

Great Ocean Road Adventure Park

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SURF COAST SHIRE
- 4 SEP 2014
PLANNING
DEPARTMENT

Application for Planning permit

***660 Great Ocean Road, Bellbrae
Planning Report on behalf of the permit Applicant***



SURF COAST SHIRE
- 4 SEP 2014
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Contents

1	INTRODUCTION	3
2	THE SUBJECT SITE AND SURROUNDS	5
3	THE PROPOSAL	8
4	PLANNING CONTROLS	13
5	CLAUSE 65 DECISION GUIDELINES.....	31
6	CONCLUSION	32
	SCHEDULE 1 – DEVELOPMENT PLANS.....	33
	SCHEDULE 2 - VISITATION FORECASTS	34
	SCHEDULE 3 – HIGH ROPES COURSE ELEMENTS.	36
	SCHEDULE 4 – ECO-TOURISM TUBE RIDING RECREATIONAL ACTIVITIES.....	37
	SCHEDULE 5 – ZIP LINES (FLYING FOX).....	38
	SCHEDULE 6 - LANDSCAPING PLAN	39
	SCHEDULE 7 - BRAND GUIDELINES AND SIGNAGE REPORT	40
	SCHEDULE 8 – VEGETATION ASSESSMENT.....	41
	SCHEDULE 9 – LAND CAPABILITY ASSESSMENT REPORT	42
	SCHEDULE 10 – ABORIGINAL HERITAGE ADVICE.....	43
	SCHEDULE 11 – TRAFFIC IMPACT ASSESSMENT REPORT.....	44
	SCHEDULE 12 – COPY OF TITLE	45
	SCHEDULE 13 – CAR PARKING - PLANTING PLAN	46
	SCHEDULE 14 – GREAT OCEAN ROAD FRONTAGE PLAN	47
	SCHEDULE 15 – STORMWATER MANAGEMENT PLAN	48
	SCHEDULE 16 – SURVEYORS REPORT	49
	SCHEDULE 17 – STATION DESIGN PLANS	50
	SCHEDULE 18 – LANDSCAPE EMBANKMENT PLANS	51
	SCHEDULE 19 – LOW ROPES COURSE OBSTACLES.....	52
	SCHEDULE 20 – GUNDRYS ROAD ENTRANCE PLAN	53
	SCHEDULE 21 – 660 GREAT OCEAN ROAD - PHOTOS	54



1 INTRODUCTION

This report supports the application by the permit applicant, Great Ocean Road Adventure Park Pty Ltd¹ ('GORAP').

GORAP is seeking planning permission to use and develop a modest rural site² as a boutique ecotourism³ adventure park at 660 Great Ocean Road, Bellbrae.

An ecotourism adventure park might be best described as being:

*Land used for the interaction and participation in ecologically sustainable informal recreational activities with a primary focus on experiencing nature with adventure.*⁴

Note that under the Planning Scheme the use, including the ancillary café, will fall under the definition of *Leisure and recreation*.

1.1 PROJECT BACKGROUND

This boutique ecotourism venture is a destination that provides visitors with the opportunity to discover a sense of adventure within nature.

A wide range of ecotourism adventure activities will be available including high and low ropes course challenge elements, Tarzan swings, zip lines (flying foxes), climbing walls, mazes, trampolines, and obstacle courses. These will be supported by the proposed Park Centre building⁵ which will include site administration, ancillary café, change rooms, small meeting/briefing/safety rooms, and an indoor playroom. The northern elevation will include a viewing platform.

GORAP complements existing tourism experiences along the Great Ocean Road while retaining the regions iconic status. GORAP shall deliver a destination experience that appeals to all genders, age groups and social-economic backgrounds.

¹ Great Ocean Road Adventure Park Pty Ltd (A.C.N. 601 616 657) (the 'Applicant'). Intellectual property contained in the contents of the document remains the property of the Applicant. Copyright All Rights Reserved 2014.

² See Schedule 12 and Schedule 21.

³ Ecotourism is defined by Ecotourism Australia as "Ecologically sustainable tourism with a primary focus on experiencing natural areas that fosters environmental & cultural understanding, appreciation & conservation."

⁴ See Ecotourism Australia.

⁵ Landscape screening of the proposed Park Centre Building from the Great Ocean Road shall be through the creation of landscape embankment suitably planted. Schedule 14 & Schedule 18 Landscape Embankment Plans.

1.2 SITE SELECTION

GORAP considered a range of sites along and adjacent to the Great Ocean Road in the locality.

The site selection was based on the following reasons including:

- Corner road location (corner of Great Ocean Road and Gundrys Road)
- Large area of the site 78 acres (32 Hectares approximately) is ideal for the range of ecotourism activities to be offered, and provides generously for all necessary infrastructure and parking for cars and buses.
- The site has not been recently farmed and there are no significant biodiversity⁶ values/assets on the property.
- The site has no cultural heritage values/assets.
- The site's undulating landscape and topography do not provide any constraints to our proposed development as it is mostly cleared land and there is no need to remove any vegetation of significance to accommodate the proposal.
- Public transportation is available adjacent to the site including a bus stop located on both sides of the Great Ocean Road.
- The site has extensive frontages to both the Great Ocean Road and Gundrys Road with excellent options for safe access into the site from Gundrys Road.
- The Great Ocean Road is one of the State's premier tourist roads, and Vic Roads data indicates an Annual Average Daily Traffic Volume (AADT) of 7000 vehicle movements.
- The site is conveniently located nearby holiday resort destinations such as Torquay and Anglesea, and but a short drive from the southern suburbs of Geelong and 90 minute drive from Melbourne CBD.

⁶ See Schedule 8 Vegetation Assessment.

- The site's undulating topography and vegetation create an ideal visual setting for the proposed park whilst also ensuring minimal (if any) visual impact to the Great Ocean Road.
- There are bus stops adjacent to the site on both sides of the Great Ocean Road.
- The site is not subject to any particular bushfire risk.

