

Portfolio: Planning and Land Management

ISSUE: **Murrumbidgee Country Club deconcession of Crown lease (Block 16 Section 7 Kambah)**

Talking points:

- I understand that the planning and land authority has not received any development application from the Murrumbidgee Country Club to remove the concessional status of its Crown lease. However a planning report which is the first step to requesting a Territory Plan variation to rezone the land, was submitted during 2018 to EPSDD.
- No decision has been made by EPSDD to support or not support the rezoning of the land.
- EPSDD is currently undertaking a review of the PRZ2 Restricted Access Recreation Zone and the CZ6 Leisure and Accommodation Zone of the Territory Plan.
- This is being done in response to the number of requests received to rezone PRZ2 and CZ6 zoned land (or to permit additional uses on specific blocks). The review will consider the cumulative impact of such requests on the availability and provision of recreation and leisure land.
- The assessment of proposals currently lodged with EPSDD for rezoning of land located within the PRZ2 and CZ6 zones have been put on hold until such time as the review is concluded.
- Should a Territory Plan variation be supported to rezone parts of the Murrumbidgee Country Club, statutory community consultation is required. If a Territory Plan variation is approved, a development application will still be required to remove the concessional status of the lease or change the use permitted by the lease.
- A proposal to remove the concessional status of a Crown lease can only be assessed through a development application. A proposal to remove the concession will be subject to mandatory community consultation prior to the submission of a development application to remove the concession.
- I have been advised that proponent has not commenced any pre-lodgement community consultation in relation to a deconcession proposal to date.

Cleared as complete and accurate:	13/03/2019	
Cleared by:	Executive Director	Ext: 73520
Contact Officer name:	Jonathan Teasdale	Ext: 70316
Cleared for release	Yes	
Information Officer name:	Brett Phillips	

- Persons with an interest will have the opportunity to comment during the processes for a Territory Plan variation, pre-DA community consultation and a development application, if and when they occur.

Key Information

- The Murrumbidgee Country Club proposes to remove the concessional status of their Crown lease, split the land into a number of parcels and to rezone part of the golf course land to allow residential use. The proposal is in the initial stages.
- This matter continues to attract media interest.

Cleared as complete and accurate:	13/03/2019	
Cleared by:	Executive Director	Ext: 73520
Contact Officer name:	Jonathan Teasdale	Ext: 70316
Cleared for release	Yes	
Information Officer name:	Brett Phillips	

From: [Kaucz, Alix](#)
To: [McEvoy, Justin](#)
Subject: FW: MCC Scoping Document [SEC=UNCLASSIFIED]
Date: Wednesday, 22 March 2017 5:21:59 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[REDACTED] - Murrumbidgee Country Club.pdf

From: [REDACTED]
Sent: Wednesday, 22 March 2017 3:25 PM
To: Kaucz, Alix
Cc: [REDACTED]
Subject: MCC Scoping Document

Good afternoon Alix

I am writing on behalf of MCC in relation to a Scoping Document issued by Environment & Planning Directorate on 11 March 2016.

The Club has now appointed Purdon Planning to undertake a Planning Report in response to the Scoping Document, and there is no basic change in the approach or proposed development being considered by the Club for the three (3) nominated areas within their site.

Could you please confirm that the current Scoping Document is still applicable or if not what process and timetable is involved in re-issuing the document to allow this work to proceed.

Regards



Purdon Planning Pty Ltd
Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612

T: 02 6257 1511

www.purdon.com.au



This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [McEvoy, Justin](#)
To: [REDACTED]
Cc: [Kaucz, Alix](#)
Subject: FW: MCC Scoping Document [SEC=UNCLASSIFIED]
Date: Friday, 21 April 2017 11:21:00 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[REDACTED] - Murrumbidgee Country Club.pdf
[201704211 signed brief and letter and scoping document Murrumbidgee coun....pdf](#)

[REDACTED]

Attached is a letter and updated scoping document for a planning report into a proposed housing estate at the Murrumbidgee Country Club.

Regards

Justin McEvoy | Senior Planner

Phone: 02 6205 3466

Planning Delivery | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 CANBERRA ACT 2601 | www.planning.act.gov.au

From: Kaucz, Alix
Sent: Wednesday, 22 March 2017 5:22 PM
To: McEvoy, Justin
Subject: FW: MCC Scoping Document [SEC=UNCLASSIFIED]

From: [REDACTED]
Sent: Wednesday, 22 March 2017 3:25 PM
To: Kaucz, Alix
Cc: [REDACTED]
Subject: MCC Scoping Document

Good afternoon Alix

I am writing on behalf of MCC in relation to a Scoping Document issued by Environment & Planning Directorate on 11 March 2016.

The Club has now appointed Purdon Planning to undertake a Planning Report in response to the Scoping Document, and there is no basic change in the approach or proposed development being considered by the Club for the three (3) nominated areas within their site.

Could you please confirm that the current Scoping Document is still applicable or if not what process and timetable is involved in re-issuing the document to allow this work to proceed.

Regards

Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612

www.purdon.com.au



This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



ACT
Government

Environment, Planning and
Sustainable Development

MINUTE

Obj file:17/07854

Updated scope for planning report at Block 16 Section 7 Kambah

To

Brett Phillips Executive Director Planning Delivery

Recommendations

That you sign the response to Rob Purdon at Attachment A

AGREED / NOT AGREED / DISCUSS

.....
<signature of recipient>

20 / 04 / 2017
..... / /

Background

On 22 March 2017 [redacted] emailed Environment, Planning and Sustainable Development Directorate seeking confirmation the February 2016 version of a scoping document for housing estate at the Murrumbidgee Country Club in Kambah remains valid.

Issues

There are no outstanding issues relating to the updated scope.

Earlier this year residents wrote to ministers expressing concerns about the impact of the proposal. The response from the Chief Minister advised the letters had been sent to EPSDD for information. The new scope request the Save Our Green Space group be consulted and residents' concerns be addressed in the report on consultation.

The scope was circulated to ACT Heritage and the leasing team. The scoping document has been updated to reflect the comments received from these teams.

Media issues


None.

Financial implications

None.

Linkages to other briefs and ministerials

A copy of the Director-General brief (15/19476), letter and original scope document is included at Attachment B. Also enclosed at Attachment C are copies of ministerial correspondence from the beginning of 2017 about this matter.

.....  13.1.4.17

Name	Alix Kaucz
Position title/branch	Senior Manager, Territory Plan Section
Phone number	50864
Contact Officer	Justin McEvoy
Phone number	53466



ACT
Government

Environment, Planning and
Sustainable Development

Ref. 17/07854

[REDACTED]
Purdon Planning Pty Ltd
[REDACTED]

Dear [REDACTED]

Request for extension of scope deadline for a planning report in support of a proposed Territory Plan variation at Block 16 Section 7 Kambah

I refer to your email of 22 March 2017 requesting confirmation the February 2016 scoping document remains current for planning investigations into proposed redevelopment of land at the Murrumbidgee Country Club in Kambah. I note your advice that no change has been made to the approach or to the proposal to consider three sites within the golf course from PR22 Restricted Access Recreation zone for a housing estate and the possibility of a child care centre.

Kambah residents remain interested in the proposed redevelopment of this site and continue to write to ministers expressing concern about perceived detrimental impacts of the proposal. Ministers have forwarded correspondence to the Environment, Planning and Sustainable Development Directorate to inform us of the residents' concerns. The Directorate encourages you to work closely with local residents and representative groups in preparing the proposal to ensure matters are resolved at the earliest possible time and ongoing community engagement is demonstrated throughout the proposal's development.

Since the original scoping was issued, the *Planning and Development Act 2007* has been amended to enable the concurrent processes for Territory Plan variations and development applications. This has been done in response to the community's wish to consider the overall impact of the totality of a redevelopment proposal. It offers developers a more rapid determination process via concurrent consultation period for the Territory Plan variation and the application. I would encourage you to prioritise your site selection and prepare an application for lodgement under section 137 of the *Planning and Development Act 2007*. To discuss the requirements of this option please contact Senior Manager Territory Plan Section Ms Alix Kaucz on 02 6205 0864 or alix.kaucz@act.gov.au.

The February 2016 scoping document has been reviewed internally to ensure it remains current. ACT Heritage has taken the opportunity to clarify its requirements as part of the planning report. The updated scope is attached. In addition to minor re-wording of the scope, the main changes to the scope include all of the following:

- a requirement to identify ongoing public-accessible open space areas in the description of the proposal;
- nomination of the community group Save Our Green Spaces as a local residents group;
- outline of the issues raised in correspondence to ministers which are to be addressed in the report on consultation;
- clarification of the assessment of potential heritage values on the site; and
- confirmation the Social Impact Assessment prepared for the deconcessionalisation process should form part of the planning report.

