was not taken back in 1993-94?

Air Cdre Kennedy—As I mentioned earlier, the approach taken back then was focused on remediation. Under the direction of this committee, the independent assessment that was done by Coffey International led us to consider it as a total project in terms of remediation, redevelopment through appropriate land use and divestment. So an integrated approach has been taken since that time that had not been considered previously.

Senator CALVERT—We are not the experts. That is what I am trying to get at: why was it not looked at before? It must have been considered, surely. Was it because there was too much material and the magnitude of the whole task was so large that it was seen to be better to treat the soil and decontaminate it rather than store it? Is that the reason?

Air Cdre Kennedy—I was not associated with the project at that time. The reason the project was transferred to my branch was to consider it as a total project.

Mr HOLLIS—We want to be assured—whether it was right or wrong or whether we had other information—that that was best advice available. Have we got it right this time? When I say ‘right’ I mean right from the cost and environmental point of view. One of the great worries was that it was a new area which no-one knew very much about and we were being asked to give a blank cheque. We were worried that that would set a precedent and that people called environmental consultants could make a lot of money because it was there. The committee would want to be assured now that, on the best evidence available, we have got it right this time and we can go ahead and proceed with given recommendations for that site and put it to some use instead of growing thistles.

Air Cdre Kennedy—I think that the independent assessment by Coffey International was a very worthwhile exercise. You may recall the terms of reference that we passed to the committee for comment before we engaged Coffey International. Their report was a very detailed one and, in particular, it addressed all the options of remediation. It certainly recommended the model that we have adopted. The on-site repository option happens to turn out to be the cheapest option as well. So I am confident that the model is appropriate.

Senator CALVERT—As I said earlier, you can understand that we, as a committee, are not experts in this type of thing—and not much else either, I think. From time to time, whether it is this particular project or with other bodies coming before us—I do not think they attempt to pull the wool over our eyes but they point us in a direction—we are put in a position where we have to take the best evidence as we see it. In this particular case, and in other inquiries, we have found further down the track, some years

later, that perhaps there have been some mistakes made. For instance, looking back, in 1993 we were asked whether we should decide whether we needed a formal referral for the project at all. In other words, it was not even addressed as a matter of great importance. As history shows, it became such a big project and such an expensive project that eventually our committee said, 'Hang on, let's have another look at it.' We are here today because we have got a better presentation and a better idea.

I just wonder how many times this happens in other projects where you go into it willy-nilly, and in hindsight a lot of people would say, 'It would have been better to do it another way.'

CHAIR—It may not be fair to expect Defence to speculate on that, Senator Calvert.

Senator CALVERT—Anyway, I think we have set the ground rules for why we are here and our reservations about it. Getting back to this particular integrated approach that we are now talking about, just for the record, is it right that you were hoping it would either be cost neutral or around a \$2 million or \$3 million cost to the Commonwealth?

Air Cdre Kennedy—We are confident of that.

Senator CALVERT—I am glad that is on the record. Thank you, Mr Chairman. I am sure plenty of other people would want to ask questions on that.

Mr HATTON—The on-site repository means that all of this material is going to be dumped in two areas. There is a clay base at the bottom and there are liners and so on. One of the other proposals that was looked at, and which has not been gone through with, was biological treatment. I am sure a lot of people in the community might think that, given that there have been great advances in it over the past decade or so, biological treatment of the waste could deal with most of the residual problems there.

Would you like to comment on why you chose the on-site repository approach? I understand that basically it is because of cost. In terms of public safety and the long-term problems with that, what is the difference between the two options? Within that repository, what is the likelihood of continued biological breakdown of those materials over time, particularly after the proposed 10-year monitoring period?

Mr Parker—The biological processes have been used to treat these sorts of materials. There have been trials in the USA. It is potentially possible to use those methods to treat the organic contaminants. It was one of the options that was canvassed in the Coffey International report. We considered it ourselves.

There are a number of reasons that caused us concern and caused us to move away from that as an option. To confirm feasibility, we would have to go through trials and

actually demonstrate that it would work, particularly with the materials on the site—the clayey soils. We were not confident to be able to say that that biological process would work within a certain time frame and within a certain cost. There is considerable uncertainty until we carry out trials. It may not have been a feasible option even after the trials.

There are issues of bulking, because you actually have to add materials like green waste, for example, to act as a nutrient. So we would end up with more material. Also, the biological processes would not treat inorganic contaminants such as metals or asbestos. There were materials there that would still need to be taken off site for disposal or managed in some other way.

That led us, in considering the potential options, to decide that the option that we had greatest certainty and comfort with, being able to deliver a project within a budget on time, was the repository option. In saying that, it also is the option that gives us greatest flexibility. If we have more material to dispose of, we have already built in a 20 per cent volume contingency in the repositories. There is already room for more material.

It does not have an additional cost of taking it to a landfill off-site, where you have to pay for another tonne of material or a thousand tonnes or whatever it is, or pay for another treatment method. It is just the pick-up and transport cost. That method gives us greatest flexibility. There are some requirements for ongoing monitoring and maintenance. The monitoring, if the system performs well as expected, has a limited time. The maintenance, as I said before, has to go on perpetually.

In terms of whether or not the material will degrade within the landfill, I would have to say that that is uncertain. I cannot give you a definite answer on that. There are things that could be done to enhance its degradability in the landfill, but that would go against some of the principles that we are trying to use to manage the material, essentially to keep water out so that the material is not mobilised. The basis we are working on is that material is not going to degrade with time. The repository is designed to last for centuries.

Mr HATTON—And you are confident that there will not be any health problems for the people in the area, based on utilising that method?

Mr Parker—No, I do not believe there will be any health problems in utilising that method.

Mr HATTON—Because the on-site repository is sealed significantly?

Mr Parker—Perhaps just to explain that, with the two repositories, as I said, one is for the lower risk material. That is the sort of material that in some places could even stay on the site. The criteria that we have used, and not just for material going into that

repository, are not dissimilar to the criteria we have used for the industrial land which will just have a 300-millimetre covering of soil over it. It is similar material, so there is not a health risk, provided people are not digging in that soil.

In terms of the more hazardous material, what we have done with the repository is put on a two-metre soil cap. Once we have put all the membranes and things on the top to keep the water out, we put another two metres on top to minimise, as far as we can, any risk of inadvertent penetration of that capping layer. So we believe it is a very safe system.

CHAIR—Could I just say that as a committee we have had the advantage of a day's briefing on what will be done to these repositories but, among the public, the issue of greatest concern will be the security of the repository. Therefore, for the sake of the *Hansard* record, Mr Parker, you might like to elaborate a little on the number of membranes being used to minimise water penetration, and therefore leaching, of the material that will be contained in the repository.

Mr Parker—The concept designs that have been developed to date still need to be fully tested and to go through detailed design. The system that I will explain is the concept that we have at the moment. It relies on a number of layers being placed in the repository to confine the material. Through detailed design, it may be possible that some of these layers are not required so, in explaining this, if it ends up being different, I am just giving the background as to why we have gone in a certain direction now which we believe is conservative, but it may change when we have further detailed information.

We have called the repositories category 1 and category 2. Category 1 takes the lower hazard material. The design at the base is that there will be a clay layer, one-metre thick, compacted, with very low permeability to confine the material. The waste material will be placed in the repository. Much of this waste is clay soil itself and it will be compacted into place, so the contaminated soil itself would act as a liner. On the top of that contaminated soil there will be another clay layer, 600-millimetres thick, and then a 1.5-millimetre thick membrane, and then covering layers of soil to protect the membrane and to provide a growing-medium for grass.

In the category 2 landfill, which is the more hazardous material—I might start from the top and work down on this one—there will be a two-metre soil layer at the top to minimise inadvertent penetration. There is then a drainage layer to shed water to the side should it get through the two metres at the top. There will then be a membrane, similar to the other landfill. There will then be compacted clay 600-millimetres thick. There will then be the waste.

At the bottom of the waste is a drain to collect any leachate that happens to get through. There is then a membrane to stop the leachate moving out. If something gets through that membrane there is another drain underneath that as a leak detection system or

secondary collection system, and then beneath that again is another membrane and another clay layer. It is a very secure system.

Senator CALVERT—You mention the fact that it will be there for centuries. How do you propose to identify where the hazardous material is? From time to time we see around Australia dumps that were made perhaps 50 or 60 years ago rearing their ugly heads. People have forgotten it was there. Is there some way you can make sure that people do not forget where it is and it is identified correctly?

Mr Parker—That can be handled on title. Also, as we have discussed, the intent is that the entire site undergo an environmental audit with the outcome of a certificate or statement of environmental audit. We expect that there will be a statement of environmental audit on the repository areas as well which provides environmental controls. The auditor will want a management plan in place and certain things noted on title that will mark that site into history.

Senator CALVERT—This pit is quite large and I presume you will have to dig a hole and then you will use the material you take out to put on top. Is that the idea?

Mr Parker—The costing that we have done for the repository is all based on the clay material coming from off-site, from another source.

Senator CALVERT—Was it ever considered to go off-site to a disused clay pit—there seems to be quite a few of them in the vicinity—old quarries and things like that? Was that ever considered, to take the material to one of these disused quarries or clay pits?

Mr Parker—In our evaluation we considered off-site disposal, and the obvious one being to one of the licensed landfills. Currently, the acceptance criteria on those landfills for explosive contaminants have been set as very low and there are issues there that only a limited amount of material can go to the currently licensed landfills.

We did not fully explore the option of another off-site hole. However, for us to do that we would have to go through a permitting process. We would have to go through EPA permitting and there are time and uncertainty issues involved with such a process. So to keep it on site was a simpler solution than trying to permit another site to be able to take this material to.

Senator CALVERT—Cost would be one of the major inhibitors, I suspect.

Mr Parker—You have to find the land, buy the land, transport it to it, as well as permit it.

Senator CALVERT—How much of the category 1 stuff do we have there?

Category 2 is the highly toxic stuff.

Mr Parker—I think our number is about 200,000 tonnes.

Senator CALVERT—Did you ever consider taking it out to sea and dumping it?

Mr Parker—No.

Senator CALVERT—It seems to be the way it happened in the past.

Mr Parker—It is 110,000 tonnes of category 2.

Mr TED GRACE—What is the difference in bulk—weight wise—between category 1 and 2?

Mr Parker—About 200,000 tonnes of category 1 and 110,000 tonnes of category 2.

Mr TED GRACE—Did you explore the possibility of having a combination of biological treatment before containment? It seems to me that you did say that category 1 was quite acceptable for biological treatment, and from what I have read it is not all that an expensive treatment. That could be transferred to licensed landfill anyway. Am I right in suggesting that? That would cut down the cost of the category 2.

Mr Parker—We did consider that option—we evaluated that—and it does not reduce costs, it actually adds substantially to the costs. Unless you treat it to a standard that enables you to keep it on the site, and that works out to be a similar cost to the thermal desorption, you end up putting it into landfill. So you spend money treating it and then you spend money putting it in a landfill, either off-site or on-site. It actually increases the cost.

Mr TED GRACE—Would you agree that that would be a safer method?

Mr Parker—I agree that it would, in the long term, remove any risks in terms of residual liability, et cetera, with contaminants on the site. There is a decision to make there between risk and cost.

Mr TED GRACE—The point I am getting at is that it would be a lot easier to contain the category 2 on its own without mixing it with category 1. That is the suggestion.

Mr Parker—We do not actually mix these materials. They are two separate landfills. They are based on classification.

Mr TED GRACE—Yes, but you still have to contain them.

Mr Parker—If we can put together enough information in the detailed design to demonstrate that that is feasible and that, for a similar cost, we can reduce the category 2 material to all category 1 into a cheaper landfill, we would certainly go that way. That is a detailed design issue that we will have to go through.

CHAIR—Air Commodore Kennedy or Mr Malpas might care comment on the procedure that brought the Urban Lands Authority into this relationship with Defence.

Air Cdre Kennedy—The Department of Defence sought commercial guidance. From three sources we were advised that, as a first preference, we should approach the Urban Land Authority. Defence is very conscious of the costs of tendering and the significant risks associated with a project of this type. We did a very conscious approach in arriving at the use of the Urban Land Authority.

Other advantages were that we saw the Urban Land Authority as ideally placed to liaise with the many stakeholders associated with this project. We noted the significant skill and experience that the Urban Land Authority had had on similar projects of this type. We certainly recognised the significant credibility that the Urban Land Authority had with the types of stakeholders that were associated with this project. There were quite a number of factors that led us down this course but, primarily, it was the independent commercial advice that we sought and was provided to us prior to entering into an arrangement with the Urban Land Authority.

CHAIR—Is it not fair to observe that, regardless of who proceeds with the remediation—whether it is the Urban Land Authority in conjunction with Defence or anyone else—the Commonwealth faces the grim reality of disposing of a valuable and substantial parcel of land, from a residential point of view, in an attractive area of Melbourne and still being in the red?

Air Cdre Kennedy—That is true.

CHAIR—And that that is true on the matters that the committee is currently considering, ignoring the money that has already been spent, which is over \$20 million.

Air Cdre Kennedy—That is correct.

Mr HATTON—I will take up something that Mr Forrest was concerned about because he is unable to be here today: the question of liability for claims related to cracking in buildings after the place is developed. We understood from the briefing yesterday that because so much material is going to be taken out other soil will be brought in and that that fill will then be the basis on which people will build their houses.

Mr Forrest, the member for Mallee, was concerned about the question of Commonwealth liability and whether there would be any residual Commonwealth liability. The question relates to, firstly, whether there will be and, secondly, how strong the guarantees are that you can give the committee that that liability would not be there for the Commonwealth?

Air Cdre Kennedy—I will ask Mr Moore to speak in a moment. I think it is important to note that the Commonwealth is not the developer of this site; the Urban Land Authority is. The Commonwealth will not be at risk of the sorts of claims that you are alluding to. The Commonwealth is responsible for remediating, and divesting itself of, the site. The ULA will be the agent responsible for developing the site.

Mr Moore—Certainly, the development agreement to be entered into between Defence and the Urban Land Authority could provide for the guarantee that you are seeking. The obligation of the developer will be to disclose any liability, any filling that has been undertaken of individual housing sites. Mr Parker is able to address standards of compaction and so on. In a number of projects, the Urban Land Authority has had experience in identifying and disclosing to purchasers liabilities or problems associated with allotments, such as the presence of filled land. In respect of the standards of compaction, Mr Parker is better able to respond.

Mr Parker—From a technical point of view, there will be excavations on the site, and they will be backfilled with compaction control to the appropriate level to ensure that the site is suitable for building. Remember that, in the western suburbs, there is a shrink-swell problem with the clay soils to start with, and the building codes require that certain things be implemented to prevent that problem and to enable building in these areas.

Mr HATTON—But you would take measures to ensure that people buying houses would be well aware of, firstly, that general situation and, secondly, the fact that there had been a certain standard of regulation over the compacting process.

Mr Parker—Correct.

Mr Moore—Once the presence of filled land and the details of compaction are disclosed, the purchasers are then able to ensure that their house foundations are designed appropriately. And, as Mr Parker has said, there are standards that dictate the level of foundation design.

Senator CALVERT—Air Commodore Kennedy, why did you actually pick the Urban Land Authority? Why didn't you just appoint a team of project managers and then put it out to tender for private developers to do the job?

Air Cdre Kennedy—We received up-front advice to approach the Urban Land Authority first.

Senator CALVERT—From whom?

Air Cdre Kennedy—From two independent sources: the Macquarie Bank and Clayton Utz. We noted the considerable cost to the industry in terms of progressing this project in a management role. We are talking about costs of the order of \$200,000 to \$300,000 or more. Defence has come under great criticism for not being appreciative of the cost to industry in the methods that we use in engaging industry through the consultancy or the contractual process. So we are very conscious of minimising that cost. We are also aware of the significant synergy of the project management role in terms of the remediation; and, taking that forward to the development role, there is a lot of synergy there as well.

They were some of the more important factors in going, on a single-select basis, to the Urban Land Authority. I should point out that that is our intention. We have not entered into an agreement with the Urban Land Authority on the second element at this time, but we are working towards it. At the moment, the Urban Land Authority has been engaged as project manager for the remediation.

Senator CALVERT—Why did you seek to go that way? Was it just Defence being cautious and saying, 'We had better get some advice from some reputable people'? I presume that advice is confidential, is it?

Air Cdre Kennedy—It was provided confidentially. I should point out that there was very considerable debate and discussion within the facilities executive in Canberra on the approach. We sought the advice and approval of our minister before we entered into this arrangement. So a great deal of thought went into the approach.

Senator CALVERT—When approaching the Urban Land Authority, did you make any other inquiries, apart from two confidential pieces of advice, about the operation of the Urban Land Authority as to how successful they have been in these types of project developments in the past?

Air Cdre Kennedy—We were very impressed with the experience that the Urban Land Authority has in these types of projects. They are very considerably experienced. In fact, we invited the Urban Land Authority to come to Canberra to address the full facilities executive and to assist in the decision making process before we went down this line of approaching our minister for agreement.

Senator CALVERT—So you had a full briefing from the Urban Land Authority as to how they work and how they operate their successes?

Air Cdre Kennedy—Exactly.

Senator CALVERT—Have they had any failures in the past that you are aware

of?

Air Cdre Kennedy—Not that I am aware of. I am aware of great satisfaction from quite a number of referees who we had approached as well—very significant satisfaction in terms of this type of work they have been involved in.

Senator CALVERT—So, if any criticism comes from the private sector which says, ‘Why weren’t we approached,’ or, ‘Why weren’t we given the opportunity to tender for these projects,’ you can put your hand up and say, ‘We believe that what we are doing is absolutely 100 per cent and everybody knows what is happening’?

Air Cdre Kennedy—That is correct. The other important fact is that the Urban Land Authority is going to act as a manager. The doing part of the work is all going to be competitively tendered. So they will all go to contract. There will also be other consultancies that will go out as well under the development process and the remediation requirements. So they will all be competitively tendered.

Senator CALVERT—This is a similar question to the one we asked you the other day: is there a likelihood that, in this area, where unemployment is probably a little higher than in other areas, there are sufficiently good operators that could operate locally?

Mr Moore—Certainly there are a number of development contractors who are based in the western region of Melbourne who would be considered as tenderers for development contracts.

Senator CALVERT—I am sure the local member, if he was here, would be asking us to ask that question. It is important, in developments of this magnitude, that some sort of preference be given to local contractors because of the obvious implications.

Mr HATTON—I may be a bit slow on this, but 448 hectares is a lot of land to introduce into a part of Melbourne that is extremely well located, if you look at its location in relation to the airport, the city and the ports. We have spent about \$22 million so far, and we are looking at further costs for the remediation development. The Commonwealth is still likely, possibly, to lose up to \$3.6 million.

I cannot work out why this land is not worth more, why the Commonwealth probably will not get more out of it. The Victorian government, through the ULA, has been happy to play its part in this process. Where is the cost benefit ratio from this for the Commonwealth and for Victoria? Is Uncle Jeff actually getting another potential cut at the expense of the Commonwealth?

Air Cdre Kennedy—I think it is true that the Commonwealth, as the polluter of the site, has a very significant cost to pay in appropriate remediation of the site, and it is true that some \$20-odd million has been spent to date. I think it is fair to say that,

irrespective of the approaches now being taken, it is likely that that money would have had to have been spent anyway because it is consistent with the current approach.

The future, the \$3.84 million, is a worst case in terms of future cost to the Commonwealth. In fact, it is likely that a cost neutral situation could be approached from now to the end of the project. We are still working through that in agreed land value in accordance with the draft development plan that has been proposed by the Urban Land Authority and as has been discussed with all the stakeholders, particularly the Albion Redevelopment Steering Committee. Mr Parker mentioned that there is likely to be some refinement in design, so we are fairly optimistic that the price will be somewhere between cost neutral and \$3.84 million, which is a very good outcome.

The challenging part of this project has been the number of stakeholder interests in the project, and a number of them are going to appear before the committee later today. We have aimed at a balanced solution. Certainly, we could come up with a much more favourable economic outcome by total development of the site. We believe that would be unsatisfactory. We have aimed for a balanced approach, looking at the conservation values of the site, some of the heritage values, the open space requirements and the need to balance residential, industrial and medium or mixed type development. I think the Urban Land Authority has done an excellent job in trying to achieve some sense of balance in the plan to date, but there is still a long way to go. I think it is probably best if Mr Moore addresses that, particularly the local planning process that has to be undertaken.

Mr Moore—As the project proceeds, our intention is to establish a planning framework whereby the property is zoned under the Brimbank planning scheme into a zone that will allow for development generally in accordance with the preliminary land use plan that would be subject then to the preparation of a structure plan, or a local structure plan, that would identify or spell out the specific details of the development—what are the locations of the open space, the roads, the housing, the industrial sites, the community facilities and so on.

That local structure planning process would be conducted in a consultative manner by the Urban Land Authority. A local structure plan would be given approval by the City of Brimbank as the responsible authority under the planning scheme after a period of further consultation with interested parties and the opportunity for objection, appeal and so on, which would be determined by the council or appropriate tribunals in due course. It is certainly true that further refinement of the plan is to come. The preliminary land use plan is a preliminary plan indicating what we think can be achieved.

Mr HATTON—So what we have here is a development—it is like the building better cities program without the funding—and you have tried to have a very balanced development. Part of the land, which is not taken into account in the costs, is that the University of Victoria already has a considerable part of. So there is a benefit to the state of Victoria in relation to that and to the local community. Other environmental factors

have had to be taken into account as well. You are attempting to get a balanced development that takes into account all of the stakeholders in the area, and that is the prime reason. That is not just driven by cost or by profit.

Air Cdre Kennedy—That is true.

Mr HATTON—I would like to take up one other thing that was of concern to some members of the committee yesterday and it relates to the heritage listing. I know you are not responsible for the three munitions storage houses that we saw yesterday. When we inspected those, it was of some concern to me and other members of the committee that they had been listed, given that there is a vast number of other munitions storage places around the Commonwealth of a very similar type, age and structure. We did not see anything unique to these indicating that they should be preserved. Also, from a health and safety aspect, we understand that in the current plan those were to be left in part of the open space area. We noticed also that there are asbestos roofs there and that already there has been some damage to those buildings, despite the fact they are on enclosed Commonwealth land. Mr Parker, would you choose to comment, particularly because of the potential problems with those heritage listed buildings, on the asbestos roofing that is there?

