

# MINUTES

**ORDINARY MEETING**

**WARRNAMBOOL CITY COUNCIL**

**5.45PM - MONDAY 6 NOVEMBER 2017**

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**VENUE:**

**Reception Room  
25 Liebig Street  
Warrnambool**

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**COUNCILLORS**

Cr. Robert Anderson (Mayor)  
Cr. Sue Cassidy  
Cr. Kylie Gaston  
Cr. Tony Herbert  
Cr. Peter Hulin  
Cr. Michael Neoh  
Cr. David Owen

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

**Bruce Anson  
CHIEF EXECUTIVE**

## **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.

**ORDER OF BUSINESS**

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**MINUTES OF THE ORDINARY MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD IN THE  
RECEPTION ROOM, WARRNAMBOOL CIVIC CENTRE, 25 LIEBIG STREET, WARRNAMBOOL ON  
MONDAY 6 NOVEMBER 2017 COMMENCING AT 5.45PM**

**PRESENT:** Cr. Robert Anderson, Mayor/Chairman  
Cr. Sue Cassidy  
Cr. Kylie Gaston  
Cr. Tony Herbert  
Cr. Peter Hulin  
Cr. Michael Neoh  
Cr. David Owen

**IN ATTENDANCE:** Mr Bruce Anson, Chief Executive  
Mr David Harrington, Acting Director Corporate Strategies  
Mr Scott Cavanagh, Director City Infrastructure  
Ms. Vikki King, Director Community Development  
Mr Andrew Paton, Director City Growth  
Ms. Wendy Clark, Executive Assistant

**1. OPENING PRAYER**

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. NEOH**  
**SECONDED: CR. GASTON**

**That the Minutes of the Ordinary Meeting of Council held on 2 October 2017 and Annual (Statutory) Meeting of Council held on 30 October 2017 be confirmed.**

**CARRIED – 7:0**

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The Chief Executive advised that a request had been received from the Warrnambool Standard to audio record the meeting with Council agreeing to the request.

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

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended) direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), i.e.

- (a) direct financial interest
- (b) indirect interest by close association
- (c) indirect interest that is an indirect financial interest
- (d) indirect interest because of conflicting duties
- (e) indirect interest because of receipt of an applicable gift

- (f) indirect interest as a consequence of becoming an interested party
- (g) indirect interest as a result of impact on residential amenity
- (h) conflicting personal interest

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

<b>Cr. Herbert</b>	<b>Item 5.2- Toohey Estate Development Plan – (Toohey &amp; Marrakai Estates)</b>
<b>Nature of Disclosure</b>	Indirect interest
<b>Nature of Interest</b>	Business partners

<b>Cr. Herbert</b>	<b>Item 5.3 - Petition For Council – Second Entry/Exit For Amended Development Plan – Huntingfield, Verdon Street Warrnambool</b>
<b>Nature of Disclosure</b>	Indirect interest
<b>Nature of Interest</b>	Business partners

<b>Cr. Herbert</b>	<b>Item 5.4 - Status Report - Petition For Playground In Russell Creek Estate</b>
<b>Nature of Disclosure</b>	Indirect interest
<b>Nature of Interest</b>	Business partners

## 5. REPORTS

### 5.1 MONTHLY FINANCIAL REPORT – SEPTEMBER 2017

#### PURPOSE

***This report updates Council on the financial performance for the 3 months ended 30 September 2017.***

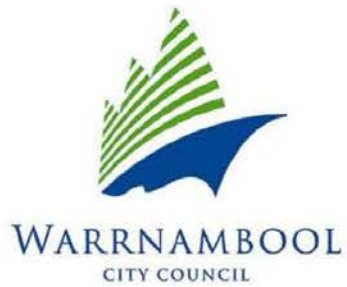
#### EXECUTIVE SUMMARY

- This Finance Report compares actual financial results budget for the 3 months from 1 July 2017 to 30 September 2017 – refer **Appendix A**.
- The report sets out financial results for Councils recurrent (day to day operations) Projects, Capital Works, Rates and Loan activities.
- Year to date budgets are profiled to reflect the timing of cash inflows and outflows.
- Overall the 3 month actual results indicate an unfavourable financial position of \$56,000 when compared to the YTD Budget.

**MOVED: CR. HULIN**  
**SECONDED: CR. NEOH**

**That the report be received.**

**CARRIED – 7:0**



# Monthly Financial Report

## September 2017

**Monthly Financial Report**

September 2017

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**Monthly Financial Report**

September 2017

**I. Executive Summary**

The monthly report is designed to illustrate the financial performance and position of Warrnambool City Council compared to its adopted and revised seasonalised budget for the period ending 30 September 2017.

The below summary compares Net Results (Revenue less Expenditure) for both Recurrent and Capital Works Budgets.

The 3 months actual results indicate an unfavourable financial position to budget of \$56k.