Regards



Brett Phillips
Executive Director Planning Delivery

20 April 2017



ACT
Government

Environment, Planning and
Sustainable Development

Updated scope for a Planning Report

to inform a proposed Territory Plan variation for Murrumbidgee Country Club's proposal to rezone three areas of land within Block 16 Section 7 Kambah (area 1 in Learmonth Drive, area 2 in Drysdale Circuit and area 3 in Kambah Pool Road) from PRZ2 restricted access recreation to a residential zone.

April 2017

A planning report is prepared to provide the information necessary to inform consideration by the planning and land authority, within the Environment, Planning and Sustainable Development Directorate (EPSDD), on preparing a Territory Plan variation in support of the proposal (refer to Part 5.6 of the *Planning and Development Act 2007*).

The original scoping document was finalised in February 2016.

The planning report is to respond to each of the following parts:

- A. Executive summary
- B. Description of the proposed Territory Plan variation
(A comprehensive description of the site and the proposal, current planning policy, the intended development and use, and all proposed changes to the Territory Plan.)
 - Include proposed land use, anticipated zoning (e.g. RZ1 residential) and other planning controls, respective site areas, size and location, expected densities and likely block and dwelling yields
 - Areas retained as buffers, open space for community/environmental use, preservation of ecological values – identification of areas being retained for publicly-accessible open space and connectivity for fauna
 - Consider other possible land uses e.g. child care centre, motel etc
- C. Justification for the planning policy changes
(An assessment of the opportunity cost of the proposed change, and discussion of changes in the economic, social, natural and physical environment that necessitate the change.)
- D. Strategic planning policy context
(A discussion of proposed planning policy change and proposed use/development in the context of the ACT's planning framework and strategic planning policy. Identification of any associated changes, e.g. an amendment to the National Capital Plan or public land register).
Also include discussion of:
 - Public transport and active transport considerations
 - Assessment of any impact on the nature reserve north of Kambah Pool Road
- E. Preliminary consultation with local and general community, and especially with concerned residents' groups (Save Our Green Space (SOGS), CROWK and Concerned Locals Group)
 - The lease is a concessional lease. Applications to remove the concessional status of a Crown lease must be referred to the Minister for the 'public interest' test under section 261 of the *Planning and Development Act 2007*. Pre-lodgement consultation is required for such applications (s138AE of the Act and s20A(d) of the Regulation). Community feedback assists the Minister determine if it is in the 'public interest' to deconcessionalise the lease.

- It is recommended that community consultation, as required for a DA to deconcessionalise a lease, be conducted concurrently with this consultation.

Community consultation with affected communities and interested members of the public on the proposal is required. At a minimum, consultation should include holding at least one (1) public meeting/discussion session that is widely advertised including print and electronic media (for instance The Canberra Times and The Chronicle). This part is to include a report on consultation that:

- provide details of consultation undertaken e.g. notifications, formal presentations, sessions, number of attendees and copies of relevant correspondence;
- list of all issues raised in consultation, outcomes, etc. EPSDD has been advised of correspondence to members of the Legislative Assembly from Kambah residents who have raised concerns about how the Drysdale and Learmonth proposals will impact on local traffic and road network, particularly "rat running via Learmonth Drive", and the visual impact of proposed Learmonth estate upon residents adjoining the site. A further suggestion was that the club consider future development in the context of a larger golf course redesign by an external professional golf course design team; and
- responds to issues raised, including any changes to the proposal as a result of consultation

F. Impact assessment

(A discussion of both the suitability and capability of the land for the proposed use/development with a clear conclusion, plus discussion of potential (positive and negative) impacts on the social, physical and natural environment if the land is developed to its full capacity as proposed.)

An assessment of potential impacts of the proposal must address

- environmental values, including an ecological assessment, site suitability and identification and remediation of existing contamination (if any)
- demonstrate there is adequate open space and recreational needs of Kambah and north Tuggeranong residents (an open space and recreational needs analysis is required)
- heritage values. While the proposed areas do not contain any registered or recorded heritage places or objects, the report should identify land within the subject areas that has not been modified by the Club's operations and unmodified land within those areas is to be inspected by a qualified archaeologist and Representative Aboriginal Organisations; and the outcomes of this inspection described in the report.
- social and community benefit values and uses of the existing site. Note: this would be achieved by including the Social Impact Assessment required for the deconcessionalisation process.
- infrastructure capability (including stormwater, services



ACT
Government

Environment, Planning and
Sustainable Development

Ref. 17/07854

[REDACTED]
Purdon Planning Pty Ltd
[REDACTED]

Dear [REDACTED]

Request for extension of scope deadline for a planning report in support of a proposed Territory Plan variation at Block 16 Section 7 Kambah

I refer to your email of 22 March 2017 requesting confirmation the February 2016 scoping document remains current for planning investigations into proposed redevelopment of land at the Murrumbidgee Country Club in Kambah. I note your advice that no change has been made to the approach or to the proposal to consider three sites within the golf course from PRZ2 Restricted Access Recreation zone for a housing estate and the possibility of a child care centre.

Kambah residents remain interested in the proposed redevelopment of this site and continue to write to ministers expressing concern about perceived detrimental impacts of the proposal. Ministers have forwarded correspondence to the Environment, Planning and Sustainable Development Directorate to inform us of the residents' concerns. The Directorate encourages you to work closely with local residents and representative groups in preparing the proposal to ensure matters are resolved at the earliest possible time and ongoing community engagement is demonstrated throughout the proposal's development.

Since the original scoping was issued, the *Planning and Development Act 2007* has been amended to enable the concurrent processes for Territory Plan variations and development applications. This has been done in response to the community's wish to consider the overall impact of the totality of a redevelopment proposal. It offers developers a more rapid determination process via concurrent consultation period for the Territory Plan variation and the application. I would encourage you to prioritise your site selection and prepare an application for lodgement under section 137 of the *Planning and Development Act 2007*. To discuss the requirements of this option please contact Senior Manager Territory Plan Section Ms Alix Kaucz on 02 6205 0864 or alix.kaucz@act.gov.au.

The February 2016 scoping document has been reviewed internally to ensure it remains current. ACT Heritage has taken the opportunity to clarify its requirements as part of the planning report. The updated scope is attached. In addition to minor re-wording of the scope, the main changes to the scope include all of the following:

- a requirement to identify ongoing public-accessible open space areas in the description of the proposal;
- nomination of the community group Save Our Green Spaces as a local residents group;
- outline of the issues raised in correspondence to ministers which are to be addressed in the report on consultation;
- clarification of the assessment of potential heritage values on the site; and
- confirmation the Social Impact Assessment prepared for the deconcessionalisation process should form part of the planning report.

Regards

Brett Phillips
Executive Director Planning Delivery

April 2017



ACT
Government

Environment and Planning

Director-General Correspondence Clearance form

SUBJECT	Request for rezoning of land - Murrumbidgee Country Club
CORRESPONDENT	[REDACTED]
OBJECTIVE NUMBER	15/19476

	Signature:	Date:
Director General	[REDACTED]	11/3/16
Deputy Director-General	[REDACTED]	8/3/16
Executive Director	[REDACTED]	4.3.16
Contact Officer: Alix Kaucz	Telephone No: 6205 0864	
Division	Planning Delivery	

Further Action/Comment:

.....

.....

.....

.....

Signature:



**SUBJECT Scope for a planning report – request for rezoning of land:
Murrumbidgee Country Club, Kambah**

DIRECTOR-GENERAL [redacted] 11/3/16

DEPUTY DIRECTOR-GENERAL [redacted] 8/3/16

EXECUTIVE DIRECTOR, Planning Delivery [redacted] A.3.16

PURPOSE

To:

- provide you with a review of the background to the request received from the Murrumbidgee Country Club (MCC) to rezone land to permit residential use on three parcels of land within the golf course estate (see Attachment A for site locations)
- agree to the scope for a planning report that has been prepared in consultation with EPD and other government agencies (Attachment B); and
- request that you sign the letter to the proponent (Attachment C).

BACKGROUND

MCC have previously approached the Government in 2004 with a rezoning proposal for aged care development predominantly in the northern section (Kambah Pool Road side) of the golf course. The advice from then Chief Minister Jon Stanhope to MCC was that the proposal would not be supported for various reasons and that there would be no value in pursuing the matter further.

