

PLANNING COMMITTEE REPORT

Agenda Item 5.9

4 December 2007

**CARLTON FOOTBALL CLUB'S REDEVELOPMENT  
PROPOSAL – REQUEST FOR MINISTERIAL INTERVENTION  
AND REFERRAL TO A PRIORITY DEVELOPMENT PANEL**

**Division** Sustainability and Regulatory Services

**Presenter** Martin Williams, Acting Executive Officer Planning

**Purpose**

1. To advise Committee of the redevelopment proposal for the Carlton Football Club and a request for Ministerial intervention in the planning process under the *Ministerial Powers of Intervention in Planning and Heritage Matters* Practice Note.

**Recommendation from Management**

2. That the Planning Committee consider supporting the Carlton Football Club in its request for Minister's intervention and the appointment of a Priority Development Panel, to assess the Carlton Football Club's redevelopment proposal.

**Key Issues**

3. The Carlton Recreation Ground in Princes Park is to be redeveloped with funds from the Australian Football League (AFL), the State Government and the City of Melbourne. The redevelopment will provide training and administrative facilities for the Carlton Football Club, facilities for rugby training and a range of facilities for the community. Three stands, the Harris, Heatley and Pratt, are proposed to be demolished, creating access to the playing surface directly from Princes Park and returning to the public Crown land currently leased by the Club. A new building will be constructed in place of the Harris and part of the Heatley stands, to house a variety of facilities to be shared by the Club and the community. A Council parks depot will also be relocated to add to the parkland to be returned to the public. The total cost of the redevelopment is approximately \$20 million.
4. A planning permit is required for the demolition of the stands and the construction of the new building. An application processed in the normal way would not be exempt from the giving of notice, objections or appeal.
5. Although the proposal signifies a reduction in the use of the parkland for professional sport and an increase in community access and facilities, it is complex and substantial in scale and would be almost certain to attract objection if the standard procedures for assessing planning applications were to be applied. Any objection leading to an appeal before the Victorian Civil and Administrative Tribunal could result in a delay to the project of four months or more.
6. The Club considers that the criteria for the use of Ministerial powers to assume responsibility for the proposal apply to this circumstance. The Club has therefore approached the Council with a request that the Council consent to the Minister becoming the authority to approve the proposal.

7. If the Club's request is agreed to, the Minister would utilise powers under Section 20(4) of the *Planning and Environment Act 1987* to approve the proposal by amending the Melbourne Planning Scheme rather than processing an application for permit; and exempting the amendment from public notice or appeal on the ground that the proposal is of State significance and furthers the objectives of planning in Victoria.
8. The Club proposes that if the Minister consents to the use of powers under Section 20(4), the proposal would be assessed by a Priority Development Panel. Such a Panel is an expert advisory committee established under Section 151 of the *Planning and Environment Act 1987*. Panels of this kind are in regular use at present, prompted in part by the recommendations of the Melbourne 2030 report relating to activity centres. These Panels may inform themselves of the merits of a particular proposal in any way they see fit, including public consultation.

#### **Time Frame**

9. There is no statutory time frame applicable to the Club's request, but the aim is to reduce the lead time before commencement of construction and to reduce uncertainty.

#### **Relation to Council Policy**

10. The redevelopment is supported by previous specific decisions by the Council to contribute funds to it. It also complies with policies applicable to open spaces.

#### **Consultation**

11. No consultation has taken place to date. If a planning application were to be processed in the normal way, extensive notice would probably be necessary, extending to the City of Yarra opposite the ground to the north-east.

#### **Government Relations**

12. The funding of the project involves the State Government as well as the City of Melbourne and the club.
13. The Minister for Planning may be reluctant to use the powers available to him under Section 20(4) unless the Council makes it clear that such a course is acceptable to it.

#### **Finance**

14. There are no direct financial impacts arising from the recommendation.

#### **Legal**

15. Adoption of the recommendation would transfer planning power from the Council to the Minister for this particular project. Residual planning control over the oval and its surrounds would remain with the Council.
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**FINANCE ATTACHMENT**

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MINISTERIAL INTERVENTION AND REFERRAL TO A PRIORITY DEVELOPMENT  
PANEL**

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There are no direct financial impacts arising from the recommendation.

**Joe Groher**  
Manager Financial Services

## LEGAL ATTACHMENT

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### CARLTON FOOTBALL CLUB'S REDEVELOPMENT PORPOSAL – REQUEST FOR MINISTERIAL INTERVENTION AND REFERRAL TO A PRIORITY DEVELOPMENT PANEL

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Section 20(4) of the *Planning and Environment Act 1987* (Act") provides that the Minister may exempt himself or herself from the requirements of the Act and regulation which govern the normal statutory process for amending a planning scheme:

*'if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.'*

Section 20(5) of the Act relevantly states that the Minister may consult with the responsible authority or any other person before exercising this exemption power.

Section 151 of the Act provides that the Minister may establish committees to advise on any matters which the Minister refers to them.

If the Minister establishes a committee under section 151 of the Act to consider a request for the preparation of an amendment to a planning scheme, the Minister may ask the person who requested the amendment to contribute an amount specified by the Minister to the costs of the advisory committee.

**Kim Wood**  
Manager Legal Services