



Colac Otway  
SHIRE

**AGENDA**

ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL

24 AUGUST 2011

at 3:00 PM

COPACC Meeting Rooms

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

# COLAC-OTWAY SHIRE COUNCIL MEETING

24 AUGUST 2011

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NOTICE is hereby given that the next *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC Meeting Rooms on 24 August 2011 at 3:00 pm.

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## **AGENDA**

### **1. OPENING PRAYER**

*Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.*  
*AMEN*

### **2. PRESENT**

### **3. APOLOGIES**

### **4. MAYORAL STATEMENT**

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

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Thank you, now question time. 30 minutes is allowed for question time. I remind you that you must ask a question, if you do not have a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time)
2. Questions from the floor

**5. QUESTION TIME**

**6. DECLARATION OF INTEREST**

**7. CONFIRMATION OF MINUTES**

- Ordinary Council Meeting held on the 27/07/11.

**Recommendation**

***That Council confirm the above minutes.***



## OFFICERS' REPORTS

### Chief Executive Officer

- OM112408-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM112408-2 COUNCIL MEETINGS FOR 2012

### Corporate and Community Services

- OM112408-3 SALE OF COUNCIL PROPERTY - 6 MURRAY STREET, COLAC
- OM112408-4 APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT PLAN PROJECT COMMITTEE
- OM112408-5 ALVIE RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT
- OM112408-6 AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT ACT)

### Infrastructure and Services

- OM112408-7 INVESTIGATION OF THE POTENTIAL TO ROOF THE COLAC SALEYARDS
- OM112408-8 DRAINAGE REPLACEMENT - EVANS COURT TO MCLACHLAN STREET, APOLLO BAY
- OM112408-9 ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.
- OM112408-10 TV & E-WASTE RECYCLING
- OM112408-11 STRUCTURAL ASSESSMENTS OF COUNCIL BRIDGES

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- OM112408-12 GREAT OCEAN ROAD VICTORIA REGIONAL TOURISM BOARD PROPOSAL
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- OM112408-14 FORREST STRUCTURE PLAN
- OM112408-15 UPDATE ON STATUS OF THE G21 REGIONAL GROWTH PLAN
- OM112408-16 APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW
- OM112408-17 SUBMISSION TO STATE GOVERNMENT REVIEW OF PLANNING PROVISIONS RELATING TO HELICOPTERS

### General Business

- OM112408-18 ASSEMBLY OF COUNCILLORS
- OM112408-19 SIGNING AND SEALING - SAFETY INTERFACE AGREEMENT - V/LINE

**Rob Small**  
**Chief Executive Officer**



**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM   | D | W |
|--|---|---|
| <p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>OM112408-1      CEO'S PROGRESS REPORT TO COUNCIL</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council notes the CEO's Progress Report to Council.</i></b></p>   |   |   |
| <p><b><u>OM112408-2      COUNCIL MEETINGS FOR 2012</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <p><b><i>1.      Confirm the meeting dates, times and venues of 2011 Ordinary Council meetings as:</i></b></p> <ul style="list-style-type: none"> <li><b><i>•      Wednesday, 25 January 2012 at 6.00pm, at COPACC, Colac</i></b></li> <li><b><i>•      Wednesday, 22 February 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay</i></b></li> <li><b><i>•      Wednesday, 28 March 2012 at 3.00pm, at COPACC, Colac</i></b></li> <li><b><i>•      Thursday, 26 April 2012 at 3.00pm, at COPACC</i></b></li> <li><b><i>•      Wednesday, 23 May 2012 at 3.00pm, at COPACC, Colac</i></b></li> <li><b><i>•      Wednesday, 27 June 2012 at 3.00pm, at Birregurra Community Health Centre</i></b></li> <li><b><i>•      Wednesday, 25 July 2012 at 3.00pm, at COPACC, Colac</i></b></li> <li><b><i>•      Wednesday, 22 August 2012 at 3.00pm, at COPACC, Colac</i></b></li> <li><b><i>•      Wednesday, 26 September 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay</i></b></li> <li><b><i>•      Wednesday, 24 October 2012 at 3.00pm, at COPACC, Colac (subject to advice on the Local Government election date)</i></b></li> </ul> |   |   |

|  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>• <b>Wednesday, 28 November 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council)</b></li> <li>• <b>Wednesday, 19 December 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council).</b></li> </ul> <p><b>2. Confirm the meeting dates, times and venues of 2012 Planning Committee meetings, if required, as:</b></p> <ul style="list-style-type: none"> <li>• <b>Wednesday, 18 January 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 8 February 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 14 March 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 11 April 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 9 May 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 13 June 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 11 July 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 8 August 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 12 September 2012 at 10.30am, at COPACC, Colac</b></li> <li>• <b>Wednesday, 10 October 2012 at 10.30am, at COPACC, Colac (subject to advice on the Local Government election date)</b></li> <li>• <b>Wednesday, 14 November 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council)</b></li> <li>• <b>Wednesday, 12 December 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council).</b></li> </ul> <p><b>Note that these dates will need to be confirmed by the Planning Committee.</b></p> |  |  |
|--|--|--|

**Recommendation**

**That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.**

**MOVED .....**

**SECONDED .....**

**OM112408-1****CEO'S PROGRESS REPORT TO COUNCIL**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | GEN00460  |

**EXECUTIVE****G21 Geelong Regional Alliance****Board meeting**

The Mayor and CEO attended the meeting of the G21 Board on 29 July 2011. Agenda items included:

- GP Association of Geelong – Medicare Local update
- Regional Land Use Plan update
- G21 Audit Committee – review of Terms of Reference in G21 Board Charter
- G21 Remuneration Committee – review of CEO's performance
- G21 Stakeholder forum
- Appointment of G21 Board Liaison Person for Education and Training Pillar
- G21 Addressing Disadvantage Taskforce - update
- Barwon South West Regional Development Australia update
- Barwon South West Regional Management Forum update
- G21 Pillar update.

G21 and Great South Coast Councils have been successful in securing \$600,000 towards the Climate Resilient Communities of the Barwon South West project. This project aims to empower local communities to develop strategic responses to sustainability issues and provide practical opportunities to improve our environment. Colac Otway Shire is the Council member who initiated and auspiced this proposal and it will be coordinated through the Environment and Community Safety Manager's office.

The governance arrangements of the G21 Regional Alliance have been amended to provide for both the CEO and a Councillor representative (usually the Mayor) of member Councils to become Board members. This change has been made to address the imbalance between funding providers and public members of the Board.

**G21 Health & Wellbeing**

The CEO attended this meeting in Geelong on 8 August 2011. Agenda items included:

- Overview of Barwon Health Community Program Structure
- G21 Board update
- G21 Priority Projects approval process for Pillars
- Working/Leadership Group updates
- Primary Care reforms: Medicare Local Expression of Interest.

**G21 Sports & Recreation Pillar**

The CEO, the Mayor and Manager Recreation Arts and Culture attended a meeting of the G21 Sports and Recreation Pillar in Geelong on the 18 August 2011. Colac Otway Shire Council is advocating on behalf of its community to have the Central Reserve recognised as a premier sports facility and to have its upgrade included on the list of priority projects for the G21 region. This will assist Council in attracting the necessary government funding to

complete works to the Central Reserve's facilities and ground surface. The proposition at a G21 level is to have regional recreational facilities recognised for their social functions including the way in which they bring communities together.

### **Launch of Youth Health Hub**

Together with the Mayor, the CEO attended the launch of the Youth Health Hub by Darren Cheeseman MP on 9 August 2011.

This Colac Area Health project includes the construction of a new facility, to be located at the corner of Hart and Miller Streets Colac, which will provide integrated health services to young people aged from 16 to 25 years. The new facility will include a drop in space, 3 consulting rooms and a meeting room.

### **Western Coastal Board**

The Western Coastal Board (WCB) oversees strategic coastal and marine planning issues in Victoria's Western Coastal Region which extends from Breamlea (near Torquay) to the South Australia border. The region includes the municipalities of Surf Coast, Colac-Otway, Corangamite, Moyne and Glenelg, and the City of Warrnambool. The coastal sections of the Corangamite and Glenelg Hopkins Catchment Management Authority regions are also included.

The WCB held its monthly Board meeting in Apollo Bay on 11 August 2011 and Colac Otway Shire Councillors and senior management were invited to participate in a joint meeting with the Board. The agenda for the joint meeting included:

- Presentations on initiatives, challenges and emerging issues
- Boating Coastal Action Plan (CAP) implementation and future role of boating facilities
- CAP Reviews and findings for the Skenes Creek to Marengo review
- Second Generation CAP Scoping and relationship to:
  - The planning scheme
  - The Coastal Management Plan (CMP)
  - Value and Equity Framework for Climate Adaptation: Caravan Parks case study project
  - Victorian Coastal Strategy interim review
- Apollo Bay Harbour
- Apollo Bay Urban Growth Strategy
- Apollo Bay Neighbourhood Character
- Emerging and Strategic Issues
- Collaborative Opportunities
- Coastal Climate Change Challenges.

The joint meeting was followed later that evening with a public meeting at the Apollo Bay Hotel. Presentations included:

- Western Coastal Board initiatives - Steve Blackley, Executive Officer, Western Coastal Board
- Undaria (Japanese Kelp) Update - John Barker, Marine Policy, Department of Sustainability and Environment
- Coastal Character Challenges - Rob Small, Chief Executive Officer, Colac Otway Shire Council
- Coastal assets at risk in Apollo Bay from coastal erosion - Gary McPike, Executive Officer, Otway Coast.

**Meetings with Local State & Federal Representatives**

The Mayor and CEO are continuing to hold regular meetings with our local State (Minister Terry Mulder) and Federal (Darren Cheeseman) Members of Parliament to advocate on behalf of our community. It is through these regular meetings that our local representatives are made aware of issues affecting members of our community and the priority projects for this Shire. These meetings also provide Council with an opportunity to be briefed on State and Federal Government initiatives and action being taken at a government level to address issues within the Shire.

**Local Government Infrastructure Program – Colac Otway Shire Council Allocation**

Council has received advice from the Minister for Regional and Rural Development, Peter Ryan MLA, that the Colac Otway Shire has been allocated \$2,244,972 over four years under the Local Government Infrastructure Program. This funding equates to \$561,243 per annum from 2011-2012 to 2014-2015. The program is intended to provide regional and rural Councils in Victoria with certainty to plan for and build new infrastructure or renew existing assets.

Council officers will nominate projects from existing Forward Capital Works Plans, consistent with the direction of the Colac Otway Shire Asset Management Strategy, for funding under this program to Regional Development Victoria (RDV). Councillors will be briefed and consulted on priorities before they are submitted. RDV will then seek approval from the Minister's office and a summary of approved projects will be provided annually to the Regional Development Australia Committee. This process is undertaken on an annual basis to provide Councils with flexibility in relation to project funding and delivery within the four year allocation.

**Business Excellence Framework**

Council staff have completed initial training in the Business Excellence Framework which is the first stage in replacing Best Value Reviews with a longer term, whole of organisation, continuous improvement program. The Framework concentrates on seven key areas being:

- leadership
- customer and market focus
- strategy and planning
- people
- information and knowledge
- project management, improvement and innovation
- success and sustainability.

A group of staff will now undergo a 3 day training program and then conduct an initial organisation self-assessment.

**Apollo Bay Meetings**

Community members in Apollo Bay are reminded that the Mayor and CEO are in the Apollo Bay office one afternoon a month to discuss with residents any concerns they might have with respect to the services provided by Council. They can arrange an appointment by contacting the Executive Officer to the CEO, Mayor and Councillors on 52329458.

**National General Assembly of Local Government**

As noted in last month's CEO's Progress Report to Council, the Mayor, Cr Stephen Hart and General Manager Sustainable Planning & Development attended the National General Assembly of Local Government in Canberra during the month of June. The report prepared by the Mayor to brief Councillors on the outcomes of this trip to Canberra is attached to this report.

**CORPORATE & COMMUNITY SERVICES****Aged & Disability Services****Recruitment**

The Unit has employed 10 new community care workers. Most positions are replacements as a number of our staff have retired during the past 8 months. The new staff members come from a range of community service backgrounds which will enhance the diversity of our service delivery.

The challenge to recruit and retain service delivery staff with skills, including general home support, personal care, medications and specific medical and physical management, continues to concern the aged care industry. Older people are increasingly wanting to stay in their own homes longer with a range of supports. The Active Service Model, being developed by Council, will support their resolve in the future. This will require long term planning and securing further resources for the Unit and other Departments within Council to fulfill these service commitments.

**Victorian Seniors of the Year Awards 2011**

The Hon. Alex Chernov AO QC, Governor of Victoria, will host a reception for senior citizens at Government House from 10.30am to noon on **Friday, 30 September 2011** to recognise older people who have made, and continue to make, a contribution to our community. Advertisements have been placed in the local newspaper seeking nominations for the awards which should be submitted to the Aged & Disability Services Unit by **Thursday, 25 August, 2011**.

**Personal Care Accreditations**

Colac Area Health Clinical Nursing Educational Coordinators have completed the annual personal care accreditation for 26 of our Community Care Staff. During the one on one assessment process, all 26 staff demonstrated the high skill level needed to provide a range of personal care tasks and medication to our clients.

**Maternal & Child Health**

July was a busy month with 32 births being the highest number so far this year.

Team leaders have arranged a meeting with City of Greater Geelong (CoGG) as part of the review of our Enhanced Home Visiting Service. This will assist the reviewers by gaining an understanding of the CoGG benchmark practices.

Number of infants enrolled from birth notifications 32

First Time mothers 13

**Key Ages and Stages Consultations for the month of July 2011**

|             |    |        |    |
|-------------|----|--------|----|
| Home visits | 29 |        |    |
| 2wks        | 22 | 8mths  | 19 |
| 4wks        | 22 | 12mths | 12 |
| 8wks        | 18 | 18mths | 10 |
| 4mths       | 16 | 2yrs   | 8  |
|             |    | 3.5yrs | 7  |

Other activities included:

- 89 Additional consultations
- 28 Phone consultations



- 9 Opportunistic immunisations
- 20 referrals
- 4 new Parents Groups sessions in Colac
- 31 families currently enrolled under Enhanced Home Visiting service (Vulnerable and at risk families)

Meetings attended by staff include:

- Participation in 3 community strengthening activities including Bubs at the Hub.
- Attendance at Family Services and Early Years Forum.

### **Rural Access**

#### **National Disability Insurance Scheme**

Rural Access has been promoting the National Disability Insurance Scheme (NDIS) to the Colac Community, which Council had agreed to support. The Colac Otway Rural Access Officer has encouraged other Barwon South West regional Rural Access Workers to follow Council's leading example in supporting the 'Every Australian Counts' campaign.

The Productivity Commission has conducted an inquiry into how best to support people with a disability, their families and carers. The report calls for a complete overhaul in the way that disability services are funded and delivered in Australia.

The Prime Minister of Australia has now declared her unequivocal support for the NDIS in response to the commission's final report on disability care and support, which strongly endorses a commonwealth-run, no-fault NDIS. The NDIS has now received bipartisan support, with the federal opposition and most states also backing the measure.

When introduced, the NDIS will enable many more people with a disability to become employed and contribute to a growing economy. Providing targeted support, so more people with a disability and family carers can become part of the workforce, will build up Australia's skill base and reduce the demand on welfare payments.

The new scheme will provide a planned, fair, efficient and effective system that gives people greater choice, flexibility and control. It will enable more people with a disability and their families to participate more fully in the economy and the community and will ensure the money is used to deliver the very best outcomes both for individuals and the nation as a whole.

### **Family Day Care**

Family Day Care currently has 11 Educators.

The Family Day Care Training Calendar for August focused on Children's Brain Development through the ages and stages of their life. A representative from Glastonbury delivered the training.

Over the coming months Family Day Care will be doing a lot of training around the New Quality Standards and the Early Years Learning Frameworks which becomes law in January 2012. The educators are working very hard to make sure they have all the skills and knowledge for the assessment that will follow in January 2012.

**Environmental Health****Immunisation**

June quarter figures for fully immunised infants

|                | State Average | Colac Otway Shire |
|----------------|---------------|-------------------|
| 12 – 15 months | 93.2          | 91.9              |
| 24 – 27 months | 94.1          | 89.0              |
| 60 – 63 months | 91.7          | 89.6              |

In summary it can be noted that Colac Otway immunisation figures have dropped below the state average in all categories. Our figures have decreased in the same quarter against the national trend which is reflecting an increasing number of immunisations. This will require further investigation.

**Infectious Disease**

A reported case of Salmonella typhimurium was investigated in a 6 week old infant. The child recovered, although was apparently infected from its mother who was ill the week before. No cause was found for the initial infection of the mother which is important because the same sera type was implicated in cluster outbreaks earlier this year across Victoria.

**Health Education - July 2011 Statistics:**

- Of a total of 367 food premises, 30 Inspections were carried out in July 2011.
- 25 inspections of selling points for tobacco were carried out to ensure legislations requirements are being met.
- 1 prescribed accommodation premises was inspected.
- 14 septic tank inspections were carried out with 3 permits to install and 6 permits to use systems being issued.
- 2 food recalls were received.
- 4 complaints were investigated in relation to hygiene, odour, refuse and potential danger.

Staff conducted a Food Safety lecture at Otway Community College.

**Food Sampling**

10 food samples were submitted for analysis. One was found to be substandard in relation to microbial counts indicating poor food handling and storage. This result was important as it related to a food premises mentioned in the June report and although a vast improvement has been noted, the sample indicates that further work is required.

Two samples were defective in relation to faulty labelling requirements.

**Events****FREEZA – Battle of the Bands 26 August 2011**

The annual Battle of the Bands will be held on 26 August 2011. Eight bands will be competing for a spot in the regional competition. Local headline act “The Fire Alive”, will also be performing.

The regional final will be held at COPACC on 5 November.

**Calendar of Events Project**

Entries for the Spring/Summer Calendar of Events have now closed and final proofs are being signed off with the printers. The Spring/Summer Calendar will feature a total of 18 local events and four community markets. The Calendar will feature events in the period September 2011 to February 2012 and will be available to the public towards the end of August 2011. Calendars and posters will be distributed throughout the Shire to general stores, accommodation providers and other community centres. Calendars will be available at Shire offices and Tourist Information centres.

**Australia Day 2012**

The successful host town for the 2012 Australia Day Celebrations is Beeac, supported by Cressy and Warrion. At the Beeac Community Meeting on 8 August 2011 an Australia Day Sub Committee was formed and held its first meeting on 22 August 2011 at the Beeac Community Hall.

**Event Organiser's Workshop**

This year's event workshop on "Improving Access to Functions, Festivals and Fun Activities" was held at COPACC on 6 July 2011.

The workshop was prepared by the Events Unit and the Rural Access Officer with the aim of providing event organisers with an understanding of a range of access issues that may be experienced by people with a disability, parents with prams and older adults when attending local events.

The Institute of Access Training Australia facilitated the training and covered indoor and outdoor events as well as issues relevant to communication and publications.

The workshop was well received by the community with all 15 places being filled on the day.

The Events Unit and the COS Rural Access Officer see this workshop as the first step towards developing an Accessible Events Guide for the Colac Otway Shire and hope to incorporate this work into the COS Events Approval Process.

**Upcoming Events**

Events which will be held throughout the Colac Otway Shire in September 2011 will be the Amy Gillett Gran Fondo (18 September 2011) and the Colac Garden and Lifestyle Expo (24 September 2011).

**Recreation****Old Beechy Rail Trail – Interpretive Signage Project**

Delivery of the remaining 24 screen printed graphic panels is imminent and it is anticipated that the total of 31 signs will be installed during August 2011. A recent article appearing in Rail Trails Australia identifies that quality interpretive signs are considered highest priority in the top ten factors of successful rail trails.

**Old Beechy Rail Trail – The Hunt for the Golden Boot**

Plans for "The Hunt for the Golden Boot" event are gearing up with the event set to "kick off" in October 2011. Local Otway tourism businesses have been approached seeking their interest to donate prizes and COPACC has come on board involving children in boot related activities during the school holiday program. This exciting new event encourages physical activity and raises awareness of the Old Beechy Rail Trail. Forty golden gumboots will be hidden along a section of the trail and each boot will contain a prize. Those who find a boot will go into the draw to win a major prize. The event proposal is an outcome of the Old

Beechy Rail Trail Marketing Plan which aims to encourage events on the trail to increase its profile. The event is supported by G21 and Parks Victoria's Healthy Parks Healthy People campaign.

### **Bicycle/Active Transport Strategy**

Council officers continue to develop a proposal for an Active Transport Strategy to assist with Council's strategic co-ordination of facilities which support walking, cycling and alternative transport. Investigations are currently underway between a number of Council Departments to discuss the merits of expanding the development of a Bicycle Strategy (an identified key action in the Council Plan) to the broader outcome of an Active Transport Strategy.

### **Lake Colac Oval Fence**

A project preventing drivers from accessing and damaging the Lake Colac Oval will be completed later in the year. Project plans include meeting with the Colac and District Cricket Association, the Colac Cricket Club and the Colac and District Football Umpires Association to determine the type and style of the fence (or bollards) to be erected around the oval perimeter. The new fence/bollards will add to the attractiveness of the already picturesque ground.

### **Ride to Work Day**

Colac Otway Shire will lead the way locally by hosting a Community Breakfast on Australia's biggest celebration of bike riding – Ride to Work Day – Wednesday 12 October 2011. Hosting a breakfast on the big day not only supports our local community to live a healthy lifestyle but also gives confidence to those new to riding. Council officers are currently in the planning stages and intend to work with local businesses and possibly local cycling clubs to support the event.

### **Public Open Space Strategy**

The Draft Public Open Space Strategy is currently on public exhibition seeking feedback from the community. Submissions close Friday 9 September 2011. A series of consultation activities were conducted in mid August including community meetings, a community breakfast and individual appointment times. It is anticipated that the Final Public Open Space Strategy will be presented to the Council's October meeting.

### **COPACC**

During the month of July more than 4,200 people attended 75 events.

A Year in the Life of COPACC, a photography exhibition showcasing famous faces and a range of events that have been hosted at the Centre, was officially opened by Mayor Cr Brian Crook on 30 July 2011. The exhibition celebrates COPACC's 10<sup>th</sup> anniversary and has generated a positive response from the community.

The "Man the Sea Saw", a family theatre production, won popular acclaim and a sell-out performance to primary and high schools.

More than 240 people attended the Australian Army Band Morning Music performance on 3 August 2011. The Tripod Versus the Dragon attracted a sell-out audience in the Civic Hall on 6 August 2011.

The newly black-boxed Civic Hall is already having a positive impact on business revenue and smoothing the seasonality of the business. New Colac theatre company Red Door hired the hall for a musical production during the July school holidays and Colac Players has hired

the hall for a week to stage its next production in the October holidays. Prior to the hall's refurbishment school holiday periods traditionally attracted very few bookings.

August is a busy month for both business events and theatre performances with five shows in the Auditorium and Civic Hall ranging from a radio play, fine music, comedy, puppetry and new Australian drama.

### **Blue Water Fitness Centre**

#### **Bluewater Fitness Centre Stadium Redevelopment**

Council has submitted an application to the Department of Planning and Community Development's Community Facility Funding Program. The application is based on revised concept plans and costings prepared by Bradbury Dicker Group. Council has consulted with the key tenant groups of the stadium to ensure the proposed plans meet the needs of community sport and recreation participation. Council expects to receive notification of the success of the application in late 2011.

#### **Centre Use**

The Centre continues to receive high patronage. The total membership number (average across month) for July was 980 which is the highest number recorded since our February peak of 1,028. Casual Gym sales have increased by another 5% on top of the 12 month high achieved in July. There were 443 casual gym entries for the month.

Centre programming has been very strong considering the time of year. The recent "Tour de Bluewater" crank competition was a huge success with 25 participants.

Term 3 Learn to Swim enrolments are up on this time last year. The Minnow's squad which is our highest level junior swimming program now has a waiting list which shows there has been good progression through the levels with our students.

### **Youth Council**

August was a busy and challenging month for the Colac Otway Shire Youth Council. Five members of the Youth Council took part in the Careers Expo with members of the Beacon Foundation on 5 August 2011. The Youth Council received praise from the Colac Herald editor for their coverage of youth opinion in their fortnightly Youth Council VOX POP Column. This month Youth Council was forced to reassess plans to hold a TRAG (Traffic Road Accident Group) event for young drivers following unforeseen circumstances and availability of the TRAG Group.

## **INFRASTRUCTURE & SERVICES**

### **CAPITAL WORKS UNIT**

#### **Old Beechy Rail Trail**

Bike racks have been installed in Gellibrand at the shop and Rex Norman Park.

The Cultural Heritage Management Plan (CHMP) that was required for the construction of the rail trail near Beech Forest was recently lodged with Aboriginal Affairs Victoria (AAV). AAV advised they did not approve the CHMP as further work was required. Council officers met with AAV representatives and Council's consultant, Terraculture, to discuss the further work required. Terraculture are now in the process of amending the CHMP to be resubmitted for approval.

**Cressy Shelford Road Rehabilitation***Rehabilitation Plan*

Council recently received notification from the Department of Sustainability and Environment (DSE) stating that the Draft Cressy-Shelford Road Grassland Rehabilitation and Management Plan has been approved. This action was a requirement of the legal agreements with the State and Federal Governments. In the written notification, the DSE recognised the extensive consultation undertaken during the development of the plan and commended Council's commitment to protecting and improving the native grasslands along Cressy-Shelford Road. A copy of the endorsed plan will be forwarded to Councillors and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) for information.

*Internal Awareness Raising*

The Biodiversity Conservation Training feedback report, compiled by Ecology Partners, has been received by Council. Overall, the report shows that people increased their understanding of the value and importance of biodiversity conservation and protection, with higher scores received for the sessions that incorporated an onsite visit. However, some areas for improvement were identified including links to existing Council processes which work to protect biodiversity assets.

*External Awareness Raising*

Council has engaged Challis Signs to assist in the development and delivery of Council's environmental signage program. This program aims to raise the community's awareness of threatened species throughout the Shire. At this stage, images and conservation messages have been developed for the signs and Council is expecting the first draft in the coming weeks.

**Morley Avenue, Wye River Slip Rehabilitation**

Vic Roads has issued detailed design drawings for the gabion wall structure associated with the slip rehabilitation works required following the January storms. Property connection drainage, which is planned to be constructed at the same time as the slip repair, is still being finalised.

VicRoads have advised that the works are expected to commence by the start of September 2011.

A majority of the property owners have formally agreed to the private drainage scheme that forms part of the slip rehabilitation works.

**Apollo Bay Drainage Strategy**

Council's consultants have completed a hydraulic model of the existing drainage network in Apollo Bay. This has allowed for initial analysis of Council's network to review the existing capacity of the network. It is planned to hold community consultation in September 2011, which will be aimed at introducing the project to the community and seeking their comments and knowledge of where drainage issues occur within the town.

**SUSTAINABLE ASSETS UNIT****Sustainable Planning & Development Accommodation**

The specification package for refurbishment of the former Colac Library building is now complete. This follows a short delay in the completion of the Section J assessment by Council's contracted consultant and the incorporation of the resulting recommendations into the architectural drawings. Tender documents have been finalised and advertised.

**COPACC****Fire Safety Audit**

A fire safety audit of COPACC was undertaken on 29 July 2011 by Council's contractor Exova Warrington Fire, with particular emphasis on the fire detection systems. The report of this audit is expected by the end of August. The findings and recommendations contained in the report will be presented to COPACC management and Council's Risk Management Officer for comment and action. This audit follows on from a small electrical fire in COPACC.

**Air Conditioning Replacement**

Council has engaged a contractor to develop a specification for the replacement of the packaged air conditioning unit which services the COPACC foyer area. This unit has been identified as nearing the end of its useful life and has begun to exhibit reliability issues. Once the specification has been drawn up, tenders will be invited for the supply and installation of the replacement unit.

**Eastern Reserve Clubrooms**

Council has received an engineer's report on structural cracking in both internal and external walls in the clubrooms. It has been recommended that two sections of wall be demolished and re-laid and that articulation joints be installed to reduce the likelihood of further damage. Quotes are currently being sought from local contractors to undertake this work.

**Beech Forest Hall**

Following a recent meeting the Hall Committee has advised Council of its preferred option for the kitchen upgrade. The Committee of Management resolved to install a functional kitchen as opposed to a commercial standard kitchen as it was considered that this would best meet the needs of the facility. Council's contractor is currently finalising the plans for the kitchen which will be forwarded to the Committee for final comment. It is also planned to remove all materials containing asbestos from the supper room as part of the kitchen refurbishment.

**Cororooke Hall**

The toilet upgrade has been completed and the interior painting is well underway. Council's contractors have coordinated the works with the Hall Committee to ensure pre-planned cycling events based from the hall were not impeded.

**Pennyroyal Hall**

A contractor has been engaged to:

- upgrade the mains power and switchboard
- rewire the hall.

This follows a report from Council's electrician indicating that the existing electrical systems were outdated and posed a risk to hall users.

**Colac Cricket Clubrooms**

A contractor has been engaged to repaint the interior of the hall. Works commenced during the week beginning 1 August 2011.

**Barwon Downs Hall**

A contractor has been engaged to repaint the interior of the hall and works will commence once the works at the Colac Cricket Club have been completed.

**Kanyana Club**

Quotes are currently being sought for interior and exterior painting. This will compliment other renovations which were recently completed.

**Rae Street Office**

Quotes are presently being sought for the supply and installation of security camera systems in the customer service areas at both Rae Street, Colac and Nelson Street, Apollo Bay.

**Apollo Bay Office**

Painting of the Apollo Bay administration office is now complete.

**Routine Road and Footpath Inspections**

The following is a summary of the routine road and footpath network inspections completed during the month of July 2011:

| Area Inspected   | Issues  |
|--|---|
| <i>Rural Link Roads<br/>Rural Collector Roads<br/>Access Roads – Murray<br/>Ward Areas 1 &amp; 2</i> | Routine inspections during the month of July were heavily concentrated on rural roads. Issues of particular note related to pot-holing of unsealed roads which is to be expected given ongoing wet conditions. Identification of fallen tree limbs was also particularly prevalent. All defects identified as requiring a response under the Road Management Plan have been recorded and reported to Cosworks for work's programming. |

**Footpath Condition Audit**

As indicated in last month's report, Infrastructure Management Group were commissioned to complete a condition audit of the full length of Council's footpath network.

Physical inspections are now complete with post processing of data now being undertaken. The data gained from this exercise will enable more targeted prioritisation of Council's footpath maintenance and renewal activities.

**MAJOR CONTRACTS/WASTE UNIT****Tenders**

Expression of Interest opened since the last reporting period:

- 1115 – Provision of a Canteen Service – Colac Livestock Selling Centre

No Tenders have been awarded since the last reporting period.

Tenders advertised since the last reporting period are:

- 1102 – Cleaning of Rural Toilets and Public Use Facilities, closing 17 August 2011.

**Subdivision Works**

The following table shows the current status of various subdivisional works which will be handed over to Council when completion is approved:

| Subdivision                                   | Status  |
|---|---|
| Apollo Bay Industrial Estate Stage 1 - 9 lots | A certificate of compliance has been issued and outstanding works guaranteed with a security bond. The developer is continuing to complete all works for stage 1. |



|  |   |
|--|---|
| <p>Wyuna Estate Footpath Construction</p>                    | <p>Footpath construction work is nearly complete with footpaths constructed in Scanlan Drive, Banksia Drive and Rose Drive. Construction of footpath at several road crossings and further nature strip landscaping are expected to be completed shortly.</p> |
| <p>38-46 Cawood Street Subdivision 20 lots &amp; reserve</p> | <p>Commencement of work on this subdivision has been delayed due to poor weather conditions. It is expected that the developer will start later in 2011.</p>  |

**Colac Youth Club Refurbishment**

Progress of work is on track for the contractor, Spence Construction, to fully complete renovation of Colac Youth Club by October 2011. Currently the contractor is undertaking construction of the timber floor to the main hall and concrete slabs to other floor areas. Electrical and plumbing service installation and timber framing are progressing well. Other items finished are asbestos removal and renewal of the roof.



**Botanic Gardens Steps**

Contractors have completed work on access steps down from the viewing platform in Colac Botanic Gardens. Additional landscaping and a handrail on one side of the steps will complete the Botanic Gardens footpath project.



**Undaria Risk Assessment Study**

A draft report has been prepared on behalf of the Department of Sustainability and Environment (DSE) on impacts of the marine pest Undaria at the Port of Apollo Bay. The report contains a literature review of the Undaria problem based on experience in other regions, and a risk assessment and associated economic, environmental and social impacts.

The report also discusses a number of control mechanisms and the practicality of their implementation. At present the draft report has been circulated for comment to various stakeholders. This includes Colac Otway Shire (COS), Department of Transport (DoT), Department of Sustainability and Environment, Parks Victoria (PV), Department of Primary Industry (DPI), Environment Protection Agency (EPA).

The draft report has been received and Council's Infrastructure Department has provided comments to GHD asking for further cost benefit analysis for each of the Undaria control options. This will influence our recommendations on the best options. It is likely that a combination of Undaria control options may have to be considered simultaneously for achieving a successful outcome rather than relying on a single measure. It has also been suggested by COS that adequate resources will be required to control the problem together with attention towards inspection and education. GHD will finalize the report once comments are received from all stakeholders recommending the preferred course of action.

### **Landfill Levy Audit - EPA**

Advice has been received from the EPA that the annual landfill levy compliance audit for 2009 – 10 has been completed. The audit was conducted on selected landfill sites throughout Victoria to test compliance of landfill operators with landfill levy reporting obligations and the correct payment of the landfill levy. In 2009 - 2010 none of the landfill sites under the care and control of Colac Otway Shire were subjected to such an audit.

In the correspondence received from EPA dated 5 August 2011 it has been indicated that there have been few instances generally where the prescribed industrial waste did not reconcile with waste transport certificates resulting in underpayment of waste levy. The audit also revealed instances (Councils other than Colac Otway Shire), where the quantities of reported waste did not include the quantities used for road building activities resulting in the non-payment of the levy for that quantity. EPA has asked for greater care and accuracy in reporting of landfill waste quantities by reconciling the waste transport dockets against weighbridge transaction records.

### **Product Stewardship Bill**

The Product Stewardship Legislation passed through Parliament in June 2011. Televisions and computers will be the first products to be covered under the legislation, with the planned National Television and Computers Product Stewardship Scheme aiming to recycle 80% of TVs and computers by 2020-2021.

A letter has been received from Senator Don Farrell concerning a national container deposit scheme. The letter advises of a Regulation Impact Statement in line with this bill. The Bill also proposes looking at a container deposit scheme. The Bill is currently being processed with a public consultation stage expected to begin this year.

### **Domestic Asbestos Fund**

Barwon Regional Waste Management Group (BRWVG) has sought expressions of interest from regional Councils to actively participate in the Domestic Asbestos Fund (the fund). The fund has been established by the EPA and is open for Waste Management Groups who will coordinate participating Councils.

## **COSWORKS**

### **Old Beechy Rail Trail**

Works have continued and include re-alignment of the path at Birnam Station, including maintenance in the section between Birnam Station and Maxwells Rd. Bike racks were also installed at Gellibrand.

**Street Tree Clearance under Power lines Colac**

Works have begun on the northern section of Colac.

**Storm Damage**

Coastal areas and the Otways had trees falls, and isolated flooding in Gellibrand, Carlisle and Barwon Downs areas is causing wash outs and rutting on some roads. Staff have been undertaking repair works.

**Road Regrading**

Regrading efforts have been reduced due to high rainfall. The majority of gravel roads are soft due to saturated subgrades. Regrading will be selective to improve roads so as not to increase damage. Works will continue as weather permits in all areas.

**Road Pavement Minor Patching**

Increased effort is being given to sealed roads to maintain road failures in all areas.

**Gravel Road Re-sheeting – works have occurred on the following roads:**

Kaangalang Rd, Campiglis Rd, Maxwells Rd, McCorkells Rd, Stones Rd, Beals Rd, Kelvin Grove Rd and isolated sections on Blue Johanna Rd, Old Lardener Rd, Mahoneys Rd, Monaghans Rd, Back Larpent Rd, Shurvells Rd, Yeo Yeodene Rd, Phalps Rd, Yeodene Birregurra Rd, Hardbattles Rd, Flannigans Rd, Sextons Rd, Delaneys Rd, Factory Rd, Murrays Rd, Mamre Rd, Connells Rd, and South Cundare Rd.

**Routine Drainage completed**

Winter rains have created drainage issues in all areas and as a results works have required an increased effort in coastal townships, Otways and Elliminyt, Barwon Downs and surrounding areas.

**Bridge Maintenance**

The following bridge maintenance works have been carried out as follows:

- Deck cleaning on Wonga, Carlisle, Gellibrand and Deans Creek bridges.
- Scorcis bridge repairs to deck beams and decking completed.
- Level 1 inspections have also commenced in Apollo Bay, Swan Marsh, Yeodene, and Colac Areas.

**Vegetation Control**

Works occurred in the Barongarook Area.

**Tree Maintenance**

Maintenance has been carried out in Kawarren, Johanna, Forrest, Apollo Bay, Kennett River and Marengo Areas.

**Township Mowing**

Township mowing continues in accordance with the program.

**Gardens**

General maintenance has been ongoing.

**Playground Maintenance**

Works have been completed as per the inspections schedule.

**Western District Employment Agency (WDEA)**

Council has been working with WDEA to undertake works that Council has not normally been able to achieve within its resources. This includes clearing of vegetation and tidying up

areas in Elliminyt parks and reserves. These areas have fallen behind on works required and it is making a big difference to the appearance of the public realm. The project has been working very well.

### **Special Events; Eurack Avenue of Honour**

Parks and Gardens crews completed mowing, spraying, mulching and traffic management to assist with the successful delivery on this project.

## **SUSTAINABLE PLANNING & DEVELOPMENT**

### **Apollo Bay Harbour Master Plan Planning Scheme Amendment**

A market research firm has undertaken an independent telephone survey of land owners in Apollo Bay to gauge the level of public support for the Apollo Bay Harbour Master Plan. The outcomes of this survey will be documented and reported to Council at its September 2011 briefings and Council meeting.

### **Colac CBD and Entrances Project**

Project consultant Planisphere is currently finalising a draft report for the Colac CBD and Entrances Project following receipt of submissions on the Discussion Paper released in March. The project is seeking to guide streetscape and amenity improvements in central Colac and provide an inviting sense of arrival at the town's eastern and western entry points. The project consultant has discussed the draft report with the Project Steering Committee and Community Reference Group, leading to final changes prior to it being considered at the September Council meeting. It is anticipated that the document will then be subject to a period of public exhibition.

### **State Government Bushfire Planning Projects**

The State Government is in the process of developing a suite of new provisions to be implemented in state wide planning schemes by September 2011 that respond to the recommendations of the Bushfire Royal Commission. The new provisions will include replacement of the Wildfire Management Overlay with a Bushfire Management Overlay which contains improved permit requirements and decision guidelines, and mapping that is based on revised risk based hazard assessment techniques. New state planning policy will also be developed to give greater direction on how Councils should be making planning decisions. Planning officers are providing feedback on the proposed changes through three scheduled workshops attended by Department of Planning and Community Development representatives, CFA, the MAV and local government, the most recent being on 29 June 2011.

Officers will be working with the State Government over the coming months to develop a scope of work to be undertaken to spend the \$120,000 grant received in June which is for the purpose of developing local planning policy to address bushfire risk in the Shire. Colac Otway Shire was one of ten councils to be offered the funding.

### **Rural Living Strategy**

Submissions received to the draft Rural Living Strategy are currently being considered. A revised Strategy is being prepared that addresses issues raised in submissions for consideration at a Council meeting late in 2011.

### **Birregurra Neighbourhood Character Study & Structure Plan**

The first round of community consultation for the Birregurra Neighbourhood Character Study commenced late in July, with a drop-in information session held on Saturday 20 August 2011 from 10am to 1pm in front of the Birregurra General Store. The purpose of the consultation is to introduce the project to the Birregurra Community and gain an understanding of what elements of town character are considered important to the community.

As part of the consultation process, a project bulletin was sent to approximately 500 residents and landholders in the district. Interested parties are being encouraged to utilise the Colac Otway Shire website and participate in an on line survey, or to submit a hard copy of the feedback form circulated to residents with the Bulletin. Feedback should be received no later than 26 August 2011. Further consultation on the project is planned for later in 2011 once the 'Issues and Analysis' paper has been completed.

The Structure Plan has been placed on-hold whilst the Neighbourhood Character Study is prepared, and will be further revised in 2012 following completion of that project and to incorporate the outcomes of other projects such as the Open Space Strategy and Birregurra Community Infrastructure Project.

### **State Government Planning Systems Reform**

The Government has announced a review titled Victorian Planning Systems Reform, and has established an Advisory Committee to make recommendations to the Planning Minister on how the system can be reformed, which includes a wide range of matters relating to the Planning and Environment Act and other legislation, as well as Planning Schemes. The previous government had commenced a reform of the Act, but did not conclude the review – the current review is far wider in scope.

The Advisory Committee is calling for submissions. Officers and three Colac Otway Shire Councillors attended the first of a series of MAV meetings with Councils on 3 August 2011 to discuss the review and issues that should be raised.

Council officers will develop a draft submission for comment by Councillors prior to it being tabled with the Government before the close of submissions on 31 August 2011. The MAV has indicated that the Minister will accept late submissions provided a draft is lodged by the due date, allowing officers to table a report in the agenda for the September Council meeting to ratify the submission.

### **State Government Review of Car Parking Provisions**

The State Government has announced the establishment of a new 'Car Parking Advisory Committee', with the role of reporting to the Minister on revised planning provisions for car parking. The Committee is seeking submissions from stakeholders on changes that include a revised Clause 52.06 (this clause establishes rates of parking to be provided for various land uses), and the introduction of a new parking overlay provision that will allow local variations to the standard provisions in Clause 52.06 (i.e. the table of car parking rates) where strategically justified. The review acknowledges that car parking provisions in Clause 52.06 of planning schemes are based on research from decades ago and no longer reflect contemporary car parking requirements. Officers will review the documents and draft a submission for consideration by Council at the September Council meeting. Submissions are due by 7 October 2011.

### **Industry Advisory Group (IAG)**

A new industry Advisory Group has been established with representation from a broad cross section of business plus education and training. The Group will advise Colac Otway Shire on industry development issues and the Trade Training Centre on industry training needs.

### **Colac Lions Park**

Redevelopment of the Colac Lions Park is continuing with contractors removing the existing shelters, BBQ's, tables and seating to install the new infrastructure. Once this is completed a quotation process will be undertaken to award the contract to complete the new pathway linking the Lions Park to the Colac Visitor Information Centre (VIC).

**Colac Marketing Strategy**

Warne Marketing recently presented to Council's management team and sought feedback from the group on the strategy. Warne Marketing also presented at an Otway Business Inc. (OBI) forum to seek feedback from committee members and members of the group to contribute to the initial stages of the strategy development. Warne Marketing will now develop a community survey before developing a draft document.

**Dairy Industry**

The Economic Development Unit has been successful in its application to the Gardiner Foundation on behalf of the Dairy Industry Training Reference Group to fund a partnership project between Council, Colac Secondary College, West Vic Dairy and local farmers. The project will integrate a dairy industry innovation research and report writing exercise into the Colac Secondary College Year 12 Agriculture/Horticulture curriculum. The Gardiner Foundation has funded three previous projects for the Dairy Industry Training Reference Group.

**Birregurra and Forrest Community Infrastructure Plans**

The development of new Community Infrastructure Plans for the townships of Forrest and Birregurra is underway, with the first round of consultation providing the communities the chance to provide input into what they see as the strengths and weaknesses of their communities and what public infrastructure they would like to see improved. The next round of consultation will start to form the basis of a draft community infrastructure plan for both communities.

**Tourism****Visitor Information Centres**

The end of the financial year saw an increase of visitation to the Colac VIC of 17% over last year; but a drop in visitation to the GORVIC of 6% compared to the previous year. This drop however, is in line with an overall drop in visitation to the Great Ocean Road region of 5.5% for the year. This is attributable to poor weather conditions, the periodic closure of the Great Ocean Road early in 2011 caused by land instability and competition from overseas destinations.

**Equal Opportunity Briefing**

The Economic Development Unit assisted CQ Recruitment and the Victorian Group Training Company with a VECCI briefing on Equal Opportunity for all businesses within the Colac Otway Shire at COPACC on 12 August 2011. The free briefing informed businesses of the changes to the Equal Opportunity Act 2010 as of 1 August 2011.

**Careers Expo**

The Colac Careers Expo was held on 5 August 2011. In previous years the Careers Expo has been coordinated by the South West Local Learning and Employment Network (SWLLEN) with assistance from Council provided through the Economic Development Unit. However, last year SWLLEN handed responsibility for managing the Careers Expo to the Colac Otway Shire.

The Expo saw approximately 550 students visit over 20 businesses and training exhibits and attend twelve sessions with a range of guest speakers.

**Working Women's Networking Group**

Elaine Carbines, Chief Executive Officer of the G21 Region Alliance and former Geelong Province MP, was the guest speaker at the Working Women's Networking Group meeting held on 3 August 2011 at COPACC. Elaine spoke about her career path, her career in politics, how she managed work-life balance and her current role.

**Neighbourhood Safer Places – Places of Last Resort Implementation Plans submitted to the Fire Services Commissioner**

At this stage there are no Neighbourhood Safer Places (NSP) designated in the Colac Otway Shire. Council continues to work hard with partner agencies to identify and assess potential NSP sites. Implementation Plans developed by Council for potential NSP sites in Forrest, Barwon Downs and Carlisle River have been approved by the Fire Services Commissioner and funds will be provided to Council for the development of detailed works plans. Due to the large amount of vegetation removal that will be required to formally designate an NSP in these towns it is necessary to first undertake detailed assessments to ensure that the works can be carried out without causing adverse impacts. The community will be engaged to get their input prior to any vegetation removal being undertaken. Council has recently appointed a new Emergency Management Officer who will focus on undertaking this work as quickly as possible. This position is initially funded for a twelve month period and will help Council carry out its obligations in line with the recommendations of the Bushfire Royal Commission. It is anticipated that the position will receive funding for a further three years but this is yet to be confirmed by the State Government.

**Street Furniture Permits**

Council requires business operators to obtain a permit for street furniture to ensure that this activity is undertaken in a manner that is both safe and of minimal impact to pedestrians. In order to help clarify the conditions associated with street furniture Council recently sent out a reminder notice to all permit holders with a set of conditions and diagrams showing what is permitted along with a requirement for these conditions to be met prior to a new permit being issued/approved. Although many business operators have renewed their permit effectively there is a substantial number who have failed to renew their permit. If anyone is unclear about the requirements they should contact Council's Local Laws Unit to discuss the matter. Council will be sending out a final reminder notice to all business operators and will then carry out inspections where penalties will apply for those who have failed to obtain a permit or comply with the conditions.

**Sustainability Accord Funding**

Council has successfully applied for two grants through the Victorian Sustainability Accord Funding program based on achieving the targets set in the 2010-2018 Environment Strategy. The first is a regional grant of \$600,000 that will be used to help 10 Councils across south west Victoria work with their local communities to prepare for the impacts of climate change. Council coordinated this grant application on behalf of the Councils in the G21 and Great South Coast regions and will form a multi agency steering committee to oversee the project that is anticipated to run over a three year period.

The second is a local grant of \$45,000 which will be used to develop a Carbon Neutral Plan for Council. In the 2010-2018 Environment Strategy a target was set for Council to be carbon neutral by 2016. In order for Council to achieve this target it needs to identify the different ways it could be done and have them fully costed so that an informed decision can be made on the best approach. The plan is expected to be completed by June 2012 but the actions associated with carbon neutrality will be ongoing so it is critical that Council achieves the right mix between reducing and offsetting carbon emissions. More details will be provided about these two projects as they progress but this funding is a very positive step toward reducing carbon emissions in the municipality and tackling the impacts of climate change across the south west region of Victoria.

**Attachments**

1. National General Assembly of Local Government Report

**Recommendation(s)**

***That Council notes the CEO's Progress Report to Council.***

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## National General Assembly of Local Government

### Introduction:

The Australian Local Government Association conference in Canberra is a valuable opportunity to lobby for our region and Shire, to be informed of broader national issues and to understand how these might impact on Colac Otway Shire. There are 560 local government organisations in Australia.

The theme for this year's conference was "Growing with our Community – Partnership, Place and Position".

The **Partnership** theme recognised the mutual benefits of the Federal Government working with local government in delivering services and infrastructure to local communities across Australia.

The **Place** theme reinforced the importance of local government so that national policies and programs are tailored to meet local circumstances, avoiding the one size fits all approach.

The **Position** theme emphasised the importance of local government as an integral part of the Australian Federal system.

The importance of local government within the national context was given legitimacy with addresses from Prime Minister Julia Gillard, Minister for Regional Australia, Regional Development and Local Government, the Hon. Simon Crean MP, and leaders of all major parties, Tony Abbott MP, Barnaby Joyce MP, and Bob Brown MP.

### The State of the Regions Report 2011-2012

This was presented by Professor Peter Brain who gave a lively summation of the issues confronting our 67 regions. The major issue is the growing inequality of our regions which has been growing steadily over the past 5 years. The evidence suggests that this inequality may accelerate over the next 5 years and beyond. In short, the inequality is between the mining and non-mining sectors. The report defines the mining boom as having negative effects in much of Australia and that these trends are likely to intensify.

The negative influences of the mining construction boom on the general economy include:

1. High exchange rates:
  - a. High level of imports
  - b. Reduction in non-mining exports
2. High interest rates reducing non-resource investment
3. Skill shortages reducing non-resource production
4. Australia not the place to be for the non-resource activity.

Australia has imported much of the labour to support the construction phase of the boom. Trade exposed industries have been capacity reduced.

Failure of capital city construction zones to meet Australia's housing needs.

Housing affordability is also affected by the access to quality hours of employment and value in terms of \$ per hour to enable people to cover mortgages.

The report also highlights the benefits to be gained from the NBN rollout that will help redress the inequality.

### **Constitutional Reform**

- A panel consisting of James O'Loughlin, Jane Caro, John Hewson and Annabel Crabb discussed the proposed referendum on recognition of local government in the constitution.
- In summary, the local government sector has to start engaging their community now to reinforce the need for this change. We need to bring our community with us on this issue.

### **Advocacy Meetings**

- Tourism
- Infrastructure
- Mental Health
- Communications

Each of these sessions were organised with the assistance of our local member, Darren Cheeseman MP, and we thank the staff in his office for co-ordinating these meetings for the Barwon South West Region Group of Councils.

Our Shire got a very good hearing from Tourism Advisor, Bindi Gove. She was delighted at the growth of mountain biking in Forrest and has directed us to future funding possibilities.

The session on Infrastructure gave us an opportunity to promote the work of the Australian Rural Roads Group (ARRG) and its relevance to our Shire. A paper prepared by the General Manager Infrastructure and Services, Neil Allen, was forwarded along with a copy of the DVD prepared on local bridges and their importance to the economy. This was well received and the work of the ARRG was acknowledged.

The lobbying for Headspace through Minister Mark Butler's office was a collaborative effort and my thanks are extended to Geoff Iles, CEO of Colac Area Health, and Lenny Jenner, Chair of G21's Health & Wellbeing Pillar, for their briefing notes. This gave the advocacy a regional perspective and again I believe our voice was heard and our vision articulated.

G21 presented a well prepared booklet on NBN advocacy with contribution from Shire officer Mike Barrow.

All lobbying meetings re-affirmed the need to be organised at a regional level especially in terms of this opportunity at the ALGA national conference. With so many Shires attending, it is essential to lobby from a regional perspective. G21 and Great South Coast Councils were able to sit around the one table and articulate the needs of our region.

In addition to these meetings, there were presentations from financial commentator, Robert Gottliebsen, Minister for Climate Change, Greg Combet MP, Minister for Communications, Senator Stephen Conroy MP, and CEO of Woolworths, Grant O'Brien.

After hours we:

- Had a meeting to discuss the Notices of Motion as presented and
- A dinner at Parliament House with local member, Darren Cheeseman MP and the Mayor and CEO of Surf Coast Shire.

**OM112408-2 COUNCIL MEETINGS FOR 2012**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | GEN00460  |

**Purpose**

To propose a schedule of meeting dates and venues for the holding of Colac Otway Shire Ordinary Council and Planning Committee meetings in 2012.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council has previously resolved that at least two Ordinary Council meetings be held in Apollo Bay and that one Ordinary Council meeting be held in Birregurra each year.

At a Council workshop on 10 August 2011, Councillors were given the opportunity to consider a schedule of dates for 2012 for both Ordinary Council and Planning Committee meetings.

Discussion was held on changing the current scheduling of Planning Committee meetings, however it was agreed that, when required, they would continue to be held on the second Wednesday of the month. This evens out reporting and administrative workloads and meetings for Councillor workshops are required on that date in any event.

**Council Plan / Other Strategies / Policy  
Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options***Council Meetings*

Councils hold "Ordinary or Special meetings" for the purpose of transacting the business of the Council. Meetings are open to the public and the community is welcome to attend to observe their elected representatives debate and vote on issues.

Currently Council holds its ordinary meetings on the fourth Wednesday of each month, with the exception of December which is held in the third week. Planning Committee meetings are held on the second Wednesday of each month, with the exception of January which is held in the third week. Planning Committee meetings are held in conjunction with Councillor workshops.

Council meetings held in other locations have the potential to give the local community in the area in which the meeting is being held a more convenient opportunity to attend a meeting. It also sends a message of a more inclusive Council prepared to get out into the community.

However, holding Council meetings away from Colac may make it more difficult for those community members who regularly attend meetings to access those meetings.

It is noted that Council elections will occur in October next year and this may disrupt the timing of the October meeting, if it is held at all. The date for this event has not been fixed other than that the indication that it will be in October.

There are three general options that Council could adopt for the location of its meetings based on current practices:

1. Hold all Council meetings at COPACC
2. Hold two of its Ordinary Council meetings in Apollo Bay with the balance to be held at COPACC (this was the pattern for several years).
3. Hold two of its Ordinary Council meetings in Apollo Bay, one in Birregurra and the balance at COPACC. This would include one evening meeting in the summer months.

Council could also opt for meetings to be held in the evenings or during the day (as they are presently).

### **Proposal**

That Council meetings continue to be held in the daytime at 3.00pm at COPACC in Colac with two Ordinary Council meetings to be held in Apollo Bay and one Ordinary Council meeting to be held in Birregurra. The second meeting in Apollo Bay which would normally have been held in November will be moved to September to accommodate the Council election process.

It is proposed that for 2012, Council continue to hold its ordinary meetings on the fourth Wednesday as follows:

|              |   |                                                                   |
|--------------|---|-------------------------------------------------------------------|
| 25 January   | - | COPACC                                                            |
| 22 February  | - | Apollo Bay                                                        |
| 28 March     | - | COPACC                                                            |
| 26 April     | - | COPACC (Thursday)                                                 |
| 23 May       | - | COPACC                                                            |
| 27 June      | - | Birregurra                                                        |
| 25 July      | - | COPACC                                                            |
| 22 August    | - | COPACC                                                            |
| 26 September | - | Apollo Bay                                                        |
| 24 October   | - | COPACC (depending on the election date which is yet to be set)    |
| 28 November  | - | COPACC (subject to approval by the new Council)                   |
| 19 December  | - | COPACC (third Wednesday) (subject to approval by the new Council) |

Meetings would continue to commence at 3.00pm from February to December. The meeting in January would commence at 6.00pm.

The date of the 2012 Statutory Meeting will need to be confirmed by the new Council.

It is also proposed that when required, Planning Committee meetings are to be held at 10.30am on the following days:

|            |   |        |
|------------|---|--------|
| 18 January | - | COPACC |
| 8 February | - | COPACC |
| 14 March   | - | COPACC |
| 11 April   | - | COPACC |
| 9 May      | - | COPACC |
| 13 June    | - | COPACC |

|              |   |                                                                   |
|--------------|---|-------------------------------------------------------------------|
| 11 July      | - | COPACC                                                            |
| 8 August     | - | COPACC                                                            |
| 12 September | - | COPACC                                                            |
| 10 October   | - | COPACC (depending on the election date which is yet to be set)    |
| 14 November  | - | COPACC (subject to approval by the new Council)                   |
| 12 December  | - | COPACC (third Wednesday) (subject to approval by the new Council) |

These dates will need to be confirmed by the Planning Committee.

### **Financial and Other Resource Implications**

It is anticipated that additional costs will be incurred for meetings held away from COPACC.

These include:

- Additional travel expenses to Councillors
- Officer time away from their normal duties
- COPACC staff away from COPACC duties or may require additional staff

### **Risk Management & Compliance Issues**

There are a number of minor Occupational Health and Safety issues in relation to holding Council Meetings at other locations:

- Moving Recording Equipment
  - Damage to / loss of equipment as it is very sensitive
  - Injury to staff lifting / carrying equipment (low risk)
- Travel
  - Accident due to travelling to / from meeting
- Security / secure environment / emergency services

None of these risks are considered to be significant.

### **Environmental and Climate Change Considerations**

Not applicable.

### **Communication Strategy / Consultation**

Under the *Local Government Act 1989* Council is required to give at least 7 days public notice of a Council Meeting or a special meeting unless there are urgent or extraordinary circumstances that prevent a Council from doing so. Meetings held outside of Colac will be given additional publicity within the host community.

### **Implementation**

The 2012 schedule of Ordinary Council and Planning Committee meetings would commence in January 2012.

### **Conclusion**

The proposal presented is consistent with the schedule of Ordinary Council and Planning Committee Meetings for 2011.

### **Attachments**

Nil

**Recommendation(s)*****That Council:*****1. *Confirm the meeting dates, times and venues of 2011 Ordinary Council meetings as:***

- *Wednesday, 25 January 2012 at 6.00pm, at COPACC, Colac*
- *Wednesday, 22 February 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay*
- *Wednesday, 28 March 2012 at 3.00pm, at COPACC, Colac*
- *Thursday, 26 April 2012 at 3.00pm, at COPACC*
- *Wednesday, 23 May 2012 at 3.00pm, at COPACC, Colac*
- *Wednesday, 27 June 2012 at 3.00pm, at Birregurra Community Health Centre*
- *Wednesday, 25 July 2012 at 3.00pm, at COPACC, Colac*
- *Wednesday, 22 August 2012 at 3.00pm, at COPACC, Colac*
- *Wednesday, 26 September 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay*
- *Wednesday, 24 October 2012 at 3.00pm, at COPACC, Colac (subject to advice on the Local Government election date)*
- *Wednesday, 28 November 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council)*
- *Wednesday, 19 December 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council).*

**2. *Confirm the meeting dates, times and venues of 2012 Planning Committee meetings, if required, as:***

- *Wednesday, 18 January 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 8 February 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 14 March 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 11 April 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 9 May 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 13 June 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 11 July 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 8 August 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 12 September 2012 at 10.30am, at COPACC, Colac*
- *Wednesday, 10 October 2012 at 10.30am, at COPACC, Colac (subject to advice on the Local Government election date)*
- *Wednesday, 14 November 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council)*
- *Wednesday, 12 December 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council).*

***Note that these dates will need to be confirmed by the Planning Committee.***

**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
 W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | D | W |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM112408-3 SALE OF COUNCIL PROPERTY - 6 MURRAY STREET, COLAC</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Having complied with the provisions of sections 189 of the Local Government Act 1989 (Act), and having received no submissions pursuant to section 223 of the Act, resolves to sell the property known as 6 Murray Street, Colac, being the land in certificate of title volume 10401 folio 603 (Property), by public tender.</i></b></li> <li><b><i>2. Resolves that any funds from the sale of the Property be applied to offset Council's loan borrowings.</i></b></li> <li><b><i>3. Directs that the Chief Executive Officer be authorised to:</i></b> <ol style="list-style-type: none"> <li><b><i>(a) set a reserve price that is not less than the independent valuation obtained by Council pursuant to section 189 of the Act</i></b></li> <li><b><i>(b) appoint an estate agent and an independent probity auditor</i></b></li> <li><b><i>(c) accept or reject any tender received on the highest price (subject to the reserve) or any other criteria that the Chief Executive Officer sees fit</i></b></li> <li><b><i>(d) act on behalf of Council in the execution of all relevant documents in relation to the sale of the Property, including the contract of sale and vendor's statement.</i></b></li> </ol> </li> <li><b><i>4. Directs that Council's seal be affixed to any transfer of land and other documentation to which Council's seal is required to be affixed in connection with the sale of the Property.</i></b></li> </ol> |   |   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b><u>OM112408-4</u>      <u>APOLLO BAY INDOOR POOL<br/>BUSINESS DEVELOPMENT PLAN<br/>PROJECT COMMITTEE</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council nominates Cr..... and Cr.....as<br/>Committee Members to the Apollo Bay Indoor Pool<br/>Business Development Plan Project Committee.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
| <p><b><u>OM112408-5</u>      <u>ALVIE RECREATION RESERVE<br/>SECTION 86 COMMITTEE OF<br/>MANAGEMENT</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Pursuant to Section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Alvie Recreation Reserve Committee of Management until 31 August 2014:</i></b></li> <p style="margin-left: 40px;"><b><i>Peter Delahunty, Damian Fleming, Noel McKay, Barry Parker, Noel Parker, Peter Holland, John Miller, Owen Williamson and Graeme Russell.</i></b></p> <li><b><i>2. In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.</i></b></li> <li><b><i>3. Agrees to sign and seal the Instrument of Delegation for the Alvie Recreation Reserve Committee of Management.</i></b></li> <li><b><i>4. Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided following the Annual General Meeting of the Committee.</i></b></li> </ol> |  |  |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b>OM112408-6</b>      <b><u>AUTHORISATION OF OFFICER</u></b><br/> <b><u>(PLANNING AND ENVIRONMENT ACT)</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation</u></b></p> <ol style="list-style-type: none"> <li>1. <i><b>That Council appoints Kimberly Linden as an authorised officer pursuant to the Planning and Environment Act 1987.</b></i></li> <li>2. <i><b>The Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.</b></i></li> <li>3. <i><b>The Instrument of Appointment and Authorisation be sealed.</b></i></li> </ol> |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

**Recommendation**

***That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.***

**MOVED** .....

**SECONDED** .....



**OM112408-3                      SALE OF COUNCIL PROPERTY - 6 MURRAY STREET,  
COLAC**

|             |                                |           |                        |
|-------------|--------------------------------|-----------|------------------------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small              |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | 6 Murray Street, Colac |

**Purpose**

For Council to consider the proposed sale of the Council-owned land contained in Crown grant volume 10407 folio 603, and known as 6 Murray Street, Colac (**Subject Land**), after complying with the provisions of section 189 of the *Local Government Act 1989 (Act)* and considering any written or verbal submissions received in respect of the proposed sale pursuant to section 223 of the Act.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council is the registered proprietor of the Subject Land which was used and occupied by Council as its former municipal offices.

At its meeting on 25 May 2011 Council resolved to commence the statutory procedures and give public notice pursuant to section 223 of the Act of Council's intention to sell the Subject Land by public tender.

**Council Plan / Other Strategies / Policy**

**Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

Council's Policy No. 4.3 "Sale and Exchange of Council Land" provides guidance and suggested procedures to be followed in the sale, transfer or exchange of Council Land.

**Issues / Options**

Description of Property

The Subject Land comprises a two storey office building built in the 1890's/early 1900's with an extension added in the 1990's.

The Subject Land is contained in Certificate of Title volume 10407 folio 603. A copy of the title and details of the Subject Land is attached as attachments 1 and 2 to this report.

Location

The Subject Land is located at 6 Murray Street, Colac, on the southern side of Murray Street and on the eastern fringe of the main commercial precinct of Colac:

- Land Area                      2,027 sq m
- Building Area                1,084 sq m
- Car parks                      31 onsite car parks

### Zoning

The Subject Land is zoned Business 2. This zoning permits a variety of uses without a permit, including office space and informal outdoor recreation.

Council's Policy No. 4.3 "Sale and Exchange of Council Land" Practice (**Policy**) states that any land being sold by Council should be appropriately zoned prior to being offered for sale.

Council considers the Subject Land to be appropriately zoned and therefore does not propose to rezone the Subject Land prior to it being sold.

### Heritage Issues

The land is noted on the Local Planning Scheme as being of historical significance and is subject to a Heritage Overlay "HO132". The future sale should not adversely affect its heritage value as future owners would be subject to Heritage Overlay requirements.

### Occupancy

#### (a) *Existing Lease*

Otway Community College currently leases part of the Subject Land from Council, as follows:

- Term: 1 May 2010 to 30 April 2015
- Rental: \$74,500 per annum

A copy of the lease is attached as Attachment 3 to this report and will continue to apply after any sale.

#### (b) *Council occupation*

Council uses the rear part of the building for Aged and Disability Services (approx 188 sq.m). This is estimated as 15% of the floor area.

The Aged and Disability Services unit will move to Rae Street within the next 12 months. The contract of sale for the Subject Land will require the purchaser to grant a lease-back of that part of the Subject Land currently occupied by Council's Aged and Disability Services unit.

### Legislative Requirements

Section 189 of the Act requires Council to do the following before selling or exchanging Council-owned land:

- give at least four weeks public notice of an intention to sell or exchange land (Section 189(2)(a) of the LG Act);
- obtain a valuation of the land which is made not more than 6 months prior to the sale or exchange by an appropriately qualified person (Section 189(2)(b) of the Act); and
- allow any person to make a submission to Council (either verbal or written) under Section 223 of the Act in respect of the proposed sale or exchange (Section 189(3) of the LG Act).

### Public Notice

A public notice was placed in the Colac Herald on Friday 17 June 2011 in accordance with sections 189 and 223 of the Act, and submissions closed on Friday 29 July 2011 (a 6 week notice period). A copy of the public notice is attached as Attachment 4 to this report.

### Submissions

No submissions were received by Council in response to the public notice.

### Current Valuation of Land

Council has not yet obtained a valuation of the Subject Land pursuant to section 189(2)(b) of the Act. This must be done before Council sells or exchanges the Subject Land.

The valuer must hold the qualifications or experience specified under section 13DA(1A) of the *Valuation of Land Act 1960* (**the VL Act**).

Under section 13DA(1A) of the VL Act, Council can only appoint a valuer who holds the experience or qualifications specified from time to time by the Minister by notice published in the Government Gazette.

If Council resolves to proceed with the sale of the Subject Land, Council will instruct a qualified valuer to determine the current market value of the Subject Land as required under the Act.

### Method of Sale

Council's Policy No. 4.3 "Sale and Exchange of Council Land" Practice (**Policy**) sets out the various methods of sale:

- Sale by Public Auction
- Sale by Public Tender
- Sale by Public Registration or Expression of Interest
- Sale/Exchange by Private Treaty

At its meeting on 25 May 2011, Council resolved to sell the Subject Land by public tender.

The Policy sets out general principles and best practice for conducting the sale of a Council asset by public tender. The relevant extract of the Policy is attached as Attachment 5 to this report.

It is recommended that Council sells the Subject Land by public tender, and:

- (a) the highest conforming tender (at or above the reserve price) be accepted by Council; and
- (b) other than the existing planning scheme controls, no additional restrictions regarding the proposed use or development of the Subject Land be imposed on the successful purchaser in the tender and/or contract documentation.

### Tax considerations

The sale of the Subject Land will attract GST. It is recommended that the purchase price be expressed as being 'exclusive of GST', and the purchaser be required to pay any GST incurred on the sale of the Subject Land.

### Probity Audit

The Policy states that Council should consider the appointment of a probity auditor to oversee the entirety of the sale/tender process. In addition, the Victorian Ombudsman recommends that major projects by government require both a probity auditor and a probity adviser, and that medium-risk projects require, at a minimum, a probity auditor.

As the Subject Land is a significant Council asset, it is recommended that Council appoints an independent probity auditor to oversee the entire tender process.

### Estate Agent

It is recommended that Council appoint an agent in the Colac area to market the tender. In appointing an estate agent, Council should consider:

- (a) the qualifications, skill and expertise of agents relevant to a tender and property of the nature being sold;
- (b) the details of the agent's proposed marketing and advertising campaigns; and
- (c) the proposed fee for the services being provided.

### Use of Sale Proceeds

#### Options:

- (a) Use sale proceeds to offset loan borrowings; or
- (b) Put funds to the development of new assets; or
- (c) Put funds in reserve for future asset acquisitions.

### **Proposal**

Council must now determine whether it should proceed with the proposed sale of the Subject Land by public tender.

### **Financial and Other Resource Implications**

Council has already incurred costs associated with undertaking the statutory process under sections 189 and 223 of the Act.

There will be further costs involved in the sale of the Subject Land, including:

- Preparation of tender documents
- Advertising costs and estate agent's fees
- Valuation costs
- Legal and probity costs

It is recommended that any surplus funds from any sale are used to offset loan borrowings. At the time of the finalisation of a sale Officers will assess the most advantageous option in terms of what loan(s) to repay. This will be assessed mainly on the ability to repay early a loan and interest rates.

### **Risk Management & Compliance Issues**

The "Sale and Exchange of Council Land Policy" details the compliance issues under the *Local Government Act 1989*.

### **Environmental and Climate Change Considerations**

Not applicable.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method of communication has been to inform and consult.

Both Otway Community College and the Aged and Disability unit of Council were informed of Council's intent to sell the property at 6 Murray Street prior to the advertisement being in the Colac Herald.

Section 189(2) of the LG Act requires Council to give at least 4 weeks public notice before the sale or exchange of land. Further section 189(3) of the LG Act provides that a person has a right to make a submission under section 223 of the LG Act on the proposed sale or exchange of land.

An advertisement was placed in the Colac Herald on Friday 17 June 2011. Submissions were able to be made up to Friday 29 July 2011.

No submissions were received.

**Implementation**

Following Council's decision, documentation will be prepared and a current valuation sought for the property.

The property will be advertised and tendered through "E Tender".

**Conclusion**

The property at 6 Murray Street Colac is seen as surplus to Council's requirements. As no submissions were received, it is proposed that Council resolves to:

- (a) proceed with the sale of the Subject Land by public tender, having complied with sections 189 and 223 of the Act; and
- (b) apply the funds from the sale of the Subject Land to offset Council's loan borrowings.

**Attachments**

- 1. Title Details
- 2. Landata Information
- 3. Lease to Otway Community College
- 4. Public Notice
- 5. Extract Council Policy - Sale and Exchange of Council Land

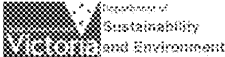
**Recommendation(s)**

**That Council:**

- 1. Having complied with the provisions of sections 189 of the Local Government Act 1989 (Act), and having received no submissions pursuant to section 223 of the Act, resolves to sell the property known as 6 Murray Street, Colac, being the land in certificate of title volume 10401 folio 603 (Property), by public tender.**
- 2. Resolves that any funds from the sale of the Property be applied to offset Council's loan borrowings.**
- 3. Directs that the Chief Executive Officer be authorised to:**
  - (a) set a reserve price that is not less than the independent valuation obtained by Council pursuant to section 189 of the Act**
  - (b) appoint an estate agent and an independent probity auditor**
  - (c) accept or reject any tender received on the highest price (subject to the reserve) or any other criteria that the Chief Executive Officer sees fit**
  - (d) act on behalf of Council in the execution of all relevant documents in relation to the sale of the Property, including the contract of sale and vendor's statement.**
- 4. Directs that Council's seal be affixed to any transfer of land and other documentation to which Council's seal is required to be affixed in connection with the sale of the Property.**

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VOLUME 10407 FOLIO 603

Security no : 124038737855P  
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CROWN GRANT

**LAND DESCRIPTION**

Crown Allotment 3A Section 19 Township of Colac Parish of Colac.

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
COLAC OTWAY SHIRE COUNCIL of 2-6 RAE STREET COLAC

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP306138C FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 6 MURRAY STREET COLAC VIC 3250

DOCUMENT END



## Imaged Document Cover Sheet

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|   |   |   |
|---|---|---|
| TITLE PLAN  | EDITION 1   | TP 306138C  |
| <p><b>Location of Land</b></p> <p>Parish: COLAC<br/>Township: COLAC<br/>Section: 19<br/>Crown Allotment: 3A<br/>Crown Portion:</p> <p>Last Plan Reference:<br/>Derived From: VOL 10407 FOL 603<br/>Depth Limitation: 15 m</p> |   | <p><b>Notations</b></p> <p>SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 10407 FOL. 603 AND NOTED ON SHEET 2 OF THIS PLAN</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p> |
| <p><b>Description of Land / Easement Information</b></p>  |   | <p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 07/02/2000<br/>VERIFIED: C.L.</p>  |
| <p>LENGTHS ARE IN METRES</p>  | <p>Metres = 0.3048 x Feet<br/>Metres = 0.201168 x Links</p> | <p>Sheet 1 of 2 sheets</p>  |

|   |   |  |                     |
|---|---|--|---------------------|
| TITLE PLAN  |   |  | TP 306138C          |
| <p><b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS<br/>                 CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b></p> <p style="text-align: right;">all that piece of land in the said State being</p> <p>Allotment <b>THREE<sup>A</sup></b> of Section <b>NINETEEN</b> in the Township of <b>COLAC</b> Parish of <b>COLAC</b> and being the land shown enclosed by continuous lines in the map hereon and identified by that allotment number</p> <p><b>PROVIDED</b> that this Grant is made subject to -</p> <p>(a) the reservation to Us Our heirs and successors of -</p> <p>(i) any minerals within the meaning of the <i>Mineral Resources Development Act 1990</i> and petroleum within the meaning of the <i>Petroleum Act 1958</i> (hereinafter called "the reserved minerals");</p> <p>(ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;</p> <p>(iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;</p> <p>(b) the right to resume the said land for mining purposes pursuant to section 205 of the <i>Land Act 1958</i>;</p> <p>(c) the right of any person being a licensee under the <i>Mineral Resources Development Act 1990</i> or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.</p> <p>(d) the full and free right and liberty of any authority or authorities of Our said State empowered or authorised to make manage or maintain any sewer or sewers and its or their agents officers workmen servants and contractors at all times hereafter to make cut construct maintain and repair as such authority or authorities may deem necessary or desirable all drains sewers and other like works upon over along or under that portion of the land hereby granted shown marked E-1 in the said map.</p> |   |  |                     |
| LENGTHS ARE IN METRES   | Metres = 0.3048 x Feet<br>Metres = 0.201168 x Links |  | Sheet 2 of 2 sheets |

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**RENEWAL AND VARIATION OF  
LEASE & DISCLOSURE STATEMENT**

---

**Landlord: Colac-Otway Shire Council**

**Tenant: Otway Community College  
(formerly operating as Colac Adult and  
Community Education Incorporated)**

**Premises: Part 6 Murray Street, Colac**

 **Office of the Victorian  
Small Business Commissioner**  
Education | Investigation | Mediation | Representation

**Notification of Retail Lease**

**Notification Type**

\* Mandatory Field

Lease Type \*     New Lease     Renewal of Existing Lease

Reference Number if known   

**Premises Details**

Shopping Centre (If Applicable)   

   Part 6      
Unit Number    Street Number    Street Name \*

            
Street type \*    Suburb/City/Town \*    Postcode \*

**Landlord Details**

Is Landlord a Company? \*     Yes     No

Company Name \*        Company ACN or ABN \*   

Name of natural person contact for company \*   

             
Unit Number    Street Number    Street Name \*    Street type \*

            
Suburb/City/Town \*    State \*    Postcode \*

Phone \*        Email   

Name of Representative of Landlord        *e.g. solicitor or estate agent (only if applicable).*

121 Exhibition Street, Melbourne Victoria 3000 ♦ GPO Box 4509, Melbourne Victoria 3001 ♦ DX 210074 Melbourne  
Telephone (03) 9651 9967 ♦ Facsimile (03) 9651 9943 ♦ www.sbc.vic.gov.au



**Office of the Victorian  
Small Business Commissioner**  
Education | Investigation | Mediation | Representation

**Notification of Retail Lease**

**Tenant Details**

\* Mandatory Field

|  |                         |                                      |   |                 |   |            |   |   |
|--|-------------------------|--------------------------------------|---|-----------------|---|------------|---|---|
| Is Tenant a Company? *                       |                         | <input checked="" type="radio"/> Yes | <input type="radio"/> No                                |                 |   |            |   |   |
| Company Name *                               | Otway Community College | Company ACN or ABN *                 | 12345678  |                 |   |            |   |   |
| Name of natural person contact for company * |                         |                                      |   | Peter Macdonald |   |            |   |   |
| Unit Number                                  | 6                       | Street Number                        | Murray  | Street          |   |            |   |   |
| Colac  |                         |                                      |   | VIC             | 3 | 2          | 5 | 0 |
| Suburb/City/Town *                           |                         |                                      |   | State *         |   | Postcode * |   |   |
| Phone *                                      | 52319500                |                                      | Email   |                 |   |            |   |   |
| Name of Representative of Tenant             |                         |                                      | e.g. solicitor or estate agent<br>(only if applicable). |                 |   |            |   |   |

**Lease Details**

|  |            |
|--|------------|
| Date of signing or renewal of lease by all parties * | 21/06/2010 |
| Lease Expiry Date *                                  | 30/04/2015 |
| Date for Exercise of Option                          |            |

Email Address \*

*Email address of person-completing form*

**Privacy Policy**

The office of the Small Business Commissioner adheres to all requirements of Commonwealth and State Privacy legislation. In accordance with Section 84(1)(g) of the Retail Leases Act 2003 information provided in this notification may be used for the purposes only of the Commissioner performing his or her functions under the Act.

121 Exhibition Street, Melbourne Victoria 3000 ♦ GPO Box 4509, Melbourne Victoria 3001 ♦ DX 210074 Melbourne  
Telephone (03) 9651 9967 ♦ Facsimile (03) 9651 9943 ♦ www.sbc.vic.gov.au



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**RENEWAL AND VARIATION OF  
LEASE OF REAL ESTATE**

---

**Landlord: Colac-Otway Shire Council**

**Tenant: Otway Community College  
(formerly operating as Colac Adult and  
Community Education Incorporated)**

**Premises: Part 6 Murray Street, Colac**

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*This document has been prepared by the Law Institute of Victoria for use by solicitors only.  
It may require to be added to or amended to ensure its suitability for a particular transaction.  
For that reason this document should only be used by a solicitor.*

**Warning:** The Retail Leases Act 2003 may apply to this Renewal of Lease

**RENEWAL AND VARIATION OF  
LEASE OF REAL ESTATE  
(WITH GUARANTEE & INDEMNITY)  
(Commercial Property)  
COPYRIGHT  
Law Institute of Victoria**

**Premises:** Part 6 Murray Street, Colac 3250

Since the **Tenant** has exercised the option for renewal of the **Original Lease**, the **Landlord** leases the **Premises** to the **Tenant** for the **Term** and at the **Rent** and on the conditions set out in this document.

The **Guarantor**, if any, agrees to be bound by the **Guarantor's** obligations set out in this document.

**EXECUTED AS A DEED ON**

**DATE:** The 21<sup>st</sup> day of June

THE COMMON SEAL of the COLAC-OTWAY )  
SHIRE COUNCIL was hereto affixed in )  
accordance with its Local Law 4 in the presence of: )



..... *[Signature]* ..... Chief Executive Officer

THE COMMON SEAL of the OTWAY )  
COMMUNITY COLLEGE )  
was hereto affixed by authority )  
of the Committee in the presence of: )

..... *[Signature]* ..... Committee Member

..... *[Signature]* ..... Committee Member/Public Officer  
of the Association

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## 1 DEFINITIONS AND INTERPRETATION

This document is to be interpreted according to the following rules.

- 1.1 The listed expressions appearing in **bold** print and commencing with a capital letter have the meanings set out opposite them:

| <b>EXPRESSION</b>     | <b>MEANING</b>   |
|-----------------------|--|
| <b>Act</b>            | Retail Leases Act 2003.  |
| <b>Guarantee</b>      | the guarantee and indemnity in respect of the <b>Tenant's</b> obligations under the <b>Original Lease</b> given by the <b>Guarantor</b> .                  |
| <b>Guarantor</b>      | the person name in <b>Item 3</b> .   |
| <b>Item</b>           | an <b>Item</b> in the schedule to this document.   |
| <b>Landlord</b>       | the person named in <b>Item 1</b> , or any other person who will be entitled to possession of the <b>Premises</b> when the <b>Term</b> of this lease ends. |
| <b>Original Lease</b> | the Lease a copy of which is attached or as otherwise identified in <b>Item 4</b> .  |
| <b>Premises</b>       | the premises specified in <b>Item 4</b> .  |
| <b>Rent</b>           | the amount in <b>Item 6</b> , or as varied in accordance with this document.   |
| <b>Tenant</b>         | the person named in <b>Item 2</b> , or any person to whom the renewed lease is subsequently transferred.   |
| <b>Term</b>           | the period stated in <b>Item 5</b> .   |

- 1.2 Unless otherwise specified, the words and phrases used in this document have the same meaning as in the **Original Lease**.

- 1.3 If the tenant named in the **Original Lease** is not the **Tenant**, then the **Premises**, by virtue of a previous transfer(s), were transferred to the **Tenant** for the residue of the term of the **Original Lease**.

- 1.4 The **Landlord** (even if not named as the landlord in the **Original Lease**) is now the person entitled to take possession of the **Premises** if the tenancy ends.

- 1.5 References to laws include regulations, instruments and by-laws and all other subordinate legislation or orders made by any authority with Jurisdiction over the premises. **Illegal** means contrary to a law as defined in this sub-clause.

- 1.6 This document must be interpreted so that it complies with all laws applicable in Victoria. If any provision of this document does not comply with any law, then the provision must be read down so as to give it as much effect as possible. If it is not

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possible to give the provision any effect at all, then it must be severed from the rest of the document.

- 1.7 The law of Victoria applies to this document.
- 1.8 Any change to this document must be in writing and signed by the parties.
- 1.9 An obligation imposed by this document on or in favour of more than one person binds or benefits all of them jointly and each of them individually.
- 1.10 The use of one gender includes the others and the singular includes the plural and vice versa.
- 1.11 If the **Landlord**, **Tenant** or **Guarantor** is an individual, this document binds that person's legal personal representative. If any of them is a corporation, this document binds its transferees.
- 1.12 This document is delivered and operates as a deed.

## 2 TENANT'S OBLIGATIONS

The **Tenant** must pay the **Rent** without any deductions to the **Landlord** on the days and in the way stated in the **Original Lease**. No demand for **Rent** is necessary and the **Landlord** may direct in writing that the **Rent** be paid to another person.

## 3 GENERAL AGREEMENTS

- 3.1 The lease formed by this document is granted subject to and with the benefit of the same **Tenant's** and **Landlord's** rights obligations and agreements as are contained in the **Original Lease** except:
  - 3.1.1 for the new **Term** and **Rent**; and,
  - 3.1.2 that its provisions are now deleted or changed in the specific manner set out in **Item 8**.
- 3.2 The **Landlord** and the **Tenant** now agree to respectively perform and observe all the rights obligations and agreements in the **Original Lease** as if they were now repeated in full and with only such changes necessary to make them applicable to this document and specifically the changes made by this document.

## 4 GUARANTEE

The **Guarantor** now agrees that:

- 4.1 the **Tenant's** obligations and agreements under the **Original Lease**, as renewed and varied by this document, are subject to and form part of the moneys and obligations the payment and performance of which are guaranteed to the **Landlord** by the **Guarantor** under the **Guarantee** and,
- 4.2 if the **Tenant** does not perform or observe any of its obligations and agreements under this document, the provisions of the **Guarantee** apply to them as if the terms of this document were incorporated in the **Original Lease** at the time it was executed.

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**5 ADDITIONAL PROVISIONS**

Any additional provisions set out in Item 9:

5.1 bind the parties; and

5.2 if inconsistent with any other provisions of this document, override them.

**6 FURTHER RENEWAL**

If this whole of the Act applies to this lease and if there is a further option for renewal of the Original Lease specified in Item 7 then the latest date for exercising the option is the date specified in Item 7.

**7 RETAIL PREMISES LEASE**

If this lease is a retail premises lease to which the provisions of the Act apply then the parties agree and acknowledge that all of the provisions of this Lease are to be read subject to the provisions of the Act and, to the extent of any inconsistency, the provisions of the Act prevail.

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**SCHEDULE**

- Item 1: Landlord**  
[Clause 1.1] Colac-Otway Shire Council of 2-6 Rae Street, Colac 3250
- Item 2: Tenant**  
[Clause 1.1] Otway Community College (formerly operating as Colac Adult and Community Education Incorporated) of 6 Murray Street, Colac 3250
- Item 3: Guarantor**  
[Clause 1.1] Not Applicable
- Item 4: Original Lease**  
[Clause 1.1] Dated: 8 March 1996  
  
Premises: Part 6 Murray Street, Colac 3250.
- Item 5: Term of the renewed lease**  
[Clause 1.1] Five year(s) starting on 1 May 2010
- Item 6: Rent**  
[Clause 1.1] (i) During the first year of the Term \$74,500.00 per annum;  
  
(ii) During each successive year respectively of the Term the Rent shall vary in accordance with the terms of the **Original Lease**.
- Item 7: Number and duration of further term(s)**  
[Clause 6] No further terms available  
  
**Latest Date for Exercising Option**  
Not Applicable
- Item 8: Variations**  
[Clause 3.1] 1. The Landlord will grant to the Tenant the sum of \$5,000.00 (GST exclusive) for each year of the renewed lease with such sum to be provided to the Tenant or offset against the rental due by the Tenant at such time or times during the year as determined by the Landlord.
- Item 9: Additional Provisions**  
[Clause 5]

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***DISCLOSURE STATEMENT***  
***BY THE LANDLORD***  
***OF A RETAIL PREMISES LEASE***

---

**Landlord: Colac-Otway Shire Council**  
**Premises: Part 6 Murray Street, Colac 3250**

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**DISCLOSURE STATEMENT**  
by the landlord under the  
**Retail Leases Act 2003**

**NOTE**

This statement is to be completed by the Landlord and should be provided to the Tenant along with the Information Brochure about retail leases published by the Small Business Commissioner and a copy of the lease at least 7 days before the signing of a new lease. The Information Brochure is also available at the Office of the Small Business Commissioner.

If the Tenant has exercised or is entitled to exercise an option to renew a retail premises lease, the Landlord is required to provide this statement to the Tenant at least 21 days before the end of the current term.

In the situation where all of the parties to a retail premises lease enter into an agreement to renew the lease, the Landlord is required to provide this statement to the Tenant at least 14 days after the entering into of the agreement.

The layout of this statement does not need to be the same as the prescribed disclosure statement in the Retail Leases Regulations 2003.

It is prudent for a Tenant to obtain independent legal and financial advice before entering into a retail premises lease.

The Tenant has remedies including termination of a lease under the **Retail Leases Act 2003** if information in this statement is misleading, false or materially incomplete.

Information contained in this statement is correct as at the date of this statement but may change after the date of this statement and during the term of the lease.

**PART 1 — THE LANDLORD**

- 1.1 Landlord  
Colac-Otway Shire Council
- 1.2 Landlord's address  
2-6 Rae Street, Colac 3250
- 1.3 Responsible Entity (if applicable)  
Not Applicable
- 1.4 Responsible Entity's address (if applicable)  
Not Applicable
- 1.5 Landlord's Agent (if applicable)  
Not Applicable

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1.6 Landlord's Agent's address (if applicable)

Not Applicable

**PART 2 — THE TENANT**

2.1 Tenant

Otway Community College (formerly operating as Colac Adult and Community Education Incorporated)

2.2 Tenant's address

6 Murray Street, Colac 3250

2.3 Tenant's trading name (if applicable)

Otway Community College

**PART 3 — THE PREMISES**

3.1 Shop number

*(if premises are within a Retail Shopping Centre)*

Not Applicable

3.2 Address of premises

*(insert address if premises are not within a Retail Shopping Centre, provide name of Centre if premises are within a Retail Shopping Centre)*

Part of the property known as 6 Murray Street, Colac

3.3 Lettable area of premises (in square metres)

*(State whether actual or estimated and, if estimated only, whether a survey will be conducted)*

As set out in the plan annexed to Renewal of Lease dated 1 May 2002. No survey will be conducted.

3.4 Structure, fixtures, plant, equipment and services to or in the premises provided by the Landlord

Those structure, fixtures, plant, equipment and services to or in the premises which do not belong to the Tenant.

3.5 Is the Tenant required to contribute to the cost of structure, fixtures, plant, equipment and services to or in the premises provided by the Landlord?

No, except for as provided for in the Lease, the Retail Leases Act 2003 and any subsequent legislation.

3.6 If so, to what extent?

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Refer to clause 3.5 above.

**PART 4 — THE RETAIL SHOPPING CENTRE - (Not Applicable)**

**PART 5 — THE LEASE**

**Section A — Term**

**NOTE**

Under the **Retail Leases Act 2003**, tenants have the right to a minimum five year tenancy. The Tenant may waive this right if the Tenant applies to and obtains a certificate from the Small Business Commissioner.

**5.1 Term**

Five years commencing on the 1st day of May 2010

**5.2 Options for further terms (if applicable)**

No further terms

**5.3 Date or dates between which the option may be exercised**

Not Applicable

**5.4 Actual date (or estimated date if actual date is not known) that Landlord will hand over premises to Tenant. (State whether actual or estimated date and, if estimated, how actual to be determined)**

1st day of May 2010

**5.5 Actual date (or estimated date if actual date is not known) that lease will commence (State whether actual or estimated date and, if estimated, how actual to be determined)**

1st day of May 2010

**Section B — Permitted Use of Premises**

**5.6 Permitted use of premises**

Adult education purposes

**5.7 The Tenant will have exclusive rights to sell the following goods or services**

Not Applicable

**5.8 The Tenant may not sell the following goods or services**

Those goods or services not included in the permitted use of the premises

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**Section C — Occupancy Costs - overview**

For the purposes of the Act, the Occupancy Costs for this lease are:

|              |   |   |
|--------------|---|---|
| (a)          | rent (excluding rent based on turnover) (section D)     | \$74,500.00   |
| (b)          | total prescribed outgoings (section E or section F)     | Subject to<br>Tenant's<br>determination   |
| (c)          | tenant's contribution to the marketing fund (section G) | \$Nil   |
| <b>Total</b> |   | <b>\$74,500.00 plus<br/>GST plus any<br/>outgoings<br/>determined by<br/>the Tenant</b> |

**NOTE**

A lease with Occupancy Costs greater than \$1,000,000 p.a. is not covered by the Retail Leases Act 2003.

**Section D — Rent Payable**

The rent payable by the Tenant for the term of the Lease is:

| <i>Period*</i>   | <i>Rent*</i><br>(e.g. Year 1 + x%)  | <i>Adjustment method on review</i><br>(e.g. Fixed increase x%) |
|--|---|--|
| 01/05/2010 to 30/04/2011<br>01/05/2011 to 30/04/2012<br>01/05/2012 to 30/04/2013<br>01/05/2013 to 30/04/2014<br>01/05/2014 to 30/04/2015 | \$74,500.00 plus GST<br><br>These amounts ignore any donation or waiver of rental by the Landlord | Reviewable annually by valuation                               |

\* Based on estimated commencement date, if actual date not known

The rent is payable as follows:

5.9 Date for rent payments under the Lease:

By equal quarterly instalments in advance on the 1st days of February, May, August and November

5.10 Date for first payment of rent under the Lease:

(e.g. State Commencement Date or, if a rent free period, specify details of the rent free period)

Commencement date

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5.11 Is the Tenant required to pay any rent based on turnover?

No

5.12 If yes, how is that rent calculated?

*(Include the percentage of gross sales, the base from which percentage rent cuts in and whether that base changes)*

Not Applicable

*Section E — Outgoings (for Retail Shopping Centres only) - (Not Applicable)*

*Section F — Outgoings (for premises not located in a Retail Shopping Centre)*

**NOTE**

Section F, Part 5 of this statement must be completed only if premises are not located within a Retail Shopping Centre and the lease requires the Tenant to contribute (in whole or in part) to any outgoings of the Landlord.

The estimated outgoings for the building in which the Premises are located for the current outgoings year are set out below. This estimate was prepared at the commencement of the outgoings year. Actual outgoings will be calculated and reconciled and, where appropriate, adjustments made at the end of the outgoings year.

This estimate of outgoings only relates to the landlord's outgoings that are recovered from the tenant and does not include any separately metered outgoings incurred by tenants.

| <i>Outgoings</i>                                       | <i>Estimate Per Annum<br/>(including GST)</i> |
|--|---|
| Building or retail shopping centre management services |   |
| Temperature control                                    | Dependent on Tenant's requirements            |
| Pest control   | Dependent on Tenant's requirements            |
| Ventilation  | Dependent on Tenant's requirements            |
| Communication facilities                               |   |
| Telephones   | Dependent on Tenant's usage                   |
| Customer facilities                                    |   |
| Car parking  | Dependent on Tenant's requirements            |
| Lifts  | Dependent on Tenant's requirements            |
| Hygiene services                                       |   |
| Cleaning   | Dependent on Tenant's requirements            |
| Garbage collection and disposal                        | Dependent on Tenant's requirements            |
| Sewerage and waste disposal                            | Dependent on Tenant's requirements            |
| Information services                                   |   |
| Information directories                                | Dependent on Tenant's requirements            |
| Signage  | Dependent on Tenant's requirements            |
| Rates, taxes, levies, premiums, charges and fees       |   |
| Municipal council rates and charges                    | Property is not rated                         |

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|   |  |
|---|--|
| Water, sewerage and drainage rates and charges  | The Tenant pays these amounts and by agreement charges the Landlord a proportionate amount for the Landlords usage of the balance of the premises. |
| Administration costs  | Dependent on Tenant's requirements   |
| Audit fees  | Dependent on Tenant's requirements   |
| Management fees   | Dependent on Tenant's requirements   |
| Repairs and maintenance services  | Dependent on Tenant's requirements   |
| Security services   | Dependent on Tenant's requirements   |
| Emergency systems   | Dependent on Tenant's requirements   |
| Fire protection equipment   | Dependent on Tenant's requirements   |
| Utility services  |  |
| Electricity   | Dependent on Tenant's usage  |
| Gas   | Dependent on Tenant's usage  |
| Oil   | Dependent on Tenant's usage  |
| Water volume charges  | Dependent on Tenant's usage  |
| Energy management systems   | Dependent on Tenant's usage  |
| <hr/>   |  |
| Total prescribed outgoings  | Dependent on Tenant's usage (plus any outgoings dependent on Tenant's usage / requirements)  |
| <hr/>   |  |
| Other outgoings (if any)  |  |
| Building Insurance  | \$Not Applicable   |
| Public Liability Insurance  | \$Arranged by Tenant at its own expense  |
| Plate Glass Insurance   | \$Not Applicable   |
| Goods and Services Tax  | At the rate of 10% on rental and taxable outgoings   |
| <hr/>   |  |
| Total outgoings   | Dependent on Tenant's usage (plus any outgoings dependent on Tenant's usage / requirements)  |
| <hr/>   |  |
| Core Trading Hours Outgoings  |  |
| <i>(Note that the Shop Trading Reform Act 1996 provides that all shops, except exempt shops, must be closed and kept closed during ordinary shop closing times)</i>   |  |
| Formula for calculating tenant's contribution to after hours outgoings  |  |
| Not Applicable  |  |
| Formula for calculating tenant's contribution to outgoings directly assessed on Premises  |  |
| 100% of the outgoings but subject to the Tenant by arrangement obtaining a refund from the Landlord of part of the metered services outgoings based on the Landlords use of part of the premises at 6 Murray Street, Colac. |  |
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Formula for calculating tenant's contribution to services (gas, telephone, electricity, water, etc.)