In 2012 nine ACT clubs, including the Murrumbidgee Country Club (MCC) were provided with funding by (the then) Economic Development Directorate under the Small Club Site Redevelopment Support Scheme to undertake feasibility studies for the redevelopment of club sites.

In February 2014 MCC provided the feasibility study to EPD. The report identified three sites on Block 16 Section 7 Kambah as possible redevelopment locations comprising:

- Site 1 along Learmonth Dr, Bateman St and Crozier Cct,
- Site 2 along Drysdale and Crozier Cct, and
- Site 3 along Kambah Pool Road.

Sites 1 and 2 are currently zoned PRZ2 restricted access recreation zone, while site 3 is zoned CZ6 leisure and accommodation zone. Sites 1 and 2 were originally considered by MCC to provide the more viable options for initial future development, and a scoping request was received in July 2015. However since then, MCC have reconsidered their options and in January 2016 submitted a revised request for a scope for a planning report in which Site 3 was included in the proposal (see Attachment A).

Options for redevelopment discussed in the feasibility study report prepared by Purdon Planning focussed primarily on residential low to medium density development with some additional options for commercial accommodation/motel and child care. Some of these uses would require rezoning through a variation to the Territory Plan.

The club is now seeking to follow through on the recommendations in the feasibility study particularly low density residential development and wish to pursue the rezoning and selling of part of the land to generate revenue for the club's long term organisational objectives. This would include providing funding for improvements to the golf course and club facilities.

ISSUES

On 7 December 2015 Minister Gentleman met with representatives from EPD to discuss this proposal. He advised that he would agree to the proponent progressing to the preparation of a planning report to provide further information and detailed investigation on the proposed rezoning. The Minister advised that he is keen to ensure that the proposal does not impact on the open space and recreation needs of Kambah and the North Tuggeranong community. A key component of the planning report would therefore need to be an open space and recreation needs analysis.

The planning report would also need to include a thorough investigation into the environmental, social and economic impacts and the anticipated community benefits of the proposal. The proponent would also be required to undertake pre-consultation with the surrounding community during the preparation of the planning report, including consultation required for the deconcessionalisation of the lease.

The MCC's proposal for housing development has been receiving substantial community and media attention and Ministerial correspondence as MCC seeks to consult with the local community and golf club members. This has included letters being written to the Minister for Planning and Land Management and the Chief Minister, as well as the formation of two community groups to campaign against the proposal. These groups held a public meeting in October 2015 which was attended by 60 residents. An article also appeared in the Canberra Times in October in which local residents of Kambah were calling for MCC to abandon the proposed housing development, claiming the land was unsuitable for development, and the land should remain for community use.

Members of the community groups wrote to the Chief Minister in November 2015 refuting the claims of MCC regarding community support for the housing proposal, instead arguing that the land is a community resource for which the club has had a concessional lease for many years and that any future development of that land should therefore have community benefit high on the agenda while also being of some benefit to the club. They also maintain that the land has exceptional environmental and visual qualities that need to be protected and should be further enhanced and utilised by the community.

POTENTIAL MEDIA IMPLICATIONS

There are no media implications at this stage.

BUDGET IMPLICATIONS

There are no budget implications at this stage of the process.

CONSULTATION STRATEGY

The draft scope was circulated to agencies and other areas within EPD to provide feedback for the preparation of a draft planning report. The final scope including agency input is at Attachment B.

Further internal and directorate/agency circulation will be undertaken at a later stage on the draft planning report.


CRITICAL DATE

In the normal course of business.

RECOMMENDATIONS

That you:

- a) note the contents of this brief,
- b) agree to the scope for a planning report (Attachment B); and
- c) sign the letter to Purdon Planning (Attachment C)


Alix Kaucz
Senior Manager
Territory Plan Section

25 February 2016

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

DIRECTOR-GENERAL

February 2016

Contact officer: Janine Ridsdale, Territory Plan Section
6205 4060



ACT

Government

Environment and Planning



Purdon Planning
Unit 2, Cooyong Centre
1 Torrens Street
BRADDON ACT 2612



Dear 

Scoping document for a planning report in support of a proposed Territory Plan Variation for land at the Murrumbidgee Country Club (part block 16 Section 7 Kambah)

I refer to your correspondence in January 2016 regarding a revised request for a scope for a planning report to support a rezoning for three sites within the Murrumbidgee Country Club golf estate.

I have enclosed the final scoping document ([Attachment A](#)) and information sheet ([Attachment B](#)) for the preparation of a planning report in support of the proposal. The scoping document has been prepared in consultation with various areas within the Environment and Planning Directorate and relevant ACT Government agencies.

As you are aware, Mick Gentleman the Minister for Planning and Land Management has been briefed on the Club's redevelopment intentions. He is cognisant of the concerns raised by the local community especially regarding the potential loss of open space for environmental and recreational purposes and the lack of any demonstrated community benefit from the proposal.

The main issues arising from agency circulation relate to:

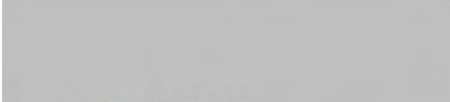
- public and active transport considerations
- an assessment of any impact on the nature reserve on the northern side of Kambah Pool Road. Please note that a child care centre will not be supported in site 3 (Kambah Pool Road) as it is located on the urban edge
- contamination and site suitability
- deconcessionalisation of the lease and the Minister's responsibilities under the *Planning and Development Act 2007* regarding the 'public interest' test.

These matters are included in the scope and would need to be investigated and addressed in the planning report.

I look forward to receiving the draft planning report when completed.

If you have any queries in this regard, please contact Alix Kaucz, Senior Manager Territory Plan Section on Alix.Kaucz@act.gov.au or 6205 0864.

Yours sincerely



Dorte Ekelund
Director General

11 March 2016

From: [McEvoy, Justin](#)
To: [Weller, Craig](#); [Myers, Rhonda](#)
Subject: FW: request for extension of MCC Scoping Document [SEC=UNCLASSIFIED]
Date: Monday, 27 March 2017 10:32:00 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[\[REDACTED\] - Murrumbidgee Country Club.pdf](#)
[Final scope Feb 2016 for proponent.obr](#)

Rhonda and Craig

I am hoping you are able to provide advice on whether Purdon or Murrumbidgee Country Club representatives have taken any steps towards the deconcessionalisation of any part of its lease at its Kambah site. In February 2016 EPSDD finalised a scoping document for a planning report into a draft Territory Plan variation and it appears nil or limited progress in finalising a planning report has been made. The scope (attached) suggested concurrent community consultation on the proposals. I would appreciate your advice on whether the scoping advice should be extended or amended by noon Thursday 30 March, if possible.

Regards

J

From: Kaucz, Alix
Sent: Wednesday, 22 March 2017 5:22 PM
To: McEvoy, Justin
Subject: FW: MCC Scoping Document [SEC=UNCLASSIFIED]

From: [REDACTED]
Sent: Wednesday, 22 March 2017 3:25 PM
To: Kaucz, Alix
Cc: [REDACTED]
Subject: MCC Scoping Document

Good afternoon Alix

I am writing on behalf of MCC in relation to a Scoping Document issued by Environment & Planning Directorate on 11 March 2016.

The Club has now appointed Purdon Planning to undertake a Planning Report in response to the Scoping Document, and there is no basic change in the approach or proposed development being considered by the Club for the three (3) nominated areas within their site.

Could you please confirm that the current Scoping Document is still applicable or if not what process and timetable is involved in re-issuing the document to allow this work to proceed.

Regards



Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612



www.purdon.com.au



This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Scope for a Planning Report

to inform a proposed Territory Plan variation for Murrumbidgee Country Club's proposal to rezone three parcels of land within Block 16 Section 7 Kambah (Learmonth Drive, Drysdale Crt and Kambah Pool Road) from PRZ2 restricted access recreation to residential

February 2016

A planning report is prepared to provide the information necessary to inform consideration by the planning and land authority, within the Environment and Planning Directorate, on preparing a Territory Plan variation (refer to Part 5.6 of the *Planning and Development Act 2007*).

The planning report is to respond to each of the following parts:

- A. Executive summary
- B. Description of the proposed Territory Plan variation
A comprehensive description of the site and the proposal, current planning policy, the intended development and use, and all proposed changes to the Territory Plan.
 - Include proposed land use, anticipated zoning (eg. RZ1 residential), respective site areas, size and location, expected densities and likely block and dwelling yields
 - Areas retained as buffers, open space for community/environmental use, preservation of ecological values
 - Consider other possible land uses eg child care centre, motel etc.
- C. Justification for the planning policy changes
An assessment of the opportunity cost of the proposed change, and discussion of changes in the economic, social, natural and physical environment that necessitate the change.

