The Chair,

Inquiry into local economic development initiatives in Victoria

Dear Sir or Madam,

I would like the Committee to address issues of inequitable management of conservation across the State despite legislation and Government funding, and provide examples from the Glenelg Shire where I consider that heritage and environment assets are still not being adequately supported due to poor decision-making.

I acknowledge that GSC planning management has greatly improved since 2005.

Context of my response –
Glenelg Shire Council resident experience (1969 – 2007) and participation in many consultations relating to
(1) Conservation of heritage and environment.
(2) Community organizations and community cultural development.
(3) Regional development, tourism and regional issues relating to the above.

I have just finished 2 terms as a member of the Western Coastal Board 2006 – 2012. The WCB (the Board) is responsible for implementing the Victorian Coastal Strategy (VCS) between Breamlea and the SA border.

As a community member of the VLGA, I am a member of its Sustainable and Resilient Communities Advisory Group.

Recent Glenelg Shire Council decisions relating to heritage, environment and sustainability issues –

- **Glenelg Sustainable Settlement Strategy 2012** (GSSS: Council Minutes 26/6/2012) has some recommendations which appear to be contrary to State Planning Provisions, VCS and Glenelg Planning Scheme policies for conservation of the environment. The Council has adopted the Strategy and will ask the Minister for Planning to authorise its insertion as a reference document into the Planning Scheme in Amendment C73 to “set clear direction for future planning in the Shire” and states that “The approval will enable Council to commence important planning scheme amendments to update planning controls and expand settlements” (Officer Report, Minutes of Council meeting 26/6).

  Recommendations include extending rural living zones around all most settlements including Portland, and re-zoning Cape Bridgewater from Rural Living to Township Zone despite the Victorian Coastal Strategy 2008 identifying it as a “no growth area” (p. 88). This would increase density and extend dwellings in a linear manner along the coast and nearby roads according to maps in the “Strategy”.

  The Strategy cost $16,000 and “the strategic planning budget ($47,500 p. a. according to the Officer Report) will be spent implementing projects identified in the GSSS” (Council Minutes 26/6). This will leave few funds to spend on implementing e.g. Heritage Overlays.

- **Amendment C 55 Heritage Overlay** - Council Minutes 26/6/12
Here the recommendations for the Glenelg Heritage Study Stage 2, 2006-11 were split into Part 1 (HO on 87 individual properties) and Part 2 (extending the HO two existing precincts and creating 6 new heritage precincts covering early settlements and about 700 properties).

Fifteen years after the New Format Planning Scheme Panel in 1998 recommended that heritage assets outside Portland be identified and mapped within 12 months to ensure their protection, Council only adopted Part 1 of the exhibited Amendment (87 buildings) but abandoned Part 2 (700 buildings and places). This was despite the Officer Report of 26/6/12 stating that “If not implementing Glenelg Heritage Study Stage 2 under Amendment C55 Council would:
- Fail to implement planning objectives required by the Planning and Environment Act 1987 to protect places of heritage significance;
- Fail to meet a key commitment and performance indicator in the Glenelg Shire Council Plan;
- Fail to meet a priority action of the Glenelg Futures Strategic Plan;”

The Council added another clause to its decision –
4. Internal building controls and tree controls are not to be included in Amendment C55.

Council’s action with respect to Amendment C55 negates much of the public investment of $145,000 in this important heritage Study Study and 15 years of public consultations (since Amalgamation in 1998) where the community has acknowledged the Shire’s heritage as a “strength”. There were 31 responses - 18 objections, 5 in support and 8 neutral.

I consider it a lapse of good governance that 18 objections, and projected costs associated with implementing the HOs, outweighed government investment, strong community support for GSC heritage, and the imperative of keeping the Planning Scheme serviceable.

Addressing selected Terms of Reference
The Committee is requested to:
(b) examine the appropriate role of local government in generating economic development and review the allocation of responsibility in this area with the State Government;

i) I consider that it is appropriate for local government to seek to generate economic development, and for Governments to support them in this endeavour.

