

# MINUTES

**SCHEDULED COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
6:00 PM - MONDAY 4 APRIL 2022**



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## **VENUE:**

**Lighthouse Theatre Studio  
Lighthouse Theatre  
Timor Street  
Warrnambool**

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### **COUNCILLORS**

Cr. Vicki Jellie AM (Mayor)  
Cr. Otha Akoch  
Cr. Debbie Arnott  
Cr. Ben Blain  
Cr. Angie Paspaliaris  
Cr. Max Taylor  
Cr. Richard Ziegeler

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can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

**Peter Schneider  
CHIEF EXECUTIVE OFFICER**

## **AUDIO RECORDING OF COUNCIL MEETINGS**

All Open and Special Council Meetings will be audio recorded, with the exception of matters identified as confidential items in the agenda. This includes public participation sections of the meeting. Audio recordings of meetings will be made available for download on the internet via the Council's website by noon the day following the meeting and will be retained and publicly available on the website for 12 months following the meeting date. The recordings will be retained for the term of the current Council, after which time the recordings will be archived and destroyed in accordance with applicable public record standards. By participating in Open and Special Council meetings, individuals consent to the use and disclosure of the information that they share at the meeting (including any personal/sensitive information), for the purposes of Council carrying out its functions.

## **BEHAVIOUR AT COUNCIL MEETINGS**

Thank you all for coming – we really appreciate you being here. These meetings are the place where, we as Councillors, make decisions on a broad range of matters. These can vary greatly in subject, significance and the level of interest or involvement the community has. As part of making these decisions, we are presented with comprehensive information that helps us to form our position – you will find this in the agenda. It should also be remembered that the Council meeting is a “meeting of the Council that is open to the public”, not a “public meeting with the Council.” Each Council is required to have Governance Rules that pertains to meeting procedures. Warrnambool City Council has followed best practice in this regard and its Governance Rules provides regulations and procedures for the governing and conduct of Council meetings. Copies of the Conduct and Behaviour excerpt from Warrnambool City Council's Governance Rules can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au). We thank you in anticipation of your co-operation in this matter.



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**MINUTES OF THE SCHEDULED MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD  
IN THE LIGHTHOUSE THEATRE STUDIO, LIGHTHOUSE THEATRE, TIMOR STREET,  
WARRNAMBOOL ON MONDAY 4 APRIL 2022 COMMENCING AT 6:00 PM**

**PRESENT:** Cr. Vicki Jellie AM, Mayor/Chairman  
Cr. Otha Akoch  
Cr. Debbie Arnott  
Cr. Ben Blain  
Cr. Angie Paspaliaris  
Cr. Max Taylor  
Cr. Richard Ziegeler

**IN ATTENDANCE:** Mr Peter Schneider, Chief Executive Officer  
Mr Peter Utri, Director Corporate Strategies  
Mr David Leahy, Director City Infrastructure  
Mr Andrew Paton, Director City Growth  
Ms. Jodie McNamara, Acting Director Community Development  
Ms Julie Anderson, Manager Governance, Property, Projects & Legal

**1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT**

Almighty God  
Grant to this Council  
Wisdom, understanding and Sincerity of purpose  
For the Good Governance of this City  
Amen.

**ORIGINAL CUSTODIANS STATEMENT**

I wish to acknowledge the traditional owners of the land on which we stand and pay my respects to their Elders past and present.

**2. APOLOGIES**

Nil.

**3. CONFIRMATION OF MINUTES**

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**MOVED: CR MAX TAYLOR**

**SECONDED: CR DEBBIE ARNOTT**

**That the Minutes of the Scheduled Meeting of Council held on 7 March 2022, be confirmed.**

**CARRIED - 7:0**

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#### **4. DECLARATION BY COUNCILLORS AND OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA**

Section 130 of the Local Government Act 2020 (Vic) (**the Act**) provides that a relevant person must disclose a conflict of interest in respect of a matter and exclude themselves from the decision making process in relation to that matter including any discussion or vote on the matter at any Council meeting or delegated committee meeting and any action in relation to that matter.

Section 126(2) of the Act sets out that a relevant person (Councillor, member of a delegated Committee or member of Council staff) has a conflict of interest if the relevant person has a **general conflict of interest** within the meaning of section 127 of the Act or a **material conflict of interest** within the meaning of section 128 of the Act.

A relevant person has a **general conflict of interest** in a matter if an impartial, fair minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A relevant person has a **material conflict of interest** in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken. Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

Nil.

#### **5. MAYORAL PRESENTATION**

- 5.1 I would like to acknowledge our neighbouring municipality Moyne Shire Council's retiring Chief Executive Officer Bill Millard on his retirement from his role. Bill has devoted 30 years of service to Victorian local government with his last 4 years at the helm of Moyne Shire. Bill's been a big part of Warrnambool City Council starting here initially as the HR Manager and then transitioning to the Director of Economic Development. Bill's always been fair and a measured leader and I am sure we would all like to congratulate Bill on his service and wish him well in his retirement or whatever his next endeavor may be.
- 5.2 The West Warrnambool Neighbourhood House celebrated Neighbourhood Day last Thursday which was hosted by the West Warrnambool Primary School. The West Warrnambool area is a great are for community, lots of different people live out there and lots of people attend the West Warrnambool Neighbourhood House. It was a celebration of local community, bringing together the West Warrnambool Primary School students but also inviting in the students from St Pius, Brauer College and the wider community. It was a great event to build relationships, sharing information with local providers and a great connection because we have a very multi cultural residents out there and they love getting together and getting to know each other so it was really good, a lot of food, live music, performance in Auslan by the West Warrnambool Primary School students which was great. Congratulations to all involved in organizing including our own community dedicated staff. A great event to have for the community.

## **6. PUBLIC QUESTION TIME**

### **6.1 QUESTION FROM BRIAN KELSON, WARRNAMBOOL**

*"On the 22<sup>nd</sup> April 2021 - the Warrnambool Standard reported that residents were being asked to have their say on CBD traffic and roundabouts on the Councils "Your say Warrnambool" site, Council stated that the results would be relayed to the community. My previous answer i received was about the work being done on traffic flow study, this is not what I asked.*

*My question still remain:*

*1. When will the community consultation results be released?*

*Could I also have response via email as well as verbally in the meeting."*

## **RESPONSE**

The traffic assessment will be ready for May and the community survey information will be included in the report presented to Council. Council staff will release the community survey information when directed to by Council as part of a complete report on pedestrian safety, traffic analysis and accessibility.

### **6.2 QUESTION FROM DAELENE BOURKE, WARRNAMBOOL**

*"In Warrnambool there are a percentage of residents that are unvaccinated and cannot access Council facilities and services. They are ratepayers and residents, and the expectation is that our Council treat everyone (including these residents) fairly and respectfully, and not be prejudiced.*

*Local Governments are obligated under the Local Government Act 2020 (Vic) to provide services and facilities for the benefit and wellbeing of their municipal communities, in an equitable manner. Section 106 of that Act requires Councils to abide by certain service performance principles.*

*These principles include, amongst other things, that services should be provided in an equitable manner, responsive to the diverse needs of the community; and services should be accessible to members of the community.*

*Local Councils will continue to collect rates from the residents within their municipality, both vaccinated and unvaccinated. The funding Local Councils receive from rates contribute more than half of their total revenue (Municipal Association of Victoria, 2018).*

*The Warrnambool City Councils' own "Councillors Code of Conduct" signed in February 2021 states "The role of a Councillor is to act for the community and advocate on their behalf. A Councillor plays a key role in facilitating communication with the community and encourage public participation and community engagement with the activities of the Council." It then goes on to say "Councillors will advocate for the needs of their constituents, but will make all decisions to benefit, and be in the best long-term interests of, the whole of the Warrnambool city.*

*Not only is excluding unvaccinated residents of its municipality likely a breach of a Local Council's statutory obligations, it is also arguably discriminatory. It is a clear contravention of the Equal Opportunity Act 2010 (Vic), which prohibits the unfavourable treatment of a person due to certain attributes, including "physical features". Section 4 of the Act defines "physical features" to mean a person's height, weight, size, or other bodily characteristics.*

*Are Councils entitled to discriminate on the basis of the bodily characteristic of the presence or absence of vaccine induced Covid-19 antibodies? What about if people have naturally occurring antibodies?*

*Our own Warrnambool Standard reported on the 16th March, 2022 – “On the face of it, the numbers seem to suggest that vaccinated people are over-represented among those requiring hospital treatment”. And then on the same day reported “The region’s COVID-19 vaccine uptake once topped state-wide charts but fresh calls are being made for bookings as numbers drop substantially.” Isn’t it logical?*

*Do the Directions of an unelected health official allow Local Councils to exclude unvaccinated people from community facilities even though this contradicts Council’s obligations under other legislation and their own governance and service principles?*

*Finally, and most importantly, if unvaccinated community members are to be excluded from community facilities, should they be entitled to a Council rate rebate?”*

## **RESPONSE**

Council are acting in compliance with the Pandemic Orders as made under the Public Health and Wellbeing Act 2008. These orders require operators to uphold vaccination requirements in certain circumstances. Council will continue to act in accordance with state law as is our obligation under section 8 and 9 of the Local Government Act 2020.

Council provide over 100 services to the Warrnambool community from rubbish collection, to road maintenance, to managing our public open spaces, including parks, playgrounds and footpaths. Only a small number of Council’s services are impacted by the Pandemic Orders Vaccination requirements, with the majority still available to all ratepayers, residents and visitors to Warrnambool.

## **7. REPORTS**

### **7.1. PLANNING APPLICATION FOR A CONVENIENCE RESTAURANT (KFC) PP2021-0197**

***DIRECTORATE : City Growth***

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#### **PURPOSE:**

***This report recommends that a Notice of Decision (NOD) to Grant a permit be issued for planning permit application PP2021-0197 for ‘buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant’ within the Northpoint Shopping Centre at 1/72 Mortlake Road, Warrnambool.***

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#### **EXECUTIVE SUMMARY**

- The permit application was received 15 July 2021 and the application fee was paid on 21 July 2021.
- The proposal is for buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant within the Northpoint Shopping Centre on the existing undeveloped, vacant grassed area in the south west corner of the site.
- The permit application was supported by plans and a Traffic Impact Assessment Report (TIAR).
- The application was subject to public notice from 7 September 2021 for a period of two (2) weeks.
- Eleven (11) objections have been received to the application.

- The proposal is able to be supported subject to a condition requiring amended plans be submitted to address queuing within the car park at the entrance to the drive-thru area of the restaurant in order to reduce potential congestion within the existing car parking area associated with the existing shopping centre and the provision of a designated ambulance parking bay being detailed on the plans.
- It is proposed to issue a Notice of Decision to grant a permit with conditions.

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**MOVED: CR ANGIE PASPALIARIS**

**SECONDED: CR DEBBIE ARNOTT**

**That the planning application for a convenience restaurant KFC PP 2021-0197 be refused pursuant to Section 65 of the Planning & Environment Act 1987 on the following grounds:-**

- **The proposal does not address relevant objectives and strategies of the Planning Policy Framework including Clause 15.01-1S and Clause 15.01-2S.**
- **The proposal is contrary to Clause 65.01 of the Warrnambool Planning Scheme and will adversely impact the current operation of the transport system and will not result in orderly planning outcome based on the following points:-**
  - a) **Development traffic cannot be absorbed by the local road network without significant impact to efficient traffic flow;**
  - b) **Proposed layout of the drive through with vehicles accessing through a central aisle within the carparking area will adversely impact the functionality and safety of both the Northpoint Shopping Centre and its wider transport system; and**
  - c) **Lack of information within the application to demonstrate safe and predictable queuing activity from the drive-through through the existing car park and out onto Mortlake Road.**

**CARRIED – 6:1**

**Crs. Paspaliaris, Arnott, Jellie, Taylor, Akoch & Ziegeler voting for the motion.**

**Cr. Blain voting against the motion.**

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## **BACKGROUND**

The application site is located within the south west corner of the Northpoint Shopping Centre which is located approximately 1.5km north of the Warrnambool CBD. Access to the site is via a signaled intersection on Mortlake Road with a secondary vehicle access point to the site via Hayley Drive. This area was intended to be developed with a convenience restaurant/takeaway food premises at the time the land was rezoned. The general locality includes land which is zoned both commercial and residential and is used for retail, service, community and residential purposes.

The subject site is zoned Commercial 1 (C1Z) and is not impacted by any Overlays. The site is surrounded by land to the north and east that is included within the wider Northpoint Shopping Centre and comprises a range of retail uses to service the local residential area. Land to the west, east, south and north east of the shopping centre is zoned General Residential 1 and is used for residential purposes and other complementary uses such as the indoor cricket centre and the former indoor tennis centre that is proposed to become a new place of worship for the Salvation Army to the south and the Warrnambool Fire station, a veterinary clinic and a row of local shops on the western side of Mortlake Road. Land directly to the north west of the site contains an existing bottle shop and tavern that is currently under construction and further to the north is a commercial area containing a petrol station, restaurant, laundromat, bakery and a fish and chip shop.

The planning permit application proposes buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant. The restaurant is to be operated by KFC. Planning approval is not required for the use of the site as a convenience restaurant is defined under the general definition as a retail premises. Planning approval is required for buildings and works on the site and the display of business identification signage.

The new restaurant will occupy the existing undeveloped open grassed area in the south west corner of the Northpoint Shopping Centre. The restaurant will contain seating for 44 patrons. A drive-thru area will be provided in association with the restaurant and the entrance to the drive-thru is proposed to be located to the east of the new building with vehicles entering the drive-thru from the central aisle of the car park which is oriented in a north-south direction. Once vehicles enter the drive-thru they will wrap around the southern side of the building and exit at the western end of the building and then through to the existing car parking area of the shopping centre before exiting the site primarily onto Mortlake Road.

A key purpose of the Commercial 1 Zone is *“to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses”*. The Municipal Planning Strategy focuses on supporting development that *“reinforces the Warrnambool activity centre hierarchy at Clause 11.03-1L-01”*. The Planning Policy Framework details that development should support the Neighbourhood Activity Centre at Northpoint Village and *“limit further retail and commercial development to existing designated activity centres”*.

The proposed development must be considered on its merits, having regard to the purpose and decision guidelines of the zone and the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework.

A key indicator as to whether a proposal responds appropriately to the zone is compliance with the decision guidelines of the Commercial 1 Zone at Clause 34.01-8 of the Planning Scheme which provides relevant matters that must be considered in Council's assessment. The proposed development generally the requirements of Clause 34.01-8 however there are concerns that the drive-thru associated with the restaurant may cause congestion within the existing car parking area associate with Northpoint Shopping Centre and consideration must be given to *‘the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport’*.

## ISSUES

Public notice of the application was given to neighbouring landowners and occupiers and a sign was also displayed on the subject site. A total of eleven (11) objections were received to the proposed development including an objection from Ambulance Victoria, seven (7) objections from tenants or agents for tenants which occupy premises within the Northpoint Shopping Centre and three (3) objections from residents including the owners of the site directly to the south of the subject site at 66 Mortlake Road.

The objections primarily relate to the following matters:

1. Deficiencies in the plans submitted with the application;
2. Traffic and car parking concerns;
3. Leasing arrangements;
4. Emergencies and ambulance parking bay provision;
5. Change to the ‘feel of the area’;
6. Potential odour, noise and rubbish impacts; and
7. Public health concerns.

Myers Planning Group is the applicant and have responded to the objections with a written statement dated 13 October 2021.

The objection from Ambulance Victoria was withdrawn based on the response which was provided by the applicant.

A response to the objections is provided in the delegated officer report but in summary the following conclusions have been reached:

1. Deficiencies in the plans submitted with the application – It is considered that the plans are generally acceptable however greater consideration should be given to the entrance to the drive-thru area in terms of the location of queuing of vehicles entering the drive-thru to ensure that the drive-thru traffic does not obstruct other vehicles and result in increased congestion and reduced functionality of the existing car parking area associated with the shopping centre. The plan showing the proposed vehicle entry path to the drive-thru and the TIAR provided with the application are not considered to provide adequate specific information or details to address the concerns in relation to vehicles queuing at the entrance to the drive-thru and therefore the issues raised by some of the objectors is considered to be valid and the plans require further refinement. Generally, the plans detailing the layout of the building and business identification signage are considered to be acceptable;
2. Traffic and car parking concerns – The permit which originally allowed the construction of the existing shopping centre included provision for a proposed convenience restaurant/takeaway food premises in the same location as is currently proposed. This permit included a car parking waiver and as such it is considered that within the confines of the site all available car parking has been provided and the total number of car parking spaces which are provided is acceptable (it is noted that 3 car parking spaces will be lost as a result of the proposed development). The impact on the circulation of traffic within the car park based on the siting of the entrance to the proposed drive-thru to the restaurant is a concern as vehicles queuing at the entrance to the drive-thru would impact the circulation of vehicles and increase congestion within the existing car parking area. The entrance to the drive-thru area and the queuing of vehicles within the car parking area should be addressed by the applicant by revisiting the way in which vehicles access the drive-thru area prior to the plans associated with the development being approved;
3. Leasing arrangements – The particular leasing arrangements between existing tenancies within the Northpoint Shopping Centre and the owner of the site is not a relevant planning matter;
4. Emergencies and ambulance parking bay provision – A condition will be included on the permit requiring the designation of a dedicated ambulance parking bay on the plans. Ambulance Victoria has agreed to withdraw their objection based on the applicant confirming that an ambulance parking area will be provided;
5. Change to the 'feel of the area' – The area of the site that will be developed forms part of the Northpoint Shopping Centre and is zoned Commercial 1. Although it is currently an undeveloped grassed area it has always been identified as an area that would be developed in the future with a convenience restaurant or takeaway food premises and therefore the built form on the site is appropriate in a commercial setting;
6. Potential odour, noise and rubbish impacts – The site will function the same as any other convenience restaurant within a commercial area. A condition of the permit will provide for the protection of the amenity of the surrounding area and serve to ensure that the site is managed in an appropriate manner; and
7. Public health concerns – This is not a relevant planning matter.

## **FINANCIAL IMPACT**

The costs associated with assessing the application have been accommodated within the 2021-2022 budget. This includes if the matter progresses to VCAT.

## **LEGISLATION / POLICY / COUNCIL PLAN CONTEXT**

### **3 A strong economy**



3.1 Build on competitive strengths: Council will support initiatives that foster ongoing development and investment in the industries which underpin Warrnambool's economic strengths and comparative advantages

#### **4 A connected, inclusive place**

4.1 Effective planning: Council will ensure its planning acknowledges the unique character and attributes of local places and that that supports social connection, equitable access, appropriate housing and sustainable population growth.

### **TIMING**

Statutory timeframes are imposed under the *Planning and Environment Act 1987*.

### **COMMUNITY IMPACT / CONSULTATION**

The application has been subject to public notice in accordance with the *Planning and Environment Act 1987*. The applicant has responded to objections.

Councillors, Council officers, the applicant and objectors met on site on 25 January 2022.

### **LEGAL RISK / IMPACT**

The application has been considered in accordance with the relevant legislation.

### **OFFICERS' DECLARATION OF INTEREST**

None

### **CONCLUSION**

There is policy support for the proposed development (subject to requested changes) having regard to the relevant provisions of the Warrnambool Planning Scheme and the Planning Policy Framework.

### **ATTACHMENTS**

- Plans submitted with the application
- Objections
- The applicants response to objections
- Delegate planning report



## Delegate Planning Assessment Report

### Application Details

<b>Application is for:</b>	Buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant
<b>Applicant's/Owner's Name:</b>	Myers Planning Group PO Box 207 WARRNAMBOOL VIC 3280
<b>Date Received:</b>	21 July 2021 Further Information Received: 2 September 2021
<b>Application Number:</b>	PP2021-0197
<b>Land/Address:</b>	Lot 1 TP 889015N 1/72 Mortlake Rd WARRNAMBOOL VIC 3280
<b>Zoning:</b>	Commercial 1 Zone (C1Z) Adjoins Transport Zone 2 (TRZ2) – Mortlake Road (Hopkins Highway)
<b>Overlays:</b>	None apply
<b>Under what clause(s) is a permit required?</b>	Clause 34.01-4 (C1Z) Clause 52.05-11 (Signs)
<b>Restrictive covenants on the title?</b>	No covenants or section 173 Agreements are registered on the Certificate of Title for the subject site. Caveat AM084987W is registered on the Certificate of Title for the subject site.
<b>Current use and development:</b>	Vacant undeveloped land within the south west corner of the existing Northpoint Shopping Centre

### Subject site & locality

The site is located approximately 1.5 kilometres to the north of Warrnambool's Central Business District within the Northpoint Shopping Centre which is an existing commercial neighbourhood activity centre servicing the northern residential areas of the City. The subject site is zoned Commercial 1 and abuts Mortlake Road (Hopkins Highway) which is classified as a Transport Zone 2 (TRZ2). Mortlake Road runs along the western boundary of the site and acts as a main road in to Warrnambool from the north.

The broader site in which the proposed development is to take place contains the Northpoint Village Neighbourhood Activity Centre. The southern part of the Northpoint Village site is rectangular in shape and comprises an area of approximately 1.629 hectares with a frontage of approximately 100 metres to Mortlake Road (Hopkins Highway). The main vehicle access to the site is from the west via Mortlake Road with a set of traffic lights being provided within the road at the entrance to the Northpoint Village shopping complex. A secondary access point provides vehicle access to the site from Hayley Drive which is located to the north of the site.

Figure 1: Aerial photograph of subject site and surrounds (Source: Exponare)



Figure 2: Enlarged aerial photograph of subject site (Source: Exponare)



Figure 3: Photograph of subject site - view looking east from Mortlake Road (Source: Google Maps)





Figure 4: Photograph of subject site - view looking south from the internal car park (Google Maps)



Figure 5: Photograph of Mortlake Road and the vehicle entrance to the subject site - view looking north (Google Maps)



The Northpoint Village contains a range of commercial tenancies on the eastern and southern portions of the site including a supermarket (Coles), medical centre, pharmacy, laundromat,

The actual site for development is located within the south west corner of the site which is an area of the site that is currently a vacant, undeveloped grassed space which is devoid of any buildings or vegetation. The site is relatively flat with some low points for stormwater drainage located on the grassed area and within the surrounding car parking area.

[illegible]

The north and north east of Hayley Drive has been developed primarily for residential purposes with some non-residential uses including a place of worship (Jehovah's Witness) at 100 Mortlake Road. Directly to the west of the site is Mortlake Road and associated service roads on both sides of the road. Further to the west is the *Warmambool Fire Station* and a large residential lot which is currently being developed with the construction of 68 dwellings and associated uses (69-75 Mortlake Road) as part of a recent planning approval. To the south of the fire station a range of other commercial uses such as veterinary rooms (operated by *The Vet Group*) and row of smaller scale shops occupied by such commercial activities as a café, takeaway food premises and laundromat are located.

To the east of the subject site residential land is located within Paul Court and Adam Court with standard residential lots sizes being developed with single dwellings being the normal configuration of the sites. To the south of the site a residential dwelling is located at 66 Mortlake Road being sited approximately 12 metres away from the development site. Land which was formerly used for the *Warrnambool Indoor Tennis Centre* is located further to the south at 58-60 Mortlake Road. The indoor tennis site has recently become vacant and this site has planning approval to be developed with a place of worship by the *Salvation Army*.

In the broader context residential uses predominantly surround the site with the area generally being well established however there are some sites which are currently being developed or are proposed to be developed for more intensive residential development.

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## Proposal

The proposal is for buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant.

The proposal would see the development of the land with a convenience restaurant that is to be operated by *KFC* in the established Northpoint Village Activity Centre.

The key elements of the proposed development are as follows:

- The restaurant will be located within the south west corner of the subject site on an area which is currently a grassed, open area that was always intended to be developed with a convenience restaurant of some sort;
- The new building is to be set back approximately 13.8 metres from the southern lot boundary and approximately 12 metres from the eastern lot boundary;
- The building is considered to be of a modern design with generally flat roofing hidden behind parapet walls.
- The building will have a maximum height of 6 metres stepping down to lower heights of 5.4 metres and 4.9 metres;
- The internal layout comprises an area of approximately 300 square metres and includes the restaurant with seating for 44 patrons, service counter, kitchen, cool rooms, freezers and office, fully enclosed dumpster room with roller door access to the loading bay, and three (3) bathrooms including one (1) accessible bathroom, one (1) female bathroom and one (1) male bathroom; and
- The external materials and colours of the building are consistent with other *KFC* developments and have been varied to reduce the mass of the building. The building is predominantly clad with fibre cement panels finished in a range of colours including light grey, red, white and a raw finish. Feature materials and colours include black painted metal work, woodgrain finish aluminium battens, steel wall cladding finished in a matt black colour and red perforated steel.

*Figure 7: Proposed site plan (Source: Plan submitted by the applicant)*

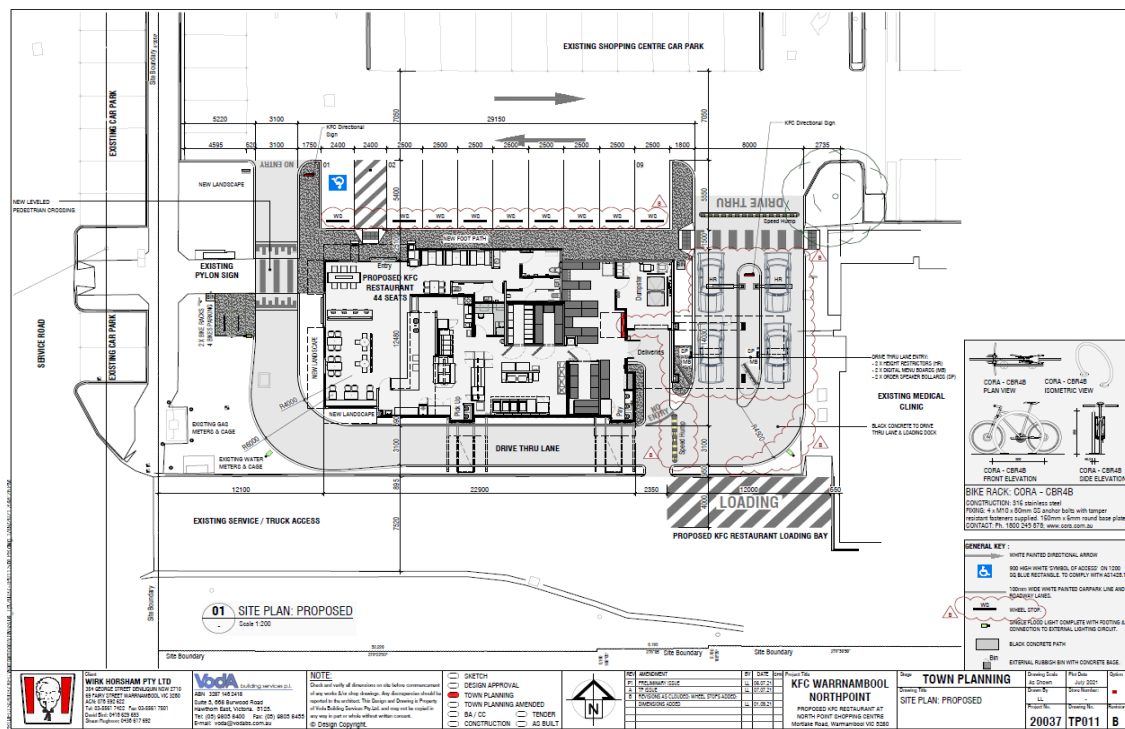


Figure 8: Proposed floor plan (Source: Plan submitted by the applicant)

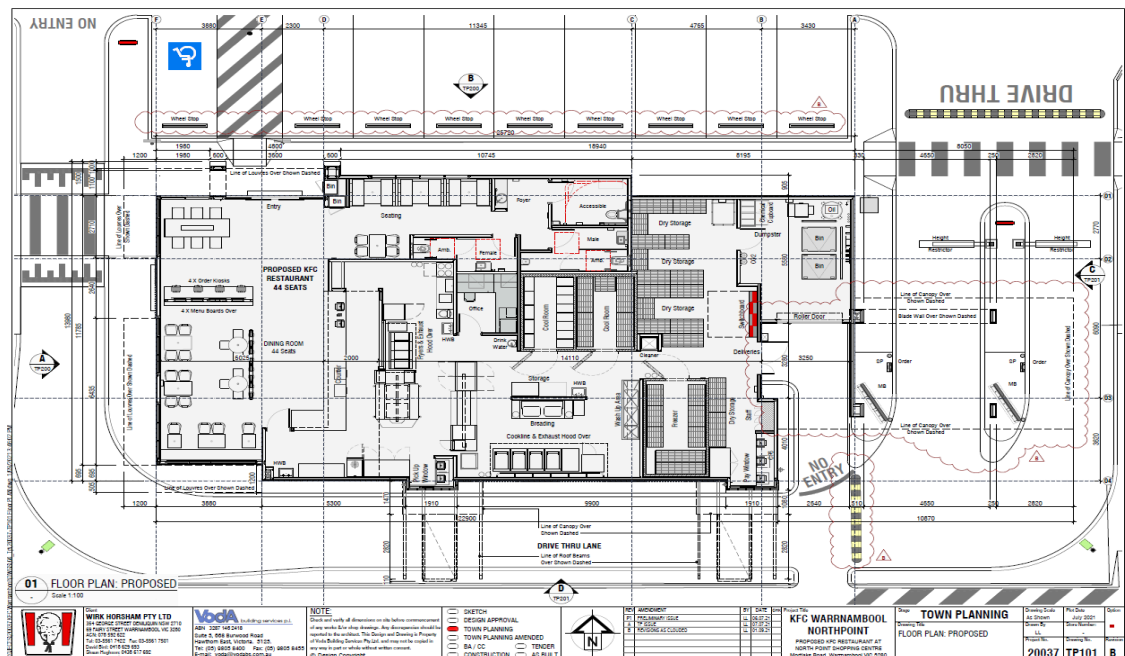


Figure 9: Proposed roof plan (Source: Plan submitted by the applicant)



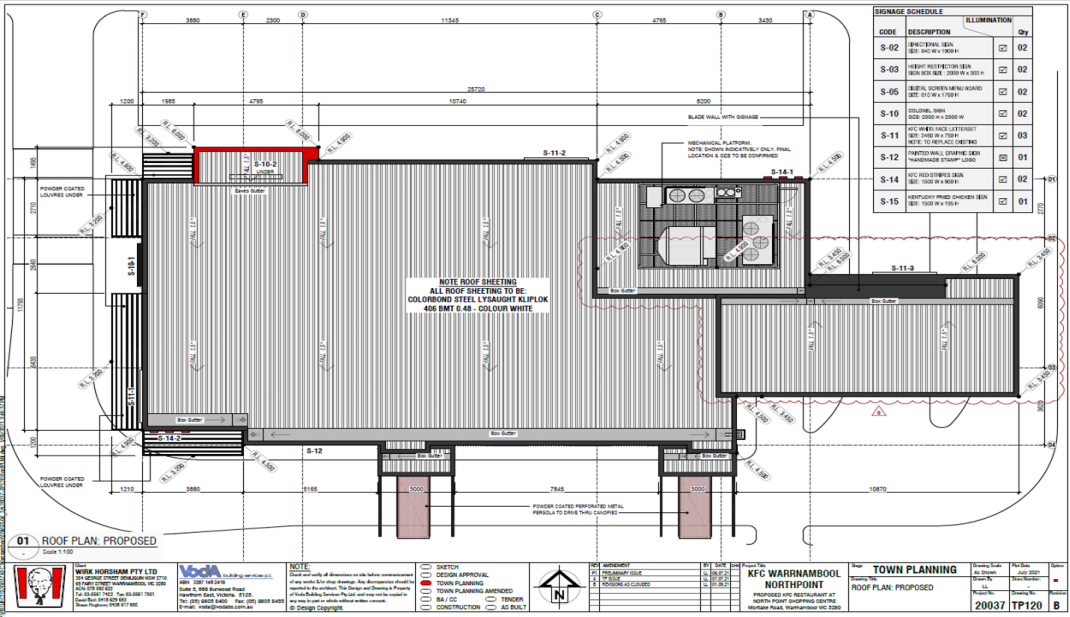


Figure 10: Proposed external finishes schedule (Source: Schedule submitted by the applicant)

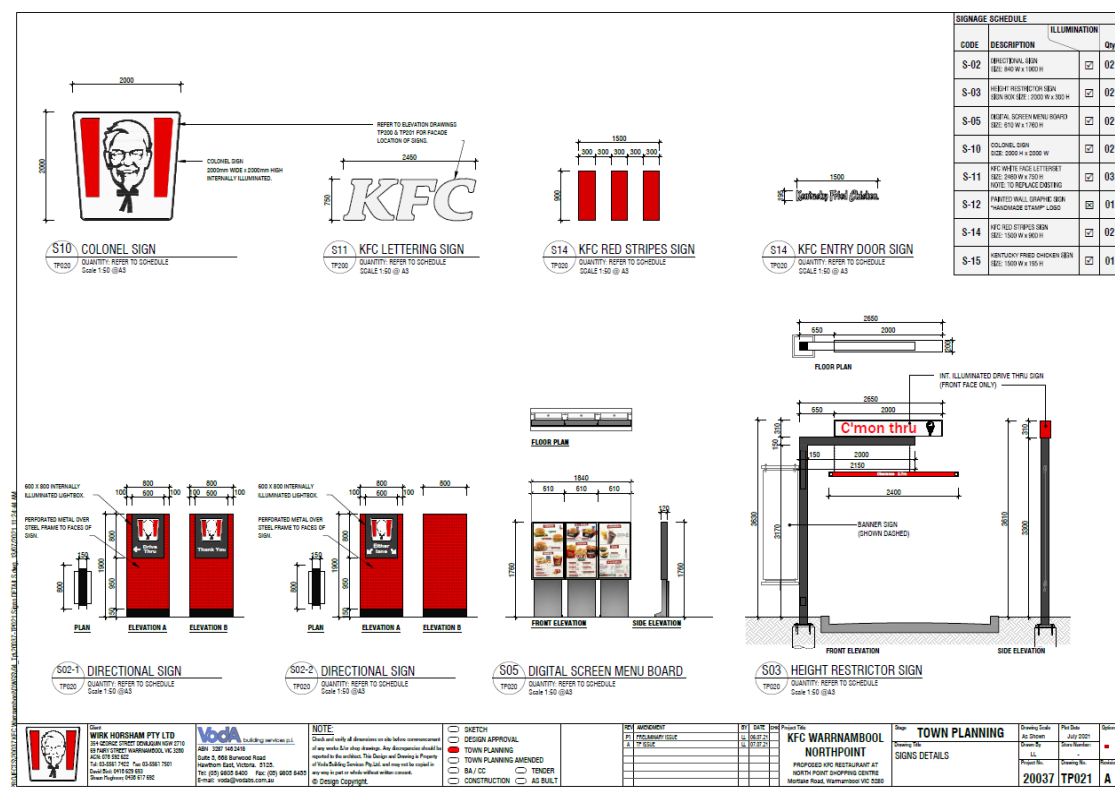
EXTERNAL FINISHES SCHEDULE					
NOTE: FINISHES LEGEND & SCHEDULES ARE TO BE READ IN CONJUNCTION WITH SPECIFICATION AND DRAWINGS - REFER TO PLANS, ELEVATION & SECTION DRAWINGS AS DETAILED.					
CODE	DESCRIPTION	FINISH SPECIFICATION	LOCATION	SUPPLIER	SAMPLE IMAGE
EXTERNAL FINISHES	KFC 'ALABASTER WHITE'	BRAND: WATLYL SOLAGARD COLOUR: KFC EXTERNAL WHITE	EXTERNAL WALLS	SUPPLIER: WATLYL PAINTS CONTACT: MARIO MILLAN Email: mario.milan@shenwin.com Phone: +61 2 8867 5335 Mob: +61 458 322 513	
	KFC 'BLACK'	BRAND: DULUX COLOUR: BLACK CAVAR SN4HS-Sn4 ON 9mm EXDOTEK OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: DULUX	
	KFC 'GREY'	BRAND: DULUX COLOUR: DULUX 'TEAHOUSE' SN4S6 ON 9mm EXDOTEK OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: DULUX	
	KFC 'RED BOX'	BRAND: BRITE GLO SIGNAL RED COLOUR: KFC EXTERNAL RED ON 9mm EXDOTEK OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: WATLYL PAINTS CONTACT: MARIO MILLAN Email: mario.milan@shenwin.com Phone: +61 2 8867 5335 Mob: +61 458 322 513	
	BLACK PAINT / METALWORK	BLACK PAINT / METALWORK BRAND: WATLYL SOLAGARD COLOUR: NEW BLACK / 70.50	EXTERNAL METALWORK	SUPPLIER: WATLYL PAINTS CONTACT: MARIO MILLAN Email: mario.milan@shenwin.com Phone: +61 2 8867 5335 Mob: +61 458 322 513	
	METAL CLADDING	TYPE: ZINTL STANDING SEAM 190 COLOUR: MONUMENT MATT	EXTERNAL WALLS	HVG FACADES 29 HENDERSON STREET TURRELLA NSW 2205 https://www.hvgfacades.com.au Phone: 1300 861 712	
	EXTERNAL PRE-FINISHED PANELS	BRAND: CEMINTEL CODE: BARESTONE EXTERNAL FINISH: RAW	EXTERNAL WALLS	CEMINTEL http://www.cemintel.com.au Phone: 1300 236 468	
	PERFORATED METAL SHEET	PATTERN: R05541 COLOUR: RED (POWDERCOATED)	SCREENING FEATURES	SUPPLIER: LOCKER GROUP	
	TIMBER LOOK ALUMINUM RAILS	BRAND: ALWOOD COLOUR: SNOWGUM SIZE: 30 X 50 CLIP - ON CODE: 005000S CFC SHEETING BEHIND TO BE PAINTED DULUX 'BLACK' 0050S	EXTERNAL WALLS	SUPPLIER: ALWOOD https://alwood.com.au/ Phone: 1500 254 906	

Drive-thru



- A drive-thru facility is proposed to be constructed in association with the restaurant and will wrap around the new perimeter of the new building. The entrance to the drive-thru will be provided under a gantry from the existing car parking area of the shopping centre which leads into an area at the eastern end of the building. The drive-thru then continues around the southern side of the building with vehicles re-entering the car park at the western end of the building;
- Two (2) service lanes for entering and ordering within the drive-thru have been detailed on the plans for at the start of the drive-thru area;
- The service lanes then merge into one (1) lane for payment and service windows;
- Ordering points are located at the eastern end of the building with payment and serving windows located of the southern side of the building;
- The southern side of the drive-thru area is partially screened with fibre cement panels, timber look battens and aluminium metal screens;
- Nine (9) vehicles are able to be accommodated within the drive-thru area.

Figure 11: Proposed signage specifications (Source: Specifications submitted by the applicant)



## Signage

The following signage is proposed on the site in association with the convenience restaurant:

- Two (2) illuminated “Colonel” signs measuring 2 metres in width by 2 metres in height and being located on the northern and western building facades;
- Three (3) signs with “KFC” lettering measuring 2.4 metres in length by 0.7 metres in height;
- Two (2) “KFC red stripes” signs measuring 1.5 metres in width by 0.9 metres in height;
- Two (2) “KFC entry” door signs measuring 1.5 metres in width by 0.195 metres in height;
- A painted wall graphic displaying a “Handmade” stamp logo located on the southern façade measuring 2.4 metres by 3.33 metres;
- Direction signs around the building;
- Illuminated signs above the drive-thru;
- Digital screen menu boards; and
- Smaller signs as displayed on the plans provided with the application.

Figure 12: Proposed signage locations on the site (Source: Specifications submitted by the applicant)

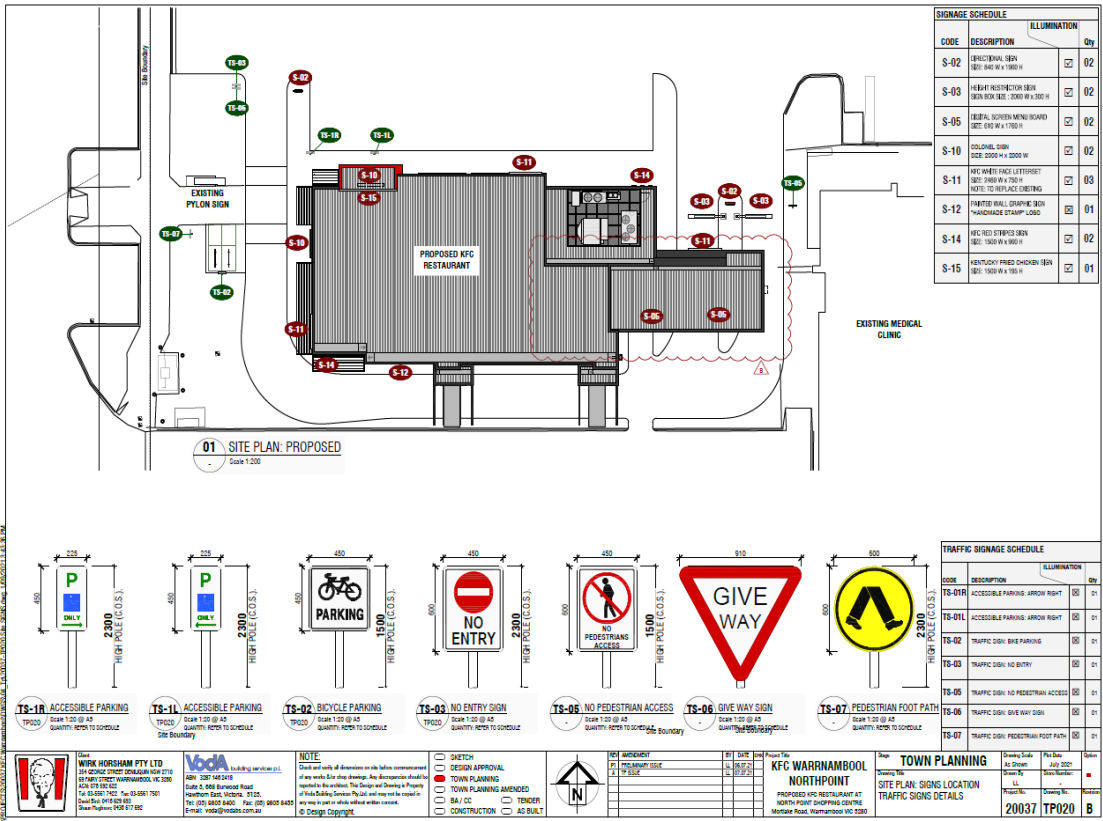
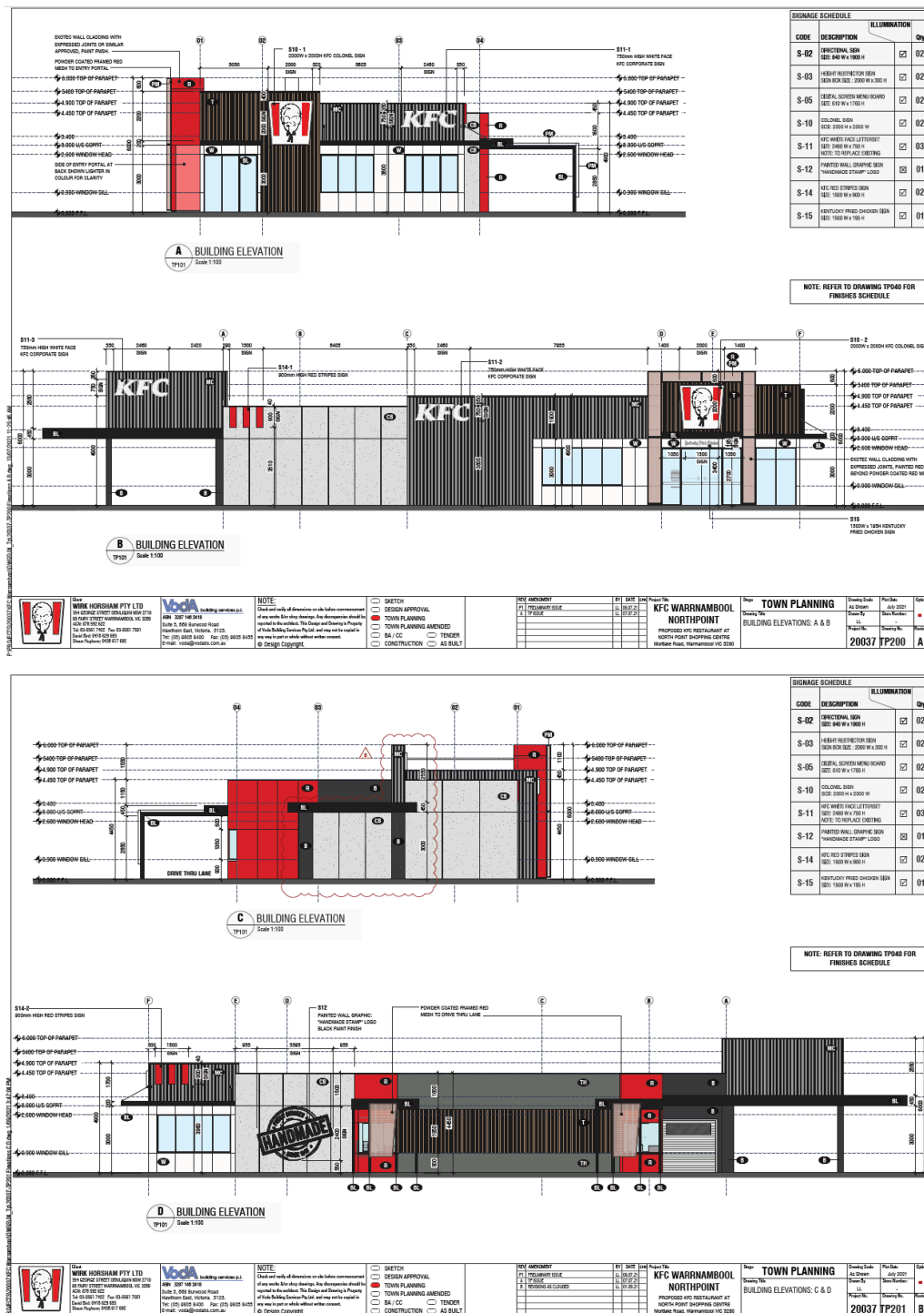


Figure 13: Proposed elevations (Source: Plans submitted by the applicant)



Car Park

The general car parking layout of the existing car park associated with the Northpoint Shopping Centre will remain with only minor changes to the car park proposed as part of the development of the site with the convenience restaurant. The changes will relate to the existing row of car parking spaces immediately to the north of the proposed building and car parking spaces that located to the north west of the building are proposed to be modified to allow for sufficient space to allow for entry and exit points to the proposed drive-thru. A total of three (3) car parking spaces will be removed to allow for the development to occur as detailed on the proposed plans. An existing trolley bay area located to the north west of the proposed building will also be removed and minor works within the car parking area, including removing parts of the existing kerbs and line marking, to allow for the proposed development.