D. Strategic planning policy context

A discussion of proposed planning policy change and proposed use/development in the context of the ACT's planning framework and strategic planning policy. Identification of any associated changes, e.g. an amendment to the National Capital Plan or public land register.

Also include discussion of:

- Public transport and active transport considerations
- Assessment of any impact on the nature reserve on the northern side of Kambah Pool Road.

E. Preliminary consultation – with local and general community, and especially with concerned residents' groups that have been formed to protest against the proposal (CROWK and Concerned Locals Group)

- As the lease is a concessional lease, all development applications for the deconcessionalisation of a Crown lease must be referred to the Minister for the 'public interest' test under section 261 of the *Planning and Development Act 2007* (the Act). The Act requires pre-lodgement consultation on a DA to deconcessionalise a lease (s138AE of the Act and s20A(d) of the Regulation). Community feedback from this consultation on the proposed rezoning informs the Minister in relation to whether it is in the public interest to deconcessionalise the lease.
- It is recommended that community consultation, as required for a DA to deconcessionalise a lease, be conducted concurrently with this consultation.
- Community consultation with affected communities and interested members of the general public on the proposal is required. At a minimum, consultation should include holding at least one (1) public meeting/public discussion session that is widely advertised including *The Canberra Times* and *The Chronicle*. This part is to include a report on consultation that
 - provide details of consultation undertaken e.g. notifications, formal presentations, sessions, number of attendees and copies of relevant correspondence;
 - list of all issues raised in consultation, outcomes, etc; and
 - responses to issues raised, including any changes to the proposal as a result of consultation

F. Impact assessment

A discussion of both the suitability and capability of the land for the proposed use/development with a clear conclusion, plus discussion of potential (positive and negative) impacts on the social, physical and natural environment if the land is developed to its full capacity as proposed.

An assessment of potential impacts of the proposal must address

- environmental values, including an ecological assessment, site suitability and identification and remediation of existing contamination (if any)
- open space and recreational needs of Kambah and north Tuggeranong residents (an open space and recreational needs analysis is required)
- heritage values (should any heritage places or objects be identified within the proposed rezoning areas through this process, the planning report should consider the heritage significance of these places, and the constraints or opportunities these values place on proposed development)
- perceived social and community benefit values and uses of the existing site
- infrastructure capability (including stormwater, services)

From: [Myers, Rhonda](#)
To: [McEvoy, Justin](#)
Cc: [Kelly, Shauna](#)
Subject: FW: request for extension of MCC Scoping Document - part 16/7 Kambah [SEC=UNCLASSIFIED]
Date: Tuesday, 28 March 2017 1:54:34 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[Final scope Feb 2016 for proponent.obr](#)
[\[REDACTED\] - Murrumbidgee Country Club.pdf](#)

Dear Justin,

Thank you for your enquiry. DA Leasing confirms that:

- No development application has been submitted or lodged to deconcessionalise the Crown lease.
- A determination has been made, but not registered against the title, that the Crown lease is a concessional lease.

I have reviewed the final scope attached and it appears satisfactory from our point of view.

I hope this assists.

Kind regards

Rhonda Myers

Assistant Manager | DA Leasing
Planning Delivery | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
P **02 6207 1794** | e actpladaleasing@act.gov.au | web www.planning.act.gov.au

From: McEvoy, Justin
Sent: Monday, 27 March 2017 10:32 AM
To: Weller, Craig; Myers, Rhonda
Subject: FW: request for extension of MCC Scoping Document [SEC=UNCLASSIFIED]

Rhonda and Craig

I am hoping you are able to provide advice on whether Purdon or Murrumbidgee Country Club representatives have taken any steps towards the deconcessionalisation of any part of its lease at its Kambah site. In February 2016 EPSDD finalised a scoping document for a planning report into a draft Territory Plan variation and it appears nil or limited progress in finalising a planning report has been made. The scope (attached) suggested concurrent community consultation on the proposals. I would appreciate your advice on whether the scoping advice should be extended or amended by noon Thursday 30 March, if possible.

Regards

J

From: Kaucz, Alix
Sent: Wednesday, 22 March 2017 5:22 PM
To: McEvoy, Justin
Subject: FW: MCC Scoping Document [SEC=UNCLASSIFIED]

From: [REDACTED]
Sent: Wednesday, 22 March 2017 3:25 PM
To: Kaucz, Alix
Cc: [REDACTED]
Subject: MCC Scoping Document

Good afternoon Alix

I am writing on behalf of MCC in relation to a Scoping Document issued by Environment & Planning Directorate on 11 March 2016.

The Club has now appointed Purdon Planning to undertake a Planning Report in response to the Scoping Document, and there is no basic change in the approach or proposed development being considered by the Club for the three (3) nominated areas within their site.

Could you please confirm that the current Scoping Document is still applicable or if not what process and timetable is involved in re-issuing the document to allow this work to proceed.

Regards



Purdon Planning Pty Ltd
Unit 4, Cooyong Centre
1 Torrens Street
Braddon ACT 2612

T: 02 6257 1511

www.purdon.com.au



This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [Russell, Meaghan](#)
To: [McEvoy, Justin](#)
Subject: RE: Heritage's requirements for scoping document into Murrumbidgee Country Club Kambah [SEC=UNCLASSIFIED]
Date: Monday, 3 April 2017 1:53:34 PM
Attachments: [New 03 Planning report scoping document generic - attachment 1 to final response from the DG - ACT Heritage input.doc](#)
[image001.png](#)
[image002.png](#)

Hello Justin,

I have made a few minor amendments to the heritage scope for your consideration – please give me a call if you have any questions, or would like further input.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



[@EnvironPlan](#)



facebook.com/EnvironPlan

From: McEvoy, Justin
Sent: Monday, 3 April 2017 10:15 AM
To: Russell, Meaghan
Subject: Heritage's requirements for scoping document into Murrumbidgee Country Club Kambah [SEC=UNCLASSIFIED]

Hi Meaghan

I would be keen to finalise the D-G brief and scoping document for Dorte by the end of this week. Would you please confirm the revisions to the heritage part of the attached scope are agreeable.

Please let me know if you require further time to consider the proposed redraft.

Thanks

Justin McEvoy | Senior Planner

Phone: 02 6205 3466

Planning Delivery | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 CANBERRA ACT 2601 | www.planning.act.gov.au



ACT
Government

Environment, Planning and
Sustainable Development

Scope for a Planning Report

to inform a proposed Territory Plan variation for Murrumbidgee Country Club's proposal to rezone three parcels of land within Block 16 Section 7 Kambah (Learmonth Drive, Drysdale Crt and Kambah Pool Road) from PRZ2 restricted access recreation to residential.

February 2016

A planning report is prepared to provide the information necessary to inform consideration by the planning and land authority, within the Environment, Planning and Sustainable Development Directorate, on preparing a Territory Plan variation in support of the proposal (refer to Part 5.6 of the *Planning and Development Act 2007*).

The planning report is to respond to each of the following parts:

A. Executive summary

B. Description of the proposed Territory Plan variation

(A comprehensive description of the site and the proposal, current planning policy, the intended development and use, and all proposed changes to the Territory Plan.)

- Include proposed land use, anticipated zoning (e.g. RZ1 residential), respective site areas, size and location, expected densities and likely block and dwelling yields
- Areas retained as buffers, open space for community/environmental use, preservation of ecological values – **identification and retention of both open space and connectivity for fauna and members of the local community**
- Consider other possible land uses e.g. child care centre, motel etc.

C. Justification for the planning policy changes

(An assessment of the opportunity cost of the proposed change, and discussion of changes in the economic, social, natural and physical environment that necessitate the change.)

D. Strategic planning policy context

(A discussion of proposed planning policy change and proposed use/development in the context of the ACT's planning framework and strategic planning policy. Identification of any associated changes, e.g. an amendment to the National Capital Plan or public land register).

Also include discussion of:

- Public transport and active transport considerations
- Assessment of any impact on the nature reserve on the northern side of Kambah Pool Road.

E. Preliminary consultation with local and general community, and especially with concerned residents' groups that have been formed to protest against the proposal (**Save Our Green Space (SOGS)**, CROWK and Concerned Locals Group)

- As the lease is a concessional lease, all development applications for the deconcessionalisation of a Crown lease must be referred to the Minister for the 'public interest' test under section 261 of the Planning and Development Act 2007 (the Act). The Act requires pre-lodgement consultation on a DA to deconcessionalise a lease (s138AE of the Act and s20A(d) of the Regulation). Community feedback from this consultation on the proposed rezoning informs the Minister in relation to whether it is in

the public interest to deconcessionalise the lease.

