

Corangamite Shire

AGENDA

Ordinary Council Meeting

7.00 pm • Tuesday 20 December 2016

*Killara Centre
210-212 Manifold Street, Camperdown*

Order of Business

1. PRAYER
2. APOLOGIES
3. DECLARATIONS OF CONFLICT OF INTEREST
4. CONFIRMATION OF MINUTES
RECOMMENDATION
That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 22 November 2016 be confirmed.
5. DEPUTATIONS & PRESENTATIONS
6. MAYOR'S REPORT
7. COMMITTEE REPORTS
8. INFORMATION BULLETIN
9. PLANNING REPORTS
10. OFFICERS' REPORTS
11. OTHER BUSINESS
12. OPEN FORUM
13. CONFIDENTIAL ITEMS

ANDREW MASON
CHIEF EXECUTIVE OFFICER

DISCLAIMER

The advice and information contained herein is given by the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reason or reasons for seeking the advice or information and how it is proposed to be used.

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5. DEPUTATIONS & PRESENTATIONS

1. Members of the public may address Council under this section of the Agenda of an Ordinary Meeting of the Council if:
 - a) The person is addressing the Council in respect to a submission on an issue under Section 223 of the *Local Government Act*, or
 - b) The person has requested that they address Council on an issue and the Mayor has agreed that they be heard.
2. Requests to address Council must be received by 5.00 pm on the day prior to the scheduled Ordinary Meeting of the Council.
3. Presentations made to Council in this section of the Agenda may not exceed five minutes in length, although Councillors may ask questions proceeding each presentation. If a presentation exceeds five minutes in length, the Mayor may request that the presenter ceases to address Council immediately.

6. MAYOR'S REPORT

6.1 Mayor's Report

Author: Jo Beard, Mayor

File No: D16/786

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jo Beard

In providing this advice to Council as the Mayor, I have no interests to disclose in this report.

Issues

The last month has been a busy one as we have settled into our roles as Councillors following the election. I would like to again thank my fellow Councillors for their support in electing me as Mayor for a second term. It is an honour and a responsibility I do not take lightly. I look forward to working with Council on the development of a new Council Plan and setting priorities for the Shire and our communities.

At this time of year it is important to keep the safety of loved ones and the community in mind as we go about our busy preparations for Christmas and the holidays. This is particularly important when travelling on our roads. The condition of the arterial road network remains a key issue for Council, and we will be continuing to advocate to VicRoads and the Victorian Government to increase resources to arterial roads in Corangamite and the region. I wish to remind those travelling during the holiday to please take extra care when driving.

It is also important to remember to prepare for the threat of bushfires. Late spring growth has increased the risk of grass fires this year. Fire restrictions are now in force and it is important for everyone to reduce their fire risk and check their fire plans. Last year's fires in the Wye River area highlights the importance of being prepared. Council will continue to work through the Christmas period and into the New Year to reduce fuel on Council land and road sides in an effort to ensure the safety of our communities.

As we look forward to the New Year, I wish you all a safe and merry Christmas.

Information only.

7. COMMITTEE REPORTS

Nil.

8. INFORMATION BULLETIN

Nil.

9. PLANNING REPORTS

9.1 Planning Permit Application PP2016/126 79 Old Coach Road, Princetown - Use and Development of an Integrated Eco Tourism Facility being a Residential Hotel, Group Accomodation, Restaurant and Pleasure Boat Facility, Removal of Native Vegetation and Alterations of Access to a Road Zone Category 1 and Application for Liquor Licence

Author: Ian Gibb, Director Sustainable Development

File No: D16/686

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Ian Gibb

In providing this advice to Council as the Director Sustainable Development, I have no interests to disclose in this report.

Summary

A planning permit application has been received, proposing to use and develop land for an Integrated Eco Tourism Facility at 79 Old Coach Road, Princetown. The proposal seeks to provide accommodation in a lodge and cabins together with a boat shed located at the eastern end of the site. A visitor day centre including a restaurant/café, viewing tower and car parking are proposed near to the recreation reserve. The proposal is directly aligned with the Victorian State Government supported Shipwreck Coast Master Plan. It has the potential to provide regional economic benefit and to diversify the visitor experience through the provision of both tourist accommodation and tourism product directed at increasing visitor length of stay and providing a more immersive nature based visitor experience.

A total of 173 submissions have been received objecting to the application, with many of those raising concerns around risk of flooding, environmental impacts, proposed road access, waste water treatment, the scale of the proposal and suitability of the site location. A number of submissions (23) have also supported the proposal. The proposal was referred to a number of Government agencies who have recommended permit conditions. The proposal has been assessed against the relevant provisions of the Corangamite Planning Scheme. It is recommended that a permit be issued subject to conditions which make limited changes to the proposal and which are also directed toward appropriately responding to site constraints and potential environmental impacts during both construction of the development and operation of the proposed use.

Introduction

Subject Land and Surrounds

The subject land is located at 79 Old Coach Road, Princetown. The location of the site is shown in Figure 1 below.

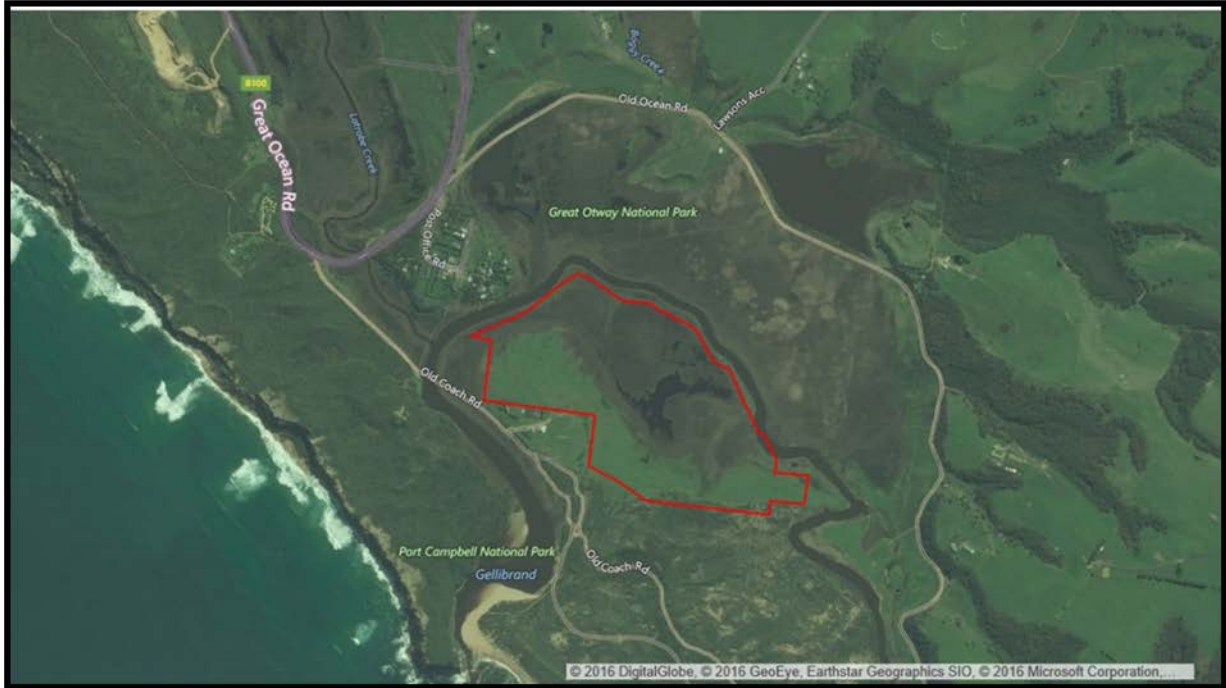


Figure 1: Location of the subject site

The site is configured into land titles comprising Crown Allotments 65, 65A & 66 and Crown Allotments 70, 72, 73, 74 & 75 Township of Princetown, Parish of La Trobe. There is also a “paper road” being Crown Allotment 2007 which dissects the site. The lot layout is shown in Figure 2 below.

The site has a total area of 49 hectares. The site is currently vacant and has previously been used for animal grazing.

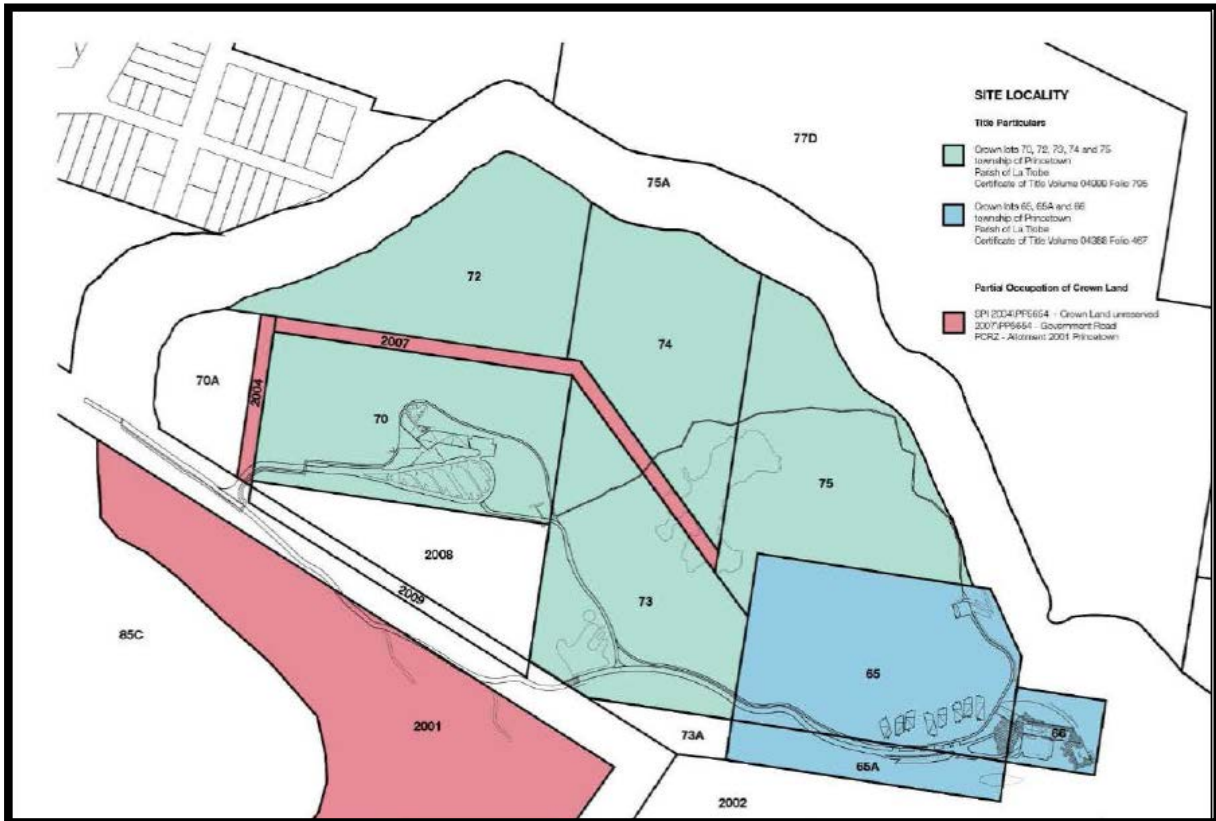


Figure 2: Lot Configuration of subject site

The subject site is irregular in shape, predominantly flat and low lying ranging from 1m Australian Height Datum (AHD) to approximately 5m AHD with the exception of the dunes along the southern boundary which rise to approximately 22m AHD.

The site is approximately 800 metres north-east from the mouth of the Gellibrand River and incorporates part of the lower reaches of the Princetown Wetlands (recognised by the Department of Environment, Land Water and Planning (DELWP) as being a 'Wetland of Importance' under the *Directory of Important Wetlands in Australia*).

The Gellibrand River and Great Otway National Park surround the site to the north, south and west. The Port Campbell National Park extends along the coastline and forms a linear reserve to the south-west of the site. The site benefits from proximity to the Great Ocean Walk and to the future trail head of the proposed 12 Apostles Trail.

The Great Ocean Road is located approximately 800m to the west. The site is accessed from the Great Ocean Road via Old Coach Road which is an unsealed council road and crosses the Gellibrand River by a single lane bridge.

The Princetown Township is located to the north west of the site on the northern side of the Gellibrand River. The site directly abuts the Princetown Recreation Reserve which is currently used for seasonal camping and recreation activity. The Serpentine Wetland Walk provides pedestrian access between the Princetown Township and Old Coach Road to the Gellibrand River mouth and beach and to the recreation reserve.

A significant feature of the site context is the prevailing topography, with the subject site sitting well below the surrounding hills, including the hill upon which the residential township of Princetown is predominantly located. This means that view lines from key public domain

locations, such as the viewing platform in Princetown or the Great Ocean Road, are predominantly down onto the site. The site is able to accommodate development without having significant visual impact on key view lines from the Great Ocean Road.

There are a mix of farming, rural residential and tourist accommodation development located in proximity of the site.

Proposal

The matter before Council is the consideration of a planning permit application for use and development of an integrated eco-tourism facility being a residential hotel, group accommodation, restaurant and pleasure boat facility, removal of native vegetation and alterations of access to a road zone category 1 and application for a liquor licence.

The application documentation including the planning report, detailed plans and the results of specialist technical investigations are available on Council's website www.corangamite.vic.gov.au to view. The full application has also been made available for viewing at the Council office and at the Visitor Information Centre in Port Campbell. A copy of the plans have been provided to Councillors under separate cover, and all Councillors have previously been provided with an electronic copy of the full permit application and associated documents.

A separate application has been made to the Environment Protection Authority (EPA) for a Works Approval in relation to waste water treatment. The two applications were combined for the benefit of giving notice of the applications only. The EPA must determine the outcome of the Works Approval and Council must determine the outcome of the Planning Permit.

The application proposes to use and develop the land for an integrated eco-tourism facility comprising of two distinct precincts:

1. Eco Lodge and Cabin Precinct
2. Restaurant /Day Centre/Activity Precinct.

A master plan of the site showing proposed location of the development is shown in Figure 3 below:



Figure 3 Site Master Plan

Eco Lodge and Cabin Precinct

Eco lodge

The lodge will be two storey and consist of 20 rooms, ancillary office, function rooms, and swimming pool/day spa. The floor area of the lodge is 1801m² and will have a maximum building roof height of 12 metres. The ground floor of the lodge will be at 3.5AHD. The lodge will accommodate up to 60 guests. A minimum of 24 car parking spaces will be provided for eco lodge parking. A plan of the eco lodge is provided in Figure 4 below.

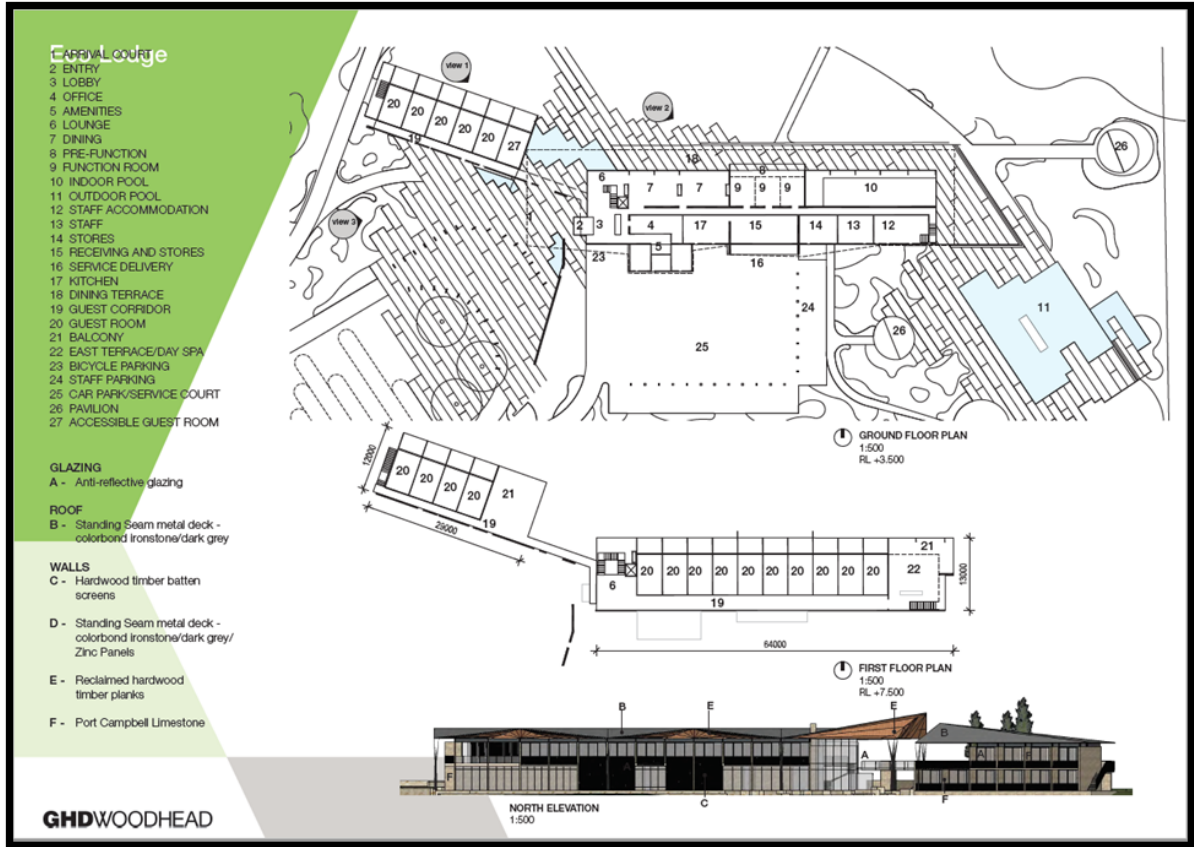


Figure 4: Eco Lodge

Eco cabins

The application proposes 14 x 2 bed cabins and 6 x 3 bed cabins which will be a mix of single and double storey. The maximum building height of the 2 storey cabins will be 9.6metres and the maximum height of the single story cabins will be 7 metres. The floor areas of the cabins range from 96m² to 123m². The cabins will accommodate between 80-120 guests in total, have a balcony and be self-contained. The cabins will be elevated on stilts, and have a ground floor level of 3.5m AHD. A minimum of 48 car parking spaces will be provided for the eco cabins. Plans of the eco cabins are provided at Figure 5 below.

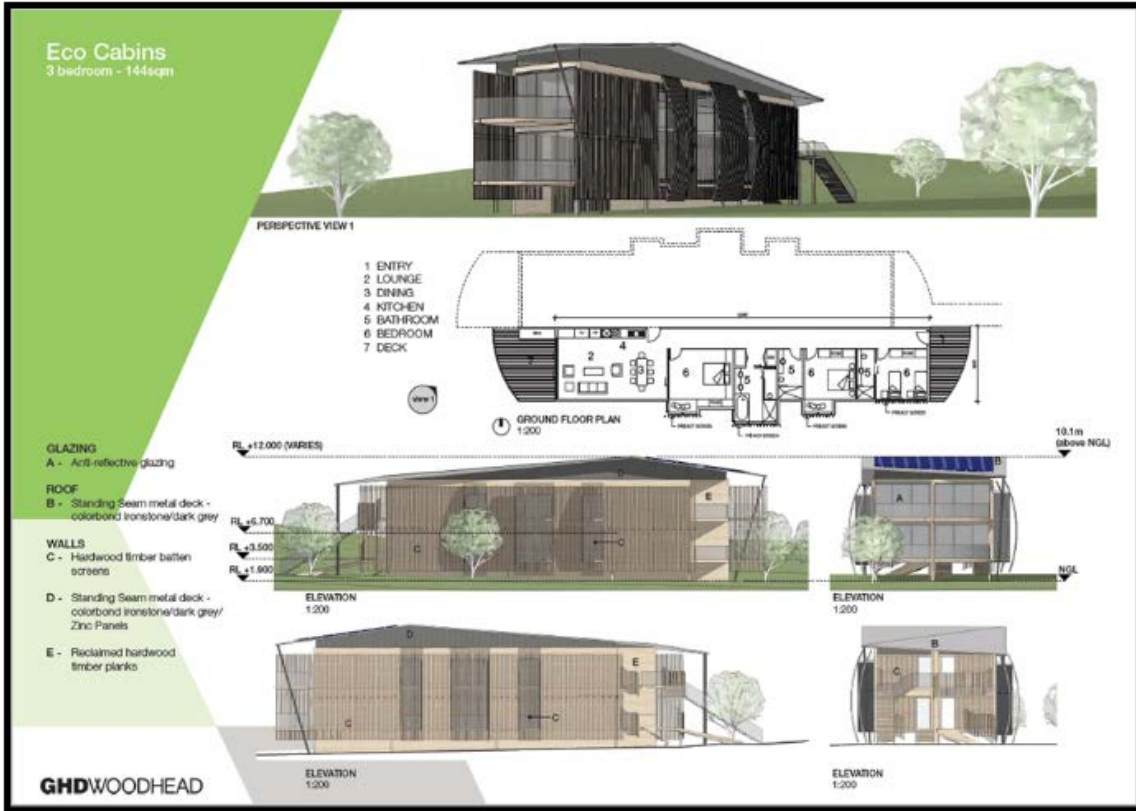


Figure 5 Eco Cabins

Boat Shed and Boardwalk

A boat shed and jetty pontoon/boat ramp are proposed to be built which will provide access for water based pleasure activities such as canoe, kayak, stand up paddle board and small boat eco tours and hire. The boat shed will be 80m² and have a maximum building height of 4.3 metres. A boardwalk will create a loop through the wetlands between the activity precinct and accommodation precinct with interpretive signage and areas for viewing wildlife. A plan of the boatshed is provided in Figure 6 below.

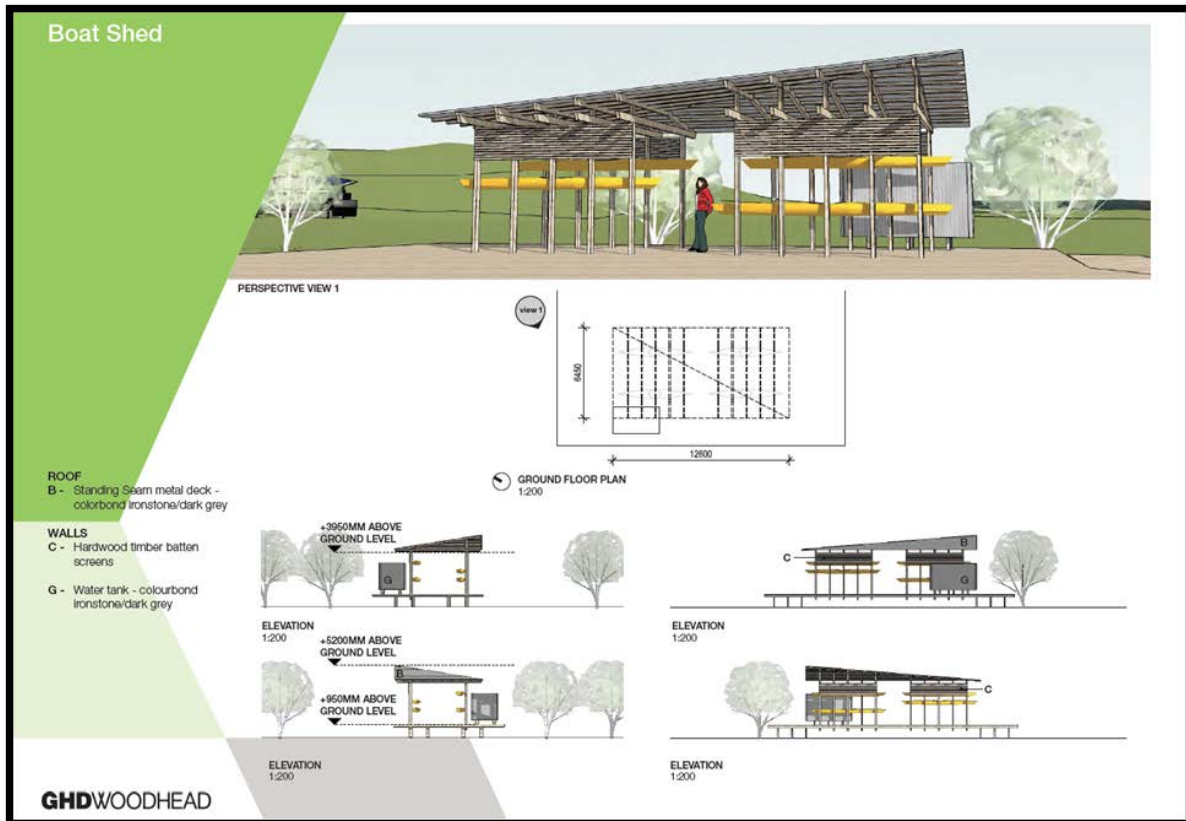


Figure 6: Boat Shed

Restaurant /Day Centre/Activity Precinct

This building will consist of a restaurant with ancillary souvenir sales, reception and briefing facilities. The restaurant will provide both an a la carte sit down restaurant and a casual restaurant offering pre prepared meals. The restaurants will hold 300 persons and alcohol and bar facilities will be provided along with outdoor seating areas. Access to the restaurants shall be unrestricted and not limited to patrons of the accommodation. The building will be single storey, have a maximum building height of 5.5 metres and be approximately 1162.5m² in size. This precinct will have a minimum of 206 car parks and five (5) bus parks.

A panoramic lookout tower is proposed. This is sited to the north-west of the activity centre building will have a diameter of 6 metres and be 15 metres in height.

A Plan of the Restaurant /Day Centre/Activity Precinct is provided in Figure 7 below.