Key Financial Results	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	YTD Variance	
					\$'000	
Rates	35,460	35,460	35,385	35,711	326	▲
Recurrent	(22,462)	(24,255)	(7,591)	(7,762)	(171)	▼
Operational Project	(580)	(2,108)	(383)	(443)	(60)	▼
Capital Works	(11,952)	(13,630)	(8,997)	(9,144)	(147)	▼
Loans	(431)	(12)	(442)	(447)	(5)	▼
Surplus / (Deficit)	0	4,581	833	833	0	■
Total	36	36	18,805	18,749	(56)	▼

## Monthly Financial Report

September 2017

## 2. Statement of Comprehensive Income

	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	Variance		
					\$'000	%	
<b>Revenue</b>							
Rates and Charges	35,460	35,460	35,385	35,711	326	0.9%	▲
Statutory Fees and Fines	1,421	1,421	283	337	55	19.3%	▲
User Fees	16,022	16,042	3,420	3,306	(114)	(3.3%)	▼
Recurrent Grants	12,983	11,756	2,837	2,842	5	0.2%	▲
Non-Recurrent Grants	4,330	6,472	70	70	0	0.0%	▲
Contributions - Cash	924	3,540	259	215	44	16.9%	▲
Contributions - Non Cash	4,000	4,000	0	0	0	0.0%	▼
Other Income	350	310	84	95	11	13.7%	▲
Interest Income	375	375	86	76	(10)	(12.1%)	▼
<b>Revenue Total</b>	<b>75,865</b>	<b>79,376</b>	<b>42,424</b>	<b>42,653</b>	<b>317</b>	<b>0.7%</b>	<b>▲</b>
<b>Expenses</b>							
Employee Benefits	31,732	31,928	7,752	7,762	(10)	(0.1%)	▼
Materials and Services	21,897	24,063	6,976	7,016	(40)	(0.6%)	▼
Bad and Doubtful Debts	77	77	10	41	(30)	(293.0%)	▼
Finance Costs	461	388	108	107	1	0.6%	▲
Other Expenses	839	839	181	176	5	2.8%	▲
Depreciation	10,500	10,500	0	5	(5)	0.0%	▼
Net loss / (gain) on asset disposal	1,147	1,147	(13)	(32)	19	26.8%	▲
<b>Expenses Total</b>	<b>66,652</b>	<b>68,941</b>	<b>15,014</b>	<b>15,075</b>	<b>(60)</b>	<b>(0.4%)</b>	<b>▼</b>
<b>Net Surplus / (Deficit)</b>	<b>9,213</b>	<b>10,435</b>	<b>27,410</b>	<b>27,579</b>	<b>169</b>	<b>0.6%</b>	<b>▲</b>
<b>Other Comprehensive Income</b>							
Net asset revaluation	10,000	10,000	0	0	0	0.0%	▲
<b>Total Comprehensive Income</b>	<b>19,213</b>	<b>20,435</b>	<b>27,410</b>	<b>27,579</b>	<b>169</b>	<b>0.6%</b>	<b>▲</b>
<b>Net Underlying Surplus / (Deficit)</b>	<b>5,213</b>	<b>6,435</b>	<b>27,410</b>	<b>27,579</b>	<b>169</b>	<b>0.6%</b>	<b>▲</b>

## Monthly Financial Report

September 2017

## 3. Balance Sheet

	2017/18 Opening Balance \$'000	Movement \$'000	YTD Closing Balance \$'000
<b>Current Assets</b>			
Cash & Cash Equivalents	1,564	2,587	4,151
Investments	12,000	(6,000)	6,000
Trade and Other Receivables	4,259	28,882	33,141
Other Assets	918	(70)	847
<b>Current Assets Total</b>	<b>18,741</b>	<b>25,398</b>	<b>44,139</b>
<b>Non-Current Assets</b>			
Trade and Other Receivables	87	0	87
Investments in associates	552	0	552
Property Plant & Equipments	667,094	3,423	670,517
<b>Non-Current Assets Total</b>	<b>667,733</b>	<b>3,423</b>	<b>671,156</b>
<b>Total Assets</b>	<b>686,473</b>	<b>28,821</b>	<b>715,295</b>
<b>Current Liabilities</b>			
Trade and Other Payables	4,391	416	4,805
Trust Funds and Deposits	647	(25)	622
Provisions	6,126	0	6,126
Interest-bearing Loans and Borrowings	1,835	(447)	1,388
<b>Current Liabilities Total</b>	<b>12,998</b>	<b>(56)</b>	<b>12,940</b>
<b>Non-Current Liabilities</b>			
Provisions	1,371	0	1,371
Interest-bearing Loans and Borrowings	6,079	0	6,079
<b>Non-Current Liabilities Total</b>	<b>7,450</b>	<b>0</b>	<b>7,450</b>
<b>Total Liabilities</b>	<b>20,448</b>	<b>(56)</b>	<b>20,390</b>
<b>Net Assets</b>	<b>666,025</b>	<b>28,878</b>	<b>694,904</b>
<b>Equity</b>			
Accumulated Surplus	212,930	28,877	241,809
Reserves	453,095	0	453,095
<b>Total Equity</b>	<b>666,025</b>	<b>28,877</b>	<b>694,904</b>