- It is recommended that community consultation, as required for a DA to deconcessionalise a lease, be conducted concurrently with this consultation.

Community consultation with affected communities and interested members of the public on the proposal is required. At a minimum, consultation should include holding at least one (1) public meeting/discussion session that is widely advertised including print and electronic media (for instance The Canberra Times and The Chronicle). This part is to include a report on consultation that:

- provide details of consultation undertaken e.g. notifications, formal presentations, sessions, number of attendees and copies of relevant correspondence;
- list of all issues raised in consultation, outcomes, etc. Note: correspondence to members of the Legislative Assembly from Kambah residents have raised concerns about how the Drysdale and Learmonth proposals will impact on local traffic and road network, particularly “rat running via Learmonth Drive”, plus the visual impact of proposed Learmonth development upon existing residents. It has also been suggested the club consider housing opportunities as part of a redesign of the golf course by an external professional golf course designer; and
- responds to issues raised, including any changes to the proposal as a result of consultation

F. Impact assessment

(A discussion of both the suitability and capability of the land for the proposed use/development with a clear conclusion, plus discussion of potential (positive and negative) impacts on the social, physical and natural environment if the land is developed to its full capacity as proposed.)

An assessment of potential impacts of the proposal must address

- environmental values, including an ecological assessment **from removal of vegetation**, site suitability and identification and remediation of existing contamination (if any)
- open space and recreational needs of Kambah and north Tuggeranong residents (an open space and recreational needs analysis is required)
- ~~heritage values (should any heritage places or objects be identified within the proposed rezoning areas through this process, the planning report should consider the heritage significance of these places, and the constraints or opportunities these values place on proposed development).~~ From the preliminary information provided with the request for a planning report scope, ACT Heritage has advised the proposed rezoning areas do not contain any registered or recorded heritage places or objects. However, ~~so a heritage assessment is not required. Nonetheless~~ the report should identify any land within the rezoning areas that has not been modified by the Club’s operations, and should unmodified land occur, ~~and that~~ this land is to be inspected by a qualified archaeologist and Representative Aboriginal Organisations; and the outcomes of this inspection described in the report.
- perceived social and community benefit values and uses of the existing site
- infrastructure capability (including stormwater, services)

Updated scope for planning report at Block 16 Section 7 Kambah

To

Brett Phillips Executive Director Planning Delivery

Recommendations

That you sign the response to [REDACTED] at Attachment A

AGREED / NOT AGREED / DISCUSS

..... / /
<signature of recipient>

Background

On 22 March 2017 [REDACTED] emailed Environment, Planning and Sustainable Development Directorate seeking confirmation the February 2016 version of a scoping document for housing estate at the Murrumbidgee Country Club in Kambah remains valid.

Issues

There are no outstanding issues relating to the updated scope.

Earlier this year residents wrote to ministers expressing concerns about the impact of the proposal. The response from the Chief Minister advised the letters had been sent to EPSDD for information. The new scope request the Save Our Green Space group be consulted and residents' concerns be addressed in the report on consultation.

The scope was circulated to ACT Heritage and the leasing team. The scoping document has been updated to reflect the comments received from these teams.

Media issues

None.

Financial implications

None.

Linkages to other briefs and ministerials

A copy of the Director-General brief (15/19476), letter and original scope document is included at Attachment B. Also enclosed at Attachment C are copies of ministerial correspondence from the beginning of 2017 about this matter.

..... / /

Name Alix Kaucz
Position title/branch Senior Manager, Territory Plan Section
Phone number 50864

Contact Officer Justin McEvoy
Phone number 53466

Mick Gentleman MLA



Member for Brindabella

Manager of Government Business
Minister for Police and Emergency Services
Minister for the Environment and Heritage
Minister for Planning and Land Management
Minister for Urban Renewal

17/22767

Dear [REDACTED]

Thank you for your email of 15 August 2017 about the Murrumbidgee Country Club. I note you also included Minister Berry MLA and Minister Rattenbury MLA in your correspondence. I am responding on behalf of the ACT Government as this matter falls within my portfolio responsibilities.

The Murrumbidgee Country Club has a concessional Crown lease. This means commercial development can only take place on the land if the concessional status is removed (and full land value paid) and the lease is varied to allow other uses.

A Crown lease can only have a concessional status removed and additional uses added through a development application process, which includes a statutory public consultation period. As part of the process for removing the concessional status of a lease, I must also decide whether it is in the public interest for the application to be considered. To date, the Murrumbidgee Country Club has not lodged an application to remove the concessional status of the lease.

Please be assured that I take these matters seriously. In deciding whether or not a development application of this kind is in the public interest and should be considered, I would take into account all representations received on the application and the views of the community.

Thank you for raising your concerns with me. I trust this information is of assistance.

Yours sincerely

Mick Gentleman MLA
Minister for Planning and Land Management

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia
Phone +61 2 6205 0218

GPO Box 1020, Canberra ACT 2601, Australia
Email gentleman@act.gov.au



@GENTLEMANMick

MickGentleman

From: [Sendaba, Bethel](#)
To: [EPSDD DLO](#)
Subject: FW: Contact my Minister - Correspondence: 150817 - 1094382 - [REDACTED]
Date: Tuesday, 15 August 2017 3:37:17 PM
Attachments: [MCC-Aug-2017.pdf](#)

[For reply](#)

From: minister@act.gov.au [mailto:minister@act.gov.au]
Sent: Tuesday, 15 August 2017 1:37 PM
To: GENTLEMAN
Subject: Contact my Minister - Correspondence: 150817 - 1094382 - [REDACTED]

15/8 – this one should go to Territory Plan in Planning Policy for a response - SK



Mick Gentleman, MLA

The following correspondence has been submitted via the Contact my Minister website.

The constituent has indicated that they would like a response to their correspondence.

Issues with deconcessionalising on the march again Re: Murrumbidgee Country Club Redevelopment

Dear Ministers Berry, Gentleman and Rattenbury I write to you in your capacities as Ministers for Housing and Suburban Development; Sport and Recreation; Planning and Land Management; Urban Renewal and Climate Change and Sustainability. I would like to inform you about the process regarding a meeting for residents called by the Murrumbidgee Country Club. The meeting was held yesterday regarding the club's developments plans for the golf course. It appears the club did not letterbox or otherwise inform residents about the meeting. I understand that the notification myself and other residents received was distributed by one resident who was aware of the meeting. This behaviour by the club is consistent with the combative and defensive position the club has exhibited so far in dealings with residents over their plans. I am very concerned that process and transparency be meticulously observed in this highly political move to remove recreational amenity from citizens, financially benefitting MCC. It is my personal view that ACT citizens will not stand for this practice. I have put several questions about MCC's plans to MLA Chris Steel, see attached. As yet I have received no reply from him. Regards, [REDACTED]

Correspondence Reference # 150817 - 1094382

Submission date: 15 Aug 2017 1:36pm

Contact Information



Subject: Re: Issues with deconcessionalising on the march again Re: Murrumbidgee Country Club Redevelopment

From: [REDACTED]

To: [REDACTED] STEEL@parliament.act.gov.au; chris.steel@act.alp.org.au; rattenbury@parliament.act.gov.au; gentleman@parliament.act.gov.au; berry@parliament.act.gov.au;

Cc: [REDACTED] sogswestkambah@gmail.com;

Date: Tuesday, 15 August 2017, 12:01

Dear Ministers Berry, Gentleman and Rattenbury

I write to you in your capacities as Ministers for Housing and Suburban Development; Sport and Recreation; Planning and Land Management; Urban Renewal and Climate Change and Sustainability.

I would like to inform you about the process regarding a meeting for residents called by the Murrumbidgee Country Club. The meeting was held yesterday regarding the club's developments plans for the golf course. It appears the club did not letterbox or otherwise inform residents about the meeting. I understand that the notification myself and other residents received was distributed by one resident who was aware of the meeting. This behaviour by the club is consistent with the combative and defensive position the club has exhibited so far in dealings with residents over their plans.

I am very concerned that process and transparency be meticulously observed in this highly political move to remove recreational amenity from citizens, financially benefitting MCC. It is my personal view that ACT citizens will not stand for this practice.

I have put several questions about MCC's plans to MLA Chris Steel, see below. As yet I have received no reply from him.

[REDACTED]

On 15 Aug 2017, at 9:50 am, [REDACTED] wrote:

Hi Chris

Apparently All three MCC proposals to change the zoning for Drsydale Cct, around Learmonth Dr and along Kambah Pool Rd are to be submitted together. Can you please advise on why and how the club is being encouraged to do this and what regard government is giving to the highly political process of deconcessionalising.

