



# Council Meeting Agenda

27 May 2025 at 1pm

COPACC Meeting Rooms 1 & 2

# COLAC OTWAY SHIRE COUNCIL MEETING

Tuesday 27 May 2025

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## COLAC OTWAY SHIRE COUNCIL MEETING

NOTICE is hereby given that the next **COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Tuesday 27 May 2025 at 1:00 PM.

### AGENDA

#### **1 DECLARATION OF OPENING OF MEETING**

##### **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 ACKNOWLEDGEMENT OF COUNTRY**

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past, present and emerging.

##### **RECORDING AND PUBLICATION OF MEETINGS**

Please note: All Council meetings will be live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

As soon as practicable following each open Council meeting, the live stream recording will be accessible on Council's website. Audio recordings are also taken to facilitate the preparation of the minutes of open Council meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

This meeting will be livestreamed to the public via Council's YouTube channel (search Colac Otway Shire Council at [www.youtube.com](https://www.youtube.com)).

### **3 MEETING ADMINISTRATION**

#### **3.1 Present**

#### **3.2 Apologies and Leaves of Absence**

#### **3.3 Confirmation of Minutes**

#### ***RECOMMENDATION***

***That Council confirm the minutes of the Council Meeting held on 29 April 2025.***

#### **3.4 Declarations of Interest**

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

### **4 QUESTION TIME**

A maximum of 30 minutes is allowed for question time. Any person wishing to participate in public question time by videoconference will need to register their intention to do so by contacting the shire prior to 5pm on Friday 23 April 2025. To ensure that each member of the gallery has the opportunity to ask questions, it may be necessary to allow a maximum of two questions from each person in the first instance. You must ask a question. Question time is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting. Written questions must be received by 5pm on Friday 23 April 2025.
2. Questions via videoconference by prior arrangement.
3. Questions from the floor.

### **5 PETITIONS / JOINT LETTERS**

Nil.



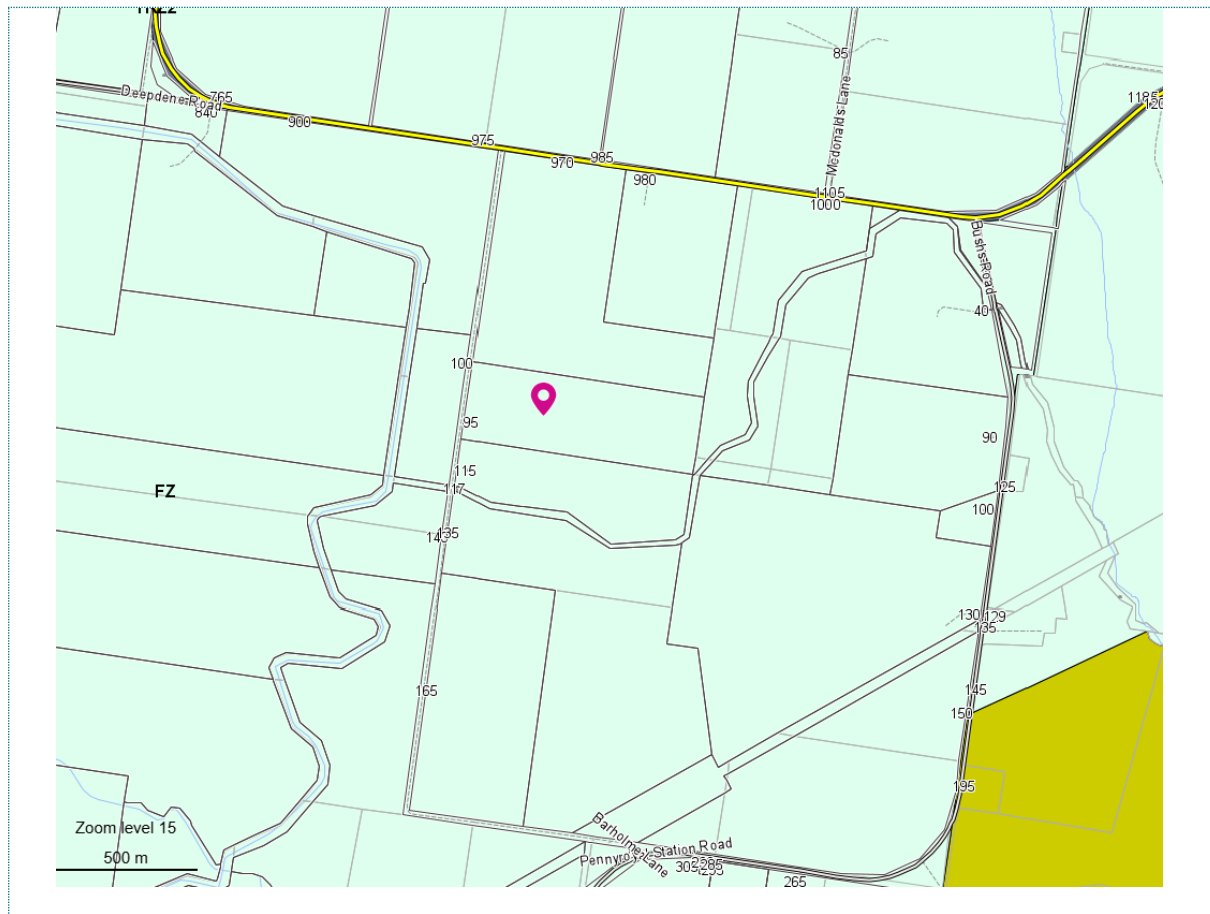
Item: 6.1

## PP247/2024-1 - 95 Barholme Lane Murroon - Use and Development of the land for a dwelling

<b>ADDRESS AND PROPERTY DETAILS</b>	95 Barholme Lane MURROON Lot 1 LP216456 V/F: 9902/028 Parish of Murroon	<b>APPLICATION NUMBER</b>	PP247/2024-1
<b>PROPOSAL</b>	Use and Development of the Land for a Dwelling		
<b>PERMIT TRIGGERS</b>	Clause 35.07-1 - Use of land for a dwelling in the Farming Zone Clause 35.07-4 - Building and works associated with a Section 2 (permit required) use in the Farming Zone		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Dwelling in a rural zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Bushfire Management Overlay (51.44%)
<b>COVENANTS</b>	Not applicable		
<b>CULTURAL HERITAGE</b>	Not applicable		
<b>OFFICER</b>	Helen Evans	<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy		
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>Plans [6.1.1 - 4 pages]</li> <li>Farm Management Plan [6.1.2 - 22 pages]</li> <li>Response to Information Request [6.1.3 - 2 pages]</li> </ol>		

## 1. LOCATION PLAN / AERIAL PHOTO

### LOCATION PLAN



## AERIAL PHOTO





## 2. RECOMMENDATION

***That the Planning Committee resolves to issue a Notice of Decision to Refuse to Grant a Permit for the use and development of land at 95 Barholme Lane, Murroon (Lot 1 LP216456 V/F: 9902/028 Parish of Murroon) for a dwelling, on the following grounds:***

- 1. The proposal is contrary to clauses 02.03-4 (Natural Resource Management), 02.04 (Strategic Framework Plans), 14.01-1S and 14.01-1L (Protection of Agricultural Land) and 16.01-3S (Rural Residential Development) of the Colac Otway Planning Scheme, which seek to limit rural residential development that impacts on viable agricultural land; to protect productive agricultural land from unplanned loss due to permanent changes in land use; and to discourage dwellings on lots that do not meet the minimum lot area of the zone or relevant schedule unless it is required for an intensive agricultural activity on the land or to achieve the environmental protection of the land.***
- 2. The proposal does not accord with the purpose and relevant decision guidelines of the Farming Zone set out in Clause 35.07 of the Planning Scheme, given that:***
  - It has not been demonstrated that a dwelling would enhance agricultural production based upon the land unit described in the application.***
  - The proposal has the potential to limit the operation and expansion of adjoining and nearby agriculture uses.***
  - The application has not demonstrated that a dwelling would not lead to a concentration or proliferation of dwellings in the area, which would impact on the use of the land for agriculture.***
- 3. The proposal does not accord with Council's adopted Rural Land Strategy 2007 or its Rural Living Strategy 2011, not being within an area nominated in these documents for rural living purposes.***

<b><i>Planning scheme clause</i></b>	<b><i>Matter for which the permit has been refused</i></b>
<b><i>35.07-1 35.07-4</i></b>	<b><i>• Use of land for a dwelling in the Farming Zone • Building and works in the Farming Zone associated with a use in Section 2 (permit required) of Clause 35.07-1</i></b>

## 3. PROPOSAL

This application seeks a permit for the use and development of a lot less than 40ha in the Farming Zone for a dwelling. The dwelling, which would be located between two existing rows of trees on the site, would be set back 162.5m from the road boundary and 32.7m from the southern boundary.

The proposed single-storey dwelling would be clad with Colorbond. It would contain 3 bedrooms, an open plan living/kitchen/dining area, an ancillary office and mud room, and a 3 car garage. The floor area of the dwelling would be 304m<sup>2</sup>. Access to the site would be via the existing vehicle access from Barholme Lane.

The applicant submits that the proposed dwelling would support an agricultural enterprise of Christmas Tree Silviculture and Cherry Tree Horticulture. Horticulture, which is a Section 1 (permit not required) use in the Farming Zone, is defined as:

*“Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.”*

It is considered that the growing of Christmas trees and cherry trees would meet this definition and therefore not require a planning permit.

## 4. SUBJECT LAND & SURROUNDINGS

The site is 22.27ha in area and rectangular in shape. The lot is located on the eastern side of Barholme Lane, 750m south of Birregurra-Deans Marsh Road.

The site is relatively flat and has good revegetation plantings around the perimeter of the lot, as well as within the lot itself. A natural drainage line runs north-south through the site. There is a dam located in the southwest corner of the lot, with another dam located near the northern boundary. A further dam is located in the northwest corner. There is a shed towards the front of the lot.

The land has been used for grazed and/or cut for hay; however, trees have been planted in the western third of the lot. Surrounding land is used for agricultural purposes. There are no dwellings in close proximity to the site.

Image 14 The only building on the site adjoining the existing stockyards.



## 5. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

The Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development policies. The clauses considered relevant to the application are identified below:

- 02.01 - Context
- 02.02 - Vision
- 02.03 - Strategic Directions
- 02.04 - Strategic Framework Plans
- 11.01-1S, 11.01-1R and 11.01-1L - Settlement
- 14.01-1S and 14.01-1L - Protection of Agricultural Land
- 14.01-2S and 14.01-2R - Sustainable Agricultural Land Use
- 15.01-6S and 15.01-6L - Design for Rural Areas

· 16.01-3S - Rural Residential Development

Colac Otway Shire's Rural Land Strategy 2007

Colac Otway Shire's *Rural Land Strategy 2007*, a background document under the schedule to clause 72.08 (Background Documents), identifies the agricultural capability of farmland within the shire, categorising agricultural land as having 'high', 'medium' or 'low' agricultural capability. This site, whilst not within the area identified as 'Farmland of Strategic Significance', is of medium agricultural capability.

In a VCAT decision relating to land within Colac Otway Shire - *Irrewarra Estate Ltd v Colac-Otway SC [2021] VCAT 358* - it was observed that:

*"read sensibly and harmoniously with all other relevant provisions of the planning scheme, the reference to 'productive farmland' and 'productive agricultural land' in clause 14.01-1S includes all land identified as having agricultural capability under clause 02.03-4 whether classified 'low', 'medium' or 'high'."*

The *Rural Land Strategy* notes, amongst other things, that:

- agriculture is one of the greatest economic contributors to the Shire with the dairy and beef industries the most significant in terms of land use and economic contribution to the Shire
- there has been an increase in demand for rural lifestyle properties
- the diversity of land uses resulting from change in rural land use may bring conflict between agriculture and land uses
- proliferation of dwellings for lifestyle/hobby farm purposes in the Farming Zone will compromise the long term viability of farming in Colac Otway Shire

The *Rural Land Strategy* recommended that the Shire consider the following:

- *Identify candidate areas for rural residential development and consider the introduction of the Rural Living Zone focusing on areas with moderate to low agricultural capability, immediately adjacent to townships and that meet the requirements of Minister's Direction 6;*
- *Consider appropriate dwelling and subdivision provisions for rural areas of the Shire that ensures a strict interpretation of the Farming Zone provisions to ensure incompatible land uses (including dwellings) do not negatively impact on the ability to farm. This will include use of the schedule to the Farming Zone to introduce appropriate minimum subdivision area and an appropriate minimum area for which no permit is required for a dwelling.*
- *Introduce the Rural Activity Zone to selected areas, which better provide for uses and development, which are compatible with agriculture and the environmental and landscape characteristics of the area with a focus on areas with moderate to low agricultural capability and in close proximity to the coast to provide for tourism. (page 2)".*

The *Rural Land Strategy* observed a general increase in average farm size and decline in total farm numbers throughout the shire, reflecting a state-wide trend.

Part 6.1 (Agricultural Capability) defines land of high agricultural capability as follows:

*Land of high agricultural capability is generally suited to a wider range of agricultural uses than land of medium and low agricultural capability. Land of high agricultural capability can generally support more intensive uses e.g., dairying, horticulture, whereas land of medium*



*agricultural capability is more suited to less intensive industries such as grazing and cropping and low agricultural capability land has few options other than grazing.*

The *Rural Land Strategy* notes that:

*The clear evidence of farm amalgamations and the need to increase farm sizes to remain economically viable indicates that policy and provisions relating to dwellings and small lot subdivisions in rural areas will require a strict interpretation of the Farming Zone provisions to ensure incompatible land uses (including dwellings) do not negatively impact on the ability to farm.*

The *Rural Land Strategy* identified potential Rural Living candidate areas which were considered further in the *Rural Living Strategy*.

#### Colac Otway Shire Rural Living Strategy

The subject site and the surrounding area are not identified as a potential rural living area within the *Rural Living Strategy*, adopted by Council in December 2011. The Strategy identified that the further expansion of a township would result in a net loss of productive agricultural land and recommended that settlement boundaries around all Township zoned land be introduced to provide a defined boundary to restrict future residential growth and development. This would also ensure that a clear distinction is drawn between productive agricultural land and established residential development. The subject site is far outside any township boundary.

#### Zone

The subject site is located within the Farming Zone. The key purpose of this zone is to provide for the use of land for agriculture and to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

#### Overlays

Part of this site is covered by the Bushfire Management Overlay. This applies because the land to north was formerly a timber plantation, which has been harvested. The proposed dwelling would be sited outside the Bushfire Management Overlay and therefore that overlay is not relevant to consideration of this application.

#### **Other relevant provisions**

Nil

#### **Relevant Planning Scheme amendments**

Nil

## **6. REFERRALS**

#### **Internal Referrals**

The application was referred internally to Council's Health Protection Unit, Environment Unit and Infrastructure Department. No objections were raised, subject to conditions being imposed in the event a permit is issued.

#### **External Referrals**

No external referrals were required under the provisions of the Colac Otway Planning Scheme. As noted above, the proposed dwelling would be outside the area covered by the Bushfire Management Overlay.

## 7. PUBLIC NOTIFICATION & RESPONSE

### COMMUNICATION

The application was advertised to all surrounding landowners, and a notice was displayed on site for a period of 14 days. At the end of the public notice period, no objections had been received.

## 8. OFFICER'S ASSESSMENT

The key issue for consideration in the determination of this application is whether the proposal is in accordance with planning policy for the Farming Zone, including whether justification has been provided to demonstrate that the proposed dwelling is reasonably required to support agricultural production on the land.

As noted earlier in this report, the horticultural use of the land does not require a permit and is not the subject of this application. The use of the land for horticulture is considered appropriate and is supported.

The use and development of the dwelling requires a planning permit. It is not considered that it has been reasonably demonstrated that a dwelling is necessary on the land to undertake the proposed horticultural activity, and the proposed dwelling is not considered consistent with the objectives and policies of the Colac Otway Planning Scheme.

In this case, it is considered that the proposal is incompatible with the following clauses in the Colac Otway Planning Scheme:

- 02.01 – Context
- 02.03-4 – Strategic Directions - Natural Resource Management
- 02.04 – Strategic Framework Plans
- 14.01-1S and 14.01-1L – Protection of Agricultural Land
- 16.01-3S – Rural Residential Development
- Clause 35.07 – Farming Zone

Clause 14.01-1S (Protection of Agricultural Land) applies to all land in the Farming Zone. It seeks *“to protect the state’s agricultural base by preserving productive farmland”*. Strategies designed to assist in the achievement of that objective include, inter alia, to:

- Protect productive farmland that is of strategic significance in the local or regional context.
- Prevent inappropriately dispersed urban activities in rural areas.
- Protect strategically important agricultural and primary production land from incompatible uses.
- Limit new housing development in rural areas by:
  - Directing housing growth into existing settlements.
  - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
  - Encouraging consolidation of existing isolated small lots in rural zones.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
  - Desirability and impacts of removing the land from primary production, given its agricultural productivity.

- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.

Clause 14.01-1L (Protection of Agricultural Land) is a local policy that applies to all land in the Farming Zone. Relevant strategies include:

- *Discourage dwellings that do not meet the minimum lot area of the zone or relevant schedule unless it is required for an intensive agricultural activity on the land or to achieve the environmental protection of the land.*
- *Avoid localised concentration of dwellings in agricultural areas.*
- *Ensure that small lot subdivisions or excisions facilitate sustainable rural production and do not prejudice surrounding rural activities.*

Clause 02.03-4 (Natural Resource Management) is another local policy where Council seeks to manage its natural resources by:

- *Protecting high quality agricultural land.*
- *Limiting rural residential development that impacts viable agricultural land.*
- *Supporting grazing and cropping farming practices as preferred land uses in areas designated as 'Farmland of Strategic Significance'.*
- *Supporting farm consolidation and expansion.*

Clause 16.01-3S (Rural Residential Development) includes the following as strategies:

- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.*
- *Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.*
- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*

The *Rural Land Strategy*, a background reference document under the schedule to clause 72.08, undertook a thorough assessment of agricultural land capability within the shire and the implications of residential encroachments into such land.

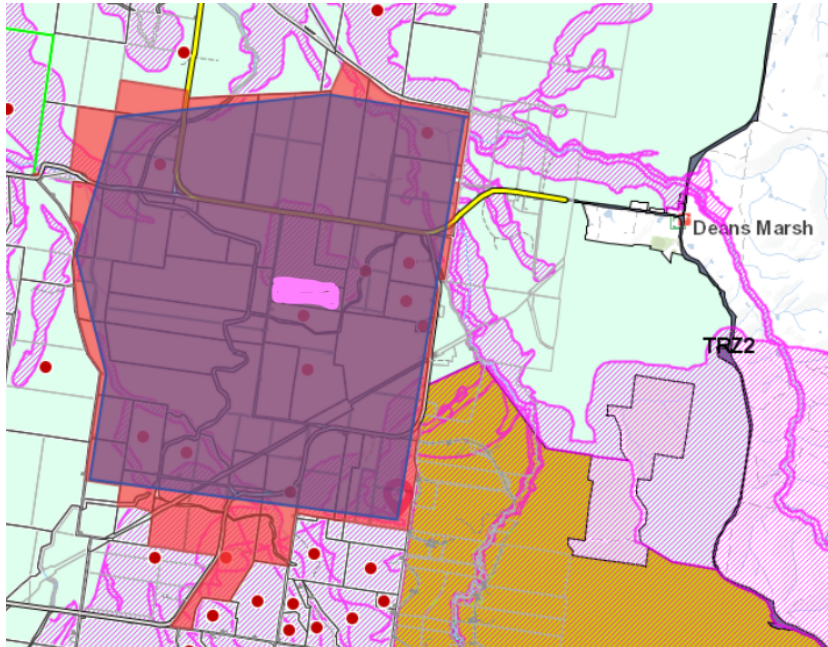
It is noted that the subject site is outside that part of the shire identified as being 'Farmland of Strategic Significance'. However, as stated above, land of medium agricultural capability is more suited to less intensive industries, such as grazing and cropping.

An analysis of the surrounding area was undertaken, as shown on the plan below (site marked in pink). The following is noted:

- Total analysis area is 1911ha (excluding the water channel land)
- 90 parcels of land within the analysis area
- 43 properties (one property is as a number of parcels of land under one separate ownership)
- 2 dwellings on lots greater than 40ha



- 13 dwellings on lots less than 40ha
- 75 vacant parcels, 7 of those are greater than 40ha
- 68 lots less than 40ha
- No dwellings approved in this area since 2007



This analysis identifies that the area is not one where dwellings are prevalent. It also shows that there are a lot of parcels of land under 40ha that are used for agriculture without a dwelling. It is considered that granting a permit for the proposed dwelling would potentially be viewed as setting a precedent and would result in further applications for dwellings in the area. Of note is the fact that - just within the analysis area, setting aside the balance of the shire - there are a further 67 lots without dwellings that are less than 40ha. It would be contrary to the objectives and policies of the Colac Otway Planning Scheme to set this precedent.

In VCAT cases *Kennedy v Baw Baw SC [2022] VCAT 787* and *Strachan v Latrobe CC [2022] VCAT 35*, consideration was given to proposals for dwellings on small lots in the Farming Zone. Concerns were expressed by the Tribunal Members about any proposed dwelling performing the function of supporting a rural living lifestyle rather than being a necessity in the operation of a commercially viable business, and about proposals being attempts to have a rural living arrangement masked as an agricultural use within a Farming Zone. Amongst other policies, the Tribunal Members drew attention to Clause 14.01-1S (Protection of Agricultural Land) which seeks to limit new housing development in rural areas by directing housing growth into existing settlements and discouraging the development of isolated small lots in rural zones for dwellings. In addition, the Members noted that Clause 16.01-3S (Rural Residential Development) discourages development of small lots in rural zones for residential use and encourages consolidation of existing isolated small lots in rural areas.

Agriculture is a key economic contributor to the shire, with dairy and beef industries being the most significant in terms of land use and economic contribution (Clause 02.01). The submitted Farm Management Plan states that the subject site would continue to be used for horticultural purposes, which is a use that is supported by planning policy. As already noted, horticulture is a Section 1 (permit not required) use in the Farming Zone.

The Farm Management Plan includes the following information about the sale of produce grown at the site:

*“Harvesting is the 3-4 weeks around December, and these trees will be mainly sold wholesale for transport to the Sydney market, although local pick-your-own tree marketing will also be implemented.”*

And:

*“Once the agriculture is established, the farm will be open to purchasing visitors to buy Christmas trees and cherries and will contribute to the tourism and visitor numbers of the Greater Otway area.”*

Primary produce sales is a land use that is defined as:

*Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.*

It is noted that if the area used for the display and sale of primary produce would exceed 50 square metres, a planning permit would be required for that use. The applicant has advised that there would be no goods on display, as the Christmas trees would be cut as required and cherries would be picked on demand. Cherries would also be harvested for distribution to local stores and market stall holders. The applicant advised the vast majority of Christmas trees would be cut and loaded onto trailers and trucks in the paddock and therefore a permit is not being sought for sales. The applicant also advised that consideration may be given to that use at a future date, if necessary.

The applicant provided the following information about the operation:

- Christmas trees take three years to reach harvestable size. 12,500 seedlings are to be planted or replanted each year.
- Harvesting is the 3-4 weeks around December.
- The current crop of Christmas trees was planted in June/July 2024. These Christmas trees will be mainly ready for harvest in Nov/Dec. 2027. The applicant submits that it is anticipated that 70% of the trees would be sold wholesale (Sydney and Adelaide) and 30% sold from the farm and to retail sites in Geelong and Lara.
- Each cohort will be approximately 18,000 linear metres of formed rows (72 kilometres in total).
- Management of Christmas trees is primarily manual work, and each cohort is anticipated to require 6 weeks of labour each year (weather permitting).
- After harvest the stumps of those trees need to be grubbed out and planting rows reformed before new seedlings are planted in autumn.
- The advanced tree seedlings are planted in autumn. Trees grow 40-70 cm each year, Trees need to be pruned to shape 2-3 times each year, and a foliar fertiliser blend must be applied every 6 weeks.
- Christmas trees are all about appearance, and ongoing shaping may be done by either shearing or pruning. The term ‘shearing’ refers to cutting back the current year’s growth of the leader and lateral limbs. Shearing reduces deformities and improves the shape of the tree. Pruning is the removal of injured, dead, or diseased parts or wood older than the current growth.
- Christmas trees are susceptible to diseases such as blight, fungi and mould and need to be inspected to ensure any outbreaks are detected and managed. Dothistroma is a particularly damaging disease to both appearance and tree health, and urgent action needs to be taken if detected to stop the spread across the entire tree crop.

- The proponents have 25 years of experience in Christmas trees and are sales agents and already have that market established.
- These types of enterprises contribute to the local economy by utilising local contractors for construction work, farm maintenance, transport industries, and agricultural support industries.
- The proponent and family are doing the initial development and management of the farm. After the operation commences, a large part of the work would be contracted due to the amount of time required to manage the enterprise and seasonal workload will be assigned to external contractors or part-time employees.

The last two points, which indicate that the large part of the work would be contracted out, should be noted. Interestingly, some of the issues or inspections necessary would also apply to a timber pine plantation, which would be on a much larger scale, and no dwelling is required by the owners of land in those cases. This adds to the questions about whether the proposed dwelling is reasonably required for the horticultural activity on the subject site.

The applicants also propose to produce cherries. The applicant describes that part of the operation as follows:

- 400 trees planted on mounds and shaped along a trellising system. A mature tree (5-7 years) is expected to produce over 20-30 kilograms of fruit a year (~10 tonnes for the entire orchard). Fruiting of a tree is generally over six to eight weeks, and picking needs to occur every day. All rows will be mounded to increase rooting depth.
- The orchard will use basket shaping for space efficiency, sunlight maximisation and improved airflow for disease and fungus control.
- Species will be selected depending on availability. The early maturing species will be white cherries with a short season and the late species is likely to be Lapin, which is the most common and prolific.
- At least one bee box will be present during flowering to facilitate pollination, although the beekeeper may introduce 3 to 4 for honey production purposes.
- Major pruning, picking and packing tasks will be by contract labour.

Again, it is noted that contract labour is proposed.

The application states:

*There is going to be 50,000 Christmas trees (Radiata pine) growing and somewhere around 300-400 cherry trees growing when the farm is fully planted out. This quantity of trees is going to take some intense farming and it is anticipated that there will at various times of the year need to employ staff to assist, particularly around pruning and harvest times. Currently there only have one year of trees planted, 13,000 Christmas trees and 20 cherry trees planted as of now, the owners will need to travel to the farm from Geelong 3 or 4 times a week for maintenance and watering, so it is planned to live on site to avoid this unnecessary amount of travel many times a week and for the ongoing continuous maintenance.*

The above statement clearly shows that the agricultural activity can occur without a dwelling and that required attendance at the site is 3-4 times per week. It is acknowledged that living at the site would reduce travel time and expense for the owners; however, it is expected that

in the future the contract labour would need to travel to the site. It is not considered that the reduced travel time for the owners constitutes a reasonable need for a dwelling.

The Farm Management Plan states a dwelling is required for the following reasons:

- Check water
- Check for pests, check for fungus and diseases
- Check supports
- Check produce quality
- Security and theft prevention of produce and equipment
- Do the work: horticulture needs constant attention, weed control, watering, foliar fertilising, thinning and trimming to ensure even access to sunlight. Most of the work cannot be mechanised so it will require manual input.
- Occupational Health and Safety: care and supervision will be required.
- Wildfire risk prevention and response: fire protection and prevention on this tree farm is incredibly important; it can wreck 3 years of work and cost the next 3 years of income.
- Saves fuel and greenhouse gases in travel and saves travel cost
- Allows the proponents to insure their property, equipment, and crops (insurance companies will either not insure or the premium will be unviable for untenanted farms).

But the Farm Management Plan also negates those needs by stating that:

- *The Christmas trees will rely entirely on rainfall and the cherries will have irrigation installed, although not expected to be needed most years. The site has 4 existing water dams of about 4 megalitres capacity.*
- *The use of sprayed chemicals would be rare and, if required, would only be used on appropriate weather days (low wind and not within 24 hours of forecast rainfall).*
- *Pest animals are not currently an issue at the site.*
- *Birds are likely to be problematic for cherry trees during fruiting, and netting may be required during that season.*
- *An agronomist would be engaged for ongoing monitoring of the soil, plant nutrition, pest and disease identification and controls.*
- *A large part of the work will need to be contracted due to the amount of time required to manage the enterprise.*
- *Cherries and pine trees are generally considered low biosecurity risk farming types.*
- *The site is not seen to be of greater risk than any normal, cleared farmland. The land use is not seen to contribute to fire risk, and the pines could be expected to act as firebreaks. The usual fire precautions will apply and adequate firefighting water in tanks/dams at all times.*

It is considered that neither the application nor the accompanying Farm Management Plan provide justification to warrant Council overlooking the state and local planning policies that seek to ensure that the Farming Zone is not compromised by Section 2 (permit required) uses, such as dwellings - such a use should not be permitted unless it appropriately addresses the purpose of the zone in a specific case. It is not considered that such justification has been provided in this case – noting that the horticultural use has commenced and that contractors are proposed to be used for maintenance and harvesting.

It is re-iterated that this area is not characterised by dwellings, particularly on lots less than 40ha in area such as the subject site. It is considered that allowing the proposed dwelling on this lot would be in conflict with planning policy and would be likely to lead to further applications being submitted for dwellings on small lots in the area and to pressure for rural living opportunities in the wider Farming Zone.



## 9. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

NOTES:

WATER: FIREFIGHTING WATER SUPPLY

The following requirements apply:

- An effective capacity of 10,000 litres
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

ACCESS:

Access is required, and the following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

BAL CONSTRUCTION:

RESIDENCE: BAL - 12.5



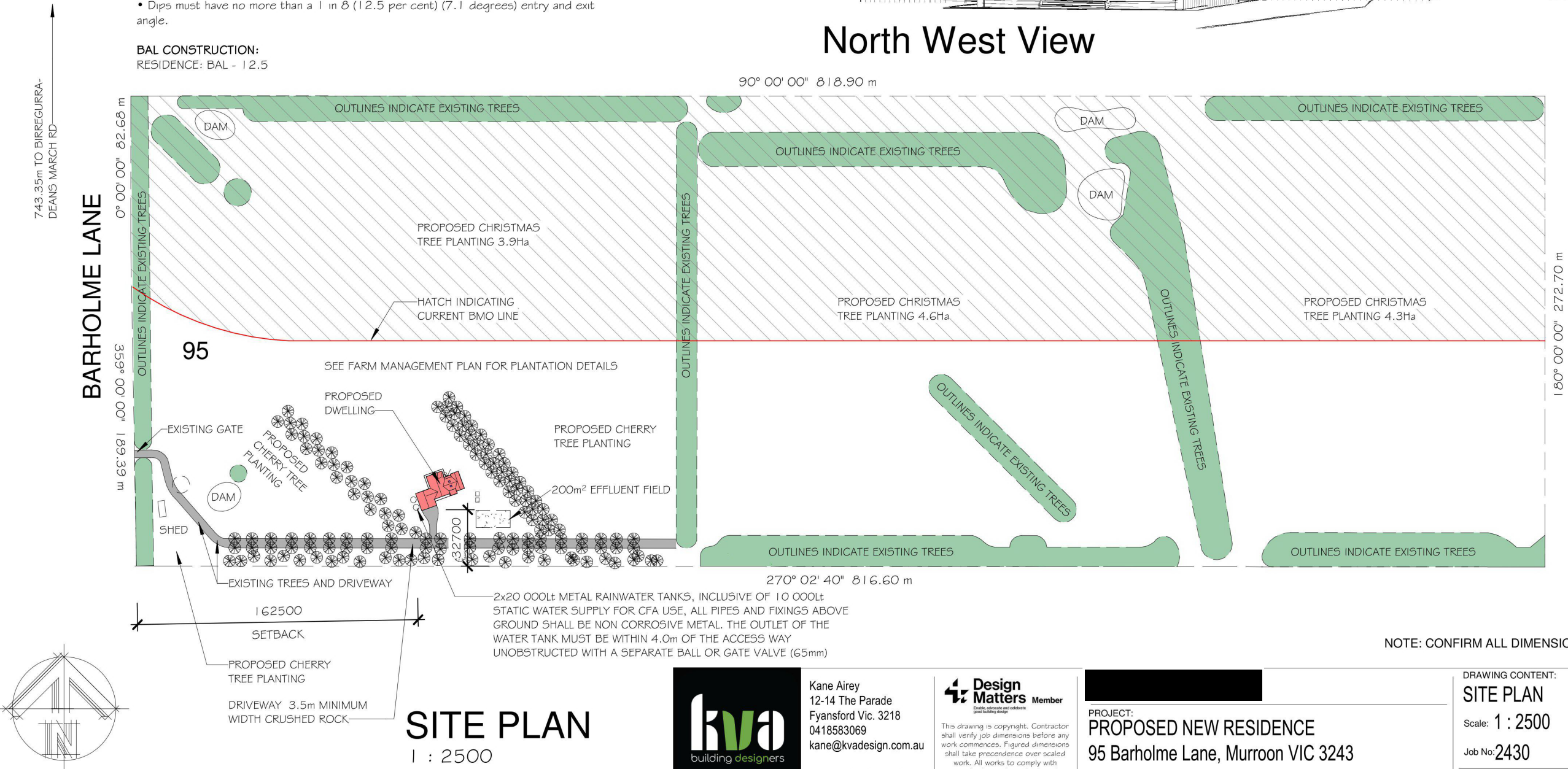
South East View



North West View

Drawing List

Sheet Number	Sheet Name
Tp1	SITE PLAN
Tp2	LOCALITY PLAN
Tp3	PROPOSED FLOOR PLAN
Tp4	PROPOSED ELEVATIONS



NOTE: CONFIRM ALL DIMENSIONS AND LEVELS ON SITE

SITE PLAN  
1 : 2500



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kane@kvadesign.com.au  
RBP: DP-AD 18099

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PROJECT:  
PROPOSED NEW RESIDENCE  
95 Barholme Lane, Murroon VIC 3243

DRAWING CONTENT:  
SITE PLAN  
Scale: 1 : 2500 Date: 3-12-24  
Job No: 2430 Dwg No: Tp1  
Rev No:



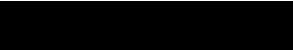


LOCALITY PLAN  
1 : 500



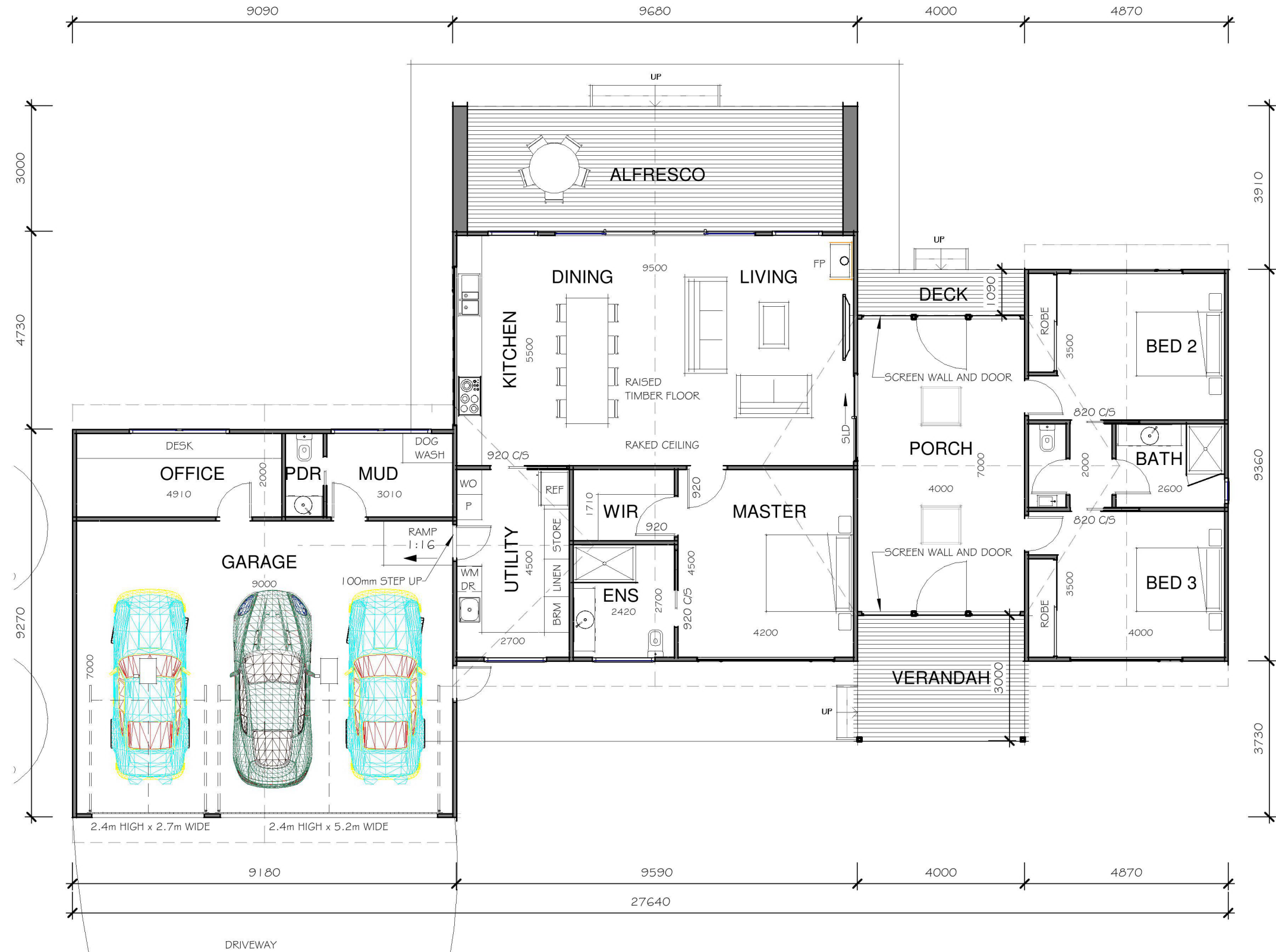
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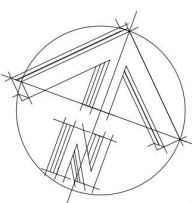


PROJECT:  
**PROPOSED NEW RESIDENCE**  
95 Barholme Lane, Murroon VIC 3243

DRAWING CONTENT:  
**LOCALITY PLAN**  
Scale: 1 : 500 Date: 3-12-24  
Job No: 2430 Dwg No: **Tp2**  
Rev No:



FLOOR AREAS	
Name	Area
ALFRESCO	29 m <sup>2</sup>
BEDROOM WING	45 m <sup>2</sup>
FRONT VERANDAH	12 m <sup>2</sup>
GARAGE	65 m <sup>2</sup>
MASTER/LIVING	98 m <sup>2</sup>
OFFICE/MUD	20 m <sup>2</sup>
PORCH	29 m <sup>2</sup>
REAR VERANDAH	5 m <sup>2</sup>
	304 m <sup>2</sup>



PROPOSED FLOOR PLAN  
1 : 100



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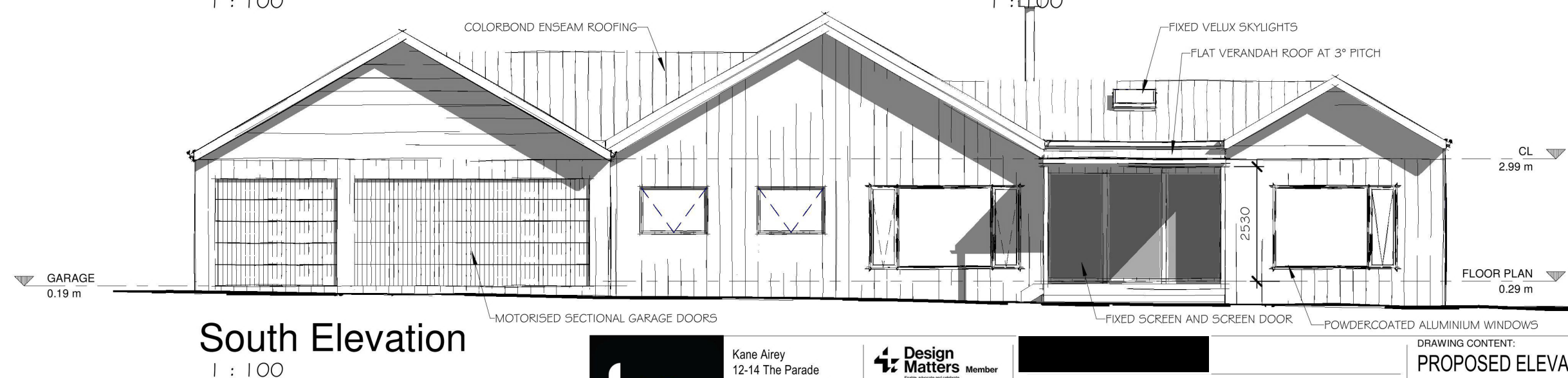
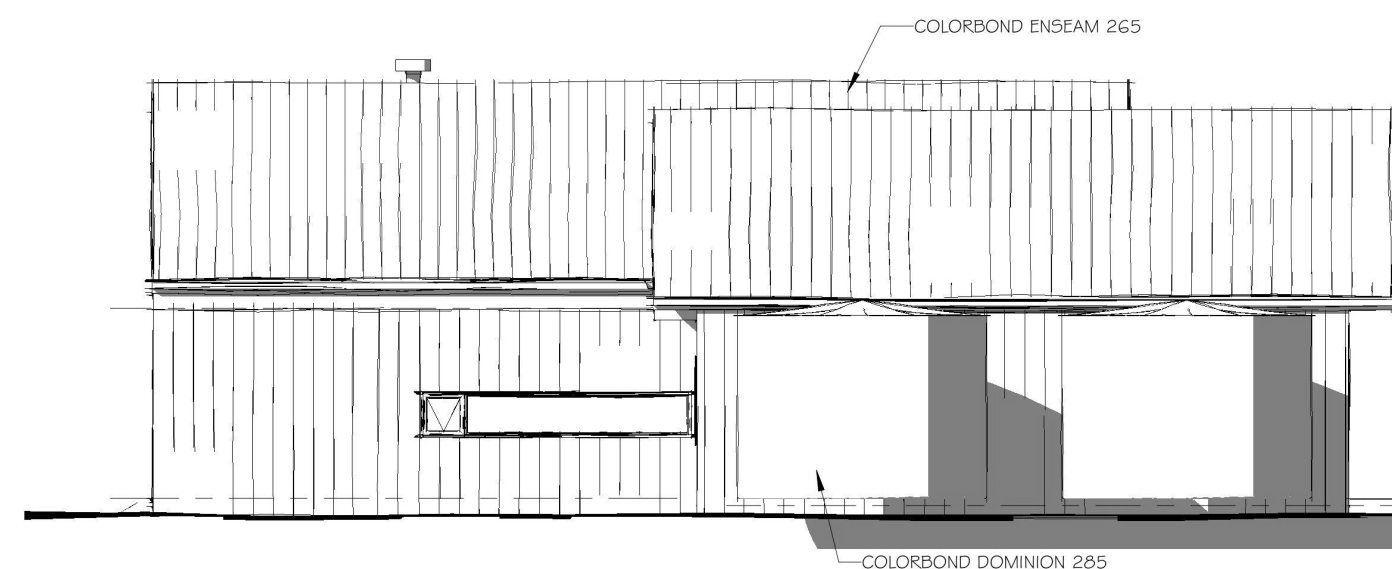
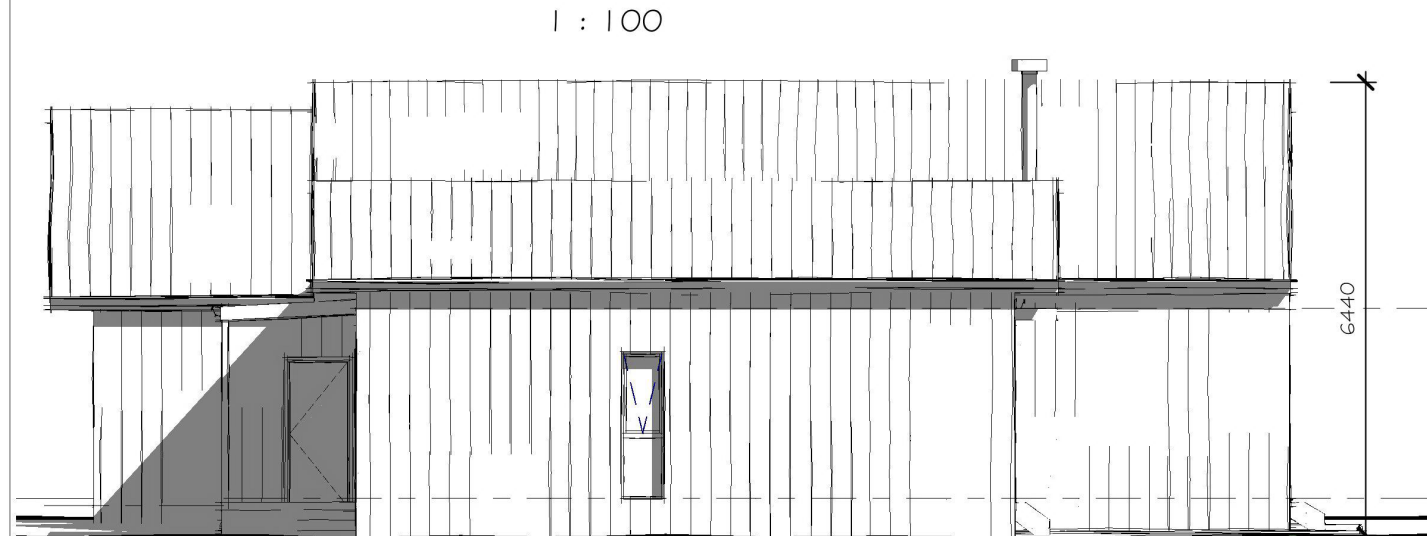
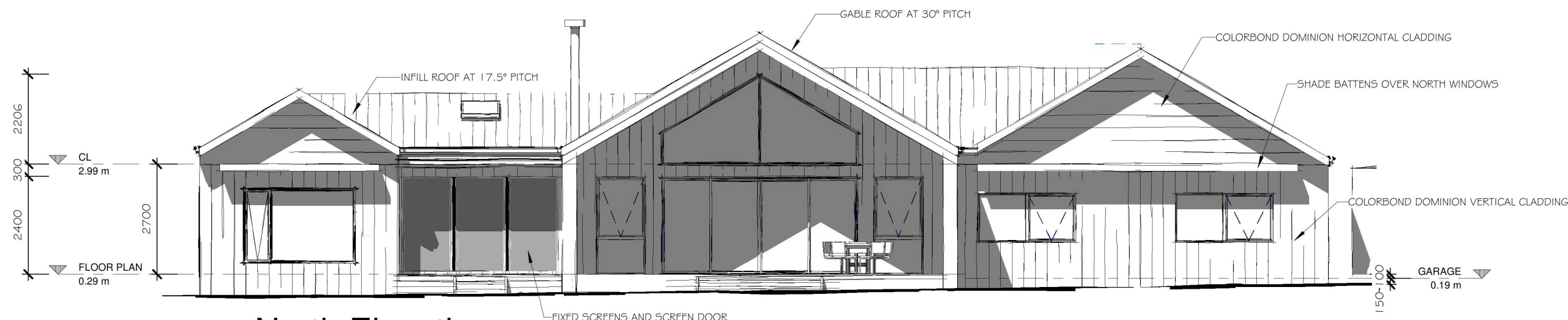
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PROJECT:  
PROPOSED NEW RESIDENCE  
95 Barholme Lane, Murroon VIC 3243

DRAWING CONTENT:  
**PROPOSED FLOOR PLAN**  
Scale: 1 : 100 Date: 3-12-24  
Job No: 2430 Dwg No: **Tp3**  
Rev No:





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RBP: DP-AD 18099



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PROJECT:  
PROPOSED NEW RESIDENCE  
95 Barholme Lane, Murroon VIC 3243

DRAWING CONTENT:

PROPOSED ELEVATIONS

Scale: 1 : 100

Date: 3-12-24

Job No: 2430

Dwg No: Tp4

Rev No:



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# Farm Management Plan

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Christmas Tree  
Production and  
Cherry Farming

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95 Barholme Lane  
Murroon

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Report Prepared by  
Dean Suckling  
Enprove Pty Ltd

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Report Date:  
23rd November 2024

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## Plan Objective:

This Farm Management Plan is drawn to provide an assessment of the current agricultural activities and identify future improvements that will benefit the agricultural production values of the property and identify the benefits of the proposed dwelling at 95 Barholme Lane Murroon.

This plan is for establishing and management of pine Christmas trees and cherry-producing trees and the construction of a dwelling to support that farming enterprise.

The farm plan has been drawn after consultation with the owners about how they want to run their farm business and what they plan to achieve. The farm layout and agricultural activities are as described by the proponents, and Enprove has assessed the site to provide agronomic and environmental management advice, which is included in the report. Land and conditions can change seasonally, and management variation can and should be expected. This report relies on external data and information that is assumed to be accurate.

## Property Details:

Property Address:	95 Barholme Road, Murroon
Property Descriptions:	Lot 1 LP216456
Area:	22.3 Hectares
Local Authority:	Colac Otway Shire
Zoning / Overlay(s):	Farming Zone Schedule to The Farming Zone Bushfire Management Overlay (Part)
Current Use:	Vacant
Proposed Use:	Christmas Tree Silviculture and Cherry Tree Horticulture

## Farm Overview:

This farming management plan is for the development of a substantial Christmas tree production farm and the production of Christmas season cherries.

The proponents are making the long-term horticultural investment to grow flowers and vegetables for sale, and a trial has been successful, although proven difficult to manage remotely. The site will also see the staggered planting of pine trees for Christmas tree production.

This will be a busy farm that is innovative and socially responsible and improves the environmental values of the property while proposing a farming operation in keeping with the agricultural activities of the surrounding area.

The agricultural and land management highlights include:

- Planting 72 linear kilometres of pine tree rows, producing 12,500 Christmas trees for sale each year.
- Planting 400 cherry trees for 1000 kilograms of cherries each year
- The maintenance of 6 hectares of native vegetation area for biodiversity and ecological gain.
- The adoption of regenerative and ecologically aware methods for improving a farming property.
- The improvement of soils to a productive farming standard.
- A sustainable financial model for production from a small rural property.

Horticulture is among the highest-value agriculture and has a very high return for land use units. Premium horticulture lends itself to smaller properties as larger producers shy away from the higher labour inputs and greater risks inherent in a low chemical environment. The presence of a resident in a dwelling is seen as an imperative part of the successful and productive management and monitoring of those plants.

The property currently generates zero agricultural revenue. It has soil quality issues, no modern agricultural plants and limited agricultural infrastructure. The pastoral production is currently estimated to be 2.5 tonnes of dry matter per hectare per annum, which could produce \$10,000 in revenue in hay equivalent.

The proponents have already invested heavily in the first stage of Christmas trees and cherry tree plantings. After the initial development period, the enterprise will generate a conservative \$770,000 in farm revenues each year, and there is good scope to increase that return over time.

The development of the enterprise calls for a total investment in the agricultural plantings and productivity of over \$100,000, the improvement and regeneration of soils to a productive agricultural level and the investment of a dwelling and access.

The proposal is seen as a great example of high-quality, high-returning agricultural use of an undersized agricultural lot contained within the Farming Zone with a far superior financial and environmental return to the previous grazing use.

Once the agriculture is established, the farm will be open to purchasing visitors to buy Christmas trees and Christmas cherries and will contribute to the tourism and visitor numbers of the Greater Otway area.



### Requirement for a Dwelling:

The requirement for a dwelling on a small lot farm is the same reason as for any farm, with the management times and tasks being similar. Smaller farms like this one need to be more intensive in operation to achieve a viable income, and that creates a greater risk of critical agricultural issues that can be damaging to productivity, viability and financial return; they actually require a higher level of monitoring than many larger, less stressed farming types. Daily activities and routines include:

- Monitor Plants: (typical daily routine) check water, check for pests, check for fungus and diseases, check supports, check produce quality.
- Monitor and react to weather: Heat, frost, hail and wind can play havoc and responding quickly with a management decision can save a crop or minimise losses. Flowers and vegetables are sensitive to frost issues, and nighttime and morning management will be required.
- Pest Animal Control: Probably the biggest issue for horticulture. Crows, lorikeets, blackbirds, finches, bats, wallabies, rabbits and other animals will be attracted to cherries and young pines. In this farming region, scare guns and shotguns are not well received, so constant monitoring is required to scare away flying pests.
- Security and prevention of theft of produce and equipment. Rural crime is rampant, with a 400% increase in five years.
- Do the work: Horticulture needs constant attention, weed control, watering, foliar fertilising, thinning and trimming to ensure even access to sunlight. A hectare of horticulture generally requires 2-300 hours per year to maintain, and this property will require 2600 hours each year purely for plant maintenance. Most of the work cannot be mechanised so it will require manual input.
- Occupational Health and Safety: This property will have visitors who may not be familiar with farming and associated risks, and extended care and supervision will be required.
- Wildfire risk prevention and response: Fire protection and prevention on this tree farm is incredibly important; it can wreck 3 years of work and cost the next 3 years of income.
- Saves fuel and greenhouse gases in travel and saves travel cost; the tax department rates a kilometre as a cost of 75 cents, money better invested in the farm: e.g. 20 kms a day = \$5475 a year, 2 trips a day \$10,950 wasted.
- Allows the proponents to insure their property, equipment, and crops (insurance companies will either not insure or the premium will be unviable for untenanted farms).

Farming is a major commitment and responsibility. The farmer is the sole custodian of that land and is responsible for everything that happens on that land: the welfare of animals and people, the protection of that agricultural land, the maintenance of the ecology and biodiversity, the prevention and eradication of pests and weeds and the quality of the produce to be supplied to others. That commitment should be encouraged in our society, and currently, it feels seriously undervalued, poorly understood and restricted.

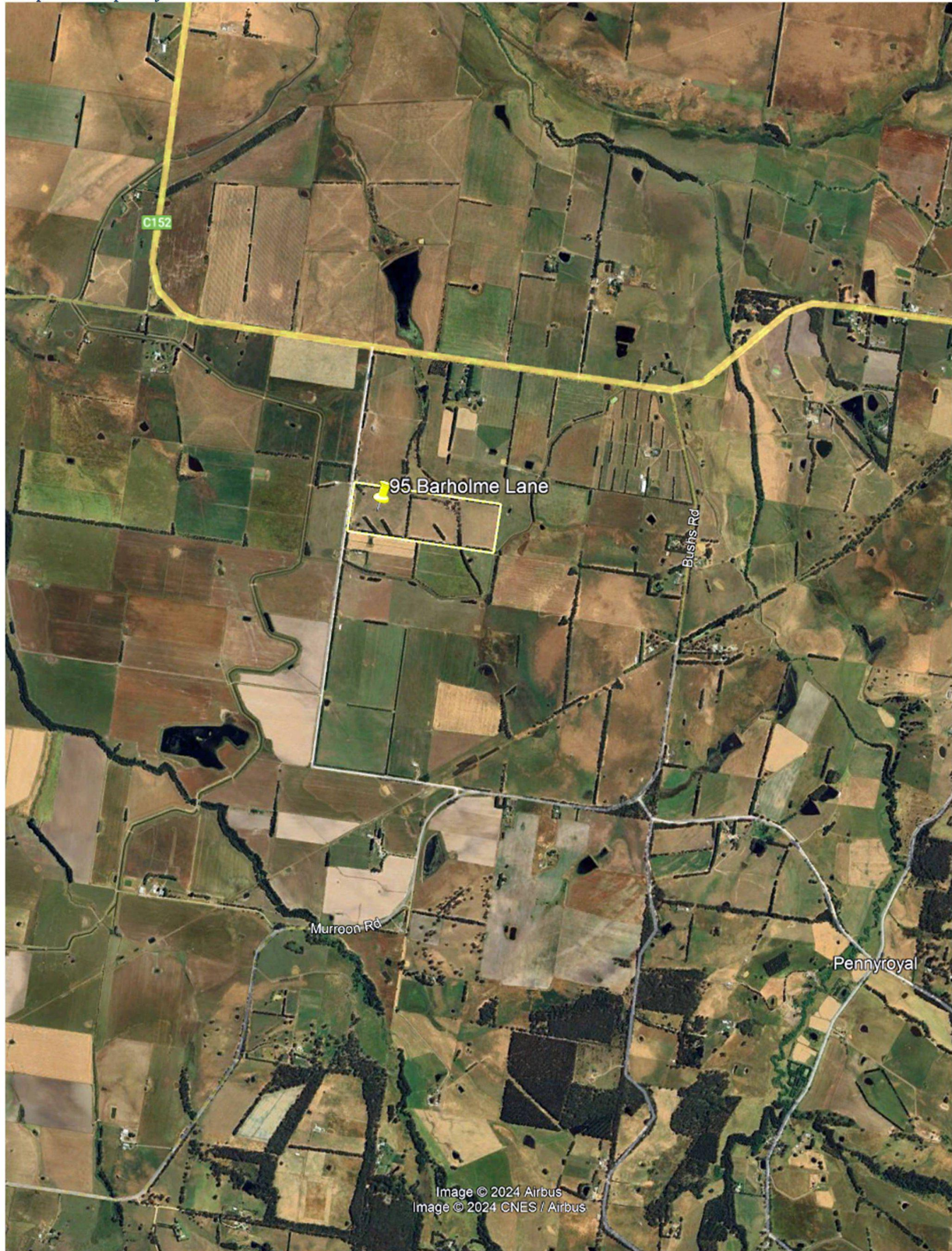
A farmer's work time can be divided into three categories: the daily and mundane ongoing work, the higher intensity growing and harvest season, and the response to critical issues. Weather can also pinch a lot of time, and waiting for the right window to complete tasks can use up productive time (go in the house and do the bookwork, maybe). Managing time, being on time, keeping up maintenance and, when required, quick responses separate the good from the bad.

Good farming is about timeliness, and constant monitoring and reacting quickly is incredibly important. Failing to do so costs production and, sometimes, viability. The farm size is almost irrelevant; the quality of the farm management is what matters, and it isn't easy to achieve that remotely.



## Site Location and Property Map:

Map 1: Property Location and site context



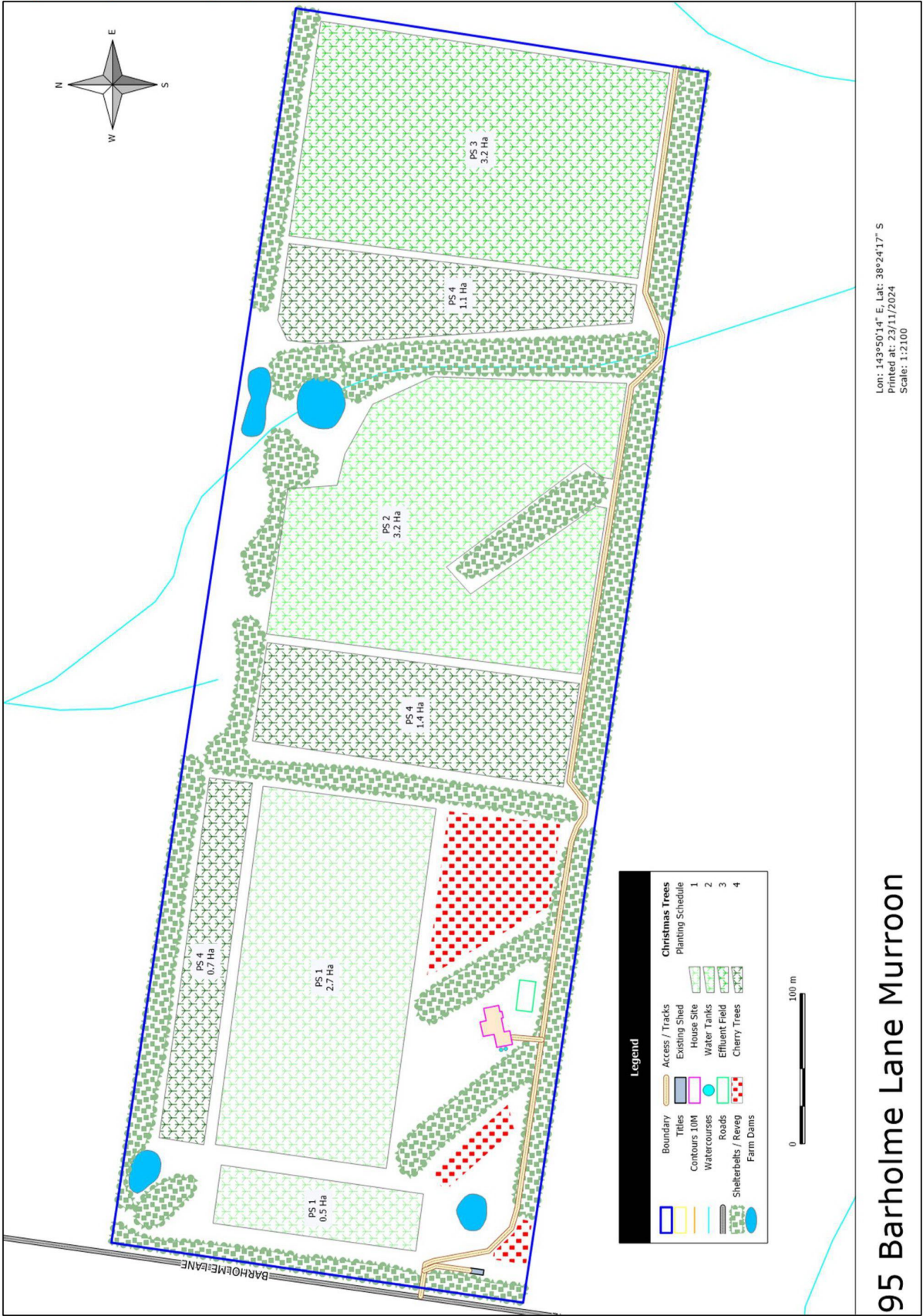


Map 2: Farm Map





Map 3: Proposed Property Layout



## Farming Factors:

### Site Topography:

The property is defined as a level with a total elevation change across the site of less than 5 metres. There are two ephemeral waterways crossing the site from south to north, which run seasonally and have been fenced out and vegetated. There are no other major topographical features, including rocky outcrops or permanent waterlines.

### Murroon climate statistics:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
<b>Mean Max (°C)</b>	23.0	23.9	22.0	18.1	14.9	12.1	11.4	12.4	14.1	16.4	18.5	20.7	17.3
<b>Mean Min (°C)</b>	11.2	11.4	11.0	9.3	7.7	5.7	4.9	5.3	6.2	7.3	8.6	10.0	8.2
<b>Mean Rain (mm)</b>	38.8	38.5	45.1	60.3	75.2	86.1	85.0	90.5	80.9	76.4	58.6	48.1	791.9
<b>Mean Rain Days</b>	7.5	5.7	7.8	11.5	13.5	16.8	18.3	17.8	17.0	13.3	10.2	9.7	149.1

Data: BOM 90174 Colac, Rain BOM 90061 Pennyroyal Creek

The climate is the typical temperate type with warm, dry summers and cool, wet winters. The chosen agriculture has been selected to be suitable for the rainfall.

### Water Supply:

The property will be well served for water, and the farming is not expected to be overly water intensive. The Christmas trees will rely entirely on rainfall and the cherries will have irrigation installed, although not expected to be needed most years. The site has 4 existing water dams of about 4 megalitres capacity.

Two new water tanks will be installed: 2 X 30,000-litre tanks attached to the house for domestic use.

### Weed and Pest Management:

The property is generally well managed for weeds and that management will continue as part of the farm management routines. Blackberry is the major weed of the area and can be expected in the fenced revegetation and riparian areas and will need regular monitoring. Native plants are particularly sensitive to manufactured herbicides, so hand spraying is being used to ensure direct targeting.

Pest animals are not currently an issue at the site. Rabbits, hares, wallabies and birds may become an issue for establishing plants, particularly nipping the tops of establishing trees and that will be an ongoing monitoring program. Birds are likely to be problematic for cherry trees during fruiting, and netting may be required during that season.



### Soil Quality and Fertility:

The property land class is typical of the region, productive sandy loams over heavy clay classed as duplex soil. The soils may be prone to waterlogging during wet periods and drying and cracking during dry periods. Soil testing should be conducted regularly to ensure that soil chemical parameters are maintained in the optimum range for production values.

#### Soil Test Observations (soil test next page):

- Neutral soil pH CaCl<sub>2</sub> (6.3)
- Fair phosphorus levels (Olsen P 17.7 mg/Kg)
- Very Low potassium levels (81 mg/Kg)
- Good sulphur levels 12.2 mg/Kg)
- Low Soil Organic Carbon (2.3 %)
- Excellent nitrogen levels (at the time of testing, nitrogen is seasonably variable)
- Trace elements: Iron levels are good; Copper, Zinc and Boron are low.
- Cation levels (indicating soil structure) are of excellent balance and dominated by exchangeable calcium. The total cation exchange capacity is good, meaning nutrient lock-up won't be an issue.
- Low aluminium levels.
- Low salinity (electrical conductivity) with low sodicity (exchangeable sodium) indicates no soil salinity issues.

#### Recommendations:

A local agronomist will be engaged for ongoing monitoring of the soil, plant nutrition, pest and disease identification and controls.

The soil here is classified as sandy loam, which is ideal for pines and cherries; the good sand content will ensure free draining, and the clay content will ensure good nutrient retention. Soil chemistry for pines can be productive at lower fertility, but production improves with better fertility management. Trace element management is important for pine trees to ensure quality of appearance and reliable annual growth. Strategic nitrogen applications will also be required to ensure appearance and growth.

Cherries require a higher fertility routine to be productive and additional fertiliser will be required there.

The initial major correction required will be a lift in the low potassium levels and improving trace elements, which are more critical for this type of farming than pasture. Potassium is also essential for plant growth and is an important part of protein synthesis. Phosphorus is essential for plant and tree development, and increasing that level will be beneficial.

The pine and cherry trees will require a sprayed trace element and nitrogen blend during growth seasons to ensure optimum growth and even development. Nitrogen, zinc, copper and boron availability is essential.

The soil carbon is also lower than ideal, which is typical of sandy ground. It is unlikely to create deficiency in plant available organic carbon at this reading but ensuring adequate carbon is available into the future is important as tree removal will continue to export soil carbon. All plant break-off material should be retained and mown back into the ground. Additional compost or mulch would also be beneficial.

During development, plant tissue testing at an ag lab should be conducted to ensure adequate availability of all nutrients within the plant itself.



## Laboratory Soil Test Results:

<b>Farmer:</b>	<b>Shane Minahan</b>	<b>Sample Date:</b>	31/10/24
<b>Sample Name:</b>	<b>Christmas Trees</b>	<b>Lab. No.:</b>	2MWS24013
<b>Test Depth (cm):</b>	0-10	<b>Soil Colour:</b>	Grey Brown
<b>Gravel %:</b>	0%	<b>Assessed Texture:</b>	Sandy Loam
	<b>Unit</b>	<b>Level Found</b>	<b>Good Range</b>
Phosphorus Olsen	mg/Kg	17.7	20+
Potassium Colwell	mg/Kg	81	250
Sulphur	mg/Kg	12.6	20
Organic Carbon	%	2.3	3 - 6
Ammonium Nitrogen	mg/Kg	10	
Nitrate Nitrogen	mg/Kg	76	
Conductivity	dS/m	0.21	< 0.3
pH Level (H <sub>2</sub> O)	pH	6.1	5.6 - 6.4
pH Level (CaCl <sub>2</sub> )	pH	5.7	5.0 - 6.0
Aluminium (CaCl <sub>2</sub> )	mg/Kg	0.6	< 5.0
DTPA Copper	mg/Kg	0.72	> 1.5
DTPA Iron	mg/Kg	233	100 - 400
DTPA Manganese	mg/Kg	5	> 5
DTPA Zinc	mg/Kg	0.8	> 5
Boron (Hot CaCl <sub>2</sub> )	mg/Kg	0.5	> 1.5
	<b>Unit</b>	<b>Level Found</b>	<b>Good Range</b>
<b>Cations</b>			
Cation Exchange Capacity	meq/100g	9.25	10 - 20
Exchangeable Calcium	meq/100g	7.72	
	BSP %	83.50	70 - 85
Exchangeable Magnesium	meq/100g	1.08	
	BSP %	11.68	10 - 20
Exchangeable Potassium	meq/100g	0.22	
	BSP %	2.38	3 - 8
Exchangeable Sodium	meq/100g	0.20	
	BSP %	2.16	< 5
Exchangeable Aluminium	meq/100g	0.03	
	BSP %	0.28	< 2.0
	<b>Unit</b>	<b>Level Found</b>	
<b>MIR Particle Sizing</b>			
Sand	%	66.66	
Silt	%	18.46	
Clay	%	14.88	
Classification		Sandy Loam	

Laboratory Analysis CSBP Labs (Wesfarmers), Bibra Lake, WA

### Christmas Trees:

Christmas trees take three years to reach harvestable size. 12,500 seedlings are to be planted or replanted each year to ensure continuity of supply. Although harvest is only over several weeks each year, trees need to be managed continually during their 3-year development period.

Each cohort will be approximately 18,000 linear metres of formed rows (72 kilometres in total). Management of Christmas trees is primarily manual work, and each cohort is anticipated to occupy 6 weeks of labour each year (weather permitting). After harvest the stumps of those trees need to be grubbed out and planting rows reformed before new seedlings are planted in autumn.

The advanced tree seedlings are purchased from a commercial supplier and planted in autumn. Trees grow 40-70 cm each year, making them harvestable after 3 years. Trees need to be pruned to shape 2-3 times each year, and a foliar fertiliser blend must be applied every 6 weeks.

Harvesting is the 3-4 weeks around December, and these trees will be mainly sold wholesale for transport to the Sydney market, although local pick-your-own tree marketing will also be implemented.

Christmas trees are all about appearance, and ongoing shaping is necessary for high-quality Christmas trees. The term “shaping” is applied to any cutting done to shape the plant to its desired appearance. This may be done by either shearing or pruning. The term “shearing” refers to cutting back the current year’s growth of the leader and lateral limbs. Shearing reduces deformities and improves the shape of the tree. Pruning is the removal of injured, dead, or diseased parts or wood older than the current growth.

Christmas trees are susceptible to a number of diseases, blight, fungi and mould and need to be constantly inspected to ensure any outbreaks are detected and managed before widespread establishment occurs. Dothistroma is a particularly damaging disease to both appearance and tree health, and urgent action needs to be taken if detected to stop the spread across the entire tree crop.

The proponent and family are doing a significant part of the development work for cost containment, and after operation commences, a large part of the work will need to be contracted due to the amount of time required to manage the enterprise.