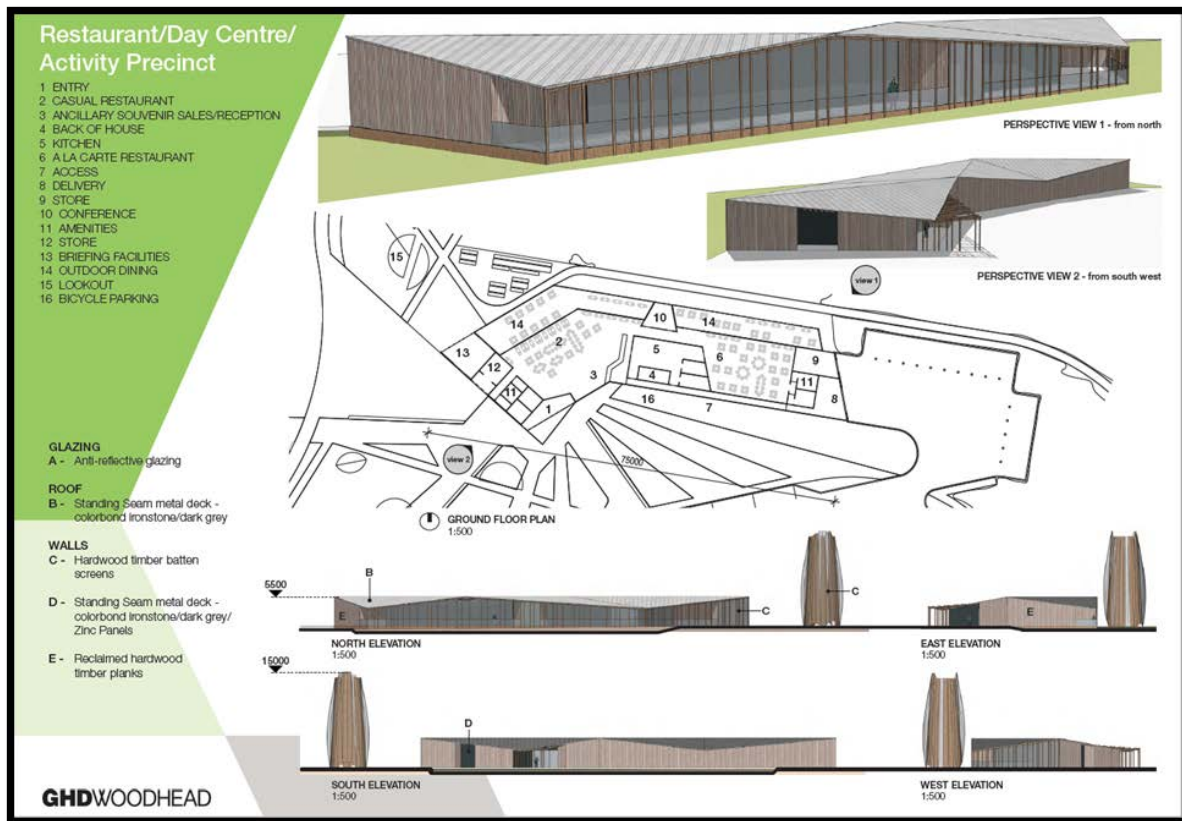


Figure 7: Restaurant/Day Centre/Activity Precinct

Other works proposed

In addition to the proposed buildings, the following other works are proposed as part of the application:

- Two new two-way access roads located on the site, with one to the north of the Princetown Recreation Reserve leading to the restaurant/activity centre precinct and one to the south of the recreation reserve leading to the accommodation precinct. These roads will have a gravel surface.
- Partial areas of Crown Land parcels will be required in order to create road access and walking tracks
- A network of boardwalks and walking/cycling trails providing recreation opportunities as well as connectivity to buildings throughout the site
- Wastewater treatment plant, generator/battery storage plant and CFA water storage
- Upgrading of Old Coach Road to raise it to a minimum level of 2.1 metres AHD and widening of the road.
- A jetty/pontoon and boat ramp on the Gellibrand River located on the eastern side of the site.
- Canoe/kayak storage shed on the eastern side of the site, adjacent to the Gellibrand River

It should also be noted that other works, including upgrading of the Old Coach Road and Bridge are recommended by Council officers and are addressed through recommended permit conditions.

Policy and Legislative Context

Shipwreck Coast Master Plan (2015)

The Shipwreck Coast Master Plan provides a long term strategic framework for the 28 kilometre stretch of coast between Princetown and Boat Bay. The Master Plan was supported in principle by Council and was approved by the State Government in December 2015. Whilst planning policy has not been updated to reflect the objectives in the Master Plan and the expectations around built form, the Master Plan has been identified within the Corangamite Planning Scheme Review as a key policy document to guide future tourism development.

The vision for the *Shipwreck Coast Master Plan 2015* is to:

Enhance the Shipwreck Coast as a distinctive, cultural and remarkable world-class destination, underpinned by the character of its hinterland and local towns coupled with the conservation and protection of its national, coastal and marine parks.

Objectives of the Shipwreck Coast Master Plan that are relevant to this application include:

- Support a bold world-class experience through design and promotion of the highest quality infrastructure.
- Support a variety of journeys, destinations and experiences that draw people through the coast and its hinterland.
- Propose a range of nature-based activities that enable visitors to have exciting, memorable experiences.
- Provide a range of transport, accommodation and dining choices.
- Provide a range of accommodation options, activities, experiences and events that encourage people to stay for longer periods.
- Tailor and diversify the tourism offer to cater for different existing and emerging visitor markets.

The Shipwreck Coast Master Plan identifies the subject site and its surrounds for potential private sector tourism development opportunities and eco adventure, kayak and canoe hire.

Victorian Coastal Strategy (2014)

The Victorian Coastal Strategy 2008 sets out the policy and strategic direction for responding to coastal hazard risks in the context of climate change. The Victorian Coastal Strategy 2008 identifies the need to plan for sea-level rise of not less than 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and impacts associated with climate change.

Environment Protection and Biodiversity Act 1999 (EPBC Act)

The EPBC Act is the Australian Government's key piece of environmental legislation and focuses on the protection of environmental matters of national significance. The EPBC Act makes it an offence for any person to take an action that is likely to have a significant impact on matters protected by the Act, unless they have the approval of the Australian Environment Minister. Protected matters are matters of national environmental significance as well as the environment of Commonwealth land. The responsibility for referring an action lies with the proponent. Local governments are not responsible for making a referral to the Environment Minister on behalf of applicants, and the Council's own approval of a project does not need to be referred under the EPBC Act.

Flora and Fauna Guarantee Act 1998 (FFG Act)

The FFG Act is the key piece of Victorian legislation for the conservation of threatened species and communities and for the management of potentially threatening processes. The obligations of the FFG Act do not apply to private land, other than land which is part of critical habitat for flora. There are currently no critical habitat determinations on private land.

Environment Effects Act 1978 (EE Act)

The *Environment Effects Act 1978* provides for assessment of proposed projects (works) that are capable of having a significant effect on the environment. The EE Act does this by enabling the Minister administering the EE Act to decide that an Environment Effects Statement (EES) should be prepared. The Minister typically requires a proponent to prepare an EES when there is a likelihood of regionally or State significant adverse effects on the environment. The responsibility for referring an action lies with the proponent proposing to make the action. Local governments are not responsible for making a referral to the Minister on behalf of the applicants and the Council's own approval of a project does not need to be referred under the EE Act.

Cultural Heritage

The site is located within an area of Aboriginal Cultural Heritage Sensitivity and pursuant to the *Aboriginal Heritage Act 2006*, a Cultural Heritage Management Plan (CHMP) is required for the development as it constitutes a high impact activity on an area that has not previously been subject to significant ground disturbance.

State Planning Policy Framework

A summary of the objectives of the relevant clauses of the SPPF are detailed below:

Clause 12 Environmental and Landscape Values

- To assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites.
- To ensure that permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.
- To recognise and enhance the value of the coastal areas to the community and ensure sustainable use of natural coastal resources.
- To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values.
- To achieve development that provides an environmental, social and economic balance
- To encourage suitably located and designed coastal and marine tourism opportunities.
- To manage the sustainable development of the Great Ocean Road region.
- To protect and conserve environmentally sensitive areas.
- To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

Clause 13 Environmental Risks

- To plan for and manage the potential coastal impacts of climate change.
- To assist the protection of:
 - Life, property and community infrastructure from flood hazard.
 - The natural flood carrying capacity of rivers, streams and floodways.
 - The flood storage function of floodplains and waterways.
 - Floodplain areas of environmental significance or of importance to river health.
- To assist the control of noise effects on sensitive land uses.
- To assist the protection and improvement of air quality.
- To assist to strengthen community resilience to bushfire.

Clause 14 Natural Resource Management

- To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.
- To protect water quality.

Clause 15 Heritage Conservation

- To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 17.03 Tourism

- To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.

Clause 19 Infrastructure

- To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.
- To reduce the impact of stormwater on bays and catchments.

Local Planning Policy Framework

The Municipal Strategic Statement notes that tourism forms a significant and growing part of the Shire's economic base. Key challenges include encouraging the development of tourism and at the same time protecting the resources on which it is based and integrating tourism development along the coast.

The Structure Plan for Princetown at Clause 21.04 identifies the subject land as being within the Princetown Western Area and Princetown Recreational Environmental Area. In relation to tourism, the Structure Plan identifies potential for limited tourist accommodation type developments to occur that link in with the eco-tourism theme and that offer minimal environmental impact and significant environmental benefits. The relevant objectives of the Structure Plan are summarised as follows:

- To limit development to within the Princetown Township area and to consolidate the town centre around the existing hotel and general store.
- To maintain and enhance the low key character of the Princetown Township area.
- To protect and enhance the coastal, estuarine and riparian environment and associated wetlands of the Princetown region.
- To prevent rural residential development on existing small lots located within the Princetown Western Area and areas outside of the Princetown Township area.
- To support low key, low impact eco-tourism development.
- To retain the dominance of the landscape and the open and rural character of views and outlooks from the Great Ocean Road.
- To ensure that appropriate risk assessment is undertaken to consider the impact and hazards of sea level rise and climate change impacts.
- To avoid impacting the environment from the disturbance of acid sulphate soils.

Clause 22.02 Environment

The relevant policy requirements in this local policy are those applicable to Rural Zones. These relate to catchment and land protection, erosion and wetland areas. The relevant directions are that

- Impacts on soil, water, flora, fauna, air and ecosystems should be considered in the assessment of use and development proposals.

- The role and function of wetland areas will be taken into account, in a local or regional setting, in respect to any proposed use or development on or adjacent to a wetland area.
- To ensure that the use and development of land takes into account the need to protect and enhance biological diversity by promoting ecologically sustainable land use and development.

Clause 22.03 Economic Development

The objectives for tourism are set as follows:

- To support quality tourist development in association with the landscape and the heritage values of rural and urban areas.
- To focus coastal related tourism use and development in the towns of Port Campbell and Princetown and on strategic tourism opportunity sites.
- To promote tourism accommodation, activities and services that will attract visitors to the Shire, serve the needs of tourists and showcase local produce and features.
- To facilitate tourism development, uses and activities that will generate local employment opportunities.
- To encourage specific and limited land uses that fulfils identified tourism needs and opportunities.

Clause 22.04 Particular Use and Development

Clause 22.04 establishes policy for particular use and development of land, including land within Rural Zones. The policy seeks to ensure development is appropriately sited so as not to prejudice landscape features and environmental attributes. The policy contains preferred setbacks and building heights, but also allows for consideration of applications where preferred setbacks or building heights are not achieved.

Zoning

Rural Conservation Zone-Schedule 1 (RCZ1)

The subject site is located within the RCZ1. Pursuant to Clause 35.06 a planning permit is required to use and develop the land for a Residential Hotel, Group Accommodation, Pleasure Boat Facility and Jetty. The primary purpose of the RCZ1 is to encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

Public Conservation and Resource Zone (PCRZ)

The existing access track that is proposed to be upgraded is located partially within the Public Conservation and Resource Zone. A planning permit is required for these works under the PCRZ.

Overlays

Environmental Significance Overlay - Schedule 1 (ESO1)

The ESO1 applies to the Gellibrand River and partially covers the site. The primary purpose of the ESO is to identify areas where the development of land may be affected by environmental constraints. A planning permit is required under clause 42.01-2 to construct a building or carry out works that are located within the overlay. The accommodation precinct and boat shed are located in the ESO1 and triggers a permit under the overlay whilst the restaurant/day centre/activity precinct is located outside of the overlay and therefore is exempt from the permit requirements of the ESO1.

Significant Landscape Overlay – Schedule 4 Princetown Estuarial Landscape (SLO4)

A Significant Landscape Overlay applies to the entire site. A planning permit is required under Clause 42.03 to construct a building or carry out works under the SLO4. The primary purpose of the SLO is to conserve and enhance the character of significant landscapes.

Bushfire Management Overlay (BMO)

A small southern portion of the site is covered by a Bushfire Management Overlay. A planning permit is required pursuant to clause 44.06-1 to construct a building or carry out works associated with accommodation. As the accommodation is located within this area a planning permit is required under the BMO.

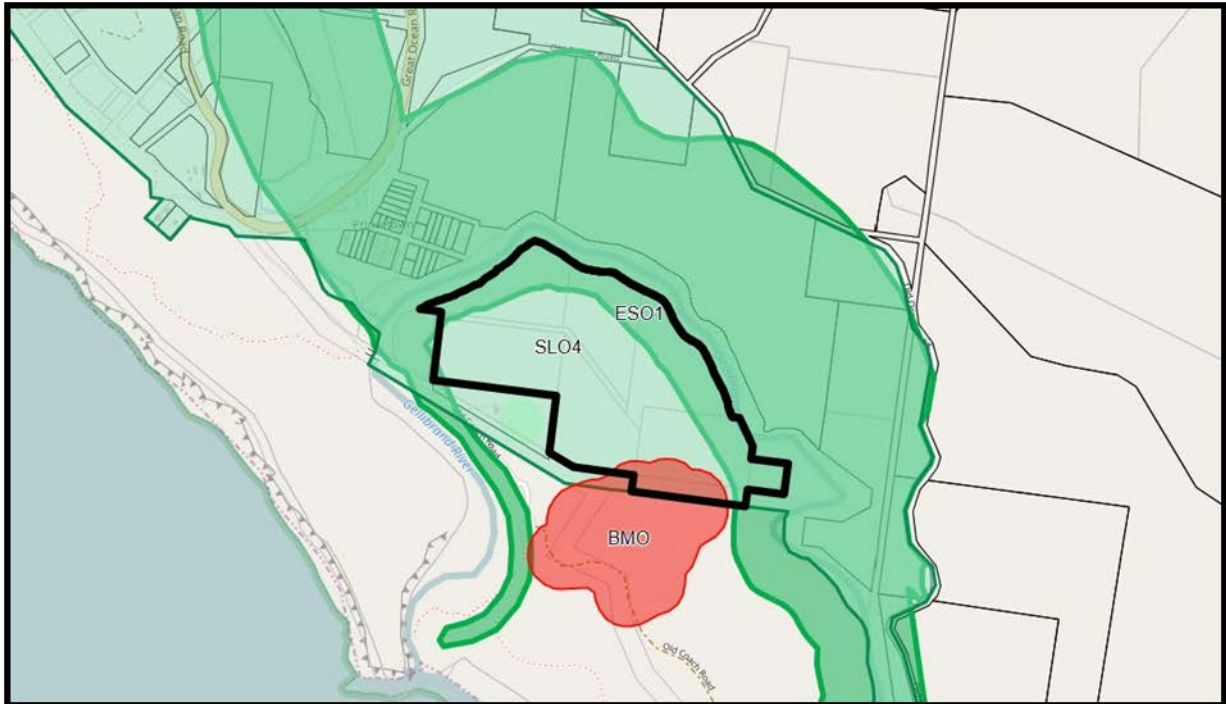


Figure 7: Overlay Map

Particular Provisions

Clause 52.06 Car Parking

Pursuant to clause 52.06 before a new use can commence, the required number of car parks as specified under clause 52.06 must be provided. The development requires 283 car spaces to be provided. This includes visitor, staff and 5 bus parks. The plans have included provision for this number of car parks which will be split between the accommodation precinct and restaurant/activity precinct.

Clause 52.07 Loading and Unloading of Vehicles

Pursuant to clause 52.07 no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless the required space is provided on the land for loading and unloading vehicles.

The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres. The road that provides access to the loading bay is at least 3.6 metres wide.

Clause 52.17 Native Vegetation

Pursuant to clause 52.17-2 a planning permit is required to remove, destroy or lop native vegetation. A planning application to remove native vegetation must meet the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013)*.

Clause 52.27 Licenced Premises

Pursuant to clause 52.27 a permit is required to use land to sell or consume liquor.

Clause 52.29 Land Adjacent to a Road Zone Category 1 (RDZ1) or Public Acquisition Zone for a Category 1 Road.

Pursuant to clause 52.29 a planning permit is required to alter access to a RDZ1. As alterations are proposed to the intersection with Old Coach Road and the Great Ocean Road which is a RDZ1 a planning permit it required pursuant to this clause.

Clause 52.34 Bicycle Facilities

Pursuant to clause 52.34 a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Internal / External Consultation

Referrals

There are two classes of referral authorities:

- Determining referral authorities – Council must include the conditions recommended by determining referral authorities in any Notice of Decision to Grant a Permit.
- Recommending referral authorities - Council has discretion to include or exclude the conditions suggested by recommending referral authorities.

The application was forwarded to authorities outlined in the table below. In addition, notice of the proposal was given to a number of agencies under Section 52 of the *Planning and Environment Act*. Some submissions have been received from these agencies, but they are not formal referral authorities.

The responses from Referral Authorities are circulated under separate cover. The responses from other agencies are also circulated under separate cover.

The application was referred to the following external authorities and internal Council departments:

Section 55 Statutory Referral			
VicRoads	Alter access to a road declared as an arterial road.	Determining authority	Conditional consent
Environment Protection Authority (EPA)	Use and development requires a works approval.	Determining authority	Conditional consent
Department of Environment, Land, Water and Planning (DELWP)	To remove, destroy or lop native vegetation for the following class of application based on the risk-based pathway as a high risk-based pathway.	Recommending authority	Conditional Consent

Section 55 Statutory Referral			
Country Fire Authority (CFA)	An application under the overlay other than an application to develop land with a dwelling or an application to subdivide land.	Determining authority	Conditional consent

Section 52 Notice for Comment	
Corangamite Catchment Management Authority	Conditional Consent
Aboriginal Victoria	Advised Cultural Heritage Management Plan required
Parks Victoria	Response incorporated into DELWP response
Southern Rural Water	Conditional consent
VCGLR	No comment
Victoria Police	No comment
Western Coastal Board	Comments

Internal Referrals	
Environmental Health	Conditional consent
Assets	Conditional consent
Environment	Conditional consent

Following is brief consideration of the matters raised by referral authorities:

VicRoads

No objection in principle but requires permit conditions relating to intersection work at the intersection of Old Coach Road and the Great Ocean Road (GOR) comprising a short channelised right turn treatment and a lower order left turn treatment. VicRoads is responsible for the management of the GOR and will therefore determine the suitability of upgrade works at this intersection.

Environment Protection Authority

The EPA does not object to the grant of a permit providing permit conditions are included requiring a works approval prior to commencement, and conditions relating to the ongoing management of waste water, surface water and amenity (noise and odour). The EPA are responsible for assessing the suitability of the wastewater treatment through the Works Approval application.

Department of Environment, Land, Water and Planning

The DELWP response notes that pre-application consultation with the applicant's consultant had occurred raises concerns about the level of information provided in relation to acid sulphate soils, the viewing structure and potential impacts on the Princetown Recreation Reserve. The DELWP response provides both mandatory referral authority conditions relating to native vegetation matters and recommended conditions relating to other matters.

Since the time of the preparation of the referral response, the applicant has submitted further specific information including the results of additional site survey work relating to acid sulphate soils to DELWP.

It should be noted that the Council officer recommendation includes permit conditions relating both to further investigation of acid sulphate soils before the commencement of development and a reduction the height of the viewing structure from 15 metres to 10 metres. The Council officer recommendation does not include the DELWP recommended

conditions relating to the wastewater treatment plant, as the suitability of the location and type of wastewater treatment plant will be a matter for decision by the EPA in its consideration of the concurrent Works Approval application.

Country Fire Authority

The CFA does not object to the grant of a permit subject to the inclusion of permit conditions requiring an amended bushfire management plan, the provision of a fire sighting system on the site, the bridge on Old Coach Road providing compliant access for CFA appliances up to 18+ tonnes; a bushfire risk assessment and a bushfire emergency plan.

It should be noted that the Council officer recommendation includes conditions requiring the upgrading of both Old Coach Road and the bridge on Old Coach Road at the permit holders cost such that the CFA requirement for the bridge to accommodate CFA fire appliances up to 18+ tonnes would be achieved.

Following is a brief consideration of matters raised by other agencies.

Corangamite Catchment Management Authority

The CCMA does not object to the grant of a permit and recommends permit conditions. The response makes reference to previous advice and meetings with the applicant and Council officers. In assessing suitability of new development, the CCMA has considered:

- The safety of future occupants
- Avoiding any adverse flood related impacts on other properties
- The protection of waterways and other environmental assets
- Minimising potential property damage; and
- Ensuring there is no increased burden on community and emergency services.

It should be noted that the applicable 1% AEP flood level of 2.4 metres has been adopted by the CCMA for setting development limits for the subject site; and the 1AEP flood is the appropriate standard to regulate and protect new developments through the planning and building system. The Council officer recommendation includes all of the permit conditions recommended by the CCMA.

Aboriginal Victoria

The advice notes that a cultural heritage management plan is currently being prepared, and advises that under Section 52 (1) of the *Aboriginal Heritage Act* the decision maker must not grant a statutory authorisation for the activity unless a CHMP is approved.

Southern Rural Water

Southern Rural Water supports the proposed development subject to conditions.

Western Coastal Board

No coastal Crown land is impacted by the proposal. The Western Coastal Board is concerned that the proposal appears to be an over development of the site, noting the proximity of the site to the Great Ocean Road and Port Campbell and Great Otway National Parks and the need to protect and enhance the environmental, agricultural and landscape qualities of the site and surrounds. The board make a number of detailed comments regarding the proposed site layout and design. It should be noted that *Coastal Management Act* consent is not required in this case, as the proposal is located on freehold land; and there is no Crown land located within 200m from the high tide mark or gazetted as coastal Crown land.

Notice and consultation

Notice of the Planning Permit application was given between 19 October and 11 November 2016 in accordance with the requirements of the *Planning and Environment Act 1987*. Notice of the application was given to adjoining landowners and occupiers, a notice was placed in the Warrnambool Standard newspaper as well as local newspapers, and a sign was placed onsite. The full permit application was made available on Council's website, and in hard copy at the Council office and the Port Campbell Visitor Information Centre.

Concurrently, notice of the EPA Works Approval was performed by the EPA in accordance with their legislative requirements.

Two community 'drop-in' sessions were held at the Princetown Tavern between 11.00am and 3.00pm on Saturday 22 October and Saturday 5 November 2016. Whilst these consultations occurred during the notice period, they were in addition to the usual statutory notice requirements. These consultation sessions were attended by Council officers, EPA officers, the proponent and consultant to the proponent. Each consultation session was well attended with over 50 community members at each session.

Following the consultation sessions, a Frequently Asked Questions information sheet was prepared by Council officers and placed on Council's website (<http://www.corangamite.vic.gov.au/images/documents/Plans/Princetown%20Development%20QandA.pdf>). This FAQ document does not form part of the formal application, but seeks to provide brief responses to key issues and concerns raised during the consultation sessions.

An onsite meeting was held with Councillors, the applicant, a number of submitters, and planning officers on 6 December 2016.

Submissions

Section 57 of the *Planning and Environment Act 1987* provides that "any person who may be affected by the grant of the permit may object to the grant of a permit." The Act also requires that an objection must be made to the responsible authority in writing, stating the reasons for the objection and stating how the objector would be affected by the grant of the permit. The responsible authority may also reject an objection which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector.

To date 173 submissions have been received to the planning application. Of these 23 have expressed support whilst 150 have objected to the proposal. A summary of submissions objecting to the proposal and the officer response is provided in Attachment 6. A summary of the submissions supporting the proposal is provided in Attachment 7.

In summary, the key points raised in submissions relate to the following areas.

Proposed Use

- Overdevelopment of the site and contrary to eco-tourism concept.
- Already availability of restaurant and accommodation options in Princetown.
- Development should be located in an existing commercial area.
- On water activities, boardwalks, boat shed and jetty will create conflict with existing users of river and increase risk of accidents.

Site Layout and Design

- Panoramic lookout will dominate landscape and views from recreation reserve, Princetown and Great Ocean Walk.
- Scale of development is out of place with landscape and should be reduced in height and size to limit visual and environmental impact of the development.
- Needs to be significant upgrade to infrastructure including power, water and roads.
- Car parking provided insufficient for number of patrons.

Traffic and Access

- Development will create traffic congestion on Great Ocean Road and Old Coach Road.
- Great Ocean Road intersection is dangerous and old.
- Bridge is not suitable for heavy/large vehicles, high traffic movements and will affect access to beach and recreation reserve.
- Increased road traffic will be a safety risk and restrict camps at recreation reserve.
- Traffic assessment doesn't consider existing traffic usage.
- Single lane bridge, long access route and location of site is a safety concern in an emergency such as flood or bushfire.

Environment

- Princetown Spits are an important geological relic and development should avoid impacting them.
- Princetown wetlands are classified as Wetlands of National Importance, are fragile and home to several rare and threatened species and should not be developed.
- Construction of raised access roads will alter the natural flows and cycles of the water levels.
- Fails to address potential presence of acid sulphate soils.
- Unknown impact on flora and fauna, migration of birds spawning and rearing of fish.
- Application should be referred to Commonwealth Environment Minister for assessment under the EPBC Act.
- Wetlands are registered JAMBA and CAMBA sites and development could impact these migratory routes.
- Displacement of kangaroos.
- Flood levels are inaccurate, modelling only for recent floods and does not assess impacts further upstream outside of the site boundaries.
- Fails to address long term risk of climate change.
- Increased artificial openings of the river mouth will occur as a result of development.

Amenity/Interface with Recreation Reserve

- Noise pollution from restaurant and car park.
- Area should remain un-commercialised, family friendly in rural coastal setting.
- Development has a lack of respect for local users of the Princetown region.
- Camping at recreation reserve will lose its appeal as it will no longer be a quiet, peaceful location.
- Development will change its character.