Figure 14: Proposed vehicle access pathway to drive-thru (Source: Plan submitted by the applicant)



### Bicycle Parking

Bicycle parking is proposed to be provided to the west of the restaurant on the western side of thru drive-thru exit lane. Two (2) bicycle racks will be provided and four (4) bicycle parking spaces to accommodate at least six (6) bicycles.

### Pedestrian crossing

A pedestrian crossing is proposed to be provided over the drive-thru entrance to connect to the exiting footpath to the front of the medical centre with the footpath to the front of the restaurant.

### Bins

Bins are to be provided adjacent to the bicycle parking area and facing the car parking area at the entrance to the drive-thru area.

Documents considered with the application are:

- Town Planning Report dated 14 July 2021
- Traffic Impact Assessment (esr Transport Planning) dated 12 July 2021
- Plans prepared by VodA building services b.l.:
  - TP000 Cover sheet & drawing register (Revision B)
  - TP002 Location plan: proposed & vehicles travel path (Revision A)
  - TP010 Site plan: existing (Revision A)
  - TP011 Site plan: proposed (Revision B)
  - TP020 Signage location & traffic signage details (Revision B)
  - TP021 Signage details (Revision A)
  - TP040 Finishes schedule (Revision A)
  - TP101 Floor plan (Revision B)
  - TP120 Roof plan (Revision B)
  - TP200 Building elevations: elevations A & B (Revision A)
  - TP201 Building elevations: elevations C & D (Revision B)

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## Permit/Site History

### Planning History

#### Development Plan

A previous Development Plan relating to the Warrnambool Shopping Centre at 70-82 Hopkins Highway (Plan 0330 TP03p December 2004) detailed the proposed future construction of a convenience restaurant and fast food premises in the same location as is currently proposed. The plan also detailed a proposed drive-thru associated with the fast food premises and a 'future application' site of 900 square metres in close proximity to the entrance of the site which has now been developed as an extension to the existing car park area. Due to the age of the approval of the Development Plan and the change in circumstances of the central 'future application' site which has now been developed as an extension to the existing car park the vehicle circulation and provision of any new drive-thru to a convenience restaurant needs to be carefully considered under current standards to ensure that it is appropriate, functional and safe.

#### Amendment C37

The site was subject to Planning Scheme Amendment C37 to the Warrnambool Planning Scheme. The Amendment was a combined Planning Scheme Amendment and Planning Permit Application, which sought to rezone the land from Residential 1 Zone to Business 1 and the development of the Centro Shopping Centre (now known as Northpoint) and restaurant. The original permit PP2004-0225 was divided into two parts. The subject site was identified as being part of 70-82 Mortlake Road and 35-37 Hayley Drive and No. PP2004-0225a (which was updated to PP2004-1225 on 17/8/2017) was assigned to the main portion of the site including the north east and southern parts of the site. PP2004-0225b was assigned to the north eastern part of the site containing a proposed tavern and bottle shop. PP2004-0225 has been amended and issued with a number of extensions of time. The current



Figure 15: Current endorsed plan under PP2004-1225.05 detailing removal of drive-thru area from plans and replacement with car parking spaces (Source: Property file)



In relation to the land which contains the bottle shop and proposed tavern at 43-45 and 39-41 Hayley Drive the following permits have been issued:

- PP2008-0034 - Erect illuminated signage on south side of building facing supermarket carpark;
- PP2010-0055 - Buildings and works, on-premises liquor licence in association with a restaurant, dispensation from car parking requirements of Clause 52.06 of the Warrnambool Planning Scheme (Car Parking Provisions), dispensation from bicycle requirements of Clause 52.34 of the Warrnambool Planning Scheme (Bicycle Facilities), creation of carriageway easement. The plans were endorsed on 23/12/2021;
- PP2010-0185 - General liquor licence and the red line area plan. Issued on 8 November 2010. This permit for has been amended three times; and
- PP2019-0124 - Construction and display of signage.

### **Cultural Heritage Sensitivity**

The site is located within an Area of Cultural Heritage Sensitivity. A planning permit (2004-225) was issued for the construction of the existing shopping centre which included the construction of a convenience restaurant in the same location as is currently proposed. The permit was issued on 24 August 2006 which as such pre-dates the introduction of the *Aboriginal Heritage Regulations*. It is considered that pursuant to Regulation 46 of the *Aboriginal Heritage Regulations* a Cultural Heritage Management Plan is not required to be prepared as the proposed buildings and works are associated with the existing retail premises which was lawfully being used prior to 28 May 2007.

### **Covenants/Restrictions**

There are no covenants or section 173 Agreements apply to the subject land however the site does have existing easements along the northern lot boundary of the site for carriageway, footway and an overhanging canopy. The easements are not located in close proximity to the proposed buildings and works. There is also an existing caveat, AM084987W, is registered on the Certificate of Title however this is of no consequence to the current planning permit application.

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## **Statutory Controls**

Clause 73.03 of the Warrnambool Planning Scheme defines a 'convenience restaurant' as 'land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises'. A convenience restaurant is included in the general definition of a retail premises.

The following permit triggers are relevant to the application:

Clause	Permit Trigger
Clause 34.01 Commercial 1 Zone (C1Z)	Pursuant to Clause 34.01-4 a permit is required to construct a building or construct or carry out works. Note: The use of the site does not require planning approval as a convenience restaurant is generally defined a retail premises which is a Section1 use in C1Z.
Clause 52.05 Signs	Pursuant to Clause 52.05-11 a permit is required as the total signage exceeds 8m <sup>2</sup> and the internally illuminated signage exceeds 1.5m <sup>2</sup> in area.

Note: Additional consideration of the car parking requirements under Clause 52.06 was not deemed to be a permit trigger as a prior car parking waiver approved as part of the original planning approval PP2004-225 considered the location of a convenience restaurant in the same location that is currently proposed.

## Public Notification

In accordance with the provisions of the Commercial 1 Zone an application to construct a building or construct or carry out works is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act as the land is within 30 metres of land (not a road) which is in a residential zone.

The application was advertised with letters being sent to the owners and occupiers of adjoining and adjacent land and a sign was also displayed on the subject site for a minimum period of 14 days. A statutory declaration was provided by the applicant on 28 September 2021 detailing that the required sign had been displayed on the site for a minimum of 14 days.

Eleven (11) objections were received to the application. One (1) objection was received from Ambulance Victoria, seven (7) objections were received from existing tenants or agents on behalf of existing tenants of the Northpoint Shopping Centre and three (3) objections were received from surrounding residents including the owners of the site directly to the south of the subject site at 66 Mortlake Road.

The objections raised the following matters:

1. Deficiencies in the plans submitted with the application;
2. Traffic and car parking concerns;
3. Leasing arrangements;
4. Emergencies and ambulance parking bay provision;
5. Change to the 'feel of the area';
6. Potential odour, noise and rubbish impacts; and
7. Public health concerns.

The applicant provided a response to the objections dated 13 October 2021.

### Assessment of the objections



1. Deficiencies in the plans submitted with the application

It is agreed that there are some deficiencies with the plans and information that have been submitted with the application particularly the level of detail that is contained within the Traffic Impact Assessment Report (TIAR) as related to the way in which vehicles will queue and then access the drive-thru area associated with the convenience restaurant. It is considered that the entrance to the drive-thru area and any potential queuing within the existing car park should be further investigated and a more appropriate design should be provided to ensure that vehicles queuing to enter the drive-thru from the car parking area do not impede the circulation of other vehicles within the existing shopping centre car park.

2. Traffic and car parking concerns;

Valid concerns have been raised in the objections in relation to the impact that the development will have on the functionality of the existing shopping centre car park and the detrimental impact that will occur from vehicles queuing within the car parking area to access the drive-thru area associated with the restaurant causing unreasonable congestion and traffic management issues on the site. There is also the potential to impact the entrance to the site from Mortlake Road and create traffic congestion at the entrance to the car parking area.

3. Leasing arrangements

The leasing arrangements are not a relevant planning matter. The leasing arrangement is an agreement between the owners of the site and the tenants and is not an issue that would be considered as part of the planning assessment of the proposed development.

4. Emergencies and ambulance parking bay provision

It is considered that if a permit were to issue an ambulance bay will be detailed on the plans to service the shopping centre. Ambulance Victoria initially raised concerns in relation to the removal of an existing area on the site which is utilised as an ambulance parking bay. The applicant agreed to a condition being included on any permit should one be granted detailing an ambulance bay on the site. Ambulance Victoria withdrew their objection based on the fact that the ambulance parking area will be detailed on the plans in association with the proposed development of the site.

5. Change to the 'feel of the area'

The subject site is zoned Commercial 1 (C1Z). The Planning Scheme anticipates that the existing activity centre will be used for a range of different uses. Some developments may impact the amenity, particularly where there is an interface with residential areas. The nearest dwelling to the proposed convenience restaurant is at 66 Mortlake Road which is sited approximately 12 metres to the south of the subject site. There is currently substantial screening between the dwelling at 66 Mortlake Road and the subject site and no additional screening is deemed to be required. It is appropriate that should a permit issue conditions covering matters relating to the protection of the amenity of the area be placed on the planning permit to ensure that the convenience restaurant is managed appropriately.

6. Potential odour, noise and rubbish impacts; and

The site is adjacent to the Hopkins Highway, within 50 metres of a signalised intersection and there are existing commercial/retail tenancies already established on the site. The residential amenity does not appear to have been compromised as a result of the previous development and it is not anticipated that the construction of a convenience restaurant will create any unreasonable amenity impacts. On balance it is considered acceptable to include conditions and advisory notes which relate to general amenity concerns should a permit issue.

7. Public health concerns.

Council's Health Unit has been referred the application. The business would be required to adhere to any licence issued by Council. The Commercial 1 Zone carries mandatory conditions which ensure that any use of the land must not adversely affect the amenity of the area.

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## Consultation

The application has been the subject of lengthy consultation between the applicant and Council. After initial concerns were raised with the drive-thru area associated with the convenience restaurant minor changes were made to the plans. The applicant has been advised that there are still concerns with the way in which the existing car parking area associated with the Northpoint Shopping Centre would be impacted by the location of the drive-thru associated with the restaurant. In particular, concerns were raised that vehicles accessing the entrance to the drive-thru via the central aisle of the car park which runs in a north-south direction will queue within the car parking area before entering the drive-thru area. It is considered that queuing at the entrance to the drive-thru will obstruct other vehicles seeking to park and circulate within the car parking area in order to park or exit when visiting other commercial tenancies within the shopping centre. It was suggested that consideration be given to altering the orientation of the building to provide access to the drive-thru at the western end of the building or that other alternatives to locating the entrance to the drive-thru in the south west corner of the site be further investigated.

The applicant took the matter under advisement but has not made any substantial changes to the plans to address the concerns that have been raised in relation to the entrance to the drive-thru area and congestion within the existing car parking area.

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## Referrals

### Section 55 Referrals

None required.

### Section 52 Referrals

- Department of Transport (DoT)  
No objection was raised to the proposed development in the referral response from the DoT.

### Internal Referrals

- Strategic Planning

No concerns were raised and the following response was received:

The subject site is located within the Commercial 1 Zone, and is not affected by any overlays.

Northpoint Shopping Centre is part of a designated Neighbourhood Activity Centre within the activity centre hierarchy that is underpinned by the Warrnambool Retail Strategy, 2007. The proposed convenience restaurant and associated signage is an appropriate use for a Neighbourhood Activity Centre, and is supported by policy direction at Clause 02.03-1 of the MPS and Clause 11.03-1L-01 of the PPF.

It is considered that the proposal is appropriate for the site, and has the strategic support of the planning scheme, retail strategy and zoning.

- Infrastructure

A referral response included observations and suggestions for consideration by the applicant in relation to the vehicle travel paths and signage, car park bays and pedestrian crossing. This information was conveyed to the applicant and some minor changes were made to the proposed development. Council's Infrastructure Department also proposed three (3) advisory notes that should be placed on any planning permit, if granted, in relation to applications for a Road Reserve Works Permit, an Asset Protection Permit and the discharge of polluted water.

Comment

Relevant advisory notes would be able to be included on any permit, if granted, in relation to applications for a Road Reserve Works Permit and an Asset Protection Permit and the discharge of polluted water.

- City Building Services

No objection was raised and it was advised that a Registered Building Surveyor should assess compliance with the Building Code of Australia.

Comment

An advisory note would be able to be included on any permit, if granted, in relation to an application for a building permit.

- Environmental Health

Commented that compliance is required with the following legislation:

- *Environment Protection Act 2017 and all sub regulations;*
- *Public Health and Wellbeing Act 2008 and all sub regulations;*
- *Food Act 1984 and all sub regulations; and*
- *Relevant Australian Standards.*

Take note of the following publications:

- *EPA publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues;*
- *How to prevent stormwater pollution on building sites and reducing stormwater pollution: business and industry;*
- *EPA Publication 1834 Civil construction, building and demolition guide;*
- *Compliance with Food Act 1984 – Food Standards Code and Australian Standards; and*
- *Compliance with current Chief Health Officer directions.*

#### Comment

An advisory note would be able to be included on any permit, if granted, in relation to the legislation, standards and publications referred to above.

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## **Strategic Framework**

### **Municipal Planning Strategy (MPS)**

Relevant Clauses in the MPS include

- Clause 02.01 – Context
- Clause 02.02 Vision
- Clause 02.03 Strategic Directions

#### Activity Centres

Northpoint Village Neighbourhood Activity Centre – where the highest-order retail attractor is a supermarket.

Council's strategic directions for activity centres are:

- Supporting use and development that reinforces the Warrnambool activity centre hierarchy at Clause 11.03-1L-01.
- Directing core retail activities to the Warrnambool City Centre including the majority of major retail stores.
- Locating further regional level retailing, services, facilities and activities in the Warrnambool City Centre as a first preference.

Clause 02.03-3 Environmental risk and amenity

Climate change

Land use conflicts

Clause 02.03-5 Built environment and heritage

Urban design

Clause 02.03-7 Economic development

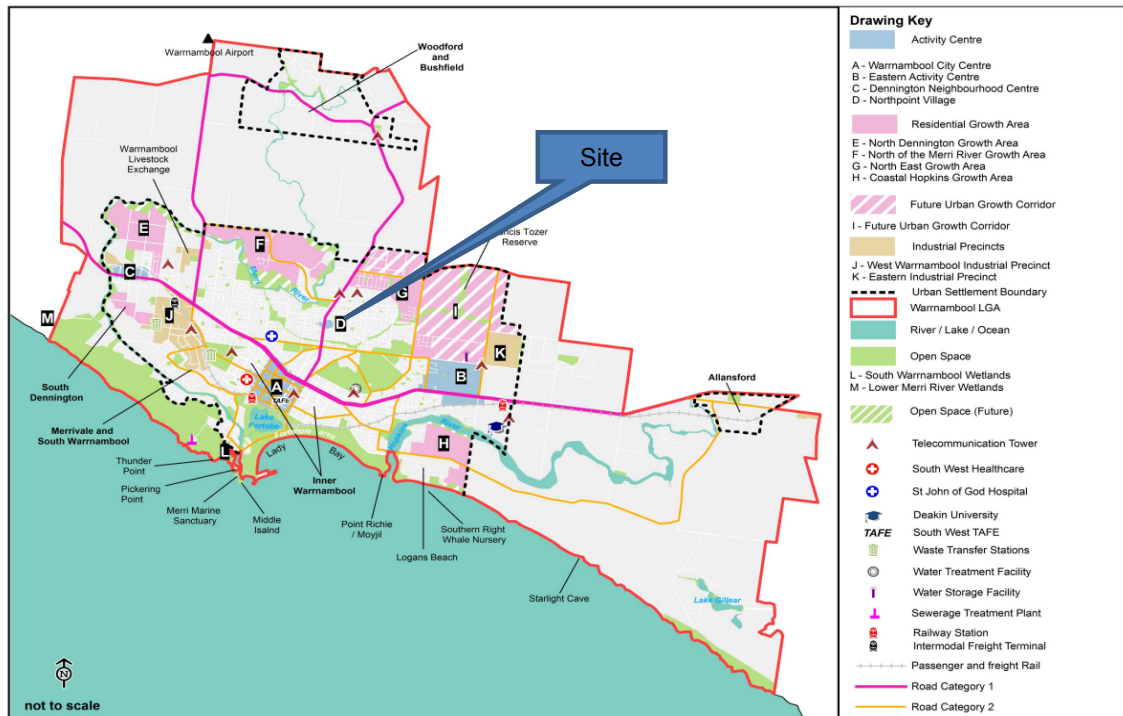
Commercial

Clause 02.03-8 Transport and infrastructure

Transport

Development infrastructure

Figure 16: Warrnambool Strategic Framework Plan (Source: Warrnambool Planning Scheme)



The provisions of the MPS provide:

- Identify Warrnambool City as Victoria's largest coastal regional city with the fastest growing economy and population centre in the south west. Accordingly there is a need to plan for demand for community facilities and services
- Recognise Warrnambool as a major tourist hub in the south west with the Princes Highway as a major thoroughfare.
- Encourage improvements to the visual quality of major transport routes and entrances to Warrnambool, including development of active street frontages, consolidation of advertising signage.
- Encourage the development of a 'Sustainable Warrnambool' through creation of employment choices, range of shops and services,
- Identify a hierarchy for activity centres within Warrnambool.
- Ensure the development of activity centres fosters a high quality urban environment that is attractive, safe, compatible with the surrounding neighbourhood and promotes civic pride.

### Assessment

The siting, design and location of the built form provides for highway exposure and the design of the built form is consistent with other commercial developments already completed on the site creating an acceptable new building within the surrounding urban environment. The

proposed convenience restaurant is consistent with the objectives of the Activity Centre and would contribute to the services provided in the area.

However based on consideration of how the site operates and the fact the a portion of the site which was identified originally as being a 'future application' site at the front of the site has been developed with an extension to the car parking area, the increase in traffic in this space changes how a potential drive-thru area to a convenience restaurant would function.

### Planning Policy Framework (PPF)

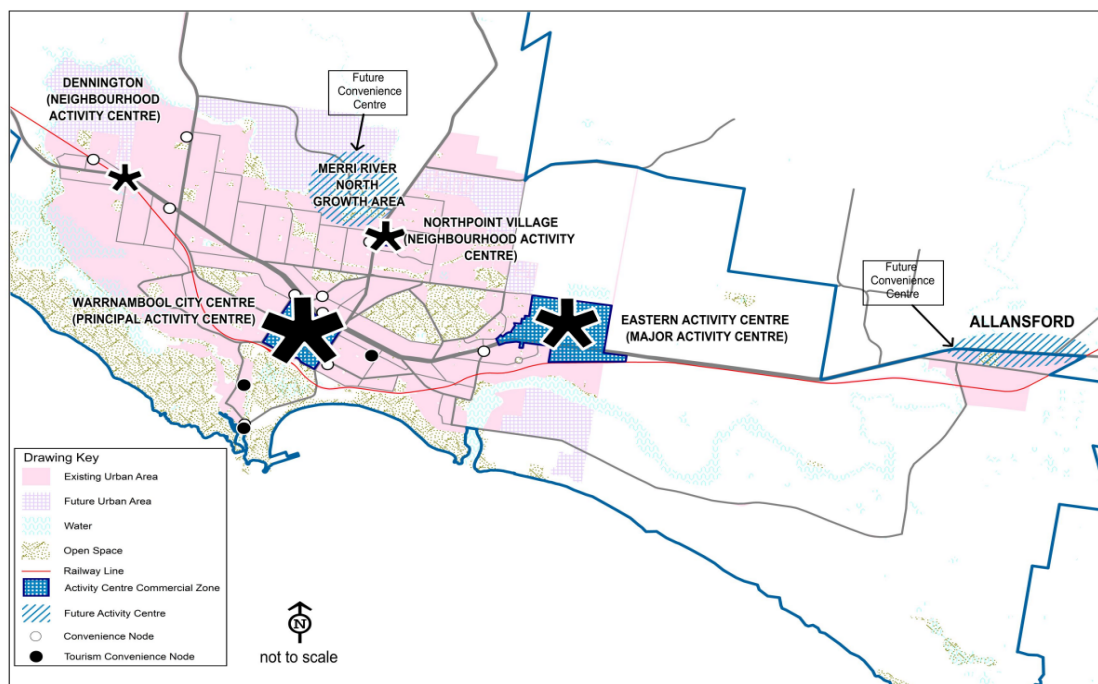
Relevant state policies include:

#### Clause 11 Settlement

##### Clause 11.01 Victoria

- Clause 11.01-1S – Settlement
- Clause 11.01-1R – Settlement: Great South Coast

Figure 17: Activity Centre Map (Source: Warrnambool Planning Scheme)



#### Clause 11.03 Planning for Places

- Clause 11.03-1S – Activity centres
- Clause 11.03-1L-01 – Activity centres in Warrnambool

##### Objective

*To establish or expand activity centres consistent with the activity centre hierarchy and the designated role of the centre reflecting its function relative to other centres.*

## Strategies

*Support Neighbourhood Activity Centres at Dennington and Northpoint Village.*

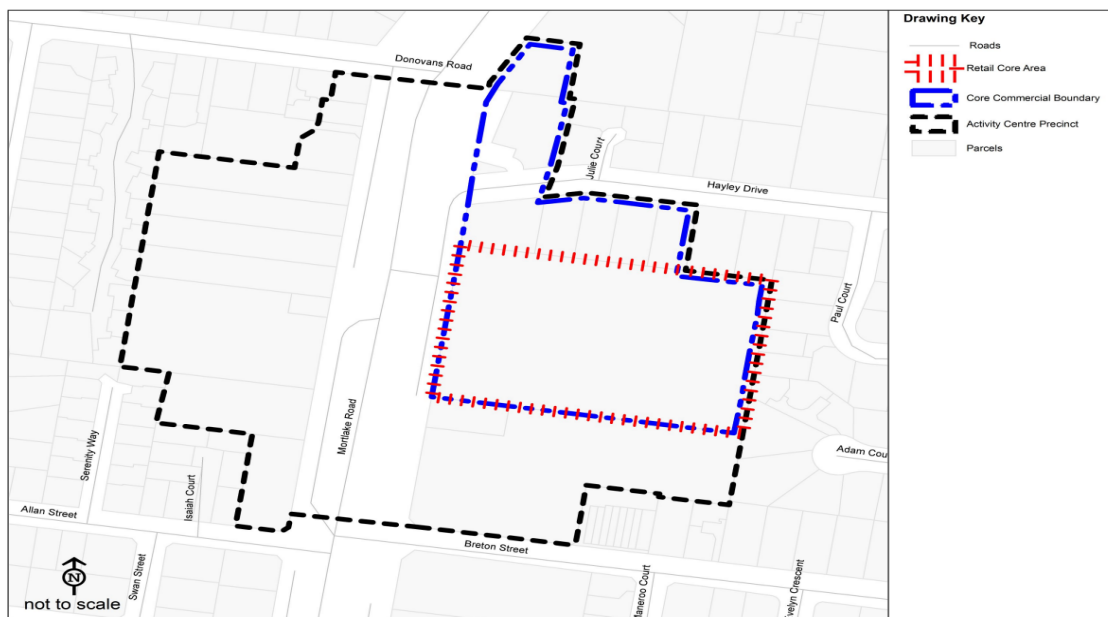
*Limit expansion of floorspace within each centre so that:*

- *The designated role of other centres in the activity centre hierarchy is not compromised.*
- *The ability of other centres to regenerate or respond to change is not adversely impacted.*

*Diversify activities within each centre to encompass a range of retail, commercial, community, entertainment, hospitality, institutional, housing, leisure and tourism activities.*

*Limit further retail and commercial development to existing designated activity centres.*

Figure 18: Northpoint Village Neighbourhood Activity Centre Map (Source: Warrnambool Planning Scheme)



## Clause 13 Environmental Risks and Amenity:

- Clause 13.05 – Noise
  - Clause 13.05-1S Noise abatement
- Clause 13.07 – Amenity and Safety
  - Clause 13.07-1S Land use compatibility

## Clause 15 Built Environment and Heritage

- Clause 15.01 Built Environment

Clause 15.01-1S Urban design

Objective

*To create urban environments that are safe, healthy, functional and enjoyable and contribute to a sense of place and cultural identity.*

Strategies

*Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*

*Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*

Clause 15.01-2S Building Design

Objective

*To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

Strategies

*Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*

Clause 17 Economic Development

➤ Clause 17.02 Commercial

Clause 17.02-1S Business

Clause 18 Transport

➤ Clause 18

Clause 19 Infrastructure.

➤ Clause 19

Clause 19.03 Development Infrastructure

Clause 19.03-2S Infrastructure design and provision

Clause 19.03-3S Integrated water management

The provisions of the PPF can be summarised as follows:

- Seek to develop a network of activity centres that differ in size and function as a focus for business, shopping, working, leisure and community facilities
- Call for new convenience shopping facilities that provide for the needs of the local population within, or immediately adjacent to, existing commercial centres.
- Promote the adoption of a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards



- Ask for all new land use and development to appropriately respond to its landscape, valued built form and cultural context, and to protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.
- Promote high quality urban design and architecture that contributes positively to local urban character and sense of place and promotes attractiveness of towns and cities within broader strategic contexts
- Minimises detrimental impact on neighbouring properties.

### Assessment

The proposed development would be located within the Northpoint Village Neighbourhood Activity Centre and offer convenience to the local population and passers-by. Consideration has been given in the application to an architectural response that complements the architecture elsewhere in the activity centre.

Although the built form is acceptable, the proposed layout of the convenience restaurant and in particular the proposed entrance to the drive-thru is highly likely to detrimentally impact both the circulation and functionality of the existing car parking area of the Northpoint Shopping Centre. The actual construction of the buildings would be acceptable if no drive-thru facility was provided on the site or the entrance to the drive-thru was provided with dedicated queuing lanes prior to entering the drive-thru. The proposed location of the entrance to the drive-thru occupying a central location within an existing aisle of the car park is likely to adversely impact on amenity of the area and be inconsistent with the way in which the other commercial uses on the site operate.

The proposal is generally in accordance with the PPF with the exception of Clause 15.01-1S and Clause 15.01-2S on account of the potential traffic concerns within the site.

### **Other Documents**

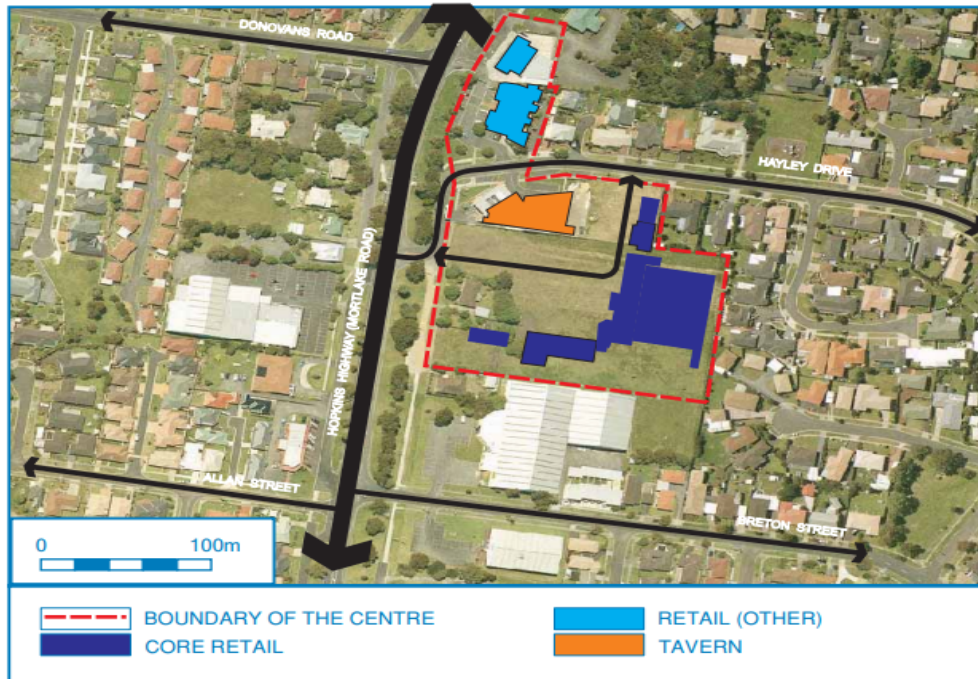
#### **Warrnambool Retail Strategy (November 2007)**

Clause 5.6.3 of the Strategy References the Northpoint Village and its role as an important local retail function for residents living in north Warrnambool. Clause 7.6 provides the recommended hierarchy comprising:

- The Warrnambool City Centre
- The Eastern Activity Precinct; and
- Northpoint Village.

The prior expansion of Northpoint Village has elevated the role of the centre from a local convenience to a neighbourhood activity centre which provides important retail, social and community functions and for the day to day convenience needs of communities residing in north Warrnambool.

Figure 19: Northpoint Village Neighbourhood Activity Centre Map (Source: Warrnambool Retail Strategy 2007)



## Zoning

### COMMERCIAL 1 ZONE (C1Z) – Clause 34.01

#### Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

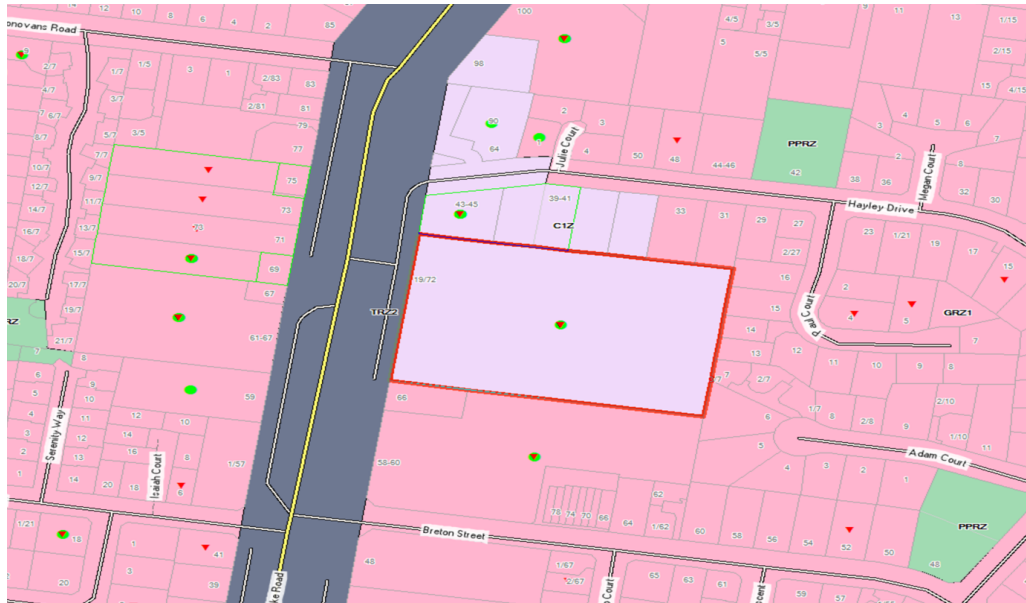
#### Permit Requirement

In accordance with Clause 34.01-4 a permit is required to construct a building or construct or carry out works. In accordance with Clause 34.01-2 permit is not required for the use of land for a convenience restaurant which is included in the general definition of a retail premises.

#### Decision Guidelines

In accordance with Clause 34.01-8 before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate the relevant decision guidelines detailed below:

Figure 20: Zoning Map (Source: Exponare)



#### General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

#### Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.

### Signs

In accordance with Clause 34.01-9 sign requirements are at Clause 52.05 (refer to assessment below under Particular Provisions). This zone is in Category 1.

### Assessment

The Commercial 1 Zone seeks to create vibrant mixed use commercial centres. The addition of a convenience restaurant to complement and function alongside the existing uses, that would add visual interest to the site particularly when seen from Mortlake Road (Hopkins Highway) and could be managed sympathetically in regard to adjoining land uses which could be an appropriate outcome for the activity centre. The design is considered to provide an appropriate response to access, waste management and amenity.

Traffic movement and circulation issues remain problematic on the site particularly in relation to the use of the 'drive-thru' associated with the convenience restaurant which is likely to result in congestion within the existing car parking area which would detrimentally impact the movement of vehicles using the site and trying to access other commercial tenancies of the shopping centre.

### **Overlay(s)**

None apply.

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## **Relevant Particular Provisions**

### **SIGNS - Clause 52.05**

#### Purpose

- *To regulate the development of land for signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

#### Category

In accordance with Clause 52.05-11 Category 1 signs for Commercial areas detail whether a permit is required for signage as detailed below:

#### **Section 1 - Permit not required**

<b>Sign</b>	<b>Condition</b>
<b>Bed and breakfast sign</b>	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
<b>Business identification sign</b>	
<b>Home based business sign</b>	
<b>Promotion sign</b>	

<b>Direction sign</b>	None specified
<b>Internally illuminated sign</b>	<p>The total display area to each premises must not exceed 1.5 sqm.</p> <p>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.</p> <p>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</p>

## Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

## Section 3 - Prohibited

Sign
Nil

### Permit Requirement

The proposed signage does not meet the conditions under Section 1 as the total signage exceeds 8m<sup>2</sup> in area and the internally illuminated signage exceeds 1.5m<sup>2</sup> in area. Therefore is considered to be classified within Section 2 and requires planning approval.

### Clause 52.05-8 Decision Guidelines

- *The character of the area*
- *Impacts on views and vistas*
- *The relationship to the streetscape, setting or landscape*
- *The relationship to the site and building*
- *The impact of structures associated with the sign*
- *The impact of any illumination*
- *The impact of any logo box associated with the sign*
- *The need for identification and the opportunities for adequate identification on the site or locality.*
- *The impact on road safety.*

### Assessment

The application has been assessed against the relevant decision guidelines for business identification signage - given the total business signage would be in excess of 8m<sup>2</sup> and illuminated signage would be in excess of 1.5m<sup>2</sup>. The proposed signage is considered to be appropriate for the site in association with development of the site with a convenience restaurant. The location and design of the signage is appropriate within a commercial setting. Although the signage would be prominent when seen by road users the signage is considered to be normal to a convenience restaurant and would not contribute to visual clutter or be detrimental to visual amenity. All signage would be contained within the boundary of the site and conditions of any permit, if granted, can limit the intensity of the light source to address the relevant decision guidelines. The nature of the use and its location within a Commercial area and the Northpoint Activity Centre lends itself to a diverse range of signage, including that which has been proposed.

## **CAR PARKING – Clause 52.06**

### Purpose

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

### Number of car parking spaces required – Clause 52.06-5

*A car parking requirement may be calculated as either:*

- *A number of car parking spaces; or*
- *A percentage of the total site area that must be set aside for car parking*

### Number of car parking spaces required by other uses - Clause 52.06-6

For a convenience restaurant 0.3 spaces per person are required for each patron permitted. The submitted report relies upon a figure of 44 patrons to the restaurant for the purpose of car parking demand and therefore 13 spaces would ordinarily be required.

### Assessment

As the combined Planning Scheme Amendment and Permit for the construction of the shopping centre (C37) contemplated the overall layout of the site with consideration of the construction of a convenience/fast food restaurant in the same area as is currently proposed, including a dispensation from providing the required car parking for the entire development, it is considered that the total car parking requirement for the site has already been met. Accordingly no waiver has been sought or is deemed to be required in relation to the proposed buildings and works which are associated with the construction of the convenience restaurant.

The area detailed on the plan associated with Amendment C37 as a 'future application' site which measured 900m<sup>2</sup> has since been developed as an extension to the existing car parking area and as such, additional car parking spaces have been made available in association with the use of the shopping centre that were not previously required.

The Traffic Impact Assessment Report which has been provided to support the application details the modifications that will be undertaken to the existing car park to provide for the proposed drive-thru associated with the restaurant. The alterations would result in a net loss of three (3) car parking spaces and any waiver is considered to have been assessed as part of the original planning approval for the development of the site and is considered to be appropriate.

## **LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK - Clause 52.29**

### Purpose

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

### Permit Requirement

A permit is required to create or alter access to a road in a Transport Zone 2.

Decision Guidelines - Clause 52.29-6

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The views of the relevant road authority.*
- *The effect of the proposal on the operation of the road and on public safety.*
- *Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.*

Assessment

It is considered that there is no permit trigger under this clause as there will be no change to the vehicle access point to the site from Mortlake Road (Hopkins Highway) which forms part of a Transport Zone 2 (TRZ2). The application was not referred to Department of Transport (DoT) pursuant to section 55 of the *Planning & Environment Act 1987* as access to the site from Mortlake Road (Hopkins Highway) is not being altered as a result of the proposed development on the site. However a referral was sent to DoT under section 52 of the *Act* in order to ascertain whether there would be any concerns due to a higher volume of traffic potentially frequenting the site and the impact on the entrance from Mortlake Road (Hopkins Highway). DoT raised no objection to the proposed development.

**BICYCLE FACILITIES - Clause 52.34**

Purpose

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Provision of bicycle facilities

Clause 52.34-1 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

Required bicycle facilities

Table 1 to Clause 52.34-5 details that for a convenience restaurant 1 bicycle space is required to each 25m<sup>2</sup> floor area available to the public for employees and 2 spaces for shoppers.

Assessment

Approximately 100m<sup>2</sup> of the restaurant will be available to the public and as such four (4) bicycle spaces should be provided for staff and an additional two spaces for shoppers. A total of six (6) bicycle should ordinarily be provided in accordance with Clause 52.34-5. The applicant has detailed four (4) bicycle parking spaces and two bicycle racks to the west of the restaurant to comply with the requirement to provide bicycle parking facilities.

**STORMWATER MANAGEMENT IN URBAN DEVELOPMENT - Clause 53.18**

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

#### Stormwater management objectives for buildings and works

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*
- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

#### Assessment

The preparation of a Stormwater Management Plan and a Construction Management Plan could form conditions of a permit, if granted, to ensure that stormwater was appropriately managed on the site at all times.

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## **General Provisions**

### **DECISION GUIDELINES – Clause 65.01**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in Section 60 of the Act.*
- *Any significant effects on the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

#### Assessment

The proposed development is generally in accordance with the Decision Guidelines of Clause 65.01. However, concerns remain as to whether the development would result in the orderly planning of the area as a result of a lack of consideration to traffic movements within the site



An assessment of the proposal finds that the potential conflict between users of the car park would be contrary to certain objectives and strategies of Clauses 15.01-1S (Urban Design) and Clause 15.01-2S (Building Design) as follows (emphasis added):

*Clause 15.01-1S Urban Design*

*Objective:*

*To create urban environments that are safe, healthy, functional and enjoyable and contribute to a sense of place and cultural identity. Strategies*

*Strategies:*

*Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*

*Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*

*Clause 15.01-2S Building Design*

*Objective*

*To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

*Strategy*

*Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*

---

## Conclusion

The proposal seeks planning approval for buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant. The subject site is located within the Northpoint Shopping Centre and the development is proposed to take place on the last remaining undeveloped space within the south west corner of the site.

The original Development Plan and Amendment C37 detailed a convenience restaurant and drive-thru on the subject site however the current endorsed plan associated with PP2004-1225.05 seeks to deliver a restaurant rather than drive-thru as proposed.

The actual built form of the convenience restaurant on the subject site is appropriate and is consistent with the design and finish of surrounding commercial buildings. However due to the proposed location of the entrance to the drive-thru associated with the convenience restaurant at the end of a central aisle of the car parking area it is considered that vehicles queuing to enter the drive-thru will detrimentally impact the functionality of the existing Northpoint Shopping Centre car park. Such concerns have been raised by other tenants within the Centre.

Despite Council's requests for the applicant to investigate the impact of queuing at the entrance to the drive-thru area, the applicant has made no significant amendments to the layout. Concerns therefore remain in relation to the continued functionality of the car park.

The issue is considered to be able to be resolved by a detailed investigation into the impacts of queuing and the subsequent changes to the car parking layout to ensure the safe and efficient movements of cars and pedestrians. As such, conditions are proposed to address these matters to Council's satisfaction.

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## Recommendation

That Council having given notice of the application in accordance with the provisions of the Warrnambool Planning Scheme and Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit (NOD) under of the *Planning and Environment Act 1987* and the provisions of the Warrnambool Planning Scheme in respect of the land known and described as Lot 1 TP 889015N, 1/72 Mortlake Rd WARRNAMBOOL VIC 3280, *for buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant* subject to the following conditions:

### 1. Amended Plans Required

Before the development starts, 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 will then form part of the permit. The plans must be drawn to scale with dimensions and three (3) copies must be provided. The plans must be generally in accordance with the plans submitted on 2 September 2021 but modified to show:

- a) Modifications to the layout of the convenience restaurant to meet the recommendations of the Parking Management Plan.
- b) The provision of a designated ambulance bay with appropriate dimensions

### 2. Parking Management Plan

Before the development starts a Parking Management Plan to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. The Parking Management Plan must consider and respond to:

- a) Queuing at the entry of the convenience restaurant and the potential for cars to extend into the car park, and the areas where this would occur,
- b) Direction of travel to the convenience restaurant for vehicles entering the car park from both Mortlake Rd and Hayley Dr
- c) Direction of travel for vehicles exiting the convenience restaurant
- d) The circulation of vehicles within the car park particularly in the vicinity of the entry to the convenience restaurant
- e) The impact of services such as taxi collection, 'click and collect' and 'car park delivery' services offered by business in the shopping centre and how this might impact on the circulation of vehicles in the vicinity of the convenience restaurant
- f) The location of all areas on-site to be used for staff parking;
- g) The location of all areas on-site to be used for parking by medical practitioners including the location of the ambulance bay
- h) The impact on the safety of motorists and pedestrians as a result of all the above.
- i) Any recommended changes to layout of the convenience restaurant or specific traffic management measures e.g line-marking, traffic islands, directional signage etc to improve the safety and efficiency of traffic movements within the car park.

When approved the Traffic and Parking Management Plan will be endorsed and will then form part of the permit. The approved Parking Management Plan must be implemented to the satisfaction of the Responsible Authority before the convenience restaurant is first brought into use.

3. Amended Traffic Report

Before the development starts, an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the responsible authority. The amended TIA must have regard to the report submitted with the application (ESR Transport Planning dated 12/7/21) but

- a) Take into account the traffic generated by the apartment development on the west side of Mortlake Road (69-75) for which the exit of all residents will be via the signalised intersection.

4. Layout Not Altered

The development hereby permitted must be carried out in accordance with the endorsed plans and must not be altered without the prior written consent of the responsible authority.

5. General Amenity

The development must be managed so that the amenity of the area is not detrimentally affected, through the:

- a) Transport of materials, goods or commodities to or from the land;
- b) Appearance of any buildings, works or materials;
- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- d) Presence of vermin.

6. Delivery Times

Unless otherwise consented to in writing by the responsible authority, deliveries to and from the site must occur between the hours of:

- 6am to 10 pm Monday to Sunday.

7. Utility Provision

- a) All basic services, including water, electricity, gas, sewerage, telephone and other telecommunication facilities must be installed underground and located to the satisfaction of the responsible authority; and
- b) The entire site must be connected to the existing underground drainage and sewerage systems to the satisfaction of the responsible authority.

8. Building Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

#### 9. Stormwater Management Plan

Before development starts a detailed Stormwater Management Plan is to be submitted to and endorsed by the responsible authority prior to any works commencing. The works must be designed in accordance with the current responsible authority's Design Guidelines, the endorsed application plans and the endorsed Development Plan and must include:

- a) Details of how the works on the land are to be drained and/or retarded;
- b) Where interim or temporary works are proposed, details must be provided to show details on how these interim or temporary works will integrate with the ultimate drainage systems;
- c) Where drainage is required to be conveyed across privately owned land, demonstration of the consent of the landholder and/or easements must be provided to the satisfaction of the responsible authority;
- d) Identify any existing drainage on the site;
- e) Computations of the existing and proposed drainage;
- f) Independent drainage or on-site retention facility for the site;
- g) Details and measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
- h) The storm water discharge from this development must be limited to predevelopment runoff for a 5% AEP storm event;
- i) Documentation demonstrating approval for the legal point of discharge;
- j) The provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system;
- k) Maintenance schedules for treatment elements;
- l) Designed and constructed to satisfy AS/NZS 3500; and
- m) Demonstrate storm water runoff resulting from a 1% AEP storm event is able to pass through the development via reserves and/or easements, or be retained within development.