### Cherry Tree Layout and Management:

There will be 400 trees planted on mounds and shaped along a trellising system. A mature tree (5-7 years) is expected to produce over 20-30 kilograms of fruit a year (~10 tonnes for the entire orchard). Fruiting of a tree is generally over six to eight weeks, and picking needs to occur every day. All planted cherry types should be on Colt rootstock due to the possibility of inundation. All rows will be mounded to increase rooting depth.

The orchard will use basket shaping for space efficiency, sunlight maximisation and improved airflow for disease and fungus control. This means that production will be lower than can be achieved by the standard system but will reach production maturity faster. Pruning and harvesting are easier using this design.

An early and a late-maturing species will be selected depending on availability. The early maturing species will be white cherries with a short season but fetch the highest sell price. The late species is likely to be Lapin, which is the most common and prolific. Fruit from Lapins are resistant to splitting after rainfall and will tolerate summer heat more readily.

At least one bee box will be present during flowering to facilitate pollination, although the beekeeper may introduce 3 to 4 for honey production purposes. Major pruning, picking and packing tasks will be by contract labour.

## Infrastructure and Business Management:

### Infrastructure Investment:

Horticulture does not require an extensive investment in infrastructure, as is the case here; the investment is in plants and seedlings. The site will require a dwelling, improved access and, in the future, a new shed.

An irrigation watering system will need to be constructed to deliver water to the cherry trees. A watering system gravity-fed from a tank is the ideal design, as this ensures a constant water supply to trees in the event of any system failures.

An all-weather driveway will be constructed of extracted material to the house site to allow access in all weather conditions. Formed tracks will be constructed for the farming activities and sheds, allowing suitable access.

### Marketing / Sales:

The proponents have 25 years of experience in Christmas trees and are sales agents and already have that market established; the majority of the trees produced here will be trucked directly to Sydney for retail sale. Up to two thousand trees will be kept available for local retail and on-farm purchase along with the produced Christmas cherries.

### Staffing:

The proponents will do the initial development and management of the farm. When revenue starts to be generated, a large part of the seasonal workload will be assigned to external contractors or part-time employees.

These types of enterprises contribute to the local economy by utilising local contractors for construction work, farm maintenance, transport industries, and agricultural support industries.

### Opportunity Cost / Diversification:

The property appears to have an ad-hoc use for grazing and fodder, low-returning agricultural activities. It has not been improved with poor soil fertility, no management infrastructure and no modern agricultural plants. A property like this is unlikely to be integrated into another farming property due to land size, property value and disconnect. Horticulture and silviculture are among the higher-returning agricultural activities per land unit, and the presented farming has a very high return per area used.

Agriculture is dynamic; markets change and evolve; climate change impacts agricultural suitability, and farm circumstances alter. As with any business, the farming method and type should be constantly evaluated and, if required, adjusted to meet new circumstances.



### Financial Projections:

The proposal calls for an agricultural investment of over \$100,000 in the first two years and an investment in the dwelling of over \$500,000.

After the initial development period, the property could expect revenue of over \$770,000 per year. The nature of horticultural crops is the longer the establishment, the greater the returns and these values are likely to be conservative.

### Indicative Annual Agricultural Revenues:

Income /Cost Item	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5+
Christmas Trees Wholesale (10500 X \$40 ea.)				\$420,000	\$420,000	\$420,000
Christmas Trees Retail (2000 X \$100 ea.)				\$200,000	\$200,000	\$200,000
Cherries (Av. \$20 kg)				\$50,000	\$100,000	\$150,000
<b>Total Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$670,000</b>	<b>\$720,000</b>	<b>\$770,000</b>
Plant / Tree Costs	-\$35,000	-\$25,000	-\$25,000	-\$25,000	-\$25,000	-\$25,000
Fertility / Soils Costs	-\$6,000	-\$6,000	-\$6,000	-\$6,000	-\$6,000	-\$6,000
Establishment/ Maintenance Costs	-\$20,000	-\$10,000	-\$10,000	-\$10,000	-\$10,000	-\$10,000
Packaging Costs (~10%)				-\$5,000	-\$10,000	-\$15,000
Apportioned Rates, Insurances Utilities	-\$5,000	-\$5,000	-\$5,000	-\$5,000	-\$5,000	-\$5,000
Labour/ Contractors (20%)				-\$134,000	-\$144,000	-\$154,000
Variable Costs (8%)	\$0	\$0	\$0	-\$53,600	-\$57,600	-\$61,600
<b>Net Return \$</b>	<b>-\$66,000</b>	<b>-\$46,000</b>	<b>-\$46,000</b>	<b>\$431,400</b>	<b>\$462,400</b>	<b>\$493,400</b>

#### Notes:

This table shows agricultural costs and revenues only. Landholding costs, and building and equipment costs are not included, and they can be financed in many ways.

Revenues and costs are indicative and based on Industry averages.

## Environmental Factors:

### Natural Resource Management:

The landscape is typical of highly modified pastoral farming, having been entirely cleared for agricultural production. There are some very good quality, well-established revegetation trees and shelterbelts on the property, as these are to be retained for weather protection, biodiversity and ecological gain. The site has two seasonal waterways, which have been fenced out and revegetated to protect those waterways.

### Regenerative / Carbon Farming:

A regenerative approach to soil management is to be adopted to improve agricultural soil quality. This will focus on improving soil carbon with rotational grazing and increased pastoral growth. It will also stimulate soil biology, improve soil water holding capacity, increase topsoil depth and improve plant rooting and nutrient cycling.

A naturalistic approach will be adopted to managing the property generally; manufactured chemicals will be avoided as best practical. The property will adopt techniques to increase soil carbon and ultimately be positioned to take advantage of any future soil carbon credits. All by-products of the farming will be used back into the soil as a compost material.

### Erosion and Compaction:

The property is not seen as prone to water erosion, and there is no evidence of erosion occurring. There are no high-energy water flows or water run-on, the soil is of good structure, and there is good vegetation cover, which will remain that way.

The soils have a high sand content, which is generally resistant to compaction, although it can be damaged during wetter periods. Heavy vehicle traffic should be confined to constructed tracks, particularly during wetter seasons.

### Groundwater:

Groundwater is at a depth of 5 metres and is at low risk of exposure to any form of nutrients infiltrating from the surface. The high level of plant coverage and minimal fertiliser use will assist in keeping soil nutrient levels lower to minimise any further risk.

### Drainage:

The property has no constructed drainage, relying on overland flow and soil infiltration for water clearance. The waterways running onto and from the site will not be impeded in any way by the property development, and any new drainage or overflows will empty into the farm dams to mitigate run-off risks.

### Fire Management:

Part of the land is in a designated bushfire overlay which appears to be a legacy from when the adjoining site at the north was forested. The site is not seen to be of greater risk than any normal, cleared farmland. The land use is not seen to contribute to fire risk, and the pines could be expected to act as firebreaks. The usual fire precautions will apply no petrol-powered vehicles in long grass, limited mechanical activity on high-risk fire days, reduced fire load before summer, and adequate firefighting water in tanks/dams at all times. Firewater supply will be available from the house and shed tanks if required.



#### Adverse impacts on adjacent land:

The adjoining properties are similar sized and smaller farming lots with lifestyle and grazing activities. There is not expected to be any change to the amenities of these properties from the activities. The use of sprayed chemicals would be rare and, if required, would only be used on appropriate weather days (low wind and not within 24 hours of forecast rainfall).

Like any agricultural activity in the farm zone, the farm could be busy for extended hours, particularly during harvest.

#### Adverse impacts from adjacent land:

None of the adjacent properties appears to have any use which would impact this land use although open communication with any neighbours using herbicides is valuable.

### Biosecurity:

Cherries and pine trees are generally considered low biosecurity risk farming types, but as always, care should be taken to minimise any risks.

#### Recommended Procedures for Biosecurity

- The farm should have a documented Farm Biosecurity Plan
- Where reasonable and practical, the movement of people, vehicles and equipment entering the property is controlled and, where possible, movements recorded.
- Pines and cherries are generally resistant to major pests or diseases, but pests can travel with seeds, flowers, and other plant material and should be inspected.
- Only clean certified plants from a certified supplier will be used for planting, and excess plant material should not be sent to other properties without being checked for any insects, larvae and fungus.
- Any movement into or out of the state or district should comply with Agricultural Department requirements, and products should be sterilised as and if required. Report any suspicious outbreaks to the appropriate authority.
- Vehicles entering and leaving the farming area should have clean wheel arches, and shared farm equipment must always be cleaned before entering or leaving the site.
- Any other procedures or practices that contribute to minimising the risk or spread of disease.

The property is not required to have a Property Identification Code (PIC) from Agriculture Victoria, although if any stock is kept at the site registration will be required.



## Site Images:

Image 1: Looking east over the site from Barholme Road (dwelling site shown)



Image 2: Dwelling site





Image 3: Looking westward over the farm from the rear boundary.



Image 4: Existing access to be retained.





Image 5: Stage 1 Christmas tree plantings.



Image 6: Pine tree seedlings in the ground. Weed establishment has been an issue.





Image 7: Looking west over the centre of the farm and future pine tree planting area. The waterway has been fenced and revegetated.



Image 8: Looking down the stage 1 pine tree planting. 3 additional stages are to be planted annually.





Image 9: Planted cherry trees.



Image 10: The only building on the site adjoining the existing stockyards.





Image 11: Fencing and revegetation along the waterway to be retained and enhanced as required.



Image 12: Boundary shelterbelts are well established, accessway is through those trees.







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Date: 8<sup>th</sup> January 2025  
Job No: 2430

Colac Otway Shire Planning Department  
2-6 Rae Street, Colac 3250  
Planning Permit; PP247/2024

## **Use and development of the land for a dwelling**

### **AT 95 BARHOLME LANE MURROON 3243**

It is proposed to construct a new dwelling with a mixture of farming opportunities including pine Christmas trees and cherry trees.

The proposals for the site will continue to provide for the use of the land for agriculture and cultivation leaving the land fully productive.

1. With regards to sales area. It is intended to use the current office area and part of the garage for sales purposes (dependant upon the dwelling being built). There will be no goods on display as the Christmas trees will be cut as required and cherries will be picked on demand. Cherries will also be harvested for distribution to local stores and market stall holders. The vast majority of Christmas trees will be cut and loaded onto trailers and trucks in the paddock. At this stage we will not be applying for a permit but would give consideration to one at a later stage if the way in which sales change.
2. The current crop of Christmas trees was planted in the last half of June and first week of July 2024. These Christmas trees will be mainly ready for harvest in Nov/Dec. 2027. There maybe a small proportion of this crop ready in Nov/Dec 2026 depending on weather conditions.
3. The current business that will be selling these Christmas trees is Otway Christmas Trees. It's anticipating that 70% of the trees will be sold at a wholesale level (7000) and 30% (3000) sold from the farm and retail sites that in Geelong and Lara. There is flexibility to change this around depending on demand from either the wholesale or retail sales. The wholesale market are customers in Sydney and Adelaide and both areas suffer from lack of supply both in the state and from outside. The business has been instrumental in getting various scout groups and other not-for-profit organisations involved selling Christmas trees for fund raising and expect this to continue. In both 2023 and 2024 the Christmas tree growers ran out of Christmas trees in the second week of December which left a lot of disappointed customers buying either second grade trees or going artificial. There is going to be 50,000 Christmas trees (Radiata pine) growing and somewhere around 300-400 cherry trees growing when the farm is fully planted out. This quantity of trees is going to take some intense farming and it is anticipated that there will at various times of the year need to employ staff to assist, particularly around pruning and harvest times. Currently there only have one year of trees planted, 13,000 Christmas trees and 20 cherry trees planted as of now, the owners will need to travel to the farm from Geelong 3 or 4 times a week for maintenance and watering, so it is planned to live on site to avoid this unnecessary amount of travel many times a week and for the ongoing continuous maintenance.  
With regards to the Christmas trees, we pot up 400 seedlings into individual pots and nurture them until we need to plant them where an animal (mainly hares) having destroyed the original seedling. These



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get watered 3/4 time a week. There is a real need for me to be at the property on a more permanent basis and this need will only increase as more trees are planted

4. The proposed dwelling will not adversely effect the use of the land. The dwelling provides the required habitable spaces to continuously maintain and harvest the crops and trees. The agriculture business provides employment opportunities at the height of production and when maintenance is at it maximum.

The proposed dwelling location is well away from any boundary and from any neighbouring dwelling and road to have very minimal or zero impact regarding character, infrastructure. The building is surrounded by existing established trees and vegetation. The building location will provide no loss to productive agricultural land.

The majority of the external walls and roof will be colorbond Monument, being a darker colour, this will blend well into background with nice shadowing effects.

5. The site is a BAL 12.5 with or without the pine trees as the location and size of the planting areas within 100 metres is a low threat.

Please see attached Farm Management Plan by Enprove stating the positive investment in the site and for the future growth for the owners.

Kane Airey  
KVA Design

Item: 6.2

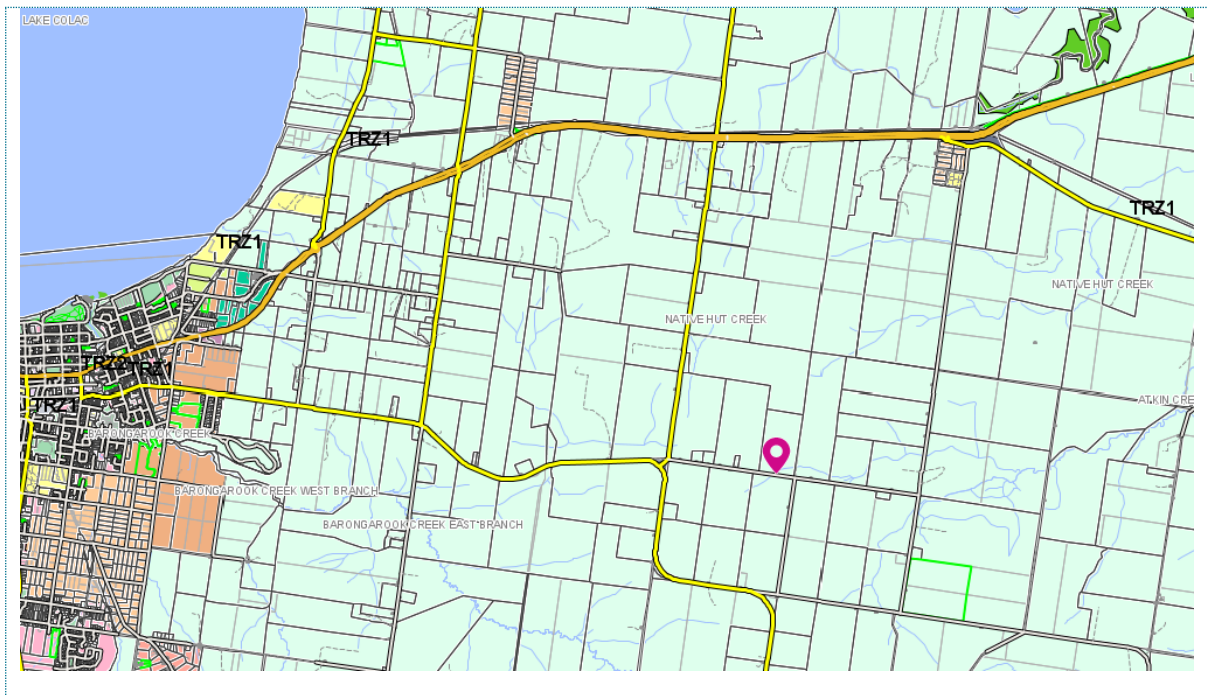
## PP58/2025-1 - 115 Collyers Road WARNCOORT - Use and Development of Dwelling and Outbuilding and Associated Works

<b>ADDRESS AND PROPERTY DETAILS</b>	115 Collyers Road WARNCOORT (Lot 1 TP: 710774 V/F: 9503/248 Parish of Irrewarra)	<b>APPLICATION NUMBER</b>	PP58/2025-1
<b>PROPOSAL</b>	Use and Development of Dwelling and Outbuilding and Associated Works		
<b>PERMIT TRIGGERS</b>	<p>Clause 35.07-1 - use of land for a dwelling in the Farming Zone</p> <p>Clause 35.07-4 - building or works in the Farming Zone associated with a use in Section 2 (permit required) of Clause 35.07-1</p>		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Use and development of a dwelling in a rural zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Nil
<b>COVENANTS</b>	There is a covenant on title relating to rights connected to gas transmission pipelines.		
<b>CULTURAL HERITAGE</b>	N/A		
<b>OFFICER</b>	Ian Williams	<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy		
<b>ATTACHMENTS</b>	1. Plans [6.2.1 - 6 pages]		

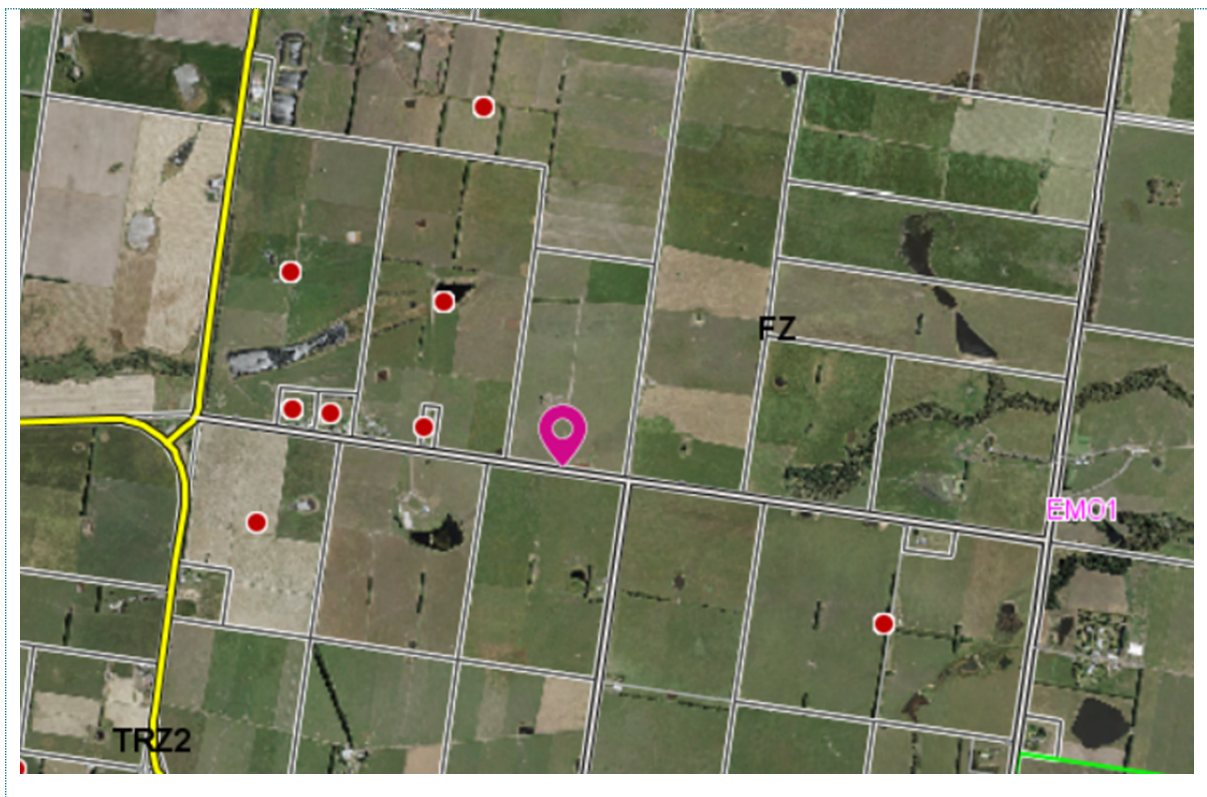


## 1. LOCATION PLAN / AERIAL PHOTO

### LOCATION PLAN



### AERIAL PHOTO



## 2. RECOMMENDATION

***That the Planning Committee resolves to Grant a Permit for the use and development of a dwelling and outbuilding and associated works at 115 Collyers Road WARNCOORT (Lot 1 TP: 710774 V/F: 9503/248 Parish of Irrewarra) subject to the following conditions:***

### ***Endorsed Plans***

- 1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

### ***Dwelling Infrastructure***

- 2. Prior to the commencement of the use of the dwelling hereby permitted, the following must be provided to the satisfaction of the Responsible Authority:***
  - a) Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.***
  - b) The dwelling must be connected to a reticulated sewerage system or if not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.***
  - c) The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.***
  - d) The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

### ***Access***

- 3. Prior to the commencement of the use hereby permitted, the driveway must be constructed to an all-weather standard and with a minimum width of 3m to the satisfaction of the Responsible Authority.***

### ***Stormwater***

- 4. All stormwater runoff from the development, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
- 5. During construction works, the site must be developed and managed to ensure there is no stormwater pollution through the contamination of runoff by chemicals, sediments, wastes or pollutants in accordance with 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) to the satisfaction of the Responsible Authority.***

### ***Wastewater***

- 6. A domestic wastewater management system must be constructed concurrently with the dwelling hereby permitted, so that all wastewater is at all times contained within the curtilage of the site. The design and installation of any wastewater***

*disposal system for any building on the land must comply with the EPA Guidelines for Onsite Wastewater Management (May 2024, or as amended) and the EPA Effluent Dispersal and Recycling Systems Guidance (May 2024, or as amended), to the satisfaction of the Responsible Authority.*

- 7. All works and development associated with this permit must be carried out in accordance with the Land Capability Assessment prepared by Landtech Consulting (Ref. No. 1153243, dated 21 March 2025) or as otherwise agreed in writing by the Responsible Authority.*
- 8. Unless otherwise agreed in writing by the Responsible Authority, the number of bedrooms within the dwelling must not exceed five (5).*

#### **No Gas Connection**

- 9. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.*

#### **Expiry**

- 10. This permit will expire if one of the following circumstances applies:
  - a) The development is not commenced within two years of the date of this permit.*
  - b) The development is not completed and the use has not commenced within four years of the date of this permit.**

*In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition.*

#### **Notes**

- 1. This permit does not authorise the commencement of any building works. Prior to the commencement of development, it will also be necessary to obtain a building permit for the proposed dwelling.*
- 2. Prior to preparing drainage plans, a legal point of discharge (LPoD) must be obtained in accordance with Building Regulation 133. A copy of the LPoD, which incurs a fee in accordance with the Building Regulations, must be submitted with the engineering plans.*
- 3. A separate application to install/alter an onsite wastewater management system must be submitted to and approved by Council's Health Protection Unit prior to the commencement of works. The Health Protection Unit reserves the right to request that the Land Capability Assessment (LCA) be amended or updated by a suitably qualified person and submitted for approval at the wastewater permit application stage. The LCA must be accompanied by a detailed system design if required by the Health Protection Unit.*



### 3. PROPOSAL

Planning permission is sought for the use and development of the land for a single-storey, five (5) bedroom dwelling and outbuilding. The applicant has advised that the proposed dwelling is required to support ongoing agricultural activity (livestock - lamb and beef) which occurs on the land. Additional detail on the agricultural use is provided later in this report.

The proposed dwelling and outbuilding would be located 225m from Collyers Road, which is located to the south, and 17m from the western boundary.

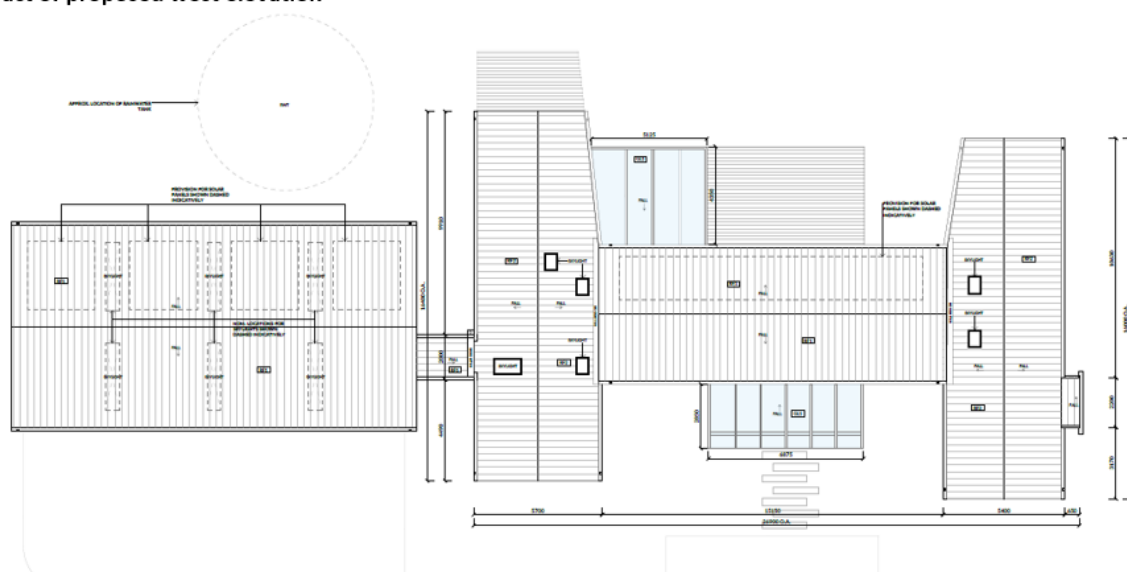
The proposed dwelling would be 19.1m deep (front to back), 26.9m wide and 4.9m high. The dwelling would be finished externally with light and dark vertical cladding for the walls and a dark metal roof. An extract of the proposed building facade and roof plan is provided below.



Extract of proposed south elevation.



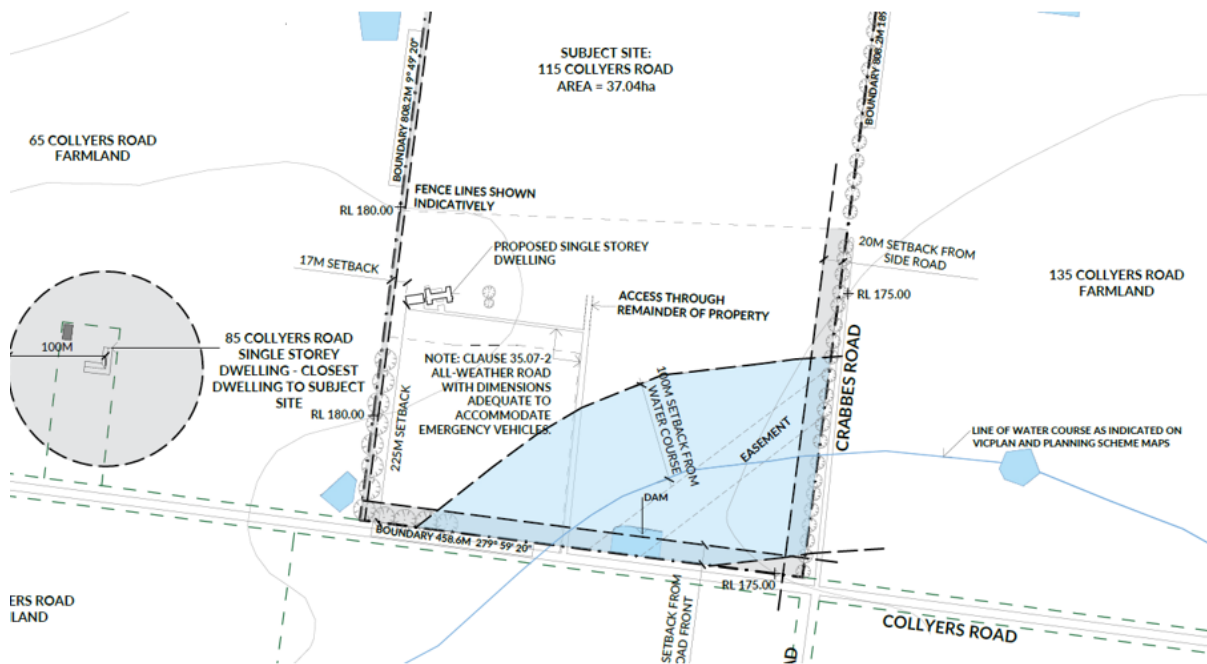
Extract of proposed west elevation



Extract of proposed roof plan

The dwelling would contain a main bedroom and a guest bedroom/study within the west wing and three bedrooms within the east wing. The central section would contain the kitchen, living

and dining area. The proposed outbuilding would be located towards the western side of the dwelling, as shown above.



Extract of proposed site plan

The applicant has advised of the following:

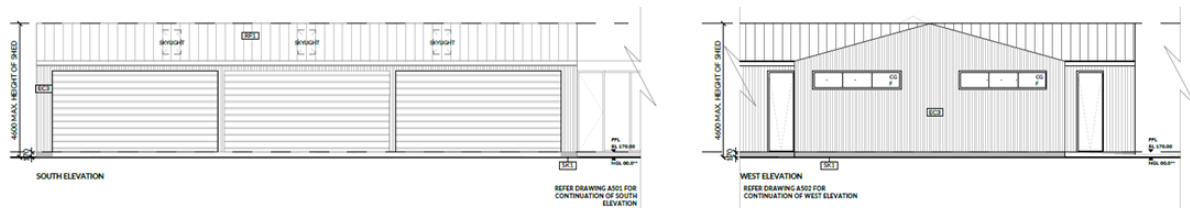
- Access to the dwelling would be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Reticulated sewerage is not available to the site and all wastewater from the proposed dwelling would be treated and retained within the lot in accordance with the requirements of the *Environment Protection Regulations* under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The subject site is connected to a reticulated potable water supply. A large on-site rainwater tank with a capacity greater than 20,000L is proposed.
- Power would be provided to the proposed dwelling via solar panels with battery backup.

In terms of the setbacks specified in the planning scheme, the proposed location of dwelling and outbuilding would be:

- Set back over 100m from a Transport Zone 2.
- Set back more than 20m from any other road.
- Set back more than 100m from a dwelling not in the same ownership (316m).
- Set back over 100 metres from any small second dwelling not in the same ownership.
- Set back over 100 metres from a waterway, wetlands or designated flood plain (279m).
- Located more than 1km from the nearest title boundary of land subject to a permit for a wind energy facility or an application for a permit for a wind energy facility.
- Located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

The permit triggers under this application are for the use of the land, and for buildings and works associated with a use in Section 2 of the Farming Zone and not in relation to the setbacks.

As previously detailed, an outbuilding/agricultural building is proposed to the western side of the proposed dwelling. The proposed outbuilding would be 4.6m high and 18.6m wide, and linked to the dwelling by a 2m wide walkway. The outbuilding would be externally finished with metal clad dark walls and roof. A large circular water tank is proposed to the northern side of the outbuilding.



The proposal does not require the removal of native vegetation.

The applicant has advised that the owners of the subject site also own land in the area. This additional land would be sold if the proposal is granted a permit, as the owners plan to relocate to the subject site to continue their farming practice from this land.

## 4. SUBJECT LAND & SURROUNDINGS

The subject site comprises a rectangular parcel of land at 115 Collyers Road in Warcoort, with an area of 37.04 hectares. The site is located within the Farming Zone. No planning overlays affect the site.

The land is gently undulating and is generally open, with some wind break tree planting. The lot is connected to a potable water supply, but is not connected to either power or sewerage. An agricultural dam fed by a watercourse is located towards the southern end of the lot. A transmission pipeline is also located to the southern end of the lot.

The subject site is located within a part of the Shire where there is a minimum lot size requirement of 40 hectares for a dwelling to be an 'as-of-right' use in the Farming Zone.

Surrounding properties are also located within the Farming Zone and are of a similar size, with some benefitting from dwellings and farming infrastructure.

## 5. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

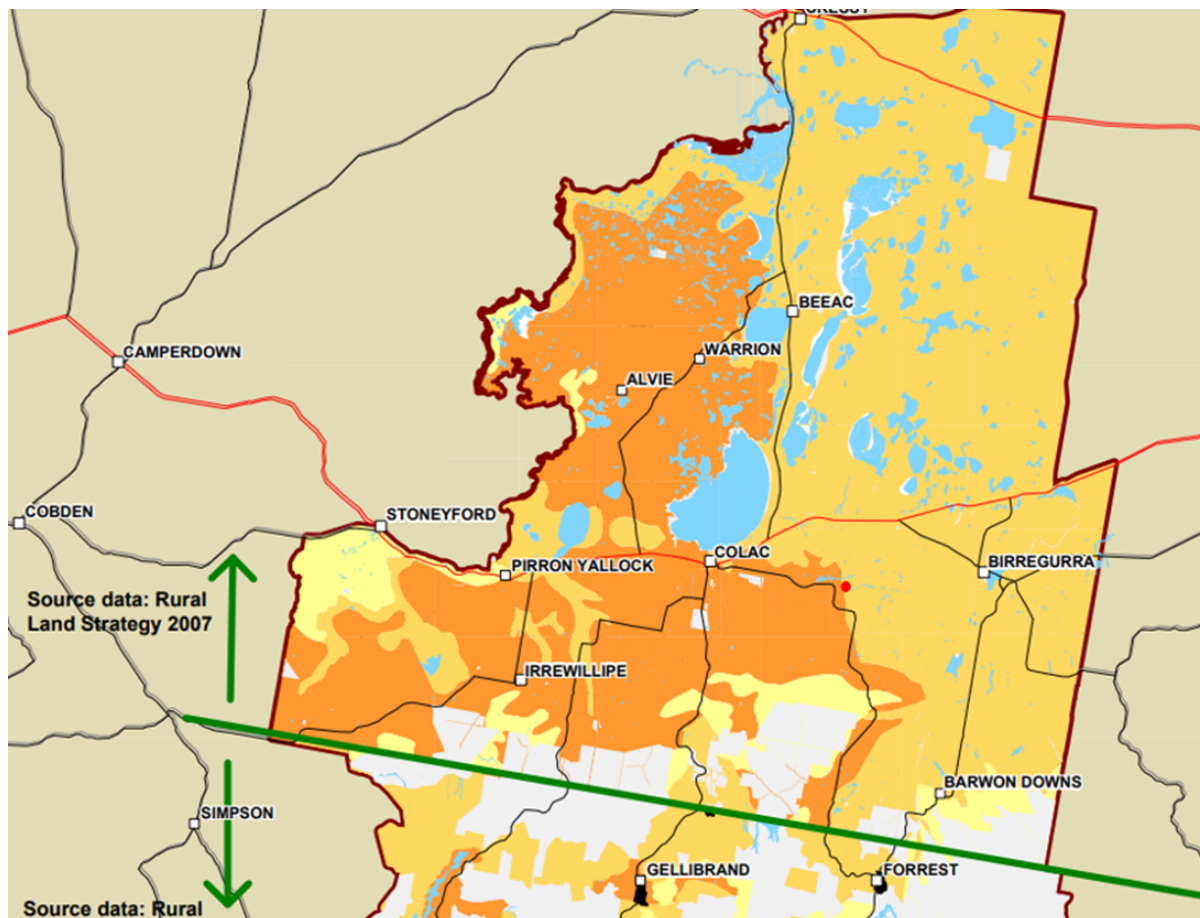
It is considered that the proposal generally meets the relevant objectives, strategies and policies of the Planning Policy Framework, notably clauses 2.02 (Vision), 11.01-1S and 11.01-1L (Settlement), 11.03-5R (Regional and Local Places), 14.01-1S and 14.01-1L (Protection of Agricultural Land), 14.01-2S (Sustainable Agricultural Land Use), 14.02-2S (Water Quality), 15.01-2S and 15.01-2L (Building Design), 15.01-5S (Neighbourhood Character) and 15.01-6S and 15.01-6L (Design for Rural Areas).

### Other relevant provisions

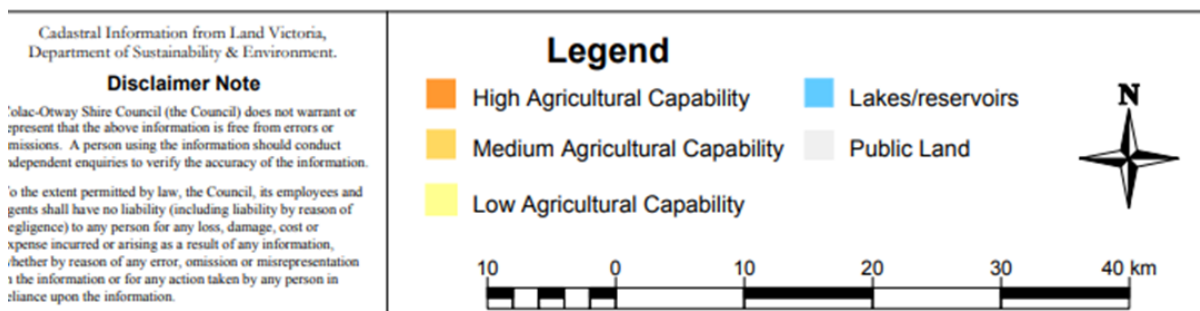
The *Rural Living Strategy* 2011 does not recommend rezoning the subject site.



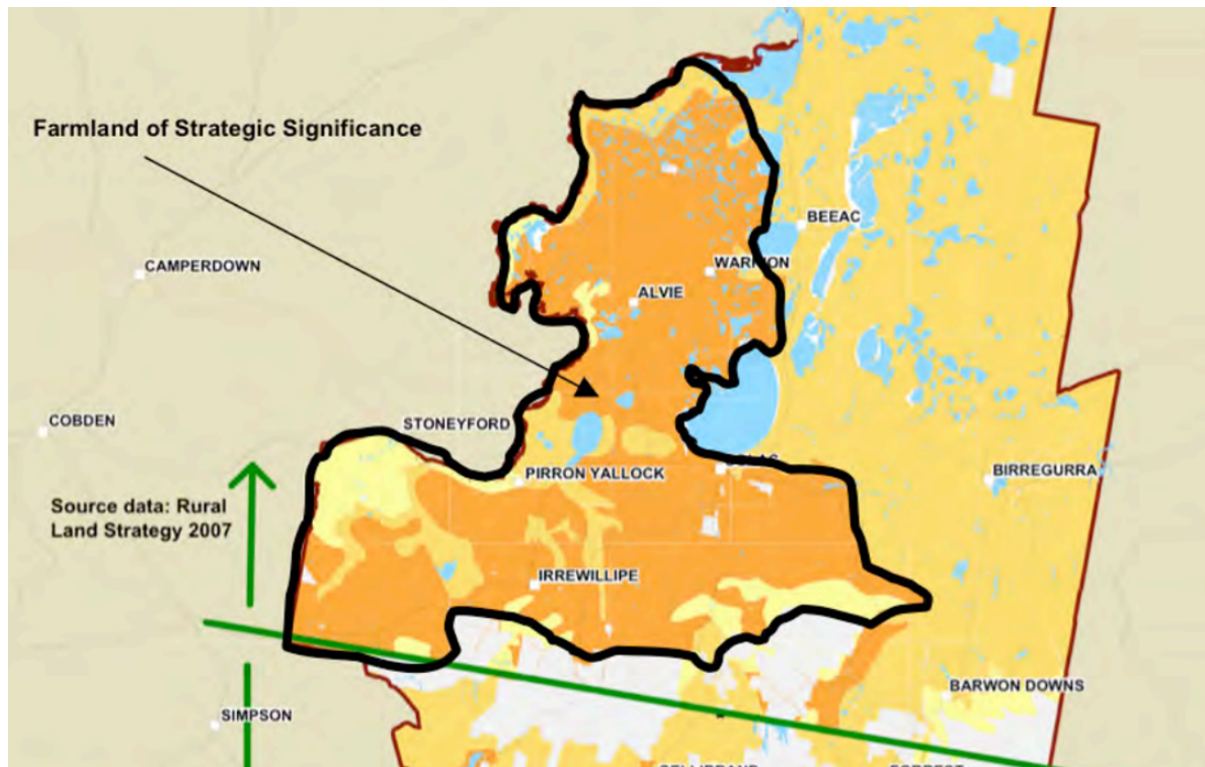
The *Rural Land Strategy* 2007 identifies the subject site as located within land of medium agricultural capability, as shown by the red dot below.



## Agricultural Capability



The site is located outside the area of Farmland of Strategic Significance identified within the *Rural Land Strategy* 2007.



## Relevant Planning Scheme Amendments

Nil

## 6. REFERRALS

### Internal Referrals

The application was referred internally to Council's Health Protection Unit and Infrastructure Department. No objection was raised subject to the proposal, subject to conditions which have been included within the recommendation section of this report.

### External Referrals

The application was not required to be referred externally.

## 7. PUBLIC NOTIFICATION & RESPONSE

### COMMUNICATION

This application was advertised to surrounding properties and a site notice was displayed on the land for a period of 14 days. At the end of the public notice period, no objections were received.

## 8. OFFICER'S ASSESSMENT

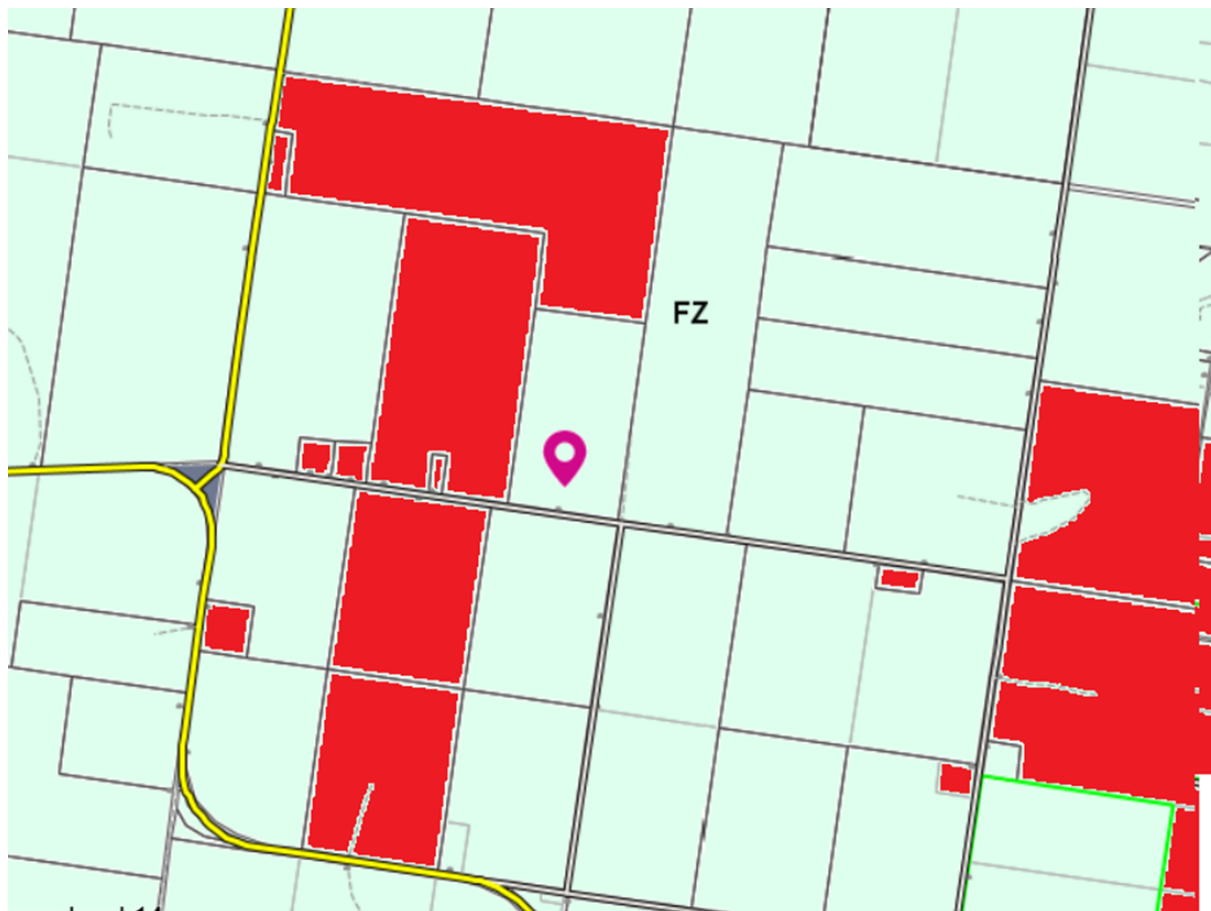
Clause 35.07-6 of the Farming Zone notes that, before deciding on an application to use land, or to construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate the following matters:

### General issues

The subject site is considered to be of a reasonable area (37.04 hectares) for land within the Farming Zone. The property is currently not serviced by a dwelling. On a lot of this size, a dwelling is generally considered to be reasonable to support sustainable land management and day-to-day agricultural practices.

The land is considered able to accommodate the dwelling, noting that the use and development of a dwelling would be '*as of right*' under the provisions of the Farming Zone if the lot was 2.96ha larger. As the site is only 2.96 hectare under the specified 40ha, it is considered that the use could be considered acceptable on the site. The proposed dwelling would take up a small portion of the southern part of the lot and, in this location, it is considered that it would not interfere with the existing and ongoing agricultural activities on the land; rather, a dwelling could assist with day-to-day management.

It should also be noted that many sites in the vicinity of the subject site also contain dwellings; therefore, the use of the land for a dwelling would not be incompatible with the surrounds. The image provided below has been provided to show the location of existing dwellings on neighbouring lots. These are highlighted in red, with the lots of a similar or larger area than the application site. It is acknowledged there are vacant parcels of land without dwellings, located to the east and south of the subject site. Some of these lots are above 40 hectares in area and some are marginally below. Future proposals for dwellings on surrounding lots, which would trigger the requirement for a planning permit, would be considered on their merits and against the planning provisions which apply at the time.





In response to servicing and whether the land can accommodate a dwelling, Council's Health Protection Unit has confirmed that, in terms of wastewater, the land would be able to accommodate the dwelling.

#### *Agricultural issues and the impacts from non-agricultural uses*

It is considered that the proposed dwelling would provide a family home for the owners and would support and enhance agricultural production on the land, enabling the property to become a more established working farm. On site daily management would improve the capacity of the site to sustain a viable agricultural use. The applicant has confirmed that the agricultural use on the land includes livestock (beef and lamb) associated with an existing established business in Colac.

By way of background, the owner of the land runs a successful butchery service in Colac, which currently employs 14 people in both full time and casual roles. The proposed dwelling on the land at 115 Collyers Road would allow for the breeding, calving down and day-to-day on-site management of the livestock, with the processing of the livestock (beef and lamb) off site allowing for intensification and growth of the existing butchery business (i.e., the applicant has advised that it is anticipated that up to 5 additional employees would be required within 12 months). Calving on the land is proposed to be staged throughout the year to allow for a consistent supply of beef to be processed through the Colac butchery. The ability to work with the subject land and other surrounding farms would provide the ability to run a dedicated calving farm from the subject site, with the owners on site to address any calving issues.

The owners have advised that, since owning the land, they have removed rubbish and overgrown trees, undertaken weed management and pasture renovation, and constructed new fences, all to allow for better grazing practices. The owners also noted that there are currently no dwellings on site and, as such, they have identified a potential house site factoring in the location of the nearest neighbours, roadways, boundaries and watercourses. It is also considered that this location would allow views of the farm, which is critical when utilising the land for calving purposes. It should also be noted that the subject site is already set up for an agricultural use and the proposed dwelling would allow the current owners to make use of the land and existing infrastructure to support and intensify the agricultural use. Cattle yards are already in situ on the land and, to assist with farming practices and to avoid the removal of viable agricultural land, the proposed dwelling would be located in close proximity to the existing yards.

It is considered that the proposed dwelling would help to support and enhance agricultural production on this site, which in turn would support an established business in Colac.

It is not considered that the development of a dwelling on the site would limit the operation and expansion of other agricultural uses in the area. The land to the west of the subject site already contains dwellings. The land to the east does not contain dwellings and could be consolidated if required in the future, to facilitate larger farm holdings. It is not considered that there would be any impact on surrounding agricultural enterprises as a result of the construction of a dwelling on this site, with the status quo to the surrounding area being maintained.

#### *Accommodation issues*

It is not considered that the construction of a dwelling on the subject site would result in any loss of productive agricultural land; rather, it is considered that the dwelling would allow a more concentrated agricultural use to be undertaken on this land.

The site is over 37 hectares in area; therefore, it is not considered that the proposed dwelling would be adversely affected by the agricultural use on site. Given the proposed boundary setbacks and the location of existing dwellings on neighbouring lots, it is considered that the

proposed dwelling would not be negatively impacted by surrounding agricultural land use. It should also be acknowledged that the subject site is very close to being 40ha, at which size the proposed dwelling would have been 'as of right' in the Farming Zone. The subject site is currently without any dwelling, and it is considered a reasonable outcome for one to be provided on this land, as this would enable the land to be better used for agricultural purposes.

It should also be noted that this site is not a site of high agricultural capability, nor in the farmland of strategic significance as shown in the *Rural Land Strategy 2007*.

The proposed location for the dwelling would not be within one kilometre of the nearest title boundary of land subject to a permit for a wind energy facility or an application for a permit for a wind energy facility. In addition, the location would not be within 500 metres of the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

#### Environmental issues

There would be no vegetation removal required to facilitate the construction of the dwelling. It is not considered that the proposal would negatively impact on the surrounding natural resources and features of the area.

Council's Health Protection Unit has considered this proposal and has not raised any objection, subject to conditions which are included in the recommendation earlier in this report.

#### Design and siting issues

The proposed dwelling and outbuilding would be located to the southern side of the lot, 225m from Collyers Road which is located to the south, and 17m from the western boundary. The proposed siting would not be dissimilar to the location of adjacent dwellings on nearby lots, being strategically placed to be in a location that would be near existing farm infrastructure. It is considered that the proposed siting would adequately minimise the loss of productive agricultural land on this site.

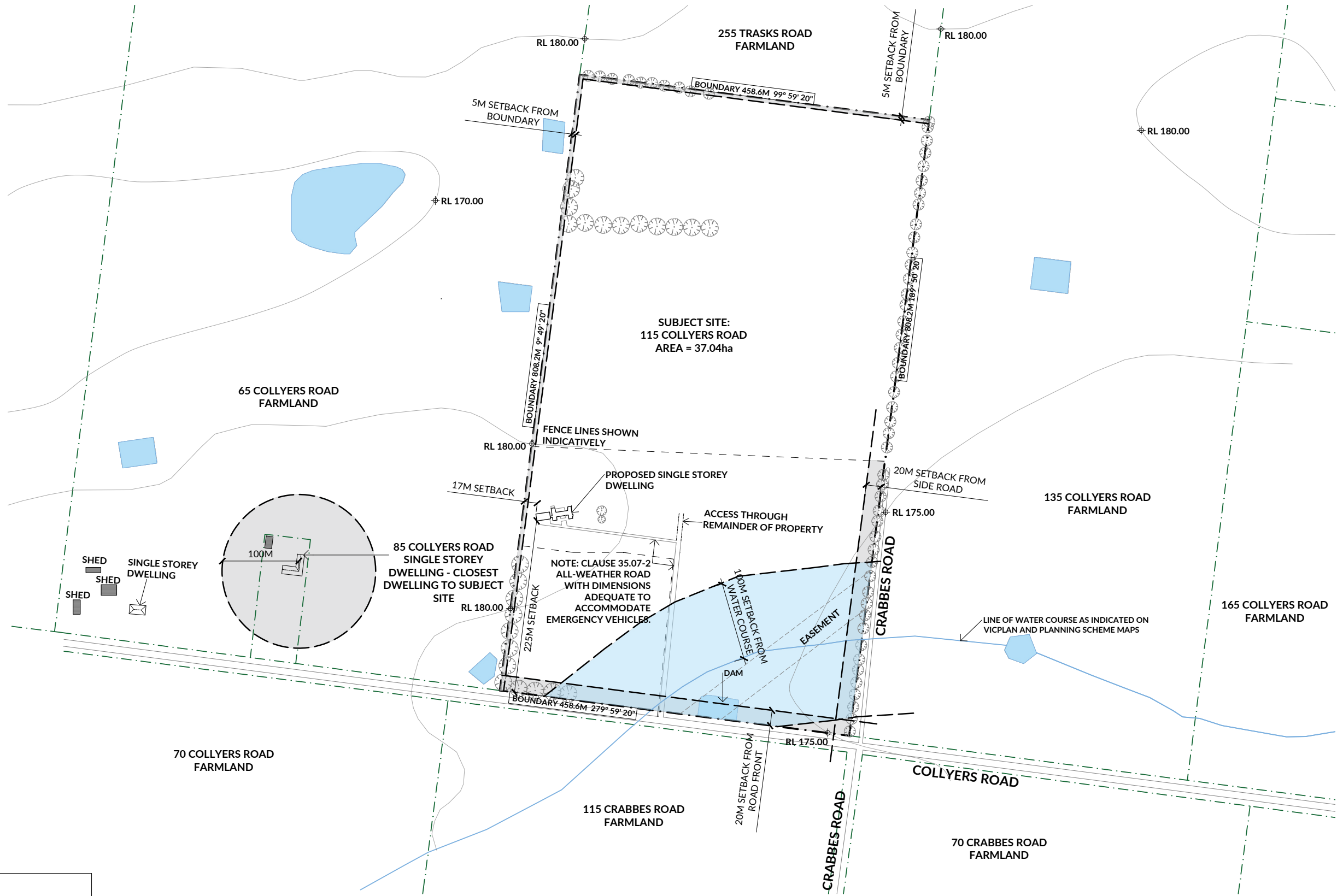
It is considered that the design, height, bulk and colours of the proposed dwelling and outbuilding would be acceptable within the rural setting. The proposed dwelling would be single-storey and constructed with a dark metal roof, and light and dark vertical cladding for the walls. The overall design is considered to be of low scale and would not be dissimilar to other buildings in the immediate vicinity. It is therefore considered that there would be no impact on the character or appearance of the area.

Council's Infrastructure Department has reviewed the proposal and did not raise any objection to the proposal subject to conditions that are included in the recommendation earlier in this report.

For the reasons outlined in this report, it is considered that a permit could reasonably be issued for the proposed dwelling, outbuilding and associated works.

## **9. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.



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37 Swarston Street  
Melbourne 3000  
ACN: 167 842 855

115 COLLYERS ROAD, WARNCOORT PROPOSED SITE PLAN					
DRAWN BY: SF	SCALE: 1:5000 @ A3	Project Code	DRG No.	Rev.	Status
CHECKED: AMB	DATE: 12.12.2024	2408	A011	-	TP



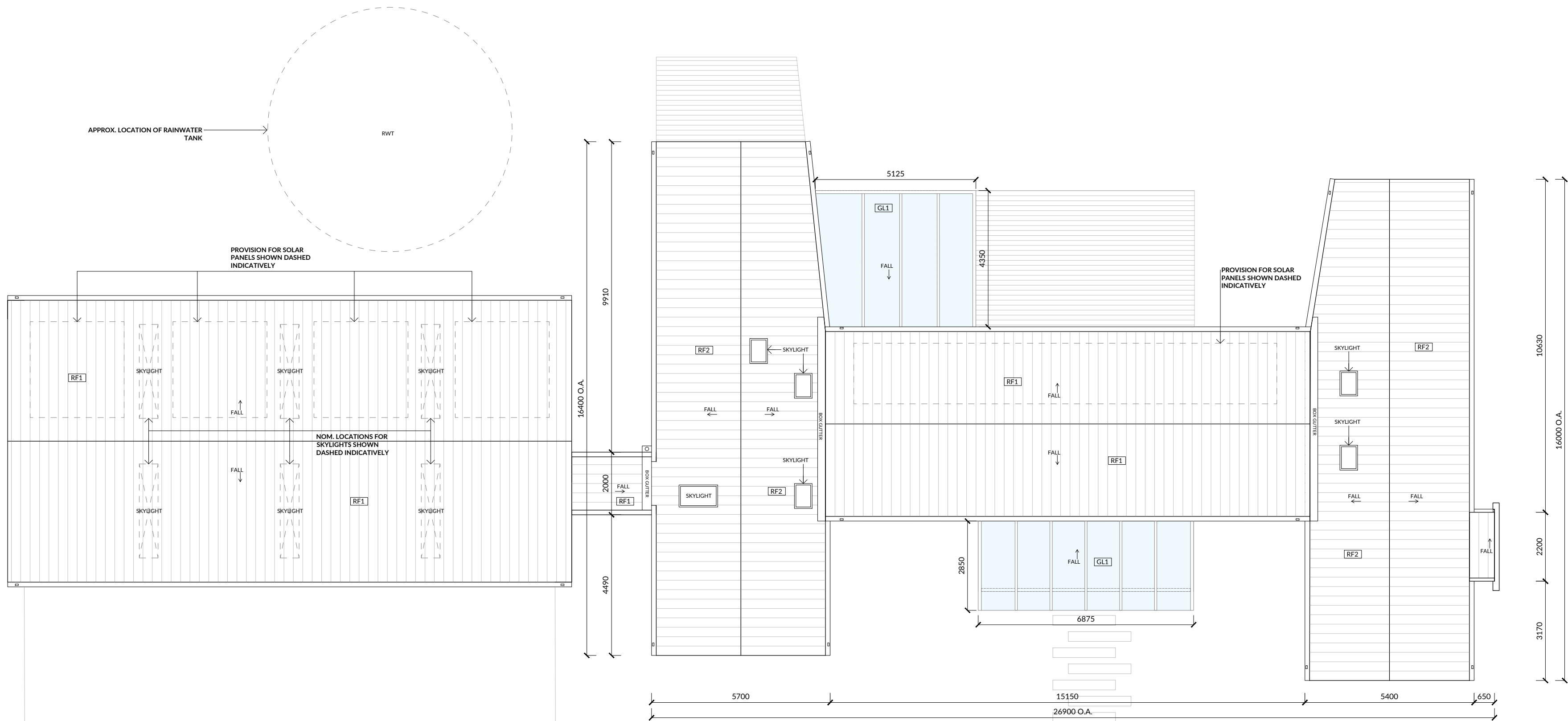
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creative**

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Melbourne 3000  
ACN: 167 842 855

DRAWN BY: SF	SCALE: 1:100 @ A2	Project Code	DRG No.	Rev.	Status
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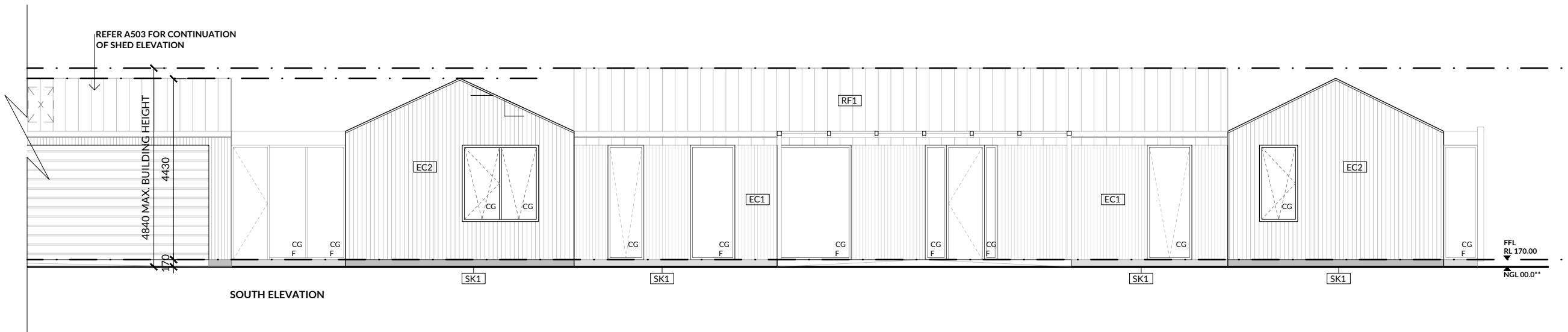
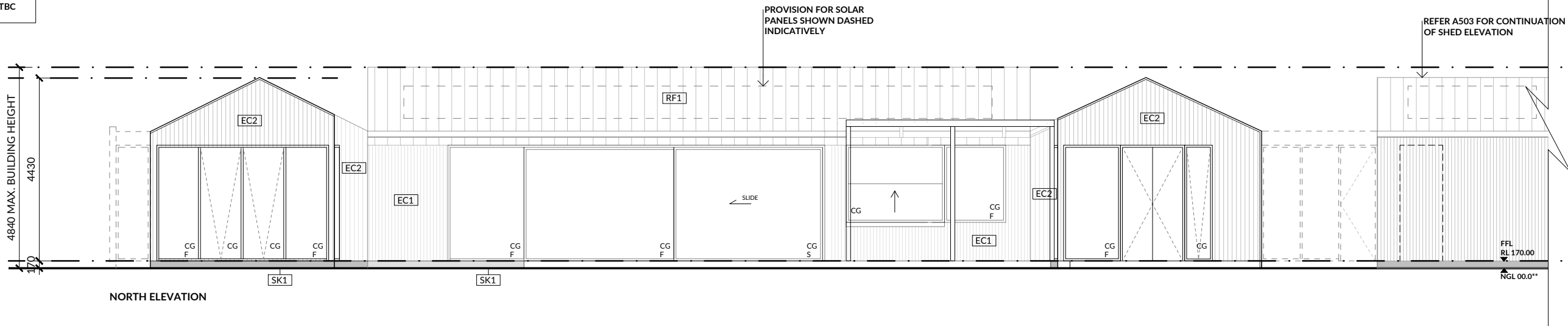
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115 COLLYERS ROAD, WARNCOORT					
ROOF PLAN					
DRAWN BY: SF	SCALE: 1:100 @ A2	Project Code	DRG No.	Rev.	Status
CHECKED: AMB	DATE: 28.02.2025	2408	A202	-	TP

NOTE:  
NGL\*\* : NATURAL GROUND SHOWN  
INDICATIVELY AS FLAT IN THE  
VICINITY OF THE DWELLING - TBC



- KEY:
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| EC1 | VERTICALLY GROOVED CLADDING - DARK TONE  | CG | CLEAR GLAZING    |
| EC2 | VERTICALLY GROOVED CLADDING - LIGHT TONE | FR | FROSTED GLAZING  |
| EC3 | METAL CLADDING - DARK TONE               | TG | TEXTURED GLAZING |
| RF1 | METAL ROOFING - DARK TONE                | FG | FIXED GLAZING    |
| RF2 | METAL ROOFING - LIGHT TONE               | S  | SLIDING GLASS    |
| SK1 | SKIRTING                                 |    |                  |

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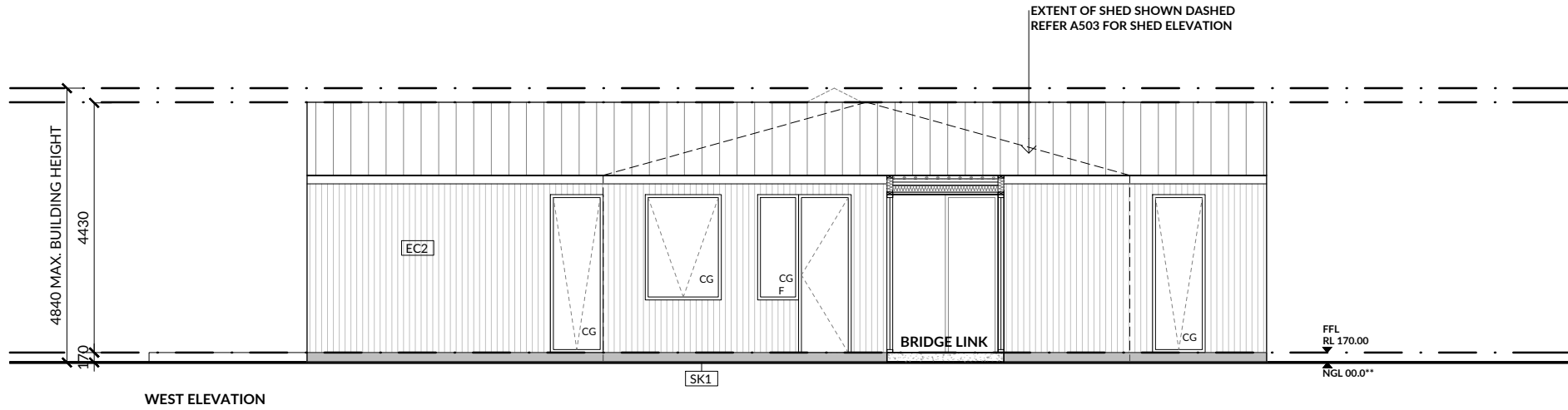
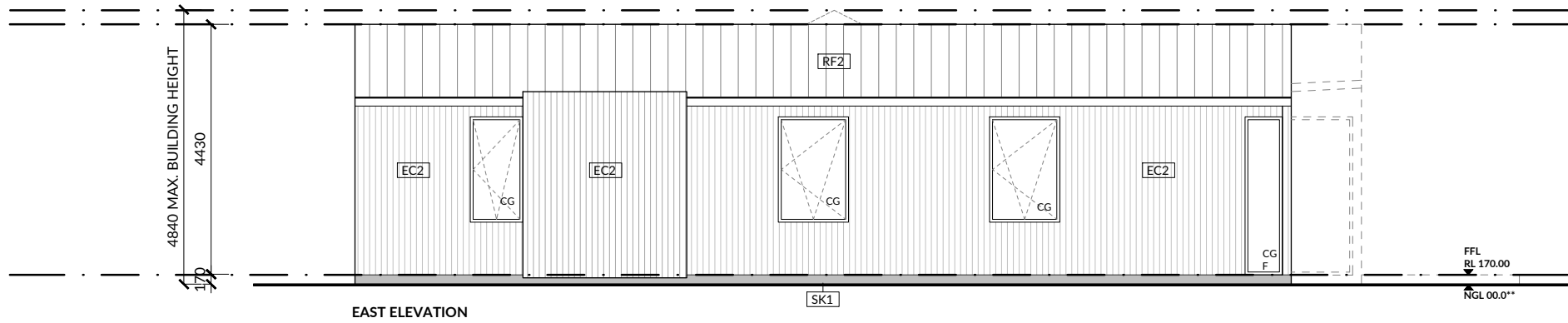
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115 COLLYERS ROAD, WARNCOORT ELEVATIONS - SHEET 01					
DRAWN BY: SF	SCALE: 1:100 @ A3	Project Code	DRG No.	Rev.	Status
CHECKED: AMB	DATE: 12.02.2025	2408	A501	-	TP



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**KEY:**

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<b>EC2</b>	VERTICALLY GROOVED CLADDING - LIGHT TONE	<b>FR</b>	FROSTED GLAZING
<b>EC3</b>	METAL CLADDING - DARK TONE	<b>TG</b>	TEXTURED GLAZING
<b>RF1</b>	METAL ROOFING - DARK TONE	<b>FG</b>	FIXED GLAZING
<b>RF2</b>	METAL ROOFING - LIGHT TONE	<b>S</b>	SLIDNG GLASS
<b>SK1</b>	SKIRTING		

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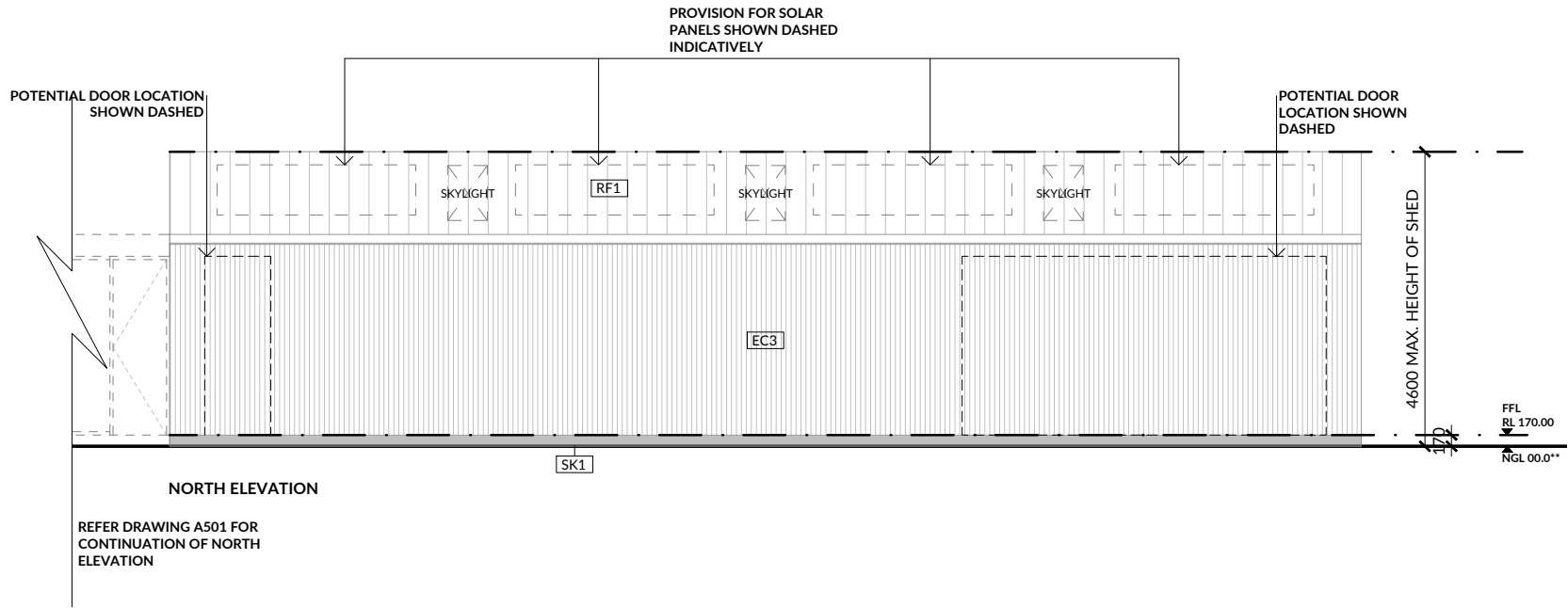
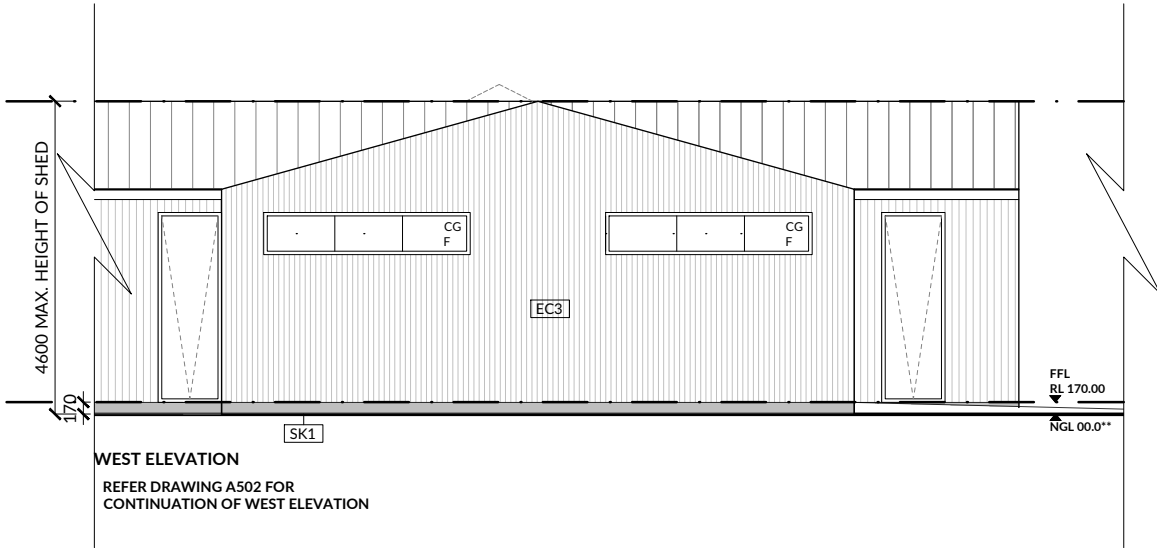
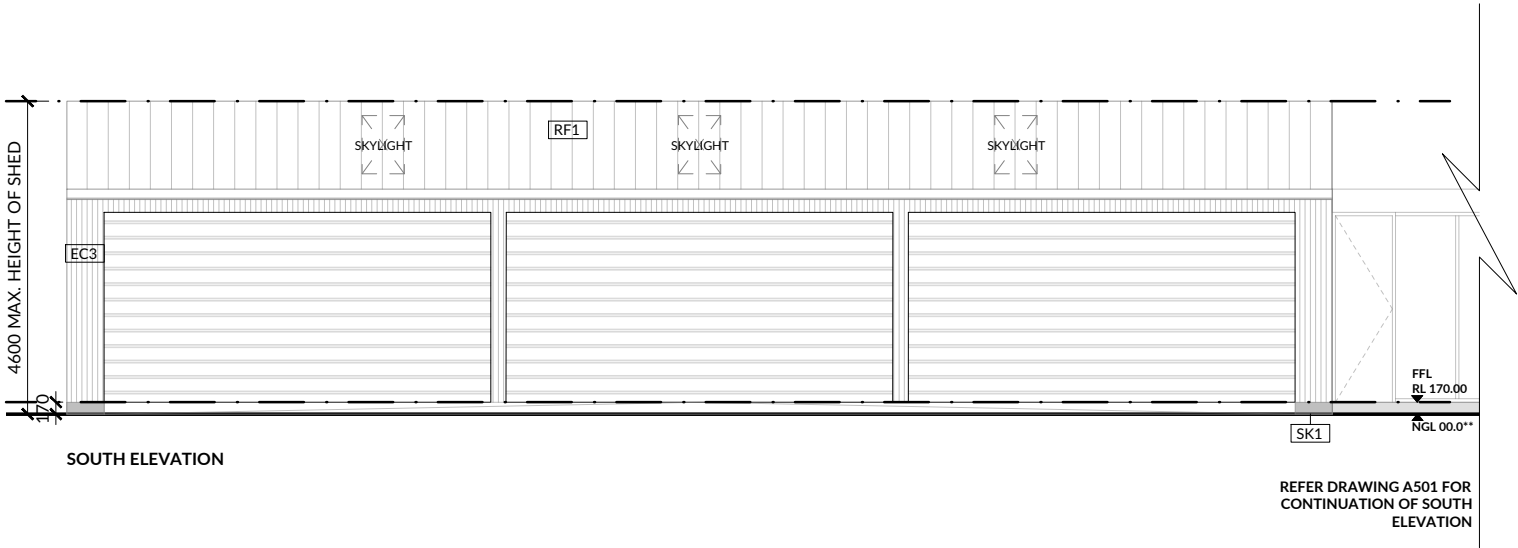
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<b>115 COLLYERS ROAD, WARNCOORT</b> ELEVATIONS - SHEET 02					
DRAWN BY: SF	SCALE: 1:100 @ A3	Project Code	DRG No.	Rev.	Status
CHECKED: AMB	DATE: 12.02.2025	2408	A502	-	TP

NOTE:  
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VICINITY OF THE DWELLING - TBC



KEY:

EC1	VERTICALLY GROOVED CLADDING - DARK TONE	CG	CLEAR GLAZING
EC2	VERTICALLY GROOVED CLADDING - LIGHT TONE	FR	FROSTED GLAZING
EC3	METAL CLADDING - DARK TONE	TG	TEXTURED GLAZING
RF1	METAL ROOFING - DARK TONE	FG	FIXED GLAZING
RF2	METAL ROOFING - LIGHT TONE	S	SLIDNG GLASS
SK1	SKIRTING		

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115 COLLYERS ROAD, WARNCOORT ELEVATIONS - SHEET 03					
DRAWN BY: SF	SCALE: 1:100 @ A3	Project Code	DRG No.	Rev.	Status
CHECKED: AMB	DATE: 12.02.2025	2408	A503	-	TP

Item: 7.1

## Project Budget Adjustments and Cash Reserve Transfers

<b>OFFICER</b>	Brendan Walsh
<b>GENERAL MANAGER</b>	Doug McNeill
<b>DIVISION</b>	Infrastructure and Operations
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

To present the project budget adjustments and cash reserve transfers for Council ratification and approval. These budgets are for 2024-25 Capital Works and Operational projects.

