Macedon Ranges Localised Planning Statement

Submission by

We make this submission to support the principles in the Draft Planning Scheme which addresses development within the Macedon Ranges Shire. It is our aim to provide recommendations which fit within the framework of the proposed legislation and which we believe will greatly enhance the lifestyle opportunities, create new tourism alternatives and significantly benefit the community in the Shire and particularly in Gisborne. We also believe they will also provide certainty for the long-term viability of

1. BACKGROUND:

The commenced operation in its current location in purchased the land from the and held significant land holdings at that time. The is approximately and is zoned


2. IMPACT ON PLANNING SCHEME:

We have watched the properties on the boundaries of our land change into residential occupancy at a growing rate in recent years and support the need for such development to be properly managed and contained within sensible boundaries. We have not yet directly participated in the residential change but, if we cannot find a suitable solution to our declining trading position, then the impact on the town of Gisborne could be dramatic. Our ... acres which, on our ... boundary, ... from the heart of Gisborne would, if sold, inevitably end up in the hands of a property developer. Irrespective of any present zoning arrangements, the prospect of turning the current pristine landscape into a development of around 500 to 600 building blocks would probably be irresistible if the property had to be sold. Property developers have significant resources both economically and legally and, in similar circumstances, have regularly been successful in finding ways to achieve their aims. They have often “banked” land and awaited a change in the political landscape to achieve their aims. During the waiting period, the land is usually neglected, and becomes a problem for the various local and responsible authorities, often with the clear aim of bringing matters to a head.

In recent times ... has been approached by a developer to purchase some land (approximately ... acres) along-side the ... for the development and construction of high quality townhouses. ... was prepared to enter into negotiations, but required the developer to pay a non-refundable deposit for the exclusive right to purchase the land (pending valuations, re-zoning etc.). On consideration of this proposal the developers responded with an alternate model of outright purchase of ... with a long lease back period. ... is still awaiting greater clarity of this proposal. It is an illustration that, even with the current zoning, developers are attracted to our property. Any changes made as a consequence of the proposed planning scheme, in our view, need to be done in a manner which, so far as can possibly be
done, maintains the current benefits available to _ and to the community. Those benefits will not be enhanced by making any change which diminishes the capacity to survive in the long term. We believe adverse changes would hasten the day when the prospect of a developer owning the land could occur. Clearly, _ needs the support of Council to make the changes this submission recommends as they in turn provide the circumstances for the long-term viability of _ and the retention in the community of all the benefits _ provides.

3. OPPORTUNITIES AND RECOMMENDATIONS

We have been part of the fabric of Gisborne’s lifestyle at our present location for over 25 years, and in that time we have established and maintained _, which is constantly recognized as one of, if not the best and most picturesque courses north of the Yarra. We are a not-for-profit organisation located a _ from the heart of Gisborne.

The changing lifestyle of the current era has impacted adversely on _ around the world and we are no exception. We consider that within the proposed legislation needed to implement the proposals in the Planning Statement is created the ideal opportunity to overcome the difficulties we face and at the same time create a range of opportunities Gisborne does not presently possess, and are significantly lacking throughout the entire Shire. They are as follows

- Maintain a “green wedge” golf course so close to the heart of Gisborne with all the benefits the town’s _ so close to the centre of the town can provide in environmental, lifestyle and recreational opportunities.
- A Recreational Vehicle park within the golf course precincts providing tourism and other opportunities to visitors within a pristine rural environment
- Establish and maintain a “mini golf” facility offering alternative sporting activities to residents and visitors of all ages
- Establish and operate “kangaroo tours” for visitors, particularly from overseas, to realise on the benefits of the local fauna population and to bring extra benefits to other tourist attractions throughout the Shire.
- A properly developed and creatively implemented residential development on a small part of _ property creating a lifestyle which provides alternative living opportunities particularly appealing to an aging population by providing sporting, entertainment and recreational facilities on their doorstep. The funds provided by this proposal are the funding source essential for the other proposals in our recommendations to be able to proceed.
- Investing in development of the course and clubhouse to enhance the playing benefits for members and visitors, and to create more recreational and entertainment options in the clubhouse.
Achieving these aims can only be done with the support and co-operation of the relevant authorities, and, in turn, the funding opportunities created by our recommendations. They are consistent with the intent of the Statement where it states that it has the aim “for ensuring that future development does not detract from the state significant values that make the Macedon Ranges special”. We believe that they fully embrace the principles and materially assist in ensuring that the aims are met. They enhance those values by making the area more widely accessible and far more usable for residents and visitors alike.

We note that a primary aim of the legislation is “to recognise the importance of distinctive areas and landscapes to the people of Victoria and to protect and conserve the unique features and special characteristics of those areas and landscapes.” Another aim is “to enhance the conservation of the environment in declared areas including the unique habitats, ecosystems and biodiversity of declared areas;” The implementation of our proposes are fully consistent with the aims as without the opportunity to ensure our long-term viability, the whole of the [redacted] acres is at risk of being turned into a high density housing area.

The land is wholly owned by [redacted] which has the usual rights of disposal available to it. If ever the need for sale arose, the land would, in accordance with the need to act in [redacted]’s best interests, be sold to the highest bidder. It is inconceivable that anyone would outbid a property developer who could envisage a long-term plan to turn the land into around 500 to 600 vacant blocks which could have a realizable sale value of somewhere in the vicinity of $150 million to $180 million. Any such development would never be able to ensure that the protection and conservation of the unique habitats etc. as provided for in the legislation. However, we can make that commitment, subject only to achieving the realization of our recommendations.

