

CORRECTED VERSION

SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Port Campbell — 7 November 2007

Members

Mr D. Davis

Mr P. Hall

Mr P. Kavanagh

Mr E. O'Donohue

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Mr B. Tee

Mr E. Thornley

Chair: Mr D. Davis

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Secretary: Mr R. Willis

Research Officer: Ms C. Williams

Witnesses

Mr G. Parsons, secretary,

Mr B. Callaghan, and

Mr S. Lucas, Warrnambool Golf Club.

The CHAIR — I start this proceeding again with Mr Gary Parsons, secretary, Mr Brian Callaghan and Mr Stephen Lucas of Warrnambool Golf Club. Would you like to make a brief presentation, and we will ask some questions to follow on from that.

Mr LUCAS — In terms of the presentation of the issues that we are going to be talking about it is going to be a little different from previous issues that the committee has looked at, because we are probably a good-news story and we are all positive about things; however, we do wish to talk about the alienation of Crown land. This is an ongoing process that has been going for some time, to give you a little history, and Brian will give you an update as to where we have come from, if you like.

Mr CALLAGHAN — We started planning, I suppose, in the 1980s. I am not going to go back to the Book of Genesis and go through the whole lot, but very quickly, we made a submission to the then minister for the environment and tourism, Steve Crabb, who gave us very much positive encouragement to keep going with the project. We then sat down and had two planning scheme amendments done. The first one was abandoned because more studies were required, and the result of the second was held in abeyance until some more issues were looked at. Those issues were the hydrology study for treated water impact, resolution of native title, land status — there was some commonwealth land involved — confirmation of the water resource and a financial feasibility study.

Warrnambool Golf Club is not a wealthy club and a high percentage of our members are either pensioners or retirees, so when we eventually had to find \$75 000 to do the feasibility study we ran into difficulty. At the end of June 2000 we actually got some money from the local council, ATSIC put in \$25 000 and we received a grant from the Victorian government's sport and rec. During this time the economic structure of our development had changed. As you will remember, commissioners came and went, governments changed and the coastal strategy continued to evolve.

By mid-2003 it became obvious that our plan would not comply with the current thinking so it was decided a new start should be made. A concept that would benefit the environment, tourism and be an asset to the local community was developed. In the meantime we had secured a water supply via the powdered milk condensate from the Fonterra dairy factory at Dennington and installed an irrigation system. We are currently in the final stages of rezoning land which is owned by the golf course and being rezoned for residential use. That is probably where we are at the moment. I will hand over to Steve to carry on.

Mr LUCAS — Basically where we are in relation to this project, if you have a look at the map that is in front of you — actually it is an aerial photograph — the proposal basically is to swap some wetlands that are owned by the golf club and therefore make the environmentally sensitive Crown land that exists on that western side of the golf club — and you can see those two areas circled and labelled wetlands — make all the Crown land contiguous from the river, which is the Merri River, all the way to the sea. That area would then be a continuous wetlands coastal Crown land reserve.

Mr TEE — Sorry, just to be clear, is the area in dispute that area with the dots on it?

Mr LUCAS — The area with the dots on it is currently freehold land and there is a proposal for that to be redeveloped in the future. That is currently undergoing some rezoning. The area that we are specifically talking about is the hatched area to the east.

Mr CALLAGHAN — May I go around the back, point it out and just make sure it is clear?

Mr THORNLEY — It would be really helpful.

Mr LUCAS — The hatched area to the east, which is currently three golf holes on the course, is on the Crown land and, according to our local DSE people, has no particular environmental value. That is the best way to describe it.

Mr CALLAGHAN — This is the area we would like to get hold of, opposite this real estate here.

Mr LUCAS — Those three golf holes are not fabulously important as golf holes to the golf club, but it is very good land for a golf course-type redevelopment. We are talking about this corner all the way up to here, which is on a hill, so basically following this road. That area we are looking to excise from the Crown land area and swap it for the wetlands that we own to the west, which is way down in this area. There is much more of the wetlands

than there is of this area here, of course. The area of the wetlands that we are looking to swap is a larger area in pure area terms, but obviously there are different values of the land which we are very aware of.

Mr THORNLEY — I know I am being dopey here. You are looking to excise those three holes and they would end up ultimately in some form of golf course residential development?

Mr LUCAS — Correct.

Mr THORNLEY — You are looking therefore to extend the course instead?

Mr LUCAS — We will get to that. It will be coming this way.

Mr THORNLEY — Right.

The CHAIR — What is that land?

Mr LUCAS — That is currently Wannon Water. It is their buffer zone and we are currently in partnership with them in this, which is a waste water re-use operation.