*(State whether the Tenant will be required to pay direct to the supply authority for water supplied, gas, telephone and electricity supplied to and consumed in the premises or whether they will be part of outgoings)*

100% of the services. The tenant will pay directly to the supply authority for all metered services supplied to the premises but subject to the Tenant obtaining a refund from the Landlord in relation to the Landlords occupation of part of the premises at 6 Murray Street, Colac as agreed.

**Section G — Promotions and marketing**

The following marketing and promotional expenses are payable during the Term of the Lease:

| <i>Promotional and marketing expenses items</i>   | <i>Estimate per annum (including GST)</i> |
|---|---|
| Tenant's contribution to promotion/marketing fund | \$ Not Applicable                         |
| Landlord's contribution                           | \$ Not Applicable                         |

**PART 6 — ASSIGNMENTS - (Not Applicable)**

**PART 7 — TENANT'S FIT OUT AND/OR REFURBISHMENT WORKS**

The Landlord requires the Tenant to perform, at the Tenant's expense, the following fit out and/or refurbishment works:

7.1 Before the commencement date of the lease

Not Applicable

7.2 During the Term

In accordance with the Lease

**PART 8 — RELOCATION/DEMOLITION**

8.1 Does the lease include a relocation clause?

No

8.2 Does the lease include a termination clause which applies in cases other than breach of a lease?

No

8.3 Does the lease include a demolition clause?

No

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PART 9 — ADDITIONAL REPRESENTATIONS - (Not Applicable)

PART 10 — DECLARATIONS BY THE LANDLORD OR THE LANDLORD'S AGENT

The Landlord acknowledges that this Statement contains all representations in relation to the proposed lease by the Landlord and the Landlord's Agent and the Landlord is satisfied that all agreements are fully reflected in this Statement.

The Landlord has not knowingly withheld information which is likely to have an impact on the Tenant's proposed business.

THE COMMON SEAL of the COLAC-OTWAY )  
SHIRE COUNCIL was hereto affixed in )  
accordance with its Local Law 4 in the presence of: )



..... Chief Executive Officer

Address of Landlord

2-6 Rae Street, Colac 3250

Date

X 4/5/10.....

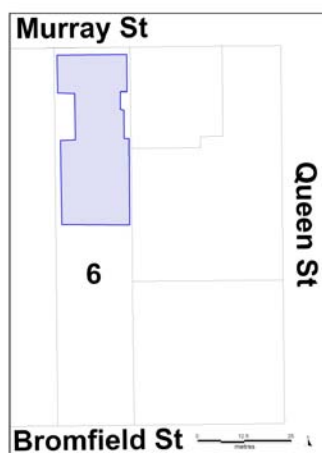
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| ADVERTISING REQUEST FORM  |         |                        |       |            |
|---|---------|------------------------|-------|------------|
| List the media you want your ad to appear in:   |         | Colac Herald           |       |            |
| List the dates you want your ad to appear:  |         | Friday 17 June 2011    |       |            |
| I want my ad to appear in the (highlight the appropriate section)   |         |                        |       |            |
| <b>PUBLIC NOTICES</b>   | TENDERS | EARLY GENERAL          | SPORT | EMPLOYMENT |
| I want my ad to be (highlight the appropriate section)  |         |                        |       |            |
| COLOUR  |         | <b>BLACK AND WHITE</b> |       |            |
| Any logos or pictures to be included in the ad (other than Council's logo)? If so, <u>attach them as a jpg to your email.</u> |         |                        |       |            |
| Please list the <u>account or work order</u> your ad is to be charged to:   |         | 3100.350.601           |       |            |
| Please name your file using the following conventions: YYMMDDKeywords<br>Example: 110105LarpentRdUpgrade                      |         |                        |       |            |

## NOTICE OF INTENTION TO SELL LAND

Colac Otway Shire Council (**Council**) gives notice under Section 189 of the *Local Government Act* 1989 (**Act**) that it intends to sell its land described below (**proposal**).

The land is known as 6 Murray Street Colac, being the land within Certificate of Title volume 10407 folio 603 (**land**).



The proposal is that the land be sold by a public tender process.

A person may make a written submission on the proposal. Any person proposing to make a submission under section 223 of the Act must do so by 5.00 pm on Friday 29 July 2011. All submissions will be considered in accordance with section 223 of the Act.

Submissions should be addressed to the following: The Chief Executive Officer, Colac Otway Shire, PO Box 283 Colac 3250. Any person who wishes to be heard in support of their written submission must request this in their submission.

Such a person will be entitled to appear in person, or by a person acting of his or her behalf before a Special Council meeting. The Special Council meeting will be held on Wednesday 10 August 2011 at 1 pm at COPACC.

Any person requiring further information should contact the General Manager Corporate and Community Services.

Rob Small  
Chief Executive Officer  
[www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)



## Attachment 5 - Extract: Council Policy No: 4.3 – Sale and Exchange of Council Land Policy - dated 28 October 2009

### *“Sale by Public Tender*

Where Council has decided that land is to be sold by public tender, the sale of this land before the close of tenders must not be permitted.

Most of the procedures described in the conduct of a sale by public auction are relevant to a sale by public tender, and it is recommended that they be read in conjunction with this Section.

Sale of land by public tender should be conducted in the following manner:

- Tender documents must be prepared which outline the process for the sale and all relevant timelines. The documents should also outline the broad objectives Council wishes to achieve through the sale, how tenders will be received and assessed, and how any post tender negotiations will be conducted.
- Council should consider the appointment of a probity auditor to oversee the entirety of the sale process.
- The reserve price must be set before the close of tenders and must remain confidential to ensure the integrity of the sale process. Tenders must not be opened until the reserve price is set (i.e. if a reserve price had not been set before the close of tenders).
- Tenders must be lodged with the council or its legal representative. Tenders must not be lodged with the selling agent. Tenders lodged with the selling agent should not be accepted. Tenders submitted by facsimile or by e-mail should also not be accepted.
- Late tenders must not be accepted.
- Tenders should only be opened by a formally appointed panel comprising representatives of the council and may include its legal representative and, if appointed, the probity auditor.
- The highest conforming tender at or above the reserve price should be accepted. If no conforming tenders are received at or above the reserve price, Council may commence post tender negotiations in accordance with its pre-determined strategy. This may involve negotiations with the highest tenderer or may involve inviting tenderers to consider increasing their offers for the property. Post tender negotiations should only be conducted for the duration allowed in the tender documentation.

If the land remains unsold, it should be formally passed in and all tenderers must be advised. The land should continue to be marketed for an appropriate or reasonable period of time as determined by Council.

- If an offer is received which is lower than the valuation adopted as the reserve price and Council is considering acceptance of the offer, it must be submitted in writing to the valuer for consideration. Having considered the valuer's opinion and all other relevant factors, and Council having formed an opinion that the offer is reasonable, the land may be sold. Council should disclose the reasons for its decision to sell the land for a price lower than valuation.”



OM112408-4

**APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT  
PLAN PROJECT COMMITTEE**

|             |                                   |           |              |
|-------------|-----------------------------------|-----------|--------------|
| AUTHOR:     | Ian Seuren                        | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate &<br>Community Services | FILE REF: | GEN00374     |

**Purpose**

The purpose of this report is to seek Councillor representation on the Apollo Bay Indoor Pool Business Development Plan Project Committee.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The Apollo Bay Indoor Pool Feasibility Study was prepared by HM Leisure Planning in 2000/2001. The report was developed in four stages, with Stages 1 and 2 concluding that there was a strong need for an indoor aquatic centre in Apollo Bay. Stages 3 and 4 prepared concept plans and an operational business plan in light of the findings of the first two stages.

At its September 2001 meeting, Council decided not to proceed any further with the development of an indoor aquatic centre in Apollo Bay due to the capital cost and ongoing operational subsidy required.

At its November 2001 meeting, Council agreed to re-evaluate its previous decision. In 2002/2003 further work was undertaken by a committee made up of key township organisations and stakeholders, as well as Council representatives. The committee considered:

- Alternate facility designs
- Benchmarking of other like facilities
- Management
- Funding options.

The proposal for an indoor pool in Apollo Bay did not progress beyond this scope of the work.

The Apollo Bay community is now seeking to review the original feasibility study and business plan. Council has allocated \$5,000 to the Apollo Bay Leisure Centre and Pool Liaison Committee through its 2011/2012 Community Funding Program for the Apollo Bay Indoor Pool Business Development Plan. In addition, the community has received funds from the Apollo Bay Community Bank and Otway Health to undertake the project.

**Council Plan / Other Strategies / Policy  
Community Health and Wellbeing**

Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach, Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.

**Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

**Issues / Options**

The original feasibility study into an indoor aquatic facility in Apollo Bay supported the concept because of the following reasons:

- The isolation of the district from other indoor facilities
- The aging demographic of the community
- The wide range of all-year swimming, educational, health and general aquatic activities which an indoor pool would support
- The inability of the existing outdoor pool and the Southern Ocean town beach to meet key aquatic needs in the community
- The climate of the town and district.

The Council at that time determined that an indoor pool was not feasible due to the capital cost and the ongoing operational subsidy that would be required from Council.

There is still a strong push from the Apollo Bay community to develop an indoor aquatic centre. In March 2007, 42% of those who pledged to purchase shares in the then proposed Apollo Bay Community Bank specified a heated indoor pool as their most desired project for the community to pursue.

The most effective method for reassessing the feasibility of an indoor aquatic centre in Apollo Bay is to review and update the work that has been done over the past 12 years. An independent Business Development Plan will assess the current and future viability of the proposed indoor aquatic centre.

The Apollo Bay Leisure Centre and Pool Liaison Committee are proposing to establish an independent project committee to manage the Business Development Plan. The committee will consist of the key stakeholders including the Apollo Bay Community Bank, Otway Health, Apollo Bay P-12 and the Apollo Bay Chamber of Commerce and Tourism. The group has invited two Councillors to be nominated to join the independent project committee.

Council's Manager Recreation, Arts and Culture will be available to provide advice and assistance for the project and attend committee meetings where appropriate.

**Proposal**

That Council nominates two Councillors to participate on the Apollo Bay Indoor Pool Business Development Plan Project Committee. Councillor representation on the project committee will ensure that Council is kept informed of the project and that Council's views are presented to the committee.

**Financial and Other Resource Implications**

Council has allocated \$5,000 to this project through the 2011/2012 Community Funding Program. No additional funding is required at this stage. The review of the feasibility study and Business Development Plan will identify possible financial requirements from Council in terms of both capital development and ongoing operations. There will be minor costs for Councillor travel to attend meetings but these are not significant and will be met through the Councillor travel budget.

**Risk Management & Compliance Issues**

There are no risk management and compliance issues relevant to this report.

**Environmental and Climate Change Considerations**

Environmental issues such as water and energy use will be key considerations in the revision of original concept plans and preparation of a business development plan.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

There will be no community engagement for the selection of the Councillor representatives as this is an internal process for the determination of Council.

On commencement of the project the appointed consultant will, in conjunction with the Project Committee, prepare and resolve a Project Communication and Consultation Plan which meets the requirements of Council's Community Engagement Policy 2010. The project will involve extensive consultation with external stakeholders and the broader community.

**Implementation**

Should Council consider nominating two Councillors to the Apollo Bay Indoor Pool Business Development Plan Project Committee, a series of meetings will be held to develop the plan. Attendance at these meetings will be required as well as providing feedback on draft documents.

**Conclusion**

The only means of assessing the current and future viability of an indoor pool in Apollo Bay is to revisit the original Apollo Bay Indoor Pool Feasibility Study and any further work that was done subsequent to the study.

Councillor representation on the Apollo Bay Indoor Pool Business Development Plan Project Committee will ensure Council is informed of the project and that Council's views are presented to the committee.

**Attachments**

Nil

**Recommendation(s)**

***That Council nominates Cr..... and Cr.....as Committee Members to the Apollo Bay Indoor Pool Business Development Plan Project Committee.***

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**OM112408-5 ALVIE RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT**

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Ian Seuren                     | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN00374     |

**Purpose**

The purpose of this report is to appoint a Section 86 Committee of Management for the Alvie Recreation Reserve.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

At the June 2011 Council meeting, Council endorsed the recommendations to sign and seal the Transfer of Land from the Alvie Public Hall and Recreation Reserve Trust to Council and commence a process to appoint a Section 86 Committee of Management of local community members to manage the Alvie Recreation Reserve.

Council appoints Committees of Management under section 86 of the *Local Government Act 1989* as Special Committees to Council to act in accordance with rules and conditions of appointment adopted by Council. The purpose of the Committees is to manage the operations of the facility. Council policy is that Committee of Management members are appointed for a three year term.

Council called for Expressions of Interest from community organisations and individuals interested in being on the Alvie Recreation Reserve Committee of Management. Advertisements were placed in local newspapers and newsletters and correspondence was sent to relevant community organisations in the area seeking interest. Expressions of Interest closed Friday 12 August 2011.

**Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The Council Plan 2009-2013 has the following vision and mission:

Our Vision – Council will work together with our community to create a sustainable, vibrant future.

Our Mission – Council will work in partnership with our community and other organisations to provide:

- Effective leadership, governance and financial accountability
- Affordable and effective services
- An advocacy and engagement approach to sustainably grow our community.

Committees of Management play an important role in the community, in partnership with Council.

### **Issues / Options**

Alvie Recreation Reserve is a key recreation and community facility for the northern part of the Shire. The reserve acts as a community hub and is used by many local organisations. Previously, the reserve has been managed by the Alvie Public Hall and Recreation Reserve Trust. The four existing trustees have expressed interest in being involved in the committee to allow continuation in management of the reserve.

A total of nine community members have registered their interest in being on the Alvie Recreation Reserve Committee of Management. This represents the former trustees as well as representatives of the key user groups including the Alvie Football Netball Club and the Alvie Cricket Club. All nominees have extensive experience in managing their respective organisations.

The proposed Alvie Recreation Reserve Committee of Management represents a good mix of user group representation as well as representation of the general community.

The proposed Alvie Recreation Reserve Committee of Management will manage the reserve on behalf of Council for a period of three years.

### **Option 1**

Council's policy is that Committee of Management members are appointed for a 3 year term or less where applicable.

Expressions of Interest of community persons have been received to be on the committee for a period of three years for Council endorsement. The nominations put forward represent current facility user groups and the former Alvie Public Hall and Recreation Reserve Trust as well as the general Alvie and district community.

### **Option 2**

Not to appoint the community persons put forward. This would require Council to seek additional nominations or manage the facility directly, which is not the preferred management model.

### **Proposal**

It is proposed that Council elect to appoint the following community persons to a section 86 Committee of Management for a term of three years until August 2014:

- Peter Delahunty
- Damian Fleming
- Noel McKay
- Barry Parker
- Noel Parker
- Peter Holland
- John Miller
- Owen Williamson
- Graeme Russell

### **Financial and Other Resource Implications**

Council previously provided an annual contribution to the Alvie Public Hall and Recreation Reserve Trust through the Regional Recreation Reserves Contribution Program. This funding contribution was in recognition of the volunteer contribution provided by the Trustees and the reserve's regular user groups. This contribution will continue and be provided to the newly appointed Section 86 Committee of Management.



There will be further financial implications to Council in future years:

- Now that the Titles have been transferred to Council, the value of the land and buildings will increase Council's asset values.
- There will also be an increase in Council's depreciation figure as a result of the building becoming a Council asset. The actual amount will depend on the value of the building and useful life but could be approximately \$10,000 per annum.

There will be ongoing maintenance requirements consistent with other Council facilities, more specifically Council owned and managed recreation reserves. An annualised cost of 1.5% of capital value is realistic for this type of asset. These will be the shared responsibility of Council through the Building Asset Management Plan, the Section 86 Committee of Management and user groups. Current user groups will still be able to apply to Council's Community Grants Program and other government funding programs for future facility improvements projects.

The Committee will hold their own bank account and administer budgets set by the Committee in accordance with funds within these accounts.

The Committee will be required to provide copies of annual financial statements/treasurer's report to Council.

#### **Risk Management & Compliance Issues**

The committee will be provided with a Risk Management and Insurance Manual which has been developed for Council Committees of Management. The Committee operates under an Instrument of Delegation which sets out the powers, functions and duties of the committee.

#### **Environmental and Climate Change Considerations**

Not applicable.

#### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform and consult. Advertisements were placed in the local media and community newsletters seeking nominations to the committee. Correspondence was also sent to local community organisations seeking nominations.

#### **Implementation**

A letter will be forwarded to the nominees advising them of the appointments to the Committee. Council officers will be available to organise and attend the initial meeting of the Committee to assist with its establishment.

#### **Conclusion**

The decision to appoint the Committee as a Section 86 Committee of Management is in keeping with Council's policy of working with its community in the management of halls, reserves and other facilities throughout the Shire.

#### **Attachments**

1. Instrument of Delegation

**Recommendation(s)*****That Council:***

- 1. Pursuant to Section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Alvie Recreation Reserve Committee of Management until 31 August 2014:  
  
Peter Delahunty, Damian Fleming, Noel McKay, Barry Parker, Noel Parker, Peter Holland, John Miller, Owen Williamson and Graeme Russell.***
- 2. In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.***
- 3. Agrees to sign and seal the Instrument of Delegation for the Alvie Recreation Reserve Committee of Management.***
- 4. Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided following the Annual General Meeting of the Committee.***

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**INSTRUMENT OF DELEGATION  
SPECIAL COMMITTEE**

**Alvie Recreation Reserve  
Management Committee**

Colac-Otway Shire Council ("Council") delegates to the Special Committee established by resolution of Council passed on 24 August 2011 and known as the **Alvie Recreation Reserve Management Committee** the powers and functions set out in the Schedule, and declares that:

1. **This Instrument of Delegation** is authorised by a resolution of Council, passed on 24 August 2011.
2. **The Delegation:**
  - a) comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - b) remains in force until Council revokes to vary or revoke it;
  - c) is subject to any conditions and limitations set out in the Schedule; and
  - d) must be exercised in accordance with any guidelines or policies which Council from time to time adopts.
3. All members of the committee will have voting rights on the committee.

THE COMMON SEAL of the )  
COLAC-OTWAY SHIRE COUNCIL )  
was hereunto affixed in accordance )  
with its Local Law No. 4 )

..... Chief Executive Officer

## **SCHEDULE SPECIAL COMMITTEE**

### **Alvie Recreation Reserve Management Committee**

Colac Otway Shire Council has by resolution appointed a Special Committee to manage the Alvie Recreation Reserve. That Committee shall be known as the Alvie Recreation Reserve Management Committee, herein after referred to as the Committee. The powers, functions and duties of the Committee are set out in this schedule.

1. The role of the Committee shall generally be to manage the operation of the Alvie Recreation Reserve on behalf of Council in the best interests of the residents of the Colac Otway Shire Council. Therefore the Committee is required to:
  - a) oversee the day to day operation of the facility;
  - b) approve expenditure within the Budget set by the Committee;
  - c) set hiring fees or charges for use of the facility;
  - d) power to employ such person or contractors as it sees fit for the maintenance and upkeep of the facility;
  - e) act within the powers functions and duties assigned to the Committee as determined by Council; and
  - f) promote use of the facility and support its development as a community asset.
2. The Committee shall keep books of accounts and such records will form part of the accounts of Council and therefore be subject to audit to the Municipal Auditor. The Committee shall prepare an annual financial statement as part of the audit process.
3. The Committee shall not enter into contracts or incur expenditure exceeding \$6,000 or borrow money without approval of Council.
4. The Committee shall not delegate to any person or persons any of the powers delegated to them by Council.
5. The Committee shall submit any policy developed regarding use of the Reserve to Council for approval.
6. Council shall provide assistance to the Committee of:
  - a) Administration and technical advice where appropriate; and
  - b) Allocation of annual funding for undertaking high priority items of cyclical maintenance and minor capital improvements to the Reserve through grant programs.
7. The Committee shall hold an Annual General Meeting to elect from amongst its members persons to act as Chairperson, Secretary and Treasurer. Membership of the Committee, including any additions, deletions or replacements, shall be subject to approval by Council.

OM112408-6

**AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT ACT)**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN0460   |

**Purpose**

To appoint Statutory Planner Kimberly Linden as an authorised officer under the *Planning and Environment Act 1987*.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council has recently appointed a Statutory Planner following a recruitment process for an existing vacancy within the Statutory Planning Unit.

- (a) The *Planning and Environment Act 1987* regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority.
- (b) Currently Council's authorised officers are acting under a broader Appointment and Authorisation by the Chief Executive Officer pursuant to section 224 of the *Local Government Act 1989*.
- (c) Council received legal advice recommending that authorised officers be appointed by Council using a new instrument to address specific authorisation provisions of section 147(4) of the *Planning and Environment Act 1987* versus the broader authorisations of section 224 of the *Local Government Act 1989*.
- (d) The broader Instrument of Appointment and Authorisation by the Chief Executive Officer pursuant to section 224 of the *Local Government Act 1989* must also be retained as it appoints the officers as authorised officers for the administration and enforcement of other acts.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

The Instrument of Authorisation relates only to the powers arising from the *Planning and Environment Act 1987*. Currently, the power to commence proceedings in Council's name is also delegated under the Instrument of Delegation from the CEO to Council Staff. Staff members authorised under other legislation, such as the *Local Government Act 1989*, are appointed under delegation by the CEO.

**Proposal**

The proposal is to appoint Kimberly Linden as an authorised officer pursuant to section 147(4) of the *Planning and Environment Act 1987* and the regulations made under that Act.

**Financial and Other Resource Implications**

Nil

**Risk Management & Compliance Issues**

The *Planning and Environment Act 1987* regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority. The authorisation of officers under this Instrument is consistent with legal advice received.

**Environmental and Climate Change Considerations**

Nil

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The appropriate method under IAP2 is to inform.

**Implementation**

The attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) comes into force immediately upon its execution.

**Conclusion**

Council received legal advice recommending that Council appoint authorised officers pursuant to section 147(4) of the *Planning and Environment Act 1987* for matters relating to planning compliance and enforcement.

**Attachments**

1. Instrument of Appointment and Authorisation

**Recommendation**

1. ***That Council appoints Kimberly Linden as an authorised officer pursuant to the Planning and Environment Act 1987.***
2. ***The Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.***
3. ***The Instrument of Appointment and Authorisation be sealed.***

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INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument “**officer**” means –

**KIMBERLY LINDEN**

By this Instrument of Appointment and Authorisation Colac Otway Shire Council –

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

It is declared that this Instrument –

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 24 August 2011.

THE COMMON SEAL of Colac Otway Shire  
Council was hereunto affixed in accordance  
with Local Law No 4

.....  
Chief Executive Officer

Dated.....





**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | D | W |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>INFRASTRUCTURE AND SERVICES</u></b></p> <p><b><u>OM112408-7 INVESTIGATION OF THE POTENTIAL TO ROOF THE COLAC SALEYARDS</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Calls for Expressions of Interest from suitably qualified companies to register for consideration to be invited to submit a tender for the Design and construction of a roof at the Colac Saleyards.</i></b></li> <li><b><i>2. Be provided with a further report seeking approval regarding the awarding of any contract.</i></b></li> </ol>                                                                                                                                                                                                                           |   |   |
| <p><b><u>OM112408-8 DRAINAGE REPLACEMENT - EVANS COURT TO MCLACHLAN STREET, APOLLO BAY</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Replaces approximately 170 metres of underground drainage pipes and three (3) pits, between Evans Court and McLachlan Street, Apollo Bay, at an estimated cost of \$30,000, based on the installation of a 300mm diameter storm water pipe.</i></b></li> <li><b><i>2. Authorises the works to be funded from the provision made in the 2011/12 budget for the implementation of the recommendations of the Apollo Bay Drainage Study.</i></b></li> <li><b><i>3. Writes to all affected property owners and the parties named in the petition advising them of the proposed works and timing.</i></b></li> </ol> |   |   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b><u>OM112408-9      ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council under the Mayor's signature, writes to the Prime Minister, Leader of the Opposition, Minister of Infrastructure and Transport, Opposition Minister for Transport and Local Federal Members of Parliament, calling on the Federal Government to:</i></p> <ol style="list-style-type: none"> <li><i>1.      recognise its successful delivery of the Roads to Recovery Program by Local Government since 2000.</i></li> <li><i>2.      continue the Roads to Recovery Program on a permanent basis to assist Local Government's meet its responsibilities of providing access to its communities.</i></li> <li><i>3.      continue the Roads to Recovery Program with current administrative arrangements.</i></li> <li><i>4.      provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.</i></li> </ol> |  |  |
| <p><b><u>OM112408-10      TV &amp; E-WASTE RECYCLING</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council approve the introduction of a new E-Waste charge at the Transfer Stations of \$6 (GST Inclusive) for hazardous electrical waste such as TVs, computer monitors and laptops to cover cost of disposal to a suitable recycle facility.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |

**OM112408-11      STRUCTURAL ASSESSMENTS OF  
COUNCIL BRIDGES**

Department: Infrastructure

**Recommendation(s)**

***That Council:***

- 1.      *Implements the following load limits subject to complying with section 223 of the Local Government Act 1989 and a six (6) week notification period:***

| <b><u>Bridge No.</u></b> | <b><u>Road Name</u><br/><u>Load Limit</u></b>        |
|--------------------------|------------------------------------------------------|
| <b>CS053</b>             | <b><i>Daffys Lane 13 tonnes</i></b>                  |
| <b>CS074</b>             | <b><i>Skenes Creek Valley Road<br/>16 tonnes</i></b> |
| <b>CS059</b>             | <b><i>Watsons Access 5 tonnes</i></b>                |

- 2.      *In accordance with section 223 of the Local Government Act 1898 undertakes the following:***
- a.      *Advertise its intention to impose load limits on the above bridges and hear and consider submissions should any be received.***
- b.      *If required, hold a Special Committee Meeting on 12 October 2011 at 1:00pm in COPACC to consider any submissions. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their written submission and will be advertised in local media.***
- c.      *If no submissions or objections are received, instruct the CEO to implement the load limits as recommended.***
- d.      *If required, a final decision shall be made by Council following preparation of a report by the General Manager Infrastructure and Services based on the recommendations to the Council meeting of 26 October 2011.***
- 3.      *Refers the work to rehabilitate each of the structures to Council's Capital Works and Major Projects Program for detailed costing and prioritisation within the relevant renewal program.***

**Recommendation**

***That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.***

**MOVED**                                    .....

**SECONDED**                                  .....

**OM112408-7                      INVESTIGATION OF THE POTENTIAL TO ROOF THE  
COLAC SALEYARDS**

|             |                           |           |                 |
|-------------|---------------------------|-----------|-----------------|
| AUTHOR:     | Neil Allen                | ENDORSED: | Rob Small       |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | Colac Saleyards |

**Purpose**

This report is to seek Council endorsement to investigate the potential to roof the Colac Saleyards through an Expression of Interest process.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The Saleyards Advisory Committee has requested that Council investigate the option to roof the saleyards. The saleyards are facing increasing competition from neighbouring saleyards and entrepreneurs wanting to either enter the market or increase market share. The Advisory Committee is of the view that the yards need to be roofed if they are to remain competitive into the future and protect existing investment.

Without investment in infrastructure up-grade, there is a potential threat to the viability of the current saleyards and without a roof there is a strong opinion amongst industry members that there would most likely be a 10 year decline period. The facility serves a significant industry in the community and supports jobs both directly and indirectly. Users argue that it is too important a facility to lose to operators outside the Shire.

The Saleyards needs capital investment into the future to address the following:

- Matting in pens
- Water conservation
- Roofing over pens

The benefits of roofing the Saleyards are anticipated to be as follows:

- Water collection
- Potential energy production opportunities
- Reduced stress on stock in the yards
- Weather protection for stock and agents
- Reduced metered water consumption from reduced need to undertake wash outs
- Reduced waste-water costs due to lower volumes of water to be treated
- The need to replace the rubber matting in the pens no longer required once the roof is constructed, as pen floors could be sawdust.

The current footprint of the Colac Saleyards selling pens is approximately 8,100 sqm. A preliminary estimate has been undertaken to determine an indicative cost to construct a roof and associated infrastructure over the yards. The cost of the entire project has been

estimated to be in the order of \$1.5 Million dollars inclusive of power and water upgrades associated with the roof.

In discussion with the Saleyard Advisory Committee at the last meeting, the committee advised that they are prepared to raise fees across the board by an average of 10% to pay for the works if the work is commenced immediately. The fees have already been raised this year by 10% to meet the cost of anticipated improvements.

### **Council Plan / Other Strategies / Policy**

#### **Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

### **Issues / Options**

The Expression of Interest for the investigation of the roof would be based on a design and construct contract that will allow the flexibility to explore new and innovative solutions which could include energy and water saving efficiency measures. The design of the roof will need to incorporate rainwater tanks and a reticulation system to reduce overall water consumption in line with the Councils WaterMap Program which requires a reduction in water usage for premises that use more than 10ML of potable water per year.

Options which could also be included in the tender documents are for partial or full construction of the roof and staging of works over more than one financial year. Tenderers would need to demonstrate that they have the capacity, expertise, experience and ability to undertake this work.

Subject to approval from Council to proceed, Expression of Interest documents would be prepared and advertised for the "Design and Construction of a Roof at the Colac saleyards".

### **Proposal**

It is proposed that Council advertise for expressions of interest to roof the saleyards from suitable suppliers and based on the outcome of the expression of interest process and a further report to Council to pursue a design and construct contract.

### **Financial and Other Resource Implications**

Until final tenders are called, Council will not be in a position to understand the exact costs. However, saleyard fees have been increased as part of the budget process to increase income based on recovering total project costs over a 15 year period. The project would however, require to be funded upfront from a combination of reserve funding and loans, with the majority of funding coming from loans. Council currently has a reserve fund of \$351,000.

Loan funding for the roofing has not been included in Council's long term Strategic Resource Plan and future budgets would need to be amended to reflect this if this project goes ahead. It is expected preliminary investigations and expressions of interest would occur in this year with minimal cost to Council and that the majority of expenditure would occur in subsequent budgets.

### **Risk Management & Compliance Issues**

If Council does nothing, the future costs will increase and the project end up costing more. In addition, the viability of the saleyards could be placed at risk if nothing is done.

### **Environmental and Climate Change Considerations**

The roofing of the saleyard will lead to a decrease in metered water consumption.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to consult with the Saleyards Advisory Committee and keep the community informed as to progress of this project.

**Implementation**

If approval is provided by Council, officers will advertise for expressions of interest to design and construct a roof at the Colac Saleyards.

**Conclusion**

The long term viability of the saleyards is dependent on roofing part or all of the yards. The financial analysis has shown that the roofing of the yards is able to be funded from increased fees and as such this project should proceed.

**Attachments**

Nil

**Recommendation(s)*****That Council:***

- 1. Calls for Expressions of Interest from suitably qualified companies to register for consideration to be invited to submit a tender for the Design and construction of a roof at the Colac Saleyards.***
- 2. Be provided with a further report seeking approval regarding the awarding of any contract.***

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**OM112408-8****DRAINAGE REPLACEMENT - EVANS COURT TO  
MCLACHLAN STREET, APOLLO BAY**

|             |                           |           |                                   |
|-------------|---------------------------|-----------|-----------------------------------|
| AUTHOR:     | Peter Dohnt               | ENDORSED: | Neil Allen                        |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | Drainage<br>GEN000515,<br>General |

**Purpose**

The purpose of this report is to inform Council of the proposed drainage works between Evans Court and McLachlan Street, Apollo Bay in response to the petition received from concerned residents in relation to drainage issues.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

On 7 June 2011, Council received a petition from five property owners raising concerns relating to their properties experiencing unduly wet conditions which they believed were caused by issues with Council's drainage system. The properties, located at 2/33 Cawood Street and 119, 121, 123 and 125 McLachlan Street, Apollo Bay, all complained that their properties experienced "regular flooding and damage" due to "incomplete and damaged drainage works".

Prior to receiving the petition, Council officers had met with several of the property owners to discuss their concerns, and initiated two attempts at inspecting the underground drainage network with closed circuit television cameras. These investigations indicated that parts of the underground pipe network appeared to be damaged, blocked or missing.

It was also noted that prior to the area being developed in the mid 1970's, it was known to be a wet and swampy area that abutted a small watercourse which ran down what is now Thomson Street. It is likely that underlying wet conditions contribute to the poor drainage experienced within these blocks.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

**Issues / Options**

Detailed drainage investigations were carried out, and it appears that deterioration of Council's stormwater network has resulted in leakage from the underground drainage network. This, together with the existing natural ground conditions, appears to have exacerbated the wet conditions being experienced by the properties at 2/33 Cawood Street and 119, 121, 123 and 125 McLachlan Street, Apollo Bay.

The options to address the issue are:

1. Do nothing. However, there does seem to be a clear indication that Council's drainage assets are not performing well and Council has a responsibility to maintain its' assets in a serviceable condition; or
2. Replace the assets, which are not performing as they were designed, with infrastructure that will provide an appropriate level of service.

### **Proposal**

A detailed investigation has determined that the concerns raised by the residents are of significant concern and work should be undertaken as soon as practicable. It is proposed to replace the underground drainage network between Evans Court and McLachlan Street. It is estimated this work will involve the installation of approximately 170 metres of 300mm diameter pipe and three junction pits.

The works require that a trench be excavated along the pipeline to remove existing pipes and replace them. This work will involve the removal of most/all vegetation within the existing drainage easement.

### **Financial and Other Resource Implications**

The cost has been estimated at \$30,000. As the works are the replacement of existing assets, Council is unable to seek a contribution from property owners and will therefore be responsible for the total cost of the works.

It is proposed that the cost of these works be taken from the funds provided for the implementation of the Apollo Bay Drainage Strategy (Budget provision - \$165,000). While using an allocation from this budget will impact on the extent of works possible when the strategy is completed, it is expected that ongoing budget allocations will need to be provided to implement works which are expected to be identified in the completed strategy for the Apollo Bay township.

### **Risk Management & Compliance Issues**

A number of risks have been identified if Council chooses not to carry out replacement works. These risks include:

- Adverse publicity. This will be minimised if the drainage network is replaced.
- Potential litigation due to property flood damage. This will be minimised if the drainage network is replaced.

Other risks and compliance issues include operational OH&S associated with undertaking the works. Management of these issues will occur through Council's quotation process and on site management.

### **Environmental and Climate Change Considerations**

There are no environmental or climate change issues that are relevant to this proposal.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is to consult with the affected property owners. This has included a meeting with property owners to discuss the issues. Invitations were sent 12 July 2011 for a meeting which was held on 21 July 2011 at 1pm at the Apollo Bay office.

Property owners will be updated and informed of progress throughout the project.

**Implementation**

The proposed program for the works is:

- Project planning and consultation. Involves advising property owners of the proposed works and inviting them to discuss any issues. This was completed in July 2011.
- Finalise design to be undertaken in September 2011.
- Call for Quotes for the works in October 2011.
- Award works in November 2011.
- Undertake works in December 2011/January 2012.

**Conclusion**

Upon investigation by Council officers, it has been found that the petition raises real concerns that should be addressed as soon as possible. It is recommended that approximately 170 metres of underground drainage pipes and three (3) stormwater pits be replaced between Evans Court and McLachlan Street, Apollo Bay, at an estimated cost of \$30,000. As this is an unfunded budget project, it is proposed that the works be funded from the budget allocation for the Apollo Bay Drainage Works.

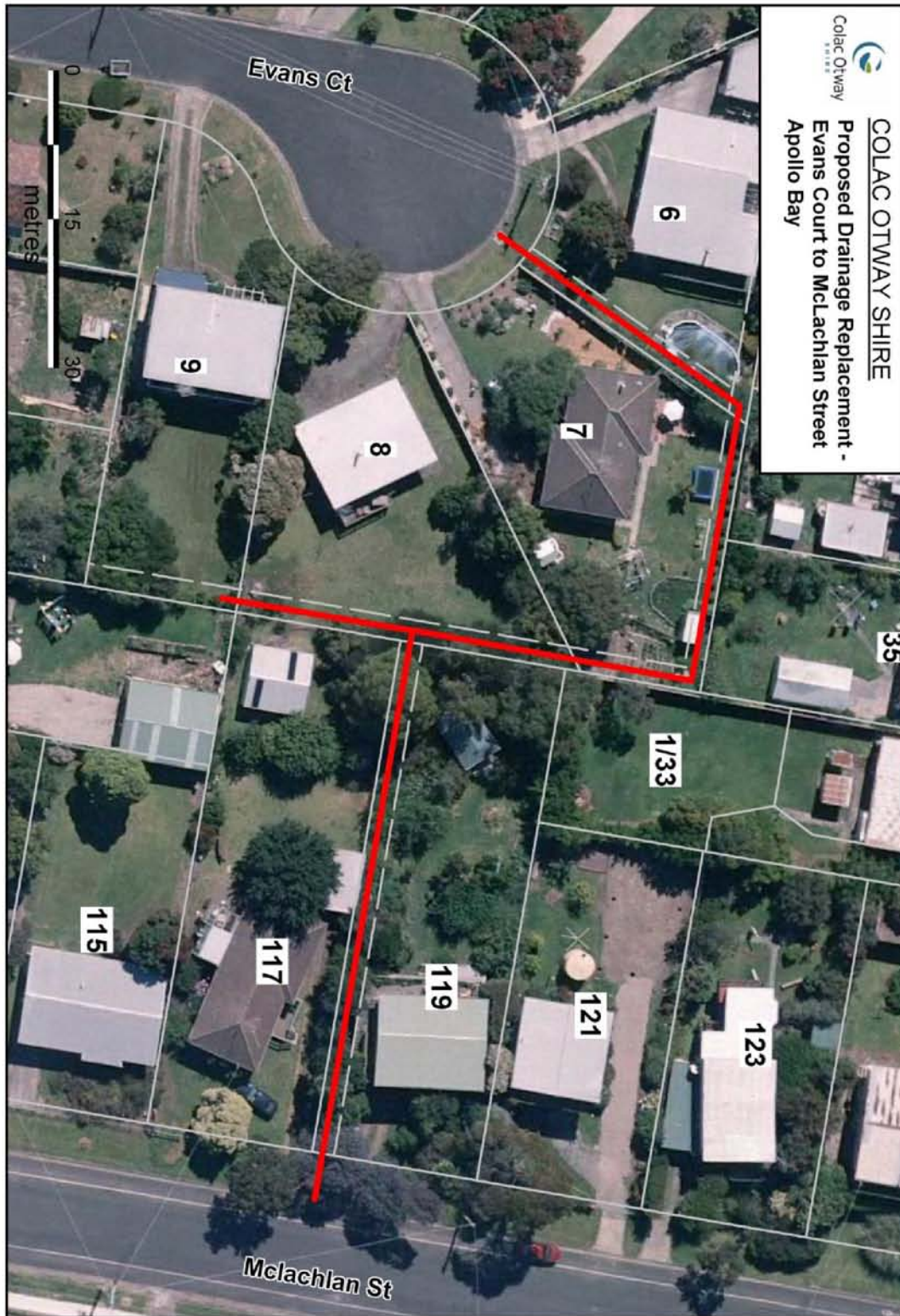
**Attachments**

1. Locality Plan - Evans Court to McLachlan Street, Apollo Bay

**Recommendation(s)*****That Council:***

1. ***Replaces approximately 170 metres of underground drainage pipes and three (3) pits, between Evans Court and McLachlan Street, Apollo Bay, at an estimated cost of \$30,000, based on the installation of a 300mm diameter storm water pipe.***
2. ***Authorises the works to be funded from the provision made in the 2011/12 budget for the implementation of the recommendations of the Apollo Bay Drainage Study.***
3. ***Writes to all affected property owners and the parties named in the petition advising them of the proposed works and timing.***

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OM112408-9

**ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.**

|             |                           |           |                   |
|-------------|---------------------------|-----------|-------------------|
| AUTHOR:     | Neil Allen                | ENDORSED: | Rob Small         |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | Roads to Recovery |

**Purpose**

The purpose of this report is to seek Council approval to call on the Prime Minister, Leader of the Opposition, Minister for Infrastructure and Transport, Opposition Spokesman for Transport, Local Federal Members of Parliament and the Federal Government to continue with the Roads to Recovery Program that is scheduled to end in 2014.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council has received a letter from the Australian Local Government Association with regard to the cessation of the Roads to Recovery Program in 2014. The local Roads to Recovery Program has previously been very successful with two extensions to the program and funding of \$350m per annum in 2009. More than \$4.5 billion in additional funding will have been provided for local roads in Australia by the time The Roads to Recovery Program is expected to cease in June 2014.

The Australian Local Government Association has raised concerns in relation to the shortfall in funding for local roads on a national level which amounts to \$1.2 billion dollars annually, and has requested that Councils write to the Federal Government, the Prime Minister, Leader of the Opposition, Minister for Infrastructure and Transport, Opposition Spokesman for Transport and Local Federal Members of Parliament calling for the Roads to Recovery Program to be made permanent at a rate that recognises the back log of needs on local roads and the continuation of the current popular and successful programs.

In order for this program to continue, the Australian Local Government Association will launch a "Roads to Recovery" campaign at the 2011 National Local Roads and Transport Congress being held in Mount Gambier from 16-18 November 2011. In line with the launching of this campaign is the underlining need for the Roads to Recovery program to continue and be supported by Councils.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

**Issues / Options**

If this program does not continue, all Local Governments in Australia will be significantly disadvantaged in relation to the level of funding provided to maintain the local road network. The current national shortfall in the level of funding for local roads amounts to in the order of \$1.2 billion annually. The Roads to Recovery Program is important for funding to continue to be provided in accordance with previous programs.

**Proposal**

The proposal is for Council to write to the Prime Minister, Leader of the Opposition, Minister for Infrastructure and Transport, Opposition Spokesman for Transport and local Members of Parliament calling on the Federal Government to recognise its success with the delivery of the Roads to Recovery Program by Local Government since 2000 and continuing the Roads to Recovery Program on a permanent basis to assist Local Government meet the needs of its communities.

The letter will request continuation of the Roads to Recovery Program with the current administered arrangements and for the government to provide an increased level of funding that recognises the shortfall of funding on local roads of \$1.2 billion dollars annually.

**Financial and Other Resource Implications**

Council has been successful in obtaining a number of Roads to Recovery grants in the past and this funding has enabled Council to better maintain its local road network than it would have otherwise been able to do.

Without additional funding from Roads to Recovery, Council rate payers will have to fund further road maintenance and repair activities which will place an even greater burden on them.

**Risk Management & Compliance Issues**

Council manages risks on its roads through its Road Management Plan which specifies the levels of intervention and maintenance required on the local road network.

Funding from the Roads to Recovery Program assists with reconstruction of the local road network to ensure that Council complies with its intervention levels. A cessation of road funding into the future will mean the Council will experience difficulties in relation to maintaining the road network to appropriate levels as specified under the Road Management plan to address its legal requirements.

**Environmental and Climate Change Considerations**

Better roads equates to shorter travel times and increased efficiency which is better for the environment.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to involve and collaborate with Ministers, Members of Parliament, Local Government, Australian Local Government Association and other Councils to call for an increase level of road funding.

**Implementation**

This action will be implemented through letters being drafted to various politicians under the Mayors signature.

**Conclusion**

Lack of road funding is a significant problem for Local Government generally. If the Roads to Recovery Program ceases in 2014, then a significant number of Councils, particularly ones outside the metropolitan area, will experience major financial distress.

In order to ensure that this program continues beyond 2014, the Australian Local Government Association's request for the Mayor to send letters to Local, State and Federal Politicians does seem appropriate and should be enacted.

**Attachments**

1. Letter from Australian Local Government Association.

**Recommendation(s)**

***That Council under the Mayor's signature, writes to the Prime Minister, Leader of the Opposition, Minister of Infrastructure and Transport, Opposition Minister for Transport and Local Federal Members of Parliament, calling on the Federal Government to:***

- 1. Recognise its successful delivery of the Roads to Recovery Program by Local Government since 2000.***
- 2. Continue the Roads to Recovery Program on a permanent basis to assist Local Government's meet its responsibilities of providing access to its communities.***
- 3. Continue the Roads to Recovery Program with current administrative arrangements.***
- 4. Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.***

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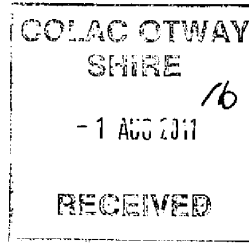






28 July 2011

Mayor Crook  
Colac-Otway Shire Council  
PO Box 283  
COLAC VIC 3250



SCANNED

Dear Mayor Crook

### Roads to Recovery Program

We achieved the Roads to Recovery Program because of strong and united local government campaigning in 2000. Further campaigns by local government have been very successful with two extensions to the Program and a funding increase to \$350m per annum in 2009. By the time the current Program ends in 2014 more than \$4.5 billion in additional funding will have been provided for local roads.

It is now time for local government to again mount a campaign for increased and ongoing Roads to Recovery Program funding. There is no question that local government needs the funding. The Australian Local Government Association (ALGA) commissioned research, released at the 2010 National Local Roads and Transport Congress in Bunbury, which shows that the national shortfall in the level of funding for local roads amounts to about \$1.2 billion annually.

ALGA will be launching local government's Roads to Recovery campaign at the 2011 National Local Roads and Transport Congress being held in Mount Gambier from 16-18 November.

Our campaign needs the support of every council and in advance of the launch I am asking your council to pass a resolution of support. A suggested text for your council's motion is attached.

The motion calls for the Roads to Recovery Program to be made permanent at a rate that recognises the backlog of needs on local roads and a continuation of the current popular and successful arrangements. These arrangements provide all councils with certainty of funding and give them the control over the works to be funded.

8 Geils Court Deakin ACT 2600    PHONE 02 6122 9400    EMAIL [alga@alga.asn.au](mailto:alga@alga.asn.au)  
ABN 31 008 613 876    FAX 02 6122 9401    WEB [www.alga.asn.au](http://www.alga.asn.au)

You will notice that the motion does not link the ongoing Roads to Recovery Program to any source of funding such as fuel excise. I have discussed the suggested wording for the motion with all state associations and we have agreed not to link the campaign to a funding source at this time because of uncertainty arising from the announcements to review fuel excise by the Productivity Commission, the review of the Financial Assistance Grants and the Henry Taxation Review recommendations on road user charging. You may be assured that ALGA will be making the strongest possible representations to these reviews to protect and improve local government's financial position.

As part of our campaign, it is important to ensure that national political leaders are left in no doubt about local government views. I am therefore asking that you write to the Prime Minister, the Leader of the Opposition, Minister for Infrastructure and Transport, Opposition spokesperson for Transport and your local Federal Member of Parliament to advise them of councils' support for a new Roads to Recovery Program. I have enclosed some possible text for such letters which you might find useful. To help coordinate the campaign, I would appreciate your advice when council has passed this motion.

Our advocacy on this vital issue will be strengthened by a show of unity and it is important that as many councils as possible attend the Congress in Mount Gambier for the launch of the Roads to Recovery campaign to show local government's strong support for its extension. I will be writing separately with a brochure on the arrangements for the Congress. In the meantime you can register for the Congress using the ALGA website and take advantage of cheap "early bird" registrations rates.

I have no doubt that by working together we can successfully take the argument to the Federal Government on Federal local road funding and achieve a new Roads to Recovery program.

Yours sincerely



Mayor Genia McCaffery  
President

**OM112408-10 TV & E-WASTE RECYCLING**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Janet Forbes              | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN00202   |

**Purpose**

This report is to seek Council's approval to introduce a new charge for recycling of TV's, monitors and laptops at the Council's Transfer Stations.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Council has previously carried out a subsidised one-off free E-Waste drop-off, which resulted in the collection of approximately 2,500 old TV's. That subsidised arrangement is now no longer available. Waste customers have raised concerns about the need for a permanent E-Waste collection service for recycling of TV's and computers. Council's Waste Management staff have identified a need to provide an ongoing solution for the disposal of unwanted TV's and E-Waste (computers and small electronic devices). This is hazardous waste and should not be dumped in landfills.

The introduction of the Product Stewardship Bill last year by the Commonwealth Government reflects the desire of people to dispose of waste items in a more sustainable way. The National Television and Computer Product Stewardship Scheme aims to recycle 80% of their products by 2020-21.

Interim to a Commonwealth scheme being established, items are being brought to Council's transfer stations on a regular basis for disposal. Council's Waste Management staff propose to establish an ongoing program to send these items for recycling until the Product Stewardship Scheme is established.

**Council Plan / Other Strategies / Policy****Environmental Management**

Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.

**Issues / Options**

The change over from analogue to digital television together with advancing technology is reflected in an increasing amount of E-Waste being brought to the transfer stations for disposal.

Barwon Region Waste Management Group (BRWMG) advised Council's waste management staff that GDP Industries in Geelong were accepting televisions for recycling. GDP Chief Executive Officer, advised that GDP would accept televisions and computer monitors for recycling at their depot for \$5.00 (GST exclusive) per television. They would also accept computer towers and other E-Waste for free. Recycling of TV's and monitors is highly labour intensive due to the dismantling of the items that is required and there are very few recyclers established in this industry.

The composition of the plastics in newer televisions and the hazardous chemicals in older units make it unsafe to store these items for lengthy periods unless under cover. Therefore storage of televisions in the open until the Commonwealth Scheme is implemented is not advisable.

Currently residents pay for TV disposal as municipal waste at transfer stations. Based on the current Council approved charges the charge for disposal of a TV or monitor would be either a minimum charge of \$10 or the equivalent of a car boot charge of \$12 (quarter of a cubic metre). The proposed charge would introduce a standardised charge for all Televisions, monitors and laptops of \$6, which would represent a \$4-6 saving to residents depending on the size of the item and also ensure that it is not deposited into landfill.

### **Proposal**

It is proposed to set up collection points for E-waste at Council transfer stations for recycling of TV's and E-Waste. Items can be transported by Council and accepted at GDP Industries in Geelong at a cost of \$5 (GST exclusive) plus \$1 transportation cost for TV's and monitors, all other E-Waste to be recycled at no charge.

The charge reflects actual costs to provide E-Waste recycling.

### **Financial and Other Resource Implications**

The cost to Council will be \$5 (GST exclusive) per TV or monitor plus the cost of transferring material from the transfer stations to the disposal site. A trailer currently held in storage can be utilised for this purpose. The introduction of a charge of \$6 (including GST) per TV or monitor is sought to cover the direct cost to Council of disposal of items at the recycling facility.

### **Risk Management & Compliance Issues**

The introduction of this program will increase recycling and reduce potential hazardous dumping.

### **Environmental and Climate Change Considerations**

TV and E- Waste recycling would ensure that maximum items were recovered for recycling and reduce the amount of waste going to landfill. TV's and some E-Waste contain hazardous waste which needs to be disposed of in an appropriate manner. Recycling of these items will ensure that the hazardous waste is disposed of in an appropriate manner and valuable materials are recovered for reuse.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. The method selected would be inform.

Collection days run by Council over the past two years together with enquiries to Council have indicated that the community would like to see an ongoing recycling program introduced for TVs and E-Waste. Staff would be able to promote this in the local media and at the transfer stations.

### **Implementation**

Council officers will place collection points at each of Council's transfer stations for TVs and E-Waste and then transfer items to GDP in Geelong. It is recommended that a charge of \$6 per TV or computer monitor be introduced to cover the cost of disposal to the recycling facility.

**Conclusion**

Arrangements had not been made for ongoing disposal of TVs and E-Waste for recycling when the Council budget process was carried out. The introduction of the proposed fee would reflect the cost of recycling of these items at a recycling centre and allow ongoing recycling without impacting on Council's current budget. It would also represent potential savings to customers when compared to other options.

**Attachments**

Nil

**Recommendation(s)**

***That Council approve the introduction of a new E-Waste charge at the Transfer Stations of \$6 (GST Inclusive) for hazardous electrical waste such as TVs, computer monitors and laptops to cover cost of disposal to a suitable recycle facility.***

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**OM112408-11 STRUCTURAL ASSESSMENTS OF COUNCIL BRIDGES**

|             |                           |           |                    |
|-------------|---------------------------|-----------|--------------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen         |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN00016 - Bridges |

**Purpose**

The purpose of this report is to provide Council with an update of the outcomes of recent structural assessments completed on a number of Council's bridges and request that load limits be placed on 3 bridges.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Existing allocations within the Sustainable Assets Business Unit's operational budget provides for periodic assessments and inspections of Council's bridge assets. The following structures were included for evaluation as part of a rolling program of condition evaluations.

| Bridge No. | Road Name                | Locality     |
|------------|--------------------------|--------------|
| CS053      | Daffys Lane              | Gellibrand   |
| CS074      | Skenes Creek Valley Road | Skenes Creek |
| CS145      | Jacksons Track           | Gellibrand   |
| CS215      | Watsons Access           | Yuulong      |

Due to the specialist nature of this type of work, consulting Engineers were engaged to complete testing of each of these structures using non destructive testing methods to determine their safe load bearing capacity.

A summary of the engineers recommendations are as follows:

| Bridge No. | Road Name   | Summary of Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CS053      | Daffys Lane | <ol style="list-style-type: none"> <li>1. The bridge was not sufficient for legally loaded multi axle and fixed axle trucks.</li> <li>2. The bridge was suitable for traversing by rigid axle trucks with a maximum GVM weight of 13 tonnes.</li> <li>3. The deck needs extra timber, running planks and stronger diaphragms. The extra running boards are for punch through and the diaphragm would be for stress transfer between beams. It may be prudent after strengthening a number of the piles to construct a steel trough concrete filled deck, which should give the bridge T-44 capabilities.</li> <li>4. Due to the height of the bridge, we would recommend the erection of Armco style safety barriers.</li> </ol> |

| Bridge No. | Road Name                | Summary of Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CS074      | Skenes Creek Valley Road | <ol style="list-style-type: none"> <li>1. The bridge was not suitable for the passage for multi-axle trucks and rigid axle vehicles and only sufficient for rigid axle vehicles with a maximum GVM weight of 16 tonnes.</li> <li>2. Limited use by all trucks even with weights less than the GVM weight of a maximum GVM weight of 16 tonnes should be considered due to the potential of deck penetrations and would have to be on a case by case permit and a speed restriction.</li> <li>3. The repairs would include for a new steel “ H “ support at Abutment A, re protection of the steel beams and a new deck with a steel trough, filled with concrete.</li> <li>4. We would recommend an Armco style safety barrier.</li> </ol> |
| CS145      | Jacksons Track           | <ol style="list-style-type: none"> <li>1. Though technically the bridge was suitable for the passage of all multi and fixed axle trucks we would recommend only legally loaded fixed axle trucks to use the bridge until a wider and possibly concrete deck was constructed for the bridge.</li> <li>2. The piles at Abutment B need concrete encasement and a new steel crosshead to stop the torsional moments in the Abutment B.</li> <li>3. We would recommend an Armco style safety barrier.</li> </ol>                                                                                                                                                                                                                               |
| CS215      | Watsons Access           | <ol style="list-style-type: none"> <li>1. The bridge was not suitable for traversing by all legally loaded multi and fixed axle trucks, but sufficient for a maximum GVM weight of 5 tonnes for a rigid axle vehicle under permit.</li> <li>2. It is our considered opinion the bridge should be closed and the use of the bridge restricted to farmers’ vehicles under permit.</li> <li>3. The corbels need immediate attention.</li> <li>4. Consideration should be given for a new bridge or significant repairs.</li> </ol>                                                                                                                                                                                                            |

**Attachment 2** provides further details in relation to testing outcomes and includes possible recommended treatment options.

### **Council Plan / Other Strategies / Policy**

#### **Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

#### **Issues / Options**

The recommendations extending from the testing of the nominated structures indicates that load limits need to be placed on three (3) additional Council bridges. These are:



| Bridge No. | Road Name                | Recommended Load Limit |
|------------|--------------------------|------------------------|
| CS053      | Daffys Lane              | 13 tonnes              |
| CS074      | Skenes Creek Valley Road | 16 tonnes              |
| CS059      | Watsons Access           | 5 tonnes               |

There are a number of options available to Council in responding to these recommendations. These options include:

1. Closing the bridges to all public traffic; or
2. Maintain existing use and not apply load limits; or
3. Impose load limits consistent the Consultants Engineer's recommendations until such time that structural repairs are able to be undertaken.

1. Close Bridges to Public Traffic

The option to close each bridge to all general traffic is available to Council. This is based on the outcomes of structural testing and notes the condition of each structure. It is not in Council's best interest to implement this option due to the detrimental impacts to accessibility to adjoining land and ongoing service provision. The three (3) bridges nominated for load restrictions provide direct access to a small number of privately owned properties in each circumstance. Each bridge is the only point of legal access to these properties and their closure would cause a major impediment given that no alternative routes are available. Where access is required by vehicles marginally in excess of posted load limits, permits could be issued for isolated heavy vehicles on an infrequent basis, subject to vehicles travelling at walking pace to reduce dynamic load impacts.

2. Maintain Existing Use

Council has the option not to apply the proposed load limits to the selected bridges. Imposing load limits has the potential to severely restrict the types of vehicles that can access a bridge. The majority of the bridges assessed provide direct access to rural properties and any limits imposed over an extended period of time may impede farming operations or other land use needs. Council however has an obligation to provide a safe road network to its community and to not respond to the knowledge of the condition of these bridges exposes it to an increased level of liability in the event failure.

Now that Council is aware of the issues with each of the bridges, it may be liable if it does not act in a reasonable manner should there be an accident which results in property damage, personal injury, or in extreme circumstances, death. In addition, Council may have difficulty in obtaining insurance coverage for any accident where it has knowledge of problems and has failed to act responsibly. Council's insurance policy requires that it acts in a reasonable manner.

3. Application of Load Limits

In order to mitigate any risk potential it is prudent that load limits be applied to each of the nominated structures until such time that major repairs can be completed to ensure their safe operation into the future. It is acknowledged that this may cause difficulty amongst the community and abutting landowners but is the preferred option to limit overall risk.

Council has the statutory power to impose load limits or restrict vehicles of a certain size from using its roads including bridges. Clause 12 of Schedule 11 of the *Local Government Act 1989* (the 'Act') states that:

*"12. Power to restrict use of road by vehicles of a certain size etc.*

- (1) A Council may prohibit or restrict the use of a road by any motor vehicle of, or over, a certain size or weight.*
- (2) Despite anything to the contrary in Section 223, if in the opinion of the Council the use of a road by motor vehicles of, or over, a certain weight poses an immediate risk of danger to people or damage to property (including damage to the road itself), the Council may exercise a power under this clause before it makes a final decision on the exercise of the power."*

Any load limits applied to Council roads and bridges are enforceable by law.

Prior to Council imposing a load limit on a road or bridge it is required to engage with all affected parties. Any submissions received are required to be considered in accordance with section 223 of the Act.

### **Proposal**

It is intended to seek a Council resolution in order to apply load limits to the following bridges:

| <b>Bridge No.</b> | <b>Road Name</b>         | <b>Recommended Load Limit</b> |
|-------------------|--------------------------|-------------------------------|
| CS053             | Daffys Lane              | 13 tonnes                     |
| CS074             | Skenes Creek Valley Road | 16 tonnes                     |
| CS059             | Watsons Access           | 5 tonnes                      |

The application of these restrictions will follow a period of consultation with identified stakeholders. This will include those property owners which have direct access to their properties via these bridges.

Depending on Council's resolution, appropriate signage will be required to be installed at each bridge detailing the restrictions in effect. This will be inclusive of any advance warning signs where required. Alternative routes will be nominated if available.

### **Financial and Other Resource Implications**

Major restoration or replacement works to the Daffys Lane, Skenes Creek Valley Road, and Watsons Access bridges will need to be included on Council's Bridge Renewal Programme.

Project priority within this programme is assessed based on a number of key factors which include:

- Road Hierarchy;
- Bridge Condition;
- Structural Capacity;
- Existing Traffic volumes;
- Roads importance to industry, tourism, and commuters;
- Urgency of remedial works; and
- Risk or Criticality

Scoring of these criteria provides an overall priority which guides the development of Council's bridge works programme. The Daffys Lane, Skenes Creek Valley Road, and Watsons Access bridges will be assessed using the above methodology to determine the timing of required works. Concept estimates for these works will also be prepared to determine future funding needs.

It has been assessed that, over the next five (5) years, Council will be required to invest approximately \$5.0M in capital expenditure to address the condition of those structures which now have load limits imposed. This level of expenditure is required to bring these bridges up to current vehicle loading demands. Over the same period it has been estimated that Council can afford to commit in the order of \$1.4M for the renewal and improvement of its bridges leaving a funding gap of \$3.6M.

Advice has recently been received from VicRoads in regards to the Victorian Government's Country Roads and Bridges Initiative. This funding Programme has been developed to achieve an improvement in the maintenance, preservation, and restoration of roads and bridges in rural Victoria.

\$160M has been committed to this program, under which each of the forty (40) eligible Councils, of which Colac Otway is one, may seek up to \$1M per annum for the next four (4) years.

\$475,000 of Council's allocation from the Country Roads and Bridges Initiative has been dedicated to the replacement of J Barrys Road bridge in 2011/12. It is intended to use allocations of this fund in future years specifically for major bridge works which Council would not normally be required to finance from its own sources.

### **Risk Management & Compliance Issues**

The application of load limits to each of the bridges detailed previously is proposed primarily in order to reduce and manage Council's risk in the event of catastrophic failure. This risk also extends to road users.

### **Environmental and Climate Change Considerations**

No environmental or climate change considerations are applicable at this time.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be consult and include: Advising all key stakeholders, including landowners and industry, of the results of the recent bridge inspections and to give an indication of the options available to Council in order to ensure safety to road users. Any submissions received will need to be considered pursuant to section 223 of the Act.

### **Implementation**

It is intended to apply load limits to a number of bridges subject to complying with section 223 of the *Local Government Act 1989*. Property owners and other identified stakeholders whom may be directly impacted will be provided with information in relation to the outcomes of the recent structural testing and possible Council response.

### **Conclusion**

Council's ongoing bridge inspection program provides for the assessment of overall structural condition and to prioritise future bridge rehabilitation programs. Where in some instances it is not possible to address structural issues, imposing load limits on certain

structures is an appropriate management response for the purposes of ensuring public safety.

As a result of this testing it has been recommended that load limits be applied to three (3) of the bridges tested in this round of inspection in order to preserve and extend their useful life. It is also pertinent that Council manage the risks associated with their condition in a reasonable and responsible manner.

#### **Attachments**

1. Locality Plans
2. Structural Assessment Summary

#### **Recommendation(s)**

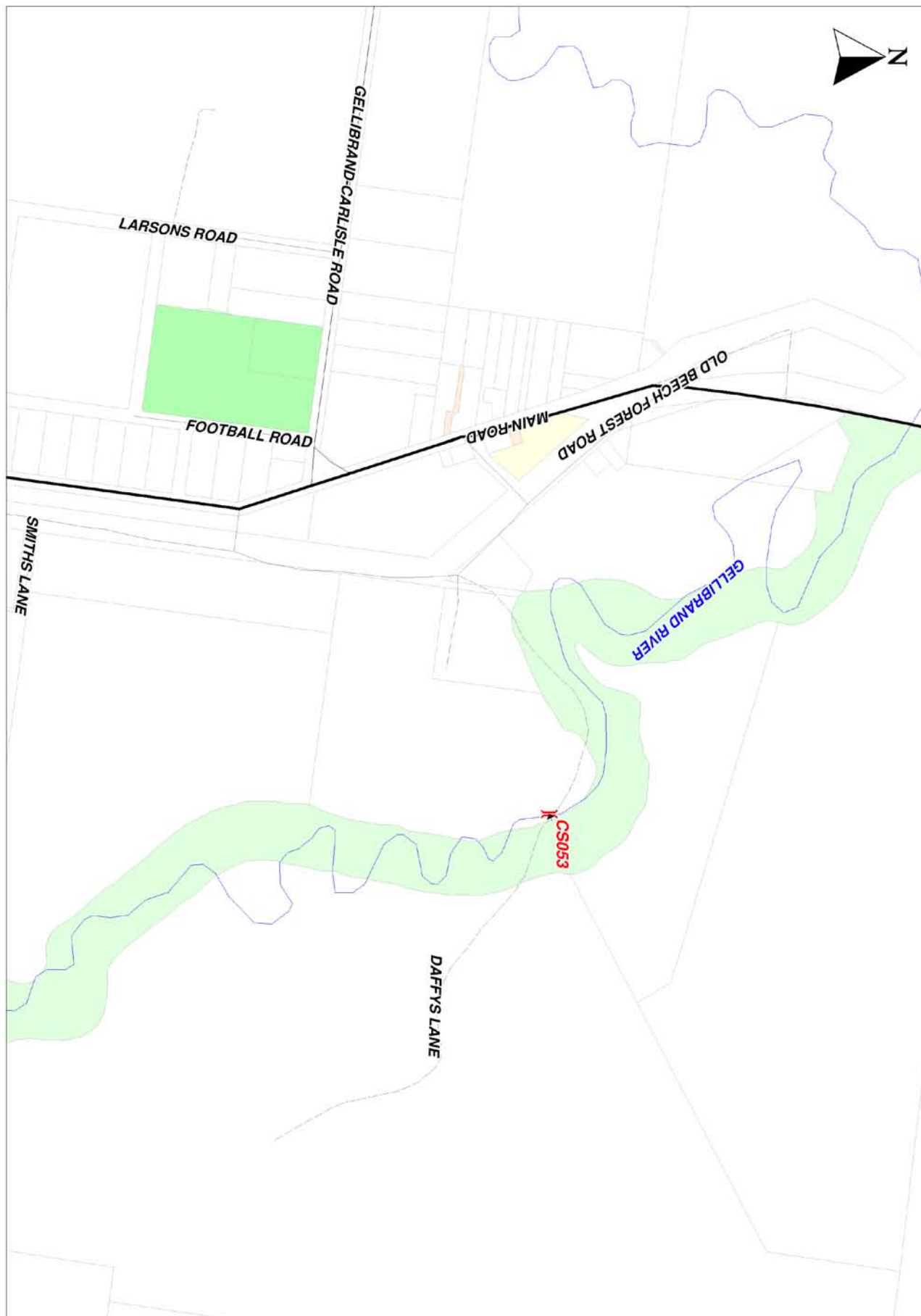
##### ***That Council:***

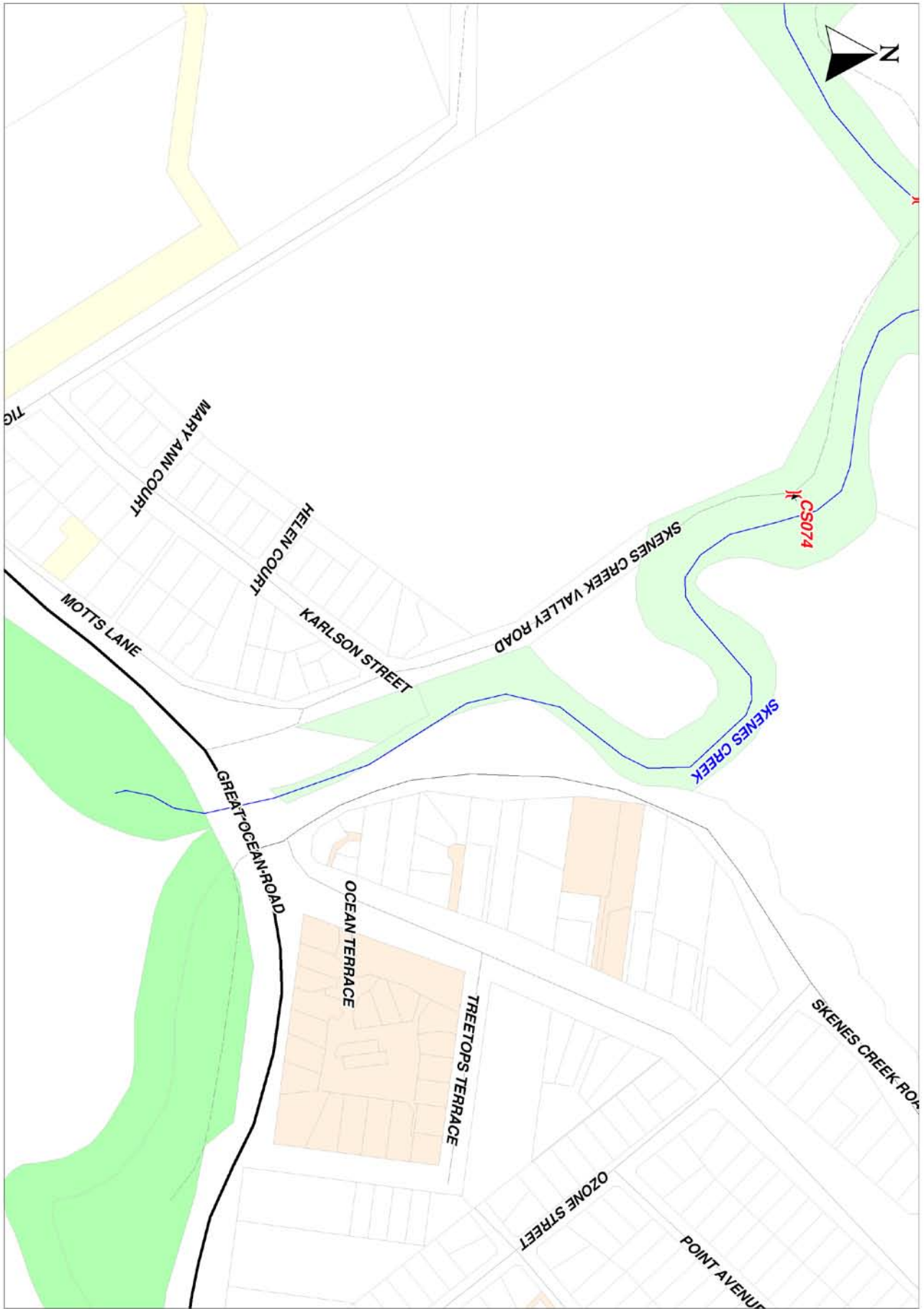
1. ***Implements the following load limits subject to complying with section 223 of the Local Government Act 1989 and a six (6) week notification period:***

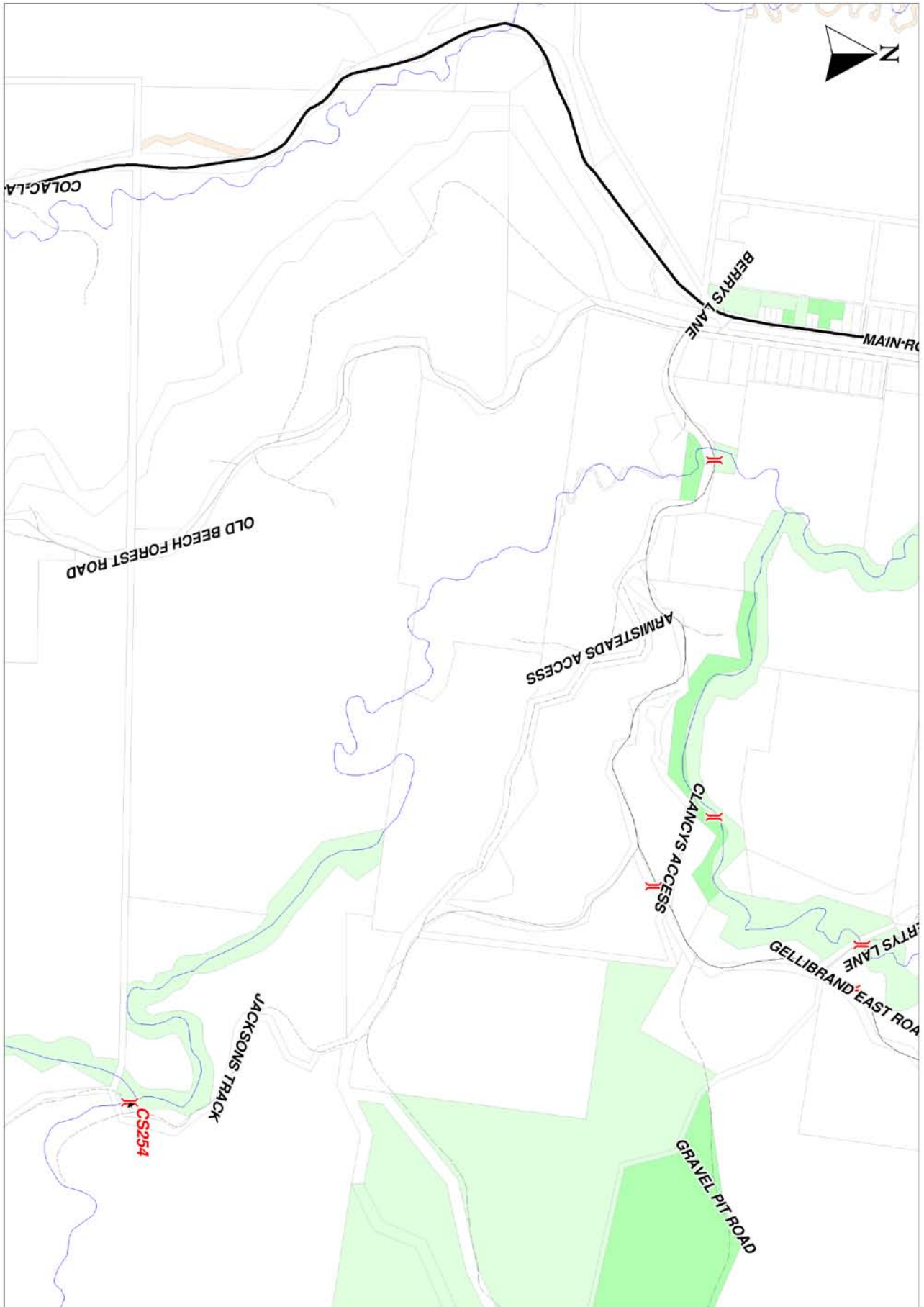
| <b><u>Bridge No.</u></b> | <b><u>Road Name</u></b>  | <b><u>Load Limit</u></b> |
|--------------------------|--------------------------|--------------------------|
| CS053                    | Daffys Lane              | 13 tonnes                |
| CS074                    | Skenes Creek Valley Road | 16 tonnes                |
| CS059                    | Watsons Access           | 5 tonnes                 |

2. ***In accordance with section 223 of the Local Government Act 1898 undertakes the following:***
  - a. ***Advertise its intention to impose load limits on the above bridges and hear and consider submissions should any be received.***
  - b. ***If required, hold a Special Committee Meeting on 12 October 2011 at 1:00pm in COPACC to consider any submissions. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their written submission and will be advertised in local media.***
  - c. ***If no submissions or objections are received, instruct the CEO to implement the load limits as recommended.***
  - d. ***If required, a final decision shall be made by Council following preparation of a report by the General Manager Infrastructure and Services based on the recommendations to the Council meeting of 26 October 2011.***
3. ***Refers the work to rehabilitate each of the structures to Council's Capital Works and Major Projects Program for detailed costing and prioritisation within the relevant renewal program.***

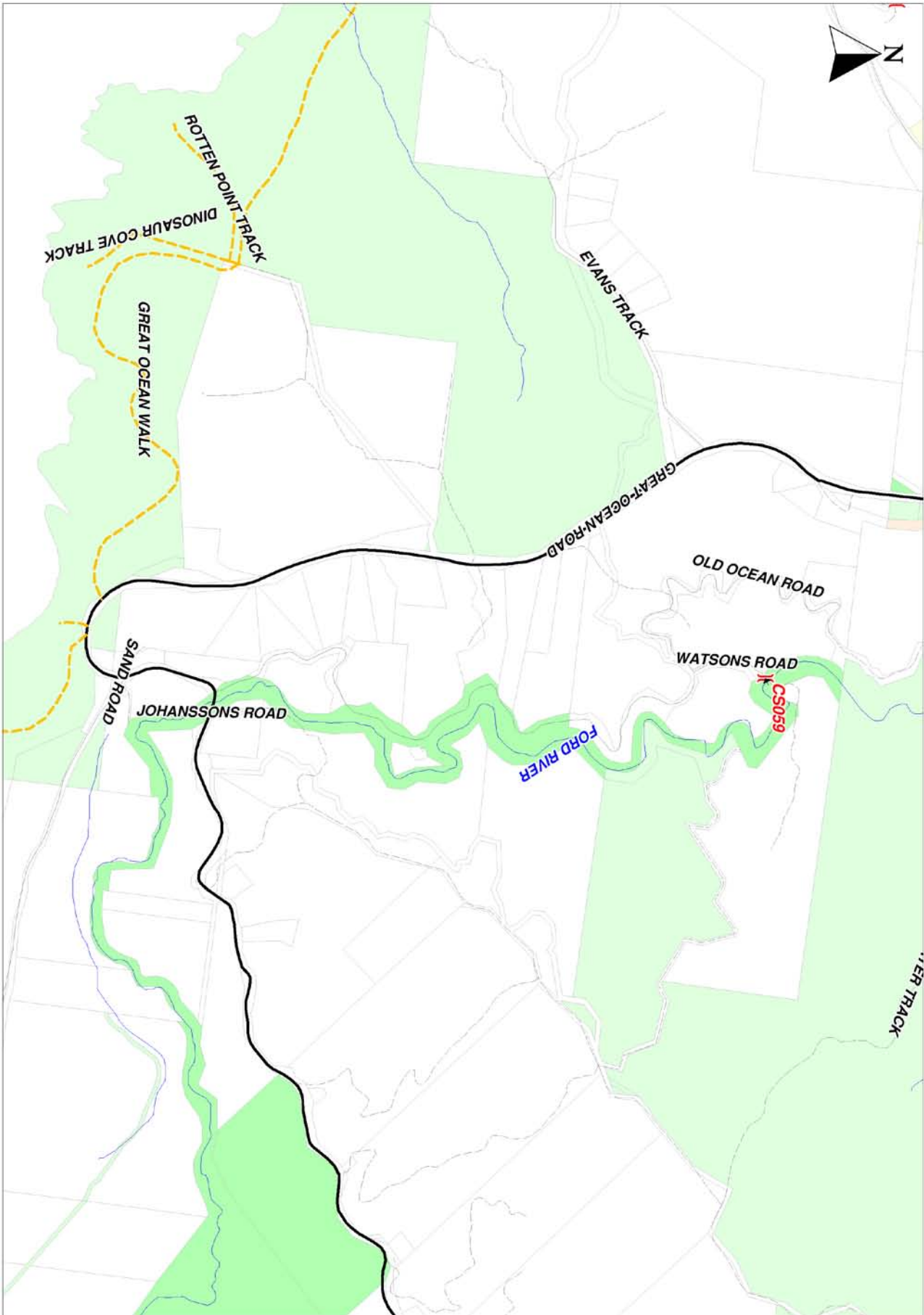
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| Bridge No. | Road Name                | Locality     | Existing Load Limit          | Proposed Load Limit | Summary of Recommendations   | Notes                  |
|------------|--------------------------|--------------|------------------------------|---------------------|--|------------------------|
| CS053      | Daffys Lane              | Gellibrand   | No existing load restriction | 13 tonnes           | <ol style="list-style-type: none"> <li>1. The bridge was not sufficient for legally loaded multi axle and fixed axle trucks.</li> <li>2. The bridge was suitable for traversing by rigid axle trucks with a maximum GVM weight of 13 tonnes.</li> <li>3. The deck needs extra timber, running planks and stronger diaphragms. The extra running boards are for punch through and the diaphragm would be for stress transfer between beams. It may be prudent after strengthening a number of the piles to construct a steel trough concrete filled deck, which should give the bridge T-44 capabilities.</li> <li>4. Due to the height of the bridge, we would recommend the erection of Armco style safety barriers.</li> </ol> | Single property access |
| CS074      | Skenes Creek Valley Road | Skenes Creek | No existing load restriction | 16 tonnes           | <ol style="list-style-type: none"> <li>1. The bridge was not suitable for the passage for multi-axle trucks and rigid axle vehicles and only sufficient for rigid axle vehicles with a maximum GVM weight of 16 tonnes.</li> <li>2. Limited use by all trucks even with weights less than the GVM weight of a maximum GVM weight of 16 tonnes should be considered due to the potential of deck penetrations and would have to be on a case by case permit and a speed restriction.</li> <li>3. The repairs would include for a new steel " H " support at Abutment A, re protection of the steel beams and a new deck with a steel trough, filled with concrete.</li> </ol>   | Single property access |

| Bridge No. | Road Name      | Locality   | Existing Load Limit          | Proposed Load Limit                               | Summary of Recommendations  | Notes                  |
|------------|----------------|------------|------------------------------|---|---|------------------------|
|            |                |            |                              |   | <ol style="list-style-type: none"> <li>4. We would recommend an Armco style safety barrier.</li> <li>5.</li> </ol>  |                        |
| CS254      | Jacksons Track | Gellibrand | No existing load restriction | Nil. Suitable for all multi and fixed axle trucks | <ol style="list-style-type: none"> <li>1. Though technically the bridge was suitable for the passage of all multi and fixed axle trucks we would recommend only legally loaded fixed axle trucks to use the bridge until a wider and possibly concrete deck was constructed for the bridge.</li> <li>2. The piles at Abutment B need concrete encasement and a new steel crosshead to stop the torsional moments in the Abutment B.</li> <li>3. We would recommend an Armco style safety barrier.</li> </ol>                      |                        |
| CS059      | Watsons Access | Yuulong    | No existing load restriction | 5 tonnes  | <ol style="list-style-type: none"> <li>1. The bridge was not suitable for traversing by all legally loaded multi and fixed axle trucks, but sufficient for a maximum GVM weight of 5 tonnes for a rigid axle vehicle under permit.</li> <li>2. It is our considered opinion the bridge should be closed and the use of the bridge restricted to the farmers vehicles under permit.</li> <li>3. The corbels need immediate attention</li> <li>4. Consideration should be given for a new bridge or significant repairs.</li> </ol> | Single property access |

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM  | D | W |
|---|---|---|
| <p data-bbox="188 383 871 416"><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p data-bbox="188 461 922 562"><b><u>OM112408-12 GREAT OCEAN ROAD VICTORIA REGIONAL TOURISM BOARD PROPOSAL</u></b></p> <p data-bbox="188 613 882 647">Department: Sustainable Planning and Development</p> <p data-bbox="188 689 504 723"><b><u>Recommendation(s)</u></b></p> <p data-bbox="188 759 1018 826"><b><i>That Council writes a submission to Tourism Victoria on the Discussion Paper addressing the following:</i></b></p> <ul style="list-style-type: none"> <li data-bbox="188 835 994 969"><b><i>a. That Tourism Victoria provide further detail on the structure and cost of the proposed new regional structure and commit to a long term funding arrangement with the Regional Tourism Board.</i></b></li> <li data-bbox="188 978 970 1211"><b><i>b. That the proposed new Regional Tourism Board include one Local Government representative from each of the following sub regional groups Geelong/Bellarine, Surf Coast/Otways and South Coast, increasing the proposed number of Local Government representatives on the Board from two to three.</i></b></li> <li data-bbox="188 1220 1010 1386"><b><i>c. That Council will make no financial contribution in support of the proposed new structure until Council is provided with a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.</i></b></li> <li data-bbox="188 1395 1010 1561"><b><i>d. That Council make no decision on the future of funding of the proposed new industry development officer and the support services to local tourism until the full cost structure of the Regional Tourism Board is known.</i></b></li> <li data-bbox="188 1570 967 1673"><b><i>e. That Council continue its commitment to the transition period of funding support for Geelong Otway Tourism and Otways Tourism.</i></b></li> <li data-bbox="188 1682 962 1785"><b><i>f. That the proposed new Regional Tourism Board adopts the \$8 per rateable property formula for Local Government contribution to the Board.</i></b></li> <li data-bbox="188 1794 1010 1989"><b><i>g. That Tourism Victoria sets a timeline for the commencement of the Regional Tourism board and proposed new structure of 1 July 2012 so that adequate time is available to deal with the complexity of the proposed new arrangements; to seek clarity on structure and cost of the proposed</i></b></li> </ul> |   |   |

|  |                           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
|--|---------------------------|-----------------|--|-----------------|---|-----------------|-----------------------------------|-----------------|---|-----------------|--------------------------|-----------------|---|-----------------|---|-----------------|--|-----------------|---|-----------------|--|--|
| <p><i>new structure and to enable a smooth transition from Geelong Otway Tourism and Otways Tourism fund to the new model. It would also enable Council to deal with the new cost structure through the normal Council Budget process for the forthcoming financial year.</i></p>  |                           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <p><b><u>OM112408-13</u>      <u>2011 - 12 SMALL TOWN IMPROVEMENT PROGRAM ALLOCATIONS</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council approves the annual \$80,000 funding allocations of the 2011/12 Small Town Improvement Program (STIP) recommended by the STIP Advisory Committee as follows:</i></p> <table data-bbox="188 795 1021 1294"> <tr> <td><i>Beeac Park Rotunda</i></td> <td><i>\$12,500</i></td> </tr> <tr> <td><i>Barwon Downs Combined Community Centre Planning</i></td> <td><i>\$ 5,000</i></td> </tr> <tr> <td><i>Carlisle River BBQ Shelter Upgrade</i></td> <td><i>\$ 5,500</i></td> </tr> <tr> <td><i>Cressy Duverney St Rotunda</i></td> <td><i>\$10,000</i></td> </tr> <tr> <td><i>Gellibrand Main Street Tree Planting</i></td> <td><i>\$ 7,000</i></td> </tr> <tr> <td><i>Wye River Pathway</i></td> <td><i>\$20,000</i></td> </tr> <tr> <td><i>Birregurra Park Tourism and Information Sign</i></td> <td><i>\$ 5,000</i></td> </tr> <tr> <td><i>Red Rock Community Infrastructure Plan</i></td> <td><i>\$ 5,000</i></td> </tr> <tr> <td><i>Forrest Bike Rack Sculpture Project Stage 2</i></td> <td><i>\$ 5,000</i></td> </tr> <tr> <td><i>Beech Forrest Cliff Young Memorial</i></td> <td><i>\$ 5,000</i></td> </tr> </table> | <i>Beeac Park Rotunda</i> | <i>\$12,500</i> | <i>Barwon Downs Combined Community Centre Planning</i> | <i>\$ 5,000</i> | <i>Carlisle River BBQ Shelter Upgrade</i> | <i>\$ 5,500</i> | <i>Cressy Duverney St Rotunda</i> | <i>\$10,000</i> | <i>Gellibrand Main Street Tree Planting</i> | <i>\$ 7,000</i> | <i>Wye River Pathway</i> | <i>\$20,000</i> | <i>Birregurra Park Tourism and Information Sign</i> | <i>\$ 5,000</i> | <i>Red Rock Community Infrastructure Plan</i> | <i>\$ 5,000</i> | <i>Forrest Bike Rack Sculpture Project Stage 2</i> | <i>\$ 5,000</i> | <i>Beech Forrest Cliff Young Memorial</i> | <i>\$ 5,000</i> |  |  |
| <i>Beeac Park Rotunda</i>  | <i>\$12,500</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Barwon Downs Combined Community Centre Planning</i>   | <i>\$ 5,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Carlisle River BBQ Shelter Upgrade</i>  | <i>\$ 5,500</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Cressy Duverney St Rotunda</i>  | <i>\$10,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Gellibrand Main Street Tree Planting</i>  | <i>\$ 7,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Wye River Pathway</i>   | <i>\$20,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Birregurra Park Tourism and Information Sign</i>  | <i>\$ 5,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Red Rock Community Infrastructure Plan</i>  | <i>\$ 5,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Forrest Bike Rack Sculpture Project Stage 2</i>   | <i>\$ 5,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <i>Beech Forrest Cliff Young Memorial</i>  | <i>\$ 5,000</i>           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |
| <p><b><u>OM112408-14</u>      <u>FORREST STRUCTURE PLAN</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>1.      Adopts the Forrest Structure Plan.</i></li> <li><i>2.      Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.</i></li> </ol>   |                           |                 |  |                 |   |                 |                                   |                 |   |                 |                          |                 |   |                 |   |                 |  |                 |   |                 |  |  |

|  |  |  |
|--|--|--|
| <p><b><u>OM112408-15</u></b>      <b><u>UPDATE ON STATUS OF THE G21 REGIONAL GROWTH PLAN</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Notes the status update on the G21 Regional Growth Plan Project.</i></b></li> <li><b><i>2. Notes the project timelines, key milestones and the project management arrangements to deliver the project within the agreed timelines.</i></b></li> <li><b><i>3. Notes that formal consideration of the Regional Growth Plan by G21 Councils and the Minister will be in September 2012.</i></b></li> </ol>   |  |  |
| <p><b><u>OM112408-16</u></b>      <b><u>APOLLO BAY SETTLEMENT BOUNDARY &amp; URBAN DESIGN REVIEW</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council notes the draft Apollo Bay Settlement Boundary and Urban Design Review report and authorises it to be released for public exhibition.</i></b></p>  |  |  |
| <p><b><u>OM112408-17</u></b>      <b><u>SUBMISSION TO STATE GOVERNMENT REVIEW OF PLANNING PROVISIONS RELATING TO HELICOPTERS</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council lodges a submission to the State Government review of helicopter provisions in accordance with the issues raised in this report, particularly noting that:</i></b></p> <ul style="list-style-type: none"> <li><b><i>• Council would support the change in definitions proposed to create a new definition of 'helicopter landing site'.</i></b></li> <li><b><i>• Council is opposed to further exemptions being provided to planning permit requirements relating</i></b></li> </ul> |  |  |

|  |  |  |
|--|--|--|
| <p><i>to helicopter movements at Clause 52.15 of the Planning Scheme over and above those that currently exist.</i></p> <ul style="list-style-type: none"> <li>• <i>The Otways and Great Ocean Road hinterland are pristine environments and significant natural assets which are highly valued for quiet enjoyment of the high value lifestyle this represents.</i></li> <li>• <i>Further encouragement of helicopter movements not subject to planning permit requirements would have potential to adversely affect these values.</i></li> </ul> |  |  |
|--|--|--|

**Recommendation**

*That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.*

**MOVED** .....

**SECONDED** .....

**OM112408-12      GREAT OCEAN ROAD VICTORIA REGIONAL TOURISM  
BOARD PROPOSAL**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00184   |

**Purpose**

To seek Council endorsement of the new Great Ocean Road Region tourism structure.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

In December 2008 Tourism Victoria released the State Government Regional Tourism Action Plan (RTAP) 2009 – 2012. The key focus of the RTAP is to establish Regional Tourism Boards to address the following areas:

- Improve Regional Industry Structures.
- Improve supply and quality of regional tourism experiences.
- Increase consumer demand for regional tourism experiences.
- Address skills, service standards and environmental sustainability.

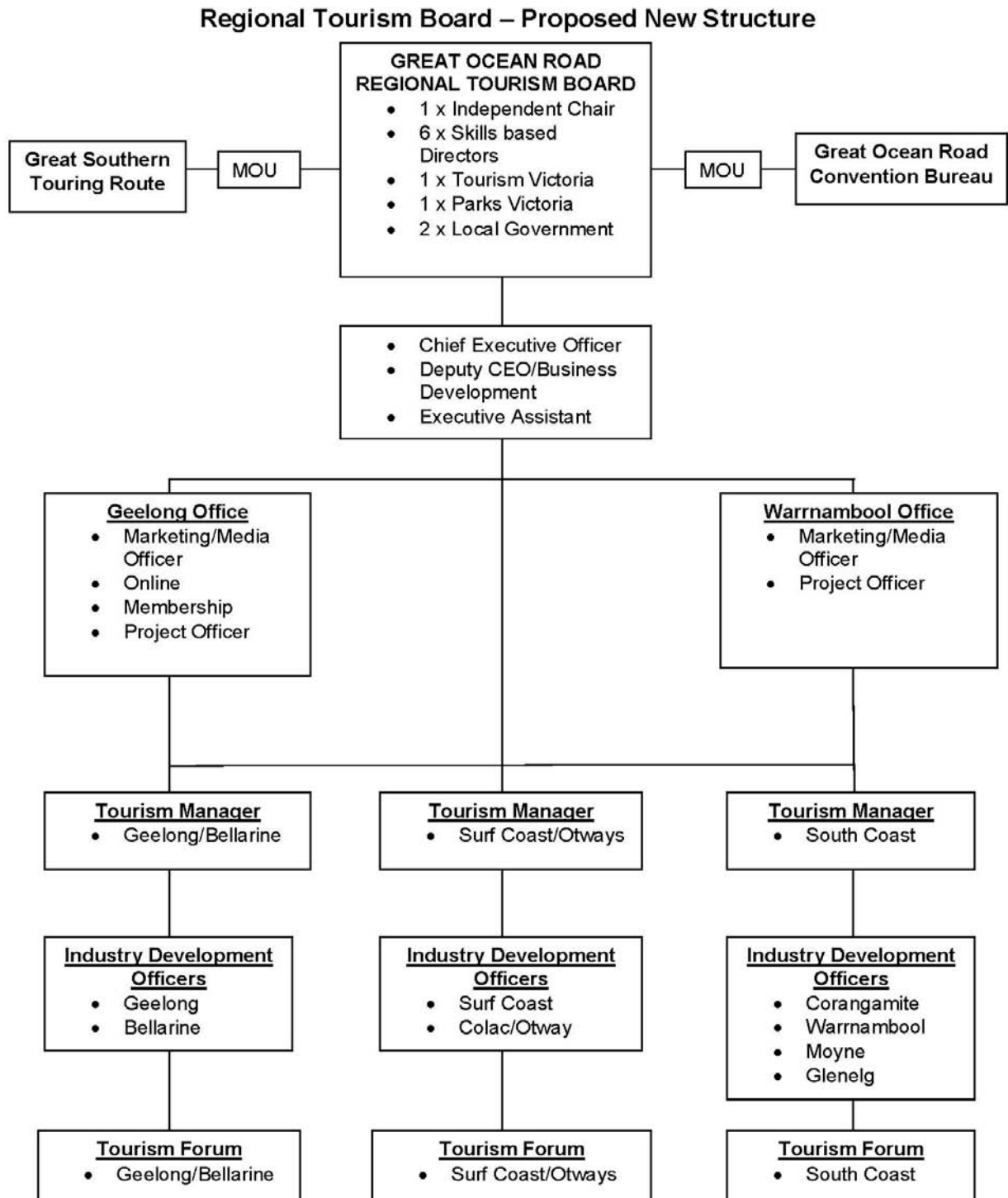
Colac Otway Shire is involved in regional tourism development and marketing through its membership of Geelong Otway Tourism. It is also part of the broader Great Ocean Road tourism region that includes City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Surf Coast, Corangamite, Moyne and Glenelg Shires and City of Warrnambool.

A Discussion paper was presented to the region's CEOs in May 2011 titled '*Great Ocean Road Victoria Regional Tourism Board, Discussion Paper, Proposed Establishment of Peak Regional Tourism Structure 20 May 2011*'. (Attachment 1). The Discussion Paper proposes the following approach to the restructure:

- Local Governments agree on the structural model presented.
- Work commence immediately on establishing the formal structure of the Regional Tourism Board. (Tourism Vic).
- Councils who currently fund an existing regional association direct those funds to the newly formed regional structure under a formal MOU.
- Staff who are currently employed by a Local Government but work for a sub destination organisation be seconded to the new regional structure via a formal MOU/Agreement.
- Work commences immediately on recruiting an Independent Chair and Skills Based Directors. (Tourism Vic).
- Where Councils have not committed funding to a sub destination or do not have staff employed in tourism the new Board and Staff develop an interim arrangement to manage their involvement in the new structure for the 2011/12 financial year.

- A formal proposal be developed by the new Board to seek funding from these Councils (during 2012/13 budget discussions) for 2012/13 and beyond.

The new regional structure proposed in the Discussion Paper is represented in the following diagram:





**Council Plan / Other Strategies / Policy****Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

'5.7 Support the tourism industry as a key driver of the economy'.