### 2. EXECUTIVE SUMMARY

The project budget adjustments presented in this report relate to the 2024-25 financial year. It seeks formal approval to adjust project budgets, create new projects where needed, or recognise that some projects are complete and can be formally closed. The report demonstrates good governance and project management practice and provides improved transparency to the community about matters that occur outside of the annual budget cycle.

### 3. RECOMMENDATION

**That Council:**

- 1. Approves the funding in Table 1 for initiation of a new project.**
- 2. Approves the project budget adjustments in Table 3a.**
- 3. Approves the project budget adjustments in Table 3b.**



## 4. KEY INFORMATION

The following project budget transfers are presented for Council consideration and transparency to the community. Amounts are presented as exclusive of GST as per Council's adopted budget and financial reporting as follows:

- Increases in the project expense budget are presented without brackets.
- Decreases in the project expense budget are presented with brackets.

Council allocates funding to projects through its annual budget or by specific resolution. Where matters arise that require urgent action to address compliance or safety concerns, and the service delivery cannot be reasonably stopped, the Chief Executive Officer may need to approve establishment of a project to address the issue. In these instances, the Chief Executive Officer will advise all Councillors as soon as possible, and the project will be ratified by Council at the next practical meeting through Table 1. The opening balances, at the time of writing this report, before any transfers recommended in this report are considered, are:

- Unallocated Renewal Funds: \$704,516
- Unallocated Discretionary Funds: \$137,893

The above balances reflect the balances at the time that this report was prepared and may have been adjusted if Council has considered matters earlier in the meeting agenda.

**Table 1 – New projects for Council ratification**

Project Name	Funding Source	Basis for Variation	Project Allocation (Ex GST)	
			Exp	Income
Harrington Park Retaining Walls	WO 00031845 Unallocated Renewal Funds	Replacement of small retaining walls adjacent to steps that were at risk of failure	\$5,000	\$0

Where an opportunity or need arises outside of the annual budget development process, it should be approved by Council before work on the project commences. This enables Council to confirm any financial commitment it makes to the project in a manner that is transparent to the community. Projects presented for Council approval are presented in Table 2.

**Table 2 – Newly initiated projects for Council approval**

Project Name	Funding Source	Basis for Variation	Project Allocation (Ex GST)	
			Exp	Income
Nil				

From time to time, situations arise whereby initial budgets need to be reconsidered to achieve their planned objectives and project scope. It is important that Council's decisions to adjust project budgets are open and transparent to the community. Therefore, any changes to project budgets or cash reserves are reported in Tables 3a and 3b of this report to demonstrate the diligence and transparency of the organisation's financial management principles.

**Table 3a Project budgets requiring adjustment (Capital Projects)**

Project name	Transfers from project account	Transfers to project account	Basis for Variation	Project budget adjustment (ex GST)	
				Exp	Income
Facilities Amenities and Bathroom Renewal - Colac East Kindergarten	WO 00031845 Unallocated Renewal Funds	00038569 - 2024 - 2025 - Capital Works - Buildings Renewal Program - Facilities Amenities and Bathroom Renewal - Colac East Kindergarten	Additional budget required following completion of procurement prices for external blinds. Current budget is \$10,000.	\$2,500	\$0
Meredith Park Fire Pits	WO 00031845 Unallocated Renewal Funds	00038566 - 2024 - 2025 - Capital Works - Open Space Upgrade Program - Meredith Park Fire Pits	Additional budget required following project completion. Total cost was \$13,385	\$3,385	\$0
Winifred Nance Kindergarten	WO 00037950 - 2023 - 2024 Capital Works Buildings Renewal Program - Winifred Nance Kindergarten	WO 00031845 Unallocated Renewal Funds	Project completed at a total cost of \$67,759.	(\$15,655)	\$0

**Table 3b Project budgets requiring adjustment (Operational Projects)**

Project name	Transfers from project account	Transfers to project account	Basis for Variation	Project budget adjustment (ex GST)	
				Exp	Income
Storage Compliance - Implementation	00038269 - 2024 - 2025 Operating Project - Storage Compliance - Implementation	00037918 - Operating Projects - Discretionary Funds	Project complete with total spend of \$40,458	(\$3,542)	\$0

Closure of projects is another important process for maintaining a well-managed program and involves financial review, asset management and project review activities. Closed projects are identified in Tables 3a and 3b for Council's ratification and to provide transparency to the community that these projects are deemed to be complete.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

This report contributes to the financial viability by ensuring Council approves and is well informed about the allocation and movement of project funds to achieve the best outcomes for the municipal community.

### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

Not applicable.

### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Not applicable.

### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Not applicable.

### **Public Transparency (s58 LGA 2020)**

This report contributes to public transparency by ensuring that the allocation and movement of project funds is made available to the community.

### **Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Objective 2: We are a financially robust organisation

### **Financial Management (s101 Local Government Act 2020)**

This report contributes to financial management principles by recording the allocation and movement of project funds that may impact on the budget, current and future.



**Service Performance (s106 Local Government Act 2020)**

This report contributes to service performance for project delivery by considering the allocation and movement of project funds for successful project outcomes.

**Risk Assessment**

There are no identified Workplace Health and Safety implications or identified risks associated with this report.

**Communication/Implementation**

Implementation of Council's decision will be undertaken by the responsible officers within Council. Project partners and stakeholders will be notified of Council's decision where relevant by the Project Sponsor or Project Manager.

**Human Rights Charter**

There are no matters identified with this report that impact on human rights as defined in the charter.

**Officer General or Material Interest**

No officer declared an interest under the Local Government Act 2020 in the preparation of this report.

**Options**Option 1 – Approve transfers as per the recommendation.

This option is recommended as the project budgets and cash reserve transfers supports implementation of Council's strategies.

Option 2 – Not approve transfers as recommended.

This option is not recommended as transfers are necessary to allow ongoing delivery and closure of projects, which have been through a series of governance checks.

## Item: 7.2

# Update on Traffic Safety in Conns Lane, Birregurra

<b>OFFICER</b>	Kanishka Gunasekara
<b>GENERAL MANAGER</b>	Doug McNeill
<b>DIVISION</b>	Infrastructure and Environment
<b>ATTACHMENTS</b>	Nil

## 1. PURPOSE

To update Council on the status of traffic management measures to address community concerns about road safety in Conns Lane, Birregurra.

## 2. EXECUTIVE SUMMARY

Residents in Conns Lane, Whoorel Station Road and the surrounding area have for several years expressed concern about the safety of traffic using Conns Lane, east of Birregurra. Council staff have responded to these concerns with a range of initiatives. Whilst a recent grant application under the Federal Government's Blackspot program for an upgrade to the Conns Lane/Cape Otway Road intersection was unsuccessful, Council is currently finalising plans for changes to signage and installation of rumble strips at this intersection, and for installation of Give Way signs at the two narrow bridges in Conns Lane itself. In addition, Council has made an application to the Department of Transport and Planning (DTP) for a reduction in the speed limit in Conns Lane and on Cape Otway Road for a section between Birregurra Deans Marsh Road and 200m east of the Conns Lane intersection. These initiatives are in the process of being implemented and will require approval of DTP and will increase road safety at this location.

## 3. RECOMMENDATION

***That Council:***

- 1. Note the ongoing concern of the community about the safety of traffic using Conns Lane Birregurra, including the two narrow bridges along Conns Lane and the intersection of Conns Lane with Cape Otway Road.***

2. ***Note the update provided in this report of Council's actions in response to road safety concerns, including the following:***
  - a. ***Plans are being drafted for consultation with land owners in Conns Lane which would facilitate Give Way signage at the two bridges and support one lane of traffic across the bridges.***
  - b. ***Plans are being drafted for installation of rumble strips in Conns Lane and improved signage at the intersection with Cape Otway Road.***
  - c. ***An application has been lodged with the Department of Transport and Planning (DTP) for a reduction in the speed limit in Conns Lane to 60 km/hr for a short section and 80 km/hr for the balance, and to 80 km/hr in Cape Otway Road from a distance 200m east of the Conns Lane intersection to Birregurra-Deans Marsh Road.***
3. ***Notes that Council requires approval from the Department of Transport and Planning for any new speed limits and changes to signage as proposed, and that the identified initiatives in point 2 will be implemented as soon as Department approval has been received.***
4. ***Notes that Council has been unsuccessful in its application to the Federal Government's Blackspot program for an upgrade to the Conns Lane/Cape Otway Road intersection and that it will seek other funding sources for this upgrade as opportunities arise.***
5. ***Notes that widening of the two bridges in Conns Lane will be considered for funding in future Council budget processes and will likely require grant funding from other levels of government.***
6. ***Notes that Council has raised concerns about the safety of the intersection of Conns Lane and Cape Otway Road with representatives of Department of Transport and Planning in recent months following a series of accidents at the intersection.***

## **4. KEY INFORMATION**

### Background

Residents in Conns Lane, Whoorel Station Road and the surrounding area have for a long time expressed concern about the safety of traffic using Conns Lane. Conns Lane provides a connection between Princes Highway and Cape Otway Road and is increasingly used as a route for tourist traffic travelling from the Melbourne-Geelong direction to the Otways and coastal areas. Traffic using Conns Lane has increased significantly since it was upgraded a few years ago.



Council undertook a road Safety Audit of Conns Lane in 2021 which highlighted the following issues:

- **High-Speed Environment and Intersection Continuity:**  
The audit identified that the high-speed nature of Conns Lane, combined with the visual continuity of the road across Cape Otway Road, may lead to vehicles unintentionally overshooting the intersection and entering Cape Otway Road traffic.
- **Poor Intersection Geometry:**  
Conns Lane intersects Cape Otway Road at an oblique angle, which compromises visibility and increases the risk associated with right-turn movements. It was recommended that Conns Lane be realigned to intersect Cape Otway Road at a perpendicular angle to enhance sight distance and improve overall intersection safety.
- **Enhanced Signage:**  
The installation of duplicate give-way signs on both sides of Conns Lane at the intersection was advised to reinforce driver awareness and compliance.
- **Traffic Calming Measures:**  
The implementation of rumble strips at the intersection was proposed to alert drivers and reduce approach speeds.
- **Bridge Widening:**  
The audit also recommended the widening of both the Birregurra Creek Bridge and the Barwon River Bridge to accommodate traffic more safely and efficiently.

There have been several recorded accidents at the Cape Otway Road intersection over the past 12 months, and community members have provided feedback of numerous near misses which have not been formally reported.

#### Current Council Initiatives

Council had lodged a grant application under the Federal Government's Blackspot program late in 2024 seeking funding to facilitate an upgrade to the Conns Lane/Cape Otway Road intersection. This would have included a straightening of the Conns Lane road pavement as it intersects with Cape Otway Road as well as rumble strips and advance warning signs. Council has recently been advised that this application was unsuccessful. Council's Assets and Engineering staff are however progressing with plans to install the rumble strips and advance warning signage, and to replace the current Give Way sign with a Stop sign at the Cape Otway Road intersection.

Plans are also being drafted for consultation with land owners in Conns Lane which would facilitate Give Way signage at the two bridges and support one lane of traffic over these bridges. The community has strongly advocated for this treatment, and it responds to the Road Safety Audit recommendations. This will offer a short to medium term solution that reduces the risk of traffic conflict at these locations until funding can be secured (largely through government grants) for an upgrade to the bridges that widens the trafficable pavement to allow two full lanes of traffic. Council will continue to explore funding opportunities for these bridge upgrades.

An application has been lodged with the Department of Transport and Planning (DTP) for a reduction in the speed limit in Conns Lane to 60 km/hr for a short section and 80 km/hr for the balance, and to 80 km/hr in Cape Otway Road from a distance 200m east of the Conns Lane intersection to Birregurra-Deans Marsh Road. This will slow traffic using Conns Lane and Cape Otway Road at the intersection and reduce potential for fatal accidents. The changes

have strong support from those who attended the recent meeting with Council staff. A reduced speed limit will potentially discourage tourist related traffic from using Conns Lane and impact Google mapping algorithms which encourage the use of this route at present.

It is noted that most of the signage changes and other works, as well as speed limit changes, require the approval of DTP. Once consultation with local landowners has occurred in relation to the current plans, formal application to the Department will be made. Council currently awaits the DTP decision on its application for the speed limit changes.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

This report describes the actions which have been taken by Council in response to community concerns about road safety, providing a transparent outline of the way in which the concerns are being addressed.

### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

Council must comply with various legislation including the *Road Safety Act* and *Road Management Act*. Approval is required from Department of Transport and Planning for speed limit changes and other works such as changes to signage.

### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Not applicable.

### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Council engineering staff and senior officers have met with members of the community on a number of occasions, including a meeting with a large resident group on 9 April 2025. This has provided Council with a strong understanding of the issues being raised.

### **Public Transparency (s58 LGA 2020)**

This report aims to transparently report on the actions being taken by Council to address road safety concerns raised by the community in Conns Lane.

### **Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 2 - Valuing the Natural and Built Environment

Objective 5: Provide and maintain an attractive and safe built environment

Theme 3 – Healthy and Inclusive Community

Objective 3: We are a safe, equitable and inclusive community

The response of Council to community concerns about road safety in Conns Lane are consistent with achievement of a safe road network for its citizens.

### **Financial Management (s101 Local Government Act 2020)**

Council is currently finalising cost estimates for proposed traffic management changes in Conns Lane and Cape Otway Road. These works are not specifically funded in the budget but will be undertaken given the road safety issues that are present. There is potential that savings achieved for Council projects funded under the State Government's Safer Local Roads and Streets Program could be available to offset these costs.

### **Service Performance (s106 Local Government Act 2020)**

The proposals are being progressed within the capacity of the Council's Assets and Engineering department. Contractors may be engaged to install new signage and undertake other ancillary works.

### **Risk Assessment**

A Road Safety Audit was undertaken in 2021 for Conns Lane which has identified the road safety challenges addressed by this report and informed the work undertaken by Council staff.

### **Communication/Implementation**

The community will be advised of Council's decision in respect of this report, and the various initiatives concerning speed limit changes and new signage will be implemented. Officers will continue to liaise with DTP staff.

### **Human Rights Charter**

No impact.

### **Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

### **Options**

#### Option 1 – Note the initiatives being undertaken in response to community concerns

This option is recommended by officers as the current initiatives respond to community concerns and address recommendations of the 2021 Road Safety Audit. The initiatives will increase road safety at this location.

#### Option 2 – Provide different direction to staff on how the initiatives might progress

This option is not recommended by officers as the initiatives respond to identified road safety concerns and are supported by the community. The cost of these works will be accommodated within the Services and Operations budget.



### Item: 7.3

## Adoption of Revenue and Rating Plan 2025-29

<b>OFFICER</b>	Xavier Flanagan
<b>GENERAL MANAGER</b>	Martin Cutter
<b>DIVISION</b>	Corporate Services
<b>ATTACHMENTS</b>	1. Revenue and Rating Plan 2025-2029- Draft [7.3.1 - 30 pages]

### 1. PURPOSE

To present the Draft Revenue and Rating Plan 2025 – 2029 for adoption.

### 2. EXECUTIVE SUMMARY

Under the *Local Government Act 2020*, Council is required to have a Revenue and Rating Plan (Plan) for the 2025-2029 period adopted by 30 June 2025. Working with Councillors, a draft Plan has been developed. The draft plan requires adoption by Council.

### 3. RECOMMENDATION

***That Council:***

- 1. Having considered submissions received, adopts the Draft Revenue and Rating Plan 2025 - 2029 for the purposes of Section 95 of the Local Government Act 2020.***
- 2. Gives public notice via Council's website, local newspaper and social media that Council has adopted the Revenue and Rating Plan 2025- 2029.***

### 4. KEY INFORMATION

Under section 93 of the *Local Government Act 2020* Council must prepare and adopt a Revenue and Rating Plan by the next 30 June after a general election for a period of at least the next four years.

Following four workshops with Councillors, and a period of public exhibition a Draft Revenue and Rating Plan 2025-2029 has been developed. The draft is at Attachment 1.

Due to the requirement for the Plan to be developed soon after the general election, the following parameters were agreed to enable the development of the Plan:

- Keep the current differential rating strategy
- Keep the six current types/classes of land
- That the scope of the review would be restricted to the types/classes of land rating differential as a percentage of the base rate (being that applied to the “Residential – Colac Elliminyt” rating category).

It was further agreed with Councillors that a more comprehensive review of Council’s Revenue and Rating frameworks would be subsequently undertaken in time to inform the 2026-27 budget process.

At the workshops, a number of models were developed for consideration by Councillors demonstrating various combinations of differential rating percentages for the six classes of land and how that impacted the distribution of the rates burden across the classes.

After discussions with Councillors, a proposed differential percentage of base rate for each of the classes of land was agreed. The proposed percentages for each class of land is outlined in Table 1 below. This is the model that has been included in the Draft Revenue and Rating Plan 2025-2029.

Table 1: Current and Proposed rating differential percentages for classes of land.

Type or Classes of Land	Current % of base rate	Proposed % of base rate
Residential - Colac/Elliminyt (base rate category)	100%	100%
Residential - Balance of Shire	85%	85%
Holiday Rental	100%	105%
Rural Farm	75%	65%
Commercial/Industrial - Colac/Elliminyt/Colac West	165%	165%
Commercial/Industrial - Balance of Shire	140%	140%

The rationale for the changes in differentials from the current percentages include;

- Holiday Rental – an increase to encourage more properties to be used for longer term accommodation options rather than short-stay holiday rentals to assist with the longer term accommodation challenges being experienced throughout the shire.
- Rural Farm – to try to address the disproportionately high increases in CIV values over recent years experienced in that class of land.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

Section 93 of the *Local Government Act 2020* Council must prepare and adopt a Revenue and Rating Plan by the next 30 June after a general election for a period of at least the next four years.

The proposed Revenue and Rating Plan provides a framework for how the rates burden is to be equitably apportioned across the shire. It therefore seeks to comply with the legislative requirements and seeks to provide the best possible outcome for the community.

#### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

Section 93 of the *Local Government Act 2020* requires a Revenue and Rating Plan to be adopted by Council by 30 June after a Council election.

Section 101 of the *Local Government Act 2020* further requires Council to strategically manage its finances and seek to ensure the financial impact on the community is stable and predictable.

#### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Not applicable.

#### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

After council endorsement at the 25 March 2025 Council meeting, the draft Revenue and Rating Plan was placed on public exhibition for four weeks. Council Community Engagement policy requires a strategic document to be available for public scrutiny for six weeks unless decided otherwise by Council. In this case, a four week exhibition period was agreed to in order to ensure the plan could be adopted in time to be incorporated into the 2025-26 Budget process that is currently underway.

The existence of the draft Plan was advertised in hard copy and social media.

Submissions to the draft Plan were captured as per section 223 of the *Local Government Act 1989*. Council then considered submissions received at the Submissions Committee meeting (held on 13 May 2025) being prior to adoption of a final Plan. Submitters were provided with the opportunity to appear before Council in support of their submission at the above Submissions Committee meeting.

#### **Public Transparency (s58 LGA 2020)**

Placing the draft Plan on public exhibition complies with transparency principles as it was a clear and deliberate step in the process of obtaining public feedback to the Plan before a final decision is made. Also, final adoption of the Plan is being made by Council at an open Council meeting.

In addition, transparency principles are complied with by Council committing to a process of public engagement outlined above before it makes a final decision.

#### **Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 2: We are a financially robust organisation

The Revenue and Rating Plan is a plan that is required as part of the Council Plan. The Revenue and Rating Plan will provide clear leadership and transparent structure to the community insofar as how the rates burden will be apportioned across the community. This will facilitate better management of the impact of levying rates on the community. It will also help ensure Council is able to better strategically manage its overall financial resources.



**Financial Management** (s101 *Local Government Act 2020*)

Section 101 of the *Local Government Act 2020* further requires Council to strategically manage its finances and seek to ensure the financial impact on the community is stable and predictable. This Plan will provide guidance to staff and the community about how the rates burden is to be apportioned. This will enhance Council's financial planning from year to year.

**Service Performance** (s106 *Local Government Act 2020*)

Not applicable.

**Risk Assessment**

Not applicable.

**Communication/Implementation**

Once adopted by Council, public notice will be given via Council's website, local newspaper and social media that Council has adopted the Revenue and Rating Plan 2025- 2029.

**Human Rights Charter**

No impact.

**Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

**Options**Option 1 – Adopt the Draft Revenue and Rating Plan for the 2025-2029

This option is recommended by officers as it complies with the legislative requirement of section 93 of the *Local Government Act 2020* and provides clear guidance as to the differentials in the rate in the dollar that will be applied to each rating category.

Option 2 – Do not adopt the Draft Revenue and Rating Plan for the 2025-2029

This option is not recommended by officers as it would fail to provide the leadership and guidance required to be provided by legislation and would mean Council may not meet its legislative requirement referred to in sections 93 and 101 of the *Local Government Act 2020*.



# Colac Otway

## S H I R E

### **Colac Otway Shire Council**

### **Revenue and Rating Plan**

### **2025 - 2029**

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## 1. PREAMBLE

The *Local Government Act 2020* requires each council to prepare a Revenue and Rating Plan to cover a minimum period of four years following each Council election. The Revenue and Rating Plan establishes the revenue raising framework within which the Council proposes to work.

Council's intention is to adopt a plan that reflects the existing rating structure, while it engages with the community during 2025-26 to develop its new Community Vision, Council Plan and Long-Term Financial Plan.

Section 93 of the *Local Government Act 2020* requires Council to adopt a Revenue and Rating Plan by the 30 June in the year following a general municipal election. As the last municipal election was conducted in October 2024, a Revenue and Rating Plan is required to be adopted by 30 June 2025. As the municipal electoral term is four years, the subsequent Revenue and Rating plan applies also for four years.

## 2. PURPOSE

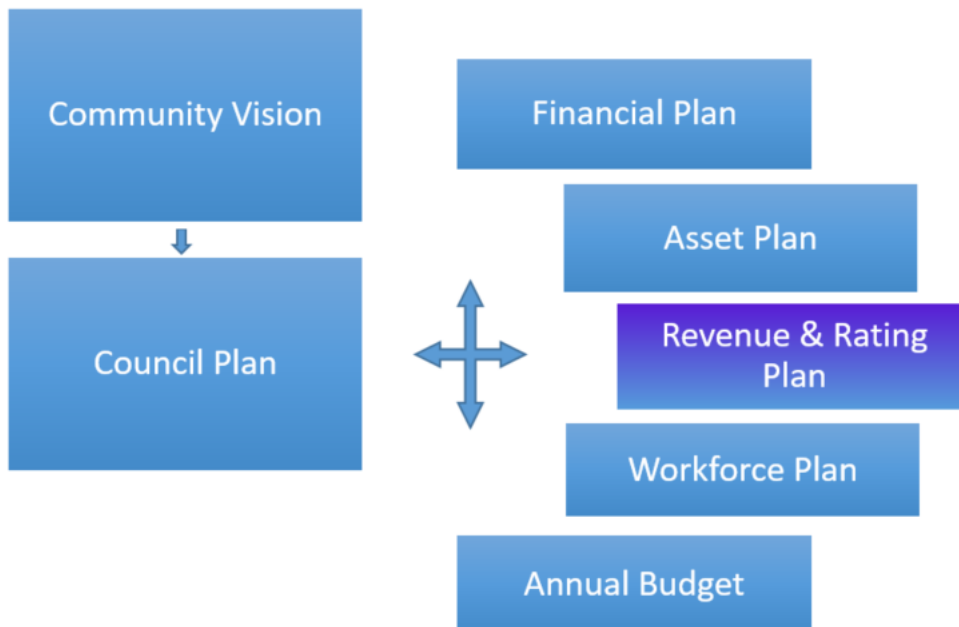
The purpose of the Revenue and Rating Plan is to determine the most appropriate and equitable rating approach for Colac Otway Shire Council which, in conjunction with other income sources, will adequately finance the objectives in the council plan.

This plan is an important part of Council's integrated planning framework, all of which is created to help Council achieve the community vision.

Strategies outlined in this plan also need to align with the objectives contained in the Council Plan and will feed into our budgeting and long-term financial planning documents, as well as other strategic planning documents under our Council's strategic planning framework.

At the time of preparing this plan, Council were in the process of engaging with the community to develop the abovementioned strategic documents. Once these have been developed and adopted by Council, it is intended to conduct a review of the existing rating structure in 2025-26 to ensure it meets the objectives of Council.

The relationship of the community vision and the various plans is therefore as shown below:



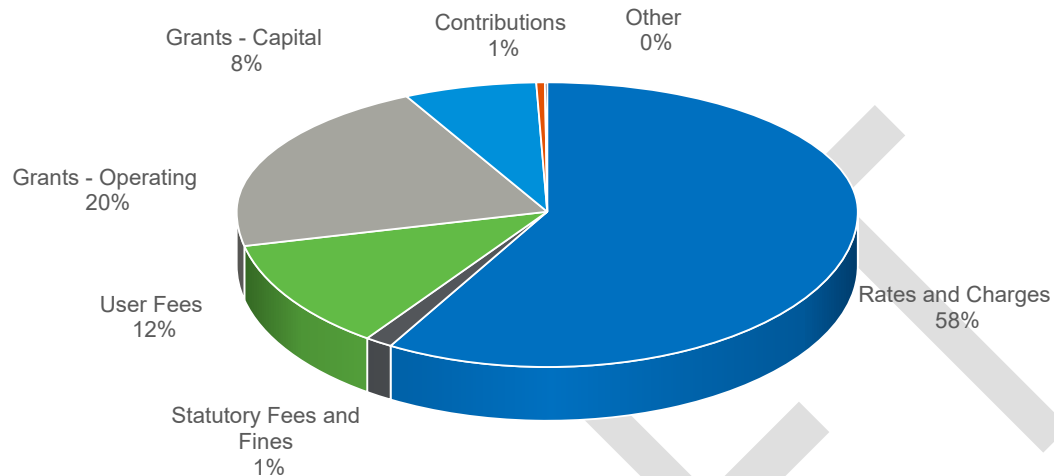
This plan will explain how Council calculates the rates revenue needed to fund its activities, and how the funding burden will be apportioned between ratepayers and other users of Council facilities and services.

In particular, this plan will set out the process Council has followed in adopting a rating structure under the *Local Government Act 2020* to fairly and equitably distribute the rates burden across property owners. It will also set out principles that are used in decision making for other revenue sources such as fees and charges.

It is important to note this plan does not set revenue targets for Council, rather, it outlines the strategic framework and decisions that inform how Council will go about calculating and collecting its revenue. To ensure financial sustainability revenue targets will be set as part of Council's 10 Year Financial Plan and annual budget process.

### 3. INTRODUCTION

Council provides a number of services and facilities to our local community which are funded from revenue derived from a variety of sources. The following chart is indicative of the break-up of Council's revenue sources.



More broadly, Council's revenue sources include:

- General rates and Municipal Charge
- Annual Service (Waste Management) Charge
- Grants from other levels of government
- Statutory fees and fines
- User fees
- Cash and non-cash contributions from other parties (i.e. developers, community groups)
- Interest from investments
- Sale of assets

Rates are the most significant revenue source for Council and make up roughly 55%-60% of its annual income.

The introduction of rate capping under the Victorian Government's Fair Go Rates System (FGRS) has brought a renewed focus to Council's long-term financial sustainability. The FGRS continues to restrict Council's ability to raise revenue above a government stipulated rate cap unless application is made to the Essential Services Commission for a variation. Maintaining service delivery levels and investing in community assets remain key priorities for Council.

Council also provides a range of services to the community for a fee or charge. The nature of these fees and charges generally depends on whether they relate to statutory or discretionary services. Some of these, such as statutory planning fees are set by State Government statute and are commonly known as regulatory fees. In these cases, councils usually have no control over service pricing. However, in relation to other services, such as Bluewater Fitness Centre charges, Council has the ability to set a fee or charge and will set that fee based on the principles outlined in this Revenue and Rating Plan.

Council revenue can also be adversely affected by changes to funding from other levels of government. Some grants are tied to the delivery of council services, whilst many are tied directly to the delivery of new community assets, such as roads or sports pavilions. It is important for Council to be clear about what grants it intends to apply for, and the obligations that grants create in the delivery of services or infrastructure.



## 4. COMMUNITY ENGAGEMENT

The Revenue and Rating Plan identifies the sources of Councils overall revenue. This revenue is then used to provide a range of services and infrastructure across the shire. The most contentious component of revenue is municipal rates and charges that ratepayers are legally required to pay. Given this, the following process was undertaken to encourage input/feedback from the community and relevant stakeholders.

The process is as follows:

Revenue and Rating Plan community engagement process:

- Draft Revenue and Rating Plan prepared by officers and endorsed by Council in March 2025
- Draft Revenue and Rating Plan Exhibited for four weeks – in April 2025
- Hear from submitters if requested in May 2025
- Seek adoption of final Revenue and Rating Plan by Council in May 2025
- Incorporate into drafting of final Budget 2025-26 in early June

## 5. RATING PLAN PARAMETERS

Council set the following parameters to guide the preparation of the Revenue and Rating Plan:

- keep the six current types/classes of land (ie: rating categories)
- meet statutory deadline to prepare a rating plan by 30 June 2025
- have a rating plan that facilitates the adoption of the 2025-26 budget by 30 June 2025
- the scope of this plan review is only to review the rating differential percentages in comparison to the base rate (being that applied to the Residential - Colac/Elliminyt rating category).

## 6. RATES AND CHARGES

Rates are property taxes that allow Council to raise revenue to fund essential public services to cater to their municipal population. Importantly, it is a taxation system that includes flexibility for councils to utilise different tools in its rating structure to accommodate issues of equity and to ensure fairness in rating for all ratepayers.

Council has established a rating structure comprised of three key elements. These are:

- **General Rates** – Based on property values (using the Capital Improved Valuation methodology), which are indicative of capacity to pay and form the central basis of rating under the *Local Government Act 1989*;
- **Service Charges** - A 'user pays' component for council services to reflect benefits provided by Council to ratepayers who benefit from a service; and
- **Municipal Charge** - A 'fixed rate' portion per property to cover some of the administrative costs of Council.

Striking a proper balance between these elements will help to improve equity in the distribution of the rate burden across residents.

Council makes two further distinctions when applying general rates by applying rating differentials based on the purpose for which the property is used and its locality. That is:

- whether the property is used for residential, holiday rental, commercial/industrial, or farming purposes; and
- in the case of residential and commercial/industrial, whether the property is located in the major urban area of Colac.

This distinction is based on the concept that different property categories should pay a fair and equitable contribution, taking into account the benefits those properties derive from the local community.

The Colac Otway Shire Council rating structure comprises six differential rates. These rates are structured in accordance with the requirements of Section 161 'Differential Rates' of the *Local Government Act 1989*, and the Ministerial Guidelines for Differential Rating 2013.

The differential rates for this Revenue and Rating Plan are set as follows:

- |   |      |
|---|------|
| • Residential – Colac / Elliminyt             | 100% |
| • Residential – Balance of Shire              | 85%  |
| • Holiday Rental                              | 105% |
| • Rural Farm                                  | 65%  |
| • Commercial / Industrial – Colac / Elliminyt | 165% |
| • Commercial / Industrial – Balance of Shire  | 140% |

Council also levies a municipal charge. The municipal charge is a minimum rate per property and declared for the purpose of covering some of the administrative costs of Council. In applying the municipal charge, Council ensures that each ratable property in the municipality makes a contribution.

The formula for calculating General Rates, excluding any additional charges, arrears or additional supplementary rates is:

- **Valuation (Capital Improved Value) x Rate in the Dollar (Differential Rate Type)**

The rate in the dollar for each rating differential category is included in Council's annual budget.

Rates and charges are an important source of revenue, accounting for over 50% of operating revenue received by Council. The collection of rates is an important factor in funding Council services.



Planning for future rate increases is therefore an essential component of the long-term financial planning process and plays a significant role in funding both additional service delivery and the increasing costs related to providing Council services.

Council is aware of the balance between rate revenue (as an important income source) and community sensitivity to rate increases. With the introduction of the State Government's Fair Go Rates System, all rate increases are capped to a rate declared by the Minister for Local Government, which is announced in December for the following financial year.

Council currently utilises an annual service charge to fully recover the cost of Council's waste services. The annual service charge is not capped under the Fair Go Rates System, and Council will continue to allocate funds generated from this charge towards the provision of managing waste.

## 6.1 Rating Legislation

The legislative framework set out in the *Local Government Act 1989* determines council's ability to develop a rating system. The framework provides significant flexibility for Council to tailor a system that suits its needs.

Section 155 of the *Local Government Act 1989* provides that a Council may declare the following rates and charges on rateable land:

- General rates under Section 158
- Municipal charges under Section 159
- Service rates and charges under Section 162
- Special rates and charges under Section 163

The recommended strategy in relation to municipal charges, service rates and charges and special rates and charges are discussed later in this document.

In raising Council rates, Council is required to primarily use the valuation of the rateable property to levy rates. Section 157 (1) of the *Local Government Act 1989* provides Council with three choices in terms of which valuation base to utilise. They are: Site Valuation, Capital Improved Valuation (CIV) and Net Annual Value (NAV).

The advantages and disadvantages of the respective valuation basis are discussed further in this document. Whilst this document outlines Council's strategy regarding rates revenue, rates data will be contained in the Council's Annual Budget as required by the *Local Government Act 2020*.

Section 94(2) of the *Local Government Act 2020* states that Council must adopt a budget by 30 June each year (or at another time fixed by the Minister) to include:

- a) the total amount that the Council intends to raise by rates and charges;
- b) a statement as to whether the rates will be raised by the application of a uniform rate or a differential rate;
- c) a description of any fixed component of the rates, if applicable;
- d) if the Council proposes to declare a uniform rate, the matters specified in section 160 of the *Local Government Act 1989*;
- e) if the Council proposes to declare a differential rate for any land, the matters specified in section 161(2) of the *Local Government Act 1989*;

Section 94(3) of the *Local Government Act 2020* also states that Council must ensure that, if applicable, the budget also contains a statement –

- a) that the Council intends to apply for a special order to increase the Council's average rate cap for the financial year or any other financial year; or
- b) that the Council has made an application to the ESC for a special order and is waiting for the outcome of the application; or
- c) that a special Order has been made in respect of the Council and specifying the average rate cap that applies for the financial year or any other financial year.

This plan outlines the principles and strategic framework that Council will utilise in calculating and distributing the rating burden to property owners, however, the quantum of rate revenue and rating differential amounts will be determined in the annual Colac Otway Shire Council budget.

In 2019 the Victorian State Government conducted a Local Government Rating System Review. The Local Government Rating System Review Panel presented their final report and list of recommendations to the Victorian Government in March 2020. The Victorian Government subsequently published a response to the recommendations of the Panel's report. However, at the time of publication the recommended changes have not yet been implemented, and timelines to make these changes have not been announced.

## 6.2 Rating Principles

### Taxation Principles:

When developing a rating strategy, in particular with reference to differential rates, a Council should give consideration to the following good practice taxation principles:

- Wealth Tax
- Equity
- Efficiency
- Simplicity
- Benefit
- Capacity to Pay
- Diversity.

### **Wealth Tax**

The “wealth tax” principle implies that the rates paid are dependent upon the value of a ratepayer's real property and have no correlation to the individual ratepayer's consumption of services or the perceived benefits derived by individual ratepayers from the expenditures funded from rates.

### **Equity**

*Horizontal equity* – ratepayers in similar situations should pay similar amounts of rates (ensured mainly by accurate property valuations, undertaken in a consistent manner, their classification into homogenous property classes and the right of appeal against valuation).

*Vertical equity* – those who are better off should pay more rates than those worse off (the rationale applies for the use of progressive and proportional income taxation. It implies a “relativity” dimension to the fairness of the tax burden).

### **Efficiency**

Economic efficiency is measured by the extent to which production and consumption decisions by people are affected by rates.

### **Simplicity**

How easily a rates system can be understood by ratepayers and the practicality and ease of administration.

### **Benefit**

The extent to which there is a nexus between consumption/benefit and the rate burden.

### **Capacity to Pay**

The capacity of ratepayers or groups of ratepayers to pay rates.

### **Diversity**

The capacity of ratepayers within a group to pay rates.

The rating challenge for Council therefore is to determine the appropriate balancing of competing considerations.

#### Rates and Charges Revenue Principles:

Property rates will:

- be reviewed annually;
- not change dramatically from one year to next; and
- be sufficient to fund current expenditure commitments and deliverables outlined in the Council Plan, Financial Plan and Asset Plan.

Differential rating should be applied as equitably as is practical and will comply with the Ministerial Guidelines for Differential Rating 2013.

### 6.3 Valuation Base

Under the *Local Government Act 1989*, Council has three options as to the valuation base it elects to use. They are:

- **Capital Improved Value (CIV)** – Value of land and improvements upon the land.
- **Site Value (SV)** – Value of land only.
- **Net Annual Value (NAV)** – Rental valuation based on CIV.

For residential and farm properties, NAV is calculated at 5 per cent of the Capital Improved Value. For commercial and industrial properties, NAV is calculated as the greater of the estimated annual rental value or 5 per cent of the CIV.

#### **Capital Improved Value (CIV)**

Capital Improved Value is the most commonly used valuation base by local government with over 90% of Victorian councils applying this methodology. Based on the value of both land and all improvements on the land, it is generally easily understood by ratepayers as it equates to the market value of the property.

Section 161 of the *Local Government Act 1989* provides that a Council may raise any general rates by the application of a differential rate if –

- a) It uses the capital improved value system of valuing land; and
- b) It considers that a differential rate will contribute to the equitable and efficient carrying out of its functions.

Where a council does not utilise CIV, it may only apply limited differential rates in relation to farm land, urban farm land or residential use land.

#### **Advantages of using Capital Improved Value (CIV)**

- CIV includes all property improvements, and hence is often supported on the basis that it more closely reflects “capacity to pay”. The CIV rating method takes into account the full development value of the property, and hence better meets the equity criteria than Site Value and NAV.
- With the increased frequency of valuations (previously two year intervals, now annual intervals) the market values are more predictable and has reduced the level of objections resulting from valuations.
- The concept of the market value of property is more easily understood with CIV rather than NAV or SV.
- Most councils in Victoria have now adopted CIV which makes it easier to compare relative movements in rates and valuations across councils.
- The use of CIV allows council to apply differential rates which greatly adds to council’s ability to equitably distribute the rating burden based on ability to afford council rates. CIV allows council to apply higher rating differentials to the commercial and industrial sector that offset residential rates.



#### **Disadvantages of using CIV**

- The main disadvantage with CIV is the fact that rates are based on the total property value which may not necessarily reflect the income level of the property owner as with pensioners and low-income earners.

#### **Site value (SV)**

There are currently no Victorian councils that use this valuation base. With valuations based simply on the valuation of land and with only very limited ability to apply differential rates, the implementation of Site Value in a Colac Otway Shire Council context would cause a shift in rate burden from the industrial/commercial sectors onto the residential sector, and would hinder council's objective of a fair and equitable rating system.

There would be further rating movements away from modern townhouse style developments on relatively small land parcels to older established homes on quarter acre residential blocks. In many ways, it is difficult to see an equity argument being served by the implementation of site valuation in the Colac Otway Shire Council.

#### **Advantages of Site Value**

- There is a perception that under site value, a uniform rate would promote development of land, particularly commercial and industrial developments. There is, however, little evidence to prove that this is the case.
- Scope for possible concessions for urban farm-land and residential use land.

#### **Disadvantages of using Site Value**

- Under SV, there will be a significant shift from the industrial/commercial sector onto the residential sector of council. The percentage increases in many cases would be in the extreme range.
- SV is a major burden on property owners that have large areas of land. Some of these owners may have much smaller/older dwellings compared to those who have smaller land areas but well developed dwellings - but will pay more in rates. A typical example is flats, units, or townhouses which will all pay low rates compared to traditional housing styles.
- The use of SV can place pressure on council to give concessions to categories of landowners on whom the rating burden is seen to fall disproportionately (e.g. Farm land and residential use properties). Large landowners, such as farmers for example, are disadvantaged by the use of site value.
- SV will reduce Council's rating flexibility and options to deal with any rating inequities due to the removal of the ability to levy differential rates.
- The community may have greater difficulty in understanding the SV valuation on their rate notices, as indicated by many inquiries from ratepayers on this issue handled by council's customer service and property revenue staff each year.

#### **Net annual value (NAV)**

NAV, in concept, represents the annual rental value of a property. However, in practice, NAV is loosely linked to capital improved value for residential and farm properties. Valuers derive the NAV directly as 5 per cent of CIV.

In contrast to the treatment of residential and farm properties, NAV for commercial and industrial properties are assessed with regard to actual market rental. This differing treatment of commercial versus residential and farm properties has led to some suggestions that all properties should be valued on a rental basis.

Overall, the use of NAV is not largely supported. For residential and farm ratepayers, actual rental values pose some problems. The artificial rental estimate used may not represent actual market value, and means the base is the same as CIV but is harder to understand.

### Recommended valuation base

In choosing a valuation base, councils must decide on whether they wish to adopt a differential rating system (different rates in the dollar for different property categories) or a uniform rating system (same rate in the dollar). If a council was to choose the former, under the *Local Government Act 1989* it must adopt either of the CIV or NAV methods of rating.

Colac Otway Shire Council applies Capital Improved Value (CIV) to all properties within the municipality to take into account the fully developed value of the property. This basis of valuation takes into account the total market value of the land plus buildings and other improvements.

Differential rating allows (under the CIV method) council to shift part of the rate burden from some groups of ratepayers to others, through different “rates in the dollar” for each class of property.

Section 161(1) of the *Local Government Act 1989* outlines the requirements relating to differential rates, which include:

- a) A Council may raise any general rates by the application of a differential rate, if Council considers that the differential rate will contribute to the equitable and efficient carrying out of its functions.
- b) If a Council declares a differential rate for any land, the Council must specify the objectives of the differential rate, which must be consistent with the equitable and efficient carrying out of the Council's functions and must include the following:
  - i. A definition of the types or classes of land which are subject to the rate and a statement of the reasons for the use and level of that rate.
  - ii. An identification of the type or classes of land which are subject to the rate in respect of the uses, geographic location (other than location on the basis of whether or not the land is within a specific ward in Council's district).
  - iii. Specify the characteristics of the land, which are the criteria for declaring the differential rate.

Once the Council has declared a differential rate for any land, the Council must:

- a) Specify the objectives of the differential rates;
- b) Specify the characteristics of the land which are the criteria for declaring the differential rate.

The purpose is to ensure that Council has a sound basis on which to develop the various charging features when determining its revenue strategies and ensure that these are consistent with the provisions of the *Local Government Act 1989*.

The general objectives of each of the differential rates are to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council. There is no limit on the number or types of differential rates that can be levied, but the highest differential rate can be no more than four times the lowest differential rate.

### Property Valuations

The *Valuation of Land Act 1960* is the principle legislation in determining property valuations. Under the *Valuation of Land Act 1960*, the Victorian Valuer-General conducts property valuations on an annual basis. Colac Otway Shire Council applies a Capital Improved Value (CIV) to all properties within the municipality to take into account the full development value of the property. This basis of valuation takes into account the total market value of the land including buildings and other improvements.

The value of land is always derived by the principal of valuing land for its highest and best use at the relevant time of valuation.

Council needs to be mindful of the impacts of revaluations on the various property types in implementing the differential rating strategy outlined in the previous section to ensure that rises and falls in council rates remain affordable and that rating 'shocks' are mitigated to some degree.

### **Supplementary Valuations**

Supplementary valuations are carried out for a variety of reasons including rezoning, subdivisions, amalgamations, renovations, new constructions, extensions, occupancy changes and corrections. The Victorian Valuer-General is tasked with undertaking supplementary valuations and advises council on a monthly basis of valuation and Australian Valuation Property Classification Code (AVPCC) changes.

Supplementary valuations bring the value of the affected property into line with the general valuation of other properties within the municipality. Objections to supplementary valuations can be lodged in accordance with Part 3 of the *Valuation of Land Act 1960*. Any objections must be lodged with Council within two months of the issue of the supplementary rate notice.

### **Objections to property valuations**

Part 3 of the *Valuation of Land Act 1960* provides that a property owner may lodge an objection against the valuation of a property or the Australian Valuation Property Classification Code (AVPCC) within two months of the issue of the original or amended (supplementary) Rates and Valuation Charges Notice (Rates Notice), or within four months if the notice was not originally issued to the occupier of the land.

A property owner must lodge their objection to the valuation or the AVPCC in writing to the Colac Otway Shire Council. Property owners also have the ability to object to the site valuations on receipt of their Land Tax Assessment. Property owners can appeal their land valuation within two months of receipt of their Council Rate Notice (via Council) or within two months of receipt of their Land Tax Assessment (via the State Revenue Office).

## **6.4 Rating Differentials**

Council believes each differential rate will contribute to the equitable and efficient carrying out of council functions. Details of the objectives of each differential rate, the classes of land which are subject to each differential rate and the uses of each differential rate are set out below.

### **Residential – Colac/Elliminyt**

#### **Definition:**

Any land, whether vacant or built upon, which is located in Colac, Colac East, Colac West and Elliminyt that is not zoned for commercial or industrial use and which does not have the characteristics of:

- a) Rural Farm Land;
- b) Holiday Rental Land; or
- c) Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.

and whose highest and best use is deemed to be as residential land.

#### **Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined general rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

#### **Characteristics:**

The characteristics of the planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate of residential land. The vacant land affected by this rate is that which is zoned residential under the Colac Otway Shire Council Planning Scheme. The classification of the land will be determined by the occupation of that land for its best use and have reference to the planning scheme zoning.

**Types and Classes:**

Rateable land having the relevant characteristics described below:

- a) used primarily for residential purposes,
- b) highest and best use is deemed to be as residential,
- c) any land that is not defined as Holiday rental land, Farm Land or Commercial/Industrial Land.

**Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Level of Rate:**

This rating category is deemed to be the “base rate” (ie: 100%) due to it containing the majority of assessments.

**Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme to be used for residential purposes.

**Geographic Location:**

In the localities of Colac, Colac East, Colac West and Elliminyt.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Planning Scheme.

**Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

**Residential – Balance of Shire**

**Definition:**

Any land, whether vacant or built upon, which is located in localities other than Colac, Colac East, Colac West and Elliminyt that is not zoned for commercial or industrial use and which does not have the characteristics of:

- a) Rural Farm Land;
- b) Holiday Rental Land; or
- c) Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.

and whose highest and best use is deemed to be as residential land.

**Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined general rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

**Characteristics:**



The characteristics of the planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate of residential land. The vacant land affected by this rate is that which is zoned residential under the Colac Otway Shire Council Planning Scheme. The classification of the land will be determined by the occupation of that land for its best use and have reference to the planning scheme zoning.

**Types and Classes:**

Rateable land having the relevant characteristics described below:

- a) used primarily for residential purposes,
- b) highest and best use is deemed to be as residential,
- c) any land that is not defined as Holiday rental land, Farm Land or Commercial/Industrial Land.

**Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Level of Rate:**

Currently 85% of the base rate. The justification for this category to be rated at a lesser rate than the base rate is that properties in this category are:

- generally in smaller townships or rural areas;
- have less access to the full suite of services and amenities provided by Council; and
- due to small populations are generally less likely to attract expenditure by Council.

A lesser rate in the dollar is therefore considered to be fair and equitable.

**Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme to be used for residential purposes.

**Geographic Location:**

In the localities of the shire other than Colac, Colac East, Colac West and Elliminyt.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Planning Scheme.

**Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

**Holiday Rental**

**Definition:**

Any land that contains a dwelling, cabin or house or part of a house that:

- a) Is used for the provision of holiday accommodation for the purpose of generating income; or
- b) Is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner.

Note: Typically, the category will include absentee owned holiday houses publically made available for short term accommodation for a tariff, owner occupied "Bed and Breakfast" establishments, farm properties with accommodation cabins, holiday farms and the like.

The category will not include:

### Attachment 7.3.1 Revenue and Rating Plan 2025-2029- Draft

- absentee owned holiday houses that are *not* publically made available for hire but are used by family/friends of the owner for short term holiday accommodation, and
- land used to provide tourist/holiday accommodation on an overtly commercial scale and basis where the provision of accommodation is an integral part of the use of the property.

The types of properties excluded from this category would therefore include motels, resorts, hotels with accommodation, caravan parks, centrally managed and promoted multi-unit developments and the like.

#### **Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined general rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

#### **Characteristics:**

Properties included in this rating category will be characterised by their use and/or availability for short term holiday accommodation for a tariff. The proportion of the year for which they are used for this purpose is not relevant.

The extent to which a property is let out for short term holiday accommodation will vary from property to property and will depend on a variety of factors.

A common factor however is the most property owners have the property set up as a business for taxation purposes.

#### **Types and Classes:**

Rateable land having the relevant characteristics described below:

- a) used for the provision of holiday accommodation for the purpose of generating income,
- b) Is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner.

#### **Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

#### **Level of Rate:**

Currently 100% of the base rate. The justification for this category to be rated at the base rate is that

- the provision of short term holiday accommodation is generally conducted as a semi commercial activity, so rating these properties at the Commercial rate in the dollar would be unfair;
- There is also a wide variation as to the extent to which these properties are used for this purpose, so rating these properties at the Commercial rate in the dollar would be unfair and may force reluctant property owners to make the property available more often, possibly saturating the market and reducing returns able to be generated by many
- Use of these properties for this purpose tends to be seasonal

It is recognised however that:

- these properties are in direct competition with other holiday accommodation property types that are included in the Commercial rating category;
- owners of these properties benefit from using the property in this manner and that customers to these properties use facilities and infrastructure provided by the shire; and
- rates paid for properties in this category are generally a tax deductible expense.

It is therefore considered fair and equitable that these properties pay a rate in the dollar higher than the "Residential - Balance of Shire" rate in the dollar, but less than the Commercial rate in the dollar.

It is noted this means the Holiday rental properties in Colac/Elliminyt pay no more than the “Residential – Colac/Elliminyt” rate. Historically, there have been few properties in Colac/Elliminyt used for short term holiday accommodation, however with the rise of AirBnB, etc, this is an issue that will be monitored.

**Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme that allows use of the property to provide short term holiday accommodation.

**Geographic Location:**

In all the localities of the Colac Otway Shire.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Planning Scheme.

**Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

**Rural Farm**

**Definition:**

Any land located within the shire which is “Farm Land” within the meaning of section 2 of the Valuation of Land Act 1960 and is zoned to allow land to be used for rural and/or farming purposes.

Any land which is “Farm Land” within the meaning of Section 2(1) of the *Valuation of Land Act 1960*.

- a) Farm Land means any rateable land that is 2 or more hectares in area;
- b) used primarily for primary producing purposes from its activities on the land; used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and

That is used by a business –

- That has a significant and substantial commercial purpose of character;
- That seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
- That is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Typically, these properties may contain buildings used as a residence and for farm purposes and will also contain land with no buildings located upon it.

In addition, it may include small parcels of undeveloped land that do not meet the meaning of “Farm Land” prescribed in of section 2 of the Valuation of Land Act 1960, but are also deemed unlikely to be granted a town planning permit for a dwelling to be located on the property.

Typically these properties will be:

- a) up to 5 hectares in area;
- b) be zoned to allow the land to be used for rural and/or farming purposes;
- c) been deemed unviable for the purposes of carrying on a business of primary production by Council; and
- d) been deemed unsuitable to allow the construction of a dwelling.

**Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Farm Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services with considerations to maintain agriculture as a major industry in the

municipal district, to facilitate the longevity of the farm sector and achieve a balance between providing for municipal growth and retaining the important agricultural economic base.

**Characteristics:**

The characteristics of the Rural Farm planning scheme zoning are applicable to the determination of whether land is included in the Rural Farm rating category.

**Types and Classes:**

Farm Land having the relevant characteristics described above that is:

- a) used primarily for primary production purposes; or
- b) any land that is not defined as Residential, Holiday Rental or Commercial/Industrial Land.

**Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Level of Rate:**

Currently 75% of the base rate. The justification for this category to be rated at a lesser rate than the base rate is that properties in this category are:

- in rural areas;
- have less access to the full suite of services and amenities provided by Council;
- are generally less likely to attract expenditure by Council;
- due to the land area required to operate, these properties have higher valuations (and therefore higher rates) than residential properties; and
- tend to operate in an environment that is subject to the vagaries of weather and external factors beyond the farmer's control.

It is therefore deemed fair and equitable that properties in this category pay rates at a lesser rate in the dollar than the base rate.

**Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme.

**Geographic Location:**

In all the localities of the Colac Otway Shire that contain land zoned in the Colac Otway Planning Scheme as Rural Farm.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Planning Scheme.

**Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

**Commercial/Industrial – Colac/Elliminyt**

**Definition:**

Any land which is located in Colac, Colac East, Colac West or Elliminyt which does not have the characteristics of:

- a) Rural farm land;
- b) Residential land – Colac, Colac East, Colac West or Elliminyt; or
- c) Holiday rental land; and;



Is used primarily for:

- a. The sale of goods or services;
- b. Other commercial purposes; or
- c. Industrial purposes, or

is land which is vacant but zoned for commercial or industrial use.

**Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Commercial/Industrial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The commercial businesses of Colac Otway Shire Council benefit from ongoing significant investment by Council in services and infrastructure. Council also notes the tax deductibility of Council rates for commercial properties which is not available to the residential sector, and also the income generating capability of commercial based properties.

The Commercial differential rate is applied to promote the economic development objectives for the Colac Otway Shire Council as outlined in the Council Plan. These objectives include an ongoing significant investment to create a vibrant economy and includes the maintenance and improvement of tourism infrastructure. Construction and maintenance of public infrastructure, development and provision of health and community services and the general provision of support services and promotion of business in the municipality.

**Characteristics:**

The characteristics of the planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to Commercial/Industrial Land. The classification of the land will be determined by the occupation of that land for its best use and have reference to the planning scheme zoning.

**Types and Classes:**

Commercial/Industrial having the relevant characteristics described below:

- a) used primarily for commercial or industrial purposes; or
- b) any land that is not defined as Residential, Holiday Rental or Farm Land.

**Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Level of Rate:**

Currently 165% of the base rate. The rationale for this category to be rated at a rate above the base rate is that:

- businesses conducted at these properties benefit from the services and facilities provided by Council;
- services and facilities provided by the shire help to attract residents to the shire, which can provide businesses with both a source of labour and customers; and
- businesses generally have a capacity pay, which is complimented by rates being a tax deductible expense.

It is therefore deemed fair and equitable that properties in this category pay rates at a higher rate in the dollar than the base rate.

**Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme.

**Geographic Location:**

In the localities of Colac, Colac East, Colac West and Elliminyt.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Shire Planning Scheme.

**Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

**Commercial/Industrial – Balance of Shire****Definition:**

Any land which is located in localities other than Colac, Colac East, Colac West or Elliminyt which does not have the characteristics of:

- a) Rural farm land;
- b) Residential land – Colac, Colac East, Colac West or Elliminyt; or
- c) Holiday rental land; and;

is used primarily for:

- a. The sale of goods or services;
- b. Other commercial purposes; or
- c. Industrial purposes, or

is land which is vacant but zoned for commercial or industrial use.

**Objectives:**

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Commercial/Industrial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The commercial businesses of Colac Otway Shire Council benefit from ongoing significant investment by Council in services and infrastructure. Council also notes the tax deductibility of Council rates for commercial properties which is not available to the residential sector, and also the income generating capability of commercial based properties.

The Commercial differential rate is applied to promote the economic development objectives for the Colac Otway Shire Council as outlined in the Council Plan. These objectives include an ongoing significant investment to create a vibrant economy and includes the maintenance and improvement of tourism infrastructure. Construction and maintenance of public infrastructure, development and provision of health and community services and the general provision of support services and promotion of business in the municipality.

**Characteristics:**

The characteristics of the planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to Commercial/Industrial Land. The classification of the land will be determined by the occupation of that land for its best use and have reference to the planning scheme zoning.

### **Types and Classes:**

Commercial/Industrial having the relevant characteristics described below:

- a) used primarily for commercial or industrial purposes; or
- b) any land that is not defined as Residential, Holiday Rental or Farm Land.

### **Use of Rate:**

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

### **Level of Rate:**

Currently 140% of the base rate. The rationale for this category to be rated at a rate above the base rate is that:

- businesses conducted at these properties benefit from the services and facilities provided by Council;
- services and facilities provided by the shire help to attract residents to the shire, which can provide businesses with both a source of labor and customers; and
- businesses generally have a capacity pay, which is complimented by rates being a tax deductible expense.

However, as properties in this category are generally located in smaller townships, there can be less opportunity to generate revenue. This can vary depending on the type of business.

It is therefore deemed fair and equitable that properties in this category pay rates at a higher rate in the dollar than the base rate but less than the rate in the dollar for "Commercial/Industrial - Colac/Elliminyt"

### **Use of Land:**

Any use permitted under the Colac Otway Shire Council Planning Scheme.

### **Geographic Location:**

In all the localities of the Colac Otway Shire other than Colac, Colac East, Colac West and Elliminyt.

### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Colac Otway Shire Council Shire Planning Scheme.

### **Types of Buildings:**

All buildings which are already constructed on the land or which are constructed prior to the end of the financial year.

### **Advantages of a differential rating system**

The advantages of utilising a differential rating system summarised below are:

- There is greater flexibility to distribute the rate burden between all classes of property, and therefore link rates with the ability to pay and reflecting the tax deductibility of rates for commercial and industrial premises.
- Differential rating allows Council to better reflect the investment required by Council to establish infrastructure to meet the needs of the commercial and industrial sector.
- Allows Council to reflect the unique circumstances of some rating categories where the application of a uniform rate may create an inequitable outcome (e.g. Farming enterprises).
- Allows Council discretion in the imposition of rates to facilitate and encourage appropriate development of its municipal district in the best interest of the community. (i.e. Vacant Commercial properties still attract the commercial differential rate)

### Disadvantages of a differential rating system

The disadvantages in applying differential rating summarised below are:

- The justification of the differential rate can at times be difficult for the various groups to accept giving rise to queries and complaints where the differentials may seem to be excessive.
- Differential rates can be confusing to ratepayers, as they may have difficulty understanding the system. Some rating categories may feel they are unfavourably treated because they are paying rates at a higher level than other ratepayer groups.
- Differential rating involves a degree of administrative complexity as properties can shift from one rating category to another (e.g. Holiday Rental to Residential) requiring Council to update its records. Ensuring the accuracy/integrity of Council's data base is critical to ensure that properties are correctly classified into their right category.
- Council may not achieve the objectives it aims for through differential rating. For example, Council may set its differential rate objectives to levy a higher rate on land not developed, however it may be difficult to prove whether the rate achieves those objectives.

## 6.5 Municipal Charge

Another principle rating option available to Councils is the application of a Municipal Charge. Under Section 159 of the *Local Government Act 1989*, Council may declare a municipal charge to cover some of the administrative costs of the Council. The legislation is not definitive on what comprises administrative costs and does not require Council to specify what is covered by the charge.

The application of a municipal charge represents a choice to raise a portion of the rates by a flat fee for all properties, rather than sole use of the CIV valuation method.

Under the *Local Government Act 1989*, a council's total revenue from a municipal charge in a financial year must not exceed 20 per cent of the combined sum total of the Council's total revenue from the municipal charge and the revenue from general rates (total rates). In 2024-25 it was 9.8% of the total revenue.

The municipal charge applies equally to all properties and is based upon the recovery of a fixed cost of providing administrative services irrespective of valuation. The same contribution amount per assessment to cover a portion of council's administrative costs can be seen as an equitable method of recovering these costs.

Being a set charge, the Municipal Charge has a more pronounced effect on lower valued properties as it represents a greater proportion of the total rates bill for these properties than it does for higher valued properties.

Evidence suggests that lower valued properties are more likely to be owned by people with lower incomes, so the Municipal Charge can be viewed as penalising the poorer members of the community

## 6.6 Annual Service (Waste Management) Charge

An annual service charge for the weekly and fortnightly domestic kerbside collection service is also levied. The aim of the charge is to apportion the total cost of managing the collection, transportation and disposal of domestic waste, to the owners of all properties that derive a benefit from having the service available for use.

The charge is therefore levied on all developed assessments used primarily for residential or commercial purposes that are located on the designated collection routes.



The charge is not levied on vacant land properties. Commercial/Industrial properties may apply for an exemption from the charge if they produce non domestic types of waste and provide proof they have engaged a contractor to collect and dispose of their waste.

As such this charge is akin to a “user pays” charge rather than a tax.

## 6.7 Emergency Services and Volunteer Fund

Rates notices also contain a charge known as the Emergency Services and Volunteer Fund (ESVF).

In 2024, the State government announced it was replacing the Fire Services Property Levy (FSPL) with the ESVF. At the time of this plan, arrangements for the ESVF were as follows:

- the levy will pay for more emergency services than just the CFA and MFB,
- there will be a rebate for emergency service volunteers
- the rebate will be provided directly from the State government (ie: local government will not administer the rebate or volunteer recipient register)
- the levy will still be raised in the same manner (ie: rates and set charges determined by the State government and the levy collected by local government)

The ESVF FSPL is a State Government levy that Council is required to collect on behalf of the State government and remit to them at regular intervals. Council derives no revenue from this levy.

More detailed information regarding the FSPL/ESVF is available at: [www.sro.vic.gov.au](http://www.sro.vic.gov.au)

## 6.8 Special Charge Schemes

The *Local Government Act 1989* recognises that councils need help to provide improved infrastructure for their local communities. Legislation allows councils to pass on the cost of capital infrastructure to the owner of a property that generally receives a unique benefit from the construction works. The technical explanation of a Special Charge comes from legislation (under the *Local Government Act 1989*) that allows councils to recover the cost of works from property owners who will gain special benefit from that work.

The purposes for which special rates and special charges may be used include road construction, kerb and channelling, footpath provision, drainage, and other capital improvement projects.

The special rate or special charges may be declared on the basis of any criteria specified by the council in the rate (Section 163 (2)). In accordance with Section 163 (3), council must specify:

- a. the wards, groups, uses or areas for which the special rate or charge is declared; and
- b. the land in relation to which the special rate or special charge is declared;
- c. the manner in which the special rate or special charge will be assessed and levied; and
- d. details of the period for which the special rate or special charge remains in force.

The special rates and charges provisions are flexible and can be used to achieve a wide range of community objectives. The fundamental principle of special rates and charges is that those to be charged receive a “special benefit”, being a direct benefit to that owner/ group of owners that is over and above the benefit that normal accrues to the ratepayer from paying general rates and charges.

Landscaping and environmental improvement programs that benefit small or localised areas could also be funded using special rates or charges.

Colac Otway Shire Council utilise Special Charges on a case-by-case basis, except for the application of the Tirrengower Special (Drainage) Scheme. This is an ongoing scheme where landholders who benefit from the infrastructure contribute an annual amount equal to \$2.50 per hectare.

## 6.9 Service Rates and Charges

Section 162 of the *Local Government Act 1989* provides council with the opportunity to raise service rates and charges for any of the following services:

- a. The provision of a water supply;
- b. The collection and disposal of refuse;
- c. The provision of sewage services;
- d. Any other prescribed service.

As mentioned in 1.4.6, Council applies an Annual Service (Waste Management) Charge to fully recover the cost of managing the collection, transportation and disposal of domestic waste.

It is recommended that council retain the existing waste service charge – should council elect not to have a waste service charge, this same amount would be required to be raised by way of an increased general rate. This would result in the cost of the waste service being disproportionately distributed as the contribution made by lower valued properties may not equate to a fair share of the services' cost, whilst higher valued properties may pay more than what would be a fair share of the services' cost.

Whilst this same principle applies for rates in general, the mix of having a single fixed charge combined with valuation based rates for the remainder of the rate notice provides a balanced and equitable outcome.

## 6.10 Collection and Administration of Rates and Charges

The purpose of this section is to outline the rate payment options, processes, and the support provided to ratepayers facing financial hardship.

### Payment options

In accordance with section 167(1) of the *Local Government Act 1989* ratepayers have the option of paying rates and charges by way of four instalments. Payments are due on the prescribed dates below:

- 1st Instalment: 30 September
- 2nd Instalment: 30 November
- 3rd Instalment: 28 February
- 4th Instalment: 31 May

Council offers a range of payment options including:

- in person at Council offices (cheques, money orders, EFTPOS, credit/debit cards and cash),
- online via Council's ratepayer portal, direct debit (on prescribed instalment due dates or monthly),
- BPAY,
- Australia Post (over the counter, over the phone via credit card and on the internet),
- by mail (cheques and money orders only).

### Interest on arrears and overdue rates

Interest is charged on all overdue rates in accordance with Section 172 of the *Local Government Act 1989*. The interest rate applied is fixed under Section 2 of the *Penalty Interest Rates Act 1983*, which is determined by the Minister and published by notice in the Government Gazette.

### Pensioner rebates

Holders of a Centrelink or Veteran Affairs Pension Concession card or a Veteran Affairs Gold card which stipulates TPI or War Widow may claim a rebate on their sole or principal place of residence. Upon initial application, ongoing eligibility is maintained, unless rejected by Centrelink or the Department of Veteran Affairs during the annual verification procedure. Upon confirmation of an eligible pensioner concession status, the pensioner rebate is deducted from the rate account before payment is required by the ratepayer.

With regards to new applicants, after being granted a Pensioner Concession Card (PCC), pensioners can then apply for the rebate at any time throughout the rating year. Retrospective claims up to a maximum of one previous financial year can be approved by Council on verification of eligibility criteria, for periods prior to this claims may be approved by the relevant government department.

### Deferred payments

Under Section 170 of the *Local Government Act 1989*, Council may defer the payment of any rate or charge for an eligible ratepayer whose property is their sole place of residency, allowing ratepayers an extended period of time to make payments or alternatively to forestall payments on an indefinite basis until the ratepayer ceases to own or occupy the land in respect of which rates and charges are to be levied.