Mr THORNLEY — If you do not mind me just saying it in my own words to make sure I have got the idea, you currently own the wetlands but you cannot develop those because they are environmentally sensitive.

Mr LUCAS — Correct.

Mr THORNLEY — You do not actually own the strip of Crown land up the top.

Mr LUCAS — Correct.

Mr THORNLEY — You would like to and you are using it obviously. You would like to swap the ownership of those so that you do control that part up there.

Mr LUCAS — Correct.

Mr THORNLEY — You would then excise that, sell it off to development and move the course down to the bottom.

Mr LUCAS — Correct. In a nutshell — and it has just been done for me very nicely, thank you — we are in partnership with the Warrnambool City Council, Wannon Water, which is the water authority for the area, and the Koori community. We do not have many people — in fact we cannot think of anybody — who is actually against the principles that we are talking about.

The CHAIR — And the department's position?

Mr LUCAS — The DSE have been — depending upon who in DSE we speak to — alternatively aware of the difficulties that excising Crown land presents to them, and somewhat supportive. Certainly they are not greatly supportive if you like. We have had some meetings with DSE and are looking to continue those.

The CHAIR — Formal communications?

Mr LUCAS — Formal communications in terms of DSE?

The CHAIR — Yes.

Mr LUCAS — We write to DSE quite often, but what we are attempting to do is have the Warrnambool City Council become the lead agency in this whole thing because we believe it forms part of a greater project environmentally and community-wise, involving walking tracks, cycling tracks, the whole thing, all the way from the breakwater which, if you are familiar with Warrnambool, runs through to Dennington. There is a whole area that has been neglected in a planning sense for a long time.

The CHAIR — If I can, in the name of expediting all of this, just ask two things. First of all, can we get a copy of the correspondence that has gone backwards and forwards so that we can be informed from both sides, as it were?

Mr LUCAS — Yes.

The CHAIR — The second thing is what formal environmental assessments have actually been undertaken?

Mr LUCAS — There has been a — —

Mr PARSONS — An environmental study in conjunction with Wannon Water for the area through here. We have had an anthropological study undertaken in conjunction with the Koori community for the rezoning application we have in presently for the wetlands and there are no issues there. They have written a letter and signed off stating that.

The CHAIR — It would help us to have copies of those studies as well.

Mr LUCAS — We can certainly do that.

Mr TEE — Have there been any concerns raised with you about a loss of native vegetation or loss of public access? Have those issues got in the way?

Mr LUCAS — Public access does not seem to be an issue. The vegetation issue will be something that we will have to deal with in yet another study prior to this going ahead, which will be specifically about vegetation, flora and fauna in the area that we are talking about, which is down here.

Mr TEE — But in terms of the public access there is no public access now that will be denied?

Mr LUCAS — There is currently no public access in the area up there, but in the master plan, when we eventually get to that stage, we are envisaging some public access via the Mahogany Trail — I am not sure if you are aware of that — and also looking to bring an offshoot of that down through the wetlands for tourism.

Mr TEE — As I see it, the take-away message is that you have a development which you hope is consistent with the environmental aspirations of the community, you are working with the council to get a partnership in place —

Mr LUCAS — And Wannon Water.

Mr TEE — And the relevant water authority, and you are working with DSE so you have lined up all the ducks, as it were.

Mr LUCAS — We are actually trying to herd the cats. That might be a more appropriate analogy.

Mr PARSONS — The mahogany walk will go virtually right around the top of that land there, right through this area here. It is virtually on the southern side — the ocean.

Mr O'DONOHUE — If this redevelopment proposal was first on the books in 1990, or around that time, why has it taken so long?

Mr LUCAS — What happened was that the original proposal actually put holes up in the dune system and that was not acceptable, or became unacceptable with the passage of time.

Mr CALLAGHAN — We had housing in the dunes in the original proposal.

Mr LUCAS — So we have moved on — —

Mr CALLAGHAN — The main issue was finance, and we thought housing in the dunes would bring in plenty of money so there will not be any issue with finance. Fortunately what has happened is of course we own this land that we are rezoning and the valuation of the blocks has changed over the 15 years, so we do not need as much to put the emphasis on the finance.

Mr PARSONS — One of the big pluses of the whole area is the fact that the city council is doing a recreational study of the whole area. I think that is a big plus for the development of the pools there because it fits in the studies and recreational plans it has undertaken at the moment.

Mr O'DONOHUE — In your dealings with the DSE and the government more generally, do they have any guidelines for the acquisition of Crown land or for land swaps?

Mr LUCAS — No.

Mr PARSONS — That has been the difficult part.

Mr LUCAS — We are breaking new ground, it seems. And we have to get three ministers to agree, which is not always easy.

Ms PENNICUIK — That little moon up the top there, is that Dennington?