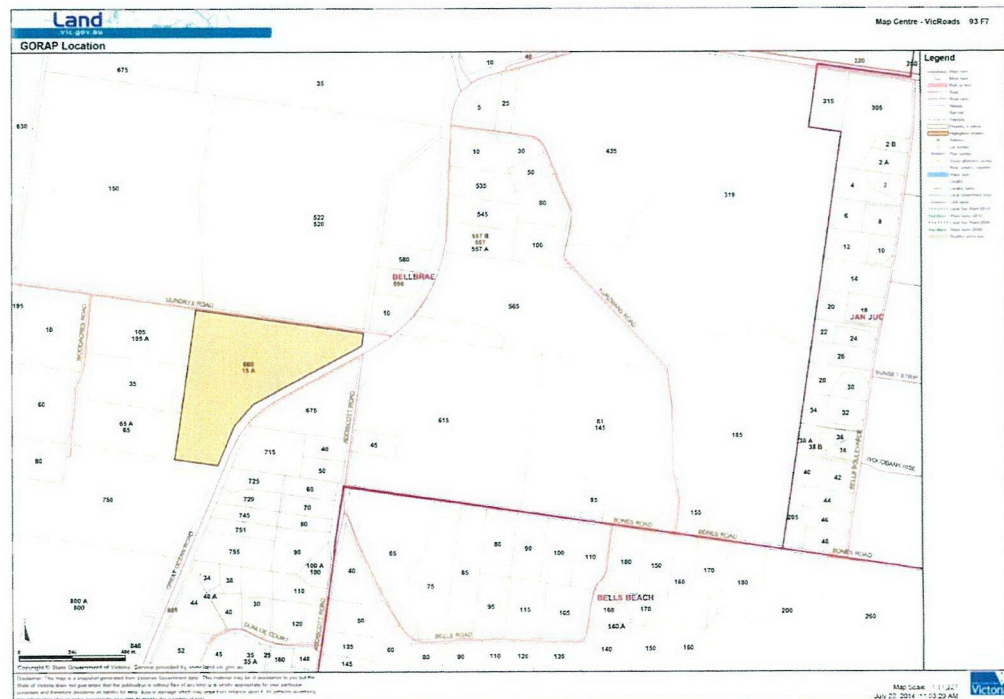
2 THE SUBJECT SITE AND SURROUNDS

2.1 THE SUBJECT SITE

The subject site is located at 660 Great Ocean Road, Bellbrae and described as Lot 1 TP 229907H – Vol 06846 Fol 082 with no Covenants/Restrictions.⁷

The site is located at the south-western corner of the intersection of the Great Ocean Road with Gundrys Road. The site is 2 kms south-west of Bellbrae and 6 kms north-east of Anglesea. Torquay is approximately 6 kms to the north-east, with Geelong 20 kms to the north. (see Figure 1)

Figure 1 - Locality Map



⁷ See Schedule 12 Land Title and Schedule 16 Surveyors Report.

The site has a long northerly frontage to Gundry Road and a longer east/south-easterly frontage to the Great Ocean Road. These frontages are vegetated with a heavy plantation of trees. Albeit the site is predominantly devoid of vegetation there are significant stands of native vegetation variously located over the site. (see Figure 2)

Figure 2 – Photograph of subject site and immediate surrounds



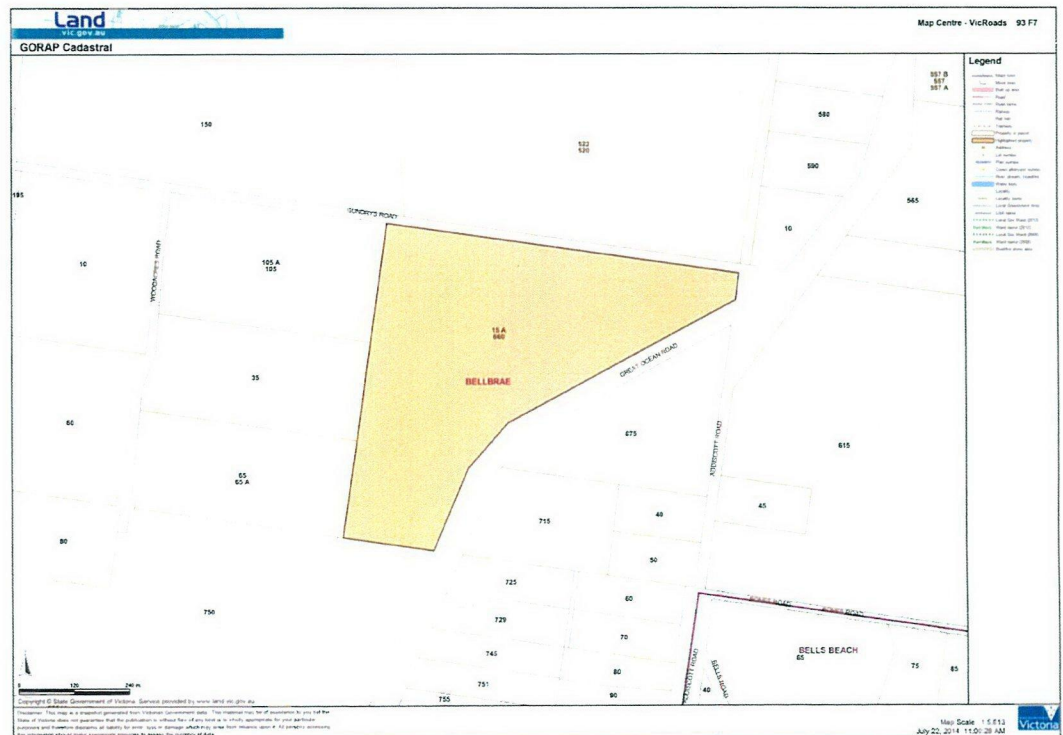
Two dwellings and a number of small farm sheds (in poor condition) are located on the site. One dwelling will be used as the park manager's residence, whilst the 2nd dwelling will be available for the caretaker. The site currently has access from both Gundry's and Great Ocean Roads but access for GORAP shall be restricted to an upgraded entrance off Gundry's Road.⁸

Properties to the north and west are similarly larger rural properties mostly used for mixed farming (sheep and cattle production). Land to the north-east is also rural but additionally hosts a range of tourist/commercial activities. Land immediately to the east is rural residential in property sizes and use. The nearest dwellings are at least 500m or further away to the West and South.