Regards, [REDACTED]

On 11 Aug 2017, at 10:00 am, [REDACTED] wrote:

Chris

I am alarmed to see the clubs' recreational leases deconcessioning junket on the march again.

I presume the pay off for shifting pokies to the casinos is a green light from the Barr Government for the clubs to go ahead and develop bits of their golf courses. My evidence for this is the recent article in the Canb Times re the Federal Golf Course and correspondence I received this week from the Murrumbidgee Country Club.

Please give me information on the deal that was done between the clubs and the government with regard to poker machines and approval to move ahead with deconcessionalising recreational leases.

Please also explain how a Learmonth Dr development site can be considered given this is a connectivity corridor as set out in the ACT Nature Conservation Act and strategy.

We were letter boxed by Murrumbidgee Country Club about a meeting on Mon 14 Aug at 6pm at the club about development applications for Drysdale Circuit, following an email out about plans to go ahead with the Learmonth Drive site.

I am very strongly opposed to this on two grounds:

1) the land is public land. It is totally inappropriate for a private members club to be gifted the proceeds of sale of that land. If a sale is to go ahead, that money should be returned to the public for distribution through the budget process. If the Government wants to give a grant to the golf clubs, it should do that through normal, transparent public process.

The issue of the government getting rid of land set aside for recreation would be much more appropriate dealt with separately from gifting funds to clubs.

2) the Learmonth Drive site proposed for development will remove a connectivity corridor.

Preserving connectivity is a feature of the ACT Nature Conservation Act and its accompanying strategy. The corridor that currently exists between Arawang, McQuoids to the north and Urambi Hills to the south will be built out if this proposal goes ahead.

Some other minor points:

If deconcessionalising, rezoning, building approvals did happen for Murrumbidgee, I see there are probity issues about how the development and the sale will work. It's

pretty clear club members themselves will be likely buyers.

We understand the club members opposed the development site on Kambah Pool Road. That is currently the driving range for the club. That site was slated for a motel in the original development. It causes the least environmental and social impact and if the club and the government are hell bent on this, that's the obvious site.

Kambah has limited social capital and few places to build it. I do of course acknowledge your efforts to upgrade the courtyard at Kambah Village (although alarmed by what is planned for the Woolworths.) If the golf course is to go ahead with such a development, a community amenity like an environment centre or environment hub should be included.



From: STEEL <STEEL@parliament.act.gov.au>
To:
Sent: Thursday, 24 November 2016, 16:02
Subject: Murrumbidgee Country Club Redevelopment

Hi

I would like to inform you that my office has written to the Minister for Planning regarding the issues you raised in your email in relation to the Murrumbidgee Country Clubs plans for redevelopment, particularly related to the leasing status issues. I will get back to you as soon as we receive a response, though it may take up six weeks for the Government to respond.

Kind regards,

Chris Steel MLA
Member for Murrumbidgee
ACT Legislative Assembly
GPO Box 1020, CANBERRA, ACT 2601 Australia
Ph: +612 6205 1470
www.chrissteel.com.au
<[image001.png](#)> <[image002.png](#)>

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.



| <image001.png>

| <image002.png>

From: [Rutledge, Geoffrey](#)
To: [Magee, Alexandra](#); [EPD Ministerials - Government Services](#)
Subject: RE: Due to GS 24 Aug 17 - Ministerial Correspondence - 17/22767 Murrumbidgee Country Club - [REDACTED]
[SEC=UNCLASSIFIED]
Date: Wednesday, 30 August 2017 7:41:33 AM

Approved

From: Magee, Alexandra
Sent: Tuesday, 29 August 2017 3:15 PM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: FW: Due to GS 24 Aug 17 - Ministerial Correspondence - 17/22767 Murrumbidgee Country Club - [REDACTED] [SEC=UNCLASSIFIED]

Geoffrey
Attached for your approval pls.
Alex

From: EPD Ministerials - Government Services
Sent: Monday, 28 August 2017 4:19 PM
To: Magee, Alexandra
Subject: FW: Due to GS 24 Aug 17 - Ministerial Correspondence - 17/22767 Murrumbidgee Country Club - [REDACTED] [SEC=UNCLASSIFIED]

Hi Alex,

For clearance please.

	Due date	Electronic signature	Date
To Minister's office	29 Aug 17		
Director-General			
Deputy Director-General	25 Aug 17		
Government Services	24 Aug 17		
Executive Director		Fleur Flanery	28/08/17
Contact Officer	21 Aug 17	Janine Ridsdale	22/08/17

Subject: Corro: 17/22767 - Murrumbidgee Country Club - [REDACTED]

To:

- Strategic Planning
 - Climate Change and Sustainability
 - Director-General
 - Asbestos Taskforce
 - Planning Delivery
 - Environment
 - Deputy Director-General
 - Other
-

Response by:

Minister

Chief Minister

Director-General

Chief of Staff

Adviser

Other:

Action required:

Reply to correspondence

Directorate Input

Questions and Answers

Information brief

Dept Officer to attend

Media Alert / Media Release (in consultation with Communications)

Meeting brief

Phone constituent/report

Speech / Speaking Notes (in consultation with Communications)

Meeting advice/caveat

Information only / NFA

Talking points (as dot points) (in consultation with Communications)

Functions/Event brief

Other

For appropriate action

Meeting / Function / Event:

Time:

Date:

Location:

Event Contact/Organiser:

Further Information:

From: [Brady, Erin](#)
To: [Ponton, Ben](#); [Marcantonio, Laura](#)
Cc: [EPSD Government Services](#); [EPSDD Ministerials and Corro Executive Office](#)
Subject: 18/16666 - DG Correspondence - Murrumbidgee Country Club - planning report review outcomes (qA714065) [SEC=UNCLASSIFIED, DLM=Sensitive]
Date: Sunday, 15 July 2018 5:57:59 PM
Attachments: [18_16666 - DG Correspondence - Murrumbidgee Country Club - planning report review outcomes.obr](#)

Ben

I think this can go - though you may wish to discuss first (eg, Para 18 of the Brief).

I also had a discussion with Alix about how we might handle the various requests for deconcessionalising / developing these sites - perhaps as further work on community land and sites for future consideration as part of growth planning.

Erin

Erin Brady has sent you a link to "18/16666 - DG Correspondence - Murrumbidgee Country Club - planning report review outcomes" (qA714065) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA714065/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA714065>

From: [EPSD Government Services](#)
To: purdons@purdon.com.au
Bcc: [Marcantonio, Laura](#)
Subject: Correspondence from the Director-General of the Environment, Planning and Sustainable Development Directorate [DLM=For-Official-Use-Only]
Date: Friday, 20 July 2018 11:41:00 AM
Attachments: [Planning Report - Murrumbidgee Country Club rezoning proposal.pdf](#)

Good morning [REDACTED]

Please see attached correspondence from Ben Ponton, Director-General Environment, Planning and Sustainable Development Directorate.

Kind regards,

Maeve

Maeve Bannister | A/g Government Services Officer | 📞 ext 51749

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson GPO Box 158 Canberra ACT 2601

Responses from agency circulation on Murrumbidgee Country Club planning report

The following comments have been received from Government agencies:

Conservator Liaison (Conservator of Flora and Fauna)

- The proposed level of dwellings per site (especially sites 1 and 2) seems very high and quite different to the surrounding existing development. There also seems to have been little consideration given to water sensitive urban design and stormwater management for the three sites, or for the retention of trees that have ecological value. Please see attached re the benefit of keeping mature trees within development sites.
- Whilst the area that is the subject of the rezoning is currently 'restricted access recreation' it does drain straight into the Murrumbidgee River, with only relatively small dams within the golf course to intercept the water. These dams have been primarily constructed as water source dams for the irrigation of the course. A review of the aerial photographs since 2004 shows that the bottom dam is usually full and does not appear to have the capacity to deal with increased flows. Immediately below the dam is a highly eroded creek line that traverse a rural lease and nature reserve. The creek has been fenced off in an effort to stabilise the erosion and it is doubtful that the creek would be able to cope with any increased water flow as a result of the development.
- It should be recognised that 3.2.5.3 c. of the National Capital Plan states "The streamflow and water quality of the rivers must be protected from adverse external influences and maintained in a manner which ensures compatibility between land uses, water uses and the environmental character of the river." The proponent should be required to demonstrate that the development can be constructed to the densities proposed without impacting on the amount or quality of the water entering the Murrumbidgee River before any variation to the Territory Plan proceeds. If further stormwater interception is required within the golf course then this requirement should be included in the variation.