**Issues / Options**

The proposed new tourism structure would establish a skills based board to set direction and oversee the development of tourism in the region through an executive with responsibility for two main offices, one in Geelong and the other at the Great South Coast end of the region in Warrnambool. The structure indicates staffing in appropriate areas of industry development and marketing at a regional and local level including new Tourism Manager positions responsible for sub regional groups identified as Geelong/Bellarine, Surf Coast/Otways and South Coast.

The structure offers opportunity for the regional leadership and collaboration between government and industry across the region. It combines resources around sub regions with product similarity such as Surf Coast/Otways where the dominant tourism product is nature based. It satisfies the desire of Geelong/Bellarine to be identified separately within the region and groups the Great South Coast together.

The proposed new structure has merit and Council could support it in principle however there are a number of issues to be considered in the proposed new structure before a full endorsement would be recommended. These issues include the:

- Number of Council representatives on the proposed new Regional Tourism Board is less than what Council has endorsed.
- Lack of clarity over the proposed new structure and roles within the structure and the financial cost of the new model.
- Proposed new partnership structure between Colac Otway Shire and Surf Coast Shire and their respective Local Tourism Associations, Otways Tourism and Surf Coast Tourism.

The seven step approach to implementation of the proposed new structure needs consideration and Council has received a submission from Otways Tourism that also needs to be discussed.

The proposed new structure includes a skills based board with a chairperson, representatives from Tourism Victoria and Parks Victoria and two local government representatives.

Council wrote to the then Acting Chief Executive Officer Tourism Victoria, Mark Stone, in May 2011, expressing a preference for the number of local government representatives on the Regional Tourism Board to be four, not two. As a major contributor to the financing of the Regional Tourism Board and its associated regional structures, Colac Otway Shire believes that there should be a higher level of involvement of local government and a higher level of accountability to local government built into the structure. (Attachment 2: Letter to Tourism Victoria - Council representation on the Regional Tourism Board).

It is recommended that the Colac Otway Shire reiterate its support for more representatives of local government on the proposed new Regional Tourism Board. However given that the proposed new structure includes three new sub regional groups it may be more appropriate

to make a recommendation for one local government representative of each of these three groups.

The financial cost of the proposed new structure includes the contributions of Great Ocean Road Region Councils. There are three proposed options:

- A 25 cent levy per domestic visitor night based on Tourism Research Australia Local Government Profiles, 2007. With an estimated 822,000 domestic visitor nights Colac Otway Shire would be expected to contribute \$205,500.
- A \$2 levy per international visitor night also based on Tourism Research Australia Local Government Profiles, 2007. With an estimated 119,000 domestic visitor nights Colac Otway Shire would be expected to contribute \$238,000.
- An \$8 levy per rateable property. With 14,398 current rateable properties Colac Otway Shire would be expected to contribute \$115,184.

Options one and two are based on estimated figures captured for the purposes of trend data analysis and are not a reliable measure of actual tourism numbers. For example they do not capture all tourists visiting a region and they do include School group excursions in the numbers. The third option is preferred as it is based on reliable data and provides a formula that is equitable in terms of the resource capacity of respective municipalities.

In the 2011/12 Council Budget there is an allocation of \$76,000 to Geelong Otway Tourism and \$160,000 to Otways Tourism. The amount of \$115,184 proposed in Option 3 is a contribution to the Regional Tourism Board costs and structure that includes the Surf Coast/Otways Tourism Manager but does not include the Surf Coast and Otways Industry Development Officers.

In the proposed new structure neither Surf Coast Tourism or Otways Tourism exist as they have been replaced with the Surf Coast Forum a bi-monthly forum for tourism operators. Currently Otways Tourism employs an Executive Officer and a part time Administration Officer and delivers a number of programs and projects with a combination of Shire funds and membership funds. In the proposed new structure Otways Tourism does not exist but there is an Industry Development Officer position funded by Council.

While there is little detail in the Discussion paper regarding the roles of the Tourism Manager and the Industry Development Officer it appears that the Tourism Manager would take on the major responsibilities of the Otways Tourism Executive Officer albeit in the broader sub region of Surf Coast/Otways. This would mean that the Industry Development Officer would be in a lesser role. It would also mean that there would be no necessity for an Administrative position and other costs could also be reviewed. The production cost of local collateral such as the Walks and Waterfall brochure and the Otways Touring Map and the other Otways Tourism Projects would still be a local responsibility.

The anticipated total cost to Council of the proposed new structure is approximately \$250,184 including \$115,184 contributed to the Regional Tourism Board, an increase of \$39,000 over Council's current commitment to Geelong Otway Tourism plus the Industry Development Officer Position and local collateral production at a cost of \$135,000.

|                        | <b>Current</b>   | <b>Proposed</b>  |
|------------------------|------------------|------------------|
| Geelong Otway Tourism  | \$76,000         |                  |
| Regional Tourism Board |                  | \$115,184        |
| Otways Tourism         | \$160,000        |                  |
| Colac Otway Shire      |                  | \$135,000        |
| <b>TOTAL</b>           | <b>\$236,000</b> | <b>\$250,184</b> |

Another key issue to be resolved if the proposed new structure is adopted is the new partnership structure between Colac Otway Shire and Surf Coast Shire. In the proposed new regional structure, there is a body called Surf Coast/Otways Forum that would convene bi-monthly with a range of stakeholders including Local Tourism Associations, Otways Tourism and Surf Coast Tourism.

Council Officers including the CEO have met with Surf Coast Shire Officers to discuss the proposed new Forum and other matters related to the implementation of the proposed new regional structure.

In respect to the seven step approach to implementation of the proposed new structure recommended in the Discussion Paper Council is advised to consider the following issues.

1. *Local Governments agree on the structural model presented*

Council has three options. The first option is to endorse in total the Discussion Paper including the proposed new structure of regional tourism and the funding model recommended. This enables immediate commencement of the implementation program.

Option two is to not endorse the Discussion Paper and to seek further information before proceeding. This protects Council's interests but delays the regional adoption of the proposed new structure and the implementation program.

Option three is to endorse the Discussion Paper including the proposed new structure of regional tourism, however withholding endorsement for the funding model until further information is provided and Council has a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.

Option three is the preferred option as it enables progress but protects Council's financial interests.

2. *Work to commence immediately on establishing the formal structure of the Regional Tourism Board (Tourism Vic).*

If Council adopts the actions outlined above then it has provided endorsement for Tourism Victoria to proceed with establishing the formal structure of the Regional Tourism Board.

3. *Councils who currently fund an existing regional association direct those funds to the newly formed regional structure under a formal MOU.*

*Council has two options:*

The first option is to direct funds on invoice to the new Regional Tourism Board once incorporated and that no funds are forwarded in the 2011/12 financial year to Geelong Otway Tourism.

The second option is a transition approach to be concluded over the first six months whereby Council maintains commitments made through the May 2011 Meeting of Council to continue to fund Geelong Otway Tourism until the new structure is in place.(Attachment 3: Minutes of Council Meeting 25 May 2011)

Option 2 is preferred as it aligns with the previous Council decision on this matter.

4. *Staff who are currently employed by a Local Government but work for a sub destination organisation be seconded to the new regional structure via a formal MOU/Agreement.*

This recommendation is a key plank in the City of Greater Geelong support for the proposed new structure.

Colac Otway Shire Council has two options the first being to support the recommendation as it enables a smooth and relatively speedy transition to the new organisational structure with experienced staff. It also avoids expensive redundancy packages that would be an impost on the City of Greater Geelong. It is likely that the City would seek to share this responsibility with the other partner Councils in the Geelong Otway Tourism group.

Another option would be to refuse to support his recommendation with the intent that all positions in the new Regional Tourism Board would be contested through an open recruitment process.

The first option is preferred as it is less disruptive of the process and avoids unnecessary cost. The staff of GOT have proven their expertise and competence over a number of years. The tourism industry is complex and it will be difficult enough to create a new regional board, introduce a new structure and manage the transition from GOT to the Regional Tourism Board as well develop the new sub structures such as Surf Coast/Otways without creating delays caused by the need to work through redundancy issues and recruit over 6 experienced staff to till the new positions.

5. *Work commences immediately on recruiting an Independent Chair and Skills Based Directors. (Tourism Vic).*

Tourism Victoria has appointed Mr Wayne Kayler-Thomson to this position. He is a former senior officer with Tourism Victoria and most recently CEO of the Victorian Employers' Chamber of Commerce and Industry (VECCI).

6. *Where Councils have not committed funding to a sub destination or do not have staff employed in tourism, the new Board and Staff develop an interim arrangement to manage their involvement in the new structure for the 2011/12 financial year.*

Colac Otway Shire has committed funding to a sub destination through Otways Tourism. This recommendation does not affect Colac Otway Shire however action needs to be taken in respect to the future of Otways Tourism funding and the future support of local tourism as recommended within the new regional structure. This is discussed above.

7. *A formal proposal be developed by the new Board to seek funding from these Councils (during 2012/13 budget discussions) for 2012/13 and beyond.*

No action is required at this point however it does beggar the question of total funding for the Regional Tourism Board including the commitment of Tourism Victoria. The Discussion Paper version 9 indicates that the State Government would be expected to contribute \$800,750 as follows.

| Department                    | Activity           | Amount           | Amount           |
|-------------------------------|--------------------|------------------|------------------|
| Tourism Victoria              | Regional Marketing | \$215,000        |                  |
|                               | Tourism Excellence | \$ 25,000        |                  |
|                               | Tourism Awards     | \$ 5,000         |                  |
|                               | Operational        | \$100,000        |                  |
|                               | Events             | \$200,750        |                  |
|                               | Campaign Committee | \$ 90,000        | \$635,750        |
| Parks Victoria                | Operational Grant  | \$ 10,000        |                  |
|                               | Great Ocean Walk   | \$ 35,000        | \$ 45,000        |
| Regional Development Victoria | Special Projects   | \$120,000        | \$120,000        |
| <b>TOTAL</b>                  |                    | <b>\$800,750</b> | <b>\$800,750</b> |

This table was constructed prior to the new State Government budget that has removed funding for Nature Based Tourism which includes the marketing of the Great Ocean Walk. Special Projects funding from Regional Development Victoria is from a contestable fund and not guaranteed. These two factors put doubt over the funding model for the Regional Tourism Board and in addition to this, Tourism Victoria makes no commitment regarding the funding it has included in the table.

Prior to any agreement by Council in regard to a commitment of funds to the Regional Tourism Board, it is recommended that Council should seek a reliable cost estimate for the operations, special projects and marketing budget for the Regional Tourism Board and an assurance of funding from Tourism Victoria. Further to this it is recommended that Council seek a long term commitment from the State Government to support the new structure so that in future years the total cost is not transferred to Local Government.

On 2 August 2011, Otways Tourism held a special meeting to discuss the proposed new structure and made the following recommendations. Officer comments have been inserted in to the recommendations to assist Council in considering the proposals made by Otways Tourism.

#### Lightfoot Report Recommendations

*4.1.1 Otways Tourism strongly support the findings in the Lightfoot Report that recommends Geelong and Bellarine become a separate regional body as the core tourism product is different to that of the nature based tourism market of the Great Ocean Road region. From a visitation per head basis the Great Ocean Road should be given the structure it deserves.*

The new Regional Tourism Board structure as proposed by Tourism Victoria rejected this option in favour of a single board and structure for the whole region. Council supported this position in its submission to Tourism Victoria, 26 August 2010.

*4.2 The 6 Skills Based Directors should be a high calibre of personnel, be visionary with regional intentions. Strong insight into; state and federal government funding avenues, international and domestic marketing whilst maintaining strong industry representation.*

This is a position that would be supported by all stakeholders in the regional tourism industry.

*4.3 Otways Tourism recommends either one centralised office that would benefit a new structure or the need for the level of Tourism Managers to be raised to that of the Geelong/Bellarine and Warrnambool Office. Should these two regional offices be formed*

*Otways/Surf Coast should also establish a centralised office. The three bodies should share the campaign money equally and identify and market their key products accordingly.*

Otways Tourism is requesting that the resources of Warrnambool and Geelong Regional Tourism Board Offices be split three ways to enable the opening of a Surf Coast /Otways Office. It is difficult to see how regional operations would be improved by separating key staff. In the proposed new structure both Surf Coast and Colac Otway have an Industry Development Officer located locally. The Surf Coast and Colac Otway Tourism Manager would best serve the sub region by working closely with the regional office staff in marketing initiatives and industry development. The separation of the Tourism Manager and presumably other staff from the Warrnambool and Geelong offices would mean proportionally more time spent on the road for staff attending meetings rather than working closely with colleagues in the one location.

In respect to the recommendation that campaign money be shared equally this is a position that would be supported by all stakeholders in the regional tourism industry. However it will be up to the Regional Tourism Board to decide priorities.

*4.4 Accountability of the CEO and senior staff is paramount. The Board to set strong KPI's.*

This is a position that would be supported by all stakeholders in the regional tourism industry.

*4.5 Colac Otway Shire to have strong involvement in the Great Ocean Road Regional Tourism Board Business Plan, setting of the annual kpi's in regards to the business plan ensuring a bottom up approach. In the signing of the Memorandums of Understanding the Otways Tourism Board strongly suggest the Shire query the structure and the link with the Great Southern Touring Route. KPI's need to be developed to ensure marketing campaigns such as the Great Southern Touring Route and Business and Events are beneficial and cost effective for all scale of businesses within the structure not just designed for larger hotels therefore disadvantaging majority of Colac Otway operators. Key events will also need to be annually identified. To ensure event funding under the new structure Otways Tourism recommends a committee be formed with representatives from Shire, Tourism Manager and the Industry Development Officer.*

Colac Otway Shire will be represented through the municipal appointments to the Great Ocean Road Regional Tourism Board and it would be expected that the Shire would have the opportunity to comment on and influence the outcome of the strategic planning process.

In respect to the Great Southern Tourism Route and its relationship with Great Ocean Road Regional Tourism Board, the Great Southern Touring Route is an international marketing body whereas the Great Ocean Road Regional Tourism Board's responsibilities are regional. Since the Chairperson of the Great Southern Tourism Route is the same person as the Executive Officer of Geelong Otway Tourism, Otways Tourism may be inferring that there is a conflict in the delivery of marketing influence that disadvantages the local region. There is no evidence of this conflict.

As the makeup of the Regional Tourism Board and the staffing is unknown at this stage and the future of leadership of the Great Southern Touring Route may also change in the future this is an issue that would be of secondary importance at this stage. The proposed new structure defines the roles and responsibilities clearly enough to serve the purposes of both international and regional marketing.

In respect to Key Performance Indicators again Colac Otway Shire would be consulted.

The suggestion regarding events would be supported by all stakeholders in the regional tourism industry.

*4.6 A thorough economic impact study of the tourism industry in the Colac Otway Shire is required.*

A thorough economic impact study of the tourism industry in the Colac Otway Shire was completed with the 'Colac Otway Shire Tourism Review Feb 2006'. Since then there has been the 'Tourism Research and Impact Assessment Colac Otway Shire' Street Ryan 2007 and an update of this report is planned for 2011/12.

Tourism is well established in Colac Otway Shire as a valuable industry contributing to the growth of the local economy and jobs. Another review of this importance may not be as vital as a strategic planning project that takes into account not only industry development, but also infrastructure requirements to promote growth. A good example of this is the Apollo Bay Harbour Redevelopment. On a smaller scale are road improvements to popular tourism routes such as the Barham River Road and Phillips Track that leads to the Otway Fly.

At the April 2010 Council Meeting that endorsed the 'Colac Otway Shire and Otways Tourism Inc. Service Agreement 2007 – 2010 Evaluation Report' Feb 2010, Council included in its adopted recommendation the following:

*"Undertake a review of the Colac Otway Shire vision for tourism through a joint Shire and Otways Tourism engagement process during the period of the proposed new 12 month service agreement with OT"*

This process was to have occurred over the past 12 months but due to a lack of resources it has not commenced. It will be subject to a Budget brief for the 2012/13 Council Budget to contract a consultant company to develop the strategic plan.

*4.7 The structure needs to address supporting, acknowledging and communicating with local tourism bodies and focus groups to maintain a bottom up approach and encourage the development of local initiatives. The Shire needs to allow for ongoing funding for the development of local collateral and new initiatives e.g. Otways Tourism Small Village Strategy Groups.*

The proposed new structure includes new groups called Industry Forums supported by a Sub Regional Tourism Manager and local Industry Development Officers. The Colac Otway Shire Industry Development Officer would also liaise with Colac Otway Shire Sub Local Tourism Associations.

*4.8 Otways Tourism recommends 12 forums are required for Surf Coast/Otways due to the wide geographic boundaries. Forums to focus on regional tourism board updates, industry education and ability for local groups not individuals to influence strategic direction. Tourism forums accept representation from any group in the Surf Coast/Otways. These groups would register prior to the forum. It would then be up to each focus group if they chose to attend.*

The proposed new structure recommends 6 forums per annum, for the Surf Coast/Otways Forum. Further discussion needs to be had between Surf Coast Shire, Surf Coast Tourism operators, Colac Otway Shire and Otways Tourism operators before any agreement could be made on the appropriate number of meetings of this group over the calendar year.

**Proposal**

That Council submit a response to the Discussion Paper that includes support in principle for the proposed new structure conditional on the following recommendations:

- a. That Tourism Victoria provide further detail on the structure and cost of the proposed new regional structure and commit to a long term funding arrangement with the Regional Tourism Board.
- b. That the proposed new Regional Tourism Board include one Local Government representative from each of the following sub regional groups Geelong/Bellarine, Surf Coast/Otways and South Coast, increasing the proposed number of Local Government representatives on the Board from two to three.
- c. That Council will make no financial contribution in support of the proposed new structure until Council is provided with a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.
- d. That Council make no decision on the future of funding of the proposed new industry development officer and the support services to local tourism until the full cost structure of the Regional Tourism Board is known.
- e. That Council continue its commitment to the transition period of funding support for Geelong Otway Tourism and Otways Tourism.
- f. That the proposed new Regional Tourism Board adopts the \$8 per rateable property formula for Local Government contribution to the Board.
- g. That Tourism Victoria sets a timeline for the commencement of the Regional Tourism board and proposed new structure of 1 July 2012 so that adequate time is available to deal with the complexity of the proposed new arrangements; to seek clarity on structure and cost of the proposed new structure and to enable a smooth transition from Geelong Otway Tourism and Otways Tourism fund to the new model. It would also enable Council to deal with the new cost structure through the normal Council Budget process for the forthcoming financial year.

**Financial and Other Resource Implications**

Currently Colac Otway Shire Council provides financial support to tourism organisations as follows:

- GOT receives an agreed amount annually according to a Memorandum of Understanding that terminates on 30 June 2012 unless a new structure is agreed during the financial year. Council has committed \$76,000 in this financial year. The following is a clause in the agreement:

*“29. Due to the current Tourism Structure Review, a review will be conducted each quarter. This Memorandum of Understanding will cease ONLY if a new structure is agreed upon by all parties during the 2011-12 period.”* Geelong Otway Tourism Memorandum of Understanding 2011/12.

- OT receives an annual negotiated amount according to the Service Agreement. In 2011/12 the amount is \$160,000.

Under the proposed new regional structure Council would be expected to make a contribution to the new Regional Tourism Board of \$115,184. This is an increase in the regional funding commitment of \$39,000.

As the structure and costs of the proposed new Regional Tourism Board are unclear Council is advised to withhold endorsement of the financial model of funding the Regional Tourism Board until these matters are fully understood.



Council is also expected to fund the Industry Development Officer and any local tourism industry costs including collateral such as the official Otways Touring Map and the Walks and Waterfalls Guide. The estimated cost for this is \$135,000. The saving over external delivery by Otways Tourism is largely achieved by removing the position of Administration Officer and sharing a pool car with the Great Ocean Road Visitor Information Centre Apollo Bay.

### **Risk Management & Compliance Issues**

There are no risks in Council endorsing in principle the proposed new regional tourism structure however Council is advised to withhold support for the financial model included in the structure to mitigate the risk of making a commitment to funding before all the costs are known.

### **Environmental and Climate Change Considerations**

There are no environmental and climate change considerations in this report or its recommendations.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform in regard to the recommendations related to a submission to Tourism Victoria on the Draft Discussion Paper. Letters would be written to Geelong Otway Tourism and Otways Tourism respectively to inform them of the result of this report and recommendations.

### **Implementation**

The implementation of the proposed actions outlined above would include a submission to Tourism Victoria on the Draft Discussion Paper and letters to both Geelong Otway Tourism and Otways Tourism advising them of the outcomes of this report and recommendations and including a copy of the submission to Tourism Victoria.

The submission would indicate in principle support for the proposed new structure with reservations expressed in regard to a number of unresolved issues. The most urgent issue involved in this proposed new structure is that there is no clarity over the structure and funding of the new model of industry organisation across the region.

If the recommendations in this report are adopted the submission to Tourism Victoria would state Council's support in principle for the proposed new structure conditional on the recommendations outlined under the proposal.

### **Conclusion**

In a review of regional tourism over 2008 Tourism Victoria found that many regional structures are under-resourced and lack adequate funding support:

- Regional structures rely heavily on volunteers who are struggling to cope with competing demands from their own businesses.
- The roles and responsibilities of some regional structures are unclear or duplicated.
- Many regions do not have adequate communications mechanisms in place to ensure that all stakeholders are informed and engaged in tourism development.
- Industry is unclear about how to work with and engage with Tourism Victoria on issues outside of marketing.

- Regional Campaign Committees focus on marketing and are unable to address other critical issues impacting regional tourism growth such as product development, investment attraction, skills training and sustainability management.
- There is recognition that sustainable tourism development at the regional level requires a more strategic focus to create a strong foundation for industry growth.

As a result of this review Tourism Victoria commenced a restructuring process that included Colac Otway Shire on an Implementation Committee for the Great Ocean Road region. The committee included local government and industry representatives from City of Greater Geelong, Borough of Queenscliffe, Colac Otway, Golden Plains, Surf Coast, Corangamite, Moyne, Glenelg Shires and City of Warrnambool.

The Implementation Committee could not reach agreement on the structure of the proposed new Regional Tourism Board so Tourism Victoria sought a resolution through direct meetings with the CEOs of the respective regional councils. The result of these discussions is the Discussion Paper which outlines a proposed new regional structure with overall responsibility for the Great Ocean Road Region.

While the proposed new structure has merit, there are a number of unresolved issues to be settled considered before full agreement can be considered. These issues are discussed above however the most pressing issue is financial as the Regional Tourism Board funding model increases Council's regional contribution by at least \$39,000 and there remains also an expectation of local funding of tourism development by Local Government.

The Discussion Paper recommends an immediate change to the new structure with all funds allocated to regional tourism to be forwarded to the new Regional Tourism Board expected to be in operation by October 2011. It is unlikely that the process will be completed by October 2011 given that there are nine individual councils and a similar number of industry groups in the region. The 1 July 2012 would be a more reasonable time frame to enable Councils to consider the changes proposed and the cost structure of the changes and the transition arrangements for current agreements with industry bodies.

It is proposed that a submission to the Discussion Paper be sent to Tourism Victoria indicating an in principle support of the proposed new structure but asking for the issues outlined previously in this report to be addressed.

#### **Attachments**

1. Great Ocean Road Victoria Regional Tourism Board, Discussion Paper - May 2011
2. Letter to Tourism Victoria - Council representation on the RTB
3. OM112505-10 Minutes Council Meeting May 2011

**Recommendation(s)**

***That Council writes a submission to Tourism Victoria on the Discussion Paper addressing the following:***

- a. That Tourism Victoria provide further detail on the structure and cost of the proposed new regional structure and commit to a long term funding arrangement with the Regional Tourism Board.***
- b. That the proposed new Regional Tourism Board include one Local Government representative from each of the following sub regional groups Geelong/Bellarine, Surf Coast/Otways and South Coast, increasing the proposed number of Local Government representatives on the Board from two to three.***
- c. That Council will make no financial contribution in support of the proposed new structure until Council is provided with a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.***
- d. That Council make no decision on the future of funding of the proposed new industry development officer and the support services to local tourism until the full cost structure of the Regional Tourism Board is known.***
- e. That Council continue its commitment to the transition period of funding support for Geelong Otway Tourism and Otways Tourism.***
- f. That the proposed new Regional Tourism Board adopts the \$8 per rateable property formula for Local Government contribution to the Board.***
- g. That Tourism Victoria sets a timeline for the commencement of the Regional Tourism board and proposed new structure of 1 July 2012 so that adequate time is available to deal with the complexity of the proposed new arrangements; to seek clarity on structure and cost of the proposed new structure and to enable a smooth transition from Geelong Otway Tourism and Otways Tourism fund to the new model. It would also enable Council to deal with the new cost structure through the normal Council Budget process for the forthcoming financial year.***

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20/05/2011  
Version 9

# Great Ocean Road Victoria Regional Tourism Board

## Discussion Paper

Proposed Establishment of Peak Regional Tourism Structure

1

## Great Ocean Road Regional Tourism Board – Discussion Paper

### Proposed Establishment of Peak Regional Tourism Board

#### BACKGROUND

##### Introduction

- The purpose of this paper is to provide background information and strategic options for the development of a new regional tourism structure for the Great Ocean Road Region of Victoria
- This has been initiated following the release of the Regional Tourism Action Plan which identified a need for a more holistic tourism structure for the region. This paper follows initial discussions with the Local Governments and the industry.
- As a result of industry consultation it became evident that existing region wide industry structures needed to be re evaluated throughout Victoria.
- The tourism industry within the Great Ocean Road Region acknowledges that, whilst the current Campaign Committee has facilitated the implementation of focused marketing initiatives in the past years, there is the potential to be more comprehensive and inclusive in the development of tourism opportunities in the region.
- The proposed new tourism structure would focus on a coordinated approach to holistic tourism development and advocacy for the region.

##### Great Ocean Road Campaign Region

- In recent years the Great Ocean Road Region has been served by a Campaign Committee which focussed on marketing activities for the region.
- The Campaign Committee operates as Great Ocean Road Marketing Incorporated.
- The Great Ocean Road Campaign Committee was established in 1995.
- The current Great Ocean Road Regional Campaign Committee is currently in recess with all activities managed by Tourism Victoria working with a Marketing Advisory Group consisting of the Tourism Managers from the region.
- The changed arrangement has resulted from the inability of the Campaign Committee to work as a united cohesive group focussing on the entire region.
- The Great Ocean Road region as defined by Tourism Victoria includes the local government areas of:
  - City of Greater Geelong
  - City of Warrnambool
  - Borough of Queenscliffe
  - Colac Otways Shire
  - Surf Coast Shire
  - Corangamite Shire
  - Moyne Shire
  - Shire of Glenelg
  - Golden Plains
- Tourism Victoria currently provides financial support to Great Ocean Road Marketing via the Regional Marketing Program. Over the three year program (2009 – 2012) Great Ocean Road Marketing Incorporated will receive \$645,000 (\$215,000 per annum) via this program of funding. As mentioned above the 2010/2011 allocation is being managed by Tourism Victoria with input from the Marketing Advisory Committee.

- Great Ocean Road Marketing Incorporated also received \$42,300 in 2009 from Online revenue disbursement and \$53,000 for Tourism Excellence.
- In addition to the funds above directly managed by the Campaign Committee, Tourism Victoria also invested \$2,113,940 in the region in 2009/2010 made up of GOW Campaign funding, Event funding, Touring funding and a range of Domestic and International campaigns.

With internationally recognised landscapes, the Great Ocean Road region is of considerable environmental and cultural significance to the State. Natural diversity is a key motivator for the tourism intensive economy, which is complemented by well-established primary and agricultural industries.

Respondents in the *Regional Awareness and Perceptions Study 2007* clearly identified Great Ocean Road (including Geelong and the Bellarine Peninsula) with natural attractions followed by a family destination and boutique accommodation. Great Ocean Road is a very important region in positioning the State across a number of priority markets. It is integral to key strategies including the realisation of increased international visitation and nature-based tourism. This is consistent with the Great Ocean Road *Nature's invigorating journey* campaign which targets key interstate markets by encouraging visitors to leave behind the stresses of everyday life by spending time relaxing and revitalising along its natural stretch of therapy. This is complemented by the Geelong and the Bellarine Peninsula *Come back down to earth* campaign which aims to build upon awareness of key intrastate markets by highlighting its down-to-earth nature and lack of pretension.

The major opportunities for tourism development in the Great Ocean Road region are:

- Building upon the supply of high quality tourism product that enhances nature-based and touring experiences;
- Encouraging visitor dispersal and yield across the region; and
- Realising the priority actions in *Victoria's Nature-based Tourism Strategy 2008–2012*.

More specifically and as outlined in the Regional Tourism Action Plan 2009 – 2012, these tourism and business development opportunities are:

#### Investment and Infrastructure

Tourism Victoria will work with State Government agencies, the Regional Tourism Board, Local Government, investors and industry to facilitate the following priority projects:

- Nature-based tourism infrastructure and product including the development of iconic trails to support the region's natural assets such as the Great Otway National Park and Great Ocean Walk;
- Great Ocean Road Interpretative Centre – a world-class interpretative centre which could incorporate multi-media experiences, visitor information and regional food and wine product;
- Development of tourism product associated with surf culture;
- Support development of Avalon as an international airport;
- Redevelopment of the Apollo Bay Harbour – upgrading of tourist and community facilities at the harbour's edge, incorporating improved boating facilities, high quality accommodation, visitor information, retail and food and wine product;
- Geothermal Bathhouse developments including Port Fairy;

- High end accommodation, both large scale and boutique, at key locations along the Great Ocean Road to induce overnight visitation and capitalise on the natural assets of the region;
- Delivery of the ex-HMAS Canberra as a world-class dive site attraction;
- Implementation of the Portarlington Safe Boat Harbour Master Plan to facilitate the delivery of tourist and community facilities including accommodation;
- The ongoing development of the Flagstaff Hill precinct as a major attraction linked to the Great Ocean Road;
- Support Local Government's delivery of the *Portland Bay Coastal Infrastructure Plan*;
- Explore the potential for future development at Tower Hill;
- Facilitate development of the Geelong Waterfront Precinct including a Geothermal Bathhouse development at Eastern Beach Geelong and implementation of the Geelong Marine Industry Precinct; and
- Convention/conference facilities in Geelong.

In addition to the infrastructure projects detailed in the RTAP, the organisation of G2I and Great South Coast have developed significant plans focussing on the economic growth of their sub-regions (G2I – Geelong, Bellarine, Surf Coast, Colac Otways and Great South Coast – Corangamite, Warrnambool, Moynes and Glenelg) within the wider Great Ocean Road Region.

Preliminary work has also commenced to seek funding for an overarching Tourism Destination Management Plan for the Great Ocean Road Region.

The proposed Plan would consider a range of topics including:

- Great Ocean Road vision
- Destination analysis
- Marketing
- Investment and Infrastructure
- Enabling/supporting Infrastructure
- Tourism Services Analysis

The Great Ocean Road Region is also designated as one of Tourism Australia's National Landscapes. National Landscapes is a partnership between Tourism Australia and Parks Australia and identifies and promotes up to 20 of Australia's exceptional nature experiences.

The National Landscapes project aims to:

- populate Brand Australia with iconic natural and cultural experiences matched by high quality visitor experiences, outstanding interpretation, facilities and services
- to enhance the role of protected areas in the national and regional economies
- to connect Australia's global target audiences with landscapes and experiences, achieving high yielding and high dispersing tourism outcomes.



Separate Regions

The notion of creating two separate regions (Geelong/Bellarine and Great Ocean Road) has been considered and debated over recent months.

A review of the Geelong Bellarine regional alignment was highlighted in the Regional Tourism Action Plan and an independent study was carried out in 2010.

The review carried out by Lightfoot Marketing concluded that on a range of key indicators such as Product Differentiation, Domestic Visitor Spend, International Visitor Spend, Product Appeal (International and Interstate), Number of tourism businesses the case to establish two regions was a viable option.

Following the release of the report a further round of consultations was undertaken with key stakeholders within the region. The consultation included Local Government, Tourism Associations and the wider industry.

Despite a strong lobby from the Geelong Bellarine sub destination for a separate region, during the Regional Tourism Action Plan development the Geelong Otway Tourism (representing Geelong, Bellarine, Surf Coast and the Otway's) response after the second round of consultation was not to create a separate region.

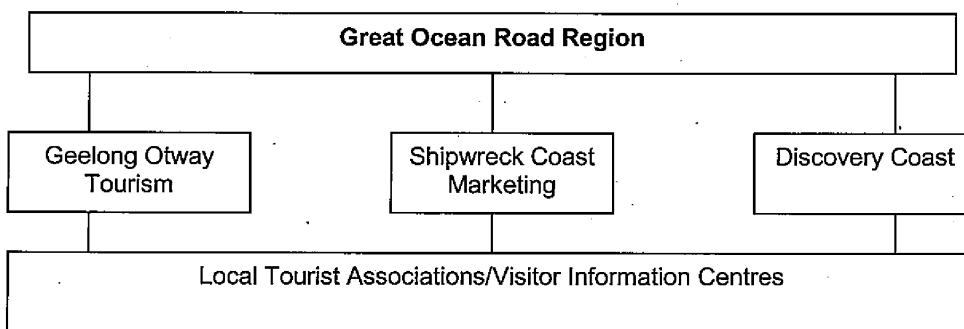
The response from the area covered by Corangamite, Warrnambool Moyne and Glenelg was "strong support for the Great Ocean Road RTB concept but without Geelong Bellarine".

All the views were considered including the cost of creating a new region (approx \$500,000 annually) and it has been determined that Geelong Bellarine will not operate as a separate region.

Existing Structures

Prior to reviewing the range of possible structures available to establish a Great Ocean Road organisation, it is worth reviewing the existing tourism structures within the region.

The generally accepted structure is as follows:

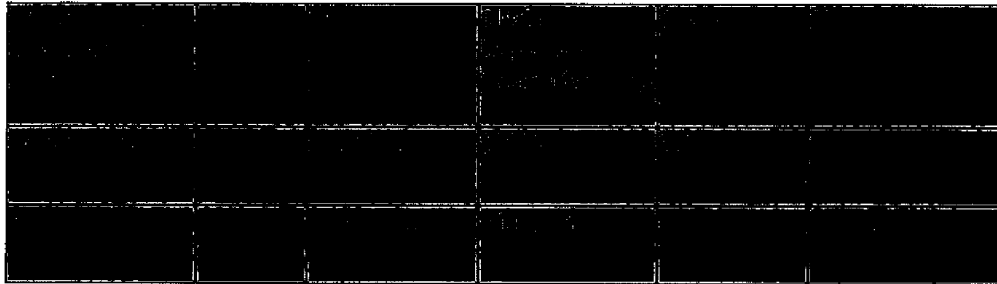


A summary of existing organisations within the Great Ocean Road Region is as follows:

| Organisation            | Funding Partners                                                                            | Local Associations                                | Staffing                                                                                          |
|-------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Geelong Otway Tourism   | City of Greater Geelong<br>Borough of Queenscliffe<br>Surf Coast Shire<br>Colac Otway Shire | Bellarine<br>Geelong Surf Coast<br>Otways Tourism | Director<br>Tourism Officers<br>Events<br>Conferencing<br>VIC                                     |
| Shipwreck Coast Tourism | City of Warrambool<br>Corangamite Shire<br>Formerly Moyne Shire                             | Port Campbell<br>Warrambool<br>Port Fairy         | Director<br>Tourism Officer<br>Events,<br>Conferencing and<br>VIC supplied by<br>Local Government |
| Discovery Coast         | Shire of Glenelg                                                                            | Portland<br>Nelson                                | Tourism Manager                                                                                   |

Currently municipality provide the following funding to tourism activities within the GOR region.

|                         |     |                                      |                                                                                 |                                             |                                                                                             |
|-------------------------|-----|--------------------------------------|---------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------------------------------------------------------|
| City of Greater Geelong | 15+ | \$1.6 million total operating budget | \$745,000 GOT admin                                                             | \$307,000 Geelong VIC's                     | \$303,000 Conference Marketing Bureau<br>\$120,000 Geelong & Bellarine Destination Officers |
| Borough of Queenscliff  | 2.4 | TBC                                  | \$13,126 MOU                                                                    |                                             |                                                                                             |
| Colac Otway Shire *     | 8.5 | \$750,000                            | \$450,000 including \$64,000 GOT MOU                                            | \$300,000                                   |                                                                                             |
| Surf Coast Shire *      | 13  | \$768,000                            | \$303k Surf Coast Admin, \$120k marketing & development including \$64k GOT MOU | \$308k Surf Coast VIC's & Surf World Museum | \$36k new initiatives                                                                       |
| Golden Plains Shire     | 0.5 | TBC                                  | \$5,469 MOU Contribution only                                                   |                                             |                                                                                             |



The above figures are based on responses from Local Government, where available.

In summary Great Ocean Road Councils currently contribute \$5.4 million to tourism and employ 51 staff.

If Economic Development numbers were added to this data the annual spend is significantly larger.

*VISITATION, SPEND & LGA DATA*

The following tables outline visitation, spend and ABS data for the LGA's of the Great Ocean Road.

| Visitors      | International     | Domestic Overnight | Domestic Day |
|---------------|-------------------|--------------------|--------------|
| Colac Otway   | 53,000            | 325,000            | 323,000      |
| Corangamite   | 24,000            | 107,000            | 149,000      |
| Glenelg       | 11,000            | 154,000            | 120,000      |
| Geelong       | 32,000            | 779,000            | 2,203,000    |
| Moyne         | 25,000            | 152,000            | -            |
| Queenscliffe  | -                 | 127,000            | 229,000      |
| Surf Coast    | 38,000            | 658,000            | 935,000      |
| Warrambool    | 29,000            | 287,000            | 387,000      |
| Golden Plains | No data available |                    |              |
| Total         | 212,000           | 2,589,000          | 4,346,000    |

| Visitors Nights | International     | Domestic Overnight | Domestic Day |
|-----------------|-------------------|--------------------|--------------|
| Colac Otway     | 119,000           | 822,000            | -            |
| Corangamite     | 50,000            | 224,000            | -            |
| Glenelg         | 51,000            | 410,000            | -            |
| Geelong         | 433,000           | 2,202,000          | -            |
| Moyne           | 46,000            | 458,000            | -            |
| Queenscliffe    | -                 | 347,000            | -            |
| Surf Coast      | 139,000           | 2,031,000          | -            |
| Warrambool      | 87,000            | 721,000            | -            |
| Golden Plains   | No data available |                    |              |
| Total           | 924,000           | 7,214,000          | -            |

| Spend (\$Million) | International     | Domestic Overnight | Domestic Day |
|-------------------|-------------------|--------------------|--------------|
| Colac Otway       | 9                 | 101                | 26           |
| Corangamite       | 4                 | 19                 | 9            |
| Glenelg           | 3                 | 32                 | 10           |
| Geelong           | 32                | 197                | 173          |
| Moyne             | 5                 | 57                 | -            |
| Queenscliffe      | -                 | 45                 | 16           |
| Surf Coast        | 17                | 211                | 67           |
| Warrambool        | 7                 | 85                 | 55           |
| Golden Plains     | No data available |                    |              |
| Total             | 77                | 747                | 356          |

| Average Stay (nights) | International     | Domestic Overnight | Domestic Day |
|-----------------------|-------------------|--------------------|--------------|
| Colac Otway           | 2.2               | 2.5                | -            |
| Corangamite           | 2.1               | 2.1                | -            |
| Glenelg               | 4.8               | 2.7                | -            |
| Geelong               | 13.7              | 2.8                | -            |
| Moyne                 | 1.9               | 3.0                | -            |
| Queenscliffe          | -                 | 2.7                | -            |
| Surf Coast            | 3.7               | 3.1                | -            |
| Warrambool            | 3.1               | 2.5                | -            |
| Golden Plains         | No data available |                    |              |

|               | Tourism Businesses | Population | Square kms |
|---------------|--------------------|------------|------------|
| Colac Otway   | 591                | 21,000     | 3433       |
| Corangamite   | 357                | 17,000     | 4404       |
| Glenelg       | 441                | 20,500     | 6210       |
| Geelong       | 4749               | 208,300    | 1247       |
| Moyne         | 369                | 16,000     | 5478       |
| Queenscliffe  | 117                | 3175       | 36         |
| Surf Coast    | 699                | 23,500     | 1552       |
| Warrambool    | 912                | 32,000     | 121        |
| Golden Plains | No data available  |            |            |
| Total         | 8235               | 341,475    | 22,481     |

Source: TRA Regional Tourism Profiles 2007 & LGA data

#### VICTORIAN TOURISM STRUCTURES

Effective regional industry structures are a key factor in building successful tourism destinations.

The structure of Victoria's regional tourism industry is facing a number of new challenges due to the rapidly changing environment, which need to be addressed to provide a strong platform for growth.

Extensive consultation as part of the Regional Tourism Action Plan development has raised a number of issues with the current industry structures in regional Victoria:

- Many regional structures are under-resourced and lack adequate funding support.
- Regional structures rely heavily on volunteers who are struggling to cope with competing demands from their own businesses.
- The roles and responsibilities of some regional structures are unclear or duplicated.
- Many regions do not have adequate communications mechanisms in place to ensure that all stakeholders are informed and engaged in tourism development.
- Industry is unclear about how to work with, and engage with, Tourism Victoria on issues outside of marketing.
- Regional Campaign Committees have a remit to focus on marketing and are unable to address other critical issues impacting regional tourism growth such as product development, investment attraction, skills training and sustainability management.
- There is recognition that sustainable tourism development at the regional level requires a more strategic focus to create a strong foundation for industry growth.

Some regions in Victoria have already undertaken structural reviews to determine the most appropriate model for their local industry in the future. Some positive case studies include Gippsland and the Grampians, which have provided the impetus to continue this successful approach across the State.

#### *A NEW DIRECTION*

A key strategy in the Regional Tourism Action Plan is to evolve industry structures in regional Victoria over the next three years. This will involve the creation of a Regional Tourism Board (RTB) in each region to set the overarching strategic vision and direction for tourism. The RTB will play a critical role in creating a platform for future growth and will have responsibility for a range of key tourism functions.

The final model for each RTB will be determined on a region by region basis. The structure will be developed in consultation with regional stakeholders to ensure that the appropriate structure is in place to address the unique needs and expectations of the region.

The new Regional Tourism Boards will not replicate other structures nor create additional bureaucracy in the region.

The current Regional Campaign Committees (in this case, Great Ocean Road Marketing Incorporated) will be disbanded once the new Boards are in place. Where appropriate; relevant sub-committees will be created to support the new Board for key activities such as marketing. This will ensure that the Boards are not overly burdened with operational matters and are able to focus on key strategic issues.

A Senior Manager from Tourism Victoria will have a place on each RTB to create more effective liaison and decision-making processes.

*New Great Ocean Road Regional Tourism Structure?*

A new Great Ocean Road Regional Tourism Board will play a critical role in:

- Setting the overarching strategic vision for the region
- Regional marketing
- Industry development
- Product development
- Skills training
- Identification of investment opportunities
- Removing existing duplication of effort

In addition the new Regional Tourism Board will provide:

- Clear leadership
- Strong advocacy for the region
- Better co ordination between like organisations
- Improved communication
- Professional tourism leadership
- Central point of contact for Government
- Regional ownership

A quality Regional Tourism Board will therefore deliver:

- An integrated tourism experience
- A regional and coordinated approach to tourism
- Minimisation of resource duplication
- Provision of role clarity and determines responsibility
- Provision of better value for money from tourism investment by local councils.
- Provision of a representative voice on tourism issues
- Extended marketing effectiveness and spend through collaborative targeted campaigns
- Increased efficiencies and impact due to a more targeted and coordinated approach.
- Reduced likelihood of missed opportunities
- Industry education and growth.
- Access to national and state tourism initiatives.

With the establishment of the proposed Great Ocean Road Regional Tourism Board, Great Ocean Road Marketing Incorporated would be wound up with all marketing activities transferred to the new entity. The establishment of a new Great Ocean Road Regional Tourism Board is fully supported by Tourism Victoria. All Tourism Victoria future funding will be channelled through the new Regional Tourism Board.

Process to Date

Implementation Committee

The normal process in establishing a new regional tourism structure within the guidelines set down in the Regional Tourism Action Plan, has been to establish a regionally based Implementation Committee. The Committee was designed to provide the region with ownership of decisions relating to final structure, funding model and appointment of a new Regional Tourism Board.

A Great Ocean Road Implementation Committee was established on advice from the region.

Members of the Implementation Committee are:

- Bill Millard: City of Warrnambool
- Roger Grant: Greater Geelong City Council
- Lenny Jenner: Borough of Queenscliffe
- Simon Loone: Surf Coast Shire
- Mike Barrow: Colac Otway Shire
- Andrew Mason: Corangamite Shire Council
- Dean Robertson: Moyne Shire Council
- Carole Reid: Shipwreck Coast Marketing
- Liz Foreman: Discovery Coast Tourism
- TBC: Glenelg Shire Council
- Ross Stephens: Geelong Otway Tourism (Industry Representative)
- Corinne Mitchell: Otways Tourism (Industry Representative)
- Emma Keith: Geelong/Bellarine (Industry Representative)
- Dee Stewart: Surf Coast Tourism (Industry Representative)
- Richard Nessler: 12 Apostles Helicopters (Industry Representative)
- Jenni Hider-Smith: Big 4 Port Fairy (Industry Representative)
- Nicholas Heath: Tourism Geelong (Industry Representative)
- John Maher: Shipwreck Coast Tourism (Industry Representative)
- Peter Abbott: Flagstaff Hill Maritime Village (Industry Representative)
- Trevor Dess: Parks Victoria
- Tom Smith: Tourism Victoria
- Melanie De Souza: Tourism Victoria

The first meeting of the Implementation Committee was held in September 2010, with a further 3 meetings held in subsequent months.

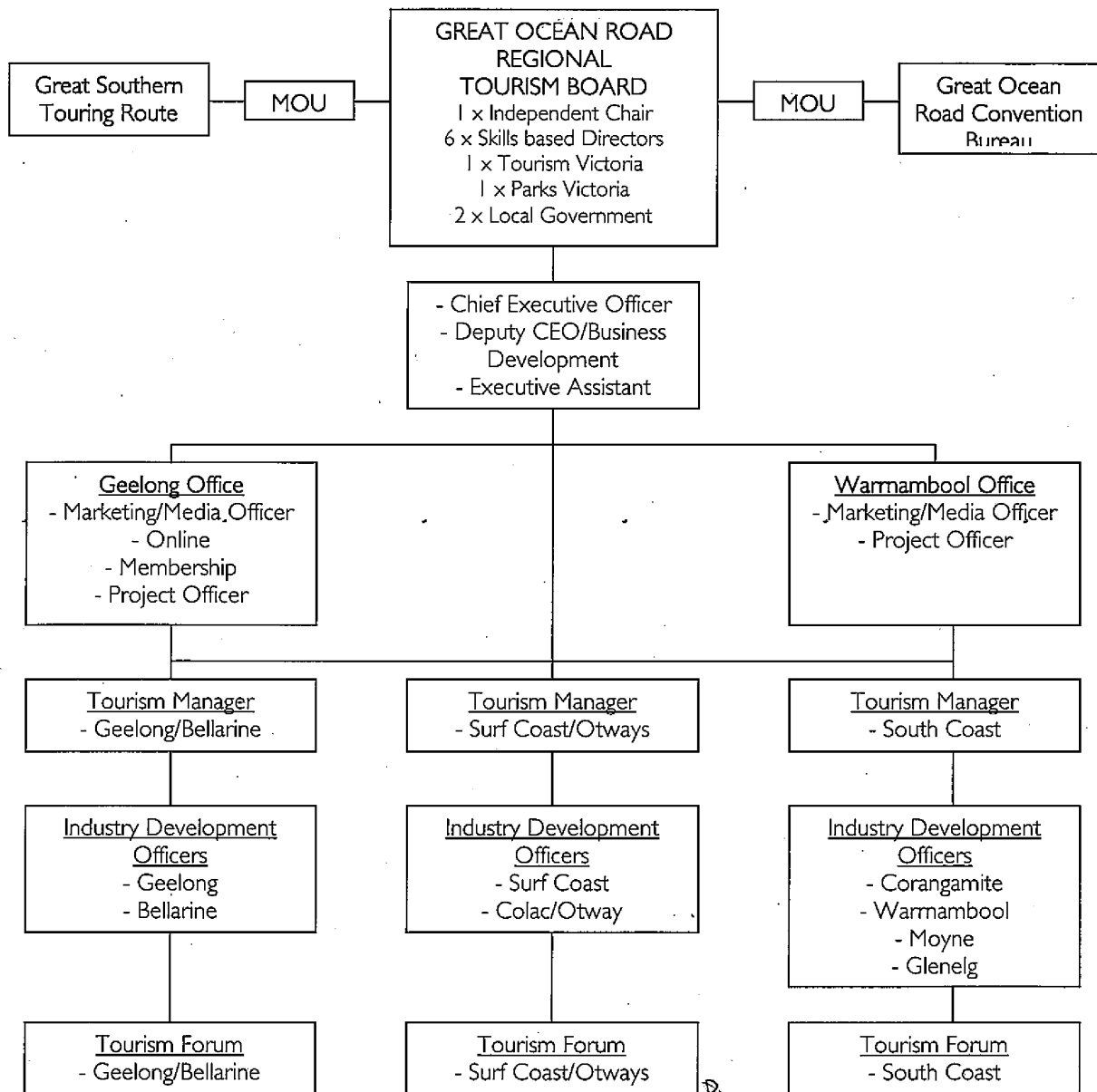
Unfortunately members of the Implementation Committee could not reach agreement on any structure.

The Committee was disbanded in February 2011 and the newly appointed Acting Chief Executive Officer of Tourism Victoria met with Chief Executives of Local Governments in the Great Ocean Road Region to develop a solution.

A New Structure

Based on discussions with the CEO's of member Councils, further internal T.V. discussions and learnings from the 6 Regional Boards already established in other regions the following model is proposed.

The Great Ocean Road Regional Tourism Board will operate as Great Ocean Road Tourism and will be the peak tourism organisation for the region covered by the municipalities of Golden Plains, City of Greater Geelong, Borough of Queenscliffe, City of Warrambool, Surf Coast Shire, Colac Otway Shire, Corangamite Shire, Moyne Shire and Glenelg Shire.



replaces  
OTWAY Forum 12



#### Great Ocean Road Regional Tourism Board

It is proposed that a new independent Great Ocean Road Tourism Board will be established.

The new Board will be the peak tourism organisation for the Great Ocean Road Region.

- Board will be focussed on Strategy & Policy and would meet 6-8 times per year.
- Board responsible for the holistic development of tourism in the Great Ocean Road region. Functions include:
  - Industry Development
  - Product Development
  - Marketing
  - Identification of investment opportunities
- The Board would develop and operate under a three-year strategic plan developed in consultation with all stakeholders, as well as a one year Business Plan
- Board to operate as a Company Limited by Guarantee.
- The Skills based members and the Independent Chair would be appointed by an independent Appointment Panel following a public call for Expressions of Interest.
- Parks Victoria, Tourism Victoria and Local Government appoint their own representatives.
- A consideration may be for the new Board to operate distinct sub-committees with the capacity to involve non-Board members. Suggested sub-committees may include (i) Marketing, (ii) Industry/Product Development and (iii) Regional Tourism Managers

The new Board will be required to establish formal MOUs with Local Government Areas/Shires and Tourism Victoria in relation to roles, function and funding where appropriate.

The formal MOU's will also detail stakeholder reporting requirements, and annual review process. The Board will also operate under a formal charter endorsed by the key stakeholders.

#### Staffing

Under the proposal outlined the new Board will operate the following staffing levels with formal offices operating in Geelong and Warrnambool.

#### Chief Executive Officer

- Responsible for the implementation of all elements of the strategic plan and the Business Plan.
- Responsible for the management of all staff across the region.
- Liaising with peak organisations such as Tourism Australia, Tourism Victoria, Regional Development Victoria etc.
- Managing the partnerships with key funding organisations and the wider industry.

#### Deputy CEO/Business Development (Geelong Office)

- Responsible for the development and delivery of one-year business plan.

Marketing & Media Co-ordinator (1 x Geelong, 1 x Warrambool)

- Responsible for the development and delivery of domestic co-operative tactical campaigns and public relations.

Project Officers (Part-time: 1 x Geelong, 1 x Warrambool)

- Work with Marketing and Media Co-ordinator to assist with famils, membership, etc.

Online Officer

- Responsible for the management of the regions digital strategy.

Membership Officer

- Responsible for the management of the Membership Program and database.

Sub-Destination Tourism Managers

- Responsible for the coordination and development of the tourism industry in a defined sub-destination.
- Report to the CEO of the Regional Tourism Board.
- Physically located in the sub-destination.

The above staff would be employed directly by the Regional Tourism Board or would be seconded to the Regional Tourism Board via agreements with their existing employing organisations/Council.

Industry Development Officers

- Tourism Officers employed/funded by individual Councils.
- Operate as part of the Great Ocean Road team via specific agreements with each Council re: their specific duties and time allocations in relation to the Regional Tourism Board.

The industry development officers would be located in the offices of their employing Council.

Industry Engagement/Sub Destination Structures

Under the proposed model all existing sub destination structures (Geelong Otway Tourism, Shipwreck Coast Tourism, and Discovery Coast Tourism) would cease to operate in their current form.

Local Tourist Associations would continue to operate as determined by the needs of the industry.

Replacing the sub destination organisations will be Tourism Forums managed by the Regional Tourism Board.

Tourism Forums

- Bi-monthly forums of all interested industry operators, LTA's, Business groups, etc.
- Forums focus on Regional Tourism Board updates, industry engagement and industry education.
- The Forums become the key vehicle for the industry to influence the strategic direction of the Regional Tourism Board.

## Funding

Great Ocean Road Tourism will operate as the peak tourism body for the region and will be the organisation utilised by Tourism Victoria to deliver State wide and region specific tourism initiatives.

Tourism Victoria will continue to provide funds (via the RTB) for:

- Tourism Excellence
- Regional Marketing
- Tourism Awards mentoring
- Operational funding
- Online initiatives/funding

In addition to Tourism Victoria funding, it is anticipated that other State organisations (RDV, Parks Victoria, etc) will direct any other special project funding through the new RTB.

It is anticipated that Local Government will also be a partner in this new structure. A range of formula's can be developed to determine a Local Government contribution (Domestic Visitor Nights, Flat Rate, Rateable Properties, Population, etc. Full funding options are discussed later in this paper.

The regional tourism industry will also be a funding partner in this new venture. Industry contributions will come via membership, cooperative advertising, online initiatives, etc.

As a result of the coordinated approach of the RTB initiative, it is anticipated that corporate sponsorship will also be a further revenue stream.

Funding Contribution

It is possible to develop a number of formulas to determine individual Council contributions.

The following section details a number of the options.

Tourism Research Australia publishes Local Government Profiles which are based on 2007 figures from the National Visitor Survey and the International Visitors survey. The figures are averaged over the previous 4 years to allow for fluctuations. The Local Government Profiles cover a range of data as summarised below.

| Local Govt Area | Square km     | Pop            | Inter Visitor Nights | Dom Visitor Nights | Spend dom o/night \$million | Av Stay (dom nights) | Tourism business |
|-----------------|---------------|----------------|----------------------|--------------------|-----------------------------|----------------------|------------------|
| Colac Otway     | 3433          | 21,000         | 119,000              | 822,000            | 101                         | 2.5                  | 591              |
| Corangamite     | 4404          | 17,000         | 50,000               | 224,000            | 19                          | 2.1                  | 357              |
| Glenelg         | 6210          | 20500          | 51,000               | 410,000            | 32                          | 2.7                  | 441              |
| Geelong         | 1247          | 208,300        | 433,000              | 2,202,000          | 197                         | 2.8                  | 4749             |
| Moyne           | 5478          | 16,000         | 46,000               | 458,000            | 57                          | 3.0                  | 369              |
| Queenscliffe    | 36            | 3175           | -                    | 347,000            | 45                          | 2.7                  | 117              |
| Surf Coast      | 1552          | 23,500         | 139,000              | 2,031,000          | 211                         | 3.1                  | 699              |
| Warmamboo       | 121           | 32,000         | 87,000               | 721,000            | 85                          | 2.5                  | 912              |
| Golden Plains   |               |                |                      |                    |                             |                      |                  |
| <b>Total</b>    | <b>22,481</b> | <b>341,475</b> | <b>924,000</b>       | <b>7,214,000</b>   | <b>747</b>                  |                      | <b>8235</b>      |

Based on the figures presented, it is possible to develop a funding model which allocates a levee per Domestic Visitor Nights for each council. The following examples are based on an 25 cent per Domestic Visitor Night.

A 25cent levee per Domestic Visitor Night would be as follows:

| Local Govt Area | Dom. Visitor Nights | Spend (\$million)    | Av stay (dom nights) | Tourism businesses | 25cents per dom. visitor night |
|-----------------|---------------------|----------------------|----------------------|--------------------|--------------------------------|
| Colac Otway     | 822,000             | 101                  | 2.5                  | 591                | \$205,500                      |
| Corangamite     | 224,000             | 19                   | 2.1                  | 357                | \$56,000                       |
| Glenelg         | 410,000             | 32                   | 2.7                  | 441                | \$102,500                      |
| Geelong         | 2,202,000           | 197                  | 2.8                  | 4749               | \$550,500                      |
| Moyne           | 458,000             | 57                   | 3.0                  | 369                | \$114,500                      |
| Queenscliffe    | 347,000             | 45                   | 2.7                  | 117                | \$86,750                       |
| Surf Coast      | 2,031,000           | 211                  | 3.1                  | 699                | \$507,750                      |
| Warmambool      | 721,000             | 85                   | 2.5                  | 912                | \$180,250                      |
| Golden Plains   |                     |                      | -                    |                    | -                              |
| <b>Total</b>    | <b>7,214,000</b>    | <b>\$747,000,000</b> | <b>-</b>             | <b>8235</b>        | <b>\$1,803,250</b>             |

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A model can also be based on International Visitor nights. The following table identifies Councils potential contribution based on a \$2 levee per International Visitor Nights.

| Visitors Nights | International     | International O/Night<br>Visitor Spend | \$2 per Int.<br>Visitor Nights |
|-----------------|-------------------|----------------------------------------|--------------------------------|
| Colac Otway     | 119,000           | \$9,000,000                            | \$238,000                      |
| Corangamite     | 50,000            | \$4,000,000                            | \$100,000                      |
| Glenelg         | 51,000            | \$3,000,000                            | \$102,000                      |
| Geelong         | 433,000           | \$32,000,000                           | \$866,000                      |
| Moyne           | 46,000            | \$5,000,000                            | \$92,000                       |
| Queenscliffe    | -                 | -                                      | -                              |
| Surf Coast      | 139,000           | \$17,000,000                           | \$278,000                      |
| Warrambool      | 87,000            | \$7,000,000                            | \$174,000                      |
| Golden Plains   | No data available |                                        | -                              |
| <b>Total</b>    | <b>924,000</b>    | <b>\$77,000,000</b>                    | <b>\$2,290,000</b>             |

The option favoured is an \$8.00 per rateable property levee.

Based on the \$8.00 per rateable property model, the Local Government contribution would be as follows:

| Local Government        | Rateable Properties | Total (\$)         |
|-------------------------|---------------------|--------------------|
| City of Greater Geelong | 104,609             | 836,872            |
| Borough of Queenscliffe | 3,002               | 24,016             |
| Surf Coast              | 19,070              | 152,560            |
| Colac Otway             | 14,398              | 115,184            |
| Golden Plains           | 2,342               | 18,736             |
| Corangamite             | 9,448               | 75,584             |
| Warrambool              | 15,478              | 123,824            |
| Moyne                   | 10,936              | 87,488             |
| Glenelg                 | 13,890              | 111,120            |
| <b>Total</b>            | <b>193,173</b>      | <b>\$1,545,384</b> |

The \$8 per rateable property would see Local Governments contributing \$1,545,384 to the Regional Tourism Board in the 2011/12 Financial Year.

Based on current contributions and projected State Government revenues for 2011/12 and beyond the Government Contributions would be as follows:

| Department                    | Activity             | Amount    |
|-------------------------------|----------------------|-----------|
| Tourism Victoria              | - Regional Marketing | \$215,000 |
|                               | - Tourism Excellence | \$25,000  |
|                               | - Tourism Awards     | \$5,000   |
|                               | - Operational        | \$100,000 |
|                               | - Events             | \$200,750 |
|                               | - Campaign Committee | \$90,000  |
| Parks Victoria                | - Operational Grant  | \$10,000  |
|                               | - GOW                | \$35,000  |
| Regional Development Victoria | - Special Projects   | \$120,000 |
| Total                         |                      | \$800,990 |

Based on the current figures for GOT and Shipwreck Coast Tourism, the following contributions can be expected from the industry:

| Activity                       | Total     |             |
|--------------------------------|-----------|-------------|
| - Membership/Participation Fee | \$600,000 |             |
| - Visitor Guide                | \$280,000 |             |
| - Tactical Marketing           | \$140,000 |             |
| - Online Contribution          | \$88,000  |             |
| - Great Ocean Walk Partnership | \$50,000  |             |
| - General Industry Activities  | \$80,000  |             |
| - Marketing Packages           | \$90,000  |             |
| - Sponsorship                  | \$60,000  |             |
| Total                          |           | \$1,388,000 |

Total revenues for the new RTB can be summarised as follows:

|                    |             |             |
|--------------------|-------------|-------------|
| - Local Government | \$1,545,384 |             |
| - State Government | \$800,990   |             |
| - Industry         | \$1,388,000 |             |
| Total              |             | \$3,734,375 |

It should be noted that submissions are currently being developed to significantly increase Regional Tourism Board funding in the 212/13, 2013/14, 2014/15 financial years.

The operating costs of the new Regional Tourism Board would be as follows:

| Expenses                             | Amount             | Comment                                                      |
|--------------------------------------|--------------------|--------------------------------------------------------------|
| Wages,Governance, Operational Costs. | \$1,819,000        | Excludes Council based Tourism/Industry Development Officers |
| Demand Marketing                     | \$1,210,000        | Includes, Local, Interstate and international marketing      |
| Supply Investment Attraction         | \$325,000          | Includes research,, advocacy                                 |
| Partnerships                         | \$312,000          | Includes workshops, forums, and sponsorship expenses.        |
| <b>Total Expenses</b>                | <b>\$3,660,000</b> |                                                              |

Based on the above data a new Regional Tourism Board would operate at a surplus of approximately \$74,375

The proposed model is largely a consolidation of existing staffing within the region.

The only position which does not formally exist is the Surf Coast/Otways Tourism Manager.

The Industry Development Officers listed in the model reflect the existing tourism staff employed by Local Government. It should be noted however that some Councils do not employ dedicated tourism staff.

It is anticipated that under the model proposed the staff would continue to operate within Council however a formal MOU would be developed between the Councils and the Regional Tourism Board establishing how they would/could operate as part of the wider regional tourism team, whilst maintaining their existing role within Council.

### An Interim Approach

As Local Governments have or are about to complete their budget process for the 2011/12 financial year the following Interim Approach is offered for consideration.

1. Local Governments agree on the structural model as presented.
2. Work commence immediately on establishing the formal structure for the Regional Tourism Board. (Tourism Victoria)
3. Councils who currently fund an existing regional association direct those funds to the newly formed regional structure under a formal MOU.
4. Staff who are currently employed by a Local Government but work for a sub destination organisation be seconded to the new Regional tourism structure via a formal MOU/Agreement.
5. Work commences immediately on recruiting an Independent Chair and Skills based Directors.(Tourism Victoria)
6. Where Councils have not committed funding to a sub destination or do not have staff employed in tourism the new Board and staff develop an interim arrangement to manage there involvement in the new structure for the 2011/12 financial year.
7. A formal proposal be developed by the new Board to seek funding from these Councils (during 2012/13 budget discussions) for 2012/13 and beyond.

It is anticipated that with Local Government endorsement the above could be immediately implemented with the new structure operational by 1 October 2011.

#### CONCLUSION

It is anticipated that the proposed Great Ocean Road Tourism Board will:

- Focus on developing a coordinated approach to, product development, infrastructure investment, marketing and industry development.
- Provide professional leadership for the industry and provide a strong united voice on all key tourism issues.
- Consolidate the strategic direction of the tourism industry for the entire region and communicate with key partners such as Tourism Victoria.
- Work closely with Councils to deliver tourism growth for the region.
- Be guided by a 3-year rolling Strategic Business Plan.

This paper is a Discussion Paper only and designed to assist in working towards the establishment of a new Regional Tourism Board for the Great Ocean Road Region.

#### **Contact for further information**

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4/Tourism/ Regional Tourism Action Plan (RTAP)  
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31 May 2011

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Level 32  
121 Exhibition Street  
Melbourne VIC 3000

Dear Mr Stone

Colac Otway Shire as part of the Great Ocean Road tourism region has been actively involved in the process of implementing the Regional Tourism Action Plan (RTAP). A representative of Council has attended the Implementation Committee and kept Council informed on the process and the various models of regional structure proposed by the Committee.

One of the key elements of the structure of the proposed regional tourism board (RTB) is that it be a skills based board with minimal local government representation. One model indicates that the Board may have six skills based appointees and a representative each respectively from the municipalities in the eastern end of the region and the western end of the region.

As a major contributor to the financing of the RTB and its associated regional structures, Colac Otway Shire believes that there should be a higher level of involvement of local government and a higher level of accountability to local government built into the structure.

There are nine municipalities in the Great Ocean Road Region including City of Greater Geelong, Borough of Queenscliffe, Surf Coast, Colac Otway, and Golden Plains Shires in the eastern end and Warrnambool City Council, Corangamite, Moyne and Glenelg Shires in the west. A more appropriate number of Local Government representatives would be two from each end of the region rather than one resulting in a total Local Government representation of four.

The selection of representatives could be managed by the municipal partnership organisations at each end of the region the Great South Coast Municipalities Group and the G21 Regional Alliance. The Great South Coast Municipalities Group also includes Southern Grampians Shire, which is part of the Grampians Tourism Region, as well as the municipalities listed above.

**Colac Otway Shire**  
PO Box 283  
Colac Victoria 3250  
www.colacotway.vic.gov.au  
inq@colacotway.vic.gov.au

**Colac Service Centre**  
2-6 Rae Street  
Colac Victoria 3250  
Ph: (03) 5232 9400  
Fax: (03) 5232 1046

**Apollo Bay Service Centre**  
69-71 Nelson Street  
Apollo Bay Victoria 3233  
Ph: (03) 5237 6504  
Fax: (03) 5237 6734

Organisation: Tourism Victoria



Page 2

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Colac Otway Shire believes that this higher level of Local Government representation will provide the RTB with a Local Government perspective essential for understanding the Tourism Industry in the region. It will also provide a greater level of accountability to Local Government and the residents and ratepayers that it represents.

Yours faithfully

A handwritten signature in black ink, appearing to read "Rob Small".

**Rob Small**  
**Chief Executive Officer**

**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | D                              | W |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---|
| <p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |   |
| <p><b><u>OM112505-9 INTERIM ARRANGEMENTS FOR TOURISM INDUSTRY SUPPORT</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>Signs an extended Memorandum of Understanding (MOU) with Geelong Otway Tourism for a period of six months to 31 December 2011 on a quarterly payment schedule, with the agreement to be reviewed prior to the December Council meeting so that Council has the opportunity to consider its options again through an officer report at that date.</i></b></li> <li><b><i>Enters into a new six month agreement with Otways Tourism to 31 December 2011 on a quarterly payment schedule, with the agreement to be reviewed prior to the December Council meeting so that Council has the opportunity to consider its options again through an officer report at that date.</i></b></li> </ol> | <p>CR<br/>STEPHEN<br/>HART</p> |   |
| <p><b><u>OM112505-10 SUBMISSION TO TOURISM VICTORIA REGARDING THE REPRESENTATIVE STRUCTURE OF THE PROPOSED REGIONAL TOURISM BOARD.</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>Writes to the CEO of Tourism Victoria requesting Local Government representation on the Regional Tourism Board to be at least four representatives.</i></b></li> <li><b><i>That a copy of this letter be sent to Geelong Otway Tourism, Otway Tourism, the G21 Regional Alliance and the Great South Coast respectively, to inform these organisations.</i></b></li> </ol>                                                                                                                                                                                                                                                     |                                |   |

ORDINARY COUNCIL MEETING      SUSTAINABLE PLANNING AND DEVELOPMENT

**OM112505-10      SUBMISSION TO TOURISM VICTORIA REGARDING THE  
REPRESENTATIVE STRUCTURE OF THE PROPOSED  
REGIONAL TOURISM BOARD.**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00184   |

**Purpose**

The purpose of this report is to seek Council's endorsement of a letter to the CEO of Tourism Victoria requesting that the representative structure of the proposed regional Tourism Board, include greater Local Government participation.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

During 2007/08 Tourism Victoria undertook a review of Regional Tourism that included extensive consultation with the industry and Local Government stakeholders. The review resulted in the release in December 2008 of the State Government Regional Tourism Action Plan (RTAP) 2009 – 2012.

The key focus of the RTAP is to establish Regional Tourism Boards (RTBs) to address the following areas:

- Improve Regional Industry Structures
- Improve supply and quality of regional tourism experiences
- Increase consumer demand for regional tourism experiences
- Address skills, service standards and environmental sustainability

The method of determining the structure of the RTB was to be through an Implementation Committee consisting of Local Government and Tourism Industry representatives with Tourism Victoria. Over a period of months, many meetings and a number of proposed options, the Implementation Committee was not able to come up with an option supported by the whole Committee. To resolve the matter it was agreed that the CEOs of the various Local Governments involved would meet with the CEO of Tourism Victoria to finally determine the structure of the Great Ocean Road RTB. One such meeting has taken place but a final RTB structure is still to be decided. The CEO's requested that before any final decision was made that Tourism Victoria provide the costing of any proposed model for consideration. As this is yet to take place the matter at the time of the writing of this report is still unresolved.

The RTAP has recommended that the RTB's be skills based boards.

*"The RTBs will be made up of approximately eight skills based members from an appropriate geographical spread across the region, as well as relevant State and Local Government representatives." Regional Tourism Action Plan (RTAP) Tourism Victoria 2009 – 2012.*

ORDINARY COUNCIL MEETING      SUSTAINABLE PLANNING AND DEVELOPMENT

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**Council Plan / Other Strategies / Policy**  
**Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

**Issues / Options**

In some RTB models discussed through the process of trying to determine the final structure of the Great Ocean Road tourism region the RTB has been proposed as having 6 skills based representatives, a Tourism Victoria representative, two Local Government representatives and an Executive Officer. The reason for the predominance of 6 skills based representatives is to empower the RTB to act independently of local area parochialism. However Local Government is expected to be a major contributor to the financing of the RTB and its associated regional structures and so requires a higher level of involvement and accountability than can be provided by two representatives from ten regional municipalities.

There are 10 municipalities in the Great Ocean Road Region including City of Greater Geelong, Borough of Queenscliffe, Surf Coast, Colac Otway, and Golden Plains Shires in the eastern end and Warrnambool City Council, Corangamite, Moyne and Glenelg Shires in the west. A more appropriate number of Local Government representatives would be two from each end of the region rather than one resulting in a total Local Government representation of four.

The selection of representatives could be managed by the municipal partnership organisations at each end of the region the Great South Coast Municipalities Group and the G21 Regional Alliance. The Great South Coast Municipalities Group also includes Southern Grampians Shire, which is part of the Grampians Tourism Region, as well as the municipalities listed above.

**Option one** is that Council writes to the CEO of Tourism Victoria requesting greater Local Government representation on the RTB.

**Option two** is that Council does not write to Tourism Victoria and seeks to have the representation increased through advocacy with the RTB once it is established.

Option one is preferred as a higher level of Local Government representation will provide the RTB with a Local Government perspective essential for understanding the Tourism Industry in the region. It will also provide a greater level of accountability to Local Government and the residents and ratepayers that it represents. Option one enables change before a final decision is made on the structure and so is more likely to succeed.

**Proposal**

That Council writes to the CEO of Tourism Victoria requesting greater Local Government representation on the RTB.

**Financial and Other Resource Implications**

There are no financial resource implications related to this report or any action from the report.

**Risk Management & Compliance Issues**

There are no risk management or compliance issues related to this report or any action from the report.

**Environmental and Climate Change Considerations**

There are no environmental or climate change considerations related to this report or any action from the report.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform and would include a letter to Tourism Victoria requesting greater Local Government representation on the proposed RTB. A copy would be sent to GOT, OT, the G21 Regional Alliance and the Great South Coast respectively, to inform these organisations.

### **Implementation**

If approved the draft letter attached will be sent to the CEO of Tourism Victoria with a copy to be sent to GOT, OT, the G21 Regional Alliance and the Great South Coast respectively, to inform these organisations.

### **Conclusion**

Local Governments are a major financial contributor to the tourism industry and as these funds are contributed from ratepayer it is appropriate to expect a high level of accountability. Current proposals regarding the RTB include minimal representation from Local Government.

It is proposed that Council writes to the CEO of Tourism Victoria requesting Local Government representation on the RTB to be at least four representatives. This higher level of Local Government representation will provide the RTB with a Local Government perspective essential for understanding the Tourism Industry in the region. It will also provide a greater level of accountability to Local Government and the residents and ratepayers that it represents. Option one enables change before a final decision is made on the structure and so is more likely to succeed.

### **Attachments**

1. Draft Letter to Acting CEO Mark Stone - Tourism Victoria

### **Recommendation(s)**

#### ***That Council:***

1. ***Writes to the CEO of Tourism Victoria requesting Local Government representation on the Regional Tourism Board to be at least four representatives.***
2. ***That a copy of this letter be sent to Geelong Otway Tourism, Otway Tourism, the G21 Regional Alliance and the Great South Coast respectively, to inform these organisations.***

***MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 7 : 0***

***Report OM112505-10 - Submission to  
Tourism Victoria regarding the  
representative structure of the proposed  
Regional Tourism Board.***

***Attachment 1***

Our Ref: GEN00184/Tourism/ Regional Tourism Action Plan (RTAP)  
Your Ref: N/A  
Contact: Mike Barrow

## May 2011

Mr Mark Stone  
Acting CEO  
Tourism Victoria  
Level 32  
121 Exhibition Street  
Melbourne VIC 3000

Dear Mr Stone

Colac Otway Shire as part of the Great Ocean Road tourism region has been actively involved in the process of implementing the Regional Tourism Action Plan (RTAP). A representative of Council has attended the Implementation Committee and kept Council informed on the process and the various models of regional structure proposed by the Committee.

One of the key elements of the structure of the proposed regional tourism board (RTB) is that it be a skills based board with minimal local government representation. One model indicates that the Board may have six skills based appointees and a representative each respectively from the municipalities in the eastern end of the region and the western end of the region.

As a major contributor to the financing of the RTB and its associated regional structures Colac Otway Shire believes that there should be a higher level of involvement of local government and a higher level of accountability to local government built into the structure.

There are nine municipalities in the Great Ocean Road Region including City of Greater Geelong, Borough of Queenscliffe, Surf Coast, Colac Otway, and Golden Plains Shires in the eastern end and Warrnambool City Council, Corangamite, Moyne and Glenelg Shires in the west. A more appropriate number of Local Government representatives would be two from each end of the region rather than one resulting in a total Local Government representation of four.

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*Report OM112505-10 - Submission to  
Tourism Victoria regarding the  
representative structure of the proposed  
Regional Tourism Board.*

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*Attachment 1*

Colac Otway Shire believes that this higher level of Local Government representation will provide the RTB with a Local Government perspective essential for understanding the Tourism Industry in the region. It will also provide a greater level of accountability to Local Government and the residents and ratepayers that it represents.

Yours faithfully

Rob Small  
**Chief Executive Officer**



**OM112408-13      2011 - 12 SMALL TOWN IMPROVEMENT PROGRAM  
ALLOCATIONS**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Michael Cosgriff                   | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN01662   |

**Purpose**

The purpose of this report is to seek Council's approval for the proposed Small Town Improvement Program (STIP) allocation of \$80,000 by the STIP Advisory Committee.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Since 1999, Council has allocated funds annually towards the STIP. Small Town Progress Associations/Community Groups in the Shire are invited to submit proposals for projects to allow Council to decide on how best to allocate the \$80,000.

Funding is typically allocated for community infrastructure projects that would not be funded as a priority through Council's Capital Works program or for community development projects such as master plans. The Economic Development Unit, in conjunction with other Council departments, implement the selected projects.

For the 2011/12 STIP, proposals were sought from small town community groups up until February 2011. The proposals were then circulated to other Council departments to assess eligibility against each department's regulatory and strategic requirements and to ensure that there were no barriers to the project proceeding. All proposals were then collated with a detailed summary prepared for the STIP Advisory Committee to consider. The STIP Advisory Committee met on 15 June 2011 and agreed to present the suggested list of proposed projects for the 2011/12 STIP, as listed in the issues/options section of this report, to Council. All Councillors were invited to participate in this process.

The proposed projects were endorsed by the STIP Advisory Committee based on a number of criteria including:

- Ability to obtain external State and/or Federal Government funding
- Assessment of previous STIP funding allocated to that community
- Level of local priority based on the rankings in the individual township master plans
- Assessment against other Council priorities including the potential for funding through Council's Capital Works Program
- Level of community contribution (both in-kind and cash).

The attached projects to be completed under the STIP will commence following Council's endorsement of the recommendations of this report.

**Council Plan / Other Strategies / Policy  
Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy and partnership.

Strategy 6. Facilitate the development of Infrastructure for business investment, growth and liveability.

Key Action 3. Develop small town/community capability by providing infrastructure and resources, including continued support for the Small Town Improvement Program.

### Issues / Options

Given the commitment of Council expenditure throughout the Shire, the STIP offers the opportunity for community infrastructure and community development projects to be undertaken in small communities which would otherwise have to compete for Council Capital Works funding. Historically these projects may not have been funded as a priority through Council's Capital Works program or other Council budgets.

STIP projects have improved economic development in these small communities and engendered significant community enthusiasm and civic pride.

This year the value of funding requested from the STIP from all proposals combined was \$143,075 which meant that some projects were scaled down to ensure that an equitable spread of funds across the Shire can be achieved.

The recommended allocations are as follows:

|   | <b>Project Name and Summary</b>                                                                                                                                                                        | <b>Proposed Allocation</b> |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 1 | Beeac Park Rotunda<br><i>Construction of a Heritage Rotunda / Pavilion over existing paved barbecue and picnic area at Beeac Park.</i>                                                                 | \$12,500                   |
| 2 | Barwon Downs Combined Community Centre Planning<br><i>Planning, designs and preliminary works for a combined Community / Tennis Club / local CFA Brigade facility within the Park at Barwon Downs.</i> | \$5,000                    |
| 3 | Carlisle River BBQ Shelter Upgrade<br><i>Installation of fixed timber table and bench seats in under cover picnic shelter. Installation of light above BBQ. Installation of tap and sink.</i>          | \$5,500                    |
| 4 | Cressy Duverney St Rotunda<br><i>The construction of a timber heritage style Rotunda with a bluestone base.</i>                                                                                        | \$10,000                   |
| 5 | Gellibrand Main Street Tree Planting<br><i>Planting and establishment of avenue street trees within the Gellibrand township.</i>                                                                       | \$7,000                    |
| 6 | Wye River Pathway<br><i>The construction of 500m of aggregate path on the location of the existing River Walk.</i>                                                                                     | \$20,000                   |
| 7 | Birregurra Park Tourism and Information Sign<br><i>Design, construction and installation of a tourism and community information sign in the park at Birregurra.</i>                                    | \$5,000                    |
| 8 | Red Rock Community Infrastructure Plan<br><i>Development of a Community Infrastructure Plan for the newly formed Red Rock Progress Association.</i>                                                    | \$5,000                    |
| 9 | Forrest Bike Rack Sculpture Project Stage 2<br><i>Stage 2 of an ongoing project to create a sculpture trail in Forrest and surrounds that also functions as bike racks.</i>                            | \$5,000                    |

|    |                                                                                                                                                                                                         |                 |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 10 | Beech Forest Cliff Young Memorial<br><i>Installation of mosaic gumboots on a stone wall reflecting the achievements from Beech Forest's past and present with plaques under corresponding gum boots</i> | \$5,000         |
|    | <b>Total</b>                                                                                                                                                                                            | <b>\$80,000</b> |

There are three options for Council to consider:

*Option 1*

That Council approve the allocations recommended by the STIP Advisory Committee as detailed in this report.

*Option 2*

That Council ask the STIP Advisory Committee to meet again to re-evaluate the proposals and put forward alternative suggested allocations.

*Option 3*

That Council asks the small town community groups to resubmit alternative proposals which would then be reassessed by the STIP Advisory Committee.

Option 1 is the preferred option as there has already been a thorough process of application, assessment and recommendation. It is unlikely that new or different projects would emerge from a repeated process and adoption of the recommendations would allow projects to commence.

**Proposal**

That Council approve the proposed allocation of the funds recommended by the STIP Advisory Committee.

**Financial and Other Resource Implications**

Council has allowed \$80,000 for STIP projects in the 2011/12 year. This is the same allocation as in previous years. The recommended allocations will be used where possible to leverage State and Federal Government funding.

**Risk Management & Compliance Issues**

All projects undertaken as part of the STIP follow Council's Risk Management processes, including preparation of a Risk Assessment Form and a completed and signed Job Safety Analysis from suitable qualified contractors engaged to complete the work on Council's behalf. Planning and Building requirements as well as Cultural Heritage and Environmental issues are considered and where required, appropriate permits are sought prior to implementation.

**Environmental and Climate Change Considerations**

All works to be undertaken will be completed following discussions with Council's Environment and Community Safety, Infrastructure and Planning Units to ensure all issues are assessed.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to inform, consult or involve, depending on the type of project. This means that following adoption of the Council budget, the STIP allocations will be communicated to the Small Town Progress Associations/Community Groups via mail. In addition, press releases will be developed and issued to the relevant print media detailing projects to be undertaken in their respective small towns.

The Economic Development Unit will then liaise with the individual small town community groups to discuss the projects, in particular how any proposed in-kind contribution for the project can be completed and how Council will manage any cash contribution from the community group.

### **Implementation**

The Economic Development Unit will coordinate the projects in consultation with Community Groups, other applicable Council departments and State and Federal Government agencies.

### **Conclusion**

The STIP has allowed for small infrastructure projects to be completed in Council's smaller townships based on the priorities of respective local communities. The 2011/12 STIP projects recommended by the STIP Advisory Committee will assist in improving economic and community development in the respective small towns.

### **Attachments**

1. STIP Project Proposals Table

### **Recommendation(s)**

***That Council approves the annual \$80,000 funding allocations of the 2011/12 Small Town Improvement Program (STIP) recommended by the STIP Advisory Committee as follows:***

|                                                               |                        |
|---------------------------------------------------------------|------------------------|
| <b><i>Beeac Park Rotunda</i></b>                              | <b><i>\$12,500</i></b> |
| <b><i>Barwon Downs Combined Community Centre Planning</i></b> | <b><i>\$5,000</i></b>  |
| <b><i>Carlisle River BBQ Shelter Upgrade</i></b>              | <b><i>\$5,500</i></b>  |
| <b><i>Cressy Duverney St Rotunda</i></b>                      | <b><i>\$10,000</i></b> |
| <b><i>Gellibrand Main Street Tree Planting</i></b>            | <b><i>\$7,000</i></b>  |
| <b><i>Wye River Pathway</i></b>                               | <b><i>\$20,000</i></b> |
| <b><i>Birregurra Park Tourism and Information Sign</i></b>    | <b><i>\$5,000</i></b>  |
| <b><i>Red Rock Community Infrastructure Plan</i></b>          | <b><i>\$5,000</i></b>  |
| <b><i>Forrest Bike Rack Sculpture Project Stage 2</i></b>     | <b><i>\$5,000</i></b>  |
| <b><i>Beech Forrest Cliff Young Memorial</i></b>              | <b><i>\$5,000</i></b>  |

~~~~~\~~~~~

| Community Group                    | Project Name and Details  | Project Cost     | Relationship to Township Master Plan | Funding Request | Community Contribution Cash and/or In Kind Labour | Potential External or Other Funding | Previous Funding & Projects  | Recommendations |
|------------------------------------|---|------------------|--------------------------------------|-----------------|---|-------------------------------------|--|-----------------|
| 1) Barwon Downs Community Group    | Combined Community / Tennis Club / CFA Centre   | \$110,000 Approx | Priorities 1 & 5                     | \$20,000        | \$20,000 Cash<br>\$10,000 In Kind Labour          | \$60,000 RDV (Not confirmed)        | 10/11 Nil<br>09/10 \$15,000 Park Upgrades<br>08/09 Nil   |                 |
|                                    | <p><b>Summary</b> - The Barwon Downs Master Plan currently incorporates building a facility for the Tennis Club. It was agreed to combine the cash resources and in-kind labour efforts of the Community / Tennis Club and local CFA Brigade, to construct a combined building/facility that would serve the community as a whole.</p> <p>The facility would need to be designed in such a way as to suit the three major interest groups and incorporate a common open room with kitchen facility, unisex toilet (plumbed to existing CFA septic), lockable office for the Brigade, separate and lockable storage rooms for the tennis club and CFA Brigade. The building would incorporate bi-fold windows and a paved veranda facing the tennis courts to the east. A covered walk way would link the existing CFA shed to the new facility. The area would be landscaped and a BBQ area incorporated into the external park area to be used by the community and visitor/tourists. If this project gains approval, the community has agreed to remove the existing shelter shed and open sided structure to open up the park grassed area. The project cost at this stage is open to discussion and requires architectural design work to be undertaken.</p> <p><b>Officer Comments</b> –</p> <ul style="list-style-type: none"> <li>There will be a need to clarify the land tenure issues. Suggestion that the building should be located on land under single ownership.</li> <li>The State Government Funding has not been confirmed and is not guaranteed given recent funding of the History Centre.</li> <li>Planning permission not required if carried out by or on behalf of the Shire on Shire managed land, otherwise planning permission required.</li> <li>Building permit required.</li> </ul> |                  |                                      |                 |   |                                     |  |                 |
| 2) Beecac Progress Association Inc | Beecac Park Pavilion  | \$19,700         | Priority 4                           | \$12,500        | \$7,200 In Kind Labour                            | N/A                                 | <ul style="list-style-type: none"> <li>10/11 \$1,350 Heritage Street Lighting</li> <li>09/10 Nil</li> <li>08/09 \$25,000 towards the Beecac Windmill Park and Heritage Walk</li> </ul> |                 |
|                                    | <p><b>Summary</b> - Erection of a Heritage Rotunda (Pavilion) over existing paved barbecue and picnic area at Beecac Park. Please note that no all-weather or shade protection currently exists at the Beecac park for those residents or visitors using barbecue, picnic tables and playground facilities.</p> <p><b>Officer Comments</b> –</p> <ul style="list-style-type: none"> <li>Assets unit will require further input if the project is funded.</li> <li>Planning permit not required</li> <li>Building permit required if over 10 sq/m</li> </ul>   |                  |                                      |                 |   |                                     |  |                 |

|  |  |          |   |          |                        |     |  |  |
|--|--|----------|---|----------|------------------------|-----|--|--|
| 3) Beech Forrest and District Progress Association | Cliff Young Memorial   | \$10,000 | Priority 13 (many other priorities have been completed and the Master Plan is currently under review) | \$10,000 | \$0                    | N/A | <ul style="list-style-type: none"> <li>10/11 \$3,100 Picnic table and seating</li> <li>09/10 Nil</li> <li>08/09 \$25,000 Playground</li> </ul> |  |
|  | <p>Summary - Installation of mosaic gumboots on a stone wall reflecting the achievements from beech Forest's past and present with plaques under corresponding gum boots.</p> <p>Officer Comments - there are no regulatory barriers or issues to this project proceeding.</p>   |          |   |          |                        |     |  |  |
| 4) Carlisle River Community Group                  | Tennis Courts upgrade  | \$5,700  | Priority 9  | \$3,950  | \$1,750 In Kind Labour | N/A | <ul style="list-style-type: none"> <li>10/11 Nil</li> <li>09/10 Nil</li> <li>08/09 Nil</li> </ul>  |  |
|  | <p>Summary - The project includes the provision of spectator seating, repair and straighten fencing around the court, erect court signage, weed control, mulching and planting for restricting mowing and provision of shade.</p> <p>Officer Comments -</p> <ul style="list-style-type: none"> <li>Reference needs to be made to the Tennis Strategy to determine the long term future of this facility</li> <li>It would be preferred that indigenous or native species were planted. No environmental weeds as listed in the 'Environmental Weeds of the Colac Otway Shire' brochure are to be planted.</li> <li>Planning permission not required</li> </ul> |          |   |          |                        |     |  |  |
| 5) Carlisle River Community Group                  | Town Pathway Stage 1   | \$15,000 | Priority 13   | \$13,500 | \$1,500 In Kind Labour | N/A | <ul style="list-style-type: none"> <li>10/11 Nil</li> <li>09/10 Nil</li> <li>08/09 Nil</li> </ul>  |  |
|  | <p>Summary - Provision of a 135 metre long x 1.5 metre wide concrete pathway linking the hall to the church with the view to extending the pathway to the south west corner of the river reserve at a later date</p> <p>Officer Comments -</p> <ul style="list-style-type: none"> <li>Greater strategic justification required for project - not supported by Infrastructure Department</li> <li>Aligns to draft open space strategy</li> </ul>  |          |   |          |                        |     |  |  |
| 6) Carlisle River Community Group                  | BBQ Shelter upgrades   | \$6,625  | Priority 2  | \$5,500  | \$1,125 In Kind Labour | N/A | <ul style="list-style-type: none"> <li>10/11 Nil</li> <li>09/10 Nil</li> <li>08/09 Nil</li> </ul>  |  |
|  | <p>Summary - Installation of Fixed timber table and bench seats in under cover picnic shelter. Installation of light above BBQ. Installation of tap and sink.</p> <p>Officer Comments - there are no regulatory barriers or issues to this project proceeding.</p>   |          |   |          |                        |     |  |  |

|  |   |          |   |          |                        |     |   |  |
|--|---|----------|---|----------|------------------------|-----|---|--|
| <b>7) Carlisle River Community Group</b>       | <b>Rec Reserve Fencing</b>  | \$13,750 | Not specifically mentioned but is in keeping with desired upgrades to Community facilities          | \$9,900  | \$3,850 in Kind Labour | N/A | <ul style="list-style-type: none"> <li>10/11 Nil</li> <li>09/10 Nil</li> <li>08/09 Nil</li> </ul>   |  |
|  | <p><b>Summary -</b> Remove and replace 660 metres of boundary farm quality fencing around the Carlisle River Recreation Reserve except the section between the picnic reserve and the hall which has already been completed.</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Project costs need to be checked. As per application fencing is \$20.83 per metre however it is estimated by Infrastructure Unit that it should be between \$25 - \$30 per metre</li> <li>No planning or building permits required.</li> </ul> |          |   |          |                        |     |   |  |
| <b>8) Cressy and District Action Group</b>     | <b>Duverney Street Rotunda</b>  | \$20,000 | Not specifically mentioned but is in keeping with desired Heritage upgrades outlined in Master Plan | \$20,000 | \$0                    | N/A | <ul style="list-style-type: none"> <li>10/11 \$25,000 Street Furniture and BBQ Area</li> <li>09/10 \$5,000 for new town entry sign at northern entrance</li> <li>08/09 \$2000 Tree Planting</li> </ul>  |  |
|  | <p><b>Summary -</b> The construction of a timber heritage style Rotunda with a bluestone base.</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Will compliment previous work already completed</li> <li>Please note that it will be constructed on Crown Land</li> <li>Building permit required if over 10 sq/m</li> <li>No planning permission required due to exemption 62.02-2 for park furniture</li> </ul>   |          |   |          |                        |     |   |  |
| <b>9) Forrest and District Community Group</b> | <b>Bike Rack sculpture Project Stage 2</b>  | \$6,000  | No. The new Forrest Community infrastructure plan is due to be developed this year.                 | \$5,000  | \$1,000 in Kind Labour | N/A | <ul style="list-style-type: none"> <li>10/11 \$5,000 Advance Signage \$20,000 for development of new Community Infrastructure Plan.</li> <li>09/10 Nil from STIP (\$40,000 Federal Government, \$20,000 DSE, \$108,000 Regional Development Victoria for Tiger Rail Trail)</li> <li>08/09 \$8,000 Picnic Table and Shelter</li> </ul> |  |
|  | <p><b>Summary -</b> Stage 2 of an ongoing project to create a sculpture trail in Forrest and surrounds that also functions as bike racks, encouraging cyclists to stop at points of interest along the trail and providing a place to secure the bike and continue to explore on foot in so desired</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Support conditional on completion of Stage 1</li> <li>Further information required to determine planning requirements. No building permit required.</li> </ul>          |          |   |          |                        |     |   |  |

|  |   |          |   |          |  |          |   |  |
|--|---|----------|---|----------|--|----------|---|--|
| <b>10) Forrest and District Community Group</b>                | <b>Forrest Drinking Fountain</b>  | \$5,300  | No. The new Forrest Community infrastructure plan is due to be developed this year. | \$5,300  | \$0  | N/A      | <ul style="list-style-type: none"> <li>10/11 \$5,000 Advance Signage \$20,000 for development of new Community Infrastructure Plan.</li> <li>09/10 Nil from STIP (\$40,000 Federal Government, \$20,000 DSE, \$108,000 Regional Development Victoria For Tiger Rail Trail)</li> <li>08/09 \$8,000 Picnic Table and Shelter</li> </ul> |  |
|  | <p><b>Summary -</b> The installation of a drinking fountain and water refill station that will provide a much needed place to access drinking water for community events hosted at the hall and for visitors to the township.</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Proposal supported but depending on location further land manager approval may be required.</li> <li>No planning permission required due to exemption 62.02-2 for park furniture</li> </ul>   |          |   |          |  |          |   |  |
| <b>11) Gellibrand Progress Association</b>                     | <b>Main Street Tree Planting</b>  | \$14,850 | Priority 3  | \$7,425  | \$7,425 In Kind Labour                     | N/A      | <ul style="list-style-type: none"> <li>10/11 \$5,350 Pathway</li> <li>09/10 Nil</li> <li>08/09 Nil</li> </ul>   |  |
|  | <p><b>Summary -</b> Installation and establishment of avenue street trees within the Gellibrand township.</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Selected species should be checked against Council's Street tree Policy</li> <li>Further detail required on location.</li> <li>No planning or building permits required.</li> </ul>   |          |   |          |  |          |   |  |
| <b>12) Wye River and Separation Creek Progress Association</b> | <b>Wye River Pathway</b>  | \$60,000 | N/A but is noted in the Wye River / Separation Creek Structure Plan                 | \$20,000 | \$10,000 In Kind Labour Forshore Committee | \$30,000 | Funding has not previously been sought from STIP  |  |
|  | <p><b>Summary -</b> The construction of 500m of aggregate path on the location of the existing River Walk. The aggregate path would delineate the River Walk to campers who currently place tents and equipment over the path and provide a clearly marked trail for walkers to follow and feel comfortable when walking the River Walk through the caravan park and beyond. The non slip surface would ensure the safety of walkers as the current surface is slippery when wet (a common occurrence in Wye River) and provide safe pedestrian access from the caravan park to the forshore.</p> <p><b>Officer Comments -</b></p> <ul style="list-style-type: none"> <li>Project is identified in Wye River / Separation Creek Structure Plan.</li> <li>Land manager/owner consent may be required.</li> <li>No Planning or building permits required</li> </ul> |          |   |          |  |          |   |  |



|  |  |           |  |           |          |          |   |  |
|--|--|-----------|--|-----------|----------|----------|---|--|
| <b>13) Birregurra Community Group</b>                  | <b>New Tourist and Community Information Signage</b>   | \$5,000   | This sign is identified in the old Master Plan. In addition to this the new Birregurra Community infrastructure plan is being developed. | \$5,000   | \$Nil    | N/A      | <ul style="list-style-type: none"> <li>10/11 \$20,000 Development of new community infrastructure plan</li> <li>09/10 \$25,000 for playground equipment</li> <li>08/09 Nil</li> </ul> |  |
|  | <p><b>Summary –</b> The current tourist and community information board and sign is old and outdated. It has been identified as requiring upgrading in the current Master Plan and was due to be done in the recent Birregurra Park Upgrade however funding did not permit it. The Birregurra Football Club have also expressed interest in developing a sign to be incorporated in this new sign, and have in principle offered financial assistance, however the details have yet to be worked out.</p> <p><b>Officers Comments –</b></p> <ul style="list-style-type: none"> <li>Planning permission will be required due to the Heritage Overlay on the park</li> <li>Designs will need to be approved by Infrastructure Unit.</li> </ul> |           |  |           |          |          |   |  |
| <b>14) Cororooke and District Progress Association</b> | <b>Development of New Master Plan</b>  | \$5,000   | This is the development of the Master Plan   | \$5,000   | \$0      | N/A      | The community group known as the Red Rock Progress Association has only just formed and so have not sought funding from STIP before.  |  |
|  | <p><b>Summary –</b> The Red Rock Progress Association has only recently formed and are seeking assistance to formulate a plan for future community infrastructure throughout the area. A number of community meetings have already been held and many ideas have been proposed for future development. A Community Infrastructure Plan for the area will ensure a transparent and consistent approach is taken to the development of the plan.</p> <p><b>Officers Comments –</b></p> <ul style="list-style-type: none"> <li>There are no regulatory barriers or issues with this project.</li> </ul>   |           |  |           |          |          |   |  |
| <b>Totals</b>  |  | \$296,925 |  | \$143,075 | \$63,850 | \$90,000 |   |  |



**OM112408-14****FORREST STRUCTURE PLAN**

|             |                                    |           |  |
|-------------|------------------------------------|-----------|--|
| AUTHOR:     | Don Lewis                          | ENDORSED: | Doug McNeill                                     |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00451 Planning Schemes/Forrest Structure Plan |

**Purpose**

The purpose of this report is to present the Forrest Structure Plan for adoption by Council and to seek approval to request authorisation from the Minister of Planning to prepare a Planning Scheme Amendment to the Colac Otway Planning Scheme.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

In August 2009 Council appointed a consultant CPG Australia to prepare structure plans for Birregurra and Forrest in order to establish long term planning frameworks for the two towns.

A Context Report was produced early in 2010 that analysed the state and local policy context for the plan, as well as all of the environmental constraints and opportunities for development. This was followed by the release of a draft Structure Plan report in October 2010 following consideration of the report by Council at its October 2010 meeting. The draft Structure Plan was placed on public exhibition for six weeks, and two 'drop-in' information sessions were held in Forrest in November. Written submissions relating to the draft Plan closed on 17 December 2010.

Whilst the Birregurra Structure Plan was originally developed in conjunction with the plan for Forrest, there was significant community opposition to elements of the Birregurra Plan arising from the public exhibition of the plans, and Council formally resolved at its meeting in December 2010 to allow further consultation on the Birregurra Plan and to defer its completion until a Neighbourhood Character Study had been completed for Birregurra. That structure plan has consequently now been separated in a process sense from the Forrest Structure Plan, which officers have continued to progress in the early part of 2011. Officers and the consultant have reviewed issues raised in the submissions and have finalised the final Structure Plan report as attached to this report.

**Council Plan / Other Strategies / Policy****Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

There are a range of State and local policies relevant to the preparation of the Structure Plans, and these are outlined in the Structure Plan document. It is proposed that following adoption of the plan, the policy references to Forrest in the Planning Scheme will be updated by a planning scheme amendment.

### **Issues / Options**

The Forrest Structure Plan is a review of existing planning controls applying to the township and identifies opportunities for future housing and tourism related development whilst also recognising the limitations from bushfire risk, flooding, landslip and effluent disposal requirements. The plan proposes selected sites for rezoning to accommodate modest long term growth and in some cases corrects outdated zoning to better reflect their existing land use and avoid unnecessary planning applications. The plan also proposes the application of a settlement boundary around the Township Zone which is consistent with State Government policy for smaller settlements.

Since the draft Forrest Structure Plan was exhibited late 2010, a number of changes have been made to correct minor errors in the report and update details not originally available for certain sites. Additionally, further advice was sought from Government agencies in an attempt to clarify bushfire management issues.

The Forrest Structure Plan finds that although significant vacant land exists in the current Township Zone, much of this land is constrained due to land area required for on-site effluent disposal, or and in some cases the current use does not provide for future residential development (ie camping ground and school site). As a result, the methodology used to calculate Forrest's land supply has had to be reassessed to better explain infill potential and justify proposed rezoning of selected sites outside the current Township Zone.

#### Proposed rezoning of sites:

The following is a summary of the rezoning recommended by the final Plan:

- 2330 and 2324 Birregurra-Forrest Road from Farming Zone to Township Zone
- 2317 Birregurra-Forrest Road from Farming Zone to Rural Activity Zone (vacant land)
- 3025 and 2344 Colac Forrest Road from Farming Zone to Township Zone
- The exclusion of land south of Frizon Street from the settlement boundary and proposed rezoning of 2-6, 10, 14 and 18 Frizon Street and 65, 69, 73, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97-99 & 101 Birregurra-Forrest Road from Farming Zone to Rural Living Zone
- 1 Rivendell Lane from Township Zone to Public Conservation & Resource Zone (DSE)
- 5 Rivendell Lane from Township Zone to Public Use Zone (CFA)
- 59, 55, 45 and 35 Turner Drive from Farming Zone to Township Zone
- 13 Station Street from Township Zone to Public Park & Recreation Zone (Caravan Park)
- 10 Grant Street from Township Zone to Public Use Zone (Primary School)
- 1, 3 and 5 Hennigan Crescent from Farming Zone to Township Zone.

#### Submissions

The majority of submissions related to issues surrounding residential land supply. Amongst these submitters, two adjoining sites north of the township were of most concern. Submitters included proponents both for greenfield development and for the consolidation of existing land in the Township Zone.

A number of submissions were also received regarding land south of Frizon Street. These submissions requested new planning controls which would allow tourist accommodation to be considered which is currently prohibited in the Farming Zone and further enhance Forrest's reputation as a recreational 'hub' in the Otways.

### Bushfire

The Victorian Bushfire Royal Commission (VBRC) Final Report 2010 has been especially influential on the outcomes of the Structure Plan due to a host of recommendations impacting the viability of future growth of settlements within rural areas at risk of bushfire attack.

In the absence of new State Government bushfire planning controls which are due later in 2011, the report has considered the threat levels for future development based on current available information and in some recommendations has adopted a conservative approach and with others identifying where responsible development could still be considered under certain circumstances.

In this context, whilst consideration was given to delaying completion of the Structure Plan until State changes to the planning scheme affecting bushfire management have been announced, it was considered that the final version of the Plan has been relatively conservative in terms of fire issues and should not be affected greatly by the new changes. Any implications from new state policies regarding bushfire risk can be incorporated into the amendment which is exhibited to implement the Plan. Progressing the plan now would be seen positively by the community, and provide for implementation of the many other planning outcomes not directly affected by bushfire issues.

### Land Supply and Demand Analysis

The land supply and demand analysis includes an existing land supply assessment from available vacant land within the Township Zone (TZ). The report revealed 50 potential lots in the current TZ which represents approximately 22 years supply based on historical patterns of 2.3 dwelling approvals per year. These figures were updated from the Context Report and are presented with a revised methodology. A minimum 3000m<sup>2</sup> lot size was applied although this was varied on certain lots which were considered more constrained.

The report refers to a second map titled 'Proposed Land Supply Analysis' which incorporates potential developable land proposed for rezoning in addition to the existing infill supply, and which is explained with an accompanied table. The analysis concludes that 14 years of land supply would be available based on 3.5 dwellings per year (a marginally higher rate of future development than previous) resulting from the rezoning arising from the Structure Plan.

### **Proposal**

It is proposed that Council adopt the Forrest Structure Plan and resolve to implement its recommendations through a planning scheme amendment.

### **Financial and Other Resource Implications**

The Structure Plan for Forrest has been prepared in accordance with the budget allocation for the project.

### **Risk Management & Compliance Issues**

Council can only consider strategic directions for land use in Forrest that align with broader State Government planning policies. The Structure Plan has been developed to meet this objective and provide the best opportunity of being successfully implemented in the Planning Scheme at a later time.

### **Environmental and Climate Change Considerations**

The Forrest Structure Plan has carefully considered environmental issues including bushfire risk, flooding and landslip. It is considered that if the recommendations of the report are implemented, they will not result in significant impacts to the environment.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

Community consultation for the Forrest Structure Plan has been conducted in accordance with Council's Community Consultation and Engagement Policy. The method selected was 'consult' and included two separate engagement periods prior to finalising the report. Twenty submissions were received during the most recent consultation period relating to the draft Structure Plan report, which resulted in some changes to the plan.

Further consultation opportunities will be available to submitters during the formal planning scheme amendment process when the Structure Plan and its recommendations are introduced into the Colac Otway Planning Scheme. This will give submitters the opportunity to make a formal submission and be heard at an independent panel hearing during the planning scheme amendment process.

### **Implementation**

Implementation of the Forrest Structure Plan will be through a planning scheme amendment, where the Municipal Strategic Statement (MSS), zoning, overlay and local policy changes recommended by the Forrest Structure Plan will be introduced.

### **Conclusion**

The Forrest Structure Plan has been subject to considerable consultation which resulted in a wide range of submissions received from the Forrest community. The report has attempted to balance the competing issues of growth and environmental constraints within State Government planning guidelines. The report identifies limited infill potential and therefore recommends rezoning of additional land to Township Zone at the north-western edge to allow for modest growth over the next twenty years. The Structure Plan also recognises the importance of tourism to the town and recommends specific rezoning of gateway land to the north for this purpose. It also recommends rezoning of land south of Frizon Street to Rural Living Zone to better reflect existing development patterns and allow commercial accommodation to be considered in that location. There will be further opportunities for community input to the Plan through a future planning scheme amendment process.

### **Attachments**

1. Forrest Structure Plan
2. Forrest Structure Plan Context Report

### **Recommendation(s)**

#### ***That Council:***

1. ***Adopts the Forrest Structure Plan.***
2. ***Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.***

~~~~~\~~~~~



colac port group

# FORREST STRUCTURE PLAN

Report

August 2011  
Prepared by CPG



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# 1 Introduction

Forrest is an important settlement for the Colac-Otway region. It has a unique position in the Otways, being within an accessible distance to multiple regional centres, surrounded by the Otway National Park, placed on a main route to a number of key coastal settlements, and host to a limited range of retail, commercial, educational and civic facilities.