Requests for deferral of rates and charges are rarely received and would be considered as a hardship assistance application in the first instance (see below). In circumstances where the debt is significant, Council would encourage the rates debtor to obtain funding/mortgage to pay the debt in full and then start a regular payment plan. If circumstances absolutely required it, a deferment of payment would be permitted but penalty interest would be required to be paid.

Rates are not waived as they are a charge against the property and will ultimately be collected. Waiving rates would be an unfair advantage to a property owner that is not paying their rates. It would therefore reward and possibly encourage others to withhold rates payments.

### **Rates Debtors in Financial Hardship Policy**

Council acknowledges ratepayers may experience financial hardship for a range of reasons and that meeting rate obligations is just one of a number of difficulties that may be faced. As a result, Council has a Rates Debtors in Financial Hardship Policy to provide assistance to ratepayers experiencing legitimate ongoing financial hardship. "Ongoing" financial hardship is indicated where the ratepayer has two or more years of rates outstanding and can demonstrate payment of rates would adversely affect their financial situation.

The policy only applies to rates debts connected to the applicant's principal place of residence. It does not apply to investment properties or business properties.

The policy provides for Council to waive accrued interest and put a moratorium on future interest to allow the ratepayer to catch up with the debt. Waiving accrued interest immediately reduces the amount of the debt and not charging interest into the future allows payments made to be applied to paying off the debt rather than being applied towards paying interest in the first instance.

It is pointed out there is an expectation the debtor is trying to pay the debt and will use the assistance to catch up. Any assistance provided is effectively being provided by all other ratepayers.

Ratepayers seeking assistance under this policy required to submit an application form and submit detailed personal information to verify they are legitimately in financial hardship. The application form which is available at the council offices, website or can be posted upon request. Applications can also be made to Colac Area Health's Financial Counselling service, which will refer request for rate assistance to us.

All applications are treated confidentially.

Council also recognises financial hardship will usually result in a person having other debts in addition to a rates debt Council is therefore a participant in the Geelong region Financial Inclusion Action Plan (FIAP), which seeks to address poverty within the region. As part of this, Council can help connect hardship assistance applicants with other organisations in the region that they may have debts with to see if beneficial outcomes may be achieved.

### **Debt recovery**

Council makes every effort to contact ratepayers at their correct address but it is the ratepayer's responsibility to advise Council of their current contact details.

Council issues a Final Notice in March for unpaid lump sum payment option accounts (ie: those that were to be paid in full by 15 February).

As Instalment payment option payers receive quarterly instalment notices in November, February and May, a Final Notice for these is not required. Council does however send a letter in June/July to these ratepayers who have not paid in full. These ratepayers then receive the next annual notice in August, which shows any unpaid rates as arrears.

Council makes every effort to make ratepayers aware of their responsibilities and relevant due dates. In recent years, Council has used SMS and email messages to remind ratepayers of due dates and impending action. Whilst Council prefers not to take legal action, in some cases it is necessary. Any account that is referred to debt collection is only referred after *at least* an annual notice and Final Notice have been sent to the recorded address of the ratepayer,

All fees and court costs incurred will be recoverable from the ratepayer and remain a charge against the property until they are paid.

If an amount payable by way of rates in respect to land has been in arrears for three years or more, Council may take action to sell the property in accordance with the *Local Government Act 1989* Section 181. This is a last resort action for Council.



## 7. OTHER REVENUE ITEMS

### 7.1 User Fees and Charges

User fees and charges are those that Council will charge for the delivery of services and use of community infrastructure.

Examples of user fees and charges include:

- Kindergarten and Childcare fees
- Leisure Centre, Gym, and Pool visitation and membership fees
- Transfer Station and Waste Disposal fees
- Aged and Health Care service fees
- Leases and facility hire fees

The provision of infrastructure and services form a key part of council's role in supporting the local community. In providing these, council must consider a range of 'Best Value' principles including service cost and quality standards, value-for-money, and community expectations and values. Council must also balance the affordability and accessibility of infrastructure and services with its financial capacity and in the interests of long-term financial sustainability.

Councils must also comply with the government's Competitive Neutrality Policy for significant business activities they provide and adjust their service prices to neutralise any competitive advantages when competing with the private sector.

In providing services to the community, council must determine the extent of cost recovery for particular services consistent with the level of both individual and collective benefit that the services provide and in line with the community's expectations.

Services are provided on the basis of one of the following pricing methods:

- a. Market Price**
- b. Full Cost Recovery Price**
- c. Subsidised Price**

Market pricing (A) is where council sets prices based on the benchmarked competitive prices of alternate suppliers. In general market price represents full cost recovery plus an allowance for profit. Market prices will be used when other providers exist in the given market, and council needs to meet its obligations under the government's Competitive Neutrality Policy.

*It should be noted that if a market price is lower than council's full cost price, then the market price would represent council subsidising that service. If this situation exists, and there are other suppliers existing in the market at the same price, this may mean that council is not the most efficient supplier in the marketplace. In this situation, council will consider whether there is a community service obligation and whether council should be providing this service at all.*

Full cost recovery price (B) aims to recover all direct and indirect costs incurred by council. This pricing should be used in particular where a service provided by council benefits individual customers specifically, rather than the community as a whole. In principle, fees and charges should be set at a level that recovers the full cost of providing the services unless there is an overriding policy or imperative in favour of subsidisation.

Subsidised pricing (C) is where council subsidises a service by not passing the full cost of that service onto the customer. Subsidies may range from full subsidies (i.e. council provides the service free of charge) to partial subsidies, where council provides the service to the user with a discount. The subsidy can be funded from council's rate revenue or other sources such as Commonwealth and state funding programs. Full council subsidy pricing and partial cost pricing should always be based on knowledge of the full cost of providing a service.

As per the Victorian Auditor General's Office report "*Fees and charges – cost recovery by local government*" recommendations, council has developed a user fee pricing policy to help guide the fair and equitable setting of prices. The policy outlines the process for setting fee prices and includes such principles as:

- Both direct and indirect costs to be taken into account when setting prices;
- Accessibility, affordability and efficient delivery of services must be taken into account; and
- Competitive neutrality with commercial providers.

Council will develop a table of fees and charges as part of its annual budget each year. Proposed pricing changes will be included in this table and will be communicated to stakeholders before the budget is adopted, giving them the chance to review and provide valuable feedback before the fees are locked in.

## 7.2 Statutory Fees and Charges

Statutory fees and fines are those which council collects under the direction of legislation or other government directives. The rates used for statutory fees and fines are generally advised by the state government department responsible for the corresponding services or legislation, and generally councils will have limited discretion in applying these fees.

Examples of statutory fees and fines include:

- Planning and subdivision fees
- Building and Inspection fees
- Infringements and fines
- Land Information Certificate fees

The statutory fees and charges to apply each year are set in the Council budget process.

### Penalty units

Penalty units are used to define the amount payable for fines for many offences. For example, the fine for selling a tobacco product to a person aged under 18 is four penalty units.

The unit is prescribed by the State government and is indexed each financial year in line with inflation. Any change to the value of a penalty unit will happen on 1 July each year.

One penalty unit is currently \$197.59, (from 1 July 2024 to 30 June 2025).

### Fee units

Fee units are used to calculate the cost of a certificate, registration or licence that is set out in an Act or Regulation. For example, the cost of depositing a Will with the Supreme Court registrar of probates is 1.6 fee units.

The value of one fee unit is currently \$16.33 (from 1 July 2024 to 30 June 2025). This value may increase at the beginning of a financial year, at the same time as penalty units.

The cost of fees and penalties is calculated by multiplying the number of units by the current value of the fee or unit. The exact cost may be rounded up or down.

## 7.3 Grants

Grant revenue represents income usually received from other levels of government. Some grants are singular and attached to the delivery of specific projects, whilst others can be of a recurrent nature and may or may not be linked to the delivery of projects.

Council will pro-actively advocate to other levels of government for grant funding support to deliver important infrastructure and service outcomes for the community. Council may use its own funds to leverage higher grant funding and maximize external funding opportunities.

When preparing its financial plan, council considers its project proposal pipeline, advocacy priorities, upcoming grant program opportunities, and co-funding options to determine what grants to apply for. Council will only apply for and accept external funding if it is consistent with the Community Vision and does not lead to the distortion of Council Plan priorities.

Grant assumptions are then clearly detailed in council's budget document. No project that is reliant on grant funding will proceed until a signed funding agreement is in place.

## 7.4 Contributions

Contributions represent funds received by council, usually from non-government sources, and are usually linked to projects. Contributions can be made to council in the form of either cash payments or asset hand-overs.

Examples of contributions include:

- Monies collected from developers under planning and development agreements
- Monies collected under developer contribution plans and infrastructure contribution plans
- Contributions from user groups towards upgrade of facilities
- Assets handed over to council from developers at the completion of a subdivision, such as roads, drainage, and streetlights.

Contributions should always be linked to a planning or funding agreement. Council will not undertake any work on a contribution-funded project until a signed agreement outlining the contribution details is in place.

Contributions linked to developments can be received well before any council expenditure occurs. In this situation, the funds will be identified and held separately for the specific works identified in the agreements.

## 7.5 Interest on Investments

Council receives interest on funds managed as part of its investment portfolio, where funds are held in advance of expenditure, or for special purposes. The investment portfolio is managed per council's investment policy, which seeks to earn the best return on funds, whilst minimising risk.

## 7.6 Borrowings

Whilst not a source of income, borrowings can be an important cash management tool in appropriate circumstances. All borrowings must be undertaken in accordance with Council's Borrowing Policy.

Item: 7.4

## Award of Contract 2510 - Panel for the Provision of Tree Services

<b>OFFICER</b>	Dave Thornburg
<b>GENERAL MANAGER</b>	Doug McNeill
<b>DIVISION</b>	Infrastructure and Environment
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

To award Contract 2510 for the creation of a panel of contractors for the provision of tree services.

### 2. EXECUTIVE SUMMARY

Council engages contractors to trim or remove trees and stumps, provide specialised arborist services, and tree powerline clearance services to complement reactive and routine annual maintenance programs. This contract is to establish a panel of service providers to provide tree maintenance and arborist services so that contractors can be engaged efficiently and cost-effectively when required, without any commitment of work. It is structured as a schedule of rates panel contract with an initial term of three years, with the option of two one-year extensions.

A Request for Tender (RFT) was advertised and tenders have been evaluated. The Tender Evaluation Report (TER) is attached as a Confidential Attachment. It is recommended that Council endorse the recommended contractors to facilitate the provision of these services when required.



### 3. RECOMMENDATION

***That Council:***

- 1. Awards the panel contract for RFT 2510 – Provision of Tree Services, according to a Schedule of Rates, to:***
  - a. Two (2) arborists (Tenderers 8 and 14)***
  - b. Ten (10) powerline/generalist tree crews (Tenderers 1, 2, 3, 4, 5, 6, 9, 10, 12 and 13).***
- 2. Authorises the Chief Executive Officer to sign the contracts following award of RFT 2510 – Provision of Tree Services.***
- 3. Authorises the Chief Executive Officer to perform all roles of the Principal.***
- 4. Notes that the successful tenderers and the contract prices will be listed on Council's website promptly after the unsuccessful tenderers are advised of the outcome of the tender process.***

### 4. KEY INFORMATION

Council has some capacity to trim and remove trees, equipped with a mobile Elevated Work Platform (EWP) and a mobile woodchipper, but relies on contractors for particular work due to its specialised nature. For instance, Council staff are not certified to trim near powerlines. Council also relies upon specialised arborist services to inspect, assess, and report on problematic trees using advanced technologies not available at Council, ensuring safety and compliance with the Council's Road Management Plan and Street Tree Line Clearance Policy. Contractors are further required in periods of high work volumes such as in response to emergency events.

This contract is for the establishment of a panel of tree service providers which Council could engage when required in a cost-effective manner, at agreed rates. A previous panel contract for tree services expired on 5 February 2025. The new contract is structured as a schedule of rates panel contract with an initial term of three years, with the option of two one-year extensions.

A Request for Tender (RFT) was advertised on 31 January 2025 and closed on 12 March 2025. Fourteen tenders were received by the closing date. Of these proponents, three suppliers provide only arborist services, three offer a full range of services in all districts, including working around powerlines, and eight handle general tree trimming across all districts. All invitees met the requirements of the invitation and specifications, including the mandatory Occupational Health and Safety (OH&S) assessment.

The tender evaluation was undertaken by a Tender Evaluation Panel. The panel members independently evaluated the qualitative criteria, using a set list of weighted criteria that considered capacity (25%), capability (20%), and sustainable procurement (15%). An independent assessment of price was conducted with a weighting of financial value (40%).

The confidential attachment details the tender evaluation process. It is recommended that Council appoint the recommended tenderers arising from the evaluation for the establishment of a panel. These tenderers would provide the best value to Council, provide the range of services required in different parts of the Shire, and enabling them to be engaged on a case-by-case basis when required.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

Council decisions and actions must comply with the relevant laws and regulations, including the *Road Management Act 2004*, *Road Management Plan 2021*, and *Street Tree Line Clearance Policy*. These regulations mandate that only qualified and trained personnel assess and undertake high-risk tree works.

This contract provides options for Council to appoint suitably experienced contractors to perform tree management services when required in accordance with all relevant regulations and follows a public tender process. It would ensure Council has a cost-effective approach in place to maintain Council's tree assets.

### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

Council must comply with:

- *Road Management Plan 2021*
- *Street Tree Line Clearance Policy*
- *Road Management Act 2024*

### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Tree maintenance must be carried out by trained and qualified arborists and tree maintenance experts. This ensures the health of the trees, surrounding vegetation, and the natural wildlife environment is safeguarded.

### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Not applicable.

### **Public Transparency (s58 LGA 2020)**

This report provides a transparent process for award of a contract for tree management services.

### **Alignment to Plans and Strategies**

Alignment to *Council Plan 2021-2025*:

Theme 1 - Strong and Resilient Community

Objective 3: Key infrastructure investment supports our economy and liveability

Theme 2 - Valuing the Natural and Built Environment

Objective 3: Protect and enhance the natural environment

Objective 5: Provide and maintain an attractive and safe built environment

The award of Contract 2510 would assist Council to perform its tree maintenance activities in a cost-effective manner to maintain the safety of the Shire's tree assets and provide an attractive natural and built environment consistent with the above objectives. It would also facilitate a timely response by Council when required to respond to emergencies such as storm events.

## **Financial Management (s101 Local Government Act 2020)**

The contract does not guarantee any work but provides options for Council to engage contractors as required to perform necessary tree management tasks in an efficient and effective manner.

Expenditure over the life of the maximum period of the contract (i.e. five years) is expected to be approximately \$1.2m based on past expenditure records.

## **Service Performance (s106 Local Government Act 2020)**

Contractor expenditure will be monitored to adhere to budgets with routine reviews for compliance. Annual program reviews will ensure regulatory compliance and value for ratepayers. The recommended contractors for the panel include a diverse range of small-sized and larger-sized companies, each offering different options in terms of staff resources and type of equipment. The recommended panel would enable Council to engage companies to undertake tree management tasks taking into account factors such as price, job size, urgency, and location. This inclusive approach leverages the strengths of both larger and smaller companies, ensuring flexibility and efficiency in meeting the varied demands of the tree services contract.

## **Risk Assessment**

Roadside trees and open space trees pose significant risks to road users and the public if not maintained to the regulatory standards set by the Council's *Road Management Plan 2021* and *Street Tree Line Clearance Policy*. These policies align with regulatory standards to ensure safety and compliance. Contractors appointed to the panel contract would be required to adhere to organisational risk management requirements.

## **Communication/Implementation**

Details of the successful contractors and their submitted schedule of rates will be published on Council's website and all tenderers will be notified in writing of the outcome.

## **Human Rights Charter**

No impact.

## **Officer General or Material Interest**

No members of the Evaluation Panel or authors of this report have declared any interests under the *Local Government Act 2020*.

## **Options**

Option 1 – Endorse the Award of Contract 2510 to establish a panel of contractors for the provision of Tree Services

The recommendation by the TEP is to award contracts to 12 of the 14 proponents that submitted, those being *Tenderers 1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14*.

This option is recommended by officers. The ability to engage tree maintenance crews, arborists, and power line clearance specialists in a variety of locations is crucial for ensuring safe and compliant roadways and open spaces. These services complement the Council's work and provide expertise beyond Council's capabilities. The tender evaluation process has

recommended the establishment of a panel based on an assessment of a range of qualitative and quantitative criteria that would deliver best value to Council.

Option 2 - Award Contract 2510 to different tenderers than recommended from the evaluation process

This option is not recommended on the basis that tenders have been assessed against a range of qualitative and quantitative criteria that aim to deliver transparency and best value to Council. The Request for Tender process would be undermined by appointing contractors to the tree services panel if the appointment is not based on merit from the evaluation process. It is considered that a diverse range of contractor options with the ability to serve a variety of locations in the Shire is required for this service.

Option 3 – Do not award Contract 2510

This option is not recommended by officers. Tree maintenance specialists and specialized arborists are essential to complement the Council's work and inspections, which exceed the Council's skill set. Whilst Council can seek the provision of quotations on a case-by-case basis from suitable contractors (and has been doing so since the expiry of the previous panel contract), a panel of suitable contractors would allow the engagement to occur with greater efficiency and cost effectiveness



Item: 7.5

## Award of Contract 2419 - Elliminyt Wetlands Project

<b>OFFICER</b>	Brendan Walsh
<b>GENERAL MANAGER</b>	Doug McNeill
<b>DIVISION</b>	Infrastructure and Operations
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

To consider the award of Contract 2419 for the Elliminyt Wetlands Project.

### 2. EXECUTIVE SUMMARY

The Elliminyt Wetlands Project involves the reconstruction of the existing Elliminyt stormwater detention basin into an enlarged basin with wetlands, associated landscaping and recreational facilities. The project has a value of \$5.51 million, funded in part by a grant from Regional Development Victoria (RDV) of \$3 million.

A procurement process, including an open Request for Tender, has been completed for construction works associated with this important project. The Tender was open from 13 March 2025 until 10 April 2025 and twelve submissions were received. A Tender Evaluation Panel (TEP) has completed a thorough assessment of submissions, and this report is attached as a confidential attachment.

The TEP has identified a preferred tender to be recommended for award of Contract 2419. In awarding the contract, the TEP recommends that the Lump Sum amount include the four Provisional Items (boardwalks, carpark, viewing platform and playground), which would deliver the full scope of the project within the available budget. The procurement process has been overseen by an independent Probity Advisor.

### 3. RECOMMENDATION

***That Council:***

- 1. Awards Contract 2419 – Elliminyt Wetlands – Civil Construction and Landscaping to Tenderer One (as listed in the confidential attachment to this report) for the lump sum price of \$4,138,941.14 (ex GST) comprising of the Tender schedule amounts for:***
  - a. Civil and Landscaping works***
  - b. Provisional Item 1 – Car Park Construction***
  - c. Provisional Item 2 – Viewing Platform***
  - d. Provisional Item 3 – Boardwalks***
  - e. Provisional Item 4 – Playground***
- 2. Accepts the Schedule of Rates submissions for Plant and Equipment, and Hourly/Standby Rates provided by Tenderer One as part of the Contract.***
- 3. Authorises the Chief Executive Officer to sign the contract following award of Contract 2419.***
- 4. Authorises the Chief Executive Officer to perform all roles of the Principal.***
- 5. Nominates the General Manager Infrastructure and Environment to the role of Superintendent for the contract, including managing variations in accordance with the contract terms and conditions.***
- 6. Notes that the successful tenderer and the contract price will be listed on Council's website promptly after the unsuccessful tenderers are advised of the outcome of the tender process.***

### 4. KEY INFORMATION

The Elliminyt Wetlands project was originally funded by a combination of state and federal government grants in 2021 for an amount of \$4.21 million. The planning, design and tender phases of the project have proceeded during the following time.

Council considered a report on the progress and funding for the project at its meeting on 25 February 2025. Council resolved at this time to allocate additional funding of \$1.3 million to support the delivery of the project. The project budget now totals \$5.51 million. Council accepted when making this resolution that a reduced scope might be necessary to ensure the project was constructed within the amended budget, with the core deliverable being the stormwater detention and wetland infrastructure.

In drafting the tender documentation, the project components and activities were separated into core Civil and Landscape items, and optional Provisional Item packages for car parking, a viewing platform, boardwalks and a playground. This approach was designed to enable the award of a contract for a value that is within the project budget.

When the amount expended to date on investigation, site assessments, detailed designs, project management and other project expenses is deducted from the project budget, the available amount is approximately \$4.8 million. It is anticipated that a further \$200,000 will be spent by Council on site supervision and project management to deliver the project. It is therefore estimated that \$4.6 million is available for the delivery of the construction works, including an amount for contingency.

An open tender for the construction of the wetlands and associated works was released on 13 March 2025. An on-site tender briefing was held on 25 March 2025 that was well attended. The tender closed on 10 April 2025 with an excellent response of twelve submissions from a diverse range of companies.

An appointed Tender Evaluation Panel reviewed all submitted tenders against qualitative (non price) and quantitative (price) assessment criteria. The evaluation process is clearly articulated in the attached confidential Tender Evaluation Report (TEP).

Following assessment, the panel identified two preferred tender submissions based on non-price and price scoring from the twelve companies submitting conforming tenders. These are Tenderer One and Tenderer Eight as outlined in the confidential attachment (numbered in order of opening at the closing of tenders).

Representatives from these companies were interviewed on 7 May 2025. The interviews addressed all the panel's queries and needs for information about the delivery of the project.

A Financial Viability assessment was carried out on the preferred tenderers. Both companies are financially sound with the scoring for each exceeding Council requirements.

The tender prices submitted by the preferred tenderers have been confirmed with the companies. The Lump Sum amounts for the Civil and Landscape parts of the works can be delivered within the available budget for the tender amounts submitted by the preferred tenderers. When the tender amount for the Provisional Items is added to the core Lump Sum tender prices, the total price from Tenderer One still meets the available budget inclusive of a healthy amount for contingency. The price submission from Tenderer Eight exceeds the budget amount.

Both preferred tenderers provided letters of recommendation for their works delivered in other projects. Checks with the nominated referees supported these commendations.

The panel considered all available information and identified Tenderer One as the preferred tender to be recommended to undertake the project. In awarding the contract, the evaluation panel recommends that the Lump Sum amount include the four Provisional Items.

The Lump Sum amount for all works submitted by Tenderer One will leave adequate budget available for supervision and project management costs as well as a healthy contingency for any variations claimed during the delivery of the project.

The entire procurement process has been overseen by an independent Probity Advisor due to the estimated value of the contract and requirements of the project funding partners. A separate Probity Report is supplied as a confidential Attachment to this report.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

This report seeks to enable Council to appoint a contractor to deliver the construction phase for the Elliminyt Wetlands project. The report provides Council with information so that an informed decision can be made that takes account of the financial implications and the social and economic benefits of the project to the Colac community. The decision is being made transparently in a public meeting.

### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

This report complies with the *Local Government Act 2020* and Local Government (Planning and Reporting) Regulations 2020, as well as Council's Procurement Policy. A number of technical assessments undertaken during the design phase have been commissioned to ensure that the project meets legal and policy requirements concerning a range of issues such as cultural heritage and flora and fauna.

### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

As noted above, a number of environmental assessments and technical investigations were carried out to inform the design and to enable the planning and approvals for the project delivery. The project has potential to improve the environmental condition of Deans Creek and in turn Lake Colac by treating stormwater run-off and removing nutrients and sediments from the waterways. The potential to re-use water from the storage basin is also consistent with regional and state policies that encourage stormwater harvesting and water reuse as mechanisms to reduce demand for potable water. These outcomes are increasingly important with changed rainfall patterns and drier conditions that are reducing water supplies in catchments.

### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Community engagement was undertaken as part of the development of the concept plan for the project in 2023, which included notification in local papers and letter contact to properties in the vicinity of the project site. Feedback from this process informed preparation of the final Concept Plan prepared by Council in June 2023. Updates on the status of the project have been posted on Council's website as significant activities have occurred in the project.

Further, targeted community engagement activities will be undertaken prior to and during construction activities to keep nearby residents informed of site works.

### **Public Transparency (s58 LGA 2020)**

The project has been overseen by a Project Working Group of relevant Council staff and in turn, the Project Control Group has considered the progress of the planning phase and endorsed/approved key activities and milestones. Should Council support the officer recommendation, the appointed tenderer and the tender price will be made public once all unsuccessful tenders have been informed of the decision.

### **Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 1: Affordable and available housing will support our growing community and economy

Objective 3: Key infrastructure investment supports our economy and liveability

Objective 5: Grow the Colac Otway Shire's permanent population by at least 1.5%



## Theme 2 - Valuing the Natural and Built Environment

Objective 1: We mitigate impacts to people and property arising from climate change

## Theme 3 – Healthy and Inclusive Community

Objective 2: People are active and socially connected through engaging quality spaces and places

## Theme 4 – Strong Leadership and Management

Objective 2: We are a financially robust organisation

The Elliminyt Wetlands project supports all of the above objectives by improving the capture and treatment of stormwater within the Deans Creek catchment, reducing flooding downstream and improving water quality in the waterways and Lake Colac. The detention of stormwater would also support the further development of residential housing within existing urban areas to the south and future urban areas in land zoned residential in 2023 to the southeast. Together, these outcomes advance the key strategic objectives of the Council Plan to stimulate population growth in Colac and increase housing opportunities, and to advance implementation of the Colac 2050 growth Plan.

The reduction of flooding downstream of the basin is a key to successful finalisation of the Deans Creek Precinct Structure Plan, which is currently in development and has potential to support rezoning for up to 5,500 dwellings.

The potential for reuse of captured stormwater at the site is a key priority of the 2014 Integrated Water Management Plan prepared by Council in partnership with Barwon Water and has potential to reduce the use of potable water in surrounding land use in the future, consistent with the Regional Water Supply Strategy prepared by Barwon Water for the State Government.

There are very strong local and regional economic, social and environmental drivers to deliver the project. Improvements to the open space surrounding the basin also have potential to enhance the local recreation infrastructure for the existing and future communities close to the site.

### **Financial Management** (s101 *Local Government Act 2020*)

As noted above, the project started with a budget of \$4.212 million. At the Council meeting held on 25 February 2025, Council resolved to provide an additional \$1.3 million to enable the delivery of the project and meet the scope of the original project. The total budget amount now enables the engagement of a contractor to deliver the construction phase of the project.

The prices submitted in this tender process have been evaluated and a contractor can be engaged to deliver the works to meet the scope of the project within the adopted project budget, whilst also leaving adequate budget to fund supervision, project management and ensure a reasonable allowance for contingency.

### **Service Performance** (s106 *Local Government Act 2020*)

The Elliminyt Wetlands project will significantly enhance the existing stormwater asset on the site and establish landscaped open space areas. Together, these improvements would increase the recurrent cost to Council of maintenance, as well as depreciation for the new assets. These costs have not been accurately estimated to date but will need to be reflected in future budget development if the project proceeds.

## **Risk Assessment**

There are a number of risks associated with the project that were listed and discussed in the report to Council for the 25 February 2025 meeting. Commentary on each of these risks is provided below:

- The allocation of additional funds has allowed the project to include the key elements for civil works and landscaping of the site to deliver the project that can be accommodated within the revised project budget to meet community expectations.
- Sufficient funding is available to ensure adequate contingency will be available for the project delivery phase to help manage any unplanned variations.
- Discovery of significant cultural heritage artifacts during construction could add significant cost and delay to the project. These risks have been mitigated by the preparation of a Cultural Heritage Management Plan (CHMP). The CHMP has been approved by Eastern Maar Aboriginal Corporation and the agreed final document registered with Victorian Aboriginal Heritage Register (VAHR).
- The additional funds provided by Council has enabled the full use of the external grant monies from the state government. The reputation of the Council is retained for the allocation of future Grant funding for projects.
- Proceeding with the project will allow future residential development south-west of the site which relies on the upgraded stormwater asset for treatment of stormwater run-off.

## **Communication/Implementation**

The outcome of this process will be used to update the existing information on the website relating to this project and Regional Development Victoria (RDV) will be notified of the decision.

The appointed contractor will prepare a communication plan to ensure the local community, including neighbouring residents, are fully aware of construction of the project.

## **Human Rights Charter**

No impact.

## **Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

## **Options**

The options for consideration by Council are as follows:

### Option 1 – Engage a Contractor for the Full Project Scope (recommended)

This option is recommended given that the preferred tenderer (Tenderer One) has submitted a Lump Sum amount that would deliver all aspects of the project within the available budget with a healthy contingency amount available. It will also avoid carrying out the packages of Provisional Items at a later date which is likely to incur additional costs.

### Option 2 – Engage a Contractor for the Civil and Landscape components only (not recommended)

This option, to deliver the provisional Items at a later date, would give more certainty that the project will be completed within the allocated budget. Provision would need to be given to temporary boardwalks instead of the envisioned boardwalks. Undertaking the Provisional

works later is likely to incur additional costs and is not recommended given the preferred tenderer would facilitate completion of all works with a healthy contingency.

Option 3 – Engage a Contractor for the Civil and landscape Works plus selected Provisional Items (not recommended)

Under this option Council could resolve to accept the submission from Tenderer One for the Civil and Landscape works plus some but not all of the Provisional Items. If Council determines to choose this option, the priority for selecting Provisional Items in order of need are recommended to be:

1. Boardwalks
2. Car Park
3. Viewing Platform
4. Playground

The option is not recommended for the reasons stated above. The preferred tenderer would deliver the whole project scope within the available budget.

## Item: 7.6

# Birregurra Structure Plan Review - Exhibition

<b>OFFICER</b>	Simon Clarke
<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy
<b>ATTACHMENTS</b>	1. Draft Birregurra Structure Plan 2025 - updated 21 May 25 FOR EXHIBITION [7.6.1 - 88 pages]

## 1. PURPOSE

To present the draft Birregurra Structure Plan 2025 and seek endorsement to exhibit the draft document and invite public submissions.

## 2. EXECUTIVE SUMMARY

The draft *Birregurra Structure Plan 2025* (**draft Structure Plan**) will guide the use and development of land in Birregurra for the next 10-15 years. It has been developed following a review of the *Birregurra Structure Plan 2013* and through community and stakeholder engagement.

The draft plan contains key directions and strategies that are intended to ensure growth in Birregurra will achieve a preferred future for the town. It is now proposed to seek feedback from the community about the draft Structure Plan.

## 3. RECOMMENDATION

***That Council:***

- 1. Notes the draft Birregurra Structure Plan (Attachment 1) has been developed following engagement with a range of stakeholders.***
- 2. Authorises officers to publicly exhibit the draft Birregurra Structure Plan (Attachment 1) for a minimum of six weeks for the purpose of inviting submissions.***
- 3. Provides the opportunity for any person wishing to speak to their written submission to be heard, or for a nominated representative of that person to***



*speak to the submission on their behalf, at a future Submissions Committee meeting.*

- 4. Notes that a final version of the Birregurra Structure Plan will be presented for adoption at a future Council meeting.**

## 4. KEY INFORMATION

In 2013, Council adopted the current *Birregurra Structure Plan (2013 Structure Plan)*. The 2013 Structure Plan is a critical planning document that outlines the long-term development framework for the township of Birregurra and its surrounding areas. It considered the outcomes of a 2012 *Neighbourhood Character Study* and was the basis for a planning scheme amendment that introduced new planning controls across the township.

Since its adoption, various changes in the region's socio-economic, environmental and demographic factors necessitate a comprehensive review to guide future development effectively. In response, Council commenced a review of the 2013 Structure Plan in February 2024 (**the review**).

The main objectives and deliverables of the review were to:

- Deliver an updated analysis of land supply available for future infill housing within the current town boundaries.
- Identify where future growth should occur if further land is required to meet forecast population growth, ensuring housing affordability.
- Review and make recommendations regarding the effectiveness of planning controls over subdivision and development.
- Develop an up-to-date Structure Plan for Birregurra that reflects contemporary community needs.
- Review bushfire risk and consider the risk of bushfire in planning for the future of the town.

Council established a Community Reference Group (**CRG**) to provide a consultative forum for key community and business stakeholders to provide feedback about matters related to the review and to promote awareness of the review within the broader Birregurra community. The CRG met with officers on several occasions from July to September 2024, with an open house held on 7 September 2024 for the broader community to discuss ideas and opportunities for the review.

### Strategic Context

The *Birregurra Structure Plan 2025* provides the strategic framework to guide the use and development of land in Birregurra for the next 10 to 15 years.

The draft Structure Plan accords with Council's Community Vision Statement and seeks to facilitate the following objectives from the Council Plan:

- Affordable and available housing will support our growing community and economy.
- Key infrastructure investment supports our economy and liveability.
- Grow Colac Otway Shire's permanent population by at least 1.5%.
- We mitigate impacts to people and property arising from climate change.
- Protect and enhance the natural environment.
- Provide and maintain an attractive and safe built environment.
- People are active and socially connected through engaging quality spaces and places.

Several background reports were prepared as part of the review, including the following:

- *Birregurra Structure Plan Review: Issues and Opportunities Report*, 19 July 2024.
- *Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions*, 19 July 2024.
- *Birregurra Bushfire Planning Assessment*, 4 September 2024.
- *Birregurra Structure Plan Review: Consultation Report*, 12 November 2024.

Combined, these reports outline the process and methodology undertaken for the review and provide a detailed analysis and feedback that underpins the draft Structure Plan.

### **The Draft Structure Plan**

Birregurra will continue to function as a small rural town offering village lifestyle opportunities. Growth will be modest and supported where it responds to landscape considerations, complements the neighbourhood character of its surrounds and makes efficient use of existing infrastructure.

The updated Vision for Birregurra is as follows:

**Birregurra – a thriving village built on its heritage character, providing a lifestyle for a creative and engaged community.**

***In the Year 2040, Birregurra will be a thriving small town, offering a village lifestyle in an attractive rural setting. It will have a creative and engaged community including people at all stages in life.***

***The long history of the Gulidjan people will continue to be respected with their values recognised and celebrated.***

***Birregurra will be a compact town with an attractive and connected grid network of tree-lined streets and open space links.***

***Housing will consist of a range of choices that meet the varied needs of residents, increasing diversity and providing for people to retire and age in place. The town will be characterised by low-rise buildings with generously sized gardens to complement the town's leafy and heritage setting. Larger rural lifestyle lots will be located on the higher elevations in the south. A modest small-scale western extension to the town's boundary will add to the town's housing supply.***

***Birregurra's town centre will be prosperous, offering commercial and community services that cater for the local needs of residents and for the surrounding farming community.***

***Birregurra will be a magnet for tourists and will be renown for the sale of local artisan and farm products that celebrate the Otway Ranges and nearby farmlands.***

***Birregurra's community will have access to plentiful open space. They will enjoy recreational opportunities along the Barwon River and quality community facilities will be available in the town.***

***Birregurra will be a resilient and adaptable town with an active and engaged community that supports each other to thrive.***

The draft Structure Plan is set out in three parts:

- Part A – Introduction and Background
- Part B – *Birregurra Structure Plan 2025*
- Part C – Implementation

The key objectives for Birregurra, as discussed in Part B, include:

#### *Population and Housing*

- To facilitate a modest rate of population growth consistent with Birregurra's role in the regional context as a small, rural village.
- To ensure a sufficient supply of residential land is available to support a modest rate of population growth.
- To provide opportunities for future residential growth by supporting continued infill development and through small scale urban expansion.
- To encourage a diversity of housing type and residential lot sizes to accommodate people of varying ages and life stages.
- To encourage new development that complements the rural village character and heritage of Birregurra.

#### *Commerce and Industry*

- To support the Main Street commercial area as the retail heart of the town servicing the needs of local residents and tourists.
- To support the ongoing viability of Birregurra's industrial precinct.

#### *Environment and Landscape*

- To improve the climate resilience of Birregurra township.
- To preserve and enhance the Barwon River corridor and connected waterways.
- To preserve and enhance the vegetative character of Birregurra without increasing risk from bushfire.
- To protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.

#### *Access and Movement*

- To ensure the Birregurra road network provides safe and clear access for all road users.
- To encourage active transport modes of travel through an improved pathway and cycling network.
- To advocate for increased public transport services to meet the needs of a growing town.

#### *Open Space, Recreation and Community Facilities*

- To provide a range of passive and active recreation opportunities within the township.
- To establish a connected network of accessible public open space and recreation facilities.
- To recognise the Birregurra Recreation Reserve as the primary recreation and sporting precinct in the township.
- To support a range of community services and facilities commensurate with the size of the population.

### *Utilities*

- To support the provision of physical infrastructure necessary to service the current and future needs of the community, in a manner that respects the character of the town and will add to its future resilience in a changing climate.

### **Issues and Opportunities**

The policy of urban containment adopted by the 2013 Structure Plan was very successful in promoting infill growth at a rate which has allowed the town to continue to grow in a modest, sustainable manner generally consistent with the preferred neighbourhood character objectives.

This is consistent with the role of Birregurra as a smaller town with a modest growth potential in the wider regional context.

High level challenges and strengths for the town are identified below, followed by a list of opportunities that have been explored in developing the draft Structure Plan.

<b>Challenges</b>
<ul style="list-style-type: none"><li>• Population growth projections for Colac Otway Shire are low.</li><li>• Limited and reducing land supply.</li><li>• Increasing property prices, declining housing affordability.</li><li>• Increasing rents.</li><li>• Little housing diversity.</li><li>• Climate change pressures: warmer, drier, more extreme events (floods/bushfires).</li><li>• Ageing road infrastructure.</li><li>• Limited footpath provision and an absence of cycling paths</li></ul>
<b>Strengths</b>
<ul style="list-style-type: none"><li>• Country town character protected by planning provisions.</li><li>• Vegetated landscape and open space.</li><li>• Barwon River environs.</li><li>• Popular with families.</li><li>• Strong demand for housing.</li><li>• Reticulated sewerage and water provision.</li><li>• Tailored approach to density.</li><li>• Birregurra Railway Station.</li><li>• Active and interested community.</li></ul>
<b>Opportunities</b>
<ul style="list-style-type: none"><li>• Update the Birregurra Structure Plan to outline an approach to future growth that improves housing supply, affordability and diversity using a climate action lens (e.g., improve resilience to flooding and grassfire).</li><li>• Explore opportunities to augment housing supply.</li><li>• Refine neighbourhood character provisions to address issues identified in the background reports.</li><li>• Explore active transport connections, particularly footpath provision, and develop an updated movement network plan.</li></ul>



## Population and Housing

The 2013 Structure Plan forecast a considerably higher growth rate for Birregurra, anticipating a population of 845 people in 2031 (an increase of 217 people from the 2021 Census figure).

The G21 Region Plan 2050 anticipates strong growth for the wider G21 region, and planning is underway for significant growth to occur in Geelong, Colac and, to a lesser extent, in Winchelsea.

The level of growth Birregurra ultimately achieves will depend on a range of factors including the demand for, and supply of, housing both in Birregurra and nearby towns. In a regional context, Birregurra is not being promoted as a growth town. Growth in the Colac Otway Shire is predominantly being directed to Colac, where extensive infrastructure and a large range of goods and services are available to accommodate a growing population. This aligns with State policy which directs major new housing development to metropolitan activity centres, regional cities and larger towns.

However, Birregurra is a popular rural lifestyle choice, as evidenced by population growth, new residential development and increasing housing and land prices over the past 10 years.

A modest rate of growth is consistent with the 2013 Structure Plan and goal of the Council Plan to grow the population of Colac Otway Shire at a moderate rate. The draft Structure Plan will continue to facilitate a modest rate of growth consistent with Birregurra's role in a regional context as a small, rural village.

Current planning policy for Birregurra supports moderate population growth for the town within the existing defined township boundary. Infill development and subdivision of larger lots within the town are encouraged, with higher densities supported within walking distance of Main Street (i.e., 400 metres). Considerable infill has occurred over the past 10 years, and a fresh assessment of land supply was undertaken in 2024 (refer to the *Birregurra Structure Plan Review: Issues and Opportunities Paper* – [Birregurra Structure Plan - Colac Otway Shire](#)). The assessment found that the overall capacity for potential new residential lots was approximately 204 lots. Residential land capacity is estimated to be between 60 and 101 lots.

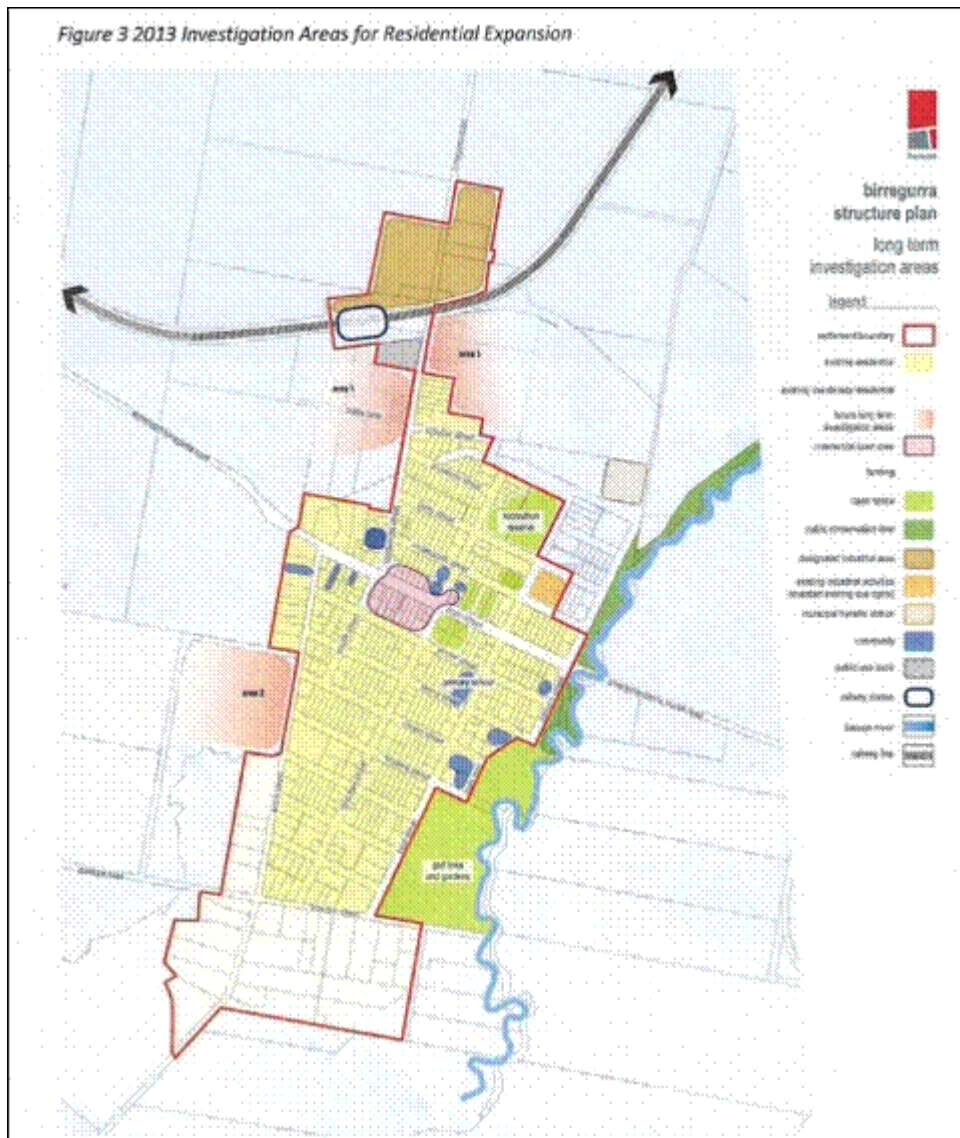
This estimation shows that at a medium or higher rate of population growth, infill residential land supply is likely to be exhausted within 10 years. While a policy of urban consolidation continues to be supported for Birregurra, some small-scale augmentation of land supply will also be required to enable a modest rate of growth to continue.

At a policy level, this can be done in two ways. The first is to rezone greenfield land for residential purposes and the second is to increase density within the existing town. Given that there has been negligible development of medium density housing in Birregurra to date, it is unlikely this will result in any substantial addition to supply in the short to medium term. Nonetheless, it is acknowledged that a greater level of medium density development could benefit land supply.

The draft Structure Plan recommends that an area of land be identified for possible future urban development, subject to further detailed investigation. Any area of land should not be of a size that would detract from efforts to facilitate infill development in appropriate locations.

The 2013 Structure Plan identified three areas for investigation if, and when, the need for further urban expansion was confirmed (see plan below).

Figure 3 2013 Investigation Areas for Residential Expansion



These areas were primarily selected due to being less constrained than other parts of the township. The three areas have been reviewed having regard to the following considerations:

- Development which has occurred in each area.
- New information or policy in relation to environmental risks or hazards in the context of a changing climate.
- Servicing factors and the cost of providing water and sewerage infrastructure.

The review is at a high level and further detailed investigation would be required to confirm whether land is suitable for rezoning for residential purposes. The purpose of this review is to establish whether any site is preferred for further investigation.

In terms of development, there has been no significant change in any of the investigation areas since 2013.

In terms of environmental risks or hazards in a changing climate, the following risks and potential hazards apply in Birregurra:

- Bushfire/grassfire.

- Flooding.
- Proximity to the Industrial 1 Zone and the Birregurra Municipal Transfer Station (former landfill).

A *Strategic Bushfire Planning Assessment* (**Bushfire Assessment**) was undertaken to inform the preparation of the draft Structure Plan. The Bushfire Assessment outlines bushfire (and grassfire) hazard in Birregurra and considers where new residential development could occur having regard to State Planning Policy at Clause 13.02-1S (Bushfire Planning) of the Colac Otway Planning Scheme.

The Bushfire Assessment concluded that there is no bushfire planning factor that would warrant growth or development being directed away from Birregurra. The western edges of the town were identified as most at risk from grass fire due to prevailing bushfire weather. It was recommended that these interfaces should be a focus for improvements in bushfire resilience.

In terms of flooding, new flood mapping for Birregurra was introduced into the planning scheme in September 2022 based on the *Birregurra Flood and Drainage Study*. Small areas of each investigation area are subject to flooding and inundation. More recently, the Corangamite Catchment Management Authority (CCMA) has advised that the methodology used to estimate climate change flood probability is now considered to significantly underestimate flood extents and is not fit for purpose for planning future growth areas. State policy requires that new growth areas minimise exposure to natural hazards, including increased risks due to climate change.

Any future application to rezone land for residential purposes will need to include updated flood mapping using a new methodology to account for increased rainfall intensity associated with climate change.

In terms of proximity to Industrial Land and the Municipal Transfer Station (former landfill), It is a priority in planning to avoid land use conflict and to avoid locating new sensitive uses (such as residential development) in areas that may be impacted by adverse off-site impacts from commercial or industrial uses. It is important to ensure that any proposal to change land use zoning has consideration of potential environmental risks and hazards posed by existing or previous land use in the surrounding area. It is preferred to direct urban residential growth away from areas that have potential to be affected by negative, off-site amenity impacts such as noise, dust, odour, contamination, etc.

It is considered appropriate to continue to direct a new industrial activity to the consolidated area of industrial zoned land to the north of the town, adjacent to the railway station.

The Birregurra Transfer Station (former landfill) is located outside the industrial area and to the north-east of town. It has been advised that the former landfill was most likely a Type 2 facility because it accepted putrescible waste. The 2013 Structure Plan included a strategy to “*ensure sensitive uses do not encroach into the Birregurra Transfer Station’s EPA recommended buffer*”. The buffer was shown as a 500-metre area encircling the transfer station, but was not included in the Structure Plan Map that was introduced into the planning scheme.

Area 3 is partially affected by the 500-metre buffer to the Transfer Station (former landfill). If land within the affected area is to be considered further for residential development, a landfill gas risk assessment would need to be undertaken to confirm that this might be appropriate. An odour and dust risk assessment would also be required for land within the applicable separation distance areas.

The EPA's advice was sought having regard to the Industrial Area and the Waste Transfer Station. The EPA also provided additional advice having regard to the railway line and potentially contaminated land.

In terms of servicing, Barwon Water is the agency responsible for sewerage and water provision in Birregurra. The Birregurra Sewerage System was built in 2012. It was initially built to service 466 people. Barwon Water advise that ultimately the plant is intended to be duplicated to provide service for approximately 925 people.

Recently Barwon Water has commenced upgrading the town water supply through the construction of a new underground pipeline to connect Birregurra to the Colac Water supply system.

Barwon Water has advised that Areas 1, 2 and 3 could be serviced by the existing gravity sewerage system and that all areas generally fall towards the existing network. The capacity of individual sewers would be assessed at the time of a development approval.

Barwon Water has also advised that the investigation areas appear serviceable for water and would likely need extensions of the DN150 pipeline at the time of development (which would need to be developer funded).

Based on these findings, it is recommended that Area 2 be identified on the Birregurra Structure Plan map as a potential residential investigation area. This is due to the combination of the following factors:

- It is largely devoid of existing buildings.
- It is located on the western edge of town, which has been identified in the bushfire assessment as a priority area for creating new bushfire optimised interfaces.
- It is not constrained by potential separation distances from activities in the Industrial Estate or the Municipal Transfer Station.

Any rezoning proposal for the area would be subject to further comprehensive detailed analysis.

In terms of housing diversity, Birregurra is a town of detached housing (i.e., not units or apartments). The draft Structure Plan continues to encourage the provision of a diversity of housing consistent with the preferred Neighbourhood Character.

A review of the neighbourhood character provisions in the planning scheme has been completed. It examined whether the provisions have been effective in achieving the preferred character as set out in the *Birregurra Neighbourhood Character Study 2012 (2012 Character Study)*. Detailed findings are in the *Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions*, 19 July 2024 (**Neighbourhood Character Review**).

The Neighbourhood Character Review found the planning provisions have generally been effective in maintaining Birregurra's valued character attributes. The town continues to exhibit a low rise, rural and heritage character, presenting a mix of housing styles which are generally unobtrusive and in keeping with surrounding development.

The character of the commercial area in Main Street stems from the heritage fabric of existing buildings. New development or extensions to existing buildings have responded well to the historic character of building stock, through low rise building heights and the appropriate use of materials. However, Design and Development Overlay, Schedule 15 (DDO15 - Birregurra Commercial Area) does not contain any specific guidance for commercial land fronting Jenner



Street. It is recommended that further design guidance be introduced in DDO15 to ensure that future development fronting Jenner Street responds to its sensitive residential interface.

Concerns have been raised through community consultation about the impact of some of the new buildings under construction on the views of the historic railway station from the town entry at Roadknight Street. It is recommended that a new strategy be included in Development and Design Overlay, Schedule 16 (DD016 – Birregurra Industrial Area) to guide the siting of buildings to protect views of the station from the public realm.

Recommended amendments to the Colac Otway Planning Scheme arising from the Neighbourhood Character Review are set out in Appendix 1 of the draft Structure Plan.

They include minor amendments to schedules 11 (Birregurra Preferred Character Area A - Main Street), 12 (Birregurra Preferred Character Area B - North East), 13 (Birregurra Preferred Character Area C - Roadknight Street Entry and South of Main Street) and 14 (Birregurra Preferred Character Area D - South) of the Design and Development Overlay:

- To ensure there is an objective for each precinct which clearly articulates the preferred character for that precinct (based on the 2012 Character Study).
- That objectives for each precinct are in accordance with the Ministerial Direction on the form and content of planning schemes.
- To introduce new design guidelines to provide clarity around how landscaping objectives can be met for some of the precincts.
- Adjustments to schedule boundaries where anomalies have been identified.
- A reduced rear set back in DDO13. (Note: It is also recommended that rear setbacks in other DDO areas be further reviewed and reduced where appropriate for consistency.)
- A new objective and design guideline in DDO15 to ensure new commercial development fronting Jenner Street will respond appropriately to its sensitive residential interface.
- A new objective and performance standard in DDO16 to protect views to the historic Birregurra Railway Station from Roadknight Street.
- An exemption for the removal of environmental weeds in the VPO3 (Birregurra Tree Protection Area).

## **Commerce and Industry**

The core town centre of Birregurra was rezoned to the Commercial 1 Zone (C1Z) as part of the implementation of the 2013 Structure Plan to clearly define the centre and ensure longer term options for retail and commercial uses. This has assisted in reinforcing the role of Main Street as the retail heart of the town between Austin Street and Birregurra Park. Most of the commercial development is on the south side of Main Street.

There are only a few vacant lots in the commercial centre, but much of the development does not make full use of the available land area. It will be important to ensure that residential uses do not become a primary or dominant use in this precinct to preserve the ability for the commercial offering to expand as the town grows.

The 2013 Structure Plan noted some community support for a service station. This was raised again in recent consultation. Current planning policy encourages any potential service station to locate in or close to the town centre, but away from the heritage core and identified town gateways. With the Princes Highway just 6 kilometres to the north of Birregurra, it is likely that a potential provider would prefer a highway location. However, if an application should be received, the existing policy provides some guidance about where it should be located and

should therefore be retained but modified to refer to a location close to the town centre, but not 'in' the town centre.

New industrial businesses should be encouraged to locate in the industrial area north of the railway line in the future to ensure uses are appropriately separated from sensitive land uses such as residential land.

## **Environment and Landscape**

Local policy seeks to protect environment and landscape assets through the following strategies:

- Preserve and enhance the Barwon River corridor and connected waterways.
- Protect the landscape character and view lines of the town entrances as defining elements of the north, east and west gateways.
- Design built form in residential areas to maintain the dominance of the surrounding landscape.

The assets are further protected by the application of planning schemes zones and overlays, including:

- Farming Zone over land at the east and western gateway entrances to the town.
- Significant Landscape Overlay, Schedule 6 (Rivers of the Barwon: Barwon River [Parwan] Corridor Environs).
- Vegetation Protection Overlay, Schedule 3 (Birregurra Tree Protection Area).

The Design and Development Overlay also plays a role in supporting the enhancement of the landscape character of the town.

The combination of these planning provisions has generally been effective in protecting these valued assets and landscape vistas, and they should continue to be applied.

## **Access and Movement**

Birregurra has a grid-based street network with primary access points into town along arterial roads. From the east is the Warncoort-Birregurra Road, west is the Birregurra-Deans Marsh Road and from the north – Roadknight Street. There are few footpaths and no formal cycling infrastructure.

Several concerns were raised through community feedback about poor road conditions and need for upgrades. While most comments indicated improvements were needed there were mixed views on whether infrastructure should be formalised (e.g., sealed roads, kerb and channel) or informal (e.g., dust suppression treatments).

There has been minimal change in the road network in the last decade. Strachan Street has been the subject of numerous concerns over many years due to its degraded state. It functions as the main collector road from the residential areas north and south to the town centre and Main Street. Council has recently undertaken work to upgrade Strachan Street between Main Street and Barry Street.

Consultation with the Department of Transport and Planning (DTP) and Council's Infrastructure Department has identified that there could be opportunity to improve road safety on Main Street between Austin Street and Strachan Street. Reducing the speed limit on Main Street to 40 km/hr was suggested for further investigation in the 2013 Structure Plan, with the

outcome resulting in a reduction to 50 km/hr. It is recommended that additional traffic calming measures are explored to improve overall safety along this section of road. Any investigation would need to consider the heritage, character and values of this area.

Existing local policy in the planning scheme supports road upgrades for Birregurra that retain and enhance the character and informal nature of road reserves. This allows for a balance between improved road surfaces and maintaining neighbourhood character. However, requirements to appropriately manage stormwater drainage may be different in each context and will be particularly important to consider in areas prone to flooding.

The provision of infrastructure to improve pedestrian modes of travel was a priority topic in community consultation. There were mixed views on whether formal infrastructure should be introduced to facilitate walking and cycling, with some people preferring the informal character of unmade roads to move about town. There were equally as many people expressing a desire for improved pathways, able to be navigated safely with prams, walking frames and small children on bikes. A need for safe pedestrian crossings at key locations was frequently raised.

Current footpath provision in Birregurra is minimal; connectivity is poor and there are no formal pedestrian road crossings in the town. There is no cycling infrastructure. Notwithstanding, there was some feedback through community consultation that people generally felt safe moving around the Birregurra due to the wide roads and verges.

Colac Otway Shire adopted the *Colac Otway Active Transport Strategy* in 2013. Of the improvements recommended for Birregurra, only the Roadknight Street path has been constructed. Due to funding constraints, it was constructed as a 1.5m pedestrian path and not a shared path.

Other proposed improvements raised in recent community consultation include:

- An improved footpath network from the primary school to the recreation reserve.
- Pedestrian crossings over Main Street with several locations being suggested.

Based on a review of the recommendations in the *Active Transport Strategy* 2013, community input and discussions with the DTP and Council's Infrastructure Department, the following active transport projects are recommended. Community feedback on these improvements should inform the priority for timing of projects in the final list.

- Pedestrian crossing from the south side of Main Street to the bus stop (north of Austin Street).
- Pedestrian crossing across Austin Street from the shops to the Mechanics Hall.
- Sealed footpath Main Street (south side) from Ennis Street to 95 Main Street.
- Connecting Active Transport link between the Primary School and the Recreation Reserve.
- On-road cycling lane along Barry Street from Roadknight Street to the Recreation Reserve.
- Sealed footpath - Main Street (north side) from Roadknight Street to the Birregurra Town Hall.
- On-road cycle lane along Roadknight Street from Main Street to the train station.
- Connecting link along Beal Street between Molesworth Street and Jenner Street.

## **Street Lighting**

Several community members have suggested that more street or other public lighting is needed to improve safety for pedestrians at night. However, some people expressed concerns

about potential light pollution from additional lighting and the negative effect on the night sky, bats, birds and insects.

Requests for lighting included:

- Sensor lights in the public toilets behind the Town Hall for users.
- A streetlight on Beal Street at the top end near the golf greens.
- A streetlight on the corner of Main Street and Strachan Street.
- A streetlight on Park Lane.
- Lighting on the bridge exiting the park near the barbecue.

## **Public Transport**

A current priority of residents is an upgrade to the bus stop on the corner of Main Street and Roadknight Street. This stop was upgraded in 2024 to improve access for people with mobility challenges and to assist the vision impaired. However, seating and weather protection were absent and are required. The DTP continues to investigate potential upgrades to the Austin Street/Main Street bus stop for improvements to footpath connectivity and accessibility.

## **Open Space, Recreation and Community Facilities**

Public open space and recreation facilities are highly valued by the Birregurra community and significantly add to the town's amenity and the health and well-being of its residents.

Birregurra has a mix of active and passive open space reserves, including the Birregurra Recreation Reserve, Birregurra Park, the skatepark and the Barwon River streamside. It also has some restricted open space areas including the golf course and the bowling green. Most residents have some public open space within walking distance of their home, although most open space does tend to be in the north or on the eastern edge of town. Should residential growth be permitted beyond the current western boundary of Birregurra, it is likely that a local neighbourhood park will be required to service the new residents.

Council continues to work towards the long-term goal of an open space link along the unnamed waterway extending from the Barwon River in the northwest of the town to the southeast. The section from Main Street to the northeast is near complete, with land transferring to Council as part of a recent subdivision in Barry Street. It is recommended that development of this link with a shared path as envisioned by the 2013 Structure Plan should be investigated.

The open space link is currently shown as extending southeast of Birregurra Park along the unnamed waterway. This section is unlikely to be feasible due to the number of private landholdings through which it extends. It is recommended this section of the link not be pursued.

Several community members suggested construction of a green space/loop path around the edge of the Birregurra making use of waterways and road reserves. While this opportunity could be explored in the future, it is recommended that focus at this stage be directed to delivering the open space link referred to above and improving pedestrian connections through the town.

The *Birregurra Recreation Reserve Master Plan 2012* guides the future development of the Reserve's infrastructure to better meet community needs. Various actions have been



implemented including redevelopment of the tennis/netball courts, installation of compliant match standard lighting for both tennis and netball, and upgraded sports oval lighting. There is now urgent need for an upgrade of the football netball club rooms to bring them up to standard, as they are currently not fit for purpose. There are no change room facilities for female, gender diverse or players with disabilities. There are no bathrooms in the social club rooms, and the kitchen needs upgrading. It is recommended that an upgrade of the club rooms be a short-term priority.

The Birregurra Park Play Space at Birregurra Park has received funding for an upgrade. Council has engaged with the community on the upgrades to the play space with existing equipment being refurbished, and new play equipment and nature play elements proposed to be installed to complete the playground upgrade by 30 June 2025.

Birregurra has a range of community facilities, as outlined below. Most of these facilities and services are not delivered by Council.

- Birregurra Primary School (111 students enrolled in 2023).
- Kindergarten (offering 42 places, with renovations catering for an addition 14 places).
- Birregurra Community Health Care Centre.
- Public Hall which hosts various groups/events.
- Various clubs.

The need for additional childcare services has been raised by some community members. Council engaged a consultant in 2019 to explore childcare options for Birregurra, which recommended concentrating on expanding existing services.

Current planning policy for Birregurra supports consolidating civic, community and health facilities in a community node on the north-east edge of the town centre. This stems from a recommendation in the 2013 Structure Plan, and is based on a view that this location is highly accessible and supports several existing community services. This continues to be the case, and this policy should be retained.

It is anticipated that there will be a modest and gradual growth in the population for Birregurra. It would be appropriate for Council to undertake a Community Infrastructure Needs Assessment to consider the implications of future growth on existing facilities and services to determine what future planning needs might be.

### **The draft Birregurra Structure Plan**

The full draft *Birregurra Structure Plan 2025* document is included as Attachment 1. The Birregurra Framework is included as figure 21 in that document.

## **5. CONSIDERATIONS**

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

The preparation of the draft Structure Plan is consistent with governance principles as it will ensure coordination of future development and sets out intentions for future development of Birregurra in a transparent way.

The community has been engaged through the process and has been influential in the vision for Birregurra. The draft Structure Plan considers the economic, social and environmental well-being of the community, and these considerations have informed the recommendations of the Plan.

**Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

The preparation of the draft Structure Plan responds to directions as set out in Council's policies, including the *Council Plan* and the 2018 *Planning Scheme Review*.

**Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

The sustainability impact of the draft Structure Plan is expected to be positive.

**Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

The draft Structure Plan has been informed through community and stakeholder engagement and feedback.

In terms of providing an opportunity for the community to review and provide feedback on the draft Structure Plan, it is proposed to seek feedback primarily through a community survey, with the option of attending a Saturday morning drop-in session in Birregurra. Officers will also be available to respond to any queries directly by phone or in writing or meeting, if required.

Promotion of the draft Structure Plan is proposed to be undertaken via social media, local media outlets and via a postcard that will be delivered to landowners/occupiers in the Birregurra postcode.

An engagement period of six weeks as per Council's Community Engagement Policy is proposed to enable adequate time to promote the draft Structure Plan, receive responses and arrange suitable meeting times with stakeholders.

**Public Transparency (s58 LGA 2020)**

Community engagement will have regard to the requirement for transparency, including ensuring that all members of the community are given reasonable opportunity to access the plan and provide feedback. Communication will be designed to ensure that it is clear to the community both what they are being asked to provide feedback about, and the use to which their feedback will be put.

**Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 1: Affordable and available housing will support our growing community and economy

Objective 2: Attract, retain and grow business in our Shire

Objective 5: Grow the Colac Otway Shire's permanent population by at least 1.5%

**Financial Management (s101 Local Government Act 2020)**

The Birregurra Structure Plan Review was provided with budget for the 2024-25 financial year, with any unspent funds being carried over to the new financial year.

**Service Performance (s106 Local Government Act 2020)**

Not applicable.

## **Risk Assessment**

No significant risks are anticipated as a result of commencing community engagement on the draft Structure Plan. It is considered unlikely that there would be widespread lack of support for the plan from the community considering the establishment of the Community Reference Group and the community engagement already undertaken. However, there is a small risk of opposition which would be managed by ensuring the purpose, recommendations and community benefits of the plan are clearly communicated.

## **Communication/Implementation**

Communication will be managed as set out above under the Community Engagement section of this report.

## **Human Rights Charter**

No impact.

## **Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

## **Options**

Option 1 – Adopt the recommendation to exhibit the draft Structure Plan.

This option is recommended by officers as the draft Plan has involved community and stakeholder engagement and is considered suitable for further engagement purposes.

Option 2 – Adopt the recommendation to exhibit the draft Structure Plan with amendments.

This option is not recommended by officers as there will be further opportunity to make changes to the draft Structure Plan prior to adoption of the final plan.

Option 3 – Do not adopt the recommendation to exhibit the draft Structure Plan.

This option is not recommended by officers as it will not advance the progress of the draft Birregurra Structure Plan project.

# DRAFT BIRREGURRA STRUCTURE PLAN 2025

EXHIBITION VERSION



MAY 2025



## Acknowledgement

The Colac Otway Shire Council respectfully acknowledges the Gulidjan and Gadubanud peoples of the Maar Nation as the Traditional Custodians of the Colac Otway region, the land and waterways upon which the activities of the Colac Otway Shire Council are conducted.

We pay our respects to their ancestors and elders, past, present and emerging. We recognise and respect their unique cultural heritage, beliefs and uphold their continuing relationship to this land.

### Disclaimer

This report has been prepared by Conway Planning for Colac Otway Shire Council. It was prepared using a wide range of inputs and advice from Colac Otway Shire Council officers, State government departments, Kevin Hazell Bushfire Planning, Town Matters P/L and through community consultation. It may be of assistance to you, but Conway Planning and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

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## Executive Summary

Birregurra is a small, rural town in Colac Otway Shire located on the traditional lands of the Gulidjan people. With a population of around 650 people, Birregurra has a rural village character with a distinctive main street, popular with both residents and tourists to the town. Birregurra has several public, commercial and residential heritage places which form an integral part of its character.

The Barwon River flows along the eastern edge of the town, is home to platypus and is actively cared for by the Birregurra Landcare volunteer-based group. Land adjoining the Barwon River is subject to flooding, particularly to the east, as is land along Atkin Creek in the north of town and along an unnamed creek line running diagonally through town.

The regional Geelong-Warrnambool railway line is to the north and includes a stop at the Birregurra Railway Station.

The town has a good range of community facilities including a primary school, pre-school, police station, recreation reserve, golf course, bowling green, local parks, churches, a community health centre and the Birregurra Public Hall.

The Birregurra Structure Plan 2025 will guide the use and development of land in Birregurra for the next 10-15 years. It was developed following a review of the Birregurra Structure Plan 2013 and through community and stakeholder engagement.

Key directions and strategies are intended to ensure growth in Birregurra will achieve the preferred future for the town as expressed in the Vision statement.

Birregurra will continue to function as a small rural town offering village lifestyle opportunities. Growth will be modest and supported where it responds to landscape considerations, complements the neighbourhood character of its surrounds and makes efficient use of existing infrastructure.

The Birregurra Structure Plan is set out in three parts:

Part A – Introduction and Background

Part B – Birregurra Structure Plan 2025

Part C - Implementation



---

### ***VISION STATEMENT***

**Birregurra – a thriving village built on its heritage character, providing a lifestyle for a creative and engaged community.**

In the Year 2040, Birregurra will be a thriving small town, offering a village lifestyle in an attractive rural setting. It will have a creative and engaged community including people at all stages in life.

The long history of the Gulidjan people will continue to be respected with their values recognised and celebrated.

Birregurra will be a compact town with an attractive and connected grid network of tree-lined streets and open space links.

Housing will consist of a range of choices that meet the varied needs of residents, increasing diversity and providing for people to retire and age in place. The town will be characterised by low-rise buildings with generously sized gardens to complement the town's leafy and heritage setting. Larger rural lifestyle lots will be located on the higher elevations in the south. A modest small-scale western extension to the town's boundary will add to the town's housing supply.

Birregurra's town centre will be prosperous, offering commercial and community services that cater for the local needs of residents and for the surrounding farming community.

Birregurra will be a magnet for tourists and will be renowned for the sale of local artisan and farm products that celebrate the Otway Ranges and nearby farmlands.

Birregurra's community will have access to plentiful open space. They will enjoy recreational opportunities along the Barwon River and quality community facilities will be available in the town.

Birregurra will be a resilient and adaptable town with an active and engaged community that supports each other to thrive.

## Key Objectives

Key objectives for Birregurra as set out in Part B include:

### *Population and Housing*

- To facilitate a modest rate of population growth consistent with Birregurra's role in a regional context as a small, rural village.
- To provide opportunities for future residential growth by supporting continued infill development and through small scale urban expansion.
- To encourage a diversity of housing type and residential lot sizes to accommodate people of varying ages and life stages.
- To encourage new development that complements the rural village character and heritage of Birregurra.

### *Commerce and Industry*

- To support the Main Street commercial area as the retail heart of the town servicing the needs of local residents and tourists.
- To support the ongoing viability of Birregurra's industrial precinct.

### *Environment and Landscape*

- To improve the climate resilience of Birregurra township.
- To preserve and enhance the Barwon River corridor and connected waterways.
- To preserve and enhance the vegetated character of Birregurra without increasing risk from bushfire.
- To protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.

### *Aboriginal Cultural Values*

- To adopt Principles associated with the Bio-Cultural Landscape and Aboriginal Cultural Values as follows:
  - Respectful partnership and cultural leadership.
  - Cultural identity, wellbeing and intergenerational strength.
  - Caring for Country and creating a sustainable future.

### *Access and Movement*

- To ensure the Birregurra road network provides safe and continuous access for all road users.
- To encourage active transport modes of travel through an improved pathway and cycling network.
- To advocate for increased Public Transport services to meet the needs of a growing town.