Site 1

Ecological

This site has small patches of red-leg grass but the understorey of site is dominated by African love Grass and Phalaris. The trees of the two smaller more southern components of this site are all planted, but the trees of the larger northern area are largely remnant and hollow bearing. The consultant's report rates all of the trees bar two as of poor or medium quality, and the health of the trees has probably not been helped by past dumping of spoil in the area. Nevertheless the trees are of local ecological value and greater effort should be made to retain most of the trees. It is likely that the trees are used as a foraging and possibly breeding resource of declining and threatened birds that have been recorded in the vicinity including Gang Gang, Swift Parrot, Dusky Woodswallow, Varied Sittella, White-winged Triller and Scarlet Robin.

Stormwater

This site is likely to be very constrained by the large dam that will dominate the site (and views from new dwellings). The dam is also highly turbid. There are two existing "naturalised" stormwater drains that convey the runoff from surrounding streets and flow into the dam. These should be retained if possible. There are also a number of mature native trees on the north side of this site that should be retained if possible.

It would likely be possible to use the existing dam as part of the Water Sensitive Urban Design (WSUD) infrastructure. It will be necessary to do treat the stormwater at source (on

blocks or in the streets) prior to releasing it into the dam. This will help improve the water quality in the dam. The dam water quality could also be improved by planting riparian vegetation and improving the surrounding landscaping.

Site 2

Ecological

Probably until fairly recently this site would have supported critically endangered Box – Gum Woodland, and three species which the Commonwealth considers are significant (*Glycine clandestine*, *G. tabacina* and *Cynoglossum suaveolens*) were noted at the site inspection as well as another eleven native non grass understorey species, but the level of African Lovegrass invasion is such that the remaining patch no longer exceeds 0.1ha in size which is the referral threshold under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999*.

Most of the trees on the site are remnant Yellow Box, Apple Box or Blakely's Red Gum. Four are hollow bearing. Again the tree assessment relates little to ecological value. The trees here are likely to be occasional foraging and possibly nesting habitat of threatened and declining woodland birds.

Stormwater

This site seems very constrained considering the number of dwellings proposed. There is an existing swale or natural drainage line on the western side of the site that should be retained if possible.

Stormwater treatment could be incorporated into the street network and then released into the existing natural swale.

Site 3

Ecological

All of the trees at this site are planted. The understorey retains a diversity of native grasses, but is dominated by the exotic African Love grass, paspalum, goose grass and cooch. A condition of approval should be that all fire asset protection requirements are met on the site or within the adjoining road reserve and that no extra protection requirements are imposed on the nature reserve to the north.

Stormwater

This site has an existing natural grassed swale at the Northern end of the site that should be retained. It is likely there are significant overland flows at this site because of the large catchment on the other side of the road that flows onto this site. It will be necessary to include at source WSUD treatments when developing this site and for the proponents to determine the level of overland flows to ensure that the proposed development will not necessitate the requirement for offsite works up stream.

Environment Protection Authority

EPA have requested that signed, bound hardcopies of the contamination assessment reports included with this submission be forwarded to the address below along with a cover letter requesting EPA endorsement of their findings:

Ms Narelle Sargent
Environment Protection Authority
GPO Box 158

Following review of the reports the EPA may require that the findings of all assessment and remediation works be independently audited by an EPA approved auditor.

Social planning (Planning Policy)

- The proposal would provide an injection of capital to the Club, however there is no clear evidence how the proceeds will go into developing the club house and range of facilities on site and therefore any public benefit. The proposal does not secure a long term income stream in its current form and therefore also fails to demonstrate the maintenance of an ongoing community benefit.
- The residential uses proposed do provide a range of housing types, which will add to the diversity of housing available in the District. Whilst there is reasonable access to public transport the site is not located along growth corridors or surrounding town centres and therefore only minimally contributes to moving towards a compact city footprint.
- The draft report is considered to adequately assess the sport and recreation needs and nominal other uses, however there is no consideration the role the site may be able to play in aged care provision. Given the demographic characteristics of the District, the Planning Report could investigate the potential of aged care and a range of community and health related facilities, such as housing for older people.
- It is unclear whether there is a concurrent application to deconcessionalise the lease. A Social Impact Assessment needs to be completed to assist in establishing community benefit and impacts.

Strategic Planning (Planning Policy)

- The risk of bushfire and any required mitigation measures, particularly for Site 1, appears not to have been fully considered and assessed in the planning report. The planning report indicates that bushfire will be considered at the next stage – that is subdivision planning. Site 1 is located on the urban edge and is immediately located to the east of a nature reserve.

Transport Canberra and City Services

Comments on Site 1 – Part of Block 16/Section 7; KAMBAH; Calibre Site Investigation Report, 29 November 2017

- Access for the vehicles should be provided from the Armytage Circuit considering corner block and queuing issues at the intersection.
- Pedestrian path of at least 1.5m minimum should be provided along Armytage circuit and surrounding path connections.
- Planning Report states the number of proposed dwellings on site 1 as 46 detached single dwelling blocks on (page 7); however, on Page 10, the Calibre Site Investigation Report states 70 townhouses. Please confirm the number of townhouses.
- Please provide current traffic volume, speed limit, and classification of the surrounding roads (Table 6.1).
- Please use the traffic generation rate from the Estate Development Plan (EDP) Code instead of RTA guide to Traffic Generating Development (Section 6.6).

- Cite the ABS journey to work statistics for the significant proportion of trips taken (mostly during peak traffic times) (Page 15).

Comments on Site 2 – Block 16/Section 7; KAMBAH; Calibre Site Investigation Report, 29 November 2017

- Access for the vehicles should be provided from Drysdale circuit considering corner block and queuing issues at the intersection.
- Pedestrian path of at least 1.5m minimum should be provided along Drysdale circuit and surrounding path connections.
- Please provide current traffic volume, speed limit, and classification of the surrounding roads (Table 6.1).
- Please use the traffic generation rate from the Estate Development Plan (EDP) Code instead of RTA guide to Traffic Generating Development (Page 13).

Comments on Site 3 – Part of Block 16/Section 7; KAMBAH; Calibre Site Investigation Report, 29 November 2017

- Access for the vehicles should be provided from an extension off the entrance road into the Murrumbidgee country club.
- The upgrade of intersection of Kambah pool road/proposed extension off the Murrumbidgee country club should be undertaken as offsite road works.
- Provide Pedestrian path connections of at least 1.5m minimum and surrounding path connections.
- Please use the traffic generation rate from the Estate Development Plan (EDP) Code instead of RTA guide to Traffic Generating Development (Section 6.6).
- Cite the ABS journey to work statistics for the significant proportion of trips taken (mostly during peak traffic times) (Page 13).

Active Canberra

Noting the costs associated with maintaining sport and recreation infrastructure, particularly sportsgrounds and golf courses, Active Canberra has no objection to the proposal by Murrumbidgee Country Club to redevelop a portion of their facility to secure their long-term viability.

Given that the golf course is the only such facility in Tuggeranong, it is an important sport and recreation asset for the catchment area.

Overall, the Tuggeranong Valley has adequate outdoor sport and recreation infrastructure including District Playing Fields, neighbourhood ovals and tennis courts.



ACT
Government

Environment, Planning and
Sustainable Development

purdons@purdon.com.au



Planning Report – Murrumbidgee Country Club rezoning proposal

I refer to your planning report for the Murrumbidgee Country Club's rezoning proposal submitted to the Environment, Planning and Sustainable Development Directorate (EPSDD) in April this year. The planning report has been reviewed by EPSDD and government agency feedback has also been sought on the proposal.

Both the Minister for Planning and Land Management and EPSDD are aware of the community concern surrounding the proposal and in particular the manner in which consultation conducted by the Club is being viewed by the local community. In light of this, I would encourage the Club to engage with the local community in a more collaborative and open manner and be genuinely intent on identifying and achieving a demonstrated community benefit. This would include investigating other viable development possibilities that can be incorporated into the proposal that would be of benefit to the local community.

A more effective community consultation strategy should be developed to provide for feedback and consideration of that and to illustrate a genuine collaborative approach with the local community and work towards a satisfactory outcome for both the Club and the local community. The Club could consider approaches such as a Community Panel to assist with engaging actively and constructively with the local community to identify uses that are both a benefit to the broader community and also may provide the club with the financial security that it is seeking.

I am unfortunately not in a position to support the proposal in its current form. Collaborative community involvement is essential before EPSDD is willing to consider the Club's request to progress consideration of changes to the Territory Plan.

I look forward to your response to these matters.