Mr Parker—There are ways to cope with asbestos sheeting. It can be sealed, et cetera. That is a cost. I have had personal experience on other sites where there is a conflict between remediation and heritage listings. They really have to be dealt with as one-off cases. I think those magazines are in the certificate area already, so that has been dealt with and will not be an issue for those buildings. But there are some others where that could be an issue.

Mr HATTON—So the roofing could be coated—

Mr Parker—That can be coated—

Mr HATTON—To my primitive eyes, if you go along the roof with a ballpein hammer or a sledgehammer, it would not take much to belt that material up.

Mr Parker—The preferable solution would be to remove it, but if it is not allowed to be removed for a heritage reason you would have to find some other way to cope with it.

CHAIR—I will interrupt there. Senator Calvert has some other questions. It would seem to be appropriate to adjourn the committee hearing at this stage for a short break. I will recall Defence following the adjournment and will then allow Senator Calvert to ask his questions.

Short adjournment

CHAIR—We have been taking evidence from witnesses from the Department of Defence, the Urban Land Authority and Golder Associates, who are consultants to the Urban Land Authority. We were in fact in the process of questions from Mr Hatton, the member for Blaxland. Do you want to continue questioning, Mr Hatton?

Mr HATTON—No, I have raised the question of the heritage listing for those munitions magazines. I might take that up later on.

Senator CALVERT—How long do you think it will take to complete the task—to have the land ready for sale and all the nasty bits buried? What is your total project time?

Mr Moore—Assuming a start date to the local structure planning process of July-August, we would imagine that process taking somewhere in the vicinity of six months, with three months for formal approval processes beyond that. So we are talking about the development works commencing construction some time early to mid next year. In respect of the remediation, that could commence considerably earlier and Defence has an attitude that that should be completed as quickly as possible. We imagine a time frame for completion of remediation of between three to four years. The development of the site for housing and other purposes we see taking somewhere in the vicinity of 11 to 12 years.

Senator CALVERT—When will you be releasing your first sites for sale, do you think—11 years or sooner?

Mr Moore—The release of sites for sale would occur progressively and allotment and housing would be constructed progressively over that 11- to 12-year time frame, with the first allotments becoming available for sale in perhaps a little over 12 months time.

Senator CALVERT—What are you going to do to isolate those sites where you might have children running around? What are you going to do to protect them from the areas that obviously have not been cleaned up or rehabilitated?

Mr Moore—Those sites would be developed in areas at the site that already have environmental clearance and we would have to take appropriate measures to ensure the security of the remaining areas that still require clearance. You will recall from the site inspection that there is a manproof fence right around the perimeter of the site. There will be some requirement to adjust the locations of that fencing.

Senator CALVERT—So you will have portable fencing that you will keep on moving in as one area gets bigger and the other smaller. During our inspection yesterday we saw that you have removed a lot of soil. There are dozens and dozens of quite large excavation areas. Is it proposed to bring soil into those areas or are you going to use soil available on site to fill them?

Mr Parker—In the costing at the moment, soil will be brought on to the site from

other sources, and it will be verified as clean soil. We will look at the option, though, of recontouring. Obviously, the area is fairly flat to start with and we do not want to create a basin. But we will look at the options for recontouring to minimise the amount of soil that has to come back on site.

Senator CALVERT—Looking at the areas that have been ploughed, for a young family starting off with a new home and trying to establish a garden, do you think that the soil is sufficiently good enough for that type of thing or, as part of your development, would you have to bring in reasonable soil for gardens?

Mr Moore—I would imagine that there are topsoils on the site that would be basically spread over the surface of allotments developed, but the development of gardens throughout all of our metropolitan area has generally required other soils to be imported.

Senator CALVERT—So that is part of your normal operational costs, I presume.

Mr Moore—Allotments would be presented with topsoil on site. Further importing of soils would be done by people as they develop their gardens in due course.

Senator CALVERT—I think we will have to take this up with the Heritage Commission in Canberra, if we can get them in some time. The Heritage Commission submission that we received in recent days—and you pointed this out to me this morning, I might say—on page 4 said:

During all works on the site, the Commission recommends strongly that vegetation clearance and soil disturbance be kept to a minimum and that a rigorous weed prevention strategy be adopted to prevent the invasion of Chilean Needle-grass, Serrated Tussock and Spanish Artichoke.

Where have they been? It has already arrived; it is already there. There is no vegetation. From what I can see anyway, the whole site is just one suppository of noxious weeds. Do the Victorian government have any policy to try to control these things or not? Is there an active policy by the Victorian government to try to control this serrated tussock and all the rest of them? I noticed an article in the paper the other day where landcare groups and others are starting to show a bit of concern about the invasion of serrated tussock.

This is not something new to me. I have been in quarantine work for 40 years and I bring it up from time to time when I have the opportunity. I have been restricted in my activities of farming for 40 years because we did have in Tasmania a very strong noxious weed policy. But the policy elsewhere never ceases to amaze me. Flying through Tullamarine, for instance, I used to notice two or three pieces there. Now the whole place is infested with it, as is most of urban Melbourne, yet no-one seems to do anything about it.

Mr Moore—I benefited from some of your knowledge being imparted yesterday in

respect of serrated tussock.

Mr HOLLIS—We all have over the years!

Mr Moore—I am not familiar with the policy of the Victorian government, but I can certainly seek some advice and speak to you later.

Senator CALVERT—I am not sure whether it was on this project or a similar one that we had some evidence given to us about how they were going to control serrated tussock. I have been waiting to actually see evidence of that so I could perhaps take the knowledge back to my own state. I think they were proposing using mulching and all sorts of things, but I have not seen any of that yet. Perhaps we might be able to ask some of the other witnesses later what is happening. From my point of view, a good box of Bryant and May's would do a lot of good in that area and perhaps get rid of some of the seed that is there. I think I can take this up with the Heritage Commission.

Mr Malpas—Could I just answer the second part of Senator Calvert's question which related to soil disturbance. The words from the Heritage Commission submission were concerned with minimising soil disturbance, and as you will realise from the tour yesterday afternoon this project in the remediation phase will involve moving around hundreds of thousands of tonnes of soil, and in some instances we will be digging that soil out to a depth of about three metres.

Senator CALVERT—Don't you think that the Heritage Commission then are being a little overzealous in their submission or aren't you allowed to comment on that?

Mr Malpas—I am not allowed to comment on the Heritage Commission.

Senator CALVERT—Perhaps they should be a little more practical. We are talking about removing the soil, after all is said and done. To say that it not be disturbed is a bit overzealous perhaps.

Mr HATTON—I have a question for Mr Parker, just to get this on the public record. One of the things you have done in the overall design of this development is to put in a buffer zone between the highway and this development. You have allowed for mixed use and industrial areas. Two of those industrial areas directly abut upon the residential areas. I wonder whether you would outline for us the process by which you are going to ensure that no contaminants can leach into those residential areas which are adjacent to the industrial areas.

Mr Parker—I will just make the comment that the repository location was obviously selected where it was because it was close to the industrial areas, it provided a buffer to the ring-road and it encroaches on to some land that is a problem anyway in terms of being an old landfill. So it was a fairly obvious place to put it.

In terms of the industrial area, through this integrated remediation development process, it is obvious that you put an industrial area in the area where you have had the worse contamination. So the industrial area does have some of the worst contamination. But there are two issues that we need to consider in remedying these areas. The first issue is the health risk to people that will use the land and the health risk to people adjacent to the land—and I am talking about the health risk from the residual contaminants. The second issue is that we need to consider the environmental risks from those contaminants such as downward leaching of materials. The remedial works will ensure that there is no risk to people using the site and that there is sufficient material removed to eliminate the risk of downward leaching.

In terms of adjacent areas, the issues are not so much of leaching, because the leaching mechanisms are substantially downward. They might go laterally for a few metres, or a metre or something, but that is very minor in terms of the scheme of a road or whatever. Obviously issues such as dust need to be controlled to prevent the spread of residual contamination. So all of those issues are addressed in the plan.

Mr HATTON—And the question of lateral leaching into those residential areas?

Mr Parker—I do not believe that is an issue. Surface water run-off will be controlled because there will not be contaminants of unacceptable concentrations left on the surface.

Mr HATTON—But you indicated yesterday in the briefing that any lateral leaching would be a question of a metre or so.

Mr Parker—Minor, yes; no more than a metre. In fact, I think that is probably exaggerating it.

Mr HATTON—For the public at large, with regard to the question of the leaching downwards, the watertable, as I understand it, is some 15 metres below the surface.

Mr Parker—It is of that order, yes. Ground water is contaminated in the area, and one of the issues that drives the remediation is to prevent ongoing ground water contamination.

CHAIR—If there are no other questions, I thank Defence and its nominees for appearing. I indicate to the hearing that I will recall Defence, Mr Moore and Mr Parker, at the conclusion of the evidence given by others wanting to submit evidence to the hearing.

[11.04 a.m.]

OPIE, Ms Amanda Lesley, Policy and Project Coordinator, Brimbank City Council, Municipal Offices, Alexandra Avenue, Sunshine, Victoria 3020

CHAIR—Welcome. The committee has received a submission from the Brimbank City Council dated 3 April 1997. Do you wish to propose any amendments to that submission?

Ms Opie—No.

CHAIR—It is proposed that the submission and the Department of Defence response be received, taken as read and incorporated in the transcript of evidence. Do members have any objections? There being no objection, it is so ordered.

The documents read as follows—

CHAIR—I now invite you to make a short statement in support of your submission before we proceed to questions.

Ms Opie—From a council and a community perspective, the site as it stands is considered to be a blight on the landscape in terms of its weed invasion. It is a big hole in the municipality. You just need to look at a map of Brimbank to see that it is quite central. Council views this land as providing a number of significant opportunities. Within my submission I list a number of strategies they are developing.

The municipal strategic statement we have recently prepared states that Victoria is currently going through a number of significant planning reforms. It is intended that this be a local policy document that will be incorporated into our planning scheme. Within that we have looked at developing a future policy framework plan for the municipality, say, five to 10 years down the track—what we expect the municipality to look like—and an attachment to my submission provides a copy of that map. We look at the opportunities for mixed use developments to occur on this site, predominantly residential and industrial—given the recent construction of the Western Ring Road and the benefits of accessibility.

A number of other strategies are being undertaken. We have just completed a natural heritage study which looks at the flora and fauna as well as the geological and geomorphological sites. There are a number of significant sites within the Albion site, in particular sites of national and state significance. Clearly, by the land being decontaminated and redevelopment through the local construction plan proceeding, there is far greater potential for these areas to be placed in appropriate conservation areas and not allowed to further degrade.

We are currently undertaking an Aboriginal heritage study. This includes both pre and post contact heritage. Within the Aboriginal report, in draft at the moment, an area adjacent to the Kororoit Creek has been identified as being of great significance. It needs further investigation. If, through further investigation, it is found to be of such significance, we have greater potential to place it in an appropriate conservation area. The post contact study has picked up some community buildings of local importance. Again, that is still in draft. We want to develop that further. I can talk about that in more detail when we get to the local structure plan.

We have undertaken a leisure strategy for the municipality, essentially to assess the leisure facilities and the open space needs of Brimbank. Its recommendations are clear in terms of the lack of open space, particularly in the south. There are limited opportunities other than the Albion site for us to provide recreational facilities of the regional nature that we need in this area.

We are preparing a transport strategy. The previous Sunshine Council followed through with the Brimbank Council in terms of the potential for great road access that will

be provided to link up existing roads, mainly an east-west arterial link. You just need to look at a map at the moment to see how travelling around the area is quite difficult. We have the benefit of the recently constructed Western Ring Road. We would like to provide much better access to that, particularly for people from the Deer Park Mountain east area and to avoid the traffic congestion we have at the moment.

There is also a significant shared pathway link that can transverse through this site and connect up with the Western Ring Road—a shared bike path and paths along the Kororoit Creek—providing better access to the VUT university. Just on VUT, I guess the current approaches to the site are anything but highly desirable in that you really need to travel through industrial areas to get to what we consider quite a significant educational resource. The redevelopment of the site really allows for a much better opening and access to the university.

In terms of the potential for rate revenue, the council is facing quite a restriction on its budget. We have rate capping at the moment and there are really limited opportunities for the council to seek additional revenue. It has been estimated that from the proposed 3,000 dwellings the council could receive approximately \$1.6 million in rate revenue, which is quite a significant injection for council.

There is the issue of public safety, whether it is perceived or actual. It is a definite concern from the community; they are coming to us continually. I guess, to alleviate their concerns, council would really like to see the decontamination of the site continue.

Council has been involved to some level in some draft local concept plans that have been prepared to date and really acknowledge that the more detailed planning will come out of the local structure plan. They will be addressing things like subdivisional layout, road design, where our land uses are, where the conservation is and how we link our shared pathways and open space. Council has already started some quite fruitful discussions with the Urban Land Authority and other key stakeholders on these issues. As we are building up our strategic bases by all these studies that we are preparing, we feel we will be in a good position to achieve quite a number of strategic objectives.

Council would consider an important element of that detailed planning to be community consultation in involving the local community in development of the local structure plan and in the follow-on comments that they can make. In conclusion, council strongly supports the development of the Albion site and is quite committed to ensuring that the decontamination of the site continues.

CHAIR—Thank you for that indication of support from council. This is a general question. If you look at the maps on the wall and the proposals, as submitted to this Public Works Committee by Defence and the ULA, is council generally happy with the proposed redevelopment?

Ms Opie—Generally, yes, recognising that, where we have the issues, that will be developed out of the more detailed planning.

CHAIR—I asked the question because, while not familiar with the region as a whole, it seemed to me that there was a relatively high proportion of recreation area provided in the proposals for the Albion site.

Ms Opie—In our leisure strategy, we are acknowledging that it is really needed in this area, and this is one of the limited opportunities where we have to provide them. We see that as something very good to be provided.

CHAIR—You also mentioned in your submission that there were sites of ‘national and state heritage significance’ on the Albion site that you were anxious to have preserved.

Ms Opie—Yes.

CHAIR—I thought Mr Hatton made a couple of very pertinent points when he observed that, for example, the munitions storage areas may in fact be something that council would later deem a bit of a hazard and something that they may wish were not there in heritage terms, particularly as I can tell you that members of this committee have found them on almost every munitions storage facility, including a number of defence bases around Australia. Does council consider those munitions storage ruins of significance?

Ms Opie—We are actually completing our post contact cultural heritage study and, within that, we will have conclusions about how significant council considers them to be. On the concept plan are shown those areas that I think are to be incorporated into a public open space area. Certainly, if it is that they are significant, we would definitely pursue appropriate management plans as to how they can be retained in a safe manner.

CHAIR—You also mentioned community buildings. Are there some buildings on the site that were previously occupied by Defence or the ordnance manufacturing facility that are listed for removal and which you think would be of use to the community?

Ms Opie—We probably have not progressed enough in our study to make a conclusion on that. As a draft indication, it is listing them of local significance. Through the detailed planning, we will pursue that further.

Senator CALVERT—Has your study identified yet any particular examples of flora or fauna that should be protected on this particular site?

Ms Opie—Yes, it has.

Senator CALVERT—Such as?

Ms Opie—There is a site adjacent to the VUT grasslands which is of high significance and should be placed in a conservation area and that it have very limited public access. There are also sites to the east of the grasslands. All these sites are shown on the appended maps. There are also sites adjacent to Kororoit Creek in the south-west corner of the site.

Senator CALVERT—When you say grassland, is it some particular type of grassland?

Ms Opie—It is. I am not a grassland expert, but someone following me from VUT is, so he could probably give you far more knowledge of those. I am sure he would be able to answer those questions in far more detail than I. If you refer to appendix 2, that provides a map and lists the site and what it is significant for.

Senator CALVERT—Does the council have a policy of responsibility for vermin control and weed control? Is your council responsible for that or is it state government control?

Ms Opie—I think it is a combination. We do have local laws. It is something that is really developing at the moment, in that we are all coming up to speed with developing quite a number of strategies. There is no council strategy in place at the moment on this site for vermin or weed control. Obviously it is Commonwealth owned land.

Senator CALVERT—I am just looking at your submission about the national resources strategy. I suppose you could list in your resources out there foxes, rabbits and every other bit and piece of vermin or whatever. Does council have a tree planting policy? Do you have your own nursery and develop appropriate species for this particular region?

Ms Opie—We do. Again, that is another strategy we will be developing after some board policies are developed.

Senator CALVERT—What I was getting at is that, as the Urban Land Authority is developing the land, would council be working with them in making sure that it is appropriately landscaped with appropriate trees, because we noticed some fine examples of local gums out there yesterday?

Ms Opie—At the moment yet another strategy we are preparing is an urban design strategy, and that will specifically provide guidelines in landscaping, particularly of the public areas. Given our very low rainfall in this area and the types of soils, we have to be very careful in that what we plant will survive. Specific guidelines are being developed, and they would be provided to the Urban Land Authority as a guidance.

Senator CALVERT—And council would also be responsible for that creek that runs through the site, I presume?

Mr Opie—Kororoit Creek?

Senator CALVERT—That is what I think it is called. It looked like an open sewer to me. The one that had the funny coloured water. What was that? No, it was Jones Creek.

Ms Opie—The waterways actually fall into either Melbourne Water or Parks Victoria. It is proposed that the land adjacent to that be transferred to council ownership and management.

Senator CALVERT—But I presume council would be trying to protect that amenity as a site was developed?

Ms Opie—Yes, and we are currently working with VUT to set up water monitoring of Jones Creek.

Senator CALVERT—Thank you.

Mr HATTON—You mentioned that there is a significant area of grassland that you would want there to be limited public access to. How big is that area?

Ms Opie—Again, I feel that the gentleman from VUT could probably answer these questions in far more detail than I could.

Mr HATTON—Just taking up one of the points that Senator Calvert made, in the briefing yesterday we heard that there used to be a burn-off of the weed infestation, which was throughout almost all of the 448 hectares that we saw, so that there was virtually very little grassland, apart from the weed infestation. They have indicated that they used to have a burn-off program but they in fact ceased to do that because of having to go through so many authorities. What has the council's approach been to burn-off on that site? We can see a particular problem with not only the infestation of the weeds but the fact that, if you are going to develop that site and develop the public open spaces, there really needs to be something done about the seeds that are already there and the dramatic nature of the infestation, which would add to the cost and I imagine add to the cost that council would be part bearing in recovering that land for substantial use.

Ms Opie—A lot of these details we see will be covered when we get to the local structure plan detail. In terms of the conservation areas, there are very specific ways of managing those areas, including fencing and burning of these sites. For the other areas of public open space, I guess council is left with a legacy of having quite substantial areas of open space that are very difficult and costly to maintain. In the detailed planning, we

would be ensuring that the open space is designed so that the plants actually will survive, because they are appropriate for the area, and that the maintenance is appropriate for council in terms of the cost.

Mr HATTON—You have indicated the priority that council sees for road access through this development, because there is a big area of land and people have had to drive right around it and so on. Is council happy with the proposed plan in terms of that road access? Do you think that is appropriate and sufficient?

Ms Opie—It is really a matter that we are still in discussion with in terms of the ULA. I guess our ideal situation is not necessarily shown on that concept map, but it is one of the many issues that we would see that we would be working with ULA on in working up a final plan.

Mr HATTON—Finally, I imagine council has been quite frustrated now for many years with the nature of the site and the fact that it has taken so long so far to move the process forward, and that is why council has become so heavily involved in the local planning to try and bring this area back. Is that the case?

Ms Opie—Yes, that is the case. It was the legacy of the Sunshine Council and after amalgamation the legacy of the now Brimbank City Council. Through the continual community consultation that I am involved in, it is always an issue that is raised and the community are really looking towards the council, because they are the up-front people they come to day to day, to address this. We continually tell them that we will take their concerns on board and express them to the appropriate people.

Mr TED GRACE—That last answer brings me to the question of public safety. What precautions or what plans has council already set in train to ascertain if this is a good idea? Are they just taking the word of somebody else? Is council doing their own investigation?

Ms Opie—The Environmental Protection Authority, the state government authority, really set up the standard and the regulations to which contamination is to occur. Prior to any of the development proceeding, a statement of environmental audit or something of the equivalent needs to be submitted by someone authorised to give that certification of the land. We really rely on the EPA regulations to set the standard, and it is through having the certification by a qualified person that we can guarantee that it is decontaminated to the specified level.

Mr TED GRACE—The buck will eventually stop with council. They have to give the building permission. Do you think that is sufficient? What are you going to say if I ring up and ask, 'Is it safe?' Are you going to refer me to somebody else or is council going to give me their own opinion?

Ms Opie—The history of the contamination issue and the ministerial directive which followed out of it really started within Sunshine, with the lead site in Ardeer, so it is something that council is very conscious of and cautious about. We are confident that the standards set by the EPA and the regulatory procedures that must be gone through before development can proceed are appropriate, and that has been the case in recent times. We have quite a number of contaminated sites within Sunshine, so it is an issue that council is very aware of and we are confident of the EPA process.

Mr TED GRACE—It would seem to me you are taking everybody's word for granted. You mentioned early in your statement that you are not responsible for the creeks running through the area. I understand that, but that could involve leaching into the water. It would seem to me that council are abrogating all their authority. They are just going ahead with everybody else's idea. Like I said, at the end of the day you are the person who has got to stamp the plans if I want to build a house.

Ms Opie—That is right. And we really look at the ongoing monitoring of those things—the water as well as the cap sites—and appropriate management plans being put in place for council to be confident with the ongoing issues associated with all of them.

Mr TED GRACE—So the answer is, for the record, that you were taking no specific action to ascertain for yourselves if this was a good process or not?

Ms Opie—The EPA has set in place regulations that have to be complied with and they are applied across the state. We would need to be satisfied in terms of the certificate of audit that we receive that it has followed the appropriate procedure.

CHAIR—Are there any other questions? If there are no other questions, thank you, Ms Opie, for appearing before the committee this morning.

[11.28 a.m.]

CLARK, Professor Paul, Deputy Vice Chancellor, Victoria University of Technology, Ballarat Road, Footscray, Victoria

Prof. Clark—Sitting on my right, but he will not be giving evidence, is Michael Reidy, who is our Director of Planning in the university.

CHAIR—Thank you. The committee has received a submission from the Victoria University of Technology dated 3 April 1997. Do you wish to propose any amendment to that submission?

Prof. Clark—No.

