

Golf Course Redevelopment Standing Advisory Committee

Ministerial response to the Standing Advisory Committee's Report June 2020

Golf Course Redevelopment Standing Advisory Committee

In August 2019 the Minister for Planning established a Standing Advisory Committee (the Committee) under Section 151 of the *Planning and Environment Act 1987*. The purpose of the Committee was to review and provide advice on draft Planning Guidelines for Golf Course Redevelopment and advise on proposals for redevelopment of golf course land within the Urban Growth Boundary of metropolitan Melbourne.

Scope

The Committee was tasked with reviewing and providing advice on the draft Planning Guidelines for Golf Course Redevelopment (the Guidelines), which included a decision making framework that will be used to assess proposals for the future redevelopment of surplus golf course land primarily within metropolitan Melbourne and advise how the guidelines can be given effect in the Victorian Planning System (Part 1).

Following finalisation of the Guidelines, the Committee will advise whether proposals that are referred to it by the Minister for Planning (or delegate) for the rezoning of golf course land to facilitate redevelopment for urban purposes satisfy the Guidelines and are consistent with state and local policy (Part 2).

Approach

The Department of Land, Environment, Water and Planning (DELWP) released the *Planning for Golf in Victoria* discussion paper in 2017 which included an earlier version of the draft Guidelines. Consultation on this paper showed strong support for developing clear and consistent guidance for assessing golf course redevelopment proposals. The Guidelines were provided to the Committee to review in line with their Terms of Reference.

In September 2019, the Committee publicly exhibited the draft Guidelines inviting feedback from stakeholders and the community, with 63 submissions received. The Committee also ran three targeted stakeholder

workshops with representatives from local government, golf industry groups and course operators, and community interest groups and members.

Recommendations

The Committee presented its report on Part 1 of its operating Terms of Reference to the Minister for Planning in late November 2019. The recommendations for the finalisation of the Guidelines centred on four key areas for reform:

- **Scope of the Guidelines** – the Guidelines should apply to full and partial redevelopment proposals, as well as to courses located anywhere in Victoria.
- **Form and content update of Guidelines** – including:
 - Renaming the Guidelines *Planning Guidelines for the Conversion of Golf Course Land to Other Purposes* to avoid the implication that redevelopment is an inevitable outcome.
 - Restructuring the Guidelines under four key headings.
 - Setting out the process for consideration of the suitability of golf course redevelopment proposals in seven steps.
 - A 'triage' process to test the fundamental suitability of converting golf course land to another use prior to pursuing a redevelopment option. This first step includes consideration of whether golf course land can be acquired by government for public open space purposes.
 - Including more detailed principles to clarify the parameters of 'net community benefit' for redevelopment proposals. This includes:
 - i. Reinforcing that full redevelopment proposals require a minimum of 20 per cent of total site area be provided for public open space.
 - ii. Where a proposal involves relocating a golf course, the net community benefit should consider the total proposal, comprising the

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closed golf course site and future golf course site.

- Include a model Development Plan Overlay (DPO) in the Guidelines to guide the redevelopment of land where a planning scheme amendment is proposed.
- **Operationalising the Guidelines in the planning system** – the Committee recommended a Ministerial Direction to direct the consideration and use of the Guidelines.

Ministerial response

The Victorian Government is committed to ensuring we have an open and transparent process for considering planning applications for our golf courses. In responding to the Committee's recommendations, the Government's intention is that:

- There is policy certainty and a path to resolution for development proposals on golf course land.
- Golf course land redevelopment proposals provide for net community benefit and deliver a quality outcome.
- The Guidelines are robust enough for use by proponents and planning authorities without necessitating referral to the Standing Advisory Committee of every proposal.

The Victorian Government broadly accepts the intent of the Committee's recommendations. They provide a sound basis for changes to the planning system to give greater clarity and direction on the appropriate considerations to enable a beneficial outcome for the community in the redevelopment of golf course land.

Scope of the Guidelines

- Recommendation: The Guidelines should apply to full and partial redevelopment proposals, as well as to courses located anywhere in Victoria.