Wastewater

- Concerns with leeching of sewer system into groundwater and the river, particularly during floods.

- Location of proposed wastewater treatment will generate noise, odours and health risks affecting the recreation reserve and local residents.
- Size of wastewater system does not seem adequate for the number of visitors, particularly if the number is greater than projected.
- Wastewater impacts on the wetlands could be detrimental to the flora and fauna and the entire ecosystem.
- Potential for health hazards to the local community from pollution and during flooding events.
- Wastewater system is too close to the Gellibrand River and Estuary and wetlands of national importance.

Economic Considerations

- Viability of recreation reserve if camping numbers drop.
- Development will impact on local businesses who may suffer from reduced patronage.
- Will create jobs and bring income into region.
- Increase average length of stay for tourists.
- Provide quality visitor experience which is lacking in region.

Strategic Justification and Site Selection

- Development inconsistent with local and state planning policies on coastal planning, biodiversity, environmental risk, landscape.
- Site has not been rezoned for a tourist use as part of Amendment C30.
- Support tourism development, however site is not appropriate as environmentally constrained.
- Area should remain un-commercialised, family friendly in rural coastal setting.
- Aboriginal cultural heritage assessment needs to be undertaken.
- Directly supports Shipwreck Coast Master Plan and aligns with regional tourism master plans.

Process

- Lack of consultation from the applicant and did not occur as stated in application.
- Application was difficult to access, misleading and several documents were missing.
- Poor planning.

Submissions in support of the proposal have generally focused on the economic and employment benefits for the region, and the need for additional multi day stay accommodation.

Each Councillor has been provided with a full copy of each submission circulated under separate cover. All submissions have been considered in the assessment of the proposal.

Whilst the submissions raise matters relating to the planning merits or otherwise of the proposal, many of the submissions objecting to the proposal fail to provide reasons stating how the objector would be affected by the grant of a permit as required by the Act.

Assessment

The following table sets out an assessment of the application against the relevant decision permit triggers and decision guidelines of the Corangamite Planning Scheme.

Rural Conservation Zone-Schedule 1 (RCZ1)	
Decision Guideline	Assessment
Any Regional Catchment Strategy and associated plan applying to the land.	The Hydraulic Report submitted with the application considers the Corangamite Regional Catchment Strategy and the application was referred to the CCMA who are responsible for the preparation and implementation of the strategy.
<p>The capability of the land to accommodate the proposed use or development.</p> <p>How the use or development conserves the values identified for the land in a schedule.</p> <p>Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.</p>	The development has been designed to work within the constraints on the site and has avoided where possible flood and bushfire prone areas and areas of environmental significance whilst also ensuring the development will be appropriately sited to minimise its impact on the landscape. Whilst the building heights of some of the accommodation buildings exceed the preferred height of 7 metres for the Zone, it is considered the application has appropriately addressed the criteria at Clause 22.04 to justify an increase in building height. The proposed building height is considered appropriate having regard to the landform, and that taller built form elements of the accommodation precinct do not break the dune horizon line. Permit conditions recommend a reduction in the height of the panoramic lookout structure to 10 metres.
Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.	The development has been proposed in this location due its proximity to nature based recreation activities and attractions such as the Great Ocean Walk, Gellibrand River, Twelve Apostles and Great Ocean Road. The development of accommodation to service visitors to these nearby locations is considered to be compatible.
<p>An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.</p> <p>The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.</p>	The Flora and Fauna Assessment has concluded that there will not be direct impacts on flora and fauna and mitigation measures to control, reduce or eliminate the impacts of the development on flora and fauna, will be detailed within a Construction Management Plan (CMP) which will be required prior to any works commencing onsite and Operations Management Plan (OMP) required prior to the commencement of use. Avoiding the removal of higher quality native vegetation has occurred through careful siting and design and offsets for the unavoidable removal of native vegetation will occur.

Rural Conservation Zone-Schedule 1 (RCZ1)	
Decision Guideline	Assessment
How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.	The CMP and OMP will address the protection of native vegetation during construction and in the ongoing operation of the facility.
The location of onsite effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	A Works Approval is required for the waste treatment plant and this is assessed by the EPA.
<p>The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.</p> <p>The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.</p> <p>The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.</p> <p>The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.</p>	Design and siting issues are discussed under the assessment of the proposal against the SLO4.

Public Conservation and Resource Zone (PCRZ)	
Decision Guideline	Assessment
The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.	The application was referred to DELWP who are the public land managers for the unreserved Crown Land and Parks Victoria who manage the Great Otway National Park. Conditions requested as part of this referral have been included within the proposed permit conditions.
Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.	The design and siting of the development is discussed within the assessment against the Significant Landscape Overlay-Schedule 4.

Environmental Significance Overlay-Schedule 1 (ESO1)	
Decision Guideline	Assessment
Existing use of land and the reason for the development in relation to that use.	The land is currently undeveloped and the development has been proposed in this location due its proximity to nature based recreation activities and attractions such as the Great Ocean Walk, Gellibrand River, Twelve Apostles and Great Ocean Road.
The availability of alternative land outside the overlay area.	The majority of the development has been located outside of the ESO1. In order to avoid native vegetation and locate development outside of flood prone areas as much as possible, the accommodation precinct has had to be located within the ESO1. This is considered to be unavoidable and the most appropriate location for this development due to the above identified constraints.
The means of treatment and disposal of all sewage, sullage and other wastes where connection to a reticulated sewage system is not available.	A Works Approval is required for the waste treatment plant. The EPA will assess the suitability of the wastewater treatment system to ensure the waste is adequately treated within the site boundaries.
Potential for flooding to occur. Effect of any development on the flow of flood waters and flood control measures.	The site is susceptible to flooding. The proposed buildings are located just outside or on the fringe of the 1% AEP floodplain. The finished floor levels of all buildings will be required to be no lower than 3.5 metres AHD which the application details will be achieved by placing buildings on stumps to achieve this minimum floor height. Building floor levels well above the 1:100 year flood level for the site will provide a sufficient buffer to protect buildings from flood entry. The majority of the existing access to and from the site during a 1% AEP riverine or storm surge is considered to be hazardous and therefore prior to commencement of any construction the site access must be upgraded to ensure safe access with a minimum level of 2.1 metre AHD for vehicular access and pedestrian footpaths and the velocity and depth must comply with the identified safety hazard levels. These works can occur without having any offsite hydraulic impacts.

Environmental Significance Overlay-Schedule 1 (ESO1)	
Decision Guideline	Assessment
<p>Conservation of natural terrestrial and aquatic habitats.</p>	<p>Mitigation measures will be implemented to control, reduce or eliminate the impacts of the development on natural terrestrial and aquatic habitat. These include fencing and 'no go zones' around native vegetation to be retained, sediment control measures, weed, pest and disease control, measures to control light spill and noise and measures to protect aquatic ecological values and instream habitat. A detailed plan of the mitigation measures that will be implemented during construction and after development will be detailed within a Construction Management Plan (CMP) required prior to the commencement of works and Operations Management Plan (OMP) required prior to the commencement of the use. Overall the Aquatic Ecology Assessment and Flora and Fauna Assessment found the proposed development is unlikely to have a significant impact on any Matters of National Significance if the above mitigation measures above are implemented as part of the CMP and OMP.</p>
<p>Preservation of and the impact on soils and the need to prevent erosion.</p> <p>Potential threats to watercourse, water body or wetland quality and function.</p> <p>Possible effect of the development on the quality and quantity of water.</p> <p>The management of the natural integrity of estuarine water regimes to preserve aquatic life cycle and biological processes.</p> <p>Need to prevent or reduce the concentration of diversion of floodwater or stormwater; other aquatic life.</p>	<p>Measures to avoid and minimise the discharge of sediment and contaminants from the subject site are to be employed during the construction phase and would be detailed in the CMP. These measures will include managing stormwater and construction in line with EPA and Best Practice Guidelines, sediment traps and/or fences to be installed where there is a risk of sedimentation and/or chemical or oil spills into waterways or adjacent habitat, prevention of fill or excavated material being stockpiled in flood prone areas, topsoiling and revegetation of areas not built on or sealed.</p>
<p>Protection of the area for its recreational value.</p>	<p>The development site is private land and is not utilised for its recreational value. The continued use of the Gellibrand River for recreational pursuits will not be impacted by this proposal as public access to the river will be retained.</p>

Environmental Significance Overlay-Schedule 1 (ESO1)	
Decision Guideline	Assessment
<p>Proper management of the land as a watercourse, water body or wetland area.</p> <p>The need for fencing off of waterways and other land management measures.</p> <p>The function of the watercourse, water body or wetland as part of a broader natural system.</p>	<p>All development will be located outside of this wetland area and waterway with the exception of a partial area of the access road to the accommodation precinct, the boardwalks, boatshed and jetty. In addition to mitigation measures detailed within the CEMP and OEMP the function of the Princetown Wetlands and Gellibrand River will not be impacted.</p>

Significant Landscape Overlay-Schedule 4 (SLO4)	
Decision Guideline	Assessment
<p>Whether new buildings are sited to avoid visually prominent locations, particularly:</p> <ul style="list-style-type: none"> • Ridgelines; • Hillsides visible from the Great Ocean Road; • The Gellibrand River valley floor. 	<p>The development is generally well-sited within the land form with the accommodation precinct sited adjacent to a taller sand dune behind and the activity precinct which will be viewed within the context of the recreation reserve development as well as the nearby Princetown Township. Photomontages are provided in the application material. The building height is appropriate having regard to the landform, and that taller built form elements of the accommodation precinct do not break the dune horizon line. Permit conditions recommend a reduction in the height of the panoramic lookout structure to 10 metres.</p>
<p>Whether new buildings are designed to respond to the characteristics of the site and locality, demonstrating a high standard of contemporary expression and finish.</p>	<p>The vision and principles underpinning the development have aimed to create a design that borrows heavily on the landscape it is located in whilst also creating a signature design.</p>

Significant Landscape Overlay-Schedule 4 (SLO4)	
Decision Guideline	Assessment
<p>Whether buildings are designed to:</p> <ul style="list-style-type: none"> • Avoid visually prominent wall and roof forms; • Be articulated into separate elements; • On sloping sites, follow the natural contours or step down the site; • Incorporate materials, colours and finishes designed to blend with the surrounding landscape. 	<p>The development is to be grouped into two zones of smaller buildings to reduce the visual dominance and building mass. The materials used in the development are primarily natural materials including timber and stone. The colour scheme is grey, dull green and bronze taking inspiration from the surrounding vegetation, rocks sand and river landscape. The form employs simple repeated batten timber screen elements on walls and roofs which enables the buildings to recede into the landscape rather than dominate. Low impact path systems will be constructed of local decomposed rock with no formal edging, timber boardwalks and timber structures are to be untreated to allow the natural weathering process to occur. The exception to this will be the panoramic lookout structure which due to its purpose as a lookout will read as a strong vertical element in a horizontal landscape.</p>
<p>Whether buildings and works are set back from the Great Ocean Road a sufficient distance to protect the visual and environmental significance of the landscape.</p>	<p>Views towards the coast will be largely uninterrupted by the proposed development as the Great Ocean Road, the Princetown Township and nearby residential properties are elevated and the development will sit below the view line to the coast from these locations.</p>
<p>Whether the proposed development is designed to minimise the need for earthworks on the site.</p>	<p>The majority of the site will remain undeveloped as the building footprint will occupy approximately 1% of the total area of the site. Floor levels of buildings (except the boatshed) are at 3.5AHD which will minimise the extent of cut into the landscape.</p>
<p>Whether any proposed car parking areas are designed to:</p> <ul style="list-style-type: none"> • Minimise visibility from the Great Ocean Road; • Avoid large expanses of impervious surfaces; • Incorporate landscaping suited to the character of the site. 	<p>The car parking areas will have minimal visibility from the Great Ocean Road due their location behind the Activity Precinct. The car parking area will be unsealed and be broken up by landscaping which will screen views to this area.</p>
<p>Where located within or near Princetown, whether the proposal contributes to the creation of a definite visual edge to the settlement.</p>	<p>The site is not isolated from the Princetown Township and at its completion will be viewed within the cluster of development that exists in Princetown and its immediate surrounds.</p>

Significant Landscape Overlay-Schedule 4 (SLO4)	
Decision Guideline	Assessment
<p>Whether infrastructure such as powerlines and utility services is located underground wherever possible.</p> <p>Whether infrastructure is sited to minimise visibility from the coastline and the Great Ocean Road.</p>	<p>There is already an overhead powerline in place to the Recreation Reserve, and supply will be provided to the subject site via the same easement. The application proposes to provide on-site underground power and telecommunications cabling where possible as well as solar power and solar heated water systems will also be incorporated onto some buildings. Water storage tanks would be integrated into the design aesthetic of the site and structures (including landscaping where appropriate).</p>
<p>Whether the proposal retains existing indigenous trees and understorey and provides for the planting of new indigenous vegetation wherever possible.</p> <p>Whether any trees lost due to development are proposed to be replaced with indigenous trees that will grow to a similar size.</p>	<p>Preservation of existing vegetation has occurred where possible and indigenous planting will be planted to frame, screen and guide views. This will be provided as part of a landscaping plan.</p>

Bushfire Management Overlay (BMO).
<p>All buildings on the site can meet a Bushfire Attack Level (BAL) 12.5 and the proposed building construction levels, defendable space and vegetation management arrangements meet the approved measures under Clause 52.47 Planning for Bushfire.</p>

Clause 52.06 Car Parking	
<p>The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.</p> <p>The ease and safety with which vehicles access and circulate within the parking area.</p> <p>The provision for pedestrian movement within and around the parking area.</p> <p>The provision of parking facilities for cyclists and disabled people.</p> <p>The provisions of landscaping for screening and shade.</p> <p>The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.</p> <p>The measures proposed to enhance the</p>	<p>Cars and small buses will use the parking area. Provision has been made for both of these vehicles. Car parking is located to the south side of the activity precinct and the accommodation precinct and will largely be shielded from any view from the Great Ocean Road. Provision will be made for pedestrian movement within the car parking area, bicycle parking, disabled parking and landscaping. Detailed design of the car parking that meets the design standards of Clause 52.06-8 will be a planning permit condition requirement. Car parking will be located in close proximity to both precincts and safety is not considered to be a significant issue. Before construction works starts, detailed layout plans demonstrating compliance with Australian Standard 2890 "Parking Facilities" and AustRoads Publication 'Guide to Traffic Management: Part 11 Parking' will be required to be submitted.</p>

Clause 52.06 Car Parking	
<p>security of people using the parking area particularly at night.</p> <p>Whether the layout of car spaces and access ways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).</p> <p>The type and size of vehicle likely to use the parking area.</p>	

Clause 52.07 Loading and Unloading of Vehicles
<p>Approximately 375 square metres of area is available for loading/unloading for each of the precincts. This is well in excess of the minimum requirement of the 31 square metres required for the accommodation precinct and 27.4 square metres for the activity precinct.</p>

Clause 52.17 Native Vegetation	
Decision Guideline	Assessment
<p>Whether reasonable steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity.</p>	<p>The application proposes to remove 0.909ha of native vegetation. This comprises of 0.318ha of Estuarine Wetland and 0.133ha of Coastal Dune Scrub. As more than 0.5ha of native vegetation is proposed to be removed it is required to be assessed via the high risk pathway under the Victoria's Permitted Clearing of Native Vegetation: Biodiversity Assessment Guidelines. Under the high risk pathway native vegetation removal is required to be assessed by DELWP. The following decision guidelines under clause 52.17-5 of the Corangamite Planning Scheme are the key assessment tool for high risk pathway applications.</p> <p>The following steps were taken:</p> <ul style="list-style-type: none"> • Altering the location of the proposed main lodge and eco cabins to avoid the wetland area and where possible areas of higher quality native vegetation • Rerouting the road and path alignment to avoid areas of native vegetation • Minimising the length of the boardwalk • Pre application advice from DELWP on the Flora and Fauna Assessment and the completion of multiple Biodiversity Impact and Offset Requirements (BIOR) Reports to review and minimise impacts.
<p>Whether the native vegetation to be removed makes a significant contribution to Victoria's biodiversity</p>	<p>When the removal of native vegetation has a significant impact on habitat for a specific rare or threatened species, the offset must compensate for the removal of that</p>

Clause 52.17 Native Vegetation	
Decision Guideline	Assessment
	particular species' habitat. This is referred to as a specific offset. When the removal of native vegetation does not have a significant impact on the habitat of a particular rare or threatened species a general offset is obtained. The DELWP biodiversity impact and offset requirements report determines whether the proposed removal of native vegetation will have a significant impact on habitat for a specific rare or threatened species. The report has determined that there will not be a significant impact on rare or threatened species as it does not reach the specific offset threshold and therefore requires a general offset rather than specific offset.
That an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013) has been identified.	The application has identified that a general offset of 0.627 general biodiversity equivalence units with a minimum strategic biodiversity score of 0.694 located within the CCMA district or Corangamite municipal boundaries. A native vegetation offset credit availability statement has accompanied the application and confirms that a general offset for native vegetation removal that meets the above requirements is available via a registered third party through Bush Broker/DELWP Native Vegetation Credit Register.

Clause 52.27 Licenced Premises	
Decision Guideline	Assessment
The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.	Liquor is proposed to be sold as part of the restaurant and accommodation functions of the facility, no take away liquor is proposed. As all liquor will be consumed within either the accommodation or the restaurant during specified hours it is not considered to have an unreasonable impact on the amenity of the surrounding area.
The impact of the hours of operation on the amenity of the surrounding area.	Liquor will be sold between the hours of 11am and 11pm 7 days a week. These hours are considered to be in line with premises of this type and are not considered to be excessive.

Clause 52.27 Licenced Premises	
Decision Guideline	Assessment
The impact of the number of patrons on the amenity of the surrounding area.	The restaurant would be able to accommodate 300 people at any one time. Whilst an area of outdoor dining is proposed the majority of these patrons will be located inside the restaurant building. Hours of operation will specify times when liquor can be consumed inside and outside of the buildings.
The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.	There is one licenced premises in the Princetown Township. An additional licenced venue is therefore not considered to have a significant cumulative impact on amenity.

Clause 52.29 Land Adjacent to a Road Zone Category 1 or Public Acquisition Zone for a Category 1 Road.	
Decision Guideline	Assessment
The views of the relevant road authority.	VicRoads are the relevant road authority for the application and have provided conditional consent to the proposal.
The effect of the proposal on the operation of the road and on public safety.	Turning lanes will be required to be installed along the Great Ocean Road to allow safe access and egress from the Great Ocean Road.

Clause 52.34 Bicycle Facilities
18 bicycle spaces are required for the proposed development. Provision for bicycle parking at the lodge and activity centre that can meet this requirement has been provided within the application.

Discussion of Key Considerations

Strategic Support for the Proposal

The Great Ocean Road region is Victoria's largest tourism region attracting in excess of 5 million annual visitors. Forecast growth in visitor nights to the region is positive for both international and domestic visitors.

The *Strategic Master Plan for the Great Ocean Road Region Visitor Economy* estimates 2.6 million people visit the 12 Apostles annually. The Great Ocean Road international day trip market is a significant market at an estimated 500,000 international visitors visiting the Great Ocean Road Region annually. Further, there is an estimated 100,000 domestic daytrip visitors to the Port Campbell and Hinterland region each year.

Previous studies including the Corangamite Shire *Tourism Opportunities Study 2010* have identified that there is a significant opportunity to convert a percentage of daytrip visitors to overnight visitors, particularly for the international market, through the provision of world class visitor accommodation within close proximity to the Twelve Apostles.

The proposal is consistent with the Victorian Governments *Visitor Economy Strategy 2016*. The proposal will fill a market gap in the provision of a quality accommodation and visitor product. It will assist in diversifying the accommodation offer on the Shipwreck Coast and in the vicinity of Port Campbell. An assessment of accommodation supply in Port Campbell

and the hinterland shows that the majority of accommodation in Port Campbell consists of self-contained apartments/units, motels and motor inns, below a 4 star rating, comprising approximately 70% of accommodation supply.

The proposal is consistent with *Victoria's Nature Based Tourism Strategy 2008* in that it will provide recreational opportunities and tourist accommodation meeting the strategy "gaps" relating to adventure tourism, wildlife tourism and nature retreats. The proposal is also supported by *The Strategic Master Plan for the Great Ocean Road Region Visitor Economy* and the *Great Ocean Road Destination Management Plan 2012*. The proposal addresses the need for tourism product (providing a restaurant and nature based activities) and assists in filling an accommodation gap identified in the Destination Management Plan

The proposed development directly supports the implementation of the *Shipwreck Coast Master Plan* which has identified this site for future private sector development. The proposal is consistent with the vision of Princetown contained within the Master Plan. Furthermore it supports the overarching objectives of the Master Plan as it will provide a range of nature based activities, accommodation and dining choices as well as increasing length of stay in the region. Private sector investment in new product development aligned with the Shipwreck Coast Master Plan will be of critical importance in delivering world class visitor infrastructure that achieves longer duration of stay and increased regional economic benefit.

The proposal is responsive to the provisions of the *State Planning Policy Framework (SPPF)* contained within the Corangamite Planning Scheme which seek to ensure a diversity of accommodation options and coastal experiences, to locate nature based tourist accommodation in non-urban areas, and to ensure that developments are of an appropriate scale use and intensity relevant to location, and minimise impacts on the surrounding natural, visual, environmental and coastal character.

The proposal also supports local planning policy on tourism which aims to support tourism development that is of a high quality design, generates local employment opportunities and fulfils an identified tourism need for nature based tourism and high end accommodation. The proposal also satisfactorily addresses the objectives and relevant strategies for Princetown.

Social, Environmental and Economic Benefits

The proposed development would provide positive social, environmental and economic benefits to the Shipwreck Coast and Princetown area. These include:

- The creation of 21 jobs during construction and 78 ongoing jobs once operational which will have flow-on benefits for the regional economy.
- Significant infrastructure upgrades to Old Coach Road and bridge and the Great Ocean Road intersection.
- Increased recreation and educational opportunities through the addition of boardwalks, viewing areas, nature walks, picnic areas and interpretive signage.
- Enhancing the region as a tourist destination through the provision additional accommodation and recreational opportunities.
- Landscaping works to preserve and enhance existing vegetation, providing wildlife corridors and enhancing amenity and visitor experiences of the local landscape.
- Eradication of significant weed infestations and opportunities for environmental improvement through revegetation and other measures.
- Natural resource and wildlife monitoring activities undertaken as part of the operation of integrated eco-tourism facilities.
- Recreational opportunities which facilitate an increased awareness for both visitors and the general public of flora and fauna species within local waterways, on

surrounding reserve land and along the coast. This awareness would reinforce the custodianship of the area that is a core value of the Shipwreck Coast Master Plan.

Site Suitability

The *Corangamite Shire Tourism Opportunities Study 2010* identified critical factors in determining successful locations for accommodation as highly significant for enabling the Shipwreck Coast. Four of these are viewed as highly significant for enabling development including coastal views and/or immediate access to coastal experiences, access to infrastructure, proximity to key attractions and other product and competitive advantage. The site chosen offers immediate pedestrian access to coastal experiences such as the Great Ocean Walk, the future Trail Head for the Twelve Apostles Trail and access to the iconic Twelve Apostles integrated with the Gellibrand River and its surrounds. Whilst the site is constrained by a number of features including the wetland area, the development has been sited and designed so as to ensure that the risks associated with flooding, bushfire and impacts on flora and fauna can be mitigated or reduced to an acceptable level. It is also noted that the development footprint is a very small percentage of the overall site area. A number of the proposed permit conditions are directed at managing future site impacts to minimise potential risk to the environment both during construction of the development and through ongoing operation of the proposed uses.

Flora and Fauna

The Flora and Fauna Assessment has identified there are four EPBC listed threatened species that have been identified as possible to occur within the subject site. These are the Southern Bent Wing Bat, Orange Bellied Parrot, Australian Bittern and Growing Grass Frog. An assessment against the significant impact criteria has been completed by the applicant for these species that are considered likely to occur on the site. This assessment has concluded that a referral to the Commonwealth Environment Minister for a determination under the EPBC Act will not be required because potentially significant impacts on Matters of National Environmental Significance are considered unlikely. As the FFG Act only applies to public land in this instance, a permit will only be required under the Act to remove protected flora along Old Coach Road. This is applied through DELWP and is therefore outside the discretion of this planning application. The assessment has also concluded that the proposal is unlikely to trigger any of the listed criteria relating to flora and fauna listed under the EE Act and therefore does not require a referral under the EE Act.

As shown in Figure 8 below, part of the site is covered by the Princetown Wetlands which are listed under the under the 'Directory of Important Wetlands in Australia.' All development will be located outside of this wetland area with the exception of a partial area of the access road to the accommodation precinct, the boardwalks, boatshed and jetty.



Figure 8: Location of Princetown Wetlands as Identified under Directory of Important Wetlands

In addition to the above, mitigation measures will be implemented to control, reduce or eliminate the impacts of the development on flora and fauna and habitat. These include fencing and 'no go zones' around native vegetation to be retained, sediment control measures, weed, pest and disease control and measures to control light spill and noise. A detailed plan of the mitigation measures that will be implemented during construction and after development will be detailed within a Construction Management Plan (CMP) and Operations Management Plan (OMP) which will be required to be submitted and approved prior to any works commencing onsite.

Coastal Acid Sulphate Soils (CASS)

The site has the potential to contain coastal acid sulphate soils which if disturbed can react with oxygen and produce sulfuric acid. This has the potential to have detrimental environmental impacts such as acidification of water and soil, de-oxygenation of water, poor water quality, dissolution of soil, rock and concrete, and corrosion of metals. The applicant has prepared the Preliminary CASS hazard assessment of a Coastal Acid Sulphate Strategy which has the following four stages to the risk identification process:

1. Stage A: Preliminary CASS hazard assessment
2. Stage B: Detailed site soil sampling program and assessment
3. Stage C: Surface/ground water sampling program and assessment
4. Stage D: CASS hazard assessment.