⁸ See Schedule 21, Schedule 20 Gundrys Road Entrance Plan & Schedule 6 Landscaping Plan.

Despite the zoning adjoining the site, the wider locality contains a range of tourist-friendly uses and enterprises including a winery, timeshare tourist resort, cottage accommodation, cabins, plant nursery, cafés and restaurants. (see Figure 3)

Figure 3 – Cadastral plan



3 THE PROPOSAL

It is proposed to use and develop the land for a boutique ecotourism adventure park ('GORAP').

3.1 VISITORS

GORAP is an ecotourism adventure destination.

Visitors to GORAP shall enter the site via a curved tree-lined driveway that tracks the Great Ocean Road boundary and allows for the retention of existing trees and vegetation.⁹

Most visitors shall be 'day trippers' that shall spend approximately 3.5 hours to explore these ecotourism activities. Access to GORAP activities shall be via the purchase of tickets either on-site or online over the internet.

It is expected that visitors will range from single (individually motivated) participants to members of organised groups. Organised groups are likely to include sports clubs, cultural groups, families, and work and school groups.

Travel to the site will include private vehicles, chartered buses or public transport.

Visitor numbers shall peak at weekends, school holidays and public holidays. Visitation forecasts for GORAP are set out in Schedule 2 to this report.¹⁰

3.2 OPERATING HOURS & STAFF

GORAP shall operate between 9am and 5pm during off-peak parts of the year and 9am to 6.30pm during the summer period and during school holidays. The park shall not be open on Christmas day.

Safety inspections, maintenance and management operations shall commence at 8.00am every day, except Christmas day.

GORAP shall ultimately employ 44 people.¹¹ Most staff shall be sourced from local residents and the maximum number of staff that will be onsite at any one time is only 30.

⁹ See Schedule 6 and Schedule 7.

¹⁰ See Schedule 2 – Visitation Forecasts. Note: The foregoing are based on calendar years (Jan – Dec). There are no projections that have been prepared beyond 2017.

¹¹ 25 FTE

Staff levels and skill requirements shall include:

- 5 – 7 Grounds, gardening, building and maintenance staff;
- 2 - 4 Administration office staff will be employed to manage the day-to-day running of the business;
- 4 – 6 Safety Inspection Officers, including activity supervisions and harness briefings. Responsibilities shall be to serve patrons undertaking eco-tourism activities and answer questions concerning these activities;
- 5 – 7 hospitality staff shall be in the food and drink area;
- 9 casual staff FTE ((numbers will fluctuate depending on patron numbers in the Park. It is anticipated that 6 staff will be required for the peak on weekends, with fewer during the quieter mid-week times);
- 1 caretaker and
- 1 agricultural manager.

3.3 GORAP ECO-ADVENTURE ACTIVITIES

GORAP ecotourism activities shall encourage a journey of discovery and a sense of adventure in an iconic nature setting. All adventure challenge activities are designed to encourage personal development of participants by enhancing their leadership, teamwork, confidence and self-esteem.

Our high ropes obstacle¹² courses have been popular in Europe for more than 30 years. GORAP shall adopt industry best practices through the adoption of a continuous belay safety system. Ropes course Stations¹³ range are 1 to 15 meters high catering for all levels of skills, fitness and challenge seekers regardless of age. Our ropes courses consist of runs that cater for families, children, from junior nippers (ages 2 to 5 year olds) to our elite double black diamond.

GORAP climbing challenges cover a range of obstacles, terrains and heights and are available throughout the park. Our climbing walls are equipped with an auto belay system making it safe to climb.

Our low rope course¹⁴ areas are specially designed close to the ground so that younger participants (2 to 5 years old) build confidence and allow parents or colleagues to assist and interact with the adventure experience.

¹² See Schedule 3. High Ropes Course.

¹³ See Schedules 3 and 4. Ropes course Stations are engineers using structural organic timbers & are positioned in or near the trees of Park in most instances.

¹⁴ See samples in Schedule 3 High Ropes course elements and Schedule 19 – Low Ropes Course obstacles.

Our low ropes¹⁵ courses integrate with our specially designed freestyle trampoline bounce area that caters for all skill levels and year round weather conditions. Our mazes, gardens and tree forest areas deliver a unique range of eco-challenges for visitors.¹⁶

Tube riding is a highly exhilarating downhill activity on our unique grass mountain that delivers jumps, drop-offs & turns at speed in a wilderness landscape setting.¹⁷

Our flying foxes (zip lines) are engineered and designed with a world's leading continuous belay safety system. Our Zip lines shall range in length from 50 meters to 400+ meters allowing users to fly through the air across the valley, amongst trees and over billabongs.¹⁸

3.4 PARKING AND DELIVERIES

Entry to the Park will be from Gundrys Road approximately 100 metres west of its intersection with the Great Ocean Road.¹⁹ There will be no public access to the site from the Great Ocean Road.

Following entry visitors will use the internal all-weather gravel road running inside the site generally south-west parallel with the Great Ocean Road to the Park Centre Building and the car park towards the southern end of the site.

The car park includes areas designated for bus parking, staff car parking, disabled access and the general population. In total, 260 (including six disabled car spaces) parking spaces shall be provided on site. Our driveway entrance has been designed with a drop-off area located in close proximity to the Park building centre entrance. There are nine bus parking bays provided that are also located near the entrance to the Park building centre.

A loading bay is located west of the Park building centre and will be concealed from public view with a landscaped embankment.²⁰ Deliveries shall occur on daily basis with all deliveries arising via small trucks or vans. The largest vehicle to access the loading area will be a rubbish truck that shall visit the site once every week.

¹⁵ See Schedule 19.

¹⁶ See Schedule 3.

¹⁷ See Schedule 4.