Forrest is located 32.6km's from the Colac Otway Shire's largest settlement (Colac) and is placed at the foothills of the Otways, approximately 161km from Melbourne and 76km from Geelong.

Due to Forrest's locality and township qualities it is both experiencing and able to accommodate narrow increases in activity. Tourism growth and developments are, in particular, increasing opportunities and choices for new enterprises and lifestyle activities.

Council has recently developed higher order strategic plans for key rural and coastal settlements and, similarly, views Forrest as a key settlement where greater direction regarding land use and development is required.

## 1.1 Function of the Structure Plan

The purpose of a structure plan is to provide a framework for settlement and integrated development of a town's activity centre within its natural setting. The Forrest Structure Plan provides guidance to the community, government, business and the development industry about appropriate directions and opportunities for change. It guides public and private sector actions for major and incremental changes in land use and built form, movement networks and public spaces. Actions are designed to achieve economic, social and environmental objectives as per the shared vision for the town.

More specifically, this Structure Plan comprises a review of the existing planning controls covering the Forrest township and in some cases, adjoining land outside the town's settlement boundary.

The Forrest Structure Plan embodies the overall vision and commitment of Colac Otway Shire's 2009-2013 Council Plan which is to, "...work together with our community to create a sustainable, vibrant future", and assists council in fulfilling key Land Use & Development objectives.

Council and CPG Australia have prepared the Forrest Structure Plan with input and assistance from community and business groups, individuals and government agencies.

## 1.2 Objectives

The plan defines specific objectives for the growth within Forrest, and identifies opportunities and strategies to complete those objectives. The creation of a settlement boundary reflects the need to accommodate the projected growth and development over a 15 to 20 year period.

## 1.3 Implementation

The Forrest Structure Plan outlines recommended objectives and strategies pertaining to key issues. These recommendations include amendments to the local planning policy framework and zoning controls within the township, and Council priorities for asset and infrastructure development.

An 'Implementation' table is provided to clearly articulate the actions required to achieve each strategy. The recommendations are consolidated in the final section of the document.

Upon completion, this Structure Plan will be implemented as a tool to:

- Guide the assessment of planning permits for land use and development;
- Provide direction to land owners about the future potential of their land within the Forrest township;
- Provide direction for current and emerging enterprises and industries regarding opportunities for investment, development and growth; and
- Inform Council officers of the need for future works and programs.

## 1.4 Key issues and themes

### Environment

There are a number of environmental constraints surrounding the development of the Forrest township which have shaped the Structure Plan's recommendations. These include the presence of dense forest and the inherent threat of bushfire, erosion, watercourses and the risk of flooding and inundation from the Barwon River.

### Bushfire Threat

The Victorian Bushfire Royal Commission (VBRC) Final Report has been especially influential on the outcomes of the Structure Plan due to a host of recommendations impacting the viability of settlements within rural areas at risk of bushfire attack.

The State Government is developing new provisions relating to bushfire threat. While the Forrest Structure Plan will precede the formulation of the new bushfire planning provisions, the outcomes and recommendations of the Structure Plan will be considerate of the impact that the new bushfire planning controls may have on the viability of settlement growth in areas at risk to bushfire attack.

### Local Policies

A Draft Colac Otway Shire Rural Living Strategy has been exhibited. Recommendations made through the Forrest Structure Plan have considered the settlement framework and vision for the Shire identified in the Rural Living Strategy.

## 1.5 Opportunities

The main opportunities for driving growth within Forrest have been identified as Residential Growth / Land Supply and Tourism Development. These two broad economic forces will actively influence the shape and role of Forrest over the life of the Structure Plan.

### Growth / Land Supply

Forrest's settlement pattern is reflective of its natural environment and the era in which the town was established. Current land supply is constrained by natural landmarks such as the Barwon River, Otway National Park and remnant bushland to the north and south of the town.

The Structure Plan emphasises that any discussion surrounding residential growth and development within Forrest must recognise the risk associated with bushfire. The recommendations and planning controls arising from the Royal Bushfire Commission findings will also need to be thoroughly considered when addressing the potential for residential growth in Forrest.

### Tourism

A new focus on lifestyle, recreation and eco-tourism opportunities has emerged since the cessation of logging on Crown Land in the Otways. The development and popularisation of outdoor recreational activities within Forrest such as mountain biking, hiking and camping are proving important to the viability of the town as a key Otways destination. The Structure Plan has considered how Forrest will accommodate additional tourism infrastructure.

## 2 Role and Function

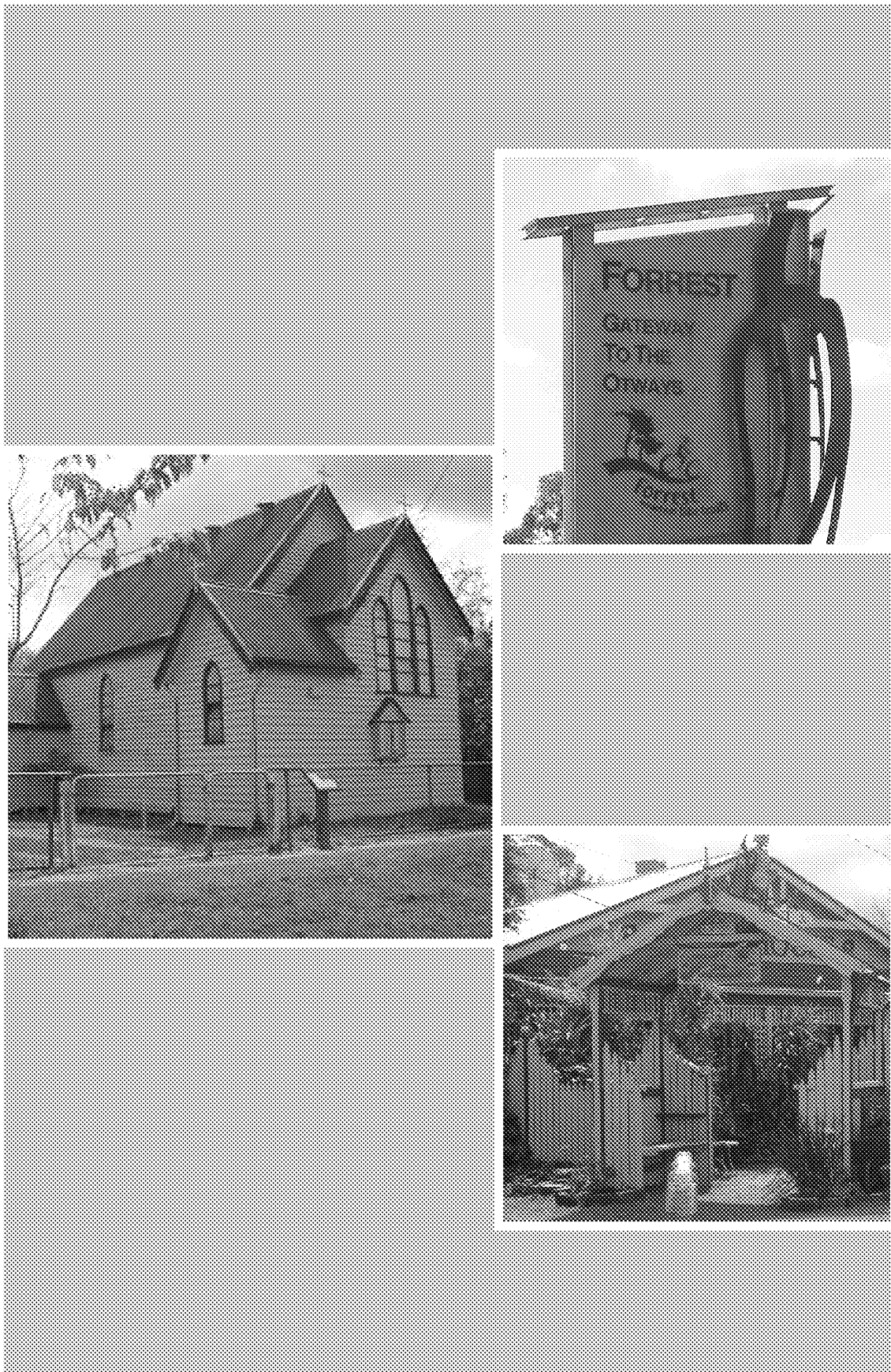
The role of Forrest as an outdoor recreation and tourism destination has been well established over recent years along with an emerging trend for rural lifestyle residential development. Forrest's popularity as a key destination for recreational pursuits such as mountain biking, hiking, horse riding and camping is increasing due to its proximity to the Otway National Forrest and Victoria's coastline.

Forrest's tourism functions will continue to play a primary role in the town's growth and development into the future. Additional tourist accommodation and retail services will be required to meet the needs of a growing tourism market; focusing investment on tourism infrastructure will provide support for further expenditure and expansion of this market. The ability to attract local and regional recreational and community events will play a critical role in ensuring the economic stability and wellbeing of the town over the next 15-20 years.

In addition to its tourism-based role, Forrest will function as a small town with limited potential for residential growth due to environmental and servicing constraints. This is reinforced by the Colac Otway Shire Rural Living Strategy which designates Forrest and other settlements in the Otways as having limited capacity for growth.

A Vision statement has been prepared for the Forrest Township. The Vision seeks to encapsulate the outcomes sought through the combination of objectives and strategies contained in this Structure Plan. The Vision has been drafted as a result of community workshops and submissions and will be subject to further consultation with the community to ensure it reflects a shared Vision.

*"The vision for Forrest is to be a place that revitalises and engages people and maximises opportunities for living, working and recreation by utilising the Otway's unique rural and environmental qualities and assets."*



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### 3 The Structure Plan

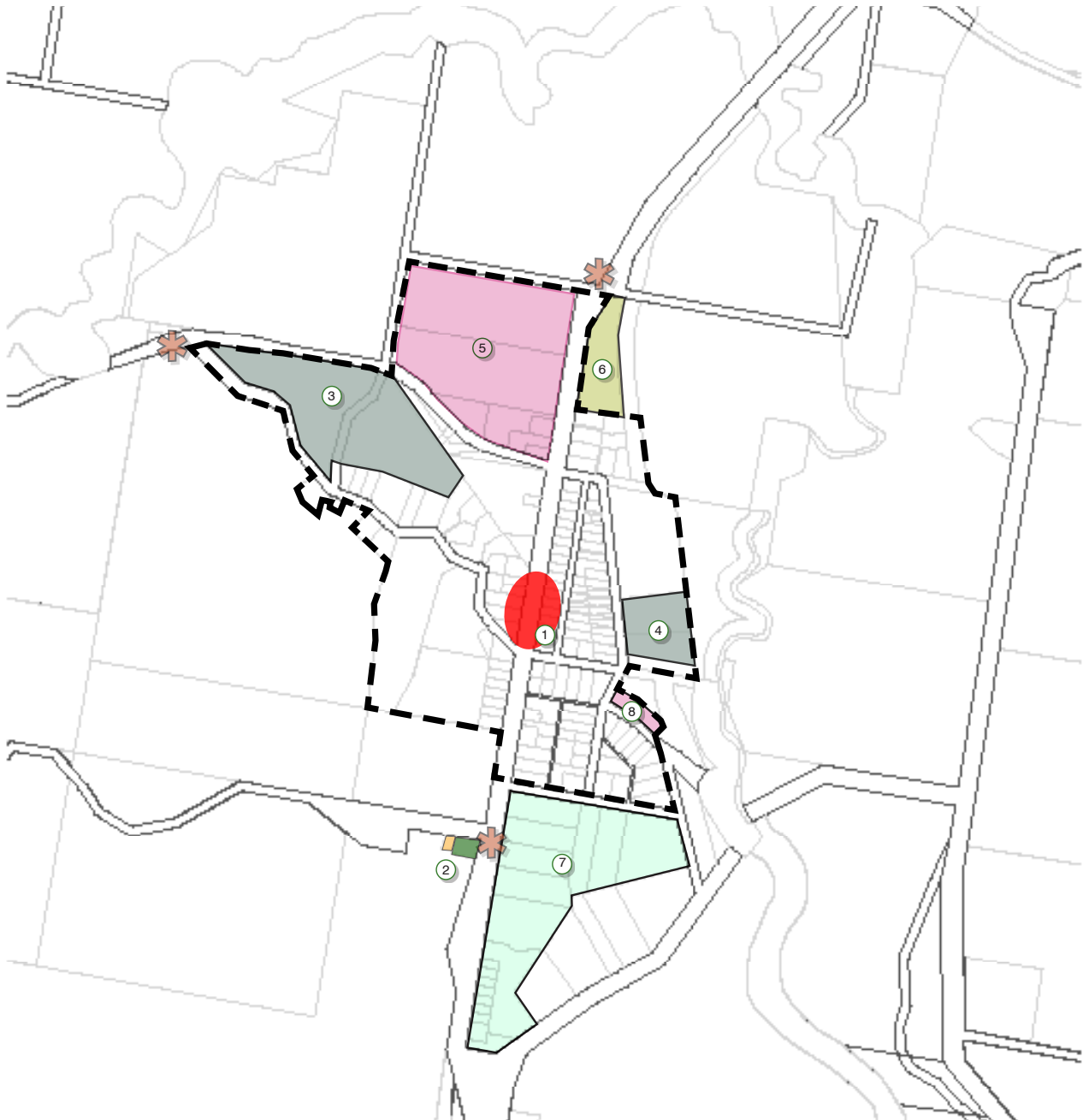
The Structure Plan is illustrated in Figure 1.

The key physical elements of the structure plan are described below:

1. The structure plan **establishes a defined settlement boundary** to provide strategic direction for the town’s growth.
2. **Opportunities for limited expansion** beyond the current township have been identified and are reflected in the Structure Plan.
3. The structure plan seeks to support further **opportunities for Forrest’s eco-tourism based economy** anchored by opportunities associated with Forrest’s proximity to the Otway National Park and Lake Elizabeth.
4. The structure plan seeks to **revitalise the Grant Street business core** and expand the provision of commercial uses, particularly those related to the tourist sector. Opportunities to further develop retail services for the local population are also outlined.
5. The structure plan seeks to **celebrate the heritage assets** of Forrest, in particular the management of the European heritage sites relating to the town’s timber history.
6. The structure plan establishes a framework for **improvements in community and service infrastructure**.

| Re-zoning Recommendations                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rezone land to the north and north east (2324 and 2330 Birregurra-Forrest Road and 3025, 2346 and the balance of 2348 Forrest-Colac Road) from the FZ to TZ to accommodate future residential development. |
| Rezone 1, 3 and 5 Hennigan Crescent and 35, 45, 55 and 59 Turner Drive from FZ to TZ to reflect the current land use on site.                                                                              |
| Rezone land to the south of Frizon Street bounded by the Forrest-Apollo Bay Road and Gills Lane from FZ to RLZ to reflect the existing land use. Will require a Schedule specifying minimum lot sizes.     |
| Rezone Primary School from TZ to Public Use Zone (PUZ ) to reflect the existing land use.                                                                                                                  |
| Rezone Caravan Park sites from TZ to Public Park and Recreation Zone (PPRZ) to reflect the existing land use.                                                                                              |
| Back-zone land at 1 and 5 Rivendell Lane from TZ to Public Conservation and Resource Zone (PCRZ) and Public Use Zone (PUZ) to reflect actual use.                                                          |
| Rezone land east of Birregurra-Forrest Toad and north of Henry Street to RAZ (2317 Birregurra-Forrest Road) to encourage gateway development.                                                              |

**Figure 1** Forrest Structure Plan



**Legend**

- Settlement Boundary
- Direct infill development
- Residential development opportunities
- Rezone to Rural Living Zone
- Rezone to Rural Activity Zone
- Backzone to Public Conservation and Resource Zone
- Rezone to Public Use Zone
- Consolidate Grant Street Town Centre and provide opportunities for commercial expansion.
- Opportunity for gateway entries

- ① Expand general store floorspace
- ② Increase tourist infrastructure at mountain bike drop off point
- ③ Turner Drive development opportunities,
- ④ Old Timber Mill redevelopment opportunities for accommodation / commercial uses, no decision made on use
- ⑤ 2324 Birregurra-Forrest Road Rezoning  
Previous permit has lapsed
- ⑥ 2317 Birregurra-Forrest Road Rezoning - Schedule to identify use precluding residential use
- ⑦ South of Frizon Street Rezoning  
Determine schedule to apply minimum lot size
- ⑧ Hennigan Crescent Rezoning



## 4 Settlement

### 4.1 Managing Residential Growth

Forrest has been designated by the Draft Rural Living Strategy as a town with limited capacity for growth. This must be understood in the context of the desire to support the town's tourism focus.

Forrest is a small town generally contained within the existing TZ land. An assessment of land within the existing TZ identifies approximately 9Ha of land that could potentially be developed for residential purposes (Refer Figure 1). This includes land in Turner Drive and the former Timber Mill site in Station Street.

The Context Paper revealed 50 potential lots<sup>1</sup> in the current land supply which represents approximately 22 years based on historical patterns of 2.3 dwelling permits per year. The intent of the strategy is however, to facilitate a low growth scenario which would provide land for 3.5 dwellings per year to support the natural growth of Forrest as a viable town and service the tourism industry. At this level of development, the 'current' potential lots represent 14 years supply.

In addition to the existing supply, it is recommended to rezone land to the north of town for future residential demand. The parcels west of Grant Street are known as 2324, 2330, 2324, 2344, 2346 and 2348 Birregurra-Forrest Road. Sites 2320 and 2324 are bound to the north and west by an unmade road reserve occupied by several large trees which may require modification if used as the primary access for future development. Land at 2317 Birregurra-Forrest Road on the eastern side of Grant Street is partially constrained but as a 'gateway' site is considered suitable for tourist accommodation. Land at 3025 Colac-Forrest Road is also proposed to be zoned from FZ to TZ.

The additional land recommended for rezoning will provide for residential development, representing a sustainable land supply and urban structure for Forrest. The recommendations reflect potential development in light of vegetation and anticipated land contamination constraints which may limit yield within TZ land. Other recommendations include addressing existing zoning anomalies including rezoning land along Hennigan Crescent from FZ to TZ and the land to the south of Frizon Street bounded by the Forrest-

Apollo Bay Road and Titchs Track from FZ to RLZ with a new Schedule specifying minimum lot sizes.

Due to the constraints on development in Forrest and the proximity of the bush interface to most parts of the town, limited options are available for rezoning of land to accommodate future housing and commercial development. Land to the north of the existing Township Zone on the western side of Grant Street is considered one possible option because it is located furthest away from high fire risk bushland but is relatively close to the main centre of town and is not flood prone. Despite one of these sites containing a large track of vegetation, a preliminary assessment during the structure plan process confirmed that the vegetation included only small areas of high EVC with the balance predominately low to medium value. The site is also considered a potential fire risk and obviously cannot be farmed and therefore on balance is considered appropriate to be included in the Township Zone. The Rural Living and Low Density Residential Zones are also potential options for this area particularly in the short term, but would not result in a yield that would service the needs of Forrest over the long term.

There are several dwellings on separate lots currently in the Farming Zone which are located just outside the Township Zone. It is recommended that these be included in the Township Zone and form part of the township proper.

This area contains a cluster of small lots on the southern approach to Forrest and several larger lots closer to Frizon Street. Of the eighteen lots proposed for rezoning to Rural Living Zone, three of these are vacant lots. The current FZ does not reflect the occupation of dwellings and the obvious connection to the township. The Rural Living Zone will allow single dwellings to be developed on the remaining vacant lots as an 'as of use right' while a schedule is proposed to restrict further subdivision of these lots recognising the high bushfire risk and proximity to forested crown land. The Rural Living Zone is also recommended for this area to allow for broader uses to be considered through planning applications such as tourist accommodation which the current Farming Zone does not.

<sup>1</sup> Potential Lots at 85% uptake of total supply (59 lots)



**4.1.2 Strategies**

The Structure Plan also provides an opportunity to correct previous zonings and apply current controls to reflect the true use of the land and minimise the requirement for planning permits. The structure plan proposes the Caravan Park, school, DSE and CFA sites to be rezoned PUZ.

Overall, the proposed land within the town boundary as shown in Figure 1 will equate to approximately 20 years of supply to allow development at around 3.5 lots per annum (refer Appendix 1).

**4.1.1 Objectives**

- Limit land available for urban development to land contained within a defined settlement boundary.
- Protect the established extent of development within Forrest, defined by its rural setting at the entrance to the Otway National Park and forests.
- Encourage infill development within an established settlement boundary.

1. Establish a settlement boundary in accordance with Figure 1. The town boundary will only apply to TZ land.
2. Rezone land to the north and north east (2324 and 2330 Birregurra-Forrest Road and 3025, 2346 and the balance of 2348 Forrest-Colac Road) from the FZ to TZ to accommodate future residential development.
3. Rezone 1, 3 and 5 Hennigan Crescent and 35, 45, 55 and 59 Turner Drive from FZ to TZ to reflect the current land use on site.
4. Rezone land to the south of Frizon Street bounded by the Forrest-Apollo Bay Road and Gills Lane from FZ to RLZ with a new Schedule specifying minimum lot sizes to reflect the actual land use on site.
5. Rezone Primary School from TZ to Public Use Zone (PUZ).
6. Rezone Caravan Park sites from TZ to Public Park and Recreation Zone (PPRZ).
7. Back-zone land at 1 and 5 Rivendell Lane from TZ to Public Conservation and Resource Zone (PCRZ) and Public Use Zone (PUZ) to reflect actual use.

| IMPLEMENTATION |                                                                                                                                                                  |                        |                        |                |          |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay)                                                                                                       | Implementation Actions | Further Strategic Work | Responsibility | Priority |
| 1              | Amend Clause 21.03-2 to include appropriate policy statements and map identifying settlement boundary.                                                           | None                   | No                     | Council        |          |
| 2              | Rezone land at 2324 and 2330 Birregurra-Forrest Road and 3025, 2346 and the balance of 2348 Forrest-Colac Road from FZ to TZ.                                    | None                   | No                     | Council        | A        |
| 3              | Rezone 1, 3 and 5 Hennigan Crescent and 35, 45, 55 and 59 Turner Drive from FZ to TZ.                                                                            | None                   | No                     | Council        | A        |
| 4              | Rezone land to the south of Frizon Street bounded by the Forrest-Apollo Bay Road and Gills Lane from FZ to RLZ with a new Schedule specifying minimum lot sizes. | None                   | No                     | Council        | A        |
| 5              | Rezone Forrest Primary School from TZ to PUZ.                                                                                                                    | None                   | No                     | Council        | A        |
| 6              | Rezone Caravan Park sites from TZ to PPRZ.                                                                                                                       | None                   | No                     | Council        | A        |
| 7              | Back-zone land at 1 and 5 Rivendell Lane from TZ to PCRZ and PUZ.                                                                                                | None                   | No                     | Council        | A        |

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## 5 Economic Development

### 5.1 Town Centre

Forrest's town centre was historically Station Street, with township development influenced by the regional railway system (closing in 1957) and the location of the town's sawmilling operations. Today, the town's orientation is around Grant Street.

Grant Street contains a primary school, public hall and a few small shops. The school doubles as a child and maternal health outreach facility, providing key services to the local community. Grant Street is also characterised by some small-scale, short-stay accommodation, including Forrest Country Guest House, Ti Tree Cottages and 'the Church'.

Forrest's town structure has been determined by a hierarchic structure of forestry, farming, industrial and service activities, and the growth of the town and its public institutions has been based entirely on the shape of the local economy. Only within the last few decades has the town's form been influenced by uses and development spurred by tourism, rural lifestyle and recreational pursuits.

In the absence of significant demand for higher-order services and development, Forrest's original town core has remained relatively intact. Thus, mixed uses (civic, residential and commercial) throughout the town core have been preserved. The legacy of this organic pattern of development is unformed precincts within an ill-defined town centre.

While residents can easily navigate their way between key land uses, there is merit in consolidating commercial uses within a defined part of Grant Street to provide a focal point for the important tourist market. This will become increasingly important as the role of Forrest as an outdoor recreation destination grows.

Furthermore, the recently developed microbrewery may 'pave the way' for the establishment of other new enterprises in Forrest: potentially small businesses with a focus on rural produce. This type of commercial offer would certainly reflect the desires of the tourist market.

While it is not expected that the town centre will grow to service a larger catchment through significant additional businesses and enterprises, it is anticipated existing businesses will diversify to cater for a greater range of needs for the tourist market. With this change, opportunities to expand local convenience retailing to improve the service offer for the local community may arise. This would be a positive outcome for Forrest.

The land at 2317 Birregurra-Forrest Road (east of Grant Street) provides an entrance to the town and as such, should be developed to deliver a gateway entrance. This land provides an opportunity for positioning Forrest as an eco-tourism/extreme-sports destination.

#### 5.1.1 Objectives

- Increase retail oriented opportunities including accommodation in Grant Street.
- Continue to support the consolidation of business activities and mixed uses in town centre.
- Encourage diverse local business opportunities.

### 5.1.2 Strategies

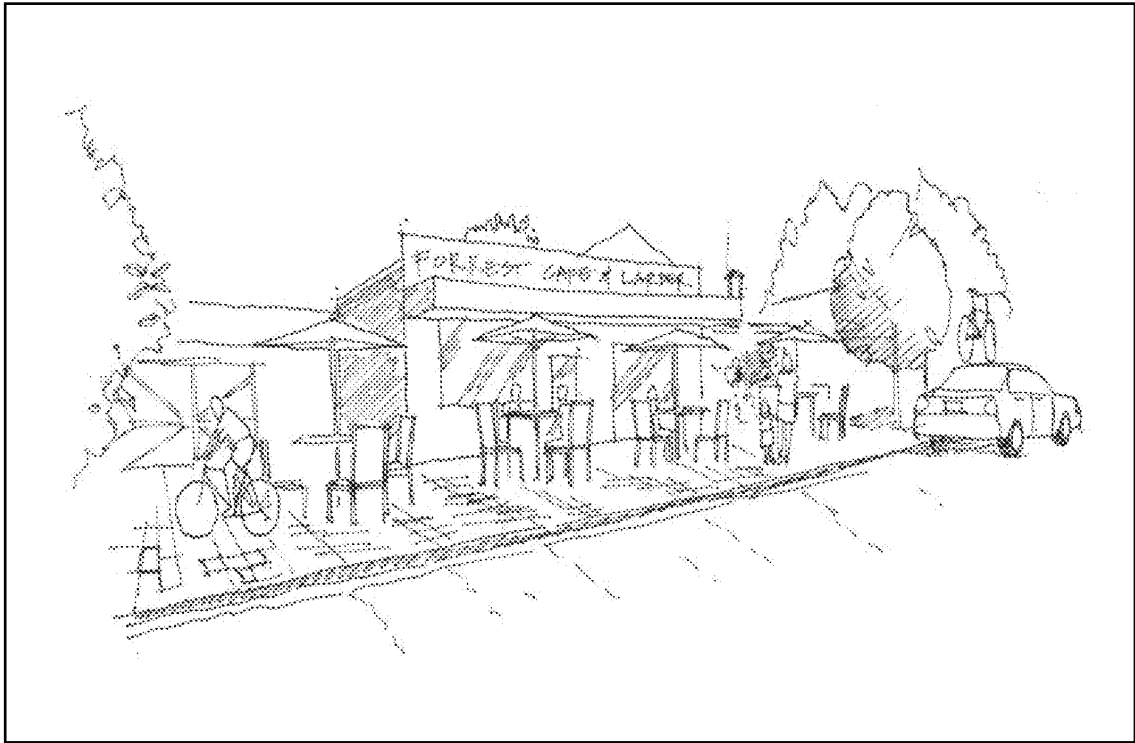
8. Concentrate commercial, business and enterprise uses along Grant Street between the Community Hall and Turner Drive/Blundy Street as follows:
  - Small scale businesses providing convenience retail, dining / cafes, as well as rural produce based micro enterprises.
  - Bed and breakfast and other like accommodation facilities are encouraged.
9. Encourage the re-development of the existing general store to provide additional floor space, an active street front and expanded provision of retail / commercial services.
10. Encourage and consolidate street based retailing in the form of cafes and outdoor seating on the eastern side of Grant Street. New footpaths should be constructed along east side to approximately 3-5 metres as appropriate to accommodate pedestrian movement, seating and bicycle parking.
11. Support ongoing opportunities for school facilities (computers/library) to be used by the local community.
12. Ensure any new developments are designed to incorporate the streetscape, including footpaths, to activate and enliven streets.
13. Rezone land east of Birregurra-Forrest Toad and north of Henry Street to RAZ (2317 Birregurra-Forrest Road) to encourage gateway development (refer Figure 1).

| IMPLEMENTATION    |                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                |          |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy          | Recommended Planning Scheme Change (LPPF, Zone or Overlay)                                                                   | Implementation Actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Further Strategic Work | Responsibility | Priority |
| 8, 9, 10, 11 & 12 | Update Clause 21.05 – Economic Development to include a strategy in relation to enhancing the economic viability of Forrest. | <p>Include strategies in appropriate Council documents to:</p> <ul style="list-style-type: none"> <li>– Encourage small scale businesses and accommodation facilities to locate along Grant Street between the Community Hall and Turner Drive.</li> <li>– Encourage the redevelopment of the general store.</li> <li>– Encourage street based retailing in the form of cafes and outdoor seating on the eastern side of Grant Street.</li> <li>– Encourage the expansion of footpaths along the east of Grant Street to accommodate pedestrian movement, seating and bicycle parking.</li> </ul> | Yes <sup>1</sup>       | Council        | A        |
| 13                | Rezone land east of Birregurra-Forrest Road and north of Henry Street to RAZ                                                 | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | No                     | Council        | A        |

## Recommended Further Work

1. Council to review current footpaths within Forrest with the aim of accommodating multi function uses along Grant Street.

**Figure 2** Indicative Interactive Streetscape



## 5.2 Tourism

The unique environmental qualities of Forrest and its proximity to the Great Otway National Park make it a highly sought after destination for outdoor recreation and leisure pursuits. Tourist infrastructure is well established in terms of signage, camping areas, trails, shelters and picnic areas including a mountain bike drop off location at the edge of town.

At present, there is no provision for the hire of recreation equipment including bike, kayak or camping hire. Given the popularity of this destination for these activities, there is merit in providing such facilities within Forrest.

Furthermore, there are currently no public change room areas, showers or lockers provided in Forrest to cater for the needs of tourists returning from recreation activities. This is particularly relevant for mountain bikers, who currently have nowhere to dry off / change clothes after hitting the trails and have nowhere to store their bikes. This means bikes are left in the street on the footpath in front of the café, and that people that are not staying overnight in town might be reluctant to spend time in town after they have finished cycling.

To capture the tourist dollar as effectively as possible, opportunities for people to spend longer in town should be facilitated. It is considered infrastructure for bike and equipment storage should be located at the current mountain bike drop off location, to be used in conjunction with the picnic facilities and toilets. There is also an opportunity to improve the gateways to Forrest by establishing landscape / built form treatments to acknowledge entry into the town.

There is a need to expand the accommodation offer to meet the growing and diverse needs to the tourist population. B&B's, group accommodation and boutique serviced apartments should be on offer in town. Group accommodation would attract large groups including school camps, sports groups etc. This type of accommodation, similar to that in the ski fields, could be co-located with a tourist hire business to cater for recreation needs in one location. A potential site for group accommodation of this nature is the old timber mill site; it is acknowledged this site is included in the future residential land supply equation however it is expected group accommodation development would only have a modest effect on residential supply.

### 5.2.1 Objectives

- Increase the offer of tourist based activities and accommodation.
- Encourage major sporting events in Forrest.

### 5.2.2 Strategies

14. Encourage the development of tourist infrastructure including bed and breakfast, group accommodation, farmers markets, rural produce, café, restaurants, eateries and the like.
15. Investigate opportunities for group accommodation to locate on the old Timber Mill site, adapting any existing buildings as appropriate. This strategy should be facilitated through Councils economic development unit with the private sector.
16. Encourage establishment of town based equipment hire and tour groups to support tourist recreational needs.
17. Explore opportunities to develop public showers and lockers in association with existing public toilet and picnic area at the mountain bike drop off locations to the north of town.
18. Explore opportunities to develop gateway treatments to the north and south of Forrest at the entrances along Grant Street, as shown in Figure 4.
19. In conjunction with Regional Development Victoria and Tourism Victoria, Council should facilitate opportunities to locate recreational events in Forrest. A marketing campaign should be established to achieve this outcome.
20. Encourage niche business to locate in town in the form of the cellar door, rural produce stores and the like.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                        |                                                                  |          |
|----------------|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Further Strategic Work | Responsibility                                                   | Priority |
| 14-20          | None                                                       | <p>Include strategies in appropriate Council documents to:</p> <ul style="list-style-type: none"> <li>- Encourage the development of tourist infrastructure in Forrest, including bed and breakfast, group accommodation, farmers markets, rural produce, cafes and restaurants and eateries.</li> <li>- Investigate opportunities for group accommodation to locate on the old Timber Mill site.</li> <li>- Encourage the establishment of town based equipment hire and tour groups.</li> <li>- Investigate opportunities to develop public showers and lockers.</li> <li>- Explore opportunities to develop gateway treatments along Grant Street.</li> <li>- Work with RDV and Tourism Victoria to investigate the location of recreational events in Forrest.</li> <li>- Encourage niche specialty business to locate in town in the form of cellar door and rural produce stores.</li> </ul> | No                     | Council, RDV, Local businesses, organisations and sporting clubs | A        |



## 6 Environment

### 6.1 Heritage

Forrest's heritage includes Aboriginal cultural heritage and European heritage.

Aboriginal cultural heritage is significant within Forrest. Throughout the areas of the Great Otway National Park, there are four traditional Indigenous Owners: the Wathaurung, Gulidjan, Gadubanud, and Kirrae Whurrong people. Their spiritual and physical connections to places surrounding Forrest go back tens of thousands of years, as evidenced through artefact scatterings found east of the township.

European settlement in the Otways was established in the 1890's, initiated through the need to transport timber to Colac and other regional towns. Little evidence of Forrest's original buildings exists; much of Forrest's infrastructure and timber mills were located in surrounding bushland. Regardless of the lack of original buildings, Forrest's European history is relatively well-documented. The Forrest History Walk is available for tourists and is a one hour township walk incorporating 27 sites of local European heritage, marked by interpretation panels. Anecdotal evidence suggests these heritage markers are not linked in an easily legible way, limiting the ability to tell the historical story of Forrest to visitors. There is an opportunity to improve the connection of the historical aspects of Forrest with other existing activities.

The Birregurra – Forrest "Tiger" Rail Trail was opened in June 2011, and provides 30kms of continuous trail linking Barwon Street, Forrest (opposite the Terminus Hotel) and Birregurra, along the old main Melbourne – Warrnambool rail line.

The opportunity to retain and celebrate heritage will be important in maintaining sense of place and identity in Forrest.

#### 6.1.1 Objectives

- Protect European heritage elements.
- Articulate heritage in the public realm.
- Protect places and areas of cultural heritage significance and encourage development and adaptation where appropriate that does not detract from their significance.

#### 6.1.2 Strategies

21. Identify, conserve and protect places of cultural heritage value from inappropriate development.
22. Integrate the existing European history of a timber town into sites of interest and re-development opportunities. Encourage further investigation of the Timber Mill site along Station Street for future re-development opportunities which may include adaptation of redundant mill infrastructure. Any development on this site should include interpretative signage / displays telling the story of the past use of the site.
23. In conjunction with the local community, investigate the potential for heritage artefacts to be consolidated in a heritage centre or interactive display. Opportunities exist to share the town's story through an interactive display of existing artefacts embracing the European history of Forrest along Grant Street.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                                                                                                                                                                          |                        |                      |          |
|----------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                                                                                                                                                                                   | Further Strategic Work | Responsibility       | Priority |
| 21             | None                                                       | <ul style="list-style-type: none"> <li>- Continue to implement the provisions of Clause 15.03 – Heritage and Clause 22.01 Heritage Places and Areas.</li> <li>- Investigate whether further work is required to identify and protect places of heritage significance.</li> </ul>                                                         | Yes <sup>1</sup>       | Council              | B        |
| 22, 23         | None                                                       | <p>Include strategies in appropriate Council documents to:</p> <ul style="list-style-type: none"> <li>- Investigate opportunities to redevelop the Timber Mill site and integrate the site's heritage values.</li> <li>- Investigate the potential to develop a heritage centre or interactive display of heritage artefacts.</li> </ul> | No                     | Council / Developers | A        |

Recommended Further Work

1. Council to investigate whether further protection of heritage assets is required.

## 6.2 Open Space / Recreation

The Structure Plan recognises the range of recreation opportunities in and around town specifically relating to Forrest's connections with the Otway National Park, including mountain bike trails and camping. Colac Otway Shire is currently preparing an Open Space Strategy to examine existing and future opportunities for the provision of open space within the municipality.

Forrest is serviced with six designated bike trails in and around the town, there are numerous other trails throughout the Otways which can also be utilised. A designated bike shelter with basic amenities is located on the south west corner of Riverdale Lane and the Forrest Apollo Bay Road.

As discussed in Section 7, opportunities to expand tourist infrastructure at this site is encouraged, including the provision of bike lockers and public showers / change rooms. This type of infrastructure is particularly important to users during winter. There is no provision of bicycle parking or pedestrian seating in town. This type of infrastructure is encouraged as a way to generate more localised walking and cycling trips, and to cater for the needs of visitors to the town.

Football, netball and tennis are an important part of the recreation mix in Forrest. The football ground is located outside of town, but is connected via the rail trail and Forrest-Birregurra Road. Catering to the locals needs in terms of organised sports, these clubs contribute to a strong sense of identity for the town. Providing for the ongoing needs of the club is important.

### 6.2.1 Objectives

- Encourage the provision of and linkages of open space.
- Encourage appropriate provisional recreational activities.
- Improve recreational facilities.

### 6.2.2 Strategies

24. Encourage public seating in Grant Street that is designed in an attractive and functional manner.
25. Improve and construct footpaths along both sides of Grant Street to cater for both bicycle and pedestrian movements.
26. Introduce attractive and functional bicycle facilities in the form of:
  - Bicycle racks, located near commercial businesses;
  - Lockers and appropriate lockable storage at Mountain Bike drop off point (south west corner of Riverdale Lane and the Forrest Apollo Bay Road).
27. At the current Mountain Bike drop off point expanded facilities as shown in Figure 3 will be encouraged.
28. In an appropriate location, a bicycle store consisting of sales, hire, and maintenance or the like should be encouraged. This business should not be limited to bicycles only but may also include other forms of recreational equipment as required within the Forrest location.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        |                |          |
|----------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Further Strategic Work | Responsibility | Priority |
| 24-28          | None                                                       | Include strategies in appropriate Council documents to: <ul style="list-style-type: none"> <li>- Encourage the provision of attractive and functional public seating in Grant Street.</li> <li>- Encourage the improvement and construction of existing and new footpaths along Grant Street.</li> <li>- Encourage the provision of bicycle facilities, including bicycle racks near commercial businesses and lockable storage space at the mountain bike drop-off point.</li> <li>- Encourage an expansion of facilities at the mountain bike drop-off point.</li> <li>- Encourage the development of a bicycle sales, hire and repairs store</li> </ul> | Yes <sup>1</sup>       | Council        | A        |

Recommended Further Work

1. Council to review current footpaths within Forrest with the aim of accommodating multi function uses along Grant Street.

Figure 3 Example Public Showers / Change Room Facilities



**Figure 4** Indicative gateway treatment for mountain bike drop off area.



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### 6.3 Natural Environment

The need to retain and protect Forrest's surrounding natural environment into the future is a significant feature of the Structure Plan. Within Forrest and the surrounding region, there are numerous environmental factors which need to be considered including native vegetation, land stability, flooding and wildfire.

Native Vegetation is protected under the Environment Protection and Biodiversity Conservation Act. In Victoria, there are approximately 300 Ecological Vegetation Classes or EVC's. There are numerous Ecological Vegetation Classes (EVC) present in large patches within and surrounding Forest they are: 16 Lowland Forest, 18 Riparian Forest, 30 Wet Forest, 45 Shrubby Foothill Forest, 48 Heathy Woodland, 83 Swampy Riparian woodland and 201 Shrubby Wet Forest. The Structure Plan aims to recognise these EVC and their relevant conservation status.

Forest is reported to be susceptible to landslip, flooding and fire hazards. Forrest is within an Environmental Management Overlay to manage the risks associated with erosion specifically land -slides.

In terms of flooding, the town generally drains to the east and west of Grant Street with the eastern side leading towards the West Branch of the Barwon River. The river is covered by the Land Subject to Inundation Overlay. It is noted that some parts of the town have been identified as flood prone.

Forrest is of particular risk to bushfires especially wildfire due to its proximity to the densely forested vegetation.

The report released by the 2009 Victorian Bushfire Royal Commission outlined three key recommendations around the validity of allowing settlements to be located in areas of high fire risk:

- Recommendation 39, the State amending the Victorian Planning Provisions relating to bushfire.
- Recommendation 40, the CFA amending its guidelines for assessing development in areas of fire risk.
- Recommendation 46, the State develop and implement a retreat and resettlement strategy for existing developments in areas of unacceptably high bushfire risk.

#### 6.3.1 Objectives

- Protect significant environmental attributes.
- Recognise both the biodiversity and landscape values of flora.
- Recognise the presence of Ecological Vegetation Class's and their relevant conservation status.
- Manage fire risk within Forrest.

**6.3.2 Strategies**

- 29. Maintain biodiversity through the protection of significant habitats including remnant vegetation.
- 30. Ensure land use and development does not detrimentally impact upon identified significant flora and fauna habitats, including areas of roadside vegetation.
- 31. Ensure land identified as being covered by Ecological Vegetation Class (EVC) 83 Swampy Riparian Woodland and EVC 18 Riparian Forest are protected through conservation. Consideration of Vegetation Protection Overlay (VPO) should be explored where appropriate.
- 32. Ensure development which is likely to increase the number of people in areas of risk to fire meets specific construction requirements as outlined by CFA and within the WMO or new planning controls.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                      |                        |                |          |
|----------------|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                               | Further Strategic Work | Responsibility | Priority |
| 29-32          | None                                                       | Continue to implement the provisions of the Colac Otway Planning Scheme including SPPF Clause 12 – Environment, LPPF Clause 21.04 – Environment, and the VPO and WMO as appropriate. | No                     | Council        | C        |



# 7 Access and Movement

## 7.1 Access and Movement

Like many small regional towns within Victoria, Forrest is heavily reliant on motor vehicles for transport with limited public transport of three bus services a day, generally travelling to and from Colac and Apollo Bay.

Grant Street is the main street within Forrest and is used by local traffic, regional traffic and heavy vehicles accessing the Otways. Despite the range of user groups, traffic is distributed throughout the day in a manner that minimises impacts on movement and access. Car parking is limited along Grant Street.

Any new developments should be satisfactorily connected to the existing road network to ensure safe access is available to and from each site.

### 7.1.1 Objectives

- Provide appropriate public transport options for the community.
- Provide an appropriate road hierarchy.
- Encourage opportunities for walking and cycling.

## 7.1.2 Strategies

- 33. Provide adequate car parking facilities to be established in proximity to tourist attractions and recreation destinations, allowing for caravans and trailer vehicles.
- 34. Ensure new developments are connected to the existing street network or provide appropriate connections in accordance with Council Road Design specifications.
- 35. Upgrade the footpath on the western side of Grant Street from the Mountain Bike drop off point to town centre to be Disability Discrimination Act (DDA) compliant.
- 36. Provide in an appropriate location for a bus shelter and seating in Grant Street.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                                                                                                                                                                                                                    |                        |                |          |
|----------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                                                                                                                                                                                                                             | Further Strategic Work | Responsibility | Priority |
| 33, 35, 36     | None                                                       | Include strategies in appropriate Council documents to: <ul style="list-style-type: none"> <li>- Encourage the provision of adequate car parking facilities in proximity to tourist and recreation destinations.</li> <li>- Upgrade the footpath on the western side of Grant Street to be DDA compliant.</li> <li>- Provide a bus shelter and seating in Grant Street.</li> </ul> | No                     | Council        | A        |
| 34             | None                                                       | Ensure that the processing of development applications take into consideration Council Road Design specifications and the need to connect new development to the existing street network.                                                                                                                                                                                          | No                     | Council        | C        |

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## 8 Physical Services

### 8.1 Services Infrastructure

Forrest is limited in the way of utility infrastructure. There is no reticulated sewer or gas, and given the current population and expected growth over the next 10 – 20 years, it is likely that the implementation of reticulated sewer will remain unfeasible.

As identified within the Issues Paper: Wastewater Management Forrest (2005), groundwater is sufficiently deep at all locations to be of little or no concern during construction of any traditional or alternative sewerage works.

Forrest is located on a ridge, resulting in the township draining to the east and west of Grant Street, towards the West Branch of the Barwon River, drainage throughout Forrest generally consists of wide open swale drains adjacent formed and unformed roads. It is considered this form of drainage, specifically along Grant Street, is impractical and requires review.

#### 8.1.1 Objectives

- Improve drainage.

#### 8.1.2 Strategies

- 35. Council to undertake a review of drainage throughout Forrest and undertake relevant upgrades.
- 36. Ensure new developments use sustainable wastewater technology.

| IMPLEMENTATION |                                                            |                                                                                                                                                                                                 |                        |                |          |
|----------------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                                          | Further Strategic Work | Responsibility | Priority |
| 35             | None                                                       | Include strategies in appropriate Council documents to: <ul style="list-style-type: none"> <li>– Undertake a review of drainage throughout Forrest and complete identified upgrades.</li> </ul> | Yes <sup>1</sup>       | Council        | B        |
| 36             | None                                                       | Continue to implement the provisions of Clause 21.03 <ul style="list-style-type: none"> <li>– Settlement in relation to ensuring that development incorporates ESD principles.</li> </ul>       | No                     | Council        | C        |

Recommended Further Work

- 1. Council to undertake drainage review.

## 9 Community Infrastructure

### 9.1 Social and Community Facilities

Forrest’s community hub (focussed around Primary School and Community house) is an important location for social interaction and the provision of community and health services and facilities.

A number of facilities are available in Forrest for the use of its residents. Key community infrastructure includes:

- Primary school (current enrolment of 35, employing 2 FT teachers) offering synergies with the visiting Maternal Child Health (MCH). Of concern to the community is the falling number of young children residing in the town. As repeatedly expressed during consultation, more young children are needed in order to keep the school open;
- Visiting MCH (based at the primary school);
- Pre-school;
- Community house, including community information area, upgraded amenities, commercial kitchen, stage and large hall and synergies with the mobile library; and
- Medical centre, hosting a visiting GP approximately 2 days per week.

The strategies of this Structure Plan assume a small increase in the population over the next 10 – 20 years. We recognise there may be a desire for more medical and health services to be provided more frequently, however the service provision is based on population demographic thresholds. Given the relatively small size of the local population, it is expected services are likely to continue at their current level.

Support for the continuation of health and community services should be provided by Council.

#### 9.1.1 Objectives

- Provide for community and health related services.
- Provide a healthy, safe and caring environment where access and equity are priorities.

#### 9.1.2 Strategies

37. Advocate for the ongoing provision of high quality and accessible health, community and education services in Forrest as relevant to the needs of the resident population.
38. Support ongoing community use of equipment and services at the Primary School as appropriate including computers, library and sporting equipment.

| IMPLEMENTATION |                                                            |                                                                                                                                                                        |                        |                |          |
|----------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|----------|
| Strategy       | Recommended Planning Scheme Change (LPPF, Zone or Overlay) | Implementation Actions                                                                                                                                                 | Further Strategic Work | Responsibility | Priority |
| 37             | None                                                       | Advocate for the ongoing provision of high quality and accessible health, community and educational services in Forrest.                                               | No                     | Council        | C        |
| 38             | None                                                       | Include strategies in appropriate Council documents to: <ul style="list-style-type: none"> <li>- Support ongoing community use of Primary School resources.</li> </ul> | No                     | Council        | A        |

27 P:\38854881\11804021113\_05\_1438\_Report\_1335866

## 10 Implementation and Review

It is recommended that the implementation of the Structure Plan:

- Include the Structure Plan as a Reference Document in the Colac Otway Shire Planning Scheme;
- Revise and update the Local Planning Policy Framework, including the Municipal Strategic Statement, to give immediate effect to specific strategies identified in this report;
- Revise and update the Council plans to include specific strategies identified in this report in Council's future resource allocation and planning; and
- Set out the further strategic work that should be undertaken to enable the implementation of other specific strategies.

Recommended timeframes for the implementation of each identified Strategy in the plan should guide funding and resources. Changes to the Planning Scheme and Council Plan/actions have been categorised according to the following legend:

- A - Minor amendment to the Planning Scheme (MSS, zone or overlay) or update to Council plans as required (1-5 years)
- B – Further strategic investigation and/or stakeholder consultation required (6-10 years)
- C – Ongoing work

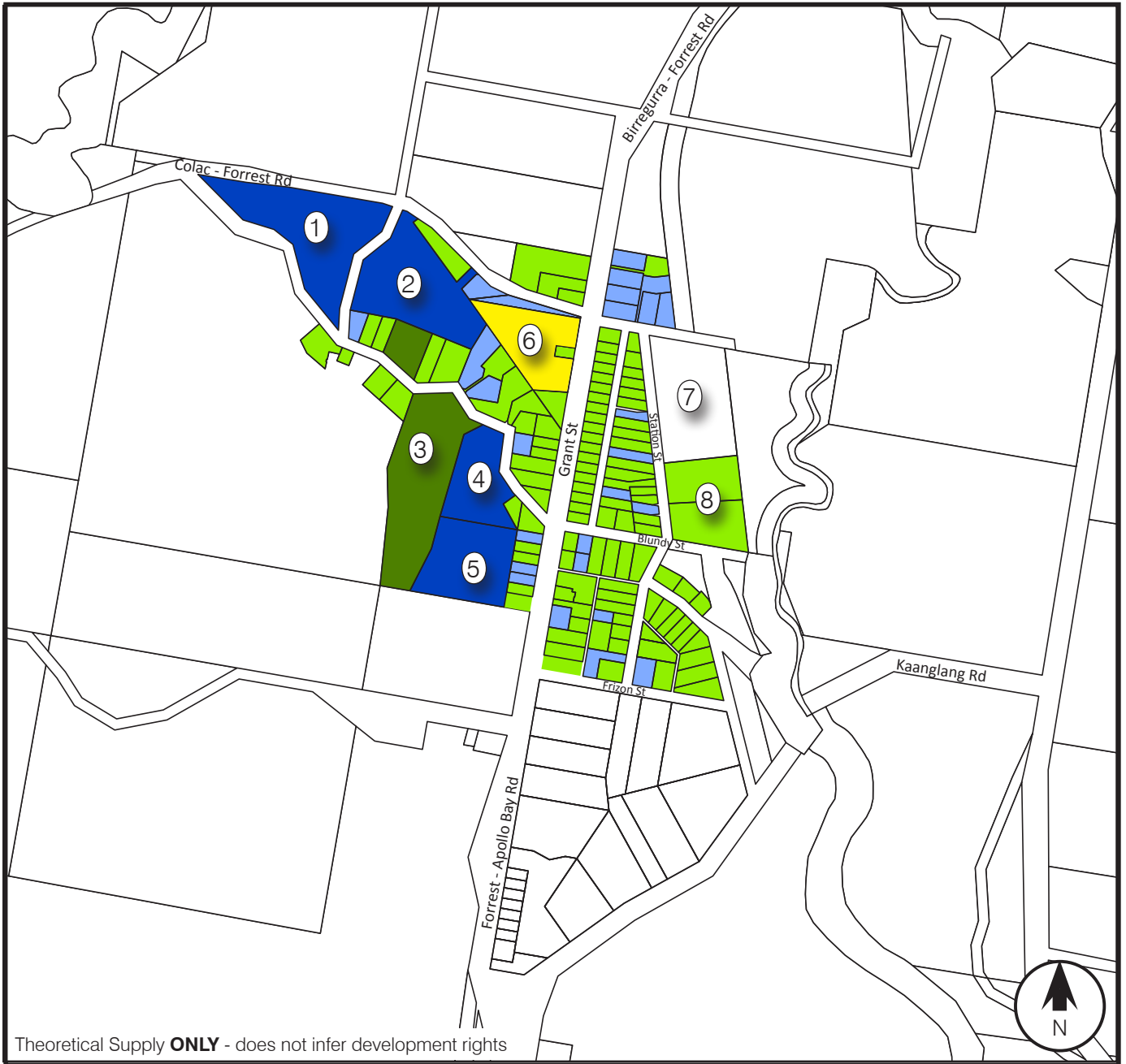
The Department of Planning and Community Development requires Structure Plans to be reviewed every five years. It is recommended an interim review occur at 3 years, to monitor and review the progress of recommendations. This needs to take into account newly released ABS data, demographic analysis, VCAT decisions, panel reports and revisions to State policy, and review assumptions contained in the Structure Plan as relevant.

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


# FORREST STRUCTURE PLAN

Appendix 1 - Current Land Supply Analysis

# Forrest - Current Land Supply Analysis



## Legend

- |                                                                                       |                                               |   |                                           |
|---------------------------------------------------------------------------------------|-----------------------------------------------|---|-------------------------------------------|
|    | Occupied Lots                                 | 7 | Caravan Park                              |
|    | Occupied Lots (Subdividable)                  | 8 | Old Mill Site - some ground contamination |
|    | Vacant Lots                                   |   |                                           |
|    | Vacant Lots (Subdividable)                    |   |                                           |
| 1                                                                                     | Expected yield in light of constraints 9 lots |   |                                           |
| 2                                                                                     | Current Subdivision Application for 9 lots    |   |                                           |
| 3                                                                                     | Highly constrained - expected yield 7 lots    |   |                                           |
| 4                                                                                     | Highly constrained - expected yield 4 lots    |   |                                           |
| 5                                                                                     | Highly constrained - expected yield 3 lots    |   |                                           |
|  6 | School                                        |   |                                           |

| Forrest Township Area Current Supply                               |    |
|--------------------------------------------------------------------|----|
| Vacant Lots within Settlement Boundary (zoned TZ) not subdividable | 26 |
| Vacant Lots with subdivision potential*                            | 4  |
| Site 1: No. of Lots (expected yield in light of constraints)       | 9  |
| Site 2: No. of Lots (plan of subdivision submitted)                | 9  |
| Site 4: No. of Lots                                                | 4  |
| Site 5: No. of Lots                                                | 3  |
| Other Lots from Subdividable Land                                  | 0  |
| Occupied Lots with subdivision potential*                          | 1  |
| Site 3: No. of Lots                                                | 7  |
| Other Lots from subdividable land                                  | 1  |
| Total Potential Lots in Current Land Supply                        | 59 |
| Total Potential Lots at 85% Uptake                                 | 50 |

\*NB: Min 3,000 m2



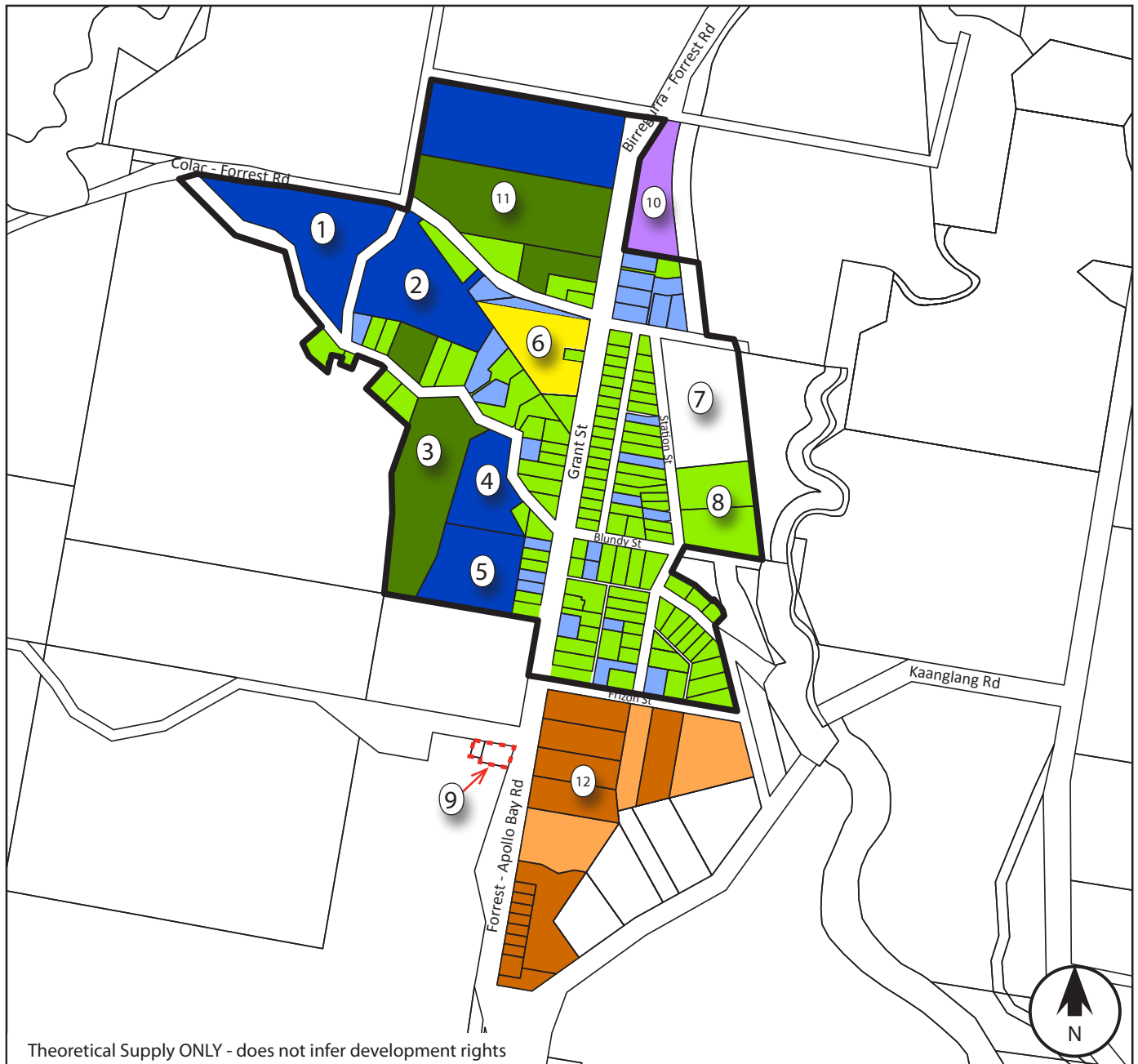
City of Ipswich

# FORREST STRUCTURE PLAN

Appendix 2 - Proposed Land Supply Analysis



# Forrest - Proposed Land Supply Analysis

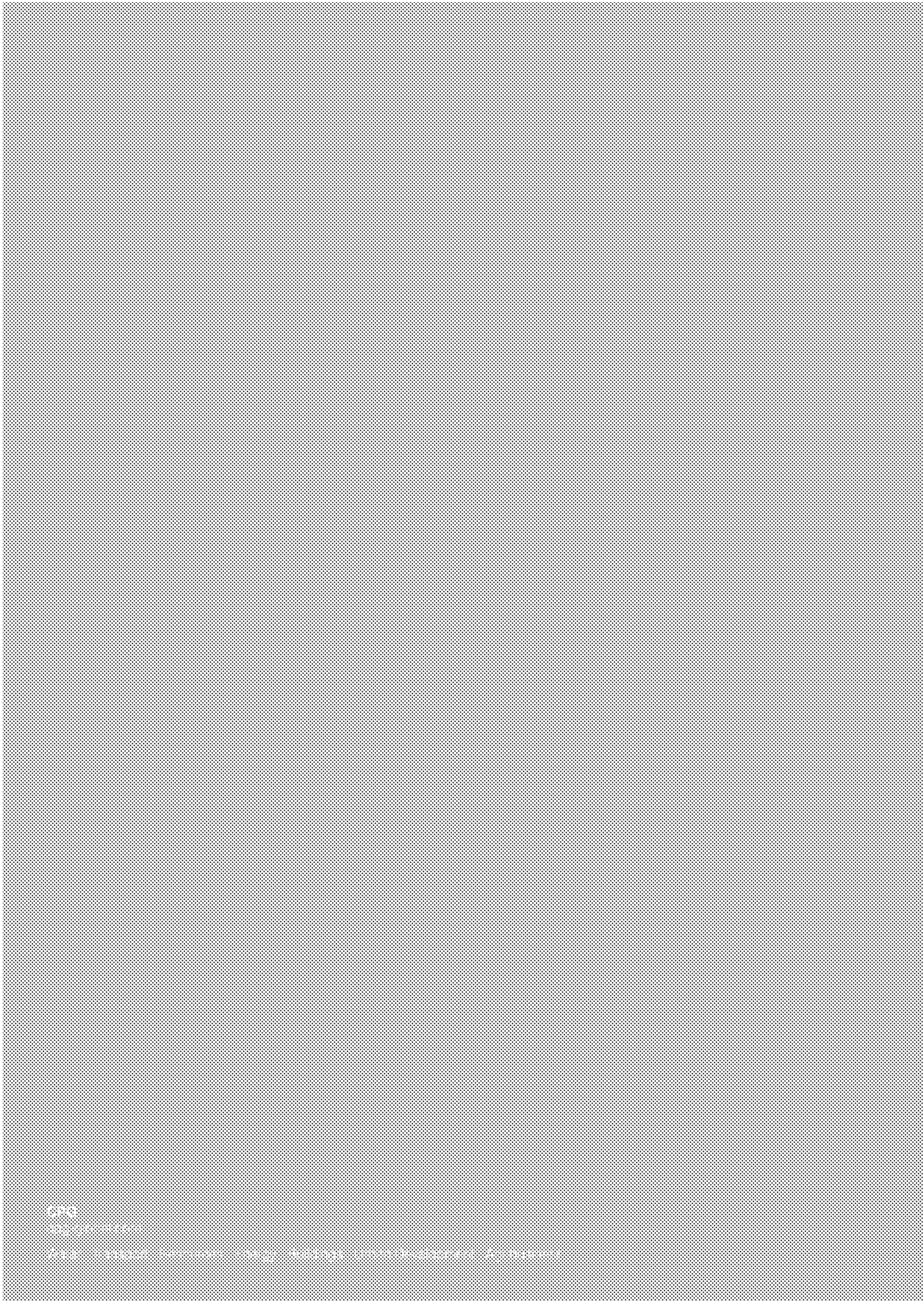


## Legend

|   |                                               |    |                                             |
|---|-----------------------------------------------|----|---------------------------------------------|
|   | Settlement Boundary                           |    |                                             |
|   | Occupied Lots                                 |    |                                             |
|   | Occupied Lots (Subdividable)                  |    |                                             |
|   | Vacant Lots                                   |    |                                             |
|   | Vacant Lots (Subdividable)                    |    |                                             |
|   | Occupied Rural Living Zone Lots               |    |                                             |
|   | Vacant Rural Living Zone Lots                 |    |                                             |
|   | Rural Activity Zone (RAZ)                     |    |                                             |
| 1 | Expected yield in light of constraints 9 lots | 4  | Highly constrained - expected yield 4 lots  |
| 2 | Current Subdivision Application for 9 lots    | 5  | Highly constrained - expected yield 3 lots  |
| 3 | Highly constrained - expected yield 7 lots    | 6  | School                                      |
|   |                                               | 7  | Caravan Park                                |
|   |                                               | 8  | Old Mill Site - some ground contamination   |
|   |                                               | 9  | Currently Zoned TZ - Rezone to PUZ and PCRZ |
|   |                                               | 10 | RAZ - not expected to yield dwellings       |
|   |                                               | 11 | Heavily vegetated land                      |
|   |                                               | 12 | Existing dwellings on most RLZ lots         |
|   |                                               | 13 | Forrest Dairy - potential clash of uses     |

| Forrest Township Area Proposed Supply                              |      |
|--------------------------------------------------------------------|------|
| Vacant Lots within Settlement Boundary (zoned TZ) not subdividable | 26   |
| Vacant Lots with subdivision potential*                            | 25   |
| Site 1: No. of Lots (expected yield in light of constraints)       | 9    |
| Site 2: No. of Lots (plan of subdivision submitted)                | 9    |
| Site 4: No. of Lots                                                | 4    |
| Site 5: No. of Lots                                                | 3    |
| Other Lots from Subdividable Land                                  | 17   |
| Occupied Lots with subdivision potential*                          | 23   |
| Site 3: No. of Lots                                                | 7    |
| Other Lots from subdividable land                                  | 16   |
| Rural Living Zone Land (South of Settlement Boundary)              | 3    |
| Total Potential Lots in Proposed Land Supply                       | 77   |
| Total Potential Lots at 85% Uptake                                 | 65   |
| @ Projected demand of ~3.5 per annum                               | 18.7 |

\*NB: Min 3,000 m2



GAG  
Geographic Information Systems  
1000 ... ..



colac port group

# FORREST STRUCTURE PLAN

Context Report

August 2011  
Prepared by CPG





**Forrest Structure Plan**  
Context Report

August 2011

Prepared by CPG Australia

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#### Quality Assurance Checklist

| Issue Date | Revision No | Author | Checked | Approved |
|------------|-------------|--------|---------|----------|
| 22/12/09   | 1           | JS     | ND      |          |
| 15/06/2010 | 2           | JM     | ND      |          |
| 22/06/2010 | 3           | ND     | ND      |          |
| 15/08/2011 | 4           | EB-S   | NR      |          |

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## 2 Introduction

CPG Australia (formally Coomes Consulting Group) has been engaged by Colac Otway Shire to prepare the Forrest Structure Plan.

This Structure Plan came to fruition due to a lack of existing policy and strategic direction to guide the future growth of Forrest. While Council has recently developed higher order strategic plans for their key coastal settlements, there has been significant interest and pressure in the town of Forrest for this work to be undertaken to provide greater certainty and direction regarding land use and development.

The purpose of the Structure Plan is to direct future growth and encourage sustainable land use development in Forrest over a 20 year period, providing a long term vision and planning and development framework for the town. Issues to be taken into consideration include demographic trends, housing needs, urban design, neighbourhood character, heritage values, economic development, infrastructure provision and natural resources.

Key drivers for the preparation of the Structure Plan include:

- The cessation of the timber industry and its impact on the role of town
- Pressure for lifestyle living for weekenders, proximate to high amenity forest and coastal locations
- Pressure for lifestyle living for residents working in key regional centres;
- The growth of mountain biking tourism
- The impact of servicing on growth
- The tourist / weekender market and its impact on structure, land use and service provision
- Community values and the potential 'local' versus 'visitor' vision for the town and its role
- Increased awareness of risks associated with incidence of wildfires
- Development pressure outside of the Township Zone.

The Plan is presented in two parts: Context and Structure Plan. This document represents the Context, providing the background to the current status and influences on development in Forrest, exploring key issues and opportunities for the final Structure Plan, and providing an overview of options for the Plan.

### 2.1 Strategic Drivers

The Structure Plan project is not being undertaken in isolation, but in the context of two very significant concurrent processes that will ultimately inform the role of Forrest and the appropriateness of future growth. These are:

- The Victoria Bushfire Royal Commission
- The Colac Otway Rural Living Strategy



The report by the 2009 Victorian Bushfire Royal Commission outlined 67 recommendations, a total of 27 recommendations relate specifically to planning, building, land and fuel management within bushfire prone areas.

Three key recommendations around the validity of allowing settlements to be located in areas of high fire risk are:

- Recommendation 39, the State amending the Victorian Planning Provisions relating to bushfire
- Recommendation 40, the CFA amending its guidelines for assessing development in areas of fire risk
- Recommendation 46, the State develop and implement a retreat and resettlement strategy for existing developments in areas of unacceptably high bushfire risk.

The development of the will Structure Plan take a precautionary approach, examining all available options to determine the optimal situation for Forrest may be (further analysis can be found within *Section 9.7 Fire Risk*)

The draft Colac Otway Rural Living Strategy (RLS), CPG Australia 2011, takes a similarly measured approach in its recommendations to the future settlement of towns, including Forrest. The draft RLS designates Forrest as a highly constrained town with low growth potential.

The analysis in this report will be undertaken within this context. The conclusions contained in this report will be focussed around implementing key recommendations, ensuring Forrest continues to progress in a sustainable manner which is consistent with its key opportunities, constraints and local role, as identified by local and state planning policy



---

### 3 Context

#### 3.1 Regional Context

Forrest is located approximately 33km south of Colac and 36km north of Apollo Bay on the Colac-Apollo Bay Road. Forrest acts as the northern entrance to the Great Otway National Park, positioned in the southern end of the Colac Otway Shire. The Town is primarily accessed by the Colac – Apollo Bay Road (entering at the north of the town), or by Forrest - Colac Road (entering at the west of the town). These roads provide important linkages between the regions coastal and inland communities.

Positioned at the foot of the Great Otway National Park, Forrest is surrounded by dense vegetation, particularly at the southern end of the Township. Forrest is also close to Lake Elizabeth, a significant recreation area, and the West Barwon Reservoir. Refer to Figure's 1 and 2 for a regional profile and aerial photograph of the settlement.

In 2002 the Victorian State Government announced its intention to phase out logging in the Otway's and buy back all remaining timber leases. The economic prosperity of Forrest has historically relied heavily on the timber industry and the cessation of logging in the Otway's has had a significant impact on the community. In 2004 the State Government announced a \$7 million compensation package to assist with the development of tourism facilities and infrastructure throughout the region. Forrest is now undergoing a transitional period as it moves from a reliance on the timber industry and embraces its emerging role as a tourist destination based around the natural beauty of the Otway's and a network of world class mountain bike trails.

Forrest has experienced a number of significant events, resulting in a transition in the Township's regional role and profile. Key events include:

- The cessation of logging practices on public land by 2008, and the imminent decline of the sawmilling industry (with the last sawmill closing in 2003)
- Logging still occurs on private land however the expiry of leases on crown land has significantly reduced logging activity in the area
- Landscape and agriculture transformation, in line with regional and national trends
- The improvement of transport routes, and the increasing reliance on regional services centres, such as Colac
- The growing awareness in the tourism industry of the Great Ocean Road, and access to this via the north-south Colac - Apollo Bay Road
- The creation of the Great Otway National Park and the Otway Forest Park
- The promotion and evolving recognition of Forrest as the region's mountain-biking capital.

The emerging role for Forrest as a tourist destination has been driven by significant investment in mountain bike infrastructure in the surrounding National Park. The annual

Forrest Structure Plan  
Context Report



Kona 24hr Mountain Bike event cements Forrest's regional and national role as a key tourism destination. Seasonal influx associated with this event provides benefits to the town in terms of accommodation and general food and beverage retailing. Ongoing pressure for accommodation, retail, cafes etc will emerge as this industry strengthens.

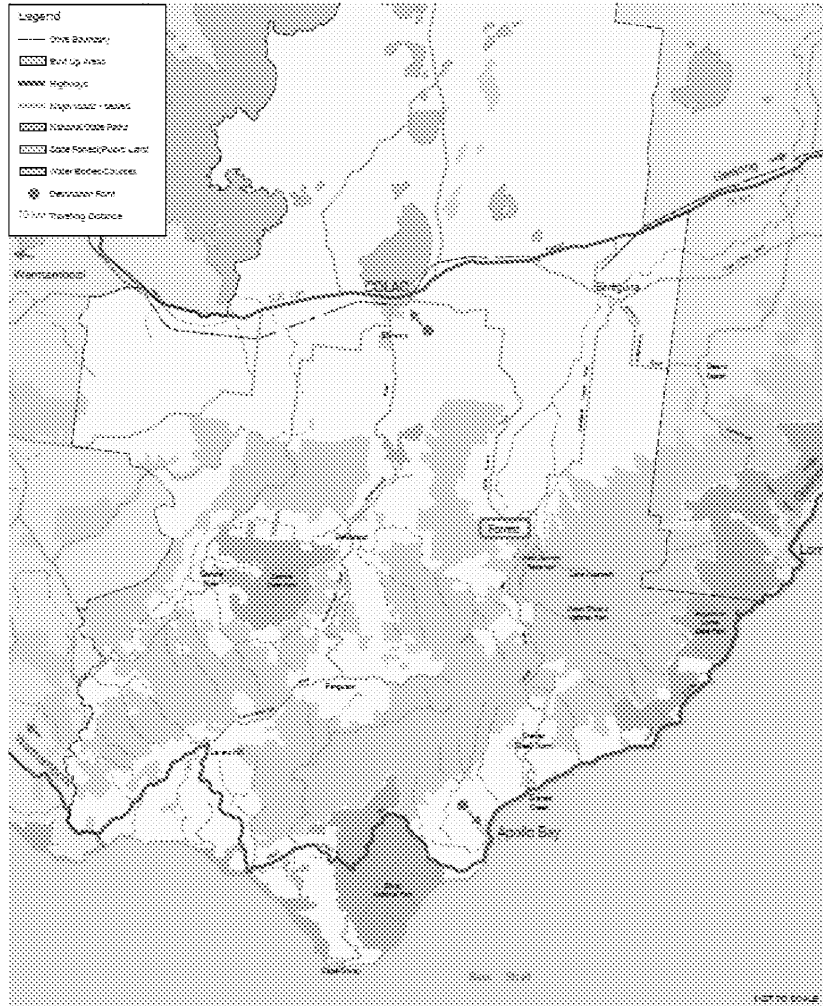
In the context of regional service delivery, Forrest acts as the primary entrance point for the Country Fire Authority (CFA) to the Otways and the West Barwon Reservoir. Due to the limited community facilities, services and retail options available in Forrest, residents rely on Colac as a regional service centre.

Forrest contains a primary school that provides education for local children and those from the surrounding district. The school building also accommodates other community services such as maternal health and mobile library on a visiting basis. These services are important to support the local and surrounding community.

Forrest Structure Plan  
Context Report



Figure I: Regional Context Map



|                      |                                                                                                                                                                                                                                 |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Regional Context Map | <b>Forrest Context Map</b>                                                                                                                                                                                                      |
|                      | CLIENT: GRANGE PROPERTY SERVICES COMPANY      DATE: 21/05/10<br>DRAWING NO: 133586/0000_Regional Context      REVISION: -<br>CPG Australia Pty Ltd<br>cpg@cpg.com.au<br>14th Floor, Rundle Mall, Adelaide, South Australia 5000 |
|                      |                                                                                                                                                                                                                                 |

Forrest Structure Plan  
Context Report

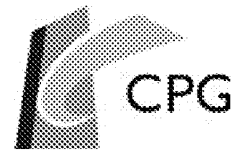


Figure 2: Aerial Photograph, Forrest






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## 4 Planning Framework

Land use within Forrest is subject to numerous State and Local policies and strategies. These policies and strategies are summarised below.

### 4.1 State Policy and Strategy

The following State Planning policy and strategies have relevance to Forrest:

- Ministerial Direction #1 – Potentially Contaminated Land
- Ministerial Direction #6 – Rural Residential Development
- Future Farming Strategy
- Regional Growth Fund
- Coastal Spaces Landscape Assessment Study (2006)
- Future Coasts.

The key directions to emerge from the listed policies and strategies are summarised as follows:

#### *Ministerial Direction No. 1 – Potentially Contaminated Land*

- The purpose of this Direction is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination.

#### *Ministerial Direction No. 6 – Rural Residential Development*

- The key objective of this Direction is to manage the provision of sustainable rural residential development so that it supports sustainable housing and settlements and does not compromise Victoria's agricultural, natural, environmental, landscape and infrastructure resources.

#### *Future Farming Strategy*

- The Strategy proposes State government investment across a number of areas of the farming industry, including: research and development, building skills, climate change planning, management of weeds and pests, land and water, targeted social support, and investment in rail freight and infrastructure.

#### *Regional Growth Fund*

- The Regional Growth Fund for Regional and Rural Victoria provides the broad framework for managing growth and change, and sets the policy directions for future government programs and investment in provincial Victoria.

#### *Coastal Spaces Landscape Assessment Study (2006)*

- The Coastal Spaces Landscape Assessment Study is a comprehensive baseline assessment of visually significant landscapes along the Victorian coast. The Study assesses the visual and scenic amenity of Victoria's non-urban coastline. The work



identifies appropriate measures in planning schemes to manage future growth and change along the coast.

#### *Future Coasts*

- The Future Coasts Program is designed to help Victoria better understand and plan for the risks associated with sea level rise along the Victorian coast. The program is producing information about the impacts of sea level rise along the Victorian coast, with a focus on coastal erosion and flooding.

Further summaries of these documents can be found within Addendum I.

#### **4.1.1 State Planning Policy Framework**

The State Planning Policy Framework (SPPF) seeks to ensure that the Objectives of Planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are implemented.

A range of State planning policies are applicable to the project, with varying degrees of relevance:

|              |                                                      |
|--------------|------------------------------------------------------|
| Clause 14.01 | Planning for urban settlement                        |
| Clause 15.01 | Protection of catchments, waterways and ground water |
| Clause 15.02 | Floodplain management                                |
| Clause 15.07 | Protection from wildfire                             |
| Clause 15.09 | Conservation of native flora and fauna               |
| Clause 15.10 | Open space                                           |
| Clause 15.11 | Heritage                                             |
| Clause 16.01 | Residential development for single dwellings         |
| Clause 16.03 | Rural living and rural residential development       |
| Clause 17.02 | Business                                             |
| Clause 17.03 | Industry                                             |
| Clause 17.04 | Tourism                                              |
| Clause 17.05 | Agriculture                                          |
| Clause 17.07 | Forestry and timber production                       |
| Clause 18.01 | Declared highways, railways and tramways             |
| Clause 18.03 | Bicycle transport                                    |
| Clause 18.06 | Health facilities                                    |
| Clause 18.07 | Education facilities                                 |
| Clause 18.09 | Water supply, sewerage and drainage                  |

The following key directions emerge from the relevant clauses:

- Planning authorities are required to plan to accommodate projected populations over at least a 15 year period.
- Programmed growth and land supply should be managed through the preparation of structure plans.





- Ensure all development is protected from wildfire.
- Ensure development provides for adequate protection of the natural and cultural environment.
- The protection of biodiversity, including native vegetation retention and provision of habitats, is to be considered in development proposals.
- Ensure any land zoned for residential purposes is close to the existing township and can be easily supplied with necessary services and infrastructure.
- Ensure productive farm land is not utilised for residential purposes.
- Ensure the provision of health and education facilities are provided for within the township.

#### 4.2 Regional Policy and Strategy

- The Colac Otway Rural Living Strategy (RLS), draft 2011
- Corangamite Regional Catchment Strategy (RCS) 2003-2008
- Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2004
- G2I Regional Land Use Plan
- Colac Otway Heritage Study (2005)

The key directions to emerge from the listed policies and strategies can be summarised as follows.

##### *The Colac Otway Rural Living Strategy (RLS), draft 2010*

- The purpose of this Strategy is to provide a land use framework to guide current and future rural settlements and rural living within the Shire. Recognising physical and environmental constraints, community aspirations, government policy directions and key issues of land use planning, the Strategy will identify areas appropriate for rezoning to rural living throughout the Shire.

##### *Corangamite Regional Catchment Strategy (RCS) 2003-2008*

- The Regional Catchment Strategy (RCS) for 2003-2008 provides long-term direction for managing the future of land, water resources, biodiversity and seascape of the Region, and the foundation for investment decisions to ensure improved natural resource outcomes.

##### *Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2004*

- The Strategy focuses on the sustainable development of the Great Ocean Road region through balanced and managed growth of selected towns along the coast and inland.

##### *G2I Regional Land Use Plan*

- The G2I Regional Land Use Plan is a five-phase project which will provide direction on the region's land-use needs in the short-term (2016), medium-term (2026) and long-term (2050) resulting in commitments to key areas of regional infrastructure investment.



*Colac Otway Heritage Study (2005)*

- The Heritage Study contains a series of recommendations relating to the places identified as cultural heritage importance or significance within the Colac Otway Shire.

Concurrent with the Structure Planning process, CPG Australia are preparing the Colac Otway Shire Rural Living Strategy (RLS) for Council. The RLS has considered the appropriateness of settlement and growth across the whole Shire in the context of servicing, water catchments, wildfire risk and expected demand for growth.

The draft RLS designates Forrest as a highly constrained town with deferred growth potential.

Further summaries of these documents can be found within Addendum I

**4.3 Local Policy and Strategy**

- Local Planning Policy Framework
- Colac Otway Shire Rural Land Strategy (2007)
- Forrest Township Masterplan - review (March 2007)
- Issues Paper: Wastewater Management Forrest (2005)
- Feasibility Study into Increased Economic Activity in Forrest (May 2005)
- Tourism Plan for the Public Land in the Otways Hinterland (2005)

The key directions to emerge from the listed policies and strategies are summarised as follows:

*Colac Otway Shire Rural Land Strategy (2007)*

- Landslides are a significant hazard in the southern end of the Shire associated with steep slopes and high rainfall.
- There is increasing demand for rural lifestyle opportunities.
- The potential for Rural Living zoned land in Forrest should be further investigated. If the Rural Living zone was to be pursued, it is recommended a minimum lot size, in accordance with the existing settlement pattern, be pursued.

*Forrest Township Masterplan - review (March 2007)*

- A number of development priorities for Forrest were identified based on feedback from community consultation including:

|                 |                                                                                                                                                                                                                                                                                                                                                |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposed</b> | Updated BBQ facilities and car parking at the Forrest tennis courts and adjacent playground;<br>External Facilities at the Forrest Public Hall<br>Improved drainage throughout the town;<br>Enhancement of the Grant Street streetscape;<br>Development of business core around Grant Street;<br>Continued Expansion of walking track network; |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|                        |                                                                                                                                                          |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | Upgrading of Forrest recreation reserve;<br>Improvements to Forrest Cemetery;<br>Development of open-air saw milling;<br>Indigenous vegetation planting. |
| <b>Completed Works</b> | Upgrade to Community Hall;<br>History Trail;<br>Visitor Information Board;<br>BBQ Facilities.                                                            |

*Issues Paper: Wastewater Management Forrest (2005)*

- Forrest is located on a ridge resulting in the township draining to the east and west of Grant Street, towards the West Branch of the Barwon River.
- Groundwater is sufficiently deep at all locations to be of little concern during construction of traditional or alternative sewerage works.
- A small percentage of land holders use properties for rental or holiday occupancy as most are utilised as permanent dwellings.
- At present, the costs associated with the installation of a reticulated sewer system are not considered feasible.

*Feasibility Study into Increased Economic Activity in Forrest (May 2005)*

- This study focused on a small number of initiatives identified to provide the foundation for a new economic future for Forrest. The initiatives comprise a mix of public sector and private sector funded projects and initiatives within the themes of (1) Accommodation, (2) Infrastructure, (3) Activities and (4) Links to the Otway Ranges National Park and Otway Ranges Forrest.

*Tourism Plan for the Public Land in the Otways Hinterland (2005)*

- Consolidate the delivery and positioning of tourism experiences that reflect the region’s key points of difference and the needs of its target market
- Attract more of the target market from the Great Ocean Road into the Hinterland, and stimulate them into staying longer and spending more
- Minimise duplicating experiences, and thus focus limited resources on initiatives that provide the best return on investment.

**4.3.1 Local Planning Policy Framework including the Municipal Strategic Statement**

The Municipal Strategic Statement (MSS) is a statement of the key strategic planning, land use and development objectives for the municipality, and the strategies and actions for achieving the objectives of the municipality and the objectives of planning in Victoria. Local planning policies are the tools used to implement the objectives and strategies of the MSS.

A range of local planning policies and MSS objectives are applicable to the project, with varying degrees of relevance:



|              |                           |
|--------------|---------------------------|
| Clause 21.02 | Vision                    |
| Clause 21.03 | Settlement                |
| Clause 21.04 | Environment               |
| Clause 21.05 | Economic Development      |
| Clause 21.06 | General Implementation    |
| Clause 22.01 | Heritage Places and Areas |

The key directions to emerge from the listed Clauses are as follows:

- Facilitate the development of the various settlements in the Shire in accordance with the needs of each local community (Clause 21.03-1).
- Improve the viability of small townships within the Shire by acknowledging future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure (Clause 21.03-8).
- Provide opportunities for rural residential style development in appropriate locations that do not negatively impact on the ability to farm (Clause 21.03-9).
- Ensure the municipalities natural resources are managed in a sustainable manner (Clause 21.04-1)
- Protect and enhance water catchments, water quality and water yield (Clause 21.04-2)
- Ensure native vegetation and other significant stands of vegetation are maintained and protected across the municipality (Clause 21.04-3)
- Salinity is a significant threat to the municipality and land management practices that protect soil resources from degradation should be promoted (Clause 21.04-4).
- To identify areas susceptible to landslip and ensure development proposals do not increase the possibility of landslip on the land and adjacent land (Clause 21.04-5).
- The Shire contains various landscapes which have been recognised as being important to protect for their environmental, cultural, social and economic significance. The landscape character types within the Shire, as identified in the Great Ocean Road Region Landscape Assessment Study (GORRLAS) should be protected (Clause 21.04-8).
- Maintain the viability of agricultural land within the municipality for agricultural uses (Clause 21.05-1).
- To ensure timber plantations are located in areas best suited in terms of environmental, social, economic and land capability impacts whilst having regard to adjacent land uses (21.05-2).
- To encourage growth and investment in tourism related purposes linked to the local communities across the municipality (Clause 21.05-4).
- Recognition and protection of heritage places and areas is a crucial component of planning within Colac Otway (Clause 22.01).