The endorsed storm water management plan is to be implemented prior to use or occupation of the development.

#### 10. Construction Management Plan

Before development starts (including any preliminary site preparation and establishment works, demolition or material removal) a Construction Management Plan must be submitted to and endorsed by the responsible authority.

The Construction Management Plan must include and address the following:

- a) Details of Public Safety, Amenity Considerations and Site Security;
- b) Environmental Management Plan (EMP) in accordance with the Environment Protection Authority document Environmental Guidelines for Major Construction Sites, February 1996 or its successor document, including:
  - i. Operating Hours, Noise and Vibration Controls;
  - ii. Air and Dust Management;

- iii. Stormwater and Sediment Control; and
- iv. Waste and Materials Reuse Management.
- c) Construction Program;
- d) Traffic Management Plan;
- e) Evidence of Responsible authority approvals and insurance required to undertake works; and
- f) Asset Condition Report, with photos and assessment of any prior damage to public infrastructure and identified actions to minimise damage to infrastructure during construction.

Once endorsed, the Construction Management Plan will be endorsed and form part of this permit.

#### 11. Construction Amenity

To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:

- a) Stockpiles of topsoil, sand, aggregate, spoil or other material must be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and must have measures in place to prevent the movement of such material off site;
- b) Building operations such as brick cutting, washing tools, concreting and bricklaying must be undertaken on the building block. The pollutants from these building operations must be contained on site; and
- c) Builders waste must not be burnt or buried on site. All waste must be contained and removed to a Waste Disposal Depot.

All works on the land must be undertaken in accordance with the endorsed plans to the satisfaction of the responsible authority.

#### 12. Car Park Modifications/Alterations

Before the use commences, the modifications/alterations to the car parking area and an appropriate ambulance parking bay must be provided on the site and finished to the satisfaction of the responsible authority. The works must be designed in accordance with the following where plans are to be submitted to and endorsed by Council prior to construction.

- a) In accordance with Australian Standards;
- b) Finished with an all-weather surface;
- c) Drained in accordance with the endorsed storm water management plan; and
- d) Provision for appropriate lighting, signage and line marking.

#### 13. Signage

- a) The location and details of the signage shown on the endorsed plans must not be altered without the written consent of the responsible authority;
- b) All signs must be constructed to the satisfaction of the responsible authority and maintained to the satisfaction of the responsible authority;

- c) All external lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse impact on adjoining land;
- d) The sign lighting must be designed, baffled and located to prevent any adverse effect on nearby residences within view of the site to the satisfaction of the responsible authority;
- e) Signs must not:
  - i. Contain any flashing light;
  - ii. Dazzle or distract drivers due to its colouring;
  - iii. Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles; and
  - iv. Be able to be mistaken as an instruction to drivers.
- f) The intensity of the light in the signs must be limited so as not to cause glare or distraction to motorists or other persons to the satisfaction of the responsible authority.

#### 14. Signage Expiry

This permit in so far as it relates to signage expires fifteen (15) years after the date it is issued.

### Notes

#### a) Permit Expiry

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

- i. The development is not started within two years of the date of this permit.
- ii. The development is not completed within four years of the date of this permit.

The responsible authority may extend the period in which to start the development or commence the use if a request is made in writing before the permit expires or within six months afterwards. The responsible authority may extend the period in which to complete the development if a request is made in accordance with the provisions of the *Planning and Environment Act 1987*.

#### b) Road Reserve Works Permit

Before the commencement of works a Road Reserve Works Permit must be approved by Council for all works on Council roads and assets.

#### c) Asset Protection Permit

Before the commencement of works an Asset Protection Permit must be approved by Council for all works on Council roads and assets.

#### d) Discharge of Polluted Water

Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the responsible authority.

e) Building Regulations

A building permit is required for the proposed development and a Registered Building Surveyor should assess compliance with the Building Code of Australia.

f) Environmental Health Considerations

The proposed development should be in accordance with the *Environment Protection Act 2017* and all sub regulations, the *Public Health and Wellbeing Act 2008* and all sub regulations, the *Food Act 1984* and all sub regulations and relevant *Australian Standards*. The applicant should take note of the following publications the *EPA publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues*; *How to prevent stormwater pollution on building sites and reducing stormwater pollution: business and industry*; *EPA Publication 1834 Civil construction, building and demolition guide*; *Compliance with Food Act 1984 – Food Standards Code and Australian Standards*; and compliance with current Chief Health Officer directions.

**Office Use Only**

Application No.:

Date Lodged: / /

## Application for a **Planning Permit**

### The Land

Address of the Land. Complete the Street Address and one of the Formal Land Descriptions.

**Street Address \***

Unit No:	St. No.: 72	St. Name: Mortlake Road
Suburb/Locality: Warrnambool		Postcode: 3280

**Formal Land Description \***

Complete either A or B

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

**A**  ☐ Lodged Plan ☒ Title Plan ☐ Plan of Subdivision

OR

**B**

### The Proposal

**For what use, development or other do you require a permit? \***

Buildings and works (to construct a convenience restaurant) and construct and display business identification signage

**Estimated cost of development \***

Cost \$1,800,000

You may be required to verify this estimate.  
Insert '0' if no development proposed

### Existing Conditions

**Describe how the land is used and developed now \***

See enclosed town planning report.

### Title Information

**Encumbrances on title \***

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes, see enclosed town planning report for additional information.
- ☒ No
- ☐ Not applicable (no such encumbrance applies)



## Applicant and Owner Details

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit.

<b>Name:</b>		
Title:	First Name: Cameron	Surname: McNeill
Organisation: Myers Planning Group		
<b>Postal address:</b>		<b>If it is a PO Box, enter the details here:</b>
Unit No:	St. No.:	St. Name: PO Box 207
Suburb/Locality: Warrnambool		State: VIC Postcode: 3280

Provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: (03) 5562 9443	Email: admin@myersplanninggroup.com.au
Mobile phone:	Fax: --

Where the preferred contact person for the application is different from the applicant, provide details of that person.

<b>Name:</b>		Same as applicant <input checked="" type="checkbox"/>
Title:	First Name:	Surname:
Organisation:		
<b>Postal address:</b>		<b>If it is a PO Box, enter the details here:</b>
Unit No:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:

### Owner \*

The person or organisation who owns the land.

<b>Name:</b>		
Title:	First Name:	Surname:
Organisation: Green Bay Properties Pty Ltd		
<b>Postal address:</b>		<b>If it is a PO Box, enter the details here:</b>
Unit No: 1	St. No.: 70	St. Name: St Kilda Road
Suburb/Locality: St Kilda		State: VIC Postcode: 3182

## Declaration

This form must be signed by the applicant \*

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner has been notified of the permit application.

Signature: 	Date: 14 July 2021
--	--------------------

Has there been a pre-application meeting with a council planning officer?

<input type="radio"/> No <input checked="" type="radio"/> Yes	If 'Yes', with whom?: James Phillips
Date: June 2021	day/month/year



14 July 2021

James Phillips  
Coordinator City Development  
Warrnambool City Council  
PO Box 198  
Warrnambool VIC 3280

By email only: [planning@warrnambool.vic.gov.au](mailto:planning@warrnambool.vic.gov.au)

Dear James,

**Application for a Planning Permit, 72 Mortlake Road, Warrnambool**

Please find enclosed an application for a planning permit for the above address.

Enclosed are the following documents for your assessment:

1. Completed application form - the application fee to be paid after lodgement, please email an invoice to [admin@myersplanninggroup.com.au](mailto:admin@myersplanninggroup.com.au)
2. Town Planning Report;
3. Recent Certificate of Title
4. Town Planning Drawings, prepared by Voda Building Services Pty Ltd;
5. Traffic Impact Assessment Report, prepared by ESR Transport Planning Pty Ltd.
6. Site and signage context photos

If you have any questions, please contact me on telephone (03) 5562 9443 or email [cameron@myersplanninggroup.com.au](mailto:cameron@myersplanninggroup.com.au)

Yours sincerely,



Cameron McNeill  
Senior Planning Consultant

Myers Planning Group Pty Ltd  
ABN 53 253 414 622  
182B Lava Street,  
Warrnambool VIC 3280  
[www.myersplanninggroup.com.au](http://www.myersplanninggroup.com.au)

**MYERS** Building Design  
**PLANNING GROUP** Town Planning  
Project Management

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## Planning Permit Application

72 Mortlake Road, Warrnambool  
Prepared for Wirk Horsham Pty Ltd

Issued  
14 July 2021

182B Lava Street  
Warrnambool VIC 3280

(03) 5562 9443  
[www.myersplanninggroup.com.au](http://www.myersplanninggroup.com.au)

## Overview

### Background

Applicant / Owner	Wirk Horsham Pty Ltd
Address	72 Mortlake Road, Warrnambool
Lot Description	Lot 1 TP 889015N (Volume 10959 Folio 037)

### Relevant Planning Controls

State Planning Policy Framework	Clause 11.01-1S - Settlement
	Clause 11.01-1R - Settlement: Great South Coast
	Clause 11.03-1S - Activity centres
	Clause 15.01-1S - Urban design
	Clause 15.01-2S - Building design
	Clause 17.02-12S - Business
	Clause 18.02-1S - Sustainable personal transport
	Clause 18.02-4S - Car parking
	Clause 19.03-2S - Infrastructure design and provision
Local Planning Policy Framework	Clause 19.03-3S - Integrated water management
	Clause 21.01 - Municipal profile, Council vision and strategic directions
	Clause 21.01-4 - Strategic directions
	Clause 21.02-1 - Activity centres
	Clause 21.06-1 - Urban environment
Zone	Clause 21.08-1.1 - Out of centre development
	Commercial 1 Zone
Overlays	None applicable
Particular Provisions	Clause 52.05 Signs
	Clause 52.06 Car Parking
	Clause 52.34 Bicycle Facilities
	Clause 53.18 Stormwater Management in Urban Development
Strategic Planning Documents	Warrnambool Retail Strategy 2007
<b>Permit Application Details</b>	
Description of Proposal	Buildings and works (to construct a convenience restaurant) and construct and display business identification signage

---

Permit requirement	Clause 34.01-4: Commercial 1 Zone - a permit is to construct a building or construct or carry out works.
	Clause 52.05-2: Signs - a permit is required to construct and display signs.

---

**Acknowledgement of Country**

We acknowledge the Traditional Owners of the Country on which this application applies and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

**We care about our community**

We donate a fixed percentage of our income each year to local organisations that work towards a better world. We also advise and represent a select group of clients on a reduced cost or pro bono basis.

# Quality assurance

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**Town Planning Report**

72 Mortlake Road, Warrnambool  
Prepared for Wirk Horsham Pty Ltd

**Project Number**

21-445

**Revision**

00

**Prepared By**

AP

**Reviewed By**

CM

**Project Lead**

CM

**Issued**

14 July 2021

Revision	Date	Issue
00	14 July 2021	Final issue to Council

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# 1 Introduction

## 1.1 Purpose

This report has been prepared by Myers Planning Group on behalf of Wirk Horsham Pty Ltd in support of a planning permit application for buildings and works (to construct a convenience restaurant) and construct and display business identification signage at 72 Mortlake Road, Warrnambool (the 'Site').

The proposal provides a site responsive design which directly responds to the provisions of state and local planning policy and complies with the Warrnambool Planning Scheme.

Accordingly, the proposal triggers the following permit requirements:

- Clause 34.01-4: Commercial 1 Zone - a permit is to construct a building or construct or carry out works.
- Clause 52.05-2: Signs - a permit is required to construct and display signs.

Having considered the proposal with respect to the Warrnambool Planning Scheme, it is the conclusion of this report that proposal is consistent with both state and local planning policy. As such, this report recommends, and requests Council issues a permit for the proposal.

The following documents should be read in conjunction with this report and are provided as part of the application:

- Certificates of title
- OneMap Site Report
- Site Photos
- Town Planning Drawings prepared by Voda Building Services Pty Ltd
- Traffic Impact Assessment Report, prepared by ESR Transport Planning Pty Ltd.

## 1.2 Limitations

This report has considered the following documents:

- Warrnambool Planning Scheme (as of 14 July 2021);
- Certificate of Title (dated 28 June 2021).



## 2 Site and surrounds

### 2.1 Site description and title particulars

Site address	72 Mortlake Road, Warrnambool
Title details	Lot 1 TP 889015N (Volume 10959 Folio 037)
Site description	The Site is rectangular in shape with an area of 1.629 hectares and a frontage of approximately 100 metres to the Hopkins Highway.
Landowners	For the purposes of Section 48 of the Planning and Environment Act 1987, Green Bay Properties Pty Ltd are the registered landowners.
Easements, restrictions or covenants	The site is not encumbered by any restrictions or covenants pursuant to Section 173 of the Planning and Environment Act 1987 and the Subdivision Act 1988. The Site is encumbered by easements for carriageway, footway and an overhanging canopy, although these are located along the northern boundary of the Site and are not affected by the proposal.

Refer to Appendix A - Certificate of Title.

### 2.2 Site analysis

The Site comprises a large rectangular Site, developed and used as part of a neighbourhood shopping centre known as Northpoint Village. The Site is developed with the retail buildings generally located on the eastern and southern portion, and open car parking areas on the western portion. Access to the Site is via a service road accessing Mortlake Road to the west, and a smaller access point from Hayley Drive to the north.

Existing commercial tenancies include a supermarket (Coles), medical centre, laundromat, takeaway food shops, butcher, bakery, coffee shop and newsagent.

The proposed development is to be located in the south-west corner of the Site, which is currently undeveloped and is covered in grass. The Site is relatively flat, with some low points for stormwater drain gage located on the grassed area, and within the car parking areas.

Existing landscaping is located throughout the Site, and along the southern boundary near the development Site.

Refer to Figure 1 - Aerial Plan.



Figure 1: Aerial Plan

### 2.3 Site context

The Site is located approximately 1.5 kilometres north of the Warrnambool CBD. The Site is located to the east of Mortlake Road, a main road into Warrnambool from the north. The Site is within a commercial precinct (Northpoint Village) which extends north of Hayley Drive, and also includes a service station. To the west is a fire station, as well as a veterinarian, and a small row of shops including a baker, takeaway food shop and laundry. Beyond these commercial uses, the broader locality is used for residential purposes. Recently, an apartment complex (approximately 68 dwellings), with some associated uses such as a medical centre and take away food premises has been approved to the west of Mortlake Road, but construction has not commenced (69-75 Mortlake Road).

The Site's key interfaces are as follows:

North	<p>39-45 Hayley Drive. This land is within the Commercial 1 Zone and is developed with a bottle shop and a tavern under construction. To the east of this is land used for access and as part of the Northpoint Village centre.</p> <p>31 and 33 Hayley Drive are within the General Residential Zone and each is developed with a dwelling.</p>
East	<p>East of the Site is the rear of lots which address Paul Court and Adam Court. These lots are located within the General Residential Zone and developed with dwellings.</p>
South	<p>66 Mortlake Road is located immediately to the south of the Site, and is developed with a dwelling and an acoustic fence.</p> <p>58-60 Mortlake Road also adjoins the Site on the south, and comprises a large buildings used as an indoor tennis centre. The indoor tennis site at the time of writing has approval for the use and development for a Salvation Army Corp site.</p>
West	<p>West of the Site is the road reserve of the Mortlake Road, which includes a signalised intersection and service roads. Further west is a fire station, future residential development site, a veterinarian, and a small shops including a bakery, laundromat, and takeaway food shop.</p>

Refer to Figure 2 - Context Plan.

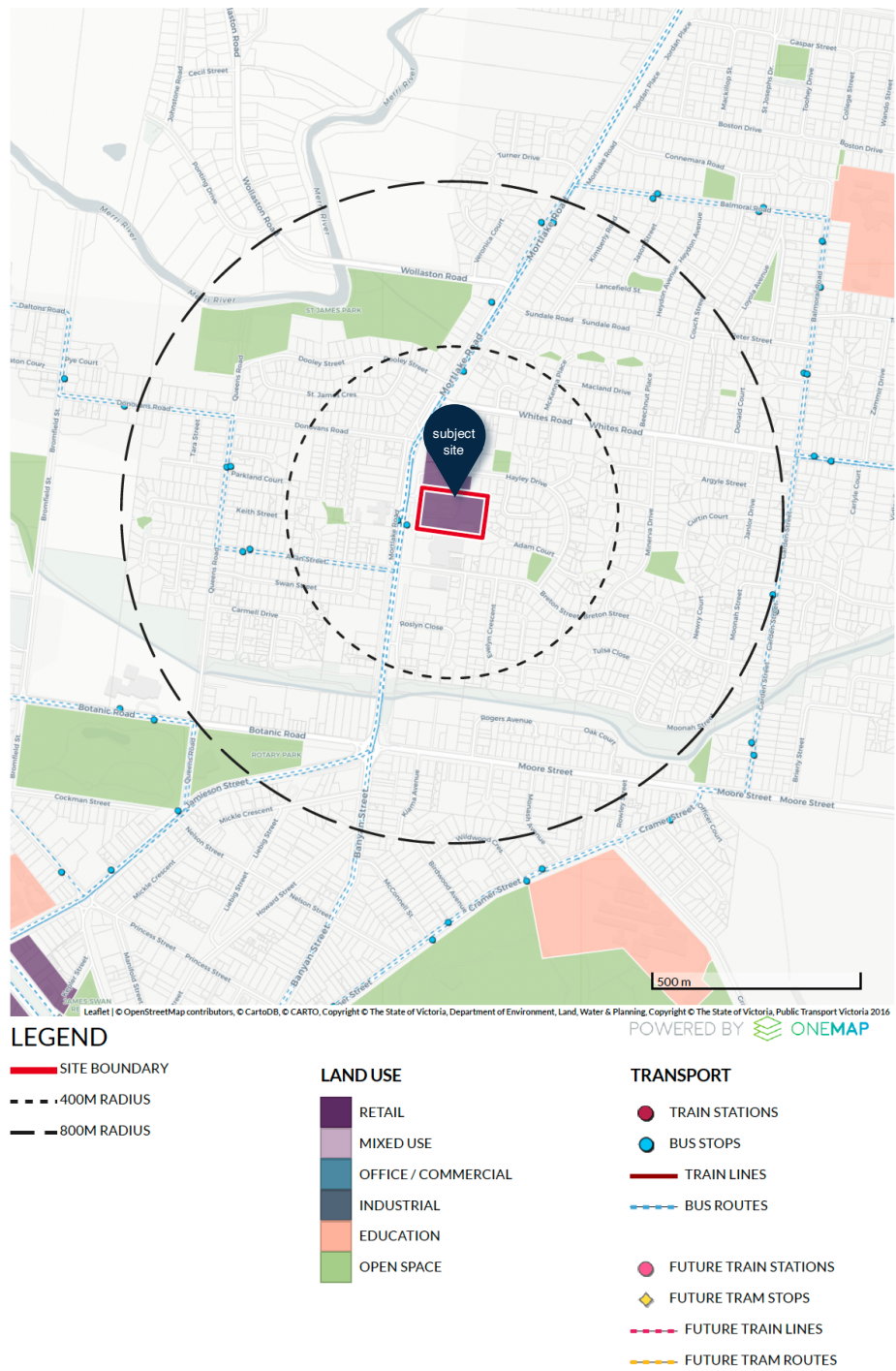


Figure 2: Context Plan

## 3 Proposal

### 3.1 Overview

The proposal seeks planning approval for buildings and works (to construct a convenience restaurant), and construct and display business identification signage.

Refer to enclosed town planning drawings for full details of the proposal.

### 3.2 Planning permit triggers

In accordance with the provisions of the Warrnambool Planning Scheme, the proposal triggers the following planning permit requirements:

- Clause 34.01-4: Commercial 1 Zone - a permit is to construct a building or construct or carry out works.
- Clause 52.05-2: Signs - a permit is required to construct and display signs.

### 3.3 Key elements

Key elements of the proposal include:

#### Overall Site layout

- The restaurant building is located in south-western portion of the Site, on the existing grassed area.
- Drive-thru ordering points are located east of the restaurant building, with payment and serving windows located on the southern side of the restaurant building.
- An existing row of car parking spaces is to be modified to the north of the restaurant building.
- Bicycle parking is located to the west of the restaurant building.
- Bins are provided adjacent to the bicycle parking and facing the parking area.
- New pedestrian crossings over the drive-thru are to be provided, to connect to the existing internal footpaths on the site.

#### Restaurant building

- The building is to be setback approximately 13.8 metres from the southern boundary, and approximately 12 metres from the western boundary.
- The building comprises a modern design with almost flat roofs hidden behind parapet walls. The building is 6 metres high at the tallest point. The building then steps down to lower heights of 5.4 metres and 4.9 metres. Refer to Town Planning Drawings for full details.
- External materials and colours are varied to create visual interest and reduce the mass of the building. The building is mostly clad with fibre cement panels finished in a range of colours including light grey, red, white and a raw finish. Feature materials and colours include black painted metal work, woodgrain finish aluminium timber-look battens, steel wall cladding in Monument matt black, and red perforated steel.
- The internal layout comprises an area of approximately 300 square metres and includes:
  - o Restaurant with seating for 44 patrons
  - o Service counter, kitchen, cool rooms, freezers and office
  - o Fully enclosed dumpster room with roller door access to loading bay
  - o One accessible bathroom, one female bathroom and one male bathroom

#### Drive-thru

- The drive-thru wraps around the east, south and west of the restaurant building, with a drive-thru gantry and attached sign indicating the entrance to the drive-thru from within the car parking area. The total queue capacity of the drive-thru is 9 vehicles.
- Two service lanes for entering and ordering are provided, with two ordering bollards and signs each located under a 3.4 metre high pergola.
- The two lanes then merge to one lane for payment and service windows. These are located on the southern side of the building, and are partially covered by a canopy roof and perforated metal pergolas.
- The southern side of the drive-thru lane is partially screened with fibre cement panels, timber look aluminium battens, and perforated metal screens.

#### Signage

- Business identification signs are proposed on the façade of the building and include:
  - o Two 2 metre by 2 metre "Colonel Signs", one each located on the northern and western facades.
  - o Three "KFC lettering" with dimensions 2.4 metres by 0.70 metres.
  - o Two 'KFC Red Stripes Signs' with dimensions 1.5 metres by 0.9 metres.
  - o Two 'KFC Entry Door Signs' with dimensions 1.5 metres by 0.195 metres.
  - o A painted wall graphic displaying a "Handmade Stamp Logo" to be located on the southern façade, with dimensions 2.4 metres by 3.33 metres.
- Additional signs around the building include direction signs and small signs above the drive-thru, and digital screen menu boards. These signs, along with the building façade signs, are proposed to be illuminated.
- A number of smaller signs are located throughout the site, including a banner sign attached to the drive-thru including directional signs and traffic control signs. See Town Planning Drawings for full details of signage.

## 4 Planning policies and controls

### 4.1 Planning Policy Framework (PPF)

To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance to the Site and the proposal are set out below.

#### Clause 11 Settlement

- **Clause 11.01-1S - Settlement** - aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- **Clause 11.01-1R - Settlement: Great South Coast** - seeks to attract more people to the region.
- **Clause 11.03-1S - Activity centres** - Seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

#### Clause 15 Built Environment

- **Clause 15.01-1S - Urban design** - Seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-2S - Building design** - Seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- character, cultural identity, and sense of place.

#### Clause 17 Economic Development

- **Clause 17.02-1S - Business** - Seeks to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

#### Clause 18 Transport

- **Clause 18.02-1S - Sustainable personal transport** - Seeks to promote the use of sustainable personal transport.
- **Clause 18.02-4S - Car parking** - Seeks to ensure an adequate supply of car parking that is appropriately designed and located.

#### Clause 19 Infrastructure

- **Clause 19.03-2S - Infrastructure design and provision** - Seeks to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.
- **Clause 19.03-3S - Integrated water management** - Seeks to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

#### Local Planning Policy Framework (LPPF)

The Local Planning Policy Framework (LPPF) sets out local and regional planning policy with a focus on specific areas and issues within Warrnambool. The Municipal Strategic Statement (MSS) and local policies relevant to the proposal are detailed below.

**Clause 21.01 - Municipal Profile, Council Vision and Strategic Directions** - provides an overview of the drivers for growth and change within the City of Warrnambool. The municipality includes the major centre of Warrnambool (residential, commercial and industrial land uses) and the surrounding rural hinterland. Warrnambool is Victoria's largest coastal regional city and is the main service centre for south-western Victoria.

**Clause 21.01-4 - Strategic directions** - identifies Council is committed to creating a sustainable city which allows people to walk or cycle to access their everyday needs and that fosters community interaction and encourages

physical activity. In order to achieve this, Council has established a clear strategic direction to provide a network of activity centres to provide a mix of shops and services.

The Northpoint Village is identified as a Neighbourhood Activity Centre, where the highest-order retail attractor is a supermarket.

**Clause 21.02-1 Activity centres** - recognises the hierarchy of activity centres within Warrnambool and the role of each. Northpoint Village is identified as a Neighbourhood Activity Centre with a 'Neighbourhood Centre (providing weekly goods and services)' retail classification. Expected types of retail development include:

- Retail: supermarket, convenience store and supporting specialties and retail services.
- Other commercial: Offices, cafes, take away food premises, petrol station and carwash.
- Community and Leisure: Childcare centre, medical centre, gymnasium and other leisure activities.

**Clause 21.06-1 - Urban environment** - seeks to achieve urban design of the highest standard and improve the appearance of the major entrances to urban areas. This clause also seeks to provide for advertising signs that are in context with the scale of development, the surrounding environment and with the surrounding signage patterns.

**Clause 21.08-1.1 - Out of centre development** - aims to ensure Warrnambool's activity centre network develops as a consolidated activity centre system. Further retail and commercial development should generally only occur within existing designated activity centres.

## 4.2 Commercial 1 Zone

The Site is located within the Commercial 1 Zone (Clause 34.01). The purposes of the Commercial 1 Zone include:

- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

The use of land for a 'Retail premises' (which includes convenience restaurant) is a Section 1 Use for which no permit is required.

Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.

Application requirements are listed at Clause 34.01-6. See Town Planning Drawings (Appendix D) for information which meets the application requirements.

Refer to Appendix B - OneMap Site Report.

## 4.3 Particular Provisions

### 4.3.1 Clause 52.05 Signs

Clause 52.05 seeks to:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The locality is within a Category 1 - Commercial area which has minimum limitation in relation to signs.

A permit is required pursuant to Clause 52.05-11 for the signage associated with the proposal. Please refer to Section 5.2.4 of this Report, Appendix C Site Photos, and Appendix D Town Planning Drawings for information addressing application requirements of Clause 52.05-6.

Decision guidelines are listed at Clause 52.05-8.



4.3.2 Clause 52.06 Car Parking

Clause 52.06 seeks to:

- Ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- Ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- Support sustainable transport alternatives to the motor car.
- Promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- Ensure that car parking does not adversely affect the amenity of the locality.
- Ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The Combined Planning Scheme Amendment and Permit (C37 Explanatory Report and PP2004-1225) showed the overall layout of the land, and specifically identified the Site as being for 'convenience restaurant / fast food'. The Amendment also considered and approved via the Permit a dispensation from car parking requirements where the number of car parking spaces associated with the range of uses, including the convenience restaurant and fast food shop, were supported. The car parking is provided for the Site as a whole.

As identified in the Traffic Impact Assessment Report (Appendix E), modifications will be undertaken to the existing car park to provide for the development and the drive-through facility. The net loss of 3 spaces is considered to have been previously dealt with under the original and no additional parking waiver is required.

4.3.3 Clause 53.18 Stormwater Management in Urban Development

The purpose of this clause is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

The proposal must meet the listed objectives for stormwater management for buildings and works and site management, and should meet Standard W2 and W3.

It is anticipated that a stormwater management plan and construction management plan (if required) could be reasonably included as a condition on any permit to be granted.

4.3.4 Clause 52.34 Bicycle Parking

Clause 52.34 seeks to:

- Encourage cycling as a mode of transport
- Provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

The Combined Planning Scheme Amendment and Permit (C37 Explanatory Report and PP2004-1225) considered and approved via the permit a dispensation from bicycle requirements, including the requirement to provide lockable bicycle parking for the Site as a whole. This included the consideration of part of the Site being used as a convenience restaurant / fast food premises.

Notwithstanding the previous bicycle parking reduction, the proponent has provided additional bicycle rails to cater for customers of the KFC. See Town Planning Drawings (Appendix D) for details.

## 4.4 Other planning considerations

4.4.1 Aboriginal Cultural Heritage Sensitivity

The Site is identified as being an 'area of cultural heritage sensitivity' pursuant to the Aboriginal Heritage Regulations 2018. These areas relate to landforms and soil types where Aboriginal places are more likely to be located.

A Cultural Heritage Management Plan (CHMP) is required for an activity if the activity is a 'high impact activity' and falls in whole or part within an area of cultural heritage sensitivity. Division 2 of the Aboriginal Heritage Regulations 2018 set out various exempt activities for which a CHMP is not required.

Pursuant to Regulation 46, a CHMP is not required as the buildings and works are associated with the existing used of the land for a retail premises which was being lawfully used before 28 May 2007.

## 5 Planning assessment

### 5.1 Overview

The following chapter outlines the key planning considerations of the proposal in response to relevant policy and the provisions of the Warrnambool Planning Scheme. In summary, the following key considerations are relevant to the assessment of the proposal:

- Is the proposal consistent with the Planning Policy Framework?
- Is the proposal consistent with the Local Planning Policy Framework?
- Does the proposal appropriately respond to the Commercial 1 Zone?
- Does the proposal appropriately respond to Clause 52.05 Signs?

### 5.2 Key considerations

#### 5.2.1 Is the proposal consistent with the Planning Policy Framework?

The proposal provides an appropriate outcome with regards to the PPF. The proposal will provide for a development and investment opportunity within a key commercial area of Warrnambool, consistent with Clause 11.01-1s Settlement. The proposal also responds positively to Clause 11.01-1R by providing for growth and investment within Warrnambool. With regard to Clause 11.03-1S Activity centres, the Site is located within a key commercial activity centre, and provides for a well located convenience restaurants in the north Warrnambool area.

The proposal provides a suitable response to Clause 15 Built Environment and Heritage. The proposal responds to the context of the site location in a commercial area, and is of a scale and design which will complement the existing built form on the Site. The design of the car parking area will ensure a safe environment is provided for users and will allow for easy and efficient use.

The proposal complies with the objectives and strategies relating to Clause 17.02 Economic Development – Commercial. The proposal will provide for a commercial use in an area planned as an activity centre, and will meet the needs of the local population and passing tourist trade. The proposal will generate additional jobs in the local economy which is considered to provide a net community benefit.

The proposal provides for appropriate parking and bicycle facilities, as detailed in 4.3.2 and 4.3.4 of this report. The proposal is therefore considered to provide a suitable response to the requirements of Clause 18.02 in relation to movement networks.

The proposal complies with the relevant objectives and strategies at Clause 19.03 Development Infrastructure. Required services are available to the site and will be connected to the building. The site will be drained using best practice water sensitive urban design principles, in accordance with the requirements of Council. It is not anticipated that approval of this development would place any undue pressure on the delivery of these services.

#### 5.2.2 Is the proposal consistent with the Local Planning Policy Framework?

The development is appropriately located within the Northpoint Village Neighbourhood Activity Centre, and the Site has been identified as a convenience restaurant since the Planning Scheme was amended to facilitate the retail development. The layout and design of the building on the Site will maintain pedestrian access to the shopping centre, and provide for appropriate pedestrian and vehicle movements. The proposal is consistent with the identified role of the activity centre, consistent with Clauses 21.02-1 Activity centres and Clause 21.08-1.1 Out of centre development.

The building has been designed to provide a high level of articulation along all building facades, so as to provide an appropriate level of design and an interesting built form. Various design techniques have been incorporated create visual interest, including a mix of building materials and colours, different heights, and varied setbacks. Advertising signage has been included which identifies the business and meets commercial objectives. Building heights are less than the existing highest points of the broader retail building, and will complement and respect the existing character of these buildings. The proposal responds appropriately to Clause 21.06-1 Urban environment.

The proposal is consistent with the Local Planning Policy Framework.

5.2.3 Does the proposal appropriately respond to the Commercial 1 Zone?

The proposal is consistent with the purposes of the Commercial 1 Zone, and will enhance an existing vibrant, mixed use commercial centre by providing a convenience restaurant of an appropriate scale and built form.

The development provides for suitable movement of pedestrians and cyclists and will largely retain the existing parking arrangements on the Site. The measures to improve pedestrian path widths as described in the Traffic Impact Assessment Report can be implemented via permit conditions, if the Responsible Authority considers these necessary. Vehicle access for deliveries, waste removal and emergency services will remain as existing, with larger vehicles able to use the manoeuvring area in the south-west corner of the Site as required. Appropriate car parking has been provided, as detailed in section 4.3.2 of this report.

The building has been designed to complement the existing built form on the land, and be respectful to the existing mixed use built form character of the area, which includes the retail building on the Site, the bottle shop / tavern (under construction) to the north, and the fire station to the west. The setbacks provided will be consistent with the existing pattern of development on the Site.

Appropriate provision has been made on the Site for the storage of rubbish and materials for recycling within the bin enclosure room. Waste is to be collected by contractors and removed from the building as needed. Defining the responsibility for the maintenance of buildings, landscaping and paved areas.

The proposal will not result in any impacts with regards overlooking or overshadowing to the land in the adjoining residential zone to the south. The existing acoustic fence will protect the dwelling from overshadowing.

The proposal has appropriate availability to connect to the required services. The proposal appropriately responds to the Commercial 1 Zone.

5.2.4 Does the proposal appropriately respond to Clause 52.05 Signs?

The proposed signage is consistent with the purpose of Clause 52.05, and the character of the Northpoint Village activity area. The signs on the façade of the building do not protrude above the roofline and are of a scale and design which will identify the business without contributing to excessive visual clutter or disorder. The illuminated signs are consistent with existing illuminated signs within Northpoint Village.

No view lines or vistas will be affected by the proposed signs and the signs will not distract drivers or present a road safety hazard. The signage is appropriate for the proposal and within the context of the locality.

## 6 Conclusion

This report has described the proposal and provided an assessment the proposal against relevant policy and planning controls of the Warrnambool Planning Scheme.

It is the conclusion of this report that the application is consistent with the purposes and intent of the planning controls and policy framework of the Warrnambool Planning Scheme. It follows as the recommendation and request of this report that Council issue a planning permit for the proposal.

We look forward to working with Council during the assessment of the application.

Myers Planning Group

**July 2021**

# Appendices

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Appendix A	Certificate of Title
Appendix B	OneMap Site Report
Appendix C	Site Photos
Appendix D	Town Planning Drawings
Appendix E	Traffic Impact Assessment Report

## **Appendix A      Certificate of Title**

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 2

VOLUME 10959 FOLIO 037

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**LAND DESCRIPTION**

Lot 1 on Title Plan 889015N.  
PARENT TITLE Volume 10655 Folio 049  
Created by Application No. 124723P 17/07/2006

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
GREEN BAY PROPERTIES PTY LTD of 1 /70 ST KILDA ROAD ST KILDA VIC 3182  
AL731587T 05/03/2015

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AL731588R 05/03/2015  
WESTPAC BANKING CORPORATION

CAVEAT AM084987W 06/08/2015  
Caveator  
GAVAN JOHN DWYER  
Grounds of Claim  
AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.  
Parties  
THE REGISTERED PROPRIETOR(S)  
Date  
04/03/2015  
Estate or Interest  
INTEREST AS A GRANTEE OF AN EASEMENT  
Prohibition  
UNLESS AN INSTRUMENT IS EXPRESSED TO BE SUBJECT TO MY/OUR CLAIM  
Lodged by  
DAVID RYAN & ASSOCIATES  
Notices to  
DAVID RYAN & ASSOCIATES of 152 TIMOR STREET WARRNAMBOOL VIC 3280

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section  
24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP889015N FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**





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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

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Page 2 of 2

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 22/10/2016

DOCUMENT END



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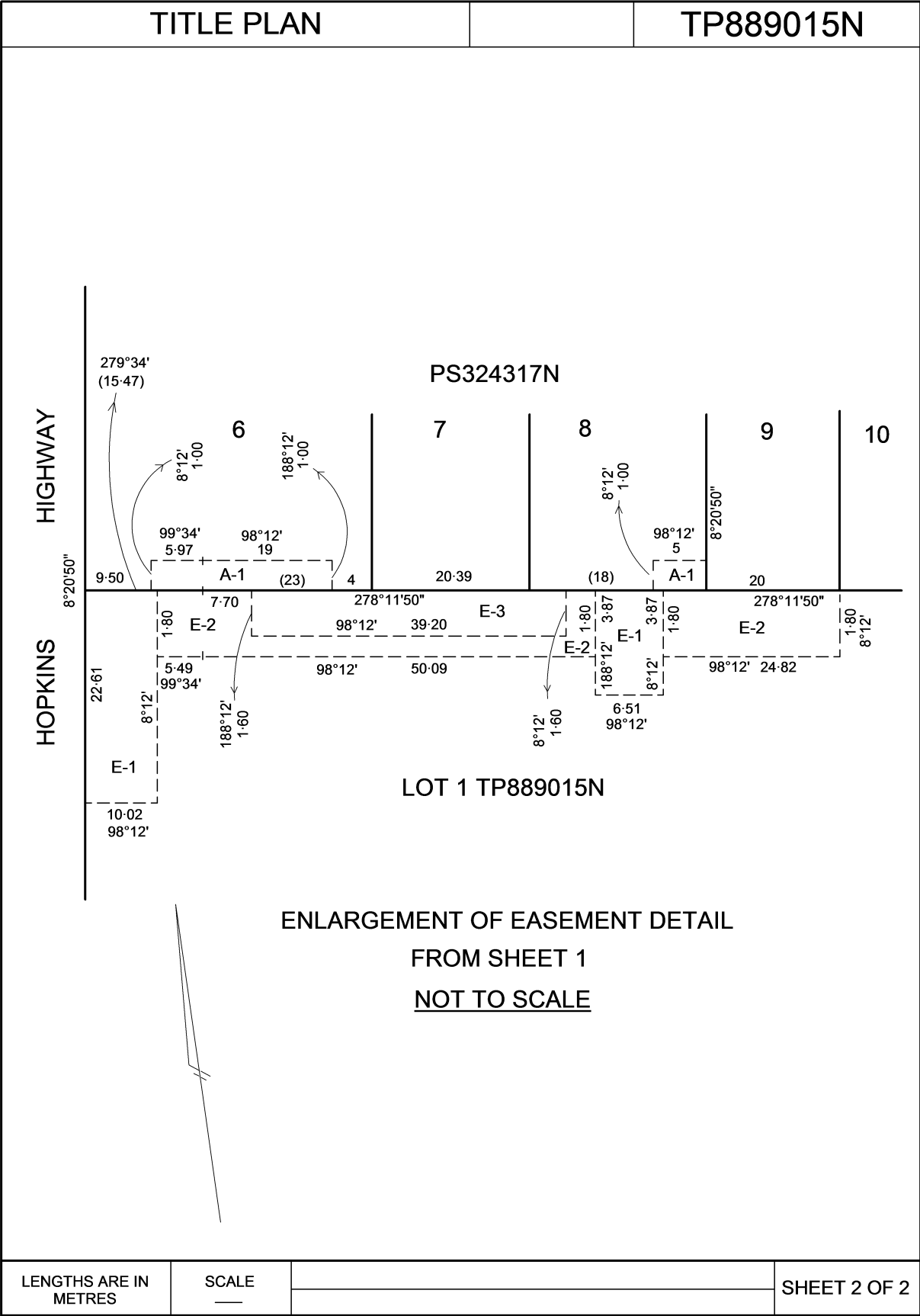
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TITLE PLAN		EDITION 3	TP889015N
<b>LOCATION OF LAND</b> PARISH: WANGOOM TOWNSHIP: SECTION: A CROWN ALLOTMENT: 3 (PART) CROWN PORTION: LAST PLAN REFERENCE: LOT 1 ON TP808104W DERIVED FROM: VOL10655 FOL 049 DEPTH LIMITATION: NIL		<b>NOTATIONS</b> * The Footway Easements E-2, E-3 and A-1 all have an upper boundary limited to 10.75 metres AHD. The AHD level has been derived from permanent mark No. 391 (Wangoom) that has a value of 8.31 metres AHD  # The Canopy Overhang Easement E-3 has a lower boundary limited to 11.20 metres AHD and an upper boundary limited to 14.10 metres AHD. The AHD level has been derived from permanent mark No. 391 (Wangoom) that has a value of 8.31 metres AHD	
<b>EASEMENT INFORMATION</b> E - ENCUMBERING EASEMENT; R - ENCUMBERING EASEMENT (ROAD); A - APPURTENANT EASEMENT.			THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES  Checked by: A.M.B.  Date: 27/07/2006  Assistant Registrar of Titles
Easement Reference	Purpose / Authority	Width (Metres)	Land benefited / In favour of
E-1	CARRIAGEWAY	SEE DIAG	VOL.10391 FOL.105,VOL.10129 FOL.012 & VOL.10129 FOL.013
*E-2 & *E-3	FOOTWAY	SEE DIAG	VOL.10391 FOL.105,VOL.10129 FOL.012 & VOL.10129 FOL.013
#E-3	OVERHANGING CANOPY	1.60	VOL. 10391 FOL. 105, VOL. 10129 FOL. 012 & VOL. 10391 FOL. 013
*A-1	FOOTWAY	1.00	LOT 1 ON THIS PLAN

Lot 1  
1.629ha

LENGTHS ARE IN METRES	SCALE	DEALING / FILE No: AP124723P	DEALING CODE: 103C
		SHEET 1 OF 2	







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# Caveat

Section 89 Transfer of Land Act 1958

The information from this  
statutory authority and is used

AM084987W

06/08/2015 \$79 89



## 1. Land/s

Land Title

Volume 10959 Folio 037

## 2. Caveator/s

Caveator

Given Name/s GAVAN JOHN

Family Name DWYER

## 3. Grounds of Claim

AGREEMENT WITH THE FOLLOWING PARTIES  
AND DATE.

Parties

THE REGISTERED PROPRIETOR(S) -  
CAVEATOR

Date of Claim

Date: (DD/MM/YYYY) 04/03/2015

## 4. Estate or Interest claimed

INTEREST AS A GRANTEE OF AN EASEMENT

## 5. Prohibition

UNLESS AN INSTRUMENT IS EXPRESSED TO  
BE SUBJECT TO MY/OUR CLAIM

## 6. Address for Service of Notice

Lawyer/Conveyancer/Firm Name

DAVID RYAN & ASSOCIATES

Address

Unit Street No 152

Street Name TIMOR

Street Type STREET

Locality WARRNAMBOOL

State VIC Postcode 3280

## 7. Signing

The caveator claims the estate or interest specified in  
the land described on the grounds set out. This  
caveat forbids the registration of any instrument  
affecting the estate or interest to the extent specified.

Signed by DAVID RYAN & ASSOCIATES the Australian  
Legal Practitioner (under the Legal Profession Act 2004)  
for Caveator:

*David Ryan*  
*David Ryan & Associates*

DAVID ANTHONY RYAN

LL.B. B.E.C.  
David Ryan & Associates, 152 Timor  
Street, Warrnambool 3280

Australian legal practitioner within the meaning  
of the Legal Profession Uniform Law (Victoria).