Stage A has identified that the site is at significant risk of containing CASS in surface geology in the both the coastal dunes on the southern portion of the site and in the coastal wetlands and swamps on the central and northern portion of the site. On the basis of this assessment, a Stage B detailed site soil sampling program and assessment will be required for these areas prior to any works commencing onsite. This will determine if acid production

is likely if CASS are disturbed and therefore if Stage C and D are required. This methodology is consistent with *Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulphate Soils* October 2010. DELWP has recommended a condition requiring the preparation and endorsement of amended final development plans reconciled with the findings of the CASS report, and that the secondary consent process be informed by an independent technical review of the CASS report.

Prinetown Spits

The Prinetown Spits are small elongate depressions and ridges which are probably relict spits in the infilled estuary of the Gellibrand River that exist on the subject site. The applicant engaged a geomorphologist to prepare an assessment to identify geomorphological features on the site and to make recommendations for the proposed development. The assessment notes that there has been significant existing disturbance from the Prinetown Recreation Reserve and the proposed development will affect a relatively small area of the Prinetown Spits. Whilst there is no legislative requirement to protect sites of geological and geomorphological significance the applicant has proposed measures within their application to reduce the impact of the development on the Spits where it is practical to do so.

Flooding

The Victorian Government has determined that the 1% AEP flood is the appropriate standard to regulate and protect new developments through the planning and building systems. The 1% AEP means that a flood of that magnitude or greater has a 1% chance of occurring in any given year. The impacts of floods rarer than the 1% AEP flood (less than 1% AEP) are not regulated through the planning and building system.

The subject site is vulnerable to riverine flooding associated with the Gellibrand River, inundation during coastal storm tide events and inundation due to estuarine flooding during dry weather and closed estuary mouth conditions. In circumstances like these where there are multiple sources of flooding onsite, the highest applicable flood 1% AEP flood level is adopted. The estimated 1% AEP flood level for the subject site is 2.4 metres AHD which includes the additional 100mm to be added to the flood level as recommended in the flood report submitted with the application.

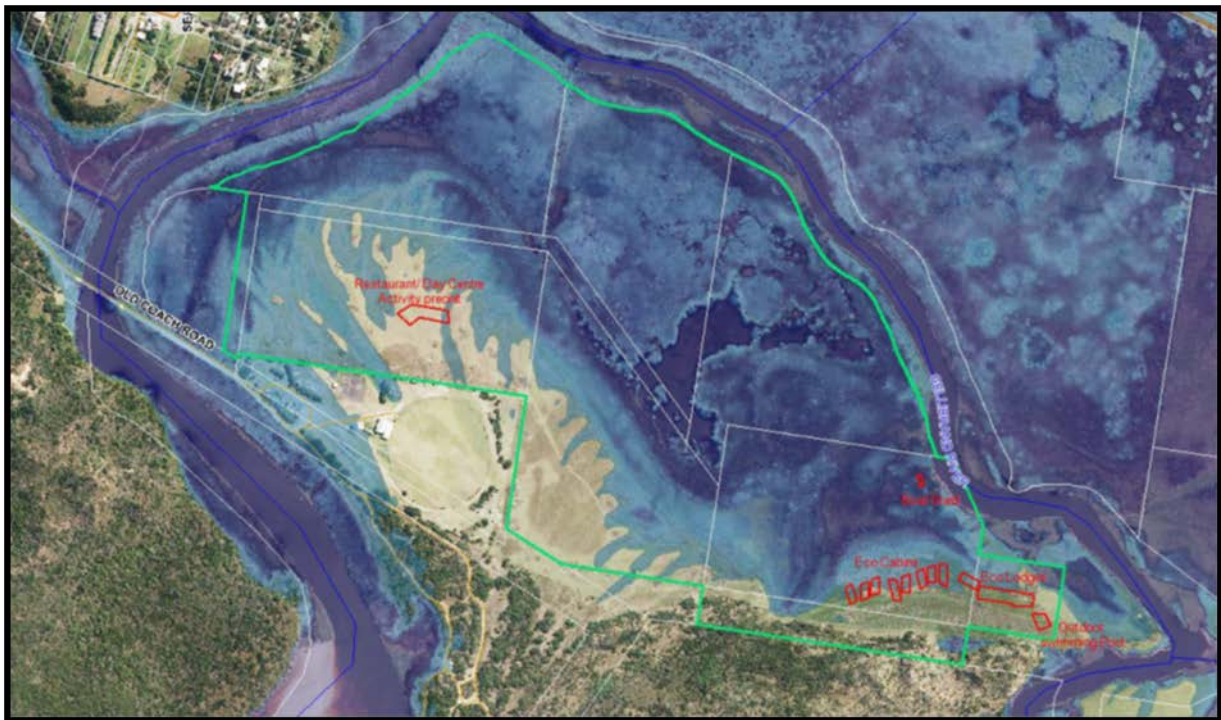


Figure 9: 1% AEP flood extent (blue shaded area)

The proposed habitable buildings are located just outside or on the fringe of the 1% AEP floodplain. The finished floor levels of all buildings will be required to be no lower than 3.5 metres AHD which the application details will be achieved by placing buildings on stumps to achieve this minimum floor height. Building floor levels well above the 1:100 year flood level for the site will provide a sufficient buffer to protect buildings from flood entry. The majority of the existing access to and from the site during a 1% AEP riverine or storm surge is considered to be hazardous. Therefore, prior to commencement of any construction the site access must be upgraded to ensure safe access with a minimum level of 2.1 metre AHD for vehicular access and pedestrian footpaths and the velocity and depth must comply with the identified safety hazard levels. These works can occur without having any offsite hydraulic impacts.

The Corangamite Catchment Management Authority (CCMA) are the Floodplain Management Authority for this area and have completed an assessment of the application proposal and provided conditional consent to the application. For the CCMA to consent to a planning application a development must address the following five core requirements:

1. Must not affect floodwater flow capacity.
2. Must not reduce floodwater storage capacity.
3. Must meet minimum floor level height (above flood level) relevant to development location (freeboard).
4. Must not occur where the depth and flow of floodwaters would create a hazard.
5. Must not occur in circumstances where the depth and flow of floodwater affecting access to the property is hazardous.

Future climate change impacts

State Planning Policy at Clause 13.01 requires planning for possible sea level rise of 0.8 metres by 2100. The proposal has been planned to account for this requirement, which is the policy in place at the time Council is giving consideration to the application.

Wastewater Disposal

The application proposes to treat wastewater with an on-site wastewater treatment facility, which is a scheduled activity under the Environment Protection (Scheduled Premises and Exemptions) Regulations and therefore the application requires a Works Approval from the Environment Protection Authority (EPA). The EPA is currently assessing this application and the suitability of the wastewater treatment facility. Any potential environmental impacts from these proposed works will be addressed through the Works Approval application which is separate to this planning application.

The proposal has been put forward on basis of treating its own waste. It will not be able to proceed without either EPA Works Approval for on-site treatment or connection to reticulated sewer. The suitability of the proposed on site waste treatment system and its potential impacts on the environment and groundwater are matters for the EPA to decide. The EPA has issued a notice under S22 of the Environment Protection Act requesting the proponent to provide further information. Once this information is provided it is anticipated the EPA will hold a further hearing involving submitters in early 2017.

Access, Traffic and Safety

The site is accessed from the Great Ocean Road via Old Coach Road. The intersection of the Old Coach Road and Great Ocean Road is located further south than the intersection of the Great Ocean Road and Old Post Office Road, which is the entry point to the main area of the Princetown Township.

Old Coach Road currently provides access to the subject land, the Princetown Recreation Reserve and then four wheel drive access beyond an informal "loop" track to the river estuary and the beach. Old Coach Road is an unmade gravel road which crosses the Gellibrand River. The bridge over the Gellibrand River is single lane.

The subject site is proposed to be accessed via two two-way access points off Old Coach Road (one on the eastern side of the recreation reserve to service the accommodation precinct and one on western side of the recreation reserve to service the activity/restaurant precinct). Old Coach Road will be extended past the recreation reserve to allow the access to the accommodation precinct.

The traffic report submitted by the applicant states that the proposal would increase the number of vehicles using Old Coach Road from 100 vehicle movements per day to 800 vehicles per day. This equates to one vehicle every 45 seconds during peak periods. As a result of the increase in these traffic movements, upgrades to the Great Ocean Road and Old Coach Road will be required to prevent congestion, improve safety and allow emergency vehicles to access the site. The key road infrastructure upgrades required to the GOR and Old Coach Road will be:

Great Ocean Road

Intersection of GOR and Old Coach Road will be upgraded with a short "channelised" right turn lane from the west and a left slip lane from the east. These requirements have been determined by VicRoads.

Old Coach Road

The Old Coach Road will require widening to a total carriageway width of 8.2 metres to allow two way traffic (2x 3.1 metre lanes and a 1.0 shoulder on each side of the road) for the section of Old Coach Road between the Great Ocean Road and the proposed site entry to the accommodation precinct. A separate pedestrian/cycle path is also required adjacent to the road so as to achieve appropriate separation of separation of vehicles and pedestrians including walkers on the Great Ocean Walk.

Approaches to the bridge on Old Coach Road will be raised in level to a minimum 2.1 AHD which involves raising where required the existing approaches between 100mm-500mm (average approximately 250mm). This would bring the new level of the road to above the highest recorded flood level of 2.03 AHD (May 2015) and above the level of a section of the GOR near to Old Coach Road. It will allow safe egress/access along Old Coach Road in predicted flow events up to and including 1:100 year events (which is 2.3 AHD) These works can be designed and undertaken without impacting flood levels on surrounding private property or the GOR.

Old Coach Road Bridge

The single lane bridge along Old Coach Road currently has the following key issues of concern:

- Stated load limit of the bridge at 15 tonne (subject to further testing/verification) and capacity to strengthen the bridge.
- Whether a single lane bridge will be adequate for the proposed quantity of vehicle movements.
- Suitability for large vehicles such as bus, truck and fire service appliance vehicles.
- Safety of pedestrian and cycle movements.
- Suitability of bridge during construction phase and need for alternative arrangements for delivery of large machinery and materials to the site.

There are examples of other single lane bridges which deal with much higher traffic volumes than projected for this development. For example, Jacksons Bridge on the Bulla Sunbury Road – 2600 two way vehicle movements per day; the Kawauru River Falls Dam bridge in Queenstown, New Zealand - 7500 two way vehicle movements per day in peak season prior to the construction of a new bridge; the Swan Hill Murray River Road Bridge -3,550 two way vehicle movements per day.

In the event that a permit is granted, upgrading of the Old Coach Road Bridge will be required because of the need to provide for emergency vehicle access, improve pedestrian safety; and to overcome limitations of the current load limit of 15 tonnes. The need for an upgraded bridge is evidenced by the requirements of the CFA permit conditions, as a determining referral authority. This demonstrates a clear nexus between the proposal and the recommended permit conditions relating to the bridge upgrade at the permit holders cost.

There are various options to upgrade the bridge. These include:

1. Retaining the current single lane width and increase strength/carrying capacity.
2. Retaining the current single lane width and adding a separate pedestrian/cycle footbridge.
3. Require widening of bridge to accommodate two lanes of traffic.
4. Require widening of bridge to 10.9 metres to accommodate two lanes of traffic (3.1 metres each); a separate pedestrian /cycle pathway of 2.5 metres; a 0.6 metre shoulder on each side of the traffic lanes; and a 0.5 metre containment barrier on either side of the bridge.

Option 4 is the recommended option as it will allow emergency vehicles to access the site and provide safe access for pedestrians and cyclists who use Old Coach Road for the Great Ocean Walk and access to the recreation reserve and beach. The estimated cost of

upgrading the bridge and undertaking road improvements are in the vicinity of \$2.5 – \$3.0 million.

The permit applicant has been invited by DEDJTR to apply for Regional Tourism Infrastructure Funding to assist with the cost of road and bridge upgrades. Permit Conditions will be proposed to address the bridge and road upgrades at the landholders cost.

Site Services

Water Supply

A static water supply (up to 300,000 L) is to be provided for the development. No reticulated water supply is available in Princetown and therefore alternative water supply is required. Potable water for the development would be obtained from a combination of rainwater stored in tanks and groundwater from a bore located on the property. Commercial use of water from a groundwater resource i.e. bore requires a licence under the *Water Act 1989* and therefore Southern Rural Water will manage the licencing of the groundwater. There is sufficient licencing capacity for the water requirements associated with this development, and in the short term it is understood Wannon Water have indicated an ability to reallocate a component of their groundwater allocation for the proposal.

A winter storage dam (10 ML capacity) is proposed to be constructed as part of the effluent treatment system for the development. This dam potentially provides a source of Class B or better treated water which can be utilised for firefighting purposes.

Storm Water

Stormwater runoff that is not collected into tanks would be collected and treated through Water Sensitive Urban Design. This includes infiltration trenches and bio retention systems, porous pavements and pollutant traps. A detailed stormwater design which complies with Council and Australian Standards and includes sizes of stormwater pipes and pits, legal points of discharge and calculations behind stormwater design will be a condition of the planning permit.

Electricity

A three phase power supply is proposed as part of this development. Three phase power is not currently available in Princetown however a supply upgrade is available and discussions with Powercor have occurred in relation to securing this supply. The supply would follow the existing powerline easement to the Recreation Reserve.

Bushfire Risk

Whilst a small portion of the southern part of the site is covered by the BMO, the application has applied bushfire measures to all buildings on the site. All buildings on the site can meet a Bushfire Attack Level (BAL) 12.5 and the proposed building construction levels, defensible space and vegetation management arrangements meet the CFA requirements. A firefighter system at the site, compliant access for the full range of firefighting equipment up to 18 tonne including the Old Coach Road Bridge, a bushfire risk assessment and emergency management plans are required to be submitted in order to meet planning permit conditions required by the CFA.

Built Form

A landscape and visual consideration report has been included within the application and has considered views from the Great Ocean Road, views from adjoining residential properties, views from the Great Ocean Walk. The SLO4 sets out the landscape character to be achieved for the Princetown Estuarial Landscape.

- *To recognise the landscape significance of the coastal environment.*
- *To protect and enhance the visual character and environmental quality of the Great Ocean Road coastal area.*

The vision and principles underpinning the development have aimed to create a design that borrow heavily on the landscape it is located in whilst also creating a signature design.

- *To retain the dominance of the undeveloped landscape in coastal areas between townships.*

The majority of the site will remain undeveloped as the building footprint will occupy approximately 1% of the total area of the site. The site is not isolated from the Princetown Township and at its completion will be viewed within the cluster of development that exists in Princetown and its immediate surrounds.

- *To protect existing views to coastal features, particularly from the Great Ocean Road.*
Views towards the coast will be largely interrupted by the proposed development as the Great Ocean Road, the Princetown Township and nearby residential properties are elevated and the development will sit below the view line to the coast from these locations.

- *To ensure that development is integrated with the landscape.*

The proposed development is generally well-sited within the land form as the accommodation precinct has been sited adjacent to a taller sand dune behind and the activity precinct is located in proximity to the recreation reserve development and will be viewed within the context of the this development as well as the nearby Princetown Township. The choice of materials, finishes and colours are critical to achieving this objective.

- *To minimise the visual impact of buildings and structures, particularly along the coastline, on hill faces, ridges and the valley floor.*

The development is to be grouped into two zones of smaller buildings to reduce the visual dominance and building massing. The materials used in the development are primarily natural materials including timber and stone. The colour scheme is grey, dull green and bronze taking inspiration from the surrounding vegetation, rocks sand and river landscape. The form employs simple repeated batten timber screen elements on walls and roofs which enables the buildings to recede into the landscape rather than dominate. Low impact path systems will be constructed of local decomposed rock with no formal edging, timber boardwalks and timber structures are to be untreated to allow the natural weathering process to occur. The exception to this will be the panoramic lookout structure which due to its purpose as a lookout will be a strong vertical element in a horizontal landscape. A reduction in the height of the viewing tower from 15 metres to 10 will minimise its visual impact and bring its height more into line with the other buildings. This will be achieved through a permit condition.

- *To retain a vegetation-dominated outlook from the Great Ocean Road and other main road corridors throughout the landscape.*

Preservation of existing vegetation has occurred where possible and indigenous planting will be planted to frame, screen and guide views. This will be provided as part of a landscaping plan.

Amenity

It is considered that the potential amenity impacts from the proposal include increased noise, light spill and odour. Any potential impacts can be addressed via planning permit conditions which control noise levels, operating hours and baffling of lighting. Odour and noise considerations relating to the wastewater system will be considered by the EPA in the Works Approval application.

On Water Activities and Boat Shed

A range of water based activities on the Gellibrand River are proposed to operate from the jetty pontoon and include canoe, kayak, stand up paddle board hire and small boat tours. As the river is already utilised by various recreation and commercial users the water based activities will need to be managed to ensure that all users of the river can utilise it without causing conflicts and impacting on the river and wetland environs. Use of the waterway will require a licence from Parks Victoria, and the licence will control future use. The planning permit can include a condition limiting the length of the jetty and associated floating pontoon.

On water use will be regulated by Parks Victoria through an operations licence, as occurs with other users of the river.

Café and Restaurant Use

The proposed restaurant will at capacity be able to hold 300 patrons at any one time and will provide both an a la carte sit down restaurant and a casual restaurant offering pre prepared meals. Alcohol and bar facilities will be provided along with outdoor seating areas. Access to the restaurants shall not be limited to patrons of the accommodation. Mechanisms to ensure that the amenity of the surrounding area is not unreasonably affected will be addressed as part of the Operations Management Plan. These will include restriction on operating hours of the restaurant, service of alcohol and usage of the outdoor seating area, training of staff in management of patron behaviour, signage, ensuring the orderly arrival and departure of patrons and measures to control noise emissions such as noise monitoring, restriction on night-time noise and attenuation screens.

Further Management Plans

Further management plans will be required in order to address specific matters relating to emergency management and managing the construction and operation phases of the development. These plans will be required as part of planning permit conditions and will include:

- Emergency Management Plans which address bushfire and flood risk. These plans will include construction requirements for the development as well as ongoing emergency procedures for the site. These will be prepared in consultation with council and relevant authorities.
- Construction Management Plan which details measures that will be put in place during the construction period. These will include measures to minimise impacts on flora and fauna, management of stormwater runoff, sediment and erosion, weed and pest control, dust suppression and impacts on public safety.

- Operation Management Plan which details measures to be put in place during the sites operation once it has been built. This plan will address maintenance, noise, hours of operation lighting, water based activity, waste disposal, air quality and ongoing protection and monitoring of flora and fauna.
- Parking and Traffic Management Plan which will include detailed traffic layout for vehicles and pedestrians, access to the site and traffic and pedestrian flows.

Financial and Resource Implications

There is no significant financial or resource implications created in determining this permit application. The responsibility for infrastructure provision on site would rest with the landowner. It is also likely that in the event that a permit were to issue for the proposal that some Government funding would be sourced for key infrastructure upgrades such as the bridge and road works on Old Coach Road. Permit conditions are included to require the landowner to bear the costs of required infrastructure upgrades. Council will be required to maintain future infrastructure external to the site. The proposal has been designed achieve current State Planning Policy directives relating to climate change/sea level rise to 2100, and all habitable buildings have floor levels higher than a 1% AEP event as determined by the Corangamite Catchment Management Authority.

Options

The options available to Council are

1. Support the application and issue a Notice of Decision to grant a permit subject to permit conditions as recommended by Officers; or
2. Support the application and issue a Notice of Decision to grant a permit subject to changed permit conditions; or
3. Refuse the application – This option will require Grounds of Refusal.

Option 1 is recommended (Issue a Notice of Decision to grant a permit subject to permit conditions as recommended by the Officers).

Conclusion

The proposal is for an eco-tourism facility which will provide both accommodation and tourism product. It will fill an identified market gap in relation to servicing the needs of visitors to the Shipwreck Coast and iconic sites such as the 12 Apostles. It will generate regional economic benefit and assist in increasing the length of stay by some visitors to the Shipwreck Coast.

The location of the proposal at Princetown is consistent with the *Shipwreck Coast Master Plan* and the future role of Princetown as a hub for eco-tourism. In this context, the sites proximity to the Great Ocean Walk and the future trail head of the proposed Twelve Apostles Trail are significant. The site also benefits from abuttal to the Gellibrand River and the National Park. This will allow for immersive nature based tourism experiences consistent with the objectives of Victoria's *Nature Based Tourism Strategy*. The proposed development directly supports the implementation of the *Shipwreck Coast Master Plan* which has identified this site for future private sector development.

The proposal has been assessed against the relevant requirements of the Corangamite Planning Scheme. The development supports local planning policy on tourism which stipulates that tourism development be of high quality design, generate local employment opportunities and fulfil an identified tourism need for nature based tourism and high end accommodation. The proposal is also responsive to relevant permit triggers and the detailed

decision guidelines of the Rural Conservation Zone and the relevant Overlays applicable to the site.

The proposal has attracted a large number of submissions from the community. Many of these are concerned about the risk of flooding, environmental impacts, waste treatment and some of the site constraints such as access arrangements via Old Coach Road. It is relevant that the EPA will decide a Works Approval in relation to the suitability of the proposed waste treatment arrangements. Whilst the site is constrained, the development has been sited and designed so as to ensure that the risks associated with flooding, bushfire and impacts on flora and fauna can be managed so as to present an acceptable level of risk.

It is recommended that Council issue a Notice of Decision to grant a planning permit subject to conditions. Detailed permit conditions are proposed in the officer recommendation including requirements for plan amendments, a Construction Management Plan and an Operational Management Plan.

RECOMMENDATION

That Council, pursuant to section 64 of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Grant a Planning Permit PP2016/126 for The Use and Development of an Integrated Eco-Tourism Facility being a Residential Hotel, Group Accommodation, Restaurant and Pleasure Boat Facility, Removal of Native Vegetation and Alterations of Access to a Road Zone Category 1 and Application for a Liquor Licence on land described as Crown Allotments 65, 65A, 70, 72, 73, 74 75 and 2007 Township of Princetown Parish of La Trobe, 79 Old Coach Road Princetown subject to 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.**

Amended Plans Required

- 2. Before the commencement of the relevant stage of the development amended plans must be submitted to the satisfaction of the Responsible Authority. The amended plans may include plans of the whole development or the relevant stage as appropriate. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the plans submitted but modified to show:**
 - (a) All buildings and works associated with the development (including works external to the site).**
 - (b) All dimensions and levels to Australian Height Datum (AHD), including levels for built form, car parking, access lanes and pedestrian and cycle paths and finished heights of all buildings.**
 - (c) A reduction in height of the proposed panoramic viewing tower structure to a maximum of 10 metres above natural surface level.**

- (d) The proposed swimming pool showing levels and excavations.
- (e) The jetty and associated floating pontoon area restricted to 40m long not protruding into the waterway more than 10% of the waterway width.
- (f) The widening and upgrading of Old Coach Road to a minimum carriageway width of 8.2 metres (2 x 3.1m lanes and a 1.0m wide shoulder on each side of the road) together with a pedestrian pathway between the Great Ocean Road and the site entry to the activity precinct; including details of alignment layout within the Government road reserve or the adjoining Princetown Recreation Reserve; a minimum finished surface level of 2.1AHD, specifications, drainage designs and details of surfacing materials.
- (g) The upgrading of the Old Coach Road Bridge to achieve a 10.9 metre wide bridge (2 x 3.1m traffic lanes + 2 x 0.6m shoulders + 2.5m wide shared path + 2 x 0.5m containment barriers) and a minimum finished surface level of 2.1AHD including details of alignment layout, specifications, load capacity, details of bridge approaches and signage.
- (h) The finished floor level of all proposed buildings to be a minimum of 3.5 metres AHD, except for the proposed boat shed.
- (i) No buildings constructed on land lower than the natural surface level of 1.9 metres AHD, except for the proposed boatshed.
- (j) Pedestrian access paths within the site to habitable buildings to be a minimum height of 2.1 metres AHD.
- (k) All pedestrian footpaths and bicycle paths proposed within the site, including details and specifications of any boardwalk structures.
- (l) Provision of disabled access in accordance with Australian Standard 1428-2009 (Design for Access and Mobility).
- (m) Details and location of any air conditioning units, mechanical equipment, plant and exhaust fan, including details of appropriate baffling of plant and equipment.
- (n) Details and location of any business identification signage.
- (o) Provision of on-site bicycle parking.
- (p) Layout of car parking and loading/unloading areas in accordance with the requirements of the Corangamite Planning Scheme.
- (q) All native vegetation to be removed (including vegetation removal associated with the road upgrade and works as required by this permit) be quantified and offset in accordance with the Corangamite Planning Scheme (as required by condition 43).
- (r) Proposed lighting (including measures to manage light spill and prevent lighting impacts in wetland areas) to meet Australian Standard 4282 Control of the Obtrusive Effects of Outdoor Lighting
- (s) A schedule of construction materials, external finishes and colours (as required by conditions 23, 24 and 25).
- (t) All storage tanks for potable water, waste water and firefighting water supply.

- (u) All above ground waste treatment infrastructure resulting from an approved EPA Works Approval.
- (v) Any bushfire mitigation measures identified in the endorsed Bushfire Management Plan (as required by conditions 10 and 52).
- (w) Details of the treatment of the intersection of Great Ocean Road and Old Coach Road (as required by condition 36).

Staging Plan Required

3. Prior to the commencement of any part of the development a Staging Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit.

Works Approval

4. Prior to the commencement of the relevant stage of development a works approval shall be obtained from the Environment Protection Authority Victoria under the Environment Protection Act 1970 (Vic).

Acid Sulphate Soils

5. Prior to commencement of the relevant stage of the development, the permit holder must submit for approval by the Responsible Authority a Stage B detailed site soil assessment for coastal acid sulphate soils (Stage B assessment) in accordance with the Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulphate Soils (DSE 2010) (Guidelines). This assessment is to be prepared in consultation with the Department of Environment Land Water and Planning and be to the satisfaction of the Responsible Authority.

If the results of the Stage B assessment identifies a net acid production rate greater than the action criterion in the Guidelines, a Stage C assessment and, if necessary Stage D assessment must be completed in accordance with the Guidelines prior to the commencement of the relevant stage of the development.