¹⁸ See Schedule 5.

¹⁹ See Schedule 7 and Schedule 20 Gundrys Road Entrance Plan.

²⁰ See Schedule 18 – Landscape Embankment Plan.

Further details regarding traffic and car parking can be found in the traffic impact assessment report prepared by TTM Consulting Pty Ltd.²¹

3.5 THE PARK CENTRE BUILDING

The Park centre building²² has incorporated design elements that complements and integrates into the rural setting and reflects the surfing heritage of the region.

The Park Centre Building incorporates the following features:

- Kitchen and storage area;
- Safety & First aid room;
- Harness Storage room;
- Harness safety fitting rooms;
- Café and café seating area;
- Administration Office area;
- Indoor play area²³ and parent seating area;²⁴
- Break out seating;
- Toilet Amenities;
- Meeting and staff rooms;

3.6 CAFÉ

The café will provide an ancillary service for the Park's visitors and staff, operating under the same working hours. It is anticipated that 1 in 6 visitors will use the café which will serve a variety of drinks (non-alcoholic), snacks and light lunches.²⁵

3.7 LANDSCAPING AND GARDENS

GORAP shall implement landscape gardening with the aim of revegetation of the site. Areas have been designated for the planting of trees in the existing fruit tree area and along the entrance to the site. The species of trees that will be planted shall be selected in accordance with site's expected water supplies, soil type and climate.

²¹ See Schedule 11. The landscape design screens the proposed car park with boundary planting and tree planting within the carpark see Schedule 6 and 13.

²² GORAP Park Centre Building is designed by Office of Public Works Pty Ltd (OPW). Refer to Development Plans prepared by OPW attached with this application as Schedule 1. Also see Schedule 18 that details our Landscape Embankment Plan.

²³ Activities shall be similar to those provide in the outdoor area but accommodate inclement weather conditions.

²⁴ Note: This indoor area provides an alternative venue during inclement weather for activities normally undertaken outdoors. Refer to Development Plan drawings prepared by designers set out in Schedule 1 of this application.

²⁵ No music or public addresses systems shall be used at the Park.

Our landscaping plan details the extent and location of the proposed trees and is set out in our Landscaping Report.²⁶

A number of people shall be employed to manage the gardens, mazes and tree components of the use.

3.8 EFFLUENT WASTE WATER

Effluent from the public toilets, café and kitchen wash down will be treated to at least 20/30 standard and used to irrigate grasses via subsurface irrigation during the months of October to March, and the orchards from November to March. Daily excess effluent (weekend and holiday peaks) will be stored in balancing tanks and processed between weekends as part of the daily average effluent production.

A land capability assessment for on-site effluent disposal has been prepared by Provincial Geotechnical Pty Ltd.²⁷

3.9 Stormwater management

A stormwater strategy has been prepared to ensure that the proposal creates no adverse offsite drainage impacts. The strategy, prepared by Peter Berry & Associates (July 2014)²⁸ concludes that:

The discharge from the proposed works represent little increase in volume and only minor` increases in concentrated flows.

These flows can be collected, converted to a sheet flow outcome that dissipates velocity, contains sediment and treats any increase in hydrocarbons.

²⁶ See Schedule 6 Landscaping Plan prepared by Mexted Rimmer Associates Pty Ltd.

²⁷ See Schedule 9 Land Capability Assessment Report prepared by Provincial Geotechnical Pty Ltd in May 2014.

²⁸ See Schedule 15 Stormwater Management Plan prepared by Peter Berry & Associates in July 2014.

4 PLANNING CONTROLS

The property is predominantly within the Farming zone, although a small portion (north-east corner) is included under a Bushfire Management Overlay (BMO). However, since none of the buildings and works proposed or indeed the activities to be provided within the Park are included in the BMO there is no necessity to undertake any assessments under those controls.²⁹

4.1 Farming Zone – Clause 35.07

The land is currently zoned farming Zone pursuant to clause 35.07 of the Surf Coast Planning Scheme.³⁰

The purpose of the Farming Zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide for the use of land for agriculture;
- To encourage the retention of productive agricultural land;
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture;
- To encourage the retention of employment and population to support rural communities; and
- To encourage use and development of land based on comprehensive and sustainable land management practice and infrastructure provision.

Reformed Rural Zones

The current Farming Zone is the outcome of the rural zone reforms introduced into the Victoria Planning Provisions and Planning Schemes by Amendment VC103 (approved September 2013). These reforms were introduced by the Minister for Planning following the recommendations of the Victorian Competition and Efficiency Commission's enquiry into the Victorian Tourism Industry.

²⁹ See Schedule 21

³⁰ Pursuant to Clause 35.07-1, a permit is required to use land for a Section 2 use.

Amongst other matters the Commission found that:

“Outside Melbourne, the regulatory frameworks and their administration often direct tourism investment to the towns and limit its encroachment on land on, or adjacent to, state and national parks, along the coastline, or that has historically been used for farming. This approach commonly assumes investment in tourism is incompatible with using rural land for agriculture, and with maintaining the environment, heritage, residential amenity and rural lifestyles.

The Commission considers more creative approaches to tourism development can be compatible with, and often enhance, the other values of rural land. To deliver the marketing promise of Victoria being a great place to visit, there needs to be new private investment in tourism facilities and services across the state, not just in Melbourne. Securing this investment will require a significant shift in policy and regulation by State and local governments, to recognise tourism contributes to the economic, environmental and social values that policy and regulation are striving to enhance”³¹

The State Government’s response to the Commission’s findings,³² confirmed that:

‘Local governments will be required to assess local policies to ensure that they are not inhibiting potential projects by requiring applicants to justify a gap in the tourist market or limiting new facilities to established town centres. Projects should be assessed on their individual merits and costs associated with location/dispersal should be managed through the planning approval process (permit conditions and development charges), rather than through blanket restrictions’ (p3).