#### *Open Space, Recreation and Community Facilities*

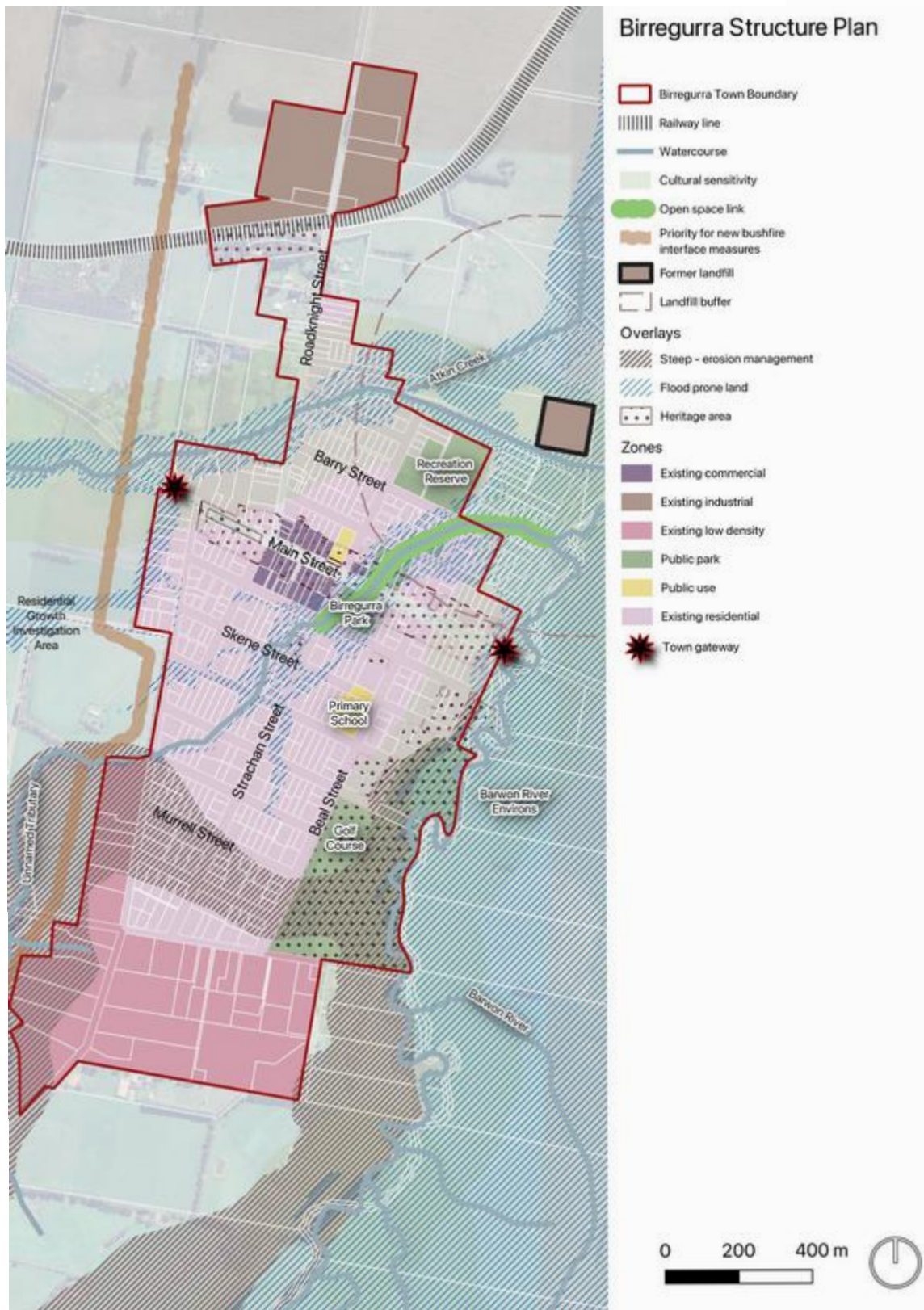
- To provide a range of passive and active recreation opportunities within the township.
- To establish a connected network of accessible public open space and recreation facilities.
- To recognise the Birregurra Recreation Reserve as the primary recreation and sporting precinct in the township.
- To support a range of community services and facilities commensurate with the size of the population.

#### *Utilities*

- To support the provision of physical infrastructure necessary to service the current and future needs of the community, in a manner that respects the character of the town and will add to its future resilience in a changing climate.

Following public exhibition of the Birregurra Structure Plan 2025, Council will adopt the plan with any changes that may be required through community consultation. Implementation of the 2025 Structure Plan will require a range of actions, including a planning scheme amendment to introduce the new policy into legislation. Table 4 in Part C outlines the actions that will be required to deliver the Birregurra Structure Plan 2025, sets out Council's role and prioritises the actions in terms of short, medium or long-term delivery.

# Birregurra Structure Plan Map





## Birregurra Movement Map



## Part A - Introduction

### i. Birregurra Structure Plan Review Project

The *Birregurra Structure Plan 2025* (2025 Structure Plan) is the outcome of a review and update of the *Birregurra Structure Plan 2013* (2013 Structure Plan).

The Review project had a limited scope<sup>1</sup>, and its primary objectives were to:

- Deliver an updated analysis of land supply for future in-fill housing within the current town boundaries.
- Identify where future growth should occur if further land is required to meet anticipated demand, ensuring housing affordability.
- Review and provide recommendations on the effectiveness of planning controls over subdivision and development.
- Provide an up-to-date structure plan for Birregurra that reflects contemporary community needs.

Several background reports were prepared as part of the Review project.

1. Birregurra Structure Plan Review: Issues & Opportunities Report, 19 July 2024 (summary version available).
2. Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions, 19 July 2024.
3. Birregurra Bushfire Planning Assessment, 4 September 2024.
4. Birregurra Structure Plan Review: Consultation Report, 12 November 2024.

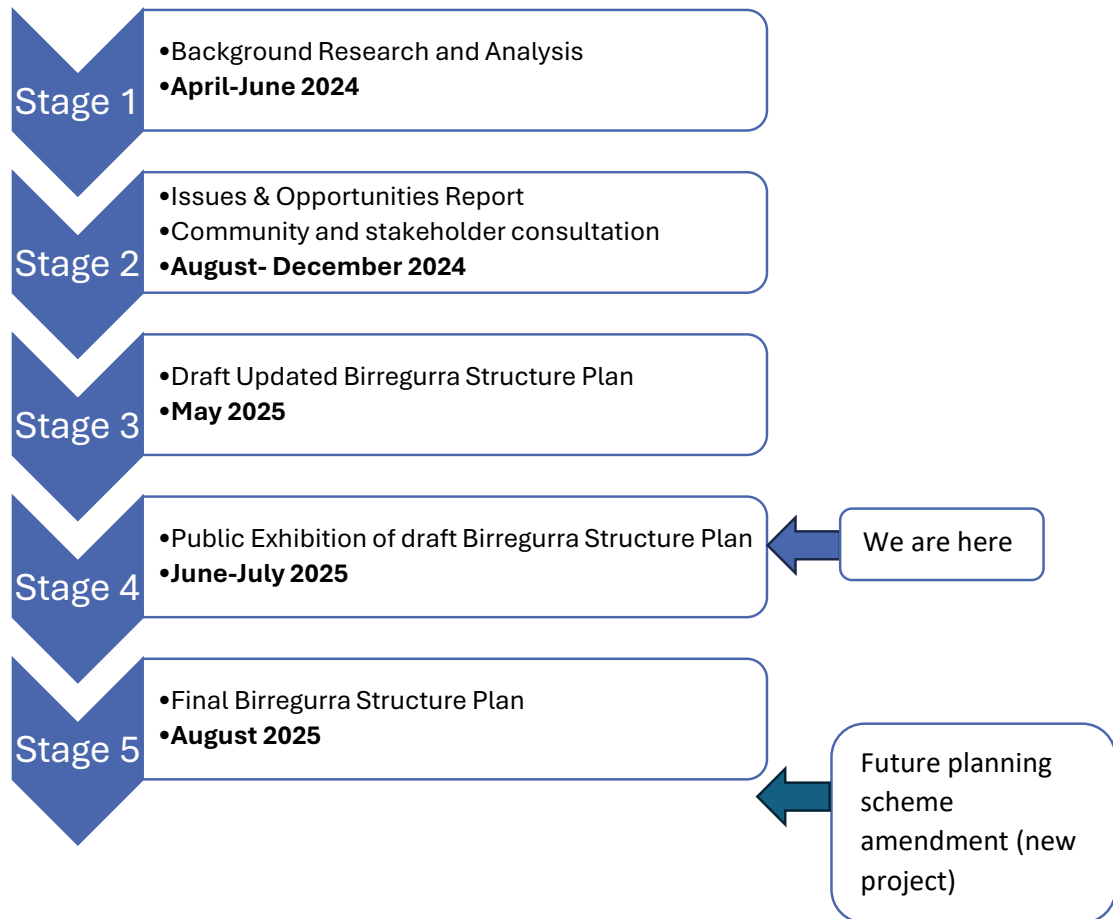
These reports outline the process and methodology undertaken for the Review project and provide the detailed analysis and feedback that underpins the 2025 Structure Plan.

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<sup>1</sup> Refer to Chapter 1.5 of the Issues and Opportunities Report for details on the limitations of the project.

## ii. Process and Timelines

### Birregurra Structure Plan Review Project Timelines



### iii. Community and Stakeholder Consultation

Community and stakeholder engagement encompassed a range of activities and provided opportunities for input in developing the 2025 Structure Plan. Engagement activities included:

- A Community Reference Group, comprising 10 members, with a role to:
  - Provide feedback or commentary about matters related to the Birregurra Structure Plan Review project.
  - Promote awareness of the project within the broader Birregurra community.
- An agency workshop with several infrastructure agencies and State government departments, and individual follow up meetings.
- Meetings with the Eastern Maar Aboriginal Corporation
- A community open house session
- An online survey
- Project webpage

Feedback was sought on development and change in the town that has occurred since the 2013 Structure Plan was introduced. People were also asked to identify what they value about Birregurra today and how they would like to see it evolve in the next 10-15 years. Extensive feedback was received and is outlined in the Birregurra Structure Plan Review Consultation Report #1 (12 November 2024).

While not every suggestion has been included in the draft 2025 Structure Plan, all comments and suggestions were considered alongside other inputs, such as State legislation, existing planning policy, and environmental risks and constraints.





#### iv. Issues and Opportunities

The policy of urban containment adopted by the 2013 Structure Plan was very successful in promoting infill growth at a rate which has allowed the town to continue to grow in a modest, sustainable manner generally consistent with preferred neighbourhood character objectives.

This is consistent with the role of Birregurra as a smaller town with modest growth potential in the wider regional context.

High level challenges and strengths for the town are identified below, followed by a list of opportunities that have been explored in developing the 2025 Structure Plan.



### Challenges

- Population growth projections for Colac Otway Shire are low
- Limited and reducing land supply
- Increasing property prices, declining housing affordability
- Increasing rents
- Little housing diversity
- Climate change pressures: warmer, drier, more extreme events (floods/bushfires)
- Ageing road infrastructure
- Limited footpath provision and an absence of cycling paths
- Ageing community and recreation facilities



### Strengths

- Country town character protected by planning provisions
- Vegetated landscape and open space
- Barwon River environs
- Popular with families
- Strong demand for housing
- Reticulated sewerage and water provision
- Tailored approach to density
- Birregurra Railway Station
- Active and interested community



## Opportunities

- Update the Birregurra Structure Plan to outline an approach to future growth that improves housing supply, affordability and diversity using a climate action lens (e.g. improve resilience to flooding and grassfire)
- Explore opportunities to augment housing supply
- Refine neighbourhood character provisions to address issues identified in the background reports
- Explore active transport connections, particularly footpath provision, and develop an updated movement network plan

## Part B – Birregurra Structure Plan 2025

### 1. Strategic Context

The *Birregurra Structure Plan 2025* (2025 Structure Plan) provides the strategic framework to guide the use and development of land in Birregurra for the next 10-15 years.

The 2025 Structure Plan accords with Council's Community Vision Statement:

*By 2050, Colac Otway Shire will be a destination where people come to appreciate our unique and diverse environment and friendly communities.*

*We value the wisdom of this land's first caretakers, the Gulidjan and Gadabanud peoples, and recognise all those who have cared for the land since.*

*We work to preserve what makes our place special. We focus on environmental sustainability to protect our precious natural assets.*

*We are a proud and resilient community that values our welcoming spirit. We embrace new people, new business, new ideas. Our region is a great place to learn, live, work and play.<sup>2</sup>*

It seeks to facilitate the following objectives from the Council Plan:

- Affordable and available housing will support our growing community and economy.
- Key infrastructure investment supports our economy and liveability.
- Grow the Colac Otway Shire's permanent population by at least 1.5%.
- We mitigate impacts to people and property arising from climate change.
- Protect and enhance the natural environment.
- Provide and maintain an attractive and safe built environment.
- People are active and socially connected through engaging quality spaces and places.

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<sup>2</sup> Colac Otway Shire Community Vision 2050

The 2025 Structure Plan should be read alongside the following background reports.

1. Birregurra Structure Plan Review: Issues & Opportunities Report, 19 July 2024 (summary version available)
2. Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions, 19 July 2024
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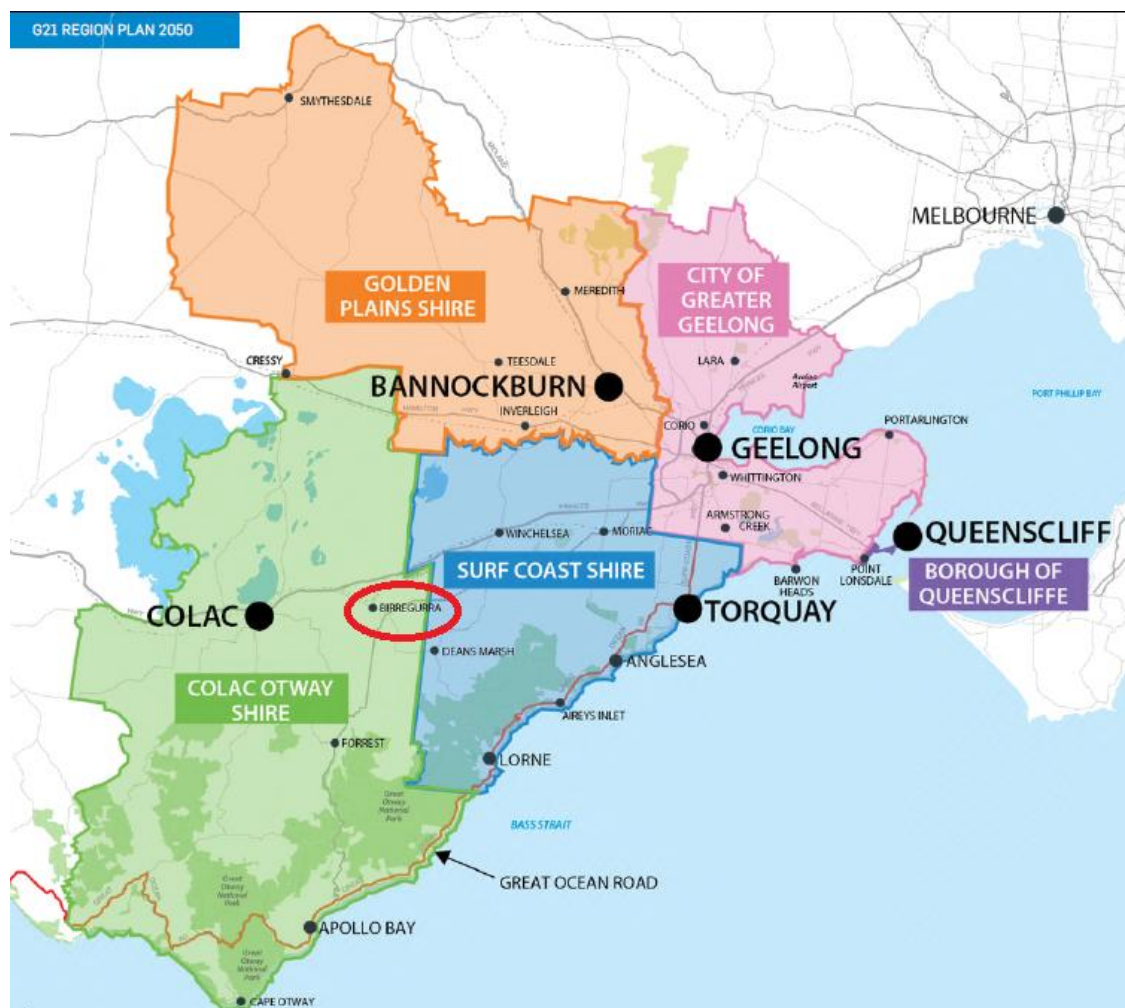


## 2. Profile

Birregurra is a small, rural town in Colac Otway Shire located on the traditional lands of the Gulidjan people. The Gulidjan have a long history of living in the region and caring for Country. Birregurra lies six kilometres south of the Princes Highway. Colac, the Shire's main administrative centre, is located 20 kilometres to the west and the regional city of Geelong is approximately 60 kilometres to the east.

Birregurra is part of the G21 region, an area which spans the five municipalities of Greater Geelong, Colac Otway, Golden Plains, Surf Coast and the Borough of Queenscliffe.

**Figure 1 G21 Region – G21 Region Plan 2050**



Birregurra has a rural village character with a distinctive main street supporting a general store, cafes, a hotel, pharmacy and speciality stores. It is popular with both residents and tourists to the town. Main Street includes several public, commercial and residential heritage places which form the Birregurra Main Street Precinct. The precinct is of historic importance demonstrating the evolution of the town from simple timber buildings mainly at the eastern end, constructed at the time of European colonisation in the 1860s, through to more substantial buildings of the early twentieth century generally at the western end. It also reflects the community's commitment to their town through street plantings (Stone Pine Avenue) and a war memorial.

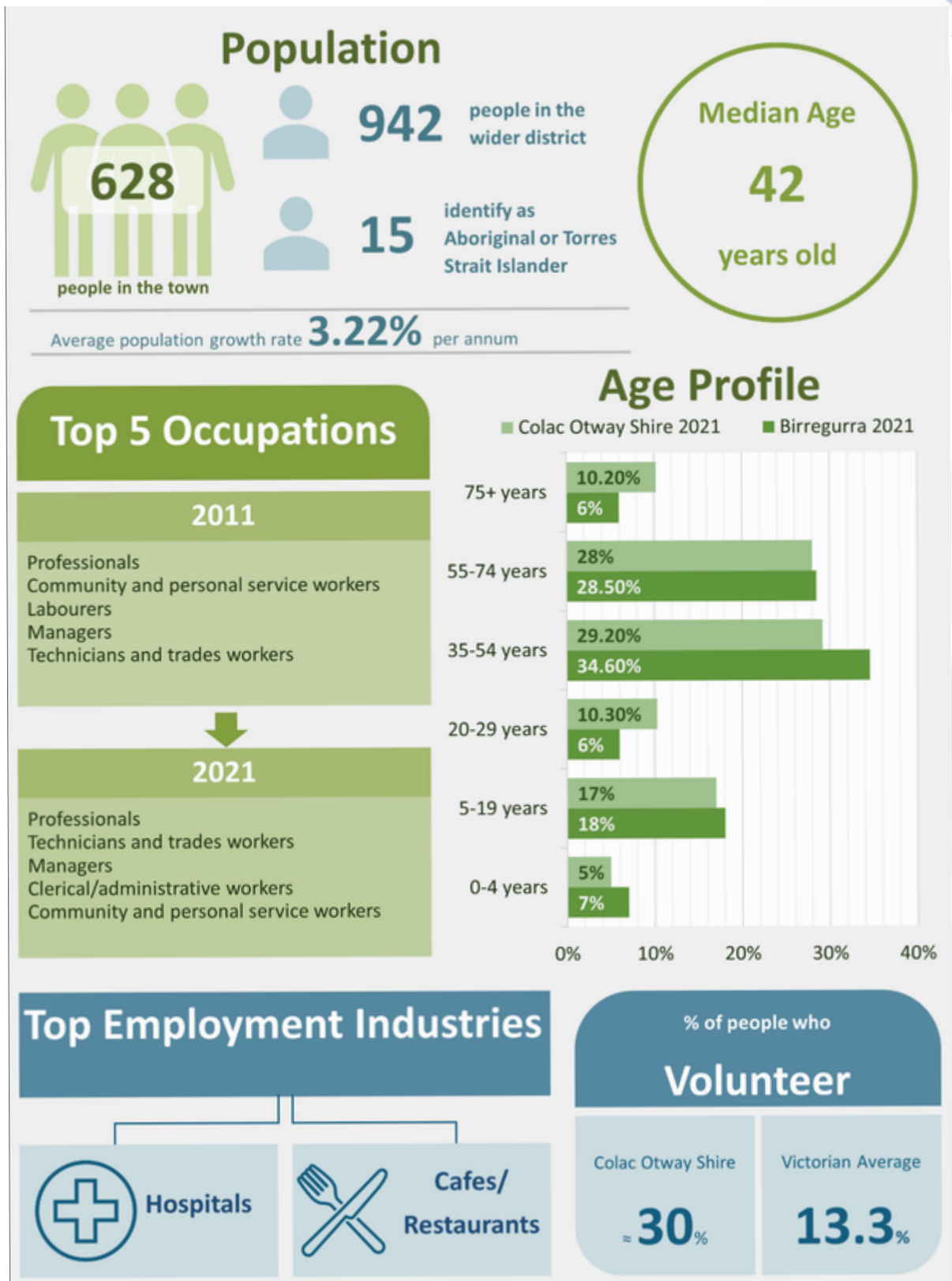
The Barwon River flows along the eastern edge of the town, is home to platypus and is actively cared for by the Birregurra Landcare volunteer-based group. Land adjoining the Barwon River is subject to flooding, particularly to the east, as is land along Atkin Creek in the north of town and along an unnamed creek line running diagonally from the south-west to the north-east through town.

The regional Geelong-Warrnambool railway line is to the north of the town, which includes a stop at the Birregurra Railway Station.

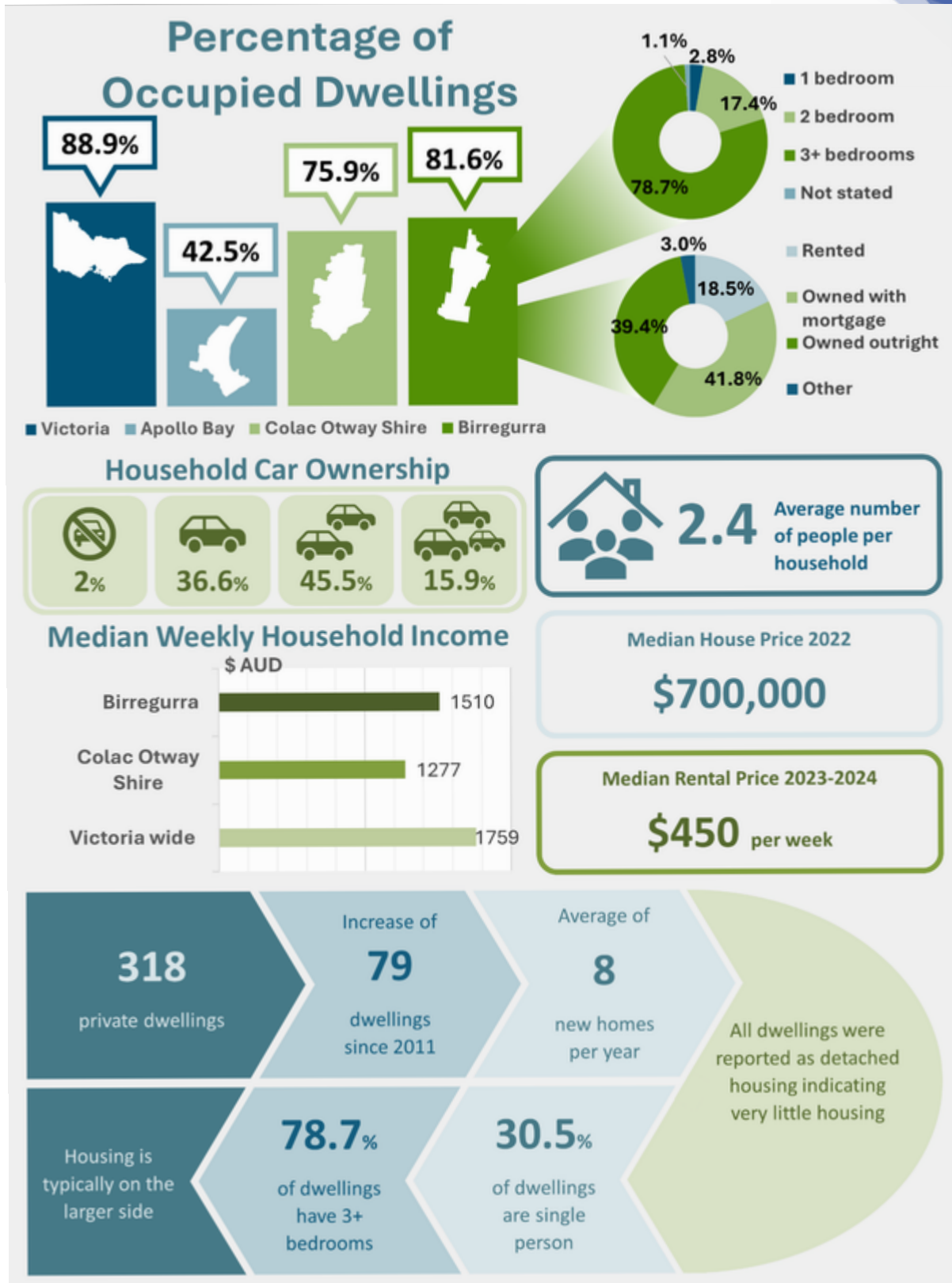
The town has a good range of community facilities including a primary school, pre-school, police station, recreation reserve, golf course, bowling green, local parks, churches, a community health centre and the Birregurra Town Hall.



### 3. Demographic Snapshot



Note: All statistics are based on the ABS Census Data, 2021 unless otherwise stated.



Note: All statistics are based on the ABS Census Data, 2021 unless otherwise stated.



## 4. Vision

The vision for Birregurra is a refinement and update of the vision set out in the 2013 Structure Plan. It is based on feedback and comments received through community and stakeholder consultation.

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### *VISION STATEMENT*

**Birregurra – a thriving village built on its heritage character, providing a lifestyle for a creative and engaged community.**

In the Year 2040, Birregurra will be a thriving small town, offering a village lifestyle in an attractive rural setting. It will have a creative and engaged community including people at all stages in life.

The long history of the Gulidjan people will continue to be respected with their values recognised and celebrated.

Birregurra will be a compact town with an attractive and connected grid network of tree-lined streets and open space links.

Housing will consist of a range of choices that meet the varied needs of residents, increasing diversity and providing for people to retire and age in place. The town will be characterised by low-rise buildings with generously sized gardens to complement the town's leafy and heritage setting. Larger rural lifestyle lots will be located on the higher elevations in the south. A modest small-scale western extension to the town's boundary will add to the town's housing supply.

Birregurra's town centre will be prosperous, offering commercial and community services that cater for the local needs of residents and for the surrounding farming community.

Birregurra will be a magnet for tourists and will be renowned for the sale of local artisan and farm products that celebrate the Otway Ranges and nearby farmlands.

Birregurra's community will have access to plentiful open space. They will enjoy recreational opportunities along the Barwon River and quality community facilities will be available in the town.

Birregurra will be a resilient and adaptable town with an active and engaged community that supports each other to thrive.

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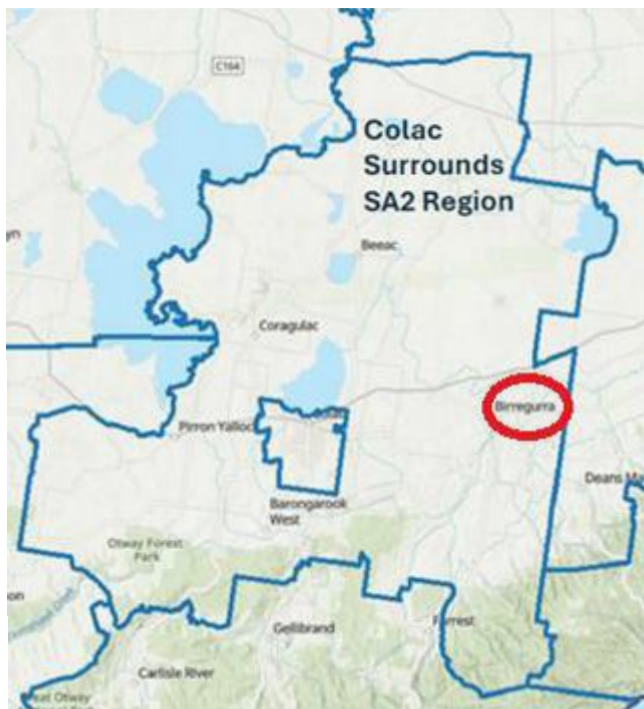
## 5. Population and Housing

### 5.1 Population Growth

Population growth in Birregurra is forecast to be modest over the next 10-15 years. Official estimates prepared by the State government are outlined in Victoria in Future 2023 (VIF2023). They provide an indication of what may happen if current demographic, social and economic trends continue.

Birregurra falls within the area known as the 'Colac surrounds' SA2 region shown in Figure 2. The population for 'Colac surrounds' has been forecast to grow from 5,645 people in 2021 to 5,678 people in 2036, an increase of just 33 people. This may mean an increase in population for some towns in this SA2 but a decrease in other areas, due to more people moving away than moving in. Birregurra is the largest town in this region and supports a higher level of infrastructure and services than other towns. This is likely to mean that Birregurra will attract most of the growth forecast for this region.

**Figure 2 Colac Surrounds SA2 Region, Australian Bureau of Statistics**



The 2013 Birregurra Structure Plan forecast a considerably higher growth rate for Birregurra, anticipating a population of 845 people in 2031 (an increase of 217 people from the 2021 Census figure). This figure is very unlikely to be reached given the limited land supply and at the recent average growth rate of around 3.2% per year.

The G21 Region Plan 2050 anticipates strong growth for the wider G21 region, and planning is underway for significant growth to occur in Geelong, Colac and to a lesser extent Winchelsea.

It outlines key challenges for the region including:

- Pressure on transport and housing (including a lack of key worker housing in Colac).
- Rising inequity (widening economic and wellbeing gap in the region).
- A changing climate.

The level of growth Birregurra ultimately achieves will depend on a range of factors including the demand for, and supply of, housing both in Birregurra and nearby towns. In a regional context, Birregurra is not being promoted as a growth town. Growth in the Colac Otway Shire is predominantly being directed to Colac, where extensive infrastructure and a large range of goods and services are available to accommodate a growing population. This aligns with State policy which directs major new housing development to metropolitan activity centres, regional cities and larger towns.

However, Birregurra is a popular rural lifestyle choice as evident by population growth, new residential development and increasing house and land prices over the past 10 years. Supporting a modest rate of population growth can benefit the town in many ways, including:

- assisting the on-going viability of community facilities and services, e.g. enrolments in the primary school, members for community groups and sporting clubs and teams (youth and seniors), train services, health services, etc
- ensuring a sustainable customer base for existing retail and commercial trade
- attracting new commercial businesses and employees for existing businesses
- creating a more diverse population in both age and cultural experiences.

A modest rate of growth for Birregurra would be consistent with the goal of the Council Plan to grow the population of Colac Otway Shire at a moderate rate. A modest rate in the Birregurra context would be similar to the recent annual rate around 3%.

There were mixed views about growth expressed during community consultation. Many comments supported modest growth provided it was consistent with the existing character of Birregurra. There was little support for large residential subdivision outside the existing town boundaries but some support for limited development if appropriately sized and sensitively designed.

It is recommended that Birregurra continue to function as a small rural town offering village lifestyle opportunities. Growth should be modest, and supported where it responds to landscape considerations, complements the neighbourhood character of its surrounds and supports the use of existing infrastructure and services.

## **POPULATION GROWTH**

### **Objective:**

To facilitate a modest rate of population growth consistent with Birregurra's role in a regional context as a small, rural village.

### **Strategies**

- Identify a range of housing opportunities to support a modest rate of population growth that retains Birregurra's compact form and sits discreetly within its rural surrounds.



## 5.2 Residential Land

Current planning policy for Birregurra supports moderate population growth for the town within the existing defined township boundary.<sup>3</sup> Infill development and subdivision of larger lots within the town are encouraged with higher densities supported within walking distance of Main Street (i.e. 400 metres).<sup>4</sup> This policy is based on the recommendations of the 2013 Structure Plan and findings at that time that there was significant potential for infill development.

Considerable infill has occurred over the past 10 years and a fresh assessment of land supply was undertaken in 2024 (refer to the Birregurra Structure Plan Review: Issues & Opportunities Report). This assessment factored in additional constraints on supply, including limitations for further subdivision in flood prone areas (based on updated mapping) or where landslip potential may be present.

The assessment found that the overall capacity for potential new residential lots was approximately 204 lots. It noted that while this potential exists, it is difficult to estimate the probable realisation rate, i.e. when land may become 'market ready' or available, particularly for small scale infill development where there are many different landowners and individual land parcels with different site constraints. An estimate was therefore made of potential development take up rates over the next 10-15 years to determine lot supply.

The 2013 Structure Plan estimated a development take up rate of 75% for vacant lots and 25% for developed land. These rates are quite high for small residential infill development. However, a policy of urban containment was recommended (i.e. no greenfield subdivision) and consequently it was considered there would be more pressure for infill.

Two scenarios are considered, one with the same development take up rate as the 2013 Structure Plan and one with a more conservative rate.

**Table 1 Estimated Residential Lot Supply**

<b>Greater release of residential lots</b>		
Vacant lots 75% development rate	Developed lots* 25% further development rate	Estimated potential residential lot supply – over 10-15 years
75	26	<b>101</b>
<b>More conservative release of residential lots</b>		
Vacant lots 50% development rate	Developed lots* 10% further development rate	
50	10	<b>60</b>

Source: Birregurra Structure Plan Review: Issues and Opportunities Report, 2024

Note: Developed lots\* = Residential lots already containing a dwelling which are capable of being further subdivided to support an additional dwelling/s

<sup>3</sup> Clause 11.03-6L Colac Otway Planning Scheme

<sup>4</sup> Design and Development Overlay, Schedules 12 and 13, Colac Otway Planning Scheme

On this basis, residential land capacity is estimated to be between 60 and 101 lots.

Combining these figures with estimates of demand for new housing gives an indication of the potential number of years supply of residential land available. Three growth scenarios were considered:

**Low Demand** – reduced growth based on a dwindling lot supply, continually increasing prices (both housing and general cost of living) and significant alternative residential options in the nearby region – 5 dwellings per year

**Medium Demand** – a modest rate of growth with a similar level of demand to the current rate – 10 dwellings per year

**High Demand** – higher demand – 15 dwellings per year (would require many landowners to release lots for sale each year)

**Table 2 Potential Years' Supply of Residential Land**

<b>GROWTH SCENARIOS – No. Years' Supply</b>	Low Demand 5 dwellings / year	Medium demand 10 dwellings / year	High Demand 15 dwellings / year
Scenario 1 – Greater supply: 101 lots	20.2 years	10.1 years	6.7 years
Scenario 2 – Lesser supply: 60 lots	12 years	6 years	4 years

Source: Birregurra Structure Plan Review: Issues and Opportunities Report, 2024

This analysis shows that at a medium or higher rate of population growth, infill residential land supply is likely to be exhausted within 10 years.

A modest rate of population growth is recommended, consistent with the medium growth scenario of demand for around 10 dwellings per year. While a policy of urban consolidation continues to be supported for Birregurra, some small-scale augmentation of land supply will also be required to enable a modest rate of growth to continue.

At a policy level, this can be done in two ways. The first is to rezone greenfield land for residential purposes and the second is to increase density within the existing town. Given that there has been negligible development of medium density housing in Birregurra to date despite it being encouraged in certain precincts, it is unlikely this will result in any substantial addition to supply in the short to medium term.<sup>5</sup> Nonetheless, it is acknowledged that a greater level of medium density development could benefit land supply. Medium density style development is discussed further under 'Diversity' at Chapter 5.4 below.

<sup>5</sup> Birregurra Structure Plan Review: Issues and Opportunities Report, 2024

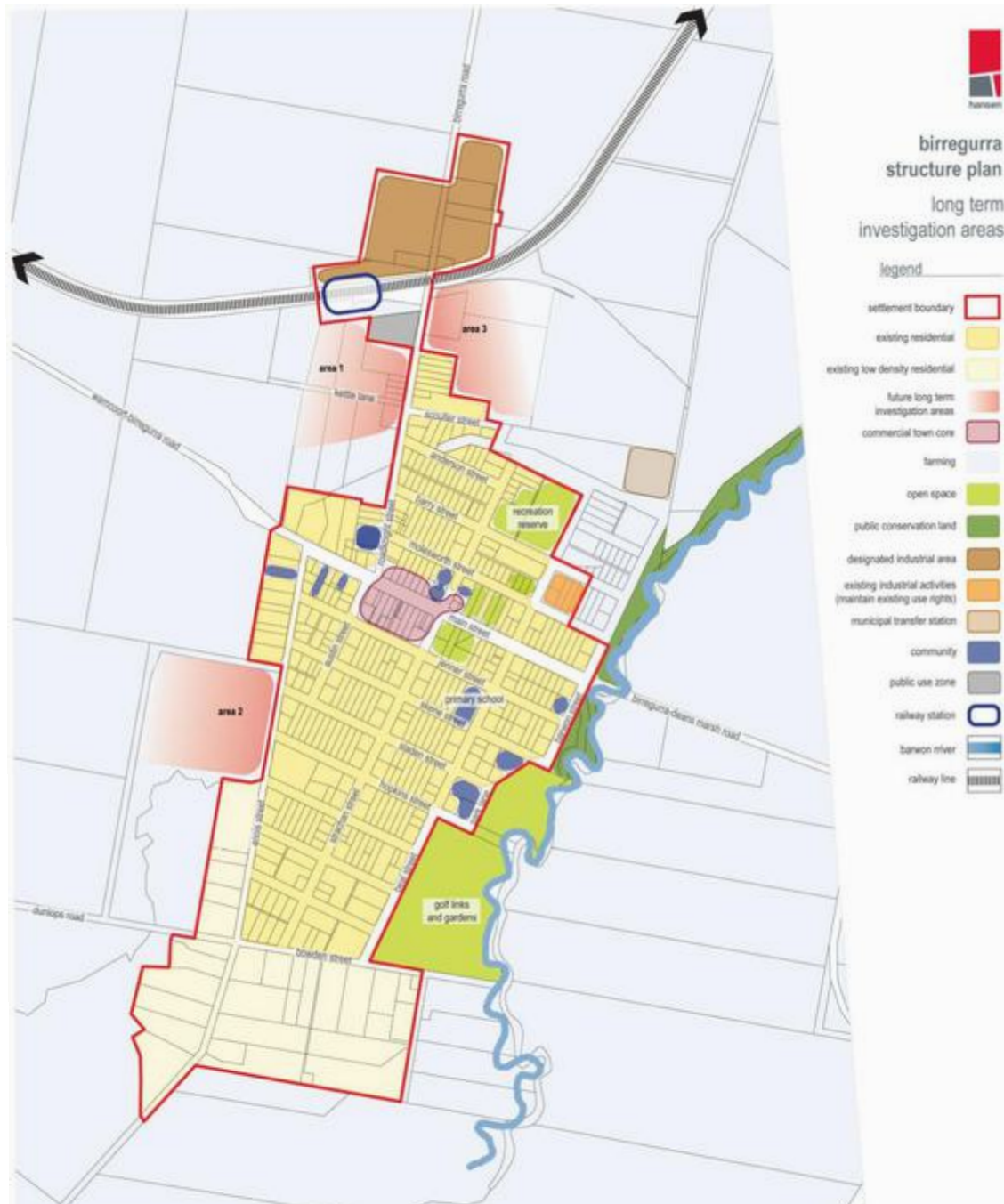
It is recommended that an area of land be identified for possible future urban development subject to further detailed investigation. Any area of land should not be of a size that would detract from efforts to facilitate infill development in appropriate locations.

### 5.3 Investigation Areas

Given the limited potential for infill development in Birregurra, it is appropriate to investigate whether any land adjoining the township might be appropriate for some small-scale expansion.

The 2013 Structure Plan identified three areas for investigation if, and when the need for urban expansion was confirmed (**Figure 3**).

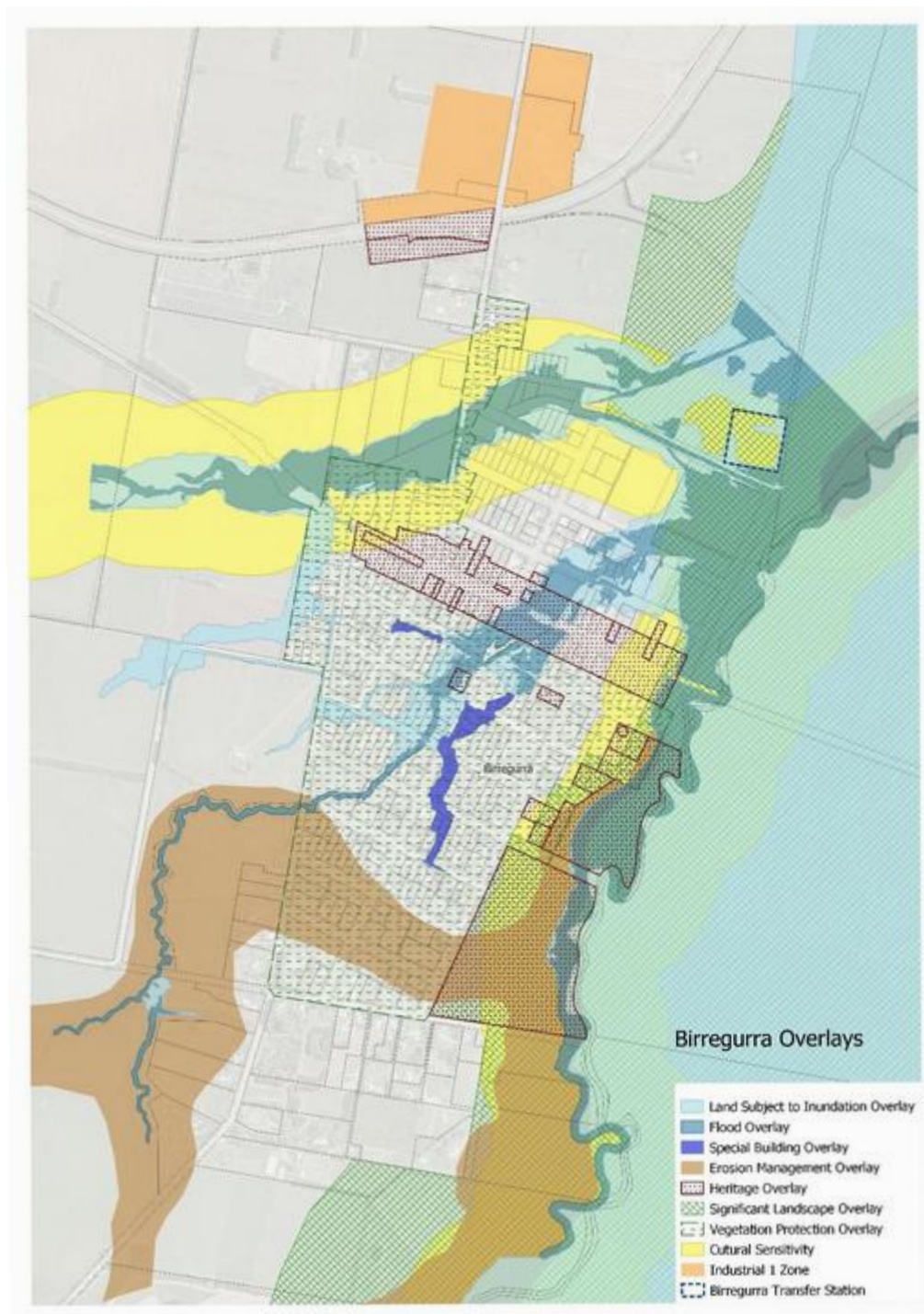
**Figure 3 2013 Investigation Areas for Residential Expansion, Birregurra Structure Plan 2013**





These areas were primarily selected due to being less constrained than other parts of the township, with land to the east being extensively affected by riverine flooding from the Barwon River and land to the south being constrained by the presence of the escarpment. These constraints still apply. **Figure 4** shows current mapping for flooding and erosion in Birregurra, areas where significant landscape or vegetation protection overlays apply and areas of cultural sensitivity.

**Figure 4 Current Planning Scheme Overlays, Colac Otway Planning Scheme, 2025**

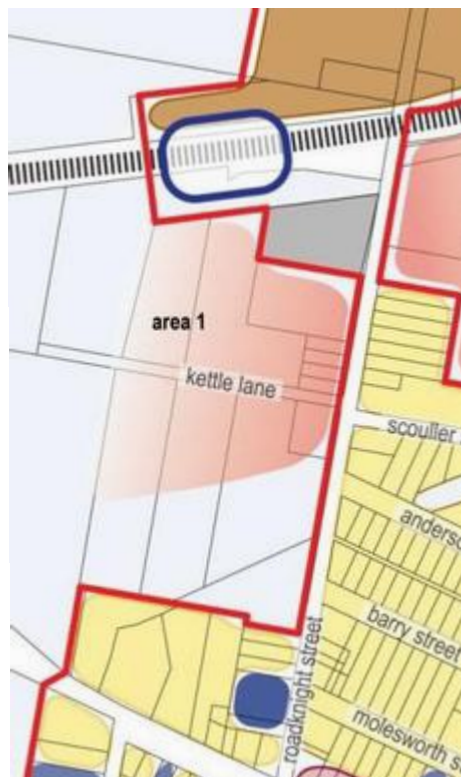


Given the presence of these constraints and valued landscapes, the three areas identified by the 2013 Structure Plan remain the preferred choices for further investigation.

***Area 1 – west of Roadknight Street, either side of Kettle Lane***

- This area of approximately 9 hectares excluded land developed with existing dwellings along Roadknight Street and land within the Aitkin Creek floodplain.
- The presence of existing dwellings and vegetation along Roadknight Street between the Railway Station and the town boundary were considered to give the impression that the area already forms part of the township.
- It could form a logical extension to the town to the north-west and allow for the integration of the Railway Station with the existing urban fabric of the town.
- The Aitkin Creek and associated floodplain could be used for environmental and passive open space purposes.
- Plans for a shared path along Roadknight Street, between the Railway Station and Main Street, were noted.

***Figure 5 Extract of Area 1 - Birregurra Structure Plan 2013***



### **Area 2 – west of Ennis Street<sup>6</sup>**

- This area of approximately 12 hectares was identified as having potential physical boundaries defining the possible extent of the area with a road to the north and west and a waterway to the south.
- Development would have little visual impact on the main road approaches.
- The opportunity to integrate the area with the existing street grid network was identified.

**Figure 6 Extract of Area 2 - Birregurra Structure Plan 2013**



### **Area 3 – east of Roadknight Street, south of the railway line<sup>7</sup>**

- This area of approximately 11 hectares was considered to provide an opportunity for the logical extension to the town, integrating the Railway Station with the existing urban fabric.
- It was identified as low lying, with less vegetation and therefore more open to views from Roadknight Street than Area 1.
- It was considered to have lower amenity to other areas due to the proximity of the municipal transfer station.

**Figure 7 Extract of Area 3 - Birregurra Structure Plan 2013**



<sup>6</sup> This area is incorrectly numbered in the 2013 Structure Plan as 'area 3'

<sup>7</sup> This area is incorrectly numbered in the 2013 Structure Plan as 'area 2'

The three areas have been reviewed having regard to the following considerations:

- Development which has occurred in the areas.
- New information or policy in relation to environmental risks or hazards in the context of a changing climate.
- Servicing factors and the costs of providing water and sewerage infrastructure.

It is emphasised that this review is at a high-level and further detailed investigation would be required to confirm whether land is suitable for rezoning for residential purposes. The purpose of this review is to establish whether any site is preferred for further investigation.

#### New Development

Comparisons of aerial photography between 2010 and 2022 shows the extent of new development that has occurred in the three areas over the past approximately 10 years (refer figures below).<sup>8</sup>

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<sup>8</sup> 2022 aerial photography is the most current available in Council's GIS.



**Figure 8 2010 Aerial Photo - Areas 1 and 3**



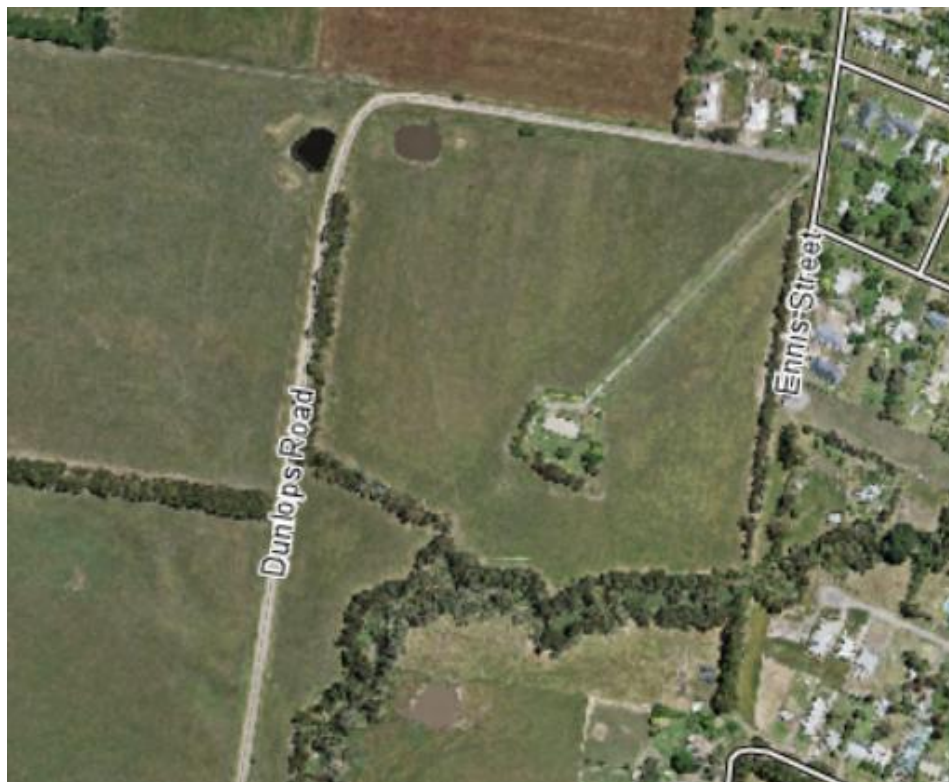
**Figure 9 2022 Aerial Photo – Areas 1 and 3**



**Figure 10 2010 Aerial Photo - Area 2**



**Figure 11 2022 Aerial Photo - Area 2**



There has been no significant change in any of the three investigation areas. The most substantial change has occurred adjacent to Area 3, with several new dwellings constructed along Roadknight Street and Scouller Street on land within the Township Zone

Area 1 comprises seven landholdings of various lot sizes, all developed with dwellings. The smallest lot is approximately 1,000sqm. Areas 2 and 3 contain a single dwelling and each forms part of a larger landholding.

A greater number of landholdings makes an area more complex to develop in a coordinated way. It is often difficult to get consensus from all landowners for a rezoning, it is more expensive to develop than land that is largely devoid of buildings and timing is more uncertain. However, this type of area may lend itself to a more incremental style of growth compared to a larger greenfield subdivision and can contribute to an increase in density over a longer period of time.

### Environmental Risks or Hazards in a Changing Climate

The changing climate of the Barwon region is discussed at Chapter 8.1. For the investigation areas, the risks and potential hazards considered are:

- Bushfire / grassfire
- Flooding
- Proximity to the Industrial 1 Zone and the Birregurra Municipal Transfer Station (former landfill)

### **Bushfire / Grassfire**

A Strategic Bushfire Planning Assessment (Bushfire Assessment) was undertaken by Kevin Hazell Bushfire Planning to inform the preparation of the Birregurra Structure Plan 2025. The Bushfire Assessment outlines bushfire (and grassfire) hazard in Birregurra and considers where new residential development could occur having regard to State planning policy at Clause 13.02-1S of the Colac Otway Planning Scheme. The methodology for the Bushfire Assessment included:

- Background on the strategic and planning context of the study area (Birregurra township and adjacent rural land surrounding the township).
- An overview of bushfire content in the Planning Scheme.
- A bushfire hazard landscape assessment, similar to the approach for a bushfire hazard landscape assessment described in *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP 2017).
- A description of bushfire hazard at the neighbourhood and local scale, informed by the methodology for a bushfire hazard site assessment as described in *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP 2017) and *AS3959-2018 Construction of buildings in bushfire-prone areas* (Standards Australia).
- An assessment having regard to the *Design Guidelines: Settlement Planning at the Bushfire Interface* (DELWP 2020).
- An assessment in response to c13.02-1S *Bushfire Planning* and other planning scheme bushfire provisions.
- Views of the relevant fire authority.



The Bushfire Assessment concluded that there is no bushfire planning factor that would warrant growth or development being directed away from Birregurra. Several recommendations are made to support improved bushfire resilience for Birregurra for new development or subdivision. It noted:

*“In fact, new development with contemporary bushfire protection measures applied can be low risk in completed development, much lower risk than the existing settlement interface, and likely deliver an overall risk reduction as sought by c13.02-1S Bushfire Planning.”*

The western edges of the town were identified as most at risk from grassfire due to prevailing bushfire weather. It was recommended that these interfaces should be a focus for improvements in bushfire resilience.

The Bushfire Assessment includes an emerging design response as input to the Structure Plan.

**Figure 12 Emerging Design Response - Bushfire Consideration, Strategic Bushfire Planning Assessment, 2024**





The design response identifies that growth is acceptable from a bushfire perspective to the north, west and south of the town. It recommends that priority should be given to creating new bushfire optimised interfaces to the west of town.

While growth is acceptable in many directions, from a bushfire mitigation perspective this lends a preference to development along the western edge of town, where improvements to the overall bushfire resilience for the town can be achieved.

Other recommendations for the revised structure plan are:

1. Structure planning should seek to provide at any new township interface lot sizes in line with the *Design Guidelines: Settlement Planning at the Bushfire Interface (DELWP 2020)*, comprising lots no larger than 1,200sq.m. Where this not possible, any new township interface would be higher risk and would require vegetation management on new lots in completed development.
2. Development creating a new bushfire hazard interface will be required to be set back from bushfire hazards to ensure exposure is less than 12.5kw/sq.m of radiant heat. This equates to Column A in Table 2 to *c53.02 Bushfire Planning* in the planning scheme.

For grasslands, this may comprise a setback of 19m-30m, with a 30m setback being an effective benchmark to use in township wide structure planning. Constructed (perimeter) roads must be used as part of the required setbacks on any new settlement / hazard interface.

3. *c53.02 Bushfire Planning, Table 6 Vegetation management requirements* should be applied to all new lots for Accommodation which are more than 1,200sq.m. Alternative hazard management approaches can be developed to the satisfaction of the relevant fire authority in conjunction with future planning.
4. Structure planning should recognise the bushfire benefits of the existing no and low hazard character of Birregurra and generally not promote changes which would introduce new bushfire hazards into township areas.

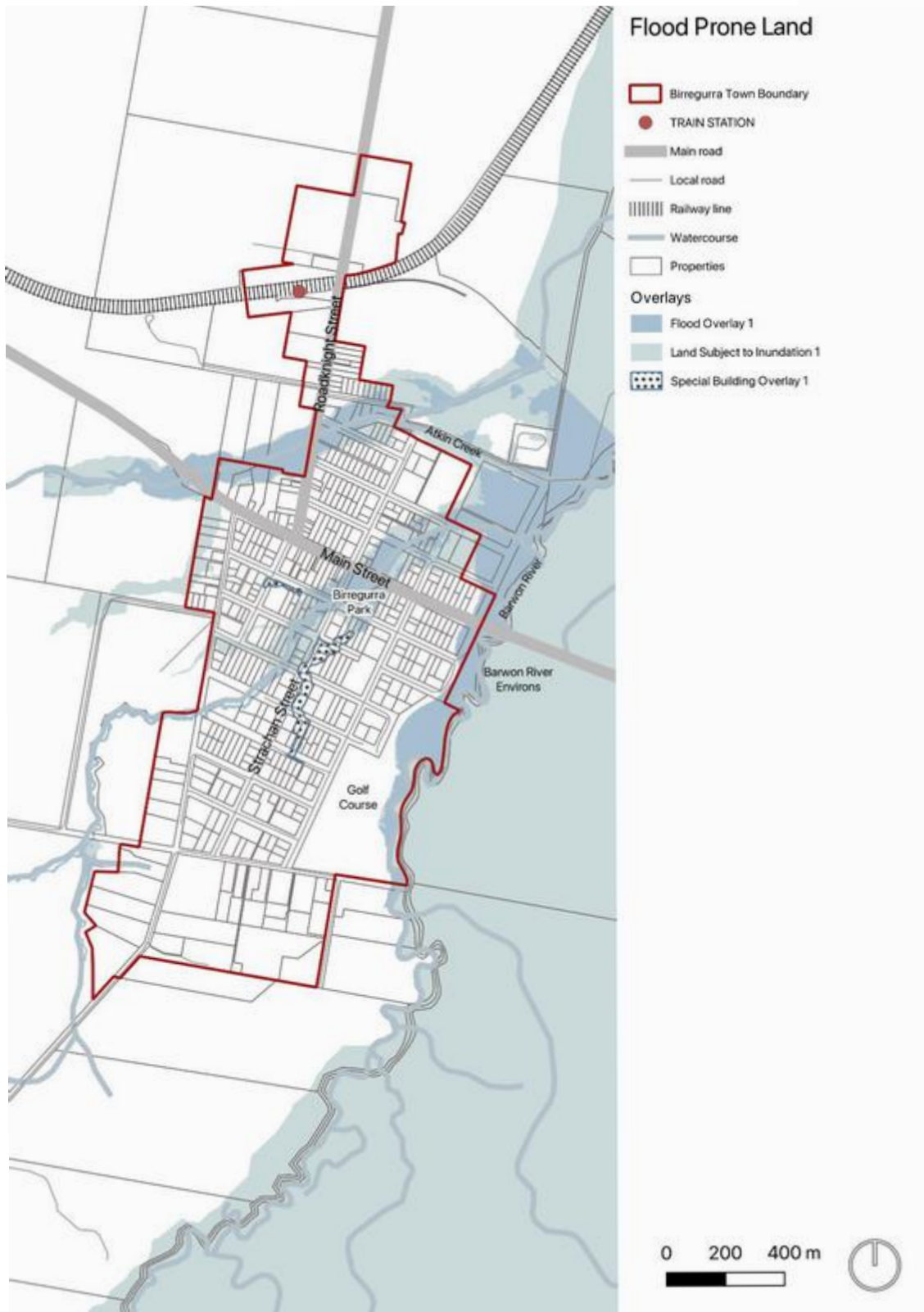
The effect of these recommendations is that from a bushfire perspective smaller lots are generally preferred. While lots larger than 1,200sqm could be considered, vegetation would need to be managed to strict standards so as not to create new bushfire hazards. Perimeter roads would be required to any growth area regardless of lot size.

Recommendation 4 discourages planning policy which could introduce new bushfire hazards into township areas. This does not necessarily mean planting of vegetation should be discouraged, but rather that it should be undertaken with regard for the bushfire context. Council and the CFA both have publications to assist with creating gardens to reduce bushfire risk and landowners should be encouraged to refer to these guidelines.

### **Flooding**

New flood mapping for Birregurra was introduced into the Colac Otway Planning Scheme in September 2022 based on the Birregurra Flood and Drainage Strategy, prepared by Engeny Water Management.

**Figure 13 Birregurra Flood Overlays, Colac Otway Planning Scheme**



The new mapping identifies a small section of land in the southern part of Area 3 as subject to flooding and inundation, and some small areas of land in the north and east of Area 2 as subject to inundation.

More recently, the Corangamite Catchment Management Authority (CCMA) has advised that the methodology used to estimate climate change flood probability is now considered to significantly underestimate flood extents and is not fit for purpose for planning of future growth areas. State policy requires that new growth areas minimise exposure to natural hazards, including increased risks due to climate change.<sup>9</sup>

It is recommended that any future application to rezone land for residential purposes will need to include updated flood mapping using the new methodology to account for increased rainfall intensity associated with climate change (refer to the Australian Runoff and Rainfall Guidebook (Version 4.2, August 2024)).

### **Proximity to Industrial Land and the Municipal Transfer Station**

A priority in planning is to avoid land use conflict and avoid locating new sensitive uses (such as residential development) in areas that may be impacted by adverse off-site impacts from commercial or industrial uses. It is important to ensure that any proposal to change land use zoning has consideration for potential environmental risks and hazards posed by existing or previous land use in the surrounding area. This protects existing operators of industrial businesses and future communities. It is preferred to direct urban residential growth away from areas that have the potential to be affected by negative, off-site amenity impacts such as noise, dust, odour, contamination, etc.

The 2013 Structure Plan included an objective “to protect the ongoing integrity of industrial activities in the Industrial 1 Zone to the north of town”. The area was consolidated through rezoning of additional land adjacent to the Birregurra Railway Station to the Industrial 1 Zone (IN1Z). While there has been little activity in the industrial area which has required planning permission over the last 10 years, more recently some new development and activity has occurred. It is considered appropriate to continue to direct new industrial activity to this area and ensure uses are appropriately separated from sensitive land uses, including residential development.

The Birregurra Transfer Station (former landfill) is located outside the industrial area and to the north-east of town. Advice from Council is that the former landfill was most likely a Type 2 facility because it accepted putrescible waste. The 2013 Structure Plan included a strategy to “ensure sensitive uses do not encroach into the Birregurra Transfer Station’s EPA recommended buffer”. The buffer was shown as a 500-metre area encircling the transfer station on the ‘land use and activity’ map but was not included in the Structure Plan Map that was introduced into the Planning Scheme.

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<sup>9</sup> Clause 11.01-1S, Colac Otway Planning Scheme

The Environment Protection Agency of Victoria (EPA) released a new Separation Distance Guideline, which provides advice on recommended separation distances between industrial land uses and sensitive land uses, and a Landfill Buffer Guideline (which applies to both existing and former landfills) in 2024.

Any proposal which may allow the sensitive use or development of land within a buffer or separation distance for industry, or a transfer station, must comply with the requirements of Ministerial Direction No. 19 'Preparation and content of amendments that may significantly impact the environment, amenity and human health'. This requires a planning authority to seek the written views of the EPA about the potential impacts of the proposed plan.

The advice of the EPA was sought regarding investigation Areas 1 and 3 due to their proximity to the:

- industrial land north of the railway line; and
- Municipal Transfer Station east of Area 3.

The EPA identified four matters for further consideration and made associated recommendations (summarised as):

1. **Industrial land uses:** Refer to EPA's Separation Distance Guideline, August 2024 to inform the suitability of Areas 1 and 3 for future residential development.

Recommendation

- Review nearby industry and identify applicable separation distances.

2. **Transfer Station and former landfill:** the Separation Distance Guideline recommends a 500-metre separation distance (for odour) for sites that accept putrescible waste and a 250-metre separation distance (for dust) for transfer stations. The Landfill Buffer Guideline recommends a 500-metre landfill gas buffer based on a Type 2 former landfill.

Recommendation

- Identify these separation distances to determine whether Areas 1 or 3 would result in encroachment.
- If a proposed rezoning would encroach into the separation distance, refer to the Guidelines which set out the decision-making process.

3. **Noise impacts from railways and roads:** Areas 1 and 3 are located near the railway line.

Recommendations

- Review Planning Practice Note 83: Assessing external noise impacts for apartments (PPN83), which provides guidance in understanding and addressing noise impacts posed from railways and roads.
- If Areas 1 or 3 are proposed for rezoning for residential development within a noise influence area, a noise risk assessment may be required.



4. **Potentially contaminated land:** Planning Practice Note 30 Potentially contaminated land (PPN30) provides guidance to address risk if land is potentially contaminated at the time of rezoning.

Recommendation

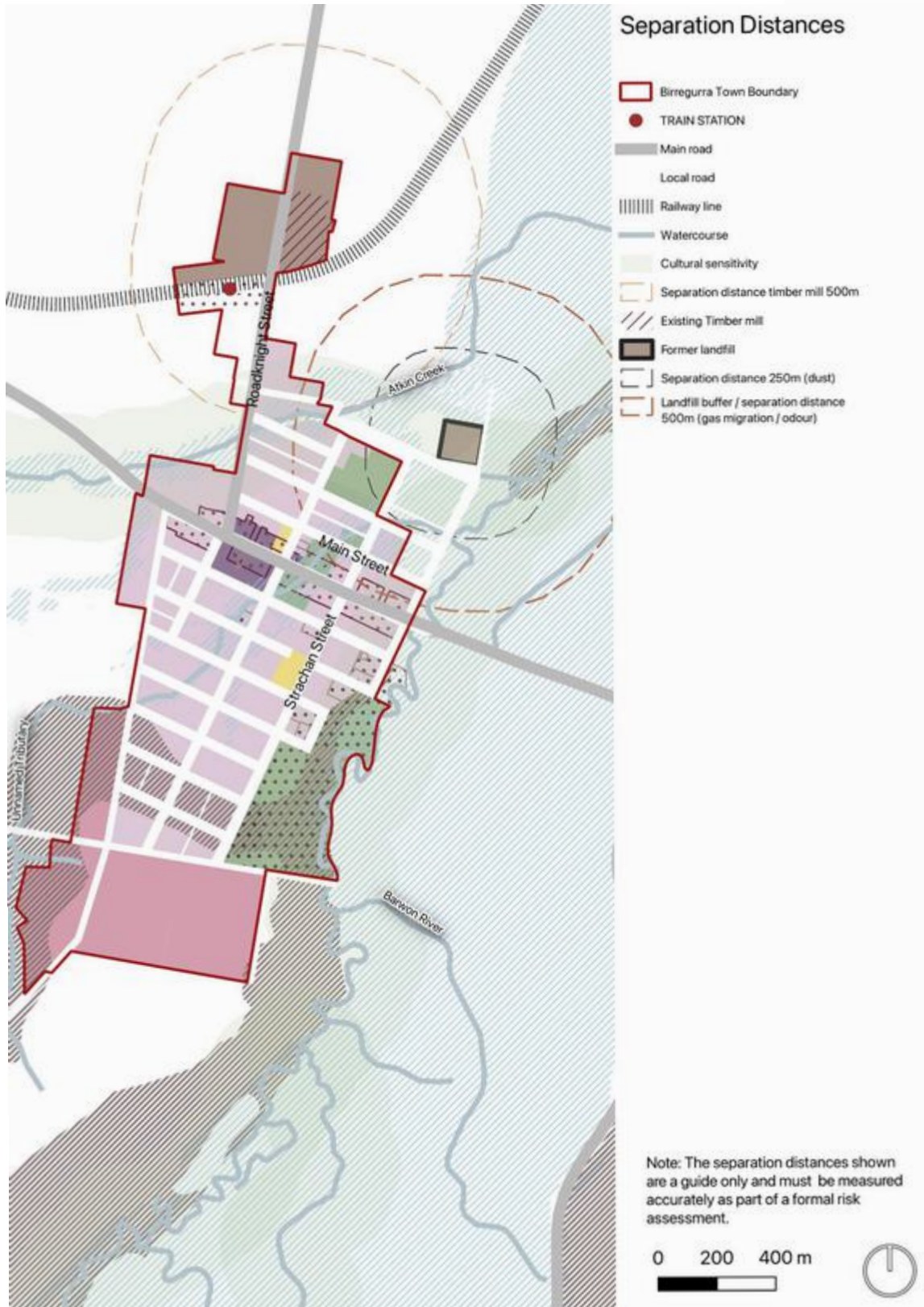
- Document and consider potentially contaminated land for parcels within Areas 1 and 3.

It is noted that while advice from the EPA was sought for Areas 1 and 3 due to their proximity to the industrial estate and the transfer station, the fourth matter raised by EPA (Potentially contaminated land) would equally apply to Area 2.

**Figure 14** shows approximate separation distances for the Birregurra Transfer Station. Area 3 would be partly within the 500-metre buffer. If land within the affected area is to be considered further for residential development, a landfill gas risk assessment would need to be undertaken to confirm that this might be appropriate. An odour and dust risk assessment would also be required for land within the applicable separation distance areas.

The exact nature of operations of all existing businesses throughout the industrial area is unknown. However, it is noted that Forrest Timber Products timber mill is located in the south-east of the IN1Z area abutting the railway line. The applicable separation distance for a timber mill which includes sawing and milling is 500 metres for both odour and dust. Rezoning land within this area for future residential development would only be possible if a risk assessment deemed it appropriate. **Figure 14** shows a 500-metre separation distance from the south-east corner of the site. The point at which the 500-metre separation distance should be drawn could change through a risk assessment, if the source of the activity with potential amenity implications is determined to be elsewhere on site.

Figure 14 Birregurra Separation Distance Map



### Servicing – Sewer and Water

Barwon Water are the agency responsible for sewerage and water provision in Birregurra.

The Birregurra Sewerage System was built in 2012. It is on the north side of town and was initially built to service 466 people. Barwon Water advise that ultimately the plant is intended to be duplicated to provide service for approximately 925 people.

Recently Barwon Water has commenced upgrading the town water supply through the construction of a new underground pipeline to connect Birregurra to the Colac water supply system.

The advice of Barwon Water was sought to understand whether any of the three areas was preferred from a servicing efficiency or cost perspective.

Barwon Water advised that Areas 1, 2 and 3 could be serviced by the existing gravity sewerage system and that all areas generally fall towards the existing network. The capacity of individual sewers would be assessed at the time of a development proposal.

Barwon Water also advise that the investigation areas appear serviceable for water and would likely need extensions of the DN150 pipeline at the time of development (which would need to be developer funded). However, it noted that this advice is high level and may be subject to change based on Barwon Water's requirements at the time land is proposed for development.

### Other considerations

In addition to the above matters, other considerations raised through community consultation included:

- Neighbourhood character – subdivision and development to be designed to be complementary to the existing character of Birregurra and its various precincts. This could include the application of planning provisions to any new areas designated for residential development consistent with adjoining land (e.g. application of the Design and Development Overlay).
- Street pattern – subdivision that reflects the current grid network of Birregurra which facilitates walking and cycling as modes of transport.
- Compatibility with nearby agricultural activities – limiting potential land use conflict between new residential development and existing agricultural activities.

### Findings

Based on the above analysis it is recommended that Area 2 be identified on the Birregurra Structure Plan Map as a potential "residential investigation area". This is due to the combination of the following factors:

- The area is largely devoid of existing buildings.
- It is located on the western edge of town, which has been identified in the Bushfire Assessment as a priority area for creating new bushfire optimised interfaces.
- It is not constrained by potential separation distances from activities in the Industrial Estate or the Municipal Transfer Station.

Any rezoning proposal for the area would be subject to further detailed analysis. The further analysis should include, but not be limited to, assessments for:

- Climate resilience and adaption, including flooding analysis based on the most up to date flood modelling recommendations.
- Aboriginal cultural values.
- Biodiversity and landscape values.
- Neighbourhood character.
- Detailed land capability and identification of any potential contamination.
- Land use compatibility with nearby agricultural uses.
- Potential visual amenity impacts.
- Sustainable design.
- A design response which adheres to the recommendations of the Strategic Bushfire Planning Assessment.



## RESIDENTIAL DEVELOPMENT

### Objective:

To provide opportunities for future residential growth by supporting continued infill development and through small scale urban expansion.

### Strategies

- Encourage sensitive infill development and subdivision consistent with preferred neighbourhood character objectives.
- Designate Area 2 for possible future urban development subject to further investigation on the Birregurra Structure Plan Map.
- Any rezoning proposal for the area would be subject to further detailed analysis. The further analysis should include, but not be limited to, assessments for:
  - Climate resilience and adaption, including flooding analysis based on the most up to date flood modelling recommendations.
  - Aboriginal cultural values.
  - Biodiversity and landscape values.
  - Neighbourhood character.
  - Detailed land capability and identification of any potential contamination.
  - Land use compatibility with nearby agricultural uses.
  - Potential visual amenity impacts.
  - Sustainable design.
  - A design response which adheres to the recommendations of the Strategic Bushfire Planning Assessment, KH Bushfire Planning (2024).
- Encourage landowners to landscape gardens having regard to the following publications:
  - Landscaping for Bushfire, Garden Design and Plant Selection, CFA.
  - Landscaping your Coastal Garden for Bushfire, Colac Otway Shire.
- Support measures to improve bushfire resilience along the western edge of the township.