Any mitigation or management measures identified in the assessments must be endorsed and will then form part of the permit. Any endorsed mitigation or management measures must be implemented for the relevant stage of the development as appropriate.

MANAGEMENT PLANS REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT

Construction Management Plan

6. Prior to the commencement of the relevant stage of the development, the permit holder must prepare to the satisfaction of the Responsible Authority and in consultation with the Environment Protection Authority Victoria, Secretary to the Department of Environment, Land Water and Planning and the Corangamite Catchment Management Authority, a Construction Management Plan. This plan must address the following matters:
- (a) Measures to protect both the aquatic and terrestrial environments during development.
 - (b) Measures to protect flora and fauna, and to avoid or minimise impacts to ecological values during development.
 - (c) Measures to avoid clearance and/or disturbance of vegetation within the Princetown Wetlands during development.
 - (d) Measures to minimise the area of the construction footprint on the site.
 - (e) Nominated vehicular and pedestrian access during site establishment and construction, including details of proposed vehicle movements during construction.
 - (f) Extent of proposed site excavation and fill.
 - (g) Methods of managing site earth works and delineating areas on site to be impacted by site construction.
 - (h) Methods of transportation of construction materials and other goods to the site taking account of limitations of the bridge on Old Coach Road, including arrangements for the turning of vehicles which cannot cross the Old Coach Road Bridge.
 - (i) Nominated locations for storage of any soils, materials, equipment, vehicles, machinery or waste products during construction.
 - (j) Management of stormwater and measures to treat any runoff from the site including measures to prevent sediment discharge to the wetlands and waterways.
 - (k) Waste water management during construction, including arrangements for disposal of any polluted waste water.
 - (l) Measures to prevent the spread of existing and/or introduction of new weeds, diseases or pests to the site including weed and pathogen control measures addressing vehicle, equipment, personnel and materials hygiene.
 - (m) Measures to control dust emissions both on and off site arising from the development.
 - (n) Measures to minimise transfer of site mud to roads.
 - (o) Measures to control noise during construction so as to comply with Environment Protection Authority Noise Control Guidelines (EPA publication 1254).
 - (p) Hours of construction operation.

- (q) Measures to delay construction activities in the vicinity of the waterway (i.e. boat ramp and pontoon construction) during periods of high rainfall (e.g. >20 mm).
- (r) Low impact construction techniques for boardwalks.
- (s) Measures to prevent contaminants (e.g. oils, chemicals) from entering any aquatic habitat or waterway.
- (t) The location of temporary site fencing, site huts and any other temporary structures for construction purposes.
- (u) Public safety during construction.
- (v) Waste management during construction.
- (w) Redirection of any above or underground services, and the provision of power at full cost to the permit holder during construction including for road and pavement construction works.
- (x) Proposed monitoring systems.
- (y) Site rehabilitation.
- (z) Any measures identified in the relevant assessment for coastal acid sulphate soils as required by condition 5.

When approved, the plan will be endorsed and will then form part of the permit. The relevant stage of the development must be in accordance with the endorsed Construction Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

Parking and Traffic Management Plan

7. Prior to the commencement of the relevant stage of the development, the permit holder must prepare to the satisfaction of the Responsible Authority a Parking and Traffic Management Plan. Three (3) copies must be provided. The submitted plan must address the following matters:
- (a) Sub soil investigations and pavement designs for all external/internal access roads/lanes, intersection works, car parking areas and loading areas.
 - (b) The widening, construction, surfacing and drainage of Old Coach Road to allow for two way traffic and a pedestrian path.
 - (c) The Old Coach Road Bridge upgrade.
 - (d) Pedestrian and cycle access paths including upgraded pedestrian crossing arrangements for the bridge on Old Coach Road.
 - (e) Provision of bus parking.
 - (f) Provision of loading and unloading of vehicles associated with delivery of goods.
 - (g) Vehicular access within the site to all proposed buildings (except the Boat Shed) to have a minimum height of 2.1 metres AHD.

- (h) Detailed plans of the access to the property along Old Coach Road demonstrating a minimum finished road surface of 2.1 metres AHD, and demonstrate no off site hydraulic impacts.
- (i) The location of all areas on-site and/or off-site to be used for staff and patron parking.
- (j) Owner's permission and any required planning permission for parking on other land.
- (k) Specification of staff numbers adequate to enable efficient operation of car parking areas both on-site and off-site.
- (l) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on-site and off-site.
- (m) Measures to preclude staff parking in designated patron car parking areas.
- (n) Staffing and other measures to ensure the orderly departure and arrival of patrons especially during peak periods.
- (o) Servicing of the drainage and maintenance of car parking areas.
- (p) Detailed traffic layout with dimensions for the vehicle and pedestrian movements within the site and access to the road network to and from the site is to be submitted to Council for approval. This will include details with dimensions of the parking areas.
- (q) Construction plans for all civil work including access roads, footpaths, pavements, kerb and channels and underground drains.

When approved, the plan must be endorsed and will then form part of the permit. The relevant stage of the development must accord with the endorsed Parking and Traffic Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

The Parking and Traffic Management Plan must be implemented to the satisfaction of the Responsible Authority prior to the commencement of the permitted use.

Landscape Management Plan

8. Prior to the commencement of the relevant stage of the development, the permit holder must prepare to the satisfaction of the Responsible Authority a Landscape Management Plan. The plan must be prepared by a suitably qualified landscape architect, drawn to scale with dimensions and three copies must be provided. The submitted plan must show:
 - (a) A survey of all existing vegetation and natural features showing plants (greater than 1200mm diameter) to be removed.

- (b) A planting schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified.
- (c) The use of only indigenous species to the relevant EVCs of the site.
- (d) The method of preparing, draining, watering and maintaining the landscaped area.

- (e) Details of any water supply connection points and any proposed irrigation system.
- (f) Landscaping and planting within all open areas of the site.
- (g) Proposed bed heights above car-park surface and all areas where vehicle overhang will occur.
- (h) All landscaped areas proposed to be used for stormwater retardation.
- (i) Measures to protect vegetation from unwanted pests and fauna and weed invasion.
- (j) Maintenance regimes to ensure the sustainability of proposed landscaping.

When approved, the plan must be endorsed and will then form part of the permit. The relevant stage of the development must accord with the endorsed Landscape Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

MANAGEMENT PLANS REQUIRED PRIOR TO THE COMMENCEMENT OF THE USE

Operations Management Plan

9. Prior to the commencement of the use of the relevant stage, the permit holder must prepare to the satisfaction of the Responsible Authority an Operations Management Plan. Three (3) copies must be provided. The submitted plan must address the following matters:
- (a) Measures to protect both the aquatic and terrestrial environments during the use of the site.
 - (b) Measures to protect flora and fauna, and to avoid or minimise impacts to ecological values during the use of the site.
 - (c) Measures to avoid clearance and/or disturbance of vegetation within the Princetown Wetlands during the use of the site.
 - (d) Site access arrangements for vehicles and pedestrians, including arrangements to manage peak visitor periods.
 - (e) Deliveries to and from the site for all commercial vehicles, including waste collection.

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- (f) Access to and from the site for all commercial vehicles, including waste collection.
 - (g) Maintenance.
 - (h) Noise.
 - (i) Hours of operation.
 - (j) Reporting arrangements for flora and fauna protection.
 - (k) Hazardous waste and spill management.
 - (l) Evacuation and emergency protocols in accordance with endorsed management Plans.
 - (m) The storage of goods and/or materials stored inside the buildings hereby permitted to the satisfaction of the Responsible Authority.
 - (n) The process for the review of the Operations Management Plan which is to occur at a minimum of 3 yearly intervals.

When approved, the plan must be endorsed and will then form part of the permit. The use must accord with the endorsed Operations Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

The permit holder must undertake a review of the Operations Management Plan at a minimum of every three years to the satisfaction of the Responsible Authority.

Bushfire Management Plan

- 10. The development and use must accord with the endorsed Bushfire Management Plan prepared in accordance with the requirements at condition 52, except with the prior written consent of the Responsible Authority.

Emergency Management Plan

- 11. Prior to the commencement of the use of the relevant stage, the permit holder must prepare to the satisfaction of the Responsible Authority an Emergency Management Plan that is consistent with the requirement of condition 42 and condition 58. Three (3) copies must be provided. The plan must be generally in accordance with the details in the application and address the following matters:
 - (a) Flood Response including triggers for the closure of the facility.
 - (b) The Fire Danger Rating including triggers for the closure of the facility.
 - (c) Monitoring and notifying staff and visitors of forecast Fire Danger Rating and flood warnings and any consequential actions.

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- (d) Details of the locations/s for emergency assembly, evacuation and shelter-in-place (in the event that evacuation from the site is not practical).
 - (e) Transport arrangements for staff and visitors.
 - (f) The need for any additional arrangements for persons with special needs.
 - (g) Training of staff, visitors and overnight guests on emergency procedures.
 - (h) The nature and frequency of emergency procedure exercises.
 - (i) Emergency procedures for the:
 - (i) Management and oversight of emergency procedures.
 - (ii) Training of employees in emergency procedures.
 - (iii) Reviewing the effectiveness of emergency procedure exercises and implementing procedure improvements.
 - (iv) Accounting for all persons during the emergency procedures.
 - (v) Monitoring and review of the BEP at least annually.

When approved, the plan must be endorsed and will then form part of the permit. The use must accord with the endorsed Emergency Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

Waste Management

12. Prior to the commencement of the use of any stage the permit holder must prepare to the satisfaction of the Responsible Authority a Waste Management Plan. Three (3) copies must be provided. The plan must be generally in accordance with the details in the application and show the following:
- (a) Access arrangements to the site for vehicles associated with waste management.
 - (b) Provision on the land for the storage and collection of garbage and other waste associated with the premises; and
 - (c) Resource recovery.

When approved, the plan must be endorsed and will then form part of the permit. The use must accord with the endorsed Waste Management Plan except with the prior written consent of the Responsible Authority and must be to the satisfaction of the Responsible Authority.

13. Storage bins must be screened from view and adequately covered to minimise dispersal of material by wind or water and vermin and pest/insect access. All storage areas must be surfaced and capable of being washed down with waste water being directed to a collection point via an appropriate litter trap. This area must be maintained so that it does not cause a nuisance or attract pests.

INFRASTRUCTURE

Old Coach Road and the Old Coach Road Bridge

14. Prior to the commencement of the use of any stage of the development, the Old Coach Road must be upgraded to provide for two way vehicular traffic with a minimum carriageway width of 8.2 meters and a separate pedestrian pathway between the Great Ocean Road and the site entry to the activity precinct to the satisfaction of the Responsible Authority. Construction plans are to be submitted for approval by the Responsible Authority prior to construction commencing and are to be implemented to the satisfaction of the Responsible Authority.
15. Prior to commencement of the use of any stage of the development, the Old Coach Road Bridge must be upgraded to a width of 10.9 metres (achieve a width of 2 x 3.1m traffic lanes + 2 x 0.6m shoulders + 2.5m wide shared path + 2 x 0.5m containment barriers) to the satisfaction of the Responsible Authority. Construction plans are to be submitted for approval by the Responsible Authority prior to construction commencing and are to be implemented to the satisfaction of the Responsible Authority.
16. Pre and post construction inspections of the existing bridge are to be undertaken by a qualified structural engineer at the cost of the developer. Written reports for each inspection detailing the condition and defects of the bridge are to be provided to Council for review. Any defects shown to be the result of the development works are to be rectified to Council's satisfaction and at the developer's expense.

Council Infrastructure

17. Prior to the commencement of the relevant stage of the development any alterations to Council infrastructure as a result of the construction of the facility (e.g. relocation of a drainage pit) will require prior approval from the Responsible Authority and will be to the full cost of the developer.

Stormwater Drainage

18. Prior to commencement of the relevant stage of the development a detailed stormwater design for the site must be submitted to the Responsible Authority for approval. Such a plan must be designed in accordance with relevant Council and Australian Standards and be to the satisfaction of the Responsible Authority. The plan must show:
- (a) Sizes of the proposed stormwater pipes and pits.
 - (b) Legal points of discharge.
 - (c) The calculations behind the stormwater design.
 - (d) Confirmation is to be provided that existing downstream drainage infrastructure is adequate to cater for the stormwater discharge from the complex.

Construction and maintenance of vehicle access ways, parking areas, vehicle crossovers and pedestrian pathways

19. Before the commencement of the use, the proposed road and bridge upgrades, vehicle crossovers, on site vehicular access ways, areas set aside for parked vehicles, loading areas, bicycle infrastructure, and pedestrian pathways shown on the endorsed plans and in the Parking and Traffic Management Plan must be:
- (a) Fully constructed and maintained in a continuously useable condition to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
 - (b) Surfaced with an all-weather surface to the satisfaction of the Responsible Authority.
 - (c) Drained and thereafter maintained to the satisfaction of the Responsible Authority.
 - (d) Line marked and/or delineated as appropriate to the satisfaction of the Responsible Authority.
 - (e) Access lanes, parking areas, loading zones, pedestrian and cycle paths must be kept available for these purposes at all times.

OTHER REQUIREMENTS

Potable Water Supply

20. Prior to commencement of the use all permission regarding the harvesting of ground water must be obtained from Southern Rural Water, and submitted to the satisfaction of the Responsible Authority.

Noise Levels

21. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy including:
- (a) State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1)
 - (b) Noise from industry in Regional Victoria: Recommended maximum noise levels from commerce, industry and trade premises in regional Victoria (NIRV; EPA publication 1411) to the satisfaction of the Responsible Authority.

Unless otherwise approved in writing by the Responsible Authority, this requirement must be consistent with the Operations Management Plan and must be implemented to the satisfaction of the Responsible Authority.

General Amenity

22. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
- (a) processes carried out.
 - (b) the transportation of materials, goods or commodities to or from the land.
 - (c) the appearance of any buildings, works or materials.
 - (d) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil.
 - (e) the presence of vermin.
 - (f) the generation of dust.

Materials, finishes and lighting

23. All external materials to be used on any built form must be of muted tones and be non-reflective and must not result in any adverse visual impact on the amenity of the surrounding area. The use of zincalume or similar reflective material is not permitted.
24. Highly reflective glass must not be permitted to be installed in any external windows to the satisfaction of the responsible authority.
25. External and internal lighting associated with the use of the land by this permit must be suitably designed and baffled to reduce the impact of lighting on nearby dwellings; prevent light spill beyond the curtilage of the site and prevent light spill in wetland areas to the satisfaction of the responsible authority.

Landscaping Works

26. Before commencement of the use or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed Landscape Management Plan must be carried out and completed to the satisfaction of the Responsible Authority.

27. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants be replaced and be kept generally in accordance with the Landscape Management Plan.

Swimming Pool Operations

28. Swimming pool cartridge filters should be used where possible, to minimise backwash water volumes. Backwash water from swimming pool must not be discharged directly to the wastewater or the stormwater system. Backwash water must be discharged to a separate open grassed, vegetated or garden area - well clear of the building, wastewater system and stormwater outfall. In the event of dispersal of the entire pool volume, dispersal to land is not permitted, and must be undertaken by a licensed waste contractor.

Mandatory Bushfire Condition

29. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

REFERRAL AUTHORITY CONDITIONS

Environment Protection Authority

30. The proponent must apply for and be issued with a works approval from the Environment Protection Authority with respect to A03 Sewerage Treatment prior to any works beginning.

31. Wastewater disposal must be in accordance with Guidelines for Environmental Management: Use of reclaimed water (EPA Publication 464.2) as amended from time to time.

32. Discharge of wastewater to land must not adversely affect the land.

33. Surface water contaminated with waste must not be discharged from the premises.

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34. **Offensive odours must not be discharged beyond the boundaries of the premises.**
 35. **Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.**

VicRoads

36. **Intersection treatments detailed in Item 6 of the Traffic Impact Assessment Report provided by GHD for the Great Ocean Road/Old Coach Road intersection be adopted via:**
 - (a) **A Short Channelised right (CHR(S)) Turn Treatment; and**
 - (b) **A lower order left turn treatment (being BAL – Basic Auxiliary Left Turn treatment).**
37. **Before any works within the Great Ocean Road road reserve commence, the developer must enter into an agreement with VicRoads confirming the following:**
 - (a) **Construction design plans approval processes**
 - (b) **Construction works specification and tender processes**
 - (c) **Fees and associated service obligations**
 - (d) **Field surveillance methods and cost recovery processes.**

Corangamite Catchment Management Authority

38. **Prior to the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and considered to form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
 - (a) **The finished floor level of the all proposed buildings (except the proposed Boat Shed) to be no lower than 3.5 metres to Australian Height Datum (AHD).**
 - (b) **Pedestrian access paths on site to habitable buildings to be no lower than 2.1 metres AHD.**
 - (c) **Vehicular access within the site to all proposed buildings (except the Boat Shed) to have a minimum height of 2.1 metres AHD.**
 - (d) **Detailed plans of the access to the property along Old Coach Road demonstrating a minimum finished road surface of 2.1 metres AHD, and demonstrate no off site hydraulic impacts.**

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- (e) No buildings to be constructed on land lower than the natural surface level of 1.9 metres AHD except for the proposed boat shed.
39. Prior to the commencement of the use, the construction of the access along the Old Coach Road shall be completed to ensure safe access under current flooding up to and including the 1% AEP flood event.
40. Prior to the commencement of construction of access along the Old Coach Road, detailed design plans must be provided to the satisfaction of Corangamite CMA that clearly demonstrate no adverse impacts on neighbouring properties, and show:
- (a) Alterations to Old Coach Road including the additional culverts as proposed in the GHD Flood Impact report submitted with the application.
- (b) The finished road surface of Old Coach Road to be a minimum height of 2.1 metres AHD for the entire access way to the property from the Great Ocean Road.
41. Any proposed pedestrian paths or vehicular access routes are to be designed and constructed to ensure the existing floodplain flow regime is maintained, and not compromised.
42. A Flood Response Plan is prepared and maintained outlining key contacts, key flood levels, and key triggers to control access to and from the development site when it is unsafe to do so along the Old Coach Road over the Gellibrand River.

Department of Environment, Land, Water & Planning

43. Before any permitted clearing of native vegetation starts, a plan to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority in consultation with the Department of Environment, Land, Water and Planning. When approved, the plan will be endorsed and will form part of this permit. The plan must be drawn to scale with dimensions and georeferences. The plan must be generally in accordance with the Biodiversity impact and offset requirements report (DELWP ref: GHD_0047) and must clearly show:
- (a) The location and identification of the land affected by this permit, including standard parcel identifiers for freehold land.
- (b) The location and area of all native vegetation present that is permitted to be removed under this permit.

Removal of native vegetation must accord with the endorsed plan.

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44. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
45. Before works start, a native vegetation protection fence must be erected around all remnant patches of native vegetation to be retained on the land affected by this permit, or at the boundary of the land affected by this permit, whichever is closer to the Proposed Development Area. The protection fence must be constructed of star pickets, chain mesh or similar to the satisfaction of the responsible authority in consultation with the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the responsible authority.
46. To offset the removal of 0.909 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines (DEPI 2013) and Native vegetation gain scoring manual (DEPI 2013) as specified below:
- (a) A general offset of 0.627 general biodiversity equivalence units with the following attributes:
 - (i) Be located within the Corangamite Catchment Management Authority boundary or Corangamite municipal district.
 - (ii) Have a strategic biodiversity score of at least 0.694.
47. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority in consultation with the Department of Environment, Land, Water and Planning. The offset evidence can be a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan; and/or an allocated credit extract from the Native Vegetation Credit Register.
- (a) A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
 - (b) In the event that a security agreement is entered into in accordance with this condition the applicant must provide the annual offset site condition report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of the Responsible Authority.

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48. **Wastewater from the development may not be discharged onto Crown land including the adjoining Princetown Recreation Reserve and the Great Otway National Park.**

 49. **No vehicle access, equipment or materials storage or construction activity is permitted on Crown land other than as expressly indicated in this permit and endorsed plans.**

Southern Rural Water

50. **The use of water from a waterway, catchment dam, groundwater, soak or spring for irrigation or commercial purposes must be licensed in accordance with Section 51 of the Water Act 1989.**

51. **The proposed development must not interfere with any nearby waterway being a watercourse, drainage line or a natural channel with a regular flow.**

Country Fire Authority (CFA)

Bushfire Management Plan

52. **Before the development starts, an amended Bushfire Management Plan (at Appendix G, dated 13/09/2016 Rev 2 prepared by GHD) must be submitted to and endorsed by the Responsible Authority. The plan must show the following inclusions/bushfire mitigation measures, unless otherwise agreed in writing by the CFA and the Responsible Authority:**

53. **A firefighting system for both structural and bushfire use (BMO) will be provided at the site and will include a water supply/supplies, fire pumps, hydrants, fire hose reels etc. All systems will be installed at the subject site "to the satisfaction of CFA". This also includes fire fighter vehicular and pedestrian access to the equipment including booster point, fire pumps, hydrants, fire hose reels etc.**

54. **The bridge on Old Coach Road shall provide complaint access for the full range of CFA appliances that would normally be expected to respond to a fire call at the facility from Slip on Units with a weight capacity of 3.9 Tonnes, Tanker at 15 Tonnes and Pumpers at 18 Tonnes+.**

55. **CFA shall be provided with a copy of the certification for the actual load limit of the bridge. The certification will demonstrate a capacity that would meet the weight requirements for the range of CFA appliances.**

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56. **A BUSHFIRE RISK ASSESSMENT** to the satisfaction of the Chief Officer shall be conducted for the operation of the proposal on the subject site. The risk assessment shall be prepared by a person/organisation trained and competent in the preparation of a risk assessment to ISO31000: Risk Management – Principles and Guidelines. The risk assessment process should include but not be limited to:
- (a) The effect of an external fire impacting on the site.
 - (b) The effect of a fire originating from the site and escaping into the surrounding area.
 - (c) Provision of suitable fire protection equipment.
 - (d) Provision of suitable equipment and processes for the prevention of fire.
 - (e) Process safety in relation to the application of these materials.
 - (f) Any controls in place to eliminate and/or reduce risks.
57. **CFA recommends that EMERGENCY MANAGEMENT PLANS** are developed in line with AS 3745: Planning for emergencies in facilities, in relation but not limited to emergency prevention, emergency preparedness, and emergency mitigation.
58. Before the approved development commences under this permit, a **BUSHFIRE EMERGENCY PLAN** to the satisfaction of the Responsible Authority and CFA must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of this permit. The plan must be generally in accordance with the submitted Bushfire Management Statement and satisfactorily address the following matters:
- (a) The Fire Danger Rating triggers for the closure of the facility.
 - (b) Monitoring and notifying staff and visitors of forecast Fire Danger Rating and any consequential actions.
 - (c) Details of the location/s for emergency assembly, evacuation and shelter-in-place (in the event that evacuation from the site is not practicable).
 - (d) Transport arrangements for staff and visitors.
 - (e) The need for any additional arrangements for persons with special needs.
 - (f) Training of staff, visitors and overnight guests on emergency procedures.
 - (g) The nature and frequency of emergency procedure exercises.
 - (h) Emergency procedures (bushfire action statements) including the assignment of roles and responsibilities to staff. This must include assigning responsibility for the:
 - (i) Management and oversight of emergency procedures.
 - (ii) Training of employees in emergency procedures.

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- (iii) Reviewing the effectiveness of emergency procedure exercises and implementing procedure improvements.
 - (iv) Accounting for all persons during the emergency procedures.
 - (v) Monitoring and review of the BEP at least annually.

EXPIRY OF PERMIT

59. This permit will expire if one of the following circumstances applies:

- (a) The use and development is not commenced within four (4) years of the date of this permit.
- (b) The development is not completed within six (6) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards.

NOTES

Note 1: Southern Rural Water

- *Given that groundwater is intended to be the primary supply of water for the development, SRW strongly recommends that the issue of water supply from the groundwater resource be resolved prior to the commencement of any works.*

Note 2: Registration of Food Premises

- An application must be made to the Corangamite Shire Council Environmental Health Unit for Registration of a Food Premises under the provisions of the Food Act 1984.
- The proposed restaurant must be designed to comply with the Australian Standard 4674-2004 – Design, construction and fit-out of food premises, and the Australian New Zealand Food Standards Code.
- The installation of mechanical ventilation unit(s) and the provision of toilet facilities for staff and patrons must be in accordance with the Building Code of Australia.

Note 3: Registration of Accommodation Premises

- Design and construction of the accommodation must be in accordance with the Public Health and Wellbeing Regulations 2009, Part 5 – Prescribed Accommodation and Registration Premises.