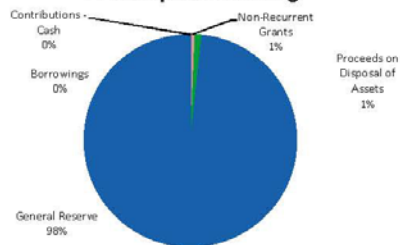
## Monthly Financial Report

September 2017

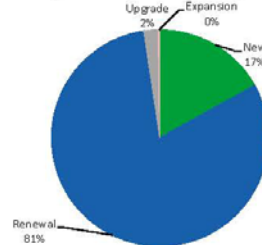
## 4. Capital Expenditure and Funding

	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	Variance \$'000	
<b>Expenditure</b>						
New	1,713	4,367	1,474	1,570	(96)	▼
Renewal	14,924	18,229	7,468	7,509	(41)	▼
Upgrade	452	701	182	204	(21)	▼
Expansion	47	72	19	21	(2)	▼
<b>Capital Expenditure</b>	<b>17,136</b>	<b>23,369</b>	<b>9,143</b>	<b>9,304</b>	<b>(160)</b>	▼
<b>Funding</b>						
Contributions - Cash	328	2,748	5	0	(5)	▼
Non-Recurrent Grants	4,330	6,465	70	69	(1)	▼
Proceeds on Disposal of Assets	526	526	71	90	19	▲
Borrowings	2,700	1,500	0	0	0	▬
General Reserve	9,252	12,130	8,997	9,144	(147)	▼
<b>Capital Funding</b>	<b>17,136</b>	<b>23,369</b>	<b>9,143</b>	<b>9,304</b>	<b>(160)</b>	▼

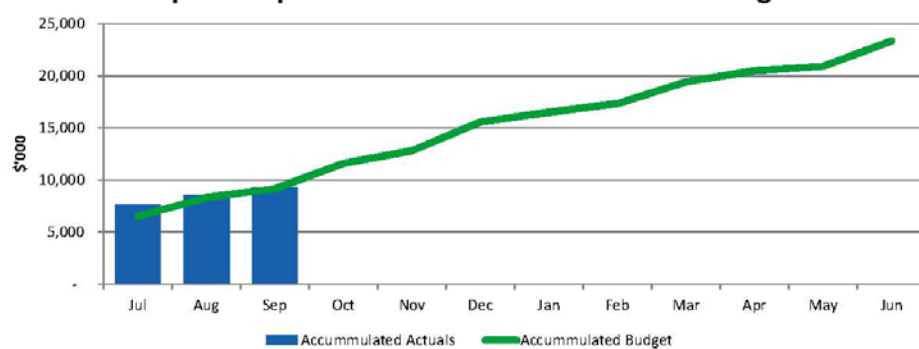
YTD Capital Funding



YTD Capital Expenditure by Category



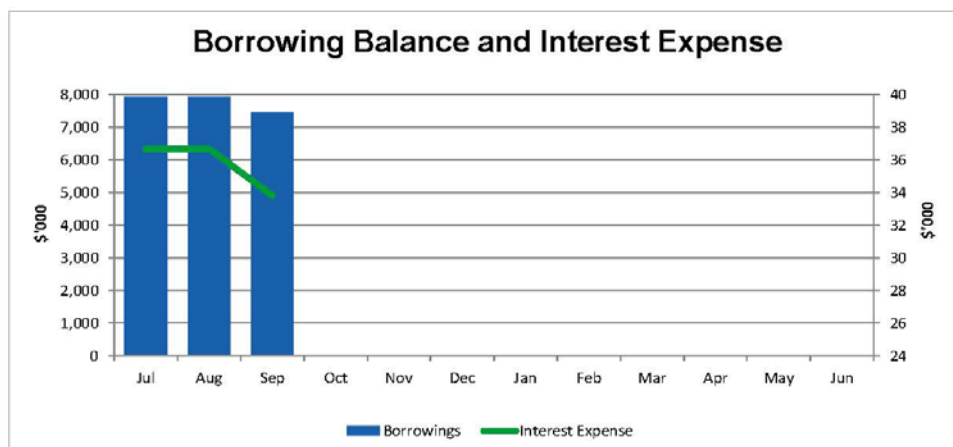
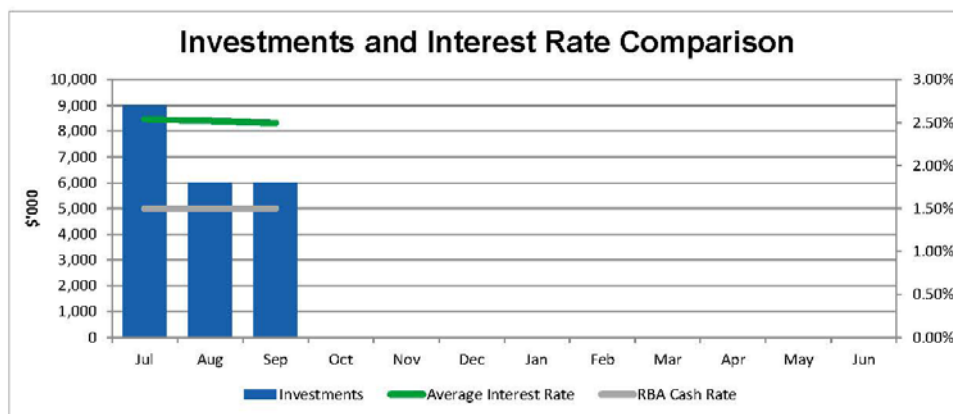
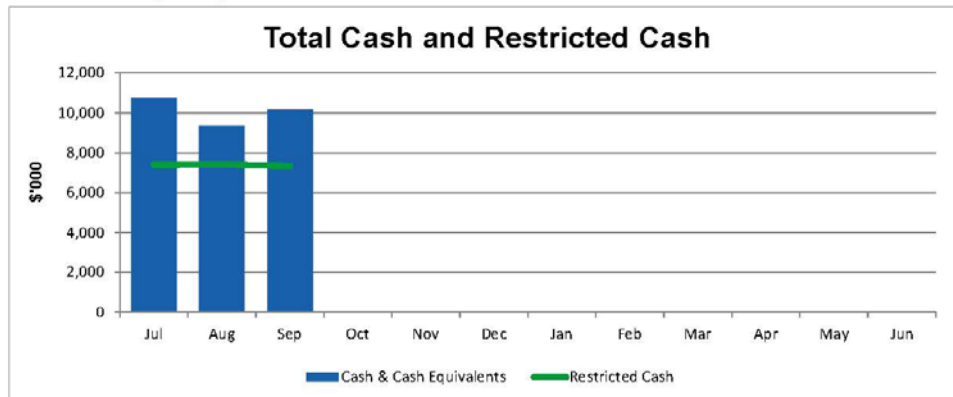
Capital Expenditure Actuals vs Revised Budget