Mr LUCAS — No, this is Younger Street in Warrnambool. Dennington is about 5 miles that way.

Ms PENNICUIK — Sure. I was just trying to orient myself.

Mr LUCAS — This is a sort of adjunct of the Merri River. This is the Merri River here, and the Fletcher Jones factory is here — I mean the woollen mill, sorry, not Fletcher Jones.

Ms PENNICUIK — So on which part on that map are you proposing to put housing?

Mr LUCAS — Looking south, just along the road so that it already has access for Younger Street, which is a high limestone ridge, if you like, not subject to — —

Ms PENNICUIK — How far back would that come into it?

Mr LUCAS — It comes down here and then up here, probably 50 to 60 metres, something like that. But we have not gone as far as getting definite proposals until we get all our players agreeing as to where we should go.

Mr THORNLEY — I bet the folks on the other side of Younger Street are not so excited.

Mr LUCAS — As a matter of fact it is probably of some advantage to them because there will be less traffic into the clubhouse. One of the proposals will be that the road into the clubhouse be relocated — they may have some difficulty now with the amount of traffic that is generated along Younger Street — plus the value of the blocks will go up.

Mr THORNLEY — They will lose their golf course views presumably.

Mr LUCAS — They will, but they will also not get golf balls through their front windows!

Ms PENNICUIK — New people will.

Mr THORNLEY — Let the buyer beware, as they say.

Mr LUCAS — They have decided to build on a golf course estate to start with.

Mr TEE — So where is the loss of vegetation issue?

Mr LUCAS — It will be down here, where we will be building new holes and where we already have some preliminary designs in relation to that.

Mr PARSONS — That is currently owned by Wannon Water and basically it is a buffer zone for it.

Mr LUCAS — And it is very keen to have us as a buffer because we will maintain it.

The CHAIR — And use the water.

Mr PARSONS — One of the other bonuses is that it is an old rifle range, so we will be undertaking with Wannon Water to clean up that site of lead and that sort of thing. That issue has been discussed already.

Mr LUCAS — It is a good environmental outcome.

Mr PARSONS — So that is an environmental win-win there straightaway.

Mr KAVANAGH — The land you want to get is presently owned by Wannon Water, is that right?

Mr LUCAS — This land here is freehold of theirs, which they are happy for us to use.

Mr KAVANAGH — Who owns the land that you want?

Mr LUCAS — This land is owned by Wannon Water. This land here is Crown land, which we would like to excise and there is land we currently lease. We would like to take that bit out to change it to freehold and swap it for the wetland that is on the map in front of you.

Mr KAVANAGH — Are you hoping that the committee might recommend to the government to expedite this process?

Mr LUCAS — Yes. Obviously any discussion about Crown land is difficult, as this committee would be very well aware. We are coming from probably a different perspective than most other plaintiffs to your committee, so we thought it was an appropriate thing for us to do.

Mr KAVANAGH — And which three ministers need to approve it?

Mr LUCAS — Obviously those responsible for the environment, Crown land and planning.

Ms PENNICUIK — I just need to clarify that it is all Crown land.

Mr LUCAS — It is not all Crown land. The golf course is on — —

Ms PENNICUIK — No, but the wetland is Crown land.

The CHAIR — It is all government land.

Mr LUCAS — No.

Ms PENNICUIK — The wetland is not Crown land?

Mr CALLAGHAN — No, we own that.

Mr LUCAS — The areas that are shown as wetland are freehold of ours.

Ms PENNICUIK — They are freehold of yours?

The CHAIR — Club land.

Ms PENNICUIK — And what sort of area are they?

Mr LUCAS — It is about 70-odd hectares.

Ms PENNICUIK — And how much is the land you are wanting to acquire?

Mr LUCAS — I would think something like 20-something, but the values would be totally different.

Mr CALLAGHAN — The area is probably much more to the Crown, but the value is probably the other way.

Mr LUCAS — We are aware of that. That issue has been brought up with DSE.

Mr TEE — And the difference in the value is because of the limited use you can make of the wetland.

Mr LUCAS — Correct.

Mr THORNLEY — Is valuation an issue in this, or is it a process?

Mr LUCAS — We do not believe so.

Mr CALLAGHAN — The process is the issue.

Mr LUCAS — We believe an accommodation can be made where all sides win. The council is on side. It gets value out of this; Wannan Water gets value; the community gets value; and the state government gets value in terms of this following a lot of the policies that it has laid down.

The CHAIR — Getting the documents to us would be very helpful.

Mr LUCAS — I will.

The CHAIR — Thank you for your submission. That is a very interesting conundrum.

Mr LUCAS — Yes. Thank you.

Witnesses withdrew.