**4.4 Existing Zones and Overlays**

Day to day land use and development decisions are made based on planning controls, which are intended to reflect the directions of strategic planning. The primary planning control is the zone applied to a site. The relevant zones to the Forrest Structure Plan are described below.

| Zone                                | Purpose                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Clause 32.05 – Township Zone</p> | <p>To provide for residential development and a range of commercial, industrial and other uses in small towns.<br/>To encourage residential development that respects the neighbourhood character.</p>                                                                                                                                                                                                                                                                       | <p>The Township Zone provides for a variety of uses applicable to small towns primarily residential but also including arrange of commercial, industrial and other uses.<br/><br/>A permit is required to subdivide land. There is no minimum lot size. Each lot must be provided with reticulated sewerage, if available. If not available there are specific conditions which must be met.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Clause 35.07 – Farming Zone</p>  | <p>To provide for the use of land for agriculture.<br/>To encourage the retention of productive agricultural land.<br/>To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.<br/>To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.<br/>To protect and enhance natural resources and the biodiversity of the area.</p> | <p>The Farming Zone is primarily concerned with keeping land in agricultural production and avoiding land uses that could limit future farming or constrain agricultural activities. In this zone:<br/>Farming is the dominant land use and all other land uses are subordinate to farming.<br/>Farming uses are encouraged to establish and expand with as little restriction as possible, subject to proper safeguards for the environment.<br/>Non-farm dwellings and land uses not related to farming are discouraged, to reduce their impact on decision making by farmers to make land purchases for farm investment.<br/>Farm-related tourism and retailing uses may be considered.<br/>Uses that could lead to the loss or fragmentation of productive agricultural land, or which could be adversely affected by farming activities, are prohibited.<br/>Land subdivision that could take farmland out of production or limit future farming productivity is discouraged.<br/><br/>A permit is required to subdivide land. In Colac Otway Shire the minimum lot size for land south of the Princess Highway is 40 hectares and for land north of the Princess Highway it is 80 hectares.</p> |

Forrest Structure Plan  
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|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clause 36.03 – Public Conservation and Resource Zone | <p>To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.</p> <p>To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.</p> <p>To provide for appropriate resource based uses.</p>                                                                                                              | <p>The Public Conservation and Resource Zone is intended to set out appropriate statutory requirements which may apply to the use and development of the land in addition to the relevant land management legislation.</p> <p>A permit is required to subdivide land.</p>                            |
| <b>Overlay</b>                                       | <b>Purpose</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Comments</b>                                                                                                                                                                                                                                                                                      |
| Clause 43.01 – Heritage                              | <p>To conserve and enhance heritage places of natural or cultural significance.</p> <p>To conserve and enhance those elements which contribute to the significance of heritage places.</p> <p>To ensure that development does not adversely affect the significance of heritage places.</p> <p>To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.</p> | <p>The requirements of this overlay apply to heritage places specified in the schedule to this overlay.</p> <p>A heritage place includes both the listed heritage item and its associated land. There two Heritage Overlays</p>                                                                      |
| Clause 44.01 – Erosion Management                    | <p>To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development</p>                                                                                                                                                                                                                                                                                                                                                          | <p>An application must be accompanied by a Land Stability Assessment Report prepared by a professionally qualified consultant unless otherwise demonstrated by a professionally qualified consultant to the satisfaction of the responsible authority that the site is of low risk of landslide.</p> |
| Clause 44.04 – Land Subject to Inundation            | <p>To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.</p> <p>To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow</p>                                                                          | <p>Planning approval is generally required for all buildings and works and to subdivide land.</p>                                                                                                                                                                                                    |



|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <p>velocity.</p> <p>To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.</p> <p>To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).</p> <p>To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.</p>                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Clause 44.06 – Wildfire Management</p> | <p>To identify areas where the intensity of wildfire is significant and likely to pose a threat to life and property.</p> <p>To ensure that development which is likely to increase the number of people in the overlay area:</p> <ul style="list-style-type: none"> <li>- Satisfies the specified fire protection objectives.</li> <li>- Does not significantly increase the threat to life and surrounding property from wildfire.</li> </ul> <p>To detail the minimum fire protection outcomes that will assist to protect life and property from the threat of wildfire.</p> | <p>An application to construct a building or construct or carry out works must be accompanied by a statement which demonstrates that all fire protection requirements for water supply, access, buildings and works, vegetation and any other relevant matter have been considered and incorporated.</p> <p>An application for subdivision must be accompanied by a statement which demonstrates that all fire protection requirements for protective features, access, water supply, public open space and vegetation have been considered and incorporated.</p> |

Figure 3 and Figure 4 provide an overview of the Planning Zoning and Overlays as currently exist in Forrest.

Forrest Structure Plan  
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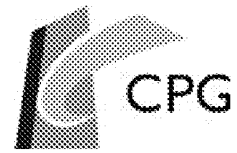


Figure 3: Zoning Map

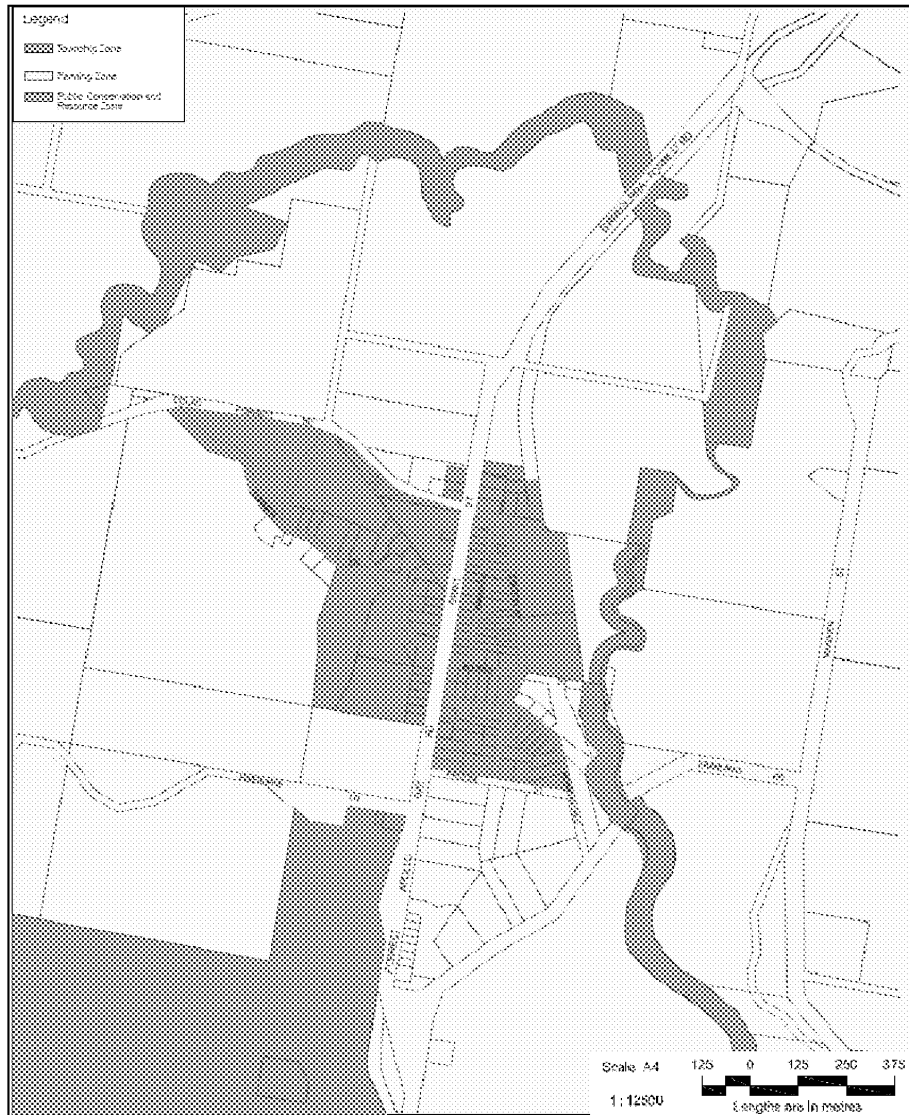
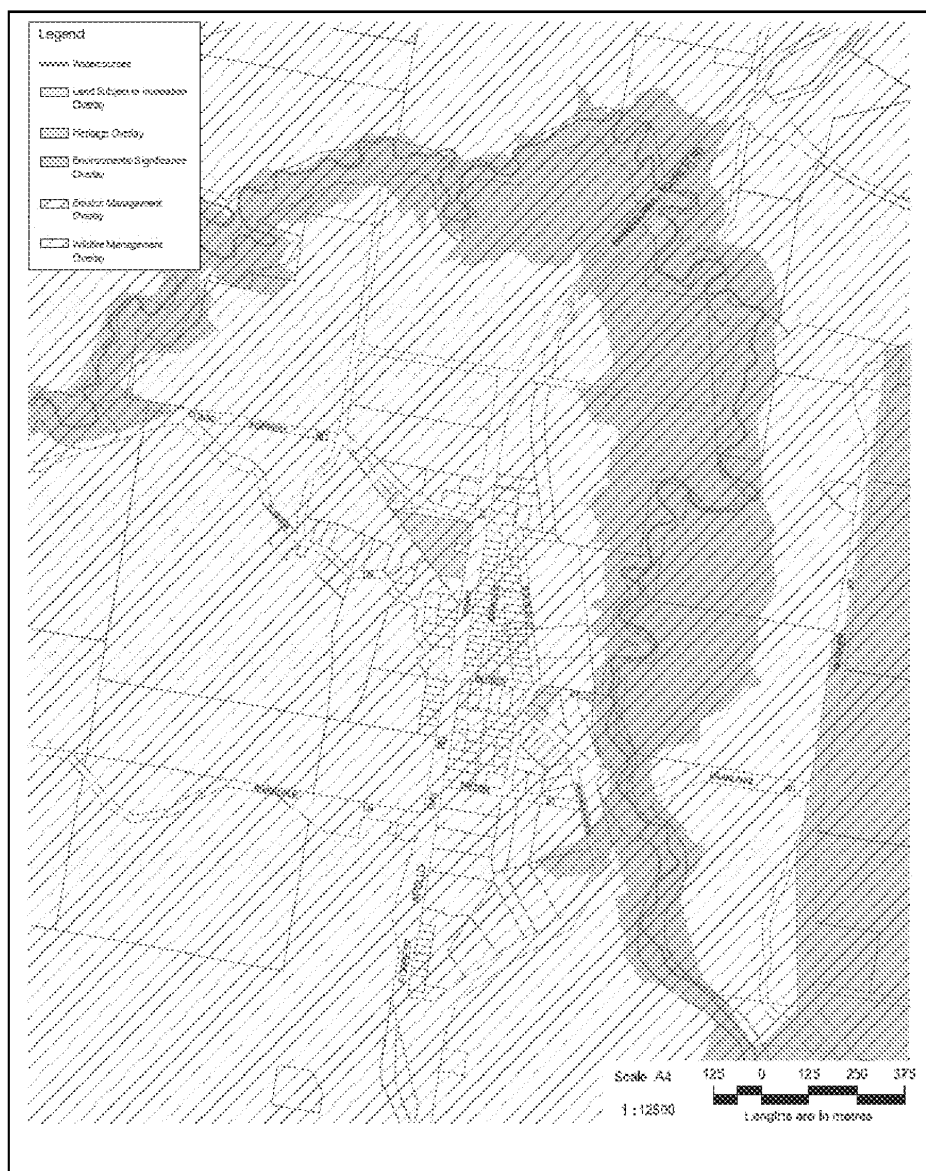






Figure 4: Overlays Map





**5 Demographic Profile**

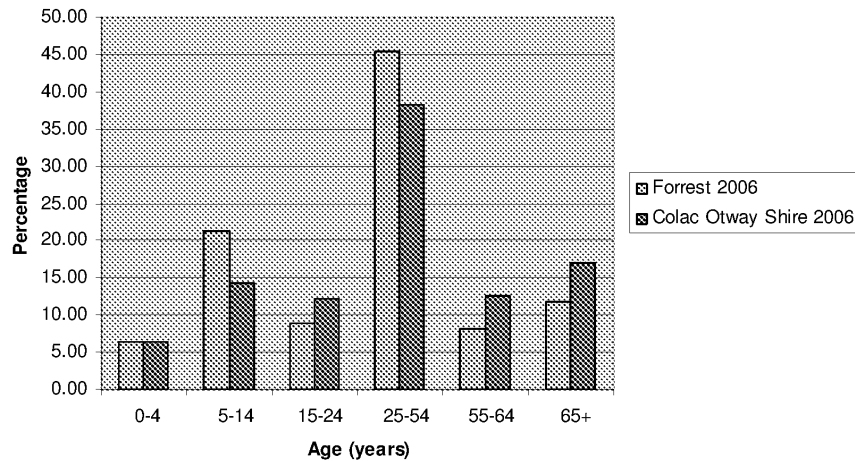
The following provides a summary of the key demographics for Forrest based 2006 Census data.

**5.1 Age Profile**

At the time of the 2006 Census the population of Forrest totalled 170, which equated to 0.84% of the Shire's overall population. A total of 42 families resided within Forrest, 29 with children and 13 without.

The age profile of Forrest is mixed with approximately 27.5% of the population being children aged between 0-14 years, and 20% of the population aged 55 years and over. The majority (45.3%) of the population is within the 25-54 year band yielding a median age of 41 years which is slightly above the shire-wide trend (38%). This indicates that the majority of the town's residents are individuals of working age.

**Figure 5: Age Structure**

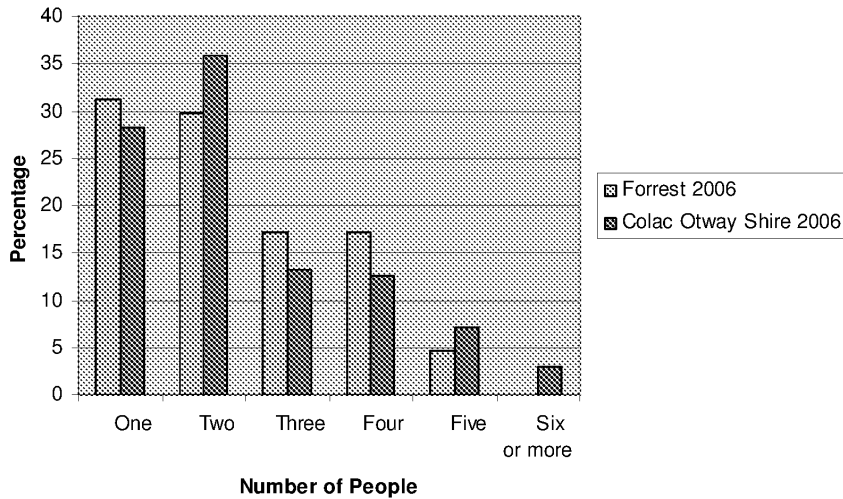


**5.2 Household Structure**

Household size in Forrest is generally small, with a high proportion of one-person households. Of particular note is that a smaller proportion of houses in Forrest contain couples (30%) in comparison with the entire municipality (35.8%). This profile indicates that the majority of Forrest's population consists of families and single person dwellings, reflective of the timber industry in the past.



Figure 6: Household Size



5.3 Household Type

At the time of the 2006 Census, 100 private dwellings were recorded within Forrest with 67% occupancy compared to 74% occupancy for the wider municipality. All of the private dwellings counted in Forrest were separate houses. It does not appear that demand for alternative housing types is high in Forrest in comparison with the wider Shire.

5.4 Household Ownership

Approximately 35.8% of the homes in Forrest were fully owned at the time of the 2006 Census, with another 37.3% in the process of being purchased (including the purchased under rent/buy scheme). This is in line with the wider municipality, at 42.9% and 29.9% respectively.

5.5 Employment Profile

In 2006 42% of the residents of Forrest were employed full-time, 39.5% were employed part-time and 9.9% were employed but did not state their hours worked. Forrest had a relatively high unemployment rate (almost double at 8.6%) compared to the overall Shire (4.6%)<sup>1</sup>. This is reflected in the median household income, with \$638 for Forrest and

<sup>1</sup> 2006 Census Quickstats: Forrest (State Suburb); 2006 Census Quickstats: Colac-Otway (S) (Local Government)



\$777 (22% difference) for the wider municipality. This could be indicative of the closure of the timber industry at the time the census data was collected.

The most common occupations were Labourers, Professionals, Technicians and Trades Workers, Managers, and Community and Personal Service Workers.

Figure 7: Employment Profile

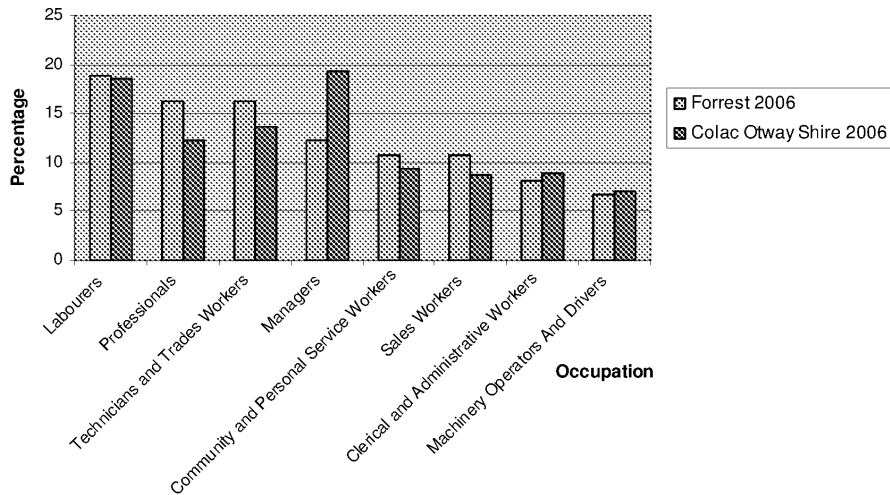
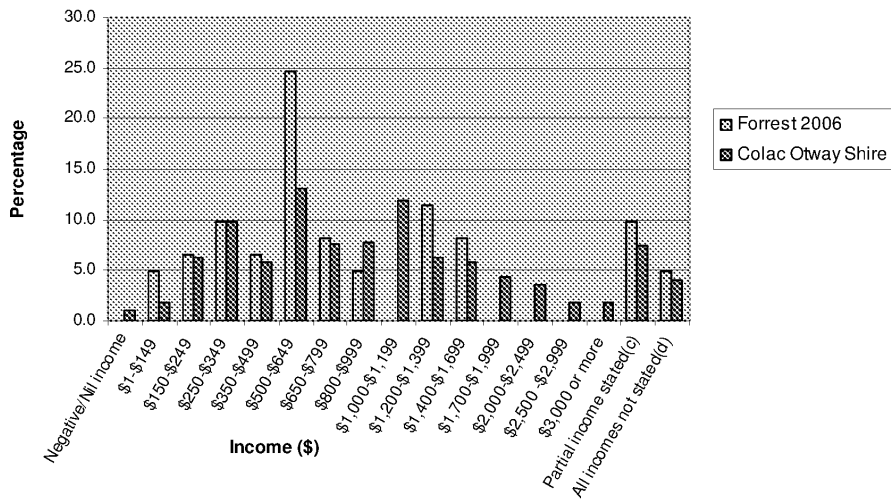


Figure 8: Household Income Profile





**6 Housing**

Housing in Forrest is generally located in and around the core town area with an historical focus along Grant Street and Station Street. Housing is generally constrained by vegetation, drainage and topography. Housing density in Forrest is generally low, with larger lots accommodating established homes. There is demand for development on land outside the Township-zoned area which must be considered with respect to the recommendations proposed by the draft RLS and subject to the findings of the Royal Commission.

**6.1 Land Supply Scenario**

Currently, there are approximately 142 lots within the Township Zone with a total Township Zone area of 43ha. This lot calculation includes lots with dwellings as well as commercial, education and civic uses given the broad range of uses permissible in the Township Zone.

Since 2003, a total of 16 permits have been granted for new dwellings in Forrest, with an average of 2.3 permits a year. Building permit approvals since 2003 are summarised in Table I below.

**Table I: Building Permit Approvals (2003 - 2009)**

|                      | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | TOTAL |
|----------------------|------|------|------|------|------|------|------|-------|
| Dwelling Alterations | 0    | 1    | 2    | 0    | 0    | 0    | 0    | 3     |
| Dwelling Extensions  | 4    | 2    | 0    | 0    | 4    | 0    | 0    | 10    |
| New Dwelling         | 5    | 3    | 1    | 1    | 0    | 3    | 3    | 16    |

In 2006, a rezoning request to rezone land at 2345 Birregurra – Forrest Road and 2324 Birregurra – Forrest Road from Rural Zone to Township Zone was submitted to Council. The rezoning would have allowed for the subdivision of land to create an 8 lot and 22 lot subdivision (a total of 30 additional residential lots). It should be noted this rezoning request did not proceed at that time as it pre-empted the strategic work to be completed for the Structure Plan.

Anecdotally, a number of informal queries pertaining to rezoning of land to Township have also been directed to Council over the last few years.



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## 7 Town Structure

Historically, Forrest's town centre has been focused around Station Street, with township development influenced by the regional railway system (closing in 1957) and the location of the town's sawmilling operations.

The town centre of Forrest is focused around Grant Street. Grant Street contains a primary school, public hall and a few small shops. The school also doubles as a child and maternal health outreach facility which provides key services to the local community. These important community services are being provided at a level that reflects the current needs of the Forrest community. The provision and delivery of these community services is based on population demographic thresholds. Given the relatively small size of the local population it is expected services are likely to continue at their current level.

Grant Street is also characterised by some small-scale short-stay accommodation, including the Forrest Country Guest House, Ti Tree Cottages and 'the Church.' Given the increasing profile of Forrest for nature-based tourism and recreation, it is expected that there will be increasing demand for a broader range of accommodation types in the future.

Residential development away from Grant Street is predominantly characterised by post-war, weatherboard dwellings with large setbacks and significant vegetation. Forrest Caravan Park is also located on Station Street and comprises cabins and caravan sites for visitors.

A key aesthetic feature in Forrest is its large vegetated and grassed setbacks. As identified in the Master Plan<sup>2</sup>, the retention and enhancement (through indigenous planting, a split timber post & rail fence (for pedestrian safety) and lighting of intersections) of the uncluttered width of Grant Street is important to the residents of the town.

There are some opportunities present in town to potentially consolidate services for the growing local and tourist market; however, this needs to be at a scale which is appropriate for this sensitive environment. The lack of infrastructure services has largely informed the settlement pattern and lot size. While this is an important aesthetic of the Forrest township, it has potential impacts on the viability of small-scale tourist development opportunities. As a reticulated sewer system is not a probable outcome Forrest's immediate future, a key concern is how tourism ventures can cope with servicing issues within this sensitive environment whilst still maintaining a viable business.

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<sup>2</sup> Forrest Master Plan, 2007



## 7.1 Commercial / Industrial Structure

The commercial and industrial structure of Forrest currently consists of:

- A General Store, which serves an important local role for townspeople. Opportunities to broaden the scope or offer to meet needs of tourists could be explored (anecdotal evidence suggests that this store has potential to utilise tourist opportunities to a greater extent than present).
- A small microbrewery, which has recently opened on Grant Street, providing an additional key 'stop over' for tourists within the town.
- A range of small-scale accommodation types exist along Grant Street as follows:
  - Forrest Country Guest House, 13 Grant Street.
  - 'The Church' Grant Street.
  - Forrest Caravan Park, 8 Station Street.
  - Forrest Bed & Breakfast, 59 Grant Street.
  - Ti Tree Cottages, 5 Grant Street.
  - Otway Forrest Retreat, 6 Station Street.
- The Forrest Hotel / Pub, which serves bistro style meals using local produce, fresh coffee and home made desserts with daily specials in the bar and bistro lounge.
- Landscaping / equipment hire.

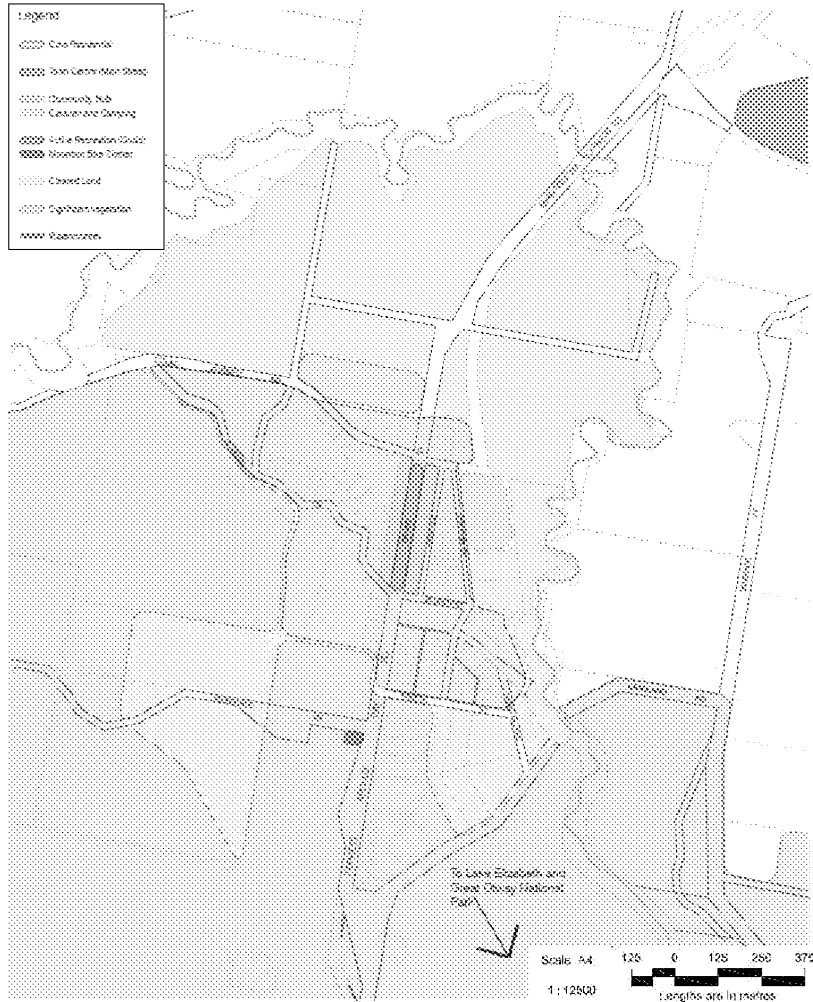
Despite these small commercial and industrial activities, Forrest is limited by a lack of banking facilities, secondary school, petrol station (the closest available fuel is 7km away in Barwon Downs) and limited mobile phone coverage. Supermarkets are located in Winchelsea, Colac and Apollo Bay, although the general store stocks limited grocery items.

Opportunities exist within Forrest and the local area to develop small-scale 'niche' businesses which capitalise on the unique local environment, existing permanent population base and seasonal tourist migration. Such developments will contribute to an entrenched tourist focus within the Forrest township and surrounds.

Overall commercial and industrial infrastructure will be scaled to reflect the needs of the town's permanent and tourist population.



Figure 9: Town Structure



|                                                                                |                                         |                  |
|--------------------------------------------------------------------------------|-----------------------------------------|------------------|
|                                                                                | <b>Forrest Structure Plan</b>           |                  |
|                                                                                | Client: Great Chazy Shire Council       | Date: 08.12.2009 |
|                                                                                | Drawing No.: 10058502P02_Town Structure | Revision: -      |
|                                                                                | CPG Australia Pty Ltd<br>cpg@cpa.com.au |                  |
| Plan: Transport, Recreational, Energy, Building, Town Development, Agriculture |                                         |                  |

Town Structure





## 7.2 Community Infrastructure

A number of community facilities are available in Forrest for the use of its residents. Key community infrastructure includes:

- Primary school (current enrolment of 35, employing 2 FT teachers), with synergies with the visiting Maternal Child Health (MCH). Of concern to the community is the falling number of young children residing in the town. As repeatedly expressed during consultation, more young children are needed in order to keep the school open.
- Visiting MCH (based at the primary school)
- Pre-school
- Community house, including community information area, upgraded amenities, commercial kitchen, stage and large hall and synergies with the mobile library
- Medical centre, hosting a visiting GP approximately 2 days per week
- Police Station (non-24 hours)
- CFA
- Department of Sustainability and Environment (DSE) base.

This infrastructure provides for a range of community and social services which are important for a well functioning town. We recognise that there may be a desire for more medical and health services to be provided more frequently, however the service provision is based on population demographic thresholds. Given the relatively small size of the local population, it is expected services are likely to continue at their current level.

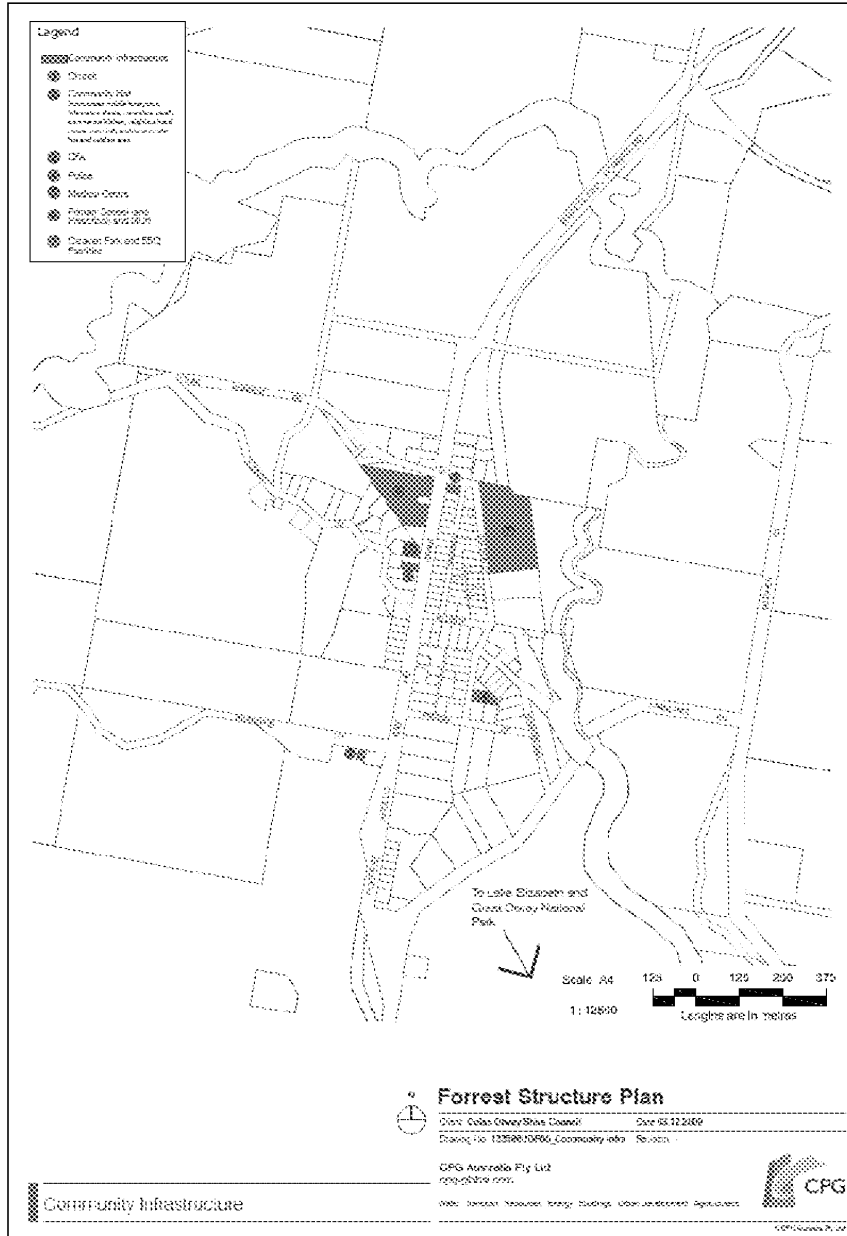
There is a concern that an unsustainable population could result in a current review of the schooling arrangements.

The community house/hall is a fantastic facility that services the community. This facility houses a variety of events that are an asset to the local community. The facility has been recently upgraded to include a commercial kitchen providing for the ongoing needs of a variety of groups within Forrest.

Forrest Structure Plan  
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Figure 10: Community Services and Uses





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## 8 Access & Movement

Forrest is primarily accessed by the Forrest-Apollo Bay Road and the Forrest-Colac Road. The majority of community access and movement focuses around Grant Street.

Forrest contains both sealed and unsealed surfaces. It is noted that a number of roads within the township are not completely formed.

In terms of pedestrian movement, a footpath extends north from Riverdale Lane along the western side of Apollo Bay Road / Grant Street to Colac Forrest Road. As this footpath runs the full extent of town, and given the low speed and frequency of traffic, it is considered that the pedestrian linkages are currently sufficient.

The Birregurra to Forrest Rail Trail (the Tiger trail) is a multi purpose mountain bike, pedestrian and horse riding trail which is currently in the process of being constructed. In May 2009 funding from State Government aided the delivery of the initial 1.8km of Trail from Forrest to the Forrest recreation conserve. This track connects the town to the mountain bike facilities in the north.

Like many country towns, due to the settlement patterns that have evolved over time Forrest is a car based town. In terms of public transport, access is restricted to the three bus services a day.

The following key issues were identified via desktop assessment by CPG Australia and are as follows:

- The design and appearance of the road network throughout the town will be instrumental in making Forrest a safer, more attractive, cohesive and sustainable community.
- Social and community infrastructure including public transport services will need to be integrated into the township and adjoining communities to meet current and future population needs, particularly the needs of the young and the elderly. The extent of the walking / cycling and public transit facilities will influence the status of well being and health of the community.
- The ongoing management of roads that provide principal access to the Town Centre is to include the establishment of an appropriate functional status (according to the road hierarchy), adherence to scheduled upgrades, provide appropriate levels of parking and provide safe access and connectivity to the wider network.
- Opportunities exist to improve pedestrian and bicycle linkages throughout the township of Forrest and within the existing open spaces.
- Future residential development opportunities in Forrest will most likely be focused on infill residential development within the Township Zone. The existing traffic volumes on local roads within the township are relatively low (<300vpd) and are unlikely to increase by more than 1% per annum for the foreseeable future. The traffic volumes on the arterial roads (Forrest-Apollo Bay Road and the Colac Forrest Road) are also relatively low and do not exceed 1000vpd.

Forrest Structure Plan  
Context Report

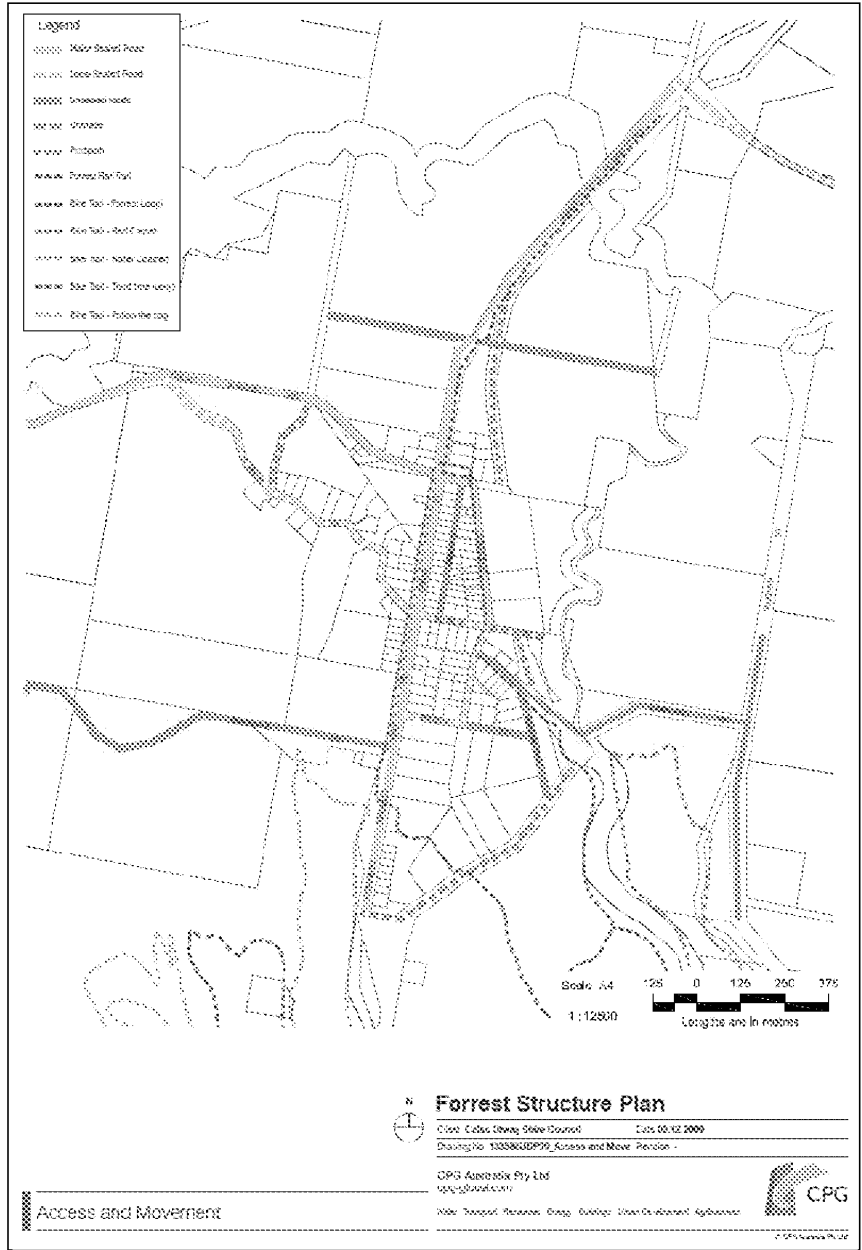


- The posted speed limit of the Forrest township is 60km/h and the 100 – 60 transition is adequately placed on all arterial road approaches to the town. As traffic volumes increase on the main road (particularly in the summer months) it may be prudent to reduce the posted speed limit through the township to 50km/h to improve overall safety.
- There are a significant number of large and articulated vehicles that require access to the local road network of Forrest due to commercial activity based on the foresting industry. All development opportunities are to consider the movement and spatial requirements for the appropriate large vehicles including fire and emergency services.

Forrest Structure Plan  
Context Report



Figure 11: Access and Movement





## 9 Open Space and Recreation

Forrest is fortunate to be proximate to the Great Otway National Park, which provides opportunities for a variety of recreational pursuits both for local residents and visitors alike. Within the township itself, the BBQ facilities, tennis courts, outdoor space at the community house and wide street verges provide further areas of open space for both passive and active recreation.

The Forrest township is also served by a number of leisure and recreational pursuits, including:

- Recently upgraded Tennis Courts & BBQ facilities next to the Caravan Park
- Football ground is north east of the town accessed via the recent rail trail extension
- Community House and associated amenities are located on Grant Street, and host a variety of community groups and events including regular exercise and art classes
- Mountain bike trails (16 in total)
- Lake Elizabeth, located within the Great Otway National Park. Lake Elizabeth is considered of National Significance as an example of a newly formed landslide blocked lake. Nestled in a remote location approximately 25 minutes drive from Forrest, Lake Elizabeth is a beautiful place highly popular with locals and visitors alike for platypus sitting.

The following interest groups are active within Forrest:

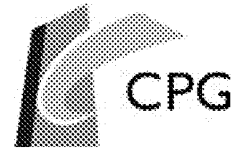
- Forrest Cricket Club
- Forrest Football Netball Club (as described above, these facilities sit outside the core part of town)
- Forrest Horse Riding Club
- Forrest Mountain Bike & Cycling Club (approximate membership of 80)
- Friends of Otway National Park
- Forrest Progress Association
- Forrest Tennis Club
- Forrest Business Group.

These sporting clubs remain viable as a result of membership from the local community and surrounds.

Each year, Forrest hosts 2 major mountain biking events:

- Otway Odyssey – Starting from Apollo Bay, this race takes riders on an extreme 100km mountain bike journey through a range of wild landscapes and finishes in the iconic mountain biking township of Forrest.

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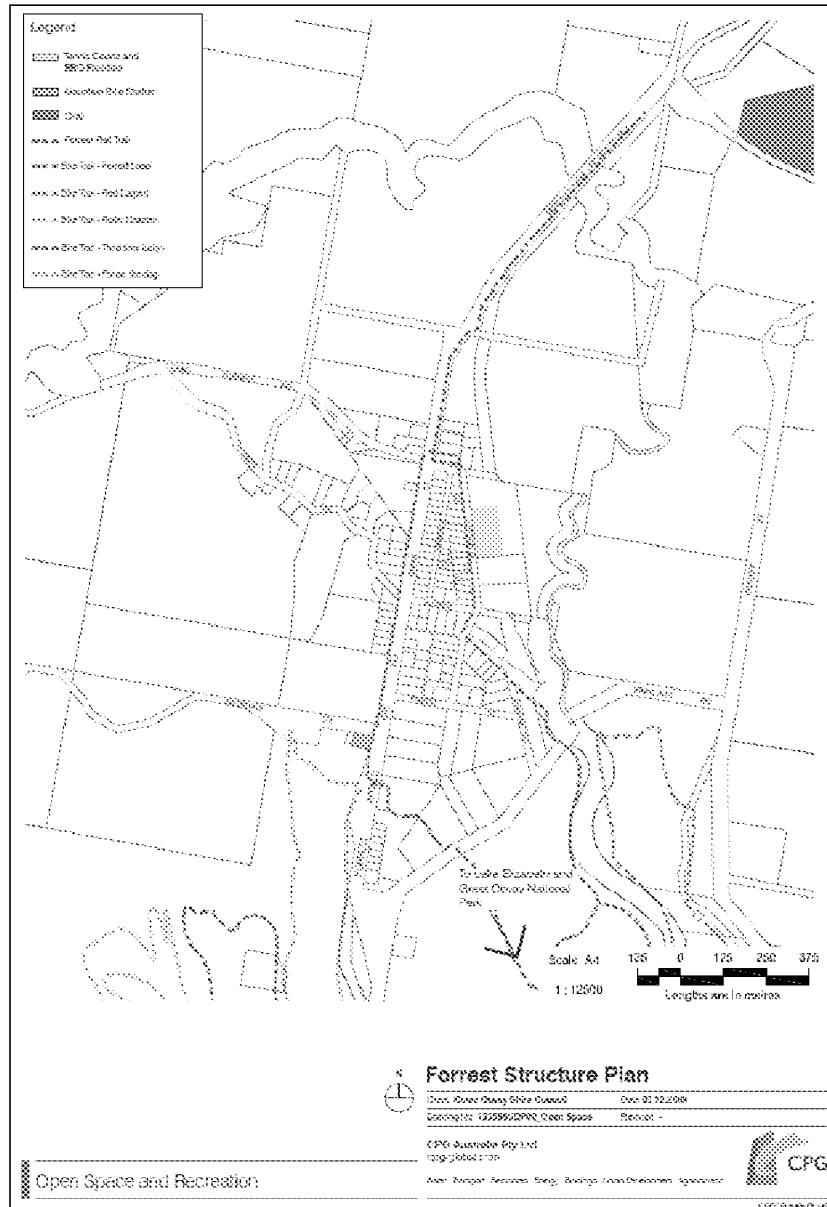
- Kona 24 Hour Race – a massive relay where solo riders or teams compete as many laps as possible during the 24 hours. There are three courses covered during this time, all within the beautiful surrounds of Forrest in the Otway Ranges.

The continuation and potential growth of events such as the Kona 24 Hour Race and the Otway Odyssey will play a significant role in the future accommodation needs and tourism event-based economic pursuits within the town.

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Figure 12: Open Space and Recreation







## 10 Natural Environment

As the name suggest, Forrest is nestled in the hinterland of the Great Otway National Park. Its stunning natural beauty is an attractor in its own right. The town has evolved slowly within a gentle footprint that – for the most part – has not compromised the qualities of the environment. The need to retain and protect the natural environment into the future, while balanced against pressure for natural growth, is one of the most significant influences on the Structure Plan.

The Public Conservation and Resource Zone (PCRZ) is applied to the length of the Barwon River West Branch downstream from the Reservoir dam to the North and West beyond the study area. The surrounding land is in the Farming Zone and the town in the Township Zone.

There are four environmental overlays in place within the current planning scheme; the entire area is covered by the Erosion Management overlay and the Wildfire Management overlay, there is an Environmental Significance overlay to the East of Yaughar St and, Land Subject to Inundation along the River flood plain in a broader band than the PCRZ.

The 1-in-100 year flood modelling is generally aligned with the Floodway overlay as it relates to the Barwon River West Branch and extends over the Barwon River East Branch.

### 10.1 Native Vegetation

As evident in Figure 2, large tracts of land within and surrounding Forrest are densely vegetated. Native vegetation is to be retained alongside any future development as directed through State and Local Planning Policy.

Native Vegetation is classed into Ecological Vegetation Classes (EVC), a range of which are present in Forrest, including the following:

- Endangered EVC 83 Swampy Riparian Woodland, occurring in two patches along the Barwon River West Branch;
- The vulnerable 18 Riparian Forest occurs on the Barwon River West Branch adjacent to the township starting at Hennigans Crescent extending southwards, upstream in two patches to the base of the Barwon West Reservoir dam. A second linear patch occurs on the Barwon River East Branch North of Kents Road.
- The depleted 16 Lowland Forest occurs in numerous patches in and around the township and on the perimeter of the cleared farm land to the North and East of the town.

A review of the threatened fauna species database (DSE) indicates there are 68 species of threatened fauna present in the vicinity of the township. These records are represented in 1 minute latitude/longitude grid (1.85 km x 1.61km). These include:



- Over 40 records of the Long-nosed Potoroo in multiple locations;
- 10 records of the Spotted Quoll in two locations to the east and south-west of town;
- 3 records of Grey Goshawk;
- Single records of Mountain Galaxia (Fish) to the north-west;
- Single records of White-footed Dunnart & Southern Brown Bandicoot to the north east; and
- Single records of Rufus Bristlebird, Otway Black Snail to the east of town, and Broad-toothed Rat south-west of town.

CPG undertook a brief desktop assessment of the native flora and fauna of the area. Key recommendations from this assessment were as follows:

- The presence of endangered Ecological Vegetation Class (EVC) 83 Swampy Riparian Woodland is an important local and regional asset which should be conserved. Council in conjunction with landholders and the Corangamite CMA should seek to conserve and enhance these areas. Part of this conservation should involve further investigation to ascertain the actual quality of the vegetation. A Habitat Hectare assessment would establish if the areas are of high or very high conservation significance.
- The presence of vulnerable I8 Riparian Forest on the River is an important local asset very close to town on its East boundary which should be conserved. This area is largely protected by the PCRZ and relevant regulations of DSE in regard to EVC's.
- The EVC extends beyond the PCRZ into the FZ land. If considered appropriate the VSO could be applied to the EVC area. This would limit development within the EVC area hence protecting this asset, however it would not effect the current operations of farming activities on this area.
- The presence of numerous records of many fauna species illustrates the value in retaining native vegetation in large tracts. Retention and enhancement of native vegetation should continue to be a part of the vision for Forrest.

## 10.2 Topography

On both sides of the Otway divide, rugged topography is evident comprising ridges and spurs separated by deeply dissected steep valleys. The maximum elevation within the town is approximately 200 (AHD) and a variation of about 20 metres exists on either side of Grant Street with land sloping to the east.

Land to the south east and west of town have significant slopes to the rear of their allotments.



The Forrest land system comprises of lower Cretaceous sandstone and mudstone. Forrest is sited on terraces which are overlooking alluvium plains to the east. Hills to the west of Forrest are of a Tad Dilwyn Formation<sup>3</sup>.

The south and east facing slopes of Forrest are liner and consist of an in-situ weathered rock with brown gradational soils covered by loam. The north and western facing slopes consist of in-situ weathered rock with brown duplex soils covered by loam. Soils within the West Branch of the Barwon River plain are alluvium and colluvium brown gradational soils with a weak structure covered by a silty loam. Permeability of the soil is moderate.

### 10.3 Agriculture

Agriculture, particularly dairy, is the primary industry sector in the Colac Otway Shire. Agricultural commodities take up approximately 158,000ha of land across the Shire.

The Rural Land Strategy (2007) identified the agricultural quality of land within the Colac Otway Shire (Figure 12) and in particular, Farmland of Strategic Significance. The latter was identified through applying the following criteria to land currently zoned Farming:

1. Areas of high quality agricultural land
2. Areas with a pattern of allotments and settlement conducive to agriculture; and
3. Economic contribution of an area to the Shire's economy.

The resulting areas were deemed 'Farmland of Strategic Significance' regionally due to the high value dairying and associated manufacturing which provides significant economic benefit to the region.

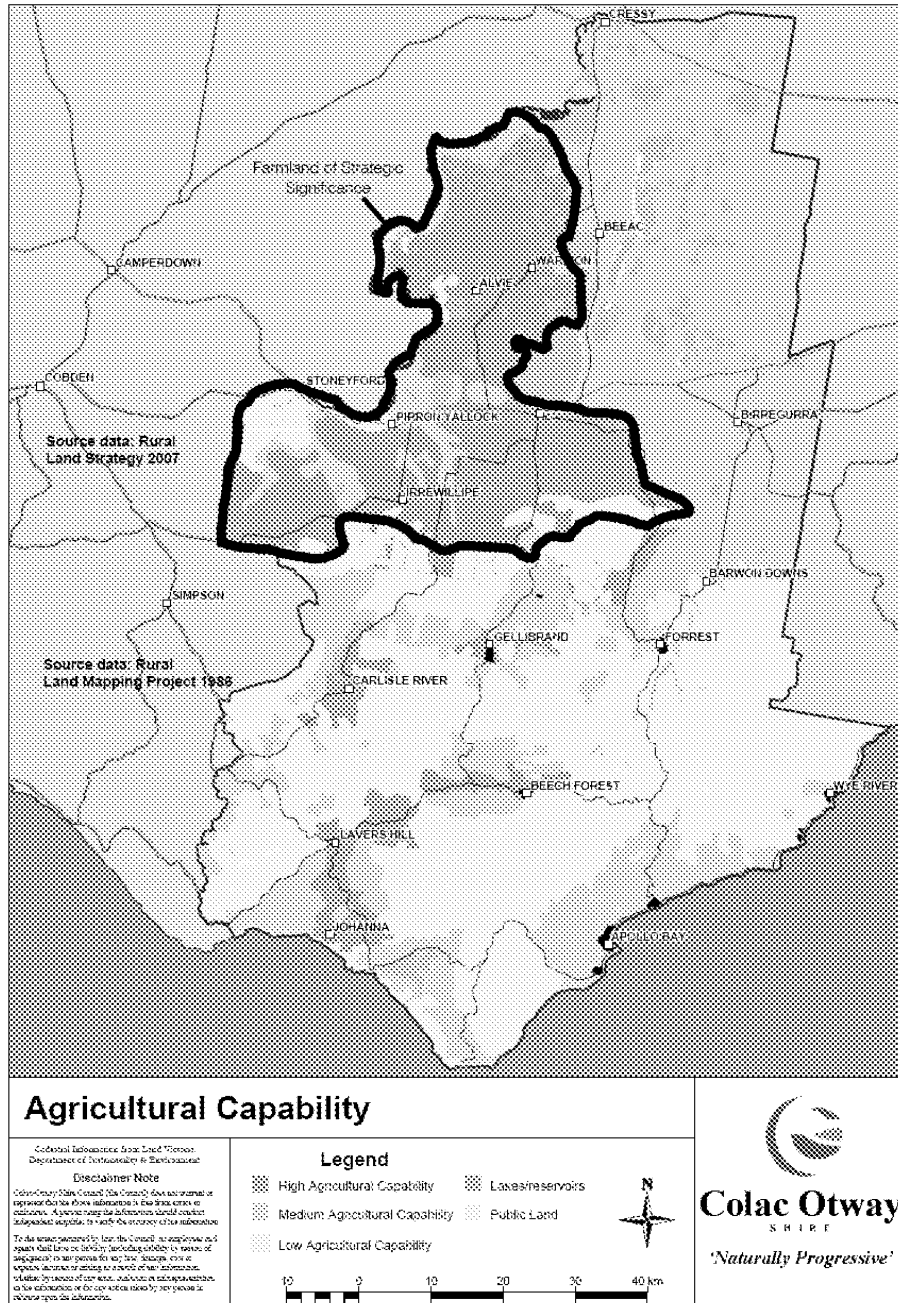
It is noted that the land surrounding Forrest is classed as having medium agricultural capability. However, it is not within the 'Farmland of Strategic Significance' and is consequently not considered of high regional significance. Any future rezoning of land surrounding Forrest must therefore be balanced against the need to protect agricultural land within the Shire.

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<sup>3</sup> A Study of the land in the Catchments of the Otway Range and Adjacent Plains, 1981, Soil Conservation Authority, cited in the Forrest Wastewater Report



Figure 13: Agricultural Capability within Colac Otway Shire





#### 10.4 Erosion/Landslip Risk

Landslides are a significant land hazard in the Otway Shire and have been a regular event in the natural evolution of landscapes in the Corangamite Region. Over 1,400 landslides have been mapped in various studies within southwest Victoria<sup>4</sup>. All mapped landslides have occurred south of the western Victorian Volcanic Plain, where the geology, steeper terrain slopes and climate combine to provide the conditions required to produce landslides.

Since its introduction, it has become apparent that the current Environmental Management Overlay (EMO) is having the undesirable effect of triggering planning permit applications in areas where the risk of landslide is minimal or non-existent.

Council officers are currently reviewing the coverage of the Erosion Management Overlay to ensure that it aligns with landslide susceptibility modelling undertaken by the CCMA and the Department of Primary Industries. Once completed, the revised mapping will reduce the coverage of the EMO and ensure that the overlay is only applied to those areas known to be susceptible to landslides.

In addition to this, Council officers will be reviewing the content and format of the Schedule to the EMO to include additional planning permit exemptions for minor buildings and works. It is expected that a Planning Scheme Amendment will be prepared and publicly exhibited upon completion of the review.

The EMO currently extends across the entirety of Forrest and must be considered when directing future development within the Township, in particular the geotechnical stability of land on slopes.

#### 10.5 Flooding

The main township is primarily located on a ridge, allowing the Town to drain to the east and west of Grant Street, towards the West Branch of the Barwon River. The ridge separates two well-defined catchments.

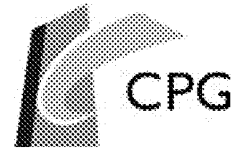
The area generally experiences an annual rainfall of approximately 1000mm - with the lowest rainfall in January (45mm) and the highest in August (130mm). The mean annual number of raining days is approximately 180 days. The average monthly evaporation rate is 95mm. Rain is less than the potential evaporation from mid November through until March. Groundwater is moderately deep<sup>5</sup>.

Identification of areas subject to flooding and inundation is provided by the Land Subject to Inundation Overlay (LSIO) within the Planning Scheme. The LSIO was reviewed in

<sup>4</sup> Victorian Resources Online, Rural Land Strategy 2007

<sup>5</sup> Wastewater options for Forrest Report, 1992

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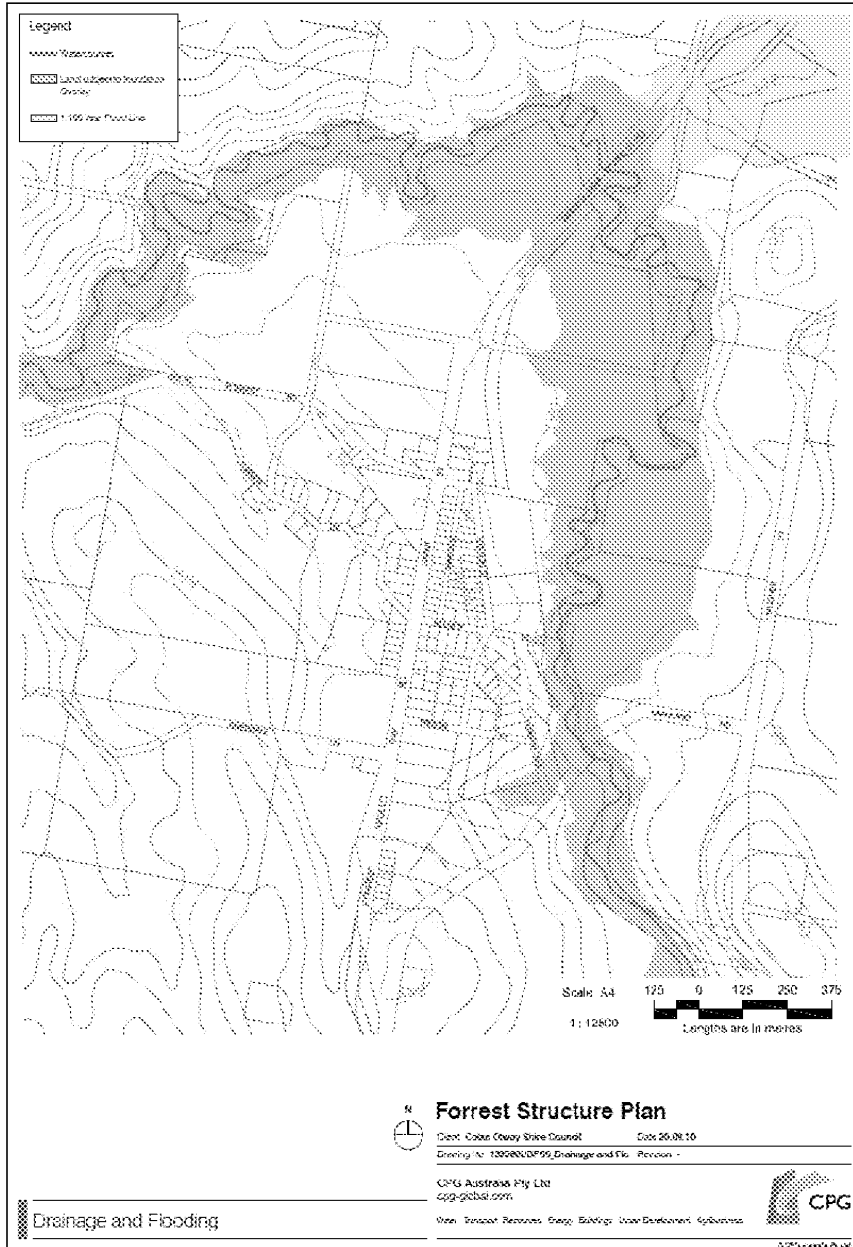
2007 and utilises updated flood modelling undertaken by the Corangamite Catchment Management Authority. The Amendment includes variations to the existing Land Subject to Inundation Overlay as well as introducing a Floodway Overlay into the Colac Otway Planning Scheme. The Amendment was exhibited in 2008 and a Panel Hearing took place in November 2009 through which the Panel supported the Amendment in its entirety. Amendment C12 a Floodway Overlay Review has been adopted and is waiting approval from the Minister for Planning.

It is important the Forrest Structure Plan considers the potential impacts the new flood maps from Amendment C12 may have on future growth of the township. As such, Figure 14 provides an overview of the mapping in relation to Forrest as proposed by Amendment C12.

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Figure 14: Drainage and Flooding





## 10.6 Contamination

The Old Sawmill site (5 Station Street) is identified in the Feasibility Study (under Increased Economic Activity<sup>6</sup>) as a site for potential development, and may be potentially contaminated. As such, Ministerial Direction #1 is applicable.

Prior to identifying the site as a potential development opportunity within the Structure Plan, it is recommended contamination of the site be further explored. Additionally, it is recommended any future applicant is required to conduct an environmental audit to provide adequate information "on the potential for contamination to have adverse effects on the future land use", as specified in the *General Practice Note for Potentially Contaminated Land*<sup>7</sup>.

## 10.7 Fire Risk

The devastation and extensive impact of the 2009 Victorian bushfires has increased community awareness and concern for personal and property safety. The Victoria Bush Fire Royal Commission was tasked with providing specific recommendations to government regarding the lessons learnt from the disaster and the strategies and actions that need to be implemented to minimise future threat to communities.

The potential for a major fire sweeping through parts of the Colac Otway Shire and causing considerable loss of life and property is significant. Of particular concern is the risk from wildfires to private assets in the vicinity of public forested land and the potential for escapes from fuel reduction burns. Nevertheless, one of the key lessons of the 2009 fires was that no area of rural Victoria should be discounted as 'not exposed to fire danger'. Policies need to have a broad scale of application.

Colac Otway Shire realises that reducing the risk of fire requires a community effort in partnership with Council and Fire Authorities. The Shire's fire prevention is managed in accordance with Council's Municipal Fire Prevention Plan and a Wildfire Management Overlay (WMO) applied to the entire town and a large number of areas through the Otways.

This crucial issue is highlighted throughout the Rural Living Strategy, being undertaken concurrently with the Birregurra and Forrest Structure Plans. Consequently, there may be several settlements which will not be able to develop further due to extreme fire risk. Fire risk is the main deterrent to future potential growth.

### 10.7.1 2009 Victorian Bushfire Royal Commission

The report by the 2009 Victorian Bushfire Royal Commission outlined three key recommendations around the validity of allowing settlements to be located in areas of high fire risk:

<sup>6</sup> Draft Final Report Feasibility Study into Increased Economic Activity in Forrest, May 2005.

<sup>7</sup> General Practice Note for Potentially Contaminated Land, June, 2005





- *Recommendation 39* highlighted the necessity for State to 'adopt a clear objective of substantially restricting development in the areas of highest bushfire risk - giving due consideration to biodiversity conservation - and provide clear guidance for decision makers.' One potential method identified was the creation of a comprehensive Bushfire-prone Overlay (renamed from Wildfire Management Overlay) provision and amended state planning policy for bushfire.
- *Recommendation 40* continues advocating this method through advising that the CFA amend its guidelines to 'substantially restrict new developments and subdivisions in those areas of highest risk in the Bushfire prone Overlay' when assessing permit applications for dwellings, non-dwellings and subdivision.
- A further approach outlined in *Recommendation 46* is the development and implementation of a retreat and resettlement strategy for existing developments in areas of unacceptably high bushfire risk, including a scheme for non-compulsory acquisition by the State Government.

As concisely summarised on page 215 of the Final Report (Vol II), 'The current approach to planning does not take account of the fact that there are some areas in which the risk to life from bushfire is so high that new settlements should not be established in these locations. People should be prevented or discouraged from building new houses in such areas and those already living there should be helped to move.'

Colac Otway Shire must be careful in promoting further expansion of settlements located in areas of extreme bushfire risk.

Although not affected by the 2009 bushfires, the Otways region has proven just as much at risk, with approximately 41,000 hectares and 782 buildings destroyed as well as lives lost during the Ash Wednesday fires of 1983.

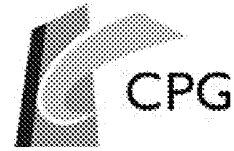
Until further direction is provided by State Government, it is crucial the development of this Structure Plan takes a precautionary approach, examining all available options to determine what the optimal situation for Forrest may be.

#### 10.7.2 Forrest Fire Risk Assessment

Forrest has a heightened fire risk due its proximity to the Great Otway National Park and surrounding bushland. This risk has led to Forrest being identified as a priority bushfire area by the CFA for all bushfire seasons and hence will have an enhanced township protection plan.

It is noted a WMO covers the entirety of Forrest and its surrounds. New developments in areas covered by a WMO will be subject to permit conditions that control the location, building design and ongoing management of the site.

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Construction within bushfire prone areas is subject to specific construction requirements to reduce the risk of ignition from a bushfire while the fire front passes. Construction requirements vary depending on the Bushfire Attack Level (BAL) specified for a property following a site assessment.

There are five levels of BAL that require specific construction requirements:

|                        |                |                                                                                                                                                                                                                     |
|------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BAL-12.5               | Low Risk       | Risk of ember attack.                                                                                                                                                                                               |
| BAL-19                 | Moderate Risk  | Risk of ember attack and burning debris ignited by wind borne embers and a likelihood of exposure to radiant heat.                                                                                                  |
| BAL-29                 | High Risk      | Increased risk of ember attack and burning debris ignited by wind borne embers and a likelihood of exposure to an increased level of radiant heat.                                                                  |
| BAL-40                 | Very High Risk | Much increased risk of ember attack and burning debris ignited by wind borne embers, a likelihood of exposure to a high level of radiant heat and some likelihood of direct exposure to flames from the fire front. |
| BAL-FZ<br>(Flame Zone) | Extreme Risk   | Extremely high risk of ember attack and burning debris ignited by wind borne embers, a likelihood of exposure to an extreme level of radiant heat and direct exposure to flames from the fire front.                |

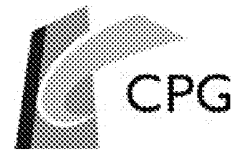
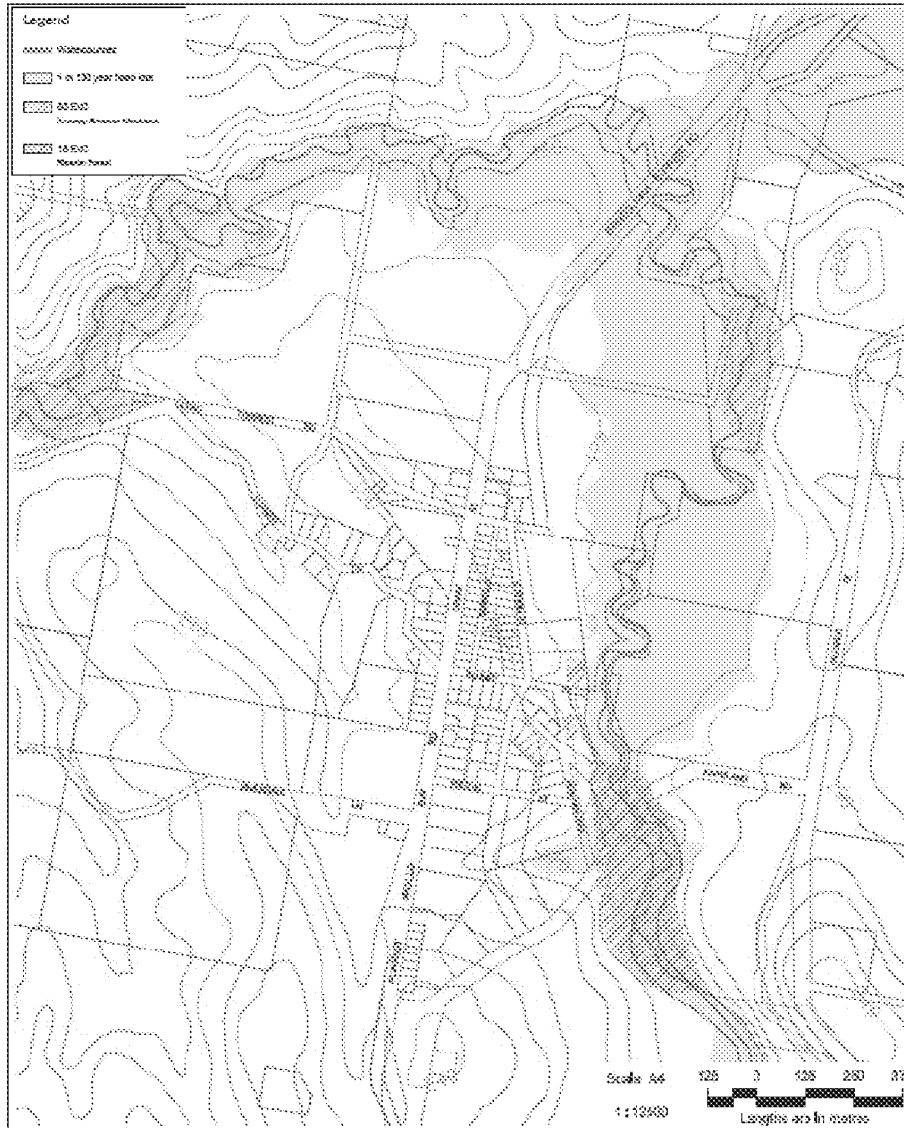


Figure 15: Environmental Constraints





## 10.8 Heritage

### 10.9 Indigenous

Throughout the Great Otway National Park, there are 4 Traditional Indigenous Owners: the Wathaurung, Gulidjan, Gadubanud, and Kirrae Whurrong people<sup>8</sup>. Their spiritual and physical connections to places surrounding Forrest go back tens of thousand of years, evident through artefact scatterings found east of the Township.

Under the Aboriginal Heritage Act 2006 a Cultural Heritage Management Plan is required if all or part of the proposed activity is in an area of cultural heritage sensitivity, and all, or part of the activity is a high impact activity. Figure 17 illustrates areas in Forrest identified by Aboriginal Affairs Victoria as potentially being areas of cultural heritage sensitivity. These areas have been determined by applying a 200m sensitivity buffer to all waterways in Victoria, whether man made or natural. They do not indicate that it is a distinct site of cultural heritage but rather that these areas have the potential to be of significance and therefore may require further investigation.

### 10.10 European

European settlement in the 1890's was initiated by the railway and forest industry. By the early twentieth century, Forrest hosted a bank, general store, boarding house, police station, bake house, butcher, welfare centre and hotel<sup>9</sup>.

Little evidence of Forrest's original buildings exists; much of Forrest's infrastructure and timber mills were located in surrounding bushland. Yet, regardless of the lack of original buildings, Forrest's European history is relatively well-documented. The Forrest History Walk is available for tourists and is a one hour township walk incorporating 27 sites of local European heritage, marked by interpretation panels. Anecdotal evidence suggests these heritage markers are currently not linked in an easily legible way, limiting the ability to tell the historical story of Forrest to visitors. Possibly there is an opportunity to improve the connection of the historical aspects of Forrest with other existing activities. It has been suggested that the creation of a small museum might be able to function as a focus point from which to begin exploring the unique township history.

As noted throughout the relevant LPP, any further development should aim to capture the historical characteristics of the settlement for the enjoyment of visitors and residents alike.

Two Heritage overlays (HO194 – Forrest Primary School & Anglican Church and HO195 – House I Hennigan Crescent) cover sites in Forrest as shown in Figure 16. The Anglican

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<sup>8</sup> Parks Victoria, 2009

<sup>9</sup> [www.rideforrest.com.au](http://www.rideforrest.com.au)

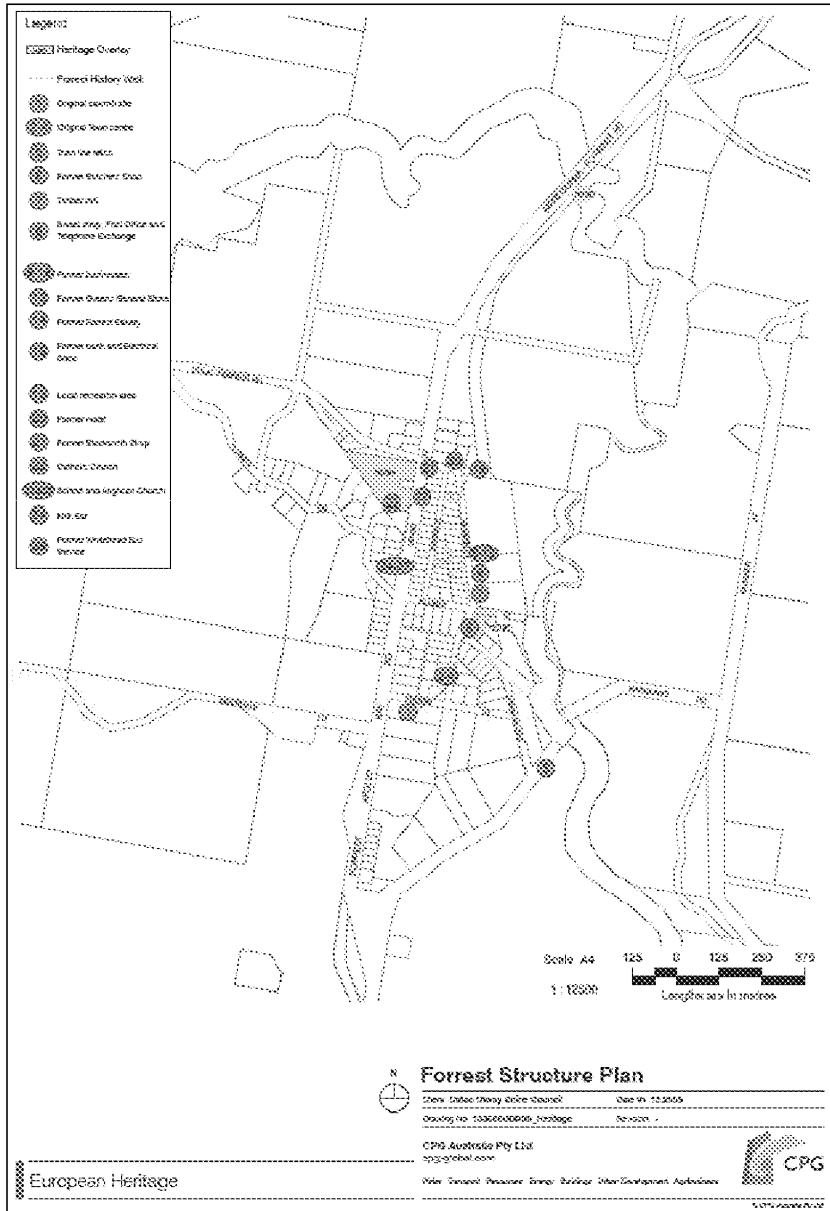
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Church was brought to Forrest from Yaugher, while HO195 (formerly a butcher shop) was one of the first businesses established in Forrest along Station Street.



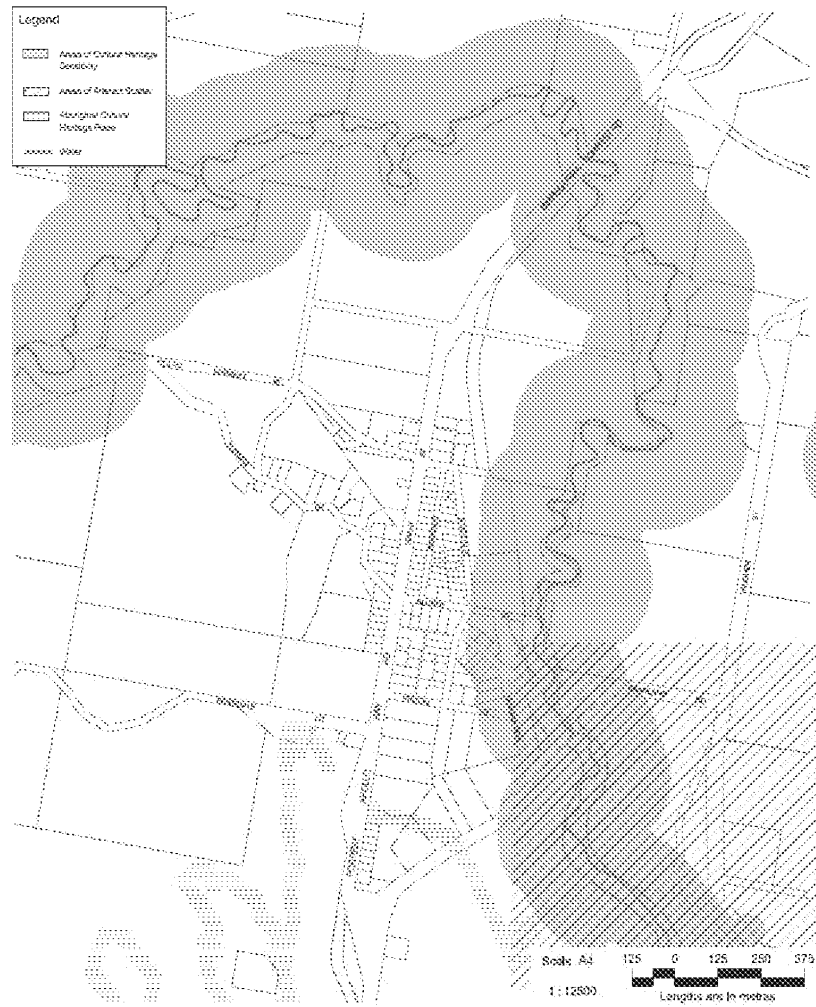
Figure 16: European Heritage



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Figure 17: Indigenous Heritage



|  |                                                                                                                          |                  |
|--|--------------------------------------------------------------------------------------------------------------------------|------------------|
|  | <b>Forrest Structure Plan</b>                                                                                            |                  |
|  | Client: Cobarr Obay Shire Council                                                                                        | Date: 04.12.2000 |
|  | Drawing No: 10300010P01 - Indigenous                                                                                     | Scale: 1:12500   |
|  | CPG Australia Pty Ltd<br>689 92110-0201<br>Water Treatment Processes Design - Sustainable Water Development Applications |                  |
|  |                                                                                                                          | 10300010P01      |



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**11 Service Infrastructure**

It is understood development is generally limited due to the lack of servicing infrastructure, and the constraints associated with onsite waste management. This experience is common to small towns in regional areas. Given the current population of Forrest and forecast growth over the next 10 years, it is unlikely that a reticulated sewerage system will be installed within the township. Therefore it is crucial issues of onsite sewerage disposal and extent of flooding be addressed, particularly the potential impacts on land proposed for subdivision.

The reticulated water supply for Forrest is managed by Barwon Water. No reticulated gas is available, nor likely to be provided in the foreseeable future.

Mobile phone coverage is extremely limited in the Otway region, and particularly in Forrest. Anecdotal evidence for consultation indicates the level of coverage available varies depending on the service provider. A permit has been issued for a telecommunications tower in Forrest, however an alternative site is currently being considered by the permit holder. The approved location of telecommunications tower created significant level of concern to the local community who were not consulted as part of this process.





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**12 Tourism**

Upon the imminent decline and cessation of Forrest's sawmilling industry, a new source of economic viability was sought and explored in the *Feasibility Study into Increased Economic Activity* completed in 2005, which identified that Forrest had the potential for small-scale tourism and mountain biking enterprises.

The unique environmental qualities of Forrest and its proximity to the Great Otway National Park make it an attractive town for people visiting the area in order to utilise mountain bike trails. Events like the Otway Odyssey and the Kona 24 Hour Race are a sound way to attract tourists and capitalise on the Town's attractive setting and historic character<sup>10</sup>.

The State Government is currently trying to encourage inland tourism to increase visitation in the Otways hinterland, away from the Great Ocean Road. Forrest's location as one of the 'gateways' to the beautiful Otway Ranges, combined with these tracks, means that there will be substantial opportunities for enhanced tourism development in the future. However, as experienced in other similar settings, increased tourism places pressure on existing infrastructure and raises the demand for services within the community.

The structure plan will need to consider how to balance tourism against the significant environmental quality of the area and the impacts (positive and negative) on the local community.

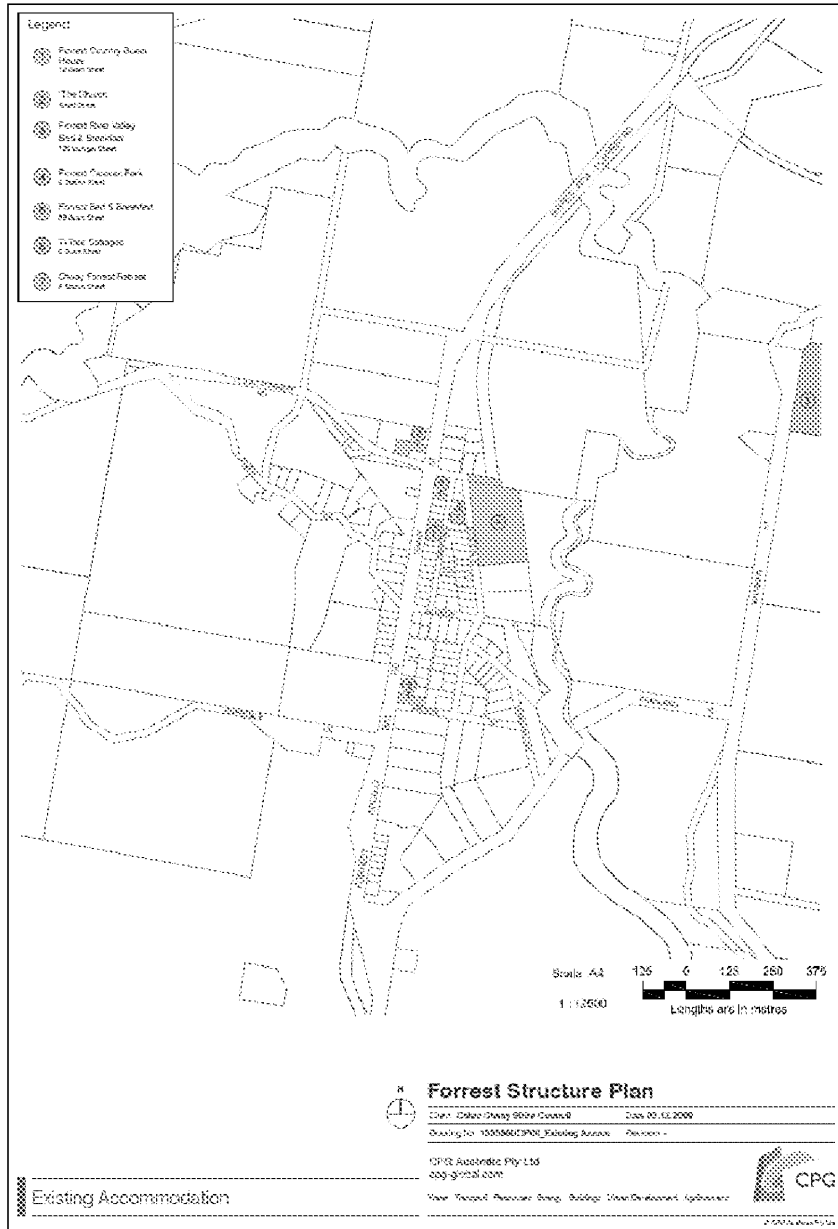
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<sup>10</sup> Draft. Final Report. Feasibility Study into Increased Economic Activity in Forrest, May 2005

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Figure 18: Existing Tourist Accommodation





### 13 Consultation

In a town with such a small population, it is vital that the values of the community are heard and included in the planning process. The community is the heart and soul of a small town and have an intimate understanding of the opportunities and constraints to growth.

The community of Forrest is understood as being multifaceted and viewed more as communities of interest versus a single community group or voice. The values and visions of the various communities of interest are being carefully considered throughout the Structure Plan process.

As part of this process, a community bulletin was developed and distributed to all landowners and occupiers within a 5km radius of the town centre to inform the local community and any interested parties of the first in a series of formal consultation sessions being held in Forrest. Open attendance was encouraged with anyone interested in participating invited along to the session.

Held on 5<sup>th</sup> December 2009 in the Forrest Hall, the first formal consultation session proved a success with 17 people attending, providing an opportunity for interested individuals to come together and brainstorm on what they see as the key opportunities and limitations in Forrest. In total, 17 submissions were received from this consultation in Forrest. The resulting information from all consultation sessions is being utilised throughout the Structure Plan process to ensure that the end result is directly fed from local community aspirations.

The key opportunities and constraints raised during the first consultation session are summarised into the categories below in Table 2. This is not a complete list but a summary of key issues relating to the Structure Plan process.

**Table 2: Consultation Issues & Opportunities**

| Issues                                            | Opportunities                                                         |
|---------------------------------------------------|-----------------------------------------------------------------------|
| <b>Community</b>                                  |                                                                       |
| Lack of visitor information.                      | Encourage and provide facilities for mountain biking.                 |
| Improve community facilities.                     |                                                                       |
| Nowhere to spend money in town.                   | Encourage private development aimed at eco tourism.                   |
| Lack of mobile reception                          | Improve service.                                                      |
| Need to ensure the school stays open              | Liaise with DET about future of school.                               |
| Limited work opportunities.                       | Expand retail / tourist based sector to create some new jobs in town. |
| <b>Infrastructure</b>                             |                                                                       |
| Waste water disposal, particularly on small lots. | Manage on site treatment on lots.                                     |
| Current zoning and town boundary                  | Consider rezoning land to TZ, including amending zoning anomalies.    |
| Car parking in main street                        | Improve parking areas                                                 |

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| <b>Environment</b>          |                                                                      |
|-----------------------------|----------------------------------------------------------------------|
| Growth in mountain bike use | Maintain and improve mountain bike trails                            |
| <b>Heritage</b>             |                                                                      |
| Representation of heritage  | Improve signage and consider new historic centre                     |
| <b>Housing</b>              |                                                                      |
| Subdivision                 | Potential for additional lots to be created in appropriate locations |
| Rural residential           | Opportunities to formalise land south of Frizon street to RLZ        |



**14 Future Growth**

The role of a structure plan is to determine, or confirm, the appropriate structure for a town including development potential and extent of growth.

The overarching drivers influencing the future structure of Forrest include:

- The designation of Forrest in the draft RLS as a town with low growth potential; and
- The findings and recommendations of the Royal Commission and the implications this for a town such as Forrest.

The designation of Forrest as a town with low capacity for growth must be understood in the context of the current town structure and the overall land supply scenario.

**14.1 Potential for Growth within existing Township Zone**

Forrest is a small town generally contained within the TZ. An assessment of land within the TZ identifies that there is sufficient land to accommodate 59 lots which, applying the standard expectation of 85% of these coming to market, represents a land supply of 50 lots. (Refer Figure 19). This includes land in Turner Drive and the former Timber industry site in Station Street (see below).

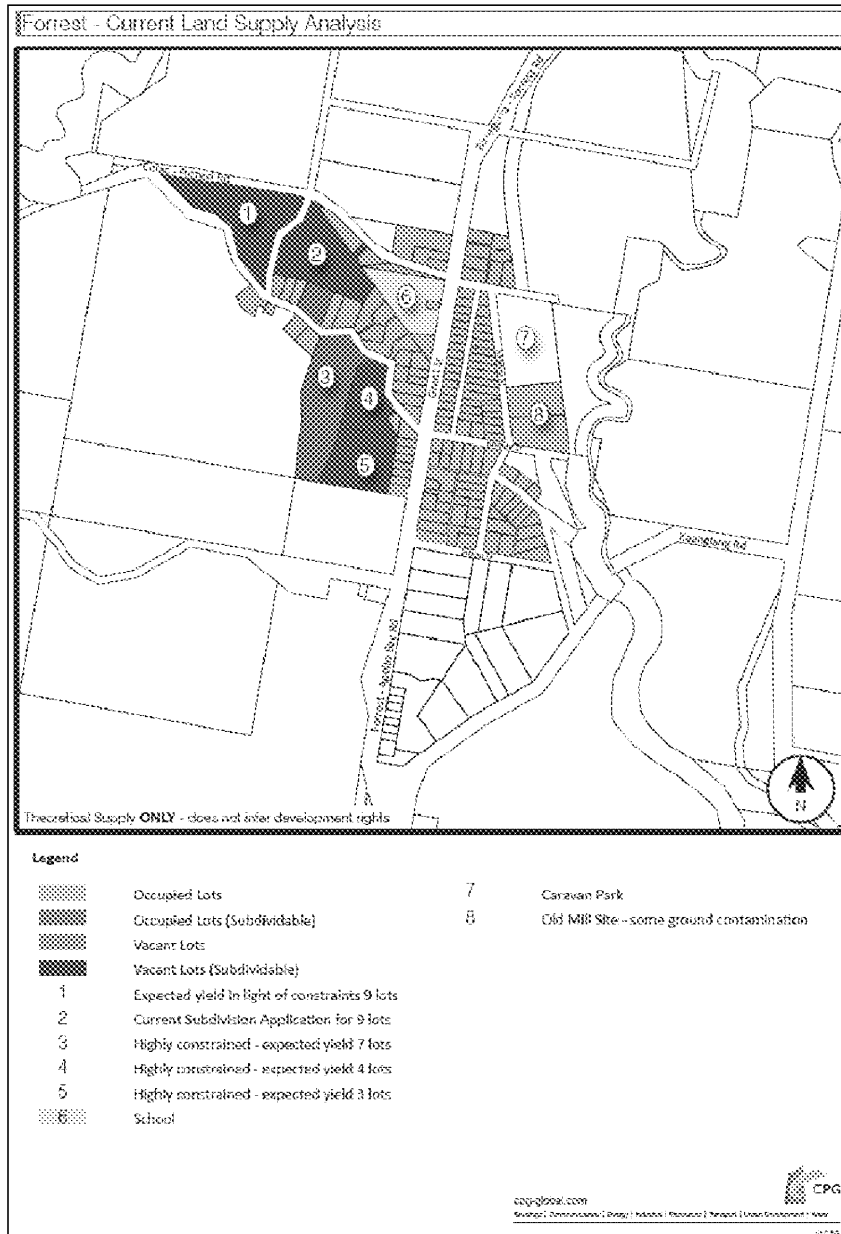
**Table 3: Current Land Supply**

|                                                              |           |
|--------------------------------------------------------------|-----------|
| Vacant Lots within Settlement Boundary (zoned TZ)            | 26        |
| Vacant Lots with Subdivision potential                       | 51        |
| Site 1: No. of Lots (expected yield in light of constraints) | 9         |
| Site 2: No. of Lots (plan of subdivision submitted)          | 9         |
| Site 4: No. of Lots                                          | 4         |
| Site 5: No. of Lots                                          | 3         |
| <b>Occupied Land with subdivision potential</b>              |           |
| Site 3 No. of Lots                                           | 7         |
| Other Lots from subdividable land                            | 1         |
| <b>Total Potential Lots in Current Land Supply</b>           | <b>59</b> |
| <b>Total Potential Lots at 85% Uptake</b>                    | <b>50</b> |

Based on the current take up rate (2.3 permits per year), the 50 lots represents around 20 years supply.



Figure 19: Current Land Supply





## 14.2 Potential for Growth of non TZ land

The demand for development to service the tourism market has been confirmed through community consultation and submissions. Therefore, the designation of appropriately located land outside of the Township boundary is likely to be required to accommodate future growth.

The following is an analysis of land outside of the existing.

### ▪ North of TZ Land

There are 2 parcels directly to the north of town considered for future development potential. The first is 2330 Birregurra-Forrest Road located directly north of the Forrest-Colac Road bounded by the Birregurra-Forrest Road and is approximately 4.5Ha in area, the site is covered with heavy vegetation severely limiting development potential.

The second parcel is known as 2324 Birregurra-Forrest Road located to north of the above parcel bounded by an unmade road reserve to the north and the Forrest-Birregurra Road. The site is approximately 5.2Ha in area and relatively clear of vegetation, except along its boundaries. The site is located within short walking distance of the core of town, including education and commercial uses. As noted previously, an application has been lodged to subdivide this site, creating a total of 22 new lots.

Based on the historic take up rate of 2.3 permits a year this site has the potential to generate approximately 10 years supply of land.

### ▪ North East of TZ Land

To north east of the town bounded by the Birregurra-Forrest Road and an unmade road reserve in the north there are two parcels separated by the railway track rail trail.

The first is known as 2317 Birregurra-Forrest Road to the west of the rail trail and is approximately 1.7Ha in area. The site is the natural expansion of the town to the north east with connections via the rail trail and the main street to the services within town. The site is relatively clear of vegetation; a subdivision application has been lodged for 8 new lots. Based on the historic take up rate of 2.3 permits a year this site has the potential to generate approximately 3 years supply of land.

The second parcel is to the east of the rail trail bounded by an unmade road reserve in the north and the Barwon River flats to the east approximately 14.7Ha in area. The site is constrained by the LSIO and 1:100 year flood line covering approximately 10Ha of the site. Given the proximity to the river, serious consideration would be required as to the on-site treatment of sewer as part of any development proposal.

However as no applications have been lodged for the development of this land it is considered the land would not be required for the medium to long term.



▪ **East of TZ Land**

East of the TZ along Hennigan Crescent are three small parcels (1, 3 & 5 Hennigan Crescent) currently used for residential purposes, 1 Hennigan Crescent is also subject to the Heritage Overlay being the former butcher shop. The structure plan should consider including these parcels within the future settlement boundary and TZ.

▪ **South of TZ Land**

The land is within the Farming Zone (FZ) and is approximately 17Ha in area, at present, the FZ requires a minimum subdivision area of 40Ha, hence discounting any subdivision of these parcels.

There is merit for some additional dwellings on these parcels considering the surrounding settlement pattern and proximity to town core to achieve this, the Rural Living Zone (RLZ) could be applied as per the recommendations within the RLS

The RLZ requires a minimum lot size of 1.2Ha providing limited opportunities for subdivision.

If the RLZ was applied to this land, development potential may however be limited as a result of topographical issues, vegetation on site and by the LSIO and WMO which affect this land.

Despite limitations identified above the RLZ better reflects the rural residential nature of the land at present and as such a rezoning should be considered. A new Schedule to the RLZ may also be appropriate designating a new minimum lot size in the order of 1 Ha, a lower minimum lot size may allow some further development potential.

The RLZ allows for range of tourism, commercial and retail uses otherwise not accepted within the FZ, however it is unlikely that given the broader directions of the structure plan non residential uses will be committed onsite.

| Zone                | Key Land Uses                                            |                                                                                                         |
|---------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|                     | Primary                                                  | Secondary                                                                                               |
| Rural Living Zone   | Residential use in a rural environment                   | Agricultural uses<br>Protection of natural resources and biodiversity                                   |
| Farming Zone        | Agriculture<br>Retention of productive agricultural land | Residential uses associated with farming activities<br>Protection of natural resources and biodiversity |
| Rural Activity Zone | Agriculture                                              | Other uses and development compatible with agriculture                                                  |





|  |  |                                  |
|--|--|----------------------------------|
|  |  | (e.g. tourism, rural enterprise) |
|--|--|----------------------------------|

▪ **West of TZ Land**

To the West of the TZ generally south of Turner Drive are four small parcels (59, 55, 45 & 35 Turner Drive) and one large parcel (51 Turner Drive). This land is heavily vegetated and would provide limited opportunities for future development. While it could be considered that there is merit in rezoning this anomaly to address the use and zone provisions, we do not consider this area appropriate for further subdivision.

**14.3 Settlement Boundary**

On the basis of the above assessment of potential growth within the TZ and on land outside TZ at the edge of the existing urban area, it is considered that a settlement boundary should be applied to manage and contain growth in preferred locations. The Structure Plan will seek to encourage infill development in the current TZ but recognises the importance of green field development to the north of town on sites which are easily developed taking in all constraints.

The assessment concludes that there opportunities for future growth in the north and to the north east as described above. There are limited opportunities for expansion to the east with the Barwon River flats and heavy vegetation to the west. To the south there is merit for some additional dwellings on these parcels considering the surrounding settlement pattern.

Considering this potential and based on the historic take up rate of 2.3 permits per year it is estimated this could allow for 13 years supply outside of the current TZ. Taking into account both land within and outside the TZ there is potential for 17 to 23 years of supply within the settlement boundary.






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**15 Conclusions**

The preceding sections of this report contain an analysis of the existing conditions that will inform the future structure of Forrest. The conclusions that can be drawn from this analysis are contained below.

It is important to re-iterate that this project was not undertaken in isolation, but in the context of two very significant concurrent processes that will inform the role of Forrest and the appropriateness of future growth. These are:

- The Colac Otway Rural Living Strategy
- The findings and recommendations of the Royal Commission and the implications this may have on a town such as Forrest.

The designation of Forrest as a town with limited capacity for growth must be understood in the context of the current town structure and the overall land supply scenario.