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- **Prior to commencing operation an application must be made to the Corangamite Shire Council Environmental Health Unit for Registration of prescribed accommodation under the provisions of the Public Health and Wellbeing Regulations 2009, Part 5 – Prescribed Accommodation and Registration Premises.**

Note 4: Commercial Drinking Water Supply Management

- **The provision of water for drinking (potable) water purposes must be treated and processed to comply with the Australian Drinking Water Guidelines 2004 in accordance with the Food Act 1984 and the Public Health & Wellbeing Regulations 2009.**

Note 5: Tobacco Act

- **Outdoor areas where smoking by patrons is intended must comply with the Tobacco Act 1987.**

Note 6: Aquatic Facilities

- **All proposed aquatic facility(s) must be managed in accordance with the Public Health and Wellbeing Regulations 2009, Part 6 – Aquatic Facilities.**

Attachments

1. Proposed Plans – Under Separate Cover
2. Referral Authority Responses - Under Separate Cove
3. Responses from Other Agencies - Under Separate Cover
4. Submissions Objecting to Proposal – Under Separate Cover
5. Submissions in Support of Proposal - Under Separate Cover
6. Summary of Submissions and Officer Response
7. Summary of Submissions in Support

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
PROPOSED USE		
Justification/Demand For Use	<ul style="list-style-type: none"> Overdevelopment; 300 person capacity of restaurant too large for sensitive location (4) (48) (72) Use should be located in existing commercial area of Princetown (25) (73) (74) Overstated benefit to community and profits won't stay in the area (25) (61) 	<ul style="list-style-type: none"> The planning permit application is not required to contain a business case for the development. The development footprint is 1% of the total site size and is therefore not considered to be an overdevelopment of the site. Accommodation and restaurant are allowable uses in the Rural Conservation Zone subject to a planning permit. The activity centre component of the proposal is appropriately located adjacent to the Princetown Recreation Reserve.
Eco Tourism	<ul style="list-style-type: none"> Proposal is contrary to eco-tourism concept as will damage sensitive environment (32) (39) (48) (49) (136) Impact on the environment outweighs any improvement to tourist amenity (31) 	<ul style="list-style-type: none"> Ecologically sensitive design principles have been used to inform the design response for the site. The design has aimed to work within the existing landforms, minimise the building footprint, break up building forms, incorporate visually recessive colours and materials and encourage the appreciation and engagement with the local environment through, lookouts, walking tracks, interpretive signage and recreational activities.
On Water Activities / Jetty / Boat Shed / Boardwalks	<ul style="list-style-type: none"> Building a private jetty on crown land shouldn't be allowed (14) (90) Access to the public boat ramp will be (87) Boat tours and jetty should be subject to a separate planning application (25) (87) Change rooms and showering facilities for water sports 	<ul style="list-style-type: none"> The water based activities will need to be managed to ensure that all users of the river can utilise it without causing conflicts and impacting on the river and wetland environs. On water activities are in a national park and licenced by Parks Victoria. This will be similar to the arrangements for other water users in the

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
	<p>not included in application (39) (87)</p> <ul style="list-style-type: none"> • Potential for boating and other water related accidents as users will be unfamiliar with river (20) (90) • Princetown Beach will no longer be secluded spot for surfers. (23) • Proposed boardwalks and boat shed will provide access for feral animals (95) • Impact on commercial eel fishing should be considered (57) 	<p>area.</p> <ul style="list-style-type: none"> • Change room facilities will be available within the day centre. • The beach is public land and is accessible for the public. • There is no proposal to inhibit eel fishing activity on the Gellibrand River subject to appropriate agreements between the landowner and fishermen if access to private land is requested. • Weed and pest management will be addressed within the CMP and OMP.
SITE LAYOUT AND DESIGN		
Visual Impact and Scale	<ul style="list-style-type: none"> • Lookout tower will dominate landscape and views from recreation reserve, Princetown and Great Ocean Walk (4) (5) (6) (7) (8) (9) (10) (11) (15) (19) (30) (40) (43) (48) (68) (87) (171) • Scale of visitor centre and lodge is out of place with landscape/existing buildings and at odds with concept of development to tread lightly (15) (18) (27) (36) (37) (45) (47) (48) (87) (125) (126) (139) • Already an existing viewing platform in the township (39) (68) (73) (74) • Significant reduction in the proposed scale of the development would limit the visual and environmental impact of the development (15) (39) (47) 	<ul style="list-style-type: none"> • The majority of the site will remain undeveloped as the building footprint will occupy approximately 1% of the total area of the site. • Views towards the coast will be largely uninterrupted by the proposed development as the Great Ocean Road, the Princetown Township and nearby residential properties are elevated and the development will sit below the view line to the coast from these locations. • The development is to be grouped into two zones of smaller buildings to reduce the visual dominance and building massing. • The west end of the accommodation precinct is approximately 1100m from the nearest dwelling in the township. The Activity Centre is approximately 350m from the nearest dwelling in the township.

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
		<ul style="list-style-type: none"> • The materials used in the development are primarily natural materials including timber and stone. The colour scheme is grey, dull green and bronze taking inspiration from the surrounding vegetation, rocks sand and river landscape. • Preservation of existing vegetation has occurred where possible and indigenous planting will be planted to frame, screen and guide views. • A reduction in the height of the viewing tower from 15 metres to 10 metres would minimise its visual impact and bring its height more into line with the other buildings. • The gravelled, unsealed surface of the carpark as well as the proposed landscaping to occur will ensure that the appearance of access ways and car parking areas are softened and will not visually dominate. • Visual amenity for users of the recreation reserve will be maintained, given permanent buildings will be setback from site boundaries and will be constructed using muted colours and materials that have been selected taking leads from local influences. Views from adjoining properties such as the recreation reserve would also be softened by landscaping treatments.
Infrastructure	<ul style="list-style-type: none"> • Potential impact of bore and stormwater on water quality and quantity (39) 	<ul style="list-style-type: none"> • In accordance with the <i>Water Act 1989</i>, the proponent will be required to obtain a licence for extraction of groundwater to service the

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
	<ul style="list-style-type: none"> • All new infrastructure should be at developers cost, not at ratepayers expense (35) (118) • Needs to be significant upgrade to public infrastructure to cope with increased traffic and people (33) (39) (119) • Object to the proposed upgrade to three phase power over property as will create visual pollution and development will create light pollution (73) (74) • Insufficient number of car parks available for number of patrons (18) 	<p>development. The licence process is a mechanism that allows groundwater yield to be managed.</p> <ul style="list-style-type: none"> • The application proposed 283 car parking spaces which meets the required number of car spaces for the uses under the Corangamite Planning Scheme. • The Great Ocean Road intersection, Old Ocean Road and bridge will be required to be upgraded to cater for increased traffic movements. • Upgrade to 3 phase power supply will be needed. It is proposed that the alignment for the upgrade will follow the current powerline route which terminates at the recreation reserve. This matter is outside the scope of the current permit application. • A stormwater design which complies with Council and Australian Standards will be a condition of the planning permit. • All upgrades to infrastructure will be at the developer's expense.
TRAFFIC AND ACCESS		
Great Ocean Road (GOR) and Old Coach Road	<ul style="list-style-type: none"> • Turnoff from GOR is dangerous (14) (20) (35) (40) (68) (83) (92) • The development will create traffic congestion on Old Coach Road and GOR (18) (20) (30) (44) (83) (92) (104) • GOR intersection upgrade will destroy revegetation works completed here (68) • Creation of second access off Old Coach Road will impact campers using recreation reserve (14) (42) (92) 	<ul style="list-style-type: none"> • The intersection of Old Coach Road and GOR will be upgraded with a short channelised right turn lane from the west and a left slip lane from the east which is a requirement of VicRoads. • The approaches to the bridge on Old Coach Road be raised in level to a minimum 2.1m AHD as required by CCMA. This will require raising the approaches between 100mm and

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
Bridge	<ul style="list-style-type: none"> • Bridge not suitable for heavy/large vehicles, high traffic movements and will affect public access to beach and recreation reserve (3) (4) (5) (6) (7) (8) (9) (10) (11) (14) (16) (17) (18) (19) (95) • Roads and bridges will need major upgrades to accommodate increase in traffic and visitors (28) (39) (119) • Upgrading bridge and Old Coach Road will have significant impacts on adjacent fauna, water drainage and waterways (3) (104) • Lack of detail on use of single lane bridge on existing users safety and during construction phase (77) • Strategies for dealing with heavy construction vehicles and buses is unclear (156) • Rivernook Bridge is not a feasible option for access to the site (40) (98) 	<p>500mm (average approx. 250mm)</p> <ul style="list-style-type: none"> • Widening of the bridge to accommodate two lanes of traffic and a separate pedestrian footpath will be required and will allow continued pedestrian access to the recreation reserve and beach. • A Construction Management Plan will be required to be prepared and will detail the arrangements for access of construction material and vehicle access during construction as well as ensuring impacts on the environment are minimised. • Rivernook Bridge has not been proposed for access to the site.
Traffic	<ul style="list-style-type: none"> • Increased road traffic will cause unacceptable risk to safety and restrict campers at recreation reserve who walk to beach or Princetown (4) (5) (6) (7) (8) (9) (10) (11) (14) (39) (63) (110) (118) • No impact statements provided on the potential impacts of increased traffic (35) • Increased traffic along GOR (48) (156) • Estimated traffic numbers per day will harm the environment (53) (156) (171) • Traffic assessment doesn't consider existing use of roads and data is out of date (3) (16) (17) (40) (103) 	<ul style="list-style-type: none"> • Widening of Old Coach Road, the bridge and the addition of a separate footbridge is required and will enable pedestrians to continue to access the campground and beach safely. • Upgrades to GOR intersection and Old Coach Road are required to allow for increased traffic movements. • The Traffic Impact Assessment considers existing traffic volumes for the GOR and Old Coach Road. Upgrades to the GOR intersection, Old Coach Road and bridge are a planning permit condition and will ensure the additional traffic movements will not have an adverse impact on the road network.

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Safety	<ul style="list-style-type: none"> • Single lane bridge with limited capacity, long access route and location of site is safety concern in emergency such as flood or bushfire (14) (20) (35) (40) (58) (60) (70) (86) (90) (92) (95) (99) (102) (111) • Increased traffic on one lane bridge creates safety issues for existing users and separate pedestrian crossing needs to be provided (28) (45) (47) (68) (78) (82) (83) (95) (96) (97) (102) (108) (139) (140) (141) (142) (143) (146) • No consideration of access to air ambulance at recreation reserve (39) • Increased numbers of people will place increase strain on local ambulance and medical facilities (20) (83) • Stress on the bridge and roadways due to excess traffic and more accidents (61) 	<ul style="list-style-type: none"> • Widening of Old Coach Road, the bridge and the addition of a separate footbridge is required and will enable pedestrians to continue to access the campground and beach safely.
ENVIRONMENT		
Princetown Spits	<ul style="list-style-type: none"> • Development will occur on Princetown Spits and destroy them (32) (39) (58) (75) • Princetown Spits should be protected by a planning overlay (104) (105) (106) • Princetown Spits are an important geological relic and development should avoid impacting them (1) (41) (76) (84) (89) (106) (118) 	<ul style="list-style-type: none"> • The geomorphological assessment notes that there has been significant existing disturbance from the Princetown Recreation Reserve and the proposed development will affect a relatively small area of the Princetown Spits. • The applicant has proposed measures within their application to reduce the impact of the development on the Spits where it is practical to do so.
Gellibrand River / Princetown Wetlands / Marine Park	<ul style="list-style-type: none"> • Princetown wetlands are classified as Wetlands of National Importance, fragile and are home to several rare and threatened species and therefore should not be developed (2) (3) (28) (36) (48) (50) (62) (64) (75) (76) (81) (90) (99) (102) (105) (107) (116) (118) (126) (127) (131) (133) (141) (144) (145) (146) (159) 	<ul style="list-style-type: none"> • All development will be located outside of the area designated as Wetlands of National Importance with the exception of a partial area of the access road, the boardwalks, boat shed and jetty.

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
	<ul style="list-style-type: none"> • Site contains wetland and is a natural waterway and floodplain with future water levels difficult to predict (81) (105) (106) • Conflicts with the “Gellibrand River Estuary and Wetland Management Plan and various environmental agreements (13) • Concern development will have a negative impact on the health of fish and other aquatic species due to increased runoff, seepage, chemicals and increased traffic and waste (51) (57) (118) • Construction of raised access roads will alter the natural flows and cycles of the water levels that are an essential part of the functioning of a healthy estuary (31) (32) (43) • Wetlands are already under severe pressure from low summer flows from increasing demand from urban population and agriculture (41) (65) • Implications of the development on wetland system should be considered as a whole (159) • Jeopardises the 12 Apostles marine park as Gellibrand River flows into this area (51) (65) • Impact of storm surge and flooding are lessened by the wetlands (95) (115) 	<ul style="list-style-type: none"> • All habitable buildings would be setback at least 100m from the Gellibrand River and Water Sensitive Urban Design measures would be incorporated throughout the site including bio retention swales. • A CMP would be prepared prior to any construction works and would include provisions relevant to protecting the quality of water within the watercourses and habitat. • The Hydrology Report assessed the effect of the development on floodplain drainage and flow characteristics. It was concluded that the proposal would maintain the existing integrity of natural drainage patterns of the site and surrounds including the Gellibrand River.
Coastal Acid Sulphate Soils	<ul style="list-style-type: none"> • Fails to address potential presence of acid sulphate soils (3) (58) (64) (77) • Disturbance of acid sulphate soils will cause irreversible problems resulting in release of sulphuric acid and heavy metals affecting fish breeding and vegetation (32) (36) (58) (75) 	<ul style="list-style-type: none"> • An Acid Sulphate Strategy has been developed and detailed soil sampling has been undertaken. The management of Coastal Acid Sulphate Soil if present on the site, will be as per best practice management guidelines including design measures to avoid disturbance. The submission of detailed soil sampling and assessment for Coastal Acid

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		Sulphate Soil will be a condition of the planning permit.
Biodiversity	<ul style="list-style-type: none"> • Unknown impact on flora and fauna, migration of birds spawning and rearing of fish (4) (3) (5) (6) (7) (8) (9) (10) (11) (12) (14) (18) (22) (23) (28) (29) (31) (32) (39) (47) (49) (54) (58) (64) (65) (71) (75) (77) (83) (90) (95) (100) (101) (105) (106) (108) (136) (139) • Disturbance to EPBC listed species and application should be referred to Commonwealth Environment Minister for assessment under the EPBC Act (58) (64) (65) (71) (95) (118) (103) • Potential impact on Australasian Bittern, Latham Snipe, Lewin's Rail (70) (71) (76) (95) • Wetlands are a refuge for inland birdlife during times of drought and home to many rare birds (89) • Flora and fauna will be lost as a result of the development (13) (45) • Wetlands are registered JAMBA and CAMBA sites and development could impact these migratory routes (19) (51) (71) (75) • Displacement of kangaroos (87) (90) (118) (120) 	<ul style="list-style-type: none"> • The Flora and Fauna Assessment has identified there are four EPBC listed threatened species that have been identified as possible to occur within the site. This was prepared based on desktop and physical site assessment and was reviewed by DELWP. • An assessment against the significant impact criteria has been completed by the applicant for these species that are considered likely to occur on the site. This assessment has concluded that a referral to the Commonwealth Environment Minister for a determination under the EPBC Act will not be required because potentially significant impacts on Matters of National Environmental Significance are considered unlikely. • Local governments are not responsible for making a referral to the environment minister on behalf of applicants, and the Council's own approval of a project does not need to be referred under the EPBC Act. • As the FFG Act only applies to public land in this instance, a permit will only be required under the Act to remove protected flora along Old Coach Road. This is applied through DELWP and is therefore outside the discretion of this planning application. • Mitigation measures will be implemented to control, reduce or eliminate the impacts of the development on flora and fauna and habitat.

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		<p>These include fencing and ‘no go zones’ around native vegetation to be retained, sediment control measures, weed, pest and disease control and measures to control light spill and noise. A detailed plan of the mitigation measures that will be implemented during construction and after development will be detailed within the CMP and OMP which will be required to be submitted and approved prior to any works commencing onsite.</p> <ul style="list-style-type: none"> • Kangaroos will likely continue to graze on the balance of the site and will be unrestricted. • The applicant’s proposal includes wildlife viewing.
Flooding	<ul style="list-style-type: none"> • Application requires a Coast Hazard Vulnerability Assessment and Environmental Effects Statement to assess flooding and storm surge risk (3) (75) • Flood levels are inaccurate and applicant lacks knowledge on river flooding heights and occurrence (3) (16) (17) (30) (36) (40) (90) (98) • Flood modelling only for recent floods and does not assess impacts further upstream outside of the site boundaries (17) (38) (39) (70) (90) (156) • Hydrology report fails to address long term risk of climate change (16) (17) (23) (27) (42) (77) (109) • Land is located on a flood plain and inappropriate for development (15) (41) (43) (46) (49) (70) (75) (83) (87) (95) (96) (97) (111) (115) (117) (119) (123) (129) • Increased artificial openings of the river mouth will occur as a result of development (38) (41) (43) (58) (68) (90) (156) 	<ul style="list-style-type: none"> • The Victorian Government has determined that the 1% AEP flood is the appropriate standard to regulate and protect new developments through the planning and building systems. The impacts of floods rarer than the 1% AEP flood (less than 1% AEP) are not regulated through the planning and building system. • The CCMA has defined the applicable 1% AEP flood level for the subject site as 2.3 metres AHD with an additional 100mm allowance given to incorporate 0.8m for sea level rise and 0.3 freeboard. The proposed buildings are located just outside or on the fringe of the 1% AEP floodplain. • The finished floor levels of all buildings will be required to be no lower than 3.5 metres AHD. Building floor levels well above the 1:100 year flood level for the site will provide a sufficient

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	<ul style="list-style-type: none"> Impact of raising Old Coach Road on flooding and access to recreation reserve (4) (5) (6) (7) (8) (9) (10) (11) (14) (40) (58) (60) (82) (91) (111) (118) Development will set precedent for development on flood prone land (98) 	<ul style="list-style-type: none"> buffer to protect buildings from flood entry. Site will be upgraded with a minimum level of 2.1 metre AHD for vehicular access and pedestrian footpaths. These works can occur without having any offsite hydraulic impacts. The Corangamite Catchment Management Authority (CCMA) are the Floodplain Management Authority for this area and provided conditional consent to the application.
Amenity	<ul style="list-style-type: none"> Noise and light pollution from restaurant and car park (4) (5) (6) (7) (8) (9) (10) (11) (116) (139) Princetown should be preserved as an empty, dramatic landscape, this is why people live and visit here (25) (31) (34) (39) (49) (51) (55) (61) (75) (76) (80) (86) (91) (93) (95) (96) (100) (101) (115) (129) (137) (142) (143) (144) (146) (153) (156) Development has a lack of respect for local users of the Princetown region (35) Area is an important destination for anglers and continues to attract a large number of people to the area (41) 	<ul style="list-style-type: none"> Any potential amenity impacts can be addressed via planning permit conditions which control noise levels, operating hours and baffling of lighting. Odour and noise considerations relating to the wastewater system will be considered by the EPA in the Works Approval application. The proposed development is considered to complement and enhance the character of Princetown as an area of natural beauty, that supports nature based tourism. The interface with the recreation reserve has been considered. The site layout of the proposal will facilitate the continued operation of the recreation reserve as a standalone entity under the existing Committee of Management, with access available as agreed between the recreation reserve and the landowner. Some revegetation areas are proposed at the site boundary adjacent to the recreation reserve. The treated water plant and storage is located at greater than the required setbacks

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		<p>from the eastern edge of the recreation reserve.</p> <ul style="list-style-type: none"> • Due to the upgrades to the road and bridge, noise, odour and air emissions arising from traffic congestion are considered unlikely. • There is no proposal to inhibit anglers using the Gellibrand River subject to appropriate agreements between the landowner and fishermen if access to private land is requested.
<p>• ECONOMIC CONSIDERATIONS</p>		
<p>Local Business</p>	<ul style="list-style-type: none"> • Development will impact on local businesses who will have reduced patronage (49) (78) (84) (119) (144) (147) • Potential for future development after this application (14) • Princetown is already an eco-village already and business owners/residents manage the tourists sustainably (44) (49) • Economic impact study should be completed to consider how this proposal will affect the Princetown community (89) (93) (147) • Camping area will be ruined by development as picturesque views and open space will be gone and habitat and flora and fauna will be disturbed or destroyed, having an impact on camping numbers. If camping numbers drop this will impact on viability of Recreation Reserve (14) (29) (55) (78) (80) (92) (95) (99) (140) • Restaurant, store and accommodation options already available nearby; affect existing business viability (34) (73) (74) 	<ul style="list-style-type: none"> • There is no evidence that the development will have a negative impact on local businesses. • Commercial competition is not a valid planning consideration however the proposal is expected to generate important benefits to the local and regional economy including job creation and increased expenditure from tourists. • Any future development would be subject to a separate planning permit application.

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Council and Authorities	<ul style="list-style-type: none"> Development will create financial shortfalls for Council, Parks Victoria, and VicRoads. (16) (17) Council and ratepayers will bear the costs of ongoing road and bridge maintenance/upgrades (68) (77) 	<ul style="list-style-type: none"> All works and development associated with the application are to be completed at the permit holder's expense.
<p>• STRATEGIC JUSTIFICATION</p>		
Policy Support	<ul style="list-style-type: none"> Use and development inconsistent with a number of state and local planning policies, MSS, GORRLAS, RCZ1, SLO4, ESO1, Princetown UDF, Western Regional Coastal Plan, Victorian Coastal Strategy, Shipwreck Coast Masterplan, Corangamite Shire Environment and Sustainability Strategy 2014-2019 , Impact of Fisheries Report, wetland survey and assessment report or the outcome of the Eastern Marr Aboriginal Corporation RAP application (15) (16) (17) (19) (25) (32) (39) (45) (65) (75) (76) (83) (90) (95) (103) (118) (156) Council and community decided on areas to be developed in the Princetown and the wetlands were to be avoided. (76) (134) The application appears to contain preliminary reports which lack adequate research (2) (16) (17) (19) (77) (85) (95) (118) Poor planning outcome (119) Were any feasibility studies done by government departments for this site? (86) (87) (89) Has this development been funded by the government? (87) Council may be liable for damages if site floods (25) (41) (98) (118) 	<ul style="list-style-type: none"> The proposed development directly supports the implementation of the Shipwreck Coast Masterplan which has identified this site for future private sector development. The development also supports local planning policy on tourism which aims to support tourism development that is of a high quality design, generates local employment opportunities and fulfils an identified tourism need for nature based tourism and high end accommodation. Whilst the site is constrained by a number of features including the wetland area, the development has been designed in manner so as to ensure that the risks associated with flooding, bushfire and impacts on flora and fauna can be mitigated or reduced to an acceptable level. The proposal has been designed to achieve State Planning Policy requirements relating to climate change /sea level rise by 2100, and all habitable buildings have floor levels higher than a 1% AEP event as determined by the CCMA.

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Site Suitability	<ul style="list-style-type: none"> • Site not identified as a tourism opportunities site in planning scheme (2) (16) (17) (59) (76) (94) (95) (108) (118) (156) • Site has previously been assessed as being inappropriate for development in the past (108) • Accommodation precinct was not identified under the Shipwreck Coast Masterplan for potential development and scale is larger than proposed intended under masterplan (63) (118) • Nearby site (Site 17 Princetown East) was rejected under C30 amendment due to similar issues around site access, flooding interface with National Park (35) (156) • Support tourism but site is inappropriate as environmentally constrained (15) (19) (21) (22) (24) (29) (39) (51) (56) (57) (58) (63) (67)(70) (76) (77) (84) (92) (97) (102) (106) (108) (109) (111) (112) (126) (132) (138) (156) (152) (153) • Area should remain un-commercialised, family friendly in rural coastal setting (4) (5) (6) (7) (8) (9) (10) (11) (13) (105) 	<ul style="list-style-type: none"> • The site is not a site identified under Amendment C30 however this does not preclude it from tourism development as tourism uses are allowable under the zone subject to planning approval. • Although the site location is not directly reference within the Amendment the proposal is considered to align with the overall objective to deliver on identified tourism accommodation and product opportunities. Being located in close proximity to the natural assets of the area such as the wetlands and coastline is a key objective of the nature-based tourism intent of the proposal. • The proposed development directly supports the implementation of the Shipwreck Coast Masterplan which has identified this site for future private sector development.
Aboriginal Cultural Heritage	<ul style="list-style-type: none"> • Aboriginal cultural heritage assessment needs to be undertaken (3) (15) (51) (58) (77) (119) 	<ul style="list-style-type: none"> • As a result of the cultural heritage assessment undertaken prior to preparation of the concept design a Cultural Heritage Management Plan (CHMP) is currently being prepared and Notice of Intent has been provided to Aboriginal Victoria. • The CHMP will also contain management measures and procedures to minimise potential impact to archaeological sites, should any be discovered during construction.

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PROCESS		
Consultation	<ul style="list-style-type: none"> Lack of consultation from the applicant and did not occur as stated in application (41) (77) (108) (118) (121) 	<ul style="list-style-type: none"> Prior to the making of a permit application there is no statutory requirement for any consultation. Joint notice of the planning application and the EPA Works Approval application was given. This included 84 landowner notices to properties within the vicinity of the development, a sign onsite placed west of the Recreation Reserve entry, notice in the Warrnambool Standard and in the Timboon Coastal Times and notice of the Works Approval in the Herald Sun. Two public 'drop in' information sessions were held at the Princetown Tavern between 11am and 3pm on Saturday 22 October and 5 November 2016. Council staff, EPA Victoria and the applicant were in attendance. Residents and interested persons were able to view the work authority application and planning application and were able to discuss the applications with the representatives and get information on how to get involved in the process. An onsite consultation meeting was held with the applicant, submitters, Councillors and planning officers on 6 December 2016. Both the planning permit and works approval applications are available to view online and hard copies of the full application material can be viewed at the Port Campbell Visitor Information Centre or the Council Office in

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
		Camperdown.
Application Detail	<ul style="list-style-type: none"> Application was difficult to access, misleading and several documents were missing (35) (39) (41) (51) (65) (77) (81) (83) 	<ul style="list-style-type: none"> The application had all the information that Council require in order to make an assessment on the application. As with most planning applications the requirement for the submission of further plans and documents to address certain aspects of the proposal are required as part of planning permit conditions.
Decision Making	<ul style="list-style-type: none"> Council should adhere to the Planning Scheme Strategies for Princetown as ratepayers have had to do (44) Total failure of past and present councils regarding past projects have all but destroyed townships and surrounding ambience and therefore have no faith in your planning decisions (56) The development should never have been able to progress to this stage and reflects poorly on the planning process (13) 	<ul style="list-style-type: none"> As the proposed use and development is an allowable use under the RCZ1 subject to a planning permit the applicant is entitled to apply and Council is required to assess the application. All planning applications are addressed on their individual merits and striking a balance between sometimes competing planning scheme strategies is required.
<ul style="list-style-type: none"> WASTEWATER TREATMENT 		
	<ul style="list-style-type: none"> Wastewater treatment in a sensitive wetland on sandy soils would need to be closely managed to avoid a spill or malfunction (2) (19) (47) (64) (65) (105) (109) (118) (122) (124) (130) (137) Flooding could have an impact on the functionality of the treatment plant (2) (92) Application fails to address issues of creating a sewage system offsite and an Environment Effect Statement is required (2) 	<ul style="list-style-type: none"> All matters relating to wastewater treatment are being assessed by the EPA through the Works Approval application.