Consequently, the new (now current) Farming Zone reintroduced a very broad range of discretionary uses (very similar to those that existed under the earlier Rural Zone). These are designed to help achieve a specific land use and development objective of the rural zone reforms, noted as follows:

Encourage tourism by reducing or removing permit limitations in the Farming Zone and Rural Conservation Zone relating to tourism uses, enabling applications to be considered on their merits. This proposal is clearly consistent with the State Government’s objectives for the Farming Zone.

4.2 USE - Leisure and recreation - Clause 35.07-1

The use is appropriately termed as Leisure and recreation which is particularly defined (Clause 74) as:

Land used for leisure, recreation, or sport.

In this case the proposal might reasonably be categorized as:

Leisure and recreation (Great Ocean Road Adventure Park)(GORAP).

³¹ (p XXIII-XXIV emphasis added)

³² Victorian Government response to the Victorian Competition and Efficiency Commission’s Final Report August 2012.

Note that the proposed café is seen as being ancillary to the dominant use (GORAP), and is not considered to require additional specific assessment.

Clause 35.07-1 identifies Leisure and recreation (other than informal outdoor recreation) under Section 2 of the use tables. This proposal therefore requires a permit for use (in addition to any other permit requirements).

4.3 Buildings and works – Clause 35.07- 4

As the proposed use is in Section 2 of the use tables (Clause 35.07-1), all buildings and works (with some exceptions) require a permit. Therefore a permit is required for all of the buildings and works proposed in this application.

Note: Since the main centre building is within 100 metres of the GOR (being a road in a Category 1 Road Zone), a permit is required pursuant to the Schedule to the Farming Zone.³³

4.4 Decision Guidelines – Clause 35.07- 6

The following general provisions are relevant to the subject proposal:

- Clause 64 General provisions for use and development of land; and
- Clause 65 Decision guidelines.

Clause 35.07-6 sets out the Decision guidelines (as relevant) that must be considered by the Responsible Authority, in addition to the further Decision guidelines at Clause 65. These Guidelines (Clause 35.07-6) provide a range of thematic criteria as a “checklist” to aid the Responsible Authority in its assessment of this proposal as follows:

4.4.1 STATE PLANNING POLICY FRAMEWORK

The Victorian State Planning Policy Framework includes an extensive range of policies including (as relevant) the following:

- Clause 10 Operation of the State Planning Policy Framework;
- Clause 11.05-2 Melbourne 's hinterland areas;
- Clause 11.05-3 Rural productivity
- Clause 11.05-4 Regional Planning strategies and principles;
- Clause 11.05-5 Coastal Settlement;
- Clause 12.02-4 Coastal Tourism;
- Clause 12.02-6 The Great Ocean Road Region;
- Clause 12.04-2 Landscapes;

³³ See Schedule 1 Development Plan for details.

- Clause 13.05-1 Bushfire planning strategies and principles;
- Clause 14.01-1 Protection of agricultural land;
- Clause 14.01-2 Sustainable agricultural land use;
- Clause 14.02-3 Water conservation;
- Clause 15.01-1 Urban design;
- Clause 15.01-2 Energy and resource efficiency;
- Clause 17.03-1 Facilitating tourism; and
- Clause 19.03-2 Water supply, sewerage and drainage.

In considering the suite of policies it is important to understand how the policies should be considered. In that respect Clause 10.04 – integrated decision making provides the following important advice:

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development of present and future generations.

The policies considered of most relevance in the State Planning Policy Framework are seen as

- Clauses 12.02-6 - The Great Ocean Road Region,
- Clause 14.01 – Agriculture, and
- Clause 17.03-1 – Facilitating Tourism.

Clauses 12.02-6 - The Great Ocean Road Region

This State policy has the objective:

To manage the sustainable development of the Great Ocean Road region.

Relevant strategies include:

- Protect public land and parks and identified significant landscapes.
- Ensure development responds to the identified landscape character of the area.
- Manage the impact of development on the environmental and cultural values of the area.
- Improve the management of access and transport by:
 - Managing the Great Ocean Road for tourism and regional access.
 - Enhancing the safety and travelling experience of the Great Ocean Road.

- Encourage sustainable tourism and resource use by:
 - Developing a network of tourism opportunities throughout the region.
 - Supporting tourism activities that provide environmental, economic and social benefits.
 - Supporting the land use and transport needs of key regional industries including tourism.
 - Using natural resources with care.

Comment

The site is strategically located within the Great Ocean Road Region adjoining the Great Ocean Road proper. The layout of the site and its facilities and the low-key, low-profile design of the main centre building, demonstrates the care with which the facility has been designed to integrate into its rural setting. The substantial additional landscaping proposed will further isolate the proposal from any visual impact on the adjoin GOR. The site has no significant archaeological features.³⁴ Given its strategic location between Torquay and Anglesea the development and success of the Great Ocean Road Adventure Park will strongly support the sustainable tourism strategies of Clause 12.02-6.

Clause 14.01 - Agriculture

This State policy has the objective:

- To protect productive farmland which is of strategic significance in the local or regional context.

Relevant strategies include:

- Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.
- In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:
- The desirability and impacts of removing the land from primary production, given its agricultural productivity.

³⁴ See Schedule 10.

- The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- The compatibility between the proposed or likely development and the existing uses of the surround land.
- Assessment of the land capability.

Comment

The site is not considered to occupy strategically significant land within the municipality. Soil quality is not high, and the modest land area inhibits a viable return from any form of cropping and/or grazing. That aside, the proposed use of the land as an ecotourism adventure park has a limited impact on the future capacity of the land to be returned to farming (if required) given the limited extent of buildings and improvements to be undertaken. Further, the activity is fully contained within the site within an existing and enhanced timbered environment. Effluent and stormwater runoff will all be retained on site for re-use in site irrigation. The proposal is unlikely to have any adverse impact upon adjoining farming activities.

Clause 17.03-1 Facilitating Tourism

This State policy has the objective:

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.

Relevant strategies include:

- Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.