## Monthly Financial Report

September 2017

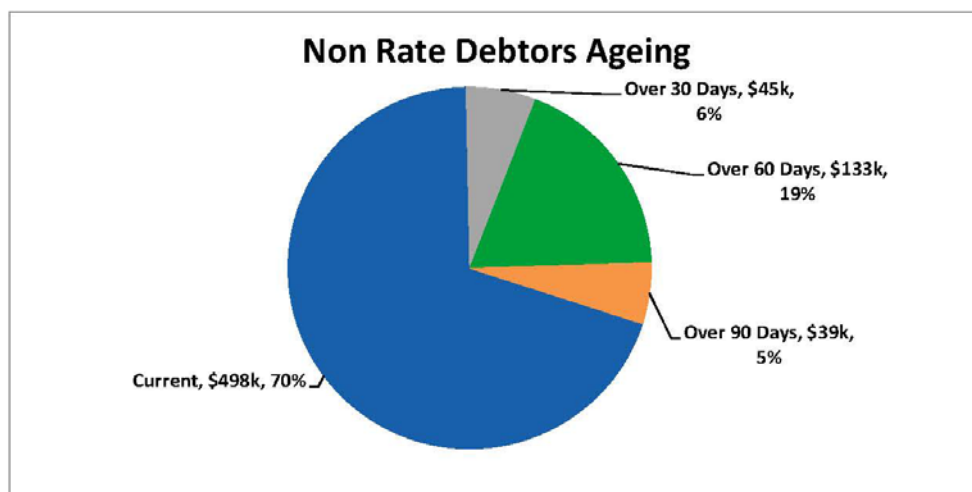
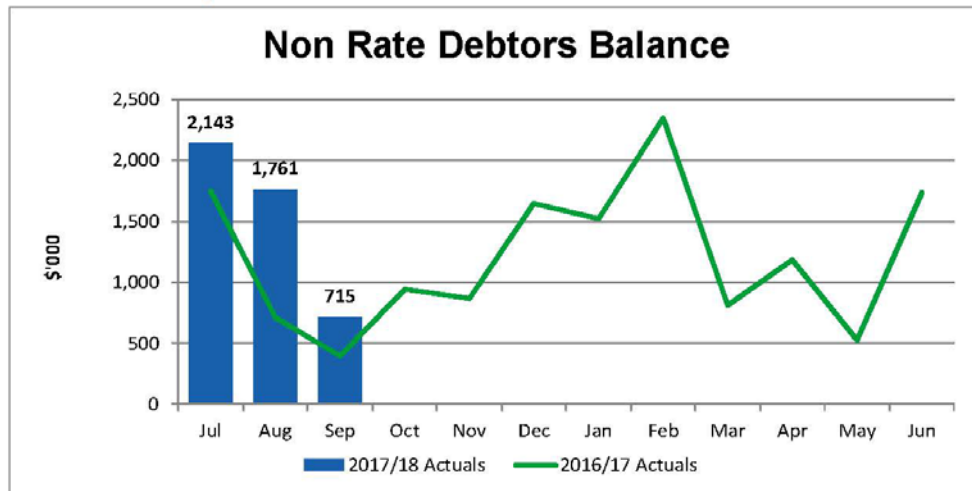
## 5. Treasury Report