However if the government accepts the recommendation for the GSSS and such limited application of the findings of the Heritage Study Stage 2, I question - the wisdom of the Government allowing the GSSS as a reference document in the Planning Scheme, as referred by the Council on 26/6/12, where it will introduce uncertainty through conflicting with SPPFs, VCS and conservation elements in the GSC Planning Scheme. This will lead to future costs including resolving planning conflicts and undermining of the Shire’s environmental integrity; and
- government acceptance of the abandonment of Amendment C 55 Part 2 which will contribute to ongoing losses of significant heritage assets throughout the Shire and over time undermine one of the main elements of its tourism industry.

ii) I am concerned that the Glenelg Shire definition of ‘economic development’ appears limited. It seeks mostly to attract large industries or “developments” which may attract grants, or are low-cost for the Shire, and tends to disregard small-scale local industries that could be better supported to increase employment; such as many tourism businesses – which need better long-term protection of the assets that they rely upon for their businesses;
Because its planning management is still unbalanced and favours development over conservation, as evidenced in the above recent examples, I consider that this Shire is not providing a stable environment in which all sectors of its economy could flourish.

Glenelg Shire’s approach to planning is contrary to Government investment which has well supported e.g. environment protection through DSE’s Coastal Spaces Report 2006 leading to Significant Landscape Overlays, and heritage through HV grants totalling $94,504 to achieve Heritage Studies since 2000, and $51,000 in grant and Council funds to prepare the Amendment. High apparent costs can be explained by the extent of previously undocumented significant heritage in the Shire.

I hope that the Glenelg Shire’s conservation planning management is not representative of the rest of the State, but I raise it as an example of waste of worthy investment of scarce Government and Council funds and community endeavour, and would hope that this Committee can find a solution to such occurrences – such as expecting common municipal definitions of “economic development” covering large and small industries, and expecting that economic development is supported by common provisions in Planning Schemes supporting both conservation and development. It appears to me that Glenelg Shire’s resistance to conservation provisions is putting it out of step with its peers.

iii) Evidence of value of tourism to the Glenelg Shire -
I note that between 2001 and 2006 Shire employment in accommodation, cafes and restaurants increased by 34.3% from 353 to 474 (ABS data) and consider that, as tourism documents show that Portland’s recognition as a destination is improving, better support for tourism industries through securing the assets people are interested in - demonstrably heritage and environment (see Attachment 1) - would be a good investment of Government and Council funds.

iv) Past GSC Governance and Planning Management
In 2005 the Auditor General’s Report Community Planning Services in Glenelg Shire Council 1998 – 2005, Oct. 2005, gave 12 Case Studies (Index p. 131) detailing representative deficiencies in the Shire’s Planning Scheme management, including two on the Convincing Ground, one on a Dutton Way (coastal) dwelling, one on Planning Amendment C4. This proposed a new MSS and purported to address heritage and environment issues raised by the 1998 Planning Panel but did so inadequately. It lapsed through lack of due process.

The Auditor-General’s Report mentioned 300 other permits which were doubtful under various DPOs. Resolving all of the above planning issues has been very costly for taxpayers, ratepayers the community and developers.

Resolving these matters took years at VCAT and cost Government, Council, community and developers dearly.

Since 2005 Glenelg planning is much improved in transparency and timeliness, but I consider that lack of balance between development and conservation is again emerging, evidenced by the examples above. It will be detrimental to the quality of its heritage and environment, costly to the amenity of the Shire and its residents, and ultimately to resolve.

This criticised the “pro economic development culture amongst councillors and some staff …. In striving to meet its economic objectives, the council failed to adequately
ensure there was balance between this objective and other objectives such as protecting environmental and heritage assets and involving the community in the planning process." – p. 4, Sec. 1.2, Overall audit conclusion – my italics.

The Council in its response to the A-G’s Report 2005 stated that it was making planning changes that aimed “to provide that the Glenelg Shire’s planning system ensures for fair planning outcomes that meet the shire’s strategic objectives in accordance with relevant legislation” (my italics; p. 9). The outcome was its Glenelg Strategic Futures Plan 2009. The GSFP Implementation Plan recommended that the Council should

* Respond to requests for development on the periphery of towns.
4. Prepare a settlement strategy to determine the supply and demand for residential zoned land and where development is to be directed - Immediate
There is a need to identify the supply and demand for residential zoned land in the Glenelg Shire.
Numerous submissions received during the preparation of the GSFP have contended that there is a shortage of residential land not only in Portland but in some of the smaller townships.

* Maintain currency of heritage studies.
19. Review and complete heritage studies to provide basis for heritage controls in planning scheme - Immediate
The heritage studies on which the Heritage Overlay in the Glenelg Planning Scheme is based were undertaken some years ago...

The Council has implemented action on the both of the above. For (4), however, it does not appear to have responded first to the “need to identify the supply and demand for residential zoned land in the Glenelg Shire”, or “where development is to be directed” through the GSSS, but appears to have sought to expend settlement boundaries and Rural Living Zones without strategic justification; and for (19), the Amendment C 55 abandonment of precincts allows the Shire’s planning system to remain anomalous with the rest of the State.

