

TERMS OF REFERENCE

Project Control Group Apollo Bay Harbour – Expression of Interest Process

December 2015

1. PURPOSE

Planning Scheme Amendment C73 rezoned the Apollo Bay Harbour to Special Use Zone (SUZ2) to express the preferred form of development in response to extensive community consultation. The SUZ2 requires that a Development Plan is prepared prior to development occurring within the Harbour precinct.

None of the former plans developed by Council have any status – whilst they are useful inputs into the development of a plan, a new plan will need to be prepared which meets the Special Use Zone requirements.

An endorsed Development Plan would need to detail how the land will be developed by determining the specific locations and types of land uses, the layout of any buildings or works, building envelopes (including heights, elevations and building footprint), site plans, and allocation of car parking, setbacks and detailed floor plans.

Until a Development Plan is approved, Council cannot consider any proposal for use and/or development which requires a planning permit (it is noted that some works can occur without a development plan such as routine harbour management operations and minor works).

Council has resolved to support a market based process for preparation of the Development Plan, which is to include an Expression of Interest (EOI) to the private sector for plans which meet the expectations of the community based on the planning controls in place through the SUZ2 including an indoor heated swimming pool. The process will enable the market to respond to the options for development provided for in the SUZ2 via response to the EOI with a possible development plan concept or alternatively a response detailing why such development is not feasible.

Council is keen to take a different approach to engagement with the community and stakeholders than has occurred in the past, and has resolved to establish a Project Control Group that includes community members for the purpose of directing the Expression of Interest process and its content.

The purpose of the Project Control Group (PCG) is to:

- Design the Expression of Interest (EOI) content and process for preparation of a development plan at the Harbour.
- Develop the process for targeted consultation with the community and stakeholders.
- Assess market responses to the Expression of Interest (EOI) process, and develop options and recommendations to Council.



2. MEMBERSHIP

Membership will reflect key stakeholder interest in the redevelopment of the Apollo Bay Harbour and include:

- Mayor – Colac Otway Shire
- General Manager Development and Community Services – Colac Otway Shire
- Manager Planning Building and Health – Colac Otway Shire
- Manager Economic Development – Colac Otway Shire
- Tourism Victoria
- Department Environment, Land, Water and Planning (DELWP)
- Regional Development Victoria (RDV)
- Three (3) community representatives from the Apollo Bay community

The PCG will be provided secretariat support by the Council's Coordinator Strategic Planning.

Community members of the PCG will be endorsed by Council through resolution at a Council meeting, following an open expression of interest process.

Nominations for community representatives should respond to the following selection criteria:

- Member of a local group/organisation which has an interest in Apollo Bay and the harbour precinct
- Ability to represent a diversity of community views
- Permanent/non-permanent residency

Persons nominating to be represented on the PCG should be capable of representing the broad cross section of views within the community.

Council reserves the right to change the community membership if a member withdraws from the role and/or if the conduct of a representative does not accord with the expectations of behaviour established in this document.

3. MEETINGS

Meetings will be on a monthly basis, or at a frequency required to support the effective management of the project, and will alternate between Colac Otway Shire office in Colac and Apollo Bay.

In the event that a member of an organisation/community group cannot attend the meeting, a nominated delegate will be briefed and attend in their place.

The PCG will be facilitated by the Mayor of the Colac Otway Shire.

4. REPORTING

The Agenda and Minutes will be kept and distributed by the Colac Otway Shire. The preferred method of disseminating information is by email.



5. ROLES AND RESPONSIBILITIES

The PCG will have responsibility for overseeing the Expression of Interest (EOI) process associated with the preparation of a Development Plan including the content of the EOI and making recommendations. It will not have decision making responsibility concerning the outcomes of the EOI process (key decisions on this remain the role of Council) however it will have responsibility to make recommendations to Council.

The PCG will be responsible for **directing the conduct of, and shaping the content and direction of the EOI process**. This will include:

- Agreeing on the process to be followed in delivery of the approach agreed to by Council, including the nature and timing of community engagement
- Design of the Expression of Interest (EOI) content and process for market testing
- Input into the Council procurement process for engagement of consultants
- Review of documentation prepared by consultants
- Review of proposals arising from the EOI process
- Development of recommendations for Council at various stages of the project

The PCG shall make recommendations based on general consensus. In the event consensus cannot be reached then resolution shall be sought via a report to Council.

The day to day tasks of undertaking the project will be managed by the Coordinator Strategic Planning and other relevant Council officers, who will support the PCG.

All decisions concerning procurement of consultants and expenditure of funds will be the responsibility of the Colac Otway Shire, and will need to be in accordance with Council procurement policies & procedures, and Council budgets.

The Terms of Reference for the PCG can be altered subject to a decision of Council.

Members of the PCG undertake to:

- Attend and actively participate in meetings
- Participate in working groups where relevant
- Liaise with local area networks, other community organisations and community members to distribute information about the project and provide detailed input to the Project Control Group on local issues and initiatives
- Be respectful of other PCG members, and work positively and co-operatively within the group.
- Progress the project to achieve outcomes.
- Maintain the confidentiality of documents where they contain commercially sensitive information or where requested by the Chair. Note: PCG members will be required to sign a confidentiality agreement at the commencement of the project.

6. TERM OF THE PCG

The PCG shall be in place for 12 months with the option to be extended by a decision of the Council. Council would retain the right to revisit at that time, the future need (if any) for the continued use of the group. The PCG can be discontinued at any time at the discretion of Council.

The term of the PCG will be reviewed annually as part of a wider review of all Council committees.