CHAIR—It is proposed that the submission and the Department of Defence response be received, taken as read and incorporated in the transcript of evidence. Do members have any objection? There being no objection, it is so ordered.

The document read as follows—

CHAIR—I invite you to make a short statement in support of your submission before we proceed to questions.

Prof. Clark—I wonder if I could just reiterate a few of the points in the submission and maybe advance a couple of them. Let me start by saying that the university absolutely endorses the remediation and the subsequent development strategy for the Albion site. We would reiterate the view that it is an absolutely essential development for this particular part of the city.

The university's interest in the whole exercise lies in the fact that we are part of the site. The university has six campuses. St Albans is the second largest of our campuses. There are 5,500 students studying at that campus and it has been built up over about the last nine years. If you look at the way that site has developed, it started with some portable buildings to the very north of our area and we have progressively developed southwards from there. There are now 12 very substantial buildings which you hopefully saw on your inspection yesterday. We anticipate also that the university population on that site will continue to grow as the university does overall and as we move maybe some load from other areas on to that particular site.

May I make a couple of comments also about some other things in our submission. The project management by the ULA is something on which we feel able to comment because of the involvement that the university has had in working with the ULA at another RAS site in Sunbury. The heritage based Jacksons Hill development around the Caloola area is something we have been working on with the ULA, and we found them a very professional and very concerned group with which to work. The university would continue to welcome working with them on the Albion site.

In the development strategy there are four elements which involve the university. It is fair to say the university sees that as a single package associated with the whole development. The eight hectare area west of Jones Creek moving in a south-westerly direction is, as far as we are concerned, an essential element to enable us to connect the university's campus, which is very poorly connected to its community at the moment, directly into what will become the civic centre for Brimbank. As the university, we are very committed to getting that community-university interaction.

The borrow pit is a very significant part of our landscape because, among other things, it is probably the highest thing around for a while. It is also something that in a sense we would want to be assured was going to continue as a safe area and is something the university would be prepared to take some management role over as part of that package.

The former incinerator site on the bottom right-hand corner of the development as far as Furlong Road is concerned, as far as our siting is concerned, is also one that we would be fully prepared to take on board as being one that in a sense complements some

existing land space that we have there and gives us a better frontage to Furlong Road.

The fourth element is the large area of, in a sense, National Estate significant land. To the west of the campus it is about 30 hectares, as I understand, in area. Its occupancy by striped legless lizards and the state of the grasses there have been of significant research interest to the university for some time, and you will hear one of our staff members giving evidence later about his specific knowledge in that area. The university well understands the need to sustain and retain the significance of that area and would be fully prepared to take a significant management role in that process, building on the expertise that we have.

A couple of other issues are related to the developments of the Brimbank City Council, certainly in the civic centre area. We have been in discussion with the council for some time about the significant potential for joint development of facilities between the council and the university in such a way that we complement each other rather than duplicate each other. As an example, I might quote a potential move for the university's library on our existing site to be expanded in conjunction with the Brimbank City Council and then made available as the civic library for that area so that we would in fact get much better community usage of our facilities and the city would not have to absolutely duplicate.

There is also a proposal, if you look at the development overall, that completes the top right-hand corner of the site as what I would call an educational and recreational facility, and that is a development of a private secondary college. The university would be very pleased to assist in identifying an operator for that college, and we would be very keen to continue working on and providing a lot of joint activity and so on with the development in the area.

In summary, the university is already now a very significant element on the Albion site, and a very significant entity within the community itself in that area. We see ourselves as growing further on that basis and, in particular, continuing the contributions to the community development. To do that, we believe that the Albion site needs to be properly developed and we believe that the plan, as currently proposed, sits pretty well with the way we would see that development as going. The issues for discussion, as far as the university is concerned, are the extent to which we acquire, have a management role in or are able to be assured of ongoing responsibility for the four site elements I identified.

CHAIR—As we travelled around yesterday—obviously the university was quite prominent in part of the windscreen tour that we made—it struck me that in many ways you were the initial beneficiaries of the run down of the original use of Albion and that you were something like a benchmark for the development. We hope the rest of the Albion site looks more like the university site, if I may put it in that context.

Obviously, as you have indicated, the redevelopment will give you better highway

access and the chance to give a front door to the university but, apart from the amenity, apart from the appearance of the site which is anything but desirable, is there any other disadvantage, is there any hazard, that you see in your location adjacent to the site in its present form?

Prof. Clark—There are probably a couple, one of which is probably a concern of the committee and the other which is not. The one that is not is that there are more electricity pylons running along the north side of the site than you would actually like to live too near to for too long. But the borrow pit, which in a real sense is partly fenced off from our site, is something about which we have a need to continually assure ourselves is a safe area in that it is a site which is very heavily populated during much of the year.

The other aspects which have been raised in discussion here, the clarity of water or not in Jones Creek and other areas like that, are of concern. It is probably fair to say that the university has a duty of care over the 5,000 or 6,000 people who are on that site each day, and we try to provide a fair degree of vigilance in that duty of care.

Yes, the amenity needs to be improved. Yes, it needs to be done in a way that is consonant with the university's present existence. It needs to be done in a way that we do not get drenched by two yards of dust as the process proceeds and so on, but on the whole we would wish that process to proceed.

CHAIR—But it would be fair to say that the 5,000 or 6,000 people you refer to cannot simply wander onto the site, that in fact they can only find themselves on the existing Albion site as a result of mischief rather than—

Prof. Clark—The existing fencing—

CHAIR—Is adequate.

Prof. Clark—It is sufficient to keep most human beings off. As Senator Calvert said, it does not keep the rabbits off or the foxes or the other things that seem to share our site as much as the Albion site.

CHAIR—So you do in fact find vermin breeding on the Albion site and coming onto the VUT site?

Prof. Clark—Or vice versa, yes. We are unable to determine where they actually do breed.

CHAIR—I was actually talking about the foxes and rabbits, not the university students.

Prof. Clark—So was I.

Mr HOLLIS—On the map before me here of the university site, the university is going to be responsible for that large area of grasslands; is that correct?

Prof. Clark—We would be prepared to accept a management responsibility—I will be very careful how I say this—for that grassland to ensure that its national and state significance were retained to the extent that we could do that, based on the expertise that we have within the university.

Mr HOLLIS—Would that be a large cost? Have you carried out any figuring on that cost?

Prof. Clark—You will get some costings later from one staff member which are, in a sense, the costings to bring it into a state where it can properly be managed. We would believe then that, as a result of the sort of ongoing association of our staff and students with that particular area, that would keep the costs relatively low and that there may actually be no net costs as a result.

Mr HOLLIS—It may be more appropriate for me to ask my questions, as you have rightly said, of someone else. The area is coloured green there on the map, but it is actually not very attractive. I am not one to judge, but when I drove around it yesterday it looked to me quite unattractive. But beauty always is in the eye of the beholder. One thought I had yesterday was that, if anyone carelessly walked through there and dropped a match, the whole thing would go up and there would be no striped legless lizards or anything else there because it was very dry. Again, it may be more appropriate for me to put this question later, but if that is the natural habitat of the striped legless lizard and part of the management plan were to retain it in that condition, the big worry would always be, especially in the summer months, as someone on the committee said yesterday, that try as you might you are going to have a lot of access to that bit of land from the residential area, from the university and a whole lot of things and it will be a constant battle to stop people dropping matches there. It is a matter of just one match and the whole thing will go up.

Prof. Clark—I do not have the real expertise, Mr Hollis, to respond to that.

Mr HOLLIS—I would irrigate it to make it green.

Prof. Clark—If I may pick up your comment about what it looks like—and beauty is in the eye of the beholder—the university recently went through a process of determining a landscape plan for its own site as presently established, and it offered everybody on our campus, as a landscape plan, what I saw as an option between something that was very native grass related and based or something that may have looked more southern European in that sense. The university population was very strongly of the view that it wanted the more native grassland approach to landscaping of our area. So in fact we would see it as being almost a congruent expansion in that area.

Mr HOLLIS—Good luck.

Prof. Clark—The detail of how things catch fire or not is something again. There have already been fires on the site, as I am sure that people have been aware. I guess that in this country fire is always going to be a risk of some sort.

Mr HOLLIS—There are no further questions from me on that, but if it stays in that natural state you are going to have a lot of barbecued legless lizards at some time.

CHAIR—I simply observe that in its natural state that no doubt occurred well before European settlement.

Mr HOLLIS—Yes, but it did not have the population it is going to have over there either. You are going to have a lot of people going across there who smoke and drop the occasional match or cigarette, and barbecued legless lizards will be the result.

Senator CALVERT—They go underground; they have got fire shelters. We did notice that there had been a fire near your university. Was that deliberate or a natural burn?

Prof. Clark—I am going to refer to somebody who might know. I have just been told that it was not natural.

Senator CALVERT—Nevertheless, it did provide a good firebreak around the university. I will ask my other questions later.

Mr HATTON—Thirty hectares is a lot of land. There is a lot of land designated here as being ‘open space’ and ‘VUT grasslands’. The representative from council indicated that parts of these areas would be closed off and that they would not be open to public access. Of the VUT grasslands, how much will not be available for public open space, even though it is indicated on the maps?

Prof. Clark—Can I clarify something before I give you an answer to that. Whilst labelled ‘VUT grasslands’, it is not our intention that we would own those grasslands. What we are offering is a management function for the grasslands. Our preference, as per our submission, is for the ownership of that area to vest in Parks Victoria or something like that. So in essence the particular style of fencing, entrance and so on would be determined to a significant extent by that body. What we are offering is a level of expertise and a geographical closeness and oversight on a regular basis that would enable that to be managed better. The details of how that area would be fenced, entered and so on is not something that the university would wish specifically to determine, but it would provide advice on that.

Mr HATTON—The Brimbank Council area, as indicated on the maps that we have, has very little public open space. It really is at a premium. A large part of this development—30 hectares out of 448—is down to the university, and the university has a research interest in the native grass and so on. It is my concern that what looks like a great development in terms of open public spaces may not be and that not only the public who will be residents in the new areas as they are developed but also the rest of the people in this area may not have appropriate access. What you seem to have indicated to me now is that that would be up to the Victorian authorities to determine rather than the universities.

Prof. Clark—Yes, it would not be a university determination on access of land it did not own.

Mr HATTON—But you are still looking at putting in your proposals to that authority that specific areas should be fenced off and so on? You have no idea of how much of that area you are proposing to them would not effectively be public open access?

Prof. Clark—I am not aware at this point of how that particular process would go. That is probably a case of how well briefed I am or not in that area.

Mr HATTON—The country we went through yesterday might generously be said to be looking pretty clapped out. There was Chilean needle-grass, tussock grass and so on—there was a total weed invasion. We were not able to get as close as we wished to those proposed grasslands. I know Dr Hocking is going to be speaking later, but how much native vestigial grassland on that area is designated as VUT grasslands?

Prof. Clark—I understand it is a significant amount. I have seen figures, for example, that show that on the 30 hectares of grassland perhaps seven or eight hectares is infested and the remaining 22 or 23 hectares is pretty good native grassland. So a significant proportion of the full site is very close to its native structure, but it is interspersed with and has areas which are quite significantly deteriorating and infested.

Mr HATTON—Given that this is an initial plan that has been put forward and that lots can change after that, in the briefing yesterday I made the point to the Defence group that one of the problems I can see with this plan is that so much of that designated open space is effectively given over to the university and not much of it is directly where the people are actually living—people in the areas outside but also in this proposed development. How much of that grassland area is key and important to the university's research interest? What is regarded as really important to save?

Prof. Clark—That is again a question of how much you value the striped legless lizard and the native grasslands. As far as the university is concerned, there are advantages to the university as a whole in having good and reasonable access to Jones Creek as part of the recreational areas for students and so on. As you go further west from there, the

university's desire, in a sense, to have any association with it will diminish over distance, but we do recognise that if there is a heritage value there then a university as a management body is, on the whole, not bad at managing heritage. It is something that we do on other sites and it is something that, in a sense, we are offering here as part of the university's overall package in relation to those four identified sites.

If we were to go the other way, there is a lovely green area, also labelled VUT, which is a sparsely grassed horrible looking capped borrow pit. The university's interests in that are, on the whole, not particularly high but, in trying to be sure that the site has a total integrity, we would be prepared to ensure the management of that area too.

Mr HATTON—But not the costs of actually remediating that land?

Prof. Clark—None whatsoever. We want neither the costs of remediation nor the ongoing responsibility for the efficacy or otherwise of that remediation. It is not university land. We have no intention of it being university land. What we are offering is a management service. There are other elements of the land which we would wish to be university land and which the package overall should enable us to come to a reasonable conclusion on. There are management costs associated with those two areas. There are capital acquisition costs associated with the other two. We believe that we can come to a reasonable understanding with the developers in the end as to how those two should be balanced.

Mr HATTON—Because there is great benefit to the university if it could get that land free and the ongoing management could be done. Finally, in the materials that we have here, the university has undertaken quite a lot of research on dealing with noxious weeds. We can see that they are there over the whole of the Albion site and seemingly Defence has not done much with them. They no longer burn them off and so on. Has the university been able to provide specific advice to Defence as to how they could in fact deal with those very obvious problems that they have and which of course the university has?

Prof. Clark—The answer I give is that almost certainly you will get the details of that from our staff member later on who has a view on how the whole remediation should proceed from a grassland perspective in the areas we have identified. I am sure there is no great dissimilarity between that and the advice given previously on the balance of the site.

CHAIR—If there are no further questions, I thank you, Professor Clark, for appearing and for the evidence you have given.

[11.53 a.m.]

MEALE, Mr David William, Site Manager, Deer Park, ICI Australia Operations Pty Ltd, Gate 6 Tilburn Road, Deer Park, Victoria, 3023

CHAIR—The committee has received a submission from ICI Australia Operations Pty Ltd dated 3 April 1997. Do you wish to propose any amendment?

Mr Meale—No, I do not.

CHAIR—Is it the wish of the committee that the submission and the Department of Defence response be received, taken as read and incorporated in the transcript of evidence? There being no objection, it is so ordered.

The documents read as follows—

CHAIR—I now invite you to make a short statement in support of your submission before we proceed to questions.

Mr Meale—I would like to say that the overall pitch of our written submission and my comments are that we support this development. I would like to say that first, because we do have some difficulties which have been sketched out and which I would like to go over. Firstly, ICI has a unique association with this development. We sold land to the Commonwealth government to start it, particularly the southern area around Ballarat Road, in 1940 or thereabouts. We built the establishment and ran it during the war before it was handed over to the Commonwealth for management. They were in the same business as we were across the road. So we have an ongoing but much longer association with that business in that area.

We have been there—and, as you can see on the map in my submission, it is an equal sized piece of land on the other side of Ballarat Road—doing similar things but going back to 1874. In general terms, as I said in our note, we support the proposed development. We also support in principle the not so obvious areas of cultural heritage to do with what was going on there and, of course, natural heritage. We are acutely aware that we are in an area where there is—and I think this figure is correct, but do not quote me on it—0.1 per cent of Victoria's grasslands left. Unfortunately there is very little on our site but some left on this site. We have an interest in that.

I would like to talk a bit about the buffer distances we mentioned in our submission. The statement of evidence by the Department of Defence said on page 23—I will not quote it all—that residential use is located generally north of the buffer zone to the ICI plant. In the reply to our submission from Defence, dated 4 April, the statement was made by Air Commodore Kennedy that the preliminary land use—that is the one up there—presented for the PWC's consideration takes those buffer zones into account. The fact is that it doesn't—neither of them do.

I just want to elucidate briefly on that. I realise this is a preliminary land use plan, but now is the time to talk about such concerns. There are many activities which we carry out at the moment on our site and which we would propose to carry out in the future—some not yet determined of course—for which the Victorian EPA suggests a recommended buffer distance of 1,000 metres. It is not for me to comment on whether that is realistic or not. That is what is in the EPA's document as a recommended buffer distance.

Obviously, 1,000 metres north of our site, both where we operate at the moment and where we do not operate, would impinge—buffer means from residential of course—across the proposed residential areas to a significant extent. It would in fact go as far north as the boundary road—if you look at your map—on the eastern side between the industrial and residential. There is an east-west road there. If you continue that right across the site, you will see that there is quite a lot of proposed—and I know it is preliminary—

residential area.

CHAIR—It almost takes in one of those creeks.

Mr Meale—Yes. Kororiot Creek runs through the Albion site and also runs through our property, and it is a significant reason why we are there. That means, in words of one syllable, that if houses were built in that pink area at the south end then we would be heavily restricted—large amounts of our land would be quarantined. You could just draw the 1,000-metre line yourself across our site. That is not what we would like to happen.

We have been supporting this area. I mentioned in my submission that ICI is more than an industry in this area. We built a lot of the houses in that area. We built the recreation club and the original Ardeer railway station. Of course, back in the 1940s and 1950s, everybody who lived in the Ardeer/Deer Park area worked at ICI.

We are also, of course, very interested in the ongoing development of the west of Melbourne. It is a separate issue, but we feel it is very important and we take a community role in that. But we would not like to think that an otherwise totally desirable activity and development as we see here would constrain our ongoing development and employment and export opportunities. So that is the reason for paragraph 10 in our written submission, which says, 'ICI Australia submits that adequate buffer distances must be retained in the planning and implementation of this strategy.' I think that is probably enough comment from me.

CHAIR—Thank you, Mr Meale. May I, as the chairman, say that I am not surprised at the thrust of your remarks because they are also contained in the written submission that you made about the concern you have about the buffer zone. You have indicated a reluctance to indicate whether or not the 1,000 metres was realistic. I am assuming, though, that you are suggesting it is in fact a generous buffer zone.

Mr Meale—In some cases it could be, yes.

CHAIR—We will, of course, ask Defence when they come back about the concerns you have about whether or not the generous buffer zone needs to intrude into the Albion housing project or the existing ICI land, which would seem to be the other point of the submission you have made.

Mr Meale—That is right.

CHAIR—I am presuming, too, from your remarks—and it seems to be reinforced by all that you have said about the western suburbs of Melbourne—that ICI is here to stay.

Mr Meale—ICI is here to stay. Our strategy is to continue to manufacture and develop. As I said in the note, we spent \$30 million on investment just in the last two or three years on the Deer Park site. We also operate, as you would know, in four different sites in Laverton, Yarraville and Ascotvale. So yes is the answer to that question.

CHAIR—Does the site here at Albion mean that you are involved here in activities other than the production of explosive chemicals? Are farm chemicals produced here, for example?

Mr Meale—No, farm chemicals are not, although some emulsifiers that go into farm chemicals are made here. We still make explosives and we make chemicals and plastics—three major groups. There are eight different ICI businesses on the Deer Park site. It is not just a one oil refinery type business; it is more like an industrial park. There are three major categories that are included and ongoing.

Mr HATTON—When did the 1,000-metre buffer come into place? When did you get that advice and was there previously a 300-metre buffer or a 100-metre buffer?

Mr Meale—The EPA original buffer zone recommendations were first published in I think 1986, but I could be corrected on that. These ones were issued in 1990. Previously it was a different set-up. They listed a lot more chemicals by name and said, ‘For this chemical it is 300, for this one it is 500, for this one it is some other number.’ The 1990 regulations are much more restricted groups of categories, if you know what I mean. Some are 500 and some are 1,000. There are ones that are higher than that too. But there is much more grouping, not like other chemicals—1,000 metres type of thing.

Mr HATTON—This proposed development is to the north and would be affected by that 1,000 metres. What is to the west of you—residential land?

Mr Meale—Yes.

Mr HATTON—How close?

Mr Meale—Very close. Across the road—50 metres. The recommended buffer distances are not applied retrospectively. We did not have to justify our existence when they changed the regulations, but we would for anything new.

Mr HATTON—This was not at the company’s initiative at all in relation to what they might do in future, how they might further develop the site and so on? The reason I ask the question is that I have come across a situation locally in my own electorate where a paint factory was situated next to Commonwealth land. They argue that the buffer zone should be 1,000 metres because at some time in the next 50 years they might decide to put in some other processes or expand their plant. So this was not at the initiative of ICI?

Mr Meale—No, it certainly was not. We are not commenting on that at the moment. The EPA regulations apply to us and we are a company that, by definition, takes all regulations into account. We have no choice.

Mr HATTON—I guessed that was the case. So to the west you have residential land; to the east and to the south?

Mr Meale—To the east we have the Western Ring Road and then some open space and then residential land. To the south we have open space—as you will see on the map at the back of our submission—which we own for another kilometre to the south.

Senator CALVERT—Have you had any indication that you would have to comply with that buffer zone?

Mr Meale—We already have an indication that, if we were to propose a new development, a new process, a new storage, a new manufacture, by definition we would have to comply with the buffer zones. It is not retrospective. We will have to either comply with it—and, as I say, it is recommended—or justify to the EPA, and this is allowed for in their recommendations, why our new development, operation or whatever it might be should be less.

Senator CALVERT—You are indicating, I believe, that the 1,000-metre line would run along the continuation of that road through the top end of Kororiot Creek. So it would be in the advantage of ICI if that whole area was public open space rather than residential, wouldn't it?

Mr Meale—By definition, it is an advantage to ICI the way it is now when there are no houses there.

Senator CALVERT—Yes.

Mr Meale—I guess that is right. I am not predicting the answer or the correct solution to this, but yes is the answer to that question.

Senator CALVERT—I was only going to make a very facetious remark earlier when you said you owned it all. Would you like it back? It would probably solve a lot of problems.

CHAIR—Nonetheless, since it is not retrospective, there is a greater hazard posed by the houses to the west than by the proposed development to the south.

Mr Meale—Yes. Any houses built in the proposed pink areas on that plan would be further away than some existing houses, but if we take the EPA recommended buffer distances seriously then adding to housing within their distances does not sound like the

right idea either.

CHAIR—I understand, but if I understood your evidence correctly it only applies retrospectively so that it would only be ICI's decision to produce a new product or to produce a product it is not now producing on site.

Mr Meale—Yes, or a new location even.

CHAIR—Do you mean locating one of the production lines in another spot?

Mr Meale—Yes.

CHAIR—That would cause embarrassment and that would more likely be embarrassing for existing residents than for the proposed development.

Mr Meale—Of course it depends where it would be on the site.

CHAIR—Yes, I understand.

Mr Meale—But the same thing would apply to existing residents who would have to go to the EPA.

Mr TED GRACE—Is the EPA recommended distance pretty standard throughout Australia?

Mr Meale—I do not know is the quick answer to that, because the EPAs are different in different states. I am sorry, I can't answer that.