## 8. Date

Date: (DD/MM/YYYY) 05/08/2015

## 9. Lodging Party

*DAVID RYAN*

Customer Code 792K

Reference 3004131

Approval Number: 33711111R

THE BACK OF THIS FORM MUST NOT BE USE

Page 1 of 1  
LV-V8-Feb-2015

To lodge at Land Victoria, please refer to our [contact details](http://www.dtpli.vic.gov.au/property) at [www.dtpli.vic.gov.au/property](http://www.dtpli.vic.gov.au/property) > Contact Us

## **Appendix B      OneMap Site Report**

---



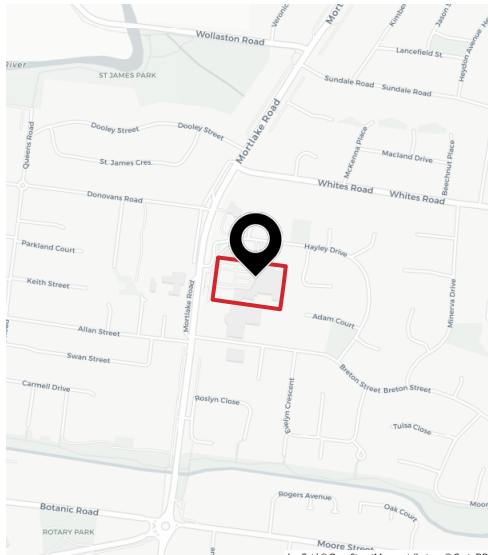
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72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT

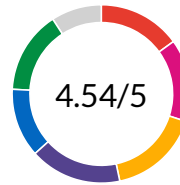
# MYERS PLANNING GROUP

SITE REPORT  
72 MORTLAKE ROAD  
WARRNAMBOOL VIC 3280  
CREATED ON 14-05-2021

POWERED BY  ONEMAP



## ONEMAP AMENITY SCORE



## ACCESS

TRAIN - 2.63km

BUS - 56.9m

MAJOR SUPERMARKETS - <50m

GOVT. PRIMARY SCHOOLS - 1.57km

GOVT. SECONDARY SCHOOLS - 1.29km

## ADDITIONAL INFORMATION

### CLOSEST GOVERNMENT PRIMARY SCHOOL

Warrnambool Primary School (1.57km)

### CLOSEST GOVERNMENT SECONDARY SCHOOL

Warrnambool College (1.29km)

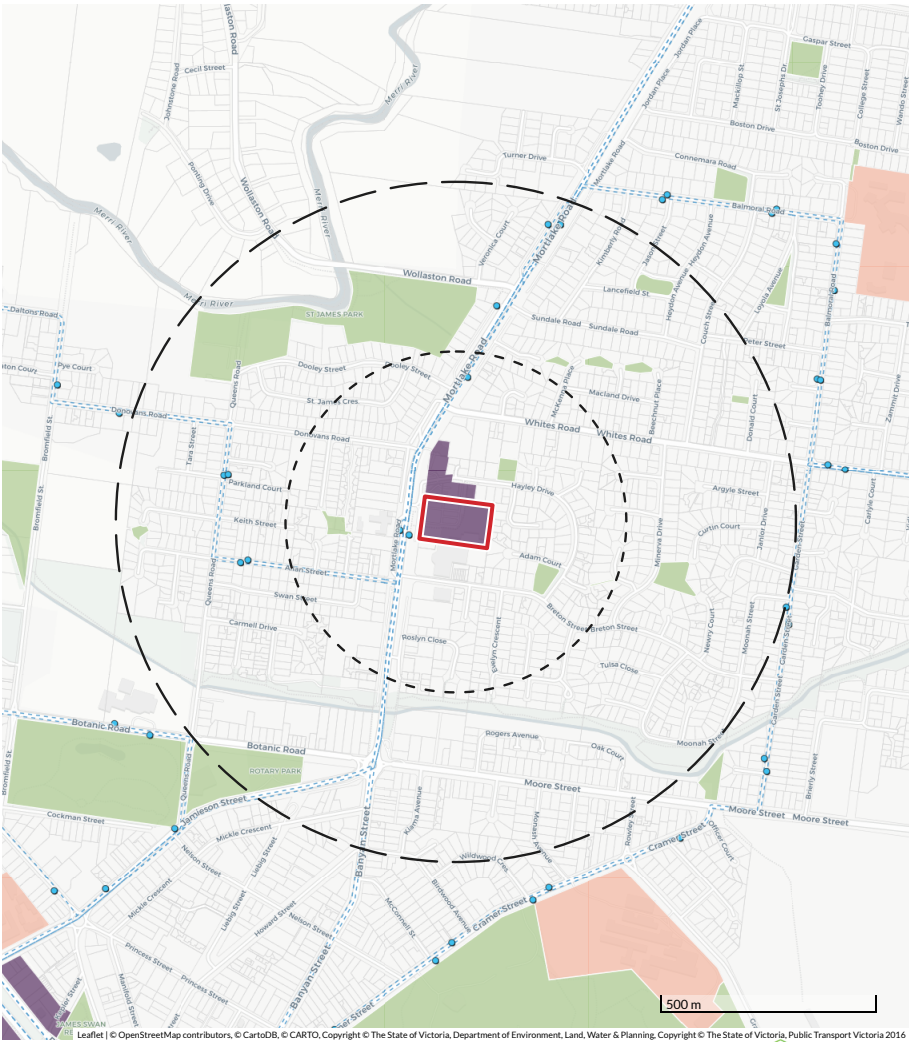
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SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

SITE CONTEXT MAP



LEGEND

- SITE BOUNDARY
- 400M RADIUS
- 800M RADIUS

LAND USE

- RETAIL
- MIXED USE
- OFFICE / COMMERCIAL
- INDUSTRIAL
- EDUCATION
- OPEN SPACE

TRANSPORT

- TRAIN STATIONS
- BUS STOPS
- TRAIN LINES
- BUS ROUTES
- FUTURE TRAIN STATIONS
- FUTURE TRAM STOPS
- FUTURE TRAIN LINES
- FUTURE TRAM ROUTES

POWERED BY ONEMAP

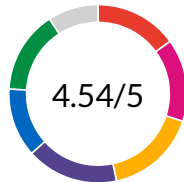
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**MYERS**  
PLANNING GROUP

SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

## AMENITY DETAILS MAP



### EDUCATION



SECONDARY SCHOOL >= 10KM  
PRIMARY SCHOOL >= 10KM  
TAFE >= 10KM  
UNIVERSITY >= 10KM

### HEALTH



HOSPITAL >= 10KM  
CLINIC >= 10KM

### COMMUNITY



CHILD CARE >= 1KM  
AGED CARE >= 10KM  
HALL >= 10KM  
LIBRARY >= 10KM  
CIVIC >= 1KM

### RETAIL



FOOD >= 1KM  
SUPERMARKET >= 1KM  
BIGBOX STORE >= 10KM  
PETROL STATION >= 1KM

### TRANSPORT

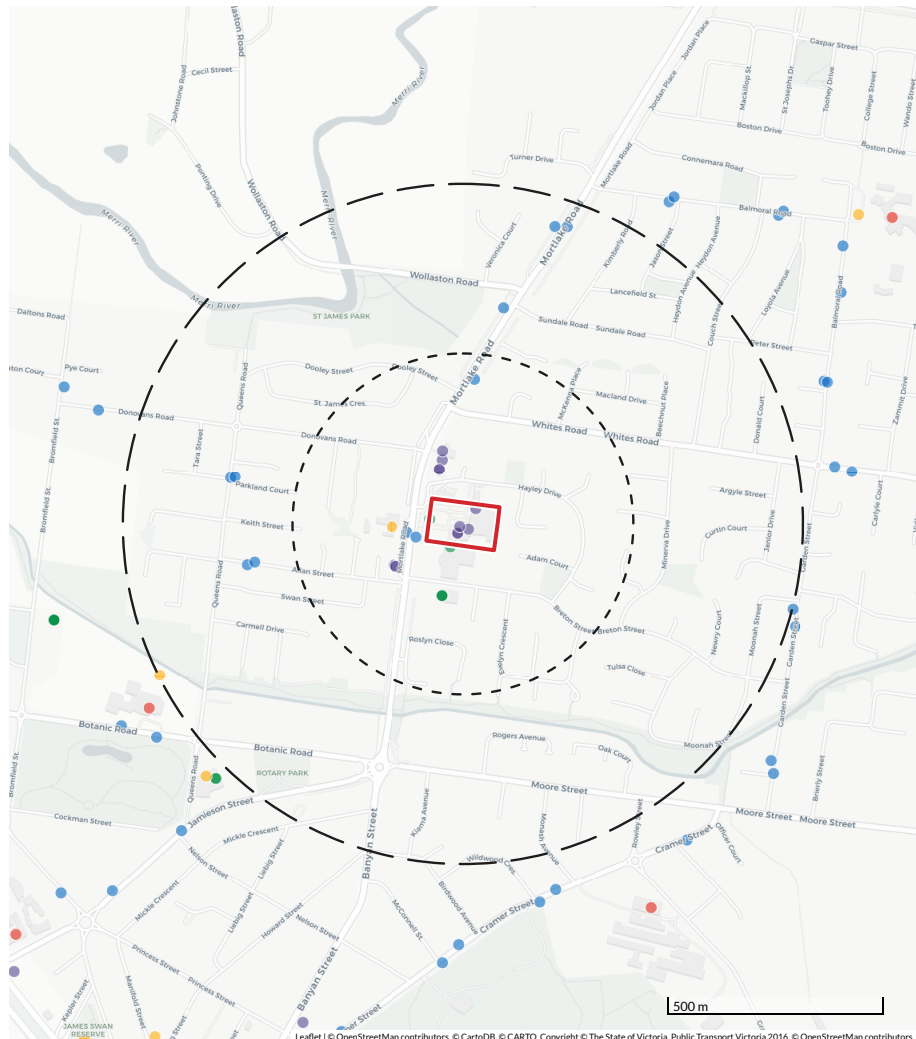


BUS >= 1KM  
RAIL >= 10KM  
AIRPORT >= 25KM

### RECREATION



PARK >= 1KM  
ENTERTAINMENT >= 10KM  
NATURAL OPEN SPACE/PARK >= 25KM



### LEGEND

— SITE BOUNDARY  
- - - 400M RADIUS  
— 800M RADIUS

### AMENITY

EDUCATION  
TRANSPORT  
COMMUNITY  
RETAIL  
HEALTH  
RECREATION

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72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT



SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

SITE PLAN

AREA: 1.61HA  
NO. OF PARCELS: 1  
MUNICIPALITY:  
WARRNAMBOOL  
SUBURB:  
WARRNAMBOOL  
PARCEL SPI:  
1TP889015  
MEDIAN HOUSE PRICE  
(SUBURB):  
\$370K  
MEDIAN UNIT PRICE  
(SUBURB):  
\$278K



LEGEND

- SITE BOUNDARY
- CONTOURS
- EASEMENTS (ACTUAL)
- EASEMENTS (PROPOSED)
- PARCELS
- PROPERTIES



14/05/2021

72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT

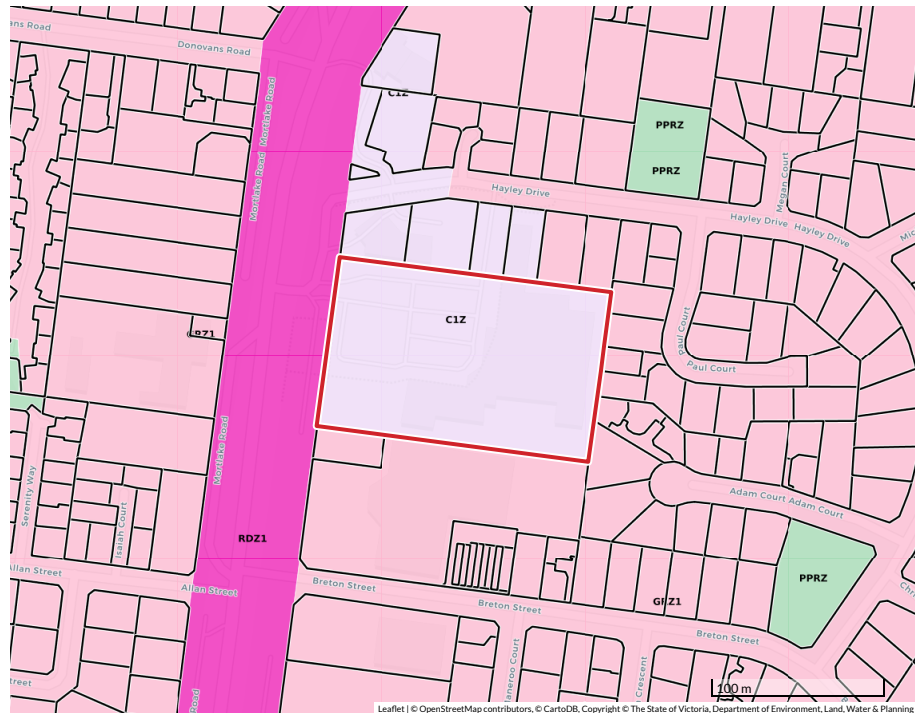
**MYERS**  
PLANNING GROUP

SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

## PLANNING ZONES

### C1Z

COMMERCIAL 1 ZONE  
WARRNAMBOOL - COMMERCIAL 1  
ZONE SCHEDULE



PLANNING ZONES CURRENT AS OF 06/05/2021.

POWERED BY ONEMAP

## LEGEND

### RESIDENTIAL ZONES

- RGZ - RESIDENTIAL GROWTH
- R2Z - RESIDENTIAL 2
- NRZ - NEIGHBOURHOOD RESIDENTIAL
- GRZ - GENERAL RESIDENTIAL / R1Z - RESIDENTIAL 1
- R3Z - RESIDENTIAL 3
- LDRZ - LOW DENSITY RESIDENTIAL
- MUZ - MIXED USE
- TZ - TOWNSHIP

### COMMERCIAL / BUSINESS ZONES

- C1Z - COMMERCIAL 1 / BUSINESS 1
- B2Z - BUSINESS 2
- C2Z - COMMERCIAL 2
- B3Z - BUSINESS 3
- B4Z - BUSINESS 4
- B5Z - BUSINESS 5

### SPECIAL DEVELOPMENT ZONES

- ACZ - ACTIVITY CENTRE
- CCZ - CAPITAL CITY
- DZ - DOCKLANDS
- CDZ - COMPREHENSIVE DEVELOPMENT
- PDZ - PRIORITY DEVELOPMENT
- UGZ - URBAN GROWTH

### INDUSTRIAL ZONES

- IN1Z - INDUSTRIAL 1
- IN2Z - INDUSTRIAL 2
- IN3Z - INDUSTRIAL 3

### RURAL ZONES

- RLZ - RURAL LIVING
- RAZ - RURAL ACTIVITY
- FZ - FARMING / RUZ - RURAL
- GWAZ - GREEN WEDGE A
- GWZ - GREEN WEDGE
- ERZ - ENVIRONMENTAL RURAL
- RCZ - RURAL CONSERVATION

### OTHER ZONES

- SUZ - SPECIAL USE
- CA - COMMONWEALTH LAND
- PZ - PORT
- RDZ1 - ROAD - CATEGORY 1
- RDZ2 - ROAD - CATEGORY 2
- UFZ - URBAN FLOODWAY
- PPRZ - PUBLIC PARK AND RECREATION
- PCRZ - PUBLIC CONSERVATION AND RESOURCE
- PUZ4 - PUBLIC USE - TRANSPORT
- PUBLIC USE - PUZ1 - SERVICE & UTILITY / PUZ2 - EDUCATION / PUZ3 - HEALTH COMMUNITY / PUZ5 - CEMETARY / CREMATORIUM / PUZ6 - LOCAL GOVERNMENT / PUZ7 - OTHER PUBLIC USE
- MUNICIPALITY BOUNDARIES
- URBAN GROWTH BOUNDARY

14/05/2021

72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT



SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

HERITAGE AND BUILT  
FORM OVERLAYS  
NONE



PLANNING OVERLAYS CURRENT AS OF 06/05/2021.

LEGEND

- Heritage (HO)
- Design & Development (DDO)
- Neighbourhood Character (NCO)
- Incorporated Plan (IPO)
- Development Plan (DPO)

14/05/2021

72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT



SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

ENVIRONMENTAL  
AND LANDSCAPE  
OVERLAYS  
  
NONE



PLANNING OVERLAYS CURRENT AS OF 06/05/2021.

LEGEND

- Environmental Significance (ESO)
- Vegetation Protection (VPO)
- Significant Landscape (SLO)

14/05/2021

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SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

LAND MANAGEMENT  
OVERLAYS  
NONE



PLANNING OVERLAYS CURRENT AS OF 06/05/2021.

LEGEND

- Erosion Management (EMO)
- Floodway (FO/RFO)
- Land Subject To Inundation (LSIO)
- Special Building (SBO)
- Salinity Management (SMO)
- State Resource (SRO)
- Bushfire Management (BMO)



14/05/2021

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SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

OTHER OVERLAYS  
NONE



PLANNING OVERLAYS CURRENT AS OF 06/05/2021.

LEGEND

- Specific Controls Overlay (SCO)
- Airport Environs Overlay (AEO)
- City Link Project Overlay (CLPO)
- Development Contributions Plan Overlay (DCPO)
- Environmental Audit Overlay (EAO)
- Infrastructure Contributions Overlay (ICO)
- Melbourne Airport Environs (MAEO)
- Public Acquisition (PAO)
- Parking (PO)
- Restructure Overlay (RO)
- Road Closure Overlay (RXO)
- Other Overlays (OTHERS)

14/05/2021

72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - ONEMAP SITE REPORT



SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

AREAS OF CULTURAL  
HERITAGE  
SENSITIVITY

This property is within, or is  
affected by, one or more 'areas  
of cultural heritage sensitivity'  
as described in the Aboriginal  
Heritage Regulations 2018.



LEGEND

AREAS OF CULTURAL HERITAGE SENSITIVITY

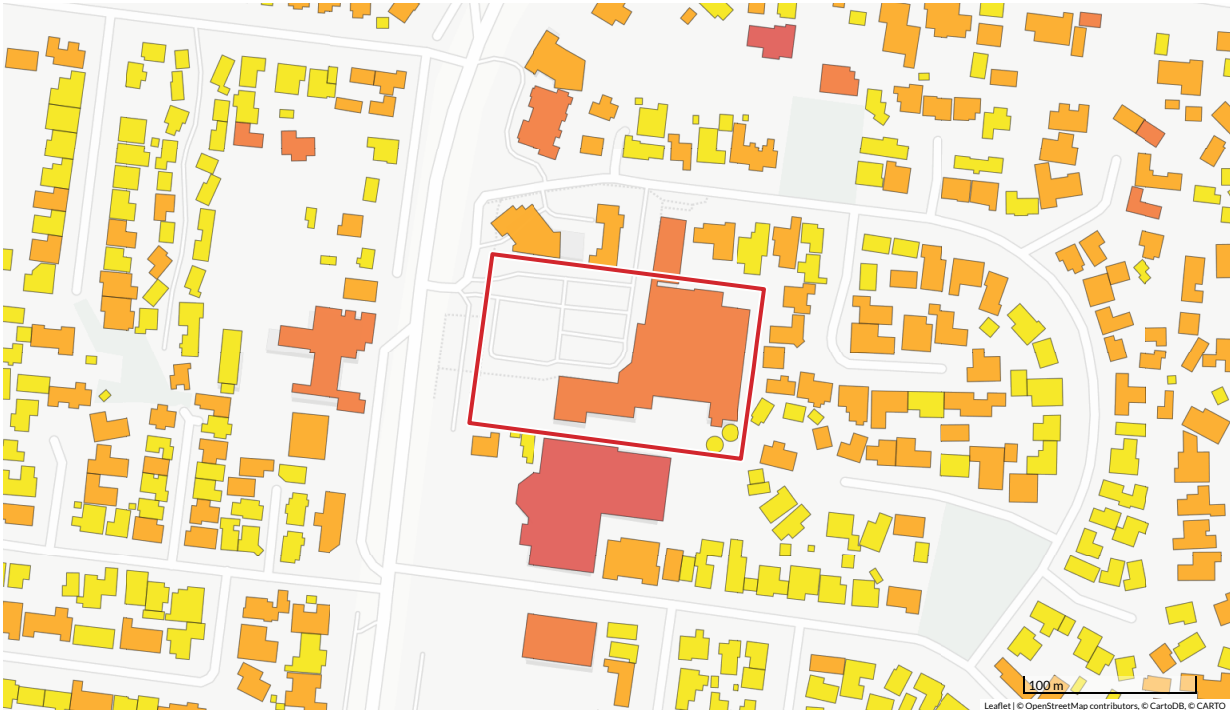
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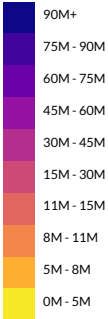


SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

GEOSCAPE BUILDINGS



LEGEND



14/05/2021

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72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

GEOSCAPE SURFACE COVER



LEGEND

- BARE EARTH
- ROAD AND PATH
- GRASS
- TREES
- UNSPECIFIED VEGETATION
- WATER
- BUILT-UP AREAS
- BUILDINGS
- SWIMMING POOL
- CLOUD
- SHADOW

Data Capture Dates: 23-Dec-2015

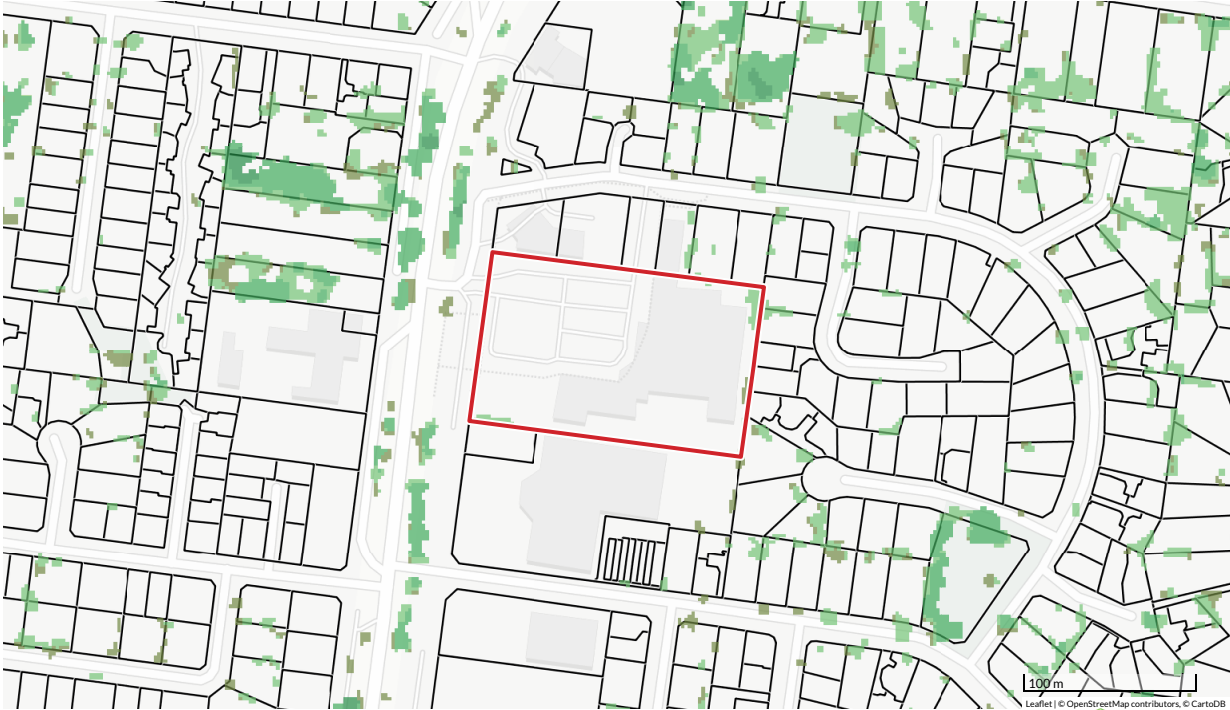
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72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

GEOSCAPE TREE & OTHER VEGETATION



LEGEND

- 0 - 2M
  - 2 - 8M
  - 8 - 16M
  - 16 - 24M
  - 24 - 32M
  - 32M +
- UNSPECIFIED VEGETATION
- TREES (UNKNOWN HEIGHT)

Data Capture Dates: 23-Dec-2015



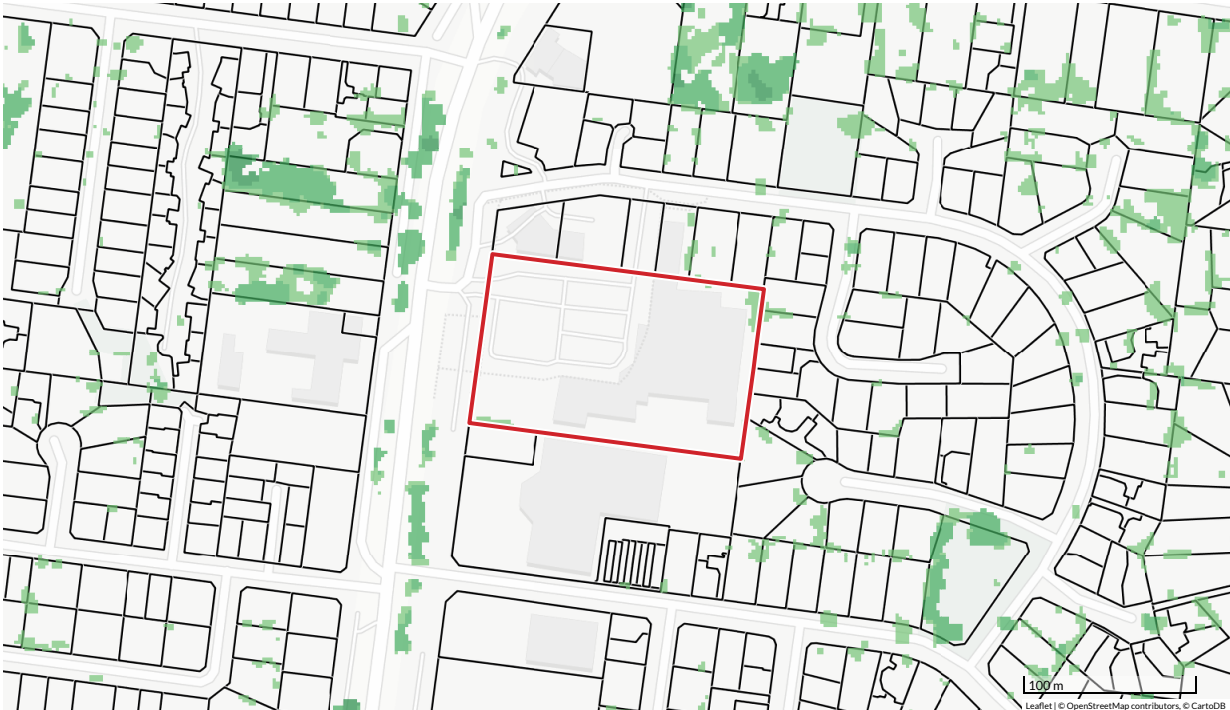
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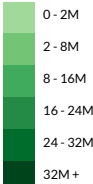


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72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

GEOSCAPE TREE COVER (KNOWN HEIGHTS)



LEGEND



Data Capture Dates: 23-Dec-2015

14/05/2021

72 MORTLAKE ROAD WARRNAMBOOL, VIC 3280 - ONEMAP SITE REPORT



SITE REPORT  
72 MORTLAKE ROAD WARRNAMBOOL VIC 3280 - CREATED ON 14-05-2021

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Tram Stops / Lines	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence 22/11/2016
Bus Stops	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence 22/11/2016
Smartbus Stops	The State of Victoria	Copyright © The State of Victoria, Public Transport Victoria 2016	licence 22/11/2016
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Coles Stores	Dervied From Coles Data		licence 07/11/2016
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Thomas Dux Stores	Dervied From Thomas Dux Data		07/11/2016
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## **Appendix C     Site Photos**

---



## APPENDIX C - Site and surrounds photos and signage context

72 Mortlake Road, Warrnambool



Image 1: Development site, looking southeast towards tennis centre with illuminated sign on retail building.



Image 2: Development site, looking southeast towards tennis centre.



Image 3: Development site, looking east towards retail building.



Image 4: Development site, looking northeast showing Northpoint Village signage, and service road for deliveries.





Image 5: Development site, looking west.



Image 6: Existing landscaping, acoustic fence, and adjoining dwelling.





Image 7: Existing delivery vehicle access, and landscaping along southern boundary of site.



Image 8: Existing car parking on Site.



Image 9: Existing parking and retail building on Site.



Image 10: Existing parking on Site.





Image 11: Existing parking and signage on Site.



Image 12: Existing car parking, retail building and signage on Site.



Image 13: Existing parking, bottle shop and tavern under construction.



Image 14: Existing illuminated signage adjoining development Site.





Image 15: Existing retail building and illuminated signage on Site.



Image 16: Existing access to Site via signalised intersection on Mortlake Road and service road.





Image 17: Looking west across Mortlake Road towards fire station

## **Appendix D     Town Planning Drawings**

---

# KFC WARRNAMBOOL NORTHPOINT

NEW KFC RESTAURANT AT:  
  
NORTHPOINT SHOPPING CENTRE  
Mortlake Road, Warrnambool VIC 3280

DRAWING REGISTER:

ARCHITECTURAL DRAWINGS-		
DRG NO.	DESCRIPTION	REV
20037-TP000	COVER SHEET & DRAWING REGISTER	B
20037-TP002	LOCATION PLAN: PROPOSED & VEHICLES TRAVEL PATH	A
20037-TP010	SITE PLAN: EXISTING	A
20037-TP011	SITE PLAN: PROPOSED	B
20037-TP020	SIGNAGE LOCATION & TRAFFIC SIGNAGE DETAILS	B
20037-TP021	SIGNAGE DETAILS	A
20037-TP040	FINISHES SCHEDULE	A
20037-TP101	FLOOR PLAN	B
20037-TP120	ROOF PLAN	B
20037-TP200	BUILDING ELEVATIONS: ELEVATIONS A & B	A
20037-TP201	BUILDING ELEVATIONS: ELEVATIONS C & D	B

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**Client**  
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P1	PRELIMINARY ISSUE	LL	06.07.21	
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**Project Title**  
**KFC WARRNAMBOOL  
NORTHPOINT**  
PROPOSED KFC RESTAURANT AT  
NORTH POINT SHOPPING CENTRE  
Mortlake Road, Warrnambool VIC 3280

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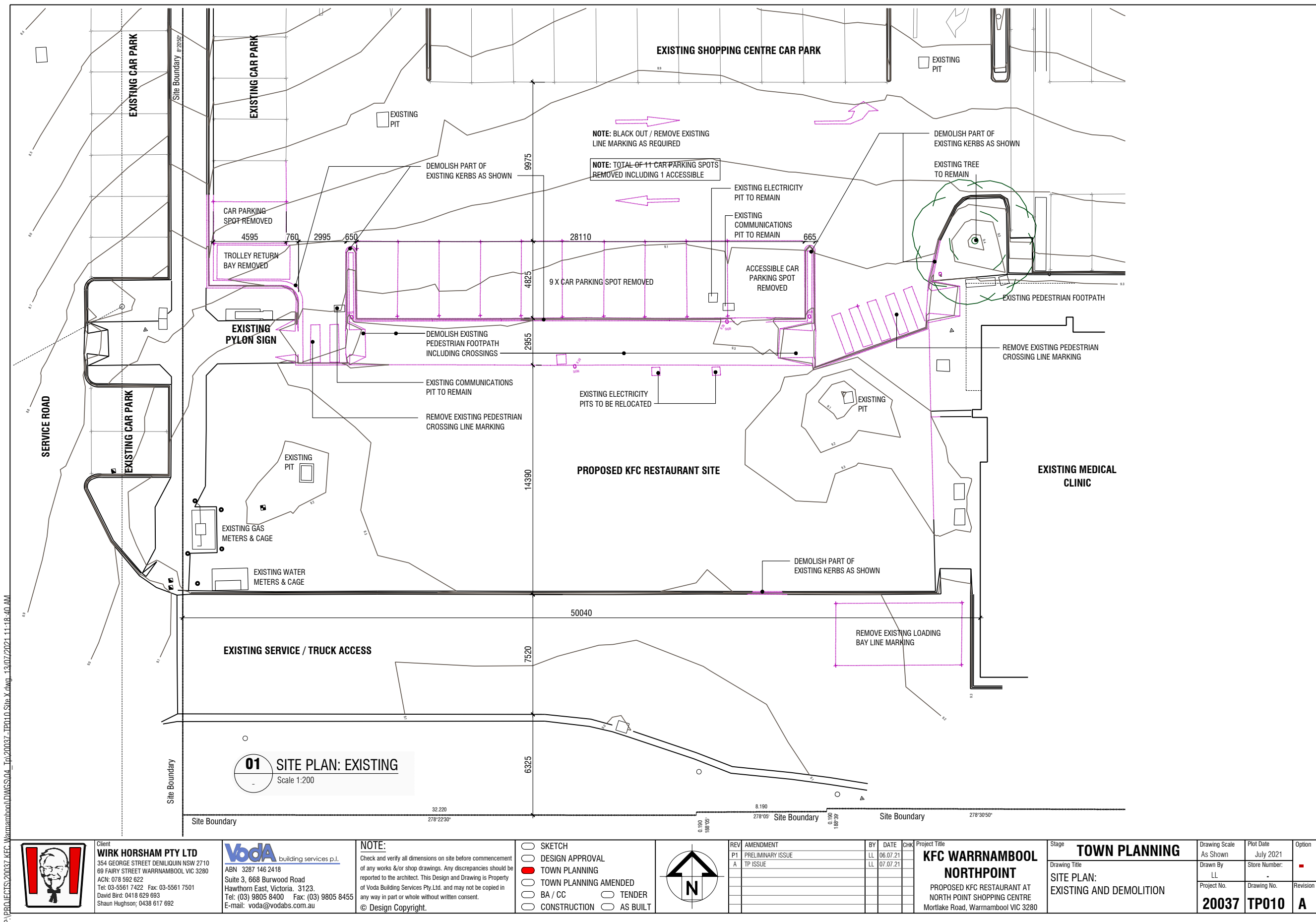
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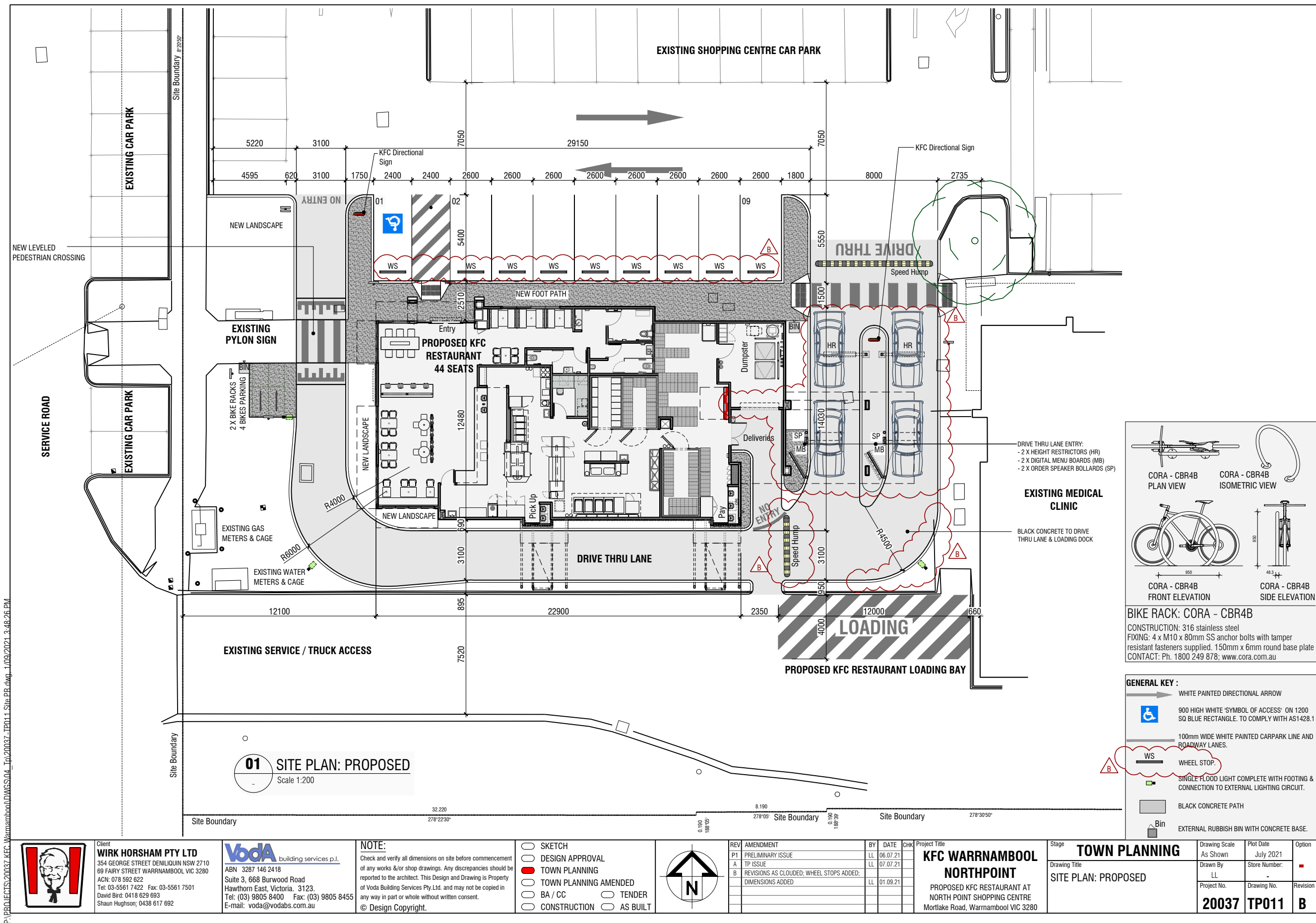


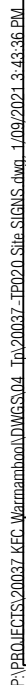


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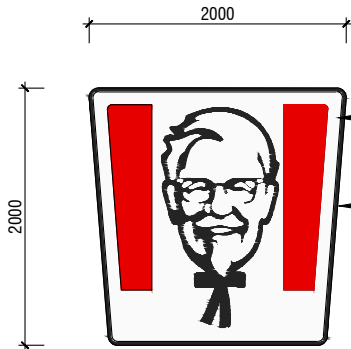




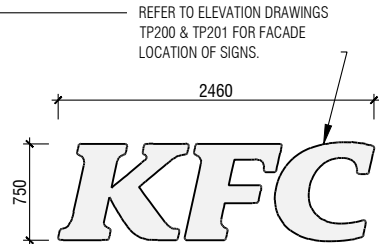




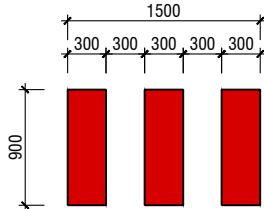
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S-15	KENTUCKY FRIED CHICKEN SIGN SIZE: 1500 W x 195 H	<input checked="" type="checkbox"/>	01



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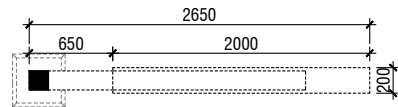
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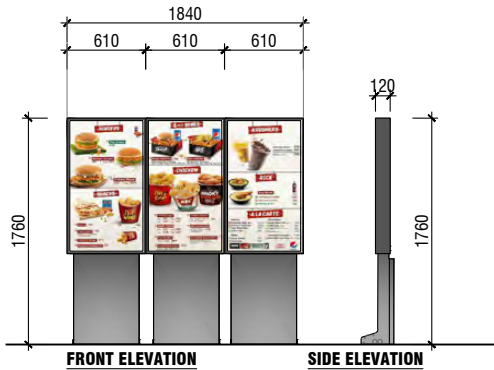
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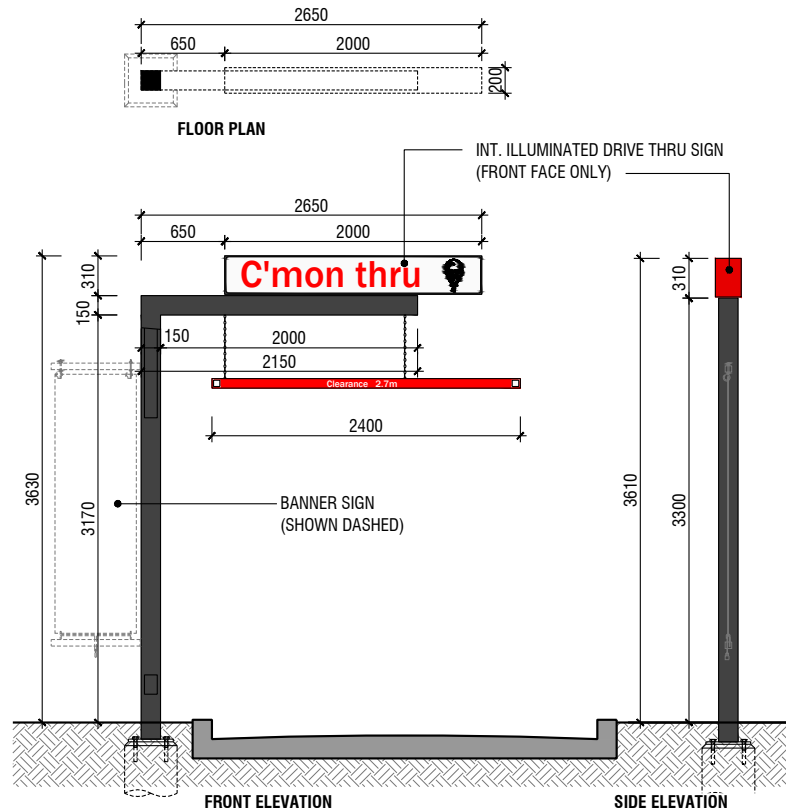
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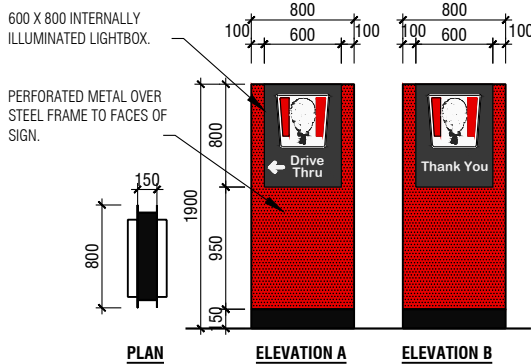
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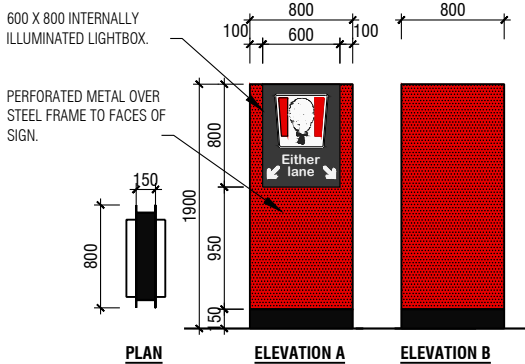
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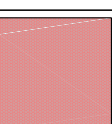

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**TP021**

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EXTERNAL FINISHES	<b>W</b> KFC 'ALABASTER WHITE'	BRAND : WATTYL SOLAGARD COLOUR: KFC EXTERNAL WHITE	EXTERNAL WALLS	SUPPLIER: WATTYL PAINTS CONTACT: MARIO MILLAN Email: mario.millan@sherwin.com Phone: +61 2 8867 3333 Mob: +61 438 322 313	
	<b>B</b> KFC 'BLACK'	BRAND : DULUX COLOUR: BLACK CAVIAR SN4H9-Sn4  ON 9mm EXCOTEC OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: DULUX	
	<b>TH</b> KFC 'GREY'	BRAND : DULUX COLOUR: DULUX "TEAHOUSE" SN4G6  ON 9mm EXCOTEC OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: DULUX	
	<b>R</b> KFC 'RED BOX'	BRAND : BRITE GLO SIGNAL RED COLOUR: KFC EXTERNAL RED ON 9MM EXCOTEC OR SIMILAR APPROVED	EXTERNAL WALLS	SUPPLIER: WATTYL PAINTS CONTACT: MARIO MILLAN Email: mario.millan@sherwin.com Phone: +61 2 8867 3333 Mob: +61 438 322 313	
	<b>BL</b> BLACK PAINT / METALWORK	BLACK PAINT / METALWORK BRAND : WATTYL SOLAGARD COLOUR: NEW BLACK / 79.60	EXTERNAL METALWORK	SUPPLIER: WATTYL PAINTS CONTACT: MARIO MILLAN Email: mario.millan@sherwin.com Phone: +61 2 8867 3333 Mob: +61 438 322 313	
	<b>MC</b> METAL CLADDING	TYPE: ZINTL CODE: STANDING SEAM 190 COLOUR: MONUMENT MATT	EXTERNAL WALLS	HVG FACAES 29 HENDERSON STREET TURRELLA NSW 2205 <a href="https://www.hvgfacades.com.au">https://www.hvgfacades.com.au</a> Phone: 1300 881 712	
	<b>CB</b> EXTERNAL PRE-FINISHED PANELS	BRAND: CEMINTEL CODE: BARESTONE EXTERNAL FINISH: RAW	EXTERNAL WALLS	CEMINTEL  <a href="http://www.cemintel.com.au">http://www.cemintel.com.au</a>  Phone: 1300 236 468	
	<b>PM</b> PERFORATED METAL SHEET	PATTERN: R03341 COLOUR: RED (POWDERCOATED)	SCREENING FEATURES	SUPPLIER: LOCKER GROUP	
	<b>T</b> TIMBER LOOK ALUMINIUM RAILS	BRAND : ALIWOOD COLOUR: SNOWGUM SIZE: 50 X 50 CLIP - ON CODE: 5050COS CFC SHEETING BEHIND TO BE PAINTED DULUX "BLACK" SG6G9	EXTERNAL WALLS	SUPPLIER: ALIWOOD  <a href="https://aliwood.com.au/">https://aliwood.com.au/</a>  Phone: 1300 254 966	