Comment

GORAP is a proposal that fits admirably into the Government's policy framework in delivering a facility that benefits from its location on the GOR without in any way detracting from either the rural ambience of the area, or the driving experience to Anglesea. Further it will provide year-round local employment opportunities in addition to creating an exciting educational adventure destination for all age groups. During the summer holiday peak periods it will provide an alternative to relieve the pressure in the local townships to "entertain" holiday-makers.

Local Planning Policy Framework

Local policies of some relevance within the Local Planning Policy Framework could include:

- Clause 21.01 Profile and Vision.
- Clause 21.03 Environmental Management.
- Clause 21.04 Tourism.
- Clause 21.05 Agriculture.
- Clause 21.06 Rural Landscape.
- Clause 22.02 Streetscape and Landscaping Policy.

Clause 21.01 – Profile and Vision

At Clause 21.01-1 the introductory commentary includes the following:

The Surf Coast is a popular tourist and surfing area. Its economy is increasingly reliant on tourism. Employment is dominated by retail, tourism and hospitality, construction and health and community services. Agriculture, once the dominant sector, is still growing in productive output and makes a significant contribution to the economy, but employs only a small proportion of the shire's workforce.

The rural areas of the Shire are not only important for agriculture, but increasingly valued, in terms of the environment and landscape, for its contribution to the amenity and liveability of the Shire and its tourism and recreation value.

At Clause 21.01-4 – Municipal Framework Plan, under the subheading Tourism, the following objective is relevant:

To promote natural resource based tourism, at a scale and form that respects its setting, the surrounding land uses and the locale.

Comment

This ecotourism adventure park is considered to admirably fit the Surf Coast Shire's vision for tourism.

Clause 21.04 Tourism

This Clause recognises that tourism has significant economic benefits for the community providing jobs, and enhanced business opportunities (among other benefits). It also notes that the focus of tourism is broadening as tourist developments seek to capitalise on the environmental and landscape values of the rural hinterland for nature and farm based tourism, while providing opportunities for the diversification of struggling rural enterprises.

The objective for tourism development within the Surf Coast Shire is:

To enhance and expand the tourism industry, whilst protecting the environmental, landscape and cultural values of the Shire and the lifestyle of its residents.

Relevant strategies aimed at achieving the foregoing objective include:

- Ensure new tourism development uses high quality, low intensity, unobtrusive, site responsive buildings and works based on ecologically sustainable design principles.
- Encourage use and development that will increase visitor length of stay and increase visitor numbers in the off-peak period.
- Facilitate the provision of appropriate infrastructure to support the tourism industry.
- Encourage the development of a diverse range of quality tourist accommodation and facilities to meet changing visitor needs.

Comment

The Scheme provides a range of guidelines under Clause 21.04-3 to assist the Responsible Authority in its consideration of tourism proposals. The guidelines are all discretionary, and with respect to this application it is noteworthy that:

- The proposal is relatively small scale in terms of size of the structure and in relation to the size of site. The proposal also incorporates a modest (yet significant) horticultural use in the form of the proposed trees.
- GORAP development has been designed and located on the site to avoid and minimise conflict with the rural landscape. The building materials, external colours and finishes of the main park centre building and recreational activities are designed to blend into the landscape.
- There will be no significant environmental impact³⁵ and it is also proposed to re-vegetate the site with indigenous/native species suited to the site's conditions.³⁶
- The site is not considered to be prime farming land nor is it realistically an open landscape. It is in fact heavily screened on most boundaries, especially from the Great Ocean Road, and this public interface will be further screened by the extensive new re-vegetation as shown on the Landscape Plan.³⁷

Overall this proposal is seen as having a particularly high level of compliance with the Council's tourism strategy.

Clause 21.05 – Agriculture

Surf Coast Shire Council's Agriculture Strategy recognises the challenges confronting rural land management (such as a shift towards part-time farming, the demand for rural lifestyle properties increasing the price of land above its productive capacity, and the increasing demand for tourism activities to be developed in rural areas). It includes the following objectives:

- To encourage the growth of sustainable agriculture, to grow and maintain prosperous and sustainable rural communities.
- To protect the ability of future generations to productively farm the land.
- To avoid the loss of the agricultural productivity association with land use conflicts, particularly between farming activity and non-farm related residential development.

³⁵ See Schedule 8 Vegetation Assessment.

³⁶ See Schedule 6 Landscape Plan.

³⁷ See Schedule 6 Landscape Plan and Schedule 14.

Comment

As already noted, this proposal is entirely consistent with Surf Coast Council's strategic aspirations for rural areas.

Clause 21.06 Rural Landscape

The Rural landscape strategy separates the municipality into 5 different landscape precincts (Clause 21.06-2) with the subject site being included in Precinct 4 - Cape Otway Road to Northern Foothills and Coast.

The area is described as visually attractive undulating landscape of open farm land, framed by dense bushland. The landscape and environmental values of this precinct are noted as being the primary reasons for its attractiveness for tourist and lifestyle use and development.

Relevant objectives include:

- To protect and enhance the landscape values of the rural precincts as described in Clause 21.06-2.
- To protect and maintain open and uncluttered rural landscapes, including vistas from main road corridors.
- To recognise the importance of maintaining the visual landscape qualities of the Great Ocean Road environs both for residents.

Comment

The consideration of design, siting, material selection, and landscaping have been primary influences upon the design of the GORAP layout and facilities. Consequently the proposal is considered to appropriately meet the objectives of this clause for the following reasons:

- The siting, design and materials proposed for the new buildings and structures blend with the rural landscape and will not dominate views to the site from the GOR.
- A range of landscaping and indigenous vegetation is proposed throughout the site and around the building and structures. These will assist in blending the development into the surrounding landscape.
- The buildings are low key (rural style) so as not to detract from the visual qualities of the surrounding landscape.

Local Planning Policies

Clause 22.02 Streetscape and Landscape Policy

This local policy is simply designed to ensure that development within the Shire provides appropriately for landscaping.