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
	<ul style="list-style-type: none"> • Concerns with leeching of sewer system into groundwater and the river, particularly during floods (2) (3) (64) (85) (87) (89) (109) (124) (126) (130) (136) (140) • Developer had used many unproven, dateless assumptions on proposed wastewater disposal (4) (5) (6) (7) (8) (9) (10) (11) (39) • Location of proposed wastewater treatment will generate noise, odours and health risks affecting the recreation reserve and local residents (4) (5) (6) (7) (8) (9) (10) (11) (14) (46) (64) (88) (89) (92) (95) (139) (140) (141) (142) (143) (144) (145) (146) • Flooding of the wastewater facility could discharge effluent into the Gellibrand Estuary, the Princetown beach and the Twelve Apostles Marine Park polluting surroundings (23) (57) (58) (102) (134) (144) (156) • Concerned about using holding dams for wastewater as if they breakdown there is potential for the waste to run into the Gellibrand River (21) (29) • Not enough information and detail on the design and source of water for the wastewater system (21) (39) (86) (119) (129) • Size of wastewater system does not seem adequate for the number of visitors, particularly if the number is greater than projected (21) (30) (39) (46) (47) (65) (70) (129) (134) (140) • Any wastewater impacts on the wetlands could be detrimental to the flora and fauna and the entire ecosystem (2) (30) (39) (77) (85) (89) (104) (105) (109) (112) (117) (119) (124) (140) • The irrigation area seems to be small considering the volume of water to be treated on a daily basis (47) (76) 	

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)	OFFICER RESPONSE
	<ul style="list-style-type: none"> • Concerns about 90,000L per day of wastewater and the impacts on groundwater (47) • More rigorous treatment methods needed for stormwater generated from car parks to ensure pollutants don't carry into wetlands (47) • Potential for health hazards to the local community from pollution and during flooding events (50) (61) (70) (77) (80) (87) (102) (104) (106) (109) (139) (140) (141) • The wastewater system is too close to the Gellibrand River and Estuary and wetlands of national importance (58) (64) (85) (87) (95) (102) (107) (114) (118) (156) • It is not possible to truck out effluent – a full tanker will exceed the size limits on the bridge (64) • The filtration system for the treatment plant could have adverse impacts on fish species and may not filter chemicals (64) (65) • There is a potential for pollution, including algae blooms, from the wastewater impacting on the health of locals and river users (64) (106) (136) • Environmental risks from treating wastewater are too high (121) • It is unacceptable to discharge wastewater into the river untreated (135) • The risks of failure of the wastewater system are too high (156) 	

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)
SOCIAL, ECONOMIC AND ENVIRONMENTAL BENEFITS	
Environmental	<ul style="list-style-type: none"> • Will not impact on the environment (150) • Improve tourists understanding of environment and how to protect it through increased length of stay, staff messaging and implementation of operational environment plan (160) (161) • Environmental risks can be mitigated (170) • Example of best practice sustainable development, sustainable development and sensitive environments are not mutually exclusive (160) (169) • Alleviates pressure on 12 Apostles and GOR by reducing day trips and spreading out visitation at key sites as guests can avoid peak times (160)(169) (166) • Australia has many great sustainable tourism developments directly adjacent to key national park and World Heritage attractions e.g. -Ayers Rock Resort at Uluru; Kings Canyon Resort at Watarka National Park; accommodation providers along Cradle Valley leading into the World Heritage Cradle Mountain Lake Saint Clair National Park in Tasmania (160) • Proponent has a strong understanding of eco-tourism principles and operating quality product in sensitive locations (164) (168) (169)
Social and Economic	<ul style="list-style-type: none"> • Development is investment in the visitor economy (66) (151) (148) (152) • Fulfils demand for more overnight stay options and increases length of stay (69) (152) (154) (148) (149) (150) (151) (162) (164) (165) (169) (172) • Job creation (151) (66) (148) (149) (152) (157) (160) (172) • Enhance the visitor experience (150) (66) (149) (162) (160) (165) (172) • Essential private sector investment in 12 Apostles Region (152) (166) • Proponent has proven experience operating in region and within Tourism Industry (66) (162) (163) (164) (165) (167) (169) (172) • Fulfils demand for quality accommodation to service both the day trip and overnight market on Shipwreck Coast and GOR region (152) (157) (153) (154) (151) (163) (165) (166) (16) • Bring financial returns to local economy and businesses (157) (151) (160) (163) (170) • Celebrates Princetown and the surrounding Twelve Apostles area (157) • Promotes the region as a tourism destination (151) (148)

THEME	SUBMISSION SUMMARY (SUBMISSION NUMBER REFERENCE)
	<ul style="list-style-type: none"> Builds international competitiveness of region and meets needs of established and emerging international markets (154) (162) (164) (165)
SITE LAYOUT AND DESIGN	
	<ul style="list-style-type: none"> Development is a robust design, carefully sited and occupies approximately 1% of the 49 Ha property (151) Quality development that will respect the environment it is located within (152) Development will enhance the area (157)
STRATEGIC JUSTIFICATION	
	<ul style="list-style-type: none"> Supports the Strategic Masterplan for the Visitor Economy of the Great Ocean Road 2015-2025 and Shipwreck Coast Masterplan as develops a new product and experience in region, increases length of stay and provide private sector investment (152) (162) (164) (172) Supports Tourism 2020 Strategy adopted federally and by all State and Territory tourism bodies as provides higher yielding, increases length of stay with access to attractions (155) (162) (164)

9.2 PP2016/134 Planning Application Display of Internally Illuminated Sign 1 Barrett Street, Timboon

Author: Scott Matheson, Planning Officer

File No: D16/753

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Scott Matheson

In providing this advice to Council as the Planning Officer, I have no interests to disclose in this report.

Summary

A planning permit application has been received proposing to display an internally illuminated sign advertising the newly constructed Timboon Ice Creamery. The proposal is for a sign at the entrance to 1 Barrett Street with the dimensions 3.5 metres high, 1.5 metres wide and 30 centimetres deep. Two objections have been received to the application based primarily on the size and visual prominence of the sign. It is recommended to issue a Notice of Decision to Grant a Planning Permit subject to conditions set out in the recommendation.

Introduction

History

1 Barrett Street, Timboon, is an identified site in Amendment C30 as an outcome of Corangamite Shire's Tourism Opportunities Study. Planning Permit PP2015/150 has been issued for the use and development of land for rural industry, manufacturing sales and alteration to access to a Road Zone 1 and was heard at the February 2016 Ordinary Council Meeting. A notice of decision to grant a planning permit was issued after that meeting and that development is in nearing the end of its construction phase.

Subject Land

The subject site is 1.07 hectares, irregular in shape and is accessed from Barrett Street. The site rises sharply towards Barrett Street and falls to the south-west towards Powers Creek; the proposed site of the sign is close to Barrett Street on a high part of the land. The land is zoned Rural Activity Zone – Schedule 1 and was rezoned as a part of Amendment C30.

Surrounding Area

The site is bounded by Barrett Street to the north and east, Powers Creek to the south and private land to the west. The wider surrounds are a mix of uses with residential development located north of Barrett Street, commercial development located to the south and tourism and recreation uses, including the Timboon Rail Trail and Timboon Distillery, located to the south and along the Powers Creek corridor.



Figure 1. Subject site and surrounds

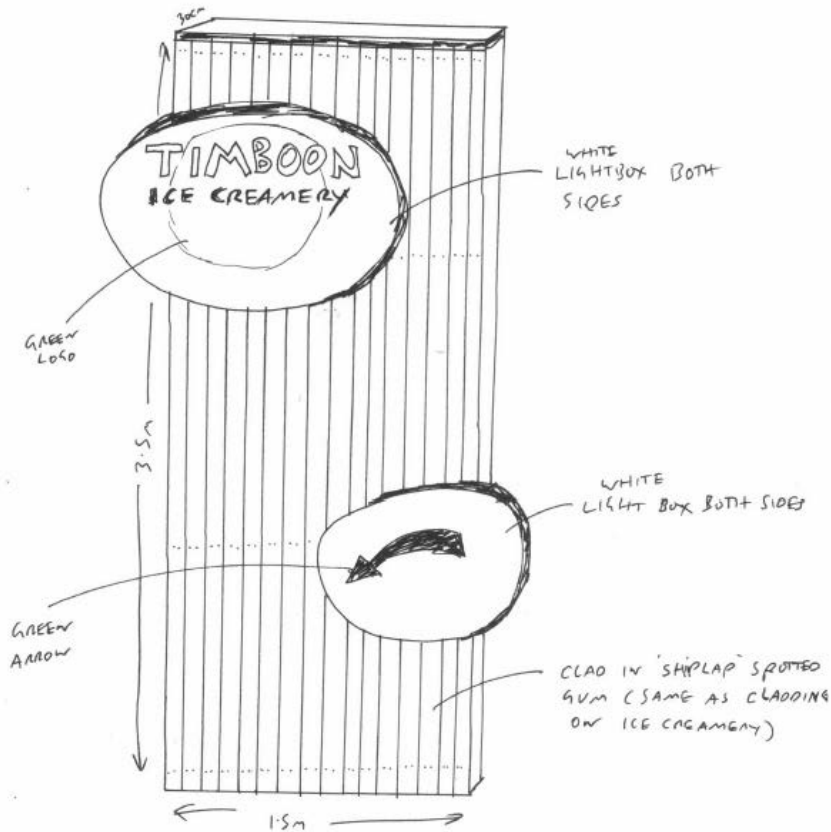


Figure 2. Proposed dimensions and design of internally illuminated sign

Proposal

The application proposes the installation and display of an internally illuminated sign to advertise the Timboon Ice Creamery development permitted under PP2015/150. The sign is sought to be rectangular in shape, 3.5 metres high, 1.5 metres wide and 30 centimetres deep. The sign is proposed to be clad in Shiplap Spotted Gum similar to the cladding on the Ice Creamery development. Two sections of the sign are sought to be internally illuminated with a white lightbox and green highlights; the higher illuminated section would include the branded logo and the lower one an arrow directing traffic to the Ice Creamery. The Ice Creamery building is difficult to see from Barrett Street, so the developer has indicated the sign is important to inform the public and potential tourists. An example of the sign is shown in Figure 2 above.

Policy and Legislative Context***Zoning***

The subject land is zoned Rural Activity Zone – Schedule 1 and is not covered by any overlays. Advertising signs in this zone are considered under the Category 3 – High Amenity guidelines for assessment. No planning permit is required under the zone.

State Planning Policy Framework

Clause 18.02-4 Management of the road system seeks to achieve integration, choice and balance by developing an efficient and safe road network including through the control of outdoor advertising signs.

Local Planning Policy Framework

Clause 22.04-3 Highway Development applies to the use and development of land with frontage onto a RDZ1. The policy provides controls on the scale, intensity, design, appearance and presentation of developments along highways, including advertising signs. The appearance, presentation and character of the area should be maintained and where possible improved.

Particular Provisions**Clause 52.05 Advertising Signs**

This particular provision regulates the display of signs while seeking designs compatible with the amenity and visual appearance of an area. Clause 52.05-9 sets out the guidelines for signs in Category 3 – High Amenity areas. An Internally illuminated sign is Section 2 – Permit required in this category.

The relevant decision guidelines of this particular provision are outlined and responded to in the Assessment below.

Internal / External Consultation***Referrals***

The application was referred to VicRoads and Council's Assets Department and Property Officer.

Advertising

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987* with all adjoining landowners and occupiers given notice and the application was placed on Council's website.

Objections

Two objections were received to the application. The issues raised in the objections and an officer response to each are provided below.

Objection	Officer Response
The sign is too big.	State and Local planning policies indicate that advertising signs should be respectful of local character. Officers agree the proposed area of this sign at 5.25m ² is excessive; a condition is recommended to lessen the area of the sign. This would mitigate visual impact concerns.
An illuminated sign is not in keeping with that part of Timboon.	While there are currently no illuminated signs in the vicinity, the strategic significance of the site highlights the considerations given to this tourism opportunity. As such, Officers consider that it is not unreasonable to have an illuminated sign with restrictions on the hours the sign can be lit.
The sign will be lit all night.	As mentioned above, a condition is recommended to be added to the planning permit to limit the hours that the sign may be illuminated.
The application is misleading.	The page in the application referred to by the objector is not drawn to scale and would not be endorsed as a part of any planning permit. Councillors and Officers have conducted site inspections and are aware of the size and scale of the sign proposed by the applicant and the recommendation given below.

Consultation

An onsite meeting was held with the permit applicant, Councillors and planning officers on 6 December 2016. Objectors were invited to this meeting but indicated they would not attend.

Assessment

Clause 52.05-3 on Advertising Signs sets out a number of decision guidelines the responsible authority must consider as appropriate. The relevant decision guidelines and an officer response are outlined below.

Decision Guideline	Officer Response
The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.	The sign is unlikely to have any significant detrimental impact on the amenity of surrounding properties and public spaces. The material proposed for the sign is respectful of the natural surroundings and rural nature of the area.

Decision Guideline	Officer Response
The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.	This sign is the only commercial sign in the immediate vicinity. Visual clutter is unlikely to occur in association with this application.
The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.	The size of the sign is considered excessive. Officers recommend a condition on a planning permit requiring the area of the sign to be reduced in order to preserve a scale respectful of surrounding character.
The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.	The illuminated sections of the sign compliment the design and add a distinctive and credible element to the advertising. It is considered unlikely that this would detrimentally impact surroundings and it is considered an integral part of the design of the sign.
Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.	It is considered the original proposal potentially may have obstructed a driver's line of sight onto Barrett Street. Through consultation with Council's Assets department and VicRoads and the proponent, a compromise with the siting of the sign was reached. A 2 metre setback from the Barrett Street carriageway was considered to be an outcome that preserved the safety of motorists entering and exiting the site.

Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Planning Permit, subject to conditions as set out in the Officer's recommendation. **This is the preferred option.**
2. Issue a Notice of Refusal to Grant a Planning Permit and offer grounds for refusal.

Conclusion

The proposed sign is consistent with the strategic direction for this site and supported by State and Local planning policies. Given the low scale and siting of the Ice Creamery, the sign is considered important in order to direct and attract tourists. The recommended reduction in the scale and prominence of the sign addresses any reasonable concern regarding the proposal. It is therefore considered that this proposal should be supported subject to conditions set out below.

RECOMMENDATION

That Council, pursuant to Section 64 of the *Planning and Environment Act 1987*, resolves to issue a Notice of Decision to Grant a Planning Permit PP2016/045 for the Display of Internally Illuminated Sign subject to the following conditions:

Endorsed Plans

1. The design and materials as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The size of the sign must not exceed that shown on the endorsed plans to the satisfaction of the Responsible Authority.

Location of Sign

3. The sign should be setback a minimum of 2 metres from the Barrett Street carriageway.

Hours of Illumination

4. The sign must only be illuminated during hours of business operation unless the further written consent of the Responsible Authority is obtained to a variation in the hours of illumination.

Expiry of Permit

5. This permit will expire if the sign hereby permitted is not displayed within two (2) years of the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards.

Attachments

1. Application Planning Permit Erection of Signage PP2016/134 10338P - Under Separate Cover
2. Submissions to Planning Permit Application PP2016/134 10338P - Under Separate Cover

10. OFFICERS' REPORTS

10.1 Councillor Expenses Policy Review

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D16/764

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

This report provides a review of the Councillor Expenses Policy which governs how and when Councillor expenses will be reimbursed.

Introduction

Council is required to adopt and maintain a Councillor Expenses Policy for the reimbursement of out-of-pocket expenses incurred by Councillors while performing their duties as a councillor. The policy outlines the criteria for payment of key expenses and is due for review.

Issues

The Councillor Expenses Policy is reviewed every four years following the Council election, or as required. As part of the current review, the policy (attached) has been updated to ensure consistency with the Council policy template. Benchmarking and consultation with Councillors and senior officers has also resulted in the inclusion of:

- the remote area travel allowance for Councillors
- independent Audit Committee members to the scope of the policy
- legal costs when related to a Councillor's role
- Councillors reimbursing Council for excessive use of electronic communications (to reflect current practice)
- quarterly reporting of expenses to Councillors.

The changes aim to improve consistency and certainty around eligible expenses. For example, the remote area travel allowance, which is set by the Victorian Government and available to eligible Councillors, has been included.

The reimbursement of expenses for independent members of the Audit Committee has been included to reflect current practice and ensure Council is compliant with the *Local Government Act* (the Act). The Act requires Council to adopt and maintain a policy in

relation to the reimbursement of expenses for Councillors and members of Council committees, so widening the scope to include independent members of the Audit Committee is appropriate. Reimbursement of expenses to Council committees is currently limited to the Audit Committee.

The payment of legal costs when related to a Councillor's role has also been included and reflects current practice. It is proposed that legal costs which meet the policy's criteria and quoted as less than \$5000 (excluding GST) per advice be approved by the Chief Executive Officer; a Council resolution will be required to approve eligible legal costs quoted as \$5000 (excluding GST) or more per advice.

Policy and Legislative Context

Section 75 of the *Local Government Act* (the Act) provides for the reimbursement of reasonable Councillor out-of-pocket expenses incurred while performing duties as a Councillor.

Section 75A of the Act specifies Council may reimburse expenses to members of Council committees for necessary out-of-pocket expenses. Currently this is limited to the Audit Committee.

Section 75B of the Act requires councils to adopt and maintain a policy in the relation to the reimbursement of expenses for Councillors and members of Council committees.

The review of the Councillor Expense Policy is in accordance with the *Local Government Act* and is consistent with the 2013-2017 Council Plan commitments that:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances.

Model contemporary standards of corporate governance and professional standards.

Council will recognise and make decisions that reflect our financial circumstances.

Internal / External Consultation

Councillors and the Senior Office Group have had the opportunity to provide input into the review of the Councillor Expense Policy.

Financial and Resource Implications

Council's budget allocation for the reimbursement of Councillors' expenses will meet the anticipated eligible claims from Councillors and independent Audit Committee members.

Options

Councillors may adopt the policy as presented or make further amendments.

Conclusion

The Councillor Expenses Policy is due for review. The policy has updated to ensure consistency with the current Council policy template, ensure Council is compliant with the *Local Government Act*, and provide greater clarity on the eligibility of expenses.

RECOMMENDATION

That Council:

- 1. Revokes the Councillor Expenses Policy 2014.**
- 2. Adopts the Councillor Expenses Policy 2016.**

Attachments

1. Policy Council Councillor Expenses December 2016
2. Policy Council Councillor Expenses December 2016 Tracked Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Councillor Expenses

Corangamite Shire
December 2016

Council Policy



CORANGAMITE
SHIRE

Councillor Expenses

Introduction

Councillors are entitled to the reimbursement of any necessary out-of-pocket expenses incurred while performing their duties as a councillor, in accordance with the Local Government Act 1989.

Purpose

The purpose of this policy is to provide guidelines for the reimbursement of Councillor expenses associated with the conduct of their role as Councillors, as well as reimbursement of expenses for independent Audit Committee members.

Scope

This policy applies to all Councillors representing Corangamite Shire Council and independent members of the Audit Committee appointed by Council. The policy applies from the date adopted.

Definitions

In this policy:

Councillor means a person elected to Corangamite Shire Council and capable of acting as a Councillor in accordance with the Local Government Act.

Audit Committee member means an independent member of the Audit Committee appointed by Council.

References

Local Government Act 1989

Income Tax Assessment Regulations 1997

Local Government (Planning and Reporting) Regulations 2014

Vehicle Light Fleet Policy and Procedures

Support for Councillor Professional Development Policy

Council's Organisational Electronic Communications Policy

Council's Organisational Council Owned Smartphone Tablet Usage Policy

Victorian Government Gazette G27, 5 July 2012, page 1491).

Policy Detail

Types of Expenses

Travel Expenses for Councillors

Travelling expenses will be paid to a Councillor for out-of-pocket expenses related to:

- Council meetings, special Council meetings, briefings, meetings of committees of Council and Council business related to Council meetings;
- Council functions;
- Inspections and meetings with planning applicants;
- Road inspections or other property inspections within Corangamite Shire relating to the role and responsibilities of a Councillor;

- Meetings as a result of a Councillor being appointed by the Council to an external body¹ or internal committee;
- Meetings or occasions in accordance with the Support for Councillor Professional Development Policy; or
- Any other meeting, event or function attended in the capacity as a Councillor.

Road Travel

The following parameters are to be applied to road travel:

- Council will provide the Mayor with a vehicle.
- Where possible, Councillors are to seek to use a Council pool car for travel involved in performing their duties.
- Rates for reimbursement of motor vehicle expenses shall be reimbursed on a per kilometre basis as prescribed in accordance with section 28-25(4) of the *Income Tax Assessment Act 1997*.

Remote Area Travel Allowance for Councillors

Councillors, including the Mayor, are entitled to receive a remote area travel allowance as prescribed by the relevant Order in Council published in the Victorian Government Gazette. The current remote area travel allowance for councillors travelling more than 50 km from home to attend official meetings or functions is \$40 for each day of travel to a maximum of \$5000 a year.

Other forms of travel

- When travelling interstate, the mode of transport is to be the most cost-effective mode of transport
- When travel is by air, the standard form of travel is to be economy class.

Travel Expenses for Audit Committee Members

Travelling expenses will be paid to an independent member of the Audit Committee for out-of-pocket expenses related to:

- Audit Committee meetings
- Meetings related to Audit Committee business; or
- Any other meeting, event or function attended in the capacity as an Audit Committee member.

Road Travel

The following parameters are to be applied to road travel:

- Rates for reimbursement of motor vehicle expenses shall be reimbursed on a per kilometre basis as prescribed in accordance with section 28-25(4) of the *Income Tax Assessment Act 1997*.

Accommodation and Professional Development

Councillors and Audit Committee members will be reimbursed for accommodation and other expenses (including meals, but not alcohol) associated with accessing training and development opportunities. Councillors and Audit Committee members should apply best value principles when accessing services including accommodation. Further direction for Councillors is outlined in Council's *Support for Councillor Professional Development Policy*. Please refer to this policy for more detail.

¹ Expenses will not be paid in the event that these expenses are reimbursed directly to the Councillor by the external body in question.

Stationery

The Council will, upon request, provide Councillors and Audit Committee members with standard stationery items, including paper, business cards, writing implements, diaries, writing pads/books and covers for smartphones and tablets.

Carer Expenses

Council acknowledges that Councillors and Audit Committee members balancing work and family responsibilities may at times require respite or care services to assist with a child or other dependent family member.

Reimbursements for care expenses will be made to:

- A recognised care provider
- A person who does not
 - Reside either permanently or temporarily with the Councillor or the relative for whom care is being provided
 - Have a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the care provider.

Reimbursements for care expenses will not be made where services which attract alternative reimbursement are being utilised.

Reimbursements for care expenses will be paid to a maximum of \$2500 (including GST) per year.

Communication Expenses for Councillors

All use of Council electronic equipment, including private use for which Councillors provide a reimbursement to Council, is governed by Councils' electronic communications policies.

"Reasonable personal use" for the use of Council electronic/communication equipment will apply. Excessive personal use of Council provided communication equipment is to be reimbursed to Council.

Mobile Phone

Council will provide Councillors with a smartphone for which Council will be billed. Reasonable personal use for use of the phone will apply.

Tablet

Council will provide all Councillors with the use of a tablet and Air Printer (on request). These are for use for Council business purposes and reasonable personal use.

Internet connection

Council will provide an internet connection for both tablets and smartphones. Reasonable personal use of data will apply.

Legal Costs for Councillors

Council will only meet legal expenses incurred as a result of a Councillor executing their official duties.

If a councillor requires legal advice in connection with his or her functions as a councillor:

1. The Chief Executive Officer may facilitate such legal advice and confirm that Council will meet the expenses if the cost of the legal advice will be less than \$5000 (excluding GST) per advice and meets the criteria below; or
2. Council may, by resolution, approve the expense if the cost of the legal advice will be \$5000 (excluding GST or more per advice and meets the criteria below
3. Any requirement by a Councillor for legal advice to be paid by Council must be assessed against the following criteria:
 - a. the extent to which the subject matter of the advice required relates to the councillor's functions as a councillor;
 - b. the extent to which the subject matter of the advice required relates to a matter before Council or the Councillor's representative role as a Councillor;
 - c. the extent to which the subject matter of the advice required will or is likely to be of interest to all Councillors;
 - d. the public interest; and
 - e. any other relevant considerations.
4. Unless VCAT orders otherwise a Council must pay the legal costs of individual Councillors in conduct hearings into alleged misconduct, but only where Council has made the application to VCAT or has requested to be a party to a matter in VCAT.

Payment of expenses

Councillors and Audit Committee members wishing to claim expenses related to their duties should complete the relevant Reimbursement Request Form and submit it to the CEO's office with receipts for any expenses incurred. The expenses will, unless authorised by the Chief Executive Officer, be paid in arrears.

Claims are to be made when convenient to a Councillor or Audit Committee member but not less than once per quarter.

Reporting to Councillors

Councillors will be provided with quarterly reports on expenses reimbursed to Councillors consistent with the itemised expenses in the *Local Government (Planning and Reporting) Regulations 2014*.

Review Date

This policy will be reviewed in 2020, or earlier as required by changed circumstances including changes to the legislation and policies of Corangamite Shire, the Victorian Government and its agencies, or Federal Government and its agencies.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights Act (2006)*.

10.2 Support for Councillor Professional Development Policy Review

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D16/774

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

This report provides a review of the Support for Councillor Professional Development Policy which governs the criteria for professional development undertaken by Councillors.

Introduction

Councillors are regularly requested or required to undertake professional development to provide them with the networks, skills and training necessary to carry out their role as Councillors. The Support for Councillor Professional Development Policy, which is due for review, promotes good governance and determines the criteria for how and when Councillors can access professional development.

Issues

The Support for Councillor Professional Development Policy (Professional Development Policy) is reviewed every four years following the Council election, or as required. The policy aims to provide guidance on the types of activities and training available to Councillors in addition to the associated costs involved when accessing professional development. The policy should be read in conjunction with the Councillor Expenses Policy.