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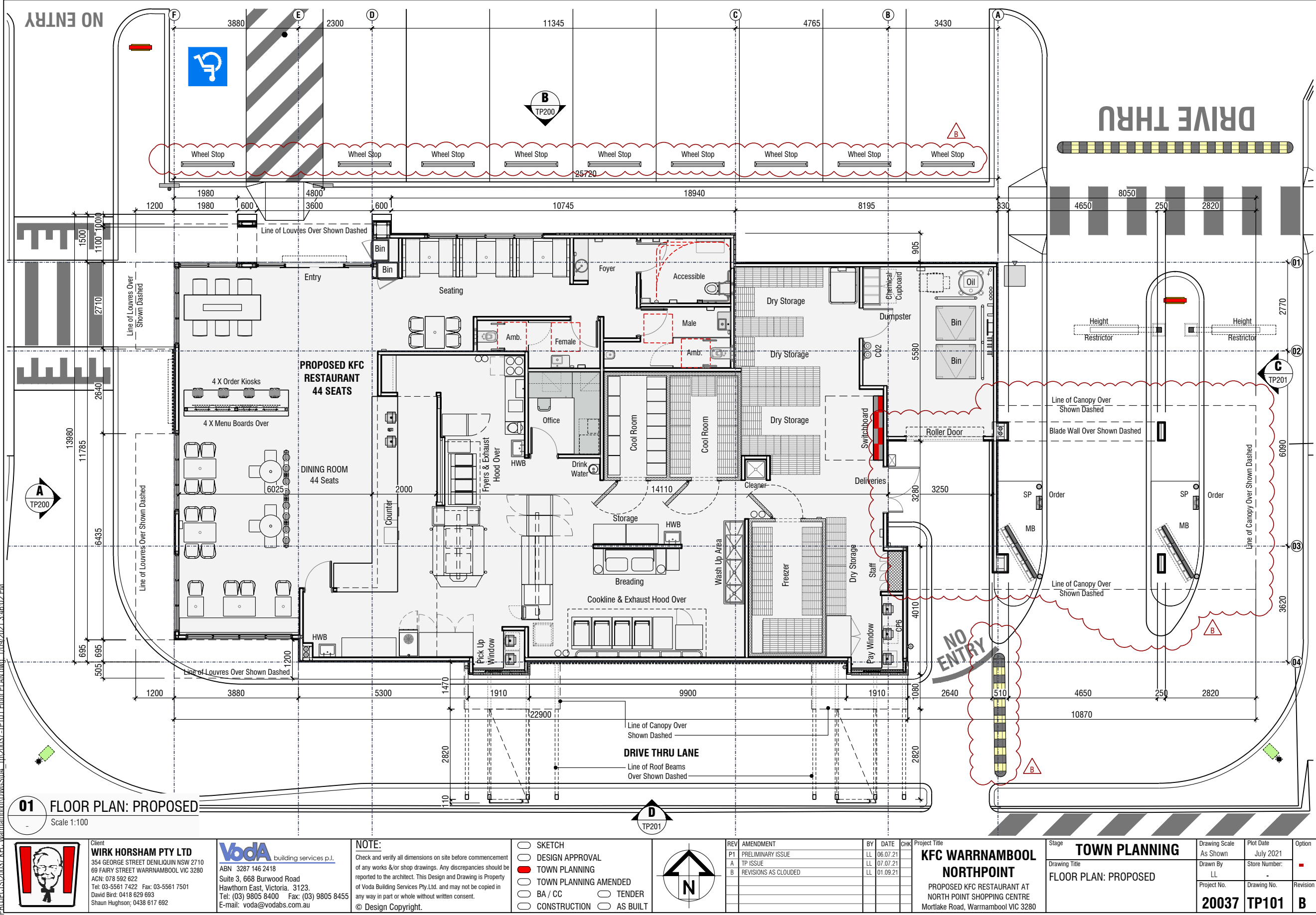
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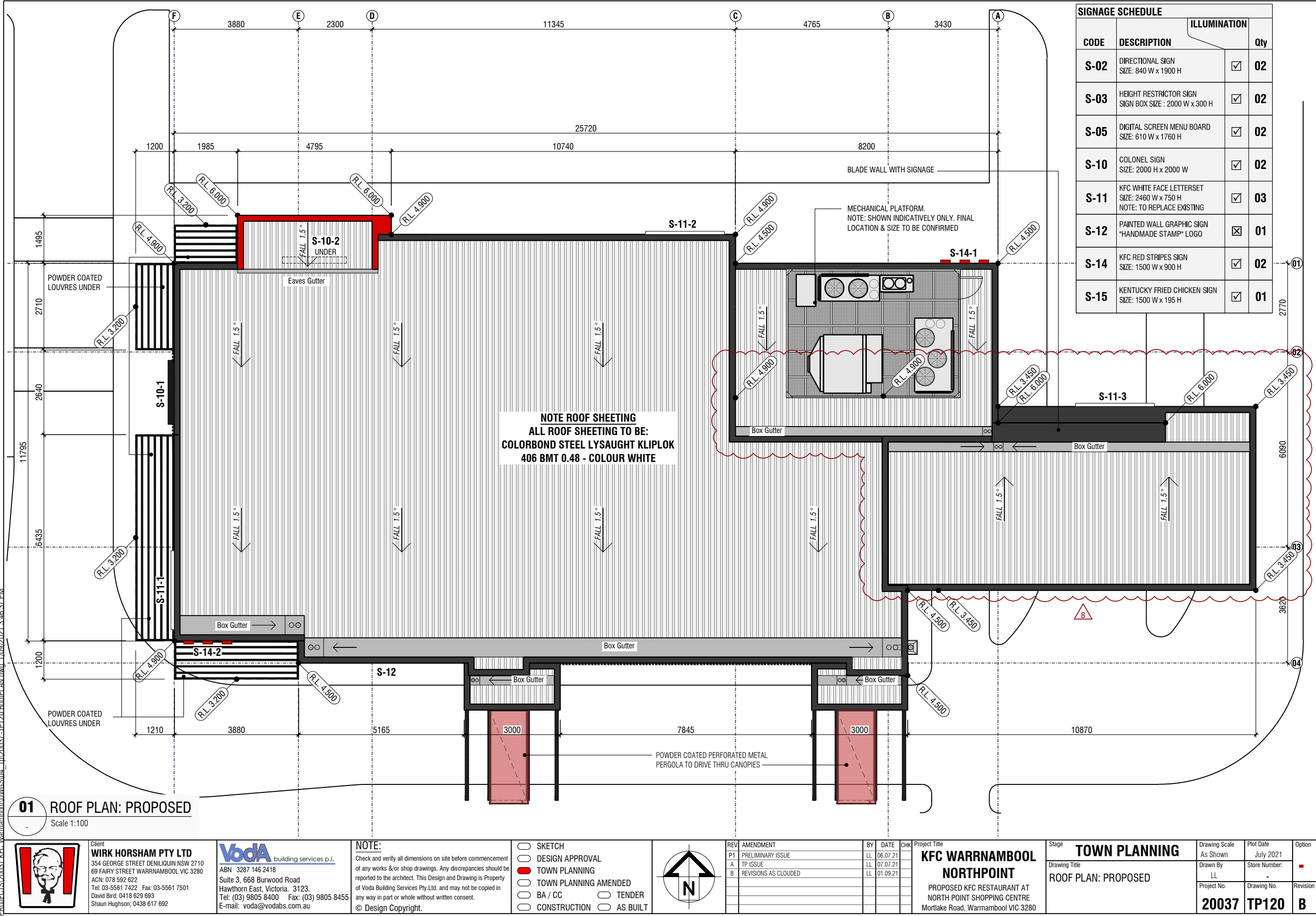
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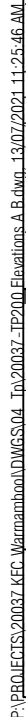
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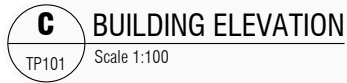
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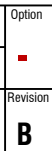






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S-15	KENTUCKY FRIED CHICKEN SIGN SIZE: 1500 W x 195 H	<input checked="" type="checkbox"/>	01

**NOTE: REFER TO DRAWING TP040 FOR FINISHES SCHEDULE**



## **Appendix E      Traffic Impact Assessment Report**

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## **PROPOSED CONVENIENCE RESTAURANT 70-82 MORTLAKE ROAD, WARRNAMBOOL**

### **Transport Impact Assessment Report**



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Appendix A Sidra Analysis Results		



# 1 Introduction

## 1.1 Overview

A planning permit is being sought for a KFC convenience restaurant development at 70-82 Mortlake Road in Warrnambool. To assist in the consideration of the development proposal, ESR Transport Planning has been engaged to assess relevant transport implications.

## 1.2 Scope of This Report

This report documents a transport impact assessment which investigates the following:

- Existing transport conditions in the vicinity of the site.
- Parking demands generated by the proposed land use.
- Anticipated impacts on local car parking conditions.
- Traffic movements generated by the proposed land use.
- Anticipated impacts on the surrounding road network.
- Design merit of proposed transport facilities.

## 1.3 Referenced Information

### **Documents**

- Australian Standards, AS2890, *Australian Standard for Parking Facilities*.
- Roads and Traffic Authority (RTA), 2002, *Guide to Traffic Generating Developments*.
- Warrnambool Planning Scheme.
- Warrnambool City Council, 2017, *Register of Public Roads*.

### **Drawings / Data / Information**

- An inspection of the site and surrounds July 2021.
- Drawings prepared by Voda Building Services, dated 07/07/21.
- Online maps from Google, Nearmap, VicPlan, VicEmergency and Public Transport Victoria.
- Traffic volume and accident data from the Department of Transport ([www.data.vic.gov.au](http://www.data.vic.gov.au)).
- Trips Database Bureau (TDB), 2018, *Trips Database*.

## 1.4 Terms

- |                  |                         |       |                             |
|------------------|-------------------------|-------|-----------------------------|
| • DOS            | degree of saturation    | • LOS | level of service            |
| • DoT            | Department of Transport | • NFA | net floor area              |
| • GFA            | gross floor area        | • RTA | Roads and Traffic Authority |
| • kph            | kilometres per hour     | • TDB | Trips Database Bureau       |
| • m              | metres                  | • vph | vehicle movements per hour  |
| • m <sup>2</sup> | square metres           | • vpd | vehicle movements per day   |

## 2 Existing Conditions

### 2.1 Site

The proposed development site is approximately 2km north of Warrnambool's city centre within the Northpoint Shopping Centre complex. Northpoint Shopping Centre is within a Commercial 1 Zone (C1Z) and has road frontages to Mortlake Road Service Road and Hayley Drive. The shopping centre has a Coles supermarket and numerous retail and food and drink outlets, with a total floor area of approximately 5,000m<sup>2</sup> GFA, excluding a tavern currently under construction. The shopping centre's carpark has a main access from Mortlake Road Service Road, a service area access from the southern end of the Mortlake Road Service Road, and other accesses from Hayley Drive.

The development site is at the southwest of the shopping centre, between the service area vehicular accessway and the centre's carpark. When the shopping centre was developed (circa 2005) a convenience restaurant in this area was part of original planning.

Land neighbouring the shopping centre is predominately residential dwellings within a General Residential Zone 1 (GRZ1). To the south is a indoor tennis centre, which is subject to a planning permit application for development of a Salvation Army place of worship. On the opposite side of Mortlake Road are some retail premises and a CFA station.

Figure 2.1 Subject Site and Surrounds



## 2.2 Road Network

Mortlake Road is classified as an Arterial Road (Road Zone Category 1, managed by Department of Transport) and a 60kph speed limit applies. Within a 60m road reserve, it generally has service roads on both sides and a main carriageway accommodating a traffic lane and bicycle lane in each direction. The centre of the carriageway has a painted median or right turn lanes at nearby intersections.

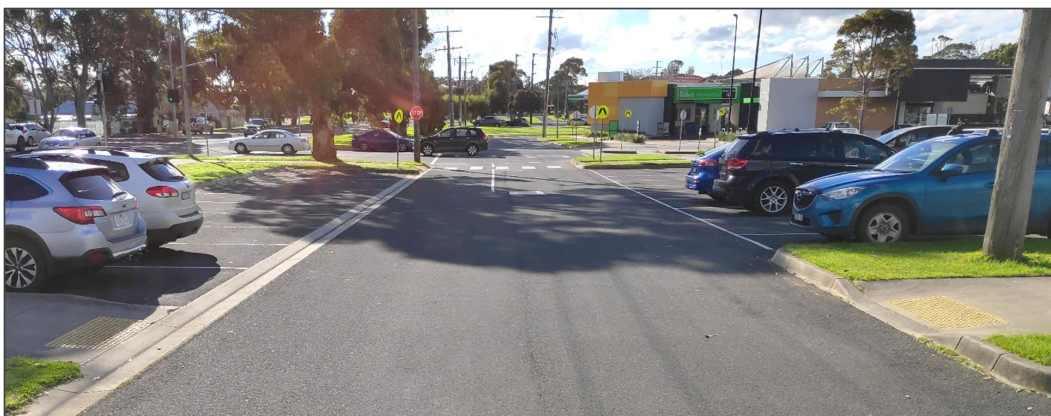
Figure 2.2 Mortlake Road (facing south to shopping centre access signalised intersection)



A signalised T-intersection exists where the Northpoint Shopping Centre access intersects with Mortlake Road. The adjacent cross intersection between Mortlake Road Service Road and Northpoint Shopping Centre access is Stop sign controlled.

Mortlake Road Service Road is classified as an Access Street without a posted speed limit (50kph default). South of the shopping centre access it has a two-way carriageway and 90 degree parking both sides. North of the shopping centre access it has a two-way carriageway without designated parking spaces.

Figure 2.3 Mortlake Road Service Road (facing north to shopping centre access intersection)







## 2.3 Traffic Volumes

A review of Department of Transport traffic volume data (2019) for the signalised intersection of Mortlake Road / shopping centre access indicates that weekday PM peak is the busiest time period, with weekday lunchtime peaks (interpeak) having similar volumes as the AM commuter peak. Volumes on a Saturday lunchtime are slightly higher than weekday AM and lunchtime peaks. Lunch and PM peak periods also correspond with peak activity at convenience restaurants.

Therefore, traffic volume survey data has been collected for the shopping centre access intersections on a Friday and Saturday (18&19/06/21) between the hours of 11:30am-1:30pm and 4:30pm-6:30pm. Surveyed peak hour traffic volumes are shown in Figure's 2.4 and 2.5.

Figure 2.4 Peak Hour Intersection Traffic Volumes - FRIDAY

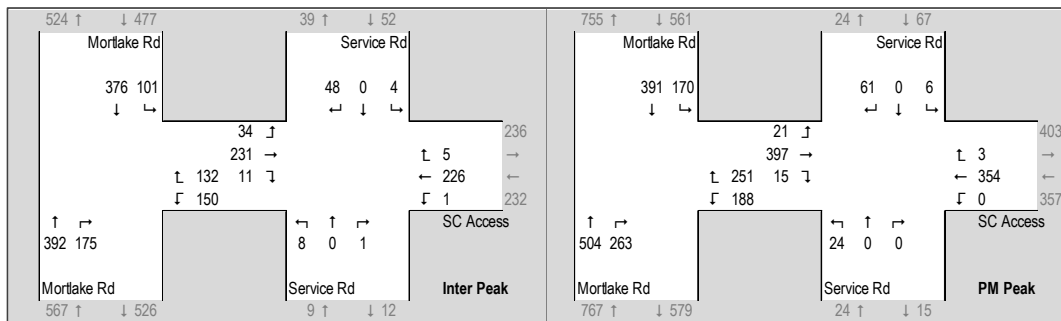
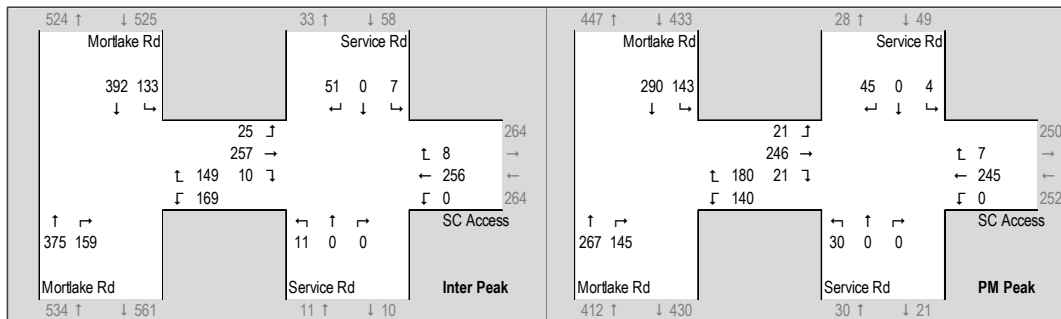


Figure 2.5 Peak Hour Intersection Traffic Volumes - SATURDAY



## 2.4 Accident History

A review of road accidents in the site's vicinity has been undertaken using the Department of Transport's Road Crashes for Five Years database which includes accidents reported to police which resulted in personal injury within the last 5 years. The review investigated the shopping centre carpark, Mortlake Road including service roads (Donovans Road - Breton Street), and Hayley Drive (Mortlake Road - Paul Court). Details of accidents recorded are as follows:

- Within shopping centre carpark, vehicle struck pedestrian, other (non-serious) injury severity.
- Within shopping centre carpark, vehicle struck fixed object, other (non-serious) injury severity.
- x2 - Mortlake Road / shopping centre access intersection(s), vehicles colliding 'right-through', other (non-serious) injury severity.



- Mortlake Road / northbound Service Road exit intersection, vehicles colliding 'right turn sideswipe', other (non-serious) injury severity, during evening, alcohol related.
- x2 - Mortlake Road / Donovans Road intersection, vehicles colliding 'right through' (x1) and 'right far' (x1), other (non-serious) injury severity.

These accident records do not provide compelling evidence of atypical safety deficiencies within the nearby transport network.

## 2.5 Car Parking

The Northpoint Shopping Centre has on-site car parking with a total of 220 spaces. This includes 7 accessible (disabled) parking spaces spread throughout the carpark and 18 spaces at the southeast rear of buildings via the service vehicle accessway (i.e. staff use). There is also 1 additional taxi space, and a large vehicle service bay linemarked (but not sign posted) within the service vehicle accessway (adjacent the site), which is consistently used as car parking.

Adjacent the shopping centre there are 33 spaces (90 degree) within the Mortlake Road Service Road and 23 spaces (60 degree) along the south side of Hayley Drive.

The above facilities combined provide a total of 276 spaces.

It is noted that the shopping centre carpark was modified circa 2019 when additional car parking was provided in a previously vacant grassed area. It is understood that this was related to tavern development works currently under construction. It is also noted that when the shopping centre was established, car parking facilities established at that time were planned to cater for shopping centre tenancies that included a convenience restaurant at the proposed development site.

Other on-street parking exists nearby, such as elsewhere along Hayley Drive and the northbound service road on the opposite side of Mortlake Road.

Nearmap aerial photographic images have been reviewed as they provide an historical record of parking activity. The 276 spaces within and adjacent the shopping centre were surveyed across 11 images captured between October 2017 and March 2021 on weekdays and weekends at various times of the daytime. A site visit survey was also conducted on Thursday 01/07/21. Parking survey results are set out in Table 2.1.

Table 2.1 Car Parking Survey Data

Location	Supply	Thu 1/07/21 13:30	Thu 18/03/21 11:30	Wed 18/11/20 14:00	Thu 26/03/20 17:00	Tue 1/10/19 12:30	Sat 18/05/19 12:00	Fri 17/05/19 14:30	Fri 11/01/19 11:00	Fri 12/10/18 11:00	Sat 7/04/18 11:00	Sun 28/01/18 16:30	Tue 17/10/17 10:30
		13:30	11:30	14:00	17:00	12:30	12:00	14:30	11:00	11:00	11:00	16:30	10:30
Northpoint carpark	220	118	131	111	99	81	93	99	105	100	83	71	107
Mortlake Rd Service Rd	33	9	3	12	11	10	4	10	10	11	6	1	14
Hayley Dr (angle, south side)	23	8	10	8	8	11	11	11	11	8	9	6	7
<b>Total</b>	<b>276</b>	<b>135</b>	<b>144</b>	<b>131</b>	<b>118</b>	<b>102</b>	<b>108</b>	<b>120</b>	<b>126</b>	<b>119</b>	<b>98</b>	<b>78</b>	<b>128</b>

Legend: 0-49% 50-69% 70-84% 85-99% 100%+ occupancy rate

### Key outcomes:

- There is typically large numbers of vacant parking spaces within the shopping centre carpark, the Mortlake Road Service Road and Hayley Drive.
- The peak total demand was 144 vehicles, corresponding with an occupancy rate of 52% and 132 vacant spaces remaining.



- The most vehicles parked in each area (although not at the same time) were 131 parked off-street, 14 parked within Mortlake Road Service Road, and 11 parked within Hayley Drive.
- Parking demands have been relatively similar across the survey days, varying between 36% to 52% occupancy, excluding a Sunday with a 28% occupancy.

## 2.6 Public Transport

Bus service Warrnambool to Gateway Plaza via Centro (Route 2) operates along Mortlake Road with stops located near the southwest corner of Northpoint Shopping Centre.

A taxi parking space is provided within the shopping centre carpark, at its eastern side.

## 2.7 Walking & Cycling

The signalised intersection of Mortlake Road / shopping centre access provides a signalised pedestrian crossing of Mortlake Road. Aligned with the signalised crossing is a pedestrian crossing (zebra) of the Service Road.

The footpath on the east side of Mortlake Road is a shared path (pedestrian & cyclist), and a pedestrian crossing is provided where it crosses the shopping centre access. Nearby roads typically have footpaths, either along both or one side. On-road bicycle lanes exist along Mortlake Road.

The shopping centre carpark includes various pedestrian pathways and pedestrian crossings. There are also 3 bicycle rail parking facilities as follows: (i) 7 spaces near the main entry, (ii) 8 spaces near the drive-through bottle shop, (iii) 2 spaces adjacent the eastern boundary of the site. A total parking demand of 4 bicycles was observed at 1:30pm on Thursday 01/07/21.



### 3 Proposed Development

The proposed development involves construction of a single storey building and associated works to establish a KFC convenience restaurant. The proposed building has a floor area of approximately 300m<sup>2</sup>, with approximately 95m<sup>2</sup> available to the public with provision of 44 seats.

The development site includes part of the shopping centre carpark incorporating parking spaces and an east-west aligned pedestrian path. This area of car parking currently has a total of 12 spaces<sup>1</sup>, including 1 accessible space. The proposal will relocate the east-west aligned path slightly, to be alongside the building's northern façade. Carpark modifications will result in a modified provision of 9 spaces, including 1 accessible space, a net loss of 3 spaces.

The proposed development incorporates a drive-through facility with 2 entry lanes from the shopping centre carpark aisle, merging to 1 lane alongside the buildings southern façade at payment and service windows. The total queue capacity is 9 vehicles back to the parking aisle, or 11 vehicles with the rear of the last vehicle(s) a short distance (~1.5m) extending into the aisle.

Bicycle parking facilities are proposed with 2 rails (4 spaces) near the proposed buildings western façade.

There is an existing linemarked service bay (loading bay) adjacent the southeast corner of the development site, and the proposed development is to utilise this for service vehicle parking.

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<sup>1</sup> It is noted that development drawings notate a removal of 11 spaces, although 12 spaces appear to be impacted.





## 4 Car Parking Assessment

### 4.1 Planning Scheme Standard Provision Requirements

Clause 52.06 (Car Parking) of the Warrnambool Planning Scheme sets out planning controls with respect to car parking and Table 1 to Clause 52.06-5 specifies parking provision rates for various land uses.

For a 'convenience restaurant' land use, a provision rate of 0.3 spaces per patron permitted is specified. Based on seating capacity, this equates to a requirement for the provision of 13 spaces as part of the proposed development.

The Planning Scheme also states that the standard provision can be reduced or fully waived.

Where a proposal seeks to reduce or waive the standard parking provision requirement, the Planning Scheme lists a series of decision guidelines for consideration when making such an assessment. The sections that follow provide discussion on those decision guidelines relevant to the proposed development.

### 4.2 Empirical Assessment of Peak Parking Demand

TDB 2018 contains empirical data for the traffic and parking generation of KFC restaurants, 3 in regional NSW cities and 4 within suburban Sydney. The highest parking generation rates observed (spaces per seat) were as follows:

- Suburban: 0.40 (weekday) 0.33 (weekend)
- Regional: 0.17 (weekday) 0.26 (weekend)

The time of peak parking varied by site, some around lunchtime, others around dinnertime.

Based on the regional data being most applicable to the proposed development, a peak parking generation rate of approximately 0.3 spaces / seat (equivalent to the Planning Scheme standard provision rate), is considered a reasonable rate for estimating peak parking demands likely to be generated by the proposal, therefore 13 spaces.

### 4.3 Shared Trips

It is expected that a significant number of patrons to the proposed use will have a shared trip to other premises within the Northpoint Shopping Centre. Accordingly, some of the 13 space parking demand estimate above will incorporate vehicles already part of the typical demand at the shopping centre. Therefore, additional parking activity generated by the proposal may be well less, such as fewer than 10 spaces.

### 4.4 Previous Parking Provision

The Northpoint Shopping Centre was planned in anticipation of a convenience restaurant at the proposed location and a total car parking provision in anticipation of that use has previously been provided.



#### 4.5 Shared Parking

Different land uses generate different levels of parking activity at different times. Rather than different car parks for individual uses or businesses, which is likely to be an inefficient use of space, sites and precincts are typically designed with carparks for shared use.

The proposed development will be an addition to the retail offerings at the Northpoint Shopping Centre and is to share available car parking facilities.

#### 4.6 Practicality of Providing Car Parking On-Site

The site is relatively small and it would be unlikely that a retail building on the site area could also incorporate its own (standalone) car parking, sufficient to fulfill its own requirements.

#### 4.7 Availability of Parking in the Area

As noted in Section 2.5, there are a total of 276 car parking spaces within the Northpoint Shopping Centre and along its Service Road and Hayley Drive frontages. The proposed development does reduce parking spaces by 3, yielding a new total of 273 spaces.

Surveys indicate that there is typically large numbers of vacant parking spaces in these parking facilities. During the time of highest demands, a minimum of approximately 130 vacant spaces remained available.

Clearly, there is ample vacant car parking opportunities to cater for the anticipated increase in car parking demands generated by the proposed development.

#### 4.8 Parking Impact of Proposal

Given all of the above, the proposed development is not expected to result in a significant impact to parking amenity within the surrounding area and numerous matters support the proposed waiver of standard parking requirement.



## 5 Bicycle Parking Assessment

Clause 52.34 (Bicycle Facilities) of the Warrnambool Planning Scheme sets out planning controls with respect to the provision of bicycle facilities such as parking and change room facilities. Table 1 to Clause 52.34-3 specifies provision rates for various land uses.

An assessment of the bicycle facility requirements for the proposed development using Planning Scheme rates is presented in Table 5.1.

A permit can be granted to vary, reduce or waive these requirements.

Table 5.1 Planning Scheme Bicycle Facility Requirements

LAND USE & QUANTITY	EMPLOYEE PARKING RATE	VISITOR PARKING RATE	EMPLOYEE REQUIREMENT	VISITOR REQUIREMENT
convenience restaurant, 95m <sup>2</sup> area available to the public	1 / 25m <sup>2</sup> of floor area available to the public	2	4 spaces	2 spaces

Note:

# Employee parking must be within a locker or lockable compound. If at least 5 employee spaces are required, 1 shower with direct access to a change room is required, plus 1 shower to each 10 spaces thereafter.

# Visitor parking must be at a bicycle rail.

As noted in Section 2.7, there are bicycle parking facilities within the shopping centre carpark area, including 2 spaces adjacent the development site. The proposal incorporates an additional 4 parking spaces. Therefore, 6 bicycle parking spaces will be available very convenient to the proposed building to cater for employees and patrons. A provision that satisfies the standard number of spaces required under Clause 52.34.

These arrangements are considered satisfactory, noting that whilst it is ideal that staff parking be in a secure and under cover location, this would be quite onerous to a relatively small building of this nature, proposed parking is in a location of very high passive surveillance, and the shopping centre could holistically provide tenancy staff bicycle facilities as travel demands dictate such a requirement.

## 6 Traffic Assessment

### 6.1 Traffic Generation

TDB 2018 contains empirical traffic generation data for several KFC convenience restaurants in NSW. The data shows some variation in peak rates, together with variation of when the peak occurs. The empirical data is represented in Figure's 6.1 and 6.2 for the variables of floor area and number of seats, respectively.

Figure 6.1 TDB 2018 - KFC Peak Period Traffic Generation by Floor Area

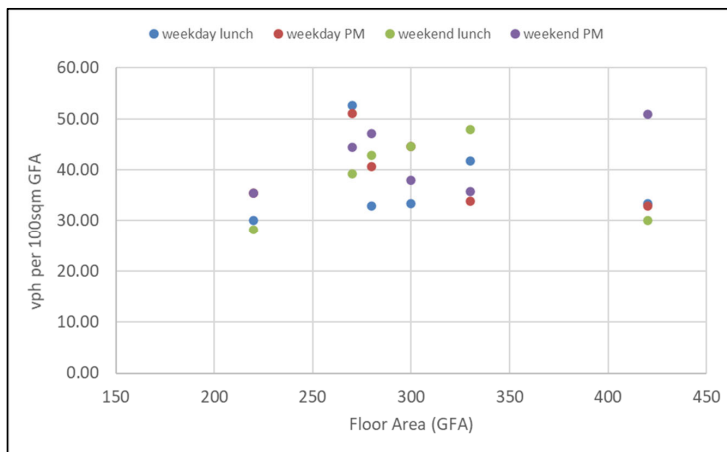


Figure 6.2 TDB 2018 - KFC Peak Period Traffic Generation by Number of Seats



Based on the data in Figure's 6.1 and 6.2, a conservative estimate may utilise peak hour traffic generation rates in the order of 40-50 vph /100m<sup>2</sup> GFA, or, 2-3 vph / seat. For the proposed development, these rates equate to traffic generation in the order of 120-150 vph or 90-130 vph, respectively.

By way of comparison, RTA 2002 recommends analysis for KFC site's by adopting evening peak hour traffic generation of 100 vph, and a sensitivity test for 120 vph.



Convenience restaurants, and particularly those on major thoroughfares, generate a significant proportion of customers from passing traffic. RTA 2002 specifies that the proportion of passing trade for KFC sites is typically at least 50%. Being part of a shopping centre, it is likely that a significant proportion of site traffic is shared trips, being traffic movements that already take place to / from the Northpoint Shopping Centre.

Given all of the above, the peak period traffic generation adopted for analysis is equivalent to a total generation of 130 vph, and at least 33% passing trade, equating to additional movements of up to 90 vph during peak periods.

## 6.2 Traffic Distribution

The direction in which vehicles travel to and from the site is influenced by a variety of factors including the site's location, configuration of access intersections, characteristics of the surrounding road network and trip purpose.

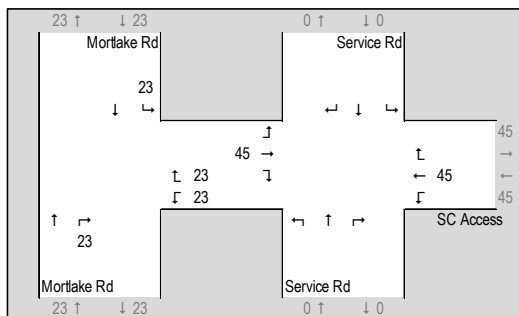
A review of traffic volume data for the signalised Mortlake Road / shopping centre access intersection shows that shopping centre traffic has a relatively even distribution either direction along Mortlake Road, which at times may vary to a slight bias in either direction.

For the purpose of analysis, an even directional split (50/50) has been assumed for the additional traffic generated by the proposed use. And empirical data for convenience restaurants indicates even distribution (50/50) of entry and exit movements within hourly peak periods.

## 6.3 Traffic Volume Increase

Based on the analysis above, the proposed development could be expected to generate additional traffic volumes through the signalised Mortlake Road / shopping centre access intersection in the order of those represented in Figure 6.3.

Figure 6.3 Anticipated Additional Peak Hour Traffic Movements





## 6.4 Ability of Nearby Road Network to Absorb Development Traffic

Capacity analysis of the Mortlake Road / shopping centre access intersection has been undertaken using Sidra Intersection software<sup>2</sup>. A Friday and Saturday interpeak and PM peak hour analysis has been undertaken for existing conditions and post development scenarios. Results are summarised in Table 6.1 for the common performance measures of 'degree of saturation' (DOS) and delay 'level of service' (LOS). Full results are presented in Appendix A.

Table 6.1 Sidra Intersection Results Summary

	FRIDAY INTERPEAK		FRIDAY PM PEAK		SATURDAY INTERPEAK		SATURDAY PM PEAK	
	DOS	LOS	DOS	LOS	DOS	LOS	DOS	LOS
Existing	0.59	B	0.84	B	0.65	B	0.68	B
Post Development	0.67	B	0.89	B	0.62	B	0.76	B

Colour code based on Degree of Saturation: [ < 0.6 ] [ 0.6 – 0.7 ] [ 0.7 – 0.8 ] [ 0.8 – 0.9 ] [ 0.9 – 1.0 ] [ > 1.0 ]

Colour code based on Level of Service: LOS A LOS B LOS C LOS D LOS E LOS F

The Sidra analysis indicates that additional traffic generated by the proposed development has a relatively minor impact to intersection performance, and satisfactory intersection operating performance can be expected during post development conditions.

## 6.5 Traffic Impacts

Given all of the above, it is expected that development traffic can be absorbed by the local road network without significant impact to efficient traffic flow.

<sup>2</sup> Sidra Intersection is a software tool used widely throughout Australia and all over the world that evaluates the capacity of intersections. It reports results including degree of saturation, level of service, delay and queue lengths.



## 7 Design Review

## General

A design review of development plans has been undertaken with reference to the Warrnambool Planning Scheme, the Australian Standard for Parking Facilities (AS2890) and the results of vehicle swept path simulations. The review identified that:

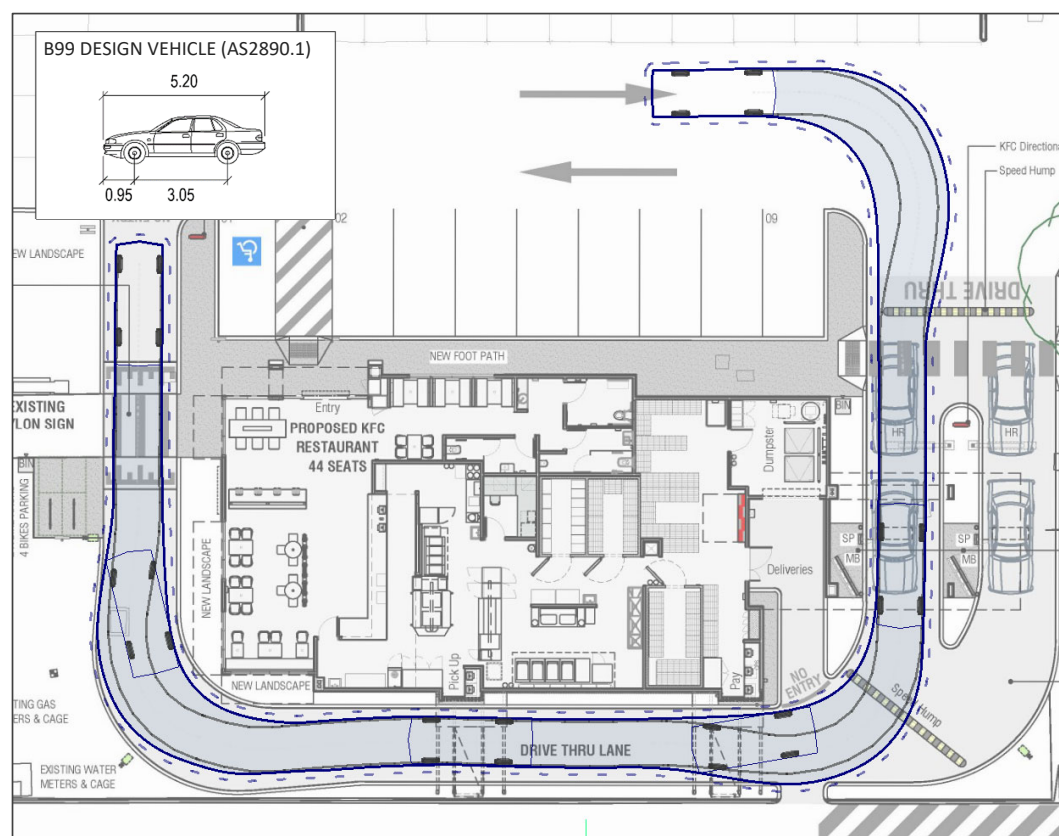
- The parking and access layout is a typical configuration that will be easily navigated.
- Proposed space, aisle and accessway dimensions are consistent with Clause 52.06 of the Planning Scheme and the Australian Standard for Parking Facilities (AS2890).

Further detailed assessment results, including some recommended minor alterations of the proposed design, are set out in the following sections.

### ***Drive-Through Manoeuvring***

Figure 7.1 contains a swept path analysis drawing for a passenger vehicle travelling through the drive-through area, indicating such vehicles can successfully negotiate the proposed design.

Figure 7.1 Swept Path Analysis - Drive-Through



### **Drive-Through Queue**

The proposed 9 vehicle capacity (or 11 with an approximate 1.5m rear overhang into aisle) compares with recommendations within RTA 2002 that for KFC's, a capacity of 6 car lengths be provided, and extend to 8 car lengths without unreasonably disrupting car parking operations or extending onto the street.

### **Pedestrian Connections**

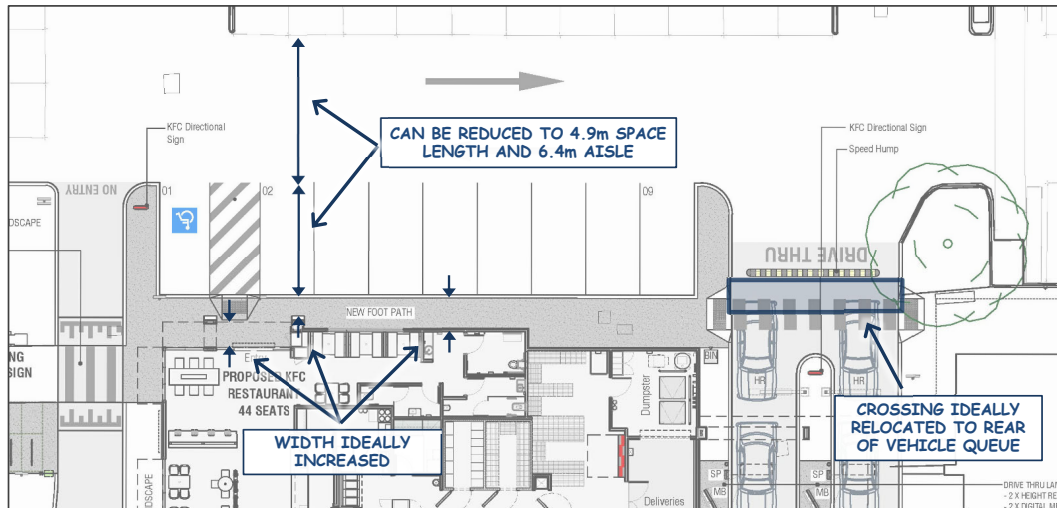
The proposed development relocates an existing east-west aligned pedestrian footpath a short distance to the north. The path will cross the drive-through entry and exit. This footpath is a key route between shopping centre and the nearby path network.

The proposed path width varies along the proposed building's façade, but at constraints appears to be in the order of 0.9m width, and approximately 1.5m width at the centre of building's façade. A footpath in a commercial setting would ideally have a minimum width of 2.0m. And at constraints, footpaths should have a minimum width of 1.2m (or 1.0m absolute minimum). The adjacent car space length and aisle are proposed as 5.4m and 7.0m, respectively. These could be reduced to the Planning Scheme standards of 4.9m and 6.4m, providing an additional width in the order of 1.1m that could be allocated to the footpath.

This modification may also provide the ability to decrease the likelihood that the drive-through queue extends over the footpath crossing, by relocating the crossing a short distance north.

These recommendations are shown in Figure 7.2.

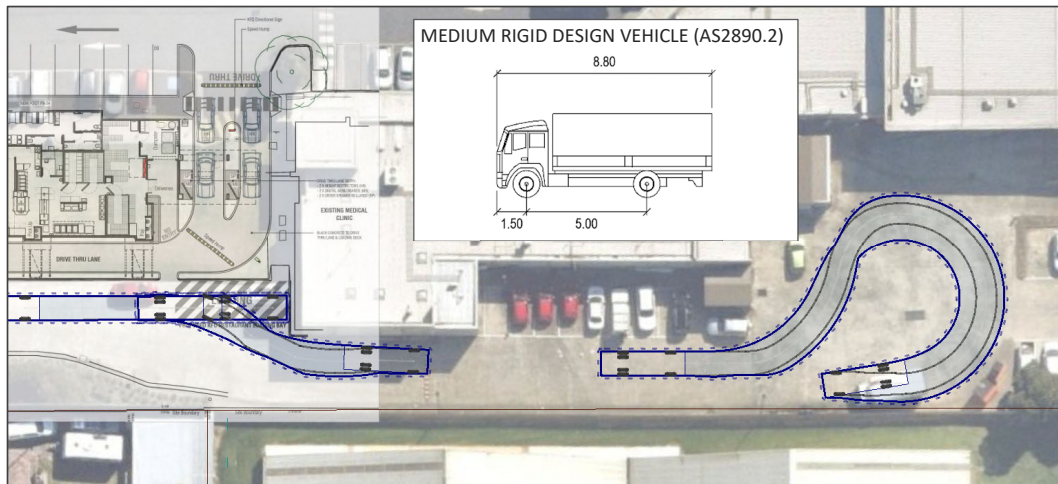
Figure 7.2 Pedestrian Facility Recommendations



### **Loading Area**

Swept path analysis for an 8.8m length medium rigid truck accessing the loading area, then using the rear service area to turn around is shown in Figure 7.3, indicating such vehicles can successfully negotiate these manoeuvres (which are unchanged by the proposal).

Figure 7.3 Swept Path Analysis - Loading Access





## 8 Conclusions

The following conclusions have been made within this report:

1. The proposed development is not expected to result in a significant impact to parking amenity within the surrounding area.
2. Numerous matters support the proposed waiver of standard parking requirement.
3. Bicycle parking facilities are considered satisfactory.
4. Development traffic can be absorbed by the local road network without significant impact to efficient traffic flow.
5. Proposed parking space, aisle and accessway dimensions are consistent with Clause 52.06 of the Planning Scheme and the Australian Standard for Parking Facilities (AS2890).