Yours sincerely



Ben Ponton
Director-General

18-7-18



To:	Director-General	Tracking No.: 18/16666
From:	Deputy Director-General Executive Director, Planning Policy	
Date:	29 June 2018	
Subject:	Murrumbidgee Country Club (Block 16 Section 7 Kambah) proposal to rezone surplus golf course land to residential low/medium density use – review of planning report	
Critical Date:	9 July 2018	
Critical Reason:	To inform the proponent of the outcomes of the review of the planning report and the way forward	

Purpose

To advise you on the outcomes of the Directorate’s consideration and review of the planning report submitted by Purdon Planning for the Murrumbidgee Country Clubs proposal to rezone part of the golf course to residential.

Recommendations

That you:

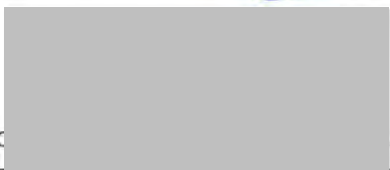
1. Note the information contained in this brief including the five Ministerial letters and responses at Attachment E; and

Noted / ~~Please Discuss~~

2. Sign the letter to Purdon Planning at Attachment D

Agreed / ~~Not Agreed~~ / ~~Please Discuss~~

Ben Ponton



18/7/18

DG Feedback

- I've asked for a minor edit to the letter as marked. Once the change is made, please re-submit and I'll sign. Thanks.

Ben.

Background

1. The Murrumbidgee Country Club (the Club) in Kambah proposes to rezone 3 parcels of land within the golf course estate to residential use. Two sites (Site 1 and Site 2) are currently PRZ2 (restricted access recreation zone) and one site (Site 3) is CZ6 (leisure and accommodation zone). The location diagram is at [Attachment A](#).
2. Site 1 - Learmonth Drive/Crozier Street: the proposal is to rezone to RZ1 for 46 blocks up to 650sqm of single dwellings.
3. Site 2 - Drysdale Circuit: the proposal is to rezone to RZ2 to allow multi-unit development of approx. 30 townhouse/villa style units.
4. Site 3 - Kambah Pool Road: the proposal is to rezone to RZ1 and allow for approx. 21 blocks for single dwelling housing and a multi-unit block to accommodate approx. 20-25 townhouse/villa style units.
5. In 2012 nine ACT clubs, including the Murrumbidgee Country Club (the Club) were provided with funding by (the then) Economic Development Directorate under the Small Club Site Redevelopment Support Scheme (SCSRSS) to assess the feasibility of redeveloping all or part of their sites for residential purposes. The objectives of the SCSRSS were to provide assistance to smaller clubs seeking future financial security.
6. The feasibility study conducted for the Club identified three parcels of land (two in PRZ2 zone and one in CZ6 zone) for potential rezoning to residential use.
7. The Club, via its consultant Purdon Planning, approached EPSDD in 2015 with a request for a scope to prepare a planning report to rezone the two parcels of PRZ2 zoned land for residential use.
8. A brief was prepared in December 2015 by the Territory Plan Section to the then Director-General Dorte Ekelund, outlining the club's proposal and the Directorate's response and advice to the proponent. A copy of this brief is at [Attachment B](#).
9. The issues raised in that brief are still relevant, in that there does not appear to be any serious consideration of other potential land uses that would meet the objectives of providing a broader benefit to the community or no net adverse impact, not solely for the financial gain of the Club.
10. In early 2016 the proponent requested a change to the scope to include the third (CZ6 zoned) site in the proposal to rezone the sites to residential low/medium density use.
11. In April 2018 Purdon Planning lodged the planning report with EPSDD for review.
12. The planning report was circulated for agency feedback and comments.
13. The relevant comments received from Government agencies is at [Attachment C](#). The major issues raised related to:
 - the high number of dwellings and density proposed compared to the surrounding existing development;
 - little consideration given to water sensitive urban design and stormwater management or for the retention of trees that have ecological value;
 - impact of increased water flow from the development into the

Murrumbidgee River;

- no clear evidence how the proceeds will go into developing the club house and range of facilities on site and therefore any public benefit;
- the site is not located along growth corridors or surrounding town centres and therefore only minimally contributes to moving towards a compact city footprint;
- no consideration the role the site may be able to play in aged care provision;
- the risk of bushfire and any required mitigation measures, particularly for Site 1, appears not to have been fully considered and assessed in the planning report;
- consideration of vehicular access to the sites (1 and 2) due to corner block location and queuing issues at the intersections needs to be considered;
- traffic volume, speed limit, and classification of the surrounding roads needs to be provided.

Issues

14. A section of the community has been very active in conveying their discontent about the proposal to the Minister for Planning and Land Management and to other ministers as noted in the Ministerial letters and draft responses at [Attachment E](#).
15. In light of this, EPSDD believe the Club and its consultant need to engage with the local community in a broader collaborative manner to achieve a demonstrated community benefit. This would include investigating other viable development possibilities that can be incorporated into the proposal that would be more acceptable to the local community. This especially applies to Sites 1 and 2. Site 3 could be a preferred option for rezoning to residential use subject to addressing the environmental, contamination and traffic management aspects of the site.
16. The Club and its consultant could consider a more effective approach to assist with engaging actively and constructively with the local community to identify uses that are both a benefit to the broader community and will provide the club with the financial security that it is seeking.
17. This advice will be conveyed to the proponent in the attached letter ([Attachment D](#)).
18. The Club has sold 23 options in return for first right to purchase land on the Learmonth site (Site 1) which it claims is to cover the costs associated with the rezoning application. This information is in the public realm and is being viewed in a very negative light by the community in that their concerns are not being taken seriously.
19. The proponent, in a separate but related matter, is required to demonstrate that the proposal meets the 'public interest' test in order for the deconcessionalisation of lease application to meet the Minister's responsibilities under Section 261 of the *Planning and Development Act 2007*.
20. In light of the number of requests by various golf clubs to deconcessionalise their leases, consideration is being given to the policy regarding concessional leases and how it can be revisited to respond to these types of circumstances.

Financial Implications

21. There are no financial implications for EPSDD at this stage.

Consultation

Internal

22. The Planning Report was circulated within EPSDD. Comments were received from the Conservator and Planning Policy (social planning, strategic planning and heritage).

Cross Directorate

23. The Planning Report was circulated to other ACT Government agencies including TCCS, Access Canberra, ACT Health, CMTEDD, CSD and JACS.

External

24. The Planning Report was circulated to the NCA, AFP, Evo Energy, Jemena and Icon Water.

Benefits/Sensitivities

25. The Murrumbidgee Country Club maintains that this planning change is necessary to ensure the club's financial security and future viability and argues that the success of its residential development proposal is critical to its ongoing financial viability.

26. The local community is considerably distressed by the Club's proposal and the manner in which consultation has been undertaken. There continues to be numerous Ministerial correspondences received on this matter. It is evident that the community will continue to involve the Minister and the media in expressing their discontent with, and opposition to, the current proposal and consultation methods.

Media Implications

27. There are no media implications for EPSDD at this stage, however sections of the community do not support the proposal and this may lead to media scrutiny on the proposal.

Signatory Name:	Alix Kaucz, Senior Manager Territory Plan Section	Phone:	50864
Action Officer:	Janine Ridsdale	Phone:	54060



ACT
Government

Environment, Planning and
Sustainable Development

Obj Ref: A18057216

[REDACTED]
Purdon Planning Pty Ltd
[REDACTED]

Dear Mr Fitzpatrick

Review of PRZ2 Restricted Access Recreation Zone and CZ6 Leisure and Accommodation Zone

I am writing to you as the contact for Murrumbidgee Country Club (Kambah section 7 block 16). I wish to inform you that the Environment, Planning and Sustainable Development Directorate (EPSDD) is currently undertaking a review of the PRZ2 Restricted Access Recreation Zone and the CZ6 Leisure and Accommodation Zone of the Territory Plan.

Due to the number of requests received by EPSDD to rezone PRZ2 and CZ6 zoned land (or to permit additional uses on specific blocks), it is necessary to consider these zones holistically. The review of the PRZ2 and CZ6 land will consider the cumulative impact of such requests on the provision of recreation and leisure land in the ACT.

The assessment of proposals for rezoning of land located within the PRZ2 and CZ6 Zones that are currently being considered by EPSDD will be put on hold until such time as the review is concluded. It is anticipated that this will take four to six months, depending on the recommendations developed.

If you require further information on this review, please contact me on (02) 6205 0864, alix.kaucz@act.gov.au or terrplan@act.gov.au.

Yours sincerely

[REDACTED]
Alix Kaucz
Senior Manager
Territory Plan Section

18 December 2018