Mr TED GRACE—The nature of the question was obviously, forgive my ignorance, that there is a not a specific recommendation that is consistent throughout the nation. Is that right?

Mr Meale—I say I don't know, but I would be very surprised if it is. If I had to guess, I would say that each EPA has their own idea on what is good and what is not.

Mr TED GRACE—Depending on what development it was.

Mr Meale—Yes.

CHAIR—Although one would presume that what applied in Victoria would be more likely to become something of a benchmark standard as other states cooperated.

Mr HATTON—In terms of the extent of the buffer zone for residential, what is the situation with other industrial land? Is it the same—1,000 metres?

Mr Meale—Do you mean a buffer distance between, say, one of our operations and somebody else's industrial operations?

Mr HATTON—Yes.

Mr Meale—To the best of my knowledge, it is residential. We are concerned about somebody living at the edge of this buffer zone and being affected by residual odour or noise or whatever it is that the EPA and, indeed, ourselves might be worried about. Across roads, railway lines and other factories, to the best of my knowledge, it is not relevant. Concern is strictly for residential, and rightly so.

Mr HATTON—So a resiting of the industrial areas down to where the residential area is there may be one way to fix that problem?

Mr Meale—Yes. The buffer, not the EPA buffer but the buffer zone provided in the preliminary plan which has mixed use—industrial, business and other things—along Ballarat Road in the south is the right idea, but it is not lined up with the EPA recommendations.

Mr HATTON—Have you had any difficulties previously with the EPA or with other authorities with explosions or other complaints in relation to odour and so on?

Mr Meale—We have at some time in the last 123 years. The answer is yes, we have. We have an excellent record with emissions. We did have problems with the EPA regulations—I am not talking about buffer distances here—in 1989 when we started up our new formaldehyde and resins plant briefly and before that over the years. As I say, it has been there for a long time and there have been occasions when activities on our site have affected residents either actually, perceptually or visually. There has been none since 1989. In fact, the residents did not know about that one either; it is just that we are obliged to test all emissions, and we do regularly.

There are also regulations which you have to abide by, testing all the emissions, reporting to the EPA and the EPA checking themselves occasionally. That is nothing to do with buffer distances; that is to do with registration of emission outlets, and we must abide by those regulations. So it is a different thing from buffer distances. And, indeed, with the one in 1989 the residents would not have known it was happening. There was nothing to see or smell on the boundaries.

Mr HATTON—Is this an absolute limit they have now imposed for all that was previously categorised at different levels? If you want to put a new paint factory in there, for instance, or you want a formaldehyde factory, is it 1,000 metres and that is the buffer zone or is that the maximum within that 1,000 metres? Do they still have a graded buffer zone for particular uses?

Mr Meale—The EPA is still graded, but only a very few categories. For instance, they do have a category for formaldehyde resins, which we also make, for which the buffer distance is 1,000 metres. For formaldehyde manufacture it is 300 metres and for oil refineries and slaughterhouses it is 3,000 metres. Again, do not quote me on that, but it is very restricted whereas the previous regulation, from my memory, had two or three pages of different types of chemicals which all had different numbers. There are still some groups, but a very large number of them are within 1,000 metres.

CHAIR—As there are no other questions, thank you for appearing and for your evidence. We appreciate your submission to the committee.

[12.13 p.m.]

BRENNAN, Mrs Clare Maria, Community Representative, Albion Explosives Factory Site Community Consultative Committee and Member, Albion Redevelopment Steering Committee, c/- 66 Trafalgar Street, St Albans, Victoria 3021

O'BRIEN, Mr Walter, Community Representative, Albion Explosives Factory Site Community Consultative Committee and Member, Albion Redevelopment Steering Committee, c/- 66 Trafalgar Street, St Albans, Victoria 3021

CHAIR—Welcome. I should indicate to committee members that Mr O'Brien has indicated that he is having difficulty with his hearing aid, so he would appreciate members speaking up if they could. I thank you both for appearing. The committee has received a submission from you dated 1 April 1997. Do you wish to propose any amendments?

Mrs Brennan—No.

CHAIR—It is proposed that the submission and the Department of Defence response be received, taken as read and incorporated in the transcript of evidence. Do members have any objections? There being no objection, it is so ordered.

The document read as follows—

CHAIR—I now invite you to make a short statement in support of the submission before we proceed to questions.

Mrs Brennan—We have always been interested in this land because it is the centre of our whole area and you have to keep going around and around it, never through it. We are very concerned, because the west is forgotten in a lot of things. We have a university there with beautiful buildings and a lot of the youth in the area go there, but there is no front door to it. All the beautiful buildings are on the creek. Although there are trees inside the middle of this 450 hectares, we feel we have got to sneak in the back door to go to the uni. Besides that, it is very important to open this area up. We have a beautiful shopping centre that has just been extended and developed. There is a whole area there that holds up transport. Everything has got to go around. It has got to cross Brimbank. It is just bits and pieces. It also causes congestion on the one arterial road we have which goes through the middle in St Albans—Main Road West—which has that dreadful railway crossing over it. It would help to get some traffic off that area, which would really help that problem. We are sick of looking through wire fences.

We feel that the Commonwealth government owes the community that land with a little bit of open space, some buildings and some roadways through it, and the contamination caused by wartime cleared by the Commonwealth. We feel it would be nice to see it all put away safely somewhere and buildings put on there.

Mr O'Brien—What concerns us also is that we have a final concept plan. Now that the Urban Land Authority is involved in it, we have that concept plan as close as possible to what the people wanted. Another representative who is not here today, Reg Chalke, Clare and I inspected some of the previous complexes that the Urban Land Authority have developed. We are really pleased with those complexes. We feel that we would be quite happy if they got the work on the Albion explosives site.

There are a couple of things that have come up—I do not know whether you want me to comment on them. You talked about the legless lizard. For years we have had fires go through the area around Deer Park. A steam train used to come up to Deer Park to supply ICI with workers. Quite often in the summertime that would set the paddocks alight south of the railway line. There is an area east of Fitzgerald Road and north of Boundary Road where the legless lizard is, so they have survived the fires. Apparently they go down into holes like ordinary snakes or such things as those. I think that, although there are concerns about the fires, there may not be any problems with them.

The other thing is that recreational areas are needed—we need sportsgrounds, swimming pools and so on—but there is also Kororoit Creek. You cannot build houses or any buildings very close to the banks of the creek. If you people have the opportunity to inspect the area—it is about three-quarters of a mile from Billingham Road to Station Road—you will see the way that has developed. A number of people use that area—elderly people and youth—for walking and cycling. If the area through the Albion

explosives area is developed similarly, we would have no problems with it.

The thing that does concern us is who would look after the upkeep of the land and be responsible—whether it be the council or some other body. That is about all I have to say on the situation.

CHAIR—Thank you, Mrs Brennan and Mr O'Brien. I will now open the hearing to questions. Forgive me for the observation, Mrs Brennan, but you said that one of the concerns that you have about the VUT is that it does not have a front door—a concern which I am sure is echoed by Professor Clark—and that, to quote you, 'a number of people therefore feel they have to sneak in the back door to go to the uni'. I have to tell you that is a sentiment with which some of my colleagues are also familiar in the present climate, as you will be aware.

You also indicated that you felt the Commonwealth government ought to be making a contribution to the cleanup. I understand that but, given that the contribution is almost certain to run in excess of \$25 million, we are actually feeling marginally as though some contribution has been made. I want to know, as the chairman, whether the plans on the wall are plans that the community consultative committee—this is a generalisation; Mr O'Brien has alerted me to some concerns—are generally happy with or whether there is something wrong with the master plan that you would want extensively remodelled, because that is the sort of information we need at this stage in the inquiry.

Mrs Brennan—Through the consultative meetings we have had recently with the new concept plan put before us, we have been reasonably happy with what is on that plan at the moment. Going through 12 years of learning about the legless lizard, the kangaroo grass and everything else, we feel that there is a bit of land there for everybody as long as it is properly maintained. I know the community as a whole, right around the borders there, would like to see some open space. That has always been their main thing before anything else like buildings or anything; it is always open space. The community wants to know that there is something there that the community can use.

We have been told, through the consultative meetings, by, I think, Dr Hocking, that the university may maintain the kangaroo grass in that conservation area, that there could be some areas that the community can use as well, maybe with some buildings on it, for community use as well as for conservation. I would like to see that promise kept. I think the community would be much happier then if they could get inside instead of it being fenced around. We do not want a mini-Albion, in other words, with a whole lot of hectares fenced around, the way it is now.

CHAIR—I understand your observation. At a quick glance at the map, I would have thought that on three sides, perhaps the only exception being the western side, we now have open space which you have previously been denied, which is not a bad proportion in terms of modern housing development. So those who are living around the

existing Albion complex will have open space ensured in that plan on at least three sides.

Mrs Brennan—Yes, that is correct.

Mr HATTON—I would like to take up that point. We seem to have open space. What Mrs Brennan has alluded to is that, in the discussions between the university, the ULA and the committee, there is a fair bit of directed talk about those grasslands being locked off and locked away. I like the way you have put it: that we could just have another mini-Albion there in a good part of that 30 hectares. Therefore, in relation to what seems to be open public space, which is what the people of the area have needed and called out for—and it has been pointed out in the letter by the member for Maribyrnong, Bob Sercombe, as well; that is, the core need for the people in the area—there could be much less than seems to be available here. I will just take that a bit further. What sorts of indications has the university given you in terms of how much could be locked away for the lizards and the grassland?

Mrs Brennan—We are talking about the length of grass. I do not think anyone would like to tread through some of that grass when it is at its full height. We were told that there could be areas inside those hectares which could have a community building and be used for different activities—maybe even horse riding, for instance; a lot of stuff to do with the ordinary country, maybe even a hobby farm or whatever. There might be some interest there. We do have a hobby farm down at Brimbank Park on Horseshoe Bend. It is very popular with families. They can go for pony rides and see a few different species of animals like emus and kangaroos or whatever. So I suppose those kinds of things could be done there as well.

Mr HATTON—Have they given much indication of how much could be locked up in that mini-Albion or how ready the access they intend there could be?

Mrs Brennan—They did say something about it being managed and that you would come in through a gateway kind of thing like a park that is locked up at night but is open in the day. Even cemeteries get locked up at night. Maybe they were looking along those lines where you can come in and visit those areas and maybe do some horse riding—all that kind of recreational thing.

Mr HATTON—I just think that, given the amount of time the committee has been in operation and the amount of time there have been discussions about this, something a bit more concrete might have come forward. A sharpened look at that might be appropriate.

In the local member's submission, linking in with your concerns, he has made a great point about the local road problem and that Furlong Road, in particular, is very congested. It is necessary in his view, and echoing the view of the committee, that the Urban Lands Authority actually do some off-site works. So it is not just what is being

developed there but that money is actually put into off-site works. Have you spoken to the authority about that and the need to have the proper access right through this by doing further work outside?

Mrs Brennan—Which authority are you talking about?

Mr HATTON—I think it is the Urban Lands Authority.

Mrs Brennan—Yes, we have spoken. We had a meeting not long ago where issues were brought up about the road linkages. They explained to us that a lot would have to be off-site because they were widening Furlong Road to take all the traffic from the university to the Western Ring Road. There were issues there.

I think other people brought up issues about another feeder road from the north end, St Albans, to be able to access some of the roads to the residential areas. There was another road that has to go behind the Deer Park shopping centre and through a residential area there. We are looking at another opening to the Western Highway because there are not enough openings from the residential areas to get through to the Western Highway. They were down the road plans. Maybe a lot of those linkages would have to be handled by the Urban Lands Authority.

Mr HATTON—But you have had those discussions.

Mrs Brennan—Yes, we have.

Mr HATTON—They are proceeding as part of this. For the committee and the people of this area, what seems a lot of open space in this development, when you put it into the larger context of the area here, is it much more significant to you? There seems to be so little open space in the surrounding areas in the city of Brimbank and what was previously Sunshine. You do not seem to have much available to residents at all.

Mrs Brennan—What we are concerned about is that councils these days sell off a lot of parks because they cost so much to maintain through the rates. I suppose we are lucky to see a few patches of green there anyway, compared to what we have had in the past in trying to get the council to maintain these areas. The community is concerned about the maintenance. Whoever takes over these open spaces must maintain them properly because we have not really had much. We have quite a few football ovals around the area and a couple of small parks, but that is about it. I suppose those green patches on there make it look much more enhancing to us than what we have already got.

Mr HATTON—You have indicated a concern with who is going to manage this and look after that open space.

Mrs Brennan—Yes.

Mr HATTON—Has council given much indication of their willingness to do that? We have heard today that councils seem to have a lot of plans that are being prepared. It may be because of the amalgamation and so on that the Sunshine Council would have had but nothing much seems to be set in concrete. Have they indicated that they would probably be willing to do that?

Mrs Brennan—I am hoping they will. I was a councillor at one stage myself. I am getting sick of these strategies too because we have gone through these for years and years and years. We can sit down and say where we need something straightaway but then all of this stuff goes on. They are indicating they will, more or less, in some of the strategies that I have read, but it depends on which crowd really has the block of land. If it is the university that has the 60 hectares, we really think that they would look after their area. Along the creek lands and parklands, the council has been very good in the past. I have worked with them planting trees—a massive area right through Deer Park and the other side of the bridge at Station Road. The council is very good with jobskills, training, planting and landscaping. They have done an excellent job there. I hope they will keep up the maintenance. It is us community members who really have to keep badgering the council to make sure they do.

Senator CALVERT—Following on with your concerns about public open space, as a former councillor has there been any talk about providing bike trails through these areas, for instance? That would seem to be something suitable, given the way that the public open space is stretched out through the whole area. It would give access for people to move by bike across to university or wherever.

Mrs Brennan—Yes. I was one of the ones who put a submission in about 10 years ago for bike paths through there to take a lot of people who wanted to ride their bikes to work instead of polluting the air in bumper-to-bumper traffic along Station Road. We have massive bike paths on the other side of the Western Highway that go for miles and miles and are really attractive. My daughter is one who rides on it. Wally has been a famous bike rider for years and Wally likes watching them all ride past. The only thing that is stopping the networking of the bike paths is in Albion at the moment, because it is fenced off and you cannot get through.

Senator CALVERT—This committee actually has a very proud record of recommending bike tracks. In fact, we were instrumental in establishing a bike track between Katherine and the Tindal Air Force Base, which Air Commodore Kennedy would be aware of. Has there ever been any talk of perhaps a public golf course in the area?

Mrs Brennan—I was one of the ones who suggested a nine-hole golf course and I would take up golf. That was quite a few years ago.

Senator CALVERT—It would seem a way of perhaps managing some of these areas of public open space in a more meaningful manner.

Mrs Brennan—I agree with that. There will be a lot of open area down along the creek and it would make a very nice recreational area for golfers. Besides, people can walk around golf courses as well, as long as you don't get hit on the head with a ball. I think it is an ideal spot to make a nine-hole golf course at least.

CHAIR—Some good sand traps.

Senator CALVERT—There are some water areas too.

Mr O'Brien—A golf course was one of the original suggestions on the first concept plan that came out. They felt that it took up too big of an area.

Senator CALVERT—I was talking to my colleague Mr Hatton who has a great concern about this grassland area that perhaps could be skirted by a golf course or something. Do you have concerns about Jones Creek, for instance? Is that something that should be fixed up? It just appeared to me that it was rather polluted when we drove past it yesterday.

Mrs Brennan—Jones Creek is water from households in St Albans. It is really drainage. It flows on a higher table than where the contamination is. That is why it has never been contaminated by the contaminants of the explosives area. We learnt all of that over the 12 years. It is mostly just drainage water from St Albans.

Maybe there should be some way that Citywest or someone can look at it to clean it up. They have done a lot of work on the Kororoit Creek in the residential areas, cleaning up the water and making little waterfalls and getting all of the car bodies and stuff out. Maybe something could be done there. The university is very good at checking water tables and testing it. Maybe they could do something.

Mr O'Brien—Kororoit Creek actually has no spring in it, so you only get it flowing through rainwater. In drought periods, at one time the biggest pool in Deer Park that I have seen—it was about 12-feet deep and 400-yards long—was dry. This was years back when I was about 10 years of age. That was about 67 years ago. That was the only time in my life time I have ever seen it dry. That was because there is no spring at the top end of it. They are both rainwater creeks.

Senator CALVERT—I seem to gather from something you said much earlier about that area of grassland providing facilities for some of the locals—a gymnasium or something. Did you infer that?

Mrs Brennan—A gymnasium?

Senator CALVERT—Not a gymnasium, but some sort of facility for the locals. Is there a problem with vandalism in the area?

Mrs Brennan—There is a problem with vandalism anywhere in the residential area, especially where there is a local reserve or whatever. They are the biggest problem areas. I don't think anyone can get rid of vandalism. Maybe you might have to look at making it vandalism-proof in some way. Maybe you are concerned with the lighting of matches on the long grass. We have had many fires. Every night of the week the fire cart goes down the back of my area to fight a fire lit in a paddock somewhere or playground equipment.

Mr O'Brien—That was the first thing I thought of when you spoke about it catching fire. When it was brought up that the grassland was going to be set aside for the legless lizard I thought, 'What about the vandals?' That would be the worry.

Mr HATTON—Given your 12 years experience, what do you think of the heritage listings of those magazines? What do you think of that? You have seen the buildings and you have seen what the potential problems are.

Mr O'Brien—I do not know. Some of the people suggested to me that that brick building on Ballarat Road should be saved. I think it was a first aid place, wasn't it? It is opposite the original Nobel factory gate, ICI's factory gate. There were concerns about whether they should list that on the heritage list.

Mr HATTON—They have listed three magazines where they kept the explosives after they had developed them. We looked at those yesterday. Have you looked at those at all?

Mrs Brennan—Yes. We have been to have a look at them a few times over the years. I know they were listing some buildings. The black powder building that is closer to Station Road was more historical than a lot of other things. I am a middle-of-the-road person who says yes, save some places and get rid of some others because sometimes we end up chockers with a whole lot of heritage stuff and no-one can move or get on with things. Maybe we should look down the middle and say half and half.

Mr HATTON—You don't think there is a broad move in the community to support those munitions magazines being kept because of their significance?

Mrs Brennan—We have quite a few historical societies around. I have belonged to the St Albans one over the years and there is the Sunshine one and the Keilor one. The St Albans one has had the closest thing to do with the Albion explosives because the others never came to the meetings. I think also that some of the workers who used to work there had something to say about keeping some of these buildings.

The whole problem with the community in the west is that you have to struggle to get a building, a community centre or some meeting place built. I think a lot of people had in mind that maybe they could have some of these buildings to be able to meet in

because there really aren't enough for a lot of the different community groups. I think they were looking at that as well. Maybe it is not necessary to keep all the heritage buildings but maybe one.

Mr TED GRACE—Are they capable of returning to community facilities?

Mrs Brennan—Some of the buildings I have seen are quite good. They have been let go for the last few years because nobody has been in them. I suppose vermin have been through them. I know vandals do get in there because I have seen them cross the fence of a night. The asbestos roofing is a concern. Years ago when they pulled all the other buildings down in view of the public off Station Road area it was quite interesting to the people because everyone was wearing suits, helmets and stuff to clean up the asbestos and everyone thought there was radioactivity there.

There are still two buildings left—in the middle of Station Road on the median strip—that belonged originally to the Albion and that have asbestos roofing, and there is a lot of grass growing in the guttering. One is condemned and the other is a powder keg playhouse. I suppose eventually we have to see some of these buildings go with asbestos in them, but then either you have got to bury the asbestos or you have got to cart it to another site.

CHAIR—In the case of the munition storage areas, as referred to by Mr Hatton, you are really looking—Mr Grace was unable to be with us yesterday—at buildings that are too small to be used as community meeting rooms. If you had a party it would go with a bang, but that is about the only observation that we made about them.

If there are no other questions, I thank Mrs Brennan and Mr O'Brien for appearing before us this afternoon. I will adjourn the hearing for approximately one hour.

Luncheon adjournment

[1.41 p.m.]

HOCKING, Dr Colin George, Senior Lecturer in Ecology, Department of Biological Sciences, Department of Biological Sciences, Victoria University of Technology, St Albans Campus, P.O. Box 14428, Melbourne Central Mail Centre, Melbourne Victoria

CHAIR—Welcome. In what capacity are you appearing?

Dr Hocking—I am appearing in a private capacity but I am a member of the Department of Biological Sciences of the Victorian University of Technology. I conduct research into native grassland management, including legless lizard ecology. The submission that I present to the committee was also from Professor John Stearne, who cannot be here today. He is the head of campus at St Albans and has a significant interest in the development of that campus and conservation issues involved.

CHAIR—Thank you. The committee has received a submission from you and Professor Stearne, as you have indicated, dated 3 April 1997. Do you wish to propose any amendments?

Dr Hocking—No, but I do have a document to table at some stage. I am not sure whether it is appropriate at this stage. I do have copies as well. These are potential estimates of costings for management of the proposed grassland reserve.

CHAIR—It would be quite appropriate to table it now and it would be helpful so that we have access to it from a question point of view.

I am proposing that the submission, the Department of Defence response and the document recently tabled by Dr Colin Hocking be received, taken as read and incorporated in the transcript of evidence. There being no objection, it is so ordered.

The document read as follows—

CHAIR—I now invite you to make a short statement in support of your submission before we proceed to questions.

Dr Hocking—Thank you. As indicated in our proposal, Professor Stearne and I generally endorse this plan for the development of the Albion site. Our interest is primarily in conservation issues and how they and other land management issues pertain to the St Albans campus. However, I also feel, from some position of expertise, that the explanations for the containment of the contaminants on the site appear to be adequate as well.

Part of my reason for supporting this plan is that it is a good compromise between the development of the site, the community values and the need to actually make this site, which lies at the heart of the Brimbank Shire, into a positive community component. The other reason is that, on the other side, it is a compromise that includes what I would call a mixed system of reserves for the preservation and conservation of significant natural components on the site.

There is a nationally significant population of striped legless lizard on the site which, as I am sure you are all aware, is listed nationally. It is also listed on the IUC red list and in the state Flora and Fauna Guarantee Act under schedule 2. This would appear to be if not the largest certainly one of the largest populations in Victoria and Australia, which comes as somewhat of a surprise to us. That is only recent information from the last season and confirms earlier surveys. As such, it is a population that, I would submit, needs very careful consideration in terms of the overall conservation effort in Australia.