## Monthly Financial Report

September 2017

## 6. Debtors Report



## Monthly Financial Report

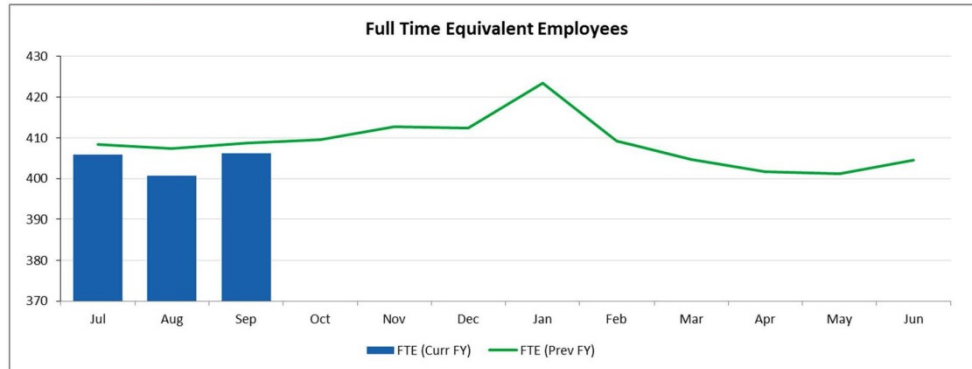
September 2017

## 7. Budget Variations

Item	Ledger No.	Variation Status	Budget Variation \$	Cumulative Total \$
Adopted Budget Surplus				35,704
Rollovers - Net		MEG	(4,580,812)	(4,545,108)
Cash Surplus Bought Forward		MEG	4,580,812	35,704
Litter Innovation Project Revenue	522500-1856		(20,000)	15,704
Litter Innovation Project Expenditure	522500-1856		20,000	35,704
Lyndoch-WCC Food Innovation Project Revenue	540000-1863		(19,500)	16,204
Lyndoch-WCC Food Innovation Project Expenditure	540000-1863		19,500	35,704
Roads to Recovery Funding Revenue	622600-2029		(316,382)	(280,678)
Roads to Recovery Funding Expenditure	622600-2029		316,382	35,704
Volunteer Services Grant	306500-1807		(42,500)	(6,796)
Volunteer Services Expenditure	306500-1807		42,500	35,704
Rural Access Passport to Employment Project Revenue	532000-3151		(20,000)	15,704
Rural Access Passport to Employment Project Expenditure	532000-3151		20,000	35,704
Great South Coast Project Revenue	510000-3001		(100,000)	(64,296)
Great South Coast Project Expenditure	510000-3001		100,000	35,704
Integrated Family Services Program Revenue	319000-1421		(142,724)	(107,020)
Integrated Family Services Program Expenditure	319000-1421		142,724	35,704
CBD Drainage Lava Street (Est. 50-100k)	614000-2010		(75,000)	(39,296)
CBD Drainage Lava Street (Est. 50-100k)	623400-2215		75,000	35,704
Regional Development Project Revenue	531750-3152		(172,550)	(136,846)
Regional Development Project Expenditure	531750-3152		172,550	35,704
Indigenous Language Program Revenue	533500-3133		(10,000)	25,704
Indigenous Language Program Expenditure	533500-3133		10,000	35,704
Graffiti Prevention and Removal Program Revenue	540000-3094		(20,000)	15,704
Graffiti Prevention and Removal Program Expenditure	540000-3094		20,000	35,704
Revised Budget Surplus				35,704

**Monthly Financial Report**

September 2017

**8. FTE Report****YTD Headcount by Directorate**

Directorate	Employee Type				Grand Total 12 mths Ago
	Full Time	Part Time	Casual	Grand Total	
Community Development	55	181	80	316	328
City Infrastructure	90	49	17	156	155
City Growth	32	31	10	73	72
Corporate Strategies	30	28	1	59	58
Executive	4	1	0	5	4
<b>TOTAL</b>	<b>211</b>	<b>290</b>	<b>108</b>	<b>609</b>	<b>617</b>

## **5.2 TOOHEY ESTATE DEVELOPMENT PLAN – (TOOHEY & MARRAKAI ESTATES)**

*Cr. Herbert declared an interest and left the meeting at 5.49pm.*

### **PURPOSE**

*This report considers an amendment to the Toohey and Marrakai Estates Development Plan and recommends that the amendment to the Development Plan be endorsed.*

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### **EXECUTIVE SUMMARY**

- A proposal to amend the Development Plan for the Toohey and Marrakai Estates has been received from Urbanomics.
- The Toohey and Marrakai Estates Development Plan was originally approved by Council in 2009 with an amendment to the area identified as 'neighbourhood precinct' approved by Council in December 2016.
- This amendment to the Development Plan relates to two (2) Lots in the Tooheys' Plan of Subdivision.
- The amendment was exhibited for a two week period. No submissions have been received.
- The amendment to the Development Plan appropriately responds to the Development Plan Overlay (DPO7) requirements and is suitable for endorsement by Council.

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**MOVED: CR. HULIN**

**SECONDED: CR. CASSIDY**

**That Council endorse the amendment to the Toohey and Marrakai Estate Development Plan, in accordance with the requirements of Clause 43.04 (Schedule to DPO7) of the Warrnambool Planning Scheme.**

**CARRIED – 6:0**

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### **BACKGROUND**

The site is located in the North East Warrnambool Growth Area and the Development Plan Overlay Schedule 7 (DPO7) applies to the subject site, refer to **Appendix A**.