Such bias favouring economic development over conservation is to the detriment of the shire’s ability to conserve highly significant heritage and environment, and in contravention of its own planning scheme and many subsequent Plans and Strategies where community consultation has shown strong support for the Shire’s heritage and environment. (See attachment).

vi) The GSSS in context – Accommodating Population Growth
According to the latest projections, the Shire is only going to achieve a population increase of 2,000 over the next 20 years:

<table>
<thead>
<tr>
<th>Glenelg Shire</th>
<th>Population</th>
<th>Households</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2011</td>
<td>2021</td>
</tr>
<tr>
<td></td>
<td>21,200</td>
<td>22,200</td>
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</tbody>
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Source: Victoria in Future DPCD April 2012

Revitalising the municipality’s small towns and settlements is an understandable aspiration, but it appears that the Strategy implies that small towns and settlements will accommodate more growth than can be strategically justified. This dispersed approach to growth across the Shire has significant cost implications to the
community for necessary infrastructure and services. It dilutes the sound policy to focus growth in Portland and to a lesser extent Casterton and Heywood expressed in other planning documents including the Shire’s Planning Scheme.

In my view, focus should be given to those areas with the greatest development potential, with established reticulated and social services and room for infill development which are likely to require less substantial short and long-term investment in servicing communities. Portland infill development could easily absorb all of the Shire's projected population expansion until 2031, obviating risk to the environment and locating people close to services.

Raising expectation through designation of large areas for “future development” or “investigation” raises unrealistic expectations that Council will fund further strategic work and physical works. In addition, it can dissipate Council’s planning efforts by distorting planning decisions and dispersing scarce planning resources.

I consider that the strategy should aim to concentrate growth to build a critical mass in selected (the larger) towns as it provides more cost effective provision of social and physical infrastructure and services.

vii) The Victorian Coastal Strategy advocates

- directing residential, other urban development and infrastructure within defined settlement boundaries of existing settlements that are capable of accommodating growth;
- avoiding linear development along the coastal edge;
- avoiding development within primary sand dunes and in low-lying coastal areas;
- avoiding development in areas susceptible to flooding (both river and coastal inundation), landslip, erosion, coastal acid sulphate soils (CASS), bush fire or geotechnical risk.

The GSSS proposals do not take many of these into account.

viii) Unsustainable Rural Living Zones

Large areas of RLZ exist on the periphery of Portland, particularly to the north and along the coast between Portland and Narrawong. Rezoning of relatively large areas of land for rural living purposes is proposed to the north and west of Portland, at Merino, Dartmoor, Digby and Nelson. In addition, the Strategy recognises that there are abundant areas for rural living at Narrawong.

There appears to be little justification for the provision of rural living land in these locations.

Land identified for future rural living/residential development should not adversely affect the agricultural economy and should avoid areas where long-term land use conflict is likely to arise. However, the Strategy does not appear to have considered these issues.

vix) Bushfire Management Overlays –

Nelson, Narrawong and Cape Bridgewater are subject to new Bushfire Management Overlays which will restrict development as follows –

Clause 13.05-1 – Bushfire planning strategies and principles, of the SPPF states: 

*Only permit new development where:*
The risk to human life, property and community infrastructure from bushfire can be reduced to an acceptable level.

Bushfire protection measures, including the siting, design and construction of buildings, vegetation management, water supply and access and egress can be readily implemented and managed within the property.

The risk to existing residents, property and community infrastructure from bushfire is not increased."

In the light of this, the extension of Rural Living Zones appears particularly out of touch with the times.

x) The “sustainable” map for the Cape Bridgewater settlement shows that it would be re-zoned to the Township Zone despite being assessed in the VCS 2008 as having no growth capacity (p. 88). This would enable further subdivision with an increase in housing density in an unsewered area, placing risks on the water table and environment. The Township Zone would extend linear development along the Bridgewater Road and Peacock’s Road which is under an ESO and future Council-endorsed SLO – also contrary to the VCS 2008.

The C. Bridgewater map proposal is contrary to the Coastal Spaces Landscape Assessment Study (CSLAS) 2006 recommendations where State significance was accorded to the Cape Bridgewater landscapes. Consequent on the CSLAS 2006, the Victorian Coastal Strategy 2008 supports retention of its pristine environment.

Thank you for the opportunity to prepare a submission.

Yours faithfully,

A.L. Chalmers OAM

17/8/2012

One attachment.