I also point to the fact that the lizard lives within about 23 hectares of native basalt plains grassland, community listed in Victoria in the Flora and Fauna Guarantee Act. There is a management action plan for that community. The actions proposed include permanent reservation of significant remnants of native grassland, and that includes the species associated with them on public land, including Commonwealth land. That is one of the strategies from this management plan from some years ago. I am not sure when this was actually prepared.

The significance of the plains grassland, I suppose, may be well highlighted by a press release in August last year by Senator Robert Hill, Minister for the Environment. Senator Hill said:

I think it will be a surprise for Australians to know that the ecosystem that contains the most plant species and plant communities threatened with extinction are native grasslands—not our tropical forests or our eucalypt forests.

He goes on to talk about grasslands as being the Cinderella of ecosystems in terms of conservation effort.

I would point out that, as an ecologist, I am not entirely happy with this proposal. It is a compromise proposal, but I believe it is a proposal which, with the knowledge we have, will allow a viable population of striped legless lizards to continue on this site, even though the site will essentially be landlocked by residential area. Part of the reason for that is that there is provision for a connecting open space along Jones Creek which also has grassland remnants which, I believe, are able to be supplemented and brought up to adequate management standards. That connects with an area of land of about four hectares in the south part of the university which the university has set aside, having found legless lizards on that site. So there is a direct connection between those sites. They have the potential to connect with other sites further south that have grassland components and significant plant components, and also with sites in the south-west.

Having said that—and there is the significance of trying to put that in some context—I will go to some of the specific issues in my submission. I will try to comment briefly on a few of the issues that have already been raised in relation to the potential management of this area. Firstly, the issue of boundaries was raised in our submission in response to the Department of Defence. This is an important issue. It may appear that we are haggling over small areas of land. Those boundaries have been proposed by me and endorsed by the convenor of the national striped legless lizard Recovery Team, who happens to reside in Victoria, as being essentially the minimum area that we consider to be effective for the survival of this species, given the connection with the other open space areas I have mentioned.

I can go into the details of those boundaries if you want me to or we can work through them later. I think that, in terms of the type of horse-trading that may go on subsequently—for instance, in the local structure plan—any change to those boundaries would have to be looked at very seriously in terms of the impact on the viability of this population. The appropriate body to be a final arbiter on that is, I would propose, the striped legless lizard Recovery Team. It is a national issue, it is Commonwealth land, it is a national reserve, and it is a national body which has the expertise available at its fingertips. I would defer to them.

On the issues of management of a reserve of that type, questions that have been raised include: would it be locked up, would there be a fence around that reserve and around which part of it? Initially, most of the 30 hectares that have been designated as VUT grasslands on that map, would have a high fence around them. The reason for that is that we do not know enough about the management of legless lizards or the impact of disturbance on the management of legless lizards to know what sort of complementary activities would be feasible.

What we do know from other work on grassland management is that to keep down weeds and to maintain the kangaroo grass in a state of health—because it actually gets very unhealthy and starts dieing, hence some of the weed invasion that is occurring in the kangaroo grass on that site—it needs either to be burnt or to be grazed. We do not know

enough about the impacts of fire on legless lizards to say whether or not putting a fire through that site would be significantly detrimental to the population.

The key to understanding the problem with management of the striped legless lizards is basically that you cannot recapture a legless lizard, at least not in Victoria. Canberra seems to have a better record on this, although fairly low. Striped legless lizards have trap avoidance. So once you capture them and mark them—and we can mark each lizard individually—you cannot recapture them.

We have had an effort funded by the Commonwealth government in the past year to try and develop an alternative trapping method jointly between Canberra and Melbourne—which are two of the central sites for legless lizards, certainly in terms of research work—and so far we have not come up with an effective method. That means that we do not know whether we are going to find the same legless lizards after a fire as before. We do not know whether grazing has a significant effect on the population. We are working on that problem.

This site happens to be one of the highest density sites and for an endangered species having that is essential to finding out effective management because then you have enough lizards to actually measure statistically. So we are currently taking a precautionary approach to that by not burning the site. However, the site will need to be either mown or grazed or a combination of both very soon to keep the kangaroo grass in a state of health.

We are caught in a dilemma. What we may be able to do is to have stock on that site in the longer term. That may be in accord with the community using that as some sort of visitors farm. We would certainly be able to have school groups visiting the site using duckboarding or prepared tracks. I have about 10 schools already on my visitors list, and there is a whole lot of support materials in the schools now for the study of grasslands.

I would propose that we need to see an active community involvement in that 30 hectares of land that had restricted access. That is, we would need to see active visitation, high level involvement and participation in the site if it were not to be seen ultimately as a mini-Albion. I would be doing everything in my power—and I am sure the university is in agreement with that—to actively involve the community and have the community visiting and being part of that area.

In terms of the discussion about open space, I suppose the other important component there is where the university land lies: some of the land designated as yellow on the ULA plans that the university proposed to take up also has legless lizards and grassland on it as a component, and that area of land is going to have open public access. It will have restricted university buildings on it, and it also has some proposed joint university-community facilities. You may want to invite Mr Michael Reedy, who is the Head of Planning, to appear before you if you want to discuss that further.

The university reserve land to the south of the current university site contains legless lizards. That would also be available for open space visitation by the community. So that is one area of legless lizards that we would see being part of the open space plan. So, in terms of looking at the open space, I guess I am proposing it is important to look at the total package of open space and the way those areas of land are used by the community. This reserve is not going to survive and be valued by the community if it is locked away for conservation and study.

I suppose in that sense I would like to submit that it is not VUT grassland; it is an area of land that needs reservation under Commonwealth commitments and because it is nationally significant. The university has an active interest in the community and conservation and being involved in the management of this. We are not making a land grab. Believe me, if this comes about in the next 10 years, there is a hell of a lot of hard work, not in research, but just in management of this land. That is a fairly daunting task. Those of you who know serrated tussock will know that fairly well.

I can get into some of the detail of serrated tussock if you like. We have been proceeding in the last five years since the last committee hearing I attended to develop the method for replacing serrated tussock with kangaroo grass. We now have that to a level where we are trialling that on a patch area with the local land care groups. Unfortunately this year we have had a drought, so some of our trials—we have set up on five different sites—have not worked so well because of the drought. This is part of the problem of developing these methods.

In terms of the costs, I have given you an estimate there—a very rough estimate in a week and a half since this issue came up—of what the costs may be to prevent further degradation on that site: that is, further invasion of weeds; some regeneration of the kangaroo grass which is currently going into a senescent state. That is something we have known about only in the last two or three years, by the way. Also, there are costs for replacing the seven or so hectares of serrated tussock with kangaroo grass.

You will see that is a fairly high cost. It costs about \$2.50 a square metre—that is, \$25,000 a hectare. That is because we have a very blunt instrument for replacement. Now over the next few years I would expect that cost to come down significantly. And we have quite a range of agencies, including land care groups involved. I have been approached by Powernet, who are the transmission power lines people, to look at a similar sort of strategy under their power lines, because they cannot plant trees and they want to get rid of their serrated tussock. So there are lots of bodies interested in the same issue. If we were to start management of the site tomorrow with the current knowledge that we have, and were we to do it all this year, which we would not, that is the sort of cost that we would be looking at.

In terms of who should meet that cost, I would say that it is just not the Department of Defence. There is a dilemma here, I think, because on the one hand the

Department of Defence is a landowner. Many of you know, due to the sale of Telstra, there is money available for conservation. Natural Heritage Trust funding is out. Currently we cannot apply for funding for remediation of serrated tussock on this site because public land is removed from that funding—which I guess is under the notion that agencies have the responsibility for cleaning up noxious weeds and managing significant species on their sites.

Where the site is of national significance, it goes beyond, I would submit, the Department of Defence's responsibility. It is one of Australia's most endangered ecosystems, has one of Australia's more endangered reptiles and, therefore, there is probably a general responsibility to do something in terms of conservation at the national level. The realistic component of that funding will be worked out when we have worked out the methods. What I am trying to do with those figures is call attention to that. I can say more about that too if you like and explain some of the figures.

I just want to say one more brief thing. For the past four or five years, we have also been undertaking water quality testing on Jones Creek and Kororoit Creek. We have done some major studies with students at no cost to the community.

Generally, where Kororoit Creek runs through the Department of Defence land, it is in a reasonable state of health—certainly a higher state of health than on either side of it. So any development along that riparian section in the south Kororoit Creek needs to be done sensitively to maintain that water quality.

Jones Creek suffers mainly from sedimentation load from the north. That is why it looks pretty ugly. Its water quality is actually higher than Kororoit Creek in terms of the invertebrates and amphibians that live in it, but it does look pretty dirty. On the southern end of the site, there are some reasonable heavy metal lead cadmium loadings in the sediment that are probably from previous work—such as lead acid battery factories and those sorts of things.

We do have an active interest in monitoring that. We basically use our students to do that, and we would be interested in continuing to do that in the future. I think that is all I want to say for the moment, so maybe you would like to clarify points.

CHAIR—Thank you, Dr Hocking. I will open the hearing with questions from members of the committee. I will just remind members of the committee that we will shortly be calling Miss O'Shea as a witness on behalf of the Friends of the Striped Legless Lizard, so we run the risk I suspect of leaving no questions to ask Miss O'Shea or of saturating Dr Hocking with questions. That is up to the committee, of course.

Dr Hocking, you have made for me what was a very valid point which I made a note of during your submission. It struck me, as a federal parliamentarian, that it was not reasonable to say to the Department of Defence that the remediation as outlined in the

submission you have made to us is their responsibility. That is principally because, while the Department of Defence are as anxious to defend legless lizards as they are to defend Australians, the defence of legless lizards from other than an external aggression is a responsibility that is not exclusively that of the Department of Defence. You make a point that the committee will have to consider, in that I do not think the costs ought to be built in entirely to this Albion proposal. I gather you are generally sympathetic to that view.

Dr Hocking—Yes.

CHAIR—Perhaps one could observe that, if you are looking for legless lizard populations, you should engage the Public Works Committee—since under its former chairman, Mr Hollis, we were responsible for locating the largest group in Canberra. Mr Hollis can, in fact, claim credit for having then relocated a site at considerable expense to the Commonwealth because we were keen not to disturb that legless lizard population. Is it fair to presume that there would be populations of legless lizards in areas of Australia that we do not know of? I gather they live in the southern parts of Australia and possibly the south-eastern parts of Australia because of the climate.

Dr Hocking—Yes. There is a continuing search for populations. There are quite a number of sites with low numbers of legless lizards on them, but that is a problem because low numbers do not mean viable populations in the long term. The limited evidence we do have is that they move short distances so they probably live in colonies. This is hearsay; I am trying just to make practical decisions.

There was an extensive study done two years ago in 1995 which was funded by the Department of Conservation and Natural Resources in Victoria to look at the current and past distribution and status of the striped legless lizard and potential areas where they might be sought. Continuing work is being done to look at those sites to try to assess them in terms of legless lizard distribution. So we have a reasonable idea.

There is always a possibility, as with this site, of another site turning up. I suppose there is one site in western Victoria where there is a significant population. There is this site. There are a much smaller number on the larger reserve south of the university down in the grassland reserve as well as the populations in Canberra.

For a vertebrate species, that is a very minimal number of populations, for an endemic species, in terms of the potential for extinction of that species. Legless lizards do occur across the wider albion site in smaller numbers. We know from the work that has been done at the university that they do live in serrated tussock. We are trying to find out just what their habitat requirements are. Some studies on what they eat, et cetera, are currently going on with the Museum of Victoria but it would appear that they occur in significant numbers out from the kangaroo grass into the serrated tussock.

Where we have compromised on this proposal, it is probably going to be better for

the legless lizards and the community overall, including the community of humans that needs to live with them, and the university to have this site developed than to leave it in this state and try to deal with several hundreds of hectares of serrated tussock with legless lizards on them, as opposed to a substantial area of kangaroo grass with a small area of serrated tussock which we think we can remediate and which contains the highest density of legless lizards, other than those in the kangaroo grass. In answer to your question, we are fairly confident, subject to further discoveries, that there are not that many high density populations.

CHAIR—This is relatively unrelated to the Albion project, but are you telling me that they avoid capture, that they have outsmarted us on recapture?

Dr Hocking—That is the evidence. We have done this over two years now, but trapping this year on this site suggests that once you capture them, they do not recur in the traps. We do not know why. We have started doing behavioural studies this year using traps in tanks to find out what they go in and whether or not there is a better trap method. In fact, last year across that site we caught something like 68 or 69 lizards in traps. This year we set up new traps and we had the old ones also. In the old traps we hardly got a lizard; in the new ones we got heaps of them. But we only saw them once. We actually brand them and release them.

CHAIR—I hope the branding is not fatal and that is why they do not return.

Dr Hocking—We are a little bit more careful than that. That is the dilemma at the moment. It really hampers drawing up more detailed management prescriptions for them because it is difficult to measure just what affects them.

CHAIR—The other focus than the legless lizard, which is no less important I understand, is on the grasslands restoration. In your submission you say you have only ‘a blunt instrument for replacing serrated tussock by native grasslands’. Obviously, the blunt instrument is not a hand hoe that needs sharpening. Do you mean ‘blunt’ in chemical terms?

Dr Hocking—There have been efforts over the last seven or eight years and a number of studies for looking at methods for essentially establishing kangaroo grass on sites in place of weeds. Serrated tussock is a particularly difficult weed to deal with, as a number of committee members would know. We are now looking at the agricultural situation, and a fair amount of effort is going into control of serrated tussock on agriculturally productive land. We are looking at it within the conservation context, because it is an equal problem.

We went back to some of the earlier methods that were shown in some instances to be effective in removing weeds and getting kangaroo grass on site, but they did not work all the time. What we have done is methodically work through that technique. Barring

droughts, on the St Albans site, next to the proposed reserve, we have had three years of being able to predict how many kangaroo grass plants and how many serrated tussock plants were going to be on any plot with a reasonable level of accuracy prior to putting it down. Some of the kangaroo grass we established four years ago, completely replacing serrated tussock, are still there. It is a very laborious method.

If you like, we have got the research component. We are now moving into research and development. It is a matter of now using our understanding of why that works to develop a method on a more broadacre scale. That has a lot of interest also from the local farmers when we work with the land care group because, on non-ploughable land, say, around escarpments et cetera where serrated tussock is a problem, we are looking at this method in that context as well. We have a number of programs going with them which have shown good success so far. But, again, using the original technique, this year for the first time we have started modifying that technique to make it more, if you like, commercially viable or more broadacre.

CHAIR—But by ‘blunt’ you basically mean labour intensive?

Dr Hocking—Yes.

Senator CALVERT—What method do you use? Are you still using the method of mulching?

Dr Hocking—Yes, it is called the spray and hay method. So basically we use the biology of the plant species. I have a paper here, if you want to take it later, showing you what the method is. When I talked to you four years ago, Senator Calvert, we thought we had this thing licked. We had very good success in the first two years, and then something went wrong in the third year and we had to go back and look at what was going wrong. It takes time.

Senator CALVERT—What happened in the third year?

Dr Hocking—What happened in the third year is that we got very low seed viability which we only checked after we put the things down. It seems obvious now. And we also had a very wet summer season which washed away some of the herbicide. We were actually reliant on the herbicide being residual in the soil—

Senator CALVERT—So the method is okay; it is just that there were a few irregularities?

Dr Hocking—Yes. We have been through two droughts now and we are also trying to come to terms with how this method works even when there is a summer drought like there has been this year, so we can drought-proof it.

Senator CALVERT—Tussock loves dry weather and it does not like wet feet.

Dr Hocking—Exactly.

Senator CALVERT—I wonder whether you would kill it if you flooded it?

Dr Hocking—In the summer maybe, yes, but then there is a water problem.

Senator CALVERT—As you know, the serrated tussock itself is a huge seeder. That is one of its biggest attributes, if you like, and that is why it can spread so quickly. And one of the things that used to keep it under control in our country for many years, unbeknown to people doing it, was just burning it off every year. They used to think it was good for the stock, but all they were really doing was reducing the amount of seed that was produced. Do you do any seed burning?

Dr Hocking—We do, as you will notice on our site. The university site was accidentally burnt recently or set fire to by someone, but we had plans to burn about two-thirds of it within a couple of weeks. And I would propose that, depending on the ongoing development on that site, they reinstitute burning in the areas of serrated tussock that are proposed for eventual development to keep the seed stock down. Kangaroo grass in a healthy state is very resistant to invasion by serrated tussock. It is a matter of getting it there and keeping it in a healthy state. We have good evidence for that over five or six years now.

Senator CALVERT—So you do not have any problems with the seed that is in the ground coming back up again?

Dr Hocking—No, we have done some of the pioneering work in this, if I might say, in the last year or so. The seed will not germinate in the dark. So in agricultural land or in native grassland contexts, if you keep a good cover on it, you will not get serrated tussock plants coming up. Where they do come up, generally they do not seed out, so you can spot spray them. They do not seed out unless they have a reasonable opportunity for free growth, so most farmers find that they put the crop in for two or three years—certainly in the Rockbank area—and they do not have any serrated tussock problem, and then it starts popping up, as the pasture they have sown degenerates in some areas. So the seed bank is still there but not totally active.

Senator CALVERT—Yes, but it will remain in the ground for 40 years or so, as far as I am aware.

Dr Hocking—Yes.

Senator CALVERT—So what do you intend to do once it starts growing back up? Manually hoe it out? Or will you have to go through the whole process again?

Dr Hocking—For kangaroo grass there are selective herbicides. If you have an individual plant the herbicide will easily take it out and leave the kangaroo grass. In fact, those herbicides are residual as well so they give you protection over a couple of years.

Senator CALVERT—I am going to ask you about the legless lizards. You mentioned that it is a significant colony there. Is there any evidence of any other colonies in the general area outside Footscray or in the western districts?

Dr Hocking—The Department of Defence has not commissioned any detailed studies in the south-west but I would remind the committee that, in the reports, there are legless lizards reported from that site. There was only cursory surveying done. We have concentrated on the population in the north. Personally, I have some concerns about the residential development proposed in the south-west area but I do understand that, if this whole thing is to go ahead and we are to get a good conservation outcome, we have got to make compromises.

I would ask, and I did put in my submission, that careful consideration be given to that residential development in the south-west area in relation to the legless lizard population there which has not been well documented and also in relation to the other significant plant species in that area. There are legless lizards, as I said, on the Derrimut grassland reserve further south. That population seems to have declined somewhat. Perhaps Alan Webster, who is appearing later for the state Department of Natural Resources and Environment, can comment in more detail. That is a sparser population compared with the population on this site.

Senator CALVERT—Realistically, though, with the introduction of hundreds and thousands of people into this residential area and with only 10 or 20 hectares of grassland left to support this colony of legless lizards, do you think that they can survive with that intense urban development around it?

Dr Hocking—I guess I would not be agreeing to the proposal if I did not. First of all, it is not 30 hectares. It is 30 hectares plus the university land which will have duck boarding on it, which will open up the space. The secondary college and particularly that open space area along the creek should be given careful consideration. We pointed that out to the Urban Land Authority in terms of connecting up with the grasslands further south. Those areas further south have not been surveyed for legless lizards. They have grassland on them. Outside of these proposed developments, there is grassland that connects along Jones Creek and, in fact, an open space development to another grassland site, the Sunshine Tip site further south. So there is actually quite a large area for those animals to live in. I suppose the ultimate answer is that we do not know. An alternative would be to propose that we remediate a larger proportion of this site as a conservation reserve for legless lizards, which I would readily agree to. But I do not think that is going to happen.

Senator CALVERT—You also say here in your submission that you would try to

breed some more and re-seed them. I have great visions of you walking around scattering striped legless lizards everywhere! Is that a realistic proposal, to breed and just keep on topping up the numbers that are there?

Dr Hocking—I did not actually say that. What I said was that it is important that we actually have a salvage operation of that site for behavioural studies. I have explained the problems we have with research; we need more lizards to work on. No-one has yet been able, either in Canberra or here, to breed them in captivity which, for a threatened species, is a significant problem.

Senator CALVERT—Are they a listed endangered species?

Dr Hocking—Absolutely. They are state listed. They are listed nationally. They are on the United Nations IUCN red list. We are talking here about potential extinction. There are very few sites and very small areas of natural habitat. If you have a problem with that, perhaps you can ask Senator Hill, because he seems to think it is very important.

Mr HATTON—My first question is about the plains grassland. It is my uneducated view that we have a fair amount of grassland in Australia not only in Victoria but also in the other states because, when the explorers went over the range, they went into the western slopes and plains. How widespread is the plains grassland? You noted it in your submission as being relatively rare. Has it all gone on under the pastoral leases countrywide, or are there substantial sections of plains grassland not only in Victoria but elsewhere?

Dr Hocking—We are talking here about eastern lowland grasslands, so they are a sub-community or a particular ecosystem, so we are not talking about dry country. We are talking about temperate grasslands and subtropical grassland which basically followed inside the Dividing Range up the east coast of Australia. It was the prime pastoral country of Australia. I would submit that this may be an important interpretative centre for the pastoral industry, because we rode to prominence on the sheep's back and the sheep ate kangaroo grass, essentially. But over the last 150 years of European settlement, those lowland native grasslands have been reduced to a fraction of their former self. So the current estimate of basically native grassland cover, minus the significant species, is 0.1 per cent left.

You have heard discussions about the forests and whether we can reserve 15 per cent or 20 per cent. We are talking here about 0.1 per cent of any type of cover, and they certainly contain more endangered species than any other ecosystem in Australia. There are various reasons why. Basically, one of them is that if you plough a native grassland it is gone. They were not adapted to significant soil disturbance.

I will not go into the detail here, but that is why they are a listed community. That

is why there are a national program and state programs to reserve the remnants now that we understand the significance of them. They are obviously, in their current state, not as appealing as forests and rainforests et cetera. When I went through university, rainforests in Queensland were called jungles and that is how they were treated.

These grasslands once contained huge wildflower shows. They are related to the alpine grasslands, which we still see huge flower shows in because they have never been significantly disturbed. The plains grasslands were the prime area of exploitation—they copped it early and they copped it hard and they were not adapted to it. So our commitment to preserving a gene pool of native grasses and other species that may have economic significance down the track has been recognised.

Mr HATTON—But if you took an Aboriginal firestick and an Aboriginal fire regime to our forest areas, you would probably re-create some of those grasslands, because they were primarily created by the Aborigines when they put the firestick to our original forests.