Comment

A landscaping plan has been prepared and submitted.³⁸

4.4.2 *Agricultural Issues*

- The proposal is not located in a Special Water Catchment, and no Catchment Strategies apply to the site. In any event stormwater will be managed to ensure that run-off is restricted to pre-development levels, and effluent disposal will satisfy the relevant environmental health standards. The 32 Ha site area is more than adequate for the retention of all effluent within the site.³⁹ The topography of the land will minimise the need for (and extent) of cut and fill.
- This proposal is clearly not an agriculturally based proposal, however it does have an enhanced agricultural component (fruit tree plantations), and to the extent relevant the physical impact of the proposed development is relatively small in site area terms. It should also be noted that the site is within the area adopted by Council for rezoning to the Rural Activity Zone (Amendment C68) which encourages a wide range of non-farming activities in “rural” areas.
- The site is adjoined by properties in the Farming Zone, however land to the east of the GOR is effectively rural residential and the broader locality has a wide range of agri-commercial and/or tourism based uses already operating. The use will only operate during normal business hours. The main centre building is well set-back within the site, as are the activities, so that there is little likelihood of unreasonable impacts on the amenity of the neighbours, or their farming activities.
- Importantly, notwithstanding that the proposal is not an agricultural use per se; it will be wholly contained within its boundaries. There will be no off-site effects, and no impacts upon the operations of adjoining properties.

³⁸ See Schedule 6 - Landscape Plan.

³⁹ See Schedule 9 - Land Capability Assessment Report.

4.4.3 Dwelling Issues

The site is already developed with 2 dwellings and a number of ancillary rural sheds, and no new dwellings are proposed. However, the Park will be developed with the Park Centre Building that has a height of 9 metres (approx.) above ground level, it will look little different to a large farm shed. The Park Centre Building shall be sufficiently surrounded by landscaping and screened by natural timber façade and land embankments.⁴⁰

4.4.4 Environmental Issues

As an integral part of the preparation of the site design, a detailed vegetation assessment was commissioned.⁴¹

The assessment concluded that:

A total of 23 indigenous plant species were recorded for the study area. No State or National significant plant species were recorded.

The bioregional conservation status of EVC 16 Shrubby Dry Forest is 'depleted'.

The vegetation of the study area includes remnants that are of sufficient size and quality to create implications for the relevant State (i.e. Native Vegetation Permitted Clearing Regulations) legislation, if clearing is permitted.

The proposed vegetation clearing is assessed to be a 'low risk-based pathway'.

In keeping with DEPI guidelines for a low risk-based pathway application, the attached Biodiversity Assessment Report calculates the habitat score and calculates offset requirements.

The strategic biodiversity score of the vegetation proposed to be removed is 0.343.

The offset requirements are 0.002 general biodiversity equivalence units. Offsets are to be achieved within the Corangamite Catchment Management Authority area and are to have a minimum strategic biodiversity score of 0.274.

⁴⁰ See Schedule 9 and Schedule 18.

⁴¹ See Schedule 8 Vegetation Assessment prepared by Mark Trengove Ecological Services.

It is intended that the offsets be achieved onsite within the area of vegetation identified as the 'offset forest'. Preliminary calculations indicate that the required offsets can be achieved within this area.

Having regard to the land capability assessment and the foregoing it can reasonably be taken that:

- The proposal will not unreasonably impact on the natural resources of the site.
- The Vegetation Assessment confirms⁴² that there is no vegetation of high significance on the site.
- The effluent disposal system⁴³ will be located in the western part of the site in an area of cleared vegetation, well away from any activity areas.

4.4.5 *Design & Siting Issues*

The Great Ocean Road Adventure Park has been designed to integrate with its rural landscape setting of partially vegetated undulating site. However:

- The location of the Park Centre building does not negatively impact the adjacent properties.
- The design of the development combined with proposed landscaping, will ensure the proposal has a positive impact on the overall landscape.⁴⁴ The car park is appropriately screened by landscaping from the GOR and properties to the west. A sophisticated landscape treatment is proposed to reduce visibility of the main building. Further, the car park will be sealed (non-dust road gravel) and drained to manage any storm water run-off.
- The Park Centre building has been designed by a leading edge design practice. It is a modern building that will properly integrate with its surrounds with its surf wave design. The building uses materials and finishes that complement the rural setting.

⁴² See Schedule 8 Vegetation Assessment.

⁴³ See Schedule 9 Land Capability Assessment Report.

⁴⁴ See Schedule 18 Landscape Embankment Plan. A planted earth mound located to the west and east of the entrance to the Park Centre Building extends more than 150 meters and appropriately screens the view from the Great Ocean Road and the "back of house" area as well as dwellings adjacent to the site.

- The design is further enhanced by a landscape concept plan that incorporates specimen trees, ground cover, indigenous and native plantings and fruit trees.
- Infrastructure on site (such as water tanks, effluent and stormwater retention) will be screened with vegetation or cut into the slope to minimise visual impact.
- There are no unusual traffic management issues. All car parking can be provided on site, and access to the site will be from Gundrys road.

Comment

Acknowledging that this is not a rural use, but appreciating that it is proposed in an area identified by Council for zoning for non-rural activities (Amendment C68), and within an area that already has a number of non-rural tourism based uses, this proposal will sit comfortably within its environment. Further it will provide an educational eco-adventure experience for a significant segment of the population whether passing the site, holidaying in Torquay and/or Anglesea or visiting specially from wider destinations. The sensitive design approach coupled with the superior landscaping proposed will ensure that the visual amenity of the journey along the GOR will remain virtually unchanged. Productivity from the farm will increase significantly albeit not from soil-based outputs. Nonetheless the wider net community benefit and social and economic benefit to the local community will be substantial.

4.5 Particular Provisions

Clause 52.05 - Advertising Signs

Pursuant to clause 52.05-10 signage within the Farming Zone is classified as category 4 signage (sensitive areas).

A permit is required for a business identification sign. The total advertisement areas must not exceed 3sqm. The proposed signage complies with the condition of a maximum 3sqm advertisement area.⁴⁵

Clause 52.06 - Car Parking

Car parking is addressed in the Scheme at Clause 52.06, with requirements for particular uses generally identified in the table to Clause 52.06-5. There is no specific provision for Leisure and recreation. However it is intended to provide parking as follows:

⁴⁵ See Schedule 7 - Brand Guidelines and Signage Report prepared by the Applicant.