## 5.4 Housing Diversity

All dwellings were reported as detached housing (i.e. not units or apartments) in the 2021 Census indicating very little housing diversity in Birregurra. Housing is predominantly on the larger side with 78.7% of dwellings having 3 or more bedrooms, yet more than a third of dwellings accommodated one person.

Encouraging a more diverse mix of housing products could have the following benefits:

- Caters to various life stages of the population, including young families, first homeowners, single households and older persons.
- Offers a wider range of price points to cater for different budgets.
- Supports people to age in place.
- Potential for more accessible homes for people with limited mobility.
- Increased density in areas close to retail areas and community services (within 400 metres) can promote more active modes of transport, e.g. walking and cycling.
- Minimise environmental impacts.

Current policy for Birregurra encourages medium density style development in areas closer to Main Street. However, since 2013 there has been little interest in terms of development applications for medium density housing or the creation of smaller lots (refer **Figure 15**).

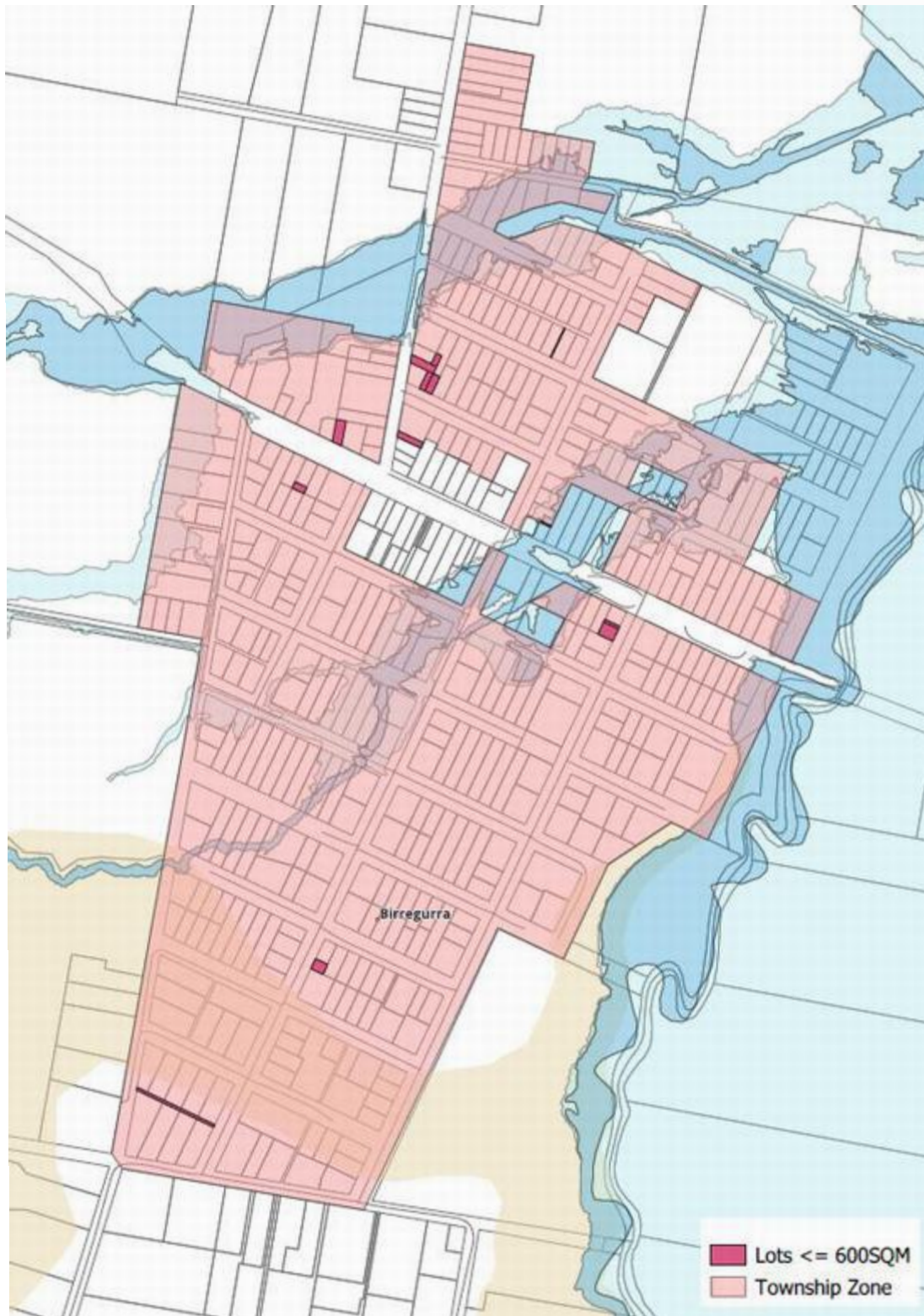
This is likely a reflection of the rural village style character of Birregurra. People coming to town are often seeking land, space and privacy. These features attract people to the town and are highly valued by the community.

This is not to say that smaller homes or some increase in density would destroy the valued character of Birregurra. The introduction of the neighbourhood character provisions into the Planning Scheme at the time of the 2013 Structure Plan were designed to allow for some diversity ensuring new development would be complementary to neighbourhood character.

Several comments through community feedback supported providing a diversity of smaller homes and units and some smaller lots within the town. Some submissions suggested that consideration should be given to different typologies and ownership arrangements.

There was also support for more variety in housing options for older persons including lifestyle villages and retirement living units.

**Figure 15 Residential Lots 600sqm or less, Birregurra Structure Plan Review: Issues and Opportunities Report, 2024**



The approach to encourage some smaller homes and medium density style housing is consistent with State policy. Increased density should continue to be supported within 400 metres of Main Street. This is recommended with one proviso. The proximity of the Municipal Transfer Station to residential land north-west of Main Street is something which needs further consideration (refer to Chapter 5.3). While the 2013 Structure Plan identified a transfer station buffer area, it was not introduced into the Planning Scheme. However, new policy was introduced into the Planning Scheme to encourage higher density in some areas within the buffer area. It may be that there is no current risk. However, this cannot be assumed, and it is recommended that no further residential subdivision be supported within the buffer area until a gas migration analysis can confirm that it does not pose a safety risk.

In late 2023, the Victorian Government introduced changes to all planning scheme in Victoria and the Building Regulations 2018 to make it easier to build a small second home on a developed residential lot. In most cases, a planning permit is no longer required to build a second small home up to 60sqm. New small homes cannot be subdivided or sold off separately from the main home. It is anticipated that this will provide further opportunity for an increase in the diversity of housing stock.

Existing local policy in the Planning Scheme supports retirement/aged care living close to the community and health node, and Main Street. Given there is no defined 'community and health node' in the Planning Scheme it is recommended this policy be reworded as "Support retirement / aged care development close to community and health facilities, and Main Street."

## HOUSING DIVERSITY

### Objective:

To encourage a diversity of housing type and residential lot sizes to accommodate people of varying ages and life stages.

### Strategies

- Encourage the provision of smaller homes and residential lot sizes within 400 metres of Main Street consistent with preferred neighbourhood character objectives.
- Support retirement/aged care development close to community and health facilities, and Main Street.
- Do not support residential subdivision within 500 metres of the Birregurra Transfer Station until a gas migration analysis can confirm that it does not pose a safety risk.



## 5.5 Character and Heritage

Birregurra's rural village character remains one of its key qualities and continues to be highly valued by residents and visitors to the town. Heritage buildings and precincts contribute significantly to this character and are appropriately included within the Heritage Overlay in the Planning Scheme.

There was considerable feedback from the community seeking to maintain the rural and heritage character of Birregurra and to avoid generic style housing in future development. There was also strong support for protecting vegetation within the town.

Current strategies in the Planning Scheme seeking to protect Birregurra's town character include:<sup>10</sup>

- Protect the town's significant and contributory heritage places.
- Protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.
- Encourage adaption and re-use of heritage buildings on Main Street.
- Retain low building heights throughout the town and the single storey, built form of Main Street.
- Support development in the Industrial 1 Zone that reflects the rural character and visual amenity.
- Support road upgrades that retain and enhance the character and informal nature of road reserves.
- Design built form in residential areas to maintain the dominance of the surrounding landscape.

Other neighbourhood character objectives, strategies and design guidelines are set out in the:

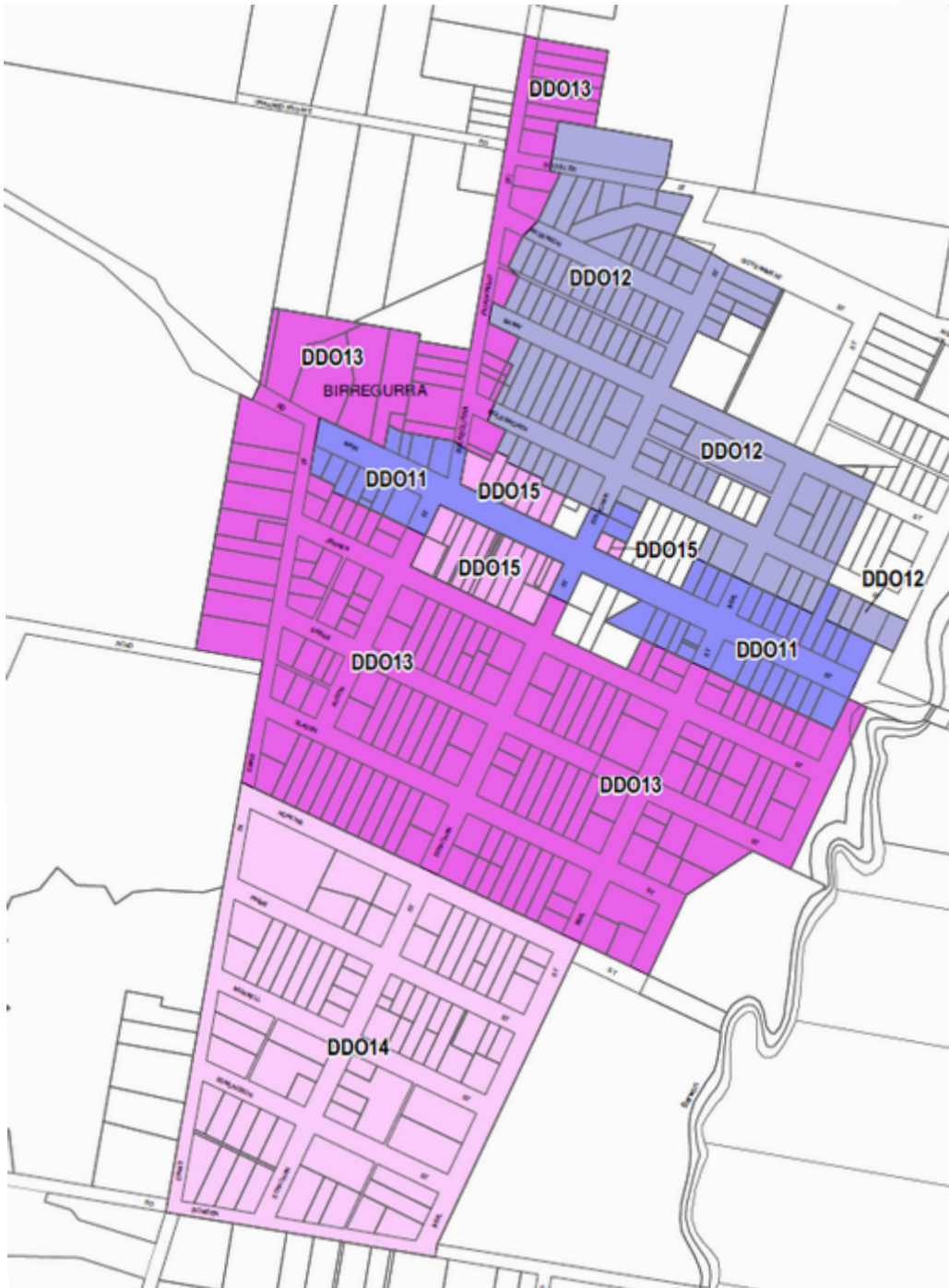
- Design and Development Overlay (DDO), Schedules 11-16
- Vegetation Protection Overlay, Schedule, Schedule 3

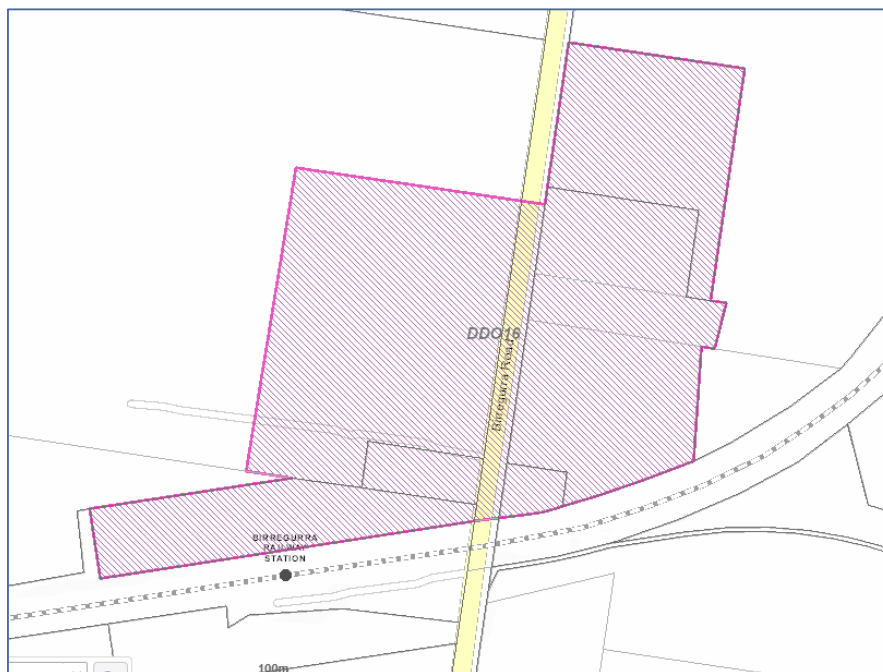
**Figure 16** and 17 show land affected by the DDO schedules.

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<sup>10</sup> Clause 11.03-6L, Colac Otway Planning Scheme

**Figure 16 DDO schedules, Colac Otway Planning Scheme**



**Figure 17 Industrial Precinct - DDO16, Colac Otway Planning Scheme**

A review of the neighbourhood character provisions in the Planning Scheme was undertaken as input into the development of the Structure Plan. It examined whether provisions have been effective in achieving the preferred character as set out in the *Birregurra Neighbourhood Character Study 2012* (2012 Character Study).

The 2012 Character Study emphasised that respecting character did not mean new development needed to mimic or copy existing development but rather complement existing development.

The review of neighbourhood character provisions involved assessing the six precincts using the following methodology:

- A review of Council's planning permit register over the 10 years since the neighbourhood character provisions were introduced.
- A workshop with Council's statutory planners to discuss the neighbourhood character provisions and identify planning permit applications of relevance.
- A review of several planning permit application officer reports over the 10 years since the neighbourhood character provisions were introduced.
- Mapping analysis having regard to lot sizes, aerial photography and comparisons with maps in the 2013 Background Report.
- Site inspections from the public realm.

Detailed findings are in the *Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions, 19 July 2024* (Neighbourhood Character Review).

The Neighbourhood Character Review found the planning provisions have generally been effective in maintaining Birregurra's valued character attributes. The town continues to exhibit a low rise, rural and heritage character presenting a mix of housing styles which are generally unobtrusive and in keeping with surrounding development.

The character of the commercial area in Main Street stems from the heritage fabric of existing buildings. New development or extensions to existing buildings have responded well to the historic character of building stock, through low rise building heights and the appropriate use of materials. However, the DDO15 doesn't contain any specific guidance for commercial land fronting Jenner Street. This area presently functions as the rear of retail premises facing Main Street, but there is potential for development to front Jenner Street in the future. It is recommended that further design guidance be introduced in the DDO15 to ensure that future development fronting Jenner Street responds to its sensitive residential interface.

Until recently there has been little development in the industrial area since the introduction of the DDO16. The Neighbourhood Character Review noted that planning permit applications were assessed as generally consistent with the rural township character of Birregurra. Proposed buildings were relatively low rise (for industrial buildings) and would be constructed from materials appropriate in the streetscape context and at the northern entrance of town. However, concerns have since been raised through community consultation about the impact of some of the new buildings under construction on the views of the historic Railway Station from the town entry at Roadknight Street. There are strategies in the DDO16 directing that new development should have an appropriate interface with the Railway Station but there is nothing to guide the siting of buildings to protect views of the Station from the public realm. It is recommended that a new strategy be included in the DDO16 to protect these important views.

Recommended Amendments to the Colac Otway Planning Scheme arising from the Neighbourhood Character Review are set out in Appendix 1.

They include the following amendments to the DDO schedules 11-14:

- Ensure there is an objective for each precinct which clearly articulates the preferred character for that precinct (based on the 2012 Character Study).
- Ensure the schedules are drafted in accordance with the Ministerial Direction on the Form and Content of Planning Schemes.
- Introduce new design guidelines to provide clarity around how landscaping objectives can be met for some of the precincts.
- Adjust schedule boundaries where anomalies have been identified.
- Reduce the rear setback design standard in the DDO13.
- Include a new objective and design guideline in the DDO15 to ensure new commercial development fronting Jenner Street will respond appropriately to its sensitive residential interface.
- Include a new objective and performance standard in the DDO16 to protect views to the historic Birregurra Railway Station from Roadknight Street.
- Exempt the removal of environmental weeds in the VPO3.



## CHARACTER & HERITAGE

### Objective:

To encourage new development that complements the rural village character and heritage of Birregurra.

### Strategies

- Retain the following built form neighbourhood character and heritage policy objectives and strategies in the Colac Otway Planning Scheme:
  - Protect the town's significant and contributory heritage places.
  - Protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.
  - Encourage adaption and reuse of heritage buildings in Main Street.
  - Retain low building heights throughout the town and the single storey built form of Main Street.
  - Design built form in residential areas to maintain the dominance of the surrounding landscape.
- Amend planning provisions in accordance with the recommendations of the *Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions, 19 July 2024*, and as set out in Appendix 1, to:
  - Ensure there is an objective for each precinct which clearly articulates the preferred character for that precinct.
  - Ensure DDO schedules are in accordance with the Ministerial Direction on the Form and Content of Planning Schemes.
  - Introduce new design guidelines to provide clarity around how landscaping objectives can be met for some of the precincts.
  - Adjust schedule boundaries where anomalies have been identified.
  - Reduce the rear setback in the DDO13.
- Include a new design guideline in the DDO16 to protect views of the historic Birregurra Railway Station, which provides guidance around the siting of new buildings and works.
- Amend Schedule 3 to the Vegetation Protection Overlay to exempt the removal of environmental weeds.

## 6. Commerce and Industry

### 6.1 Business and Tourism

The Birregurra General Store is an anchor point for the town centre, alongside the Royal Mail Hotel, the post office and other cafes and speciality stores. The core town centre of Birregurra was rezoned to the Commercial 1 Zone (C1Z) as part of the implementation of the 2013 Structure Plan to clearly define the centre and ensure longer term options for retail and commercial uses. This has assisted in reinforcing the role of Main Street as the retail heart of the town between Austin Street and Birregurra Park.

Most of the commercial development is on the south side of Main Street, which has good solar access and lends itself to outdoor seating. In recent years, Birregurra Art Gallery has opened on the north side of Main Street. The town does not yet support a population or catchment to support a full line supermarket, and the General Store continues to fulfil the role of providing food essentials.

There are only a few vacant lots in the commercial centre, but much of the development does not make full use of the available land area. It will be important to ensure that residential uses do not become a primary or dominant use in this precinct to preserve the ability for the commercial offering to expand as the town grows. The C1Z restricts the style of residential development permitted in the zone, and coupled with the design standards in the DDO15, the existing planning provisions should be sufficient to minimise residential intrusion into the commercial area.

The design of buildings in the commercial area is guided by the neighbourhood character provisions set out in the DDO15. The potential for commercial development to occur along Jenner Street is discussed in Chapter 6.5 and clear design guidance should be introduced into the Planning Scheme to ensure new development responds to the sensitive residential interface of this area.



Community consultation identified strong support for a thriving town centre, with year-round activity and businesses supporting residents and tourists. It has been suggested that installation of EV charging stations close to businesses in the town centre would support activity.

Birregurra is also known as a tourist destination with several arts, craft and food related tourism businesses, including the award-winning Brae Restaurant. While the Birregurra Festival is not currently occurring, a Sunday Market continues to be held between November and May.

The 2013 Structure Plan noted some community support for a service station. This was raised again in recent consultation. Current planning policy encourages any potential service station to locate in or close to the town centre, but away from the heritage core and identified town gateways. This would be difficult to achieve as the heritage core spans most of the length of Main Street and residential development extends along Roadknight Street to the Railway Station. No applications for a service station have been received since the 2013 Structure Plan and with the Princes Highway just six kilometres to the north of Birregurra, it is likely that a potential provider would prefer a Highway location. However, if an application should be received the existing policy provides some guidance about where it should be located, and should therefore be retained but modified to refer to a location 'close' to the town centre, but not 'in' the town centre.

## BUSINESS & TOURISM

### Objective:

To support the Main Street commercial area as the retail heart of the town servicing the needs of local residents and tourists.

### Strategies

- Encourage retail businesses to locate in the core town centre on Main Street.
- Support tourism developments which respond to Birregurra's rural setting and heritage character.
- Support the installation of EV charging stations close to businesses in the town centre.
- Locate a potential service station close to the town centre, but away from the heritage core and identified town gateways.
- Amend Schedules 15 to the Design and Development Overlay to include design guidance to ensure that new commercial development fronting Jenner Street responds to the sensitive residential interface.

## 6.2 Industry

Industrial activity and development is concentrated in the industrial area to the north of Birregurra along Roadknight Street. Since 2013, the industrial precinct has been further consolidated with land adjacent to the Birregurra Railway Station rezoned to Industrial 1 Zone.

Current planning policy for industry in Birregurra seeks to:

- Encourage consolidation of industrial uses in the Industrial 1 Zone.
- Support development in the Industrial 1 Zone that reflects the rural character and visual amenity.

There has been little activity in the industrial estate which has required planning permission over the past 10 years. Some permits have been issued more recently for new development in the estate which is positive for economic growth in the area. Permits have included landscaping and other design requirements to ensure new development is screened or consistent with Birregurra's rural character where visible from public viewing points, particularly along the entry to town and from the Birregurra Railway Station. Some concerns have been raised recently through community consultation about the impact of development on views to the historic Railway Station from Roadknight Street. Further discussion about this issue and a recommendation to address concerns is included at Chapter 5.5.

The established mechanic in Molesworth Street continues to provide an important service for the town and has not sought to expand beyond its current site.

New industrial business should be encouraged to locate in the industrial area in the future to ensure uses are appropriately separated from sensitive land uses such as residential land.

### INDUSTRY

#### Objective:

To support the ongoing viability of Birregurra's industrial precinct

#### Strategies

- Encourage industrial uses to locate on land in the Industrial 1 Zone.
- Protect the integrity of existing industrial activities in the Industrial 1 Zone by ensuring sensitive uses do not encroach into separation distance areas unless supported by a risk assessment.



## 7. Environment and Landscape

The 2013 Structure Plan provided the following description of environmental and landscape assets in Birregurra:

*Birregurra is located on the west bank of the Barwon River and is dissected by two of its tributaries (Aitken Creek and an unnamed watercourse). The township is well recognised for its treed character and topographic diversity associated with flat, low-lying land to the north, and steeper land and escarpments to its south. A range of exotic and native vegetation scattered throughout the township contributes to significant canopy tree cover.*

*The northern half of the town is relatively flat and has several areas of poorly drained land that is prone to flooding. In comparison, the ridgeline along the southern area of the town provides a magnificent setting for housing, with significant views of the Barwon River floodplain and of surrounding rural areas extending as far north as Mount Gellibrand.*

*The three highway entries into Birregurra play an important role in determining the landscape character of the town. They provide a first impression of the township upon arrival. The visibility of land along these approaches needs to be taken into consideration in making decisions about possible future township expansion and the form in which any such expansion might occur.*

Local policy seeks to protect these assets through the following strategies:

- Preserve and enhance the Barwon River corridor and connected waterways.
- Protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.
- Design built form in residential areas to maintain the dominance of the surrounding landscape.<sup>11</sup>

The assets are further protected by the application of planning scheme zones and overlays including the:

- Farming Zone over land at the east and western gateway entrances to town.
- Significant Landscape Overlay, Schedule 6 Rivers of the Barwon: Barwon River (Parwan) Corridor Environs
- Vegetation Protection Overlay, Schedule 3 Birregurra Tree Protection Area

The Design and Development Overlay also plays a role in supporting the enhancement of the landscape character of the town.

The combination of these planning provisions have generally been effective in protecting these valued assets and landscape vistas, and they should continue to be applied.

<sup>11</sup> Clause 11.03-6L, Colac Otway Planning Scheme

In addition to the policy framework, 'on the ground' actions are occurring to improve the town's assets. Over many years the Corangamite Catchment Management Authority (Corangamite CMA) has been working alongside the Upper Barwon Landcare Network, Birregurra Landcare Group and local landowners to improve the health of the Barwon River at Birregurra, particularly through weed removal and re-establishment of indigenous vegetation. These endeavours should be strongly supported.

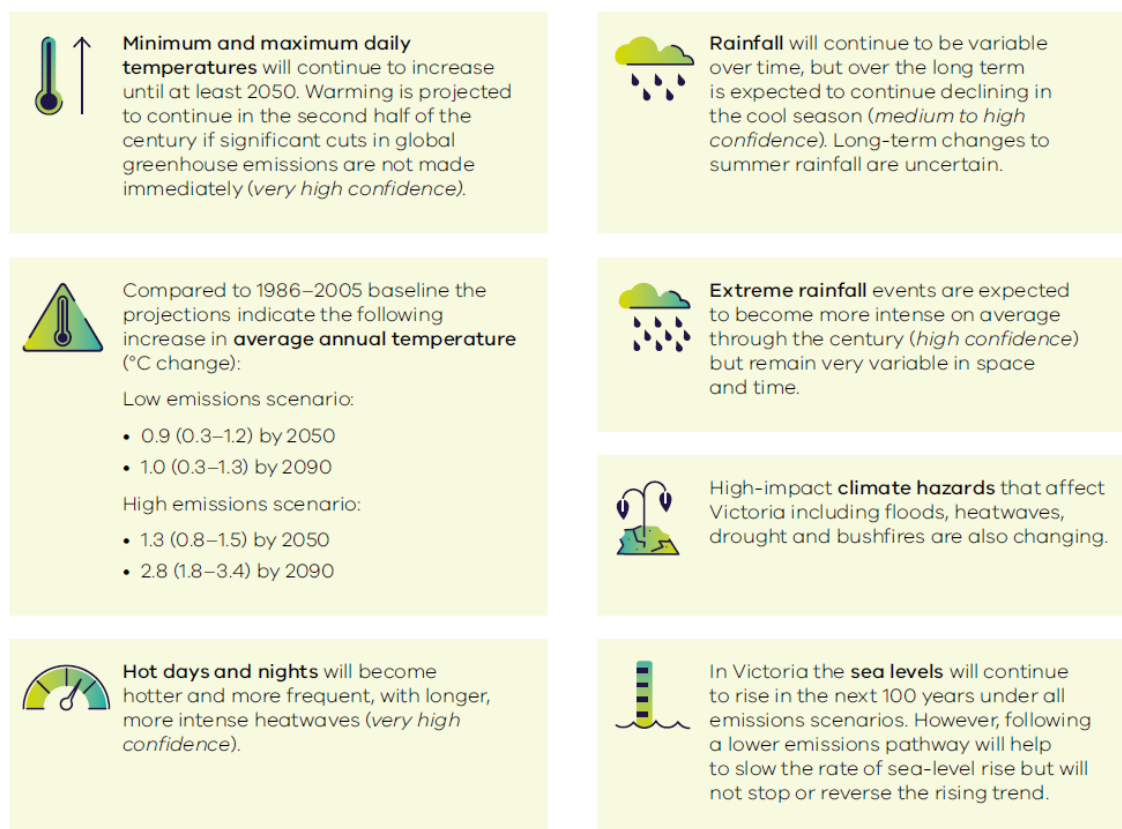
There was strong support through community consultation for further street tree planting to mitigate the effects of climate warming and to provide shading and pleasant amenity in Main Street and in public parks.

Council recently completed a street tree planting program in Birregurra, planting approximately 70-80 trees throughout 2024.

### 7.1 A Changing Climate

Key challenges for the future of Birregurra's important environment and landscape assets stem from the changing climate. The State government, working with climate scientists, has undertaken a significant amount of research and investigation into Victoria's changing climate in recent years.

The recently released Barwon Climate Projections 2024 identifies that the climate of the Barwon region has already changed and will continue to change.



Source: Barwon Victoria's Climate Science Report 2024 Collateral, Victorian Government & CSIRO

The purpose of this climate science information is to help manage and mitigate the impacts of climate risks

### Bushfire

As discussed in Chapter 5.3, a Strategic Bushfire Planning Assessment (Bushfire Assessment) was undertaken by Kevin Hazell Bushfire Planning to inform the preparation of the Birregurra Structure Plan 2025.

The Bushfire Assessment focuses on planning considerations for new growth and development. It does not address bushfire mitigation measures for operational, on-going management as this work falls outside the structure plan process.

The CFA supported the Bushfire Assessment and reinforced the need to include appropriate bushfire policy in the Structure Plan to guide new growth or development. In addition to the recommendations of the Bushfire Assessment, the CFA recommended that vulnerable uses (such as aged care, childcare, education, etc) are located away from bushfire hazards.

### Flooding

Council commissioned a flood and drainage strategy in 2021 which aimed to improve the understanding of flooding in Birregurra and management of flood risk. The recommendations of the study included updating flood mapping in the Planning Scheme and the Municipal Emergency Management Plan. A planning scheme amendment was approved in 2022 which implemented the new mapping (refer **Figure 13**). However, it is noted in Chapter 5.3 that the methodology used to estimate climate change flood probability is now considered to significantly underestimate flood extents and is not fit for purpose for planning of future growth areas. What this means for current urban areas is unknown but it is likely revised modelling will be required. It is recommended that Council continue to liaise with the Corangamite CMA to determine the most appropriate approach to facilitating updated flood modelling for existing urban areas.

### High Temperatures

The 2024 Climate Science Report indicates with a degree of high confidence that days and nights of high temperatures are likely to become more frequent. This issue was raised through community consultation, and it was suggested that Council needs to designate a safe space for people to go on days of high temperatures and the example of the Seniors Room in the Birregurra Town Hall was given.

Council currently provides guidance on the Council website for 'Places to Go on High Risk Days' both for bushfire and heatwave planning. It includes a list of possible examples for places it may be appropriate to spend time on such days, depending on conditions. It notes that the list is not exhaustive and individual opening hours will apply. Other advice includes:

*It is important to consider what best fits your personal circumstances. Talking to friends and family about options for what to do during heatwaves or bushfires is the best way to be prepared. Planning to stay elsewhere may be the simplest and best option.*

## ENVIRONMENT & LANDSCAPE

### Objectives:

To improve the climate resilience of Birregurra township.

To preserve and enhance the Barwon River corridor and connected waterways.

To preserve and enhance the vegetated character of Birregurra without increasing risk from bushfire.

To protect the landscape character and view lines of town entrances as defining elements of the north, east and west gateways.

### Strategies

- Ensure new development addresses risk factors associated with a changing climate, including bushfire, flooding and heatwaves.
- Locate vulnerable uses such as aged care, child care, education away from bushfire hazards.
- Design built form in residential areas to maintain the dominance of the surrounding landscape, having regard to landscaping for bushfire risk guidelines.
- Liaise with the Corangamite CMA to determine the most appropriate approach to facilitating updated flood modelling for existing urban areas
- Support the ongoing programs and works of the Corangamite CMA, Upper Barwon Landcare Network, Birregurra Landcare Group, and other members of the community to improve the health of the Barwon River.



## 8. Aboriginal Cultural Values

### 8.1 Bio-Cultural Landscape and Aboriginal Cultural Values

Birregurra is situated on the traditional lands of the Gulidjan people of the Eastern Maar Nation and holds significant cultural importance for Aboriginal people and Birregurra's Eastern Maar citizens. The *Eastern Maar Country Plan* highlights that Country encompasses more than just the physical aspects of land, water, air, plants and animals. It includes spirituality, Ancestors, and a deep connection that dictates how people feel, live, and find their identity. When Country's health declines, so does the health of its people, illustrating a profound, interdependent relationship.

Waterways are culturally important places to Aboriginal people, and Birregurra is adjacent to the culturally vital Barwon River with the Atkins Creek and an unnamed tributary flowing through the town. It is nestled within a broader bio-cultural landscape where the volcanic Lava Flow Country of the Eastern Maar Nation meets the Wet Forest Country of the Otway's cool temperate rainforests. This diverse landscape has been home to Aboriginal people for thousands of years, and their spiritual, cultural, and traditional connections continue to thrive through their descendants.

Birregurra's rich and enduring Aboriginal narrative of the area remains less visible and understood within the broader community. This presents a meaningful opportunity to deepen our collective understanding, recognition, and celebration of the Aboriginal cultural heritage that has shaped the landscape for tens of thousands of years. As Birregurra continues to grow modestly, particularly in areas adjacent to its waterways, there is an important responsibility to approach development with cultural sensitivity and awareness.

These waterways and surrounding landscapes are of profound cultural significance to Aboriginal people, holding both tangible and intangible values that reflect deep ancestral connections. Future planning and development must respect and protect these places, preserving their context within Birregurra's open space network. It is essential that the voices of the local Maar community are central to this process. By creating opportunities for storytelling, cultural sharing, place naming, and leadership, we can ensure that places of Aboriginal significance are not only safeguarded, but also respectfully acknowledged and celebrated as vital elements of Birregurra's identity and future.

### 8.2 Principles

The following overarching principles and directions have been developed in relation to the theme of a Bio-Cultural Landscape.

#### **Respectful Partnership and Cultural Leadership**

Planning for Birregurra must be guided by genuine, ongoing partnerships with the Eastern Maar, Gulidjan, and other Aboriginal community members. This includes respectful engagement, representation, and shared decision-making in shaping the town's future. Recognising the Eastern Maar as Traditional Owners and knowledge holders, this principle supports a planning approach where community voices are central, cultural leadership is valued, and self-determination is upheld.

### **Cultural Identity, Wellbeing, and Intergenerational Strength**

Protecting and celebrating Aboriginal culture, story, and sites of significance is fundamental to community pride and wellbeing. Planning must support spaces, programs, and initiatives that strengthen cultural identity, keep the Dreaming alive, and create opportunities for young people to be connected, active, and on pathways to their full potential. In doing so, Birregurra becomes a place where Aboriginal citizens feel physically, emotionally, and spiritually safe, respected, and empowered.

### **Caring for Country and Creating a Sustainable Future**

Future development must respect and preserve the cultural and ecological values of Country. This means managing Birregurra's natural assets—particularly its waterways and open spaces—in ways that align with Aboriginal knowledge systems and sustainability practices. By supporting a healthy Country and enabling the responsible use of resources, planning can contribute to a resilient community and create a foundation for economic opportunity, environmental stewardship, and cultural continuity.

## **8.3 Strategies**

The following strategies have been developed in relation to the theme of Bio-Cultural Landscape for Birregurra.

### **1. Embed Cultural Mapping into the Planning Process**

Partner with Eastern Maar Aboriginal Corporation (EMAC) and other relevant Traditional Owner groups to undertake cultural mapping of Birregurra and its surrounding landscapes. This mapping should identify both tangible and intangible cultural heritage values—including stories, songlines, and places of past and present significance—and be used to inform zoning, open space planning, infrastructure projects, and environmental management.

### **2. Continue to work with EMAC in the future planning of Birregurra**

Continue to work with EMAC to provide ongoing input into land use planning decisions in relation to Aboriginal cultural values. EMAC should be engaged as part of the future implementation of the structure plan to ensure cultural values, community aspirations, and appropriate protocols are embedded from the outset.

### **3. Design and protect culturally significant open spaces**

Incorporate culturally significant sites and landscapes that are identified as part of the cultural mapping project into the open space network, with appropriate interpretative signage, protection, and landscape design and art installation elements that reflect Aboriginal cultural values. This might include the renaming of existing or proposed parks, creation of cultural trails along the waterways, use of local language and stories in signage, public art, or the inclusion of bush food and medicine plantings in public landscapes, in partnership with EMAC.

### **4. Explore opportunities to formally name the unnamed waterway in Birregurra**

The unnamed waterway in Birregurra is culturally important and there is an opportunity to work with EMAC and formally advocate to State Government for a place name that reflects Aboriginal cultural values.

## **ABORIGINAL CULTURAL VALUES**

### **Objective:**

To adopt Principles associated with the Bio-Cultural Landscape and Aboriginal Cultural Values as follows:

- Respectful partnership and cultural leadership
- Cultural identity, wellbeing and intergenerational strength
- Caring for Country and creating a sustainable future

### **Strategies**

- Embed cultural mapping into the planning process
- Continue to work with EMAC in the future planning of Birregurra.
- Design and protect culturally significant open spaces
- Explore opportunities to formally name the unnamed waterway in Birregurra

## 9. Access and Movement

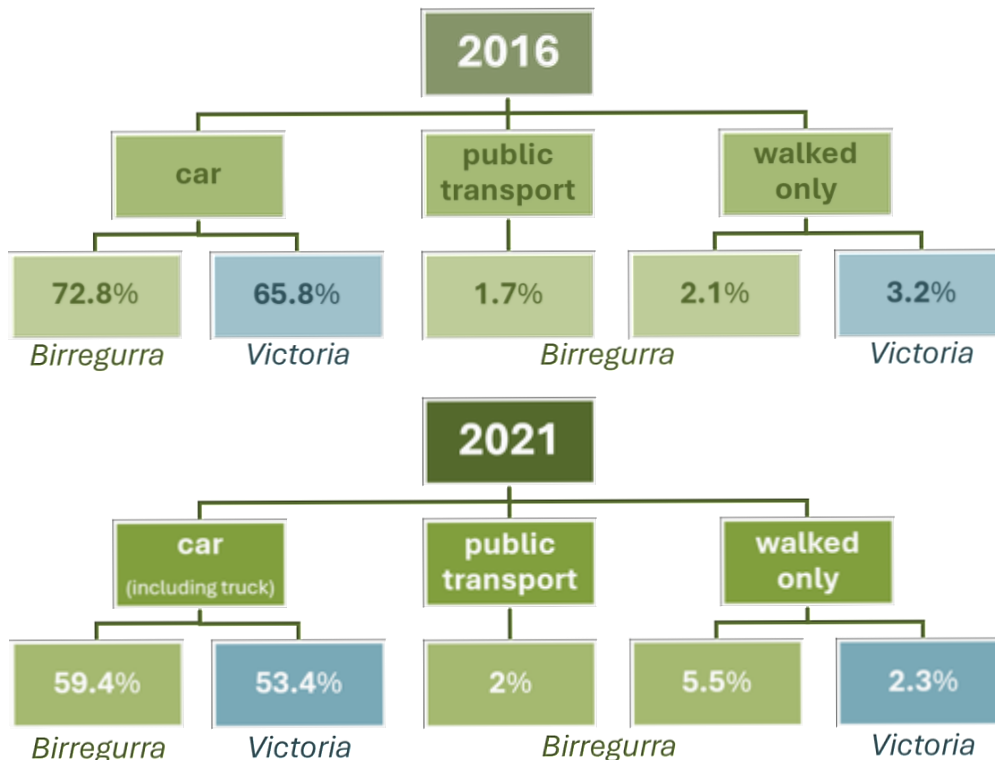
Birregurra has a grid-based street network, with primary access points into town along arterial roads. From the east this is Warncoort-Birregurra Road, west is Birregurra-Deans Marsh Road and from the north - Roadknight Street. There are few footpaths and no formal cycling infrastructure.

There is limited data available to understand regular modes of travel and use of the existing transport network, but it is recognised that cars are the primary means of travel for residents. The network carries local, regional and tourist traffic. Heavy vehicles also travel along Main Street and Roadknight Street. Both roads are gazetted arterial and municipal roads for Class 2 B-Doubles and Class 3 B-Doubles operating under Victoria's Livestock Loading Scheme.

2021 Census data for travel to work patterns was influenced by the COVID pandemic. Regional Victoria was not in lockdown on Census night, but metropolitan Melbourne was. More people than usual worked from home during this period. For this reason, reference is made to both the 2021 data and the 2016 Census data to gain insights about the travel to work patterns of residents in Birregurra.

Not surprisingly, most people travelled to work by car on the day of the Census, significantly more than the Victorian average. Notably the percentage of people who walked to work was higher in Birregurra than the Victorian average in 2021 but was a similar level in 2016. Only a small number of people travelled to work by public transport in 2021 and 2016, reflecting the limited services available.

### Mode of Travel to Work





## 9.1 Road Network

Several concerns were raised through community feedback about poor road condition and the need for upgrades. While most comments indicated improvements were needed, there were mixed views on whether infrastructure should be formalised (e.g. sealed roads, kerb and channel) or informal (e.g. dust suppression treatments).

There has been minimal change in the road network in the last decade. Many of the strategies in the 2013 Structure Plan related to road and street design that might occur with new subdivision, rather than upgrades to the existing network. Given subdivision has primarily been small scale over this time there hasn't been new roads created, although some subdivisions have included minor upgrades to accessways or sections of a road.

Strachan Street has been the subject of numerous concerns over many years due to its degraded state. It functions as the main collector road from residential areas north and south to the town centre and Main Street. Council has recently undertaken work to upgrade Strachan Street, between Main Street and Barry Street. Works included:

- Road pavement rehabilitation addressing drainage issues between Main Street and Barry Street.
- Road reserve width of 10.8 m with 2m wide parallel parking either side.
- New kerb and channel where none existed and replacement of damaged sections.
- Underground stormwater pipes to improve drainage along the rehabilitated pavement.
- Road signs and markings.

Consultation with the Department of Transport and Planning (DTP) and Council engineers has identified that there could be opportunity to improve road safety on Main Street between Austin Street and Strachan Street. While traffic volumes have been estimated as low to moderate in this area, there have been a couple of crashes recorded in the last 10 years. Reducing the speed limit on Main Street to 40km/hr was suggested for further investigation in the 2013 Structure Plan, with the outcome resulting in a reduction to 50 km/hr. It is recommended that additional traffic calming measures are explored to improve overall safety along this section of road. Any investigation would need to consider the heritage character and values of this area.

A request was made through community consultation for the sealing of Jenner Street between Austin and Strachan Street. While this section of road presently functions as a quiet local road, one side is zoned Commercial 1 Zone, meaning it is likely that this section will become more developed and experience a greater level of activity in years to come.

Council has a process for assessing whether a road should be sealed or unsealed. This is set out in the Road Management Plan, 2021. The assessment utilises both traffic volume criteria and other criteria, including:

- Links to existing sealed roads.
- Road hierarchy classification.
- Planning Scheme and future development potential.
- Traffic generators.
- Customer request history.

- Road condition and maintenance costs.
- Road geometry and road safety.
- Roadside vegetation and biodiversity.

It is difficult to forecast when the level of activity on Jenner Street might trigger the need for a significant upgrade, but it is recommended that an assessment against the criteria be undertaken having regard to land on one side being zoned Commercial 1.

Existing local policy in the Planning Scheme supports road upgrades for Birregurra that retain and enhance the character and informal nature of road reserves. This allows for a balance between improved road surfaces and maintaining neighbourhood character. However, requirements to appropriately manage stormwater drainage may be different in each context and will be particularly important to consider in areas prone to flooding.

## 9.2 Active Transport (Walking & Cycling)

Provision of infrastructure to improve pedestrian modes of travel was a priority topic in community consultation. There were mixed views on whether formal infrastructure should be introduced to facilitate walking and cycling, with some people preferring the informal character of unmade roads to move about town. There were equally as many people expressing a desire for improved pathways, able to be navigated safely with prams, walking frames and small children on bikes. A need for safe pedestrian crossings at key locations was frequently raised.

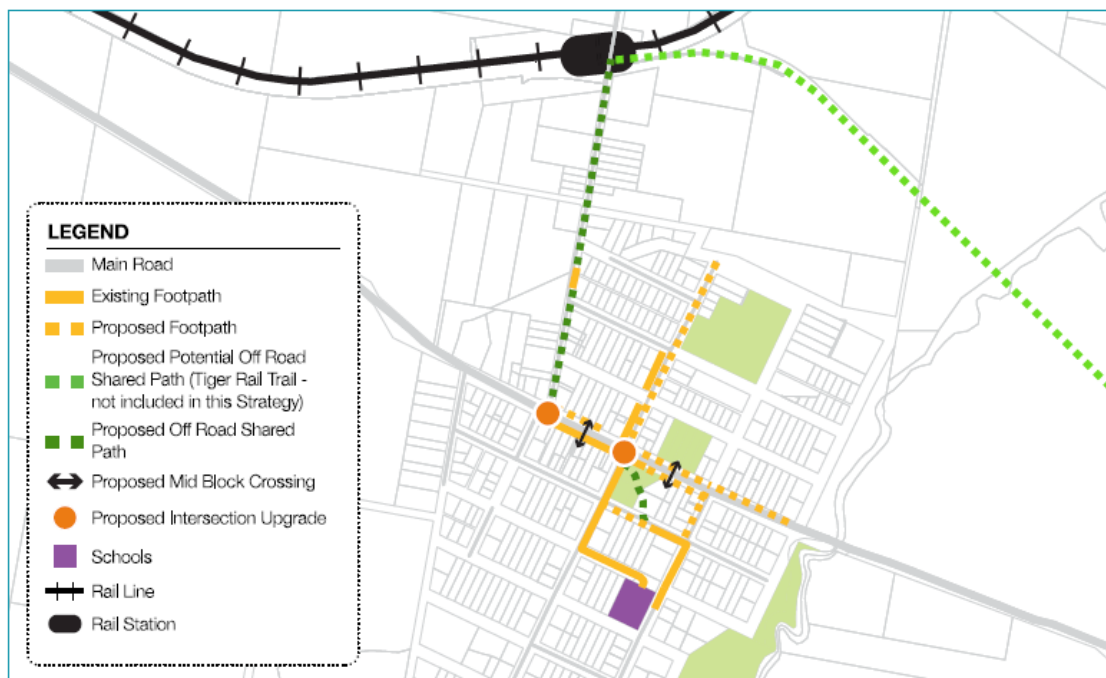
Current footpath provision in Birregurra is minimal, connectivity is poor and there are no formal pedestrian road crossings in the town. There is no cycling infrastructure. Notwithstanding, there was some feedback through community consultation that people generally felt safe moving around Birregurra due to the wide roads and verges.

Council adopted the Colac Otway Active Transport Strategy in 2013 which has three overarching goals:

- **Healthy People:** support the health and wellbeing of the Shire's residents by enabling and promoting physical activity through walking and cycling for transport and recreation.
- **Healthy Communities:** support the health and sustainability of local communities through the provision of enhanced walking and cycling infrastructure, which will encourage more people onto the street supporting social interaction while reducing reliance on car-based travel for local trips.
- **Healthy Economy:** contribute to the health and sustainability of the local economy by supporting local cycling tourism and local businesses.

The Active Transport Strategy recommended the following improvements in Birregurra:

**Figure 18 Proposed Improvements - Birregurra Map, Colac Otway Active Transport Strategy 2013-2023**



Of these improvements, only the Roadknight Street path has been constructed. Due to funding constraints, it was constructed as a 1.5 metres pedestrian path and not a shared path. There is still interest from the community to pursue the 'Tiger Rail Trail from Forrest to Birregurra'. Council undertook an analysis of the issues and opportunities associated with construction of the trail in 2014. The outcome of the analysis was that Council resolved not to pursue the trail to Birregurra and does not support further investigation. For this reason, it is not recommended in the Structure Plan.

Several suggestions for infrastructure improvements were made through community consultation, including:

- An improved footpath network from the Primary School to the Recreation Reserve.
- Pedestrian crossings over Main Street. Locations suggested included:
  - to the bus stop at Roadknight Street
  - from Birregurra Park to the skatepark
  - from the Birregurra Hall to the shops
  - at Beal Street for access to the Primary School.

Suggestions were explored in more detail with DTP and Council engineers as follows:

- Main Street, between Austin and Ennis Streets.
  - Issue: Lack of formalised pedestrian crossings over a 200m stretch, making crossings difficult and potentially unsafe. There is a bus stop on Main Street (east bound). The stop is used by school students. Children residing in the south of township need to cross the road. Members of the community have raised safety concerns due to lack of a formalised pedestrian crossing.

- Factors to consider in developing a crossing design:
  - Main Street in Birregurra is part of a Heritage precinct, therefore potential heritage implications will need to be considered.
  - A minimum road width of 6.5 metres per lane for oversized agricultural vehicles must be maintained.
- Barry Street, between Roadknight Street and the Birregurra Recreation Reserve.
  - Issue: No bike paths. Enhancing cycling amenities in this location would encourage active transport modes of travel and support safer cycling options to the Birregurra Recreation Reserve on Barry Street.
- Beal Street, between Jenner and Molesworth Streets.
  - Issue 1: Lack of a formal crossing. The Primary School on Beal Street has warning signage but no formal school crossing. While low traffic volumes reduces immediate safety risks, adding formal crossing points and footpaths would improve access to the Primary School, increase safety, and encourage more walking.
  - Issue 2: No separated bike paths or footpaths, and part of the road is unsealed which discourages cycling. Enhancing cycling amenity in this location would encourage active transport modes of travel and support safer cycling options to the Primary School.
- Strachan Street.
  - Issue: No pedestrian path south of Skene Street. This is a major connecting street to Main Street. Enhancing active transport infrastructure in this location would encourage active transport modes of travel.

Based on a review of the recommendations in the Active Transport Strategy 2013, community input and discussions with the DTP and Council engineers, the following active transport projects are recommended. Community feedback on these improvements should inform the priority for timing of projects in the final list.

**Table 3 Potential Active Transport Projects**

	Potential Project	Comments
1.	Pedestrian crossing: from the south side of Main Street to the bus stop (north of Austin Street).	Undertake further investigation to determine exact location and style of crossing. Ensure minimum road lane widths required are maintained and consider heritage impacts.
2.	Pedestrian crossing: across Austin Street from the shops to the Mechanics Hall.	Undertake further investigation to determine exact location and style of crossing. Ensure minimum road lane widths required are maintained and consider heritage impacts.  This may be a lower priority due to the lower traffic volumes using Austin Street.



3.	Sealed footpath: Main Street (south side) from Ennis Street to 95 Main Street.	This has been identified as a missing link between Ennis Street and the Birregurra Kindergarten.
3.	<p>Connecting Active Transport Link between the Primary School and the Recreation Reserve with the following components:</p> <ul style="list-style-type: none"> <li>a. Upgrade the existing footpath to a shared path: From the Primary School on Beal Street (west side), then along Jenner Street and through Birregurra Park.</li> <li>b. Pedestrian crossing: across Main Street from Birregurra Park to the Skatepark.</li> <li>c. Sealed footpath: Main Street (north side) from the Skatepark to connect with footpath in front of the Pharmacy.</li> <li>d. Shared path: Strachan Street (east side) from Main Street to the Recreation Reserve.</li> </ul>	<p>Undertake further investigation to determine exact location and style of crossing. Ensure minimum road lane widths required are maintained and consider heritage impacts.</p> <p>Undertake further investigation to determine style of footpath that complements the heritage character of the Main Street precinct.</p> <p>Undertake further investigation to determine style of footpath required.</p>
4	On-road cycle lane: along Barry Street, from Roadknight Street to the Recreation Reserve.	
5	Sealed footpath: Main Street (north side), from Roadknight Street to the Birregurra Town Hall.	<p>Undertake further investigation to determine style of footpath that complements the heritage character of the Main Street precinct.</p> <p>This path is likely a lower priority at present but may become more important as commercial businesses develop on the north side of Main Street in the Commercial 1 Zone.</p>
6	On-road cycle lane: along Roadknight Street, from Main Street to the train station.	

7	Connecting Link along Beal Street, between Molesworth Street and Jenner Street.	Undertake further investigation to determine whether there is a need for a footpath, cycle lane or shared path in this location to facilitate active transport modes of travel to the primary school for students on the north side of Main Street.
8	Connecting Link along Strachan Street, south of Skene Street.	Undertake further investigation to determine whether there is a need for a footpath, cycle lane or shared path in this location to facilitate active transport modes of travel.

It is also recommended that funding options for the improvement projects should be investigated in consultation with the Department of Transport.

The type and design of footpaths is important to the community. Some people preferred more informal surface treatments (not concrete), while others requested more formal pavements suitable for people of all abilities. The choice of pathway construction will depend on the location of the asset and its primary purpose. Consideration should be given to ensuring that pathway design is consistent with the village character of Birregurra.

### 9.3 Public Lighting

Several community members have suggested that more street or other public lighting is needed to improve safety for pedestrians at night. However, some people expressed concerns about potential light pollution from additional lighting and the negative effect on the night sky, bats, birds and insects.

Requests for lighting included:

- Sensor lights in the public toilets behind the town hall for users.
- A street light on Beal Street at the top end near the golf greens.
- A street light on the corner of Main and Strachan Street
- A street light on Park Lane
- Lighting on the bridge exiting the park near the BBQ

Council does not have a formal policy on street lighting in existing areas and assess requests for new street lighting based on safety, pedestrian and traffic volumes, with priority given to areas with higher pedestrian activity or vulnerable users, and subject to budget allocation through the annual budget process.

There are two main categories of lighting accepted for use within Victoria, Category V and Category P. Category V is applicable to arterial roads whereas Category P is applicable on local roads and is considered to have lesser impacts on night sky and fauna.

Street lighting in new subdivisions is typically developer funded and would be subject to compliance with AS/ANZ 1158 – Lighting for Roads and Public Spaces and the Infrastructure Design Manual.

## 9.4 Public Transport

Public Transport options have improved in Birregurra in recent years. Birregurra has the benefit of a train station and there has been a moderate increase in service frequency. Birregurra is located on the Warrnambool line and V/Line offers services between Melbourne and Warrnambool including:

- Five train services each way per weekday.
- Four train services each way on weekends.
- One daily weekday coach service from Geelong to Colac, which stops in Birregurra.
- Two early morning weekday coach services from Colac to Geelong, with connection at Wairn Ponds to the Melbourne bound train if desired.

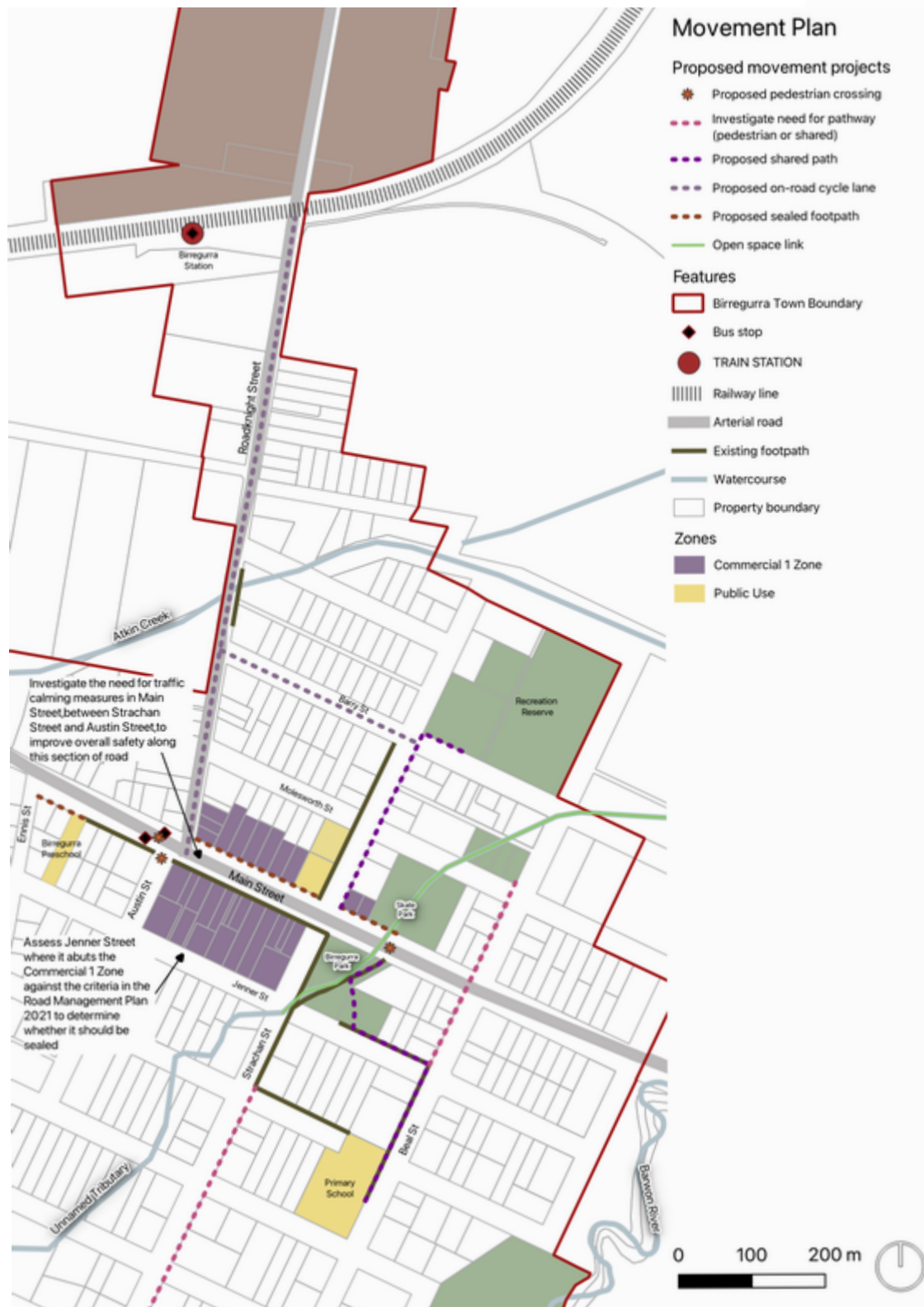
Feedback from V/Line is that the majority of passengers are travelling towards Melbourne on the service, and there is higher patronage on weekends.

On Wednesdays there is a return bus service from Colac to Marengo / Apollo Bay, which stops in Birregurra and is used by a couple of residents regularly.

It is recommended that Council continue to advocate for improved public transport services for Birregurra as the town continues to grow.

A current priority of residents is an upgrade to the bus stop on the corner of Main Street and Roadknight Streets. The stop was upgraded in 2024 to improve access for people with mobility challenges and to assist the vision impaired, however seating and weather protection were absent and are required. Council is in the process of sourcing a DDA compliant bus shelter for the existing bus stop on the northern side of Main Street.

Figure 19 Birregurra Movement Plan



## **ACCESS & MOVEMENT**

### **Objectives:**

To ensure the Birregurra road network provides safe and continuous access for all road users.

To encourage active transport modes of travel through an improved pathway and cycling network.

To advocate for increased Public Transport services to meet the needs of a growing town.

### **Strategies**

- Investigate the need for traffic calming measures in Main Street, between Strachan Street and Austin Street, to improve overall safety along this section of road. Ensure investigations consider the heritage character and values of this area.
- Assess Jenner Street against the criteria in the Road Management Plan 2021 to determine whether it should be sealed, taking into account the zoning of land on the northern side as Commercial 1 Zone.
- Adopt the Active Transport Projects in Table 3. Timing to be determined in consultation with the community about priorities.
- Adopt road and pathway typologies and designs that complement the village character of Birregurra while meeting appropriate functional standards.
- Investigate, in consultation with the Department of Transport, opportunities for funding the Active Transport Projects in Table 3.
- Continue to advocate for improved public transport services for Birregurra as the town continues to grow.



## 10. Open Space, Recreation and Community Facilities

### 10.1 Open Space and Recreation

Public open space and recreation facilities are highly valued by the Birregurra community and significantly add to the town's amenity and health and wellbeing of its residents.

Birregurra has a mix of active and passive open space reserves including the Birregurra Recreation Reserve, Birregurra Park, the skatepark and the Barwon River streamside. It also has some restricted open space areas including the golf course and a bowling green. Most residents have access to some public open space in walking distance from their home, although most of the open space does tend to be in the north or along the eastern side of town.<sup>12</sup> Should residential growth be permitted beyond the current western boundary of Birregurra, it is likely that a local neighbourhood park will be required to service the new residents.

Council continues to work towards the long-term goal of an open space link along the unnamed waterway extending from the Barwon River in the north-west of town to the south-east (refer Figure 20). The section from Main Street to the north-east is near complete with land transferring to Council as part of a recent subdivision in Barry Street. It is recommended that development of this link with a shared path as envisaged by the 2013 Structure Plan should be investigated.

The open space link is currently shown as extending south-east of Birregurra Park along the unnamed waterway. This section is unlikely to be feasible due to the number of private landholdings it extends through. It is recommended this section of the link not be pursued.

Figure 20 Future Open Space Link - Birregurra Structure Plan 2013



<sup>12</sup> Walking distance is generally accepted as 400 metres.

Several community members suggested construction of a green space / loop path around the edge of Birregurra, making use of waterways and road reserves. While this opportunity could be explored in the future, it is recommended that focus at this stage be directed to delivering the open space link referred to above and improving pedestrian connections through town (refer Chapter 10.2).

The Birregurra Recreation Reserve is a key recreation and social hub in town. At the time of the 2013 Structure Plan, the Birregurra Recreation Reserve Master Plan 2012 had recently been adopted. The purpose of the Master Plan was to guide the future development of the Reserve's infrastructure to better meet community needs. Council supported the process by providing a community grant matched by the Reserve Committee's own funds. Various actions have been implemented including redevelopment of the tennis/netball courts, installation of compliant match standard lighting for both tennis and netball and upgraded sports oval lighting. There is now urgent need for an upgrade of the football / netball clubrooms to bring them up to standard as they are currently not fit for purpose. There are no change room facilities for female, gender diverse or players with disabilities. There are no bathrooms in the social clubrooms and the kitchen needs upgrading. It is recommended that upgrade of the clubrooms be a short-term priority and that Council assist the Committee of Management in pursuing funding opportunities.

The Birregurra Park Playspace at Birregurra Park has received Council funding for an upgrade. Council has engaged with the community on the upgrades to the playspace with the existing equipment being refurbished, and new play equipment and nature play elements proposed to be installed to complete the playground upgrade by 30 June 2025.

A bike track was suggested as a new recreation facility through community consultation.

## 10.2 Community Facilities

Birregurra has a range of community facilities as outlined below. Most of these facilities and services are not delivered by Council.

### *Birregurra Primary School*

- The school had 111 Students enrolled at the school in 2023.
- Before and after school care is offered and delivered by an external provider.
- The school received a state government grant (approx. \$2.21m) in 2021 for major renovations at the school.

### *Kindergarten*

- The kindergarten building and land are owned by the Country Women's Association (CWA). A trust manages the building, made up of CWA members and community members. A parent committee, overseen by the trust, manages the kinder service and program.
- The kindergarten received a state government grant (\$722,163) in 2024 for repairs, and a new building extension, which will include a staff meeting and kitchen space, storage, student lockers and more toilets.

- The kindergarten currently offers 42 places and with the renovations will be able to offer an additional 14 places.
- The draft Colac Otway Shire Kindergarten Infrastructure and Services Plan identifies that there will be an unmet demand for kindergarten places from 2031 in the Colac and Surrounds SA2 district. This district includes the kinder services of Coragulac and District Kinder and Birregurra Kinder. It has been determined that the unmet demand will sit with Coragulac as Birregurra will be covered with the additional 14 places.

#### *Birregurra Community Health Centre*

- Includes a medical centre, allied health services, a gymnasium and playgroup sessions.
- Council provides fortnightly Maternal Community Health services from the centre.

#### *Other Facilities and Services*

- Birregurra Public / Mechanics Hall (managed by the Council), which hosts the Birregurra Senior Citizens Centre, music and theatre events.
- A range of community groups and clubs, including the Birregurra Community Group.

The need for additional childcare services has been raised by some community members. Council engaged a consultant in 2019 to explore childcare options for Birregurra which recommended concentrating on expanding existing services. It is understood that members of the community are further exploring alternative options, including a separate facility. Council provided a letter of support for the investigation but is uncertain whether this is still being pursued.

Current planning policy for Birregurra supports consolidating civic, community and health facilities in a community node on the north-east edge of the town centre. This stems from a recommendation in the 2013 Structure Plan and is based on the view that this location is highly accessible and supports several existing community services. This continues to be the case and this policy should be retained.

It is anticipated that there will be a modest and gradual growth in the population for Birregurra. It would be appropriate for Council to undertake a Community Infrastructure Needs Assessment to consider the implications of future growth on existing facilities and services and to determine what future planning needs might be.

## **OPEN SPACE, RECREATION & COMMUNITY INFRASTRUCTURE**

### **Objectives:**

To provide a range of passive and active recreation opportunities within the township.  
To establish a connected network of accessible public open space and recreation facilities.  
To recognise the Birregurra Recreation Reserve as the primary recreation and sporting precinct in the township.  
To support a range of community services and facilities commensurate with the size of the population.

### **Strategies**

- Facilitate the provision of an open space link along the unnamed waterway extending from the Barwon River in the north-west of town to Birregurra Park in the south-east.
- Advocate for the upgrade of the Birregurra Recreation Reserve clubrooms as a short-term priority and assist the Committee of Management in identifying and pursuing funding opportunities.
- Support continued investigations into the provision of a bike park recreation facility.
- Undertake a Community Infrastructure Needs Assessment to consider the implications of future growth on existing community facilities and services.

## 11. Utilities

### 11.1 Water, Sewer and Drainage

As identified in Chapter 6.3, Barwon Water are the agency responsible for sewerage and water provision in Birregurra. The town was connected to a reticulated sewerage system just prior to the preparation of the 2013 Structure Plan. Barwon Water advise that ultimately the plant is intended to be duplicated to provide service for approximately 925 people.

More recently Barwon Water has commenced upgrading the town water supply through the construction of a new underground pipeline to connect Birregurra to the Colac water supply system. Barwon Water analysed the costs and benefits of upgrading the local treatment plant against construction of the new pipeline. The assessment found the benefits of the pipeline were more compelling and included:

- Increased water security for Birregurra without impacting Colac's water security.
- Fewer water quality risks and improved pressure.
- Reduced greenhouse gas emissions and water losses.
- Improved bushfire resilience.
- More affordable water supply.

Barwon Water has also been partnering with the Birregurra community to explore sustainable water use opportunities. To date the initiative has saved 38 million litres of water and reduced customer bills by \$81,000 since it was established in 2020<sup>13</sup>.

Colac Otway Shire Council is the agency responsible for drainage infrastructure. The 2013 Structure Plan noted that the existing local network was in poor condition. It recommended strategies to encourage consistency of drainage treatments for new development including optimising on-site stormwater collection and detention and use of Water Sensitive Urban Design (WSUD) where appropriate. In 2018, the State government introduced new initiatives into all planning schemes in Victoria (Amendment VC154) to enable the planning system to better manage water, stormwater and drainage in urban development, collectively known as Integrated Water Management. New subdivision and development in Birregurra is required to adhere to these policies.

Council commissioned the Birregurra Flood and Drainage Strategy in 2022 to further consider opportunities to manage stormwater quality. The Strategy noted that new developments are required to achieve Best Practice Environmental Management Guidelines (BPEMG) pollutant removal targets. As such, a range of WSUD options were investigated. It recommended that Council consider the outcomes of these assessments and consider options which might be progressed to further feasibility assessments subject to funding. To date options have not been further investigated.

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<sup>13</sup> <https://www.yoursay.barwonwater.vic.gov.au/birregurra/birregurra-community-and-barwon-water-celebrate-water-savings>, 2 May 2024



To further Integrated Water Management (IWM) outcomes for Birregurra, Barwon Water has suggested undertaking an IWM Design Sprint process to facilitate an on-going collaborative approach to water management and planning into the future. This process would identify strategic IWM goals for the town, current issues and potential projects to improve water management and resilience. The process is a relatively simple and cost-effective means of identifying priority actions compared with preparing a comprehensive IWM and is recommended.

## 11.2 Power

Powercor is the agency responsible for electricity connection in Birregurra. Powercor will be consulted through public exhibition to understand any issues relevant to future growth planning for Birregurra.

There is no reticulated gas network in Birregurra and it is noted that from January 2024, new gas connections for new dwellings, apartments and residential subdivisions are being phased out across Victoria.

## 11.3 Telecommunications

Mobile phone service and internet provision has caused some concern in Birregurra over recent years in regard to coverage and speed. There have been a few applications for new telecommunications facilities, one of which was refused in Jenner Street due to potential impacts on the heritage values of the town centre. A separate facility was approved at an alternative location to improve services in the area.

### UTILITIES

#### Objective:

To support the provision of physical infrastructure necessary to service the current and future needs of the community, in a manner that respects the character of the town and will add to its future resilience in a changing climate.

#### Strategies

- Undertake an Integrated Water Management Design Sprint in partnership with Barwon Water to identify priority actions for integrated water planning and management.
- Consult with service providers as required when considering proposals for new development.