Supported – The government agrees there is merit in ensuring the Guidelines apply across the state to provide clarity and consistency.

In addition, the Guidelines clarify that proposals cannot be inconsistent with state and local policy objectives.

Further advice about the ongoing role of the Committee and the circumstances under which the Minister for Planning can refer proposals to them is also provided in the Guidelines.

Form and content of the Guidelines

- Recommendation: Re-title the Guidelines to *Planning Guidelines for the Conversion of Golf Course Land to Other Purposes* to avoid the implication that redevelopment is an inevitable outcome.

Supported – The government agrees with the Committee's rationale for recommending the Guidelines be re-titled.

- Recommendation: Restructure the Guidelines under four key headings:
 - Introductory text including the purpose of the Guidelines
 - Scope of the Guidelines
 - Determine the assessment pathway
 - Assessment method for planning amendment or permit applications.

Partially supported – The government agrees the exhibited draft Guidelines required restructuring to better articulate the process for considering golf course redevelopment proposals. The final structure of the Guidelines have been generally aligned with the Committee's recommendation.

- Recommendation: Set out the process for consideration of the suitability of golf course redevelopment proposals in seven steps.

Supported – The government supports the intent to provide greater clarity through more specific steps as recommended by the Committee.

- Recommendation: A 'triage' process to test the fundamental suitability of converting golf course land to another use prior to pursuing a redevelopment option. This first step includes consideration of whether golf course land can be acquired by government for public open space purposes.

Partially supported – The government supports including a step to test the suitability of a proposal to convert golf course land to another use, including requiring golf courses in public ownership to submit to a first right of refusal process to offer the land for government agency acquisition for community or public use. However, in line with landholder property rights, it does not support extending this as a mandatory requirement to golf course land in private ownership. The final Guidelines have been updated to encourage private owners to voluntarily explore whether any government agency has interest in acquiring the land.

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- Recommendation: Provide more detailed principles to clarify the parameters of 'net community benefit' for redevelopment proposals.

Supported – The government agrees that clear articulation of what constitutes 'net community benefit' provides greater clarity and certainty to the community. Particular elements of this are discussed further in the following points.

- Recommendation: Redevelopment proposals of entire golf course sites require a minimum of 20 per cent of total site area be provided for public open space.

Supported – The government agrees that golf courses offer unique opportunities for useable public open space and believes it appropriate to set a high minimum benchmark in any redevelopment outcome.

- Recommendation: Evaluation of net community benefit, where a proposal involves relocating a golf course, should consider the total proposal, comprising the closed golf course site and future golf course site.

Not supported – The government wishes to ensure the beneficial outcomes required by the Guidelines accrue to the immediate community of any golf course proposed for redevelopment.

- Recommendation: Where a planning scheme amendment is proposed, a Development Plan Overlay (DPO) should be used to guide the redevelopment. A model DPO should be included in the Guidelines.

Partially supported – The government agrees an appropriate planning tool should be used to guide the redevelopment of significant land parcels such as golf courses, however different sites present varying circumstances where an alternative planning tool may be more appropriate (for example, an Incorporated Plan Overlay [IPO]). Many of the considerations the Committee as presented in the model DPO as part of their report have been incorporated into the final Guidelines under 'Step 7 – Deliver a quality outcome' to provide further guidance on possible conditions, requirements for permits and what development plans must include either through a planning permit application process or planning scheme amendment.

Operationalising the Guidelines in the planning system

- Recommendation: Give effect to the Guidelines in the planning system by way of a Ministerial Direction to direct planning authorities to consider and have regard to the Guidelines.

Supported – The government agrees the best method for ensuring the Guidelines are given power in the planning system is by way of a Ministerial Direction requiring planning authorities preparing a planning scheme amendment to have regard to the Guidelines.

Note: the final version of the Ministerial Direction differs from the Committee's recommended version to align with requirements set out in Section 12(2)(a) of the Planning and Environment Act 1987.