The draft Colac Otway Rural Living Strategy (RLS), CPG Australia 2011, has taken a similarly measured approach in its recommendations to the future settlement of towns, including Forrest. The draft RLS designates Forrest as a highly constrained town with low growth.

In light of the above, the conclusions for Forrest are summarised as follows:

**Planning Framework**

The Structure Plan will address existing discrepancies within the planning framework. The key change is in relation to land south of the town which has been developed for housing, despite being in the Farming Zone. This discrepancy needs to be rectified in the planning scheme in order to reflect the condition on the ground. It is thus recommended: a township boundary be applied to Forrest to reflect the extent of the Township Zone and to effect a rezoning of land south of the town to the Rural Living Zone.

**Settlement**

The town itself is contained within its natural surrounds, with settlement patterns limited by environmental constraints including flooding, watercourses and dense forest.

In summary, there is approximately 9 Ha of supply within the existing TZ, with some constraints due to vegetation and contamination. Opportunities to rezone land in appropriate locations to the north of town will be pursued.

**Commercial Development**

The viability of commercial ventures in town rely on the tourist dollar and visitation in order to be sustainable. The establishment of the microbrewery in town is evidence perhaps of the strength of the tourist market. It is appreciated that the ongoing attraction of tourists to town is also explicitly linked with the operation of shops that



provide basic commercial services required for the town people. Opportunities to enhance the tourist market and support commercial ventures will be proposed through the Structure Plan.

### **Community Infrastructure**

The community focus seems to be around the community house and the football ground. These two destinations create a nexus for community integration, creation of social capital and shared community spirit. The community house provides a range of important social, health and civic services which are essential to the development of the town and people's well being. It is important that these services, particularly outreach services, continue to operate in the town to sustain it and avoid displacement to other towns.

The ongoing future of the school is subject to enrolments which in turn is a function of population size and complexion. Given the focus of the Structure Plan on infill development, the future of enrolments in the school may be constrained. This represents a broader strategic issue that will need clarification and one that will impact on the structure of town.

### **Heritage**

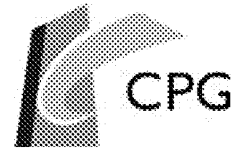
The historic role of the town is heavily associated with its timber industry past, which provided the core employment opportunities and demand for housing within the town over many years. Reminders of this rich history are currently represented in a somewhat sporadic manner throughout the town, and are generally poorly maintained. The Structure Plan will recommend opportunities to better represent this history through maintenance of sites; clearer historical markers and heritage trail; and the potential establishment of a historical centre which could be located in the community house. These opportunities respond to issues raised in consultation.

### **Tourism**

Since the cessation of the timber industry in the Otways, a new focus for Forrest has emerged in terms of lifestyle, recreation and eco-tourism opportunities. This includes mountain biking, horse riding, hiking, camping and other recreational activities. The expansion of these recreational elements will be critical to the ongoing sustainability of the town. Opportunities for commercial activities that support this role are emerging, including bed and breakfast accommodation and the microbrewery.

To date, tourism efforts have been very successful in attracting people to Forrest, however opportunities for overnight or long stay visits are currently limited due to limited tourist infrastructure. Opportunities to expand this offer are recommended including group accommodation facilities; public facilities for recreational users i.e. bike storage, showers, change facilities etc; restaurant / café; and potentially the provision of an information centre. Public art in the main street could add to the visual interest and connect to the historic and natural attributes of town.

Forrest Structure Plan  
Context Report



### **Environment / Open Space**

Forrest is located within a pristine natural environment at the foothills of the Otways. The Structure Plan will provide for the ongoing maximisation of recreation and enjoyment of natural assets including Lake Elizabeth and the Otway ranges.

### **Recreation**

The current offer of recreation is broad, from active organised sports to passive recreation. The establishment of the Tiger trail and mountain bike / walking paths through the surrounding forest have expanded the offer of recreation in recent years. Opportunities to consolidate this should be explored, including additional trails and supporting infrastructure for users. Given the limited potential for residential growth within Forrest applied in this planning process, there is no expectation that additional recreation infrastructure will be provided for organised, active sport. The current supply of tennis courts, football and netball is considered appropriate to meet the needs of the current population. The sustainability of this infrastructure in light of a limited population is a potential challenge for the future.

Forrest Structure Plan  
Context Report



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## **Addendum I – Summaries of State, Local & Regional Policies and Strategies**

### **State Policies and Strategies**

#### ***Ministerial Direction No. 1 – Potentially Contaminated Land***

The purpose of this Direction is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination.

#### ***Ministerial Direction No. 6 – Rural Residential Development***

The key objective of this Direction is to manage the provision of sustainable rural residential development so that it supports sustainable housing and settlements and does not compromise Victoria's agricultural, natural, environmental, landscape and infrastructure resources.

The Ministerial Direction requires a planning authority to demonstrate that the proposed rural development:

- Is consistent with the housing needs and settlement strategy of the area;
- Does not compromise natural resources;
- Protects visual and natural qualities;
- Avoids adverse environmental impacts; and
- Is efficiently served by social and physical infrastructure.

#### ***Future Farming Strategy***

The Victorian Government's Future Farming Strategy aims to "*encourage innovation, increase productivity and make the farming sector even more competitive through the use of new technology and farming practices.*"

The Strategy proposes State government investment across a number of areas of the farming industry, including: research and development, building skills, climate change planning, management of weeds and pests, land and water, targeted social support, and investment in rail freight and infrastructure.

In addition to the message of the State government's support for farmers and the farming industry, the Strategy is most likely to impact on land use planning through proposals relating to the management of land and water, and potentially, in some areas, through investment in rail freight and infrastructure.

Future Farming does not propose changes to land management, rather provides for the establishment of a Regional Strategic-Planning Expert Group which may, amongst other things, develop land use planning policy and change statutory planning tools.



### **Regional Growth Fund for Regional Growth**

The Regional Growth Fund for Regional and Rural Victoria provides the broad framework for managing growth and change, and sets the policy directions for future government programs and investment in provincial Victoria.

Provincial Victoria is at the sharp end of the major challenges facing the whole state over the next ten years. Climate change, an ageing population and workforce, the world economy and population growth will impact on where people live, what work they do, what is produced and how it is distributed.

Successfully facing these challenges requires a new approach to whole-of-region planning that integrates the intelligence, energy and knowledge of regional leaders, councils, government departments and communities. As such, the fund, will in part, be informed by regional plans. These regional plans are being produced by or in collaboration with Regional Development Australia (RDA) committees in each of Victoria's regions. Work on regional and sub-regional plans will continue alongside implementation of the state-wide strategy. This integrated planning and policy framework will enable regional strengths and local needs to be addressed.

The fund proposes five directions towards growth that is well managed and sustainable; regional participation that is valued; and livelihoods that are prosperous and rewarding:

1. Position regional economies for growth
2. Connect up Victoria
3. Plan for sustainable growth
4. Make provincial Victoria an even better place to live
5. Empower communities to plan for their future

### **Coastal Spaces Landscape Assessment Study (2006)**

The Coastal Spaces Landscape Assessment Study is a comprehensive baseline assessment of visually significant landscapes along the Victorian coast. The Study assesses the visual and scenic amenity of Victoria's non-urban coastline. The work identifies appropriate measures in planning schemes to manage future growth and change along the coast.

The Coastal Spaces Landscape Assessment Study:

- Maps and provides an assessment of the existing distinctive landscape elements, features, characteristics, character, quality and extent of the landscape within specific coastal areas, and their value or importance
- Assesses the adequacy of current planning strategies and measures for managing and protecting landscapes along the Victorian coast and immediate hinterland
- Identifies landscape types in all coastal regions and provides planning scheme provisions for retaining and/or respecting landscape values and managing development in non-urban coastal landscapes.

The Study covers the entire Victorian coastline (outside of the metropolitan Melbourne region) from:





1. South Australian border to Warrnambool
2. Bellarine Peninsula
3. Bass Coast region to the NSW border

The study complements the work already completed in 2003 for the Great Ocean Road Region (Warrnambool to Torquay) as part of the Great Ocean Road Region Strategy 2004.

#### **Future Coasts**

The Future Coasts Program is a Victorian Department of Sustainability and Environment program that runs in partnership with the Department of Planning and Community Development.

The Future Coasts Program is designed to help Victoria better understand and plan for the risks associated with sea level rise along the Victorian coast. The program is producing information about the impacts of sea level rise along the Victorian coast, with a focus on coastal erosion and flooding.

Future Coasts Program has three main objectives:

1. Understanding how sea level rise will impact Victoria's coast
2. Supporting land managers and decision makers
3. Responding to the impacts of sea level rise

#### **Regional Policies and Strategies**

##### ***The Colac Otway Rural Living Strategy (RLS), draft 2010***

The purpose of this Strategy is to provide a land use framework to guide current and future rural settlements and rural living within the Shire. Recognising physical and environmental constraints, community aspirations, government policy directions and key issues of land use planning, the Strategy will identify areas appropriate for rezoning to rural living throughout the Shire.

The Strategy follows on from the Colac Otway Rural Land Strategy 2007 which identified the need to provide rural residential development in planned locations, and recommended the Council undertake an assessment of suitable areas. Candidate rural living areas nominated in this report included Barongarook - Bushbys Road, Barongarook - Robinson Road, Beech Forest, Gellibrand, Forrest, Kawarren and Lavers Hill.

The Rural Living Strategy is presented in two parts: Context and Strategy. This document represents the Context, providing the background to the current status and influences on rural settlements in the Colac Otway Shire and establishing principles for the final Strategy. The separate Strategy document details the objectives, strategy and actions to give directions and implement the recommended approach to future growth.



### **Corangamite Regional Catchment Strategy (RCS) 2003-2008**

The Regional Catchment Strategy (RCS) for 2003-2008 provides long-term direction for managing the future of land, water resources, biodiversity and seascape of the Region, and the foundation for investment decisions to ensure improved natural resource outcomes.

The RCS:

- sets broad goals for 20 years;
- assesses threats to environmental, economic and social values;
- sets preliminary targets for the condition of assets;
- identifies opportunities for improving natural resource management processes over the next five years;
- recommends substantially new processes for planning at the local level;
- through an Investment Framework and fully costed Investment Plan, it provides a means for making investment decisions - as of 2003, the RCS will form the basis for distributing funding for natural resource management in the
- Region; and
- sets guidelines for monitoring and evaluation of progress.

The RCS aims to guide the planning and action of:

- private landholders, who own 70 per cent of the land in the Region;
- government, which manages the other 30 per cent of the land, and all coastal waters, on behalf of the community;
- local and State government agencies with responsibility for natural resource management;
- community groups and non-government organisations protecting and restoring the environment<sup>6</sup>; and
- business and industry groups.

The renewal of the RCS has involved people from all of these interests. The RCS guides their activity, with each individual and organisation translating its goals and targets into action within their own sphere of influence.

### **Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2004**

The Strategy focuses on the sustainable development of the region through balanced and managed growth of selected towns along the coast and inland.

The Strategy is built around four key directions:

- Environment: Protect the landscape and care for the environment.
- Settlement: Manage the growth of towns.
- Access: Improve the management of access and transport.
- Prosperity: Encourage sustainable tourism and resource use.



To guide decision making, the Strategy's four key directions will be appropriately articulated in the Victoria Planning Provisions. Each direction is supported by strategies that will guide future action and decision making.

#### **G21 Regional Land Use Plan**

The G21 Geelong Region Plan is a sustainability plan for the region that looks toward 2050. It identifies and addresses the challenges the region will face in the areas of environment, settlement, land use, community strength and economy as well as the need for change in the way we make things happen.

The G21 Regional Land Use Plan has five directions that are integral to respond to the challenges and opportunities the region faces.

1. Make environmental gains
2. Use our land wisely
3. Increase access for social equity, creativity and learning
4. Generate new business, raise skill and education levels and create more jobs
5. Maximise opportunities

#### **Colac Otway Heritage Study (2005)**

The Heritage Study contains a series of recommendations relating to the places identified as cultural heritage importance or significance.

The Heritage Study identifies cultural heritage within Colac Otway is reflected in buildings, plantings, memorials, industrial sites and archaeological remains that range from public buildings, halls, and schools, to places that represent aspects of the shire's economic development through the pastoral, timber, dairying and tourist industries

The Recommendations made in the study are derived from the significance of the identified places.

#### **Local Policies and Strategies**

##### **Colac Otway Shire Rural Land Strategy (2007)**

This report details the outcomes of the review of rural land. The review had four major tasks:

- Review the biophysical and environmental aspects of the Shire including land use, soils land suitability, water, salinity, flooding, erosion and minerals;
- Review the agricultural industries including farm viability and rural activities;
- Review the timber plantation industry; and
- Provide appropriate planning scheme responses.

The outcomes of the project assisted the Shire in its review of the planning scheme and confirmed the translation of the new Rural Zones. The report is in a form which:

- Creates maps showing agricultural capability and environmental constraints;



- Provides recommendations on the application of the rural zones and minimum lot sizes; and
- Prepares a local policy for rural land issues.

#### **Forrest Township Masterplan - review (March 2007)**

The methodology behind the Master Plan included:

- Site analysis / familiarisation, preparation of a scaled base plan
- Community consultation (public meeting) to identify the issues of importance to the Forrest community in relation to the visual development of the town
- Preparation of a preliminary township concept plan with written and graphic development strategies
- Allowance for one – two week review of plan
- Community consultation (public meeting and completion of community response sheet surveys) to review feedback on township proposal
- Refinement of the plan to reflect comments

A number of development priorities for Forrest were identified based on feedback from community consultation including, updated BBQ facilities and car parking at the Forrest tennis courts and nearby playground, external facilities at the Forrest Public Hall, improved drainage throughout the town, enhancement of Grant Street, continued expansion of walking track network, development of Grant Street, upgrading of Forrest recreation reserve, improvements to Forrest cemetery, development of an open air saw milling museum and indigenous vegetation planting.

To date the following works have been completed, upgrade to the community hall, development of the history trail, location of a visitor information board and barbecue facilities.

#### **Issues Paper: Wastewater Management Forrest (2005)**

The Issues Paper was prepared to assist all stakeholders including property owners, policy makers, planners and regulatory and enforcement agencies in developing and implementing long term, sustainable and manageable strategy for domestic waste water systems.

The Issues Paper is prepared to give property owners and other stakeholders an opportunity to:

- Understand current wastewater treatment and disposal systems.
- Understand the future risks of these systems.
- Reassess and define stakeholder values.
- Understand options for the upgrade of existing systems and/or the installation of new wastewater technology.
- Participate in developing a wastewater plan for the future.



The key issues identified are:

- Generally, Forrest is located on a ridge, resulting in the township draining to the east and west of Grant Street, towards the West Branch of the Barwon River.
- Groundwater is sufficiently deep at all locations to be of little concern during construction of traditional or alternative sewerage works
- Most properties are utilised as permanent dwellings, however there is currently a trend which is seeing some properties being purchased for rental or holiday use
- At present, the costs associated with the installation of a reticulated sewer system are not considered feasible

***Feasibility Study into Increased Economic Activity in Forrest (May 2005)***

- This study focuses on a small number of initiatives that have been identified to provide the foundation for a new economic future for Forrest. The initiatives comprise a mix of public sector and private sector funded projects and initiatives within the themes of (1) Accommodation, (2) Infrastructure, (3) Activities and (4) Links to the Otway Ranges National Park and Otway Ranges Forrest.

***Tourism Plan for the Public Land in the Otways Hinterland (2005)***

The aim of this plan is to stimulate and coordinate the sustainable development and marketing of tourism related to the public land of the Otway Hinterland to encourage a healthy, sustainable and profitable nature-based tourism industry.

The tourism sector can use this Plan to:

- Consolidate the delivery and positioning of tourism experiences that reflect the region's key points of difference and the needs of its target market
- Attract more of the target market from the Great Ocean Road into the Hinterland, and stimulate them into staying longer and spending more
- Minimise duplicating experiences, and thus focus limited resources on initiatives that provide the best return on investment.



**OM112408-15      UPDATE ON STATUS OF THE G21 REGIONAL GROWTH PLAN**

|             |                                    |           |                                                          |
|-------------|------------------------------------|-----------|----------------------------------------------------------|
| AUTHOR:     | Doug McNeill                       | ENDORSED: | Rob Small                                                |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN01711/G21 Regional Strategic Alliance/Planning Pillar |

**Purpose**

The purpose of this report is to update Council on the status of the G21 Regional Growth Plan (formerly known as the G21 Regional Land Use Plan).

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

Regional planning provides the mechanism to collaboratively develop and pursue an agreed vision for the region and to better co-ordinate infrastructure, economic development and environmental and social interests for the benefit of the region. It can also address local environmental, social, and economic issues that require a regional focus to appropriately resolve. Regional planning is acknowledged as a shared responsibility of both State and Local Governments.

In September 2007 G21 produced 'The Geelong Region Plan'. Developed over a two year period it sets out the strategy and vision for the region. The need for a regional land use plan was identified as the next key phase of work. Working in partnership, the State Government and G21 Councils made a commitment to jointly develop a regional land use plan that would assist in managing future growth across the region. A project was established known as the 'G21 Regional Land Use Plan Project' with funding provided by State Government and the G21 Councils.

The project was scoped in 2009/10 with the involvement of the G21 Councils and a range of state government departments and agencies, and commenced in mid 2010 with the appointment of a project manager. Council has been heavily involved in the on-going progression of the project, with the General Manager Sustainable Planning and Development represented on the Project Steering Group, the Manager Planning and Building represented on the Technical Reference Group, and the Senior Strategic Planner on one of the project teams. In addition to the primary goals of conducting the project, a key objective of the project was seen as building capacity and ownership of the project within the various Councils.

The G21 Regional Land Use Plan is one of a number being developed across the State and as the first one to commence it will provide a leadership role to the others. In July 2011 the Minister for Planning announced that the Regional Land Use Plans across the state would be renamed Regional Growth Plans. The G21 project is therefore now referred to as the 'G21 Regional Growth Plan' (RGP).

The G21 Region has mounting growth demands, which has led in some instances to a shortage of suitably zoned and serviced land for future development of urban and employment land and associated social and physical infrastructure. While this growth offers economic and social benefits, growth also produces pressures that need to be managed. It is intended that the G21 RGP will help address these pressures as well as identify opportunities for managing future growth. The development of the plan is seen as an essential contribution to the long term sustainable development of the region.

### **Council Plan / Other Strategies / Policy Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

The Plan contains a strategy that Council will:

*“Lead the community in responding to the current and long term sustainability challenges facing the municipality”.*

A specific action in the Plan to achieve this strategy is to:

*“Pursue the development of a collaboratively developed Sustainable Population Strategy that takes into account the demographic, social, environment, economic, land use and leadership factors that make a great municipality. Participate in the G21 Regional Land Use Plan”.*

Council’s existing local strategies relating to growth such as the Colac Structure Plan and Apollo Bay Structure Plan will be important inputs into the project.

### **Issues / Options**

The G21 RGP project is currently in the project mobilisation phase (Phase 1). Project governance structures have been established and project management activities have been underway over a number of months. In addition engagement consultants (Kismet) have recently been appointed to assist with all engagement activities throughout the project. Work has also commenced on the development of issues papers and existing conditions/ constraints mapping.

The G21 RGP project will be managed by the G21 RGP Project Steering Group (PSG), a partnership of senior officers from the G21 councils, the Department of Planning and Community Development and State agencies. A project management team is in place and will ensure the project is delivered to the agreed timelines (refer to the governance structure included in the attached G21 Council Update Report).

The project timelines are extremely tight and the delivery of the project has a number of key assumptions that will need to be agreed to, in particular the proposed approvals process (refer to key assumptions slide in the attached G21 Council Update Report). The PSG will ensure Councils and the Minister are briefed on project information/ products prior to them being released and will be the main approval body for the release of project material.

The G21 RGP project consists of four project phases (refer to the timeline and key milestones slide in the attached G21 Council Update Report):

**Phase 1: Project set up:** deliverables include a project charter, communications plan and engagement strategy and background issue papers.



**Phase 2: Principles and scenarios for growth:** deliverables include: opportunity/constraint map/s, principles and growth scenarios and a draft working background paper. This will include stage 1 stakeholder consultation on the key deliverables.

**Phase 3: Draft RGP:** deliverables include a summary of stage 1 engagement, a draft RGP and a revised draft background paper. This phase will include stage 2 stakeholder consultation on the key deliverables.

**Phase 4: Final Plan:** deliverables include a summary of the stage 2 engagement, a final RGP and background paper signed off by the PSG.

Once the RGP has been signed off by the PSG it will be required to go through an endorsement/approval phase with the G21 councils and the Minister. This includes the RGP being considered by the G21 Councils and the Minister for Planning. This phase is out of scope of the project as a deliverable and will be undertaken by the PSG supported by the project management team.

The G21 RGP will be developed consistent with relevant State planning policy and the Victorian Planning Provisions. The RGP will provide a functional link between state-wide policy initiatives and local implementation by individual G21 Councils and partner organisations and authorities. The project will resolve where the RGP will sit in the Planning Scheme framework as a tool to guide regional land use.

The attached G21 Council Update Report provides an update on the status of the project and includes:

- deliverables at the end of the project
- status of the engagement for internal and external stakeholders
- a project timeline and key milestones
- the products and process for phase 2
- the approval process
- key themes for the issues paper
- key assumptions in delivering the plan
- a project governance diagram.

Indicative timelines for the project delivery are as follows:

- |                                                        |                 |
|--------------------------------------------------------|-----------------|
| • Draft Issues Papers Finalised                        | August 2011     |
| • Key Stakeholder Workshops                            | September 2011  |
| • Draft Background Paper, Principles, Growth Scenarios | November 2011   |
| • Stage 1 Consultation                                 | December 2011   |
| • Revised Background Report and Draft Growth Plan      | March 2012      |
| • Stage 2 Consultation                                 | May 2012        |
| • Final version of documents                           | July 2012       |
| • Consideration of Plan by Councils/Agencies           | September 2012. |

The intention of the G21 Council Update Report is to provide G21 Councils with an overview of the work done to date.

**Proposal**

It is proposed that Council notes the current status of the G21 RGP project.

**Financial and Other Resource Implications**

Council made a financial contribution to the project from the 2010/11 budget, and has contributed significant "in-kind" support through the participation of Council officers in the scoping and implementation of the project as noted earlier in the report. Other G21 Councils have also made financial contributions, however the majority of the project is to be funded by the State Government.

**Risk Management & Compliance Issues**

The State Government has mandated that Regional Growth Plans are developed for each region in the State.

**Environmental and Climate Change Considerations**

Environmental and climate change issues relating to growth in the region will be identified through the development of the Plan.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

A detailed engagement plan has been developed for the G21 RGP project, and as described above, an engagement consultant has been appointed to guide/assist with engagement activities during the life of the project. It is anticipated that engagement methods will include inform, consult and collaborate. It is anticipated that early stakeholder consultation will occur in September, with broader community consultation in November.

**Implementation**

The project will be implemented in accordance with the steps outlined in the attachment.

**Conclusion**

The G21 RGP is still in the first phase, with gathering of information and data, following the earlier establishment of governance arrangements. This report provides Council with information relating to proposed next steps and proposed timelines.