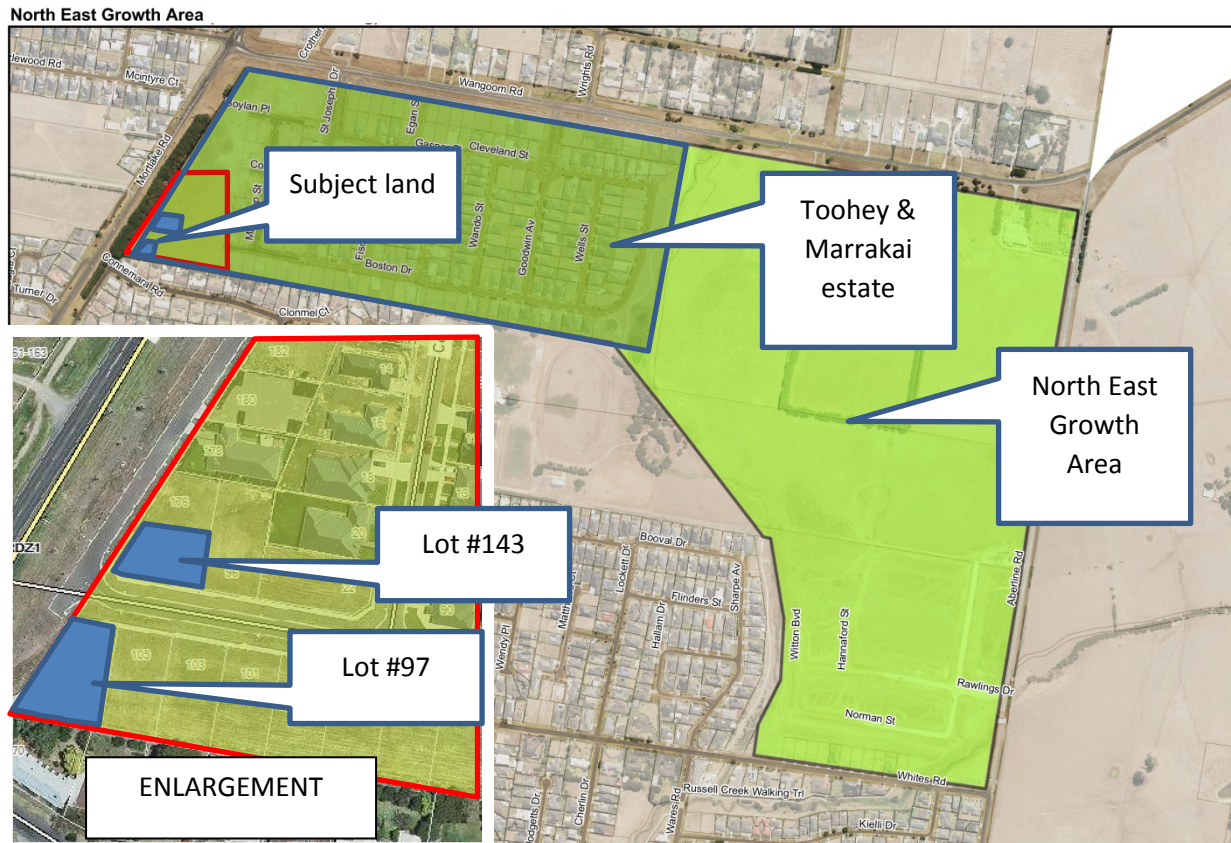
The Toohey and Marrakai Estate Development Plan was originally approved by Council in 2009.

An amendment was approved by Council in December 2016, and related to land on the corner of Wangoom and Mortlake Roads identified as a 'neighbourhood precinct'.

Refer to **Appendix B** for the current Toohey and Marrakai Estates Development Plan.

The site is currently being developed in accordance with the approved Development Plan and encompasses residential development.

**Figure 1** shows the extent of the 'North East Growth Area', the 'Toohey and Marrakai Estate' and the subject land (Lots #97 & #143)



**Figure 1.** North East Growth Area, site subject to the amended Development Plan.

## ISSUES

The amended Development Plan was submitted to Council on 4 September 2017 in accordance with the requirements of DPO7. Refer to **Appendix C** - Proposed Amendment to the Development Plan.

An amendment to the Development Plan was prompted by an inconsistency between the Development Plan and Covenant registered on title (Instrument AM436676G dated 23/12/2015).

At present the approved *Staging and Multi-development Plan* (at Attachment E of the Development Plan) identifies that in Stage 3, only three (3) lots are able to be developed with multiple units (Lots 139, 141 and 148).

The Covenant registered on the title to all Lots in Stage 3 and 4 (PS 641497N) however, states that Lots **97**, 139, 141, **143** and 148 may be used for multi-development. Lots 97 and 143 are not identified on the *Staging and Multi-development Plan*.

The amended Development Plan seeks to align the Development Plan with covenants on title and avoid confusion for future landowners in regard to the development potential of lots within the subdivision.

The proposed amendment to the approved development plan responds to the requirements of the DPO7. The following relevant requirements have been addressed:

- Identifies areas suitable for medium and higher density housing.

The amendment to the Development Plan complies with the provisions of the Development Plan Overlay Schedule 7.

## CONSULTATION/COMMUNICATION

The amendment to the Development Plan was advertised (non-statutory) for a two (2) week period between 16 September and again from 11 October 2017. No submissions have been received.

**FINANCIAL IMPACT**

Costs associated with the review and assessment of the Development Plan has been included in the 2017/2018 City Strategy and Development Budget.

**ENVIRONMENTAL/RISK IMPACT**

The Development Plan has been processed and assessed in accordance with the requirements of the Warrnambool Planning Scheme.