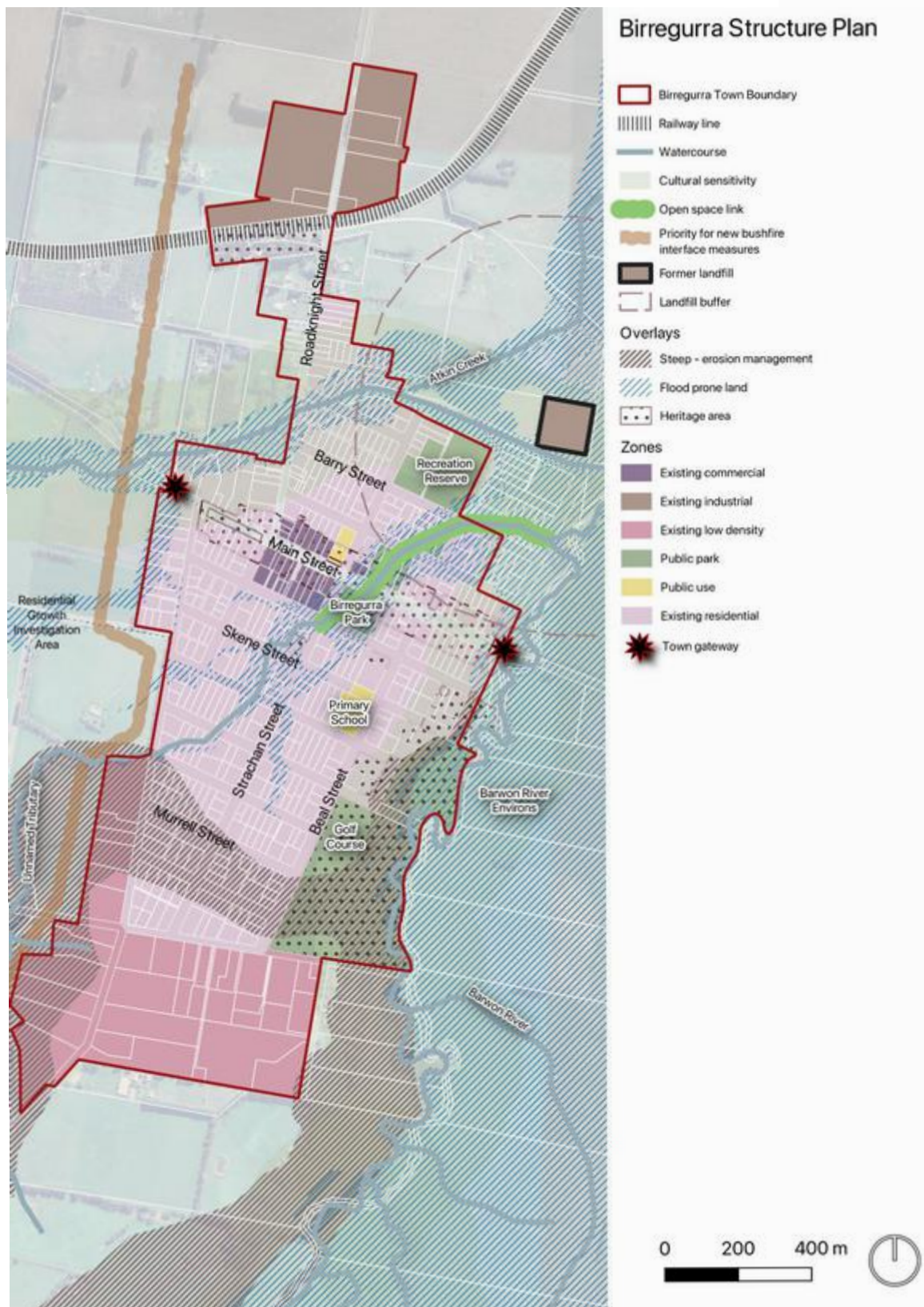
## 12. Birregurra Structure Plan Map

The Birregurra Structure Plan below outlines the overarching land use planning framework for the town. It reinforces the current town boundary but notes the option to further investigate land to the west of the town for future residential development. The town boundary should not be moved unless investigation of this area finds that it is suitable for small scale development.

Key considerations for future development are shown on the map including flood prone land, land at risk of erosion, heritage areas and the Municipal Transfer Station buffer.

Key assets are also noted, including the Barwon River, Atkin Creek, open space reserves and the proposed open space link from Birregurra Park to the Barwon River.

**Figure 21 Birregurra Framework Plan 2025**



## Part C - Implementation

The Birregurra Structure Plan 2025 sets out key strategic directions and initiatives to guide growth planning for the town over the next 10-15 years.

Following public exhibition of the draft Plan, Council will adopt the plan with any changes arising through consultation. Implementation of the Plan will require a range of actions, including a planning scheme amendment to introduce the new policy into legislation. Table 4 outlines the actions that will be required to deliver the Birregurra Structure Plan 2025. It also sets out Council's role and prioritises the actions in terms of short (5 years), medium (5-10 years) or long-term (15 years) delivery or identifies actions as on-going.

### Monitoring and Review

The Birregurra Structure Plan 2025 has a 10-15 year timeframe. A progress report on the implementation of the Structure Plan should be provided to Council every five years with an audit of actions completed. At such time, any changes in policy direction should also be identified which may require updates to the Plan to respond to changes in State or local government direction or other changing circumstances.

The Implementation Table should be reviewed annually at the time of Council's budget preparation, to identify opportunities for funding of actions.

*Table 4 Implementation Table*

No.	Action	Timing	Responsibility
1	<ul style="list-style-type: none"> <li>Prepare a planning scheme amendment to introduce:               <ul style="list-style-type: none"> <li>the objectives and strategies of the Birregurra Structure Plan 2025 in relation to land use and development.</li> <li>the recommendations of the <i>Birregurra Structure Plan Review: Review of Neighbourhood Planning Provisions, 19 July 2024</i>, as set out in Appendix 1 of the Birregurra Structure Plan 2025.</li> </ul> </li> </ul>	Short	Council
2	<ul style="list-style-type: none"> <li>Support proposals to investigate Area 2 for potential, small scale future urban development.</li> <li>Require any rezoning proposal for Area 2 to include the following analysis:               <ul style="list-style-type: none"> <li>Climate resilience and adaption, including flooding analysis based on the most up to date flood modelling recommendations.</li> <li>Aboriginal cultural values.</li> <li>Biodiversity and landscape values.</li> <li>Neighbourhood character.</li> </ul> </li> </ul>	Short	Landowner, Council role – planning authority

	<ul style="list-style-type: none"> <li>- Detailed land capability and identification of any potential contamination.</li> <li>- Land use compatibility with nearby agricultural uses.</li> <li>- Potential visual amenity impacts.</li> <li>- Sustainable design.</li> <li>- A design response which adheres to the recommendations of the Strategic Bushfire Planning Assessment, KH Bushfire Planning (2024).</li> </ul>		
3	<ul style="list-style-type: none"> <li>• Encourage landowners to landscape gardens having regard to the following publications:               <ul style="list-style-type: none"> <li>- Landscaping for Bushfire, Garden Design and Plant Selection, CFA.</li> <li>- Landscaping you Coastal Garden for Bushfire, Colac Otway Shire.</li> </ul> </li> </ul>	Ongoing	Council
4	Liaise with the Corangamite CMA to determine the most appropriate approach to facilitating updated flood modelling for existing urban areas	Short	Council
5	Support the ongoing programs and works of the Corangamite CMA, Upper Barwon Landcare Network, Birregurra Landcare Group, and other members of the community to improve the health of the Barwon River.	Ongoing	Community led, Council support
6	Investigate the need for traffic calming measures in Main Street, between Strachan Street and Austin Street, to improve overall safety along this section of road. Ensure investigations consider the heritage character and values of this area.	Short	DTP led, Council support
7	Assess Jenner Street against the criteria in the Road Management Plan 2021 to determine whether it should be sealed, taking into account the zoning of land on the northern side as Commercial 1 Zone.	Medium	Council (local roads)
8	Determine appropriate timing for delivery of the Active Transport Projects in Table 3 and consult with the Department of Transport and Planning about opportunities for funding towards projects.	Medium	Council (local roads) DTP (arterial roads), Council support
9	Introduce Council policy to adopt road and pathway typologies and designs that complement the village character of Birregurra while meeting appropriate functional standards.	Short	Council (local roads)



10	Continue to advocate for improved public transport services for Birregurra as the town continues to grow.	Ongoing	Council to advocate
11	Advocate for the upgrade of the Birregurra Recreation Reserve clubrooms as a short-term priority and assist the Committee of Management in identifying and pursuing funding opportunities.	Short	Community led, Council support
12	Support continued investigations into the provision of a bike park recreation facility.	Medium	Community led, Council support
13	Undertake a Community Infrastructure Needs Assessment to consider the implications of future growth on existing community facilities and services.	Medium	Council
14	Undertake an Integrated Water Management Design Sprint in partnership with Barwon Water to identify priority actions for integrated water planning and management.	Short	Partnership with Barwon Water
15	Consult with service providers as required when considering proposals for new development.	Ongoing	Council
16	Support the installation of EV charging stations close to businesses in the town centre.	Ongoing	Council

## Appendix 1: Recommended Amendments to the Colac Otway Planning Scheme

Clause	Heading	Proposed Amendment
11.03-6L	Birregurra	<p>Amend the 'Strategies' to:</p> <ul style="list-style-type: none"> <li>• Replace the fifth strategy with: <ul style="list-style-type: none"> <li>– Encourage sensitive infill development and subdivision consistent with preferred neighbourhood character objectives.</li> </ul> </li> <li>• Replace the sixth and seventh strategies with: <ul style="list-style-type: none"> <li>– Encourage retail businesses to locate in the core town centre on Main Street.</li> <li>– Support tourism developments which respond to Birregurra's rural setting and heritage character.</li> </ul> </li> <li>• Replace the eleventh strategy with: <ul style="list-style-type: none"> <li>– Support retirement/aged care living style development close to community and health services and Main Street.</li> </ul> </li> <li>• Replace the fifteenth strategy with: <ul style="list-style-type: none"> <li>– Adopt road and pathway typologies and designs that complement the village character of Birregurra while meeting appropriate functional standards.</li> </ul> </li> <li>• Replace the sixteenth strategy with: <ul style="list-style-type: none"> <li>– Design built form in residential areas to maintain the dominance of the surrounding landscape, having regard to landscaping for bushfire risk guidelines.</li> </ul> </li> <li>• Insert new strategies: <ul style="list-style-type: none"> <li>– Support measures to improve bushfire resilience along the western edge of the township.</li> <li>– Protect the integrity of existing industrial activities in the Industrial 1 Zone by ensuring sensitive uses do not encroach into separation distance areas unless supported by a risk assessment.</li> <li>– Facilitate the provision of an open space link along the unnamed waterway extending from the Barwon River in the north west of town to Birregurra Park in the south east.</li> </ul> </li> </ul>

Schedule 3 to Clause 42.02 (VPO3)	Birregurra Tree Protection Area	<ul style="list-style-type: none"> <li>Amend to include an exemption for the removal of environmental weeds specific to Colac Otway Shire.</li> </ul>
Schedules 11-16 to Clause 43.02	Design and Development Overlay Schedules 11-16	<ul style="list-style-type: none"> <li>Ensure there is an objective for each precinct which clearly articulates the preferred character for that precinct as described in the 2012 Character Study.</li> <li>Ensure there are no more than five objectives in accordance with the Ministerial Direction on the Form and Content of Planning Schemes.</li> </ul>
Schedule 11 to Clause 43.02 (DDO11)	Birregurra Preferred Character Area A (Main Street)	<ul style="list-style-type: none"> <li>Consider revising the landscape character objective noting vegetation removal does not require a permit pursuant to the DDO11.</li> <li>Include a design standard to address the revised landscaping objective.</li> <li>Remove the DDO11 from the lot at the rear of 10 Main Street (and include it in the DDO12).</li> </ul>
Schedule 12 to Clause 43.02 (DDO12)	Birregurra Preferred Character Area B (North East)	<ul style="list-style-type: none"> <li>Consider revising the landscape character objective noting vegetation removal does not require a permit pursuant to the DDO12.</li> <li>Include a design standard to address the revised landscaping objective.</li> <li>Include a new design guideline: <ul style="list-style-type: none"> <li>Do not support residential subdivision within 500 metres of the Birregurra Transfer Station unless a gas migration analysis confirms that it does not pose a safety risk.</li> </ul> </li> <li>Remove the DDO12 from land at 15-19 Strachan Street which is part of the Birregurra Recreation Reserve.</li> </ul>
Schedule 13 to Clause 43.02 (DDO13)	Birregurra Preferred Character Area C (Roadknight Street Entry & South of Main Street)	<ul style="list-style-type: none"> <li>Reduce or remove the 15 metre minimum rear setback set out in the design standards.</li> </ul>

Schedule 15 to Clause 43.02 (DDO13)	Birregurra Commercial Area	<ul style="list-style-type: none"> <li>• Include a new objective and decision guideline to ensure that new commercial development fronting Jenner Street responds to its sensitive residential interface.</li> <li>• Do not support residential subdivision within 500 metres of the Birregurra Transfer Station unless a gas migration analysis confirms that it does not pose a safety risk.</li> </ul>
Schedule 16 to Clause 43.02 (DDO13)	Birregurra Industrial Area	<ul style="list-style-type: none"> <li>• Include a new design guideline in the DDO16 to protect views of the historic Birregurra Railway Station, which provides guidance around the siting of new buildings and works.</li> </ul>
Clause 72.08	Table to Clause 72.08	<ul style="list-style-type: none"> <li>• Include the following documents as background documents: <ul style="list-style-type: none"> <li>– Birregurra Structure Plan 2025</li> <li>– Strategic Bushfire Planning Assessment 2024</li> </ul> </li> </ul>

## Item: 7.7 Response to Monitors Report

<b>OFFICER</b>	Kendrea Pope
<b>MANAGER</b>	Anita Craven
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. Monitor's Report - Table of Recommendations and Council Response [7.7.1 - 7 pages]</li><li>2. Mayor Letter to Minister - Colac Otway Shires response to the municipal monitors report - 20 May 202 [7.7.2 - 1 page]</li></ol>

### 1. PURPOSE

For Council to provide endorsement of a response to the letter from the Minister dated 26 November 2024 and the accompanying report from the municipal monitor, the report being updated on 12 May 2025.

### 2. EXECUTIVE SUMMARY

The report of the municipal monitor provides a comprehensive picture of Council governance drawn from observations and analysis conducted during the appointment period of July 2024 to January 2025 which covers the latter part of the term of the former Council and the early term of this Council.

The report noted the breadth and depth of work completed by Council during the induction period following the 2024 elections and makes recommendations highlighting the continued importance of continuing professional development for the maintenance of governance improvements through the Council term.

The recommendations put forward by the monitor are arranged into broad themes the intersection of which will determine the future direction of governance at Council.

The Council response puts forward a positive and proactive plan for addressing these matters through 2025 calendar year and through continuing professional development throughout Council's term.

It is proposed the Audit and Risk Committee be provided regular progress reports against the initiatives.



### 3. RECOMMENDATION

***That Council:***

- 1. Endorses the proposed response to recommendations put forward in the monitors report at Attachment 1.***
- 2. Authorise the Mayor to sign the accompanying letter to the Minister for Local Government, at Attachment 2, on Council's behalf.***
- 3. Notes that the administration will provide bi-annual reports on progress against the recommendations to Council and the Audit and Risk Committee.***

### 4. KEY INFORMATION

The monitor's report arranges the analysis and its recommendations around the following themes:

- Role clarity and strategic leadership
- Relationships, trust and respect
- Meeting procedures, decision making and adequacy of Governance Rules
- Support for the CEO including creating a safe workplace
- Financial management and community engagement and
- Recommendations for the Minister's consideration

The proposed Council response sets out high level commitments against each of the recommendations and associated implementation timelines. The actions planned against certain recommendations including those relating to management of customer requests and the work on financial sustainability will require priority focus and dedicated resourcing.

### 5. CONSIDERATIONS

#### **Overarching Governance Principles (s(9)(2) LGA 2020)**

The monitor's assessment identified areas for improvement that relate to the governance principles articulated in the Act and the proposed response and action plan will improve Council policy, practices and systems supporting good governance.

#### **Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

The intention behind the response and action plan is to bring Council into alignment with a range of legislative obligations and to put in place the policies, practices and systems to support good governance on a sustainable basis.

#### **Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Not applicable

#### **Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Not applicable

#### **Public Transparency (s58 LGA 2020)**

Not applicable

**Alignment to Plans and Strategies**

It is intended that key initiatives arising from the action plan will be expressed as governance priorities in the Council Plan.

**Financial Management** (s101 *Local Government Act 2020*)

The cost of initiatives will be managed within existing operational budgets.

**Service Performance** (s106 *Local Government Act 2020*)

Initiatives designed to improve the customer experience will support Councils ongoing efforts to improve service standards.

**Risk Assessment**

There are key risks associated with failing to deliver the full program of reforms recommended by the monitor. Council intends to manage implementation risk by tracking progress of its implementation of initiatives through quarterly reports to the Audit and Risk Committee and the proposed annual governance health check. The observance of the mandatory requirements around continuing professional development and implementation of tailored programs as recommended by the monitor will support Council continue to develop its governance capabilities and will address the risk associated with deterioration in governance at Council.

**Communication/Implementation**

Not applicable

**Human Rights Charter**

No impact

**Officer General or Material Interest**

No officer involved in the preparation of this report declared an interest under the *Local Government Act 2020*.

Recommendation	Council Administration Advisory Committee and/or ARC
<b>Role clarity and strategic leadership</b>  To assist Councillors to maintain their focus on strategic rather than operational matters, and to support the organisation to strengthen its reputation for responsiveness, build capability and support continuous improvement.	
1. Council regularly evaluates its compliance with the Local Government (Governance and Integrity) Regulations 2020. This evaluation should incorporate feedback from the executive leadership team.	Council administration will develop and propose via the Audit and Risk Committee a self-assessment framework based on its broader compliance program.  <b>Proposed June development for presentation to ARC in first quarter 2025/2026 financial year.</b>
2. The practice of Councillors overseeing resolution of customer inquiries cease immediately. Instead, all customer requests for assistance (either services or information) or complaints should be directed to the organisation in line with existing policies and procedures.	Council highlights that this practice has ceased. Council also highlights that the organisation is pursuing a range of initiatives to improve the tracking, handling and visibility of management of customer inquiries.  In addition to this, the CEO will reissue the staff councillor interaction protocol and brief Councillors on its implementation.  The website will be updated to reinforce community customer service contact points and along with the response to recommendations three and four, Council will work to reinforce the understanding in the community of the systems in place to manage requests and resolve complaints.  Refresher training on the management of customer requests will be provided to Councillors as part of their continuing professional development.  Management of customer inquiries will also be integrated into the Council self-assessment.

	<b>Timeline for full implementation March 2026.</b>
3. Council reviews its customer service standards, considering resource availability, complexity and priorities. The Council should request the administration to provide regular performance reporting including emerging trends. In addition, these updated standards should be reflected in relevant policies, procedures and where appropriate management should incorporate these into staff performance plans.	<p>Council administration will initiate a priority project to conduct the required review. The recommendations for improvement should be the subject of a briefing with Councillors to ensure there is shared agreement on standards and protocols. The briefing should address the management of the end to end process and include provision for the management of leave for the efficient and effective meeting of targets.</p> <p><b>The project will be initiated in the first quarter financial year 2025/2026 and will be completed for Councillor briefing by March 2026.</b></p>
4. Council commits to supporting the CEO to implement the Customer Experience Strategy, including reforms required to reinforce a culture of service excellence. This would involve Councillors ensuring that the organisation has sufficient resources to implement this strategy, including any process, system and cultural reforms required, and that they act as champions of the strategy and associated reforms.	<p>The Council administration will initiate a refreshed work program including:</p> <ul style="list-style-type: none"> <li>• Customer experience training</li> <li>• Journey mapping and</li> <li>• Setting and implementation of customer service standards</li> </ul> <p><b>The project will be initiated in the first quarter financial year 2025/2026 and a Councillor briefing to adopt strategy and implementation will be completed by end 2025 calendar year.</b></p>
5. Council requests staff to incorporate into its review of policies and procedures an assessment to ensure roles and responsibilities of Councillors and officers reflect the Act.	<p>The Council governance team, which is leading the review of policies and procedures will build this requirement into the project brief and guidance material.</p> <p><b>This will be implemented by December 2025.</b></p>

<p>6. Council seeks assurance from its Audit and Risk Committee that the organisation's systems and processes ensure that appropriate legal and technical standards are met, and/or risks are effectively managed where this is not possible.</p>	<p>The Council administration will document as the basis of this assurance exercise the requirements in its key service areas including:</p> <ul style="list-style-type: none"> <li>• Planning</li> <li>• Engineering</li> <li>• Design</li> <li>• Procurement</li> </ul> <p>As well as developing a generic checklist applicable to all other services which will be put to the Audit and Risk Committee for review.</p> <p><b>This work will be complete by December 2025.</b></p>
<p>7. Councillors guard against actual and perceived bias by transparently representing the interests of the entire municipality and ensuring they are not captured by the interests of any cohort, whether that be a particular business, geographic community, community member or interest group. An evidenced based approach to strategic planning and decision making, supported by broad community engagement will mitigate the risk of real or perceived bias.</p>	<p>The Council administration will ensure this matter is addressed as part of Councillors ongoing continuing professional development (CPD) requirements.</p> <p><b>Councillors initial round of CPD will be complete by March 2026.</b></p>
<p><b>Relationships, trust and respect</b></p> <p>Changing the reputation and culture of an organisation requires a plan and sustained effort over time.</p>	
<p>8. Council continues to invest in the work already commenced to establish effective ways of working together (as Councillors) focusing on constructive relationships</p>	<p>The Governance Team will schedule as part of Councillors ongoing CPD, remaining sessions on effective team building. This work will be ongoing as part of Councillors CPD. In addition to these formal mechanisms councillors regularly gather to debrief and work on their team building.</p>



and behaviours, with the assistance of an external consultant to guide this work.	<b>Councillors initial round of CPD will be complete by March 2026.</b>
9. Council engages expert assistance to assist with building a culture of respect, with a focus on conflict resolution, psychological safety, and working collaboratively.	The Governance Team will schedule as part of Councillors ongoing CPD, expert facilitation of ongoing sessions which will address these requirements.  <b>Councillors initial round of CPD will be complete by March 2026.</b>
10. Council implements the Protocol developed by the CEO in 2025 to support effective compliance with Council policies.	Compliance with the protocol will be built into the proposed self assessment framework for Councillors.  <b>Proposed June development for presentation to ARC in first quarter 2025/2026 financial year</b>
11. Council engages external expertise to undertake an assessment of Councillor's governance, leadership, and integrity performance and tailor its annual professional development content to focus on areas identified for improvement.	The Council administration will engage a suitably qualified expert to undertake this assessment and feed its findings into the CPD program which will be renewed on an annual basis.  <b>It is proposed this work be first completed in the first third quarter financial year 2025/2026 the end of 2026 once the first full year of CPD has been delivered.</b>
<b>Meeting procedures, decision making and adequacy of Governance Rules</b>	
12. Council undertakes a review of the current instruments of delegation to enable more efficient operations and better reflect the strategic rather than operational role of Councillors.	It is proposed this is incorporated by the administration's Governance team into the regular review of delegations and authorisations.  <b>This first of these reviews would be complete by December 2025.</b>

13. When finalised, Council adopts the Model Governance Rules to reflect their commitment to best practice governance.	Noted and endorsed.
14. Councillors adopt a practice of having regular reflections on their effectiveness, including after council meetings, and that the CEO support this practice and be able to provide feedback.	It is proposed this practice be implemented jointly between the Council and the new CEO.  <b>It is proposed the new CEO proposed a schedule against which this practice is implemented by December 2025.</b>
<b>Support for the CEO including creating a safe workplace</b>	
15. Council clarifies its performance objectives for the CEO at the earliest opportunity and provides transparent annual reviews and regular feedback (at least every 6 months), in line with the agreed performance objectives.	The refresh of the CEO's performance plan and contract will be undertaken by the Employment Matters Committee overseen by the Independent Chair and will be completed for the new CEO appointment.  <b>Proposed timeline October 2025.</b>
16. The CEO performance review process includes the opportunity for the CEO to provide feedback about Council's performance in supporting the CEO to achieve both Councils' and the CEO's defined goals, as well as how Councillors can support the CEO in meeting the obligations of their role. This process will require support from the Independent Chair of the CEOEMAC.	This will be implemented through the review process undertaken by the Employment Matters Committee and overseen by the Independent Chair.  <b>Proposed timeline December 2025.</b>
17. Council makes overt its commitment to creating a safe and respectful environment and include in its regular professional development (at	This will be built into Council's CPD program and its self-assessment framework. Council will make overt its commitment to this principle in its processes for engaging with the CEO through the Employment Matters Committee.

least annually), a review of its obligations and performance.	<b>Proposed timeline December 2025.</b>
<b>Financial management and community engagement</b>	
18. Councillors are required to undertake financial literacy training as part of their professional development.	It is proposed that Council seek to initiate and host a regional session on financial sustainability as part of Council's commitment to its CPD program and regional collaboration.  <b>Session initiated and delivered by December 2025.</b>
19. Council works closely with the CEO to develop a clear strategy to achieve financial sustainability and seeks the ARC's support to track implementation and efficacy of the strategy	Council administration will work to develop a strategy which addresses: <ul style="list-style-type: none"> <li>• Waste</li> <li>• User fees and charges</li> <li>• Headline services mapping for service and asset review with a financial lens and a</li> <li>• 'right sizing' asset strategy</li> </ul> <b>This work will require external assistance and expertise and will commence in August 2025 and will likely be complete by early 2026.</b>
20. Council should work closely with the CEO to develop a clear strategy to 'right size' its asset portfolio and integrate its implementation into its strategic objectives when developing its Asset Plan and Financial Plan.	This work would be integrated into the workplan above.
<b>Recommendations for the Minister's consideration</b>	These recommendations are noted. Council is strongly supportive of the expediting of the development of the model governance rules and looks forward to adopting these as a priority on their release. Council also notes the importance of the issues raised in recommendation three in the overall development of an effective regulatory environment.

<p>1. Evaluating the impact of changes made to the Local Government (Governance and Integrity) Regulations, and particularly the Model Councillor Code of Conduct (October 2024) to determine whether improvements in governance and behaviour have been achieved and are sustained over time.</p> <p>2. Giving consideration to mandating the adoption of Model Governance Rules to further promote and support Councils to operate within a consistent framework of best practice governance.</p> <p>3. Exploring the creation of mechanisms for the CEO and officers to raise concerns about breaches of the Model Councillor Code of Conduct, recognising the inherent challenges in workplace power dynamics, and</p>	
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20 May 2025

The Hon. Melissa Horne MP  
121 Exhibition Street,  
Melbourne, Victoria, 3000

Dear Minister,

I am pleased to forward you Colac Otway Shire's response to the municipal monitor's report as updated 12 May 2025. Council has considered carefully the analysis in the report and its recommendations. Council intends to implement fully all the recommendations and will report regularly to its Audit and Risk Committee to ensure we maintain visibility on the progress against milestones.

Council appreciates the work on the municipal monitor and is confident that the initiatives will provide a sound basis on which it can continue to ensure good governance for the municipality.

Regards

Jason Schram  
**Mayor Colac Otway Shire Council**

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Item: 7.8

## Calling Unscheduled Council Meeting - 3 June 2025

<b>OFFICER</b>	Anita Craven
<b>MANAGER</b>	Anita Craven
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

To seek a Council resolution to hold an Unscheduled Council Meeting on 3 June 2025 at 1pm in COPACC Meeting Rooms 1 and 2 for CEO Employment matters.

### 2. EXECUTIVE SUMMARY

Section 3.1 of the Colac Otway Shire Governance Rules requires a Council resolution to call an unscheduled meeting of the Council. The resolution must specify the date, time and place of the meeting and the business to be transacted.

The purpose of the unscheduled Council meeting is to progress the actions resolved by Council at the 29 April 2025 Council meeting relating to CEO Employment matters

### 3. RECOMMENDATION

***That Council:***

- 1. Resolves to hold an unscheduled Council meeting on Tuesday 3 June 2025 at 1pm in COPACC for CEO Employment matters.***

### 4. KEY INFORMATION

At the 29 April 2025 Council meeting, Council resolved to:

1. Accept the resignation of Ms Anne Howard CEO Colac Otway Shire Council and thank her for her years of dedicated service

2. Appoint Mr Andrew Tenni as acting CEO commencing on Monday 5 May for a period of up to eight weeks pending appointment of an interim CEO within that timeframe
3. Authorise the administration to advertise for a recruitment agent to manage the process of recruiting the CEO
4. Note it is intended Council will appoint an interim CEO at its meeting May 2025 to support Council through until the appointment and commencement of a substantive CEO likely in the latter half of this calendar year.

The purpose of the unscheduled Council meeting is to progress the actions resolved by Council at the 29 April 2025 Council meeting.

## 5. CONSIDERATIONS

### **Overarching Governance Principles** (s(9)(2) LGA 2020)

Not Applicable

### **Policies and Relevant Law** (s(9)(2)(a) LGA 2020)

This Council Report is consistent with Colac Otway Shire Governance Rules for calling an unscheduled meeting of Council.

### **Environmental and Sustainability Implications** (s(9)(2)(c) LGA 2020)

Not applicable

### **Community Engagement** (s56 LGA 2020 and Council's Community Engagement Policy)

Not applicable

### **Public Transparency** (s58 LGA 2020)

Not applicable

### **Alignment to Plans and Strategies**

Not applicable

### **Financial Management** (s101 Local Government Act 2020)

Not applicable

### **Service Performance** (s106 Local Government Act 2020)

Not applicable.

### **Risk Assessment**

Not applicable.

### **Communication/Implementation**

The agenda for the unscheduled Council meeting will be made available on Council's website five days prior to meeting and hard copies provided at its Customer Service centre

### **Human Rights Charter**

No impact.

**Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

**Options**

Option 1 – Endorse the Officers Recommendation.

This option is recommended by officers as it ensures that the employment process for a new CEO can continue to progress without unnecessary delays.

Item: 7.9

## Councillor Attendance at the Australian Local Government Associations National General Assembly

<b>OFFICER</b>	Anita Craven
<b>GENERAL MANAGER</b>	Martin Cutter
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

The purpose of this report is to provide for Colac Otway Shire Council's participation in the Australian Local Government Association's 31st National General Assembly (ALGA NGA) and Regional Cooperation and Development Forum in Canberra during the period 24 to 27 June 2025.

### 2. EXECUTIVE SUMMARY

The ALGA NGA and provides a forum for local government to discuss and advance issues of national significance to local government. The forum is held annually. In accordance with Council's Expenses and Support Policy (adopted on 25 February 2025), any expenditure greater than \$1,500 (including registration, travel and accommodation) for a Councillor to attend a conference, seminar, training session, trade delegation, friendship visit etc., must be approved by Council.

### 3. RECOMMENDATION

***That Council approves Cr Chris Potter as the ALGA representative to attend the Australian Local Government Association's 31st National General Assembly and Regional Forum in Canberra.***

## 4. KEY INFORMATION

Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government, bringing together over 800 conference participant representatives of Australia's 537 councils.

There are a number of benefits to participating in NGA, some of which include:

- Over 10 hours of professional development.
- Over 15 hours available to network with other Local Government leaders.
- Over 140 motions debated and used to engage with 24 Ministers and Federal portfolios.
- Opportunity to visit Colac Otway's Federal Member to discuss relevant issues relevant to the municipality and region.

The 2025 NGA theme is National Priorities Need Local Solutions and focused on the important role Councils play in delivering local place-based initiatives that help address National Challenges. It provides an opportunity to hear from political leaders, experts, commentators and colleagues in local government to:

- Learn how councils are responding to key national issues of emergency management, safer roads, housing and community infrastructure, and local government jobs and skills
- Learn more about how ALGA's policy and advocacy programs are supporting addressing key national issues.
- Explore new ideas through keynote addresses, panels, concurrent sessions and networking. Hear about emerging trends and issues across our nation.

The National General Assembly (NGA) runs for four days from Tuesday 24 to Friday 27 June 2025. It is intended that Councillor Potter will only attend the two main days on Wednesday 25 and Thursday 26 2025.

Accompanying Councillor Potter will be Colac Otway Shire's Acting Chief Executive Officer, Andrew Tenni.

The total cost associated with participation by Councillors is estimated at \$3,000 and includes airfare, accommodation for up to three nights and registration costs.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

Attendance at the 2025 ALGA NGA and Regional Forum is consistent with the following overarching governance principles:

- Pursuing innovation and continuous improvement.
- Seeking collaboration with other councils and governments and statutory bodies.
- Regional, state and national plans and policies are taken into account in strategic planning and decision making.

The transparency of Council decisions, actions and information is to be ensured



**Policies and Relevant Law (s(9)(2)(a) LGA 2020)**

Bringing this report to Council is consistent with Council's Expenses and Support Policy (to approve any expenditure greater than \$1500).

**Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)**

Not applicable.

**Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)**

Not applicable.

**Public Transparency (s58 LGA 2020)**

Bringing this matter to the Council meeting for resolution in open session ensures decision making is transparent and the public are aware of Councillor attendance and why

**Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

- Theme 1 – Strong and Resilient Community
- Theme 2 – Valuing the Natural and Built Environment
- Theme 3 – Healthy and Inclusive Community.

**Financial Management (s101 Local Government Act 2020)**

Councillor attendance at the 2025 ALGA NGA and Regional Forum is in accordance with Council's Expenses and Support Policy. The total cost associated with participation by Councillor is estimated at \$3,500 and includes airfare, accommodation for up to four nights and registration costs.

**Service Performance (s106 Local Government Act 2020)**

Not applicable.

**Risk Assessment**

Not applicable

**Communication/Implementation**

Not applicable.

**Human Rights Charter**

No impact.

**Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

**Options****Option 1 – Approves Councillor Attendance at the ALGA NGA.**

This option is recommended by officers as representation and participation in the ALGA NGA provides a forum for local government to discuss and advance issues of national significance to local government and Colac Otway Shire

#### Option 2 – Do not approve Councillor attendance at the ALGA NGA

This option is not recommended by officers as Council would miss the opportunity for representation at a forum for local government to discuss and advance issues of national significance to local government and Colac Otway Shire

Item: 8.1

## Quarterly Performance Report - Jan to Mar

<b>OFFICER</b>	Belinda Rocka
<b>MANAGER</b>	Anita Craven
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	1. Quarterly Performance Report 2024-25 - Q 3 - January to March 2025 [8.1.1 - 35 pages]

### 1. PURPOSE

To provide the Quarterly Performance Report for the period 1 January to 31 March 2025.

### 2. EXECUTIVE SUMMARY

Pursuant to section 97 of the *Local Government Act 2020 (LGA 2020)*, the Chief Executive Officer is required to present a quarterly budget report (which includes a comparison of the actual and budgeted results to date and an explanation of any material variations), to a Council meeting which is open to the public.

Explanation of budget and/or project performance variances to budget must provide information to Council and the public about allocation of financial resources to achieve Council Plan and Budget Outcomes.

This Quarterly Performance Report also includes a progress report against the Council Plan objectives (via the 2024-25 Annual Plan).

### 3. RECOMMENDATION

***That Council notes the Quarterly Performance Report for the third quarter 2024-25, for the period 1 January 2025 to 31 March 2025.***

## 4. KEY INFORMATION

The year-to-date (YTD) financial performance for the nine months ending 31 March 2025 is unfavourable as compared to the adopted budget 2024-25 for the same period.

After taking the 2023-24 actual financial results into consideration (including the carry forward balances relating to incomplete works for projects funded in 2023-24), the following summary is provided in relation to the 2024-25 forecast financial results:

- Council's total comprehensive result (actual) for the nine months ended 31 March 2025 is a surplus of \$10.38 million.
- The year-to-date operating surplus of \$10.38 million is (\$8.75 million) unfavourable to the budgeted operating surplus for the same period, this is a reflection in large part of Capital Grant income expected but not yet earned, Operating Grants budgeted to be received in the previous financial year but received in this year, and underspend in Materials and services. It is anticipated Council's end of year position will be (\$10.87 million) unfavourable to budget.

This Quarterly Performance Report provides Council with a progress report for the third quarter of the financial year (January to March 2025) and is structured in the following sections:

- Annual Plan Progress Report
- Budget Report for the quarter ending 31 March 2025
- Capital Works and Operational Projects Reports

The Annual Plan Progress Report shows:

- 32 (82%) actions are in progress
- 2 (5%) actions have not started
- 5 (13%) actions are complete

Financial Statements:

- Comprehensive Income Statement
- Balance Sheet
- Cash Flow Statement
- Capital Work Statement

The result year to date is a (\$8.75 million) unfavourable to current budget. It is anticipated our end of financial year position will be (\$10.87 million) unfavourable to budget.

Further details of these results are provided in the attachments.

## 5. CONSIDERATIONS

### **Overarching Governance Principles (s(9)(2) LGA 2020)**

A number of relevant governance principles under section 9 of the *Local Government Act 2020* apply to the report, specifically:

- Council decisions are to be made, and actions taken in accordance with the relevant law:

- The Chief Executive Officer must ensure that a quarterly budget report is presented to Council at a Council meeting which is open to the public that includes a comparison of the actual and budgeted results to date, and an explanation of any material variations. The quarterly report must also include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required (s97 *LGA 2020*).
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations:
  - Explanation of budget and/or project performance variances to budget that provides information to Council and the public about allocation of financial resources to achieve Council Plan and Budget outcomes.
- Innovation and continuous improvement is to be pursued:
  - Continuous development of financial reporting information and systems to enable more useful information for Council decision making.
- The ongoing financial viability of the Council is to be ensured:
  - Regular monitoring of permanent and timing variances to Budget by the Executive Management Team and quarterly monitoring of Budget performance by the Audit and Risk Committee and Council to enable mitigation of identified financial risks.
- The transparency of Council decisions, actions and information is to be ensured:
  - Presentation of the quarterly performance report, including budget statements, provides the community with relevant information about Council's progress against key plans and adopted budget.

#### **Policies and Relevant Law (s(9)(2)(a) *LGA 2020*)**

Section 97 of the *LGA 2020* requires quarterly statements to be presented to Council, comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date.

#### **Environmental and Sustainability Implications (s(9)(2)(c) *LGA 2020*)**

Not applicable.

#### **Community Engagement (s56 *LGA 2020* and *Council's Community Engagement Policy*)**

Comprehensive community consultation and engagement was undertaken during the development of the Council Plan 2021-2025 and 2024-25 Budget.

#### **Public Transparency (s58 *LGA 2020*)**

Council information on Council Plan progress, capital works and major initiatives performance and budget performance is scheduled to be reported quarterly to an open Council meeting. Full year budget forecasts are updated regularly to transparently show the impact on Council's financial position of all material permanent variances forecast compared to the adopted Budget with explanations.

#### **Alignment to Plans and Strategies**

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement



### **Financial Management** (s101 *Local Government Act 2020*)

The financial and budgetary implications are disclosed in the attached report and show the anticipated financial impacts on Council's financial position. This information aims to: (a) Explain the financial operations and performance compared to the adopted budget for the financial year and forecast Council's financial position to 30 June 2025. (b) Assist Council to effectively manage its revenue, expenses, assets, liabilities, investments, and financial transactions in accordance with a Council's financial policies and strategic plans. (c) Assist Council to monitor and mitigate any financial risks identified during the financial year.

### **Service Performance** (s106 *Local Government Act 2020*)

Not applicable.

### **Risk Assessment**

Council needs to continue to closely monitor and manage its financial sustainability and performance considering the current economic conditions. Inflation in Australia continues to be a persistent and major challenge and Council, like all sectors, faces a tight labour market and capacity constraints. These financial pressures are generally outside Council's control and influence and will continue to represent a significant financial risk throughout the year.

### **Communication/Implementation**

The quarterly Budget Report to 31 March 2025, including the Capital Works and Major Initiatives Performance Report, has been presented to the Audit and Risk Committee on 15 May 2025.

### **Human Rights Charter**

No impact.

### **Officer General or Material Interest**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

### **Options**

Option 1 – Note the Quarterly Performance Report 2024-25 for the third quarter, for the period January to March 2025.

This option is recommended by officers as this report meets Council's statutory requirement for the Chief Executive Officer to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public (s97 *LGA 2020*).

Option 2 – Do not note the Quarterly Performance Report 2024-25 for the third quarter, for the period January to March 2025.

This option is not recommended by officers as it would be inconsistent with the intent of the reporting requirements in the *LGA 2020*.



# **Quarterly Performance Report 2024-25**

**Third Quarter  
1 January 2025 to 31 March 2025**

**Contents**

<b>Annual Plan Progress Report</b>	<b>3</b>
<b>Budget Report</b>	<b>20</b>
<b>Capital Works Report</b>	<b>29</b>
<b>Operational Projects Report</b>	<b>34</b>

**Acknowledgement**

The Colac Otway Shire Council respectfully acknowledges the Gulidjan and Gadubanud peoples of the Maar Nation as the Traditional Custodians of the Colac Otway region, the land and waterways upon which the activities of the Colac Otway Shire Council are conducted on.

We pay our respects to their ancestors and elders, past, present and emerging. We recognise and respect their unique cultural heritage, beliefs and up hold their continuing relationship to this land.

# Annual Plan Progress Report

## Council Plan 2021-2025

Council formally adopted the Council Plan 2021-25 at a Council meeting held on 27 October 2021. The Council Plan is a document developed in partnership with the community to guide Council's strategic direction over the next four years.

The key issues faced by our community, identified through the development of the Community Vision 2050, informs the choice of major projects and activities that Council identifies as its highest priorities.

### Community Engagement

Development of the Council Plan 2021-25 included a comprehensive community engagement process, which conducted alongside development of the Community Vision 2050. The engagement process included:

- Regional roadshows at 12 community locations
- Online community sessions
- Community survey
- Stakeholder interviews
- Youth summit
- Community panel sessions
- Councillor workshops
- Exhibition of draft Community Vision 2050 and Council Plan 2021-25.

The Community Vision 2050 and Council Plan 2021-2025 is available for download from Council's website, or hard copies are available for viewing at Council offices in Colac and Apollo Bay.

### Council Plan 2021-25 Strategic Themes

There are four themes in the Council Plan:

#### Theme One: Strong and Resilient Economy

We are committed to expanding our diverse industries, vibrant arts community, world-renowned tourism, and professional health services. A healthy, growing economy will provide sustainable industries and jobs, and opportunities for all ages.

#### Theme Two: Valuing the Natural and Built Environment

We will protect our natural environment and communities, by maintain and providing resilient infrastructure, and being leaders in sustainable living, modelling innovation and best practice.

#### Theme Three: Healthy and Inclusive Community

We will continue to be a great place to live. We embrace our diverse community, take care of our older community and prepare our children for success. We care for each other, are friendly and welcoming, and enjoy a vibrant and active lifestyle. We are a small population with big hearts.

#### Theme Four: Strong Leadership and Management

We will be leaders in good governance, transparency and strive for ongoing improvement.

### Links to the Public Health and Wellbeing Plan

The following legend indicates actions that are linked to the Public Health and Wellbeing Plan

Preventing Violence	Climate Change	Active Living	Mental Health Wellbeing	Gender Equity	Panel Recommendation
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# Annual Plan Progress Report

## Annual Plan 2024-25

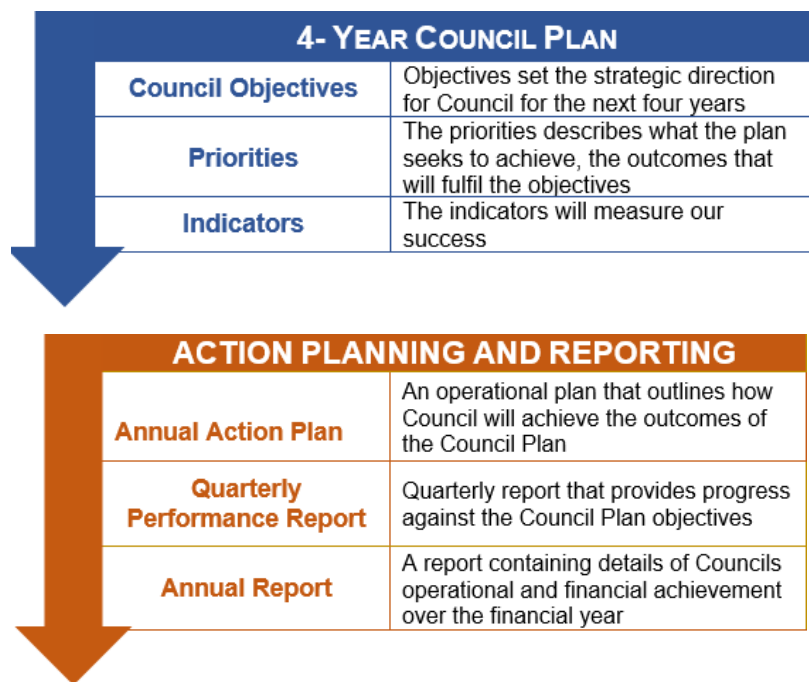
The Annual Plan 2024-25 is an operational plan that outlines how Council will work towards achieving the outcomes of the Council Plan 2021-25.

As part of the Council Plan 2021-25, Council commits to generating an annual action plan to demonstrate how we will deliver on our commitments, evaluating our own performance, and publishing results within the annual report each October.

In addition, the development and implementation of the annual plan is informed by ongoing partnerships with agencies, community and other levels of government.

Each quarter, Council will produce a quarterly report showing progress against each of the actions in the annual plan, in addition Council produces an Annual Report, which outlines the work undertaken for the financial period.

## Integrated Planning Framework





## Theme 1 – STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>1.1 Affordable and available housing will support our growing community and economy</b>						
1.1.1	<b>Deliver a strategic growth plan for the shire and settlement strategy for all small towns and rural living areas ●</b>	<ul style="list-style-type: none"> <li>Strategic Growth Plan and Settlement Strategy developed</li> <li>Relevant Planning Scheme Amendments adopted</li> </ul>	<b>Progress Birregurra Structure Plan &amp; Northern Towns Growth Plan</b>	<p>A report on the draft Birregurra Structure Plan report will be presented to an upcoming Council meeting, requesting it be placed on public exhibition.</p> <p>Background and issues reports are completed for the Northern Towns Growth Plans Review.</p>	50%	In progress.
1.1.2	<b>Deliver a refreshed Apollo Bay Structure Plan ●</b>	<ul style="list-style-type: none"> <li>Refreshed Apollo Bay Structure Plan delivered by 2022-23</li> <li>Relevant Planning Scheme Amendments adopted</li> </ul>	<b>Commence Apollo Bay Structure Plan</b>	The tender process for consultancy services has commenced.	10%	In progress
1.1.3	<b>Facilitate the delivery of more diverse housing stock in Colac and Apollo Bay ●●</b>	<ul style="list-style-type: none"> <li>Increase land supply by 200 new lots annually</li> <li>Increased availability of affordable housing</li> <li>Levels of housing stress including rental and mortgage stress</li> </ul>	<b>Continue to work with Developers to promote greater diversity in housing stock</b>	<p>Two planning applications for the subdivision of the land within the Colac West Development Plan area are under consideration - at 48 Stodart Street and 1-59 Rifle Butts Road. The Rifle Butts Road application is still in the early stages of assessment, with further information awaited from the applicant.</p> <p>A report on the Hillview Elliminyt Development Plan will be presented to an upcoming Council meeting.</p> <p>Council is awaiting a revised Development Plan for Irrewillipe Road, Elliminyt (Bakerland) from the proponent.</p> <p>Work is ongoing on a planning application relating to land at 6230 and 6280 Great Ocean Road Apollo Bay, for which a Development Plan was approved in September 2023.</p>	Ongoing	In progress

## Theme 1 – STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
1.1.4	<b>Increase residential land supply in Colac</b> ●●	<ul style="list-style-type: none"> <li>Number of hectares rezoned</li> <li>Number of residential lots approved by planning permits</li> </ul>	<b>Continue to progress the Deans Creek Precinct Structure Plan</b> ●●	The majority of the background technical reports for the Deans Creek Precinct Structure Plan have been completed. Transport, infrastructure and Development Contributions reports to be completed by mid-2025. Further technical flood assessment modelling has been completed to better understand the likely impacts of climate change within the catchment. This work aligns with changes made to the Australian Rainfall Runoff Index.	75%	In progress
			<b>Work with landowners to coordinate development in Colac West Development Plan area</b>	Two planning applications for the subdivision of the land within the Colac West Development Plan area are under consideration - at 48 Stodart Street and 1-59 Rifle Butts Road. The Rifle Butts Road application is still in the early stages of assessment, with further information awaited from the applicant.	60%	In progress
			<b>Progress Planning Scheme Amendments for rezoning land to residential in Colac</b>	Three significant planning scheme amendments have been completed, rezoning land for over 900 residential lots and securing more than a 10-year residential land supply for Colac.	100%	Completed
1.1.6	<b>Increase access to affordable accommodation for essential workers</b> ●●	<ul style="list-style-type: none"> <li>Level of rental and mortgage stress</li> <li>More accommodation options are available in towns including Apollo Bay, Birregurra, Forrest and Colac, specifically for workers</li> </ul>	<b>Commence the Colac Otway Adaptable Precincts Project with partners, funded through Regional Precincts and Partnerships Program</b>	Delays in receiving funding agreement has delayed the start of this project. Preliminary project planning has commenced with project partners.	5%	In progress

## Theme 1 – STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>1.3 Key infrastructure investment supports our economy and liveability</b>						
1.3.1	<b>Attract investment to implement key master plans and projects that will drive economic growth including but not limited to Lake Colac Foreshore Masterplan, Public Toilet Strategy, CBD and Entrances Plan, Apollo Bay, Marengo and Skenes Creek CIP, Murray Street upgrades, township masterplans, Colac Civic Health and Rail Precinct, Memorial Square Masterplan Tourism Traffic and Parking Strategy</b> ●●●	<ul style="list-style-type: none"> <li>Number of projects that have attracted funding</li> <li>\$ funding received</li> </ul>	<b>Complete Colac Civic Health and Rail Precinct planning</b>	Public exhibition of the Colac Civic Health and Rail Precinct Plan will commence in the fourth quarter.	85%	In progress
			<b>Commence the Cultural and Accommodation Precinct Masterplan if successful in securing external funding</b>	Council has been advised that its funding application to the Victorian Government's Enabling Tourism Fund was not successful.	-	-
1.3.2	<b>Deliver improvements to Colac and Apollo Bay CBDs to support their role as a hub for commerce, tourism and the community</b>	<ul style="list-style-type: none"> <li>Grant funds secured for Colac and Apollo Bay CBD streetscape upgrades</li> </ul>	<b>Complete Colac Civic Health and Rail Precinct planning</b>	The draft Civic and Rail Precinct Plan has been endorsed by Council for public exhibition.	90%	In progress
1.3.4	<b>Advocate for implementation of the Forrest Wastewater scheme</b>	<ul style="list-style-type: none"> <li>Funding secured to deliver Wastewater Scheme in Forrest</li> </ul>	<b>Support efforts by Barwon Water to introduce reticulated wastewater to Forrest</b>	Barwon Water continues its partnership with Colac Otway Shire and the Forrest community to deliver a long-term sustainable wastewater solution for the town. A site for a new water treatment facility has been purchased.	75%	In progress

## Theme 1 – STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>1.4 Colac Otway Shire is a destination to visit</b>						
<b>1.4.1</b>	<b>Promote the Shire as a destination, not a gateway ●</b>	<ul style="list-style-type: none"> <li>Increased visitor spend and stay</li> </ul>	<b>Support GORRT review of Otway Destination Action Plan</b>	The Otways Destination Action Plan is currently under review by GORRT with feedback provided by Council on the Draft Plan.	75%	In progress
<b>1.4.3</b>	<b>Work with our community to promote our towns as places to stop, visit and explore</b>	<ul style="list-style-type: none"> <li>Delivery of Destination Actions Plans</li> <li>In partnership with GORA, achieve Ecotourism Certification</li> </ul>	<b>Support GORRT review of Otway Destination Action Plan (as per action for 1.4.1)</b>	As per 1.4.1		
<b>1.4.4</b>	<b>Facilitate development of sustainable visitor infrastructure and accommodation</b>	<ul style="list-style-type: none"> <li>Increased availability of visitor accommodation</li> <li>Public Toilet Strategy completed and 60% of actions delivered by 2025</li> </ul>	<b>As per action for 1.3.1</b>	(as per action 1.3.1)	-	-

## Theme 2 – VALUING THE NATURAL AND BUILT ENVIRONMENT

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>2.1 We mitigate impacts to people and property arising from climate change</b>						
2.1.2	<b>Green our streets and public places</b> ●●●●	<ul style="list-style-type: none"> <li>Number of trees planted in public spaces (open space and streetscape)</li> <li>Development of an urban cooling strategy and canopy target as part of the reviewed environmental strategy</li> <li>Review the quality of street trees and streetscapes when planting appropriate trees in the future</li> </ul>	<b>Deliver Council's Street Tree planting program to identified candidate streets</b> ●●●●	Street tree planting is seasonal. Whilst program planning has been undertaken, planting cannot commence until there is reliable rain in Autumn.	10%	In Progress
			<b>Commence implementation of Colac Botanic Gardens Master Plan as per funding capacity allocated</b>	Council is working with the "Friends" group on several smaller projects and assisting them to secure a grant for a self-guided walking tour of the gardens. Repair works to the fountain have been subject to a tender process. Other items in the adopted Master Plan require specific funding in future budgets.	75%	In Progress
2.1.3	<b>Minimise the effects of climate change and extreme weather events on our community</b> ●●	<ul style="list-style-type: none"> <li>Emergency Management Plan regularly reviewed</li> <li>Community satisfaction with emergency and disaster management increases annually from current result of 71%</li> <li>Upgrades completed in vulnerable locations</li> </ul>	<b>Implement priorities from Municipal Emergency Management Plan</b>	<p>The Municipal Emergency Management Plan (MEMP) was adopted in September 2024 and continues to be delivered by the relevant agencies, including Council.</p> <p>Council's community relief and recovery responsibilities were tested in response to multiple bushfires in the Otway ranges in January and February.</p> <p>The Otway District Strategic Fire Management Plan 2025-28 for Shires of Corangamite, Colac-Otway and Surf Coast was updated.</p> <p>Council delivered its statutory fire prevention responsibilities over the summer fire season.</p>	75%	In Progress



## Theme 2 – VALUING THE NATURAL AND BUILT ENVIRONMENT

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>2.2 We operate sustainably with a reduced carbon footprint</b>						
2.2.1	Improve Council's sustainability practices through the reduction of Council's carbon emissions and/or need to pay for carbon offsets ●●	<ul style="list-style-type: none"> <li>Maintain Council's net zero carbon emissions and reduce dependence on carbon offsets through implementation of emission education projects</li> <li>Community satisfaction with environmental sustainability increases annually from current result of 61%</li> </ul>	Implement funded priorities from the Climate Change Action Plan	The second round of the Electric Homes Program closed for registrations in November 2024. Council facilities are currently being upgraded with hot water heat pumps and solar PV generation systems to improve energy efficiency and reduce operational emissions at the Apollo Bay Transfer Station, Colac Maternal and Child Health Centre and Winifred Nance Kindergarten.	85%	In progress
2.2.2	Council supports the community to reduce carbon emissions ●●	<ul style="list-style-type: none"> <li>Raised awareness of whole-of-community climate change mitigation/adaptation focused activities</li> <li>Reduction in CO2 emissions for Colac Otway (Source: Victorian Greenhouse Gas Emissions Report)</li> <li>Council has considered opportunities for regional partnerships in relation to climate change</li> </ul>	Implement funded priorities from the Climate Change Action Plan	<p>Council's third Community Climate Change Action Forum was held on 4 March and included the Environment Focus Group session for the new Council Plan</p> <p>Council also supported the 'Getting the Dirt on Carbon' workshop series delivered by the Central Otway Landcare Network, with the first workshop held at COPACC on 28 March.</p>	75%	In progress
2.2.3	Educating and assisting our community to act on climate change by reducing waste, emissions and water usage ●	<ul style="list-style-type: none"> <li>Reduced waste to landfill, emissions and water usage in the community</li> </ul>	Implement funded priorities from the Climate Change Action Plan	<p>The second round of the Electric Homes Program launched in 2024 to encourage a transition away from gas use. Installation of energy efficiency upgrades for Council owned buildings purchased under this program commenced in early 2025 and will continue until May 2025.</p> <p>The Sustainability Victoria Grant Project – "Small Acts and Big Impacts" also continues to be rolled out.</p>	75%	In progress

## Theme 2 – VALUING THE NATURAL AND BUILT ENVIRONMENT

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>2.4 We will satisfy our community's reasonable expectations to reduce waste going to landfill, increase resource recovery and minimise waste charges</b>						
2.4.4	Divert glass from landfill by rollout of glass recycling bins (purple bin) and public awareness raising and innovative approaches ●	<ul style="list-style-type: none"> <li>% of glass diverted from landfill stream</li> </ul>	Continue to promote CDEP roll-out in support of State Govt reforms	Council has continued to run advertisements online, on Council's website and in the local newspapers on glass recycling and producing quality compost from green waste. Glass recycling is also strongly promoted through the Good Sort app.	75%	In progress
<b>2.5 Provide and maintain an attractive and safe built environment</b>						
2.5.3	Council meets annual infrastructure renewal gap	<ul style="list-style-type: none"> <li>Asset Management Plans completed</li> <li>Capital funding allocated annually in accordance with levels identified in AMPs</li> </ul>	Commence review of Council's Asset Plan, to enable adoption by 31 October 2025 as per section 92 of LG Act	<p>A draft Asset Plan is being prepared, based on a review of Asset Management Plans for Roads, Buildings, Pathways, Drainage, Open Space and Bridges. The Asset Plan will be considered by Council in June alongside other corporate planning documents.</p> <p>A draft asset renewal program has been finalised for budget consideration in 2025/26.</p> <p>Condition assessments and valuations have been completed for bridges, retaining walls, guard rails and open space assets as part of a rolling four year review.</p>	75%	In Progress

	Four-year Priorities	Indicator	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>3.1 All people have the opportunity to achieve and thrive in our Shire</b>						
3.1.2	Create environments where children can be happy, healthy, supported, educated and safe ●●●●●	<ul style="list-style-type: none"> <li>Funding for early years infrastructure secured (\$)</li> <li>Increased childcare options/availability</li> <li>Partner with agencies to decrease 23.3% children developmentally vulnerable in more than one domain</li> <li>Increase in 3 and 4-year-old kindergarten participation rates</li> </ul>	Complete the Kindergarten Infrastructure Strategic Plan (KISP)	Draft Kindergarten Infrastructure and Services Plan (KISP) has been prepared and will be considered by Council in Q4.	90%	In progress
3.1.3	Provide services to enable lifelong health and wellbeing from the early to senior years ●●●●●	<ul style="list-style-type: none"> <li>Community satisfaction for Family Support Services increases annually from current result of 66%</li> <li>Community satisfaction for Elderly Support Services increases annually from current result of 68%</li> <li>Participation rates in Maternal and Child Health checks</li> </ul>	Implement decisions arising from Community Care Best Value Review	Implementation of the Transition Plan continues to ensure effective and timely transition to the Commonwealth Government's Support at Home program in July 2025.	80%	In progress
<b>3.2 People are active and socially connected through engaging quality spaces and places</b>						
3.2.2	Plan for and supply quality public open space to meet community needs ●●●●●	<ul style="list-style-type: none"> <li>Council-managed open space provision aligns with standards for development outlined in the Public Open Space Strategy</li> </ul>	Upgrade Wyuna Estate open space and play area	A contractor has been appointed to deliver a BBQ and shelter. Works are scheduled to be completed in Q4.	75%	In progress

	Four-year Priorities	Indicator	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
3.2.5	<b>Increase participation in physical activity throughout the shire through direct service provision and partnerships with health services and the wider community</b> ●●●	<ul style="list-style-type: none"> <li>Increased visitation and memberships at Bluewater Leisure Centre and Apollo Bay Aquatic Centre</li> <li>Level of community grants funding directed to projects that encourage physical activity</li> </ul>	<b>Review community grants process to encourage projects that encourage physical activity</b>	Grants Program reviewed and revised guidelines approved by Council.	100%	Completed
3.2.6	<b>Promote and demonstrate gender equity</b> ●●●	<ul style="list-style-type: none"> <li>Gender Equity Plan for Council adopted and implemented</li> <li>New and upgraded community facilities accommodate gender neutral design principles</li> <li>Community facility fees and charges structures encourage facility users to embrace gender equity</li> </ul>	<b>Support community and clubs to implement the Fair Access Policy</b>	<p>Funding applications submitted under Sport and Recreation Victoria Programs (including Country Football and Netball and Regional Community Sports Infrastructure Fund) included the development of Gender Impact Statements for each submission.</p> <p>Designs for Irrewillipe and Elliminyt Recreation Reserve changeroom facilities are nearing completion, which include female friendly/gender neutral principles.</p> <p>The Colac Otway Football (Soccer) Facilities Feasibility Strategy has commenced and will consider equitable and gender-neutral facility provision.</p> <p>A preliminary review of community facility fees and charges policy and procedures (including user agreements) to commence in Q4 considering the Fair Access Policy and principles.</p>	75%	In progress
<b>3.3 We are a safe, equitable and inclusive community</b>						
3.3.4	<b>Deliver a Reconciliation Action Plan in consultation with Eastern Maar Aboriginal Cooperative (EMAC)</b> ●●	<ul style="list-style-type: none"> <li>Reflect level Reconciliation Action Plan delivered by 2022</li> </ul>	<b>Continue to support partnership event during Reconciliation Week</b>	A Reconciliation Week event is programmed for COPACC in partnership with Traditional Owners, the Na Djinang Circus and Regional Arts Victoria.	75%	In progress

	Four-year Priorities	Indicator	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
3.3.5	Provide community safety services that enhance the liveability of our shire ●●●●	<ul style="list-style-type: none"> <li>Community satisfaction for enforcement and local laws increases annually from current result of 64% Local Law reviewed by 2023</li> </ul>	Actively explore with partners the re-establishment of a Bushfire Place of Last Resort in Apollo Bay	A new Bushfire Place of Last Resort has been designated at the Apollo Bay Golf Club.	100%	Completed
3.3.6	Support health, enforcement and other services to support initiatives to reduce all forms of violence ●●●●	<ul style="list-style-type: none"> <li>Decrease family violence incident rates</li> </ul>	Continue to partner with CAH in 16 Days of Activism initiative	Council has supported Colac Area Health and Respect 2040 with the 16 Days of Activism initiative 'What is 2040?' held in Q2.	100%	Completed
3.3.7	Reduce gambling-related harm in the Colac Otway Shire ●●●●	<ul style="list-style-type: none"> <li>Gambling Policy developed for inclusion in the planning scheme</li> </ul>	Commence development of a Gaming and Licensed Premises policy	Changes proposed to liquor and licensing regulation has mean Council cannot progress with the development of this policy. Council is to be briefed on the legislation changes in April 2025 and implications will be known then.	0%	Not started



	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>4.1 We commit to a program of best practice and continuous improvement</b>						
4.1.1	<b>Identify and embrace best practice and modernise systems to realise efficiencies</b>	<ul style="list-style-type: none"> <li>Community satisfaction for Councils overall performance increases annually from current result of 58%</li> </ul>	<b>Implement actions arising from the Cybersecurity Internal Audit</b>	<p>Actions from the audit have progressed in line to the stated goal of reaching level 1 of Essential Eight Cyber maturity. Implementation of third-party patch management and Office 365 backup has now been completed. Trusted application allow listing is well in progress and will be completed in Quarter 4.</p>	85%	In progress
4.1.4	<b>Undertake a rolling program of service reviews</b>	<ul style="list-style-type: none"> <li>Conduct at least two service reviews annually and implement decisions made by Council, with a view to saving at least \$250,000 per year</li> </ul>	<b>Implement outcomes from completed reviews</b>	<p>Service review implementation is focused on:</p> <ul style="list-style-type: none"> <li>The implementation of the Best Value Review of Aged Care Service Review in September 2024.</li> <li>Visitor Servicing Review – Council has resolved to enter into a lease with an external provider to operate the Colac Visitor Information Centre</li> </ul> <p>Officers are also progressing reviews of fleet management and Colac Saleyards.</p>	75%	In progress

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>4.2 We are a financially robust organisation</b>						
4.2.2	<b>Adopt a policy and approach to guide the disposal of assets no longer required</b> ●	<ul style="list-style-type: none"> <li>Asset Management Plans include strategic service planning recommendations</li> <li>Capital Funds Allocation and Prioritisation Policies adopted</li> </ul>	<b>Develop asset rationalisation and decommissioning principles</b>	Council has been reviewing the Asset Management plans which is required to inform to develop asset rationalisation and decommissioning principles. Limited resourcing in this area has required prioritisation of actions.	0%	Not started
4.2.3	<b>Manage procurement to get best value for the community</b>	<ul style="list-style-type: none"> <li>Agreed audit recommendations are implemented within defined timelines</li> <li>Rolling internal audit program implemented</li> </ul>	<b>Implement Internal Audit recommendations into Procurement</b>	Updated procurement policy implemented. An extensive staff training program was conducted on the updated policy and requirements that now exist. The updated procurement procedure is scheduled for peer review at the end of April. Superintendent training has been delivered	95%	In progress
4.2.5	<b>Financial and risk management practices are responsible and sustainable</b>	<ul style="list-style-type: none"> <li>Deliver ten-year financial plan</li> <li>VAGO LGPRF financial sustainability measures</li> </ul>	<b>Commence review of Council's Financial Plan, to enable adoption by 31 October 2025 as per section 91 of LG Act</b>	Long term financial plan model updated with 2023-24 results and 2024-25 forecast. 2025-26 Draft Budget scheduled for public exhibition, post Council endorsement, and Approval in June 2025. Approved 2025-26 budget and 3 years of projections will inform the 10-year view.	45%	In Progress

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
			<b>Complete outstanding reviews of key financial policies</b>	Investment policy completed, adopted and implemented.  Asset Accounting, Borrowings, and Community Loans policies have all passed through Audit & Risk Committee, and to be brought to Council for consideration in coming months  Review of remaining Reserves policies in progress.	70%	In Progress
<b>4.3 We provide exceptional customer service</b>						
<b>4.3.1</b>	<b>Council service delivery is efficient, accessible, solution-focused and responsive to the needs of the community</b>	<ul style="list-style-type: none"> <li>Community satisfaction for Customer Service increases annually from current result of 68%</li> <li>Seek to understand factors contributing to the community's perception of Council's performance in Apollo Bay and surrounds</li> </ul>	<b>Implement Customer Experience improvement program</b>	<p>A program of reporting and feedback across a wide variety of Customer Experience indicators has been implemented and is identifying and addressing areas of improvement, tracking responsiveness across the business, improving quality of front line responses, and driving continuous improvement initiatives.</p> <p>2025 Customer Satisfaction Survey results are due in June 2025 and will provide insights into communities perception of Councils performance.</p>	70%	In progress

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
<b>4.4 We support and invest in our people</b>						
4.4.1	<b>We respect and invest in our employees and continue to strengthen our workplace culture</b> ●●	<ul style="list-style-type: none"> <li>Employee satisfaction and engagement</li> </ul>	<b>Implement an action plan based on People Matters Survey results</b>	Council is implementing the action plan from the People Matter Survey which includes training and evaluation of policies.	75%	In progress
4.4.2	<b>We commit to safe work practices and take a positive approach to our work</b> ●	<ul style="list-style-type: none"> <li>Delivery of targets and measures as outlined in the OHS Strategic Plan</li> </ul>	<b>Implement actions from Internal Audit into WHS systems</b>	Council has implemented actions from Internal Audit into Work Health Safety including organisation-wide training programs that focuses on mandatory and compliance training.	75%	In progress
4.4.3	<b>Develop a skilled and diverse workforce by investing in training and development</b> ●●	<ul style="list-style-type: none"> <li>Attraction and retention of skilled workforce</li> <li>Number of secondments within the organisation</li> <li>Number of internal promotions</li> <li>Number of hours of training</li> <li>Number of traineeships/apprenticeships</li> <li>Development of a Workforce Plan</li> </ul>	<b>Implement the organisation wide training program for mandatory and compliance training</b>	Council has implemented organisation-wide training programs that focuses on mandatory and compliance training.	85%	In progress

	Four-year Priorities	Indicators	Year 4 Annual Actions	Progress Against Quarter 3 (January to March)	% Complete	Status (Not started, In progress or Completed)
4.4.4	Council provides clear, accessible communication and opportunities for the community to participate in decisions that affect them in line with the Community Engagement Framework	<ul style="list-style-type: none"> <li>Community satisfaction for Consultation and Engagement increases annually from current result of 54%</li> <li>Rolling program of Community Conversations implemented</li> </ul>	Continue “community conversations” with at least two across the Shire	Community conversations were held in Beeac in July 2024 and Birregurra in August 2024.	100%	Completed



## Quarterly Budget Report for the quarter ending 31 March 2025

### Executive Summary

The year-to-date (YTD) financial performance for the nine months ending 31 March 2025 is unfavourable as compared to the adopted budget 2024-25 for the same period.

After taking the 2023-24 actual financial results into consideration (including the carry forward balances relating to incomplete works for projects funded in 2023-24), the following summary is provided in relation to the 2024-25 forecast financial results.

Council's total comprehensive result (**actual**) for the nine months ended 31 March 2025 is a surplus of \$10.38 million.

The year-to-date operating surplus of \$10.38 million is (\$8.75 million) unfavourable to the budgeted operating surplus for the same period, this is a reflection in large part of Capital Grant income expected but not yet earned, Operating Grants budgeted to be received in the previous financial year but received in this year, and underspend in Materials and services. It is anticipated our end of year position will be (\$10.87 million) unfavourable to budget.

Further breakdowns of these above results are provided below.

## OPERATING RESULT

Colac Otway Shire Council

Comprehensive Income Statement

For the period ended 31 March 2025

	Notes	Year-To-Date				Full Year				
		Actual \$'000	Current Budget \$'000	Variance \$'000	Variance %	Adopted Budget \$'000	Current Budget \$'000	Forecast \$'000	Variance \$'000	Variance %
<b>Revenue</b>										
Rates and charges		37,186	37,058	128	0%	37,158	37,158	37,228	70	0%
Statutory fees and fines		752	761	(9)	(1%)	915	918	930	12	1%
User fees	1	5,721	5,868	(147)	(3%)	7,970	7,970	8,243	273	0%
Other income	2	1,382	955	427	45%	864	1,211	1,799	588	68%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment		59	-	59	0%	-	-	(383)	(383)	0%
Share of net profits/(loss) of associates and joint ventures		-	-	-	0%	(100)	(100)	(100)	-	0%
Total own-sourced revenue		45,100	44,642	458	1%	46,807	47,157	47,717	560	1%
Grants - operating	3	10,526	8,882	1,644	19%	10,747	11,715	11,922	207	2%
Grants - capital	4	1,650	16,028	(14,378)	(90%)	1,703	20,851	10,304	(10,547)	(619%)
Contributions - monetary	5	229	126	103	82%	25	132	132	-	0%
Total grants and contributions		12,405	25,036	(12,631)	(50%)	12,475	32,698	22,358	(10,340)	(83%)
<b>Total revenue</b>		<b>57,505</b>	<b>69,678</b>	<b>(12,173)</b>	<b>(17%)</b>	<b>59,282</b>	<b>79,855</b>	<b>70,075</b>	<b>(9,780)</b>	<b>(16%)</b>
<b>Expenses</b>										
Employee costs	6	18,387	18,075	(312)	(2%)	25,333	25,441	25,442	(1)	(0%)
Materials and services	7	16,453	20,116	3,663	18%	23,253	25,703	26,214	(511)	(2%)
Depreciation and amortisation	8	11,045	10,877	(168)	(2%)	14,503	14,503	15,082	(579)	(4%)
Amortisation - right of use assets		76	51	(25)	(49%)	101	101	101	-	0%
Bad and doubtful debts		-	8	8	100%	10	10	10	-	0%
Borrowing costs		-	-	-	0%	-	-	-	-	0%
Finance costs - leases		2	7	5	71%	10	10	10	-	0%
Other expenses	9	1,163	1,415	252	18%	1,335	1,679	1,679	1	0%
<b>Total expenses</b>		<b>47,126</b>	<b>50,549</b>	<b>3,423</b>	<b>7%</b>	<b>64,545</b>	<b>67,447</b>	<b>68,537</b>	<b>(1,090)</b>	<b>(2%)</b>
<b>Surplus for the year</b>		<b>10,379</b>	<b>19,129</b>	<b>(8,750)</b>	<b>(46%)</b>	<b>(5,263)</b>	<b>12,408</b>	<b>1,538</b>	<b>(10,870)</b>	<b>207%</b>
<b>Other comprehensive income</b>										
Items that will not be reclassified to surplus or deficit in future periods										
Net asset revaluation increment/(decrement)		-	-	-	-	-	-	-	-	-
Share of other comprehensive income of associates and joint ventures		-	-	-	-	-	-	-	-	-
<b>Total comprehensive result</b>		<b>10,379</b>	<b>19,129</b>	<b>(8,750)</b>	<b>(46%)</b>	<b>(5,263)</b>	<b>12,408</b>	<b>1,538</b>	<b>(10,870)</b>	<b>207%</b>

Council's total comprehensive result (**actual**) for the nine months ending 31 March 2025 is surplus of \$10.38 million.