- 260 car spaces available to the public (including 6 disabled access spaces and 30 staff car spaces).
- 9 bus parking bays.

The parking proposed is considered to reasonably satisfy the peak parking requirements at the site, but in any event the parking and traffic implications of the proposal have been considered in detail in the Traffic Impact Assessment.⁴⁶

The Traffic Impact Assessment concludes that:

The proposal to construct an ecotourism adventure park on land located at 660 Great Ocean Road, Bellbrae is summarised in a traffic and parking context as follows:-

- Sufficient area has been set aside to accommodate the car parking demands generated by the adventure park during the peak season operation.
- Traffic generated by the site can be accommodated within the surrounding intersections and road network proximate to the site subject to augmentation of the Great Ocean Road and Gundrys Road intersection.

Clause 52.06 – Loading and Unloading Of Vehicles

Loading/unloading requirements are addressed in the Scheme at Clause 52.0. This Clause has the following purpose:

To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.

The provisions note that a permit may be granted to reduce or waive the requirement if either:

- Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.

⁴⁶ Schedule 11 Traffic Impact Assessment Report.

Comment

As noted at Section 1 of this report, deliveries to the site will be on a daily basis generally via small trucks or vans. The largest vehicle to access the loading area will be a rubbish truck planned to visit the site once every week.

A loading bay is provided west of the Park Centre Building. It will be concealed from public view with a landscaped embankment.⁴⁷

Clause 52.17 – Native Vegetation

Clause 52-17 is largely designed to encourage (to the extent possible) the conservation and re-vegetation of sites. However, under this application no native trees shall be removed and a significant revegetation plan is proposed.

It has the following objectives:

To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:

- Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
- Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
- Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

To manage native vegetation to minimise land and water degradation.

To manage native vegetation near buildings to reduce the threat to life and property from bushfire.

Clause 52.17-2 triggers the need for a permit to destroy or lop native vegetation with some exceptions. It further requires removal to be classified under a risk-based pathway.

⁴⁷ See Schedule 18 Landscape Embankment – Park Centre

Clause 52.17-3 sets out an extensive set of guidelines (General application requirements) for the various risk-based pathways.

Comment

A Flora and Fauna Assessment has been prepared in support of the application.⁴⁸ That Assessment confirms that vegetation and fauna habitat throughout the study area has been highly modified by past disturbance including grazing by horses and improved pasture. Most of the study area has been significantly degraded, is of low ecological value and supports predominantly introduced vegetation that is of limited value for native fauna.

Clause 52.34 - Bicycle Facilities

Clause 52.34 sets out the requirements for the provision of bicycle facilities for visitors and staff. Table 1 to Clause 52.34-3 does not identify Leisure and recreation in the Table, however it does provide for Place of assembly and/or Major/Minor sports and recreation facility. Neither of the foregoing terms reasonably identifies the proposed use, and so adoption of any of the rates indicated is unreasonable.

Comment

Given the location of the site adjacent to the GOR, and the likely demographic of potential visitors it is unlikely that significant numbers of staff and/or visitors will attend the site by bicycle.

Nevertheless, eight (8) bicycle spaces are provided adjacent to the disabled car parking area. The Responsible Authority has the discretion to require more or less provision. In the event that more is seen as appropriate there is ample space on the site and the matter can be resolved through appropriate permit condition.

⁴⁸ See Schedule 8 Vegetation Assessment.

4.6 Overlays

As noted earlier the north-eastern corner of the site is within the Wildfire Management Overlay (WMO). However, since no development activities are proposed for the north-east corner of the site there is no requirement to undertake an assessment under the provisions of Clause 44.06.⁴⁹

Comment

Even though the proposal is not subject to the WMO the Permit Applicant intends to develop an extensive Fire Management Plan to regulate open fires, barbeques or similar activities on the premises.

On code red days the Fire Management Plan will require further restrictions on activities in the Park including potential closure of the Park.

The findings of the Aboriginal Heritage Advice report⁵⁰ are that there are no impediments from Aboriginal heritage legislation to prevent the proposed recreation facility from being approved. No Aboriginal heritage permits are required and there is no requirement for a cultural heritage management plan to be prepared.

⁴⁹ See Schedule 21.

⁵⁰ See Schedule 10 - Aboriginal Heritage Advice.

5 Clause 65 Decision Guidelines

The proposal satisfies all of the relevant Decision Guidelines at Clause 65.01 since:

- It is consistent with the relevant policies in the SPPF and LPPF.
- It generally satisfies the relevant zone provisions.
- It is consistent with the orderly planning of the area. There will be only a minimal noticeable change to the area, particularly from the GOR.
- The proposed GORAP will have no adverse amenity impacts either on the area generally, the site in particular, or any adjoining properties. A significant buffer zone surrounds all Park activities in regards to adjacent properties.
- No land degradation is foreseeable.
- Native vegetation impacts will be minimal.
- Expert reports relating to water, effluent, vegetation and traffic affirm the proposal's compliance with the relevant policies and regulations
- No negative impacts upon drainage or flood are likely, as water from the site will be captured for re-use on the site as required.

6 Conclusion

This proposal will create an iconic destination in the municipality that will attract a very wide range of visitors/tourists. It is supportive of State and local strategies/policies encouraging environmentally sustainable tourism opportunities in appropriate locations. It's location and accessibility makes this an ideal site, and the design response will ensure that the Park blends seamlessly into the partially treed rural landscape. Further, the attached expert reports support the suitability of the proposal to this site.

The proposal will make a substantial contribution to the local economy and to tourism in the region. It will create up to 44 jobs for local residents and attract significant visitation to the region.

Council should feel confident in supporting this worthwhile and beneficial proposal which encapsulates the very spirit of the Surf Coast.

Yours sincerely

Mr. Alan D'Andrea



Director

For and On Behalf of

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4th September 2014

Further Information

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<http://www.youtube.com/watch?v=0DU-XkSi7pA>