## Appendix A Sidra Analysis Results



## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Fri Inter - Existing Conditions]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 45 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	413	15.0	1106	0.373	100	4.6	LOS A	4.5	35.8	Full	500	0.0	0.0
Lane 2	184	3.0	531	0.347	100	12.3	LOS B	1.9	13.4	Short	65	0.0	NA
Approach	597	11.3		0.373		7.0	LOS A	4.5	35.8				
East: SC Access													
Lane 1	158	3.0	687	0.230	100	12.5	LOS B	2.4	17.4	Full	500	0.0	0.0
Lane 2	139	3.0	242	0.573	100	23.9	LOS C	3.2	22.7	Short	30	0.0	NA
Approach	297	3.0		0.573		17.9	LOS B	3.2	22.7				
North: Mortlake Rd													
Lane 1	106	3.0	1172	0.091	100	8.8	LOS A	0.9	6.3	Short	50	0.0	NA
Lane 2	396	15.0	671	0.590	100	12.5	LOS B	7.2	57.1	Full	500	0.0	0.0
Approach	502	12.5		0.590		11.8	LOS B	7.2	57.1				
Intersection	1396	10.0		0.590		11.0	LOS B	7.2	57.1				

## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Fri Inter - Post Development]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 45 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	413	15.0	1106	0.373	100	4.6	LOS A	4.5	35.8	Full	500	0.0	0.0
Lane 2	208	3.0	562	0.371	100	12.3	LOS B	2.1	15.1	Short	65	0.0	NA
Approach	621	11.0		0.373		7.2	LOS A	4.5	35.8				
East: SC Access													
Lane 1	182	3.0	768	0.237	100	11.2	LOS B	2.6	18.9	Full	500	0.0	0.0
Lane 2	163	3.0	242	0.673	100	24.9	LOS C	3.9	27.7	Short	30	0.0	NA
Approach	345	3.0		0.673		17.7	LOS B	3.9	27.7				
North: Mortlake Rd													
Lane 1	131	3.0	1091	0.120	100	9.8	LOS A	1.2	8.9	Short	50	0.0	NA
Lane 2	396	15.0	592	0.668	100	15.2	LOS B	8.1	63.7	Full	500	0.0	0.0
Approach	526	12.0		0.668		13.9	LOS B	8.1	63.7				
Intersection	1493	9.5		0.673		12.0	LOS B	8.1	63.7				



## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Fri PM peak - Existing Conditions]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 40 seconds (Site Optimum Cycle Time - Minimum Delay)

Lane Use and Performance													
	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec			m		m	%	%
South: Mortlake Rd													
Lane 1	531	15.0	977	0.543	100	6.4	LOS A	6.8	54.0	Full	500	0.0	0.0
Lane 2	277	3.0	453	0.611	100	14.5	LOS B	3.3	23.3	Short	65	0.0	NA
Approach	807	10.9		0.611		9.2	LOS A	6.8	54.0				
East: SC Access													
Lane 1	198	3.0	818	0.242	100	9.5	LOS A	2.5	17.6	Full	500	0.0	0.0
Lane 2	264	3.0	318	0.830	100	25.1	LOS C	6.2	44.3	Short	30	0.0	NA
Approach	462	3.0		0.830		18.4	LOS B	6.2	44.3				
North: Mortlake Rd													
Lane 1	179	3.0	1091	0.164	100	9.4	LOS A	1.6	11.3	Short	50	0.0	NA
Lane 2	412	15.0	489	0.842	100	21.4	LOS C	9.7	76.7	Full	500	0.0	0.0
Approach	591	11.4		0.842		17.8	LOS B	9.7	76.7				
Intersection	1860	9.1		0.842		14.2	LOS B	9.7	76.7				

## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Fri PM peak - Post Development]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 45 seconds (Site Optimum Cycle Time - Minimum Delay)

Lane Use and Performance													
	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec			m		m	%	%
South: Mortlake Rd													
Lane 1	531	15.0	1027	0.517	100	6.3	LOS A	7.2	56.6	Full	500	0.0	0.0
Lane 2	301	3.0	504	0.597	100	14.4	LOS B	3.7	26.3	Short	65	0.0	NA
Approach	832	10.7		0.597		9.2	LOS A	7.2	56.6				
East: SC Access													
Lane 1	222	3.0	849	0.262	100	10.0	LOS A	3.0	21.7	Full	500	0.0	0.0
Lane 2	288	3.0	323	0.892	100	31.8	LOS C	8.2	59.1	Short	30	0.0	NA
Approach	511	3.0		0.892		22.3	LOS C	8.2	59.1				
North: Mortlake Rd													
Lane 1	203	3.0	1091	0.186	100	10.0	LOS A	2.0	14.6	Short	50	0.0	NA
Lane 2	412	15.0	513	0.802	100	20.8	LOS C	10.0	79.3	Full	500	0.0	0.0
Approach	615	11.0		0.802		17.2	LOS B	10.0	79.3				
Intersection	1957	8.8		0.892		15.1	LOS B	10.0	79.3				





## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Sat Inter - Existing Conditions]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 45 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	395	15.0	1106	0.357	100	4.5	LOS A	4.3	33.8	Full	500	0.0	0.0
Lane 2	167	3.0	520	0.322	100	12.2	LOS B	1.7	12.0	Short	65	0.0	NA
Approach	562	11.4		0.357		6.8	LOS A	4.3	33.8				
East: SC Access													
Lane 1	178	3.0	687	0.259	100	12.7	LOS B	2.8	19.9	Full	500	0.0	0.0
Lane 2	157	3.0	242	0.647	100	24.6	LOS C	3.7	26.3	Short	30	0.0	NA
Approach	335	3.0		0.647		18.3	LOS B	3.7	26.3				
North: Mortlake Rd													
Lane 1	140	3.0	1172	0.119	100	8.9	LOS A	1.2	8.5	Short	50	0.0	NA
Lane 2	413	15.0	671	0.615	100	12.7	LOS B	7.6	60.4	Full	500	0.0	0.0
Approach	553	12.0		0.615		11.8	LOS B	7.6	60.4				
Intersection	1449	9.7		0.647		11.3	LOS B	7.6	60.4				

## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Sat Inter - Post Development]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 50 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	395	15.0	1102	0.358	100	5.0	LOS A	4.8	37.6	Full	500	0.0	0.0
Lane 2	192	3.0	523	0.367	100	12.9	LOS B	2.2	15.5	Short	65	0.0	NA
Approach	586	11.1		0.367		7.6	LOS A	4.8	37.6				
East: SC Access													
Lane 1	202	3.0	727	0.278	100	13.1	LOS B	3.4	24.4	Full	500	0.0	0.0
Lane 2	181	3.0	291	0.622	100	25.3	LOS C	4.5	32.4	Short	30	0.0	NA
Approach	383	3.0		0.622		18.9	LOS B	4.5	32.4				
North: Mortlake Rd													
Lane 1	164	3.0	1200	0.137	100	9.0	LOS A	1.5	10.8	Short	50	0.0	NA
Lane 2	413	15.0	675	0.611	100	13.9	LOS B	8.4	66.4	Full	500	0.0	0.0
Approach	577	11.6		0.611		12.5	LOS B	8.4	66.4				
Intersection	1546	9.3		0.622		12.2	LOS B	8.4	66.4				



## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Sat PM peak - Existing Conditions]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 39 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	281	15.0	1002	0.280	100	4.8	LOS A	2.8	22.4	Full	500	0.0	0.0
Lane 2	153	3.0	555	0.275	100	12.0	LOS B	1.5	10.9	Short	65	0.0	NA
Approach	434	10.8		0.280		7.4	LOS A	2.8	22.4				
East: SC Access													
Lane 1	147	3.0	793	0.186	100	9.4	LOS A	1.8	12.7	Full	500	0.0	0.0
Lane 2	189	3.0	280	0.677	100	21.5	LOS C	3.9	27.9	Short	30	0.0	NA
Approach	337	3.0		0.677		16.2	LOS B	3.9	27.9				
North: Mortlake Rd													
Lane 1	151	3.0	1072	0.140	100	9.5	LOS A	1.3	9.3	Short	50	0.0	NA
Lane 2	305	15.0	501	0.609	100	14.2	LOS B	5.4	43.0	Full	500	0.0	0.0
Approach	456	11.0		0.609		12.6	LOS B	5.4	43.0				
Intersection	1226	8.7		0.677		11.7	LOS B	5.4	43.0				

## LANE SUMMARY

### Site: 6814 [Mortlake Rd / SC Access - Sat PM peak - Post Development]

Site Category: (None)

Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 39 seconds (Site Optimum Cycle Time - Minimum Delay)

#### Lane Use and Performance

	DEMAND FLOWS [ Total HV ]		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE [ Veh Dist ]		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Mortlake Rd													
Lane 1	281	15.0	1002	0.280	100	4.8	LOS A	2.8	22.4	Full	500	0.0	0.0
Lane 2	177	3.0	555	0.318	100	12.1	LOS B	1.8	12.8	Short	65	0.0	NA
Approach	458	10.4		0.318		7.6	LOS A	2.8	22.4				
East: SC Access													
Lane 1	172	3.0	793	0.216	100	9.6	LOS A	2.1	15.0	Full	500	0.0	0.0
Lane 2	214	3.0	280	0.764	100	23.0	LOS C	4.6	33.1	Short	30	0.0	NA
Approach	385	3.0		0.764		17.0	LOS B	4.6	33.1				
North: Mortlake Rd													
Lane 1	175	3.0	1072	0.163	100	9.5	LOS A	1.5	11.0	Short	50	0.0	NA
Lane 2	305	15.0	501	0.609	100	14.2	LOS B	5.4	43.0	Full	500	0.0	0.0
Approach	480	10.6		0.609		12.5	LOS B	5.4	43.0				
Intersection	1323	8.3		0.764		12.1	LOS B	5.4	43.0				



20 SEP 2021

PP2021-0197.

## Objection to Grant Planning Permit - Part A

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### Who is objecting?

I/We (Names in Block Letters)

Name(s) David Surname McCallum

Name(s) Surname

Address Bramleys Bakery Shop 14 Northpoint Hopkins Hwy  
Warrnambool Vic Post Code 3280

Telephone (Home) Telephone (Work) 03 5561 0678

Mobile 0447 326 098 Facsimile

Email bramleys.warrnambool@gmail.com

Signatures(s) [Signature] Date 20-9-21

Signatures(s) Date

### Important notes about objections to permit applications

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  - State how you would be affected if a permit is granted.
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6. Any person may inspect an objection during office hours.
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## Objection to Grant Planning Permit – Part B

Please be aware that this page and any attachments of your objection/submission may be made available to any person for the purpose of consideration as part of the planning process.

### What application do you object to?

Planning Application Number PP 2021 - 0197

What is the address of the land that is proposed to be used or developed?.....

1-72 Montlake Rd Warrnambool Vic 3280

What is proposed? K.F.C Restaurant

### What are the reasons for your objection? (If there is not enough room, attach a separate page.)

As Attached

### How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

As Attached



## Objection to Planning Permit

Planning application Number

**PP2021-0197**

To Whom It May Concern

### Reasons for the objection

We own Brumby's Bakery Warrnambool and wish to object to the KFC proposed for our shopping center. The reason for this objection is twofold.

1. The proposed traffic flow for the drive thru aspect of the restaurant.
  2. The lack of additional car parks that will be required for a new restaurant.
- 
1. In the plans it has given a traffic flow diagram ( as attached). After investigating the current KFC drive thru in Raglan parade, it was discovered that at busy time there would be up to 20-30 cars lined up with a waiting time of up to 30-40 minutes. This line can run for up to 3.5 hours over their busy times like Friday and Saturday nights, and Saturday and Sunday lunchtime. This line of traffic extends to approximately 100-120 metres. If this is replicated at the proposed KFC, which is likely as they are shutting the current KCF for a period, then the traffic will stretch through the carpark all the way back to nearly the intersection. The road into the center is one way though the traffic lights so this means that the entrance will be blocked for hours at a time. The other entrance to the center off Breton St is also very congested at times with trucks often stopping on the road to deliver goods. It is a congested carpark at the best of times so additional traffic will make the center both dangerous, and impossible to get to.
  2. In relation to car parking, the carpark is at capacity at the present time with the new KFC meaning the center is losing carparks. The KFC will need extra parking for both patrons, and staff. These additional required carparks take parks away from our normal customers.

### How will we be affected by the granting of a permit

If the KFC goes ahead in its specified design, it will be to the extreme detriment of our bakery business, and all businesses in the center. It is a tight carpark to get in and out of at the present and the additional traffic would be catastrophic to the ability of patrons to visit our center. If there are massive line ups to get into the center, patrons will simply keep driving and will go elsewhere. The carpark would just become a drive thru for KFC with no other patrons able to use the center.

We employ 7 full time staff and 10 casuals so if our sales drop, our only course of action is to let staff go. I am sure that all businesses would have to do the same.

In summary, if the decision makers on this permit came down to the center to see what is proposed it would become obvious that the KFC plan would not work. The documentation paints a picture of traffic flow and numbers that are unrealistic. This KFC would put all the businesses in the center in jeopardy of survival and there would be at best case scenario, a number of jobs at risk.

Thank You

David McMahon

0447 326 098

Owner Brumby's Bakery

Shop 14 Northpoint Shopping Centre

Warrnambool Vic 3280

LEGEND:

LIKELY VEHICLE ACCESS PATHWAY TO  
DRIVE-THRU





## Objection to Grant Planning Permit – Part A

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### Who is objecting?

I/We (Names in Block Letters)

Name(s) Rick Surname Hahn (on behalf of Worfolk Butchers)

Name(s) Surname

Address Shop 9/72 Mortlake Highway

Post Code

Telephone (Home) Telephone (Work) 55624580

Mobile 0437193544 Facsimile

Email accounts@norfolkbutchers.com.au

Signatures(s) [Signature] Date 20.09.21

Signatures(s) Date

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## Objection to Grant Planning Permit – Part B

Please be aware that this page and any attachments of your objection/submission may be made available to any person for the purpose of consideration as part of the planning process.

What application do you object to?

Planning Application Number..... PP 2021 0197

What is the address of the land that is proposed to be used or developed?.....

1/72 Mortlake Rd Warrnambool

What is proposed?..... KFC

What are the reasons for your objection? (If there is not enough room, attach a separate page.)

Loss of car parks

Traffic Flow which will effect our delivery vehicles in and out.

Traffic flow through the middle of car park effecting  
customer flow and customer Parks

How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

As above -

Loss of customers due to enter congestion  
of traffic flow through middle of car park  
and also exiting car park

**Simone Crowe**

---

**From:** Mary Lou Storer <maryloustorer@icloud.com>  
**Sent:** Sunday, 19 September 2021 6:59 PM  
**To:** Warrnambool City Council  
**Subject:** Planning objection - KFC

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Hi.

I am writing as a very concern resident of North Warrnambool in relation to the KFC restaurant to be built at the North Point Shopping Centre.

There are a few issues I would like to bring up, mainly the traffic issue that this will bring with it. Mortlake Road is a very busy road at the best of times. With the new developments out North and the new development taking place at the moment across the road this is going to make travelling down Mortlake road very busy and dangerous.

I also think that it will change the feel of North Point which has at the moment a wonderful community atmosphere.

Having that green patch of grass is wonderful and could be better developed with some trees and garden, we don't have to built something on every patch of green grass with a building!!!

Also there will also be more car parks taken up with the eat-in dinners which could be at any time of the day and night.

I walk down Mortlake Road with my dogs and grandson and it is hard enough at the moment to cross the road at the lights without having to worry about extra traffic coming off or into the complex. I don't think this sort of business should be so close to a built up area where smells can be detected, some where out near KMart would be a better option.

We should also be trying to in courage healthy eating habits and not be promoting unhealthy eating habits.

I am strongly objecting to this and was so disappointed to read of in the paper, I love living in North Warrnambool and I feel that this proposed development is going to change this area completely. As I mentioned before if they have to have yet another fast food outlet built away from a residential area.

I would strong suggest that this development be looked at more closely and you listen the local residents as I am not alone with my concerns.

Regards

Mary Lou Storer

Sent from my iPad

## **Town Planning**

---

**From:** Damien Bishop <DBishop@jamiesonmedical.com.au>  
**Sent:** Monday, 20 September 2021 3:51 PM  
**To:** Town Planning  
**Subject:** PP2021-0197 Jamieson Medical Clinic Northpoint

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

In relation to planning permit PP2021-0197

The Jamieson Medical Clinic wish to object for the following reasons

- # On the plans our 12 designated carparks which form part of our lease , are to be removed .
- # Removes our parking for ambulance parking
- # Removes our parking for pathology courier
- # Provides an unsafe carpark for elderly and handicapped patients
- # Provides no designated emergency evacuation area
  
- # Not enough parking as it is in the complex , let alone allowing for the extra KFC customers and staff carparking
- # Will create a bottleneck which has the potential to turn business away for the other tenants

Regards

**Damien Bishop**  
**Practice Manager**

**Jamieson Medical Clinic**  
**Northpoint , 70 - 80 Hopkins Hwy**  
**Warrnambool 3280**  
**(P) 03 5562 6533**

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<http://www.mailguard.com.au>

Jellie McDonald  
Solicitors

Our Ref: SW:NG:210847  
Email: [shane@jelliemcdonald.com.au](mailto:shane@jelliemcdonald.com.au)  
Your Ref:

20 September 2021

Warrnambool City Council  
PO Box 198  
Warrnambool VIC 3280  
[planning@warrnambool.vic.gov.au](mailto:planning@warrnambool.vic.gov.au)

Dear Sirs,

**Planning Objection**

I refer to the above planning permit proposal and now include objection to grant planning permit signed by Shane Martin Wilson as Legal Practitioner for the Objector.

Please confirm receipt of this submission.

Yours faithfully



Amy Lane  
Enc

**Liability limited by a scheme approved under Professional Standards Legislation**

77 Fairy Street,  
PO Box 245  
Warrnambool, Victoria, 3280.  
**Tel: 03 5560 3444 Fax: 5560 3456**  
**AusDoc DX 28014**  
**[www.jelliemcdonald.com.au](http://www.jelliemcdonald.com.au)**  
**Accredited Specialisation: Business Law,**  
**Wills and Estates**

Principals:  
David Jellie Pty. Ltd. ACN 124 838 400  
Jacinta McDonald Pty. Ltd. ACN 124 838 419  
Marcus Malseed Pty. Ltd. ACN 125 121 646

Associates:  
Helen Shalders  
Amy Lane  
Consultant:  
Shane Wilson



## Objection to Grant Planning Permit – Part A

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### Who is objecting?

I/We (Names in Block Letters)

Name(s) Jamieson Street Services Pty Ltd

Address Shops 2 & 15 Northpoint Shopping Centre Warrnambool Post Code. 3280

Telephone (Home) 55626533 Telephone (Work) 55626533

Mobile Facsimile 55612714

Email *shane@jelliemcdonald.com.au*

Signatures(s) *[Signature]* SHANE MARTIN WILSON  
of 77 Fairy Street, Warrnambool  
An Australian legal practitioner  
Date *13/04/22*  
within the meaning of the Legal Profession Uniform Law (Victoria)

Signatures(s) Date

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## Objection to Grant Planning Permit – Part B

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---

### What application do you object to?

Planning Application Number..... PP2021-0197

What is the address of the land that is proposed to be used or developed?.....1/72 Mortlake Road Warrnambool

What is proposed? .....Buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant.

---

### What are the reasons for your objection? (If there is not enough room, attach a separate page.)

The proposal includes the removal of 9 car parks immediately to the north of the proposed KFC Restaurant Site. The objector leases the premises at shops 2 & 15 North Point Shopping Centre and the car parks which are marked as to be removed.

Further, Ambulance Victoria have expressed grave concerns for the proposal, as the Ambulance Victoria use the car parks for ambulance parking when attending North Point Shopping Centre and Jamieson Medical Centre.

---

### How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

The proposed development will remove part of the premises which the Objector leases, that is the car parks. The car parks are essential for the performance of the lease. A medical centre must have exclusive carparks and must have the provision of an ambulance car park. This is a part of the lease. If the proposal goes ahead, there will be major issues, with ill people seeking medical aid, having to walk a distance to the medical centre (this is a health risk), and the ambulance will not have a designated park, which is of extreme importance in the case of a medical emergency, with foreseeable adverse health consequences.

## Town Planning

---

**From:** Nick Craven <Nick.Craven@constructionssupplyservice.com.au>  
**Sent:** Thursday, 23 September 2021 6:02 AM  
**To:** Town Planning  
**Subject:** Planning Submission - 1/72 Mortlake Road Warrnambool - PP2021-0197  
**Attachments:** IMG\_1293.JPEG; IMG\_1294.JPEG; Warrnambool - Submission Photos.pdf

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Hi,

This submission is made on behalf of the existing shopping centre tenants and is aimed at the intricacies of the proposal as opposed to the proposal itself.

Upon review of the documentation there seems to be minimal representation of the existing conditions of the centre, more specifically that of existing traffic conditions and respective queuing in already congested conflict points. More specifically in the areas noted of the attached PDF and respective photos taken on a late Tuesday afternoon.

With queue storage of the proposed for only 8 cars a 'spill-over' of cars into the northern and eastern access/conflict points into the proposed KFC should be considered and addressed as to ensure the amenity and patronage of existing tenants within the centre is not affected.

Contrary to the findings of the traffic report, consideration should also be given to a stricter designation of parking spaces and access into the centre for KFC patrons directly to the north as not to affect the existing facility of spaces which is already constrained. In discussions with other tenants in the building, the submissive use of words within the report like "unlikely" and "approximately" are too vague and the ambiguity benefits only one party and minimises the importance of other tenants within the building and their respective parking within the premises. A more definitive and robust report of findings over a greater period of analysis would be of great benefit to the proposal and may address issues which are "likely" to be founded as a result of such efforts.

Your appreciation in having this considered in your decision making process would be greatly appreciated.

Regards,



Nick Craven

Construction Supply & Service  
East 6, 605 Zillmere Road, Aspley QLD 4034,  
Australia  
E: [nick.craven@constructionssupplyservice.com.au](mailto:nick.craven@constructionssupplyservice.com.au)  
M: [+61 429 425 412](tel:+61429425412)



[constructionsupplyservice.com.au](https://www.constructionsupplyservice.com.au)



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## **Town Planning**

---

**From:** Warrnambool Gift Shop <lotto@quinlan.com.au>  
**Sent:** Thursday, 23 September 2021 12:47 PM  
**To:** Town Planning  
**Subject:** Fwd: Planning Permit PP2021-0197

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Attention Planning Dept WCC

Re: Planning Permit PP2021-0197 submitted by Myers Group for a KFC complex

As a business owner of Northpoint Lotto I wish to raise some concerns that I have concerning the above planning permit.

As a tenant of the Northpoint Shopping Centre I welcome new businesses to our complex especially when they are as successful as KFC however I am concerned that the traffic flow of our complex will be greatly affected by the 'drive thru sales' queues that may occur.

Currently the Northpoint complex car park is extremely pedestrian and motor vehicle friendly and this is a major reason customers choose to shop with us.

The proposed KFC plan has the 'drive thru sales' being directed through the main entrance and into the centre of the car park. At peak times the high traffic flow expected by KFC would almost certainly block up the car park and potentially bring flow to a stand still.

If customers are forced to deal with a crowded stagnant car park we believe that they will choose to shop elsewhere hurting a number of established businesses.

It is therefore extremely important for all tenants, including KFC that the traffic flow works and works well.

I urge WCC Planning Dept to look at developing another option with the Myer Group specifically concentrating on:

- Traffic flow at peak times
- Parking capacity
- Alternate entrance/exit points away from general area.

I wish to reinforce I welcome KFC joining the Northpoint Tenant family and hopefully we can find a mutually agreeable solution.

Thanks and I look forward to your response.

Anne Maree Quinlan

Northpoint Lotto & Gifts

Shop 11

Northpoint Shopping Centre

72 Mortlake Road

Warrnambool

0408619555

Sent from [Mail](#) for Windows



## Objection to Grant Planning Permit - Part A

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Warrnambool City Council	
27-09-2021	
Officer	
Scanned Yes / No	Ch:

### Who is objecting?

I/We (Names in Block Letters)

Name(s) BRUCE Surname RONALD

Name(s) KATHRYN Surname SHAW

Address 66 MORTLAKE ROAD

WARRNAMBOOL Post Code 3280

Telephone (Home) — Telephone (Work) B - 0408 171 068

Mobile BRUCE - 0418519771 Facsimile —

Email KATHY - 0419309653

Email kathrynshaw12337@gmail.com b.ronald1963@gmail.com

Signatures(s) K. Shaw Date 27-9-21

Signatures(s) B.T. Ronald Date 27-9-21

### Important notes about objections to permit applications

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the responsible authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice - Application for Planning Permit.
4. An objection must:
  - State the reasons for your objection: and
  - State how you would be affected if a permit is granted.
5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the site.
9. If you object before the responsible authority makes a decision, the authority will tell you its decision.
10. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil & Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
11. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.





## Objection to Grant Planning Permit – Part B

Please be aware that this page and any attachments of your objection/submission may be made available to any person for the purpose of consideration as part of the planning process.

### What application do you object to?

Planning Application Number PP 2021-0197

What is the address of the land that is proposed to be used or developed?

1/72 MORTLAKE ROAD WARRNAMBOOL VIC 3280

What is proposed? Building a KFC restaurant and drive through

### What are the reasons for your objection? (If there is not enough room, attach a separate page.)

As we live right beside the proposed area we are already aware of problems that exist already and by adding this Fast Food restaurant to this area will make things worse. We have looked at the plans for this and can't believe this would even be considered. The car park at Northpoint is small and gets quite congested during busy times already. The grassed area that this is going to take up is a place where you often see families sit and have their fish & chips in the better weather. This is going to effect the traffic around Northpoint and our property.

### How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

Noise will be an issue with this KFC and the amount of cars and people hanging around all the time. Rubbish will also be a big problem, we already get a lot of rubbish down our driveway and by having a KFC right beside us I am sure this will be a problem. Smell, the smell that is always coming out of these places is very strong, we won't be able to open our doors or windows without the house filling up with this smell, even hanging our clothes on the clothesline as they will end up having this smell. Traffic as we have to use the Coles entrance and service road to access our house the traffic that will use this restaurant will impact

the way we access our property. As seen with the KFC on the Highway the amount of cars that use that driveway end up having cars spill out onto the surrounding roads and that causes traffic issues.

As I stated earlier Northpoint is quite a small car park and already gets congested and by adding this KFC to an already small area is a ridiculous thing to do.

The amount of people that will be hanging around our property and the amount of rubbish that will be left behind will not be nice. People will be in their cars until the KFC closes and that can be 10pm or 11pm at night and as we both work and start very early, the noise of a night time will bother us.

Once again the smell will be an issue. On a nice day or night we won't be able to open up our house or even sit outside because the place will constantly smell.

In conclusion I am sure there are other more suitable areas for this KFC to be built and not in an already small congested area. Please do not build this here.

Kind Regards,

Kathy Shaw and Bruce Ronald.

## Town Planning

---

**From:** djlanf <djlanf@protonmail.com>  
**Sent:** Friday, 24 September 2021 7:05 PM  
**To:** Town Planning  
**Subject:** Objection to site for proposed KFC Centro shopping centre.

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Dear planning officers,

I am objecting to the site if the new proposed KFC in the Centro shopping centre.  
The proposed plans have not considered the negative impact that will be caused from added traffic to an already congested intersection that is seen in image 16 of the proposal. This intersection is already a bad design and can't handle traffic trying to turn onto Mortlake road from the service lanes, especially in peak times between 5pm and 6pm.

Furthermore having entry points for the drive through go through an already congested and poorly designed car park in the shopping centre car park itself is not going to end well.  
All locals know how long fast food drive through can be during lunch and evening times and this proposal does not consider the customers or businesses that already utilise this car park.

I am a doctor at the medical clinic that is situated next to the proposed kfc. I am also concerned of the priority car parks that currently are held by the clinic for its many aged and sick patients that need close proximity, that are proposed to be removed for this new building.

The site is not ideal for a drive through at its current proposal and the impact will be mostly negative to everyone who already utilise this shopping centre currently.

Regards,

Dion Lanfranco

## Town Planning

---

**From:** Greg Twitt <gregtwitt@fastmail.fm>  
**Sent:** Thursday, 23 September 2021 7:26 PM  
**To:** Town Planning  
**Subject:** PP2021-0197

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

I would like to object to the proposal for a new KFC at Northpoint shopping centre on Mortlake road.

I live within a few hundred metres of the proposed development. As far as I can tell, no consideration has been given to the smell emanating from the proposed development. There will be a strong smell that will impact housing to the south east of the development (with prevailing north and northwesterly winds) including our house.

It is also highly dubious that there is a need for the development, with a pre-existing KFC only 1.5 km to the south, plus many other similar fast food / drive through convenience restaurants in town.

I urge the council to not support the proposed development.

Please advise the process from here on.

Regards

Greg Twitt

52 Breton Street



## Town Planning

---

**From:** Moyne / Warrnambool STM <MoyneWarrnambool.stm@ambulance.vic.gov.au>  
**Sent:** Friday, 17 September 2021 5:25 PM  
**To:** Town Planning  
**Subject:** Proposed KFC & Ambulance access  
**Importance:** High

CAUTION: This email originated from outside of Warrnambool City Council. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Hi Council

Hope all is well.

I am reaching out to you in relation to the proposed KFC Building that will be established in the Centro Complex on Mortlake Road.

We have some concern regarding the location of the Ambulance Bay / Emergency access. It appears that the existing Ambulance Bay will be removed to accommodate the KFC drive thru.

Is there any plan moving forward of where an Ambulance Bay / Emergency Access will now be located? Obviously, this poses significant impact for us to be able to access not only the medical clinic in a timely manner but also other venues within the complex and may indeed pose a health and safety risk to our staff if we don't have sufficient access and egress, especially for Emergency cases.

Would appreciate any feedback you have on this matter.

Thanks kindly

**Anna Harris**

**Senior Team Manager (Acting)**

Moyne - Warrnambool  
Clinical Operations 2748

**Ambulance Victoria**

2-4 Colac Rd, Belmont, VIC 3216  
PO Box 2000 Doncaster VIC 3108

M 0400 664 614

E [moynewarrnambool.STM@ambulance.vic.gov.au](mailto:moynewarrnambool.STM@ambulance.vic.gov.au)

W [ambulance.vic.gov.au](http://ambulance.vic.gov.au)



This email and any attachments are confidential, privileged or private. If you are not the intended recipient you must not keep, forward, copy, use, disclose, prohibited. If you have received this email in error, please notify the sender immediately and delete the email. Ambulance Victoria (AV) disclaims liability attachments are free from viruses or defects.



Our ref: 21-445  
Your ref: PP2021-0197

13 October 2021

Cathy Sextus  
Planning Officer  
Warrnambool City Council  
25 Liebig Street  
WARRNAMBOOL VIC 3380

Via email: [planning@warrnambool.vic.gov.au](mailto:planning@warrnambool.vic.gov.au)

Dear Cathy,

**Re: Response to Submissions  
Planning Permit Application PP2021-0197, 1/72 Mortlake Road,  
Warrnambool**

We continue to act on behalf of Wirk Horsham Pty Ltd in regard to the above planning permit application.

The proposal seeks approval for buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant.

Please find enclosed a response to the eleven (11) submissions received by Council following notice of Planning Permit Application No. PP2021-1097.

The concerns raised within the submissions have been summarised under the following headings:

1. Adequacy of plans and reports
2. Traffic and car parking
3. Leasing arrangements
4. Emergencies
5. Feel of the area
6. Odour, noise and rubbish
7. Health

A response to each of the above items is outlined overleaf.

Myers Planning Group Pty Ltd  
ABN 53 253 414 622  
182B Lava Street,  
Warrnambool VIC 3280  
Australia  
Telephone 61 3 5562 9443  
[admin@myersplanninggroup.com.au](mailto:admin@myersplanninggroup.com.au)  
[www.myersplanninggroup.com.au](http://www.myersplanninggroup.com.au)



#### Adequacy of plans and reports

It has been submitted that the existing conditions plans do not accurately reflect the actual conditions on site. In addition, it has been submitted that the Transport Impact Assessment Report (TIAR) is too vague having regard to traffic quantity and movement generated.

Council has had the opportunity to visit the site and request information if required. Additionally, the TIAR provides for a traffic and car parking assessment which comprises both detailed and high-level observations in relation to the subject site and surrounding network. This report has found that the proposal adequately considered the relevant matters and will ultimately assist Council in making a decision.

For town planning purposes it is respectfully submitted that the applicant has done enough to be able to proceed with a decision without requiring further information on these matters. The plans generally depict the existing site conditions and provide for a proposed site and floor plan as appropriate.

#### Traffic and car parking

Submissions received have raised substantial concerns having regard to both traffic [flow] and car parking implications of the proposal, specifically within the internal Northpoint Shopping Centre car park.

The proposal does not substantially alter the layout of the car park insomuch that it only requires the removal of several spaces due to re-design, without adversely impacting upon car parking space size and associated aisle widths.

There was no further reduction of the requirement in spaces allowed for the entire shopping centre – based on a complicated history of the car park, recent amendments to planning applications (such as Northpoint Hotel / Bottle shop) and the additional section of car park constructed in recent years.

At Council's request to respond to a further information requirement for the application, a pedestrian crossing between footpaths at the entry to the drive through area is also being retained and slightly modified for pedestrian safety.

A plan has been provided showing the layout of the Northpoint Shopping Centre and the 'likely vehicle access pathway to drive-through' from both Mortlake Road and Hayley Drive. This plan is an indicative travel path towards the convenience restaurant drive-through and should not be confused with drive-through queuing. Additionally, to Council's satisfaction, any additional directional signage could be provided as a requirement of a planning permit.





The TIAR discusses vehicle queuing within the drive-through area and has considered it satisfactory. The TIAR has also considered the broader traffic implications of this proposal and finds that the local network is expected to be able to absorb the additional generation of traffic without causing a significant impact. It follows that the existing business are unlikely to be adversely impacted on account of the proposal from a car parking perspective.

#### Leasing arrangements

There is the concern that the proposal removes some designated car parking spaces are part of a lease arrangement.

Leasing arrangements between a tenant and management of the shopping centre is not a planning matter of concern for the proponent of this development. Notwithstanding, it is understood that these spaces designated under a private lease can be reallocated within the car park after the proposed development is complete.

#### Emergencies

Submissions have stated that the proposal does not indicate an emergency evacuation area. Additionally, concerns have also been raised having regard to a dedicated ambulance car park within the car park – specifically in relation to the medical centre.

#### **Emergency evacuation**

The proposal is in a location which is currently nominated via signage on site as an 'emergency assembly area'. Its relocation on account of development is not up to the proponent to determine at this point in time and is not a relevant planning matter, specifically with relation to broader emergency management or evacuation plans of the Northpoint Shopping Centre. This is governed by separate legislation.

#### **Ambulance space**

The concerns relating to the Ambulance space can be resolved. Despite it not being clear where the existing designated ambulance space is located, the concerns are acknowledged.

There is a clear opportunity to utilise the area to the rear of the drive-through area where the current [un]loading bay is proposed. This space would have good footpath access and is within close proximity to the existing tenancies of the Northpoint Shopping centre, including the medical clinic.

It is offered to incorporate a shared space at this location for both ambulance emergency use and [un]loading.

A condition of any given planning permit could be included which reads to the effect of:

*'the nomination of a shared ambulance space and [un]loading zone bay to the rear of the drive-through area to the satisfaction of the Responsible Authority.'*



#### Feel of the area

A concern has been raised having regard to the look and feel of the area as well as the implications of the loss of green space.

Given that this site has always been earmarked for development this green space was simply borrowed amenity until such time that a permit be granted for its development.

The proposed development and signage is appropriately located within the Commercial 1 Zone and within an activity centre. The building will be of a high quality and the signage will also be suitable to the area having regard to the existing context of the shopping centre.

The proposal is still considered to be generally acceptable having regard to planning policy both at a state and local level.

#### Odour, noise and rubbish

Objections have raised concerns having regard to odour, noise and litter pollution within the vicinity of the subject site, including surrounding residential areas.

It is noted that there are no threshold or separation distances required for a convenience restaurant having regard to any potential odours. Although odours and flues are usually controlled through other legislation, given that this matter arises from the development it is considered appropriate to resolve this through a general condition which would require the installation and proper management of odour filters to Council's satisfaction.

Other food premises within the Northpoint Shopping Centre include (but not limited to) Brumby's Bakery, Domino's Pizza and Harry's Fish and Chips, some of which would also be subject to the issue of odour and be required to comply with similar legislation.

Noise sources from this type of development typically include delivery trucks, plant and equipment and noise from customer operating devices. The development would be required to adhere to the appropriate regulations under the SEPP N-1 for these types of noise sources. The noises from delivery within the service lane is not expected to be any noisier than deliveries for other premises such as Coles within the Northpoint Shopping Centre, who also use the same service delivery area. It is expected that for this development the majority of deliveries and waste collection will occur prior to 9am.



It is noted that an acoustic fence was required to be constructed between the shopping centre and the existing dwelling to the south as part of the combined development permit and rezoning as part of Planning Scheme Amendment C37 in 2005.

Responding to litter pollution, bins are provided on site and within the store. In terms of collection, KFC will arrange private waste collection for any waste generation and stored on site within bins. Ultimately the responsibility for the disposal of litter outside of the premises rests with the customer; however, these concerns could be further resolved through a Waste or Litter Management Plan to the satisfaction of the Responsible Authority.

Matters relating to odour, noise and litter would not be new to this area due to the number of uses already established within Northpoint Shopping Centre. Moreover, the Commercial 1 Zone anticipates this type of use in this location and attracts general amenity considerations under Clause 34.01-2

#### Health

Objections have also mentioned the health implications of the convenience restaurant associated with the development. The concerns relating to health impacts are acknowledged; however, it is respectfully submitted to Council that the health concerns have limited planning merit when considered against the Warrnambool Planning Scheme

Additionally, the subject site has always been anticipated to have a 'convenience restaurant' as shown within the plan for development considered under Planning Scheme Amendment C37. Whilst there are minor variations to the layout shown on plan 0330 TPO3 – December 2004 (prepared by Clarke Hopkins Clarke), the proposal is considered to be generally in accordance with the indicative convenience restaurant shown (plan attached). Therefore, more broadly, a convenient restaurant in this location had the general support of the expert Planning Panel chaired by Rodger Eade in December 2005 and subsequently Warrnambool City Council at this point in time.

It is reiterated the proposal is not for the 'use' of land but rather the buildings, works and signage components. The application must be considered against the provisions of the Warrnambool Planning Scheme and non-planning issues or issues relating to the use of land should not carry weight in the decision-making process.

The below case law is provided which is of relevance to the above statements.



Case Law

[McDonald's Australia Pty Ltd v Yarra Ranges SC \[2012\] VCAT 1539](#)

In McDonald's Australia Pty Ltd v Yarra Ranges SC, the application was for a McDonalds located in the suburb of Tecoma which received 1,300 objections to Council.

The Tribunal determined that it had no discretion to determine the issues associated with the use of the land where the application was only for development. There are similarities with this proposal given that the proposed KFC could commence business within any existing building on the land (Northpoint Shopping Centre) without a planning permit.

The Tribunal stated:

*20. We also heard many submissions regarding the behaviour of patrons and the possible prevalence of litter generated by the use of the land. These matters cannot be determinative in this matter as they relate to the use of the land. We propose to address these matters through permit conditions...*

*29. We summarise this section by confirming that under the scheme a convenience restaurant, including McDonald's could commence operations without planning permission in any existing building within Tecoma's commercial centre. The use of the land for this purpose is not before us.*

[Hunt Club Commercial Pty Ltd v Casey CC \(includes Summary\) \(Red Dot\) \[2013\] VCAT 725 \(20 May 2013\)](#)

In Hunt Club Commercial Pty Ltd v Casey CC, the Tribunal determined that it had no discretion to determine potential social harm or health impacts caused by a planning application on matters which are considered to be outside of the Planning Scheme. This decision related to an application under Clause 52.27 to sell or consume liquor.

The Tribunal stated:

*15. Town planning is not a panacea for all perceived social ills, nor is planning decision-making a forum for addressing all issues of social or community concern. At its heart, planning is about the use, development and protection of land. It has a spatial context that is primarily concerned with the fair, orderly, economic and sustainable use and development of land. Town planning does not involve itself in moral judgements nor, subject to this locational or spatial perspective, in the*

*operation of a competitive market economy in which certain goods and services are lawfully made, sold or consumed. Whilst town planning seeks to secure a pleasant, efficient and safe working, living and recreational environment, it is not the role of town planning to address all issues of public health, nor to regulate the pricing or general availability of a product to manage the health and well being of a society.*



*16. It follows, for example, that it is not the role of a planning decision-maker to consider the broader impacts on society of obesity, when making a decision about the development of land for a particular fast-food outlet...*

We trust this information is satisfactory to allow Council to complete its final assessment and make a decision. However, should you have any questions or require further information, please do not hesitate to contact our office on (03) 5562 9443 or [admin@myersplanninggroup.com.au](mailto:admin@myersplanninggroup.com.au).

Yours sincerely

A handwritten signature in blue ink that reads "Cameron McNeill". The signature is written in a cursive, flowing style.

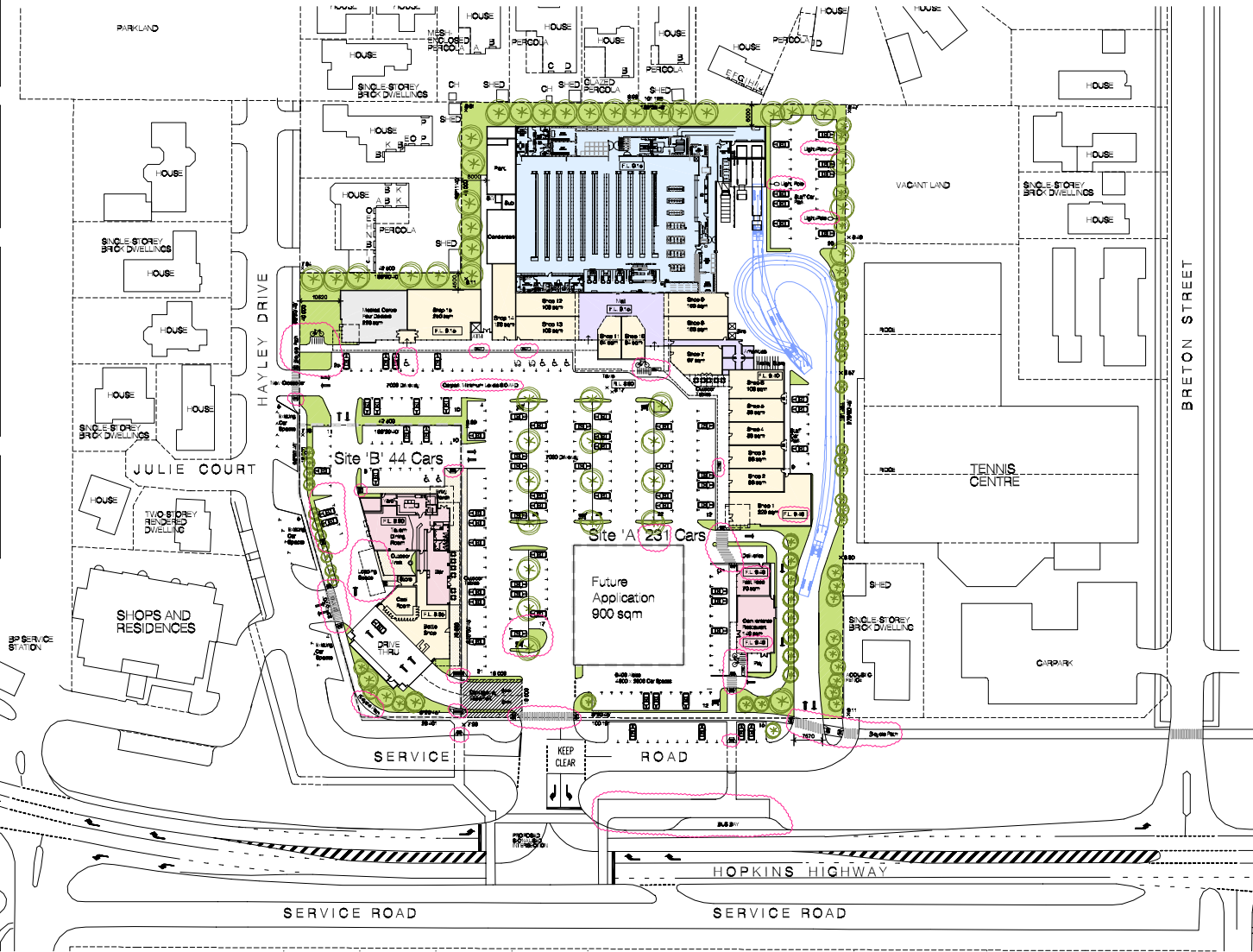
Cameron McNeill  
Senior Planning Consultant  
**Myers Planning Group**

SITE SCHEDULE	
SITE AREA 'A' 17,000 sqm	
LEASABLE FLOOR AREA SUPERMARKET	2270 sqm
LEASABLE FLOOR AREA SPECIALTY S-O-P	660 sqm
AREA FOR FOOD OUTLET	70 sqm
AREA FOR VEHICLE RESTAURANT	140 sqm
AREA MEDICAL CENTRE	220 sqm
TOTAL LEASABLE FLOOR AREA	4470 sqm
TOTAL CARPARKING PROVIDED	230 CARS

SITE SCHEDULE - Tavern Site	
SITE AREA 'B' 2,787 sqm	
AREA BUILDING BOTTLE S-O-P	230 sqm
AREA NEW BOTTLE S-O-P	270 sqm
AREA TAVERN	353 sqm
TOTAL	853 sqm
TOTAL CARPARKING ON SITE	29 CARS
TOTAL CARPARKING ON SITE (BOTTLE AND NEW)	14 CARS

SCHEDULE OF WINDOWS TO ADJOINING DWELLINGS	
A	2100 x 1800 W BUILDING DOOR HABITABLE ROOM
B	2100 x 1800 W HABITABLE ROOM WINDOW
C	1500 x 2400 W HABITABLE ROOM WINDOW
D	1500 x 1800 W HABITABLE ROOM WINDOW
E	800 H x 800 W WINDOW, CLOSET C-48
F	800 H x 1800 W WINDOW, CLOSET C-48
G	1000 H x 600 W WINDOW
H	1000 x 1500 W HABITABLE ROOM WINDOW
I	1000 x 1500 W HABITABLE ROOM WINDOW
J	1000 H x 1500 W GARAGE WINDOW
K	2100 x 2700 W HABITABLE ROOM WINDOW
L	2100 H x 2100 W GARAGE HOUSE DOOR
M	1800 x 1800 W HABITABLE ROOM WINDOW
N	1000 H x 1500 W NON HABITABLE ROOM WINDOW
O	2100 x 1800 W BUILDING DOOR HABITABLE ROOM
P	2100 H x 2100 W HABITABLE ROOM WINDOW
CH	CUBBY HOUSE

NOTES:	
THIS SCHEDULE IS TO BE READ IN CONJUNCTION WITH THE PLAN PRINTED ON SHEET 01 OF THIS SET.	
A. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
B. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
C. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
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M. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
N. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
O. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	
P. SHOWN IN PINK ARE THE PROPOSED PLANS FOR THE 1000 W x 1500 W WINDOW.	







14 February 2022

James Phillips  
Coordinator City Development  
Warrnambool City Council  
25 Liebig Street  
Warrnambool VIC 3280

By email only:

Dear James,

**PP2021-0197**

**Buildings and works and the construction and display of business identification signage in association with the construction of a convenience restaurant.**

**1/72 Mortlake Road, Warrnambool**

We continue to act on behalf of our client Work Horsham Pty Ltd in relation to the above matter.

A consultation meeting for the above planning application occurred on site on 25 January 2022. After this meeting it was advised that there may still be several outstanding concerns relating to the functionality of the car park on account of the proposed drive through.

To date we've provided Council the following in this matter:

- Town planning report including a Clause 52.06 assessment, also having regard to the relevant combined Planning Scheme Amendment and Permit (C37 and PP2004-1225).
- Written response to Council's original Request for Further Information.
- Site plan of the KFC also showing the car park and the likely path of travel from Mortlake Rd/Hayley Dr (as requested by Council's Request for Further Information).
- Traffic Impact Assessment prepared by ESR Transport Planning.

The original development plan for the site in 2005 identified a convenience restaurant in this location with an almost identical layout, including a single lane drive through in the same location as the proposed application. The current proposal goes beyond this plan and allocates additional land to be able to locate a double lane entry to the drive through to allow for two speaker boxes for customers to order. This will result in a higher turnover of traffic through the convenience restaurant than a single lane model and is considered an improved outcome.

No issues were raised by Traffic Group at the time of the convenience restaurant drive through being nominated on the development plan for C37 and no issues have been raised by ESR Transport Planning based on the current proposal.

Informally, there appeared to be a pre-conceived notion that this KFC will be as busy as the central Warrnambool KFC store (Corner of Raglan Parade and Kepler Street). Warrnambool customers are expected to be generally split amongst both stores.

Our client has exhausted redesign options for the drive through and associated store and is attempting to work closely with the landowner [of Northpoint Shopping Centre] relating to car parking matters.

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182B Lava Street,  
Warrnambool VIC 3280  
[www.myersplanninggroup.com.au](http://www.myersplanninggroup.com.au)

It is reiterated that our client would be amenable to any planning permit conditions which Council believe may assist in resolving any concerns having regard to the functionality of the car park. This could include additional line marking, hatched areas for keep clear zones or wayfinding signage. As previously submitted the vehicle queuing should not be confused with the likely path of travel towards the drive through.



Absent of any peer review to the expert traffic engineer's reports so far (Traffix Group or ESR Transport Planning) our client is not proceeding with further modifications to the private car park as part of this planning application prior to a decision.

