

Zoning row may put skids under Fortuna development

By **CHRISTINE MCGINN**

FORTUNA's opening may be delayed by up to two years if a zoning dispute cannot be quickly resolved.

Greater Bendigo council was forced to agree to put the application to an independent panel this week, after objectors raised concerns about traffic, noise and future development.

But Fortuna's owner Paul Banks said he was confident the issues would be resolved by the end of tomorrow.

"Council have been bloody good, they had no choice because of the submission," he said.

"But I reckon in the next 24 hours it will be squashed."

Mr Banks said he had spoken to a leading objector and believed there was no longer a need for an independent panel.

"I am confident it won't be going to a panel hearing and will get the stamp to go the Minister's office," he said.

Despite being hopeful, Mr Banks said if it did reach the panel, he would incur significant additional costs.

"If it takes a long time to pursue it could set me back two years and the worst case scenario is it would cost \$1.2 million," he said.

The cost factors in time for a panel hearing, a Victorian Civil and Administrative Tribunal ruling, an alternative scenario and also the

application's visit to the planning minister.

Yet Rodney Purtill, representing six other objectors, said there were concerns about residents' rights to object to future development under the Comprehensive Development Zone proposed for the villa.



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"The only concern is if the zoning gets put through for section two (Fortuna Villa) it removes the rights of residents to object in the future," he said.

"The protection for residents

in the area is the only concern. The zoning would remove any rights to appeal to VCAT in the future. The developer is protected under the zoning."

Mr Purtill said parties were working through the process together and had agreed to most of

the decisions.

But Mr Banks said the future concerns were about planning while he was still needing to define the zoning.

"This is not, right now, about

open concerts and what is going to be there. It is about to get it rezoned. There is no point doing things and not getting approval for them," he said.

"The reason I do not sell Fortuna is that I don't trust what they [other developers] will do."

A Heritage Overlay blankets the site, ensuring any change to the building would need to be approved by Heritage Victoria.

Mr Banks said there was one shareholder from the Western district who was also contributing funds to the property.

He also denied claims he was aligned with Mick Gatto and remains confident community support will prevail.