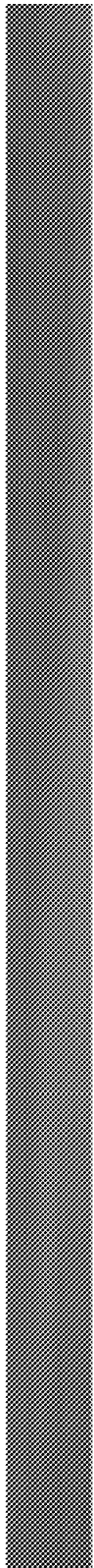
**Attachments**

1. G21 Council Update Report

**Recommendation(s)*****That Council:***

- 1. Notes the status update on the G21 Regional Growth Plan Project.***
- 2. Notes the project timelines, key milestones and the project management arrangements to deliver the project within the agreed timelines.***
- 3. Notes that formal consideration of the Regional Growth Plan by G21 Councils and the Minister will be in September 2012.***

~~~~~\ ~~~~~



# **G21**

**Regional Growth Plan**

## **Update on Progress August 2011**



## Outline of Presentation



1. Deliverables at the end of the project
2. Project Governance
3. Engagement – Status, Internal Stakeholders & External Stakeholders
4. Timeline and Key Milestones
5. Products and Process for Phase 2
6. Key Themes for Issues Paper
7. Key Assumptions in delivering the Plan

## Deliverables at the end of the project



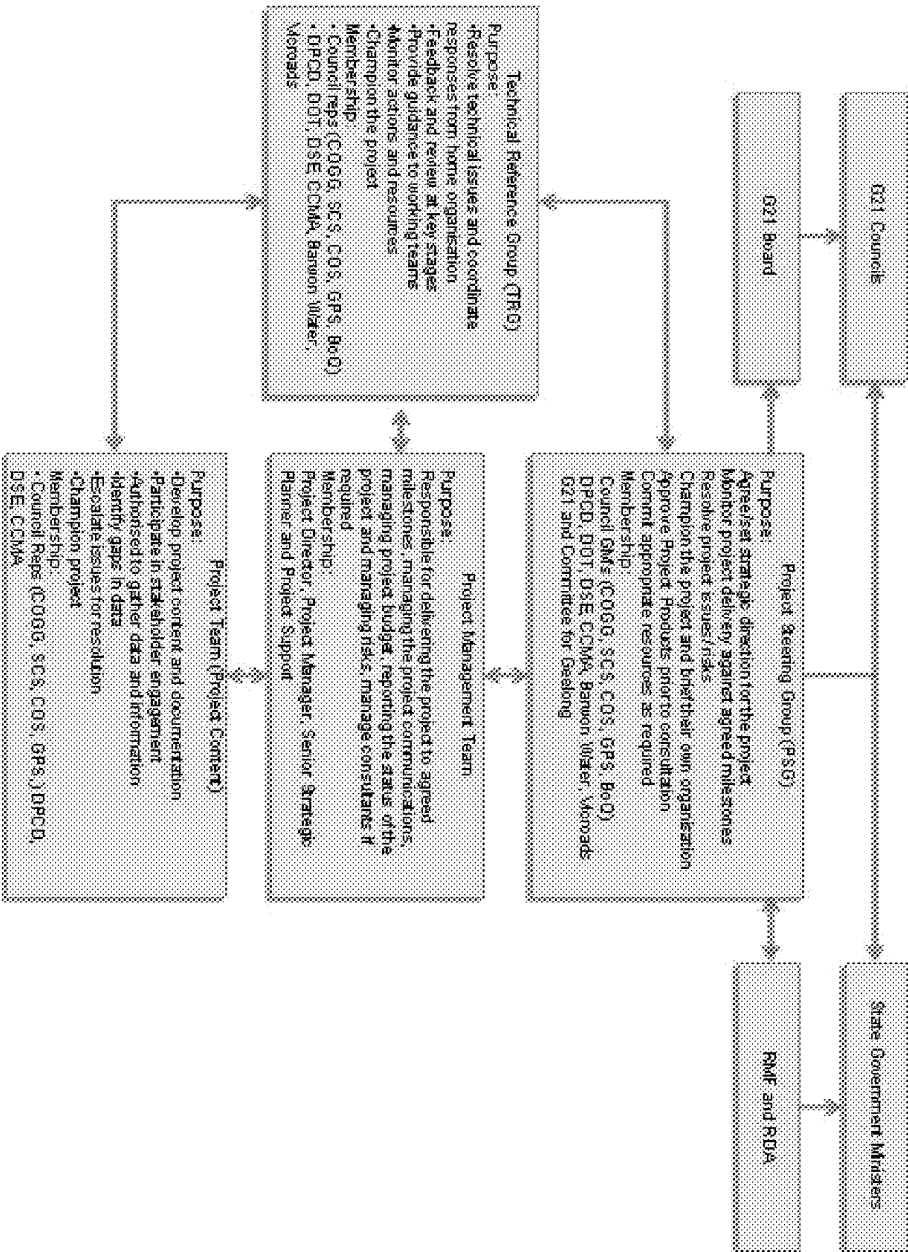
### Outputs

- A Regional Growth Plan that manages growth for key land uses in the region including a high level infrastructure plan and an implementation plan
- A background paper that provides relevant data on key aspects of the plan
- An engagement summary report that highlights the key inputs provided

### Outcomes

- An improved approach to planning for regional growth and land use and which interfaces with adjacent regions/ municipalities
- A clear understanding of stakeholder views
- A partnership approach to integrated regional planning at the State and Local level

# Project Governance



## Engagement – Status



- Consultants appointed Kismet Forward
- Inception meeting held 21 July 2011 to work through revised approach and timelines
- Stakeholder analysis commenced and Engagement Plan to follow this analysis
- Key stakeholder workshop/s planned for September, 2011
- First consultation phase with external stakeholders in November 2011

## Engagement – Internal Stakeholders



- Formally part of the governance structure and are key to informing the plan on where development can/ cant go
- Include the five Councils, State Government Departments, infrastructure agencies and government agencies
- Will be engaged during the development of the plan before each key milestone is finalised


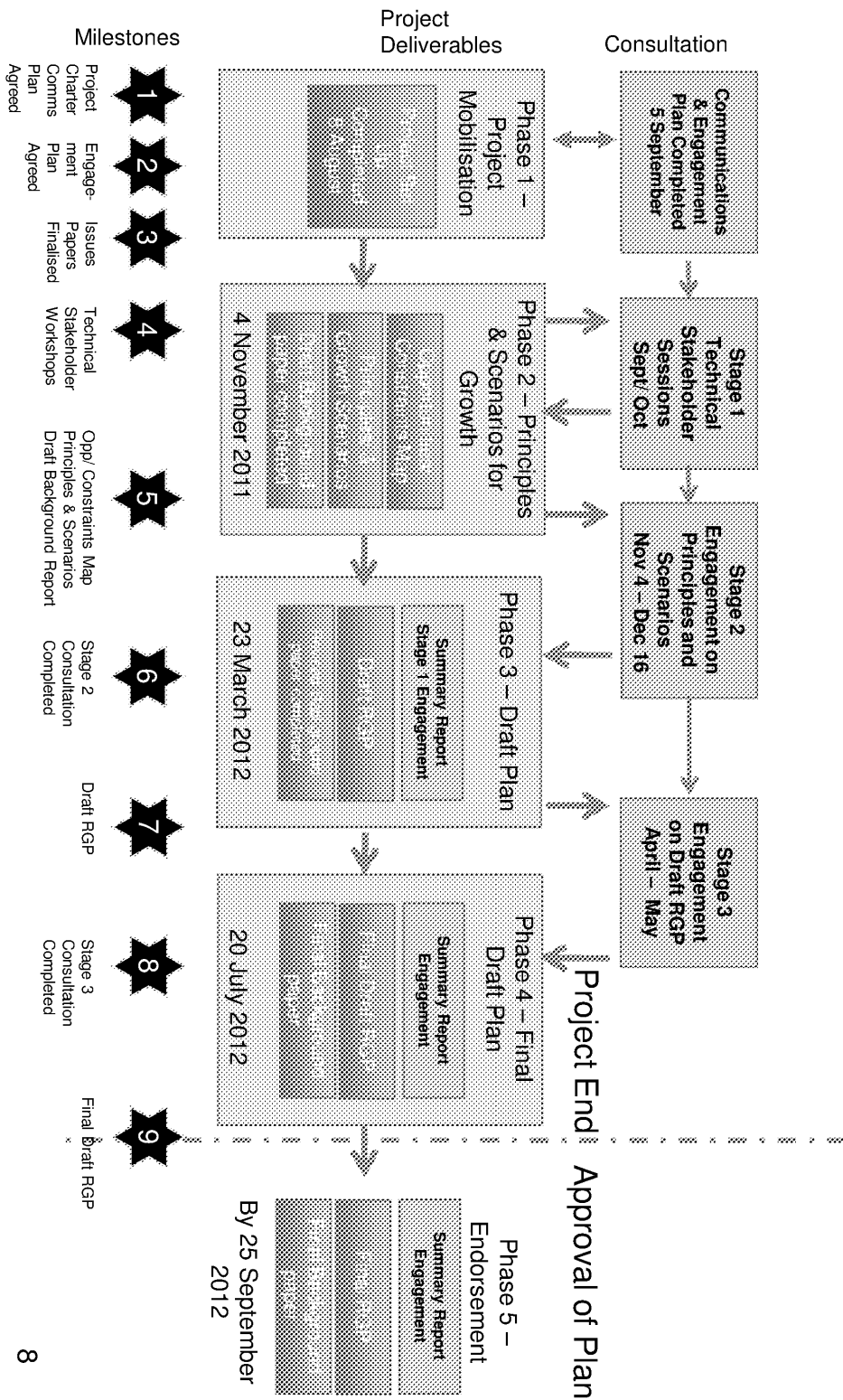


## Engagement – External Stakeholders

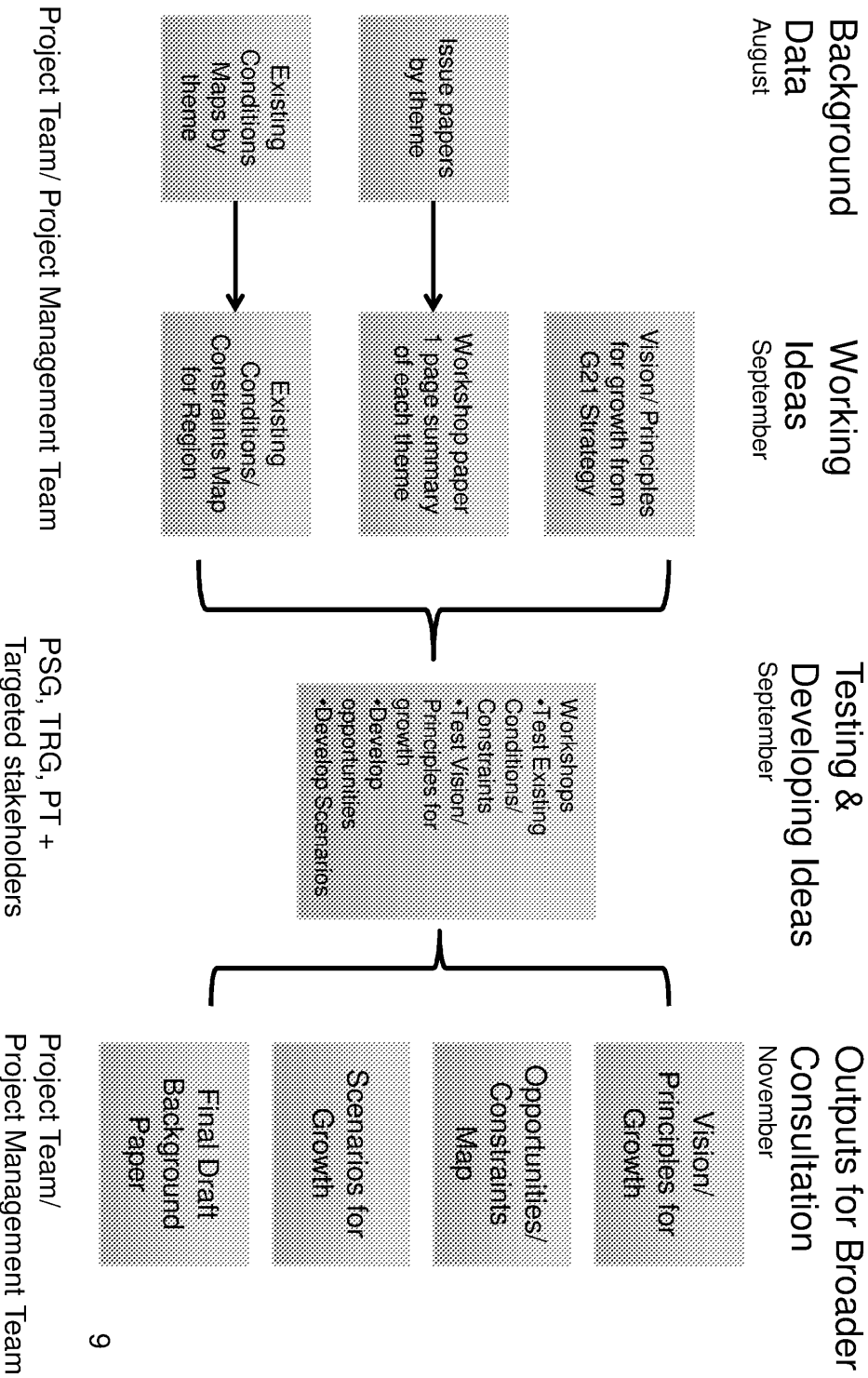


- Includes community groups, community members, key regional providers eg education, business community and land owners/ developers
- Stage 1 consultation in November 2011 to seek input on principles and scenarios for growth
- Stage 2 consultation in April 2012 to seek input on draft RGP

# Timeline and Key Milestones for G21 RGP

# Products and Process for Phase 2



## Key Themes for the Issues Papers



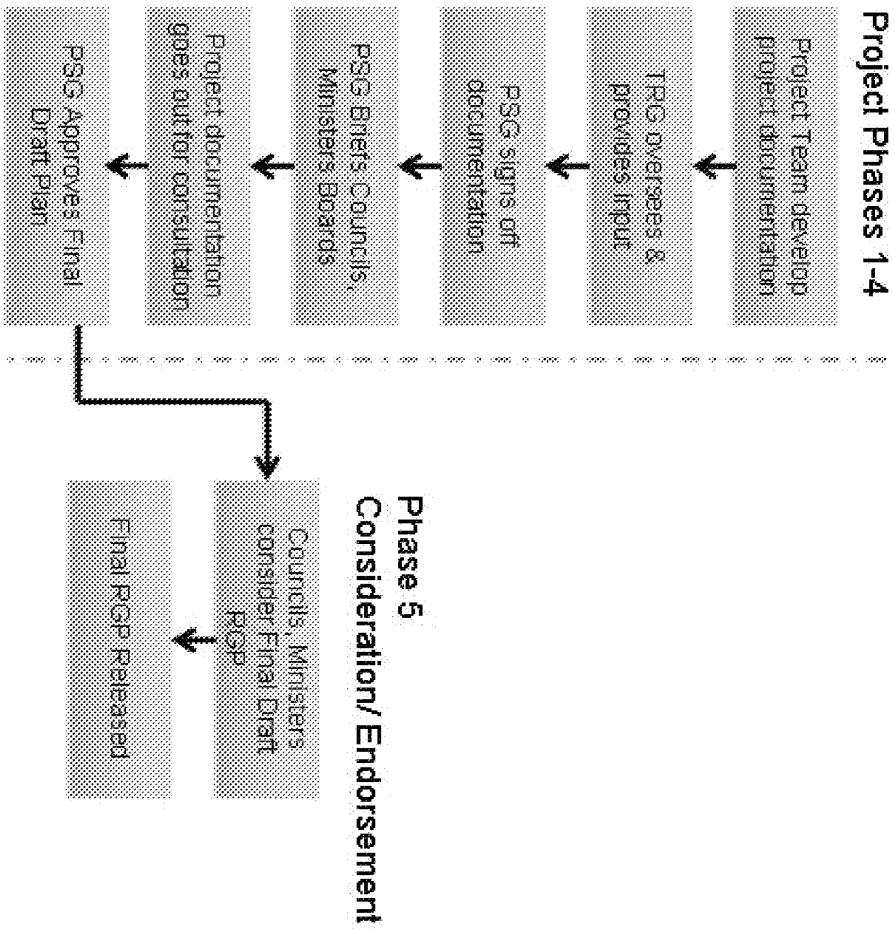
1. **Population** - demographic structure, workforce, household
2. **Housing** - demand and supply for housing, affordability, type and urban form
3. **Economic** - The G21 region economy and the employment in the region by sector
4. **Environment** - flora and fauna, soils/waterways, threats/risks, climate change predictions
5. **Agriculture** – land use and its productivity, function
6. **Infrastructure** – power, drainage, communications, transport, community
7. **Connections** - roles and responsibilities of settlements and rural areas, dependencies/self containment, accessibility/location

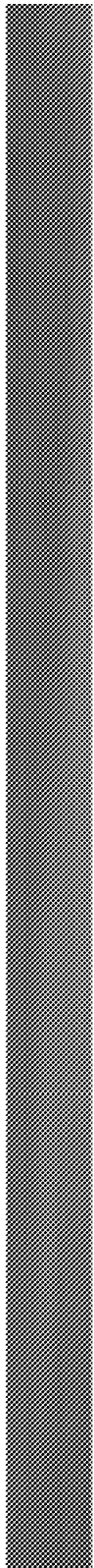
## Key Assumptions in delivering the Plan



1. The Project is a key priority for the G21 Region
2. The Project Steering Group will be the main approval body for phases 1 - 4.
3. Councils, G21 and the Minister will be briefed at key points and before each consultation phase commences
4. Formal sign off to the plan will be in September 2012, prior to the caretaker period for Councils coming into effect
5. The engagement strategy will ensure key stakeholders can participate in the project

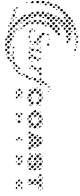
# Approvals Process





# G21 Regional Growth Plan

[www.g21.com.tau](http://www.g21.com.tau)







OM112408-16

**APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW**

|             |                                    |           |  |
|-------------|------------------------------------|-----------|--|
| AUTHOR:     | Don Lewis                          | ENDORSED: | Doug McNeill   |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00451 Planning Schemes/Apollo Bay Settlement Boundary & Urban Design Review |

**Purpose**

To advise Council of the draft Apollo Bay Settlement Boundary and Urban Design Review report and seek support for exhibition of the document.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The Apollo Bay Structure Plan was developed in 2006 and adopted by Council in 2007. This Plan reviewed opportunities for growth in Apollo Bay and Marengo, and implementation of mechanisms to preserve the towns' seaside character. The Structure Plan recognised the constraints to outward growth of the towns due to the nationally significant landscape of the surrounding rolling hills and environmental issues such as land instability, coastal acid sulphate soils and flooding.

The Plan ultimately supported the rezoning of land at Marriners Vue to Residential 1 Zone, creating a northern edge of the town at Pisces Caravan park, with the site directly to the north of the caravan park outside of the settlement boundary but designated for a sensitively designed non urban form tourist accommodation use. The Plan provided for development on the Barham River flood plain as proposed in the Great Ocean Green golf course/residential development that was the subject of Amendment C29 to the Planning Scheme at the time, contingent on that amendment being approved by the Planning Minister. The Great Ocean Green proposal would have accommodated an additional 535 houses. An area to the west of the town, between Cawood Street and Montrose Avenue was identified as a potential area for future urban development (subject to further investigation) if the Great Ocean Green proposal did not proceed.

Council exhibited Amendment C55 late in 2007 to implement the outcomes of the Apollo Bay Structure Plan into the Planning Scheme, resulting in changes to the strategic directions of Clause 21.03 and the inclusion of a Framework Plan demonstrating the adopted settlement boundary. The Amendment was adopted late in 2008 by Council and was approved by the Planning Minister in June 2009 at the same time as he determined not to support Amendment C29. Given the decision on C29, the Minister amended the Framework Plan in Amendment C55 to remove any references to Great Ocean Green or any residential development on the Barham River floodplain, save for two small strips of land adjoining Seymour Crescent and the Heathfield Estate which were nominated by the Minister as areas of potential future development subject to further investigation. These areas were land considered by the Minister to be higher than the lower more flood prone land across the floodplain.

The Planning Minister's decision not to support the Great Ocean Green proposal through Amendment C29 significantly reduced the potential for Apollo Bay to support future population growth, and removed a significant growth component from the Plan. In light of this outcome, a grant was made available to the Colac Otway Shire under the State Government's 'Creating Better Places' program to undertake a further limited review of growth options in Apollo Bay, including the investigation of the development potential of the two investigation sites nominated by the Minister adjoining the river.

When developing the scope of the project, officers included an investigation of the area west of Apollo Bay that had been flagged in the Structure Plan, and included investigation of the land north of Pisces Caravan park up to Wild Dog Creek to determine whether there was a change in view about its potential for residential development given the reduction in growth capacity from the Great Ocean Green decision. In deciding to approve the grant, the Department of Planning and Community Development (DPCD) included an element for consideration of urban design initiatives.

In December 2010 Council appointed consultant firm Planisphere to undertake a review of land supply and demand, assess the selected sites for potential urban development and to establish urban design initiatives for the Apollo Bay town centre. A project steering committee with Councillor representation was established, and an Issues Analysis paper was released for public consultation in March 2011. A 'drop-in' information session for the community was held, and submissions were received. Since this period, further steering committee meetings have been held and a draft report completed for public exhibition.

### **Council Plan / Other Strategies / Policy Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

The Plan contains a specific strategy to: "*Ensure all Council land use plans and strategies are current and responsive*", and there is an action to: "*Undertake a review of future growth options for Apollo Bay*". This project fulfils this action.

As noted above, the Apollo Bay Structure Plan 2007 was implemented into the Planning Scheme by Amendment C55 in 2009. The current project reviews specific parts of the settlement boundary in the Framework Plan applying to Apollo Bay as expressed in Clause 21.03 of the Planning Scheme. The Study may result in an adjustment to this clause which will need to be achieved by a planning scheme amendment, and has considered all relevant state and local policies as expressed in the project report.

### **Issues / Options**

The draft report arrives at conclusions based on information derived from a range of work undertaken as part of the project including consideration of submissions received to the Issues Analysis paper in March.

### **Investigation Areas**

The following is a summary of the key outcomes of the report relating to the five investigation areas:

#### **Investigation Area 1**

Investigation Area 1 includes the land between Pisces Caravan Park and Wild Dog Creek which is currently outside the settlement boundary and is zoned Rural Conservation Zone. The report recommends that Area 1 should be supported for rezoning to Residential 1 Zone

to provide additional supply of residential land over the next 15 years. This is justified on the basis that:

- The loss of expected housing yield from the Great Ocean Green proposal has significantly reduced future supply.
- The site is relatively unconstrained and cleared of native vegetation.
- The site would extend the township to a natural boundary of Wild Dog Creek.

The report notes that whilst there are state planning policies that discourage ribbon development between coastal towns, and encourage compact walkable towns, the report supports further extension of the town over this site on the grounds that there are very few opportunities for growth along the coast, other opportunities for growth in Apollo Bay have been largely ruled out through investigations undertaken by this project, and this site has few environmental constraints to development provided development is limited to being below the 40m contour. Design Guidelines for future development on the site have been developed to form part of the final recommendations to ensure appropriate planning outcomes are achieved.

### Investigation Area 2

This area includes land between Cawood Street and Montrose Avenue, north of the industrial estate and west of existing residential development, and was flagged for potential development subject to investigation in the 2007 Structure Plan. The draft report recommends that the site should not be considered for rezoning to accommodate residential growth on the basis that:

- A high proportion of the investigation area is subject to flooding and landslip, substantially limiting the area of land available for development.
- Vehicular and pedestrian access to the area is limited.
- Buffer zones associated with adjacent industrial land uses significantly limit the area of land available for residential development.
- The area cannot be serviced through the existing water supply network due to its high elevation and location.

Whilst generally not supporting development in this area, the report highlights potential for a very small area at the northern edge between the waterway and existing residential zoned area to be developed, so that the creek forms a natural boundary for the edge of the town. It also flags potential for a north-south road connecting Cawood Street and Montrose Avenue and a potential land swap of Council owned and private land to better locate the existing public open space reserve that is currently undeveloped in this precinct.

It is further recommended that the undeveloped land north of Montrose Avenue in the Industrial 1 Zone should be rezoned to Industrial 3 Zone to better reflect the land's position adjacent to residential areas, and the need to protect residential amenity.

### Investigation Area 3

This area is a thin strip of land on the south side of Seymour Crescent adjoining the Barham River floodplain, and was one of the sites included by the Minister in the Framework Plan for Apollo Bay as an investigation area when adopting Amendment C55. The draft report recommends that the site is not suitable for residential development on the following grounds:

- The site is potentially prone to future flooding and is highly unstable from a landslip point of view based on a desktop analysis.

- Development of this area would impact on the character of the adjacent Barham River floodplain and the loss of public views across the floodplain.
- The small size of the land significantly limits potential development yield.
- The site is partially within the existing buffer associated with adjacent industrial land.

#### Investigation Area 4

This site is a small area of land directly abutting the northern boundary of the Barham River adjoining the Heathfield Estate, and was the second of the two sites included by the Minister in the Framework Plan for Apollo Bay as an investigation area when adopting Amendment C55. The site is not recommended for residential development on the basis that:

- The area is subject to drainage issues, and further erosion and flooding.
- The relative small size of the land would not assist in addressing future housing demand.
- Vehicular access to the site is severely restricted.
- Opportunities to establish pedestrian/vehicular access through to the Heathfield Estate open space are limited without the construction of significant infrastructure (a bridge over low lying flood prone land).

#### Investigation Area 5

This site is zoned Residential 1 Zone and situated between Pascoe Street and Great Ocean Road, directly north of the current end of the commercial area up to the service station. The site was not recommended for rezoning to Business 1 Zone (ie extension of the town centre) on the basis that:

- There is significant capacity within the existing Business 1 zoned land for anticipated increases to retail floor space within the next 15 years.
- The existing Residential 1 Zone already allows for some commercial development to occur without the need to re zone the land.
- The majority of properties in Area 5 have been developed for accommodation or residential uses that are likely to remain so into the future. Rezoning may result in new development that conflicts with existing land uses and creates a fragmented retail strip.
- Development of the area for retail would serve to elongate the commercial centre to the north, reducing the compact walkable nature of the existing town centre.

#### **Land Supply and Demand Analysis**

An updated land supply and demand analysis was undertaken as part of the review. In terms of residential supply, the assessment takes into account the capacity of broad hectare sites to accommodate new subdivision, the development of vacant allotments within existing developed areas, and infill development associated with multi-dwelling developments and subdivision within existing areas. In this respect, the report concluded that:

- There is currently approximately 11 years supply of residential zoned land in the townships of Apollo Bay and Marengo combined.
- No additional industrial zoned land is needed in Apollo Bay in the next ten years. Available industrial zoned land totals 15 hectares and exceeds the projected demand of 9 hectares to 2021.
- There is an adequate supply of business zoned land to support the estimated 2,600m<sup>2</sup> of retail expansion required to 2025.

This assessment would support the further rezoning of land to support residential development as considered in Investigation Area 1, for the land north of Pisces Caravan Park. Should this aspect of the report be supported and ultimately adopted by Council, the land owner would still need to lodge a request with Council to rezone the land, and provide the necessary strategic and technical supporting documentation to enable this to occur.

### **Urban Design Initiatives**

In addition to the five investigation areas, the project involved the identification of initiatives to improve the quality of existing streetscapes and pedestrian links, and to better integrate infill development and new residential growth areas with the existing town centre. The following is a summary of the key recommendations arising from the report:

#### **Rear car parking areas:**

- Remove dividing fences
- Improve paving and line marking
- Introduce formal pedestrian pathways
- Improve way finding signage
- Improve lighting
- Introduce colour/artworks
- Shops to provide rear entrances and face on to car parking areas.

#### **Mid-block pedestrian laneways:**

- Highlight entrance points through signs
- Introduce artwork/colour
- Improve lighting
- Remove clutter
- Widen lanes as development occurs.

#### **Pascoe Street streetscape treatments to include:**

- Planting theme with Water Sensitive Urban Design
- Footpath widening with 45 or 60 degree car parking (consistent with the recommendations of the draft Colac and Apollo Bay Car Parking Strategy) and the introduction of bicycle lanes
- Improved signage/way finding
- Lighting upgrades at low level
- Improved pedestrian crossing points.

#### **Outer areas pedestrian connection:**

- Continuous informal coastal themed footpath connections to Martin, Whelan and McLachlan Streets and Pengilly Avenue
- Explore safe crossing points across the Great Ocean Road near Cawood Street and Pisces Caravan Park.

Council has the following options when considering this report:

1. Exhibit the draft report to seek submissions from the public before the project is finalised. This is the recommended option given the importance of considering community views before determining a final position on the recommendations.
2. Not proceed with the project. This is not recommended given the project is funded by a State Government grant, and there is an expectation that the project will be satisfactorily completed.

**Proposal**

It is proposed that Council notes the draft Apollo Bay Settlement Boundary and Urban Design Review report and authorise the document to be publically exhibited.

**Financial and Other Resource Implications**

The study has been undertaken in accordance with the budget allocation for the project which comprised a State Government grant under the 'Creating Better Places' program of \$40,000 and a \$20,000 contribution from Council.

**Risk Management & Compliance Issues**

Council can only consider strategic directions for land use in Apollo Bay that align with broader State Government planning policies. The draft report has been developed to meet this objective and provide the best opportunity of being successfully implemented in the Planning Scheme at a later time.

**Environmental and Climate Change Considerations**

The draft Apollo Bay Settlement Boundary and Urban Design Review report has considered a range of environmental issues including flooding, landslip and potential coastal acid sulphate soils. The following have been key considerations in the draft report:

Landscape

Apollo Bay has significant landscape values and the sites assessed in this review have considered potential impacts from any future development. A landscape assessment for Investigation Area 1 was conducted and concluded that development should not occur above the 40m contour and that planning controls directing layout, height and materials for any future development should be applied. Providing appropriate guidelines are followed in any new development, no adverse impact on views from the Great Ocean Road and the broader township should result. In relation to Investigation Area 3, the draft report found that view lines across the Barham River floodplain would be impacted by new development along Seymour Crescent and therefore did not support new housing in this area.

Future Sea Level Rise

The State Government incorporated changes to all planning schemes in 2008 to address the issue of coastal hazards and impacts of climate change. The planning scheme requires that planning takes account of future sea level rise of 0.8m by 2100, including the effects of storm surge and other factors. Ministerial guidelines also require that before rezoning land less than 5m AHD within 1km of the coastline, a Coastal Hazard Impact Assessment must be carried out. A Coastal Hazard Impact Assessment for Area 1 was submitted by the land owner during the development of the draft report and concluded that some lower areas of the site would require mitigation measures to be incorporated in future development. The project consultant is satisfied that the land could be designated for future residential development on the basis that further assessment of this issue is undertaken at the rezoning stage. Most of the land is higher than 5m AHD.

Coastal Acid Sulphate Soils

Coastal Acid Sulphate Soils are prevalent along the Victorian coastline and some land in the Apollo Bay area has been identified in the Victorian Coastal Acid Sulfate Soils Strategy as having potential to contain coastal acid sulphate soils. Current available mapping however is not comprehensive enough to detail specific areas. Should the recommendations of this report result in the rezoning of land, further detailed investigations into the presence of acid sulphate soils would be required, and this is highlighted in the report.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

Community consultation for the draft Apollo Bay Settlement Boundary and Urban Design Review will be conducted in accordance with this policy. The method selected has been 'consult', with widespread community notification of the Issues Analysis Report in March of this year with a project bulletin seeking feedback on issues raised by the Study. That consultation included a 'drop-in' information session. It is proposed that the Apollo Bay and Marengo community again be notified with a project bulletin of the draft report, seeking submissions prior to finalisation of the project.

### **Implementation**

Should the recommendation be supported, officers will arrange the mail out of a second project bulletin to all residents and land owners in Apollo Bay and Marengo inviting them to review the draft Study Report and provide their feedback by way of submissions. A 'drop-in' information session is proposed to be held at the Apollo Bay community market in September. The consultation will be preceded by a media campaign.

### **Conclusion**

The draft Apollo Bay Settlement Boundary and Urban Design Review has provided a number of recommendations in respect to five investigation sites and urban design initiatives for Apollo Bay, and updates the supply and demand analysis for residential, retail and industrial land in Apollo Bay. It is recommended the draft report now be placed on public exhibition prior to the project being finalised.

### **Attachments**

1. Draft Supply & Demand Analysis
2. Draft Review Report
3. Design Guidelines

### **Recommendation(s)**

***That Council notes the draft Apollo Bay Settlement Boundary and Urban Design Review report and authorises it to be released for public exhibition.***

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# Apollo Bay Settlement Boundary Review

Residential, Retail & Industrial Supply and Demand Assessment

COLAC OTWAY SHIRE

AUGUST 2011



389 St Georges Road NORTH FITZROY VIC 3068  
Phone (03) 9482 3888 | Fax (03) 9482 3933

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## 1. INTRODUCTION

### 1.1. BACKGROUND

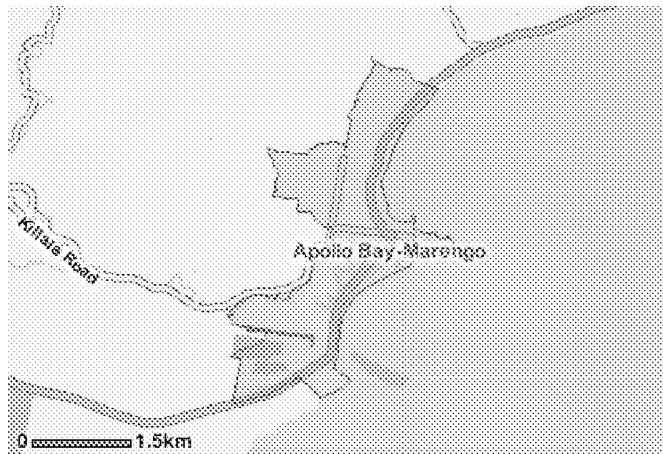
This report is a residential, retail and industrial land supply and demand assessment for Apollo Bay. This assessment forms part of the Apollo Bay Settlement Boundary and Urban Design Review being undertaken on behalf of the Colac Otway Shire.

### 1.2. STUDY AREA DEFINITIONS

For the purposes of this report, when the term "Apollo Bay" is used it is referring to the boundaries as defined by the Apollo Bay-Marengo Urban Centre/Locality (UC/L), shown in Figure 1. The Apollo-Bay-Marengo UC/L is inclusive of the townships of Apollo Bay and Marengo which are located north and south of the Barham River. The Apollo Bay UC/L has been used for the residential and retail assessments.

The industrial assessment focuses on the Industrial 1 Zone land within the Apollo Bay township. Further definitions are provided within the industrial section of this report.

FIGURE 1 APOLLO BAY-MARENGO URBAN CENTRE/LOCALITY



Source: Australian Bureau of Statistics, 2003.

## 2. LITERATURE REVIEW

### 2.1. APOLLO BAY STRUCTURE PLAN, VOLUMES ONE AND TWO

The Apollo Bay Structure Plan was developed by the Colac Otway Shire Council over the period May 2005 to early 2007.

#### RESIDENTIAL

Key recommendations of the Structure Plan relating to Apollo Bay include:

- Encourage infill development of medium density housing and accommodation within walking distance of the commercial area of Apollo Bay, to reduce the pressure to expand the urban area, and provide alternative housing choice;
- Consolidate the town centre of Apollo Bay and provide a greater diversity of housing and accommodation at higher densities within and in close proximity to the commercial area.

Other key information includes:

- The Great Ocean Green Development (Amendment C29) is discussed within this document. It proposed a residential development between the current Apollo Bay settlement edge and the lower density development adjacent to the airport. The proposal included a mix of housing, recreation (golf course), clubhouse, resort, open space and revegetation;
- Amendment C29 was refused by the Minister in 2009. The Planning Minister's decision to refuse Amendment C29 and approve the Apollo Bay Structure Plan with additional 'urban development investigation areas' has led to the need for Council to reconsider the validity and strategic justification of the potential for the identified 'investigation areas' to accommodate growth or a change in land use;
- The study area contains a number of ecologically sensitive areas and areas affected by natural hazards, which may pose a risk to future use or development, or be detrimentally impacted by future use and development. These include areas subject to inundation (low lying areas, particularly in floodplains), areas with a high wildfire risk, land prone to erosion or landslip, and areas of potential acid sulfate soils. Some of these hazards are likely to compound in the future, particularly as a result of climate change.

A key concern raised by the relevant water authority, Barwon Water, is that due to insufficient water storage capacity the authority was unable to currently commit to servicing further growth of the town. When finalising the Apollo Bay Structure Plan, Barwon Water made the following comment to the Colac Otway Shire council:

*"... in relation to finalising the Apollo Bay Structure Plan, Barwon Water repeats the advice that it is not in a position to provide water supply to any additional rezoned residential land until such time as a new water storage has been constructed." (Apollo Bay Structure Plan 2007)*

Population forecasts were also provided in the Structure Plan. .id consulting provided the following population forecasts for the Great Ocean Road - Otways Area which is inclusive of Apollo Bay, Marengo and Skenes Creek. These population projections have been reviewed and

updated twice by .id consulting, firstly in December 2008 and again in January 2011. This highlights the variability associated with forecasting future population.

| Summary data           | Forecast year |       |       |       |       |
|------------------------|---------------|-------|-------|-------|-------|
|                        | 2008          | 2009  | 2011  | 2016  | 2021  |
| Total population       | 2,897         | 3,276 | 3,678 | 3,853 | 4,003 |
| Households             | 1,204         | 1,425 | 1,653 | 1,767 | 1,861 |
| Dwellings              | 2,979         | 3,368 | 3,907 | 3,932 | 4,007 |
| Average household size | 2.34          | 2.24  | 2.17  | 2.13  | 2.10  |

\* stable\* from previous year    \* increase from previous year    \* decrease from previous year  
 \* stable refers to between +/- 0.5% change

**RETAIL**

Key recommendations from the Structure Plan relating to retail uses of Apollo Bay- Marengo UC/L include:

- Intensify commercial and business land uses within the commercial area of Apollo Bay and ensure a future supply of Business Zoned land to meet demand.
- Mark the entry points to the commercial and retail area of Apollo Bay with landmark buildings of excellent architectural quality, reflecting the seaside character of the centre.

Other findings relating to retail include:

- Retail and commercial activity within the three towns is limited to Apollo Bay. Retail primarily fronts to the Great Ocean Road, and occasionally to intersecting side streets and Pascoe Street, with low-key activities. A large proportion of the activity on the Great Ocean Road is tourism focused, with a mix cafes/restaurants, accommodation, surf shops, real estate and gift shops. There are also two small supermarkets, one located in Hardy Street and the other on the Great Ocean Road.
- An analysis of vacant land in the commercial area reveals that there are approximately four vacant allotments, which indicates that business activity in Apollo Bay is healthy. However, the existing business zone is not used to capacity, with large areas of underutilised land, particularly fronting Pascoe Street. Considerable redevelopment could occur over time to use this land more efficiently.
- The existing low numbers of dwellings, the lack of substantial future residential growth potential in Marengo and Skenes Creek and the close proximity of the Apollo Bay centre would limit the potential for new retail or commercial activities in each of these centres to a convenience shop or local café (maybe seasonal).

**INDUSTRIAL**

Key findings from the Structure Plan in respect of industrial land use include:

- The Apollo Bay industrial estate is located to the west of the town centre, adjoining residential land on the edge of the urban area. There are currently 2 vacant infill lots (totalling 0.4 hectares) and 2 broadacre lots (of 7.4 and 8 hectares) of industrial land available, comprising 60% of the total industrial land provision in Apollo Bay. In addition, there are industrial type uses in Marengo - a waste transfer station and a concrete batching plant - that may be better suited to industrial land. The large area of vacant industrial land has ample capacity for the potential relocation of these uses.

Key recommendations relating to industrial land use include:

- Provide for future industrial development while minimising offsite impacts on surrounding residential uses, the environment (particularly local waterways) and views from residential areas and the Great Ocean Road.
- There may be an opportunity to rezone some of the Industrial 1 Zone land to Industrial 3 Zone, in order to provide a buffer of industrial uses that are compatible with residential uses between the Residential 1 Zone and the remaining Industrial 1 Zone.

2.2. AMENDMENT C29 COLAC OTWAY PLANNING SCHEME, GREAT OCEAN GREEN, APOLLO BAY

Urban Enterprise prepared a report for the Colac Otway Shire Council in May 2006 in respect of the demand for, and supply of, residential land in the Apollo Bay, Marengo and Skenes Creek Townships to inform the Structure Plan. This report formed the basis of a Statement of Evidence in the Planning Panel hearing in respect of Amendment C29 in 2006 relating to the proposed Great Ocean Green development in Apollo Bay.

Key findings from the 2006 report relating to land demand in Apollo Bay and Marengo included:

- There were 50 detached dwellings approved per annum on average for the period 2000 to 2005 inclusive and 7 multi-unit approvals per annum on average. There were also 4 demolition permits issued on average each year. The net dwelling approval rate over that period was therefore 54 per annum.

Key findings in relation to land supply from the 2006 report are summarised in Table 1 below.

TABLE 1 SUPPLY OF RESIDENTIAL LAND IN APOLLO BAY, MARENGO AND SKENES CREEK

| Area       | Type of vacant land | Residential Zone |       | Township Zone |     |
|------------|---------------------|------------------|-------|---------------|-----|
|            |                     | No. lots         | Ha    | No. lots      | Ha  |
| Apollo Bay | Infill Land         | 173              |       | 0             |     |
|            | Broadacre           | 11               | 35.06 | 0             | 0   |
|            | Subtotal            | 520              | 45.56 | 0             | 0   |
| Marengo    | Infill Land         | 18               |       | 0             |     |
|            | Broadacre           | 1                | 2.1   | 0             | 0   |
|            | Subtotal            | 38               | 4.5   | 0             | 0   |
| Total      | Infill Land         | 191              |       | 36            |     |
|            | Broadacre           |                  | 37.16 |               | 3.5 |

Source: Urban Enterprise, May 2006.

The 2006 report estimated that Apollo Bay, Marengo and Skenes Creek had a remaining supply of residential land of 620 lots at the end of 2006. This equated to around 10 to 12 years supply of residential land.

## 3. RESIDENTIAL LAND ASSESSMENT

### 3.1. INTRODUCTION

This section of the report comprises an update to the demand and supply assessment for residential land in the Apollo Bay UC/L undertaken by Urban Enterprise in 2006.

Data has been obtained to January 2011 to establish current demand and supply in Apollo Bay and Marengo. Skene's Creek has been omitted from the analysis in this report.

### 3.2. METHODOLOGY

The methodology utilised for this residential land demand and supply analysis draws on a range of information sources. These information sources include:

- A review of the *Amendment C29 Colac Otway Planning Scheme Great Ocean Green, Apollo Bay Statement of Evidence* document which this section seeks to update to January 2011.
- A review of key strategic documents, including the Apollo Bay Structure Plan 2007, Volumes One and Two;
- Dwelling approvals data for the period January 2003 to December 2010, provided by the Colac Otway Shire Council;
- Dwelling data for the years 2001 and 2006, including the number of occupied and unoccupied dwellings from the ABS Census;
- New dwelling approval and planning permit approval information provided by the Colac Otway Shire Council;
- Residential property values sourced from "A Guide to Property Values", Department of Sustainability and Environment, 2009;
- Discussions with local real estate agents relating to supply, demand, prospective markets and future outlook.

### 3.3. RESIDENTIAL SUPPLY

#### 3.3.1. VACANT RESIDENTIAL LAND SUPPLY

##### BROADHECTARE RESIDENTIAL 1 ZONED LAND

Table 2 shows the number of broadhectare Residential 1 Zone land parcels in the Apollo Bay-Marengo UC/L. There are 9 broadhectare land parcels in Apollo Bay and Marengo as at January 2011.

The following changes to broadhectare land supply within Apollo Bay have occurred since the 2006 report:



- Part of the Milford Beach Estate has been subdivided (approximately 3.1 hectares), yielding 25 infill lots and reducing broadhectare supply in this estate from 16.74 hectares to 13.64 hectares;
- The broadhectare site at 70 Cawood Street (3.75 ha) has been subdivided and is now considered infill rather than broadhectare land. It has yielded 44 lots;
- The broadhectare site at 1-7 Noel Street (Ocean Edge Development) has been subdivided and is now considered as infill lots rather than broadhectare land. It has yielded 25 lots;
- The Gum Court development has been subdivided and is now considered as infill lots rather than broadhectare land. It has yielded 13 lots;
- The 21 Old Tuxion Road development (2.97 ha) has proceeded. When completed, it will yield 35 lots. It has been classified as infill lots;
- The Mariners Vue site has been rezoned from Environmental Rural Zone to Residential 1 Zone and is now included as a broadhectare site. Amendment C17 allows for 110 lots on this 12 hectare site.

Of the 8 broadhectare land parcels remaining in Apollo Bay, one continues to be subdivided in stages (Milford Beach Estate). The Milford Beach Estate has an estimated 13.64 hectares remaining for further subdivision.

There have been no changes to the supply of broadhectare land in Marengo since 2006. The one broadhectare land parcel of approximately 2.1 hectares in area, still remains unsubdivided.

In summary, there are 37.35 hectares of broadhectare land remaining in the Apollo Bay/Marengo UC/L as at January 2011.

Of the 35.28 hectares of broadhectare land in Apollo Bay specifically, 13.64 hectares is currently in the process of being subdivided (The Milford Beach Estate). The Mariners Vue estate is 12 hectares in area and is expected to yield 110 lots. This leaves 9.64 hectares of broadhectare land still to be subdivided. In Marengo, there is a 2.07 hectare parcel of land that can be further subdivided.

It is estimated that the 11.73 hectares of remaining broadhectare land in Apollo Bay and Marengo could yield 110 lots at an average density of 10 lots per hectare. In addition, the Mariners Vue estate is expected to yield 110 lots. Therefore, land currently classified as broadhectare will yield an estimated 220 lots once developed.

The broadhectare land supply is summarised in Table 2 below.

TABLE 2 BROADHECTARE RESIDENTIAL 1 ZONED LAND

|                                                     | Township                | January 2011   |
|-----------------------------------------------------|-------------------------|----------------|
| Number of Broadhectare Land Parcels                 | Apollo Bay              | 8 Parcels      |
|                                                     | Marengo                 | 1 Parcel       |
|                                                     | Apollo Bay-Marengo UC/L | 9 Parcels      |
| Area of Broadhectare Land Parcels                   | Apollo Bay              | 35.28 Hectares |
|                                                     | Marengo                 | 2.07 Hectares  |
|                                                     | Apollo Bay-Marengo UC/L | 37.35 Hectares |
| Source: Urban Enterprise, Colac Otway Shire Council |                         |                |

Source: Colac Otway Shire Council, Planning Amendments Online

INFILL LOTS/SUBDIVIDED LOTS

Table 3 shows the estimated number of Residential 1 Zone and Low Density Residential Zone infill lots located within the Apollo Bay-Marengo UC/L.

As at January 2011, there were an estimated 186 infill lots in Apollo Bay and Marengo. This is calculated as follows:

- There were 191 infill lots in Apollo Bay and Marengo in May 2006;
- The lots created from further subdivision of broadhectare land since 2006 are now included as infill lots and total 142 lots;
- There have been 213 dwelling approvals issued from 2006 to the end of 2010 which are estimated to have consumed 147 lots. It is assumed that each detached dwelling approval consumes one lot and every 2.85 units approved consumes one lot. This is based on an average of units developed per conventional residential lot, in the past 10 years.

For the purposes of the supply analysis, it is assumed that overall, each infill lot equates to a conventional residential lot.

Infill lots that are located in the older parts of Apollo Bay and Marengo vary in size and configuration, with some lots likely to be greater in area than a conventional residential lot and some likely to be smaller in area. On balance, across all these types of infill lots it is assumed that one lot equals a conventional residential lot. Infill lots that are close to the town centre and foreshore area are more likely to be developed for multi-unit dwellings rather than single, detached dwellings. Some of these multi-unit dwellings will target the holiday accommodation market.

In the case of infill lots that exist in newer estates, the infill lots are conventional residential lots which have been created for single detached housing. In other words, the broadhectare or greenfields sites are more likely to be developed for single, detached dwellings.

The historical consumption of lots, as outlined above, takes into account the consumption of lots for multi-unit dwellings as well as single, detached dwellings.

It should be noted that some existing infill lots may not be developed for some years due to the particular preferences and intentions of the existing owners. For example, some lots are

purchased with the intention of constructing a future holiday home or a dwelling to accommodate a "seachange". These lots may not be developed for years to come. Other lots may have been in the same ownership for many years and there is no compelling reason or intention of the owner to develop.

Notwithstanding that some of these infill lots will not be developed for a number of years, the total number of infill lots has been included in the assessment of supply. This is considered to be a conservative (ie optimistic) approach to the estimate of supply.

Finally, there may be potential for developed lots to be redeveloped, ie lots that are currently occupied by a dwelling. This potential would primarily be focused on the older parts of the Apollo Bay township, where the existing dwellings are very old and/or the lots are located in prime positions such that the value of the land as a development site exceeds the value of the land as a single dwelling site. These lots are not included in the supply assessment because:

- It is too difficult and subjective to make an assessment of which properties might be redeveloped;
- It is considered that there are cost disadvantages in purchasing a property with improvements to redevelop compared to a vacant lot, where the cost of the lot does not include any value of existing improvements;
- These types of lots tend to be confined to prime positions such as the foreshore or close to the town centre.

#### TOTAL ESTIMATED RESIDENTIAL SUPPLY

The estimate of the residential land supply in Apollo Bay and Marengo in January 2011 is therefore calculated as follows:

- 186 infill, vacant lots;
- 172 lots in the process of being subdivided (13.64 ha, Milford Beach Estate);
- An estimated 110 lots from broadhectare land (11.73 ha) still to be subdivided;
- 110 lots which the (broadhectare) Mariners Vue site is expected to yield once developed;
- A total land supply in the order of 578 lots.

### 3.4. RESIDENTIAL DEMAND

#### 3.4.1. REGIONAL DRIVERS OF DEMAND

There are a number of drivers that will have a positive impact on the demand for residential zoned land in Apollo Bay as follows:

- Geelong Bypass. The Geelong Bypass has reduced travel times to Apollo Bay from the suburbs of both Geelong and Melbourne. The reduced travel times are likely to increase the attraction of Apollo Bay as a holiday and holiday home destination from residents of Melbourne (particularly from the western and north-western regions) and Geelong;
- Urban Growth in Melbourne and Geelong. The north-western and western regions of Melbourne are projected to capture a significant proportion of Melbourne's housing and population growth over the next 20 years. Victoria in Future (Department of Planning and

Community Development) forecasts that the City of Greater Geelong will achieve growth equal or greater than the Victorian average in 15 of the 20 years over the period 2006 to 2026 with a significant proportion of this growth generated by the Armstrong Creek Growth Area. In addition, the City of Wyndham will experience growth well above the Victorian average over the entire period (a range of 3% to 7% growth for the City of Wyndham compared to 1.25% to 1.75% for Victoria). The urban growth to be experienced in the Cities of Greater Geelong and Wyndham is likely to create an increased pool of residents seeking to purchase holiday homes, or to holiday in, the Great Ocean Road Region;

- Designated Growth Node. The Coastal Spaces Report identifies Apollo Bay as having “moderate growth capacity”. Apollo Bay remains the only coastal centre along the Great Ocean Road beyond Torquay with moderate growth potential. As the supply of residential land in other coastal locations is exhausted over time, it is likely that demand will progressively be directed to Apollo Bay.

### 3.4.2. MACROECONOMIC INFLUENCES IMPACTING HISTORICAL DEMAND

The Global Financial Crisis (GFC) is likely to have had a significant effect on demand for residential development and in particular holiday homes in recent years. The reduction in the number of dwelling approvals in selected coastal locations, since 2007 coincides with the onset of the GFC.

In 2009/10, dwelling approvals in the Surf Coast Shire and Bass Coast Shire recovered to pre-GFC levels although this could be due to unique influences such as the construction of the desalination plant in Wonthaggi and continued strong population growth in the Surf Coast Shire.

Dwelling approvals in the Mornington Peninsula, Corangamite and Colac Otway Shires have not recovered to pre-GFC levels as yet.

It is important to “look through” short term influences and take a longer view on demand trends. All things being equal and given the regional demand drivers outlined above, it is likely that dwelling approvals in Colac Otway Shire will recover to pre-GFC levels in time.

TABLE 3 DWELLING APPROVALS FOR SELECTED COASTAL AREAS

| Year (ending June 30) | Surf Coast Shire | Corangamite Shire | Mornington Peninsula Shire | Bass Coast Shire | Colac Otway Shire |
|-----------------------|------------------|-------------------|----------------------------|------------------|-------------------|
| 2009-10               | 444              | 58                | 878                        | 567              | 112               |
| 2008-09               | 370              | 46                | 959                        | 394              | 147               |
| 2007-08               | 416              | 63                | 1192                       | 477              | 138               |

Source: Profile 43 Community Profiles

### 3.4.3. PAST DEMAND TRENDS

#### HISTORICAL DWELLING GROWTH

Table 4 shows the number of dwellings in the Apollo Bay-Marengo UC/L during 2001 and 2006, based on Census data for 2001 and 2006. Over the period 2001 to 2006, the number of dwellings increased by 273 dwellings or an average of 55 dwellings per year.

There has been a trend to increased holiday home ownership over the period 2001 to 2006. In 2001, 52% of properties were unoccupied on Census night. This figure increased to 57% in 2006. In coastal locations, it is likely that a high proportion of unoccupied dwellings are either used as holiday homes, holiday rentals or a combination of both.

TABLE 4 APOLLO BAY-MARENGO UC/L - NUMBER OF DWELLINGS, 2001-2006

|                         | 2001               |                      |                 | 2006               |                      |                 | Annual Growth in occupied dwellings 2001 to 2006 | Annual Growth in unoccupied dwellings 2001 to 2006 | Annual Growth in Total dwellings 2001 to 2006 |
|-------------------------|--------------------|----------------------|-----------------|--------------------|----------------------|-----------------|--------------------------------------------------|----------------------------------------------------|-----------------------------------------------|
|                         | Occupied Dwellings | Unoccupied Dwellings | Total Dwellings | Occupied Dwellings | Unoccupied Dwellings | Total Dwellings |                                                  |                                                    |                                               |
| Apollo Bay/ Marengo UCL | 963                | 609                  | 1,172           | 526                | 819                  | 1,445           | 13<br>(2.14%)                                    | 42<br>(6.10%)                                      | 55<br>(4.28%)                                 |

Source: ABS Census Data 2001 & 2006.

DWELLING APPROVALS

The Colac Otway Shire has provided Urban Enterprise with two sets of residential building approvals data. The data relates to the Apollo Bay and Marengo townships. The first dataset was for the period 2000 to 2005 and was used for the Statement of Evidence document prepared for the Colac Otway Shire Council. This dataset has been adjusted to only cover the townships of Apollo Bay and Marengo.

The second dataset is for the period 2003 to March 2011 and was provided by Council in 2011.

The findings from both datasets have been reconciled in Figures 2 and 3 overleaf. Building approvals for 2011 have been extrapolated.

There was an inconsistency between both datasets for the period 2003 to 2005. This inconsistency indicates that the second dataset underestimates residential building approvals by approximately 16% each year. Where necessary, an adjustment has been made to reflect this finding.

It is assumed that one detached dwelling approval equates to the consumption of one residential lot. The data provided by Council has also enabled Urban Enterprise to establish the underlying lot consumption for each multi-unit development.

For the period 2000 to 2010, there has been on average 38 detached dwelling approvals per annum. Unit approvals have averaged 15 per annum in that period. The dwelling approval data for units was matched with the area of the lot that was proposed to accommodate the units. This analysis indicated that over the period 2000 to 2010, on average 2.85 units were accommodated on a standard lot. This represents an average take up of approximately 5 to 6 lots per annum for units.

Therefore, in total, an estimated 43 lots per annum on average have been consumed over the period 2003 to 2010.

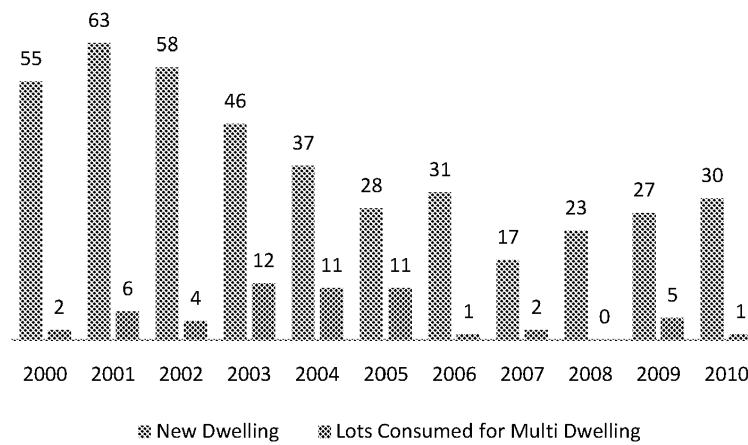
However, two distinct trends can be identified from the graph below. Firstly, annual dwelling approvals pre-GFC (2000 to 2006) are significantly higher than the period post-GFC, averaging 45 lots for detached houses and 7 lots for units. Hence, an average of 52 lots per annum, were consumed for the period 2003 to 2006.

Dwelling approvals during and post-GFC (2007 to 2010) are lower than for the pre-GFC period, averaging 24 lots for detached houses and 2 lots for units. Hence, an average of 26 lots per annum, were consumed for the period 2007 to 2010.

It is expected that in time, the number of dwelling and unit approvals in Apollo Bay will recover to pre-GFC levels, when macro-economic conditions improve. In the period January to March 2011, 13 residential building approvals occurred, indicating that there will be in the order of 50 to 55 approvals granted in 2011.

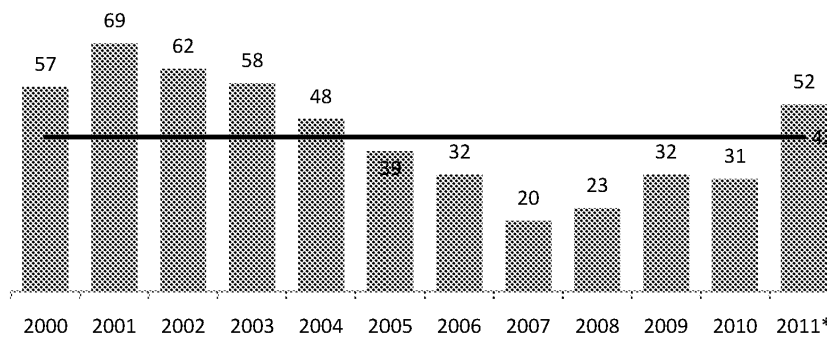
For the purposes of forecasting future demand for residential land over the next 10-20 years, an average annual consumption of 50 to 55 residential lots is assumed.

TABLE 5 LOT CONSUMPTION BETWEEN 2000 AND 2010 (DWELLING AND MULTI DWELLING)



Source: Colac Otway Shire Council, 2011.

FIGURE 2 LOT CONSUMPTION BETWEEN 2000 AND 2010 (TOTAL)



Source: Colac Otway Shire Council, 2011. \* 2011 figures have been extrapolated based on January to March data.

3.4.4. RESIDENTIAL LAND VALUES- APOLLO BAY AND MARENGO

Table 5 shows the median sales price achieved for vacant residential lots in the Apollo Bay township for the period 1999 to 2009. This information is not available for the Marengo township. The data shows that:

- The median sales price for vacant residential lots in Apollo Bay in 2009 was \$182,000;
- The median sales price increased by an average of 15% annually from 1999-2009 in Apollo Bay;
- The median sales price increased by an average of 9.63% annually from 1999-2009 in Melbourne;
- This indicates strong and consistent demand in Apollo Bay, compared with Melbourne. Property values have risen at a rate far greater than the Melbourne average. Property values have fluctuated more however and this may be a result of a smaller sample size of properties;
- Prices have largely stagnated or fallen slightly since 2007, coinciding with the onset of the GFC.

TABLE 6 MEDIAN SALES PRICE – VACANT RESIDENTIAL LOTS – APOLLO BAY TOWNSHIP

| Year                                  | Apollo Bay Township |                   | Melbourne Metro Area |
|---------------------------------------|---------------------|-------------------|----------------------|
|                                       | Median Sales Price  | Annual Change (%) | Annual Change (%)    |
| 1999                                  | \$45,000            |                   |                      |
| 2000                                  | \$52,000            | 15.56%            | 0.77%                |
| 2001                                  | \$91,000            | 75.00%            | 12.98%               |
| 2002                                  | \$125,000           | 37.36%            | 21.62%               |
| 2003                                  | \$146,000           | 16.80%            | 31.11%               |
| 2004                                  | \$193,000           | 32.19%            | 14.41%               |
| 2005                                  | \$202,500           | 4.92%             | 1.48%                |
| 2006                                  | \$185,500           | -8.40%            | 1.46%                |
| 2007                                  | \$220,000           | 18.60%            | 3.60%                |
| 2008                                  | \$210,500           | -4.32%            | 4.86%                |
| 2009                                  | \$182,000           | -13.54%           | 7.95%                |
| Prelim. 2010                          | \$196,500           | 7.97%             | 5.52%                |
| Average growth per annum 1999 to 2009 | \$13,700            | 15.00%            | 9.63%                |

Source: A Guide to Property Values, Department of Sustainability and Environment, 2010.

3.4.5. DISCUSSIONS WITH REAL ESTATE AGENTS

Urban Enterprise conducted phone interviews with real estate agents that are active in the Apollo Bay and Marengo townships. They provided the following observations:

- Apollo Bay has become more desirable to buyers as the supply of land in other townships such as Lorne has decreased;
- Land buyers are typically Melbourne-based and are interested in lots from 600 to 700 square metres in area. Land buyers generally buy with the intention of generating holiday rental income and also to use the dwelling as a holiday home. Many intend to retire to the property;
- Lots that are priced around \$200,000 are popular with purchasers;
- Competitively priced land tends to sell quickly. Approximately 75% of a 20 lot subdivision located to the north of the Apollo Bay township was sold within 3 months of offering. These lots were sold in the \$185,000 to \$230,000 range;



- Ocean views are desirable, however these lots can sell for up to \$800,000 for “beach front” land with ocean views;
- There has been an increase in the number of properties selling for over \$1 million. These are either architecturally unique properties with ocean views or properties with subdivision potential;
- Apollo Bay has experienced a slow property market over the period July to December 2010. This contrasts with a very strong spring 2009 period.

#### 3.4.6. ESTIMATED CURRENT SUPPLY OF RESIDENTIAL LAND

Existing residential zoned land supply in Apollo Bay and Marengo townships is estimated at 578 lots.

Based on a long term forecast of demand for 50-55 lots per annum, the existing zoned land supply equates to 10.5-11.5 years supply.

Action will need to be taken in the immediate future to ensure that an adequate supply of residential land is maintained into the future, given the time involved in obtaining approval for rezoning of land and in subsequently subdividing the land.

## 4. RETAIL ASSESSMENT

### 4.1. EXISTING APOLLO BAY RETAIL STUDY

The Colac and Apollo Bay Retail Study report, was prepared for Colac Otway Shire by Essential Economics Pty Ltd in August 2009.

Urban Enterprise has reviewed the report and supports the methodology used and the findings of the report. The study provides forecasts of potential future retail floorspace development in Apollo Bay.

Key findings from the report relating to retail demand and supply in Apollo Bay include:

- Retail floorspace provision in Apollo Bay is approximately 10,740m<sup>2</sup> in 2009, and is focussed on the Great Ocean Road frontage;
- The 10,740 m<sup>2</sup> of retail floorspace comprises 1,960m<sup>2</sup> of Food, Liquor and Groceries (FLG) floorspace, 3,760 m<sup>2</sup> of floorspace devoted to food catering and 5,010m<sup>2</sup> for non-food shops and retail services;
- The retail sector in Apollo Bay generates total turnover of approximately \$41m in 2009, consisting of \$19.4m attributable to residents in the Main Trade Area (MTA), and \$21.6m drawn from tourists, passing traffic and non-permanent residents;
- Retailers in Apollo Bay achieve an overall market share of 72% of total available retail spending in the MTA;
- Additional supportable retail floorspace will be generated by population and spending growth, opportunities to increase the share of spending retained in the town, and opportunities for an increase in in-coming spending by tourists and other visitors;
- According to the analysis, approximately 2,600 square metres in new retail floorspace (or in the range of approximately 2,000-4,000m<sup>2</sup>) is supportable in Apollo Bay over the period 2009 to 2025 (half based on resident projections, other half on tourism projections);
- The 2,600 m<sup>2</sup> of new retail floorspace consists of an additional 410 m<sup>2</sup> of FLG floorspace, an additional 610 m<sup>2</sup> of food catering floorspace and an additional 1,580 m<sup>2</sup> of non-food/services floorspace.

The report emphasises that these figures are intended as a broad indication of retail development opportunity, and should not be used to restrict retail development when considering planning applications.

#### 4.1.1. UPDATE OF DATA

As the report is less than 18 months old it is still considered a relevant document, with the exception of population projections which have since been updated. Referenced sources such as CLUE 2007 for the Colac Otway Shire have not been updated.

Urban Enterprise has updated population projections in the Colac Otway Shire since the publication of the Essential Economics report. For the Great Ocean Road- Otways region, population

projections have been scaled back from 1.64% to 1.35% for the period 2006 to 2026. This region is inclusive of the Apollo Bay-Marengo UC/L. The 'Essential Economics' report adopts a figure of 2.1% for projected population growth.

Population projections by .id were a key data source which informed the population trends and projections section of the report for the Apollo Bay Main Trade Area and were one of the inputs in establishing a requirement for approximately 2,600 square metres of new retail floorspace over the period 2009 to 2025.

Despite a reduction in population projections, it is suggested that the findings from the Essential Economics report are still relevant and do not need to be updated. Population projections only inform half of the required retail floor space calculations, with the other half being informed by tourism projections. The reduction in population projections is insignificant and unlikely to significantly impact demand for retail. Finally, planning for a higher growth scenario than predicted is considered to be a prudent approach.

Hence, it is considered that the Apollo Bay Town Centre will still require around 2,600 square metres of additional floorspace over the period 2011 to 2025.

#### 4.1.2. ESTABLISHING THE NEED FOR REZONING

Urban Enterprise has conducted an assessment of the ability for lots zoned B1Z to accommodate the required 2,600 square metres of additional floorspace by 2026, utilising aerial photography provided by Council and Google products including Street View.

Many B1Z lots are not being utilised to their full capacity, with some opportunity for further subdivision or development. The 'Essential Economics' report recognises that the Pascoe Street frontages to many lots could be further developed and has identified that there is an increasing amount of retail development occurring in Pascoe Street to the west. Furthermore, some lots within the B1Z are still being used as residential dwellings.

The 'Essential Economics' report discusses several key development sites which could accommodate an expansion of retail, with each of these development sites being located within the existing retail precinct. Expansion strategies have been separated by retail type.

##### EXPANSION OF FOOD, LIQUOR, GROCERIES

- May involve redevelopment of some properties along Pascoe Street that have previously been identified for new commercial developments (eg 30-32 Pascoe Street, north of the Apollo Bay Motel, or an extension of the retail development that has recently occurred on Pascoe Street to the south of Moore Street.);
- Another site opportunity might involve the redevelopment of the Apollo Bay Timber and Hardware store, which is a relatively large site fronting the Great Ocean Road.

##### EXPANSION OF NON-FOOD SPECIALTIES

- Opportunities for new small-scale non-food specialty retailing would be likely to comprise the ongoing expansion of retailing to the west, away from the town centre. Expansion is currently occurring at the southern end of Pascoe Street, and an opportunity has been identified for some time north of the Apollo Bay Motel.

EXPANSION OF TOURISM-RELATED RETAIL

- Development opportunities are likely to involve intensification of retail activity along the Great Ocean Road (including, for example, the vacant block opposite the Visitor Information Centre), or the construction of new facilities, for example as part of the redevelopment of the harbour.

In summary, it is recommended that the estimated 2,600 square metres of retail expansion required to 2025 could be contained within the existing business zoned land. Market forces will drive a higher utilisation and intensification of existing retail if no new business zoned land is provided. Having retail concentrated in the one area and discouraging expansion will encourage a vibrant, clearly defined and walkable retail precinct in Apollo Bay which is considered the best outcome for retailers and patrons.

## 5. INDUSTRIAL ASSESSMENT

### 5.1. INTRODUCTION

Urban Enterprise has estimated the current supply of industrial zoned land in Apollo Bay and the amount of vacant land available for development.

The level of demand for industrial land in Apollo Bay is estimated based on forecast employment growth from 2011 to 2026 in relevant industry sectors. These projections aim to provide an indication of the amount of industrial land required in Apollo Bay for the next 15 years, to 2026.

### 5.2. EXISTING SUPPLY

Industrial 1 Zone (IN1Z) land is located in one area within the Apollo Bay township, as shown in Figure 3. There is no industrial zoned land in Marengo.

As at January 2011, the industrial zoned land located within Oak Avenue is fully occupied. The industrial zoned land located to the north of Montrose Avenue, opposite Oak Avenue is vacant. The industrial zoned land located within Arthur Court is vacant with the exception of 8-10 Arthur Court which has been developed.

FIGURE 3 LOCATION OF INDUSTRIAL LAND - APOLLO BAY



Source: Planning Maps Online.

5.3. EMPLOYMENT CATCHMENT AREA

Figure 4 shows the estimated employment catchment area for Apollo Bay industrial land. It has been assumed that the catchment for the IN1Z zoned land is the Apollo Bay State Suburb and Marengo State Suburb.

FIGURE 4 APOLLO BAY CATCHMENT AREA-- INDUSTRIAL LAND



Source: Australian Bureau of Statistics

5.4. SUPPLY

Table 6 shows the supply of industrial land in Apollo Bay, inclusive of vacant and developed land. There is 15 hectares of IN1Z zoned land as at January 2011.

Discussions with Council have established that only one IN1Z zoned lot has been developed in the past 3 years, namely 8-10 Arthur Court which is estimated to be 1.3 hectares in area.

TABLE 7 TOTAL INDUSTRIAL LAND SUPPLY-- APOLLO BAY JANUARY 2011

| Area                     | Vacant                                                  | Supply                |
|--------------------------|---------------------------------------------------------|-----------------------|
| Oak Avenue               | No                                                      | 4.30 ha               |
| Arthur Court             | Yes, except for 8-10 Arthur Court (estimated at 1.3 ha) | 6.73 ha               |
| North of Montrose Avenue | Yes                                                     | 3.95 ha               |
| <b>Total</b>             |                                                         | <b>14.98 hectares</b> |

Source: Urban Enterprise utilising aerial photography, cadastre and building approvals

Table 7 shows the supply of vacant industrial land in Apollo Bay. There is approximately 9 hectares of vacant industrial zoned land in Apollo Bay. From this we can establish that approximately 6 hectares of industrial land is being utilised, or is developed.

TABLE 8 VACANT INDUSTRIAL LAND SUPPLY

| Area                     | Supply         |
|--------------------------|----------------|
| Oak Avenue               | 0 ha           |
| Arthur Court             | 5.43 ha        |
| North of Montrose Avenue | 3.95 ha        |
| <b>Total</b>             | <b>9.38 ha</b> |

Source: Urban Enterprise utilising aerial photography, cadastre and building approvals

Of the vacant industrial land supply, approximately 30% of the land north of Montrose Avenue is subject to a Land Subject to Inundation Overlay which could constrain development. If this land is excluded, the available supply reduces to approximately 8 hectares.

### 5.5. DEMAND FOR INDUSTRIAL LAND

Future demand for industrial land in Apollo Bay has been projected based on current and future employment trends, recent industrial development trends, and current demand for industrial land.

#### 5.5.1. 9LAND TO SUPPORT LOCAL JOBS

##### INDUSTRIAL LAND REQUIRED TO SUPPORT LOCAL JOBS 2011

It is considered that demand for industrial land will be generated from a growth in local industry only, based on servicing the needs of the local population and the tourist population.

Table 8 shows the estimated area of industrial land required to support local jobs in the Apollo Bay State Suburb and Marengo State Suburb (local employment catchment area) in 2011. A total of 5 hectares of industrial land is estimated to be needed to support local jobs. This figure is in line with the area of industrial land currently occupied as per the supply assessment.

TABLE 9 LAND REQUIRED TO SUPPORT LOCAL INDUSTRIAL JOB CONTAINMENT 2011

| Industry Subdivision                                   | Floorspace Required (sqm) | Land Required (sqm) | Land Required (ha) |
|--------------------------------------------------------|---------------------------|---------------------|--------------------|
| Industrial                                             |                           |                     |                    |
| Road Freight Transport                                 | 3,454                     | 8,634               | 0.86               |
| Residential Building Construction                      | 2,173                     | 5,433               | 0.54               |
| Hardware, Building and Garden Supplies Retailing       | 2,165                     | 5,413               | 0.54               |
| Building Cleaning, Pest Control and Gardening Services | 2,041                     | 5,103               | 0.51               |
| Road Passenger Transport                               | 1,727                     | 4,317               | 0.43               |
| Other Transport Support Services                       | 1,295                     | 3,238               | 0.32               |
| Building Completion Services                           | 773                       | 1,932               | 0.19               |
| Grocery, Liquor and Tobacco Product Wholesaling        | 677                       | 1,692               | 0.17               |
| Other Wood Product Manufacturing                       | 476                       | 1,191               | 0.12               |
| Manufacturing, nfd                                     | 476                       | 1,191               | 0.12               |
| Other Construction Services                            | 435                       | 1,087               | 0.11               |
| Wholesale Trade, nfd                                   | 406                       | 1,015               | 0.10               |
| Postal and Courier Pick-up and Delivery Services       | 406                       | 1,015               | 0.10               |
| Timber and Hardware Goods Wholesaling                  | 406                       | 1,015               | 0.10               |
| Other Goods and Equipment Rental and Hiring            | 406                       | 1,015               | 0.10               |
| Automotive Repair and Maintenance                      | 340                       | 851                 | 0.09               |
| Heavy and Civil Engineering Construction               | 290                       | 724                 | 0.07               |
| Furniture Manufacturing                                | 272                       | 680                 | 0.07               |
| Repair and Maintenance, nfd                            | 204                       | 510                 | 0.05               |
| Construction, nfd                                      | 145                       | 362                 | 0.04               |
| Building Construction, nfd                             | 145                       | 362                 | 0.04               |
| <b>TOTAL</b>                                           | <b>18,713</b>             | <b>46,781</b>       | <b>4.68</b>        |

Source: Urban Enterprise utilizing information from the Australian Bureau of Statistics



**INDUSTRIAL LAND REQUIRED TO SUPPORT LOCAL JOBS IN THE FUTURE**

The population of Apollo Bay and surrounds is projected to increase by 1.35% each year. This will increase the number of people working in industrial jobs in the catchment area, leading to an increase in demand for industrial land.

Total demand for industrial land is therefore forecast to increase from 5 hectares in 2011 to 6 hectares by 2026, to support local jobs.

A contingency multiplier is applied when planning for industrial land to allow for the following:

- Land where the existing use does not change over the planning timeframe for the study, due to owners wishing to maintain its existing use;
- A generally low level of utilisation of industrial land in regional areas;
- Any unforeseen increases in demand, for example, from businesses that may be establishing for reasons other than to support local population growth.

In this case it is considered that an additional one hectare of land should be added to account for the contingency multiplier.

Taking into account the contingency multiplier, an additional 2 hectares of industrial zoned land is forecast to be required in Apollo Bay by 2026.

**5.5.2. BUILDING APPROVALS**

The rate of industrial development is a strong indicator of demand. Table 9 shows the number of completed building approvals per year for industrial zoned land in Apollo Bay over the period 2008 to 2010. Only one industrial lot has been developed over the three year period and it is a council facility, indicating low demand for IN1Z from the private sector over the same period.

TABLE 10 INDUSTRIAL BUILDING APPROVALS IN APOLLO BAY 2008 TO 2010

| Address       | Description            | Date of Building Permit Issue | Date of Completion | Other Information |
|---------------|------------------------|-------------------------------|--------------------|-------------------|
| 20 Oak Avenue | Waste Transfer Station | 10/11/2008                    | 25/11/2010         | Council Facility  |

Source: Colac Otway Shire Council, 2011.

A building permit was approved for a warehouse on 20 Oak Avenue in 2008 however this was not completed.

**5.5.3. CONSULTATION WITH REAL ESTATE AGENTS**

Consultation with real estate agents has established that there are two IN1Z zoned properties for sale in Apollo Bay, one in Oak Avenue (a vacant land parcel) and one in Arthur Court.

## 5.6. CONCLUSIONS

Conclusions regarding the demand for and supply of industrial land in Apollo Bay are as follows:

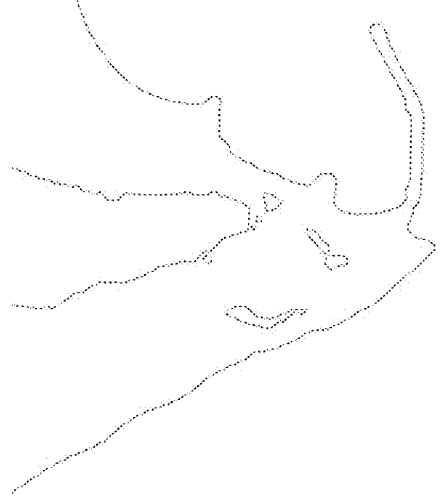
- There is 15 hectares of industrial zoned land in Apollo Bay;
- Of the 15 hectares of industrial zoned land, approximately 9 hectares is vacant, of which 8 hectares is considered readily developable.
- Projected demand for industrial zoned land to 2026 is estimated at an additional 2 hectares, to meet industry needs;
- The existing available vacant supply of 8 hectares therefore exceeds the forecast demand of 2 hectares to 2026;
- No additional industrial zoned land is therefore needed in Apollo Bay at this time.

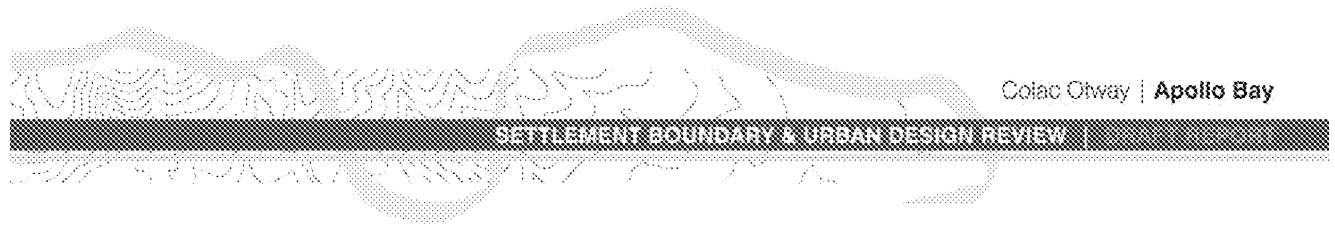


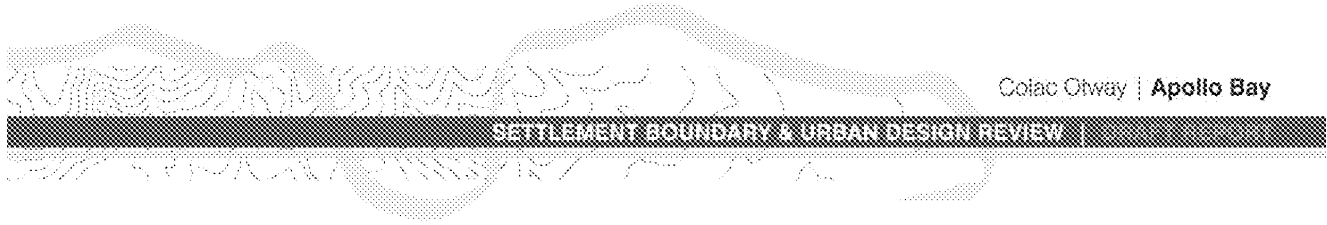
**APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW**

**DRAFT REPORT FOR CONSULTATION**

AUGUST 2011







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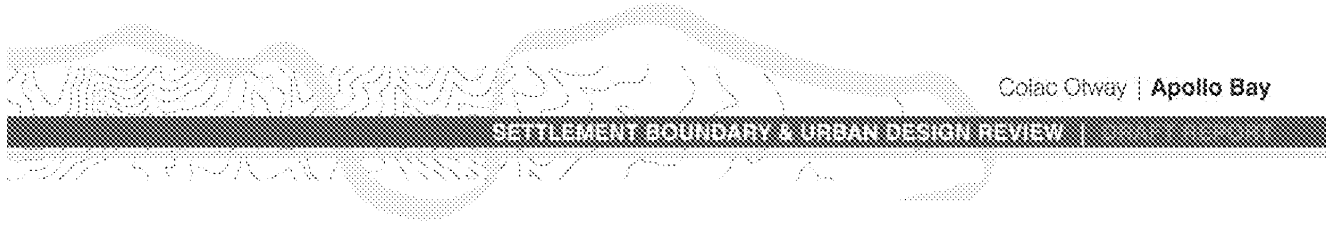
Accompanying Reports:  
*Apollo Bay Settlement Boundary & Urban Design Review: Background Report*  
*Apollo Bay Settlement Boundary & Urban Design Review: Draft Consultation Report*



# 1

## INTRODUCTION

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1



## BACKGROUND TO THE REVIEW

Apollo Bay is one of the few townships along the south-west Victorian coastline that has been designated for future urban growth by State Planning Policy. Other smaller settlements in the Shire and Region are subject to environmental and physical constraints that limit their growth potential. While Apollo Bay is also subject to significant challenges that limit growth potential, there are a small number of areas that have been identified for further investigation.

The 2007 Apollo Bay Structure Plan identified potential growth areas based on three separate growth scenarios. Key variables in each scenario included the provision of a new water treatment facility and the potential approval of the then proposed Great Ocean Green Development being contemplated under Amendment C29.

One of the scenarios flagged possible future development to the west of Apollo Bay if Great Ocean Green did not proceed, however it was acknowledged that additional strategic work would be required to justify the appropriateness of this option.

The Planning Minister's decision to refuse Amendment C29 and approve the Apollo Bay Structure Plan with additional 'urban development investigation areas' has led to the need for Council to reconsider the validity and strategic justification of development in these potential urban growth areas.

*Planisphere* has been appointed by the Colac Otway Shire Council to undertake a formal strategic assessment of four investigation areas within Apollo Bay/ Marengo to better understand their potential and suitability to accommodate future residential growth over the next 15 years. Furthermore, the review involves consideration of a possible extension to the retail area of Apollo Bay. It should be noted that this is not a review of the *entire* settlement boundary of Apollo Bay or Marengo.

In addition to the review of investigation areas, the *Settlement Boundary & Urban Design Review* provides the opportunity to:

- Review the interface between the current industrial and residential areas.
- Identify urban design initiatives to better integrate infill and new urban growth areas with the existing settlements.

This report aims to provide strategic recommendations for each of the five investigation areas, based on a thorough analysis of all issues and opportunities raised during the *issues analysis* stage of the project.

## INVESTIGATION AREAS

There are five specific investigation areas within the scope of the review. These areas are outlined in red on the map on page 4.

The identified areas for review have been specifically identified by the Minister for Planning; determined in part by the Great Ocean Green decision (Amendment C29) and previous recommendations contained in the Apollo Bay Structure Plan 2007.

## SUPPLY AND DEMAND ASSESSMENT

As part of the review, *Urban Enterprise* was engaged to undertake a residential, retail and industrial supply and demand assessment for Apollo Bay. Findings of the assessment conclude that:

- There is currently approximately 10.5-11.5 years of supply of residential zoned land in the townships of Apollo Bay & Marengo combined.
- There is adequate supply of business zoned land to support the estimated 2,600m<sup>2</sup> of retail expansion required to 2025.
- No additional industrial zoned land is needed in Apollo Bay in the next 10 years. Available and readily developable industrial zoned land in Apollo Bay (8 hectares) exceeds the projected demand (2 hectares) to 2026.

A full copy of the *Residential, Retail & Industrial Supply and Demand Assessment* is provided as Appendix A to this report.

## A LANDSCAPE OF NATIONAL SIGNIFICANCE

Apollo Bay is surrounded by steep sloping hills and the Barham River valley which have been recognised as a landscape of national significance and present significant environmental challenges relating to flooding, landslip and potential coastal acid sulfate soils. Whilst there may be some scope for the township to grow, these constraints limit the extent to which this can occur.

It should be noted that national significance is the highest level of significance attributed to areas in the region, and is also applied to the 12 Apostles area, Cape Otway, the coastal landscape between Lorne and Kennett River, and the Bells Beach coastal landscape. Landscape character objectives for Apollo Bay are provided under Schedules 3 and 5 to the *Significant Landscape Overlay* within the Colac Otway Planning Scheme.

The Great Ocean Road and its scenic environs were recently included on Australia's *National Heritage List*. Places included in the National Heritage List are considered to be of national environmental significance and are protected under the Environment Protection and Biodiversity Conservation (EPBC) Act, 1999. Implications of the heritage listing will mean that certain proposals will require closer scrutiny and assessment in order to avoid or minimise any significant impacts on the national heritage values of the Great Ocean Road.



## STATE PLANNING POLICY FRAMEWORK

Key elements of State planning policy contained in the Colac Otway Planning Scheme relevant to the Review include the following:

### Land Supply

- ◆ To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies directed at achieving this include:

- ◆ Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- ◆ Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

### Regional coastal development

- ◆ Support a network of diverse coastal settlements which provides for a broad range of housing types, economic opportunities and services.
- ◆ Avoid linear urban sprawl along the coastal edge and ribbon development within rural landscapes and protect areas between settlements for non-urban use.
- ◆ Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.
- ◆ Ensure a sustainable water supply, stormwater and sewerage treatment for all development.

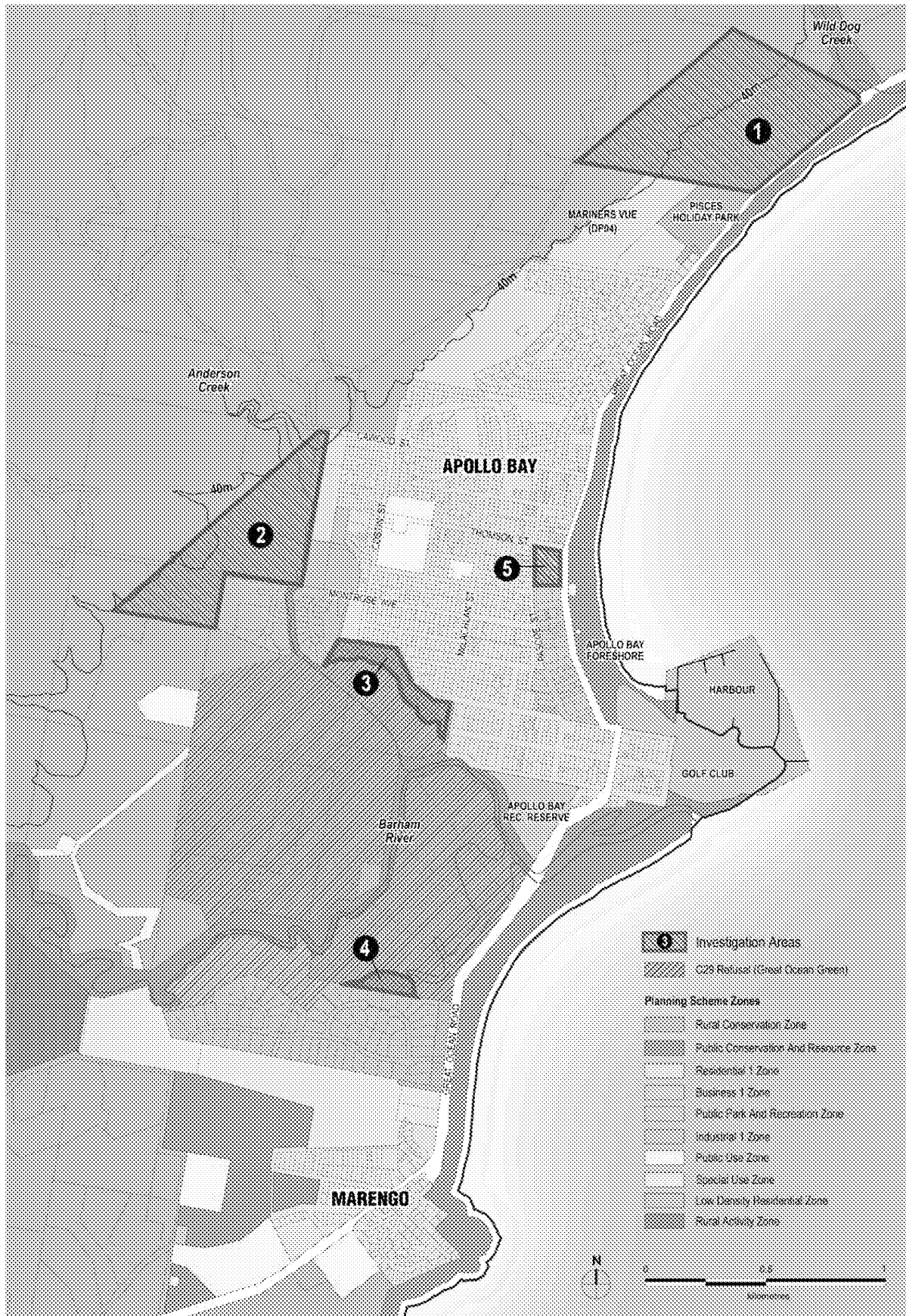
### Coastal areas

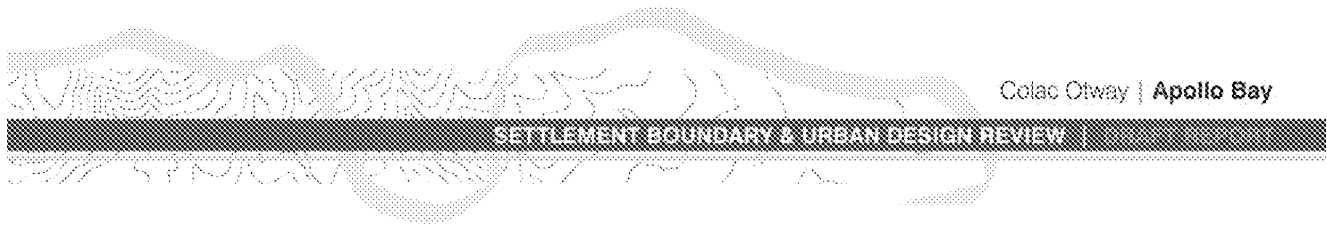
- ◆ To recognise and enhance the value of the coastal areas to the community and ensure sustainable use of natural coastal resources.
- ◆ To plan for and manage the potential coastal impacts of climate change (a sea level rise of not less than 0.8m by 2100)
- ◆ Provide clear direction for the future sustainable use of the coast.
- ◆ Protect and maintain areas of environmental significance.
- ◆ Identify suitable areas and opportunities for improved facilities.

## OTHER RELEVANT POLICY

A number of other policies, strategies and studies have been considered in the strategic assessment of the five investigation areas. These are summarised in the accompanying *Apollo Bay Settlement Boundary & Urban Design Review: Background Report*.







## SUMMARY OF RECOMMENDATIONS

The analysis contained in the following chapter provides a detailed strategic assessment of the five identified investigation areas within Apollo Bay/ Marengo to better understand their potential and suitability to accommodate future urban growth over the next 15 years. In undertaking the analysis it is important to recognise the State planning objectives for Apollo Bay as one of only a limited number of areas along the Great Ocean Road that can accommodate any growth, and to balance this with the State and National recognition of the significance of the landscape in which it sits.

The conclusion of the analysis is that of the five investigation areas, only one has the potential to accommodate residential growth of any consequence to the future of the township. This area of land, Area 1, is considered to have potential to accommodate some growth, provided that the subdivision and development is sensitively designed to reflect the area's prominent location within a highly significant landscape. All other areas have significant constraints due to land instability, flooding, size and/or access.

A summary of the recommendations for each of the five investigation areas follows.

### Investigation Area 1

Investigation Area 1 is located to the north-east of the Apollo Bay township between the Pisces Holiday Park/ Mariners Vue and Wild Dog Creek. The Review process determined that the area of land situated below the 40m contour line within Investigation Area 1 should be favourably considered for rezoning to Residential 1 Zone (R1Z) to accommodate residential growth as needs are determined, and subject to appropriate conditions and design guidelines.

### Investigation Area 2

Investigation Area 2 is located to the west of the Apollo Bay Industrial Estate and extends in a westerly direction up to the 40m contour line (approx.). The Review process determined that Investigation Area 2 should not be considered for rezoning to accommodate residential growth.

The small triangle of land situated between Cawood Street and Anderson Creek (abutting the existing Residential 1 Zone) could be considered for rezoning to Residential 1 Zone in the long term, subject to further analysis.

### Investigation Area 3

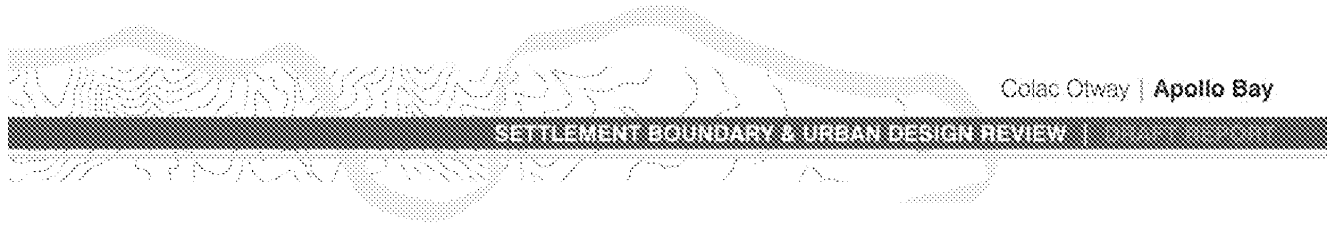
Investigation Area 3 is located to the south of the Apollo Bay settlement boundary, immediately adjacent to Seymour Crescent and the Barham River floodplain. The Review process determined that Investigation Area 3 should not be considered for rezoning to accommodate residential growth.

### Investigation Area 4

Investigation Area 4 is situated to the north of the Marengo settlement boundary, between the low-density residential area and the Barham River. The Review process determined that Investigation Area 4 should not be considered for rezoning to accommodate residential growth over the next 15 years.

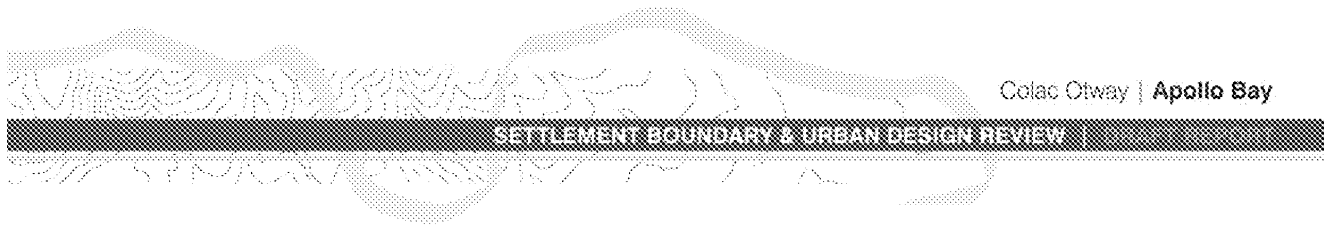
### Investigation Area 5

Investigation Area 5 is located within the town centre of Apollo Bay, in the block defined by Pascoe Street to the south, Thomson Street to the north, The Great Ocean Road to the east and Hardy Street to the west. The Review process determined that Investigation Area 5 should not be considered for rezoning to accommodate retail/commercial growth over the next 15 years.

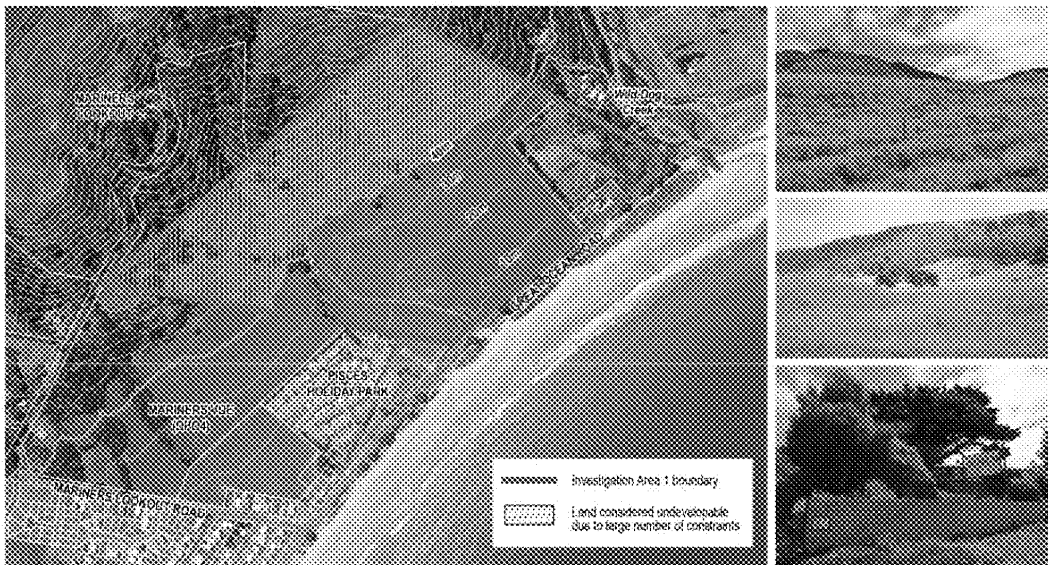
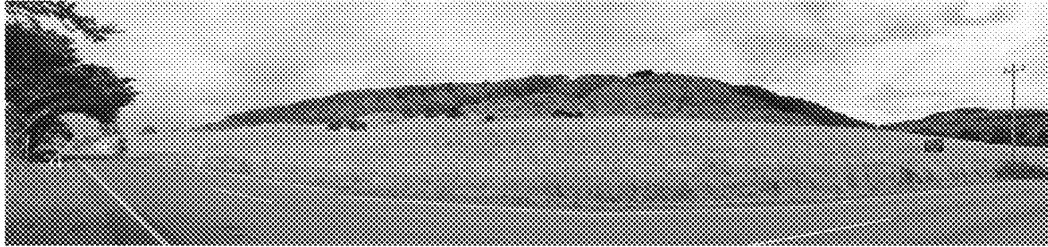


# 2

## INVESTIGATION AREA ANALYSIS & RECOMMENDATIONS



## INVESTIGATION AREA 1



### AREA DESCRIPTION

Investigation Area 1 is located to the north-east of the Apollo Bay township between the Pisces Holiday Park / Mariners Vue and Wild Dog Creek. It should be noted that while the boundary of the investigation area extends up to the 100m contour line (approx.), all land above the 40m contour is considered undevelopable due to the large number of constraints; as discussed in the following analysis.

### LAND OWNERSHIP/ SIZE

The investigation area extends across four property titles totalling approximately 418,000m<sup>2</sup>. The area of land situated below the 40m contour is approximately 227,000m<sup>2</sup> in size.

### RATIONALE FOR INVESTIGATION

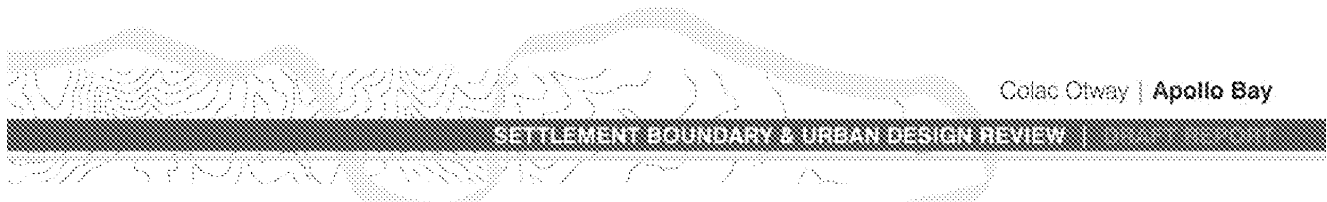
This area was identified in the 2007 Structure Plan (in growth scenarios 2 & 3) as having the potential for 'future non-urban tourist accommodation development' subject to a specific set of criteria.

A proposal for development of the site is imminent and it is timely to make a re-assessment of the potential for the site to accommodate any other form of residential development having regard to the south-west coastline's limited growth potential, in order to prepare for any development application.

### ZONING & OVERLAYS

The area is currently zoned *Rural Conservation*. Three overlays apply to the site including:

*SLO3 & 5 – Schedule 3 (Apollo Bay Coastal Valley and Hills Precinct)* and *Schedule 5 (Apollo Bay Landscape Precinct)* to the *Significant Landscape Overlay* apply to the area, above and below the 40m contour line respectively. The overlay aims to protect the character and significance of the natural landscape by controlling development in the area. The coastal valleys and hills surrounding the township of Apollo Bay have been recognised as a landscape of national significance.



**SLO5** – Schedule 5 to the Significant Landscape Overlay-*Apollo Bay Landscape Precinct* applies to the area below the 40m contour line. The overlay aims to protect the character and significance of the natural landscape by controlling development in the area. The coastal valleys and hills surrounding the township of Apollo Bay have been recognised as a landscape of national significance.

**EMO1** – Schedule 1 to the Erosion Management Overlay aims to protect areas prone to erosion, landslip or other land degradation processes by limiting land disturbances.

**HO14** – The parcel of land (and associated building) located at 6250 Great Ocean Road is covered by a Heritage Overlay. The aim of the Heritage Overlay is to conserve specifically identified heritage places. Located on the site is the Apollo Bay Submarine Cable Station Museum built in 1936. The Museum is operated by the Apollo Bay and District Historical Society Inc.

**EXISTING CONDITIONS**

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LAND USE</b>   | The area is predominantly grassed paddocks which are currently used for grazing. The site has been extensively modified through past activities. A dwelling with associated sheds and outbuildings is located on the southern parcel of land at the base of the foothills. The dwelling is situated on the 40m contour line, below the break of slope. A cluster of other buildings are located on the properties to the north-east, including an old submarine Cable Station (now used as a museum) and a residence. |
| <b>VEGETATION</b> | Vegetation on the site is limited to a small number of screening trees and wind break planting around an existing dwelling. There are a number of scattered trees and planted, native vegetation in the north-east corner around a large dam.                                                                                                                                                                                                                                                                         |
| <b>LAND FORM</b>  | The site rises gently from the Great Ocean Road to approximately the 40m contour and then steeply, at a grade of approximately 1 in 4, to the western extremity of the site area. The 40m contour line runs very close to a clear break of slope on the site. Some land slippage has occurred beyond the 40m contour. Several drainage lines traverse the investigation area.                                                                                                                                         |
| <b>VISIBILITY</b> | The rear more steeply sloping part of the site is highly visible from the Great Ocean Road and beach areas. Topography (existing clay mounds) provides a natural screen of much of the area of land below the 40m contour, when viewed from the Great Ocean Road. This lower area is not highly visible from Mariners Lookout Road or the lookout itself. Long distance views from the Apollo Bay Harbour partially capture the area, in particular the areas above the break of slope.                               |
| <b>ACCESS</b>     | Car access to the area is provided directly off the Great Ocean Road. A recently completed granitic sand pedestrian pathway connects the area to the town centre along the foreshore.                                                                                                                                                                                                                                                                                                                                 |

|                  |                                                                                                                                                                    |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | The area is approximately 2km from the town centre of Apollo Bay.                                                                                                  |
| <b>INTERFACE</b> | The area is immediately adjacent to Mariners Vue - a site earmarked for future residential development. Wild Dog Creek forms a natural boundary to the north-east. |

**PRELIMINARY ANALYSIS**

The area of land above the 40m contour is at risk of further land slippage given the steep nature of the site and land instability beyond the break of slope. As a result, development would be inappropriate and yield (number of dwellings that could potentially be accommodated in the area) would be limited. This area is however the largest of the investigation areas (418,000m<sup>2</sup> or 41.8 ha). In total, an area of approximately 227,000m<sup>2</sup> is located below the 40m contour.

Additional environmental constraints include the potential presence of acid sulfate soils, risk of flooding (adjacent to Wild Dog Creek) and weed invasion.

A coastal hazard vulnerability assessment may be required to consider factors such as sea level rise, storm tide and surge, coastal processes, river inundation and local topography and geology. It is possible that the north-east corner of the area may be partially inundated by the year 2100 from a 100 year ARI storm tide.

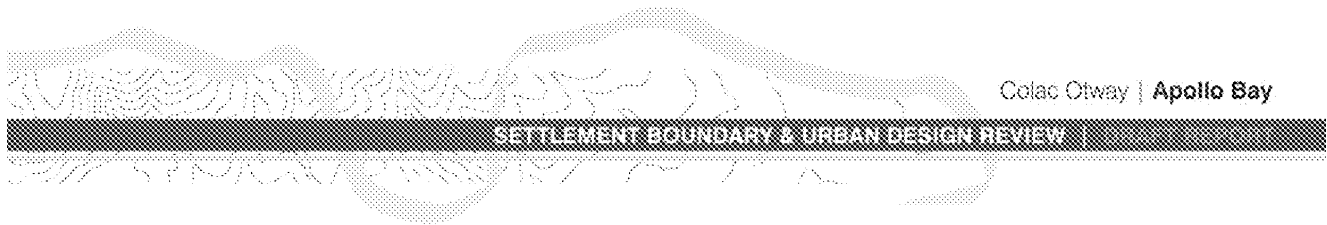
Potential development of Area 1 would add to the elongation of the Apollo Bay township, which was discouraged in the Structure Plan and has been discouraged in recent coastal policy in order to better consolidate urban areas along the coast for protection of visual landscape, environmental sensitivity, accessibility and sustainability reasons. It is recognised, however, that the natural entry into Apollo Bay is largely defined by the avenue of cypress pines and Wild Dog Creek, located adjacent to the investigation area.

A recently completed granitic sand pedestrian pathway connects the area to the town centre; however access across the Great Ocean Road to the foreshore path is not particularly safe.

Despite the above issues, parts of the area have relatively few constraints when compared with other areas around Apollo Bay. Some of the issues require further investigation and others can possibly be managed through the approval process. It is noted that utility services are available to the area along the Great Ocean Road.

The possibility of establishing a pedestrian route around the back of the township was canvassed in the 2007 Apollo Bay Structure Plan, and is being investigated further as part of the *Barwon South West Regional Trails Masterplan*, currently in progress. The development of this area provides the potential to obtain land for this link.

The land supply and demand assessment undertaken as part of the review identified that there is approximately 10.5-11.5 years of supply of residential zoned land in the townships of Apollo Bay & Marengo combined. The



assessment states that 'action will need to be taken in the immediate future to ensure that an adequate supply of residential land is maintained into the future, given the time involved in obtaining approval for rezoning of land and in subsequently subdividing the land. This action should involve identifying land areas capable of accommodating at least 250 to 300 lots for rezoning to Residential Zone. This will ensure that a rolling supply is available over a 15 year timeframe'.

RECOMMENDATION

The area of land situated below the 40m contour line within Investigation Area 1 should be favourably considered for rezoning to Residential 1 Zone (R1Z) to accommodate residential growth as needs are determined, and subject to appropriate use and development controls, conditions and guidelines.

Rationale:

- Apollo Bay is one of the few townships along the south-west Victorian coastline that has been designated for future urban growth by State Planning Policy. The land supply and demand assessment undertaken as part of this review identified that additional land is needed to accommodate the projected housing needs of the township within the 15 year timeframe. Having regard for underlying growth in population and households, and also having regard for the fact that the Great Ocean Green subdivision (planned 537 allotments) did not proceed, it is evident that Investigation Area 1 should be favourably considered for its potential role in providing a share of the required land to meet residential demand over the next 15 years.
- It has been determined that Area 1 has fewer constraints than all other potential growth areas within Apollo Bay/ Marengo.
- Topography provides a natural screen of much of the developable land when viewed from the Great Ocean Road and the township. Provided appropriate guidelines are followed, well designed development will not have a detrimental visual impact on the landscape values of the area.
- The majority of the land is cleared and highly modified, and the land has low agricultural value.
- Area 1 is located at the natural town entry defined by the avenue of cypress pines and Wild Dog Creek. Development of this area would provide a seamless continuation of the township adjacent to Mariners Vue, with Wild Dog Creek forming a natural boundary to the township.
- The development of this area provides the opportunity to revegetate the hillslopes to improve the landscape backdrop of the foothills and aid in stabilising the land, particularly above the 40m contour.

- The majority of the land is not subject to flooding or the impact of sea level rise. Opportunity exists to utilise the low-lying area at the north-east corner for detention and treatment of stormwater, as part of any development of the area.
- The development of this area provides the opportunity to enhance habitat links and biodiversity.
- The development of this area provides the potential to obtain land for the establishment of a pedestrian pathway to loop around the back of the township.
- As part of any development, the area will require a new water supply tank and booster pumping system, to be developer/ owner funded. There is currently sewer upgrade works planned downstream of Area 1 and it is likely that this area can be catered for by this upgrade, however further investigation will need to be conducted closer to the time of development. Any upgrades of the sewer system will be undertaken by Barwon Water as required.

Rezoning should not occur on the land located above the 40m contour, on the basis that:

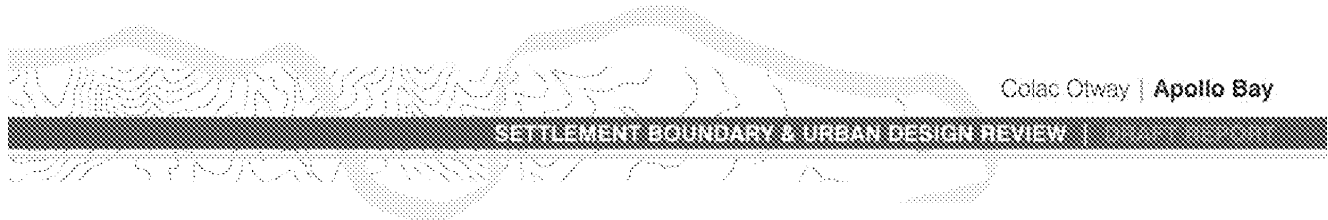
- Land above the 40m contour is subject to land slippage and erosion, severely limiting development suitability.
- Land above the 40m contour is highly visible from the Great Ocean Road and from other parts of the Apollo Bay township. It is considered that any development above the 40m contour would detract from the scenic landscape values of the Great Ocean Road environs and Apollo Bay.
- Patches of remnant wet forest remain on the western edge of the investigation area, above the 40m contour.
- Land above the 40m contour rises too steeply to be developed using conventional construction techniques.

ADDITIONAL CONTROLS / CONDITIONS

Prior to any development of Area 1, a thorough assessment of the site's characteristics must be undertaken to confirm land capabilities, opportunities and constraints. All assessments must be undertaken in consultation with relevant stakeholders and management groups such as Barwon Water, Corangamite Catchment Water Authority, Department of Sustainability and Environment etc. Relevant assessments should address in detail the following:

- *Geology, landform and formative geomorphic processes*
- *Coastal hazard vulnerability/ flooding/ sea level rise*
- *Traffic, access and infrastructure, including linkages with the adjoining Mariner's Vue subdivision, pedestrian access and linkages*
- *Public open space provision*
- *Service availability (water, sewerage, electricity, gas, telecommunications)*





- ◆ Stormwater management
- ◆ Flora and fauna
- ◆ Weed invasion
- ◆ Archaeology and Cultural Heritage
- ◆ Visual impact
- ◆ Potential presence of acid sulfate soils

- ◆ Open space provision

The Guidelines are underpinned by the principles of environmental sustainable design (ESD).

#### Referral

The Great Ocean Road and its scenic environs were included on the National Heritage List on the 7<sup>th</sup> April 2011. Places included in the National Heritage List are considered to be matters of national environmental significance and are protected under the Environment Protection and Biodiversity Conservation (EPBC) Act, 1999. Implications of the heritage listing will mean that certain proposed use and development will require closer scrutiny and assessment in order to avoid or minimise significant impacts on the heritage values of the Great Ocean Road. Specific activities that may require referral to the Commonwealth Environment Minister include new large scale residential subdivision (if within listed boundary or within sight of road and lookouts).

#### IMPLEMENTATION RECOMMENDATIONS

##### Planning Scheme

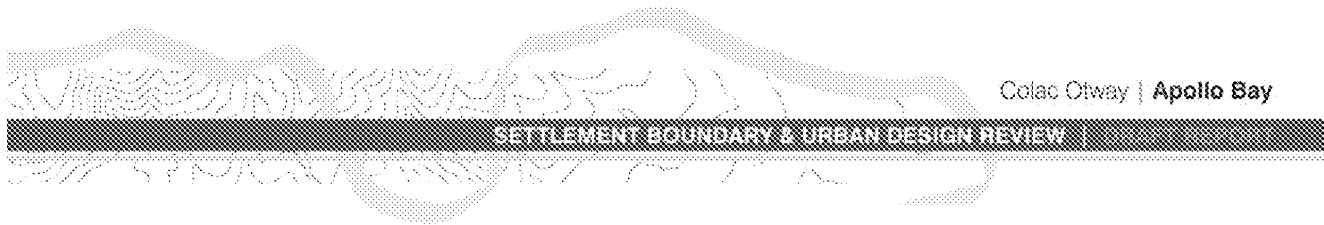
Subject to satisfactory outcome from the technical assessments provided by the land owner and further details regarding any proposed developments:

- ◆ Rezone Investigation Area 1 from Rural Conservation Zone (RCZ) to Residential 1 Zone (R1Z).
- ◆ Implement a Development Plan Overlay (DPO) preferably with an approved Development Plan to ensure that development of the area is undertaken in a sustainable and sensitive manner and in accordance with the design guidelines.

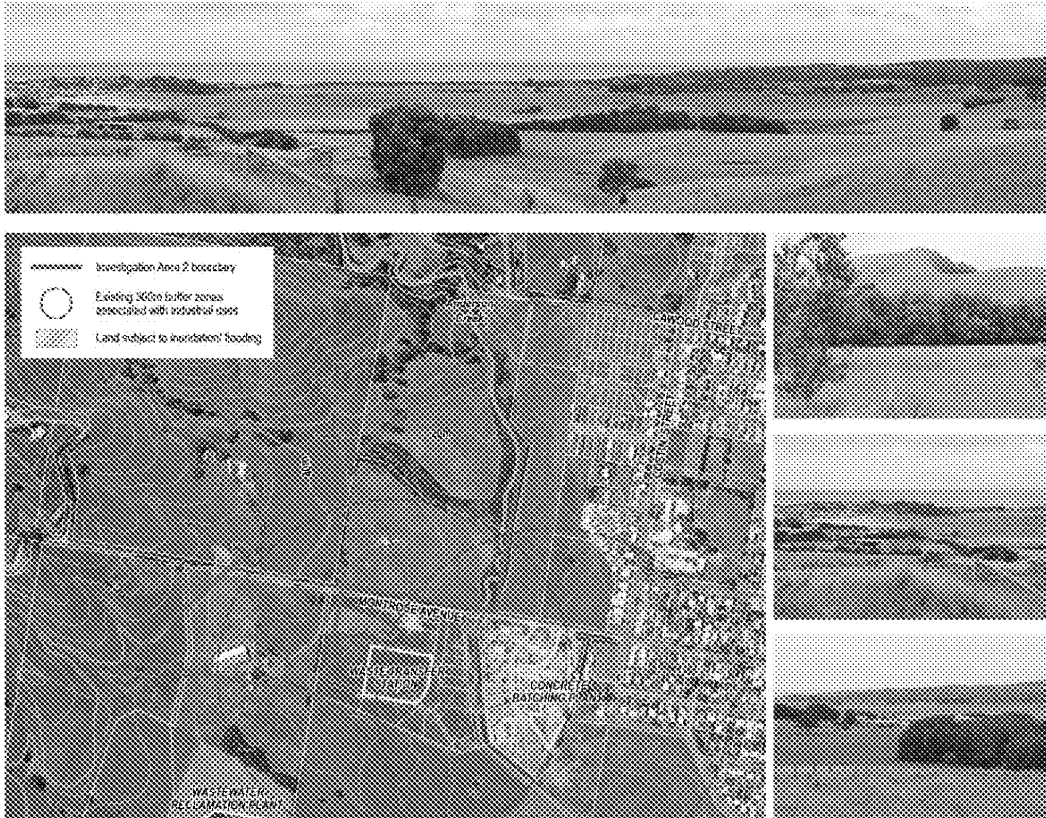
##### Design Guidelines

Design Guidelines have been developed to guide appropriate subdivision design and development of built form within Area 1 (Refer to Appendix C: *Design Guidelines for Investigation Area 1*). These guidelines will be utilised to form requirements in any DPO or assessment of any development proposal. The guidelines cover a number of topics, including:

- ◆ Landscape Setting
- ◆ Lots Size & Site Coverage
- ◆ Siting
- ◆ Building Form & Height
- ◆ Materials & Design Detail
- ◆ Private Realm Landscaping & Vegetation
- ◆ Vehicular & Pedestrian Access



## INVESTIGATION AREA 2



### AREA DESCRIPTION

Investigation Area 2 is located to the west of the Apollo Bay settlement boundary. The western boundary of the investigation area is assumed to have been based roughly on the location of the 40m contour line.

### LAND OWNERSHIP/ SIZE

The area extends across eight property titles all in private ownership totalling approximately 276,000m<sup>2</sup> (27.6 ha) in area.

### RATIONALE FOR INVESTIGATION

This general area was identified in the 2007 Structure Plan (in Growth Scenario 2) as a potential growth area 'following a 50% take up of the Mariners Vue site'.

It was subsequently identified by the Minister for Planning as an 'urban development investigation area' as part of the planning scheme amendment process to implement the 2007 Apollo Bay Structure Plan (Amendment C55).

### ZONING & OVERLAYS

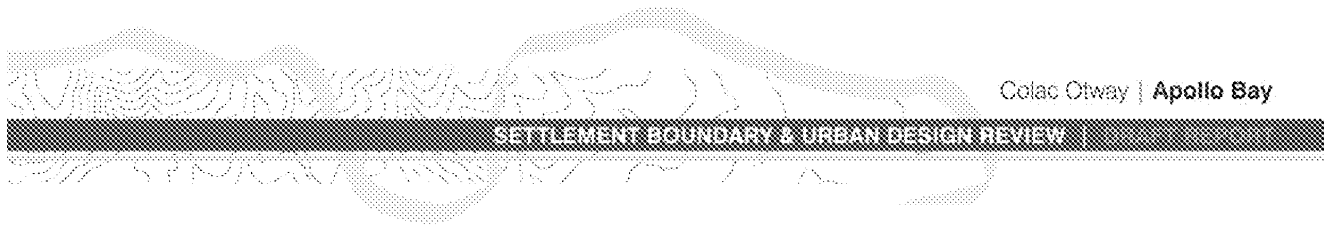
The area is currently zoned *Rural Conservation*. Three overlays apply to the site including:

*SLO3* – Schedule 3 to the Significant Landscape Overlay-*Apollo Bay Coastal Valley and Hills Precinct* applies to the area. The overlay aims to protect the character and significance of the natural landscape by controlling development in the area. The coastal valleys and hills surrounding the township of Apollo Bay have been recognised as a landscape of national significance.

*LSIO* – The Land Subject to Inundation Overlay aims to identify and protect those areas that are subject to inundation/ flooding.

*EMO1* – Schedule 1 to the Erosion Management Overlay aims to protect areas prone to erosion, landslip or other land degradation processes by limiting land disturbances.





EXISTING CONDITIONS

|            |                                                                                                                                                                                                                                                 |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAND USE   | The area is predominantly cleared rural land. Two residential dwellings are located in the area; one to the north of Montrose Avenue and one to the south. A large horse shed is situated on the property to the south.                         |
| VEGETATION | Vegetation in the area consists mostly of wind break/ buffer planting along property boundaries. Large stands of vegetation are concentrated alongside the creek line.                                                                          |
| LAND FORM  | Land form is undulating, generally sloping down from the 40m contour line towards the creek line.                                                                                                                                               |
| VISIBILITY | The area is not highly visible from the Great Ocean Road. Large sheds located in the industrial area to the east can be seen from Barham Valley Road, particularly where vegetation screening has not been established.                         |
| ACCESS     | Road access is available via Montrose Avenue, which is unsealed towards the west. Access is also available via Cawood Street to the north. The area is approximately 1km from the town centre of Apollo Bay.                                    |
| INTERFACE  | The area is located adjacent to an existing urban subdivision. The break of slope (along the 40 m contour) generally forms the western extent of the investigation area. The south-eastern edge is bounded by the Apollo Bay industrial estate. |

PRELIMINARY ANALYSIS

Given the undulating nature and steep fall of the land to the west, access opportunities and potential development yield (number of dwellings that could potentially be accommodated in the area) would be limited. The close proximity to Anderson Creek and numerous drainage lines limits residential development opportunities on the area of land subject to inundation. Recent heavy rainfalls have subjected the area around the creek and industrial estate to flooding outside of the predicted flow paths.

Additional environmental constraints include land instability, the potential presence of acid sulfate soils and weed invasion. Pedestrian access to the area is limited to walking alongside the road.

Existing industrial zoned land in Apollo Bay is concentrated in the one area of the township, adjacent to Investigation Area 2. The appropriateness of residential development in the areas abutting the industrial estate is questionable. A 300m buffer zone is required around existing industrial land uses located within the industrial estate, significantly limiting residential development opportunities (see map).

The land supply and demand assessment undertaken as part of the review identifies that 'no additional industrial zoned land is needed in Apollo Bay in the next 10 years' and that 'available industrial zoned land in Apollo Bay (8 hectares) exceeds the projected demand (2 hectares) to 2026.'

RECOMMENDATION

Investigation Area 2 should not be considered for rezoning to accommodate residential growth on the basis that:

- A high proportion of the investigation area is subject to flooding, substantially limiting the area of land available for development.
- The slope of the land and apparent land instability issues limits potential development suitability and yield.
- Vehicular and pedestrian access to the area is limited.
- Buffer zones associated with adjacent industrial land uses significantly limit the area of land available for residential development.
- The area cannot be serviced through the existing water supply network due to its high elevation and location.

ADDITIONAL RECOMMENDATIONS

Review of Residential/ Industrial Interface

In addition to the review of investigation areas, the *Settlement Boundary & Urban Design Review* provides the opportunity to review the interface between the existing residential and industrial areas surrounding Area 2.

There may be scope to consider a restructure of the current zoning to address existing interface issues, as well as the oversupply of industrial zoned land, and the lack of available access to the existing area of public open space. This could be achieved through potential land swap arrangements, or through back-zoning.

Potential options for restructure/ rezoning (as illustrated and detailed on the map on the following page) include:

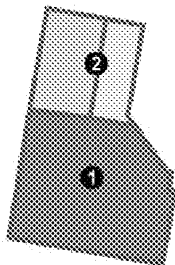
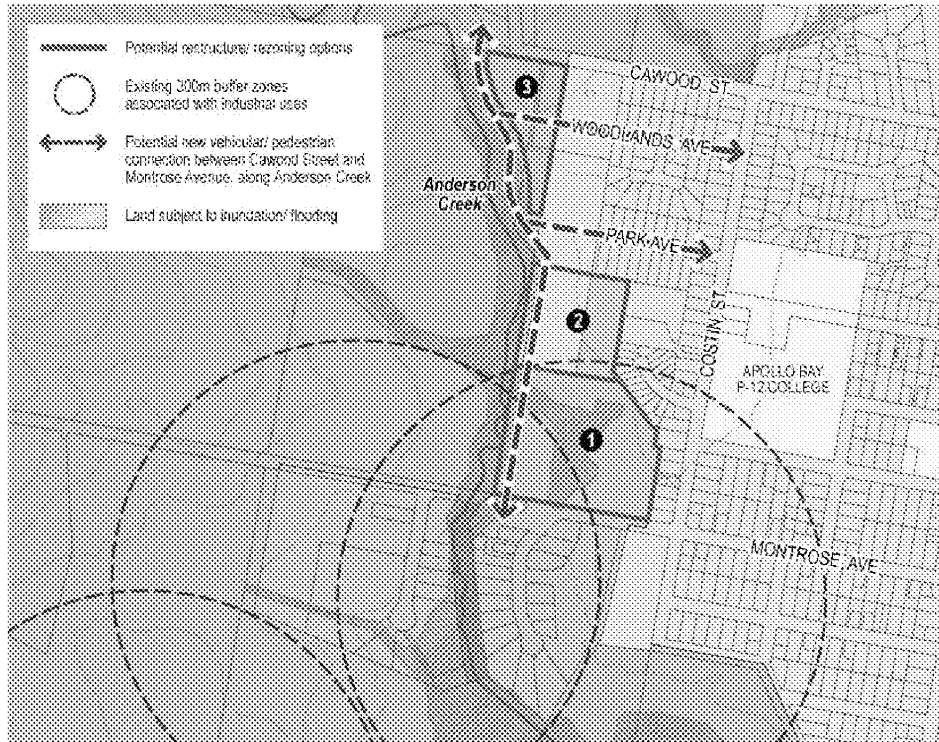
- Potential rezoning of existing Industrial 1 Zoned (IN1Z) land north of Montrose Avenue to Industrial 3 Zone (IN3Z). Total area of 42,400m<sup>2</sup> or approx 4.2 hectares.
- Potential land swap between the area of land zoned Public Park and Recreation (PPRZ), and the portion of Residential 1 Zoned (R1Z) land to the west.

Additional Residential Land

Although outside the investigation area, broad consideration of the options for this area has raised the possibility that land fronting the south side of Cawood Street, and possibly extending to Park Avenue, may be suitable for residential rezoning. A small part of this land is subject to inundation, and the land would require geotechnical assessment to ensure stability. Should investigations indicate that the land is stable and developable, the Council may consider a future rezoning of this land for residential purposes. This may facilitate the provision of a vehicular/pedestrian connection from Cawood St to Montrose Ave to assist in better traffic management within the township, access to the open space off Park Ave and landscaping of the creek environs.

SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW

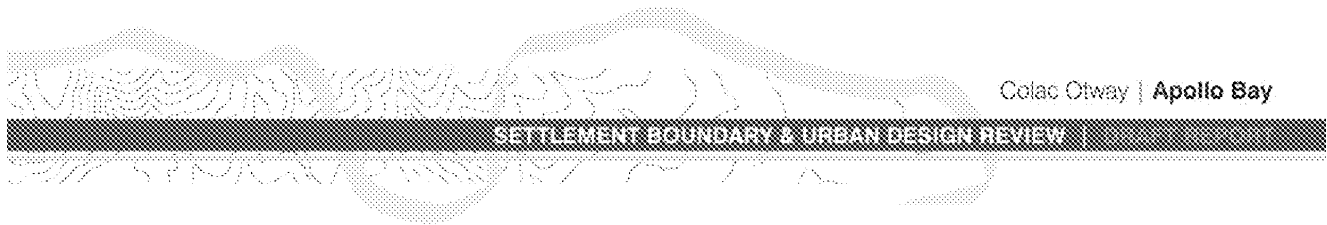
POTENTIAL RESTRUCTURE/ REZONING OPTIONS FOR LAND SURROUNDING AREA 2



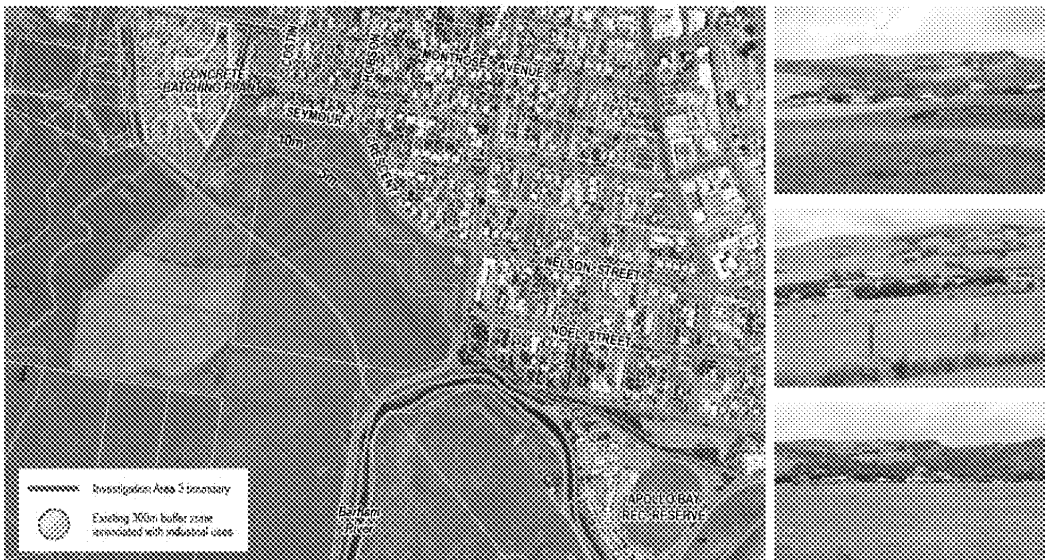
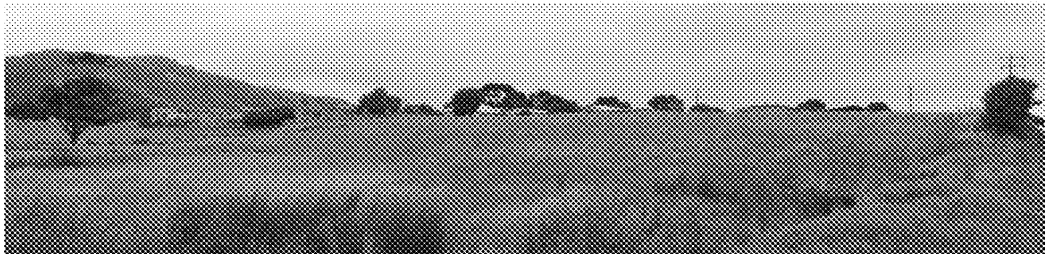
1. Potential rezoning of existing Industrial 1 Zoned land north of Montrose Avenue to Industrial 3 Zone. This will provide a more appropriate buffer between existing industrial activities and residential properties situated to the west of Costin Street. The purpose of the Industrial 3 Zone is to allow for industries and associated uses that are compatible with the nearby community. The Industrial 3 Zone is similar to the Industrial 1 Zone, however it provides the scope to put conditions on the land to limit hours of operation and noise generation etc, in order to protect the amenity of surrounding residential areas.
2. This area offers the opportunity for a potential land swap between existing Residential 1 Zoned land and the area of land zoned Public Park and Recreation. The existing area of public open space is underutilised and largely inaccessible (due to the area being landlocked), and access is only provided via a small laneway off Park Avenue.

This potential land swap, in combination with a new vehicular/ pedestrian connection along Anderson Creek (and connecting through to Woodlands and Park Avenue), would provide a more widely accessible area of public open space to cater for the community as a neighbourhood park. Throughout consultation, many concerns were raised by the community over the long-term traffic management of the area surrounding the school. New vehicular links would provide enhanced access to residential areas, diverting residential traffic away from the school and significantly reducing existing congestion. This potential land swap should be investigated subject to meeting the acquisition criteria set out in the *Colac Otway Public Open Space Strategy* (currently in progress), and would need to address any potential inundation and safety issues.

3. The potential vehicular connection through to Cawood Street presents the opportunity to rezone this small triangle of land to Residential 1 Zone in the long term, subject to further analysis. The suitability of this area for residential development would need to be further investigated given the steep rise/fall of the land.



### INVESTIGATION AREA 3



#### AREA DESCRIPTION

Investigation Area 3 is located to the south of the Apollo Bay settlement boundary, immediately adjacent to Seymour Crescent and the Barham River floodplain.

#### LAND OWNERSHIP/ SIZE

The investigation area extends across two property titles totalling approximately 63,000m<sup>2</sup> in area.

#### RATIONALE FOR INVESTIGATION

This general area was identified in the 2007 Structure Plan (in growth scenarios 2 & 3) as a potential growth area 'following a 50% take up of the Mariners Vue site'. It also formed part of the then proposed Great Ocean Green development (Amendment C29).

The area was subsequently identified by the Minister for Planning as a 'potential residential development site' as part of the planning scheme amendment process to implement the 2007 Apollo Bay Structure Plan (Amendment C55).

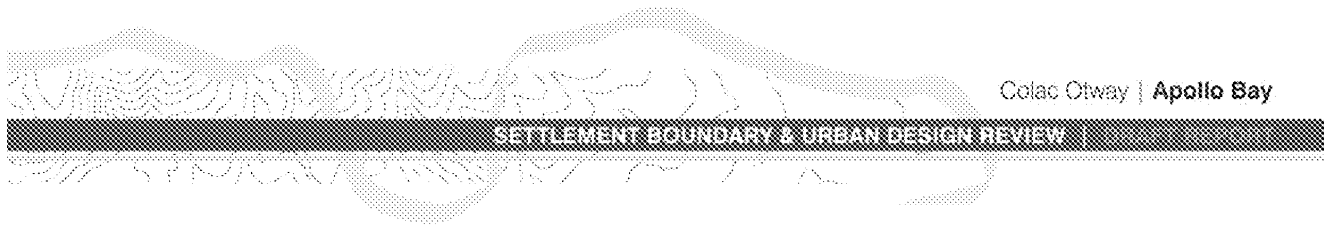
A proposal to rezone the eastern parcel (in part) to Residential 1 and Low Density Residential to create an additional 41 lots has since been lodged with Council.

#### ZONING & OVERLAYS

The area is currently zoned *Rural Conservation*. Two overlays apply to the site including:

*SLO3* – Schedule 3 to the Significant Landscape Overlay-*Apollo Bay Coastal Valley and Hills Precinct* applies to the area. The overlay aims to protect the character and significance of the natural landscape by controlling development in the area. The coastal valleys and hills surrounding the township of Apollo Bay have been recognised as a landscape of national significance.

*EMO1* – Schedule 1 to the Erosion Management Overlay aims to protect areas prone to erosion, landslip or other land degradation processes by limiting land disturbances.



EXISTING CONDITIONS

|            |                                                                                                                                                                                                                                                         |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAND USE   | The land is predominantly vacant. One residential dwelling is located on the north-eastern corner of the area.                                                                                                                                          |
| VEGETATION | The area is predominantly cleared rural land.                                                                                                                                                                                                           |
| LAND FORM  | The land slopes down from Seymour Crescent to the Barham River floodplain. There are only small sections of flatter land along the road frontage. The land is showing signs of scarring through erosion and slippage, and is considered to be unstable. |
| VISIBILITY | The area is not highly visible from the Great Ocean Road. It is however highly visible from Barham Valley Road and Seymour Crescent.                                                                                                                    |
| ACCESS     | The area is situated in close proximity (approx. 750m) to the town centre of Apollo Bay.                                                                                                                                                                |
| INTERFACE  | The area adjoins the southern extent of the existing Apollo Bay settlement boundary. To the north residential properties are situated along Seymour Crescent. The western edge is bounded by the Apollo Bay industrial estate.                          |

RECOMMENDATION

Investigation Area 3 should not be considered for rezoning to accommodate residential growth on the basis that:

- The area is prone to flooding, erosion and land slippage.
- A Geotechnical assessment completed as part of the review states that *'the stability of the site is marginal at best and it is not generally suitable for development'*.
- Development in this area would have a substantial impact on the highly valued character and significance of the Barham River floodplain.
- Any development in this area could potentially result in the loss of existing publicly available/ private views from Seymour Crescent across the Barham River Valley.
- The small size of the land significantly limits potential development yield.
- Buffer zones associated with adjacent industrial land uses further limit the area of land available for potential residential development.

Preliminary Analysis

Given the sloping and slip prone nature and narrow width of the land, development yield (number of dwellings that could potentially be accommodated in the area) would be limited in this area.

Environmental constraints include the risk of further erosion and the potential presence of acid sulfate soils. The area of land is elevated above the modelled 1-in-10-year flood event level however it may be considered at risk of flooding in the longer term.

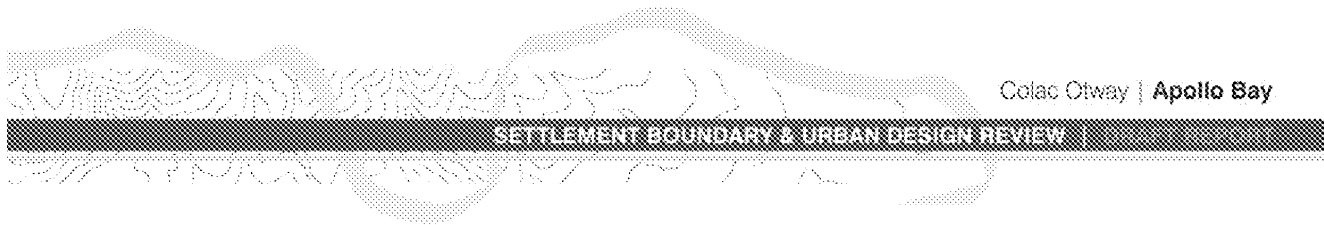
The Barham River valley is recognised as a landscape of *national* significance. Development of the area could potentially block expansive and significant publicly accessible views across the Barham River valley to the coast from Seymour Crescent.

GEOTECHNICAL ASSESSMENT

As part of the review process, a Geotechnical Assessment was undertaken for Investigation Area 3 to evaluate the stability of the land and assess the suitability of the land for development. Based on the available evidence, the desktop assessment concludes that:

*'Investigation Area 3 has significant slope instability issues which severely limits its potential for future development. While it is acknowledged that further detailed studies would be needed to fully clarify the geotechnical properties and nature of the instability, it is considered that the stability of the site is only marginal at best and it is recommended that the site is not generally suitable for development.'*

A full copy of the *Investigation Area 3 Geotechnical Assessment* is provided as Appendix B to this report.



## INVESTIGATION AREA 4



### AREA DESCRIPTION

Investigation Area 4 is situated to the north of the Marengo settlement boundary, between the low-density residential area and the Barham River.

### LAND OWNERSHIP/ SIZE

The investigation area is situated within one property title totalling approximately 18,000m<sup>2</sup> in area.

### RATIONALE FOR INVESTIGATION

This area was not identified in the 2007 Structure Plan in any of the growth scenarios, however it did form part of the then proposed Great Ocean Green development (Amendment C29). The area was subsequently identified by the Minister for Planning as a 'potential residential development site' as part of the planning scheme amendment process to implement the 2007 Apollo Bay Structure Plan (Amendment C55).

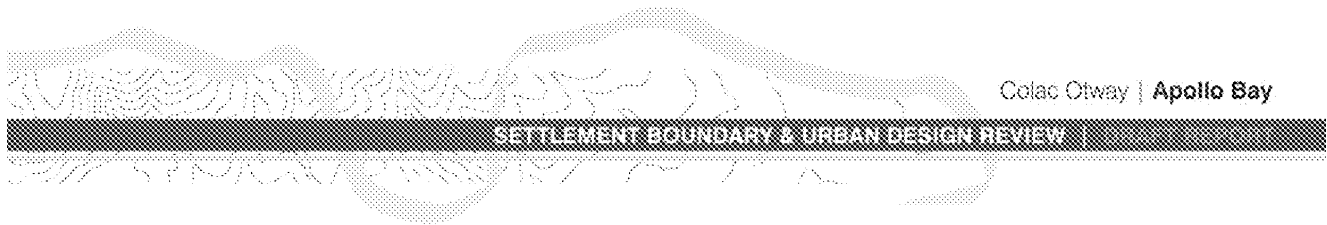
Upon the Planning Minister's decision to refuse the Great Ocean Green development (Amendment C29), this area was one of two sites nominated by the Minister as a potential residential development area requiring further strategic assessment.

### ZONING & OVERLAYS

The area is currently zoned *Rural Conservation*. Two overlays apply to the site including:

*SLO3* – Schedule 3 to the Significant Landscape Overlay-*Apollo Bay Coastal Valley and Hills Precinct* applies to the area. The overlay aims to protect the character and significance of the natural landscape by controlling development in the area. The coastal valleys and hills surrounding the township of Apollo Bay have been recognised as a landscape of national significance.

*EMO1* – Schedule 1 to the Erosion Management Overlay aims to protect areas prone to erosion, landslip or other land degradation processes by limiting land disturbances.



EXISTING CONDITIONS

|            |                                                                                                                                                                   |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAND USE   | A residential dwelling and a number of other sheds/ outbuildings are located on the site.                                                                         |
| VEGETATION | There is a significant amount of coastal vegetation along the northern boundary of the site, forming a landscape buffer to Marengo.                               |
| LAND FORM  | The area is situated on an embankment above the 5m contour, immediately adjacent to the Barham River floodplain.                                                  |
| VISIBILITY | Given the elevated nature of the site, the area is highly visible from both the Great Ocean Road and Barham Valley Road, particularly on approach from the north. |
| ACCESS     | The area is accessed via an unsealed driveway connecting to the Great Ocean Road. The driveway is subject to flooding.                                            |
| INTERFACE  | The area adjoins the Marengo low-density residential area to the south. The Barham River forms the northern boundary of the investigation area.                   |

RECOMMENDATION

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Investigation Area 4 should not be considered for rezoning to accommodate residential growth on the basis that:</p> <ul style="list-style-type: none"> <li>• The area is subject to drainage issues, and is at risk of further erosion and flooding.</li> <li>• The land would not assist in addressing future housing demand due to its small size (18,000m<sup>2</sup> or 1.8 ha approx).</li> <li>• Development yield would be further restricted due to low-density residential being the only logical option for rezoning.</li> <li>• Vehicular access to the site is severely restricted.</li> <li>• Opportunities to establish vehicular/ pedestrian access through to the Heathfield Estate open space are limited without the need for significant new infrastructure.</li> </ul> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

PRELIMINARY ANALYSIS

This area is the smallest of the identified potential residential development areas. If the area was considered for rezoning, an extension of the existing low-density residential zone would be the only logical option, therefore significantly constraining potential development yield (number of dwellings that could potentially be accommodated in the area) to approximately 4 dwellings.

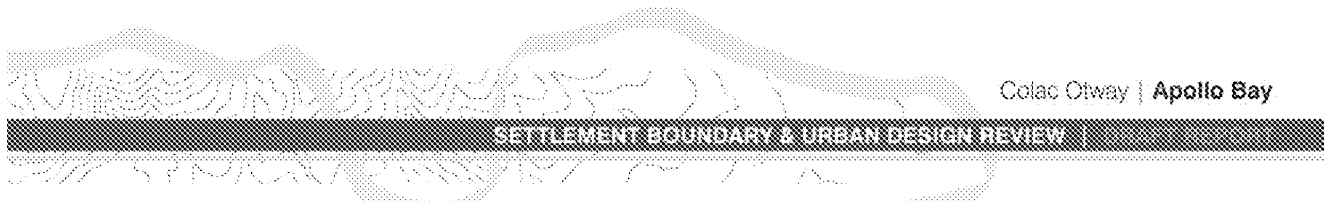
Access to the area is currently limited to a single driveway from the Great Ocean Road which is steep, low lying and subject to flooding.

Environmental constraints include the risk of further erosion and potential presence of acid sulfate soils. The area of land is elevated above the modelled 1-in-10-year flood event level however it may be considered at risk of flooding in the longer term.

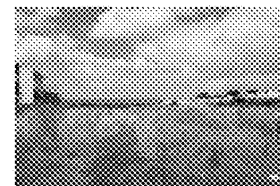
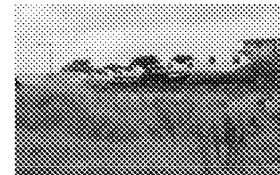
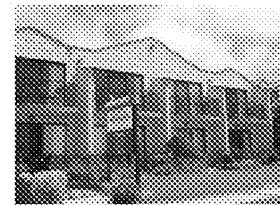
Development of the site could potentially provide the opportunity to establish vehicular/ pedestrian access through to the Heathfield Estate open space, however this would limit the number of dwellings that could be accommodated on the site. Furthermore, without significant new infrastructure (which would potentially need to accommodate horse floats), this potential new access route would still be prone to flooding.

The site may potentially be of aboriginal cultural heritage significance.





## INVESTIGATION AREA 5



### AREA DESCRIPTION

Investigation Area 5 is located within the town centre of Apollo Bay, in the block defined by Pascoe Street to the south, Thomson Street to the north, The Great Ocean Road to the east and Hardy Street to the west.

### LAND OWNERSHIP/ SIZE

The area extends across thirteen property titles totalling approximately 15,000m<sup>2</sup> (1.5 ha) in area.

### RATIONALE FOR INVESTIGATION

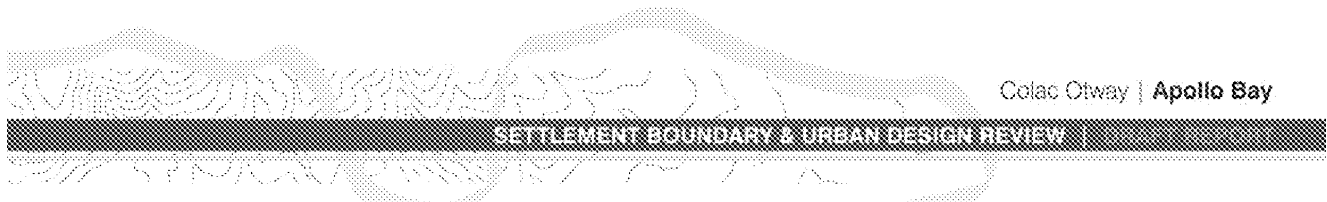
The business zoning of Apollo Bay is currently disjointed, where investigation area 5 represents a 'gap' between the Mobil service station on Thomson Street and Foodworks on Hardy Street. This area was identified for review based on its perceived potential to provide a logical extension of the Apollo Bay commercial area in the future.

### ZONING & OVERLAYS

The area is currently zoned *Residential 1*. A single overlay applies to the site:

*DDO6* – Schedule 6 to the Design and Development Overlay – *Medium Density Residential Area* applies to the area. The overlay aims to achieve a graduated density of residential development between the town centre and the lower density residential areas, whilst protecting the low scale coastal character and identity of Apollo Bay.

Buildings within the DDO6 area must not exceed 9 metres in height.



EXISTING CONDITIONS

|            |                                                                                                                                                                                                                                                                                                             |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAND USE   | The area consists predominantly of accommodation units/ motor inns/ apartments. There are also a number of residential properties to the north fronting Thomson Street. Two lots in the centre of the investigation area combine to make one large vacant area measuring approximately 4085m <sup>2</sup> . |
| VEGETATION | The area is predominantly cleared of vegetation. A number of small trees are located on the residential properties to the north.                                                                                                                                                                            |
| VISIBILITY | The area is highly visible from the adjacent Great Ocean Road, Pascoe Street and Thomson Street.                                                                                                                                                                                                            |
| ACCESS     | Access to the area is via any of the three adjacent streets.                                                                                                                                                                                                                                                |
| LAND FORM  | The area rises slightly from east to west.                                                                                                                                                                                                                                                                  |
| INTERFACE  | Properties adjoining the site immediately to the south are zoned Business 1. To the north is a mixture of Business 1 and Residential 1 zoned land. Properties along Pascoe Street (west) are predominantly residential.                                                                                     |

PRELIMINARY ANALYSIS

A majority of the sites in investigation area 5 contain recently developed and well maintained accommodation and residential buildings. The likelihood for redevelopment of these sites for a commercial or business activity appears very low. Some of the residential properties fronting Thompson Street could be suitable for more intensive residential or accommodation development. The two vacant sites however, provide the opportunity for a commercial development should the land be rezoned.

Many of the existing business zoned lots within the centre are not being fully utilised, with opportunities for further subdivision or development along Pascoe Street. The 2009 Colac & Apollo Bay Retail Analysis identifies several key development sites within the existing retail/ commercial core of Apollo Bay that could accommodate additional retail/business floor space.

The two vacant sites within Investigation Area 5 were not identified as development sites in this Analysis as an increasing amount of retail development is already occurring in Pascoe Street to the west. Any retail development on the two vacant sites would be isolated from the existing retail/ commercial core and serve to elongate the town centre to the north, reducing its compact, walkable nature.

Given the predominance of visitor accommodation and residential uses within the investigation area, there are potential concerns regarding the compatibility of future land uses if rezoning to a business zone was to occur.

A land supply and demand assessment undertaken as part of this Review identified that the Apollo Bay town centre will require around 2,600m<sup>2</sup> of additional retail floorspace by

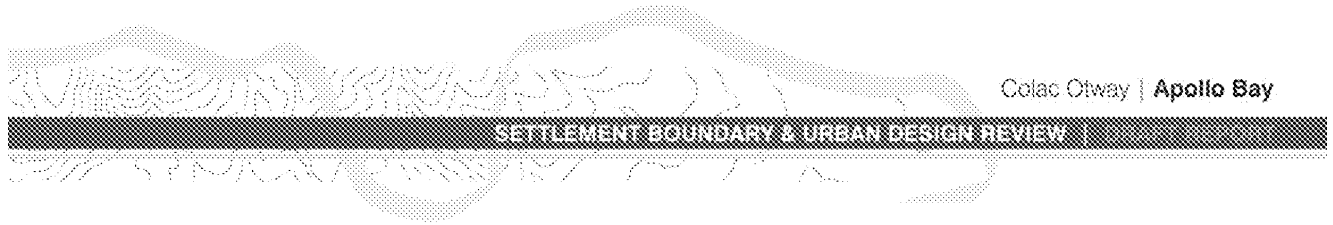
2025. The assessment identifies that *'the estimated 2,600m<sup>2</sup> of retail expansion required to 2025 could be contained within the existing business zoned land. Market forces will drive a higher utilisation and intensification of existing retail if no new business zoned land is provided. Having retail concentrated in the one area and discouraging expansion will encourage a vibrant, clearly defined and walkable retail precinct in Apollo Bay, which is considered the best outcome for retailers and patrons.'*

RECOMMENDATION

Investigation Area 5 should not be considered for rezoning to Business 1 Zone (B1Z) on the basis that:

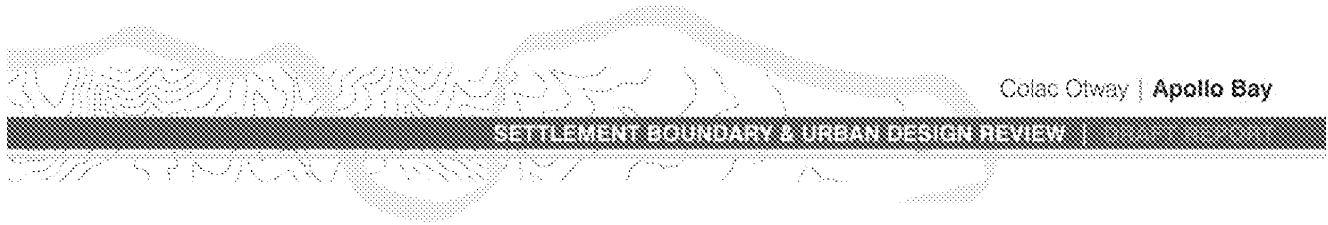
- Many Business 1 Zoned lots within Apollo Bay are not being utilised to their full capacity, and opportunity still exists for further subdivision or development in these areas to accommodate future retail/ business needs.
- The existing Residential 1 Zone currently allows for some commercial development to occur, without the need to rezone.
- The majority of sites in the Area have been developed for accommodation or residential uses that are likely to remain in the future. Rezoning of the area may result in new development that conflicts with existing land uses, and creates a disjointed retail strip.
- Development of the Area for retail would serve to elongate the commercial centre to the north along the Great Ocean Road reducing the compact, walkable nature of the existing town centre.
- The increased retail/ business floor space required within the next 15 years can be more appropriately accommodated within existing business zoned land in the centre.
- The land supply and demand assessment undertaken as part of this Review identified that *'the estimated 2,600m<sup>2</sup> of retail expansion required to 2025 could be contained within the existing business zoned land. Market forces will drive a higher utilisation and intensification of existing retail if no new business zoned land is provided. Having retail concentrated in the one area and discouraging expansion will encourage a vibrant, clearly defined and walkable retail precinct in Apollo Bay, which is considered the best outcome for retailers and patrons.'*





# 3

## URBAN DESIGN INITIATIVES



#### URBAN DESIGN INITIATIVES

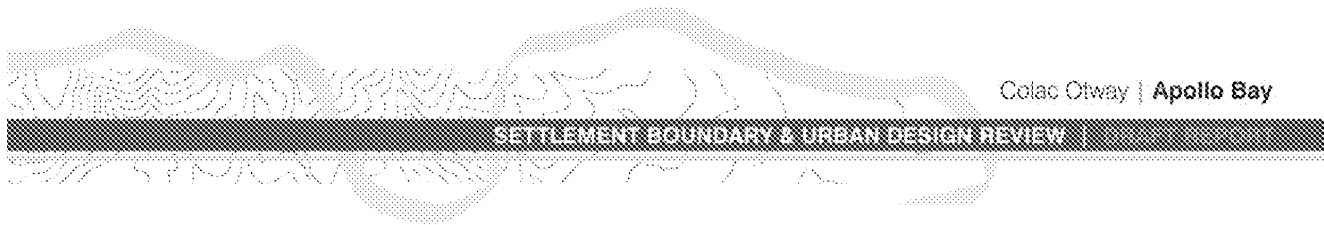
In addition to the review of investigation areas, the *Settlement Boundary & Urban Design Review* provides the opportunity to identify urban design opportunities to improve the quality of existing streetscapes and pedestrian links, and to better integrate infill development and new residential growth areas with the existing town centre.

A number of initiatives were identified for the town centre and its immediate surrounds, as detailed in the following chapter. These initiatives aim to represent a best practice approach to urban design, having particular regard to the existing coastal character of Apollo Bay, and the sensitive environment within which the township is located.

Urban design initiatives for the Town Centre include:

- ◆ Improvements to existing car parking areas to the rear of the shops along the Great Ocean Road
- ◆ Enhancement of mid-block pedestrian laneway connections
- ◆ Improvements to Pascoe Street streetscape treatments

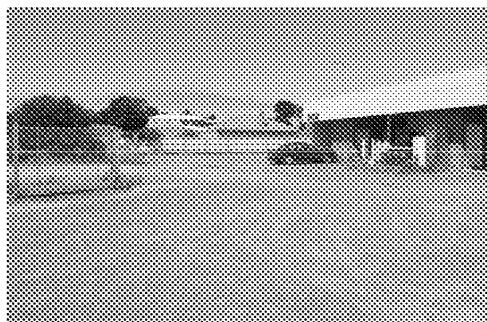
In addition, opportunities for improving pedestrian connections to the outer areas were explored.



## TOWN CENTRE

### REAR CAR PARKING AREAS

Space at the rear of the main shops in Apollo Bay is mostly used for private car parking, rubbish collection/ storage and rear service access. In some cases, public car parking is provided at the rear, and close-by to laneway connections that link through to the main shops. These public car parking areas are rarely used to their full capacity, despite the perceived lack of car parking in the town centre (particularly in the summer period). This is possibly due to the 'private' and 'hidden' nature of these car parking areas, where most visitors and even some locals, are potentially unaware that these parking areas exist, or that public parking is allowed.



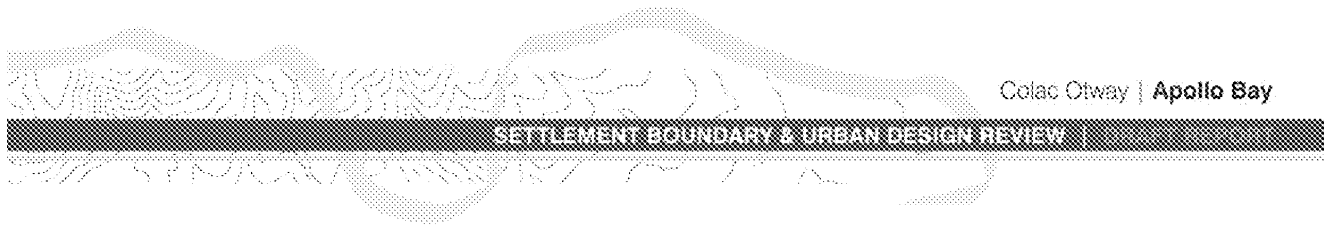
Existing car parking areas situated to the rear of the main shops, between Moore Street and McLaren Place.

#### Opportunities exist to:

- Consolidate and formalise car parking areas to the rear of the main shops.
- Improve pedestrian safety, amenity and connections between the surrounding areas and the car parks.
- Encourage greater use of the car parks by improved signage.

#### Potential initiatives include:

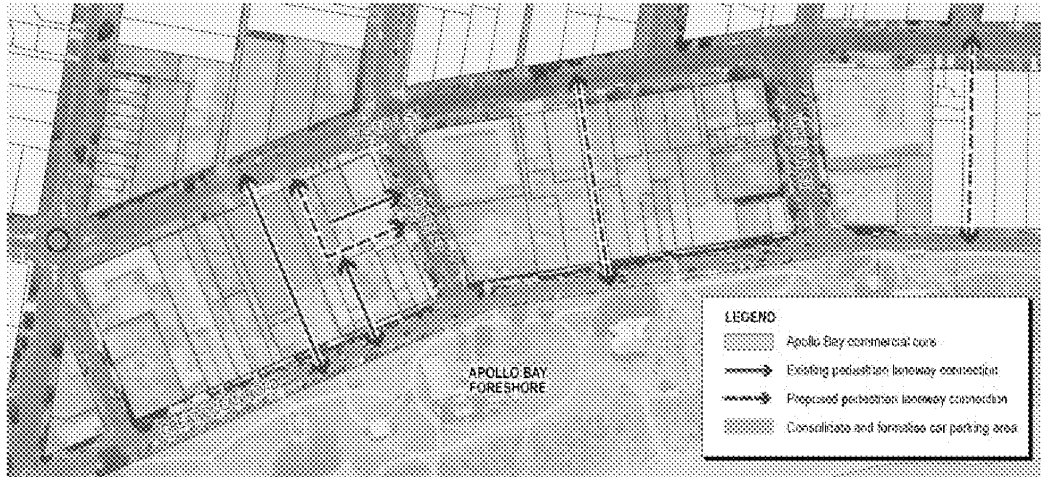
- Removing dividing fences where possible
- Consolidating car parking areas and sealing surfaces where appropriate
- Improved paving treatments (markers to assist navigation, and treatments to slow traffic)
- Providing formal pedestrian priority pathways through car parking areas, leading to the shops via the laneway
- Installing wayfinding signage to raise awareness of car parking areas and to direct vehicles and pedestrians
- Improved lighting (low energy fittings with minimal light spill)
- Introducing elements of colour/ public artworks
- Encouraging shops to provide entrances and activity (e.g. outdoor seating/ dining) at the rear



# TOWN CENTRE

## REAR CAR PARKING AREAS

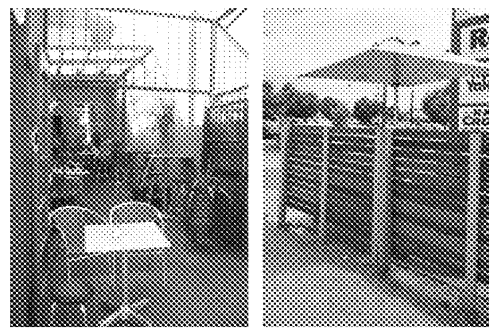
### CONCEPT PLAN



### PRECEDENTS



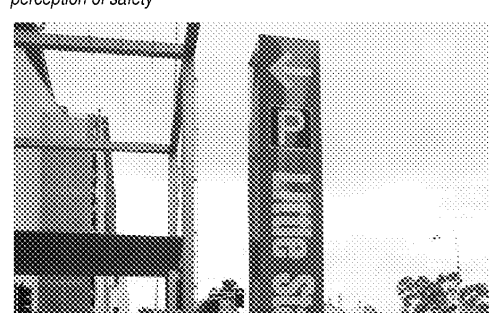
A successful shared vehicular/ pedestrian space to the rear of shops in Murray Street, Colac



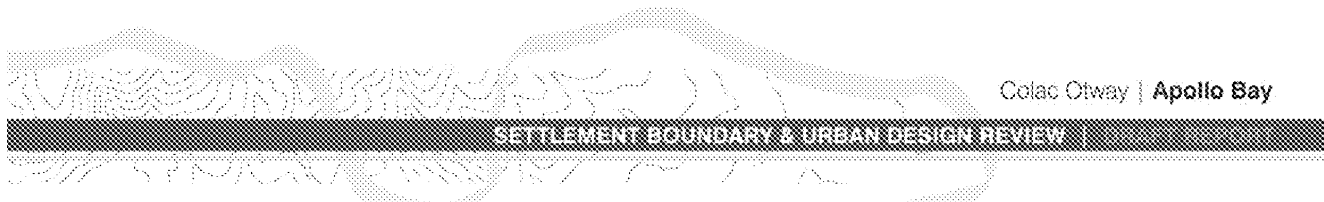
Providing entrances and activity at the rear of buildings can increase utilisation of rear car parking area and enhance the perception of safety



A pedestrian priority pathway through a car park in Murray Street, Colac



Wayfinding signage could be used to better direct vehicles and pedestrians to off street parking areas



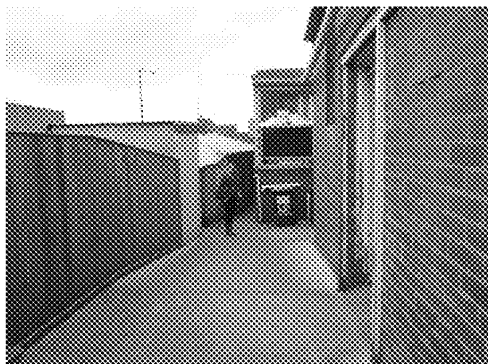
## TOWN CENTRE

### MID-BLOCK PEDESTRIAN LANEWAY CONNECTIONS

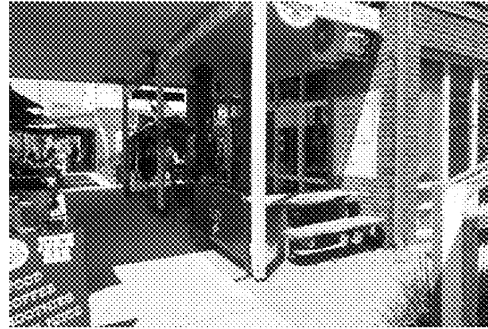
Existing pedestrian laneways situated in the commercial core between Pascoe Street and the Great Ocean Road are currently underutilised by pedestrians. In most cases, this is simply because people are unaware that they exist.



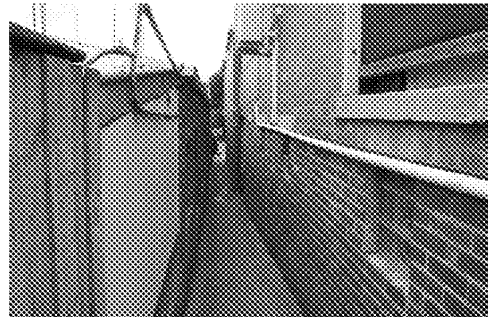
Existing pedestrian laneway situated between 63 and 65 Great Ocean Road



Existing pedestrian laneway situated between 79 and 81 Great Ocean Road



Existing entrance point into the laneway situated between 63 and 65 Great Ocean Road



The existing laneway situated between 79 and 81 Great Ocean Road is narrow in parts, but could be improved through introducing lighting, consistent treatments and colour.

#### Opportunities exist to:

- Improve the appearance and function of the two existing mid-block laneway connections situated between 63-65 and 79-81 Great Ocean Road, linking rear car parking areas to the main shops.
- Negotiate with land owners to facilitate provision of a new mid-block laneway connection in the block between Hardy and Moore Street.

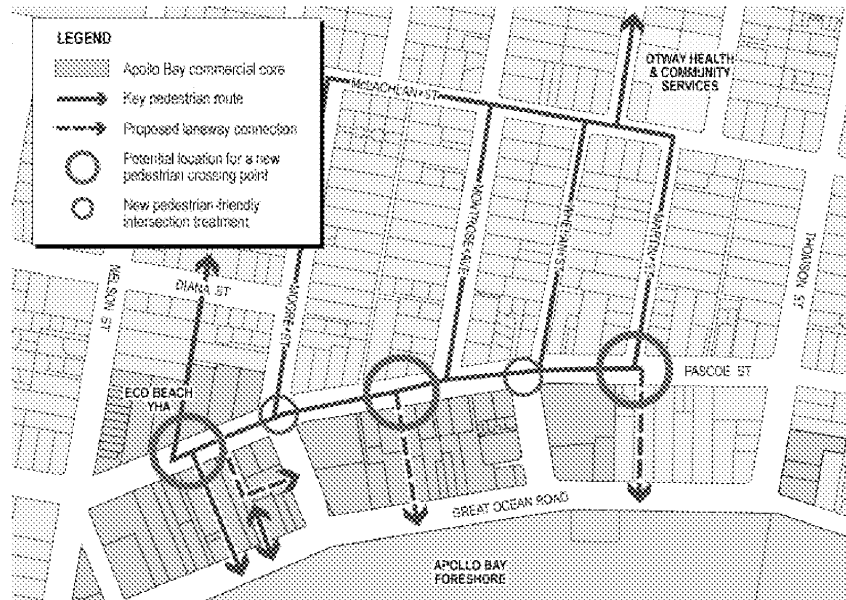
#### Potential initiatives include:

- Highlighting the entrance points into the laneways through installation of overhead gateway signage or paving markers along the Great Ocean Road
- Introducing artwork and subtle areas of colour on the ground plane and/ or walls
- Improving lighting along the laneways
- Removing clutter and obstacles (e.g. overhanging branches, bins) along the laneways where possible
- Introducing wayfinding signage to direct pedestrians
- Widening laneways as redevelopment occurs, in order to achieve DDA compliancy

## TOWN CENTRE

### MID-BLOCK PEDESTRIAN LANEWAY CONNECTIONS

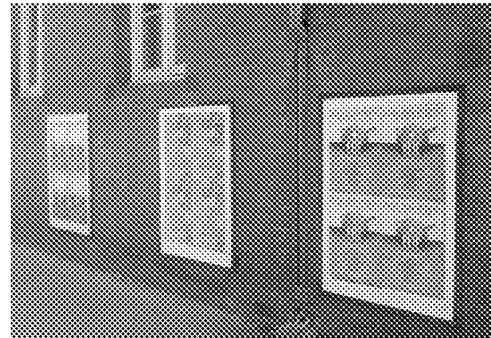
#### CONCEPT PLAN



#### PRECEDENTS



Overhead gateway signage marking the laneway connection in Colac



Interchangeable signage boards brighten up a pedestrian laneway in Brunswick and create a space for advertising local events



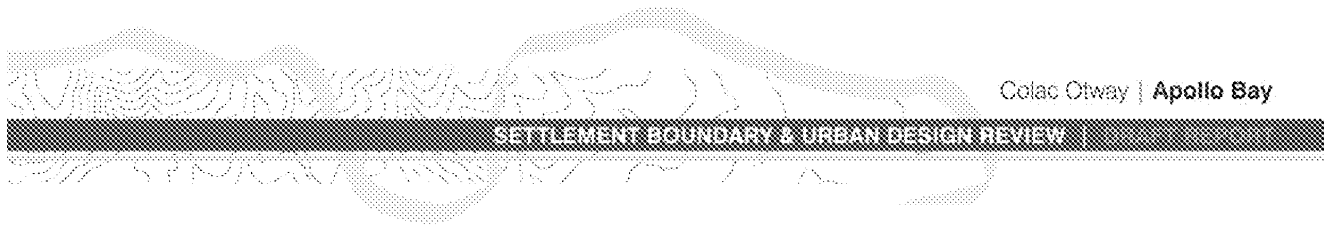
Simple use of colour on the ground plane to create a more lively laneway environment in Melbourne CBD



Overhead lighting enhances the perception of safety in this Melbourne laneway

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## TOWN CENTRE

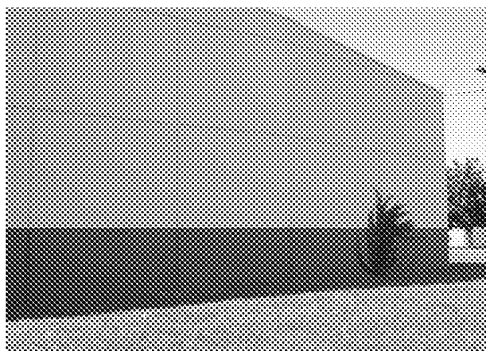
### PASCOE STREET STREETScape TREATMENT

Many of the streets surrounding the town centre of Apollo Bay have a very wide road reservation. Pascoe Street is a total of 32 metres wide and for the most part this space is underutilised; lacking in trees, footpaths, car parking or bicycle lanes. These large areas of bitumen, combined with a lack of trees and vegetation do not make for a pleasant pedestrian environment, particularly during the hot summer months. This is further exacerbated by large blank walls and a lack of commercial activity fronting Pascoe Street.

Safe crossing points across Pascoe Street are limited. This is particularly an issue during the summer months when the roads are busier.



Existing Pascoe Street road reservation



Existing blank wall fronting Pascoe Street

Opportunities exist to:

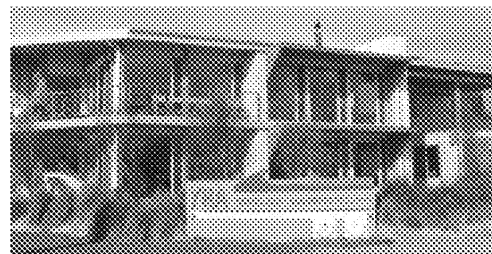
- Improve the existing amenity and function of Pascoe Street as a priority.
- Improve the amenity and function of adjacent side streets linking to the Great Ocean Road (Thomson, Whelan and Moore Streets, and McLaren Place).

Potential initiatives include:

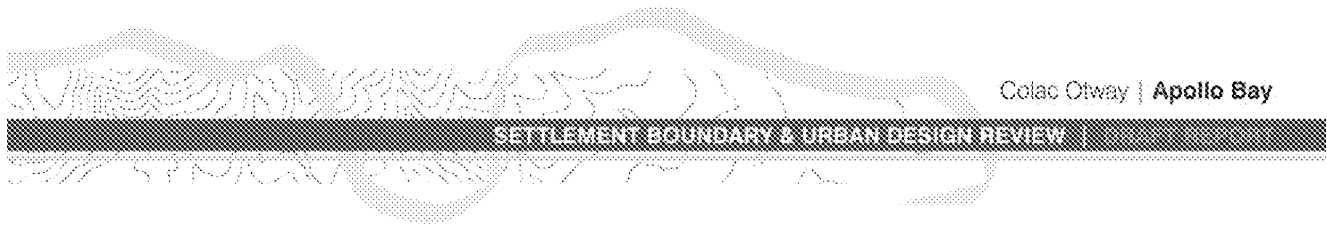
- Developing and implementing a native vegetation/ planting theme, including increased street trees and low-scale planting
- Footpath widening/ resurfacing (using a suitable coastal themed material)
- Water Sensitive Urban Design (WSUD) treatments
- Improved pedestrian crossing points (kerb extensions/ raised table crossings/ change in surface treatments)
- Signage/ wayfinding to increase pedestrian and vehicular navigability
- Lighting upgrades (low energy fittings with minimal light spill)
- Introducing 45° or 60° angle parking, particularly along Pascoe Street between Moore and Thomson Streets (in line with recommendations of the *Colac and Apollo Bay Car Parking Strategy, 2011*)
- Introduction of bicycle lanes



A landscape theme for Pascoe Street should adopt a more informal style of streetscape treatment (similar to the existing foreshore path) in order to emphasise the character of the coastal environment



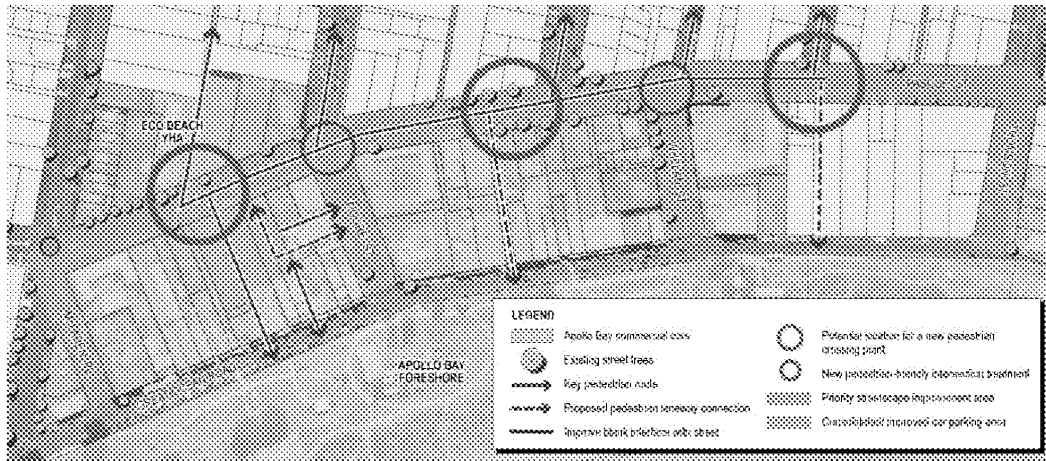
A landscape theme for Pascoe Street could tie into the look and feel of the YHA Eco Beach Hostel situated on Pascoe Street



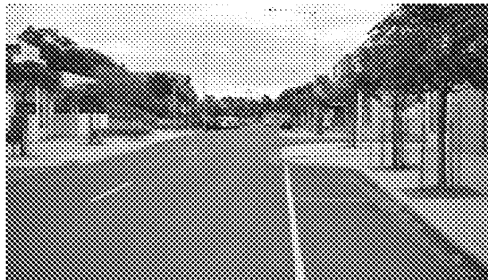
## TOWN CENTRE

### PASCOE STREET STREETScape TREATMENT

#### CONCEPT PLAN



#### PRECEDENTS



Kerb outstands, parking bays and new street tree planting have improved the amenity and function of Hitchcock Avenue, Barwon Heads



A raised table crossing and widened footpaths in Hastings

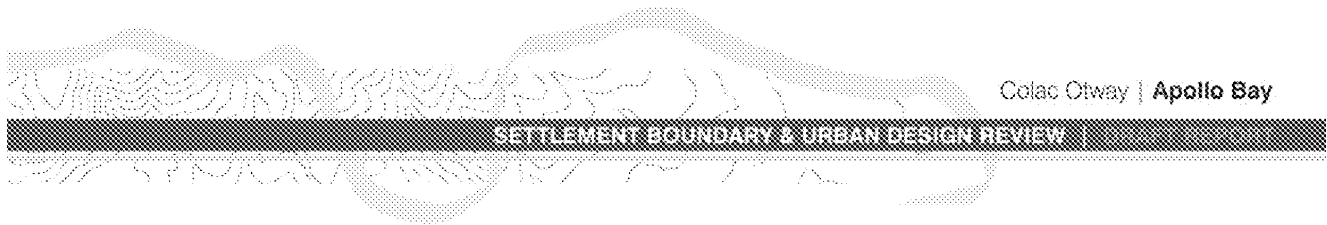


Kerb outstands, low-scale planting and angle parking in High Street, Hastings



Water Sensitive Urban Design (WSUD) treatment





## OUTER AREAS

### PEDESTRIAN CONNECTIONS

The informal nature of streetscapes afforded by lack of hard edges and sealed footpaths contributes to the coastal character of residential streets within Apollo Bay. However, many streets within Apollo Bay do not contain any form of footpath infrastructure. It is now timely to consider key pedestrian routes that may benefit from informal coastal themed (light thermal concrete finish or sand coloured asphalt) pedestrian footpath connections, where they are not currently provided.

The introduction of continuous footpath connections linking key destinations is considered necessary, particularly in locations where enhancing safety and access for all users, including those with limited mobility, is a key priority.

Links to, from and between Apollo Bay P-12 College, Apollo Bay Child Care Centre, Otway Health & Community Services and the town centre were identified as priority routes for improvement.

Pedestrian access across the Great Ocean Road was also identified as a major concern, particularly in the summer months when the roads are busier and increased numbers of holiday makers and residents may their way across the Great Ocean Road to go to the beach. Options to improve the safety of pedestrian movements across the Great Ocean Road need to be explored.

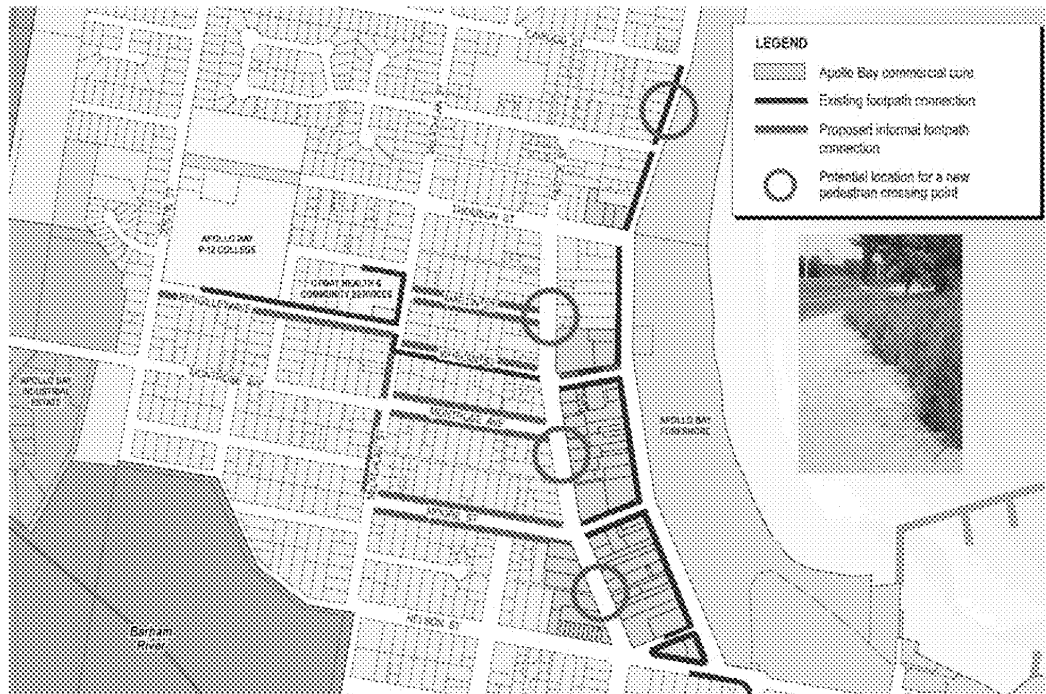
Opportunities exist to:

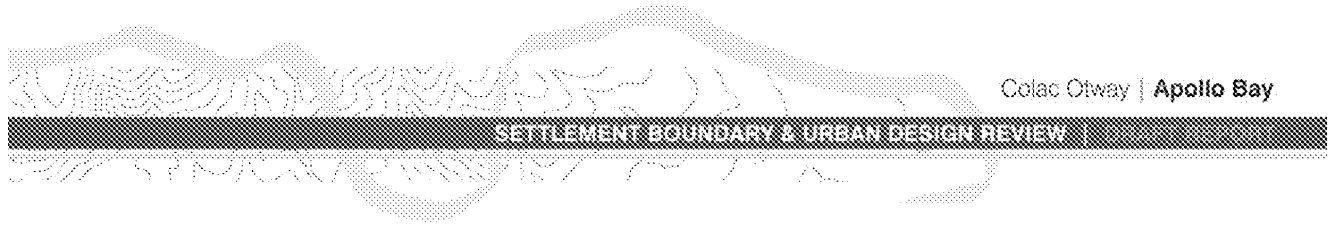
- Enhance pedestrian connections along key pedestrian routes to improve access to key destinations.
- Improve the safety of pedestrian access across the Great Ocean Road at key locations.

Potential initiatives include:

- Providing continuous informal coastal themed (light thermal concrete finish or sand coloured asphalt) footpath connections along key pedestrian routes where footpath infrastructure is absent (both sides of Martin Street, south side of Whelan Street and Pengilly Avenue, and the west side of McLachlan Street between Montrose Street and Pengilly Avenue).
- Explore the feasibility of providing safe crossing points across the Great Ocean Road:
  - Near the intersection of Cawood Street/ Great Ocean Road
  - Close to the entrance of the Pisces Holiday Park (not shown on Concept Plan)

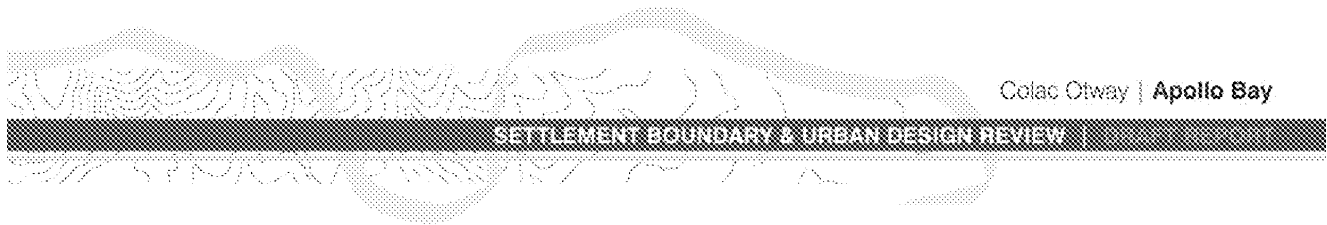
### CONCEPT PLAN





# 4

## REVIEW PROCESS & NEXT STEPS



### REVIEW PROCESS

The Review is being undertaken in the following stages:

- STAGE 1: Inception & Issues Overview
- STAGE 2: Supply & Demand Assessment
- STAGE 3: Consultation on Issues
- STAGE 4: Draft Urban Design Initiatives
- STAGE 5: Draft Review Report
- STAGE 6: Consultation on Draft Review Report  
*(Current stage)*
- STAGE 7: Final Review Report

### NEXT STEPS

The Review Report will be finalised following a six-week consultation period on the draft. All feedback received will be taken into account in the development of the Final Review Report.

### WE ARE SEEKING YOUR FEEDBACK

Council is keen to ensure that the preparation of the Review incorporates a substantial process of community engagement, particularly with owners and occupiers of properties adjacent to the five investigation areas.

The current stage of the Review process (*Stage 6: Consultation on Draft Review Report*) involves the distribution of Community Bulletin #2, mailed to all owners and occupiers, outlining the project background and providing a second opportunity for written feedback via Feedback Form #2.

A second Information 'Drop-In' Session will be held in Apollo Bay (see details below) to enable one-on-one discussions with all interested locals, visitors and directly affected land owners/ occupiers.

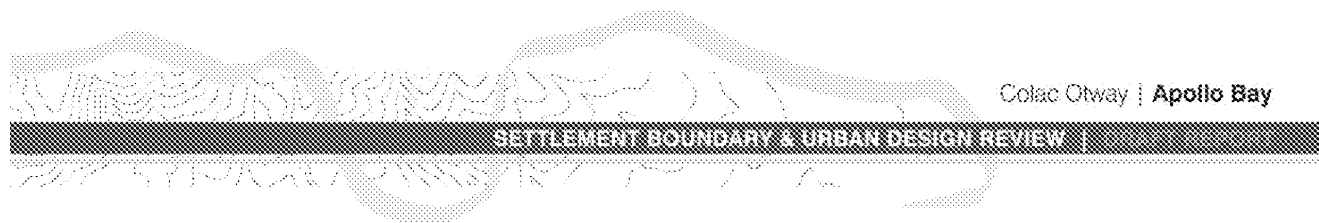
### INFORMATION 'DROP-IN' SESSION #2

The Study Team and Council staff will be available to answer your questions at the following Information 'Drop-In' Session:

*Saturday 10th September  
9.30am – 12.30pm  
Apollo Bay Community Market  
Apollo Bay Foreshore*

### PROJECT BULLETIN #2 / FEEDBACK FORM


Please take the time to complete the Feedback Form provided on the back of Project Bulletin #2. Additional copies of the form will also be available at the Information 'Drop-In' Session (details above).




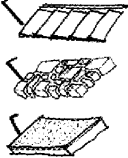
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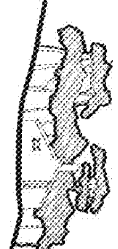
## APPENDICES

### DESIGN GUIDELINES FOR INVESTIGATION AREA 1

| Element                         | Objective                                                                                                                                                                                                                                                                                                                                                                                                                                               | Design response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Avoid                                                                                                                                                   | Illustration                                                                          |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <p><b>Landscape Setting</b></p> | <p>To protect the sensitive landscape, biodiversity, environmental and habitat values of the Apollo Bay coastal valleys and hills, and Wild Dog Creek environs</p> <p>To create a vegetated landscape setting congruent with the natural qualities of the coastline</p> <p>To re-establish the vegetated setting of the area using appropriate native/indigenous coastal vegetation</p> <p>To contribute to erosion control and habitat improvement</p> | <ul style="list-style-type: none"> <li>Retain existing trees and provide for the planting of appropriate native/indigenous coastal vegetation wherever possible</li> <li>Provide indigenous and native plantings in informal clumps and clusters as opposed to formal row plantings</li> <li>Encourage the removal of environmental weeds and other exotic vegetation and their replacement with appropriate native/indigenous coastal vegetation</li> <li>Implement extensive planting of indigenous vegetation to assist in the rehabilitation of land above the 40m contour line</li> <li>Link proposed landscaping with existing vegetation and plantings along the Wild Dog Creek environs and primary dune</li> <li>Utilise landscaping to screen the impact of roads when viewed from surrounding areas</li> <li>Progressively undertake weed and rabbit control</li> <li>Undertake revegetation as early as possible so that vegetation is established prior to or during dwelling construction</li> <li>Incorporate informal road treatments such as spoon and grassed drains and avoid suburban detailing such as upstanding kerbs and channels</li> <li>Incorporate Water Sensitive Urban Design techniques to improve the water quality of the catchment and maintain appropriate flows</li> <li>Incorporate the planting of indigenous and native species in public open spaces</li> </ul> | <p>Loss of existing trees/vegetation</p> <p>Planting of exotic vegetation/environmental weeds</p> <p>Lack of landscaping and substantial vegetation</p> |  |

| Element                             | Objective                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Design Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Avoid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Illustration |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Lot Size &amp; Site Coverage</b> | <p>To provide for a diversity of living opportunities</p> <p>To develop a spacious building setting with substantial space for planting and vegetation</p> <p>To allow for the reasonable sharing of views</p>                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>Adopt a minimum lot size of 600m<sup>2</sup>, and maximum lot size of 2000m<sup>2</sup></li> <li>Building site coverage should not exceed 30% and total impervious surface coverage (including paving, driveways, swimming pools) should not exceed 40%.</li> <li>Design lot layouts so to maximise views from within allotments and to optimise view sharing opportunities</li> <li>Lots should be orientated to maximise passive solar access</li> <li>Minimise storage areas/ outbuildings</li> <li>Ensure the area between the building and the property boundary is predominantly permeable to water and able to support substantial vegetation</li> <li>Provide no more than one vehicular crossover per typical site frontage</li> </ul>                                                                                                                                                                                                | <p>Large building footprints that prevent views between buildings</p> <p>Large building massing footprints that dominate the landscape</p> <p>Car parking structures and outbuildings that dominate the facade or view of the dwelling from the street/landscape</p> <p>Large areas of non-permeable surfacing</p> <p>Over crossovers</p>                                                                                                                                                                                                                           |              |
| <b>Siting</b>                       | <p>To ensure buildings and structures are can be substantially absorbed within the natural landscape setting</p> <p>To avoid development in areas at risk from the effects of natural processes such as flooding, erosion, landslip and salinity</p> <p>To maintain the visual dominance of the coastal valley and hills hinterland in relation to the scale and siting of any proposed development</p> <p>To ensure best practice environmentally sustainable design practices</p> | <ul style="list-style-type: none"> <li>All buildings must be sited below the 40m contour line</li> <li>Adopt a minimum benching level of 5.0m AHD (to be confirmed) to reduce the risk of properties being inundated by sea level rise up to the year 2100</li> <li>Buildings should adapt footprints and levels that flow with and emphasise the natural landform/topography of the area</li> <li>Design buildings to step down the topography</li> <li>Buildings should be sited to visually complement and respond to the natural features of the environment and surrounding hinterland</li> <li>Buildings and structures should be sited and designed to minimise their visual impact on views from publicly accessible areas</li> <li>Ensure all buildings are orientated to ensure optimal thermal performance, utilise natural light and protect solar access for future development</li> <li>Locate garages and car parking areas behind the line of the dwelling</li> </ul> | <p>Buildings that do not follow the natural contours of the site and require extensive cut and fill</p> <p>Development that dominates visually over existing landscape features such as the surrounding forest, coastal dunes and rock overhangs</p> <p>Buildings and structures that are highly visible when viewed from key viewing vantage points such as the Green Ocean Road and the Apollo Bay township</p> <p>Buildings with excessive westfall or southern orientation</p> <p>Building orientation and siting which restrict solar access opportunities</p> |              |

| Element                              | Objective                                                                                                                              | Design Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Avoid                                                                                                                                                                                                                                                                                                                                                                                                                   | Illustration                                                                          |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>Building Form &amp; Height</b>    | To ensure buildings and structures respond positively to the significant coastal landscape setting                                     | <ul style="list-style-type: none"> <li>Encourage low scale building forms and if a 2<sup>nd</sup> storey is provided, it should be smaller than the ground level to minimise visual bulk and allow views between buildings</li> <li>Development should be kept below the future mature tree canopy height and overall height limited to a maximum of 8m (2 storeys) above natural ground level</li> <li>Require site responsive building forms that are substantially absorbed by the landscaped setting</li> <li>Upper level(s) should be recessed and articulated to reduce the visual bulk of development and avoid impacts such as overshadowing and overlooking</li> <li>Disaggregate the massing of larger buildings and avoid excessive symmetry in plan or elevation</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                  | <p><i>Blank upper levels</i></p> <p><i>Buildings and structures that protrude above the canopy height of tree vegetation for proposed &gt; separated blocks</i></p> <p><i>Blank, heavy, unarticulated building forms</i></p> <p><i>Overly vertically dominant elevations</i></p>                                                                                                                                        |  |
| <b>Materials &amp; Design Detail</b> | To ensure buildings demonstrate a high standard of contemporary design and complement the character of the natural coastal environment | <ul style="list-style-type: none"> <li>Utilise colours and finishes that complement the native vegetation of the local area, including dark, natural colours and matte finishes</li> <li>Utilise muted colours and finishes that best immerse the building within the landscape</li> <li>Use a mix of contemporary and traditional coastal materials, textures and finishes including timber, render, glazing, stone, brick and iron roofing</li> <li>Make use of building materials with minimal environmental impact and encourage the use of recycled materials where possible</li> <li>Use simple design detailing</li> <li>Use glazing and roofing materials of low reflectivity</li> <li>Ensure that all structures associated with services, including radio, television and other signal aerial structures are located to minimise their visual prominence</li> <li>Buildings should achieve at least a 5 star energy rating or an equivalent home energy rating scheme</li> <li>Encourage properties to install rainwater tanks</li> <li>Promote the use of a separate water pipe system for the reuse of grey water for toilet flushing and gardens</li> </ul> | <p><i>Excessive decoration and historical reproduction styles</i></p> <p><i>Unarticulated or non-textured, sheer facades and building forms</i></p> <p><i>Excessive use of colours that contrast strongly with vegetation</i></p> <p><i>Highly reflective glazing and roofing materials</i></p> <p><i>Overuse of heavy, heavy materials such as brick</i></p> <p><i>Visually prominent signal aerial structures</i></p> |    |

| Element                                                  | Objective                                                                                                                                                                                                                                                                                                                               | Design response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Avoid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Illustration                                                                          |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <p><b>Private Realm Landscaping &amp; Vegetation</b></p> | <p>To set buildings and works within a landscape of appropriate native/indigenous coastal vegetation</p> <p>To ensure vegetation and landscaping is integrated with the design of the development and complements the surrounding coastal landscape</p> <p>To incorporate the use of Water Sensitive Urban Design (WSUD) principles</p> | <ul style="list-style-type: none"> <li>▪ Retain existing trees and provide for the planting of appropriate native/indigenous coastal vegetation wherever possible</li> <li>▪ Provide for the planting of predominantly native coastal and indigenous trees and shrubs in clumps and clusters and avoid formal row planting particularly along property boundaries</li> <li>▪ Encourage large scale vegetation that is capable of providing a visual screen to development and protection from prevailing coastal winds</li> <li>▪ Screen buildings, structures and areas of hard surfaces with appropriately scaled informal landscaping</li> <li>▪ Encourage landscaping, rather than fencing, to create privacy. Where this is not appropriate, provide an open style front fence (post and wire) to a preferred maximum height of 1.2 metres</li> <li>▪ Encourage the removal of environmental weeds and their replacement with appropriate native/indigenous coastal vegetation</li> <li>▪ Proposed vegetation should be capable of withstanding sand and salt attack</li> <li>▪ Ensure landscape design assists in passive solar heating/ cooling</li> </ul> | <p>Landscaping that provides little connection to the surrounding context</p> <p>Existing dominant characteristics (such as vegetation or architectural) that do not complement the surrounding context</p> <p>Lack of landscaping and substantial vegetation</p> <p>Planting of exotic vegetation/ ornamental weeds</p> <p>Formal landscape design (e.g. geometrically aligned landscaping/ large areas of lawn/ formal garden beds)</p> <p>Hard surfaces and hard edges in landscaping</p> <p>Large areas of impervious surfaces, particularly in the front setback area and in areas visible from the public domain</p> <p>Large unshaded paved areas</p> <p>Front boundary treatments that include iron or stainless steel fences and landscaping</p> <p>Fences on the front boundary</p> <p>High, solid fencing</p> <p>Large entry features, particularly in brick clime or concrete</p> |  |



| Element                                  | Objective                                                                                                                                                                                                          | Design response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Avoid                                                                                                                                                                         | Illustration |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Vehicular &amp; Pedestrian Access</b> | <p>To enhance pedestrian access opportunities in the vicinity of Investigation Area 1</p> <p>To ensure that there is no adverse impacts on the function of the Great Ocean Road as a result of new development</p> | <ul style="list-style-type: none"> <li>Explore the potential to provide a pedestrian path along the 30m contour (to loop around the back of the township) linking to the coastal foreshore path and Mariners Vue</li> <li>Ensure that the slope of pedestrian and bicycle paths are minimised where possible</li> <li>Ensure development can be adequately serviced via a single access intersection at the Great Ocean Road</li> <li>Ensure that all internal roads are designed to link to roads within Mariners Vue</li> <li>Ensure that all new streets are designed to accommodate the manoeuvring requirements of service and emergency vehicles</li> <li>Explore the potential to extend the 60km/h speed limit along the Great Ocean Road to the natural boundary of Wild Dog Creek</li> </ul> | <p>Land with direct access to the Great Ocean Road</p> <p>Pedestrian and bicycle paths with steep gradients</p> <p>Dead end access streets within the subdivision pattern</p> |              |
| <b>Public Open Space</b>                 | <p>To provide usable public open space to encourage integration of the area with Apollo Bay, and to contribute to a linked pedestrian path and the open space needs of the town.</p>                               | <ul style="list-style-type: none"> <li>Provide public open space areas with direct access from the Great Ocean Road</li> <li>Provide linkages to the public open space from any new or proposed public pathway</li> <li>Ensure open space contains flat and accessible land suitable for play equipment, public picnic areas and seating</li> <li>Landscape open space areas with suitable indigenous or native coastal vegetation</li> </ul>                                                                                                                                                                                                                                                                                                                                                          | <p>Steeply sloping or poorly connected open spaces</p> <p>Spaces that appear to be primarily owned or exclusive to nearby residents</p>                                       |              |



OM112408-17

**SUBMISSION TO STATE GOVERNMENT REVIEW OF  
PLANNING PROVISIONS RELATING TO HELICOPTERS**

|             |                                       |           |                                      |
|-------------|---------------------------------------|-----------|--------------------------------------|
| AUTHOR:     | Doug McNeill                          | ENDORSED: | Rob Small                            |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | GEN/00451 Planning<br>Scheme/General |

**Purpose**

This report seeks Council endorsement of a submission to the State Government in response to its review of state planning provisions relating to helicopters.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Background**

The State Government recently announced a review into state planning provisions relating to helicopters.

The Commonwealth Government regulates airspace and aircraft operations. All helicopters have to comply with the Civil Aviation Safety Authority Regulations 1998 that include airworthiness requirements, navigation approvals, general operating and flight paths and other rules, all of which are not planning considerations.

A planning permit is currently required to use land for a heliport and a helipad whether or not the helicopter use is a primary or ancillary use of land.

Purpose of the Review

The purpose of the review is to:

- Identify any circumstances where a helicopter can take off and land on a site without causing an adverse amenity impact on nearby dwellings or other sensitive uses.
- Give the community and the helicopter industry certainty about when a planning permit is needed for the take off and landing of a helicopter.

The Review is specifically asking respondents to consider the following questions:

- What form and frequency of helicopter take off and landing should constitute an ancillary and temporary use of the land?
- The time taken to obtain a planning permit may not match the industry's need to respond to market demand.
- The current provisions are intended to protect the community from potential unreasonable amenity impacts arising from nearby helicopter use. The Review asks whether there are circumstances where the take off and landing of a helicopter will not cause an adverse amenity impact to dwellings or other sensitive uses and need not be controlled.

### Proposed Changes

The Government proposes changes to Clauses 52.15 (Heliports) and 74 (Definitions) of the Victoria Planning Provisions.

The changes to Clause 52.15 include proposals to:

- Clarify where a helicopter landing site is a secondary or ancillary use of land, rather than a permanent land use.
- Introduce new planning permit application requirements and decision guidelines for a helicopter landing site.
- Remove the need for a permit to use land for a helicopter landing site where both of the following apply:
  - Hours of operation and frequency are limited.
  - An appropriate separation distance from a sensitive use has been specified.

A distance of 1000m from a sensitive use has been proposed. The Noise Control Guidelines published by the Environment Protection Authority state that 150 to 250m separation of a helicopter from a sensitive use (depending on the weight of the helicopter) will meet the maximum acceptable noise levels for a residence. The final recommended distance may vary based on consultation feedback.

The proposed modifications to Clause 74 (Definitions) would change the definition to update the term to include both permanent and temporary helicopter uses on a site. A copy of the proposed changes is attached to this report.

Submissions are due to be lodged by 7 September 2011.

### **Council Plan / Other Strategies / Policy**

#### **Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

#### **Issues / Options**

The use of land for landing and take-off of helicopters has been contentious over recent years, with a particular example being a proposal in 2005/06 by a tourism operator in the Otways to establish a helipad for the purpose of undertaking scenic flights over the Otways. The planning permit application attracted several hundred objections from land owners in the surrounding area concerned about the adverse amenity impacts from noise that might be associated with regular use of the site for helicopter flights.

More recently, an issue arose on the Colac Ballarat Road near Beeac where it was established that a planning permit was required for the movement of helicopters to and from a farmer's property that was being used for spraying of crops on farming properties in the region. Following discussions between the Council, land owner and the State Government, the Government amended Clause 52.15 of the Planning Scheme to remove the need for a permit if the take off and landing of helicopters was ancillary to the agricultural use of the land.

The proposed changes would be of significant concern to the community given they would exempt the need for a planning permit for landing and take off of helicopters for passenger transport in some circumstances. Whilst the criteria suggested by the Government, which includes a minimum distance of the helicopter landing site from a dwelling of 1km, would provide a physical buffer from houses, there would be significant potential for amenity impacts from noise associated with the flight of helicopters over adjoining land.

There has been significant community concern expressed over past years close to Port Cambell associated with the noise impacts from the scenic helicopter flights operating over the Twelve Apostles, and there is potential that increased helicopter operations in the Otways and Great Ocean Road hinterland particularly would have potential to have adverse effects if not controlled through a planning permit process. Many people live in or visit the Otways area for its pristine environment and quiet enjoyment of the high value lifestyle this presents. It would be a backward step for current planning permit provisions to be watered down to the extent that increased helicopter movements could be permitted that would adversely effect the attractiveness of the area.

It is considered that the current planning permit requirement for landing and take off of helicopters allows appropriate consideration on a case by case basis of any new proposals to use land as a helicopter landing site associated with transportation of passengers. Given the State Government's changes in 2010 to exclude helicopter landings associated with farming from permit requirements, in addition to those landings associated with emergency services operations, it is considered reasonable that all other helicopter landings be subject to a formal assessment process. In this way there is a greater guarantee there would not be unintended consequences.

The suggested change in definition, of replacing the terms "helipad" and "heliport" with 'helicopter landing site' is supported as it reduces confusion for users of the Planning Scheme.

Council has the options of:

1. Making a submission as advocated in this report (or otherwise), expressing concern at the proposed changes.
2. Making a submission supporting the changes; or
3. Not making a submission.

The first option is recommended. It is proposed that Council express these concerns in a submission to the Planning Minister.

### **Proposal**

It is proposed that Council lodge a submission on the proposed changes to helicopter provisions as outlined in the report.

### **Financial and Other Resource Implications**

There are no financial implications for the Shire arising from this report.

### **Risk Management & Compliance Issues**

There are no risk management or compliance issues arising from this report.

### **Environmental and Climate Change Considerations**

There are no environmental or climate change considerations arising from this report.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The State Government is seeking submissions on proposed changes to helicopter provisions. It is proposed that Council makes a submission on behalf of the community, although individuals with an interest in the issue are able to make their own submission. A media release was released early in August to raise awareness of the review for the wider public.

**Implementation**

A written submission will be lodged with the State Government prior to 7 September 2011.

**Conclusion**

There have been two contentious issues arise in the Shire over recent years related to use of land for helicopter landings, and there has been significant concern in the Otways community in the past over potential amenity impacts from regular helicopter landings. It is proposed that a submission be lodged in response to the review which expresses concern at the changes.

**Attachments**

1. State Government Review Documents

**Recommendation(s)**

***That Council lodges a submission to the State Government review of helicopter provisions in accordance with the issues raised in this report, particularly noting that:***

- ***Council would support the change in definitions proposed to create a new definition of ‘helicopter landing site’.***
- ***Council is opposed to further exemptions being provided to planning permit requirements relating to helicopter movements at Clause 52.15 of the Planning Scheme over and above those that currently exist.***
- ***The Otways and Great Ocean Road hinterland are pristine environments and significant natural assets which are highly valued for quiet enjoyment of the high value lifestyle this represents.***
- ***Further encouragement of helicopter movements not subject to planning permit requirements would have potential to adversely affect these values.***