It is respectfully requested that Council proceed with a recommendation to the next Ordinary Council Meeting.

If you have any questions, please contact me on telephone (03) 5562 9443 or email [cameron@myersplanninggroup.com.au](mailto:cameron@myersplanninggroup.com.au).

Yours sincerely,

A handwritten signature in blue ink that reads "Cameron McNeill". The signature is written in a cursive, flowing style.

Cameron McNeill  
Senior Planning Consultant

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## **7.2. SPORTING RESERVES SIGNAGE POLICY**

### **DIRECTORATE : Community Development**

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#### **PURPOSE:**

***The Sporting Reserves Signage Policy provides the framework for the approval and installation of advertising, promotional and club identification signs for tenant clubs located on Council owned or managed sporting reserves.***

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#### **EXECUTIVE SUMMARY**

Council is committed to supporting local sporting clubs and recognises that sponsorship and promotional opportunities through signage is important to clubs in raising funds.

It is also important to manage and control the installation of signage to maintain the visual amenity, condition and safety of Council owned and managed facilities and to ensure compliance with clause 52.05 of the Warrnambool Planning Scheme.

The Sporting Reserves Signage Policy has been established to ensure there is a consistent approach to signage and that it does not detract from the visual amenity of the reserve, which is also consistent with the policy direction in Council's Advertising Signage Policy.

Refer **Attachment 1** – Sporting Reserves Signage Policy.

---

**MOVED: CR. BLAIN**

**SECONDED:**

**That the Policy be amended to allow permanent fast food signage at all Council grounds under this Policy and after that amendment has been made, that the Policy be adopted.**

**The motion lapsed for want of a Secunder.**

---

**MOVED: CR. DEBBIE ARNOTT**

**SECONDED: CR .RICHARD ZIEGELER**

**That this Policy go back to Council with a further report to be made regarding the fast food signage, as I think there needs to be further work done on it before we are satisfied with a Signage Policy.**

**CARRIED - 6:1**

**Crs. Arnott, Ziegeler, Akoch, Paspaliaris, Taylor Jellie voting for the motion.**

**Cr. Blain voting against the motion.**

---

#### **BACKGROUND**

Council has fifteen recreation reserves at which the installation of signage has been ad hoc and inconsistent, with tenant clubs installing signage without consent and guidelines over a long period of time. The Sporting Reserves Signage Policy has been developed to ensure there is a consistent approach to signage and that it does not detract from the visual amenity of the sporting reserve, to ensure that signage is installed safely and is maintained, and that it is consistent with the policy direction in Council's Advertising Signage Policy.

The Sporting Reserves Signage Policy (Policy) relates to all Council owned or managed sporting reserves with active playing/sporting surfaces and associated facilities, including sports grounds, fields, storage sheds, structures, pavilions, toilets, buildings and other sporting infrastructure e.g. scoreboards, coaches' boxes, shelters and fencing, and used on a formally allocated basis through a seasonal allocation lease or licence.

This is especially important now, given the significant investment in upgrading Reid Oval, now considered the premier regional level facility in the Great South Coast. The Policy recognises the significance of Reid Oval as the regional level facility and provides clear guidance on ensuring a clean venue can be achieved for Council managed or controlled events if required.

The Warrnambool Planning Scheme prohibits the display of sponsorship signs in Public Park and Recreation Zones (PPRZ), as many of these signs can be viewed from outside the venue.

Council's recreation reserves are identified through the use of corporate entrance identification signage. All reserves have additional advertising signage promoting club sponsors including signage around field boundary fences (internally and externally facing) and signage affixed to Council infrastructure such as pavilions, scoreboards, coaches' boxes, player shelters, spectator shelters and perimeter fencing.

### **Policy Scope**

This policy relates to all Council owned and managed sporting reserves with active playing/sporting surfaces and associated facilities and used on a formally allocated basis through a seasonal license allocation.

The zoning of these areas is Public Park and Recreation Zone (PPRZ).

This policy excludes passive recreation reserves with no active sporting facilities and all sporting reserves located on Department of Education land unless otherwise specified in the use agreement.

Only tenant clubs located within Warrnambool City Council are eligible to apply to display advertising, promotional and club signage.

This policy does not relate to Leisure Facilities or separately Leased Agreements for premises located at sporting reserves. Council's Advertising Signage Policy (April 2019) would apply to these.

This policy applies to signage which is exempt from the need for a planning permit as per clause 52.05-10 (Signs not requiring a permit) of the Warrnambool Planning Scheme.

### **POLICY PURPOSE**

To establish a framework for the approval and installation of advertising, promotional and club identification signage by tenant clubs on Council Sporting Reserves to ensure;

- signage installation is of an acceptable and safe standard,
- clubs are not denied the opportunity to derive some income from sporting reserve signage,
- the visual amenity of sporting reserves and open space is maintained.
- compliance with Warrnambool Planning Scheme and Signage Policy 2019
- Alignment with Healthy Warrnambool 2021-2025 (Council's Municipal Health and Wellbeing Plan).

## **POLICY IMPLEMENTATION**

- Written permission is required from Council's Recreation Team prior to submitting an application for Statutory Planning for installation of any form of signage at a Council owned or managed sporting reserve.
- A copy of the layout and the wording of the proposed signage is to be submitted as part of the approval process.
- The signs must be appropriate for a public reserve, and not in any way be offensive or discriminate on grounds of race, gender, sexual orientation, or religion.
- Signage must not contain direct product advertisements for alcohol and tobacco products, political parties, adult entertainment, gambling. Council reserves the right to remove or disallow any advertising it deems inappropriate.
- Signage must adhere to the Australian Association of National Advertiser's (AANA) Code for Marketing and Advertising Communication to Children and the Australian Association of National Advertiser's (AANA) Food and Beverages: Advertising and Marketing Communications Code.
- Following the date of adoption, Council Officers will conduct a signage audit of all existing sporting reserves and advise tenants where examples of non-conforming signage exist.
- Tenants will be provided with a period of time (twelve months) from receiving notice, unless the sign is unsafe, to ensure all existing signage complies with the policy.

## **FINANCIAL IMPACT**

Existing signage may be removed by Council where the signage is deemed to be unsafe and dangerous or a planning permit is required and not obtained. Costs associated with removal or reinstallation of existing signage will be responsibility of the tenant.

## **LEGISLATION / POLICY / COUNCIL PLAN CONTEXT**

### **1 A healthy community**

1.5 Recreation, arts, culture and heritage: Council will support opportunities to participate in a wide range of recreational, arts and cultural programs that promote activity, wellbeing, diversity heritage and which increase community connectedness.

## **TIMING**

Tenants will be expected to meet the conditions outlined in this policy for all signage installed post the date of adoption.

Tenants will be provided with a period of time (twelve months) from receiving notice, unless the sign is unsafe, to ensure all existing signage complies with the policy.

## **COMMUNITY IMPACT / CONSULTATION**

Following the date of adoption, Council Officers will conduct a signage audit of all existing sporting reserves and advise tenants where examples of non-conforming signage exist.

## **LEGAL RISK / IMPACT**

NA

## **OFFICERS' DECLARATION OF INTEREST**

NA

## **COLLABORATIVE PROCUREMENT**

NA

## **CONCLUSION**

The Sporting Reserves Signage Policy has been established to ensure there is a consistent and safe approach to signage and that it does not detract from the visual amenity of the reserve, which is also consistent with the policy direction in Council's Advertising Signage Policy.

## **ATTACHMENTS**

1. Sporting Reserves Signage Policy March 2022 [7.2.1 - 13 pages]



WARRNAMBOOL  
CITY COUNCIL

## **Sporting Reserves Signage Policy**



## SPORTING RESERVE SIGNAGE POLICY

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POLICY TYPE: COUNCIL]

APPROVAL DATE: MARCH 2022

REVIEW DATE: MARCH 2025

DRAFT

## SPORTING RESERVE SIGNAGE POLICY

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### DOCUMENT CONTROL

<b>Document Title:</b>	<i>Sporting Reserves Signage Policy</i>
<b>Policy Type:</b>	<i>Council</i>
<b>Responsible Branch:</b>	<i>Recreation and Culture</i>
<b>Responsible Officer:</b>	<i>Manager Recreation and Culture</i>
<b>Document Status:</b>	<i>Draft</i>
<b>Approved By:</b>	<i>Executive Management Team</i>
<b>Adopted Date:</b>	<i>MARCH 2022</i>
<b>Review Date:</b>	<i>MARCH 2025</i>

## SPORTING RESERVE SIGNAGE POLICY



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## SPORTING RESERVE SIGNAGE POLICY



### 1. INTRODUCTION

#### 1.1. Purpose

To establish a framework for the approval and installation of advertising, promotional and club identification signage by tenant clubs on Council Sporting Reserves to ensure;

- Signage installation is of an acceptable and safe standard.
- Consistent and equitable approach to providing approvals to sporting clubs to display sponsors advertising and signs.
- Clubs are supported to derive a reasonable income from sporting reserve signage.
- Facilities continue to be accessible and safe for use by all sectors of the community.
- The visual amenity of sporting reserves and open space is maintained.

#### 1.2. Scope

This policy relates to all Council owned and managed sporting reserves with active playing/sporting surfaces and associated facilities and used on a formally allocated basis through a seasonal license allocation.

The zoning of these areas is Public Park and Recreation Zone (PPRZ).

This policy excludes passive recreation reserves with no active sporting facilities and all sporting reserves located on Department of Education land unless otherwise specified in the use agreement.

Only tenant clubs located within Warrnambool City Council are eligible to apply to display advertising, promotional and club signage.

This policy does not relate to Leisure Facilities or separately leased facilities located at sporting reserves.

This policy applies to signage which is exempt from the need for a planning permit as per clause 52.05-10 (Signs not requiring a permit) of the Warrnambool Planning Scheme.

#### 1.3. Definitions

Term	Definition
Advertising and promotion signage	Means all permanent, seasonal and temporary board, notice, structure, banner or similar device containing advertising and promotional information of a commercial nature
Way finding and information signage	Refers to signage that conveys location and direction to users of open space including vehicles and pedestrians into and within a reserve.
Political advertising signage	Refers to the advertisement of political parties, political candidates or political issues.
Club interior wall signage	Refers to honour boards, plaques, photos, jerseys, sponsorship signage etc.

### References

## SPORTING RESERVE SIGNAGE POLICY



- Warrnambool Planning Scheme – Clause 52.05-10 Signs not requiring a planning permit
- Advertising Signage Policy (April 2019)
- Australian Association of National Advertisers' (AANA) Code for Marketing and Advertising Communications to Children
- Australian Association of National Advertisers' (AANA) Food and Beverages: Advertising and Marketing Communications Code
- Healthy Warrnambool 2021-2025 (Municipal Health and Wellbeing Plan)

## 2. POLICY

- Warrnambool City Council has responsibility to ensure that all signage is safely installed, maintained, and does not detract from the visual amenity of the sporting reserve. Advertising and promotional signage will be permitted on Council's sporting reserves provided it conforms to the criteria set out in this policy and the Warrnambool Planning Scheme and Advertising Signage Policy (April 2019).

### 2.1. Policy Principles

The following principles underpin this policy;

- To allow opportunities, where appropriate, for tenant clubs to generate income that supports their club activities.
- To comply with Warrnambool Planning Scheme and Advertising Signage Policy (April 2019) by ensuring that sponsorship and promotional signage is not visible from beyond the sporting reserve sites.
- To ensure that any interior signage is coordinated and maintained in an appropriate manner.
- To ensure signs are in keeping with the character of the sporting reserve.
- To encourage a coordinated approach to advertising where there are multiple tenants of sporting reserves and facilities.
- To maintain a high level of coordination and public safety for signs on road reserves and within sporting reserves.
- Signage is aligned with Council's Healthy Warrnambool 2021-2015 (Municipal Health and Wellbeing Plan).
- Signage installation is of an acceptable and safe standard.

### 2.2 Types of Signs

#### 2.2.1 Permanent

Reserve identification signs, identification of sporting club signs, sports ground identification signs and wayfinding signs permanently erected at either the entrance to the recreation reserve, or at sports grounds within the reserve, or on a main building servicing that reserve or sports ground.

#### 2.2.2 Seasonal

## SPORTING RESERVE SIGNAGE POLICY



Signage is to face inwards towards the playing surface. Signs may be installed on the outside of the oval boundary fencing if facing the pavilion only.

### 2.2.3 Temporary Seasonal

Sponsorship or promotional signage or club identification signage installed or displayed on competition/game days throughout the season and removed after the game/tournament including banners, A-frame signs or corflute signs.

### 2.2.4 Temporary Event

Advertising of community events e.g. membership drives, fundraising activities etc. in designated areas around the municipality or at the entrance to the sporting reserve.

### 2.2.5 Electronic Scoreboards

Advertising on electronic scoreboards is limited to promotion of club and/or community events and activities, in addition to advertising or promotion of club sponsors. Audible sound from the scoreboards is not permitted without a planning permit.

### 2.2.6 Electronic Signage

Advertising or promotional electronic signage (except for scoreboards) is not permitted at sporting reserves.

## 2.3 Criteria for Advertising and Promotional Signage

### 2.3.1 General Criteria

- Written permission is required from Council's Recreation Department prior to submitting an application for Statutory Planning for installation of any form of signage at a Council owned or managed sporting reserve.
- A copy of the layout (including response to 2.4 criteria) and the wording of the proposed advertising sign or club interior wall signage is to be submitted as part of the approval process.
- The signs must be appropriate for a public reserve, and not in any way be offensive or discriminate on grounds of race, gender, sexual orientation, or religion.
- Signage must not contain direct product advertisements for alcohol and tobacco products, political parties, adult entertainment, gambling. Consistent with the Municipal Health and Wellbeing Plan, Healthy Warrnambool 2021-2025, signage promoting fast food providers that is highly recognisable to children and which promotes unhealthy food choices, must not be fixed to Council property. Sponsorship signage for these providers must be of temporary nature and removed at the end of game day. As a guide, this relates to foods lacking in nutritional value and which are high in calories, sugar or fat. Council officers will provide approval for which signage can be fixed and which must be temporary.
- Signage should be considerate of harmful gender norms, roles and relations and should not contribute to the causes of gender-based health inequities, including the prevention of violence against women, girls and gender diverse people.



## SPORTING RESERVE SIGNAGE POLICY



- Any sponsorship signage displayed must represent current paid up sponsors of the associated tenant club and evidence to be provided if requested by Council.
- Signage must adhere to the Australian Association of National Advertiser's (AANA) Code for Marketing and Advertising Communication to Children and the Australian Association of National Advertiser's (AANA) Food and Beverages: Advertising and Marketing Communications Code.
- The tenant must ensure that all signage is covered by its own insurance policy to the level prescribed in the tenant's seasonal tenancy, licence or lease agreement. The tenant must indemnify Council against any claims that may arise out of or are in any way related to the signage.
- Should damage to a Council asset occur as a result of the installation, maintenance or removal of any signage, the tenant will be responsible for the full cost of any rectification works carried out by the Council.
- Signage is prohibited from being attached to any other fixtures or structures within a public sporting reserve including trees, safety rails, public toilets, retaining walls, on fences sited alongside or above retaining walls, seating, bollards, coaches boxes, player shelters, ticket boxes, perimeter fencing including behind goals post netting, the roof of any facility, building or structure situated within the reserve.
- Tenants are not entitled to enter into commercial agreements to alter venue names or install signage pertaining to the naming of a reserve on a permanent basis.
- Council maintains the right to amend this Policy and this Policy overrides agreements between clubs and sponsors.

### 2.3.2 Permanent Signs

- **Reserve Identification Signs** – a system for reserve identification (at the entrance to reserves or on the nearest main road) has been developed and implemented by Council to ensure consistency and an appropriate quality of Council signage for open space. Approved tenant clubs are provided an opportunity to display their name on the sign. No advertising/promotion of club contact details will be permitted on these signs. These signs are provided and maintained by Council.
- **Way Finding and Information Signs** – a system to direct vehicles and pedestrians to various locations within a sporting reserve is implemented by Council to ensure consistency and an appropriate quality of Council signage for reserves and open space. No advertising/promotion of club contact details will be permitted on these signs. These signs are provided and maintained by Council.
- **Fenced Court Facilities Signs** – signage should face inwards towards the playing area to ensure it cannot be seen from outside of the fenced facility. For netball courts, signage is to be installed at ground level and no more than 1.2m in height. For cricket practice nets, signage is limited to two (2) signs no greater than 1m x 1m per net. Fence signage must take into consideration

## SPORTING RESERVE SIGNAGE POLICY



fence condition, footings, as signage increases the wind loading on the fencing.

- **Social Club Building Signs** – where multiple tenants are located at the same pavilion, agreement needs to be made to the location and quantity of signage prior to application. In these cases, the available space is to be split evenly with tenant clubs either year round or for duration of their seasonal tenancy and to be removed within 7 days of season completion.

### 2.3.3 Seasonal Signs

#### 2.3.3.1 Local Level Sporting Reserves is subject to the following;

- For sports ovals, signage is permitted on the oval boundary fence and must not cover more than 50% of the internal circumference. There must be three (3) metre gap every twenty (20) metres to allow access to the oval by passive users of the reserve. Signage on the external side of the oval boundary fence will only be allowed directly in front of the pavilion and must not be visible beyond the sporting reserve. Advertising signage space should be shared between seasonal tenant clubs.
- Permanent signage on change rooms, coaches' boxes or player shelters is not permitted.
- Signs must not be painted directly onto walls or the roof of any facility, building or structure at the sporting reserve.
- Signage on scoreboards will be permitted provided it does not detract from the main purpose of the structure nor cover more than 25% of the surface of the structure and must not be visible beyond the sporting reserve.

#### 2.3.3.2 Regional Level Sporting Reserve (Reid Oval) is subject to the following;

- Temporary/removable signs can be displayed on the oval boundary fence but cannot be permanently affixed to the fence. Designated home team club can display up to four (4) temporary sponsorship signs. Signs are to be no more than 3m in length each and no higher than the top of the boundary fence. Signs are to be removed at the end of seasonal tenancy or upon request.
- Permanent signage on pavilion, coaches' boxes, player/umpire/spectator shelters, and cricket practice nets is not permitted.
- Signs must not be painted directly onto any sports surface, walls or the roof of any facility, building or structure on the reserve.
- Signage affixed to scoreboards is not permitted. A permanent structure, either side of the existing oval scoreboard, will be provided for each seasonal tenant to display major club sponsors.
- Display of club sponsors through electronic scoreboards is permitted during game days, training sessions and club events up to one (1) hour prior and one (1) hour post event.
- Tenants must be able to remove all signs on request to deliver a clean venue for Council managed or controlled events if required.

## SPORTING RESERVE SIGNAGE POLICY



### 2.3.4 Temporary Signs

Tenants may install advertising signage at sporting reserves subject to the following;

- Club identification, advertising and promotional signage may be installed or displayed on game days, training sessions and club events throughout the home and away season and removed within two (2) hours of the event or session ending. This includes banners, A-Frame signs, corflute signs and goal post/ring padding.
- When installing temporary signage;
  - The location of the signage should be considered to ensure that it is not blocking egress/access for the public.
  - The weather conditions should be considered for public safety i.e. high winds.

### 2.3.5 Temporary Club Event Signs

Temporary signs promoting an upcoming, one-off sporting event or activity relating to the tenant at the home venue only (i.e. registration day, come and try day, players wanted etc.) run by the tenant will be permitted in accordance with the following;

- One temporary sign, per tenant per season, can be installed at the entrance to the sporting reserve at one time.
- The sign must not be an animated or internally illuminated.
- Signs must not exceed five metres square (5m<sup>2</sup>) (2.5m wide x 2.5m high).
- Approval for all temporary signage must be sought from Council prior to installation. Approval can be sought from Council's Recreation Department.
- Signage must not be displayed for longer than thirty (30) days prior to the event and removed immediately following the event.
- A minimum of three (3) weeks' notice is required for approval by Council.
- The sign must not refer to a commercial event.

## 2.4 Installation, Materials and Construction Criteria

- Advertising and promotional signage must not be principally aimed at people beyond the reserve, namely passing traffic.
- All signage must be securely fixed or displayed to ensure the possibility of injury to any person or damage to any Council asset is avoided.
- The finishes and materials used in the construction of all signage must have no sharp or exposed edges and all fixing (i.e. nails and screws) are to be recessed or countersunk.
- It is preferred that all signage be made out of light weight, appropriate material, like corflute, as the material is more forgiving if hit.
- To ensure the proposed signage does not have adverse impacts in relation to the overall amenity of the reserve, all signage must be professionally produced to a high standard.
- To ensure structural integrity of the signage during extreme weather events, an engineering assessment may be required for freestanding signage and signage attached to court fencing and practice nets. Where required, the full cost of any assessment is the responsibility of the tenant.

## SPORTING RESERVE SIGNAGE POLICY



- Freestanding signs must be installed by a qualified contractor.

### 2.5 Maintenance

- Signs are considered assets of the tenant and must be maintained and inspected by the tenant on a regular basis to ensure that they are fit for a public reserve and represent no danger to the public.
- Tenants are expected to maintain all advertising, promotional and signage in an acceptable and safe condition at all times and at their cost. This includes the immediate removal of graffiti, damaged and broken signs. If a tenant fails to meet this requirement, Council will remove the sign at the tenants cost.

### 2.6 Existing Advertising Signage

- Tenants are expected to meet the conditions outlined in this policy for all signage installed post the date of the policy adoption.
- Following the date of adoption, Council will conduct a signage audit of all sporting reserves and advise tenants where examples of non-conforming signage exists.
- Tenants will be provided with a period of one (1) year from receiving this notice, unless the sign is unsafe, to ensure all existing advertising signage complies with the conditions outlined in the this policy. Council will then commence removing any existing signage that does not comply.
- Existing signage may be removed immediately by Council where the signage is deemed to be dangerous or a planning permit is required and not obtained.
- Any costs associated with the removal or reinstallation of existing advertising signage will be the responsibility of the tenant.

## 3 GOVERNANCE

### 3.2 Owner

#### 3.2.1 Manager Recreation and Culture

### 3.3 Review

- 3.3.1 The Manager Recreation and Culture will review the policy for any necessary amendments no later than three (3) years after its formulation or after the last review.

### 3.4 Compliance Responsibility

#### 3.4.1 Management Executive Group (Chief Executive and Directors)

#### 3.4.2 Managers and Supervisors

#### 3.4.3 All Employees

### 3.5 Charter of Human Rights Compliance

## SPORTING RESERVE SIGNAGE POLICY

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**3.5.1** It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

**3.5.2** Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.

**3.5.3** A Gender Impact Assessment has been completed to prevent unintended negative consequences where the policy might inadvertently reinforce or contribute to inequality or the harmful gender attitudes and social norms that underpin drivers of violence against women, girls and gender diverse people.

## 4 APPENDICES

**4.2.1** [Insert Appendix if applicable.]

### **7.3. TENDER AWARD 2022001 - PROVISION OF SECURITY SERVICES**

***DIRECTORATE : City Infrastructure***

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**PURPOSE:**

***This report provides information to enable the awarding of Contract 2022001 - Provision of Security Services.***

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**EXECUTIVE SUMMARY**

- A public tender was advertised on Saturday 12 February 2022 inviting tender submissions from suitably qualified and experienced contractors for the provision of Security Services.
- Close of tenders was advertised for 2pm Friday 4 March 2022.
- The full commercial evaluation was considered by Council at a confidential Informal Meeting of Council held on Monday 28 March 2022.
- The recommendation is to proceed with the tender offer provided by R&M Security Services for the tendered amount of \$182,899.49 Ex. GST p.a. (not including rates for ad hoc services) and \$250,000.00 Ex. GST p.a. to allow for additional service provision to support Council services and events.
- The Contract Term is for three (3) years with no extensions. Fully exercised, the maximum value of the contract will be \$750,000 Ex GST or \$825,000 Inc. GST, made up of the tendered sums based on minimum requirements of the specifications and provisional items as well as an allowance for the expansion of services over the life of the contract.

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**MOVED: CR RICHARD ZIEGELER**

**SECONDED: CR MAX TAYLOR**

**That Council**

- 1. Award Contract 2022001- Provision of Security Services to R & M Security Services Pty Ltd for a maximum value of \$750,000 Ex. GST, over the life contract, not being greater than three (3) years.**
- 2. That the schedule of rates offered is accepted for the life of the contract.**
- 3. Authorise the CEO to sign, seal and vary the contract as required to the maximum value.**

**CARRIED - 7:0-**

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**BACKGROUND**

Council runs and maintains multiple buildings, sites and events that require routine, periodical, on-call security services and cash in transit services.

The current security contract extension for routine, periodical, on-call security services will expire this year and in line with Council's procurement policy. The service has been advertised for tender to seek the best value for money for the community.

The current cash collection contract is required to be renewed in line with Council's procurement policy and has tendered the services to seek the best value for money for the community.

Officers identified savings in combining both contracts into a single contract as the services required can be performed by the same companies.

Council undertook a public tender process in line with Council's procurement policy and advertised the tender on Saturday 12 February 2022 and closed 2pm Friday 4 March 2022. Council received four tender submissions of good to very good quality indicating that there is strong interest from the market. More encouraging was that half the submissions were local, and a quarter of the submissions were regionally based. All were conforming Tenders.

Three Council Officers met to undertake an assessment of the submissions as the Evaluation Panel, in line with Council's procurement policy and graded the submissions in line with the scoring criteria.

### Selection Criteria

Those tenders that passed all mandatory criteria were assessed against the following criteria and a "total weighted score" was determined:

Criteria	Sub Criteria	Weighting
Performance Capability	<ul style="list-style-type: none"> <li>Experience of Tenderer for delivery of high quality works including previous performance;</li> <li>Harmonious client service and stakeholder management;</li> <li>Conformance with specification.</li> </ul>	40%
Methodology	<ul style="list-style-type: none"> <li>Expert technical methodology, proficient works coordination, service practises, quality management practices and safe handling systems demonstrating Tenderer's capability to minimise the impact of works on the business.</li> </ul>	15%
Capacity to deliver the Works (Resources)/Time Management	<ul style="list-style-type: none"> <li>Resources committed to the contract, including skills and experience in delivering quality finishes;</li> <li>Ability to carry out work within the required time frames.</li> </ul>	15%
Internal Management System	<ul style="list-style-type: none"> <li>Integrated management systems covering OH&amp;S, environmental management and quality systems;</li> <li>Demonstrate systems are current and accredited and audited by a third party.</li> </ul>	10%
Environmental Sustainability	<ul style="list-style-type: none"> <li>Address the environmental principals for 'Refuse, Reduce, Reuse, Recycle, and Replace' through performance planning and management including whole of life considerations.</li> </ul>	2.5%
Social Procurement	<ul style="list-style-type: none"> <li>Demonstrated improvement in the overall quality of life for disadvantaged and vulnerable people in the community by promoting innovative business and employment opportunities that are diverse, accessible and equitable.</li> </ul>	2.5%
Local Benefit	<ul style="list-style-type: none"> <li>Local economic benefit including supply of labour, equipment and materials which the Tenderer supports the local community.</li> </ul>	15%
<b>TOTAL</b>		<b>100%</b>

A "value for money" ratio was then determined for each passing tender, taking into account the "total weighted score" and tender price submitted.



Upon assessment, the following scores were reached:

<b><i>Tender No.</i></b>	<b><i>Company</i></b>	<b><i>Conforming Tender</i></b>	<b><i>Non-Price Weighted Score</i></b>	<b><i>Value for Money Ratio</i></b>	<b><i>Ranking</i></b>
1.	Armour 5 Security Pty Ltd	Yes	0.75	2.55	3
2.	Vibrant Services Pty Ltd	Yes	0.66	2.57	2
3.	Azguard Security	Yes	0.45	0.47	4
4.	R & M Security Services	Yes	0.72	3.59	1

As per the above Table, R & M Security Services were found to provide the best value for Council overall. The top three tenders all provided extremely strong submissions and the Evaluation Panel were confident that they could all provide the required services to an extremely high level. The price provided by R & M Security was the deciding factor.

The Evaluation Panel has full confidence that the services can be undertaken for the prices provided.

## **ISSUES**

The current contract arrangements for security services covers the patrol service, lockup service, alarm response and caravan park security with an hourly rate being provided for ad hoc services as required. Other agreements have been entered into with alternative contractors to provide ad hoc services such as event supervision and covid marshalling, which has been outside the original security services contract.

The current arrangement does not include a cash collection or cash in transit service which is being provided by a separate contractor.

## **FINANCIAL IMPACT**

The total maximum cost to Council is \$750,000.00 Ex. GST over the life of the contract, or \$250,000.00 Ex. GST per year over the life of the contract. Expenditure is controlled through the schedule of rates provided by the Contractor and strict internal management of the contract by the Contract Manager. The price received is similar to what Council are paying under the current contract.

The minimum cost for fixed services under the contract will be \$182,899.49 ex GST per annum or \$548,698.47 Ex. GST over the life of the contract. Provision is made under this contract to engage the Contractor to allow for service growth as well as perform ad hoc services to support community safety programs, alarm call outs, Council run events and disaster/pandemic management. The cost of these services has been set at an additional 40% of fixed services. This figure (rounded up) brings the cost of the Contract to \$750,000.00 Ex. GST over three years.

## **LEGISLATION / POLICY / COUNCIL PLAN CONTEXT**

This report responds to the following Council Plan initiatives:

### **1 A healthy community**

1.3 Health and wellbeing: Council will take action to improve health, wellbeing and safety outcomes for Warrnambool's community.

## **5 An effective Council**

5.3 Customer-focused services: Council will continue to develop a program of Council services that are delivered to the community's satisfaction.

5.5 Organisational and financial sustainability: Council will ensure organisational and financial sustainability through the effective and efficient use of Council's resources and assets.

5.6 Risk mitigation: Council will mitigate and manage organisational risks through sound management systems and processes.

## **TIMING**

The term of the Contract is three years with no extensions. The start date of the contract is proposed to be Monday 11 April 2022 if awarded.

## **COMMUNITY IMPACT / CONSULTATION**

This Contract has been a joint effort between the City Infrastructure, City Growth and Corporate Strategies Directorates. Community and employee feedback, with regards to levels of service, have been accounted for in the specifications document.

## **LEGAL RISK / IMPACT**

Procurement processes are occurring in line with the approved contract specific procurement plan.

## **OFFICERS' DECLARATION OF INTEREST**

No officer involved in the preparation of this report has declared a conflict of interest.

## **CONCLUSION**

Acceptance of the recommended tender represents best value for Council on the basis of the criteria set for evaluation.

## **ATTACHMENTS**

Nil

## **7.4. ADVISORY COMMITTEES & REFERENCE GROUP REPORTS**

### **PURPOSE**

***This report contains the records of 3 Advisory Committee meetings and 3 Reference Group meetings.***

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### **REPORT**

1. Warrnambool Airport Reference Group - 21 February 2022 - refer **Attachment 1**.
  - Note Item 5, requested Live Fire Training Hub.
  - Note Item 7, comment and suggestion to discuss with Moyne Shire.
2. Community & International Relations Advisory Committee - 22 February 2022 – refer **Attachment 2**.
3. Port of Warrnambool Reference Group – 2 March 2022 – refer **Attachment 3**.
4. CCTV Steering Committee - 8 March 2022 - refer **Attachment 4**.
5. Economic Development & Tourism Advisory Committee – 11 March 2022 – refer **Attachment 5**.
6. South West Victorian Livestock Exchange Advisory Committee – 18 March 2022 – refer **Attachment 6**.

### **ATTACHMENTS**

1. Warrnambool Airport Reference Group - 21 February 2022 [7.4.1 - 8 pages]
2. Community & International Relations Advisory Committee - 22 February 2022 [7.4.2 - 2 pages]
3. Port of Warrnambool Reference Group – 2 March 2022 [7.4.3 - 9 pages]
4. CCTV Steering Committee - 8 March 2022 [7.4.4 - 5 pages]
5. Economic Development & Tourism Advisory Committee – 11 March 2022 [7.4.5 - 3 pages]
6. South West Victorian Livestock Exchange Advisory Committee – 18 March 2022 [7.4.6 - 4 pages]

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR RICHARD ZIEGELER**

**That the following records of Advisory Committees and Reference Group meetings be received:-**

1. **Warrnambool Airport Reference Group - 21 February 2022.**
2. **Community & International Relations Advisory Committee - 22 February 2022**
3. **Port of Warrnambool Reference Group – 2 March 2022**
4. **CCTV Steering Committee - 8 March 2022.**
5. **Economic Development & Tourism Advisory Committee – 11 March 2022.**
6. **South West Victorian Livestock Exchange Advisory Committee – 18 March 2022.**

**CARRIED - 7:0**

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WARRNAMBOOL REGIONAL AIRPORT REFERENCE GROUP (WRARG) MINUTES				
<b>Date:</b>	Monday 21 <sup>st</sup> February 2022.		Time: 11.00 am.	Location: Airport Terminal.
<b>Meeting Objective:</b>	Discussion & Advise on Airport Operations and Development, Security, and Emergency Management.			
<b>Attendees:</b>	Stephen Lucas (Chairman) Cr Max Taylor (Warrnambool City) Jim Doukas (Moyne Shire) John Stuart, Errol Stewart, Troy Bently, Chris Daffy.			
<b>WCC Staff in attendance:</b>	David Leahy (Director City Infrastructure) Aaron Huttig (Manager Facilities & Projects) Terry O'Sullivan (Airport Reporting Officer, ARO)			
<b>For Information:</b>	Shane Robe (ARO)			
<b>Apologies:</b>	Dan Guillaumier (Chief Pilot HEMS4) HEMS4 Team Manager, Stephen Wood (Off Shore Services) Janelle Martin, Ken Veal.			
No	Discussion	Who	Action	
1.	<b>Welcome &amp; Apologies.</b>			
2.	<b>Declaration of conflict of interest.</b>		Stephen Lucas – Hangar Owner/Aero Club. John Stuart – Hangar Owner. Errol Stewart – Hangar Owner/Aero Club. Troy Bently – Air Apply.	
3.	<b>Confirmation of minutes of Meeting Monday 6<sup>th</sup> December 2021.</b> Minutes tabled as follows: Executive Management Team Meeting 21 <sup>st</sup> December 2021. Council briefing 17 <sup>th</sup> January 2022. Council Meeting 7 <sup>th</sup> February 2022.		<b>Moved: John Stuart.</b> <b>Seconded. Max Taylor.</b> <b>Carried.</b>	
4.	<b>Business arising from the Minutes.</b>	All.	Nil.	
5.	<b>Live Fire Training Hub.</b>  Proponents are seeking further advice around planning requirements for the activity. Moyne Shire have provided relevant information to proponent.	Aaron Huttig/Terry O'Sullivan.	<b>Sue Rondeau and Mat Deans from The Six C's</b> attended the meeting to provide overview of proposed operation. The Six C's is a Company specialising in	

			<p>Emergency Management Training and both are active CFA Volunteers.</p> <p>For the Live Fire Training Hub they would like to build an Aircraft Hangar, 20m x 30m, that can store Aircraft, have a training area, amenities, and storage.</p> <p>The live fire activity would take place outside the Hangar and is gas fired with no smoke.</p> <p>Their market for training is National and has potential for Fly in Fly out training.</p> <p>The Reference Group has no concerns with the proposed development.</p> <p>Ongoing discussion with both Council's.</p>	
6.	<p><b>CASA, 2020 Manual of Standards, MOS, for Airports, Certification and Airport Operations Manual.</b></p> <p>Application for Certification, Airport Operations Manual, and any grandfathering clauses is to be submitted to CASA by the 13<sup>th</sup> May 2022.</p> <p>Failure to provide will result in a loss of Published Procedures.</p>	Terry O'Sullivan.	<p>ARO to continue with review of the Manual and have it submitted to CASA as soon as practical.</p>	
7.	<p><b>2017 Airport Development Plan, ADP.</b></p> <p>Future development of the Airport is centred on enhancing safety and catering for larger Aircraft as the region grows.</p> <p>Previously discussed that it be worthwhile discussing with Moyne Shire how it to best communicate with the community that building in proximity to the Airport is subject to noise, height</p>	Aaron Huttig/Terry O'Sullivan.	<p>It is very important that Council continue to lobby and communicate with the AAA and CASA about future development of the Airport to ensure any development, in complying with new Manual Standards, is not too onerous and restrictive.</p>	

	<p>limitations, and more importantly that there is no curfew.</p> <p>Recent requests for Pavement Concessions, PC, for Challenger 604 and Global Express Aircraft. Request denied due to excessive weight and tyre pressures.</p> <p>PC granted for SAAB 340 Aircraft on Charter 3<sup>rd</sup> February.</p>		<p>Agreed that it be worthwhile discussing with Moyne Shire how it to best communicate with the community that building in proximity to the Airport is subject to noise, height limitations, and more importantly that there is no curfew.</p>	
8.	<p><b>Australian Airports Association (AAA)</b></p> <p>Dear regional Airport members,</p> <p>As you're well aware, there is a Federal election coming in the next few months.</p> <p>To help prepare the AAA's advocacy program ahead of the election, I am writing to you today to ask you to review the 'plans in the drawer' for your airport and to put forward your aeronautical projects that are 'shovel ready' and ready to go out to market if funds are available. This will help to develop a priority list of 'ready to go' projects that can be part of the advocacy process during and after the election.</p> <p>If you feel comfortable doing so, it would be useful to get a feel for what other projects your airport would take to market if funding was unconstrained.</p> <p>I have attached a worksheet to assist you in putting your airport's project list together. If possible, please add in any economic analysis from a business case that provides an estimate of economic benefits, e.g. direct jobs created in construction/operation, indirect jobs created by the project and the wider economic benefits to the region. The more information airports can provide will help the AAA to better argue the case for funding your airport's project and for regional airports as a group.</p>	Aaron Huttig.	<p>Council has provided priorities as listed in the Airport Development Plan October 2021.</p> <p><b>First priority:</b> Construct 4,210 m2 of additional apron are to expand the Main Apron.</p> <p><b>Second priority:</b> Extension of Taxiway A to the north east to connect with Runway 13/31.</p> <p><b>Third priority:</b> Upgrade the pavement strength of Runway 13/31. Extend Runway 13/31 in a north west direction for approximately 300 metres. Runway markings to be upgraded. PAPI to be relocated. RNAV Runway 13 adjusted. Move Runway 31 threshold and runway strip 35 m north west to provide space for a 90 metre long RESA outside the runway strip. Replace runway lighting with LED fittings at 60 metre spacing's. Removal/lopping of Eucalypt trees on private property west side of Yarpurk School Road (OLS Control) Underground the HV power lines as part of the extension of Runway 13/31 (OLS Control)</p>	

9.	<p><b>Runway 04/22.</b></p> <p>Boral Australia under Contract to Council applied a "Gatt Seal" On Runway 04, 17<sup>th</sup> January, and Runway 22, 18<sup>th</sup> January.</p> <p>Rolling of the Runway with a Multi Wheel Roller has been undertaken most days since sealing.</p> <p>Runway opened to Aircraft &lt; 3,500 KG MTOW Friday 4<sup>th</sup> February at 11.00am.</p>	Aaron Huttig.	<p>Thanks to Chairman for use of Aircraft for test flight Tuesday 1<sup>st</sup> February.</p> <p>Runway to be swept by Boral as soon as possible followed by application of crusher dust 5mm minus.</p> <p>Runway to be made available as per published information as soon as practical (Aircraft up to 5,700 KG MTOW)</p> <p>Staff to closely monitor runway surface and as an option later a sand seal can be applied.</p> <p>Turning nodes each end are planned along with line marking.</p>	
10.	<p><b>Obstacle Limitation Surfaces, OLS.</b></p> <p>ARO maintains ongoing consultation with neighbouring property owners with regard to any vegetation identified infringing the approach, transition, and take off surfaces.</p> <p>As the vegetation is on private land then consent to trim/remove vegetation is required.</p>	Terry O'Sullivan.	<p>Monitoring and trimming of vegetation ongoing.</p> <p>Works scheduled for week commencing 28<sup>th</sup> February on 2 properties on Sim's Rd (Approach Runway 31)</p>	
11.	<p><b>Fees and Landing Charges.</b></p> <p>Income to date as follows: Avdata charges \$20K Local Commercial Operators \$6K " Recreational " \$4K</p> <p>Fees for 2022/2023 to increase as follows: \$11.00/Tonne MTOW (up from \$10.00) All other by CPI 1.75%.</p>	Aaron Huttig/Terry O'Sullivan.	Noted by Group.	



<b>12.</b>	<b>Airside Access.</b>  Reminder that vehicular airside access be only for specific aviation related movements and be kept to absolute minimum especially on Main Apron. Aircraft movements have right of way.	Terry O'Sullivan.	Noted by Group.	
<b>13.</b>	<b>On/Off Shore operations.</b>  Off Shore Operations for the Thylacine Gas Rig and Ocean Onyx operations continue.		For information.	
<b>14.</b>	<b>Airport Works &amp; Maintenance.</b>  <b>14.1.</b> The Apron pavement is subject to ongoing failure due to larger and heavier Aircraft.  Pavement repairs undertaken by Council Staff on main apron: Thursday 9 <sup>th</sup> December, Wednesday 15 <sup>th</sup> December, Monday 20 <sup>th</sup> December. Crack sealing undertaken Tuesday 21 <sup>st</sup> December.  <b>14.2.</b> Tuesday 15 <sup>th</sup> February full day of applying Herbicide on runway strips, drains, and grazing land to control noxious weed.	Terry O'Sullivan.	For information.	
<b>15.</b>	<b>Aviation Park Fire Service/CFA Air Base.</b>  <b>15.1.</b> Electrical repairs to Aviation Park Fire Service carried out Friday 11 <sup>th</sup> February.  <b>15.2.</b> Air Base activated for fire south west of Airport 26 <sup>th</sup> January and for fire near Panmure 7 <sup>th</sup> February.	Terry O'Sullivan.	For information.	
<b>16.</b>	<b>Hangars.</b>  <b>16.1.</b> Awaiting construction of a Hangar, 15 x 15m, Lot 21 Aviation Park (North side of Dews Hangar 22)	Terry O'Sullivan.	Noted by Group. More development and activity the better.	

	<p><b>16.2.</b> Tenant of Hangar 2 in discussion with Council re plans to extend to the west inclusive of vehicular access. Works will require Building Permit.</p> <p><b>16.3.</b> Expressions of interest received from 2 interested parties to construct Hangars.</p>			
<b>17.</b>	<p><b>Leases.</b></p> <p>Further discussion and consultation is required in relation to Lease agreements which will be a large task because of the variety of leases in existence.</p> <p>Consultation with the Reference group to be part of review as soon as practical.</p>	Nothing further to report since last Meeting.	Noted forward.	
<b>18.</b>	<p><b>Neighbouring Airports.</b></p> <p>Samantha Kohlam, Portland Airport Manager, has put together a Memorandum of Understanding, MOU, for Airport Staff at Mt Gambier, Hamilton, Warrnambool, and Portland for the purposes of resource sharing in event of major incident, pandemic, etc, to ensure the vital service Airports provide can be maintained.</p>	Terry O'Sullivan.	For information.	
<b>19.</b>	<p><b>Windfarm Developments.</b></p> <p>Willatook, Hexham, Hawkesdale, and Woolsthorpe Wind Farms.</p>	Nothing further to report since last Meeting.	Cr Doukas to follow up on status of Willatook development.	
<b>20.</b>	<p><b>Communications Tower.</b></p> <p>Telstra are planning and in discussion with Council and the Community regarding installation of a 35 metre (AGL) Communications Tower in the township of Bushfield with preferred location being the Recreation Reserve.</p>	Nothing further to report since last Meeting.		

	As a minimum Council to request the Tower be obstacle Lit and published in ERSA.			
21.	<b>Flight Training.</b>  Murray Medway, Great Southern Flying School (Barwon Heads) currently providing training.	Terry O'Sullivan.	Council in discussion with school regarding fees.  Ideally a provider needs to be based and have Aircraft/s on site.	
22.	<b>Regular Passenger Transport, RPT, Service.</b>  Previously discussed that to attract a larger operator, primarily Tourism based, Runway 13/31 needs to be strengthened and lengthened to cater for larger and heavier Aircraft.	Nothing further to report since last Meeting.		
23.	<b>Aero Club Redevelopment.</b>  Plan submitted to Council 28 April for consideration. In principal approval provided to Club. Works will require Building Permit.  Aero Club cut and baled grass hay around the Airport as a fundraiser. The full proceeds of the sale of the Hay are to be injected into the Clubs redevelopment.		For information.	
24.	<b>Drag Race Club.</b>  Club advise that it is their intention to run 1-2 events later this year.	Terry O'Sullivan.	For information.	
25.	<b>Miscellaneous.</b>  Driver Training for Deakin University took part on 12th January 2022 utilising western taxiway in Aviation Park.	Terry O'Sullivan.	For information.	
26.	<b>General Business.</b>	All.	Nil.	