Dr Hocking—That is a long debate. First of all, I do not think anyone who works in forest ecology would propose that—

Mr HATTON—But the point I am making there is that the forest cover that we have now is not the forest cover we had 200 years ago, because the Aborigines actually managed the land and they created the grasslands that we now have not got much of.

Dr Hocking—Yes. They extended them and certainly managed them much better than we have. There is certainly a lot of evidence. For instance, in Melbourne, when people first came here they were parkland and they were fired very frequently. They are some of the techniques we are trying now—notwithstanding the problems with legless lizards. The university and I have a major funding program, partly funded by the federal government and partly funded by BHP Petroleum, looking at the effects of fire and mowing on these native grassland remnants, in conjunction with the state Department of Natural Resources and Environment.

That project is looking at what the most effective fire regime is and, in areas where fire is not an option, what the most effective mowing regime will be. That is under way. It takes time. This is all very recent, as you know from Canberra. It takes time to get this information, but we have those programs under way.

Mr HATTON—So this is vestigial. It is right next to the university, but I still have no idea about how much other native plains grassland there is in Victoria or in other states.

Dr Hocking—Reserved in Victoria, there is something less than 0.01 per cent. When I say 0.1 per cent of grassland exists in some states—it is somewhere between 0.01

and 0.015 per cent reserved. So the reservation status is even worse.

Mr HATTON—That is reserved by the state?

Dr Hocking—No, that is reserved in total in any reserve, including roadside reserves, rail reserves and open space reserves—some status as a reservation. Again, if Alan Webster is presenting today he can inform you more accurately as to those figures, I hope. But that is my understanding of it. A book was put out last year by Professor Jamie Kirkpatrick, who is head of geography at the University of Tasmania. It is titled *Lowland native grasslands: Australia's most endangered ecosystem*. You have to be careful making those sorts of statements, but they are amongst our most endangered ecosystems, without doubt.

Mr HATTON—My question is tied up with Tim Flannery's point that we had more grasslands before, but that if we managed the forests in a different way we could possibly bring them back. So there is only this section that you know of here. The serrated tussock that is there and which has caused a problem: we could see weed and serrated tussock over most of the site.

Dr Hocking—Yes.

Mr HATTON—How much has it invaded that north-east corner? You have indicated about \$175,000 at least to get rid of it.

Dr Hocking—Yes. That is on the seven hectares which is primarily serrated tussock. They were rough estimates. That seven hectares contains in some parts a mixture of serrated tussock and kangaroo grass. My advice currently to the state department of environment is that where you have got more than 50 per cent kangaroo grass, if you spray out with a selective herbicide the kangaroo grass can come back more effectively. We have not done any detailed mapping of that site to indicate that. But, on the other side of the native weed boundary, some areas of the kangaroo grass itself are quite senescent, as I have described before. Where that is dying off it is being invaded by serrated tussock and Chilean needle-grass. I am sure Senator Calvert has heard of that—

Senator CALVERT—No, I have not.

Dr Hocking—If he is a pastoralist he should get to know it, because that is the next serrated tussock, I would submit. I am not alone in that consideration. It is another South American tussock grass. So there is this globalisation—an exchange of seeds from one country to the other—and it is having quite a significant effect on us.

The kangaroo grass there is still, in my view, in quite a manageable state. I am trying to indicate that it is starting to get to an unmanageable state. The latest information is that the fifty-odd hectares will go down if we do not do something quickly about it. The

rest of it is how, over time, do we get rid of the serrated tussock? We cannot have a reserve that has got a noxious weed on it, essentially—one that is going to persist in providing seed to the local gardens in this area. We will have to do something about it.

Mr HATTON—You did not make a supposition about it but, in the history of our country, fire has been almost an ever present thing.

Dr Hocking—Yes.

Mr HATTON—The probability is that legless lizards would not get knocked over by fire, but simply go underground and sit it out, because they would be adapted to that.

Dr Hocking—Yes.

Mr HATTON—I raised some points previously on your management program involving the local community. The large green area of the map means that it seems to be almost totally excluded from public use—except, possibly, for sheep and legless lizards—and some school groups and maybe management groups will go in to do the work there. My concern is that we have got 30 hectares plus—maybe closer to 60—for the legless lizard populations.

If you look at the context of the people in this area and the habitat that they are living in, there is virtually no open space in this area of the city in which the human beings can live. We are looking at the development of 448 hectares of the Commonwealth site. If you take away those on a restricted access basis, there is very little open space left. This applies not only to the 8,000 to 10,000 people who would move here, but also to all those people who live around the site and who virtually have no access to it. That is my chief concern with the management program that you envisage. You do not know about the situation with fire and you do not know about most of the rest of the things that could crop up. For my part, it looks like we have got a situation where people who have been deprived of a reasonable human habitat, including open space in this part of the city, may yet be further restricted, even though the prospect is—with the colours that are on the thing—that they may have really valuable open space available to them.

Dr Hocking—There may be a misunderstanding there. The proposal is to fence off 30 hectares or perhaps have an open space area in the north which would be less than 30 hectares. The other areas would remain as open space, even though they have got significant grassland components—

Mr HATTON—There is no misunderstanding. I am saying you are proposing to lock that off. I am saying it is too large a part. If you look at the total site, the other areas come nowhere near it and they are relatively insignificant. It is a question of where the people are in this equation.

Dr Hocking—This is the point that I have also made to the Urban Land Authority and other people over time. On the earlier maps and in previous hearings, that has been designated as public open space. If you look at my previous presentation to this committee, you will see that I have pointed out that there would need to be restrictions—particularly on that northern area of the site—as a reserve as a stronghold for this animal.

My understanding is that an endangered species in this urban context will probably not survive and certainly will not be accepted without active community participation and involvement. That includes visitations or entry to that site. I am realistic and the university is realistic about trying to make the whole purpose of this development a connection with the community. The last thing we want is to see the requirements of the legless lizard bar that. If this area is going to be set aside as open space and at a significant cost, it is because of the significance of that population. Therefore, that has to come first. What else we can do with the site has to be worked out as a result. I agree—if there were more open space development on that site, I would welcome it.

Mr HATTON—There are residential areas adjacent to and abutting that north-east part. Once people go in there and put their gardens in, you are going to have nitrates, phosphates and other fertilisers being used. They will probably wash off and leach into that grasslands area. What effect do you expect that to have?

Dr Hocking—Part of the value of this site—and there has been a lot of thought gone into this design—is that on the east and the south we have control of what goes in from the university. On the west is a road, so the proviso is that we have reasonable roadside flow. On the north, you will notice there are water treatment areas. On the north also is a channel that runs into Jones Creek, which I propose be essentially the boundary of the reserve. So on all sides we have significant protection. If this is going to survive in that regard, it is going to need that, along with monitoring which I said we propose to do. It is a good point and is one that needs to be taken into account in the design of that area.

Mr TED GRACE—Have native grasses ever been harvested?

Dr Hocking—Yes, they have. There is a major program currently under way in New South Wales as well as another one in Rutherglen in Victoria. They are looking at the commercial value and properties of native grasses. Our agriculture really is based on a disturbance agriculture where we plough the soil essentially and, in short-term species, that is causing major problems. In the tablelands in New South Wales, there are native grass swords that have for a long period of time—

Mr TED GRACE—They are not really endangered. Not like our lizard friends. We cannot harvest them.

Dr Hocking—The thing about it is that there is 0.1 per cent of native grass cover left but the grasslands were not just grasslands. They had a huge number of wild flower

species and animal species amongst them. Over time, they have been degraded to a great extent. If you look at the actual species in them, they are very threatened. The actual native grass cover is also a problem.

There is certainly a strong view in parts of agricultural Australia now that native tussock grasses, or a sub-component or cultivars, may provide a better alternative than sowing pasture—or what we call improved pasture—in some areas for longer term sustained agriculture. Those programs are in action. You can ask your colleagues in Canberra about those.

Mr TED GRACE—We only have to find a method of harvesting the lizards and we are in business.

Dr Hocking—That is right—re-harvesting them.

CHAIR—As there are no other questions, Dr Hocking, I thank you for your submission to the committee this afternoon.

[2.35 p.m.]

O'SHEA, Miss Megan Bernadette, Convenor, Friends of the Striped Legless Lizard Inc., 90 Kent Street, Richmond, Victoria 3121

CHAIR—Welcome. The committee has received a submission from the Friends of the Striped Legless Lizard, dated 31 March 1997. Do you wish to propose any amendment?

Miss O'Shea—No.

CHAIR—It is proposed that the submission and the Department of Defence's response be received, taken as read and incorporated in the transcript of evidence. There being no objection, it is so ordered.

The document read as follows—

CHAIR—Miss O’Shea, I now invite you to make a short statement in support of your submission before we proceed to questions.

Miss O’Shea—I would just like to start by giving a brief background of the Friends of the Striped Legless Lizard Inc. It was formed in the early 1990s. I have been a member since 1995. During this time, we have had several activity days where we go out on a site and perform work like looking for lizards or regenerating native grassland habitat. That is usually for a few days a year and we usually get about 15 members or so turning up to these events.

The Friends of the Striped Legless Lizard think that the concept plan is a good idea because it provides a more definite future for the survival of the striped legless lizard, which is a nationally vulnerable species, as you already know. It also creates an open space network for the public and a wildlife corridor which connects other significant sites in the local area. I also think that it gives the people of St Albans and Brimbank a sense that their surrounding environment is valuable and the local flora and fauna in this area are species of national significance and they are nationally valued.

Friends of the Striped Legless Lizard agree with the concept plan, particularly the northern area which has been much talked about. We understand that, at this stage of the development, there is a need for flexibility in the outlines of the boundaries just to allow for further planning. We also think that these boundaries should be considered a minimum required for the adequate protection and conservation of this species in the area. We would not like to see a reduction in the size of the northern area as the land changes over to the state.

We also see that there needs to be some grassland management occurring in this northern reserve area, as Dr Hocking has previously talked about. The Friends are willing to assist with this sort of grassland management work, as we have done in the past with our activity days where we have helped with weed control and grassland remediation. We have also assisted with the research that the Victorian University of Technology has done in order to develop some of the techniques that Dr Hocking talked about. We are willing to help out with some of that work on a regular basis.

We also feel that the Friends of the Striped Legless Lizard do not really have a home as a group simply because we are interested in a species rather than an actual area of land as a lot of community groups are. To have an attachment to this site would be a really good opportunity for the group.

I also have a piece of paper that I can table, which is simply a flier to the Friends of the Striped Legless Lizard working group members, and other members of the community, welcoming them to an activity day in a few weeks time.

CHAIR—That can be added to the transcript of evidence, if you so desire.

Miss O'Shea—Sure.

CHAIR—I fear that, as I indicated earlier in the afternoon, the briefing with Dr Hocking was so extensive that in the pages of the *Hansard* evidence we may not be doing the Friends of the Striped Legless Lizard group the justice they deserve. If we are short of questions, you will understand why. It is not for lack of interest in your group.

Miss O'Shea—Sure.

CHAIR—Firstly, I commend you on your offer to be of further voluntary assistance to Dr Hocking and to other concerned groups in the rehabilitation of this section of the Albion site.

Miss O'Shea—Thank you.

CHAIR—We appreciate that offer, and it is noted. I am sure Dr Hocking is both well aware of and grateful for it. Does your society have a Canberra based group looking at the colony there?

Miss O'Shea—I believe there is a Friends group in Canberra, but there has been no liaison between the two groups in the past.

CHAIR—It may be that this sort of activity is an opportunity to initiate that liaison, which may be in the interests of the species.

Miss O'Shea—Certainly, particularly in research and management of the habitat.

CHAIR—Clearly, Dr Hocking is already involved in that liaison so it would be an appropriate extension of the work he is doing.

Miss O'Shea—Yes.

Senator CALVERT—For my information anyway, how many members of the Friends do you have?

Miss O'Shea—We actually have quite an extensive list of people that we mail out to. That list has been passed on to me since I became convenor in the early 1990s. A lot of those people have not responded as yet so it is a bit difficult to say, but we would have close to about 30 fairly regular members.

Senator CALVERT—If, by some chance, there was a need to trap some lizards to remove them, you would have a good volunteer group to call upon to help—if something

happened which meant that the lizards had to be moved?

Miss O'Shea—Yes. The Friends of the Striped Legless Lizard have helped out in other salvage operations around Melbourne. They have also helped with the trapping research programs that have been conducted over the past few years.

Senator CALVERT—How do you trap a legless lizard?

Miss O'Shea—In terms of trapping and releasing it?

Senator CALVERT—Yes.

Miss O'Shea—Basically the idea is to dig a hole in the ground and bury a metal can that is about the size of a normal bucket. A drift fence is buried in the ground as well—it stands upright. When the lizards meet with the drift fence, they turn one way or the other. If they turn the right way, they slither along and fall into the bucket, and cannot get out presumably.

Senator CALVERT—If they turn the other way, they keep going.

Miss O'Shea—Yes. There is a fifty-fifty chance.

CHAIR—You would trap only those that had a political leaning one way.

Senator CALVERT—Miss O'Shea, you said that you have carried out salvage operations in other parts of Melbourne so obviously from time to time you are contacted when small colonies or numbers are found in other areas. Has that been happening?

Miss O'Shea—Yes, we have been. Because we are a group focused on an actual animal species, we do go to other sites rather than just staying in St Albans. We have been out to Rockbank and a few other places like that. I do not know all the details of that.

Senator CALVERT—The legless lizards you have down here aren't quite as strong as the ones in Canberra. The ones in Canberra moved a building two miles down the road.

Miss O'Shea—Did they?

CHAIR—Senator Calvert made a marginally facetious remark. I should say—I am sorry that Mr Hollis has had to leave us—that Mr Hollis was chairing this committee when the committee, in order to preserve the legless lizard colony in Canberra, relocated a building at considerable expense to the Commonwealth.

Senator CALVERT—What natural predators do legless lizards have—apart from

kookaburras, I presume?

Miss O'Shea—As far as I know, most of them are raptors and presumably animals like feral cats and foxes.

Senator CALVERT—So foxes—

Miss O'Shea—There has not been any documented evidence, as far as I know, but I would not put it out of the realms of possibility.

Senator CALVERT—Cats would definitely be.

Miss O'Shea—I am not aware of any documented evidence there either, but I would presume cats and feral animals like that and raptors. Again, there is no documented evidence, as far as I know, but presumably they would be open to that sort of predation.

Mr HATTON—Not much seems to be happening to the other species. There is a remnant of grassland here; there are only small remnants elsewhere. The doctor previously indicated that there were not only flower species in abundance but also other species, because this originally was spread Australia wide. Do we know of any other species that are in a similar position and that are actually still on this site—apart from the legless lizards?

Miss O'Shea—Fauna or species?

Mr HATTON—Yes—other species of native fauna.

Miss O'Shea—No, I do not. There are skinks out there, which are fairly common, and there are a few frog species. The only other species I can think of is the marbled gecko, which actually inhabits the sugar gums which are out there. They live under the bark and in the surrounding area, but they are not actually a grassland species.

CHAIR—As there are no other questions, Miss O'Shea, thank you for appearing before the committee this afternoon.

Miss O'Shea—Thank you.

[14.48 p.m.]

EGGINGTON, Mr Michael James, State Manager, Victoria, Delfin Property Group Ltd, Level 3, 1 Collins Street, Melbourne, Victoria 3000

CHAIR—Welcome. Do you have anything to add?

Mr Eggington—I am here today representing our group, in association with Transfield Environmental Services.

CHAIR—The committee has received a submission from the Delfin Property Group dated 4 April 1997. Do you wish to propose any amendments?

Mr Eggington—No, I do not.

CHAIR—It is proposed that the submission and the Department of Defence response be received, taken as read and incorporated in the transcript of evidence. There being no objection, it is so ordered.

The documents read as follows—

CHAIR—Mr Eggington, I now invite you to make a short statement in support of your submission before we proceed to questions.

Mr Eggington—Thank you. I would like to take the opportunity here today to reinforce the three key points that we encapsulated within our submission: firstly, our strong support for the integration of the remediation program and the development process; secondly, the commercial benefits of going to the market with this development opportunity; and thirdly, the relevance of the Delfin Property Group and Transfield in regard to their interest in the Albion site.

Our submission in real terms commenced back in 1989 when we made a submission in response to the request for registrations of interest from the industry. We were short-listed at that time. Since that time I have, as part of my role within our organisation, monitored what has happened at Albion with interest. But we have always been aware in the backs of our minds at least, that at some time this project would come back, if not to those who participated in the first registration exercise, at least to the industry as a whole.

Our support of this joint process of the remediation program and the development process is based upon the fact that management techniques exist today to enable those two processes to be undertaken concurrently. Also, the technology exists to undertake the remediation program alongside a growing urban community. It is also our belief that it is commercially viable—importantly, given that we are a public company and that we do have to worry about the bottom line. In making this submission we do not oppose the fact that the ULA is being used, and we do not contest any of the information that Coffeys have put forward in their work that has been carried out to date for this group.

Earlier today I heard that the Department of Defence have had some concerns about carrying out the tendering process. It is our view that the concerns that they hold can be addressed in full. Those concerns, in summary, really relate to meeting the objectives of the broad range of stakeholders who exist in relation to this project. Also, they relate to the costs associated with that process, but we believe the benefits associated with going to the market far outweigh any of these costs or the concerns. In fact, the process will clarify the risks associated with this project, both in the area of management and in the area of remediation. It will also quantify the commercial opportunity and it will put it in front of the Department of Defence in such a way that they can make decisions before entering into any commitments which will require expenditure of moneys.

The tendering process will also rigorously test the assumptions upon which the outcomes that are proposed within the proposal have been based. These assumptions relate not only to the remediation exercise but also, very obviously, to the revenue opportunities associated with this project.

One of the concerns cited by the Department of Defence earlier was the costs

associated with undertaking the tendering process. Our experience has been that the most significant part of the cost associated with tendering is generally borne by the people tendering. Significant work is involved in progressing and formulating the proposals, the management strategies and the market research associated with developing the site, as well as, importantly, understanding the constraints and the objectives of the other stakeholders associated with the site. All these issues must be taken into account in any tendered submission to be put back to the Department of Defence. We firmly believe that the stakeholders' objectives, as broad as they are, can be met and encapsulated within a tender submission.

Finally, the relevance of Delfin and Transfield is largely based on our joint experience in the exercise of creating urban communities and, in the case of Transfield, the exercise of undertaking significant remediation projects. Transfield is currently undertaking remediation projects that are worth in excess of \$2 billion. All those projects have been entered into by the Transfield group as a result of a competitive tender.

Clearly, both organisations understand the costs and the risks, both commercial and in the remediation area, associated with projects of this sort. We have both been in the business for a long time. We are both directly accountable for the profits that our companies generate. But, probably more importantly, we are directly accountable for our track record and our position within the industry. We both see ourselves as very good corporate citizens. Also, we have a very successful track record in operating within joint venture arrangements or partnerships. Once again, we see this as very important in relation to the Albion project because the opportunity here is to capitalise on the fact that the land has got obligations associated with it. We can share the risks within those obligations and produce an outcome that is beneficial to ourselves and also delivers a better result for the Department of Defence. We are an organisation that understands risk and expects to manage risk for a return.

In conclusion, we support the approach and the challenges that have been dealt with to date in bringing this project to its current status, however, we challenge the advice not to take this development opportunity to the market. We believe that other operators within the industry would also have a keen interest. The Delfin and Transfield groups willingly bring a wealth of experience and success to the table which should be exploited. As an organisation, we believe in the principle of market competition. It keeps us honest, innovative and at the leading edge of our industry.

CHAIR—Thank you, Mr Eggington. Let me just reassure you by way of an opening remark that we, too, have no problem with taking a proposal to the market, so we are not exactly opposed to the principle you have put to us. This committee is largely here because, in its worry about the bottom line, it stopped a proposal that was going ahead in order to come up with a more cost efficient—we hope—technique for redevelopment.

My understanding of this whole proposal is that, whether it is in the hands of

Transfield, Defence, ULA or anybody else, it would be run on a concurrent basis; that the proposal was not to remediate the site and then make it available for housing, but to jointly split it up for housing while the remediation was taking place. You clearly understand that as well?

Mr Eggington—Clearly.

CHAIR—I understand in Victorian terms you would be among the largest developers in the state?

Mr Eggington—No, we are in the infancy of our business here in Victoria. We seriously entered into the business here probably only four years ago. At the moment we are only operating on two projects, but we have an interest in a number of other projects which are yet to commence. Australia wide we are nationally the largest urban community developer, yes, with projects in Darwin, Brisbane, Sydney and Adelaide, as well as in Melbourne.

CHAIR—In the preparation of this hearing I understood you have a project in the western area of Melbourne as well.

Mr Eggington—We are looking at a project in the western area of Melbourne. We are yet to consummate an arrangement in relation to that project.

CHAIR—Do you have a particular concern that this development would impact unfairly on any proposals you may have to the west of the—

Mr Eggington—No, it is not on that point that we have a concern at all. This project and the other project that we have been assessing will both operate within the western corridor. All our due diligence investigations in relation to that other project have always anticipated that the Albion project will come onto the market. All our assumptions have been cognisant of a share in the market that would involve and include Albion, as well as others. You have got to remember there are about 15 major operators within this market segment. Some of those are working towards the end of their projects and others are coming on. Market competition is not something we shy away from.

CHAIR—You also indicated in your submission to us that you believe that, with a Delfin-Transfield combination, this could be done at no cost to the Commonwealth—in other words, that about \$3.5 million could be pruned off the submission we have.

Mr Eggington—That is correct. To qualify that, in any spreadsheet analysis of any long-term project you have to say you are drawing a fairly long bow with some of the assumptions that are being made.

CHAIR—I understand.

Mr Eggington—The only qualification that I put to that is that we have been in the business of long-term urban projects for 27 years, so we do understand clearly how these assumptions unfold in a long-term project and also the cycles that are associated with a long-term project.

CHAIR—Defence and the Urban Land Authority, on the other hand, also believe that this could be done on a break even basis, that all the costs they have given us are relatively conservative and they can safely stay within that budget. In fact, this committee has in the past been a bit of a problem to Defence sometimes, because we hounded them if they overran any of their cost estimates. Do you therefore think that even breaking even may be conservative?