**APPENDIX A - DEVELOPMENT PLAN OVERLAY (DPO7)****43.04 DEVELOPMENT PLAN OVERLAY**01/07/2014  
VC116

Shown on the planning scheme map as **DPO** with a number.

**Purpose**

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if it is generally in accordance with a development plan.

**43.04-1 Requirement before a permit is granted**19/01/2006  
VC37

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

**43.04-2 Exemption from notice and review**21/09/2009  
VC60

An application under any provision of this scheme which is generally in accordance with the development plan is 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.

**43.04-3 Preparation of the development plan**01/07/2014  
VC116

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

*Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check the requirements of the zone which applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*

## WARRNAMBOOL PLANNING SCHEME

23/07/2009  
C58**SCHEDULE 7 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO7****NORTH EAST WARRNAMBOOL GROWTH AREA****1.0 Requirement before a permit is granted**23/07/2009  
C58

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- Subdivision of land to excise an existing dwelling from a lot provided no more than one (1) additional lot is created in the subdivision;
- Agriculture and any buildings and works in association with the use of the land for agricultural purposes;
- Minor building and works associated with an existing use or development.

**2.0 Conditions and requirements for permits**23/07/2009  
C58

An application for use, subdivision or to construct or carry out works (before a development plan has been approved) must be accompanied by a report demonstrating that the proposal will not prejudice the development plan requirements specified in this schedule.

**3.0 Requirements for development plan**23/07/2009  
C58

The North East Warrnambool Growth Area is divided into four Development Areas as shown in Map 1 to this schedule.

Development plans must be generally consistent with the *North East Warrnambool Structure Plan 2007* and must comprise and include the following to the satisfaction of the responsible authority:

Site Analysis Report and Plan that:

- Requirements applicable to Development Areas A, B, C & D
  - In relation to existing site conditions and features includes details on the topography of the land, the location of existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and any other features.
  - Provides a proposed development layout including roads, public open space and other features of subdivision in a manner which is responsive to the identified site features and demonstrates the integration of the development with existing infrastructure within the North East area including access, open space, retailing and schooling.
  - Provides adequate and usable public open space and demonstrate the suitability and accessibility of the provided open space to form part of the open space network.
  - Identifies the means by which any sites of conservation, heritage or archaeological significance will be managed during construction and following the development.
  - Identifies designated areas within the plan area proposed as potentially suitable for medium and higher density housing types based upon accessibility to transport, open space, services and other factors, as well as potential opportunities (if applicable) for areas suitable for non-car based development.
  - Identifies designated areas to be set aside for single dwelling development only.

## WARRNAMBOOL PLANNING SCHEME

- Provides for community interaction, safety and surveillance by the provision of housing to front streets and/or public open space in the development area.
- Designates a main north-south transport route along Aberline Road, Boiling Downs Road and Gateway Road. This route must align and provide for linkage to the connection to Raglan Parade (Princes Highway) at the Gateway Road intersection.
- Requirements applicable to Development Areas A, B & C
  - Provides linkage between the Merri River and the Russells Creek tributary open space corridors by demonstrating a network of pedestrian permeable access and open space networks through the development.
  - Mortlake Road, Aberline Road and Wangoom Road should be reinforced as major roads. Service roads should be provided to allow for appropriate integration of housing to streets and enhance safety.
- Requirements applicable to Development Areas B & C
  - Provides a 'public' linkage to the northern areas of Kings College to provide for a convenient northern access to the school, and to the proposed pedestrian linkage to Balmoral Road through the college.
  - Provision of dual purpose pedestrian and cycle paths on Aberline and Wangoom Road.
- Requirements applicable to Development Area C
  - New roads/streets intersecting Whites Road are discouraged.

An Open Space / Landscape Master Plan and accompanying documentation that:

- Requirements Applicable to Development Areas A, B, C & D
  - Identifies a preferred character or theme in relation to the proposed development area including general design treatments for streetscapes, roads and boulevards, and open space.
  - Designates by consideration of slope and accessibility, land suitable for open space provision within development areas, including prevention of direct private ownership and boundaries to watercourses.
  - Provides for detailed planting scheme including specification of species.
- Requirements Applicable to Development Areas B & C
  - Provides a direct open space linkage from the existing Russells Creek corridor south of Whites Road into the development areas.
  - Identifies landscape treatments to ensure urban development does not adversely impact surrounding rural uses.
- Requirements Applicable to Development Areas C & D
  - Provides a visual and environmental buffer to continued agricultural land use to the east of Aberline Road.

An Environmental Report that:

- Requirements applicable to Development Areas A, B, C & D
  - Identifies the approach to water sensitive urban design in relation to drainage, road and allotment layout design. A theme should be applied to the entire development and should be based upon best practice provisions of water quality and turbidity, coupled with achieving relatively efficient maintenance provisions.
  - Provides information on the biodiversity of the riparian corridor of any watercourses or existing and proposed open space corridors in the development area.