27.	<b>27.1. Next Meeting.</b>  <b>27.2.Close of Meeting at 11.45am</b>  <b>27.3. Inspection.</b>		Monday 16 <sup>th</sup> May 2022.  11.45 am.  Inspection of the Runway took take place at conclusion of Meeting along with photo shoot by Warrnambool Standard	
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## MINUTES

### COMMUNITY & INTERNATIONAL RELATIONS ADVISORY COMMITTEE

Date:	22 <sup>nd</sup> February 2022	Time:	5pm	Location:	WCC Offices
Committee Members In Attendance	Cr. Otha Akoch, Chair David McKenzie Les Gardiner Greta Perry Geoff Spencer Wei-Lin Mai (Guest)				
Council Officer Attendance	Andrew Paton, Director City Growth Jin Kim, Co-ordinator Economic Development				
No.	What				
1.	Welcome				
2.	Apologies John Cook				
3.	<b>Conflict of Interest Declarations</b> <ul style="list-style-type: none"> <li>No conflicts of interest declared.</li> </ul>				
4.	Minutes of CIRAC 23 <sup>rd</sup> November 2021. Moved and Carried.				
5.	<b>Certificates of Appreciation – Miura Sister City</b> <ul style="list-style-type: none"> <li>Background information provided on the history of certificates of appreciation from Warrnambool City Council to Miura citizens and/or officials whom have been significant contributors to forging strong relations between the two cities.</li> <li>Proposal for two persons from Miura to receive such certificates of appreciation.</li> <li>Further information to be provided on the two persons at the next meeting and some planning to occur as to when might be the appropriate time to provide such recognition.</li> </ul>				

6.	<p><b>Networking Groups - Warrnambool</b></p> <ul style="list-style-type: none"> <li>○ Wei-Lin Mai presented to the Committee detailing her involvement and support towards a range of multicultural community groups and initiatives.</li> <li>○ Wei-Lin identified the need for further education to our community around improved cultural awareness and in particular access to childcare services to support new arrivals to our City. A multicultural picnic will take place at the Warrnambool Botanic Gardens on March 20.</li> <li>○ Members thanked Wei-Lin for the wonderful work being undertaken and CIRAC offered support for future initiatives.</li> </ul>
7.	<p><b>Sister City Update - Miura, Japan</b></p> <ul style="list-style-type: none"> <li>○ Project planning under way to upgrade the Miura Friendship Garden with \$10,000 support from the Fletcher Jones Foundation and \$20,000 from Warrnambool City Council.</li> <li>○ Information provided from the Japanese Consular General and in particular reference to Warrnambool-Miura soon to celebrate its 30<sup>th</sup> anniversary. Members were advised that the Warrnambool CEO recently visited the residence of the Japanese Consul-General in Melbourne for a function to celebrate His Majesty Emperor Naruhito's 62nd birthday. This year marks the 30th anniversary of the Warrnambool-Miura sister city relationship and members welcomed this engagement.</li> <li>○ A future CIRAC agenda item to discuss how this significant milestone might be recognised and celebrated. INCLUDE CR AKOCH – EVENTIN Warrnambool.</li> </ul>
9.	<p><b>General Business</b></p> <ul style="list-style-type: none"> <li>• A member expressed interest in the Skilled Migration programs on offer across the region. Action: AP to arrange a meeting with this member.</li> <li>• Chair flagged a potential event in July in Warrnambool and led by the Victorian Multicultural Commission. Action: Chair to provide further details when they become available and how CIRAC might support and participate.</li> </ul>
10.	<p><b>Meeting closed 6.45pm.</b> <b>Next meeting: 17<sup>th</sup> May 2022</b></p>

PORT OF WARRNAMBOOL - PORT REFERENCE GROUP MEETING ACTION AND AGREEMENT RECORD				
<b>Date:</b>	Monday 02 March 2022		Time: 10.33AM	Finish: 11.14AM
	Location: Warrnambool Lighthouse Theatre and via Zoom			
<b>Meeting Objective:</b>	Port of Warrnambool Update			
<b>Invitees:</b>	<p>REFERENCE GROUP MEMBERS: Craig Hartwich (CH), Steve Tippet (ST), Keith Prest (KP), Tammy Good(TG), Neville Dance (ND)</p> <p>WARRNAMBOOL CITY COUNCIL : Cr Ben Blain (BB), Cr Max Taylor (MT) from 11.00am, Cr Richard Ziegeler (RZ), David Leahy (DL), Don Allen (DA), Karen Hardess (KH), Thomas Hall (TH), Luke Coughlan (LC), Peter Schneider (PS)</p> <p>STATE GOVERNMENT:</p> <p>BETTER BOATING VICTORIA, VICTORIAN FISHERIES AUTHORITY (VFA) – Marcus Higgins (MH)</p> <p>DEPARTMENT OF TRANSPORT (DoT) - Lynn Kisler (LK)</p>			
<b>Apologies:</b>	DELWP - Emma Dart (ED), Aaron Huttig (WCC), Leon Van Kempen (LVK)			
<b>Not Present::</b>	Bruce Campbell (BC), Michael Artz (MA), Russell Worland (RW), Lisa Owen (LO), Hugh Parker (HP), DELWP - Ross Martin (RM), BBV - Katherine Grech (KG)			
No	Schedule	Description	Who	Notes
1.	10.30	Welcome and Introductions	Chair – Richard Ziegeler	The Chair welcomed everyone to the meeting and acknowledged those attending via Zoom
2.		Declaration of Conflict of Interest	Chair	No declarations of conflict of interest were noted
3.	10.40	Reference Group Previous Meeting Minutes (08 November 2021)	Chair	Minutes of the previous meeting were circulated on 8 December 2021 The Chair threw the floor open to comments on the minutes. No comments were noted

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4.	10.45	Major Projects Updates	Chair / David Leahy	<p>The Chair deferred to David Leahy who provided an update on each of the items addressed in the update email of 4 February 2022 titled Port of Warrnambool General Update – copy attached for information</p> <p>David noted that the email highlighted works ongoing at the Port including breakwater rectification, stabilisation, capping and the fencing kick plate, which are currently underway and progressing well</p> <p>Works on the lower landing have also commenced and will be completed in the next couple of weeks</p> <p>The Boat Ramp Contract has been awarded to Bridgewater Marine, who are currently working on the boat ramp project at Lake Bullen Merri, which is also being funded by Better Boating Victoria (BBV). A draft program for the Port of Warrnambool boat ramp works is with Council but the start date is heavily dependent on works progressing well at Lake Bullen Merri. It is the current intention for commence works off site in May with site handover at the Port to take place on 6 June. This time of the year is not ideal. Bridgewater Marine is a small company any hold-ups on other projects will flow through and potentially affect our start date. Any works that are expected to impact regular Port operations will be notified to stakeholders.</p> <p>Tammy queried the potential impacts. These include noise and vibration from machinery and ramming, and works will also be dependent on the tide.</p> <p>Council is very keen to keep the impact window as</p>
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				<p>short as possible.</p> <p>As the amount of the grant received from BBV exceeds the contract amount for construction of the boat ramp, Council is working with BBV and other agencies regarding future development of the Port to make use of the remaining funding allocation. It was noted that the grant is to be used for for launching and retrieval of boats. One possible option is for widening of the boat ramp to include a third lane.</p> <p>The dredging design specification is complete and Council is currently out to tender for dredging at the Port of Warrnambool.</p> <p>Ongoing works at the Port include general inspections and audits.</p> <p>Council is currently exploring options regarding the number and placement of bins at the Port, noting that the waste management budget for this area has been exhausted.</p> <p>Tammy noted the alcoves along the pier could have bins in them. She is currently picking up a bagful of rubbish every day in the area. Tammy further noted that the bin at the boat ramp has been removed, a small green bin in this area would be helpful.</p>
5.	11.00	2021/22 Program - Navigation aid inspections - Cleaning of the boat ramp and fish cleaning tables	Thomas Hall	<p>Thomas noted that the 2021/22 program is very consistent with what's already been said.</p> <p>Thomas acknowledged the additional bin requests</p>

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		<ul style="list-style-type: none"> <li>- Waste removal</li> <li>- General Maintenance</li> </ul>		<p>and further noted that Council can seek funding for additional bins through the State, but has been advised that it is anticipated there will be no additional funding for the next four years. Funding for bins could also be pursued through Council. Tammy noted there are two sets of bins very close together on the pier. David noted that Council monitored these bins over Easter weekend 2021, one set of the bins were overflowing while the other set of bins remained empty. The Chair noted no further action is required on this matter at this time.</p>
6.	11.05	Terms of Reference Meeting Arrangements	Chair	<p>The Chair deferred to David Leahy who noted that it is time to acknowledge the original purpose of this group has been achieved. Major infrastructure as indicated by the Warrnambool Harbour Master Plan is now underway and will evolve into a remodel of ongoing operations of the Port. This calls into question the viability of the Port of Warrnambool reference Group. A report will go to Council next week recommending the dissolution of this group and move to a more information sharing model, utilising a newsletter approach.</p> <p>Council is conducting a widespread review of Reference Groups across Council and this group is to be commended for advocating for funding for dredging, the boat ramp and the breakwater. The northern carpark is in the planning phase. Peter Schneider noted that Minister Tierney has requested and been provided with further information around the rock armouring, which is the remaining large</p>

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			<p>item.</p> <p>Keith Priest queried a forum for feedback, particularly on safety and swell impacts of the new infrastructure, and in general, without the PWRG. The Chair noted that continuing the PWRG would be a decision made by Council but took Keith's point that there are stakeholders who need to be kept informed.</p> <p>Neville Dance endorsed Keith's point stating this is not the right time to dissolve this group. The group holds quite a bit of knowledge that may be utilised to provide input during construction. The Chair acknowledged Neville's point.</p> <p>Steve Tippett noted that the group had achieved nothing, everything so far will not improve safety.</p> <p>Neville, representing the Fishing Club noted that the new infrastructure is not going to stop the surge. Therefore the mission of the group is not complete.</p> <p>The Chair agreed that these concerns are relevant and valid. He reiterated that the decision will be made by Council and asked the CEO to note and impart these concerns to Council</p> <p>Neville Dance further noted that dissolving the group will play into the hands of naysayers.</p> <p>Tammy raised the matter of dredging spoils being</p>
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				<p>dumped near shore in direct opposition to public and EPA opinion. The EPA endorse dredging spoil dumping on shore. This is the biggest sticking point with dredging. Tammy queried the possibility of other uses for the sand including sandbagging. The Chair noted that there are so many unresolved issues involving the Harbour and welcomes the suggestion to keep participants apprised given the already enormous investment in time and energy</p> <p>Neville raised the matter of a previous discussion, many years ago, regarding the fishing club gantry, which Council was going to include when budgeting for the boat ramp. David noted that the gantry was not included in the current scope of works for the boat ramp. Neville noted that nothing much had been documented in the last ten years. Thomas noted that relocation of the gantry is included in the Master Plan and as such can be targeted for specific funding, further noting that ownership, inspections and compliance are an important part of any infrastructure</p>
7.	11.35	General Business Items	Chair	Thomas noted that any review of the Terms of Reference for this group resulting in change should be clearly defined.
8.		Confirmation of actions for delivery to be detailed within Minutes	Chair	The Chair noted that information regarding progress at the Port will be sent out on a regular basis. David noted that originally the proposed frequency was six monthly but this could be condensed down to a couple of months.

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				<p>Keith queried whether the breakwater baffles project talked about in past could indicate the establishment of another advisory body. David noted that such a project should include input from appropriate bodies and that this was an opportunity for the minister. The Chair noted that there would be community input should the breakwater reach the major project stage.</p> <p>Keith also queried on behalf of the Coast Guard, and as a private user, what was the realistic expectation of Edwards Bridge completion given the dredging and boat ramp works. David noted potential to condense the Edwards Bridge Project and further noted that Bridgewater Marine had already confirmed they could access the site underneath the Norfolk Pines if required. Dredging is still out to tender and is an unknown at this stage.</p> <p>Steve raised the matter of sand from the dredging and queried whether DELWP had approved the dumping area right in the middle of the dissipation zone, noting that Warrnambool beaches have two types of sand, fine and coarse. Was this only local knowledge? The finer sand will be directed west and the coarser sand will go east. The Chair agreed and noted that local knowledge is useful. Tammy reiterated the solution is onshore dumping. The Chair further noted that current solution has been proposed, funded and endorsed by current scientific studies. Tammy noted that this flies in the face of</p>
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**Code of Cooperation**

We start on time and finish on time  
We all participate and contribute – everyone is given opportunity to voice their opinions  
We use improvement tools that enhance meeting efficiency and effectiveness  
We actively listen to what others have to say, seeking first to understand, then to be understood  
We follow-up on the actions we are assigned responsibility for and complete them on time  
We give and receive open and honest feedback in a constructive manner  
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				the EPA recommendation. Thomas noted that DELWP are not in the room but were consistent and strong in saying they are keen to keep all sand in the system.
9.		Meeting close	Chair	The Chair thanked everyone for their attendance Meeting close 11.14am

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## **The Port of Warrnambool Shared Mail**

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**From:** The Port of Warrnambool Shared Mail  
**Sent:** Friday, 4 February 2022 2:43 PM  
**To:** port@warrnambool.vic.gov.au  
**Subject:** Port of Warrnambool General Update

Good afternoon,

The following is provided for information on the update of activities at the Port of Warrnambool:

### **Port of Warrnambool Breakwater Lower landing**

Funding has been obtained and works have commenced to renew the timber deck on the breakwater lower landing.

### **Port of Warrnambool Breakwater Emergency Works**

Funding has been obtained and works have also commenced to rectify the storm damage to the breakwater to allow for pedestrian access to return to the Breakwater. Works include the reconstruction of some concrete seating, sections of handrail and concrete render repairs.

### **Port of Warrnambool Boat Ramp & Jetty Improvement**

The tender assessment panel has completed the assessment of submission and recommendation will be considered at the Council Meeting on 7/02/2022.

### **Port of Warrnambool Dredging Design**

The construction tender documents have been finalised suitable for advertisement once a funding commitment has been established.

### **Port of Warrnambool Operations**

Ongoing works continue that include navigation aid inspections, cleaning of the boat ramp and fish cleaning tables, waste removal and general maintenance requests.

If you have any questions regarding the above information, please do not hesitate to contact Council via response email.

Kind regards,

<b>CCTV Steering Committee Meeting Minutes</b>		
<b>Date:</b> Tuesday 8 March 2022		
<b>Time:</b> 8.30am – 9.20am		
<b>Duration:</b> 50 minutes		
<b>Location:</b> Warrnambool Police Station, 214 Koroit Street Warrnambool Vic 3280		
<b>Invitees:</b>		
Warrnambool City Council: Cr Angie Paspaliaris, Cr Debbie Arnott, David Leahy, Peter McArdle, Stephanie Bant.		
Warrnambool Police: Jason Dance, Roland Lawrence, Adam Johnson (Present only for Item 2).		
<b>Apologies:</b> Glenn Reddick.		
<b>No</b>	<b>Description</b>	<b>Discussion and Actions</b>
1	<b>Welcome/ Apologies</b>	<p>Note: This meeting will be minuted for future reference.</p> <ul style="list-style-type: none"> <li>Jason Dance welcomed all attendees to the Warrnambool Police Station.</li> </ul>
2	<b>Tour of Warrnambool Police Station CCTV Camera Screening Room</b>	<ul style="list-style-type: none"> <li>Jason Dance explained the role of himself and Roland Lawrence in relation to the CCTV Systems. Explained that Roland Lawrence had the CCTV Portfolio.</li> <li>Showed all attendees the CCTV Screening Room where the footage is viewed by on duty Police. Noted that the downloading and storage of the footage occurred in a separate room.</li> <li>David Leahy questioned if all the cameras on the screen were able to pan? <ul style="list-style-type: none"> <li>Roland Lawrence responded that the cameras at the Railway Station did not Pan or Zoom.</li> </ul> </li> <li>Jason Dance noted that after the group had seen the camera screening room the rest of the meeting would be held in a meeting room where Roland Lawrence would share some good news stories for the use of CCTV.</li> <li>Jason Dance explained that the police radio is located in police communications and is run in Ballarat. Calls are received here and directed to specific areas.</li> <li>Jason Dance explained that on Friday and Saturday night the cameras are set up differently to during the week with the cameras usually pointed towards the nightclub precinct. Noted that at least weekly officers on the street asked for live updates from the CCTV footage.</li> <li>Cr Paspaliaris questioned if during the week there was a common area the Police focussed the cameras on?</li> </ul>

		<ul style="list-style-type: none"> <li>- Roland Lawrence responded that they usually focussed on Liebig Street and Lake Pertobe.</li> <li>• Jason Dance advised that Lava Street was known as a place to loiter. Noted that the cameras were used on the weekend prior to the meeting to monitor the protests next to the Pertobe Road Kiosk/ public amenities. Advised that the cameras were also used to see burnouts that occurred nearly every day at Cannon Hill.</li> <li>• Roland Lawrence stated that the cameras were invaluable.</li> <li>• Roland Lawrence advised that the custody officer does the downloading of the footage.</li> <li>• Adam Johnson explained an incident that had previously occurred in the CBD in which the CCTV footage resolved a complaint of rough conduct against an officer.</li> <li>• Cr Arnott stated it was reassuring to know there was a set of eyes on what happened in the city with sometimes anti-social behaviour that occurs.</li> <li>• Jason Dance advised that cameras not only assisted with crime but allowed officers to monitor problem offenders as they went through the street without interaction unless required.</li> <li>• Jason Dance advised that the Police always had two officers in the watch house that were able to keep an eye on the CCTV screens.</li> <li>• Cr Paspaliaris questioned if the Police received many calls for non-emergencies? <ul style="list-style-type: none"> <li>- Jason Dance responded that about 60% of calls received were for non-emergencies.</li> <li>- Adam Johnson noted that they would rather receive the call and let the Police triage it regardless if it turned out to be a non-emergency.</li> </ul> </li> </ul> <p><i>The meeting moved from the CCTV Camera screening room to the meeting room.</i></p>
3	<b>Endorse minutes from last CCTV Steering Committee Meeting on Thursday 11 November 2021</b>	<ul style="list-style-type: none"> <li>• Peter McArdle thanked the Police for the tour and hosting the meeting.</li> <li>• Peter McArdle noted that the draft minutes from the previous meeting on 11 November 2021 had been sent around for review and comment.</li> <li>• No issues with the minutes were raised by the group.</li> <li>• Confirmed that the Steering Committee were required to have two meetings a year and this one was the first for the year.</li> </ul> <p><b>All attendees endorsed the minutes from the last meeting on Thursday 11 November 2021.</b></p>
4	<b>CCTV Documentation:</b> <ul style="list-style-type: none"> <li>• MOU</li> <li>• Standard Operating Procedures</li> </ul>	<p>No change to documents since last meeting on Thursday 11 November 2021.</p> <p><b>All attendees confirmed there were no issues with the documents.</b></p>

	<ul style="list-style-type: none"> <li>• <b>Code of Practice</b></li> </ul>	
5	<p><b>VicPol Operational Matters and ongoing success of CCTV Program</b></p>	<ul style="list-style-type: none"> <li>• Roland Lawrence advised there were a couple of technical issues with two particular cameras.</li> </ul> <p><b>Action: Roland Lawrence to confirm which cameras experienced the technical issues and send the locations to Peter McArdle to report to CCTV maintenance contractor.</b></p> <ul style="list-style-type: none"> <li>• Jason Dance confirmed that overall the Police were very happy with the service from the CCTV contractor.</li> <li>• Roland Lawrence explained the times CCTV had been successful and used for identification of offenders who were observed of kicking shops in the street or involved in the threatening of staff. Noted that because of the CCTV it had saved hundreds of hours of investigative work in certain cases.</li> </ul> <p><i>Confidential statistics relating to specific incidents presented by Warrnambool Police however censored for minutes publication.</i></p> <ul style="list-style-type: none"> <li>• Cr Arnott questioned if the CCTV was used for accidents? <ul style="list-style-type: none"> <li>- Jason Dance responded that the footage was mainly used for crimes associated with persons.</li> <li>- Roland Lawrence advised that the footage would be used in car crashes if they were a hit and run or involved injury or fatality.</li> </ul> </li> <li>• Roland Lawrence explained an incident where an assault occurred and the cameras were used to provide a description of what the offender looked like and led to an arrest in a few hours.</li> <li>• Roland Lawrence advised it also saved time and resources for issues that do not necessarily require a police presence. Noted it was used when a car was blocking an access point and from the CCTV the police were able to obtain the registration number and notified the owner to move the vehicle.</li> <li>• David Leahy questioned how the footage was at the breakwater? <ul style="list-style-type: none"> <li>- Roland Lawrence responded that the current footage did not cover to the end of the breakwater.</li> <li>- David Leahy advised that there was a camera located at the breakwater which was used by Better Boating Victoria to provide a time-lapse of the conditions for Port Users. Suggested this camera could also be used for other purposes.</li> </ul> </li> <li>• Peter McArdle asked for a copy of the data statistics read out by Roland Lawrence?</li> </ul>

		<ul style="list-style-type: none"> <li>- Jason Dance responded that the Police were able to provide most data to the Council, however advised it was not for public release.</li> </ul> <p><b>Action: Warrnambool Police to provide Warrnambool City Council with CCTV data statistics (not for public release).</b></p>
6	General Business	<p><b>Funding Application for Lava Street CCTV &amp; Lighting:</b></p> <ul style="list-style-type: none"> <li>• Peter McArdle advised that Warrnambool City Council had recently submitted an application for CCTV and lighting at two locations in Lava Street between Banyan and Kepler Street. Notification of funding application result will hopefully be received in June/ July 2022.</li> <li>• David Leahy questioned what the cost of CCTV was? <ul style="list-style-type: none"> <li>- Peter McArdle responded that the cost to install four cameras would be between \$40,000 - \$50,000.</li> </ul> </li> <li>• David Leahy explained that the Lava Street CCTV was part of a bigger project on Lava Street with a proposed better delineated bus stop and a public amenities.</li> <li>• Cr Paspaliaris advised there was also an issue with cars reversing from parks into the pedestrian crossing on Lava Street.</li> <li>• Peter McArdle explained that the Engineers had designed a re-configuration for the whole street.</li> <li>• Cr Arnott suggested the bus stop location on Lava Street was better than the previous location on Koroit Street.</li> </ul> <p><b>Other projects:</b></p> <ul style="list-style-type: none"> <li>• Peter McArdle explained that another project that had been impacted by the Covid pandemic was Levys Beach CCTV. Explained there had been a delay with the arrival of the pole.</li> <li>• Peter McArdle stated that they hoped the Levys Beach project would be finalised soon as a part of that project funding included another screen for the police station.</li> </ul> <p><b>General comments:</b></p> <ul style="list-style-type: none"> <li>• Jason Dance advised that every Tuesday morning he does two radio interviews with Coast FM and ABC radio. Suggested if there was anything that Warrnambool City Council was continually having issues with he was happy to promote the issue in the interview.</li> <li>• Jason Dance explained the broken windows theory that states if you go into a town where there is lots of little crime (broken windows etc) the lack of care shown from this leads to</li> </ul>

		<p>further crime. Advised that this was why it was important to fix the smaller issues when they arose.</p> <p><b>Future projects:</b></p> <ul style="list-style-type: none"> <li>• Peter McArdle explained that in the future would like to finalise the CBD grid with the Kepler and Lava Street intersection not yet covered by CCTV.</li> <li>• Peter McArdle advised that Council had received a letter regarding a request at the Harris Street reserve after an incident had occurred in the location.</li> <li>• Peter McArdle questioned whether the Police had progressed discussions on implementing camera viewing capabilities in the police vehicles? <ul style="list-style-type: none"> <li>- Jason Dance responded that this had not been progressed.</li> </ul> </li> <li>• Peter McArdle advised that all other projects were up and running and the Department of Justice milestone reports were complete.</li> <li>• Cr Arnott explained that she was very impressed with the overall CCTV system.</li> <li>• Cr Paspaliaris advised that she was very supportive of the funding application for Lava Street and viewed it as a high priority.</li> <li>• Jason Dance thanked Council for the support and the funding which ultimately makes the community safer.</li> <li>• David Leahy advised of upcoming works at the Breakwater and asked if the Police were able to keep an eye on the area during the works.</li> <li>• Peter McArdle expressed Council's gratitude to Jason Dance and Roland Lawrence for their incredible support and provision of data since becoming part of the committee.</li> </ul>
7	<b>Close of Meeting</b>	



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<b>Economic Development &amp; Tourism Advisory Committee (EDTAC)</b> <b>MINUTES</b>					
Date	11 <sup>th</sup> March 2022	Time	12.00pm – 1.30pm	Location	Committee Room 1
Committee Members Present	Cr. Debbie Arnott (Chair), Cr. Max Taylor, Leanne Williams, Martin Ellul, Penny Irons, Kate Lindsey, Paul Dillon				
Council Officers Present	Andrew Paton, Jin Kim				
No	What				Who
1.	<b>Welcome &amp; Introductions</b> <ul style="list-style-type: none"> <li>Chair Welcomed members.</li> </ul>				Chair
2.	<b>Apologies</b> <ul style="list-style-type: none"> <li>Nil</li> </ul>				Chair
3.	<b>Terms of Reference</b> <ul style="list-style-type: none"> <li>EDTAC noted the Terms of Reference to guide the governance and operations of the Advisory Committee.</li> </ul>				Chair
4.	<b>EDTAC Minutes 3<sup>rd</sup> December 2021</b> <b>Moved. Cr Taylor; Seconded. Penny Irons. Carried.</b>				Chair
5.	<b>Conflict Of Interest Declarations</b> <ul style="list-style-type: none"> <li>No conflicts of interest declared.</li> </ul>				Chair





Meeting Minutes

6.	<p><b>Street Art Promotions Project</b></p> <ul style="list-style-type: none"> <li>• Discussion by members on how the City's Street Art Trail might be enhanced in terms of promotion and co-ordination. Proposal raised to explore a "street art trail" app to provide a more comprehensive and appropriate interpretation. This could be extended to Thunder Point, Foreshore and others areas across the municipality.</li> <li>• Members were advised the website : <a href="http://www.warrnamboolstreetart.com/">http://www.warrnamboolstreetart.com/</a> is a useful starting point and is possibly in need of updating with further art installations now in place across the City since this website was created.</li> <li>• Action: Council officers to liaise internally with the Warrnambool Art Gallery and other stakeholders on the street art trail app concept and other ideas to enhance promotion and accessibility of our City's growing street art trail.</li> <li>• Action: Also explore inviting Warrnambool Art Gallery representations to future EDTAC meeting to discuss other ideas and proposals for street art in Warrnambool.</li> </ul>	All
7.	<p><b>Economic Development Work streams</b></p> <ul style="list-style-type: none"> <li>• Document tabled outlining a number areas of focus of the Economic Development Team through 2022-23. This areas covered themes such as Economic Leadership and collaboration; Liveability; Investment attraction; Business Support and International relations.</li> <li>• These strategic directions whilst in draft scoping stage will also inform the future directions of a new Economic Development Strategy which will commence in 2022/23.</li> <li>• Members noted the breadth of projects and the importance of industry engagement to inform this work.</li> <li>• Members to be updated on the progress of the development of the new strategy including opportunities to input and provide oversight of the development of the strategy.</li> </ul>	Jin Kim / Andrew Paton
8.	<p><b>Economic Data Update</b></p> <ul style="list-style-type: none"> <li>• Food and Fibre Great South Coast report tabled signifying the economic significance of the food and fibre sector in the region. Noted by members.</li> </ul>	Andrew Paton



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	<ul style="list-style-type: none"><li>Members also briefed on latest spending and transaction data across the City headlined by a strong result of total local spend for the 12 months ended December 2021 which was up 11% on the previous year.</li></ul>	
9.	<p><b>General Business:</b></p> <ul style="list-style-type: none"><li>Discussion by all members on acute skills shortages across the region.</li><li>Interest from members on listing jobs of the future and a further report on skill gaps to the EDTAC in future meetings. Suggestion noted to invite Deakin University Warrnambool campus representative, Beyond the Bell re, and SW TAFE rep to a future EDTAC meeting to better understand career pathways and how the EDTAC might assist.</li></ul>	All
10.	<p>Chair thanked members for their contributions. Meeting closed 1.45pm. Next Meeting; 13<sup>th</sup> May 2022.</p>	Chair

# South West Victorian Livestock Exchange Advisory Committee

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**MINUTES OF THE MEETING HELD ON FRIDAY 18 MARCH 2022 AT 2PM  
IN COUNCILLORS COMMITTEE ROOM, WARRNAMBOOL CIVIC CENTRE  
AND VIA ZOOM**

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**PRESENT COMMUNITY MEMBERS:** Rodney Boyle  
Dan Carey  
David Thompson  
Jim Doukas (via Zoom)  
Kieran Johnstone (Agents Observer)

Cr Vicki Jellie took the chair as Cr Ben Blain was Via Zoom with some connectivity issues.

**PRESENT COUNCIL MEMBERS:** Cr. Ben Blain, Chairperson (via Zoom)  
Cr. Vicki Jellie  
Peter Utri, Director Corporate Strategies  
David Harrington, Manager Financial Services  
Aaron Huttig, Manager Facilities & Projects  
Paul White, Service Manager SWVLX

## 1. APOLOGIES

Michael McCluskey.

## 2. CONFIRMATION OF MINUTES

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**MOVED:** Rodney Boyle  
**SECONDED:** Dan Carey

**That the record of the South West Victorian Livestock Exchange Advisory Committee meeting held on 19 November 2021 be confirmed.**

***CARRIED***

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Matters arising from the minutes.

Nil.

## 3. DECLARATION BY SPECIAL COMMITTEE MEMBERS AND OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA

Nil.

#### **4. SOUTH WEST VICTORIAN LIVESTOCK EXCHANGE MANAGER'S REPORT**

##### **4.1. SOUTH WEST VICTORIAN LIVESTOCK EXCHANGE MANAGER'S REPORT**

Paul White presented the report.

Items raised in the Managers Report included:

- Throughout
- Seasonal conditions and forecasts
- Social value of saleyards
- Price comparisons
- Value of stock
- Value of stock throughput
- Stocklive online bidding platform
- Agrinuous Software Proposal
- Contract Weighing Proposal
- Escaping stock Controls
- Virtual Worksafe Investigation

Paul White outlined the year to date numbers ending 28 February 2022 were only slightly up on last year by just 1,661 adult cattle. Encouraging to be up on cattle numbers and we look forward to the next 4 months with optimism that we can claim back some of our numbers.

Store sale numbers have also been going along quite nicely with some big sales toward the back end of 2021 and the annual weaner and female sale numbers were better than last year.

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**MOVED: David Thompson**  
**SECONDED: Rodney Boyle**

**That the Managers Report be accepted.**

***CARRIED***

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#### **5. FINANCIAL REPORT**

##### **5.1. FINANCIAL REPORT**

This financial report sets out the actual revenue and expenditure financial results for the 8 months ended 28 February 2022 Compared to budget.

A re-forecast was completed in February which recognised the lower throughput in cattle and restored the original assumptions around the stock agent fees model. As a result income is in line with forecast expectations with lower throughput in prime cattle being offset by increases in store cattle and increased usage at the truck wash.

Expenditure is slightly higher than the forecast to date with additional maintenance related to rectification works.

The saleyards capital works contains the walkway rectification works which are currently under way with a commitment spend of \$306,046.

The major improvement works are budgeted at \$2.4m with the specifications for the project out to tender currently.

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**MOVED: Dan Carey**  
**SECONDED: Jim Doukas (via Zoom)**

**That the Financial Report be accepted.**

***CARRIED***

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## **6. CAPITAL WORKS**

### **6.1. CAPITAL WORKS**

Aaron Huttig, Manager Facilities & Projects provided a verbal update.

Design and construction has been approved for the replacement of buyer walkways and should commence in the next 2 to 3 weeks. There has been some hold ups with Materials to construct this issue has now been resolved.

Tenders for the roofing have been released and close on 22 April 2022. Once tenders have been received the procurement process will commence and should be ready to approve and award the contract at the June Council meeting.

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**MOVED: David Thompson**  
**SECONDED: Dan Carey**

**That the Capital Works Report be accepted.**

***CARRIED***

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## **7. SOUTH WEST VICTORIAN LIVESTOCK EXCHANGE ACTION RECORD**

### **7.1. SOUTH WEST VICTORIAN LIVESTOCK EXCHANGE ACTION RECORD – MARCH 2022**

Item to add: Tender contract has gone out to market.

Item to remove: Effluent dump is complete.

**MOVED: David Thompson**  
**SECONDED: Dan Carey**

**That the Action Record be received.**

***CARRIED***

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## **8. WH&S UPDATE**

### **8.1. WH&S UPDATE**

#### **Report from Worksafe**

Paul White presented the report.

A virtual investigation was completed by Paul McCoy from Worksafe on the presence of a wild bull at SWVLX.

The situation was handled extremely well throughout the whole process from farm pick up until loading out of SWVLX. Well done to all concerned for communication down the line.

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**MOVED: Rodney Boyle**

**SECONDED: Dan Carey**

**That the Worksafe Report be received.**

***CARRIED***

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## **9. GENERAL BUSINESS**

Rodney Boyle presented a number of operational issues.

- Can staff washing close gates?
- Additional speakers under roofed area.
- Sign to tell of what stage we are up to and also what is happening.
- Importance of branding wild cattle on the head.
- Washing behind load out races after store sale.
- Lights installed on new roof to point out over D pens.

Paul to discussion with Communications Manager about erecting a sign containing some detail of where each project is up to.

Lights and speakers will be quoted.

## **11. NEXT MEETING**

2pm, Friday 22 July 2022.

## **12. CLOSE OF MEETING**

3.05pm.

**Chairperson**

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## **7.5. INFORMAL MEETINGS OF COUNCIL REPORTS**

### **PURPOSE**

*The purpose of this report is to provide Council with copies of Informal Meetings of Council (previously known as “Assembly of Councillor Records”) as previously required under section 80A(2) of the Local Government Act 1989.*

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### **BACKGROUND INFORMATION**

Section 80A(2) of the Local Government Act 1989 required the record of an Assembly of Councillors to be reported at an ordinary Council meeting.

Assembly of Councillor Records are no longer a requirement in the Local Government Act 2020 as of 24 October 2020. However, under Council’s Governance Rules, a summary of the matters discussed at the meeting are required to be tabled at the next convenient Council meeting and recorded in the minutes of that Council meeting.

### **REPORT**

The record of the following Informal Meetings of Council are enclosed:-

- Tuesday 15 March 2022 – refer **Attachment 1**.
- Monday 21 March 2022 – refer **Attachment 2**.
- Monday 28 March 2022 – refer **Attachment 3**.

### **ATTACHMENTS**

1. Assembly of Councillors Record 15 March 2022 [**7.5.1** - 1 page]
2. Assembly of Councillors Record 21 March 2022 [**7.5.2** - 1 page]
3. Assembly of Councillors Record 28 March 2022 [**7.5.3** - 2 pages]

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR RICHARD ZIEGELER**

**That the records of the Informal Meetings of Council held on 15, 21 and 28 March 2022 be received.**

**CARRIED - 7:0**

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Informal Meeting of Council Record	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	15 March 2022
<b>Time Meeting Commenced:</b>	3.29pm
<b>Councillors in Attendance:</b>	Cr. R. Ziegeler, Mayor/Chairman Cr. D. Arnott Cr. O. Akoch Cr. B. Blain Cr. V. Jellie, AM Cr. A. Paspaliaris (arrived at 5:21pm)
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Jodie McNamara, Acting Director Community Development (Zoom) Julie Anderson, Manager Governance, Property, Projects & Legal Ashish Sitoula, Manager Strategic Community Planning (left meeting at 4:22pm. Returned to the meeting 4:58pm – 5:11pm) Alison Kemp, Manager Recreation and Culture (4:10pm – 4:41pm)
<b>Other persons present:</b>	Daybreak Rotary Club – Glenn Rundell & Ian Harper Homelessness Community Steering Committee – Brian Callaghan & Bill Phillpot
<b>Apologies</b>	Cr. M. Taylor
<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>Warrnambool Rotary Clubs – Homelessness Proposal (3:30pm – 4:10pm)</li> <li>Warrnambool Rotary Clubs – Homelessness Discussion (4:10pm – 4:22pm)</li> <li>Sporting Reserve Signage Policy (4:23pm – 4:39pm)</li> <li>Reid Oval Drainage (4:40pm – 4:41pm)</li> <li>Priority Projects List (4:42pm – 4:57pm)</li> <li>McGennans Public Amenities – Timeframe update (4:58pm – 5:02pm)</li> <li>Community Engagement – Budget &amp; Council Plan (5:02pm – 5:11pm)</li> </ul>
<b>Other Matters Considered</b>	<ul style="list-style-type: none"> <li>Morriss Road Tree Planting.</li> <li>Councillor Allowances – additional information</li> <li>Advocacy Trip to Spring Street.</li> <li>Media notifications to Councillors</li> <li>Tree planting policy</li> <li>Ward Street signage</li> </ul>
<b>Councillor Conflicts of interest Disclosures:</b> Nil.	
<b>Councillor /officer Name</b>	
<ul style="list-style-type: none"> <li>Nil</li> </ul>	
<b>Meeting close time:</b>	5:46pm
<b>Record Completed by:</b>	Julie Anderson Manager Governance, Property, Projects & Legal



Informal Meeting of Council Record	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	21 March 2022
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. D. Arnott, Chair Cr. O. Akoch Cr. B. Blain arrived 4:38pm Cr. V. Jellie, AM Cr. A. Paspaliaris
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Jodie McNamara, Acting Director Community Development Ashish Sitoula, Manager Strategic Community Planning David Harrington Manager Finance
<b>Other persons present:</b>	Natalie Collard, Executive Officer, Great South Coast Food & Fibre
<b>Apologies</b>	Cr. M. Taylor Cr. R. Ziegeler
<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>Great South Coast Food &amp; Fibre Update</li> <li>Placescore Liveability Survey</li> <li>Mayoral Diary</li> <li>2022-2023 Budget</li> </ul>
<b>Other Matters Considered</b>	<ul style="list-style-type: none"> <li>Lava Street Norfolk Hibiscus resident issue to be referred to customer request system</li> <li>Future presentation of City Events and Economic Development update</li> <li>Reconciliation of Small Infrastructure fund Projects for future briefing</li> </ul>
<b>Councillor Conflicts of interest Disclosures:</b>	
<b>Councillor /officer Name</b>	
<b>Meeting close time:</b>	6:20pm
<b>Record Completed by:</b>	Peter Utri Director Corporate Strategies

Informal Meeting of Council Record	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	28 March 2022
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. D. Arnott, Chair Cr. V. Jellie, AM Cr. A. Paspaliaris – entered the meeting at 3:14pm Cr. M. Taylor Cr. R. Ziegeler Cr. B. Blain (Zoom)
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Jodie McNamara, Acting Director Community Development Julie Anderson, Manager Governance, Property, Projects & Legal Luke Coughlan, Manager City Strategy and Development (3:54pm – 4:04pm) Paul Wickson, Coordinator Building Strategy & Services (4:05pm – 4:13pm) Sue Ryan, Manager Capacity Access & Inclusion (4:29pm – 4:47pm) Ashish Sitoula, Manager Strategic Community Planning (4:38pm – 5:07pm) David Harrington, Manager Finance (4:53pm – 6:51) Sally Conheady & Valerie Attrill, Coordinator Revenue and Rates (5:15pm – 6:11pm)
<b>Other persons present:</b>	Gareth Hatelly, Executive Officer, Key Worker Housing. (3:00pm – 3:28pm) Bruno Maluto, Shared ICT Strategy, Votar Partners (3:31pm – 3:54pm) Tim Gleeson, Preston Rowe Paterson (5:15pm – 5:43pm) Barrie Walder, Valuer General (5:15pm – 5:43pm)
<b>Apologies</b>	Cr. O. Akoch
<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>• Key Worker Housing Action Plan (3:00pm - 3:28pm)</li> <li>• Shared ICT Strategy (3:28pm – 3:30pm (paused) 3:35pm – 3:54pm)</li> <li>• Advisory Committees and Reference Group Reports (3:31pm – 3:35pm)</li> <li>• Planning Application for a convenience Restaurant (KFC) PP2021-0197 (3:54pm – 4:02pm)</li> <li>• Tender Award – Security Services - CONFIDENTIAL (4:05pm – 4:13pm)</li> <li>• State Government COVID Safe Outdoor Activation Fund (4:13pm – 4:17pm)</li> <li>• Proposed Car Park – Kepler Street (4:17pm – 4:23pm)</li> <li>• Draft Volunteer Strategy (4:29pm – 4:47pm)</li> <li>• Crisis Housing Proposal and Options (4:47pm – 5:07pm)</li> <li>• Council Plan (5:07pm – 5:10pm)</li> <li>• February Monthly Finance Report (5:11pm – 5:15pm)</li> <li>• Property Valuations (5:28pm – 6:11pm)</li> </ul>

	<ul style="list-style-type: none"> <li>2022-2023 Budget (6:11pm – 6:51pm)</li> </ul>
<b>Other Matters Considered</b>	<p>(5:15pm – 5:28pm) Employment – Indigenous Officer</p> <p>Disability Access – Pavilion Opening of Reid Oval and Renaming of Stand Lookout Rehabilitation Project Presentation New Library Walkthrough Advocacy – Shovel Ready Projects Spring Street Visit Community Gardens Tour proposal</p>
<p><b>Councillor Conflicts of interest Disclosures:</b> Cr Richard Ziegeler – Item: Valuations – discussion regarding AirBNBs rating system as Cr Ziegeler owns a property that is rented as an AirBNB – left meeting 5:54pm, returned to the meeting at 6:11pm</p>	
<b>Councillor /officer Name</b>	
<b>Meeting close time:</b>	6:51pm
<b>Record Completed by:</b>	Julie Anderson Manager Governance, Property, Projects & Legal.

## **7.6. MAYORAL & CHIEF EXECUTIVE OFFICER COUNCIL ACTIVITIES - SUMMARY REPORT**

### **PURPOSE**

***This report summarises Mayoral and Chief Executive Officer Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.***

### **REPORT**

<b>Date</b>	<b>Location</b>	<b>Function</b>
1 March 2022	Warrnambool	Mayor & Chief Executive Officer – Roma Britnell MP – Warrnambool Advocacy Plan discussion.
11 March 2022	Warrnambool	Mayor & Chief Executive Officer – Officially opened the 2022 Victorian Senior State Surf Life Saving Championships hosted by Warrnambool.
17 March 2022	Warrnambool	Chief Executive Officer – South West TAFE Graduation and Awards Ceremony.
25 March 2022	Warrnambool	Deputy Mayor & Chief Executive Officer – TAB Warrnambool May Racing Carnival Launch.
29 March 2022	Warrnambool	Deputy Mayor & Chief Executive Officer – dKin Difference – Warrnambool event to acknowledge community members and organisations.

**MOVED: CR OTHA AKOCH**

**SECONDED: CR ANGIE PASPALIARIS**

**That the Mayoral & Chief Executive Officer Council Activities – Summary Report be received.**

**CARRIED - 7:0**

## **8. NOTICE OF MOTION**

Nil

## **9. GENERAL BUSINESS**

### **9.1 CR TAYLOR**

There has been brought to my notice that the two domes that are situated down at the breakwater just appear there with no signage nobody knows anything about them and a lot of visitors frequent the breakwater and they're intrigued by these two domes that exist on the ocean side of the breakwater and say what do they represent what are they doing there, can the Council investigate and may be some signage be erected close to the domes, give a brief history that they were formerly to show fish and so the tourists will have some idea what these domes of the breakwater represent

The CEO advised that the officers will have a look at that suggestion, I'm very familiar with some new qr code technology that's out that actually will enhance that if we are able to do it, we will look into that and come back to Council on that.



## **9.2 CR. ZIEGELER**

It's been brought to my attention that the very attractive and extensive signage on the eastern entrance to the town on the highway has no lighting and it would seem to me in agreement with the resident that brought it to my attention that we could enhance the signage with some relatively cheap solar addition just to dress that up a bit for night time and I would like to suggest that we perhaps investigate the costs and how much work it would take to put some sort of lighting for the signage out there.

The CEO advised that happy to have a look at that we will bring some information back to Councillors.

## **9.3 CR TAYLOR**

It has been brought to my notice by the concerned community residents that bicycles on the promenade speeding from point a to point b are becoming a danger to pedestrians on the promenade and I've just come back from a holiday up at Mooloolaba and I inspected their promenade and at the beginning of one section of their promenade they have very clearly signs displayed bicycle riders please dismount, so for a section of their promenade at Mooloolaba bicycle riders have to dismount and wheel their bicycles a certain distance and then they can continue their rides so I would to see some signage on our promenade in the near future to discourage bicycle riders getting from point a to point b in the fastest time possible and becoming a danger to pedestrians on the promenade.

The CEO advised that the promenade is a dual use oath and is my understand and we do encourage the cyclists, we have had a bit of a blitz in the past were we have reported that and had our local laws officers speak to them and perhaps we can find some further information out on that and bring it back to council for a future meeting.

## **9.4 CR AKOCH**

I just want to mention something I was involved in from Warrnambool here, I supported somebody walking from Victoria Parliament all the way to Canberra and Sydney to raise awareness of mental health that is happening among the youth especially the multicultural youth. I went to support him alone from Goulburn to Sydney because this was the last journey for him. It took him 23 days walking. The reason I am saying this because actually when we met the Assistant Minister to the Prime Minister for Mental Health he introduced me to the Minister as a Councillor from Warrnambool and he talked about also MP Dan Tehan that he's meeting him next week in Ballarat so he mentioned Warrnambool as having a role in supporting the initiative to walk all the way to Sydney to meet the Minister and when we came back to Victoria we had a dinner organised by the Door of Hope Australia to launch that foundation of his son because actually he lost his son to mental health issues last year, he's a basketball player in USA, he's 23 years old, took his life so his dad decided to raise awareness and to do that he walked all the way from Victoria to Canberra so I supported him and Warrnambool has been highlighted also in that dinner where there is some officials from Victorian Government, that was Saturday 2 April.

## **10. URGENT BUSINESS**

Nil.

## **11. CLOSE OF MEETING**

The meeting closed at 6.50pm.

**CHAIRMAN**