~~~~~\~~~~~



AS / OMEN 10

## Department of Planning and Community Development

7 July 2011

Mr Jack Green  
General Manager Sustainable Planning & Development  
Colac Otway Shire Council  
PO Box 283  
COLAC VIC 3250

1 Spring Street  
Melbourne  
Victoria 3001  
Australia  
GPO Box 2392  
Telephone: (03) 9208 3333  
Facsimile: (03) 9208 3680  
ABN: 30485673497  
www.dpcd.vic.gov.au

Dear Mr Green

### COMMENTS SOUGHT FOR REVIEW OF PLANNING REQUIREMENTS FOR A HELICOPTER LANDING SITE

The Department is reviewing the planning provisions for helicopter use in the Victoria Planning Provisions and planning schemes.

I invite any comments you may have on the proposed changes.

The purpose of the review is to:

- identify any circumstances where a helicopter can take off and land on a site without causing an unreasonable amenity impact on nearby dwellings or other sensitive uses
- give the community and the helicopter industry certainty about when a planning permit is needed for the take off and landing of a helicopter.

The proposed provisions are available for download through the Department's website [www.dpcd.vic.gov.au/planning/helicopters](http://www.dpcd.vic.gov.au/planning/helicopters).

The enclosed information paper outlines the reasons for the review and gives details on how to make a submission. You may wish to bring the review to the attention of parties with a known interest in the issue.

If you have any queries about review or the proposed provisions please contact Stevie Meyer on 9947 1215 or [stevie.meyer@dpcd.vic.gov.au](mailto:stevie.meyer@dpcd.vic.gov.au).

Submissions should be received by 7 September 2011.

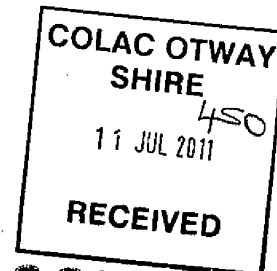
Yours sincerely

PETER ALLEN  
Executive Director  
Statutory Planning Systems Reform

*- Allia release - shown*

#### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Information Privacy Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Manager Privacy, Department of Planning and Community Development, PO Box 500, East Melbourne, 3002.



SCANNED









July 2011

## Your comments are invited on the proposed planning requirements for helicopter landing sites.

### Background

The Commonwealth Government regulates airspace and aircraft operations. All helicopters have to comply with the Civil Aviation Safety Authority Regulations 1998 that include airworthiness requirements, navigation approvals, general operating and flight paths and other rules, all of which are not planning considerations.

A planning permit is currently required to use land for a heliport and a helipad whether or not the helicopter use is a primary or ancillary use of land.

The purpose of the review is to:

- identify any circumstances where a helicopter can take off and land on a site without causing an adverse amenity impact on nearby dwellings or other sensitive uses
- give the community and the helicopter industry certainty about when a planning permit is needed for the take off and landing of a helicopter.

### Issues

- What form and frequency of helicopter take off and landing should constitute an ancillary and temporary use of the land?
- The time taken to obtain a planning permit may not match the industry's need to respond to market demand.

- The current provisions are intended to protect the community from potential unreasonable amenity impact from nearby helicopter use. Are there circumstances where the take off and landing of a helicopter will not cause an adverse amenity impact to dwellings or other sensitive uses and need not be controlled?

### What changes are proposed?

Go to [www.dpcd.vic.gov.au/planning/helicopters](http://www.dpcd.vic.gov.au/planning/helicopters) to view the proposed changes.

In summary the proposed changes are:

#### Clause 52.15 (Heliport)

- Clarify where helicopter landing site is a secondary or ancillary use of land, rather than a permanent land use.
- Introduce new planning permit application requirements and decision guidelines for a helicopter landing site.
- Remove the need for a permit to use land for a helicopter landing site where both of the following apply:
  - hours of operation and frequency are limited
  - an appropriate separation distance from a sensitive use has been specified.



A distance of 1000 metres from a sensitive use has been proposed. The Noise Control Guidelines, published by the Environment Protection Authority, state that 150 to 250 metres separation of a helicopter from a sensitive use (depending on the weight of the helicopter) will meet the maximum acceptable noise levels for a residence. The final recommended distance may vary based on consultation feedback.

#### Clause 74 (Definitions)

Change the definition to include both permanent and temporary helicopter uses on a site.

#### How do I make a submission?

1. Go to [www.dpcd.vic.gov.au/planning/helicopters](http://www.dpcd.vic.gov.au/planning/helicopters) to view the proposed changes.
2. Download and complete a submission coversheet from the same website.
3. Attach your comments to the coversheet and send your submission to:
  - **Email (preferred):** [planning.systems@dpcd.vic.gov.au](mailto:planning.systems@dpcd.vic.gov.au)
  - **Mail:** 'Helicopter Landing Site Review', Statutory Planning Systems Reform, Department of Planning and Community Development, GPO Box 2392, Melbourne Vic 3001

Please ensure your submission is received by 7 September 2011.

If you require an interpreter or other help in making a submission please call Information Victoria on 1300 366 356 (local call cost) or TTY +61 3 9603 8806 (8.30am – 5.00pm Monday to Friday).

Published by the Victorian Government Department of Planning and Community Development Melbourne, July 2011.  
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[www.dpcd.vic.gov.au/planning](http://www.dpcd.vic.gov.au/planning)

**52.15 HELIPORT HELICOPTER LANDING SITE**

xxxxx2011  
VCXX

**Purpose**

To ~~ensure provide an opportunity to consider the effect~~ the amenity impacts of a helicopter landing site heliport or helipad on the amenity of surrounding areas is considered.

**52.15 -1 Permit requirement**

A permit is required to use or develop any land for a helicopter landing site heliport or helipad even including if it is ancillary to another use on the land.

This permit requirement does not apply to:

- ~~The use of any land for a heliport or helipad to service a helicopter currently~~ A helicopter landing site that is used by a helicopter engaged in agricultural activity in conjunction with the lawful use of any land for agriculture. This does not include helicopter activity for the carriage of passengers for tourism or transport.
- ~~The use of any land for a heliport or helipad that is~~ A helicopter landing site that is used by a helicopter engaged in conjunction with emergency or rescue operations.
- A helicopter landing site that is only used by a helicopter engaged in the transportation of passengers, including for tourism purposes, provided that:
  - the helicopter landing site is more than 1000 metres from the nearest sensitive use that is not associated with the helicopter operation
  - the number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements)
  - no flight movements take place before 7am or after sunset on a weekday
  - no flight movements take place before 8am or after sunset on a weekend
  - no new buildings or works are constructed.

**52.15 -2 Application requirement**

An application for a helicopter landing site must be accompanied by the following information:

- A location plan showing the site and surrounding uses, including the distance to any sensitive use within 2km from the proposed take off and landing location.
- Details of the proposed frequency of use.

**52.15 - 3 Decision guidelines**

Before deciding on an application to use land or construct a building or carry out works for a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Noise Control Guidelines (Environment Protection Authority, 2008)
- Guidelines for the establishment and use of helicopter landing sites. CAAP 92-2(1) (Civil Aviation Safety Authority Australia, 1996)

| LAND USE TERM           | DEFINITION   | INCLUDES      | INCLUDED IN             |
|-------------------------|--|---------------|-------------------------|
|                         | substance such as carrying out a seismic survey or other kind of survey, making a well, and injecting and monitoring the behaviour of an injected or stored liquid or gas.   |               |                         |
| Group accommodation     | Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.  |               | Accommodation           |
| Hairdresser             |  |               | Shop                    |
| Hall                    |  |               | Place of assembly       |
| Helicopter Landing Site | Land used for the take off and landing of a helicopter   |               | Transport terminal      |
| Heliport                |  |               | Transport terminal      |
| Home occupation         | An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.  |               |                         |
| Horse riding school     |  |               | Animal training         |
| Horse stables           |  |               | Animal husbandry        |
| Horticulture            | Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.  | Market garden | Crop raising            |
| Hospital                | Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients. |               |                         |
| Hostel                  |  |               | Residential building    |
| Host farm               | A farm used to provide accommodation for persons, away from their normal place of residence, to experience farm living.  |               | Accommodation           |
| Hotel                   | Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.                          |               | Food and drink premises |

DEFINITIONS - CLAUSE 74

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**52.15 HELICOPTER LANDING SITE**

**Purpose**

To ensure the amenity impacts of a helicopter landing site on surrounding areas is considered.

**52.15 -1 Permit requirement**

A permit is required to use or develop any land for a helicopter landing site including if it is ancillary to another use on the land.

This does not apply to:

- A helicopter landing site that is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.
- A helicopter landing site that is used by a helicopter engaged in emergency or rescue operations.
- A helicopter landing site that is only used by a helicopter engaged in the transportation of passengers, including for tourism purposes, provided that:
  - the helicopter landing site is more than 1000 metres from the nearest sensitive use that is not associated with the helicopter operation
  - the number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements)
  - no flight movements take place before 7am or after sunset on a weekday
  - no flight movements take place before 8am or after sunset on a weekend
  - no new buildings or works are constructed.

**52.15 -2 Application requirement**

An application for a helicopter landing site must be accompanied by the following information:

- A location plan showing the site and surrounding uses, including the distance to any sensitive use within 2km from the proposed take off and landing location.
- Details of the proposed frequency of use.

**52.15 - 3 Decision guidelines**

Before deciding on an application to use land or construct a building or carry out works for a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Noise Control Guidelines (Environment Protection Authority, 2008)
- Guidelines for the establishment and use of helicopter landing sites, CAAP 92-2(1) (Civil Aviation Safety Authority Australia)

74

**LAND USE TERMS**

|                                |  |                                |
|--------------------------------|--|--------------------------------|
| <b>Group accommodation</b>     | Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.  | <b>Accommodation</b>           |
| <b>Hairdresser</b>             |  | <b>Shop</b>                    |
| <b>Hall</b>                    |  | <b>Place of assembly</b>       |
| <b>Helicopter Landing Site</b> | Land used for the take off and landing of a helicopter.  | <b>Transport terminal</b>      |
| <b>Home occupation</b>         | An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.  |                                |
| <b>Horse riding school</b>     |  | <b>Animal training</b>         |
| <b>Horse stables</b>           |  | <b>Animal husbandry</b>        |
| <b>Horticulture</b>            | Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like. Market garden  | <b>Crop raising</b>            |
| <b>Hospital</b>                | Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients. |                                |
| <b>Hostel</b>                  |  | <b>Residential building</b>    |
| <b>Host farm</b>               | A farm used to provide accommodation for persons, away from their normal place of residence, to experience farm living.  | <b>Accommodation</b>           |
| <b>Hotel</b>                   | Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.                          | <b>Food and drink premises</b> |

**CONSENT CALENDAR**

**OFFICERS' REPORT**

**D = Discussion**

**W = Withdrawal**

| ITEM  | D | W |
|---|---|---|
| <p><b><u>GENERAL BUSINESS</u></b></p> <p><b><u>OM112408-18 ASSEMBLY OF COUNCILLORS</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council notes the Assembly of Councillors reports for:</i></p> <ul style="list-style-type: none"> <li>• <i>Councillor Briefing Session - 27 July 2011</i></li> <li>• <i>Councillor Workshop - 10 August 2011</i></li> <li>• <i>Friends of the Botanic Gardens AGM - 11 August 2011.</i></li> </ul> |   |   |
| <p><b><u>OM112408-19 SIGNING AND SEALING - SAFETY INTERFACE AGREEMENT - V/LINE</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council approves the signing and sealing of the Safety Interface Agreement with V/Line and delegate signing to the Council's Chief Executive Officer and the General Manager Infrastructure and Services.</i></p>  |   |   |

**Recommendation**

*That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.*

**MOVED** .....

**SECONDED** .....





**OM112408-18 ASSEMBLY OF COUNCILLORS**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | GEN00460  |

Changes to the *Local Government Act 1989* and Regulations have redefined Assemblies of Councillors to include advisory committee meetings attended by at least one Councillor and planned/scheduled meetings involving at least half the Councillors and an officer.

It is now a requirement that the record of an assembly is to be reported to the next practicable Council meeting and be included in the minutes of that meeting, instead of being made available for public inspection.

The following Assemblies of Councillors have been held:

- Councillor Briefing Session - 27 July 2011
- Councillor Workshop - 10 August 2011
- Friends of the Botanic Gardens AGM - 11 August 2011.

**Attachments**

1. Councillor Briefing Session - 27 July 2011
2. Councillor Workshop - 10 August 2011
3. Friends of Botanic Gardens AGM - 11 August 2011

**Recommendation(s)**

***That Council notes the Assembly of Councillors reports for:***

- ***Councillor Briefing Session*** - ***27 July 2011***
- ***Councillor Workshop*** - ***10 August 2011***
- ***Friends of the Botanic Gardens AGM*** - ***11 August 2011.***



## Council Meeting Running Order

Wednesday, 27 July 2011  
11.00am – 4.00 pm

### Venue – COPACC Meeting Rooms, Colac

**Present:** Cr Brian Crook (Mayor), Cr Stephen Hart, Cr Frank Buchanan, Cr Lyn Russell, Cr Chris Smith (from 3.00pm)

**Staff:** Rob Small (CEO), Jack Green, Neil Allen, Colin Hayman, Rhonda Deigan

**Part:** Doug McNeill & Mike Barrow

**Apology:** Cr Stuart Hart

**Conflict of Interest:** Nil

|          |  |
|----------|--|
| 11.00 am | Colac CBD & Entrances Project – Doug McNeill, Mike Barrow & James Larmour-Reid |
| 12.00 pm | Lunch  |
| 12.30 pm | Councillor Briefing Session  |
| 3.00 pm  | Council Meeting  |
| 4.00 pm  | In Committee Meeting   |



# Agenda

# Councillor Workshop

Wednesday, 10 August 2011  
COPACC Meeting Room  
9.00 am to 3.30 pm

**ATTENDEES:**

Cr Crook (Mayor), Cr Stephen Hart, Cr Stuart Hart, Cr Smith (10.30am to 10.35 am), Cr Higgins, Cr Russell  
Rob Small (CEO)  
Colin Hayman (GM, Corporate & Community Services)  
Doug McNeill (A/GM, Sustainable Planning & Development)  
Neil Allen (GM, Infrastructure & Services)

**Part:**

Don Lewis  
Peter Dohnt  
Cr John Burgess & Enzo Bruscella  
Lisa Riddle – Planisphere  
Bron Keenan & Ian Williams

**Apologies:**

Cr Buchanan  
Jack Green

| <b>Agenda Topics</b> |   |   |
|----------------------|---|---|
| 9.00 am              | <b>Declaration of Interest</b><br>Nil                                       |   |
| 9.00 am – 9.50 am    | <b>Planning Committee Briefing Session</b>                                  | Bron Keenan & Ian Williams                  |
| 9.50 am – 10.20 am   | <b>Alternative Heavy Vehicle Route Update</b>                               | Neil Allen (30 min)                         |
| 10.30 am – 10.35 am  | <b>Planning Committee Meeting</b>   | Bron Keenan                                 |
| 10.35 am – 11.10 am  | <b>G21 Regional Growth Plan</b>   | Doug McNeill (35 min)                       |
| 11.10 am – 11.15 am  | <b>Council Meeting Dates 2012</b>   | Rob Small (5 min)                           |
| 11.15 am – 11.40 am  | <b>Budget Discussion</b>  | Rob Small (25 min)                          |
| 11.40 am – 12.00 pm  | <b>Victorian Planning System Reform &amp; Helicopters Provisions Review</b> | Doug McNeill (20 min)                       |
| 12.00 pm – 12.30 pm  | <b>Lunch</b>  |   |
| 12.30 pm – 1.15 pm   | <b>Barwon Regional Waste Management Group Presentation</b>                  | Cr John Burgess & Enzo Bruscella (45 min)   |
| 1.15 pm – 2.00 pm    | <b>Footpath Strategy</b>  | Peter Dohnt (45 min)                        |
| 2.00 pm – 2.50 pm    | <b>Apollo Bay Settlement Boundary Review</b>                                | Doug McNeill/Don Lewis/Lisa Riddle (50 min) |



### Assembly of Councillors Record

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting. {See over for Explanation/Guide Notes}

#### Assembly Details:

Date: 11 / 8 / 2011

Time: 6:30 pm

Assembly Location: GRAVITY  
(some e.g's. COPACC, Colac Otway Shire Offices, 2 - 6 Rae Street, Colac, Shire Offices - Nelson Street, Apollo Bay

#### In Attendance:

Councillors: CR CHRIS SMITH

Officer/s: LAURENCE TOWERS

Matter/s Discussed: FRIENDS OF THE BOTANIC GARDENS  
ANNUAL GENERAL MEETING

(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

#### Conflict of Interest Disclosures: (refer page 5)

Councillors:

Officer/s:

Left meeting at: 7:15 pm

Completed by: MAREE REDMOND

X:\MAREE REDMOND\Admin Office\FORMS\Assembly of Councillors Record revised.doc



**OM112408-19            SIGNING AND SEALING - SAFETY INTERFACE  
AGREEMENT - V/LINE**

|             |                           |           |   |
|-------------|---------------------------|-----------|---|
| AUTHOR:     | Peter Dohnt               | ENDORSED: | Neil Allen                                |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | ROADS, STREETS & BRIDGES - RAIL CROSSINGS |

This item relates only to the Geelong – Warrnambool rail line managed by V/Line. A separate agreement has already been signed and sealed for the Geelong – Hamilton line (managed by the Australian Rail track Corporation – ARTC) in May 2011.

At the September 2010 Council meeting a report was provided in relation to the progress of developing the Safety Interface Agreement (SIA) with the Rail Authorities. In accordance with the *Rail Safety Act 2006*, Road Authorities are required to enter into Safety Interface Agreements with Rail Infrastructure Managers for the effective and safe management of the infrastructure at all locations where road infrastructure interfaces with rail infrastructure – typically, but not limited to, level crossings.

This was intended to be completed by 1 July 2010, however, there have been delays with industry development and agreement to a template to be used for the agreements. The SIA template has been agreed to by various organisations including the Municipal Association of Victoria (MAV).

Council's Infrastructure department has reviewed this document and is satisfied an agreement has now been reached between Vicroads, Victrack, V/Line and Colac Otway Shire. Council has been requested to sign this SIA with V/Line, who manage the Geelong - Warrnambool rail line which passes through Colac.

This SIA relates to the risk management at several rail/road interfaces, as noted in section 16 of this agreement, on the Geelong - Warrnambool line (within Colac Otway Shire) that is managed by V/Line. The list of defined interfaces is included in Part 16 of the Agreement and includes:

- 21 crossings at local roads and streets
- 5 arterial roads (Vicroads)
- 5 pedestrian crossings (V/Line)
- 3 road bridges over rail (Vicroads)
- 1 pedestrian bridge (V/Line).

Of the 21 local road crossings, 3 are close to arterial roads and require rail crossing related signage on the adjacent road, hence Vicroads are noted as having secondary road responsibility. Similarly, a local road is adjacent to one of the arterial road crossings where Colac Otway Shire is noted as having a secondary road responsibility.

Additional maintenance costs are expected to be minimal. Council will be responsible for the maintenance of signage and pavement marking away from the crossing, on local roads. The signage at the crossing is the responsibility of the rail authority while that on the arterial roads is Vicroads' responsibility.

Colac Otway Shire is requested to complete the SIA by signing and witnessing the document. It is recommended that the Chief Executive Officer and the General Manager Infrastructure and Services sign and witness the document.

**Attachments**

1. V/Line Safety Interface Agreement - Geelong to Warrnambool Line

**Recommendation(s)**

***That Council approves the signing and sealing of the Safety Interface Agreement with V/Line and delegate signing to the Council's Chief Executive Officer and the General Manager Infrastructure and Services.***

~~~~~\~~~~~



# Safety Interface Agreement

For Level Crossing and Grade Separated Interfaces

## **Between**

V/Line (Rail Infrastructure Manager)

## **And**

VicRoads (State Road Authority)

## **And**

VicTrack (Bridge Manager)

## **And**

Colac Otway Shire Council (Local Road Authority)

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## **Execution Page**

This Safety Interface Agreement is signed and witnessed on behalf of V/Line by the following authorised representative(s):

\_\_\_\_\_  
SIGNED

**Name** Laurie Foley

**Title** General Manager –  
Safety, Security & Environment

Date: \_\_\_/\_\_\_/ 20\_\_\_

\_\_\_\_\_  
WITNESSED

**Name** Rupert Capper

**Title** Manager, Systems –  
Safety, Security & Environment

Date: \_\_\_/\_\_\_/ 20\_\_\_

This Safety Interface Agreement is signed and witnessed on behalf of VicRoads by the following authorised representative(s):

\_\_\_\_\_  
SIGNED

**Name**

**Title**

Date: \_\_\_/\_\_\_/ 20\_\_\_

\_\_\_\_\_  
WITNESSED

**Name**

**Title**

Date: \_\_\_/\_\_\_/ 20\_\_\_

This Safety Interface Agreement is signed and witnessed on behalf of Vic Track by the following authorised representative(s):

\_\_\_\_\_

SIGNED

**Name**

**Title**

Date: \_\_\_/\_\_\_/ 20\_\_\_

\_\_\_\_\_

WITNESSED

**Name**

**Title**

Date: \_\_\_/\_\_\_/ 20\_\_\_

This Safety Interface Agreement is signed and witnessed on behalf of Colac Otway Shire Council by the following authorised representative(s):

\_\_\_\_\_

SIGNED

**Rob Small**

**Chief Executive Officer**

Date: \_\_\_/\_\_\_/ 20\_\_\_

\_\_\_\_\_

WITNESSED

**Neil Allen**

**General Manager – Infrastructure &  
Services**

Date: \_\_\_/\_\_\_/ 20\_\_\_

## Document Control

### *Document Distribution List*

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| Controlled Copy Number | Position | Organisation              |
|------------------------|----------|---------------------------|
| 1                      |          | V/Line                    |
| 2                      |          | VicRoads                  |
| 3                      |          | VicTrack                  |
| 4                      |          | Colac Otway Shire Council |
|                        |          |                           |
|                        |          |                           |

### *Amendment Register*

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| Page number | Revision number | Date of revision | Amendment details |
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# **1. Background & Purpose**

## **Purpose**

Road Authorities and Rail Infrastructure Managers are required under the Rail Safety Act 2006 to identify and assess risks to safety associated with Interfaces and enter into a Safety Interface Agreement for the purpose of managing those risks.

The parties to the agreement recognise the need for an open and collaborative approach to identifying, assessing and managing risks to safety associated with Interfaces and commit to fully co-operate with each other in all aspects of that need.

This Agreement sets out an agreed framework within which the parties will give their commitment to the co-operative management of safety risks. To the extent that this Agreement relates to the management of the Interface, it is intended to be the Safety Interface Agreement for the purpose of the Rail Safety Act 2006.

This Agreement defines the interface boundaries between the parties.

This Agreement describes the responsibilities of the parties relating to the interface, and provides the mechanism to jointly manage risks for the safe operation of rail movements and road and pedestrian traffic at that interface.

## ***Term of This Agreement***

- 1.1 This agreement commences on the date the agreement is executed by all parties and continues until terminated by a party.
- 1.2 A party may terminate this agreement by giving the other parties no less than three months' written notice.
- 1.3 Subject to clause 1.4, if this agreement is terminated in accordance with 1.2, the parties agree to negotiate in good faith to enter into a replacement Safety Interface Agreement prior to the expiry date of this agreement.
- 1.4 A replacement Safety Interface Agreement is not required to be entered into if:
  - (a) a rail or road crossing is permanently closed; or
  - (b) a railway line is permanently closed.

## **Specification of Boundaries and Responsibilities**

Demarcation boundaries and responsibilities applicable to this Agreement are listed in Appendix 1.

## 2. Reference(s)

- Victorian Rail Safety Act 2006
- Victorian Rail Safety Regulations 2006
- AS1742.7 2007 Australian Standard Manual of Uniform Traffic Control Devices – Railway Crossings
- AS/NZS ISO 31000:2009 – Risk Management – Principles and guidelines
- Victorian Transport Act 1983
- Road Management Act 2004
- Transport Integration Act 2010
- Rail Management Act 1996
- Road Management Act - Code of Practice for Worksite Safety - Traffic Management

## 3. Definitions

For the purpose of this Agreement, the following definitions apply;

|                                 |                                                                                                                                                                                                                                                                                 |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ALCAM</b>                    | Australian Level Crossing Assessment Model – tool used in the safety assessment of a level crossing                                                                                                                                                                             |
| <b>Danger Zone</b>              | All space within 3m horizontally from the nearest rail and any distance above or below this 3m                                                                                                                                                                                  |
| <b>Director</b>                 | Director Transport Safety                                                                                                                                                                                                                                                       |
| <b>Infrastructure Boundary</b>  | The point either side of which each party is responsible for infrastructure maintenance                                                                                                                                                                                         |
| <b>Interface</b>                | Level Crossing, grade separated crossing, pedestrian crossing                                                                                                                                                                                                                   |
| <b>Level Crossing (LX)</b>      | A location at the same level of a road, footpath and one or more railway tracks at grade                                                                                                                                                                                        |
| <b>Municipal Road Authority</b> | The Municipal Road Authority is the coordinating road authority and the responsible road authority for municipal roads and performs the functions of a responsible road authority with respect to arterial roads in the areas defined in section 37 of the Road Management Act. |
| <b>Metro Trains Lease area</b>  | All electrified lines and those non-electrified lines defined in the Metropolitan Trains franchise agreement.                                                                                                                                                                   |



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|                                    |                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Notifiable Occurrence</b>       | An incident that must be reported to government regulatory authorities within the timeframe as legislated (refer Rail Safety Act 2006)                                                                                                                                                                                                                                                |
| <b>Rail Safety Workers</b>         | [As defined in Rail Safety Act 2006] – means a person who has carried out, is carrying out or is about to carry out, rail safety work and includes:<br>(a) A person who is employed or engaged by a rail operator to carry out rail safety work<br>(b) A person engaged by a person (other than by a rail operator) to carry out rail safety work<br>(c) A trainee<br>(d) A volunteer |
| <b>Rail Infrastructure Manager</b> | The Rail Infrastructure Manager is responsible for management of the rail infrastructure on its rail network                                                                                                                                                                                                                                                                          |
| <b>Safety Interface Agreement</b>  | An agreement between two or more parties (at least one of which is a rail operator) that details the responsibilities of each party for managing risks associated with the operations that interface (for e.g.; where a railway track and road intersect)                                                                                                                             |
| <b>SFAIRP</b>                      | ‘So Far As Is Reasonably Practicable’ as required by the Rail Safety Act                                                                                                                                                                                                                                                                                                              |
| <b>State Road Authority</b>        | The State Road Authority is the coordinating road authority and the responsible road authority for the whole of the road reserve of a freeway, and performs the functions of a responsible road authority with respect to the parts of an arterial road in accordance with the Road Management Act.                                                                                   |
| <b>SMS</b>                         | Safety Management System                                                                                                                                                                                                                                                                                                                                                              |
| <b>User</b>                        | A person who uses the Interface.                                                                                                                                                                                                                                                                                                                                                      |

## **4. General Requirements**

### **4.1 Commitment of Parties**

Each Party agrees that;

- i. It will work co-operatively with the other parties, and with third party entities whose activities may give rise to risks at or near road-rail crossings, in identifying and assessing risks at road-rail crossings and in developing, implementing and monitoring measures to manage these risks.

- ii. It will carry out the identification, assessment, allocation and management of risk in accordance with SFAIRP risk management principles.
- iii. It commits to continuing management of the interface.

## **4.2 Functional Areas Involved for Each Organisation**

The functional areas involved for each party include infrastructure maintenance, and road/rail traffic management.

## **4.3 Safety Interfaces**

The Interfaces to which this Agreement applies are the level crossings and grade-separated interfaces specified in Section 16 *Defined Interface Points* (including associated infrastructure) and as updated in accordance with Section 13 of this document.

## **5. Risk Management**

- i. The purpose of risk management is to identify potential hazards, latent and active contributing factors to potential accidents and incidents in order to identify and implement a hierarchy of controls for these contributing factors.
- ii. The Parties will ensure that a risk management process is established, implemented and maintained in accordance with appropriate risk management standards and that the outcomes of the risk management process are reported to their respective management for review and used as a basis for improvement.
- iii. Pursuant to the Rail Safety Act and Regulations, the Parties are required to incorporate the principle of risk elimination and reduction, *So Far As is Reasonably Practicable (SFAIRP)* into their respective procedures, practices and internal standards.
- iv. The Parties each have the responsibility of ensuring potential risks to safety are managed and controlled appropriately.

For the purposes of applying commonality without sacrificing risk management principles the following is to apply –

- utilisation of generic risks and controls applicable to all interfaces
- utilisation of current ALCAM level crossing assessments to assist in determining controls as required

- carrying out of further risk assessments as required at interfaces to assess risks not covered above.
- v. Specifically, any risk assessment shall record –
- the context of the risk assessments
  - the identified risks to safety
  - details of risk assessments
  - measures to manage safety risks
  - the party responsible for implementation, maintenance and monitoring of the safety risk management measures
  - the timetable for implementation of safety risk management measures.
- vi. Risk and control measure prioritisation, methodologies for assigning levels of likelihood and consequence, perceptions of risks, ongoing communication and consultation should be included in risk assessments.
- vii. The Parties are obliged to consult with their affected employees and contractors on the risks and their controls, and to communicate these risks and their controls effectively to their affected employees and contractors.
- viii. The Parties should consider if there are common risks or trends across multiple interfaces and develop, implement and monitor measures to manage these risks.

## **6. Management of Infrastructure**

### **6.1 Condition Monitoring and Maintenance**

- i. Rail Infrastructure Managers are responsible for the management and maintenance of their managed track and associated infrastructure as specified in the Demarcation of Responsibilities document in Appendix 1.
- ii. Road Authorities are responsible for the management of specified road infrastructure as indicated in the Demarcation of Responsibilities document in Appendix 1.
- iii. The Parties shall
  - Establish and maintain processes to monitor the condition of their respective networks for the purpose of identifying operational and maintenance requirements
  - Engage in co-operative arrangements to review the road-rail interfaces on a periodic basis
  - Freely share information relevant to interface management; and

- Jointly assess any requirement for treatment of road-rail interfaces.
- iv. In addition each party shall have in place risk management procedures that will control risks to all parties including road and rail users during maintenance activities.

## **6.2 Major Changes to Infrastructure at the Interface**

- i. Rail Infrastructure Managers are responsible for the management of construction, upgrades or decommissioning of their managed track and associated infrastructure as specified in the Demarcation of Responsibilities document in Appendix 1.
- ii. Road Authorities are responsible for the management of construction, upgrades or decommissioning of specified road infrastructure as indicated in the Demarcation of Responsibilities document in Appendix 1.
- iii. The party initiating plans for the construction, upgrade or decommissioning of an interface will advise the other parties of the proposal at the stage it has received concept design approval.

The initiating party will then be responsible for processes to monitor that each party performs its role in meeting the following requirements:

- Relevant design standards to be used are mutually agreed upon
- Risk analysis involving appropriate stakeholders is carried out for each phase and results provided to them. Assessment is to include identification of adverse impacts of the proposed change on other infrastructure and services at the interface and proposed remedial actions. Details of the risk assessment are to be recorded in the project safety plan
- Planning and design processes, including necessary approvals and stakeholder consultation are completed and outputs, to the agreed standard, are agreed by the parties before construction begins
- Agreed designs meet reasonable requirements for economy of construction and maintenance and do not excessively compromise safety requirements
- Construction and implementation work is completed according to the agreed plans and timetable; and
- All infrastructure and services at the interface are inspected before changes are commissioned for use.

## **6.3 Notification of Maintenance**

Wherever practicable, any inspections, information gathering or analysis shall be

carried out in accordance with existing practices of the respective organisations.

Before Parties commence any routine maintenance or minor change to infrastructure or services at the interface which is likely to materially affect the other parties or the safe operation of the road-rail network, they shall provide advance notice of times and dates of commencement of work and liaise to minimise any adverse impacts.

#### **6.4 Emergency Repairs by Road Authority**

The Rail Infrastructure Manager recognises that at times the Road Authority's standards require short response times to the repair of road defects at interfaces. The Rail Infrastructure Manager will endeavour as far as is safely possible to comply with short notice requests by the Road Authority to access the Danger Zone.

#### **6.5 Material Changes to Usage of the Interface**

Material changes to the usage of an interface will be jointly monitored and reported to each Party.

Changes in usage may require a review of the risk assessment previously carried out as new hazards may be present and new controls required.

These changes may arise from things such as increased rail traffic or road traffic (for example arising from land developments or change in land use) or change of road designation to B double or oversize vehicle routes.

#### **6.6 Changes to Traffic Control Devices**

Prior to the use of any traffic control devices or changes to existing devices within the road reserve, rail infrastructure managers must obtain the appropriate consent for works and authorisation from the coordinating road authority (a Memorandum of Authorisation (MoA)), in accordance with Regulation 11 of the Road Safety (Traffic Management) Regulations 2009.

### **7. Emergency Management**

#### **7.1 Emergency Response**

In an emergency situation contact shall be made with the relevant Party using the contact information contained in section 17, 18 or 19, or by telephone dialling 000.

## **7.2 Incident Management**

Each party will manage incidents wholly within its area of responsibility in accordance with their incident management plan.

Incidents affecting the track or related infrastructure/rail operations across the interface shall be managed jointly and cooperatively by the parties.

### **7.2.1 Notification of Incidents between all Parties**

If Parties become aware of an incident likely to affect infrastructure, operations or safety relating to the interface, all measures must be taken to ensure that the other parties are advised as soon as possible.

### **7.2.2 Regulatory Reporting**

Under the terms of its accreditation, Rail Infrastructure Managers shall report notifiable incidents to the appropriate State Rail Regulator with which it holds accreditation.

### **7.2.3 Investigation**

Investigations into incidents shall be in accordance with Rail Safety Regulations 2006 and shall be carried out jointly by the affected parties where appropriate.

### **7.2.4 Preservation of Evidence**

Each party reserves the right to undertake timely inspection of any infrastructure or rolling stock damaged as a result of an incident prior to any restoration of operations that may destroy evidence required for an investigation.

### **7.2.5 Access Rights**

Each party shall develop access protocols to each other's managed land for emergency situations.

## **8. Personnel Management**

### **8.1 Competency**

Each party shall ensure that its workers carrying out activities in relation to the interface point comply with the relevant safeworking procedures, rules and policies developed by the party or as detailed in section 17, 18 or 19. Such procedures, rules and policies must be consistent with the party's obligations under, as applicable, the *Rail Safety Act 2006*, the *Road Management Act 2004* and any other applicable Act or regulation.

### **8.2 Health and Fitness**

Where required under the Rail Safety Act, the Parties shall ensure their respective workers carrying out activities at and about the interface areas are fit for duty and medically assessed as competent to perform the allocated tasks.

### **8.3 Drug and Alcohol Policy**

Where required under the Rail Safety Act, the Parties shall ensure their respective workers carrying out activities at and about the interface areas are conversant with and comply with drug and alcohol policies of the respective organisation.

## **9. Dispute Resolution**

The Parties agree that any dispute arising out of the interpretation of this Agreement, or as to whether a party has failed to satisfy any of its obligations under this Agreement, will be dealt with as follows;

- First, the party claiming that there is a dispute will send to the other party's representative a notice setting out the nature of the dispute;
- Within 7 days the party receiving the notice will acknowledge receipt in writing and identify its representative who will use their best endeavours to resolve the dispute. The representatives will try to resolve the dispute by direct negotiation, including by referring the matter to persons who may have authority to intervene and direct some form of resolution;
- If there is no resolution or agreement within 28 days, the dispute will be referred to the respective Chief Executive Officer or equivalent of each party for further direction.
- Where disputes relating to similar matters have previously been referred to the Chief Executive Officers, the parties will develop additional protocols intended

to systemically address the issue.

Notwithstanding any dispute between the parties, the parties will continue to perform their obligations under this Agreement.

## **10. Change in Ownership**

It is noted that where there is a change in the Parties to the Agreement, there is a statutory obligation for the remaining parties and the new party to enter into a Safety Interface Agreement.

## **11. Asset Life Cycle**

This Agreement covers all life cycle aspects of the interface including design, installation, operation, monitoring, maintenance, modification, decommissioning and disposal.

## **12. Engineering and Operational Compatibility**

Through consultation, the Parties are committed to ensuring that appropriate safety, operational and engineering standards are applied across the interface.

## **13. Consultation & Review of Agreement**

The Parties shall liaise with each other regarding any alteration to infrastructure, procedure or circumstance that might have impact on the safety or access arrangements between the parties in relation to the interface and this Agreement shall be amended accordingly.

Notwithstanding the above, this Agreement will be reviewed by the parties at least every five years or when required by legislation. A party may request by notice to the other parties a review of the agreement at any time. The review should commence within 2 months of receipt of the notice.

Any Amendments to this agreement during reviews must be noted in the "Amendment Register" of this document.

## **14. Safe Access by Other Parties**

- i. The Parties agree that a party may make use of third parties under contract or otherwise, to deliver any aspect of its operational or infrastructure obligations at or adjacent to the interface. References to the Parties are deemed to include relevant



third parties where appropriate.

- ii. The Parties will ensure that any third party working at the interface is fully informed as to the requirements of the locality including any required accreditation, documentation, training, site induction or similar provisions.
- iii. The Parties will ensure that their respective contractors and subcontractors will comply with this Agreement when engaged in works to which this Agreement relates.
- iv. In particular third parties must be made aware of the requirements relating to working in the “danger zone”.

## **15. Compliance and Auditing**

### **15.1 Responsibility for Maintaining & Monitoring Compliance**

The Parties will be jointly responsible through their nominated representatives for maintaining and monitoring compliance with this Agreement.

If owing to emergencies, it is not possible to comply with this Agreement, every effort shall be made by the non-complying party to consult on the best course of action to ensure the safest conduct of activities at the interface.

Works on either infrastructure must meet the required safety rules and regulations of the maintainer of that infrastructure.

### **15.2 Reporting Instances of Non Compliance**

Instances of non-compliance shall be brought to the attention of relevant compliance divisions of the Parties to be dealt with in accordance with the procedures of each party.

### **15.3 Safety Auditing Compliance**

Under the terms of its accreditation, V/Line is required to conduct regular safety audits to ensure compliance.

All parties will fulfil their duties under the Road Management Act.

### **15.4 Review of Compliance Requirements**

Review of compliance requirements shall be conducted in association with review of this Agreement or on the request of one or more of the parties.

## 15.5 Reciprocal Inspections and Audits

In the event the Parties agree that there is an issue adversely affecting safety regarding the interface, the parties shall allow relevant reciprocal inspections or audits to be undertaken to facilitate remedial action.

## 16. Defined Interface Points

| ALCAM ID | Rail Route Distance | Interface (Road) Name    | Interface Type | Rail Responsibility          | Primary Road Responsibility | Secondary Road Responsibility |
|----------|---------------------|--------------------------|----------------|------------------------------|-----------------------------|-------------------------------|
| 1395     | 127.981             | Prices La                | Public Road    | V/Line Geelong to Dennington | Colac Otway Shire           |                               |
| 1396     | 130.55              | Whytcross Rd             | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 1397     | 132.6               | Powers La                | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 1398     | 134.118             | Birregurra Rd            | Public Road    | V/Line                       | VicRoads                    |                               |
| 1400     | 136.638             | Aireys Reserve Rd        | Public Road    | V/Line                       | Colac Otway Shire           | VicRoads                      |
| 1401     | 139.906             | Princes Hwy              | Public Road    | V/Line                       | VicRoads                    |                               |
| 1402     | 143.251             | Bourkes Rd               | Public Road    | V/Line                       | Colac Otway Shire           | VicRoads                      |
| 1403     | 145.886             | Pyles Rd                 | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 1404     | 146.519             | Warrowrie Rd             | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 1405     | 148.17              | Colac - Ballarat Rd      | Public Road    | V/Line                       | VicRoads                    |                               |
| 1406     | 150.311             | Flaxmill Rd              | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 9986     | 150.756             | Dalton Rd                | Pedestrian     | V/Line                       |                             |                               |
| 1407     | 151.404             | North of Princes Highway | Pedestrian     | V/Line                       |                             |                               |
| 3261     | 151.745             | Bruce St                 | Pedestrian     | V/Line                       |                             |                               |
| 1408     | 152.102             | Church St                | Public Road    | V/Line                       | Colac Otway Shire           |                               |
| 1409     | 152.385             | UeoP COLAC (Polwarth St) | Pedestrian     | V/Line                       | Colac Otway Shire           |                               |
| 1410     | 152.895             | Queen St                 | Public Road    | V/Line                       | Colac Otway Shire           | VicRoads                      |

| ALCAM ID | Rail Route Distance | Interface (Road) Name      | Interface Type | Rail Responsibility | Primary Road Responsibility | Secondary Road Responsibility |
|----------|---------------------|----------------------------|----------------|---------------------|-----------------------------|-------------------------------|
| 1412     | 153.979             | Hart St                    | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1413     | 154.402             | Armstrong St               | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1414     | 154.825             | DeoP COLAC (Sinclair St)   | Pedestrian     | V/Line              | Colac Otway Shire           |                               |
| 1415     | 155.026             | Cants Rd                   | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1416     | 155.85              | Deans Creek Rd             | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1417     | 158.478             | Back Larpent Rd            | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1418     | 161.347             | Larpent Rd                 | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1419     | 163.886             | Phalps Rd                  | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1420     | 165.681             | Timboon - Colac Rd         | Public Road    | V/Line              | VicRoads                    | Colac Otway Shire             |
| 1421     | 168.121             | Station Rd                 | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1423     | 169.082             | Swan Marsh Rd              | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1424     | 172.638             | Swan Marsh - Stoneyford Rd | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1425     | 174.455             | Dykes Rd                   | Public Road    | V/Line              | Colac Otway Shire           |                               |
| 1426     | 178.262             | Cobden - Stoneyford Rd     | Public Road    | V/Line              | Vic Roads                   |                               |

| Bridge ID      | Rail Route Distance | Interface (Road) Name    | Interface Type       | Rail Responsibility | Road Responsibility | Structural Responsibility |
|----------------|---------------------|--------------------------|----------------------|---------------------|---------------------|---------------------------|
| S0609-ST010006 | 128.573             | Princes Highway Armytage | Road over Rail       | V/Line              | VicRoads            | VicRoads                  |
| S0609-ST010019 | 151.465             | Princes Highway Colac    | Road over Rail       | V/Line              | VicRoads            | VicRoads                  |
| S0612-ST010001 | 153.511             | Gellibrand St Footbridge | Pedestrian over Rail | V/Line              | V/Line              | VicTrack                  |
| S0612-ST010002 | 153.619             | Corangamite St           | Road over Rail       | V/Line              | VicRoads            | VicRoads                  |

## 17. Rail Specific Information

### 17.1 V/Line

| V/Line | Contact                          | Area of Responsibility                                                                | Name & Contact Details                                                                                                                  |
|--------|----------------------------------|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|        | Train Control                    | Urgent Enquires<br>Network control, rail movements & service performance<br>(24 Hour) | CENTROL<br>(03) 9619 1077                                                                                                               |
|        | Network Access                   | Fault Reporting<br>Country Railway and Pedestrian Crossing<br>(24 Hour, Toll Free)    | 1800 013 007                                                                                                                            |
|        | Access & Property                | Property Access Boundaries                                                            | Access Administrator<br>(03) 8414 8584<br>Email: <a href="mailto:access@vline.com.au">access@vline.com.au</a>                           |
|        | Safety, Security and Environment | Rail Safety Accreditation & Legislative Compliance                                    | Rupert Capper<br>Systems Manager<br>(03) 8414 8643<br>Email: <a href="mailto:rupert.capper@vline.com.au">rupert.capper@vline.com.au</a> |

### 17.2 VicTrack

| VicTrack | Contact                   | Area of Responsibility                                                                | Name & Contact Details                                                                                                                                |
|----------|---------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | Train Control             | Urgent Enquires<br>Network control, rail movements & service performance<br>(24 Hour) | CENTROL<br>(03) 9619 1077                                                                                                                             |
|          | Infrastructure Management | VicTrack Road and pedestrian bridges.                                                 | Infrastructure Manager<br>Andy Santana<br>(03) 9619 8849<br>Email: <a href="mailto:andrew.santana@victrack.com.au">andrew.santana@victrack.com.au</a> |
|          | ALCAM                     | ALCAM website access.                                                                 | Ash Twomey<br>ALCAM Analyst<br>(03) 9619 8699<br>Email: <a href="mailto:ash.twomey@victrack.com.au">ash.twomey@victrack.com.au</a>                    |

## 18. State Road Authority Specific Information

| VicRoads | Contact                         | Area of Responsibility      | Name & Contact Details                                               |
|----------|---------------------------------|-----------------------------|----------------------------------------------------------------------|
|          | Primary Contact                 |                             | 13 11 70                                                             |
|          | Regional Office – South Western | Program Development Manager | David Jensen<br>(03) 5225 2543                                       |
|          |                                 | Maintenance                 | Craig Quinn<br>(03) 5225 2563                                        |
|          |                                 | Risk Assessment, ALCAM      | Roger Plumridge<br>(03) 5225 5234<br>Glen Blundell<br>(03) 5561 9203 |

## 19. Municipal Road Authority Specific Information

| Colac Otway Shire Council | Contact                   | Name & Contact Details                                                    |
|---------------------------|---------------------------|---------------------------------------------------------------------------|
|                           | Capital Works Coordinator | Peter Dohnt<br>(03) 5232 9483<br>Email: peter.dohnt@colacotway.vic.gov.au |

## 20. Site Specific Information

## Appendix 1

### Infrastructure Demarcation of Responsibilities

|    | <b>Asset</b>                                                                                                                                                                 | <b>Responsible for maintenance, operation of the asset</b> | <b>Responsible for construction</b>        | <b>Comments</b>                                                                   |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------|
| 1. | Aerial cabling over rail section of road reserve                                                                                                                             | Asset Owner responsible for aerial cabling                 | Asset Owner responsible for aerial cabling | VicTrack responsible for access licences and leases                               |
| 2. | Communication Links -<br>Communication to active advanced warning signs                                                                                                      | Road                                                       | Rail                                       | AAWS always installed by VicTrack as a part of the level crossing upgrade program |
| 3. | Communication Links -<br>Communication to flashing lights at crossing (RX-5) from rail track sensors                                                                         | Rail                                                       | Rail                                       |                                                                                   |
| 4. | Communication Links - Rail<br>Communications (to boom gates, RX-5)                                                                                                           | Rail                                                       | Rail                                       |                                                                                   |
| 5. | Communication links – Rail control cabling (track circuit) up to the rail signal control box when traffic signals are linked to the operation of the boom barriers           | Rail                                                       | Rail                                       | To interface point                                                                |
| 6. | Communication links – Road cabling up to the rail signal control box when traffic signals are linked to the operation of the boom barriers                                   | Road                                                       | Road or Rail                               | May be installed as part of a level crossing upgrade (Rail)                       |
| 7. | Communication links - Train detection equipment up to the rail signal control box                                                                                            | Rail                                                       | Rail                                       |                                                                                   |
| 8. | Crash protection barriers - At grade longitudinal crash protection along the road reserve approaching the crossing including end crash protection (crash cushions, bollards) | Road                                                       | Road                                       |                                                                                   |
| 9. | Crash protection barriers -<br>Longitudinal crash protection barriers along road on approach to, and over, road over rail bridges (Armco guard rail)                         |                                                            |                                            |                                                                                   |
|    | <ul style="list-style-type: none"> <li>• The guard rail on approach and up to a road bridge</li> </ul>                                                                       | Road                                                       | Road                                       |                                                                                   |

|     | <b>Asset</b>                                                                                                                                | <b>Responsible for maintenance, operation of the asset</b>   | <b>Responsible for construction</b>                          | <b>Comments</b>                                                                                           |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|     | <ul style="list-style-type: none"> <li>The bridge barrier which is connected to the bridge</li> </ul>                                       | Bridge maintainer (see <i>Bridge Responsibilities</i> below) | Bridge maintainer (see <i>Bridge Responsibilities</i> below) |                                                                                                           |
|     | <ul style="list-style-type: none"> <li>Where the guardrail is connected to the bridge and has a standard run off detail</li> </ul>          | Bridge maintainer (see <i>Bridge Responsibilities</i> below) | Bridge maintainer (see <i>Bridge Responsibilities</i> below) |                                                                                                           |
|     | <ul style="list-style-type: none"> <li>Where the guard rail is not connected to the bridge and just passes over it</li> </ul>               | Road                                                         | Road                                                         |                                                                                                           |
| 10. | Crash protection barriers - Longitudinal crash protection beams (yellow - across the road) on rail over road bridges                        | Rail                                                         | Project Initiator                                            |                                                                                                           |
| 11. | Crash protections barriers within rail reservation - for primary warning devices (Chevron, RX9 sign, railway signals etc)                   | Rail                                                         | Rail                                                         |                                                                                                           |
| 12. | Pedestrian Crossings - Stand alone                                                                                                          | Rail                                                         | Rail                                                         |                                                                                                           |
| 13. | Pedestrian Crossings – Fencing and pavement associated with or attached to a pedestrian crossing which is located alongside a road crossing | Rail (crib to crib)<br>Road (other pavement and fencing)     | Rail (crib to crib)<br>Road (other pavement and fencing)     | This Agreement excludes fencing along the rail corridor.                                                  |
| 14. | New at grade pedestrian crossings for the purposes of joining communities                                                                   | Rail                                                         | Road                                                         |                                                                                                           |
| 15. | New at grade pedestrian crossings for public transport purposes                                                                             | Rail                                                         | Rail                                                         | Rail authorities would only construct a new pedestrian crossing where it improves access to a station.    |
| 16. | Rail boom gates, flashing lights and bell warning assemblies (RX-5)                                                                         | Rail                                                         | Project Initiator                                            |                                                                                                           |
| 17. | Rail track and associated infrastructure                                                                                                    | Rail                                                         | Rail                                                         |                                                                                                           |
| 18. | Road - Kerb and channel along road                                                                                                          | Road                                                         | Road                                                         | Outside 3.0m (as per road pavement)                                                                       |
| 19. | Road – Line marking and pavement markings on roadway approaching the level crossing, including Stop or Give Way holding line                | Road                                                         | Road, or Rail as part of a level crossing upgrade            | Includes Rail-X markings, dividing lines, lane lines, edge lines, and associated raised pavement markers. |

|     | <b>Asset</b>                                                                                                | <b>Responsible for maintenance, operation of the asset</b> | <b>Responsible for construction</b>         | <b>Comments</b>                                                                                                                   |
|-----|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 20. | Road – Line marking and pavement markings within the level crossing, including any yellow box marking (YBM) | Rail (Metro Trains network)<br>Road (Other)                | Rail (Metro Trains network)<br>Road (Other) | For Regional Vic - Road authority to be consulted and advised of their maintenance responsibilities prior to markings being made. |
| 21. | Road - Pavement greater than 3.0 metres from outer edge of the rail line                                    | Road                                                       | Road                                        |                                                                                                                                   |
| 22. | Road – Pavement less than 3.0 metres from outer edge of the rail                                            | Rail                                                       | Rail                                        |                                                                                                                                   |
| 23. | Structures – pier protection for rail over road bridges                                                     | Road/Rail                                                  | Road/Rail                                   | As agreed between the stakeholders                                                                                                |
| 24. | Structures – road over rail bridges                                                                         | Structure Manager                                          | Project Initiator                           | See explanatory notes below and refer to section 16                                                                               |
| 25. | Structures– rail over road bridges                                                                          | Rail                                                       | Project Initiator                           |                                                                                                                                   |
| 26. | Structures – pedestrian bridges over rail lines                                                             | Structure Manager                                          | Project Initiator                           | See explanatory notes below and refer to section 16                                                                               |
| 27. | Structures – pedestrian underpasses at railway stations(subways)                                            | Rail                                                       | Rail                                        | See explanatory notes below                                                                                                       |
| 28. | Structures – pedestrian underpasses in between railway stations – structural integrity                      | Rail                                                       | Project Initiator                           | See explanatory notes below                                                                                                       |
| 29. | Structures - Running surface across road bridges (including footpaths)                                      | Road                                                       | Road                                        |                                                                                                                                   |
| 30. | Structures - Height clearance signs on rail-over-road bridges                                               | Rail (at bridge)<br>Road (advance warning)                 | Rail                                        |                                                                                                                                   |
| 31. | Street lighting to illuminate level crossing                                                                | Road                                                       | Road                                        |                                                                                                                                   |
| 32. | Street lighting to illuminate road, attached to underside of rail-over-road bridge                          | Road                                                       | Road                                        |                                                                                                                                   |
| 33. | Lighting to illuminate rail track                                                                           | Rail                                                       | Rail                                        |                                                                                                                                   |
| 34. | Major Traffic Control items – approvals for Traffic Signals, Stop and Give Way signs                        | Road                                                       | Road                                        |                                                                                                                                   |



|     | <b>Asset</b>                                                                                                                        | <b>Responsible for maintenance, operation of the asset</b>                | <b>Responsible for construction</b>                                | <b>Comments</b>                                                                                                                                                                                                                                        |
|-----|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 35. | Signs - Advance warning signs (including AAWS) advising motorists of level crossings ahead, including level crossings on side roads | Road - the authority that maintains the road where the sign is positioned | Rail                                                               | Changes generally only made as part of level crossing upgrades                                                                                                                                                                                         |
| 36. | Trams - Road pavement less than 0.5m from the outer edge of each tram track                                                         | Rail                                                                      | Rail                                                               |                                                                                                                                                                                                                                                        |
| 37. | Trams – Rail boom gates, flashing lights and bell warning assemblies (RX-5)                                                         | Road                                                                      | Project Initiator                                                  | See note 5 below                                                                                                                                                                                                                                       |
| 38. | Trams – Overhead power supply for tramway                                                                                           | Rail                                                                      | Rail                                                               |                                                                                                                                                                                                                                                        |
| 39. | Signs – At the level crossing                                                                                                       | Rail                                                                      | Rail and Road jointly                                              | Includes: <ul style="list-style-type: none"> <li>• Rail Crossing assembly (RX-1, RX-2, RX-5, RX-6)</li> <li>• RAILWAY CROSSING and width markers (RX-9)</li> <li>• KEEP TRACKS CLEAR (G9-67)</li> <li>• RAILWAY CROSSING NOT IN USE (G9-74)</li> </ul> |
| 40. | Signs - within the railway reserve for the information of railway personnel.                                                        | Rail                                                                      | Rail                                                               |                                                                                                                                                                                                                                                        |
| 41. | Traffic signals – signalised intersection on a road adjacent to crossing                                                            | Road                                                                      | Road                                                               |                                                                                                                                                                                                                                                        |
| 42. | Traffic signals - linked to rail crossing warning lights                                                                            | Road                                                                      | Road or Rail as part of a level crossing upgrade (refer to note 6) | Road responsibility is up to rail signal control box (see also communications links)                                                                                                                                                                   |
| 43. | Services – Water, Gas, Electricity, Drainage, Petroleum                                                                             | Utilities                                                                 | Utilities                                                          | VicTrack responsible for access licenses and leases within the rail reserve                                                                                                                                                                            |
| 44. | Drainage - Culvert under rail line within rail reserve                                                                              | Rail                                                                      | Rail                                                               |                                                                                                                                                                                                                                                        |
| 45. | Drainage - Gullies and open drains on rail reserve (other than trunk drains)                                                        | Rail                                                                      | Rail                                                               |                                                                                                                                                                                                                                                        |
| 46. | Drainage - Pipeline/culvert under rail line on road reserve                                                                         | Road or Drainage Authority                                                | Road or Drainage Authority                                         | Only where the drainage system is collecting local drainage                                                                                                                                                                                            |
| 47. | Drainage – Trunk Drain (including open trunk drain) or urban stormwater pipe                                                        | Drainage Authority                                                        | Project Initiator                                                  | Generally all points of discharge for pipes to the rail reserve are subject to a licencing fee                                                                                                                                                         |

|     | <b>Asset</b>                                                                                                             | <b>Responsible for maintenance, operation of the asset</b> | <b>Responsible for construction</b> | <b>Comments</b>                                                                                                     |
|-----|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| 48. | Level Crossing - Sight distance - Sight distance including vegetation control and management within the rail reserve     | Rail                                                       | Rail                                | To be agreed between rail and the appropriate agencies to avoid unnecessary vegetation loss                         |
| 49. | Level Crossing - Sight distance - Sight distance including vegetation control and management within the road reserve     | Road                                                       | Road                                | To be agreed between road and the appropriate agencies to avoid unnecessary vegetation loss                         |
| 50. | Level Crossing - Sight distance - Sight distance including vegetation control and management within adjoining properties | Rail/Landowner under direction of rail                     | Landowner                           | Some rail infrastructure authorities have legislative powers to clear vegetation on private land for safety reasons |
| 51. | Other warning Devices – Rumble strips in the road pavement on the approach to level crossings                            | Road                                                       | Road                                |                                                                                                                     |

**Notes:-**

1. The Demarcation List refers to generic infrastructure configurations. Detailed site specific demarcations may require further investigation and consultation between the parties and could be subject to existing specific legal arrangements such as licences and infrastructure leases.
2. Generally, rail has maintenance responsibility for the road surface within 3.0m from each outer rail of its tracks at level crossings. The road authority (or Council in the case of footpaths) is responsible for infrastructure outside of that zone. Responsibilities for cycle paths and shared paths are as for pedestrian paths.
3. Where a tram route crosses a railway line at a road level crossing, the tramway infrastructure manager is responsible for the maintenance of the road pavement to 0.45m from the outer tram rail on the approach to level crossings.
4. References
  - a. "Responsible for Construction" means the party responsible for implementing the asset improvement.
  - b. "Road" in the table above refers to the Responsible Road Authority.
  - c. For the purposes of responsibility for maintenance, "Rail" refers to the Rail Infrastructure Manager or VicTrack.
  - d. For the purposes of responsibility for construction, "Rail" shall mean Rail Infrastructure Manager(s) or Department of Transport or VicTrack.
  - e. Council refers to municipal councils, in the context of non-road responsibilities.
  - f. Structure Manager in the table refers to the organisation responsible for the structural integrity of the grades separated interface. This could be either the rail infrastructure manager, the responsible road authority of VicTrack. These will be detailed in section 16.
5. Road in this instance refers to VicRoads, who are responsible for boom barriers on designated light rail lines.
6. Demarcation of responsibility between road authorities is as per the Road Management Act and the Code of Practice for Operational Responsibility for Public Roads

## **Bridge Responsibilities**

The bridge maintenance responsibilities of the Rail Infrastructure Managers are outlined in their infrastructure lease agreements. VicTrack, as a state government authority, does not have a license agreement but is a party to the leases and has accepted responsibility for the majority of municipal road bridges across the state.

Road bridges on arterial roads (VicRoads) which become municipal roads as a result of a bypass or similar project will become the responsibility of the Council subject to agreement from the Council in accordance with Section 15 of the Road Management Act.

The following outlines **general** maintenance responsibilities for bridges across rail reserves. There are many inconsistencies and the exact situation should be confirmed during discussion between the Rail Infrastructure Manager and the Responsible Road Authority. Responsibilities will be outlined in section 16 of this document - Defined Interface Points.

### **Rail Bridges**

- Rail over road bridges – Relevant Rail Infrastructure Manager

### **Road Bridges**

- Road over Rail bridges on arterial roads and freeways – VicRoads
- Road over Rail bridges on municipal roads which lie outside of the Metro Trains lease – VicTrack maintains the municipal road over rail bridges which are specified in section 16. Any new constructed bridges would become the responsibility of the relevant road authority
- Road over Rail bridges on other roads – Metro Trains (some of these bridges have shared responsibility). These are specified in section 16 of this document.

### **Pedestrian Bridges over Rail Lines**

- Starting from VicTrack Land and ending in VicTrack Land – Within the Metro Trains lease area, Metro Trains is generally the responsible authority.
- VicTrack maintains existing footbridges which are specified in section 16.
- Foot bridges at stations are generally the responsibility of the Rail Infrastructure Manager providing the public transport services at that station.
- Starting from a road or Council land and ending on a road or Council land – Road Authority or Council.
- Lighting for footbridges:
  - Connected to railway electricity supply – Rail Infrastructure Manager
  - Connected to street power – Council

### **Pedestrian underpasses -Subways**

- At railway stations – Rail Infrastructure Manager
- In between Railway stations:
  - Structural integrity – Rail Infrastructure Manger
  - Lighting:

- Connected to railway electricity supply – Rail Infrastructure Manager
- Connected to street power - Council
- Drainage – Council (unless drainage is operated via an electrical pump connected to railway power)
- Surface condition – Council
- Graffiti and cleanliness - Council

### **At-Grade Pedestrian Crossings**

- At level crossings and stand alone crossings within rail reserve – infrastructure lease holder

## IN COMMITTEE

### **Recommendation**

***That pursuant to the provisions of section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:***

| <b><i>SUBJECT</i></b>              | <b><i>REASON</i></b>                                                                                | <b><i>SECTION OF ACT</i></b> |
|------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------|
| Marengo Landfill Tender Evaluation | this matter deals with contractual matters; AND this matter may prejudice the Council or any person | Section 89 (2) (d) (h)       |
| CEO's Remuneration Review          | this matter deals with personnel matters; AND this matter deals with legal advice                   | Section 89 (2) (a) (f)       |