The result year to date is a (\$8.75 million) unfavourable to current budget. It is anticipated our end of financial year position will be (\$10.87 million) unfavourable to budget.

The full year **Forecast** reflects the Adopted Budget, plus or minus any permanent variances identified. The forecast is also adjusted to provide best estimate of full year position – as is the case with the Capital Grants forecast.

Further information on variances is provided below.

## Income

1. **User Fees** are unfavourable (\$147k) to YTD Budget,
  - Unfavourable variance mostly driven by
    - Aged Care Services Fees (\$451k) – timing of March invoices not flowing through and fewer HCP Clients than budgeted YTD (Temporary variance)
    - COPACC Admission Fees (\$166k) a reduction in Cinema Lease and fewer admission fees YTD (Permanent variance \$35k, Temporary variance \$131k)
    - Waste disposal fees (\$36k) – a reduction in use of transfer stations (Temporary variance)
  - Offset by favourable variance driven in the most part by:
    - Other Fees and Charges \$286k - higher than budgeted Asset Inspection and Checking Fees and COPACC ticket sales (Permanent variance)
    - Colac Livestock Selling Centre Fees \$134k - higher- throughput (Permanent variance)
    - Local Laws fees \$106k - phasing of Street Furniture Invoices being processed to budget (Temporary variance)
2. **Other Income** is favourable \$427k to YTD Budget. Accrued Interest received on matured term Deposits (Permanent variance)
3. **Grants - Operating** is favourable \$1.64 million to YTD Budget – Federal Assistant Grant (FAGs) was budgeted to be received in advance (June 2024) however it was received in July 2024. This also reflects \$222k Fuel Tax Credit claimed for outstanding amounts dating back to July 2020. (Permanent variance \$222k, Temporary variance FAGs of \$1.42 million)
4. **Grants - Capital** are unfavourable by (\$14.38 million) to YTD Budget – due to changes to our processes to align with AASB 15, recognising revenue only when performance obligations of Projects are satisfied. Under this standard revenue is subsequently recognised only when performance obligations are met (Temporary variance). We are currently forecasting that \$10.30 million of capital projects will be completed at end of Financial Year.
5. **Contributions – Monetary** is favourable \$103k to YTD Budget – open space contributions not budgeted for (Permanent variance)

## Expenses

6. **Employee Costs** is unfavourable (\$312k) to YTD budget – mainly due to Workcover Annual Premium (\$364k) paid in September but phased monthly across the year (Temporary variance)
7. **Materials and Services** is favourable by \$3.66m to YTD Budget. This is driven by underspend in:
  - Consultants \$1,671k, as per below:
    - Operating Projects \$1,399k (Temporary variance)
    - Corporate Services Management \$90k (Temporary variance)
    - Environment Operations \$55k (Temporary variance)
    - Governance and Communications \$50k (Temporary variance)
    - Healthy Communities \$39k (Temporary variance)
    - Waste Management \$27k (Temporary variance)

- Contractors \$757k, which includes below variances:
    - Underspend in various operating projects \$203k (Temporary variance)
    - Underspend in Waste Management \$653k due to timing of Waste contractor payments (Temporary variance)
    - Services and Operations \$90k due to phasing, as contractors are mainly utilised over the summer period (Temporary variance)
    - Offset by overspend in Financial Services (\$114k) – contractor use to cover vacancies (Permanent variance)
    - Governance and Communications (\$122k) due to specialist contractor usage for Governance and Councillor Support (Permanent variance)
  - Materials \$553k, which is mainly driven by below variances:
    - Underspend on various operating projects \$280k (Temporary variance)
    - Services and Operations \$211k due to timing of Invoice payments, this is on track to be in line with budget once payments are made (Temporary variance)
    - Corporate Services Management \$109k due to phasing for unallocated funds (Temporary variance)
    - OPASS \$99k due to lower than budgeted HCP Client numbers and no new packages being allocated (Permanent variance)
    - Offset by an overspend in Building Maintenance and Operations (\$55k) due to cleaning costs under contract (Permanent variance)
    - People and Culture (\$98k) due to recruitment costs for the organisational restructure (Permanent variance)
  - Subscriptions and memberships \$185k which is mainly driven by below variances:
    - Information Services \$338k phasing as software renewals are paid in lump sums and are not a smooth distribution (Temporary variance)
    - Offset by Libraries (\$213k) phasing of payments to Geelong Regional Library Corporation (Temporary variance)
  - Insurances \$136k which is a result of the rephasing of the Budget for the Yearly Insurance Renewals for Council to June, this is forecast to be in line with Budget at end of year. (Temporary variance)
- 8. Depreciation and amortisation** is unfavourable (\$168k) to YTD Budget. This is higher than budgeted as a result of a larger value of projects being added than originally budgeted
- 9. Other expenses** are favourable \$252k to YTD Budget which is driven by:
- Other costs \$130k spread across various services of council, this is due to timing of invoices and budget phasing (Temporary variance)
  - Elected Members Allowances \$65k timing of Councillor Payments and no Deputy Mayor being elected for Q1 and part of Q2 of the Financial Year (Permanent variance)
  - Other Costs \$57k fewer Aged Care costs YTD than expected (Temporary variance)

**BALANCE SHEET****Colac Otway Shire Council****Balance Sheet****As at 31 March 2025**

	Mar 25	Full Year		
	Actual	Adopted	Forecast	Variance
	\$'000	\$'000	\$'000	\$'000
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	34,380	28,015	31,680	3,665
Trade and other receivables	11,323	1,687	3,934	2,247
Inventories	166	191	177	(14)
Non-current assets held for sale	-	-	-	-
Other assets	424	254	254	-
<b>Total current assets</b>	<b>46,293</b>	<b>30,147</b>	<b>36,045</b>	<b>5,898</b>
<b>Non-current assets</b>				
Right of use assets	2,804	2,869	2,766	(103)
Property, infrastructure, plant and equipment	541,079	441,360	547,591	106,231
Investments in associates, joint arrangements and subsidiaries	218	147	147	-
<b>Total non-current assets</b>	<b>544,101</b>	<b>444,376</b>	<b>550,504</b>	<b>106,128</b>
<b>Total assets</b>	<b>590,394</b>	<b>474,523</b>	<b>586,549</b>	<b>112,026</b>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	7,529	5,308	4,565	743
Trust funds and deposits	802	1,600	1,600	-
Interest-bearing liabilities	-	-	-	-
Lease liabilities	9	9	-	9
Provisions	5,195	4,385	9,719	(5,334)
<b>Total current liabilities</b>	<b>13,535</b>	<b>11,302</b>	<b>15,884</b>	<b>(4,582)</b>
<b>Non-current liabilities</b>				
Interest-bearing liabilities	-	500	-	500
Lease liabilities	-	-	-	-
Provisions	4,694	4,836	4,694	142
<b>Total non-current liabilities</b>	<b>4,694</b>	<b>5,336</b>	<b>4,694</b>	<b>642</b>
<b>Total liabilities</b>	<b>18,229</b>	<b>16,638</b>	<b>20,578</b>	<b>(3,940)</b>
<b>Net assets</b>	<b>572,165</b>	<b>457,885</b>	<b>565,971</b>	<b>108,086</b>
<b>Equity</b>				
Accumulated Surplus	163,364	146,401	148,899	(2,498)
Reserves	408,801	311,484	417,072	105,588
<b>Total Equity</b>	<b>572,165</b>	<b>457,885</b>	<b>565,971</b>	<b>108,086</b>



**STATEMENT OF CASH FLOWS****Colac Otway Shire Council****Statement of Cash Flows****For the period ended 31 March 2025**

	Mar 25	Full Year		
	Actual \$'000	Adopted Budget \$'000	Forecast \$'000	Variance \$'000
<b>Cash flows from operating activities</b>				
Rates and charges	37,186	37,158	37,228	70
Statutory fees and fines	752	915	930	15
User fees	5,721	7,970	8,243	273
Grants - operating	10,526	10,747	11,922	1,175
Grants - capital	1,650	1,703	10,304	8,601
Contributions - monetary	229	25	132	107
Trust funds and deposits received/(paid)	(802)	-	602	602
Other receipts	1,382	864	1,799	935
Payments for Employees	(18,387)	(25,333)	(25,442)	(109)
Payments for materials and services (Incl GST)	(16,453)	(23,253)	(25,471)	(2,218)
Other payments	(1,163)	(1,335)	(1,678)	(343)
<b>Net cash provided by/(used in) operating activities</b>	<b>20,641</b>	<b>9,461</b>	<b>18,569</b>	<b>9,108</b>
<b>Cash flows from investing activities</b>				
Payments for property, infrastructure, plant and equipment	(15,622)	(34,475)	(15,917)	18,558
Proceeds from sale of property, infrastructure, plant and equipment	(59)	(100)	(383)	(283)
<b>Net cash provided by/(used in) investing activities</b>	<b>(15,681)</b>	<b>(34,575)</b>	<b>(16,300)</b>	<b>18,275</b>
<b>Cash flows from financing activities</b>				
Finance costs	-	-	-	-
Proceeds from borrowings	0	500	0	(500)
Repayment of borrowings	-	-	-	-
Interest paid - lease liability	(2)	(10)	(10)	-
Repayment of lease liabilities	-	(9)	-	9
<b>Net cash provided by/(used in) financing activities</b>	<b>(2)</b>	<b>481</b>	<b>(10)</b>	<b>(491)</b>
Net increase (decrease) in cash and cash equivalents	4,958	(24,633)	2,258	26,891
Cash and cash equivalents at the beginning of the period	29,422	52,647	29,422	(23,225)
<b>Cash and cash equivalents at the end of the period</b>	<b>34,380</b>	<b>28,015</b>	<b>31,680</b>	<b>3,666</b>

**Cash balance**

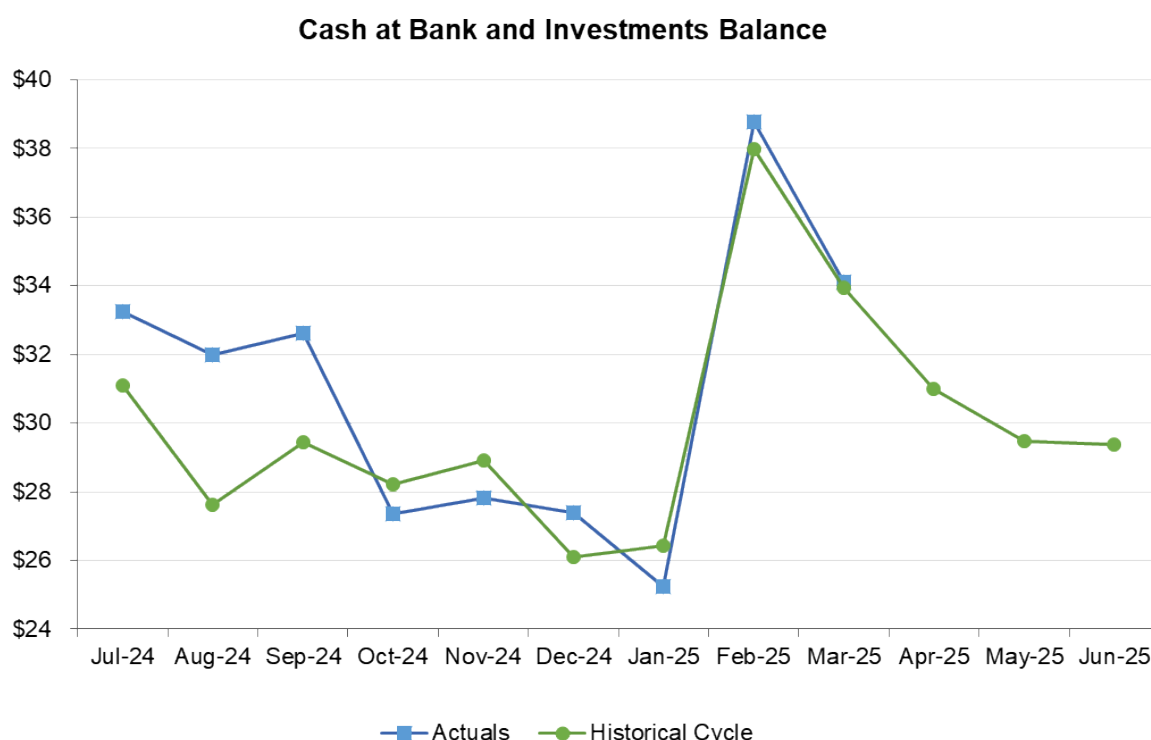
The current actual cash balance is \$34.38 million as at 31 March 2025.

The net increase in the current budget cash flows from operating activities at end of year is expected to reach \$18.60 million. Net decrease in cash from the investing activities is forecasted to be (\$16.30) million at end of year, resulting in a cash position at the end of year of \$31.68 million, being \$3.67 million higher than budget.

Graph 2 below shows how the Council's cash balance has trended to 31 March 2025. The graph portrays:

- Historical Cycle – which is an estimation derived from 2023-24 actual cash balances that are expected to be achieved at the end of each month.
- The Actual – this is the actual balance at the end of each month from July'24 to June'25.

**Graph 2: Cash balance performance**



Every opportunity is taken to invest surplus cash to maximise investment returns in accordance with Council's investment policy. Investment income (term deposits) received for the nine months to 31 March 2025 was \$1.18 million which has already exceeded the income budget for the year. Investment income is subject to availability of cash flow and has been steadily increasing as a result of successive interest rates rises by the Reserve Bank.

Our investments were within the investment and risk rating limits set-out in the investment policy.

#### **Local Authorities Superannuation Fund - Defined Benefits**

Local government councils have a potential financial exposure to the Local Authorities Superannuation Fund – the Defined Benefits Plan. Under the Australian Prudential Regulation Standards (SPS160) the Defined Benefits funds must meet strict funding requirements. This funding requirement is measured by the Vested Benefits Index (VBI), which shows as a percentage of the ratio of investments held by the fund compared to the estimated benefits

payable by the fund at the same time. The latest available Vested Benefits Index for the Vision Super Defined Benefits fund is listed in the table below:

Date	Vested Benefits Index
June 2020	104.60%
September 2020	104.50%
December 2020	109.60%
March 2021	111.50%
June 2021	109.70%
September 2021	109.90%
December 2021	111.20%
March 2022	108.50%
June 2022	102.20%
September 2022	101.50%
December 2022	101.70%
March 2023	104.20%
June 2023	104.10%
September 2023	102.30%
December 2023	103.80%
March 2024	106.30%
June 2024	105.40%
September 2024	107.63%
December 2024	106.50%
March 2025	TBA

If the VBI falls below the nominated amount in any quarter, then the Australian Prudential Regulation Authority may require that the fund must make a funding call to its members. Any funding call made must return the fund to a VBI position of over the nominated amount within 3 years.

A VBI must generally be kept above the nominated shortfall threshold of 97% when a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year.

At 31 December 2024, the updated VBI for the sub-plan decrease to 106.50%, which presents a decrease of 1.13% from prior quarter (March 2025 quarter VBI not yet available). The VBI is primarily impacted by:

- The level of investment returns which impacts the asset pool supporting the defined benefit liabilities of the sub-plan; and
- The level of active member salary increases advised to Vision Super and pension increases in line with the CPI, which impacts the defined benefit liabilities of the sub-plan.

## CAPITAL WORKS

Colac Otway Shire Council Statement of Capital Expenditure as at 31 March 2025					
	March YTD		Full Year		
	Actual YTD \$	Budget YTD \$	Adopted Budget \$'000	Forecast \$'000	Programme Allocation \$'000
<b>Property</b>					
Land	-	-	-	-	-
Building	482	2,814	861	2,259	3,116
<b>Total Property</b>	<b>482</b>	<b>2,814</b>	<b>861</b>	<b>2,259</b>	<b>3,116</b>
<b>Plant and Equipment</b>					
Plant, machinery and equipment	1,667	2,670	1,500	2,350	3,195
Fixtures, fittings and furniture	0	0	-	113	0
Computers and telecommunications	243	534	458	528	658
<b>Total Plant and Equipment</b>	<b>1,910</b>	<b>3,205</b>	<b>1,958</b>	<b>2,991</b>	<b>3,853</b>
<b>Infrastructure</b>					
Roads	3,877	14,520	7,671	7,326	17,205
Bridges	40	100	60	61	121
Footpaths and cycleways	165	1,177	235	883	1,259
Drainage	165	1,497	320	1,124	1,609
Other infrastructure	1,475	8,836	418	1,273	8,982
<b>Total Infrastructure</b>	<b>5,722</b>	<b>26,131</b>	<b>8,704</b>	<b>10,667</b>	<b>29,177</b>
<b>Total</b>	<b>8,115</b>	<b>32,150</b>	<b>11,523</b>	<b>15,917</b>	<b>36,146</b>

**Capital Performance**

The 2024-25 Current Annual Budget is \$36.15 million, comprising of \$11.52 million of Capital Works projects and \$24.62 million carried forward from the 2023-24 financial year.

YTD Capital Works actual expenditure is \$8.12 million against a budget of \$32.15 million. This is a variance of \$24.04 million, which is split across all areas of the capital works program. The Capital Works program has a variance of \$24.04 million against the year to date current budget for the nine months to 31 March 2025.

2024-25 PROGRAM REPORT - CAPITAL PROJECTS  
QUARTER 3 - 31 MARCH 2025

Project Name	Expenses							Income				Comments by Exception
	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		
ASSET RENEWAL PROGRAM												
2023 - 2024 Capital Works Bridge Renewal Program - Boundary Road	0	61,485	40,185	0	21,300	61,485	-0	0	0	0		
2024 - 2025 - Capital Works - Bridge Renewal Program - Flannagans Road Irrewillipe	60,000	60,000	0	0	60,000	60,000	0	0	0	0		Scope being reviewed
2023 - 2024 Capital Works Buildings Renewal Program - COPACC, re-surfacing and painting of main stage	0	8,842	4,200	0	0	4,200	-4,642	0	-38,158	-38,158		
2023 - 2024 Capital Works Buildings Renewal Program - Emergency Building renewal/compliance Works	0	0	0	0	0	0	0	0	0	0		
2020-21 Capital Works - Building Renewal Programme - Bluewater Roof Replacement	0	200,000	1,287	0	198,713	200,000	0	0	0	0		Project scope being confirmed
2022 - 2023 Capital Works - Colac Otway Building Roof Compliance - OHS Renewal	0	27,050	0	0	27,050	27,050	0	0	0	0		
2022 -2023 Capital Works - Building Renewal Program - Bluewater Toddler Pool Tile Replacement	0	132,580	132,580	0	0	132,580	-0	0	0	0		
2022 - 2023 - Capital Works - Buildings Renewal Program - Bluewater, Resurface Concourse	0	219,625	0	0	219,625	219,625	0	0	0	0		Project scope being confirmed
2022 - 2023 - Capital Works - Buildings Renewal Program - Reactive Building Renewal Works	0	4,000	0	0	4,000	4,000	0	0	0	0		
2023 - 2024 Capital Works Buildings Renewal Program - Building Compliance Program	0	0	0	0	0	0	0	0	0	0		
2023 - 2024 Capital Works Buildings Renewal Program - Rae Street Office - Top Level roof replacement	147,994	282,994	109,214	12,430	0	121,644	-161,350	0	0	0		Majority works completed. Remaining budget to be reallocated to Roof Replacement Program
2023 - 2024 Capital Works Buildings Renewal Program - Winifred Nance Kindergarten	0	83,414	67,759	0	0	67,759	-15,655	0	0	0		
2023 - 2024 Capital Works - Repair works to the Apollo Bay Recourse Recovery Centre building	0	75,000	63,710	8,520	0	72,230	-2,770	0	0	0		Works complete, finalising project expenditure
2024 - 2025 - Capital Works - Building Renewal Program - Wastewater Management System Renewal Program	150,000	150,000	0	0	150,000	150,000	0	0	0	0		Planning and design underway, works in 2025-26
2024 - 2025 - Capital Works - Buildings Renewal Program - Facilities Amenities and Bathroom Renewal Program	110,000	110,000	0	0	110,000	110,000	0	0	0	0		Program works underway, some projects will be completed in 2025-26
2024 - 2025 - Capital Works - Buildings Renewal Program - Municipal Pound Refurbishment	52,000	52,000	5,805	43,428	2,768	52,000	0	0	0	0		
2024 - 2025 - Capital Works - Buildings Renewal Program - Defects Rectification Program	40,000	40,000	0	0	40,000	40,000	0	0	0	0		
2024 - 2025 - Capital Works - Buildings Renewal Program - Colac MCH Building - Minor Works	27,000	27,000	3,189	0	0	3,189	-23,811	0	0	0		
2024 - 2025 - Capital Works - Buildings Renewal Program - Roof Replacement Program	200,000	0	385	0	0	200,000	0	0	0	0		Program works underway, some projects will be completed in 2025-26
2024 - 2025 - Capital Works - Buildings Renewal Program - Facilities Painting Program	240,000	240,000	379	0	239,621	240,000	0	0	0	0		Program works underway, some projects will be completed in 2025-26
2023 - 2024 Capital Works - Building Renewal Program - Apollo Bay Library Emergency Door Replacement	0	25,000	1,600	2,540	20,860	25,000	0	0	0	0		
2024 - 2025 Capital Works - Building Renewal Program - Apollo Bay Visitor Centre - Roof Replacement	0	65,000	1,301	0	63,699	65,000	0	0	0	0		Project to be delivered in 2025-26, pending lease discussions with GORCAPA
2024 - 2025 - Capital Works - Emergency Building Works - Power Supply Upgrade Colac Lawn Tennis & Mallet Club	0	15,000	10,088	6,590	0	16,678	1,678	0	0	0		
2023 - 2024 - Capital Works - Footpaths - Ruby Court Footpath Reconstruction	0	95,000	0	0	95,000	95,000	0	0	0	0		Procurement being finalised.
Footpath Programme Total	155,000	155,000	54,434	66,619	33,947	155,000	0	0	0	0		
Budget Work Order - Fixtures, Fittings & Furniture - Renewals	0	17,380	2,468	0	14,912	17,380	0	0	0	0		
2023-24 Capital Works - Decommissioning and Installation of Landfill Gas Bores-Bruce Street	0	18,335	0	8,770	9,565	18,335	0	0	0	0		
2024 - 2025 - Capital Works - Budget Work Order Fixtures Fittings and Furniture Renewal Program	40,000	40,000	0	0	40,000	40,000	0	0	0	0		
2024 - 2025 - Capital Works - Fixture Fittings and Furniture Renewal Program - Lake Colac Oval Pavilion	12,000	12,000	0	0	12,000	12,000	0	0	0	0		Procurement commenced.
2024 - 2025 - Capital Works - Buildings Renewal Program - Colac Visitor Information Centre	15,000	15,000	0	0	15,000	15,000	0	0	0	0		Scope being confirmed.
2023 -2024 - Capital Works - BWLC Accessibility Changerooms Renewal Project	0	30,000	23,249	0	6,751	30,000	0	0	0	0		
2023 -2024 Capital Works - Marengo Beacon Reinstatement	0	20,000	5,490	0	14,510	20,000	-0	0	0	0		Waiting for MACA approval



Project Name	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		Comments by Exception
2024 - 2025 - Capital Works - ICT Hardward Program - Annual PC Renewal Program	336,000	336,000	224,088	12,621	99,291	336,000	0	0	0	0		Progressing well
2024 - 2025 - Capital Works - ICT Hardware Program - Annual Network Switch Replacement	122,200	122,200	19,054	0	103,146	122,200	-0	0	0	0		
Kerb and Channel Programme Total	150,000	307,190	160,502	51,270	95,418	307,190	0	0	0	0		
Light Fleet Programme Total	400,000	518,847	267,105	0	251,742	518,847	0	0	0	0		
Major Plant Programme Total	1,100,000	2,675,883	1,399,727	851,872	424,284	2,675,883	0	0	0	0		
2022 - 2023 Capital Works - Asset Condition Assessment	0	45,331	0	0	45,331	45,331	0	0	0	0		
2023 - 2024 Capital Works - Larpent Tennis Court Fence Repair	0	4,293	4,293	0	0	4,293	-0	0	0	0		Project Complete.
2023 - 2024 Capital Works - Open Space Renewal - Rubber Softfall Renewal	0	11,800	0	0	11,800	11,800	0	0	0	0		
2024 - 2025 - Capital Works - Open Space Renewal Programme - Eastern Reserve Oval - Playing Surface Re-levelling	60,000	60,000	0	0	60,000	60,000	0	0	0	0		Works to be programmed for optimal weather conditions.
2024 - 2025 - Capital Works - Open Space Renewal Programme - Colac Central Bowling Club Fence Renewal	26,000	46,000	43,114	0	0	43,114	-2,886	0	0	0		
2024 - 2025 - Capital Works - Open Space Upgrade Programme - Budget Work Order Open Space Renewal Annual Program	40,000	40,000	25,785	14,215	0	40,000	0	0	0	0		
2024 - 2025 - Capital Works - Open Space Renewal Program - Memorial Square Colac Fountain Renewal	110,000	110,000	1,927	0	108,073	110,000	-0	0	0	0		RFQ to be readvertised.
2023 - 2024 - Open Space Renewal Program - Botanic Gardens Fountain Restoration	0	28,500	622	1,859	26,020	28,500	0	0	-28,500	0		RFQ to be readvertised.
2024-25 Capitial Works - Renewal - Reseal Program Total	1,100,000	1,100,000	566,616	373,776	50,000	990,392	-109,608	0	0	0		
2024-25 Capitial Works - Renewal - Road Major Patch Total	350,000	897,477	486,129	138,041	0	897,477	-273,307	0	0	0		Works complete, finalising project close out.
2024-25 Capital Works - Renewal - Resheet Program Total	1,200,500	1,212,661	945,662	207,001	40,000	1,192,663	-19,998	0	-12,161	-12,161		
2021-22 Capital Works - Strachan Street, Birregurra	0	755,113	524,664	103,966	0	628,630	-126,483	0	0	0		Works complete, finalising project close out.
2023 - 2024 Capital Works - Road Reconstruction Program - Mooleric Road, Stage 1	0	1,000,000	0	0	0	0	-1,000,000	0	0	0		
2024 - 2025 - Capital Works Road Reconstruction Program - Mooleric Road Stage 2	850,000	850,000	14,675	1,339,028	0	1,353,703	503,703	-723,200	-723,200	0		Note - Stage 1 and 2 costed to this project.
2024 - 2025 - Capital Works - Road Reconstruction Program - Pengilley Avenue (Gallipoli Parade to McLachlan Street)	690,000	690,000	5,869	563,107	121,024	690,000	-0	-390,000	-390,000	0		
2024 - 2025 - Capital Works - Road Reconstruction Program - The Boulevard de Wye River	605,000	605,000	37,902	17,500	549,598	605,000	0	-390,000	-390,000	-15,000		Works to be completed in 2025-26
2024 - 2025 - Capital Works - Road Reconstruction Program - Koonya Avenue (Wallace Street to Dunoon Road)	530,000	530,000	2,999	0	527,001	530,000	0	0	0	0		Works to be completed in 2025-26
2024 - 2025 - Capital Works - Road Reconstruction Program - Pascoe Street Apollo Bay (Moore Street to Nelson Street)	510,000	560,000	15,046	13,100	531,854	560,000	-0	0	0	0		Works to be completed in 2025-26
2024 - 2025 - Capital Works - Road Reconstruction Program - Unplanned Emergency Asset Renewal Program	500,000	500,000	0	0	500,000	500,000	0	0	0	0		Budget not required to date
2024 - 2025 - Capital Works - Asphalt Overlay Program	370,000	370,000	2,548	133	367,319	370,000	-0	-200,000	-200,000	-1,305		
2024 - 2025 - Capital Works - Road Reconstruction Program - Forward Design Program	100,000	100,000	21,384	36,873	41,743	100,000	0	0	0	0		
2024 - 2025 - Capital Works -Shoulder Rehabilitation Program	250,000	250,000	0	0	250,000	250,000	0	0	0	0		Works to be completed in 2025-26
Budget Work Order - Road Safety Devices Programme	0	0	0	0	0	0	0	0	0	0		
2023 - 2024 Capital Works - Public Street Litter Bin Replacement Program	0	51,707	38,560	0	13,147	51,707	0	0	0	0		
2024 - 2025 - Capital Works Guardrail Replacement Program - Deepdene Road	30,000	30,000	20,722	0	0	20,722	-9,278	0	0	0		
2024 - 2025 - Capital Works Guardrail Replacement Program - Barham River Road	25,000	25,000	19,976	0	0	19,976	-5,024	0	0	0		
2024 - 2025 Capital Works - Kennett River Temporary Traffic Measures	0	10,000	11,971	2	0	11,973	1,973	0	0	0		
2019-20 Capital Works - Street Furniture Programme - Coastal Tourism Parking, Traffic & Interim Toilet	0	0	7,820	20,696	0	28,515	28,515	0	0	0		
2024 - 2025 Capital Works - Budget Work Order - Road Slip Reconstruction Program	330,000	411,470	12,067	64,708	334,695	411,470	0	0	0	0		
2023 - 2024 Capital Works Drainage Renewal Program - 12 Murrell Street, Birregurra Strachan and Murrell corner	0	41,277	10,267	0	0	10,267	-31,010	0	0	0		

Project Name	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		Comments by Exception
2023 - 2024 Capital Works Drainage Renewal Program - Armstrong Street Outlet Renewal	0	124,386	0	0	124,386	124,386	0	0	0	0		Design being completed, works to be in 2025-26
2023 - 2024 Capital Works Drainage Renewal Program - Kennett River Wetlands Sediment Removal Project	0	45,231	23,003	0	0	23,003	-22,228	0	0	0		
2023 - 2024 Capital Works Drainage Renewal Program - Weston Street Beeac - Stormwater Pipe Renewal	0	2,074	2,074	0	0	2,074	0	0	0	0		Works complete
2023 - 2024 Capital Works Drainage Renewal Program - Bromfield St Colac - Outfall Stormwater Pipe Renewal	45,000	0	0	0	0	0	0	0	0	0		Works complete
2024 - 2025 - Capital Works - Budget Work Order Drainage Renewal Program	195,000	195,000	17,686	80,829	96,485	195,000	0	0	0	0		
ASSET RENEWAL PROGRAM - TOTAL	11,273,694	16,944,145	5,461,177	4,039,492	6,171,678	16,145,269	-1,272,183	-1,703,200	-1,782,019	-66,624		
LRCI												
2023 - 2024 Capital Works Buildings Renewal Program - Birregurra Hall Renewal - Painting	0	61,270	1,393	7,676	52,201	61,270	0	0	-61,270	-81,270		
2023 - 2024 Capital Works Buildings Renewal Program - Street Furniture and Landscaping	0	20,000	0	0	20,000	20,000	0	0	-20,000	0		
2023 - 2024 Capital Works Buildings Renewal Program - Lavers Hill Hall	0	87,264	2,794	9,166	0	11,960	-75,304	0	-87,264	-87,264		Contractors unavailable to complete scope of work
2023 - 2024 Capital Works Buildings Renewal Program - Cororooke Hall Upgrades	0	20,570	20,570	0	0	20,570	0	0	-20,570	-20,570		Project Complete
2023 - 2024 Capital Works Buildings Renewal Program - Chapple Vale Hall Upgrades	0	21,741	142	0	0	142	-21,599	0	-21,741	-21,741		Contractors unavailable to complete scope of work
2023 - 2024 Capital Works Buildings Renewal Program - Beech Forest Hall Upgrades	0	20,000	803	0	19,197	20,000	0	0	-20,000	-20,000		
2023 - 2024 Capital Works Buildings Renewal Program -Lavers Hill Public Hall - Septic System Replacement	0	150,000	9,361	105,907	34,732	150,000	0	0	-66,200	0		
Capital Works - Forrest Caravan Park Waste Water Upgrade	0	854,344	577,321	100,195	176,829	854,345	0	0	-450,000	0		
2023 - 2024 Capital Works Footpath Program - GOR footpath stage 3	0	56,487	0	0	0	0	-56,487	0	-60,000	0		Project Complete
2023 - 2024 Capital Works Footpath Program - Walking connection from Old Coach Road to Hickeys Cutting, Skenes Creek	0	18,400	0	0	0	0	-18,400	0	-22,000	0		Project Complete
2023 - 2024 Capital Works Open Space Upgrade - Birregurra play space redevelopment	0	274,639	42,347	189,954	15,000	247,300	-27,339	0	-274,639	-274,639		
2023 - 2024 Capital Works Open Space Renewals - Donaldson's Reserve Play Space Redevelopment	0	148,400	15,347	111,140	21,913	148,400	0	0	-98,400	-98,400		
2023 - 2024 Capital Works Open Space Renewals - Elliminyt Tennis Court Resurfacing & Fence Repair	0	123,696	52,752	2,340	10,000	65,092	-58,604	0	-123,696	-19,152		
2023 - 2024 Capital Works Open Space Renewals - Paradise Picnic Reserve Facility Improvements	0	46,355	44,440	0	1,915	46,355	0	0	-46,356	-120,157		
2024-2025 Capital Works Road Reconstruction - Morley Avenue, Wye River (McRae Road to end of seal)	0	1,279,250	71,532	936,900	0	1,008,432	-270,818	0	-982,444	0		
LRCI - TOTAL	0	3,182,416	838,802	1,463,277	351,787	2,653,867	-528,549	0	-2,354,580	-743,193		
EMERGENCY AND DISASTER RECOVERY PROJECTS												
2023 - 2024 Capital Works Drainage Renewal Program - Tiger Rail Drainage Upgrade	0	243,800	13,279	125,204	105,317	243,800	0	0	-243,800	-243,800		Contractor engaged.
2023 - 2024 Capital Works - Footpath Program - Embankment Protection & Footpath Restoration at Ross Point	0	250,000	110,412	3,738	135,849	250,000	-0	0	-250,000	-250,000		Procurement for Stage 2 works underway
2021 - 2022 Emergency Response - Landslip (Storm Events)	0	4,780,966	888,716	1,204,176	0	2,092,891	-2,688,075	0	-6,500,000	0		Rehabilitation works underway. Broader program scope has been reduced
2022 - 2023 Capital Works - Landslip Treatment - Emergency Response Upgrade Works	0	190,000	336	0	189,664	190,000	0	0	0	0		
2022 - 2023 Capital Works - October 2022 Storm / Flood Event Response	0	906,413	50,992	164,348	691,073	906,413	0	0	-1,200,000	0		Rehabilitation works underway
EMERGENCY AND DISASTER RECOVERY PROJECTS - TOTAL	0	6,371,179	1,063,735	1,497,466	1,121,903	3,683,104	-2,688,075	0	-8,193,800	-493,800		
NEW AND UPGRADE PROJECTS												
2022 - 2023 - Capital Works - Buildings Renewal Program - Elliminyt Recreation Reserve Pavilion - Detailed Design	0	28,908	24,680	4,810	0	29,490	582	0	0	0		
2024 - 2025 - Capital Works - Buildings Renewal Program - Bluewater Leisure Centre Electrification Project - Stage 1 Plan	42,000	42,000	0	0	42,000	42,000	0	0	0	0		
2023-2024 Capital Works - COPACC Auditorium Equipment Upgrade	0	463	463	0	0	463	-0	0	0	0		
2024 - 2025 - Capital Works - Fixture Fittings and Furniture Upgrade Program - Installation of Street Art	20,000	20,000	0	0	20,000	20,000	0	0	0	0		Investigating Grant opportunities.

Project Name	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		Comments by Exception
2023 - 2024 Capital Works - Open Space Programme - Digital Wayfinding & Tourism Signage Project	0	79,880	0	0	79,880	79,880	0	0	-79,880	-79,880		Delivered in 2025-26
2024 - 2025 - Capital Works - Open Space Renewal Programme - Wyuna Estate Open Space Improvements Program	50,000	74,000	13,869	43,569	16,562	74,000	0	0	0	0		
2024 - 2025 - Capital Works - Open Space Upgrade Programme - Meredith Park Waste Area	25,000	25,000	99	0	24,901	25,000	0	0	0	0		
2024 - 2025 - Capital Works - Open Space Upgrade Programme - Lake Colac Foreshore furniture	15,000	15,000	0	0	15,000	15,000	0	0	0	0		
2024 - 2025 - Capital Works - Open Space Upgrade Programme - Carlisle River School Bollards	5,000	0	0	0	0	0	0	0	0	0		
2022 - 2023 Capital Works - Irrewillipe Recreation Netball Courts Change Rooms & Amenities Upgrade - Detailed Design	0	54,247	19,660	29,607	4,980	54,247	0	0	-3,000	0		
2024 - 2025 - Capital Works - Budget Work Order - Strategic Footpath Network Expansion	80,000	80,000	0	0	80,000	80,000	0	0	0	0		Works to be completed in 2025-26
Capital Works - ICT - Critical Infrastructure Improvement	0	200,000	0	0	200,000	200,000	0	0	0	0		
2022 - 2023 Capital Works - Colac Aerodrome RAP Round 2 Taxiway and Lighting	0	320,105	306,164	1,184	0	307,347	-12,758	0	-270,105	-270,105		
2022 - 2023 Capital Works - Road Improvement Program - Queen & Wilson Street Intersection Upgrade	0	49,296	17,249	900	31,147	49,296	0	0	-288,449	0		
2020-21 Capital Works - Colac Aerodrome - taxiway - earthworks - Grant Match	0	61,578	61,578	0	0	61,578	0	0	-64,641	0		
2023 - 2024 Capital Works - Road Construction - Turn Around Areas - Hall Street Cressy	0	10,000	13,992	0	0	13,992	3,992	0	0	0		
2021 - 2022 Capital Works - Stormwater Program Elliminyt Wetlands Development	3,842,159	5,142,159	226,227	76,568	4,839,364	5,142,159	0	0	-2,630,159	-2,236,159		Construction tender closed mid April. Delivery 25-26
2023 - 2024 Capital Works Stormwater Asset Upgrade Program - 397 Murray Street, Unnamed Laneway 5	0	24,479	7,381	7,500	0	14,881	-9,598	0	0	0		
2024 - 2025 - Capital Works - Drainage Upgrade Program - Strategic drainage Improvement Program	80,000	80,000	40,245	16,835	22,920	80,000	0	0	0	0		
NEW AND UPGRADE PROJECTS - TOTAL	4,159,159	6,307,115	731,607	180,974	5,376,754	6,289,334	-17,780	0	-3,336,234	-2,586,144		
CAPITAL WORKS PROGRAM - TOTAL	15,432,853	32,804,855	8,095,322	7,181,209	13,022,122	28,771,574	-4,506,587	-1,703,200	-15,666,633	-3,889,761		

Notes

1. Financial reporting does not include expense or income transactions prior to 1 July 2024
2. Current balance of returned Asset Renewal funds Capital Projects (not on above report) = \$678,924

Legend

On track and expected to deliver intended outcomes

Recoverable through action or decision

Requires intervention to recover or address issue

Complete

2024-25 PROGRAM REPORT - OPERATIONAL PROJECTS  
QUARTER 3 - 31 MARCH 2025

Project Name	Expenses							Income				Comments by Exception
	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		
Chief Executive Office												
Roadside Weeds & Pests Management Project	0	61,986	20,324	2,217	39,445	61,986	0	0	-61,986	-61,986		
18-19 Mid Year - Operating Projects - Colac Civic Precinct Plan	0	109,279	75,633	31,975	1,671	109,279	0	0	-90,000	0		Preliminary draft Precinct Plan received and to be placed on public exhibition shortly.
2018-19 Major Project - Colac West Development Plan	0	25,855	8,130	4,891	12,834	25,855	0	0	-5,000	0		Colac West Development Plan approved at Council meeting September 2024. Amendments are being assessed by the Statutory Planning team.
2019-20 Major Project - J Barrys Road Industry Development Plan	0	298	2,290	0	0	2,290	1,992	0	0	0		Further review of infrastructure requirements being completed.
2021-22 Operating Project - Deans Creek Precinct Structure Plan (Multi-year Project)	0	362,523	84,731	271,968	5,824	362,523	0	0	-62,664	-62,663		Project is a multi year project, and currently progressing with Stormwater Management Strategy development.
2021-22 Operating Project - Planning Scheme Amendment - Irrewillipe Road / Harris Road	0	5,500	0	0	0	0	-5,500	0	0	0		
2022 - 2023 Operating Projects - VicSmart Provisions - Planning Scheme Amendment	0	20,000	0	0	20,000	20,000	0	0	0	0		Project will progress into 2025-26
2023-24 Operating Project - Birregurra Structure Plan Review	0	51,100	12,039	10,743	28,318	51,100	0	0	0	0		Draft Structure Plan received February 2025, to be reported to Council.
2023-24 Operating Project - Key Worker Housing Feasibility, Nelson St, Apollo Bay	0	120,000	2,250	0	117,750	120,000	0	0	0	0		Multi year project.
2023-24 Operating Project - Northern Towns Growth Plans	0	49,906	10,098	22,806	17,001	49,906	0	0	0	0		Multi year project.
2022 - 2023 Operating Projects - 82 Marriners Street Colac East - Planning Scheme Amendment	0	5,000	0	0	0	0	-5,000	0	-5,000	0		On-hold. Pending further information from proponents.
2023 - 2024 Operating Projects - Bluewater Electrification Project Leverage Fund	0	75,000	0	0	75,000	75,000	0	0	0	0		Grant application successful. Preparing project for commencement.
2023-2024 Operating Projects - Public Health Partnership	0	10,350	1,800	2,350	6,200	10,350	0	0	-12,000	0		
2023-2024 Operating Projects - Barham River Flood Study	0	161,000	3,783	18,182	139,036	161,000	0	0	-136,000	-68,000		Procurement underway
2024-2025 Operating Project - Council Election 2024	300,000	300,000	4,565	0	295,435	300,000	0	0	0	0		Awaiting invoice from VEC
2024-2025 Operating Project - Councillors Induction 2024-25	60,000	60,000	31,889	7,500	20,611	60,000	0	0	0	0		
2024-2025 Operating Project - Integrated Strategic Plans, including Council Plan 2025 - 29	250,000	250,000	53,314	81,513	115,173	250,000	0	0	0	0		
2024 - 2025 Operating Project - Apollo Bay Structure Plan Review	200,000	200,000	0	0	200,000	200,000	0	0	0	0		Multi year project. Procurement underway.
2024 - 2025 Operating Project - Gaming and Licensed Premises Policy - Stage 1	85,000	85,000	248	0	84,753	85,001	1	0	0	0		Council briefing to be scheduled to review project priority and delivery timeframe.
2023 - 2024 - Operating Project - Climate Change Resilient Community Assets Project	0	245,200	0	0	245,200	245,200	0	0	-245,200	-122,600		This project is managed and administered by the Barwon South West Climate Alliance, COS auspiced the grant .
Chief Executive Office Total	895,000	2,197,997	311,093	454,145	1,424,251	2,189,489	-8,508	0	-617,850	-315,249		

Project Name	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		Comments by Exception
Community and Economy												
2020-21 Operating Project - Local Planning & Change Management Grant	0	21,094	0	0	21,094	21,094	0	0	0	0		
2020-21 Operating Project - Eastern Reserve - Baseball Batting Cage	0	79,125	0	0	79,125	79,125	0	0	0	0		Grant funding provided by State Government direct to club. Council contribution for site investigation and Council support towards the project.
2020-21 Operating Project - Forrest MTB Revitalisation DELWP	0	82,018	68,875	1,185	11,958	82,018	0	0	-82,018	-82,019		
Operating Projects - Family Day Care Marketing Campaign	0	8,780	8,781	0	0	8,781	1	0	-9,673	-7,174		
2022 - 2023 Operating Projects - Colac Otway Shire Botanical Gardens Masterplan Review	0	12,415	12,415	0	0	12,415	0	0	0	0		
2021 - 2022 Operating Project - Engage	0	90,724	29,229	5,382	56,114	90,724	0	0	-90,722	-60,759		
2020 - 2021 Operating Project - Vocal, Young and Local (VYL)	0	127,100	85,111	0	41,989	127,100	0	0	-108,371	-161,517		
2021-22 Operating Project - Bus Service from Apollo Bay to COPACC	0	1,700	650	0	1,050	1,700	0	0	-1,701	-1,700		
Operating Project - OPASS Service Review	0	4,946	0	0	0	0	-4,946	0	0	0		
2023-2024 Operating Projects - Community Grants	0	24,435	15,484	0	8,951	24,435	0	0	0	0		
2023-2024 Operating Projects - Events Grants	0	15,702	0	0	15,702	15,702	0	0	0	0		
2023-2024 Operating Projects - Business Grants	0	3,721	0	0	3,721	3,721	0	0	0	0		
2023 - 2024 Operating Project - Kindergarten Infrastructure Services Plan	0	30,720	5,555	847	24,318	30,720	0	0	-30,720	-30,720		
2022 - 2023 Grants Program - Consolidated Community Grants Carried Forward	0	5,996	8,854	0	0	8,854	2,858	0	0	0		
2023 - 2024 Operating Projects - Colac Otway Soccer Facilities Feasibility Study	20,000	60,000	11,550	37,388	11,063	60,001	1	0	-40,000	-36,000		
2024 - 2025 Operating Project - Aged Care Review Implementation Activities	194,489	194,489	11,163	0	183,326	194,489	0	0	0	0		
2024 - 2025 Operating Project - Council Ongoing Contribution to Youth Engagement Program	70,000	70,000	0	0	70,000	70,000	0	0	0	0		
2024 - 2025 Operating Project - Bike Parks Planning	50,000	70,000	21,080	39,750	9,170	70,000	0	0	0	0		
2024 - 2025 Operating Project - Apollo Bay Cricket Net upgrade - Council Contribution	35,000	35,000	0	0	35,000	35,000	0	0	0	0		On hold pending new grant submission.
2024 - 2025 Operating Project - Christmas Events	30,000	30,000	30,556	0	0	30,556	556	0	0	0		
2023 - 2024 Operating Project - Colac Cultural & Tourism Precinct Plan	0	60,000	0	0	60,000	60,000	0	0	0	0		Funding application to Enabling Tourism Fund unsuccessful.
2023 - 2024 Operating Projects - MCH - Universal Special One Off	0	44,000	0	0	44,000	44,000	0	0	-44,000	-44,000		
2023 - 2024 Operating Projects - MCH - Enhanced	0	55,000	0	0	55,000	55,000	0	0	-55,000	-55,000		
2023 - 2024 Operating Projects - MCH - Workforce Support	0	9,000	0	0	9,000	9,000	0	0	-9,000	-9,000		
2023 - 2024 Operating Projects - MCH - Sleep & Settling Outreach & Group Work	0	18,667	0	0	18,667	18,667	0	0	-18,667	-18,667		
2023 - 2024 Operating Projects - MCH - Lactation Consultations	0	3,633	0	0	3,633	3,633	0	0	-3,633	-3,633		
2024 - 2025 - Operating Projects - Community Grants	0	172,903	127,267	0	45,636	172,903	0	0	-1,578	-1,578		
2024 - 2025 - Operating Projects - Events Grants	0	109,025	75,278	0	33,747	109,025	0	0	0	0		
2024 - 2025 - Operating Projects - Business Grants	0	31,150	28,735	0	2,415	31,150	0	0	0	0		
Community and Economy Total	399,489	1,471,343	540,583	84,552	844,679	1,469,814	-1,529	0	-495,083	-511,767		



Project Name	Annual Original Budget	Annual Current Budget	YTD Actuals	Committed	Estimate to Complete	Total Estimated Project Cost	Estimated Variance to Budget	Annual Original Budget	Annual Current Budget	YTD Actuals		Comments by Exception
Corporate Services												
2022 - 2023 Operating Projects - ICT - Intranet Drupal Upgrade	0	2,875	2,875	0	0	2,875	0	0	0	0		
Operating Projects - Discretionary Funds (Organisational Holding Account - Overs & Unders of Operating Projects)	0	127,767	0	0	0	0	-127,767	0	0	0		
2024 - 2025 Operating Project - Revenue and Rating Plan	50,000	50,000	0	0	50,000	50,000	0	0	0	0		Multi year project
2024 - 2025 Operating Project - Storage Compliance - Implementation	44,000	44,000	34,488	0	9,512	44,000	0	0	0	0		
2024 - 2025 Operating Project - Security Application Control - Implementation	66,000	66,000	0	0	66,000	66,000	0	0	0	0		
Corporate Services Total	160,000	290,642	37,363	0	125,512	162,875	-127,767	0	0	0		
Infrastructure and Operations												
2020-21 Operating Project - Grant Preparation / Detailed Design - Lake Colac Perimeter Pathway Feasibility Study	0	5,490	0	5,394	96	5,490	0	0	0	0		Draft report being finalised prior to released for community consultation.
Operating Projects - Community Recovery Hub Grant Funding	0	40,725	0	20,258	20,467	40,725	0	0	-40,725	-40,725		
Operating Projects - Municipal Emergency Resourcing Program (MERP)	0	16,862	2,013	529	14,320	16,862	0	0	-16,862	-23,368		
2024-2025 Operating Project - Asset Condition Assessments	330,000	330,000	109,519	5,684	214,797	330,000	0	0	0	0		
2024 - 2025 Operating Project - Tree Planting Program	60,000	60,000	37,635	3,464	18,901	60,000	0	0	0	0		Autumn planting may be delayed due to dry conditions.
2024 - 2025 Operating Project - Road Management Plan	15,000	15,000	0	0	15,000	15,000	0	0	0	0		
Operating Projects - 2024 - 2025 POAB Breakwall Remediation Project	0	0	412,461	0	0	412,461	412,461	0	0	0		
2023 - 2024 - Operating Projects - Assets - South West Victoria Regional Transport Strategy	0	15,000	0	0	15,000	15,000	0	0	0	0		
2023 - 2024 Operating Projects - Sand Road Glenaire - Cultural Heritage Permit	0	50,000	30,048	12,763	7,190	50,000	0	0	0	0		
2023 - 2024 - Operating Projects - Footpath Strategies for Colac & Apollo Bay	0	20,000	10,699	0	9,301	20,000	0	0	0	0		
2023 - 2024 - Operating Projects - Road Safety Strategy	0	60,000	0	0	60,000	60,000	0	0	-50,000	-25,000		Preparing procurement and RFQ documents.
Infrastructure and Operations Total	405,000	613,077	602,376	48,091	375,072	1,025,539	412,462	0	-107,587	-89,093		
Waste Management Services												
2021-22 Operating Project - Closed Landfill Aftercare Management Plan, Landfill Gas and Groundwater Investigation	0	41,913	43,964	0	0	43,964	2,051	0	0	0		
2021-22 Operating Project - Kitchen Caddy and Liners	0	27,965	0	0	27,965	27,965	0	0	0	0		
2021-22 Operating Projects - Waste Transfer Station Upgrades for Glass Separation	0	27,513	742	0	26,771	27,513	0	0	0	0		
Operating Projects - Promoting COS recycling system	0	55,371	2,038	0	53,333	55,371	0	0	-55,371	-36,184		
Operating Projects - Alvie Landfill Rehabilitation Plan	0	130,000	70,998	31,750	27,252	130,000	0	0	0	0		Additional design underway.
Waste Management Services Total	0	282,762	117,743	31,750	135,321	284,814	2,052	0	-55,371	-36,184		
Total of Operational Projects	1,859,489	4,855,821	1,609,158	618,538	2,904,835	5,132,531	276,710	-	-	1,275,891	-	952,293

Notes

1. Financial reporting does not include expense or income transactions prior to 1 July 2024

Legend

	On track and expected to deliver intended outcomes
	Recoverable through action or decision
	Requires intervention to recover or address issue
	Complete

## Item: 8.2

# Report of Informal Meetings of Councillors

<b>OFFICER</b>	Council Business
<b>ACTING CHIEF EXECUTIVE OFFICER</b>	Andrew Tenni
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Informal Meeting of Councillors - Pre Council Meeting - 29 April 2025 [8.2.1 - 3 pages]</li> <li>2. Informal Meeting of Councillors - Councillor briefing 6 May 2025 [8.2.2 - 2 pages]</li> <li>3. Informal Meeting of Councillors - Councillor Briefing 13 May 2025 [8.2.3 - 2 pages]</li> <li>4. Informal Meeting of Councilors - Pre Planning Committee Meeting - 13 May 2025 [8.2.4 - 2 pages]</li> <li>5. Informal Meeting of Councillors Record - Councillor Briefing 20 May 2025 [8.2.5 - 3 pages]</li> </ol>

## 1. PURPOSE

To report the Informal Meetings of Councillors.

## 2. EXECUTIVE SUMMARY

The Colac Otway Shire Governance Rules require that records of informal meetings of Councillors which meet the following criteria:

*If there is a meeting of Councillors that:*

- *is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors*
- *is attended by at least one member of Council staff*
- *is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.*

be tabled at the next convenient meeting of Council and recorded in the minutes of that Council meeting.

All relevant meetings have been recorded and documented, as attached.

### 3. REPORTING

The Informal Meetings of Councillors reported are:

<b><i>Council Meeting Preparation</i></b>	<b><i>29 April 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>6 May 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>13 May 2025</i></b>
<b><i>Pre Planning Committee Preparation</i></b>	<b><i>13 May 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>20 May 2025</i></b>

### 4. KEY INFORMATION

The following Informal Meetings of Councillors have been held and are attached to this report:

<b><i>Council Meeting Preparation</i></b>	<b><i>29 April 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>6 May 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>13 May 2025</i></b>
<b><i>Pre Planning Committee Preparation</i></b>	<b><i>13 May 2025</i></b>
<b><i>Councillor Briefing</i></b>	<b><i>20 May 2025</i></b>

### 5. OFFICER GENERAL OR MATERIAL INTEREST

No officer declared an interest under the Local Government Act 2020 in the preparation of this report.



## Informal Meeting of Councillors Record

### Pre-Council Meeting Preparation

**Date:** 29 April 2025

**Time:** 10.00am

**Meeting Location:** Apollo Bay Bowls Club

#### Invitees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Anne Howard, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd

#### Attendees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Anne Howard, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Blaithin Butler, Bernadette McGovan, Rashil Pradhan, Dave Thornburg

#### External attendees:

Nil

#### Apologies:

Cr Zoe Hudgell

#### Absent:

**Meeting Commenced at:** 10.22am

### Declarations of Interest:

Name	Type of Disclosure	Item	Reason
Cr Schram	General	6.1 – Planning Scheme Anomalies	In relation to properties in Polwarth Street.
Andrew Tenni	Material	Item 9 – Urgent Business	Appointment of acting CEO – may materially benefit from the outcome.



Pre Council Meeting Preparation – 29 April 2025(continued)		
Time	Item	Attendees
10.24am	6.1 - Planning Scheme Anomalies Amendment	
10.25am	6.2 - Development Plan (DPO9) – Hillview, Elliminyt – Development Plan for approval	Blaithin Butler, Bernadette McGovan, Rashil Pradhan
11.01am	6.3 - PP206/2024-1 - 205 Birregurra Road BIRREGURRA - Use and Development of Land for a Dwelling in the Farming Zone	Blaithin Butler, Bernadette McGovan, Rashil Pradhan
11.02am	6.4 - PP214/2024-1 - 75 McDonalds Road KAWARREN - Use and Development of a Dwelling	Blaithin Butler, Bernadette McGovan, Rashil Pradhan
11.02am	7.1 - Project Budget Adjustments and Cash Reserve Transfers	
11.03am	7.2 - Endorsement of Draft Budget and Fees and Charges	
11.10am	7.3 - Draft Road Management Plan 2025-2029	Rashil Pradhan
11.25am	7.4 - Grey Headed Flying Fox Management Plan Cr McCrickard arrived at 11.28am	Dave Thornburg
11.44am	7.5 - Notice of Intention to Declare a Road to be a Public Highway (Stanway drive extension over freehold property)	
11.45am	7.6 - Revocation - Instrument of Authorisation - Planning and Environment Act - Dora Novak	
11.45am	8.1 - Election Report: 2024 Colac Otway Shire Council general election	
11.45am	8.2 - Provide Audit and Risk Committee minutes to Council (CR 6.3.1.1)	
11.45am	8.3 - Report of Informal Meetings of Councillors	
11.48am	10.1 - Cr Buchanan NOM - Climate Change	





**Pre Council Meeting Preparation – 29 April 2025(continued)**

11.59am	10.2 - Cr Schram NOM - "Australia Day" - Resubmitted	
11.59am	Urgent Business – Appointment of Acting CEO	
12.13pm	Meeting Closed	



## Informal Meeting of Councillors Record

### Councillor Briefing

**Date:** 6 May 2025

**Time:** 10.00am

**Meeting Location:** Meeting Rooms 1 and 2, COPACC

#### Invitees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Anita Craven

#### Attendees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Anita Craven, Dora Novak, Heidi Taylor, Marlo Emmitt

#### External attendees:

Betsy Anderson

#### Apologies:

Nil

#### Absent:

Nil.

**Meeting Commenced at:** 10.10am

### Declarations of Interest:

Name	Type of Disclosure	Item	Reason
Cr Hudgell	General	Item 1.3 – COPACC – Evaluation of Third Party Operation Model	Owner of Red Door – frequent user of facility



Council Briefing Meeting – 6 May 2025 (continued)		
Time	Item	Attendees
10.10am -	Introductory Matters	
10.12am	Item 1.1 - Elliminyt Wetlands Tender Discussion - Contract 2419	
10.21am	Item 1.2 - Waste Management Strategy Scope  Cr Hudgell left at 11.07am upon declaring a COI with the following item.	Dora Novak
11.07am	Item 1.3 – Evaluation of third-party operation model - COPACC	Heidi Taylor
11.30am – 12.30pm	Lunch	
12.30pm – 2.30pm	Council Plan 2025-29 Priority Setting Workshop 1	Marlo Emmitt, Betsy Anderson
2.30pm – 2.50pm	General Business <ul style="list-style-type: none"> <li>• Hillview Development Plan</li> <li>• Homes Vic Pound Road Development</li> <li>• Conns Lane and Cape Otway Road intersection</li> </ul>	
2.50pm	Meeting Closed	



## Informal Meeting of Councillors Record

### Councillor Briefing

**Date:** 13 May 2025

**Time:** 10.00am

**Meeting Location:** Meeting Rooms 1 and 2, COPACC

<b>Invitees:</b>
Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Martin Cutter, Anita Craven
<b>Attendees:</b>
Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Martin Cutter, Anita Craven, Kendrea Pope, Blaitthin Butler, Vikram Kumar, Alishio White (videoconference), Xavier Flanagan, Kanishka Gunasekara.
<b>External attendees:</b>
Nil
<b>Apologies:</b>
Nil
<b>Absent:</b>
Nil

**Meeting Commenced at:** 10.04am

**Declarations of Interest:** NIL.



Council Briefing Meeting – 13 May 2025 (continued)		
Time	Item	Attendees
10.04am	Introductory Matters	
10.05am	Item 1.1 – Response to Monitors Report Cr Potter left the meeting at 11am	Kendrea Pope
11.01am	Item 1.2 - PP205/2024-1 - 378-386 Murray Street COLAC – Construction of a Convenience Restaurant (Hungry Jacks), Signage and Alteration of Access Cr De Deugd and Cr Howard left the room at 11.04am, returning at 11.08am.	Vikram Kumar Blaithin Butler Alishio White (videoconference)
11.21am	Planning Preparation Meeting	Vikram Kumar Blaithin Butler Alishio White (videoconference)
11.24am	Break	
11.24am	Financial Plan and Asset Plan Discussion	Kanishka Gunasekara Xavier Flanagan
12.06pm	General Business: <ul style="list-style-type: none"> <li>Forrest Waster – correspondence from community member</li> <li>Conns Lane – media release</li> <li>Alvie Landfill – further briefing next week, proceed to June Council Meeting</li> <li>Kennett River – steering committee adopting project plans, construction to commence shortly</li> <li>GORCAPA – attending briefing next week</li> </ul> Cr Potter returned to the meeting at 12.17pm	
12.17pm	Meeting Closed	





## Informal Meeting of Councillors Record

### Pre-Planning Meeting Preparation

**Date:** 13 May 2025

**Time:** 11.00am

**Meeting Location:** Meeting Rooms 1 and 2, COPACC

<b>Invitees:</b>
Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Anita Craven, Martin Cutter
<b>Attendees:</b>
Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Steve O'Dowd, Anita Craven, Martin Cutter, Blaithin Butler, Ian Williams.
<b>External attendees:</b>
Nil
<b>Apologies:</b>
Nil
<b>Absent:</b>
Nil.

**Meeting Commenced at:** 11.21am

**Declarations of Interest:** N/A



Pre Planning Committee Meeting Preparation – 13 May 2025 (continued)		
Time	Item	Attendees
11.21am	PP237/2024-1 - 720 Sunnyside Road WONGARRA - Construction of Replacement Dwelling, Associated Works and Native Vegetation Removal	Blaithin Butler Ian Williams
11.22am	PP268/2006-2 - 70 Triggs Road IRREWARRA - Use and Development of a Dwelling and Shed	Blaithin Butler Ian Williams
11.24am	Meeting Closed	



## Informal Meeting of Councillors Record

### Councillor Briefing

**Date:** 20 May 2025

**Time:** 10.00am

**Meeting Location:** Meeting Rooms 1 and 2, COPACC

#### Invitees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Martin Cutter, Anita Craven

#### Attendees:

Cr Jason Schram, Cr Phil Howard, Cr Chris Potter, Cr Zoe Hudgell, Cr Mick McCrickard, Cr Chrissy De Deugd, Cr Charlie Buchanan, Andrew Tenni, Doug McNeill, Ian Seuren, Martin Cutter, Anita Craven, Ashish Sitoula, Blaithin Butler, Rhiannon Biezen, Simon Clarke, Xavier Flanagan, Marlo Emmitt

#### External attendees:

Christine Ferguson – GORCAPA City Deals Projects  
Sally Conway – Conway Planning – Birregurra Structure Plan  
Betsy Anderson – Council Plan Workshops.  
Mick Baker and Isaac Cleary – Bakerland Developers – Hillview Development  
Jack Townley, Matthew Caldow, Cameron Gray & Andrew Cameron – TWP Projects

#### Apologies:

Nil

#### Absent:

**Meeting Commenced at:** 10.05am

### Declarations of Interest:

Name	Type of Disclosure	Item	Reason
Ian Seuren	General	Item 1.1 – Support at Home Pricing	Family member receives services



Council Briefing Meeting – 20 May 2025 (continued)		
Time	Item	Attendees
10.07am	External - Christine Ferguson - GORCAPA City Deals Presentation	Christine Ferguson (External)
11.17am	Support at Home – Pricing  Cr De Deugd left the room at 11.16am, returned 11.17am Cr Howard left the room at 11.18am, returned 11.19am	Ashish Sitoula
11.28am	PP247/2024-1 - 95 Barholme Lane MURROON - Use and Development of a Dwelling  Cr McCrickard left the room at 11.35am, returned 11.38am Cr Potter left the room at 11.36am, returned 11.38am	Blaithin Butler Rhiannan Biezen
11.42am	Birregurra Structure Plan Review – Exhibition  Cr Hudgell left the room at 11.53am	Simon Clarke Sally Conway Blaithin Butler
12.02pm	Quarterly Performance Report - Jan to Mar	
12.03pm	Financial Plan Workshop  Cr Hudgell returned at 12.05pm	Xavier Flanagan
12.37pm – 1.05pm	Lunch	
1.05pm	Council Plan 2025-29 Priority Setting Workshop 2	Marlo Emmitt Betsy Anderson
2.35pm – 3.23pm	Hillview Development Plan.  Representatives from TWP Projects and Bakerland were invited to present to Councillors as a result of the Council resolution at 29 April 2025 Council Meeting for the Hillview Development Plan.  Representatives from each development group had the opportunity to present to Council on the development: <ul style="list-style-type: none"> <li>TWP Projects provided an overview of the process to date, actions taken to date to address the Council resolution from 29 April 2025 and outlined the significant costs and implications to move the construction of Boronia Way to stage 1 of the development. TWP noted a potential opportunity to vest land identified for Boronia Way with Council to secure its</li> </ul>	Blaithin Butler Bernadette McGovan Isaac Cleary (Bakerland) Mick Baker (Bakerland) Jack Townley (TWP Projects) Matthew Caldow (TWP Projects) Cameron Gray (TWP Projects) Andrew Cameron (TWP Projects)



### Council Briefing Meeting – 20 May 2025 (continued)

	<p>future development, however it would need to be developed by others.</p> <ul style="list-style-type: none"> <li>• Bakerland noted their general support for the Development Plan and a counter view of the costs and implications to move the construction of Boronia way to stage 1 of the development . Bakerland noted their interest to better understand the vesting of the land identified for Boronia Way with Council and the details of this.</li> </ul> <p>Matters raised by Councillors and discussed in the briefing included:</p> <ul style="list-style-type: none"> <li>• Council is supportive of residential development in Colac.</li> <li>• Community expectations in relation to the construction of Boronia Way and at which stage of the development.</li> <li>• Alignment with the 2050 Growth Plan and Schedule 9 of the DDO.</li> <li>• Number of public intersections for Colac Lavers Hill Road.</li> <li>• The process, triggers, and implications if the development goes to VCAT.</li> <li>• Current development market conditions.</li> </ul>	
3.23pm	<p>General Business</p> <ul style="list-style-type: none"> <li>• Meredith Park – Discussion of proposed options and need to further workshop. Will come to a future Councillor Briefing.</li> <li>• Homes Vic Briefing Councillors – Date to be confirmed.</li> </ul>	
3.24pm	Meeting Closed	



## Item 10.1 Notice of Motion 356 24-25 - Cr Potter - Emergency Services Levy

**COUNCILLOR** Cr Potter

**ATTACHMENTS** Nil

### 1. NOTICE OF MOTION

***That Council:***

- 1. Acknowledges the contribution to the community by the volunteers of the CFA, SES and other emergency response providers.***
- 2. Note the significant financial impact of the establishment of the State government legislated Emergency Services and Volunteer Fund (ESVF) on all rate payers but in particular the farming community.***
- 3. Recognises that the imposition of the new tax and its resultant increases over that imposed under the previous fire services levy has caused emotional and mental distress to many ratepayers and families.***
- 4. Authorises the Mayor to write to the Premier, the Treasurer, the Opposition leader and relevant cross bench members, expressing opposition in the strongest possible terms to the increases generated by the establishment of ESVF based on its significant financial impost on Colac Otway Shire ratepayers and emergency service volunteers, and request an immediate reversal of the legislation.***

### 2. COUNCILLOR COMMENT

On Thursday 15 May the Victorian government, with support of cross bench politicians, passed the Emergency Services and Volunteers Fund (ESVF) legislation. The new tax (levy) will be charged alongside council rates and replaces the cheaper fire services levy. It will raise funds for fire services, the State Emergency Service, triple-0 and the state control centre.

The new tax (levy) will generate significant increases over the previous fire services levy in the residential rate from 8.7 cents to 17.3 cents (a 100% increase), and for farmers from 28.7 cents to 71.2cents, a 250% increase.

Significant opposition to the introduction of the new tax has been generated from CFA volunteers, United Firefighters Union, Councils and the farming community.

There is a growing concern regarding the financial impact on every property owner, but especially the farmer. In country areas, including this shire, volunteer farmers are the back bone of the rural fire brigades.

Whilst Council acknowledges the State has sought to amend the legislation to provide some level of exemptions, rebates or reductions for farmers suffering through drought and for CFA volunteers, the financial impact on Colac Otway Shire ratepayers remains significant, unfair and unjust.

Item 10.2  
**Notice of Motion 358 24-25 - Cr McCrickard - Pound Road: Social Housing Development (Homes Victoria)**

**COUNCILLOR** Cr McCrickard

**ATTACHMENTS** Nil

## 1. NOTICE OF MOTION

*That Council:*

1. *Opposes the proposed social housing development by Homes Victoria at 50 Pound Road, Colac.*
2. *Writes to the Minister for Planning and the Minister for Housing and Building to:*
  - a. *Express Council's opposition to the proposed development for the following reasons:*
    - i. *Does not fit in with the neighbourhood character;*
    - ii. *Is not a model that has the best outcomes for those in need of social housing due to the high concentration of social housing in one location; and*
    - iii. *The significant community opposition.*
  - b. *Request a meeting to clearly articulate its opposition to the proposed development.*
3. *Requests that Homes Victoria works with Colac Otway Shire to build the already committed 50 Social and Affordable homes within existing developments throughout Colac and Elliminyt to reduce the concentration of social and affordable housing in one area.*
4. *Requests an increase in financial support to existing local social services to implement additional services which are Colac specific and further assist our community with the addition of 50 extra social and affordable rental homes.*
5. *Makes clear that Colac Otway Shire welcomes the funding and need for additional social and affordable housing however expresses that it must be done in a way that has the best outcomes for those in need and our community.*

## CLOSED SESSION

### RECOMMENDATION

***That pursuant to the provisions of Section 66 of the Local Government Act 2020, the meeting be closed to the public and Council move into Closed Session in order to deal with:***

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
<b><i>Minutes of the Closed Session Council Meeting held on 25 March 2025</i></b>	This matter deals with confidential meeting information, being records of meetings closed to the public.	Section 66 (2)(a), Section 3(1)(h)
<b><i>Support at Home - Pricing</i></b>	This matter deals with Council Business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.	Section 3 (1)(a)