Mr Eggington—That is our view, yes. Our view is that we believe there is upside in this project: that, if the arrangement between the parties was structured correctly, the arrangement could provide incentives to deliver that upside.

Senator CALVERT—You said—you also made the point in your submission—that, back in 1989, you put forward a totally integrated proposal. What sort of reaction did you get from Defence in those days? Would you know?

Mr Eggington—We were short-listed. We received a letter advising us that we were short-listed—and very little else, to be honest.

Senator CALVERT—So they decided to go their own way, I suppose?

Mr Eggington—That is right. This is hearsay, but I understood that at that time they were progressing the delivery of the site to the market under the advice that it would be more valuable if the remediation was complete and the appropriate zoning was in place, et cetera. I was aware that they were progressing a number of models.

Senator CALVERT—Has Transfield actually participated in integrated developments where you have an on-site repository of the type we have been talking about today with the pits, the sealers and all that sort of thing?

Mr Eggington—Yes, they have.

Senator CALVERT—Whereabouts?

Mr Eggington—I cannot really speak accurately on behalf of Transfield, but I have been advised that they have successfully undertaken repository type remediation projects before.

Senator CALVERT—It sounds like it has happened more than once.

Mr Eggington—Yes, it has.

Senator CALVERT—Coming from that background, you raised queries about the long-term maintenance of repository liners and leachate barriers, and you raised the question of perpetual monitoring, maintenance schedules and other things too. Do you think, having heard the evidence today, that those questions have been adequately answered?

Mr Eggington—I do not challenge any of the work that has been put together by Coffeys at all. All I am stating is that there are a number of areas of management risk within that remediation process that require great care.

Senator CALVERT—Do you have any evidence—from your experience or Transfield's experience—that liners have broken down or capping systems have not been sufficiently good enough?

Mr Eggington—No, I do not.

Senator CALVERT—So you are really only raising the questions of what may happen, but it is not from experience that Transfield has had?

Mr Eggington—To my knowledge, it is not from experience that Transfield has had. I cannot speak in detail on their behalf.

Senator CALVERT—You also raised the question of liability issues and the point that there is the potential for Commonwealth liabilities to be transferred to ULA and then ultimately to the Victorian government. Is there any particular reason why you raised that matter?

Mr Eggington—It was our understanding previously that the state government had indicated a reluctance to take on such responsibilities and liabilities on behalf of the Commonwealth. That is the basis for that statement. We are not sure, and we have been unable to substantiate, whether or not in this particular case they have accepted that responsibility.

Senator CALVERT—You have said here today—you have also reiterated it in your submission—that a more cost-effective proposal could be achieved by means of a tender process using ULA's proposal as a benchmark. How?

Mr Eggington—The work that has been undertaken to date has been very worthwhile in that it has rationalised a lot of the thinking. I heard earlier today how there has been almost a complete turnaround from excavating and carting to a suitable place off-site to utilising a repository program. The benefit of that work is that it has established a benchmark by which any group assessing submissions could test those submissions. That is purely a recognition that the work that has been done to date is worth while. The worst case scenario is that you would undertake a tender process and not improve on what you

have already seen, and then you would simply be taking what you have already got. However, it is our firm view that it would produce a better outcome from the point of view of the Department of Defence.

Senator CALVERT—If I recall evidence given by Defence and ULA, they did indicate that they would be tendering out a lot of the work they did anyway.

Mr Eggington—As would we. I understand what they are saying. The process there is that they would—

Senator CALVERT—But Transfield would not be interested in doing bits and pieces? They would want to do the whole project, I presume.

Mr Eggington—That is correct. If they are to take on the risks associated with that process, they have got to take on the responsibility and be accountable for the monitoring process. As was stated earlier today, the critical element in ensuring that repositories work is supervision. That is the critical element. If the compaction is incorrect or if the process is incorrect, they fail.

Senator CALVERT—Having heard what you have heard today, is there something different that Transfield would do?

Mr Eggington—It is not an area of my expertise, so I cannot comment.

Mr HATTON—This was an interesting project application that you put in, with a bit of an advertising flier. I notice that you are little doers and go-getters and possibly some of the others are not. I really do not know how you would produce better results for the Department of Defence, because you have not indicated to us how you would do that, except by prefacing that with the fact that you would share the risks.

If you look at the map in terms of what is proposed there—providing a better return to Defence, given that Delfin-Transfield would come up with a different set of proposals that would not necessarily reflect the existing stakeholder's input into what is already there—how would you provide that higher outcome and greater and positive return to the Department of Defence? Would that be by cutting down the public open space and having an increased density in the residential?

Mr Eggington—No. We would clearly have to work within the constraints that have been set out via the public consultation process and by the planning process that is currently in place. We look at the yield that is currently being proposed of 3,000 allotments, and we are working with that yield only.

We are not proposing that we are going to cover more of the site with development and therefore increase the return. We are just saying that, by utilising the experiences we

have gained during 27 years operating on similar sorts of projects right around Australia, we bring to this project a desire to run faster and jump higher than what we believe has been put before you to date.

Mr HATTON—You have got an interesting list—almost \$2 billion worth of remediation works, and I think there are about seven of those—but in this list you do not give any indication of the current works that you are fairly well along with in terms of committing to them. There is one five kilometres down the road. Why did you choose not to indicate that you are looking at that, given that they are geographically closely located and could have an impact on each other?

Mr Eggington—As I said earlier, in a commercial context we have always taken this project into consideration. So from a commercial point of view it was not relevant. It does not include the issues associated with remediation which this project does include, and it is not a Delfin project at this point, although I am hopeful that in the very short term it will become one. But, at this point, I could not say that we will be commencing work on the Caroline Springs project within three months, six months or four years. We are, hopefully, in the final stages of a negotiation process.

Mr HATTON—Would you agree that those two projects could have a cross-impact on each other, given that there is an 11- to 13-year span for the development of this project? Something in the order of 8,000 to 10,000 dwellings are being made available in this area, with the Caroline Springs project three times larger. I do not know how many dwellings would go in there, but is there a commercial impact on one and then on the other, given that you factored in that Albion would always come through? Given that they are so proximate, my guess would be that there would be an impact one side upon the other in terms of release dates, and the viability of each project could be affected by the other because so much would be coming onto the market.

Mr Eggington—I believe that both projects can exist in the market. That is the first point, which I stated before. Secondly, if your question relates to a conflict of interest, with our group operating within both projects and compromising the outcome from the Department of Defence's point of view, I think that would be a challenge for us to demonstrate that we would run a very transparent arrangement with the Department of Defence. I believe that we could achieve that. I also believe that both projects are different. They can run in a complementary manner in a similar market and the economic outcomes for both projects can be achieved under the one management regime, if that is your concern. Is that your question?

Mr HATTON—That is close. Obviously the market is only so big, where there is so much that is going to come onto the market in roughly the same time, I am guessing. I expected there would be an impact on them and that it could be of concern to Delfin-Transfield, as it might be of concern to the others, that they would impact on each other and affect the market situation and either the cost coverage—being able to cover the

costs—or the potential profits in relation one to the other. If they were under one umbrella, then that transparency would need to be absolutely demonstrated.

Partially connected to that, it somewhat troubled me and I wonder, at your peril, if you want to expand on this in this public hearing. In relation to the terms of reference, you said:

Probity has not been observed by the Defence Department in nominating the ULA as development partner.

I would think that is fairly sharp, pointed and possibly a point that you may wish to reconsider at this point. Do you think that really is the case—that they have not followed the normal rules of probity in putting ULA up?

Mr Eggington—I would choose not to expand on that comment, other than to say that I noted earlier this morning that the decision for the Department of Defence to negotiate exclusively with the ULA was based on advice from two independent parties who were not nominated. That is really all I choose to say. I believe that probity is about inviting a cross-section of people to participate on an equal footing on a project and, in this particular case, from our understanding, that has not occurred.

Mr HATTON—Do you believe the Department of Defence is always compelled to do that?

Mr Eggington—No, I do not, because I do not understand what drives the policy of the Department of Defence in this area. I did hear this morning that the clearance from the relevant minister had been achieved. So that may be all that is required. As I say, I am ignorant on these matters.

CHAIR—Are you aware that both those parties were named this morning?

Mr Eggington—Yes.

CHAIR—I was not sure whether you meant that prior to this morning they had not been named.

Mr Eggington—That is right, I did not know them.

CHAIR—They were in fact named voluntarily by Defence today.

Mr Eggington—Yes.

CHAIR—That was just a point of clarification rather than a challenge, Mr Eggington. If there are no other questions, Mr Eggington, your evidence will certainly be taken into consideration by the committee. I thank you for appearing this afternoon.

Mr Eggington—Thank you.

[3.16 p.m.]

WEBSTER, Mr Alan Garnet, Threatened Species Management Officer, Department of Natural Resources and Environment, 49 Spring Street, Melbourne, Victoria 3000

CHAIR—Ladies and gentlemen, I should indicate that the Victorian Department of Natural Resources and Environment made a submission to the committee in time but only at the last minute did they indicate that they wished to speak to that submission. Given that we are well ahead of schedule, I have decided that it is quite appropriate to receive Mr Webster as the representative of the department to talk to that submission. I merely make this point: there have been occasions in the past where the committee has had to say no to people seeking to appear simply because of time constraints. Mr Webster, the committee has received a submission from your department dated 8 April 1997. Do you propose any amendments?

Mr Webster—No. But I would just like to thank the committee for letting me appear before you, and I would like to advise the committee that the submission from the department was endorsed by the Department of Premier and Cabinet and has been approved by the Premier's Department for being heard at the inquiry.

CHAIR - Is it the wish of the committee that the document be received, taken as read and incorporated in the transcript of evidence? There being no objection, it is so ordered.

The document read as follows -

CHAIR—Mr Webster, I now invite you to make a short statement in support of your submission before we proceed to questions.

Mr Webster—I do not know whether people know it that well, but I have some photos here of the legless lizard that people might want to look at. I presume they have seen the animal that is there. There are also some photos of a juvenile legless lizard, which looks quite different to the adult.

CHAIR—My children think the only reason for living is that they are quite different from the adults.

Mr Webster—You can see that the juvenile is not striped; it has a dark head and a very uniform colouration to it. I will start while the photos are going round if you like.

CHAIR—Yes, Mr Webster. While these are being circulated, I would invite you to make an opening statement, given that there are no amendments to your original submission.

Mr Webster—The Department of Natural Resources and Environment—NRE—has been closely involved in the redevelopment process for over a decade in relation to it being represented on the Albion steering committee team, and negotiations for defining public open space areas are well advanced. The department certainly supports the preliminary land use plan on exhibition. There has been positive liaison between the Urban Land Authority, Department of Defence and our department in reaching what we think is a balanced outcome which meets both development and conservation objectives.

The future management of the major conservation areas is proposed to be with the Victorian University of Technology as committee of management. The department considers the VUT has the necessary skills to manage the site with advice from Parks Victoria, which is another arm of government, and NRE. And that is shown on attachment 2 to the submission—just the tenders for future management and ownership of the POS. Also, the area has significant grass and conservation values, particularly of national conservation significance, which is the northern block.

In relation to that block, there was work done by the Department of Defence consultants Biosis Research in 1993 after the department made approaches to the steering committee back in 1988 and again in 1992 advising them of the value of the land. There has since been another study by Biosis last year that upgraded the site's significance and determined in their report that the site is of national significance and is probably a critical habitat for this species. The term 'critical habitat' has a definition under the Flora and Fauna Guarantee Act in Victoria and it is seen as being 'habitat that is determined critical for its long-term survival'. The consultants to the Department of Defence in their report have determined that this area is critical habitat for its future existence. I will leave it with those few comments, Mr Chairman.

CHAIR—Thank you, Mr Webster. You have witnessed the submissions that have been received from a number of groups here this afternoon, and I would presume that the proposal as generally outlined for the rehabilitation of the Albion site meets with the unreserved endorsement of the Victorian Department of Natural Resources and Environment—that is, the proposal that is sitting up on the wall. Is that a fair comment, that you feel that this is a reasonable way to go about preserving the habitat for the striped legless lizard?

Mr Webster—Certainly. Our three-point summary in the submission says:

NRE supports the remedial works and development strategy as tabled by the Department of Defence.

We have endorsed the flora and fauna component in their document as being valid and most comprehensive. Also, NRE supports point 3.15 which states that the areas of conservation value to be preserved are subject to clarification in point 5. The department has been in negotiation with the Urban Land Authority, the national striped legless lizard recovery team and the VUT people, looking at what is an area of POS that does provide long-term viability for the striped legless lizard population. Our detailed plan has different boundaries—not too much—to the coloured map on the wall. We certainly agree with this concept, but it is just that our boundary lines are different from this map, but they are the agreed ones with the ULA.

CHAIR—It would be fair to observe that the Victorian Department of Natural Resources and Environment would be the state department most aware of the populations of striped legless lizards within this state. Are you aware of any other population concentration that rivals that which is on the Albion site?

Mr Webster—In the department's submission we make the comment that the colony on the northern site is the largest known colony in Victoria. Biosis Research, which have done the work there, also concur with that. I have talked to their senior biologist. The only other area that is reserved that has the striped legless lizard on it, the Derrimut grassland reserve, has animals in fewer numbers—from our trapping work. This site has the largest population known in Victoria.

CHAIR—The striped legless lizard seems to have had a number of very effective advocates here this afternoon. I do not mean that critically. It would seem to me that—and this is a leading question; you are welcome to interject—most of the people here speaking for the striped legless lizard population seem to recognise that what is proposed will be to its advantage, and that the preservation of the species largely depends on this work going ahead because the present arrangement with the breakdown in kangaroo grass and other grassland species may well be to the striped legless lizard's disadvantage.

Mr Webster—On this site?

CHAIR—Yes. As chairman of this committee, I am assuming that fundamentally you are here saying, ‘Please make sure this project proceeds.’

Mr Webster—That is correct. Also, another concern is that it is no good just having land. It has got to be managed in a positive way that helps those flora and fauna species survive and maintain their potential.

Mr TED GRACE—You stated that you personally agree with the arrangement between the Department of Defence and the ULA. You do not see any conflict in the statement made by the previous witness? You do not think the whole thing should have gone out to more public tender? If not, is that the methodology by which your department in Victoria normally works?

Mr Webster—That is outside my area of expertise. I am here as a biologist representing the department in relation to conservation values.

Mr TED GRACE—But you have said that you agree with it, with the methodology of the whole project.

Mr Webster—We agree with the preliminary land use plan in the statement of evidence of the Department of Defence.

Mr TED GRACE—So you do not necessarily agree then with the arrangements already made by the Department of Defence and the ULA?

Mr Webster—In relation to?

Mr TED GRACE—That the whole thing should have gone out to public tender.

Mr Webster—I have got no comment to make on that, I am afraid. From the department’s viewpoint, we have been working on this for over a decade now. As Clare said, this is I think the third plan. We have been liaising with Defence over that time, and whoever Defence liaises with, to get to this approach. Provided it gives good conservation outcomes, that is what we are trying to come to grips with.

Mr TED GRACE—So you have no problems with that?

Mr Webster—I have no comment to make either way.

Mr TED GRACE—What do you mean? It is a straightforward question. You have got no problems with it?

CHAIR—Mr Grace, I understood Mr Webster to be saying that the proposal met with the unreserved endorsement of his department. Who implements the proposal is not

particularly of his concern.

Mr Webster—Our concern is the conservation of the grasslands and the threatened species, flora and fauna—that they are conserved and managed in the longer term to meet the Endangered Species Protection Act requirements, our threatened species legislation and our commitments to environmental management.

Mr TED GRACE—The question I asked you is: have you any problems? To my mind, the whole concept has been brought into question by the previous witness, that maybe it should have gone out to public tender. So within that context are you happy with the present set-up?

Mr Webster—I think it is for the committee to make recommendations on that.

Mr TED GRACE—I am not asking about the recommendations of the committee. I am asking you if your department is happy with the concept of one person being allowed to handle the project?

Mr Webster—As I said in my opening remarks, the department has worked closely with the Department of Defence, the Urban Land Authority, Environment Australia and VUT—the main stakeholders. If those stakeholders change hands, no matter who they are, it is not really relevant to us, provided the objectives and the outcomes meet conservation objectives.

Mr TED GRACE—So that is what you are interested in.

Senator CALVERT—Do you have any involvement with the quality of water in Jones Creek and Kororoit Creek? Is that part of your expertise?

Mr Webster—No, it is not I am afraid. We certainly have an involvement in relation to in-stream environments as far as aquatic invertebrates go, animals and fish, but not in relation to stream quality.

Senator CALVERT—What about grasslands, weeds and all of that? Are you involved in that area?

Mr Webster—Yes, I have been involved in grassland management within the Port Phillip region of the department since 1989. I have also spent quite a number of years in noxious weed control, including serrated tussocks, since 1981.

Senator CALVERT—As I said earlier today—and I do not know whether you were here—my general observation of the extent and growth of areas of serrated tussock and other noxious weeds in this area, at Tullamarine airport, out around Diggers Rest and the rest of it, is that it just seems to have gone berserk. Have the Victorian government

got any strategy to try to control noxious weeds or have they just decided to let it go?

Mr Webster—The department certainly has a strategy for serrated tussock control. The region has developed a serrated tussock control strategy. There are people working with land owners, landcare groups and government agencies trying to improve control of serrated tussock on private and public land.

Senator CALVERT—How do they go about that?

Mr Webster—It is probably a bit wider than the Albion site. I do not want to digress too much.

Senator CALVERT—Is one of your methods of reducing seed burning off, for instance?

Mr Webster—If you are using Frenock for example—often if you have a large infestation of serrated tussock in agricultural situations—you burn off first, get rid of a lot of the biomass so that you use less chemical to get into the roots and the crown system. This is often done by aerial application in some areas which is cheaper than spot spraying. So burning is certainly used. Burning is also used to prevent seed setting with no follow up herbicide control. It is also used to try to get a bit of fresh pick, although the animals do not really like tussock anyway. They will graze with nothing else around. But certainly burning is used, grazing and herbicide control. We are really pushing integrated control on farms with whole farm plans.

Senator CALVERT—Do you use the old-fashioned methods such as ploughing and re-sowing of paddocks?

Mr Webster—In an agricultural situation?

Senator CALVERT—In agriculture, that is what I am talking about.

Mr Webster—In an agricultural situation, often serrated tussock is spread more because paddocks have been cultivated and then abandoned. They will sow pasture down and it does not strike too well because there is serrated tussock in that area, for example. You can get massive areas of serrated tussock following ploughing. The Albion site is an example where they have fire breaks around some of the northern areas. When you walk on those fire breaks, you see rows and rows of serrated tussock that is invading the grassland areas. So, if you do disturb and cultivate and do not actively manage or graze properly, you will get repeated serrated tussock invasion.

Senator CALVERT—We have heard about the different ways you control it and you have said that burning is done. Why then has the department not tried to get the Department of Defence to burn off the Albion site or to do some spot burning to reduce

the bulk of the seed?

Mr Webster—There was burning done there in recent years. We went there with the Department of Defence in relation to trying to monitor reptiles both pre- and post-burn. Bear in mind that the Albion site for many years was grazed by sheep to keep that fuel load down. If the Kangaroo Grass, which is a dense sward, is grazed and the biomass is kept low, the tussocks are kept open and you get plants and herbs growing amongst them. You get a broader diversity in the grassland. Once you take the sheep off grazing it for too long and you do not slash or burn it to reduce that biomass, you then get a monoculture thameda and you also get weed invasion because you have not been grazing to get rid of your weeds or getting down weeds—those sorts of things.

In relation to the burning, there was burning done a number of years ago in conjunction with the department and the Department of Defence but, in the last few years, the department has not been involved with the Department of Defence in relation to weed control. In hindsight, that would have been nice.

Senator CALVERT—You probably have not seen this, but we got a submission from the Australian Heritage Commission, who said:

During all the works on the site, the Commission recommends strongly that vegetation clearance and soil disturbance be kept to a minimum and that a rigorous weed prevention strategy be adopted to prevent the invasion of Chilean Needle-grass, Serrated Tussock and Spanish Artichoke.

Can that be done without disturbing the soil?

Mr Webster—I do not know whether you are talking about the 450 hectares of the site or just certain areas of the site; but, over the whole property there are—

Senator CALVERT—It would be over the whole property, naturally, would it not?

Mr Webster—There are major serrated tussock invasions, artichoke thistle, Chilean needle-grass and the like. I am aware that VUT have been talking with the Department of Defence about grazing as weed control and those sorts of things. So that is happening. In relation to what you have mentioned, I am certain that the major focus of that would be trying to prevent vegetation damage or disturbance on the more important grassland sites.

Senator CALVERT—So one of the options you are looking at is grazing again. Is that right?

Mr Webster—The options include integrative management, grazing, fuel reduction with some ecological burning and also with some herbicide application.

Senator CALVERT—I wish you luck.

Mr Webster—Thank you.

Mr HATTON—There is a nationally threatened plant, the plains rice-flower, occurring here. Have you taken any seed or samples of that? Have you tried to propagate it, either here or elsewhere in the state?

Mr Webster—In this site we have not. There have been areas in the past where there has been some salvage work, which we promote in our submission in relation to areas of Albion—which we may get on to. It is very difficult: it will not transplant roots and all. It is a perennial with a big tap root. It does set seed, but it has been very difficult to propagate seed ex situ or off site. They have been trying to strike cuttings as another option for propagation. All those different methods are still fairly much in their infancy, and we are trying to see how that will perform.

Mr HATTON—We have heard that kangaroo grass is not very prevalent. Elsewhere in Victoria, is there much around at all?

Mr Webster—The basalt plains grassland, which is what this is, extended from Melbourne across almost to Portland, almost to the border—about 21,000 square kilometres or two million hectares of basalt plains grassland: the Australia Felix that you talked about, with regard to the firestick farming approach. Some was probably more woodland but, with firestick farming, it probably became more grassland. Of that 21,000 square kilometres, we are now left with probably less than 2,000 or 3,000 hectares: less than 0.1 of one per cent. One-tenth of one per cent is left, and the rest has been turned over to agriculture, improved pasture, urbanisation, infrastructure development and residential development. We are down to between 2,000 and 3,000 hectares and, of that, there is only one permanent conservation reserve in Victoria for this grassland, and that covers 160 hectares. So we are down to less than 0.01 of one per cent.

I can table a western basalt plains grassland threatened species pamphlet that the department produced a number of years ago. It gives you the concise history, if the committee would like to look at it.

