



The timeline for Kingswood Golf Course

September 2013 – illegal vote to sell

63 percent of Kingswood members and 98 percent* of Peninsula members voted in favour of the proposed merger.

** On 2 October 2013, the merger was effected when over 1000 members of Peninsula were made members of Kingswood. For about \$2 each.*

- The decision to sell was made without the constitution's required number of members agreeing.
- The QC who said those numbers would be acceptable, is no longer a QC, *though the reason for his change of status may not be related to Kingswood.*
- It was even said some Golf Club members did not come to vote, because they were certain there was insufficient support to sell by members.
- It was never a merger, as Kingswood had money in the bank and Peninsula was in debt.

Sale to AustralianSuper

The Kingswood Board decided to sell the Golf Course to AustralianSuper. The sale was made to a company created by AustralianSuper – ASRP1 (AustralianSuper Residential Property Number one). Some media incorrectly said the sale was to ISPT, however they are just a contractor for the development.

The sale price was around \$100 million, plus a \$25 million bonus if the site was developed to a certain level of density, within a time-frame. In 2023 the bonus became invalid, due to no development.

**AustralianSuper splashed members money on the purchase,
without due diligence,
such as talking to council or residents first.**

They especially did not check to see if rezoning was possible

Why the Kingswood sale and purchase is different to all other Golf Courses and therefore should not be the “model” for any other Golf Course:

- (a) Kingswood was not in trouble and could be revived by people with proper business and promotional skills
- (b) Kingswood was not in debt
- (c) Kingswood was refusing some business, such as events
- (d) Kingswood was sold, accelerated by hype from the Golf Course Board
- (e) The Constitution specified the number of members who would need to vote to effect a sale, and that was not reached.
- (f) Concerned that the deal might not go through, thousands of Peninsula members were invited to join Kingswood, for just \$2 each, to stack the vote.
- (g) A QC incorrectly advised that the voting was acceptable, but he was proven wrong in the Supreme Court.
- (h) But the Board sold regardless
- (i) **AustralianSuper did not do due diligence** and
- (j) purchased the site with protective zoning, for double a reasonable valuation
- (k) AustralianSuper splashed member’s money, without first checking if the zoning could be changed and building could take place
- (l) AustralianSuper ignored one of the primary rules – consult residents and Council first
- (m) In fact they agreed there had been no consultation
- (n) There was zero investigation into the Flood-prone situation
- (o) If building was approved, not only will there be a tsunami of flooding, it will set a precedent, where any Golf Course park could be purchased, with the expectation it could be built on.

Realising their beloved Golf Course had been sold illegally

one Golf Club member took the board to the Supreme Court, claiming oppression and wrongful application of rules, to enable over 1,000 Peninsula members to join Kingswood, to sway the vote.

The Kingswood member's court action

was watched closely by many other Kingswood members, hoping that justice would win the day.

The judge found in favour and even said to a Kingswood Board member that “his answers did not instil confidence he was telling the truth”.

But no remedy was applied.

With the Judge stating (essentially)

(i) the member had taken too long to raise the huge sum to engage a QC and (ii) commercial damage would occur.

Multiple applications

AustralianSuper have made no less than three applications to re-zone and to saturate the Golf Course with high density units. One application showed just one tree remaining, another just 19 intact.

“ **Eight Thousand objections were received.** ”

David Madill and I met with our **State MP Meng Heang Tak** on May 11th 2023 to discuss Kingswood and he is looking into the matter

Zero consultation – a deliberate strategy by AustralianSuper – admitting they deliberately didn't consult Council or Residents.

Their secretive and misleading activities included

- Stating in the Media through ISPT ...
- “there will be no multi-storey buildings on Kingswood”
- Advertising anonymously with no business name – they are still doing this!
- Withholding the true owner's name, so even Council did not know who they were dealing with
- Poaching the name of Dingley Village and using it to make a website claiming to be the true voice of Dingley Village. They are still doing this!
- Taking our objections and feebly trying to turn them around to their favour.

Refer to the Minister

After no success and 97 percent of responses objecting to their monstrous plans, their most recent application was referred to the Planning Minister

The Planning Minister referred the matter to The “Independent” Golf Course Redevelopment Advisory Committee.

At May 13th, 2023, there is still no resolution.

As the site is **already flood-prone**, and Save Kingswood have produced a very detailed document why this will become a tsunami, a letter from Melbourne Water on 21-12-2022 appears to explain the delay...

“Melbourne Water has made a submission to the Advisory Committee following review of a number of documents presented during public exhibition. Melbourne Water's formal response to the Advisory Committee requested further information and the submission of a drainage strategy for further assessment.

We have not had any further communications from the Advisory Committee with regard to this matter.”

Splashing other people's money

We estimate with plans, applications, lawyers and QCs, about one million dollars of member's funds have gone down the gurgler. This only occurred as the proponent preferred to "sledge-hammer", instead of mediation.

EVERY politician we have approached over eight years agrees with residents that the applications are an extraordinary overdevelopment

Any building, such as a High School, can only exist, if Melbourne Water maintains the Aquifer system seen [HERE](#)

C203king - "Independent" Review of Planning Zones in Kingston

April 2023

Kevin Poulter made a submission and addressed this hearing on behalf of Save Kingswood and those residents who want no three storey units in Dingley Village.

If the three storey rezoning near the shops and on Kingswood both went ahead, there would be over 900 three storey units.

AustralianSuper tried to railroad the Review, by:

1. Asking the name Kingswood Golf Course be removed from records
2. Having Kingswood included in the C203king review.

We don't win many victories in this VCAT - style hearing, but both the above are unlikely to get approved.

More importantly, unfortunately **Council appears to be unwavering in support of 200, three storey units near the shops.**

Why would they do this, when they have been brilliant supporters of our Kingswood campaign?

Because they believe if they do not include the three storey units in Dingley Village, Government will step in and do worse.



Planning Minister Sonya Kilkenny recently promised to promote development in established suburbs

as a way of **preventing urban sprawl into greenfield sites**, after acknowledging the government had failed to meet its own target of directing 70 per cent of housing growth to established areas.

Municipal councils fear state government's moves to grab power over local planning decisions in a bid to provide an extra million homes by 2050 will be disastrous for local amenity.

AustralianSuper Selling?

A number of sources report AustralianSuper has had enough of Dingley Village residents and Council, so they plan to sell Kingswood for about \$250 million.

That figure would only be achieved if they had a planning approval for high density!

We hope that a new buyer would do due diligence before such a massive expenditure.

Relentless applications to destroy trees by AustralianSuper

Despite being totally against all Super Fund's creeds, AustralianSuper relentlessly apply to destroy trees.

An old developer's trick - make scorched earth, so there is nothing left.



Save Kingswood Group incorporated

Kevin Poulter

President

Save Kingswood Group inc.

savingdingley@gmail.com