None of our proposals is at any significant variance with the aims of the legislation. Instead, they are fully consistent with the proposed new section which provides that the plan is “to provide a framework for decision making in relation to the future use and development of land in the declared area that— (inter alia) integrates environmental, social, cultural and economic factors for the benefit of the community and encourages sustainable development and identifies areas for protection and preservation of the distinctive attributes of the declared area.” Our proposals certainly provide benefits of a social, cultural and economic benefit for the community. As an illustration, the introduction of the “Kangaroo tours” works both ways. It allows for development of a natural resource without impacting adversely upon it and integrates environmental and economic benefits for [redacted] and the community.

The proposals will help to protect the distinctive attributes of the area. They are sustainable developments and provide for protection and preservation of the area so close to the heart of Gisborne against high density property development. Unless we can ensure our long-term viability, such rampant opportunism is inevitable.

4. TOWN BOUNDARIES

We note that the town boundary for Gisborne is being reviewed as part of the Planning Statement considerations. The current town boundaries extend beyond a kilometer from the centre of the town in
most directions, and far beyond a kilometer to the north and south of the town. We cannot see any reason to change the town boundary in our location. Any proposal to exclude the land owned by [redacted] from within the town boundary would be very counter-productive. It would severely limit our capacity to raise the funds necessary to ensure our long-term viability and significantly increase the prospect of the land being in the hands of a developer. Whilst we understand the review is part of the full consideration to be given to the overall Planning Statement, we cannot see that any change which, on balance, diminished our economic and occupational capacity achieves any of the aims of the Statement.

Instead, we believe it would inevitably lead to the very circumstances the Statement is intended to avoid.

The logic for it to remain within the boundary is inescapable. It is a fundamental part of the fabric of the town, it is the [redacted] it is surrounded on all but the [redacted] boundary by residential development and is far too close to the centre of the town to be excluded. Making any changes which would make [redacted] circumstances more difficult would operate against [redacted] interests, and any decision that could be seen as a reduction of the value of the land to [redacted], in turn, could raise questions of compensation. The resources operated by [redacted] are by far the most constantly used sporting facility within the town with course usage between dawn and dusk seven days a week, and regular entertainment and functions in [redacted] both day and night. To exclude such a facility, so close to the centre of town and with so much activity, from being within the town boundaries would defy logic.

We cannot state our case more strongly. The land must remain within the Gisborne town boundaries.

5. ZONING

The current zoning of the land we own and occupy is “[redacted]” which is a completely inappropriate zoning covering the activities for which the land is used. Our occupation and use occurs under the “non-conforming” use rights contained in the legislation, and we believe strongly that this is an appropriate opportunity to correct the anomaly. We would support a change to “Special Use” zoning subject to the zoning allowing for the activities listed above, including the residential use, as well as, of course, the right to use and operate the land in the manner currently permitted. A golf club needs to have the capacity to manage its facilities in a manner which ensures their longevity and their playability throughout the year. The introduction of a Special Use Zone for the land owned by [redacted] can be done in a manner which recognizes [redacted]s needs both in landscape management and income producing activities.

At some point of time it is inevitable that the zoning will become an issue given its proximity to the centre of the town and the surrounding activities. This is the opportunity to put the matter to rest in a manner which recognizes the needs of the community, the operations of our [redacted] and the reality that such a large parcel of land operating under a “non-conforming” use is a planning incongruity that needs to be
fixed. There is unlikely to be a better opportunity than now and we are willing participants in a mutually beneficial arrangement.

We further note that one of the objects of the proposed legislation is “to enable the integration of policy development, implementation and decision-making for declared areas under Statements of Planning Policy”. In addition, new section 46AU provides that the purpose of a Statement of Planning Policy is to create a framework for the use and development of land in a declared area.

We see our request for the re-zoning to a mutually acceptable “Special Use” Zone together with a small residential development area as a proper and consistent implementation of the objects and purposes contained in the proposed legislation.

6. CONCLUSION

Our recommendations are obviously centered around the operations and future of our [redacted] but we repeat our support for the overall concept of the Statement to limit development within existing boundaries. Our [redacted] owns and operates on land within those boundaries. We are convinced that the proposed legislation not only embraces our proposals in both its objects and legislative content, it also provides the ideal opportunity for our [redacted] to significantly enhance the tourism, lifestyle and recreational facilities within both the town of Gisborne and the whole of the Shire. To do so requires the support of Council to

- Ensure that the town boundary as it relates to the [redacted] remains unaltered
- With the co-operation of [redacted] to use the opportunity presented by the need for legislation to remove the existing anomalous zoning for the land owned and occupied by the [redacted] and replace it with a “Special Purpose” zoning, including a small provision for residential use, providing for the operations outlined above.
- Support [redacted] in ensuring that any hurdles to our aims are met co-operatively and in the spirit of the proposed legislation.

The recommendations in our submission are critical to the long-term viability of our [redacted] and we ask that you treat and consider them accordingly.

We would be grateful for your support of our recommendations and thank you for the opportunity to make them.