CHAIR—We can certainly add it to the evidence if there is no objection from the committee members and there appears to be no objection. Thank you, Mr Webster.

Mr HATTON—So prior to the sheep, there would have been only fire to keep the biomass, the kangaroo grass and some connected things down. All these exotics that we have got, all the weeds and so on, have come in post Europeans coming to Australia and bringing their flocks, other seeds and so on.

Mr Webster—That is where the weeds have come from. But you mention the fire

as being the only thing in relation to the management of kangaroo grass. There were natural herbivorous grazers of the Kangaroo Plains. The term kangaroo grass is testament to the kangaroos and macropods grazing over the grasslands. Emus, for example, also eat the kangaroo grass. There would have been a range of different macropods pre-European times which were a lot more common than they are today.

Mr HATTON—Including the megafauna?

Mr Webster—How far back do you go, but yes. A lot of herbivorous species of animals would have been grazing on kangaroo grass. So you had the combination of herbivorous grazing, natural fires and also Aboriginal fire stick farming as the major impacts on how the grasslands evolved.

Mr HATTON—Because we have lost the ecosystems, we have lost the diversity of both flora and fauna. So you have only got the vestigial thing here. You have got the grass left and the legless lizards, but the rest of the ecosystem essentially is lost to us historically.

Mr Webster—We have got a grassland community that is becoming depauperate in what would have been the whole range of flora and fauna species. From that pamphlet, you will see there are probably at least two or three different animals that have become extinct. Three or four plants have probably become extinct or almost extinct. We know of one orchid from one site left in the wild which occurs across the grasslands.

Because flora and fauna live in habitats, the major threatening process that makes all our endangered plants and animals so endangered is when a habitat is destroyed, fragmented or disturbed. If the habitat shrinks from 20,000 square kilometres down to 2,000 hectares, all that range of flora and fauna cannot live in 2,000 hectares—and that is also being disturbed, as we have seen recently, with serrated tussock and a lack of macropod grazing or a burning regime. So that is the situation we are at today.

That is why this grassland is so endangered, and that is why the striped legless lizard on this site is so important in terms of it being critical habitat, because elsewhere the grassland does not occur. The captive colony for the *Delma impar* (Striped Legless Lizard) has been at the zoo for a number of years now, and it is there to try to re-establish populations in the wild. We cannot do that because we have no secure conservation areas of grassland, which is their habitat, to put them into. So it is critical that, where we have got grasslands remaining, we try to protect and manage those and this one, as I said, is critical to that.

CHAIR—We have run out of questions. Thank you for appearing before the committee, Mr Webster. Certainly your observations will be taken into account in the committee's final deliberation.

[3.59 p.m.]

KENNEDY, Air Commodore James Frederick George, Director General, Facilities, Air Force, Department of Defence, Campbell Park Offices, Canberra, Australian Capital Territory

MALPAS, Mr Keir Justin Guy, Director, Major Decontamination Projects, Facilities and Property Division, Department of Defence, Campbell Park Offices, Canberra, Australian Capital Territory

MOORE, Mr Bryce Anthony, General Manager, Development, Urban Land Authority, Melbourne Central, Floor 11, 360 Elizabeth Street, Melbourne, Victoria

PARKER, Mr Roger John, Principal, Golder Associates Pty Ltd, 25 Burwood Road, Hawthorn, Victoria

CHAIR—I recall to the witness stand the representatives of the Department of Defence, the Urban Land Authority, and Mr Roger Parker. I invite Air Commodore Kennedy to make a summary statement on the evidence presented to the committee this day.

Air Cdre Kennedy—Mr Chairman, we have responded to all but three of the submissions, and we will respond to those submissions next week. I would like to make several comments in addition to our responses to the submissions. Firstly, in relation to the ICI buffer zones, both Defence and the ULA respect the ICI requirements for those buffers. During the local structure planning process, it will be ensured that the buffer zones will take place in consultation with the EPA's requirements. That is what the structure process is all about: it ensures that all the environmental and other aspects are met. We can assure ICI that their wishes will be met under that process.

Secondly, I pointed out this morning that the preliminary plan is a balanced one. But I should also point out that Defence is providing considerable land for reserves and conservation purposes, and does not accept responsibility for providing further outlays for infrastructure development and conservation management. That is part of the balanced approach that we have taken. The ULA is committed, as a matter of priority, to identifying organisations responsible for open space and for the development of management plans for that open space. That will be done as early as possible.

In relation to the Delfin submission, the representative mentioned that expressions of interest were called in 1989. I should point out that, in 1989, property business came under the portfolio of DAS, not the Department of Defence, and those submissions would have been called by DAS not Defence. Since that time, Defence has untied from DAS.

I also understand that the expression of interest put into DAS was a Delfin submission only, not a combined Delfin- Transfield submission or expression of interest. It

also occurred before the total remediation requirements had been identified. So the situation then is no longer relevant to where we are today. I think that is important.

I reiterate that this is an integrated approach that we have taken. There was a requirement for significant concept development to take place to get this proposal to this committee. In this concept development there was also a requirement for significant consultation with all the stakeholders. In that consultation and also concept development there is this very significant synergism in terms of the next step, in terms of remediation, redevelopment and divestment of the property.

One would note that ULA, being associated with the first part, have significant intellectual property placed on the table and have taken considerable risk in terms of the investment they have made at their expense in getting to where we are at the moment. I note in the Delfin evidence today that the preliminary plan that we have come up with is in concert with what their understanding would be.

I should point out that the return to Defence relating to that plan has been independently assessed by our own consultant, not a ULA engaged consultant, to maximise the return to the Commonwealth—in other words, to Defence—that has been independently done. They are the comments I wish to make at this time.

CHAIR—Thank you Air Commodore Kennedy. Does anyone else want to make any comments on the evidence produced during the day?

Mr Parker—No.

Mr Moore—No.

Air Cdre Kennedy—If there are no further questions from the committee—

CHAIR—There may well be some questions before the summary.

Air Cdre Kennedy—Okay, I will wait.

CHAIR—For example, Air Commodore Kennedy, it struck me that the Delfin-Transfield concern was not so much that they had not been involved as much as the fact that the independent advice had been sought from two bodies. I had the impression that certainly no-one on the committee or the Delfin-Transfield group knew even who those two independent bodies were, so they were not sure who was measuring, whether Delfin or ULA, or if anyone else should have been involved. I felt that they thought that this had been a less than transparent process. That is a concern that I had in terms of the evidence presented to the committee this day.

Air Cdre Kennedy—Our minister is very concerned that whatever process we take

is very transparent. I can assure this committee that the actions that have been taken in engaging ULA on a single select basis are extremely transparent.

CHAIR—The other concern that was raised during the day—and you have rightly identified them both—was raised by ICI on the matter of buffer zones. You have indicated that ICI's requests will be met. I assume—and this is almost an unnecessary observation—that that means they will be met to about the 1,000-metre zone, or whatever is the tolerable zone. If ICI were to say, 'We are going to start producing something that requires a 3,000-metre zone,' clearly that would be out of the question.

Mr Moore—We have received three pieces of advice from ICI and the EPA with respect to the location of boundaries of buffer zones. The preliminary land use plan, as it is presented at the moment, complies with one of those. We have had a preliminary discussion with ICI and received a proposal from ICI to undertake a review of the buffer zones to determine what buffer is appropriate from each of the existing uses on their site. We would expect the 1,000 metres to be the limit of it.

CHAIR—Are there any further questions?

Mr TED GRACE—Air Commodore, my question follows on from the chairman's question. I note that you are happy with the fact that your minister—as you referred to him—does not have any new information either. Who else knew of the advice that you had in the two companies? I am quite at ease with what you have told me, but I am just a bit worried about future processes. I would prefer to see it go to open tender—that is what I am trying to say.

Air Cdre Kennedy—Within Defence, in the facilities organisation, the policy is that an acquisition strategy has to be developed, which is a detailed document which addresses the risks and the methods of delivery. That document goes to the appropriate delegate within the department to agree. Normally that would be me, but in this particular case, because of the novel nature of this proposal, the acquisition strategy was put before the facilities executive, which is headed up by a first assistant secretary and my peer group within the facilities organisation of the Department of Defence. The acquisition strategy was accepted by that group, but then a submission was made to the minister to alert the minister of what our intention was and why and to get his approval. That is the process we go through. That is clearly documented within the department.

Mr TED GRACE—Are we to assume from that then that this may occur in the future again, that it will be a single issue of jobs?

Air Cdre Kennedy—Jobs are looked at on an individual basis. One would say that most jobs go to competitive tender, but not all jobs. That is the reason for the acquisition strategy—to identify the total picture and, in particular, the risks associated with the strategy and what the alternatives are leading to a preferred position. In this particular

case, the strategy strongly recommended single select to ULA. I did point out this morning that there was independent advice from two commercial organisations that supported that approach as well.

Mr TED GRACE—You are quite happy that you and your department gave the right advice to your minister?

Air Cdre Kennedy—I am confident that that is the case.

CHAIR—How was the selection of the independent advisers made? What independent group suggested that those two groups be selected as independent advisers, if you see what I am alluding to?

Air Cdre Kennedy—We engage consultants to provide advice to the department on a whole host of issues. I should point out that Clayton Utz is one of the legal firms on the Defence panel. They were used exclusively in relation to this proposal over a considerable number of years. Macquarie Bank has also been used, and I will ask Keir to elaborate on that.

Mr Malpas—We approached Clayton Utz in early 1995 and they suggested that, as part of gaining a report on the Albion site, we should also engage Macquarie Bank Property Services. We essentially engaged them on the basis of ignoring the contamination on site and, assuming that this was a clean site, determining what the department's options were for disposing of this whole clean site. Their expertise obviously did not lie in remediation concepts, and that is why we left the issue of remediation aside.

At the end of the report, having advised on the options for disposing of the clean site, we then asked them, 'In that disposal process, given that we now say it is contaminated, what would be the best way of combining that remediation and disposal?' The summary of their advice was that the most preferred option for Defence was to open a negotiation with the Urban Land Authority for the integrated approach that is now before the committee. Their advice was that if, for whatever reason, the Urban Land Authority were not interested, the less preferred option would be to approach the open market.

CHAIR—As Air Commodore Kennedy has indicated in his comments, the Urban Land Authority now has a good deal of intellectual property that it has accumulated, putting it in a preferred position. Are we at a point at which Delfin or any of the other developers are excluded, or may they well be engaged on a subcontract basis if they are interested for various parts of the subdivision and possibly land remediation, given the experience they have in land remediation?

Mr Malpas—I think Bryce Moore could answer that better.

Mr Moore—Effectively, Delfin would perform the same role as the Urban Land Authority. Transfield would be a party that would be quite free to tender for any of the works that were offered in the marketplace. As we have indicated this morning, the works will be offered in the marketplace.

Senator CALVERT—I won't ask you a question about serrated tussock, but did I hear you correctly to say that Defence would not be responsible for the initial and subsequent management action on the northern grassland areas? This is in the submission that Dr Hocking put to us about \$300,000-odd to fix up the grassland area adjacent to the university.

Air Cdre Kennedy—What I indicated before is that Defence does not see itself responsible for contributing towards infrastructure development on these open space and conservation areas or for providing outlays in terms of the management of those areas. We see that that is more appropriate for the organisations after the management plans have been established. In keeping with that, we note that it is urgent that those who are going to manage these areas are identified early, and that management plans are put in place early. The ULA is committed to expediting that process.

Senator CALVERT—You would have heard the questions I asked concerning the queries raised by Delfin-Transfield about the repository liners, monitoring, surface capping, et cetera. Could you just confirm that you are satisfied with these. Perhaps Roger could answer that.

Mr Parker—We did touch on that this morning in terms of long-term monitoring requirements and long-term maintenance. The intent of the system proposed is that it provides short-term security for the environment—and when I say 'short-term' I mean decades to centuries in terms of membrane performance—and that is coupled with the very high quality capping to keep water out to prevent mobilisation of the contaminants again. I believe that the monitoring program will run for a period of time and then diminish in magnitude, but maintenance of the surfaces will be required perpetually. As I said earlier today, that should not be much more than having to maintain public open space areas.

Senator CALVERT—Who is going to be responsible for that?

Mr Parker—There will have to be someone designated, such as a council or whoever is responsible for other public open space areas.

Senator CALVERT—They would not need to know any more than that? They would not have to have any technical expertise in monitoring—

Mr Parker—Monitoring into the very long distance is really a matter of making sure that there is not significant erosion and that the grass is growing.

Senator CALVERT—What about the issue raised—and it is almost linked to that—about the potential for Commonwealth liabilities to be transferred to the ULA and, ultimately, to the Victorian government? Do you see that happening? If nothing happens I suppose it will not matter.

Mr Parker—The question of liabilities is a legal issue. My understanding of the environment protection act in Victoria is that the polluter pays—the polluter is responsible. There are, of course, issues as to whether the Commonwealth is responsible in Victoria.

Senator CALVERT—In one hundred years time, who would be responsible? If something unforeseen did happen who would, ultimately, be responsible?

Mr Parker—It would depend on what contracts and agreements the Commonwealth puts in place with ULA or other parties as to what responsibility other parties are prepared to take.

Senator CALVERT—So there is a fair chance that the Commonwealth might be responsible, is there not?

Mr Parker—Yes, there is a fair chance the Commonwealth might be responsible.

Mr HATTON—I return to Senator Calvert's first question to Air Commodore Kennedy. The answer you gave stressed management issues. The question I have is about the clean-up, because most of the submissions that came in from the university and from Dr Hocking and the other groups thought the Commonwealth was going to pay for the clean-up of this. They cost at about \$175,000 the taking away of seven hectares of serrated tussock and replacing it with kangaroo grass.

They have argued that before they take it over and then undertake the long-term management, the Department of Defence should be paying for those costs to put it into proper condition. As I understand you, you are saying that the Department of Defence will not undertake to pay those costs.

Air Cdre Kennedy—We are in consultation with Dr Hocking in relation to what would be reasonable for the Department of Defence to do now. But I come back to the fact that until such time as we know what needs to be managed and how it is to be managed—in other words, there is a management plan in place—we could be chasing our tail. There needs to be a clear methodology, and those who are best placed to do that will be those who will become the managers of the areas concerned. We certainly would not want to see an approach taken that would ultimately become abortive.

Going back to the first point, we are in consultation with Dr Hocking, and we have asked him to submit to us what he thinks could be done as a one-off measure. We saw today the first cut of that that you saw, and we will be talking further with him about this.

Mr HATTON—The second question to you: in their submission, Delfin-Transfield indicated that they had written to the Department of Defence about this current proposal that we have before us and they had received no reply. Would you like to comment on that?

Air Cdre Kennedy—I am not aware of defence facilities receiving any letter from Delfin or Delfin/Transfield. What has possibly happened is that a brochure reflects the company as being lodged with the department. But I think you would appreciate that I get hundreds of brochures across my desk each year which we do not respond to. I am not aware of any letter being received.

Mr HATTON—Do you have a comment on the argument put forward, but not elaborated upon, for the probity of the Department of Defence and how they have gone about this process?

Air Cdre Kennedy—I mentioned earlier that whatever we have done is completely transparent. We are very conscious of the need for probity in terms of the expenditure of public monies and that we have used our own independent consultants to validate those things that relate to public expenditure—and we will continue to do that. We still have not finalised the returns that we expect to get from the arrangements with the ULA. That is being independently assessed and then consultation will take place to arrive at an appropriate agreement on that. But we are not using ULA's consultants to provide that advice to our department. We have engaged our own independent consultants to do that.

Mr HATTON—Bob Sercombe, the federal member for Maribyrnong, indicated in his submission that there were massive road problems, particularly with Furlong Road, and that the people in this area saw the development of this site as a way of dramatically changing their access problems throughout the area. He said:

It is important that the Urban Land Authority accept responsibility for some off-site works that will be necessary to deal with this situation.

Mr Moore, what talks have proceeded to this point in relation to that and what prospects do you see?

Mr Moore—Certainly, the traffic problems in the area have been identified. It has been acknowledged that the opening up of the Albion site, particularly with road connections east-west, will contribute to an easing of the problems, particularly those being experienced on Main Road West where we will have a transfer of some of the traffic from Main Road West down to the next road further down, which is Furlong Road.

The issue of upgrading roads off site, more particularly Furlong Road, is one that will clearly be addressed through the local structure planning process when we identify the traffic volumes that are being generated through the redevelopment of Albion and compare

those with the volumes that are being, I suppose, transferred from other areas. Albion will not be the creator of traffic problems in Furlong Road alone. But, yes, the development impacts will certainly be addressed in the local structure planning process. That does involve the requirement for the identification of developer contributions to off-site infrastructure if appropriate.

Mr HATTON—I will now run with my final point, which goes back to the main thing I have been concentrating on today—that is, the question of that open space in the north-west. This whole development leads to the possibility that the people of this area will have open space available to them that they have never had available previously—not only the people who will potentially come to live on site but also the people in the surrounding area. It is my concern that there is adequate availability of appropriate open space for the human beings on this site, given that the Department of Defence and the Commonwealth have a duty to the legless lizard and those grasslands and are bound by statute to preserve those.

Once the Commonwealth gives over the running of this project to either the ULA or another body, do they then transfer responsibilities in relation to Commonwealth legislation to that body or do they retain them? Alternatively, as I think is indicated in these papers, it is then a question of what is on the Victorian statutes. Victorian legislation only then applies to this area.

Air Cdre Kennedy—The land will only be progressively transferred to the ULA or into new ownership. Defence will hold ownership over elements of the property right through to the end. I think it is important to note that. We will be ensuring that our responsibilities, from a Commonwealth perspective, are met progressively as the years unfold.

Mr Moore—With respect to the planning controls for a range of issues, we are actually going to have a shandy of controls. The Australian Heritage Commission will retain an interest, as will Heritage Victoria. Largely, the controls will be those that are dictated through the Brimbank planning scheme. Environment Australia is involved in basically accepting that the Commonwealth has discharged its obligations to a point and recognising that the conservation issues will then be dealt with through the Victorian controls.

Mr Malpas—Defence actually has some special arrangements, if I can call them that, with various parts of Environment Australia in relation to memorandums of understanding. We have in fact been talking to the Heritage Commission, Environment Australia and the Biodiversity Group which used to be known as ANCA, the Australian Nature Conservation Agency, regarding our obligations under the Endangered Species Act, the Australian Heritage Commission Act and the Environment Protection (Impact of Proposals) Act.

Under those three acts we have two memorandums of understanding between Defence and Environment Australia which allow Defence to carry out the administrative procedures of those acts without necessarily going back to Environment Australia. In that process, a ministerial delegate within Defence is allowed to sign off an environmental certificate of compliance if all the administrative procedures of those acts have been followed.

In the case of Albion, a ministerial delegate has in fact signed off that internal document, called the Environmental Certificate of Compliance. It was very important for us, in getting that certificate of compliance signed, to actually get the Urban Land Authority to sign it as a proponent. They have done so. From our point of view, that has allowed us to demonstrate that the Urban Land Authority has signed up to managing the Commonwealth's obligations in this process.

We are confident that, whilst we are retaining the land and parts of the land throughout the 11 years, the Urban Land Authority is going to look after the Commonwealth's interests in the process. In fact, we have a signature from them on the Environmental Certificate of Compliance, to say that they will be adhering to those responsibilities.

Mr HATTON—Thank you for that clarification. On that basis, then, the local people in the community, in cooperation with the Urban Land Authority and the other interested stakeholders, could move forward to ensuring that this open space is not locked up space for the future but that there is an appropriate management control for that area, so that the local people are not deprived and, at the same time, the legless lizards and the grasslands are preserved.

CHAIR—In the north-western corner of the proposal there is a little area marked for 'peripheral sales'. Can someone indicate to me what peripheral sales are?

Mr Moore—Main road uses—the site sits opposite the Deer Park Shopping Centre—white goods stores, bulky retail goods. It is for those sorts of uses.

CHAIR—I understand that there are no other questions. Air Commodore Kennedy, you have indicated that you wish to make a statement.

Air Cdre Kennedy—Yes, just to summarise, if I could. As I mentioned earlier, this proposal is an integrated one. It will coordinate decontamination with rezoning, a land use plan and site development. Defence believes this provides the best solution in terms of cost, timing, health and environment, development planning and public interest. It is what I have described as a balanced solution.

Consultation has been extensive and stakeholders are generally supportive of the proposal. Most of the concerns raised in other submissions and in evidence here today will

be addressed during the local structure planning process. While some \$22 million has already been spent, Defence are confident that the proposal, as presented, will be close to cost neutral but certainly will not exceed a net Commonwealth outlay of \$3.84 million.

Mr Chairman, I commend the proposal to your committee for favourable consideration. I thank the committee for their indulgence with respect to my poor voice condition. I would like to thank Hansard for having the foresight to present me with the Elton John stick. Thank you very much.

CHAIR—Thank you, Air Commodore Kennedy. We are aware that you are optimistic that, the next time we meet, your voice will be fully restored. We wish you all the best in that process.

This has been a review and a hearing of which the committee is quite proud. It is thanks to the efforts of the former committee and its former chairman, Mr Hollis, that the original proposal was modified. For that reason, it has been quite a significant day in committee terms.

In closing today's proceedings, I must indicate that it is proposed that the correspondence that has been received and circulated to members of the committee be incorporated in the transcript of evidence. There being no objection, it is so ordered.

The documents read as follows—

CHAIR—I would like to thank all the witnesses who appeared before the committee today. I would particularly like to thank those who assisted in our inspections yesterday afternoon—the Department of Defence, the Urban Land Authority and Golder Associates. I want those who are here as members of the general public to appreciate that the committee is not in any sense indebted to the Department of Defence or beholden to any party before it comes to this inquiry; nonetheless, we are grateful for the courtesy that is always extended to us by the department and by its representative, Air Commodore Kennedy.

I also extend my thanks to the committee members for their patience through the day, to Hansard, and to the PWC secretariat for the preparation for today's hearings. A special vote of thanks, as you would all be aware, is due to the Brimbank City Council for making this venue available and for the way in which they have hosted us throughout the day, particularly for the way in which they have provided morning and afternoon tea and luncheon facilities.

Resolved (on motion by Mr Ted Grace):

That, pursuant to the power conferred by section 2(2) of the Parliamentary Papers Act 1908, this committee authorises publication of the evidence given before it at public hearing this day.

Committee adjourned at 4.35 p.m.