As part of the current review, the policy (attached) has been updated to ensure consistency with the Council policy template. Consideration of current practice and consultation with Councillors and senior officers has also resulted in the inclusion of:

- a definition of professional development
- mention of the Councillor Induction Program (which is provided following general council elections)
- the responsibility for Councillors to meet the expenses of partners attending professional development events
- the reporting by Councillors of outcomes from attending professional development events.

It is current practice for Councillors to pay for any additional costs associated with their partner accompanying them to conferences or other professional development events. For this reason it is appropriate that this expense is included in the Professional Development Policy.

Councillors presently discuss any professional development activities they have undertaken on an informal basis. The inclusion in the policy of Councillors reporting back about their key learnings to Council at briefings, or via a report to Council meetings for significant events, enhances the benefits their professional development provides to the organisation.

Policy and Legislative Context

Review of the Support for Councillor Professional Development Policy is consistent with the 2013-2017 Council Plan commitments that:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances.

Model contemporary standards of corporate governance and professional standards.

Council will recognise and make decisions that reflect our financial circumstances.

Internal / External Consultation

Councillors and senior staff have been consulted during the review of this policy.

Financial and Resource Implications

Council's annual budget provides for Councillor professional development.

The current threshold at which Council approval must be sought for a single professional development opportunity remains unchanged at \$ 2,000 per Councillor.

Options

Council may choose to adopt the Councillor Support for Professional Development Policy as presented or determine to make further amendments.

Conclusion

Councillors are regularly requested or required to undertake professional development to provide them with the networks, skills and training necessary to carry out their role as Councillors. The Support for Councillor Professional Development Policy has been updated to reflect current practice and will continue to provide guidance on the types of activities and training available to Councillors. It is recommended that Council adopt the proposed policy as attached.

RECOMMENDATION

That Council:

- 1. Revokes the Support for Councillor Professional Development Policy 2012.**
- 2. Adopts the Support for Councillor Professional Development Policy 2016.**

Attachments

1. Council Policy Councillor Professional Development December 2016
2. Council Policy Councillor Professional Development December 2016 with Tracked Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Support for Councillor Professional Development

Corangamite Shire

December 2016

Council Policy



CORANGAMITE
SHIRE

Support for Councillor Professional Development

Introduction

Councillors are regularly requested or required to undertake professional development to provide them with the networks, skills and training to undertake their role as Councillors.

Corangamite Shire Council strives to seek a balance between the appropriate expenditure of public funds, while at the same time ensuring that the community is represented by well-informed, highly skilled Councillors².

Purpose

This policy provides guidelines for the payment of costs incurred by Councillors related to professional development in their official capacity.

Scope

This policy applies to all Councillors representing the Corangamite Shire Council and applies from the date adopted.

The policy should be used by:

- a) Individual Councillors when considering professional development opportunities.
- b) Council when considering requests to Council for the payment of costs associated with professional development.
- c) Finance and other related staff in implementing payments for professional development activities.

Definitions

In this policy:

Expenditure means funds paid in support of an activity

Professional Development includes short courses, conferences, seminars, forums, training, trade delegations and friendship visits that will assist a Councillor in their broad civic leadership role, in addition to undergraduate and post-graduate studies that is beneficial to both Council and a Councillor's performance of their role.

References

Local Government Act 1989
Corangamite Shire Councillor Code of Conduct
Councillor Expenses Policy

² *Local Government Act 1989*, s.3D

Policy Detail

Events, conferences and seminars

Events, conferences and seminars provide an opportunity for Councillors to receive information on topics related to local government. These may include both government and commercial activities. Some examples of these include the ALGA National General Assembly and National Roads Congress and the MAV State Conference

Professional development activities

Professional development activities undertaken by individual Councillors include formal accredited and non-accredited training related to Councillors' role. Requests for professional development support must have a direct relationship to the Councillors' role, and training provided with this focus will be prioritised.

The Local Government sector – through government, peak bodies and partnerships with the higher education and professional sectors – has taken a proactive role in providing significant opportunities for training to Councillors. An example of accredited training provided directly for the Local Government sector is the MAV/Swinburne Graduate Diploma in Management, which is tailored to the needs of the local government sector.

Other events

On some occasions, there may be opportunities presented for Councillors to attend trade delegations, industry investigations or other types of activities aimed at increasing the profile of Corangamite Shire³. These activities should be assessed in accordance with the assessment principles.

Internal training opportunities

Where Councillors believe that a significant training or professional development need is identified which is not addressed by publicly available training and development options, internal training and development may be sourced and provided. Examples of this type of training may include familiarisation with Council activities or procedures, or legislative amendments. In this instance, Councillors should contact the Chief Executive Officer to discuss the specific training need so that training can be sourced and delivered.

Councillor Induction Program

Separate to professional development opportunities for Councillors, the Chief Executive Officer will determine an induction program for all Councillors, conducted every four years after the election of a new Council.

What constitutes approved expenditure?

Approved expenditure under this policy includes:

- Conference or training registration fees,
- Travel costs, including road travel, flights, public transport or taxis, and car parking fees
- Accommodation and meals, but not alcohol, directly related to the event, including accommodation from the day prior to the event.

Other types of reimbursement (e.g. respite carer payments) may be made available under Councils' *Councillor Expenses Policy*).

Where a Councillor's partner accompanies a Councillor to a conference, the registration, accommodation and travel arrangements may be organised by Council, with the Councillor to pay the additional costs incurred by Council due to the partner's attendance, including registration fees, travel expenses, meals and accommodation.

³ It is important that any gifts – including travel and accommodation provided at lower or no cost– are appropriately recorded in the Councils' Gift Register.

Procedure for approval

The following process will be strictly observed when assessing requests for expenditure for Councillor professional development.

Approval by CEO

The Chief Executive Officer will approve Councillor professional development expenses where it is calculated that the total amount of expenditure on a single professional development opportunity will not exceed \$2000 per Councillor. This assessment will be undertaken using the assessment principles contained in this policy.

Approval by Council resolution

In the event that the proposed expenditure on a single professional development opportunity exceeds \$2000 per Councillor, the expenditure must be approved by a decision of Council. This approval must be subject to the assessment principles contained within this policy.

Assessment principles

All expenditure by Council on Councillor attendance at any type of professional development activity should be assessed against the following criteria:

Applicability of content to current or future likely future Council issues

1. Does the event provide an opportunity to receive or upgrade relevant and necessary training, directly related to the Councillors' role?
2. Does the event provide an opportunity to learn key information about an issue of public policy related to the Corangamite community?
3. Does the event have the potential to foster broad economic development opportunities within Corangamite Shire?
4. Does the event provide an opportunity for councillor(s) to build their networks both within and across sectors, in a way which will be of benefit to the Corangamite community?

Available funds

The annual budget for Councillors' training will be adequate for Councillors to attend annual conferences plus provision for an annual Councillor Workshop and a sum for other Councillor training needs. This budget item is developed in consultation with Councillors and reflects the need to ensure ongoing professional development, while also ensuring that public funds are expended in a responsible manner.

Reporting

Following participation in an event the Councillor is expected to submit a verbal report at the next available Council Briefing detailing:

- Whether the objectives of the participation were met.
- The benefits to the Councillor, Council and the community.
- The value of future attendance by Council at similar events.

A written report to Council by a Councillor may be required following attendance at national events.

Review Date

This policy will be reviewed by Council in 2020, or earlier as required by changed circumstances including changes to the legislation and policies of Corangamite Shire, the Victorian Government and its agencies, or Federal Government and its agencies.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights Act (2006)*.

10.3 Review of Mayoral and Councillor Allowances

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D16/775

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to review of Mayoral and Councillor allowances and approve advertising of the proposed allowances for public submissions before formal adoption.

Introduction

Council is required to review and determine the level of the Mayoral and Councillor allowances within six months after a general election or by 30 June, whichever is later. Council is also required to publish a public notice advertising the proposed allowances to allow for public submissions before formally adopting the allowances.

Issues

Councillors are entitled to receive an allowance while performing their duty as an elected official. Allowances are provided in recognition of the time and commitment required of councillors, often resulting in a loss of earnings and superannuation. Payment of councillor allowances also encourages diversity amongst people nominating for election to councils. Although councillors are not considered to be employees of a council and do not receive employment benefits, they are entitled to an allowance that needs to be included in tax returns and will also receive the equivalent of the superannuation guarantee contribution.

The Victorian Government sets the limits and ranges for councillor and mayoral allowances. The limits and ranges are based on a council's category and are reviewed each year by the Minister for Local Government. The category status is based on a council's population and income/revenue figures. The current ranges are outlined in Table 1 below.

	Councillors	Mayors
Category 1	\$8,234-\$19,834 per annum	Up to \$59,257 per annum
Category 2	\$10,284-\$24,730 per annum	Up to \$76,521 per annum
Category 3	\$12,367-29,630 per annum	Up to \$94,641 per annum

Table 1: Mayoral and Councillor Allowances Limits and Ranges

Corangamite is classed as a Category 2 council with a current permitted range of \$10,284-\$24,730 per annum for Councillors and up to \$76,521 per annum for Mayors (as from 1 December 2016). These amounts exclude the 9.5% equivalent superannuation contribution which is payable in addition to these amounts.

The current allowance for Corangamite Shire Councillors is \$24,128.24 per annum, and the Mayoral allowance is \$68,870.20, excluding equivalent 9.5% superannuation. The total cost to Council for councillor allowances is outlined in Table 2 below.

	Allowance including equivalent superannuation	Total
Councillor	\$26,420.42	\$158,522.52
Mayor	\$75,412.87	\$75,412.87
Total		\$233,935.39

Table 2: Total Cost to Council for Mayoral and Councillor Allowances (including equivalent superannuation contribution)

The allowances determined by Council will remain for the duration of the Council term. However, automatic adjustments (historically a 2.5% increase) will apply each year following the Minister's annual review of the limits and ranges for allowances. Council may only vary the allowances if the limits or ranges for its category has been varied (this is separate to the annual automatic adjustment), or the category for Corangamite Shire has been changed.

The new allowances will be payable from the date of Council's resolution adopting the allowances following the period for public submissions. The Mayoral allowance will apply until the end of the Mayoral term.

An individual Councillor can choose not to receive an allowance, but cannot receive an amount different to that adopted by Council.

Policy and Legislative Context

Council's review of Mayoral and Councillor allowances is in accordance with sections 74, 74A and 223 of the Local Government Act (the Act).

Under section 79C(1)(c) of the Act, a Councillor is taken to not have a conflict of interest if the matter pertains to a decision relating to the payment of allowances to the Mayor or Councillors.

Review of the allowances is also consistent with the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances.

Model contemporary standards of corporate governance and professional standards.

Council will recognise and make decisions that reflect our financial circumstances.

Internal / External Consultation

Council is required by the Act to invite submissions regarding the review of allowances. In accordance with section 223 of the Act, public notice will be provided of the proposed

allowances. A minimum of 28 days will be provided for submissions prior to Council adopting the new allowances.

Financial and Resource Implications

Council's 2016-2017 Budget provides for the current allowances. Future budgets will be revised accordingly dependant on Council's final decision.

Options

Council is required to review and determine the level of the Mayoral and Councillor allowances following the general election.

Council may propose payment of an amount for Councillors and the Mayor within the range specified for category 2 councils. An individual Councillor cannot request an allowance less than the amount set by Council, but may decline to receive an allowance.

Conclusion

Council is required to review and determine the Mayoral and Councillor allowances within six months of the general election or 30 June, whichever is later. As a category 2 council, Council may set the allowances within the permitted range of \$10,284-\$24,730 per annum for Councillors and up to \$76,521 per annum for Mayors (excluding equivalent 9.5% superannuation).

Council must determine a proposed allowance to be paid to Councillors and the Mayor from the Category 2 range and provide public notice advertising the proposed allowances and inviting public submissions. Following the necessary 28 days' notice, Council will then proceed to make a final decision.

RECOMMENDATION

That Council advertises for public submissions its intention to adopt the following annual Councillor and Mayoral allowances:

- 1. \$..... Councillor allowance, plus the superannuation equivalent.**
- 2. \$..... Mayoral allowance, plus the superannuation equivalent.**

10.4 Quick Response Grants - December 2016 Allocation

Author: David Rae, Director Corporate and Community Services

File No: D16/765

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - David Rae

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the December 2016 allocation of funds under the Quick Response Grants Program.

Introduction

The Quick Response Grants Program is beneficial in supporting instances of community needs that are not readily able to be considered under the Community and Facilities Grants Program or Environmental Grants Program. Applications for Quick Response Grants are considered by Council as received.

Issues

The Quick Response Grants Program is a fixed budget that Council provides annually for the distribution of funds to Shire community groups. The Quick Response Grants Program has a rolling intake and this flexible approach allows Council to allocate small amounts to various community groups which results in positive outcomes.

Applications received for this allocation are attached under separate cover. Each application has been assessed against the following criteria as detailed in the Quick Response Grants Policy (refer separate cover):

- a. Eligible recipient
- b. Council Plan alignment
- c. Community benefit
- d. Eligible expenditure.

The assessment has also been provided as a separate attachment to this report.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the following 2013-2017 Council Plan Commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and

connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Improve the educational outcomes of our community.

Recognise the importance of Art and Culture to the community.

Internal / External Consultation

Applications for the Quick Response Grants Program are available from Council's website or by contacting Council's Community Relations team. Applicants are encouraged to discuss their application with the respective Ward Councillor prior to submission. Applicants may also contact Council's Director Corporate and Community Services for further information. Applicants will be advised of the outcome of their application following the Council meeting. Successful applicants will also be requested to provide a grant acquittal following completion of the event or project, including return on unexpended amounts.

Financial and Resource Implications

The 2016-2017 Quick Response Grants Program budget allocation is \$14,000. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward. Should the allocations be approved as recommended in this report, the remaining allocation is as follows:

Ward	Annual Allocation	Previous Allocations	This Allocation	Remaining Allocation
Coastal	\$2,000.00	\$0.00	\$0.00	\$2,000.00
North	\$2,000.00	\$150.00	\$300.00	\$1,550.00
South Central	\$2,000.00	\$0.00	\$370.00	\$1,630.00
South West	\$2,000.00	\$500.00	\$0.00	\$1,500.00
Central	\$6,000.00	\$280.00	\$1,400.00	\$4,320.00
	\$14,000.00	\$930.00	\$2,070.00	\$11,000.00

Options

Council can consider:

1. Allocating the funds as requested by the applicants.
2. Allocating the funds for a reduced amount.
3. Not allocating funds as requested by the applicants.

Conclusion

The Quick Response Grants Program provides financial assistance to community groups to undertake beneficial projects and activities. The applications recommended for funding in this allocation are in accordance with Quick Response Grants Policy and will result in positive outcomes for the community.

RECOMMENDATION

That Council approves the following applications for funding from the Quick Response Grants Program for December 2016:

Applicant	Purpose	Ward	Amount
Camperdown Men's Shed (Auspice: Camperdown and District Community House)	Purchase of thickness planer and ancillary items to produce finished goods to a higher standard.	Central	\$500.00
Camperdown and District Historical Society	Assist with cost of framing the 1842 Needlework Sampler by Mrs Frances Curdie for preservation and public display.	Central	\$400.00
Camperdown Grandstand Restoration Committee	Assist with cost of public liability insurance associated with restoration of the historic grandstand at the Camperdown racecourse.	Central	\$500.00
Lismore and District Lions Club	Clean, repair and repaint shelter structure over the tractors located at Grimwade Park (Brown's Waterholes), Lismore.	North	\$300.00
Cobden District Health Services Inc	Assist with costs of "Healthy Christmas Breakfast" for "Spring Into Summer" participants.	South Central	\$370.00

Attachments

1. Quick Response Grants Assessment - December 2016 Allocation - Under Separate Cover
2. Application - Lismore Lions Club - Under Separate Cover
3. Application - Camperdown Men's Shed (Part A) - Under Separate Cover
4. Application - Camperdown Men's Shed (Part B) - Under Separate Cover
5. Application - Camperdown and District Historical Society - Under Separate Cover
6. Policy Council Quick Response Grants Adopted 23 February 2016 - Under Separate Cover

10.5 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D16/773

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Summary

This report documents the Assembly of Councillors to be reported since the last Ordinary Meeting of Council on 22 November 2016.

Introduction

The *Local Government Act 1989* (the Act) requires that records of meetings which constitute an Assembly of Councillors be tabled at the next practicable meeting of Council and is incorporated in the minutes of the Council meeting.

Issues

An 'Assembly of Councillors' is defined in the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or subject to the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

Typical meetings giving rise to an Assembly of Councillors at Corangamite Shire include Councillor briefings, advisory committees and planning site inspections. However, from time to time additional records may be reported in accordance with the Act.

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- The Councillors and members of Council staff attending.
- The matters discussed.
- Disclosures of conflict of interest (if any are made).
- Whether a Councillor left the meeting after making a disclosure.

Records of an Assembly of Councillors are documented by a Council officer present at a meeting designated as an Assembly of Councillors. Responsibility for the maintenance of records associated with Assembly of Councillors rests with the Chief Executive Officer.

Policy and Legislative Context

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2013-2017 strategy, "Council will demonstrate high levels of ethical behaviour and corporate governance standards".

Conclusion

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 22 November 2016
- Lake Bullen Merri Draft Management Plan Community Meeting 29 November 2016
- Planning Inspection (Timboon) 6 December 2016
- Planning Inspection (Princetown) 6 December 2016
- Councillor Briefing 13 December 2016.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

Attachments

1. Record of an Assembly of Councillors 22 November 2016
2. Record Assembly of Councillors Lake Bullen Merri DELWP Meeting 29 November 2016
3. Record Assembly of Councillors Planning Site Inspection (Princetown) 6-12-2016
4. Record of Assembly of Councillors Planning Site Inspection (Timboon) 6-12-2016
5. Record of an Assembly of Councillors 13 December 2016

Council

Record of an Assembly of Councillors



Councillor Briefing

Date: 22 November 2016

Time: 2.00 pm

Place: Killara Centre, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae

Rory Neeson (Item 3)

Lyall Bond and Belinda Bennett (Item 4)

Guests:

Issues Discussed:

Item	Discussion Topic
1	Hot Topics: <i>Meeting Procedures, Agenda Items, Vagg Park Cobden, Beyond the Bell AGM, SurfEx, Lake Bullen Merri Plan, Planning Inspections, Regional Councillor Meeting, Great South Coast Group</i>
2	Councillor Items: <i>VicRoads issues in Timboon, Timboon Dump Point, Timboon School, Timboon Streetscape, L2P, Mt Porndon Fire Tower, Speed Restrictions, Overhanging Vegetation, Baptist Church Access to Footpath, Parking in Camperdown, Princetown Issues, Terang Gas, Terang Local Laws Issues, Indicators of Health, Obesity Study, Pine Trees, Grass Cutting in Skipton, Derrinallum Toilets, Weerite Hall</i>
3	Australia Day Awards- Confidential Item
4	Corangamite Regional Landfill Operations
5	Special Charge Scheme and Special Rates and Charges Policy
6	Update on Castle Carey Road Bridge Upgrade Project

Conflicts of Interest declared: Nil.

Councillor left the meeting at: NA

Councillor returned to the meeting at: NA

Councillor Conflict of Interest Form Completed: NA

Meeting close: 6.00 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors



Date: 29 November 2016

Time: 6.00pm

Location: Killara Centre, 212 Manifold Street Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Ian Gibb

Apologies Cr Illingworth, Cr Beard

Guests: Jason Borg (DELWP), Angeline Charles (DELWP), Gary Cronin, David Ritchie, Bob Liddle, Roger Tolland, John Hotchin, Glenn Rippon, Gary Alexander, Pat Robertson, Stephen Menzel, Chris Blake, John Chapman, Helen Gaut, Greg Farmer, Sr. Raphael Stone OSB, Dom. Placid Lawson OSB, Philip Robinson, Willy Hawker, Peter Place, Bob Browne

Issues Discussed:

Item Discussion Topic

1. Welcome and Introductions by DELWP
2. Lake Bullen Merri Draft Management Plan presented by DELWP
3. Consultation Paper Presented to Group
4. Discussion and Input from Group
5. Next Steps

Conflicts of Interest declared: Nil

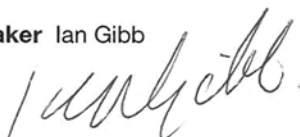
Councillor Left the meeting at: NA

Councillor returned to the Meeting at: NA

Councillor Conflict of Interest Form Completed: NA

Meeting close: 8.00pm

Note taker Ian Gibb



Planning Inspection

Record of an Assembly of Councillors



Date: 6 December 2016

Time: 10.30 am

Location: 79 Old Coach Road Princetown

Application No: PP2016/126

Present:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Cr Beard | <input checked="" type="checkbox"/> Cr Brown | <input checked="" type="checkbox"/> Cr Durant | <input checked="" type="checkbox"/> Cr Gstrein |
| <input checked="" type="checkbox"/> Cr Illingworth | <input checked="" type="checkbox"/> Cr McArthur | <input checked="" type="checkbox"/> Cr Trotter | |

Officers:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Greg Hayes | <input checked="" type="checkbox"/> Scott Matheson | <input checked="" type="checkbox"/> Ian Gibb |
|--|--|--|

Applicant:

- Gavin & Dana Ronan for Montarosa Pty Ltd
- Paul Thatcher from GHD Pty Ltd

Submitters:

- | | | |
|--|--|--|
| <ul style="list-style-type: none">• Kim Morton• Russell Deppeler• Sue & Neil Gamble• David Pope• Tony Grant• Ron Milne• Ian McDougal, VTIC• Craig Kennedy | <ul style="list-style-type: none">• Neil Boxshall & Kylie Treble, FOGREW• Ryan Jones• Howard & Pamela Gibson• Pamela Kaye• Lloyd & Christine Honeycombe• Liz Price, GORRT | <ul style="list-style-type: none">• Zac Taylor• Julie Brazier• Judy Spafford• Anthony Ferrari• Mick Johnson• Yvonne Lawson• Anne Tribe |
|--|--|--|

Observers:

- | | |
|---|--|
| <ul style="list-style-type: none">• Susan Byrne• Darin Blain | <ul style="list-style-type: none">• Glen Gracie• Peter Hunt |
|---|--|

Issues Discussed:

- | | |
|--|--|
| <ul style="list-style-type: none">• Flooding and accepting liability• Flora and fauna assessments• Environmental impact assessments• Visualisation through building• Size of building footprint• Endangered animals and birds | <ul style="list-style-type: none">• Traffic management• Plans to stop people from coming• Pedestrian access• Climate change and sea level rise• Road upgrades and impact on water flow |
|--|--|

Conflicts of Interest declared: NIL

Meeting close: 12.15 pm

Note taker

Scott Matheson



Planning Inspection

Record of an Assembly of Councillors



Date: 6 December 2016

Time: 9.30am

Location: 1 Barrett Street Timboon

Application No: PP2016/134

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Greg Hayes Ian Gibb Scott Matheson

Applicant:

- Tim Marwood for Timboon Fine Ice Cream Pty Ltd

Submitters:

Nil

Observers:

Nil

Issues Discussed:

- Size of the sign
- Illumination of the sign and hours permitted
- Planning process with objections

Conflicts of Interest declared: Nil

Meeting close: 9:45am

Note taker:

Scott Matheson



Council

Record of an Assembly of Councillors



Councillor Briefing

Date: 13 December 2016

Time: 10.00 am

Place: Killara Centre, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae

Ian Gibb left the meeting for Items 5 and 6)

Jarrold Woff Lucy (Item 3)

Leah Teal (Item 4)

Penny MacDonald (Items 5 and 6)

John Kelly (Item 7)

Guests:

Marita Dunbar, FOI Assist (Item 4)

Lachlan Bruce and Ian Munroe, DEDJTR (Item 8)

Issues Discussed:

Item	Discussion Topic
1	Hot Topics: <i>Office Closure Dates and Christmas Function, Timboon Streetscape, Tourism Awards, DemoDairy, RDV Priorities, IBAC Reporting, School Citizenship Awards, GSC Group, Extra Briefing Days, Camperdown Cruise, Castle Carey Bridge Contract, Tourist Traffic Accidents, Great Victoria Bike Ride, Rural Councils Victoria Update</i>
2	Councillor Items: <i>L2P, Wannon Water Ground Water Study, VicRoads Drainage in Timboon, Childers Cove, Simpson – Kennedy Creek Road, Timboon Ice Cream, MAV Registration, Youth Development Day, Glenormiston, Progress Association Meetings, CFA Fire Breaks, Dairy Meeting in Camperdown</i>
3	Recreation Facility Management
4	Freedom of Information Update
5	Mayoral and Councillor Allowances and Review of Councillor Policies
6	Councillor Code of Conduct Review
7	Terang Streetscape Contract
8	Shipwreck Coast Master Plan Update
9	Planning Permit Application for Princetown Tourism Development (PP2016/126)

Conflicts of Interest declared: Cr Gstrein declared an indirect interest by indirect financial interest for item 3.

Councillor left the meeting at: 11.30am

Councillor returned to the meeting at: 12.00pm

Councillor Conflict of Interest Form Completed: Yes

Meeting close: 5.20 pm

Note taker: Andrew Mason

11. OTHER BUSINESS

12. OPEN FORUM

Members of the public are very welcome to make statements or ask questions relevant to Corangamite Shire at the Open Forum section of Council meetings.

To assist with the smooth running of the meeting, we ask that you raise a maximum of two items at a meeting and please follow this procedure:

1. Wait until the Mayor asks if there are any items in Open Forum and invites you to speak.
2. Stand if you are able and introduce yourself.
3. Speak for a maximum of five minutes.

We will undertake to answer as many questions as possible at a meeting and if we cannot answer a question at the meeting we will provide a written response no later than five working days after the Council meeting.

13. CONFIDENTIAL ITEMS

RECOMMENDATION

That pursuant to the provisions of Section 89(2) of the *Local Government Act* the meeting be closed to the public to enable consideration of the following reports as they relate to contractual matters and a matter which the Council considers would prejudice the Council or any person.

13.1 Terang Streetscape Stage 3 Contract

13.2 2017 Australia Day Awards