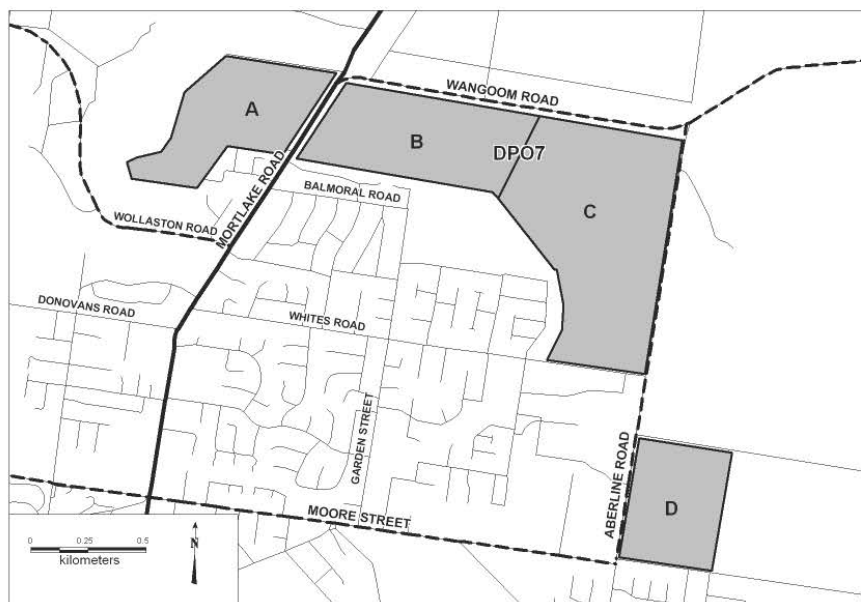
## WARRNAMBOOL PLANNING SCHEME

- Identifies the opportunities for incorporation of 'Third Pipe' stormwater collection including demonstration of consultation with Wannon Region Water Authority or its subsequent equivalent authority.
- Requirements Applicable to Development Areas A, B and C
  - Identifies areas of significance along the Merri River corridor and Russells Creek and tributary and identifies design guidelines for lots within significant sections of the corridors to guide building height, roof materials and colours and siting of dwellings.

An Infrastructure Report that:

- Requirements Applicable to Development Areas A, B, C & D
  - Integrates drainage as a part of high quality open space nodes and linear linkages. Where possible integrate stormwater management systems such as Bio filter wetlands as a part of high quality open space network.
  - Provides an open space area in each plan that responds to the balance between open space usability and functionality, and the objectives of floodplain management.
  - Provides a staging plan for development of the land in relation to efficient infrastructure provision through stages.
  - Provides for the provision and funding of physical infrastructure (*unless included in any approved Development Contribution Plan or scheme for the area, outline arrangements for the provision and funding of physical infrastructure*).
  - Provides a timing schedule of public and infrastructure works, and staging of development for the development area.
- A Review period that identifies measures for the removal of the Development Plan Overlay from the land once the implementation of the development has been completed (requirement applicable to Development Areas A, B, C & D).

Map 1 to the Schedule to Clause 3.0



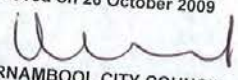
**APPENDIX B – APPROVED DEVELOPMENT PLAN**July,  
2009

# Development Plan

Toohey and Marrakai Estates  
Cnr Mortlake and Wangoom Roads, Warrnambool



ADVERTISED

WARRNAMBOOL PLANNING SCHEME  
Development Plan for Toohey & Marrakai  
Estates - July 2009  
In accordance with the requirements under  
Development Plan Overlay - Schedule 7  
Warrnambool Planning Scheme  
Approved on 26 October 2009  
Delegate:   
WARRNAMBOOL CITY COUNCIL

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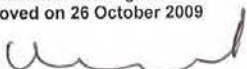
Brendan Howard  
Urbanomics

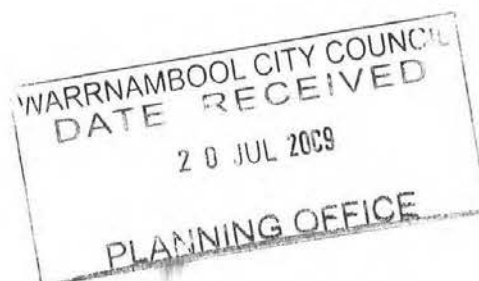
15/07/2009



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2. Subject land
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  - 3.3. Surrounding area
  - 3.4. Summary of consultations
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  - 4.1 State Planning Policy Framework (SPPF)
  - 4.2 Local Planning Policy Framework (LPPF)
  - 4.3 Zones
  - 4.4 Overlays
  - 4.5 Particular Provisions
  - 4.6 General Provisions
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- 6 Traffic Assessment
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**CONTENTS – ATTACHMENTS**

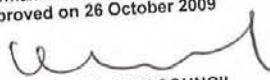
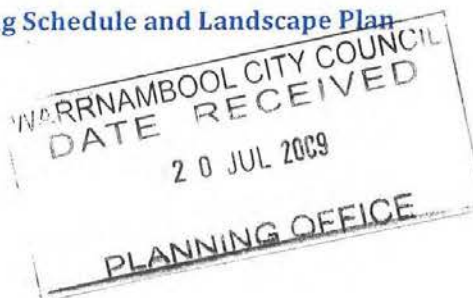
- 11 Attachment A – Titles
- 12 Attachment B – Development Plan
- 13 Attachment C – Site Analysis Plan
- 14 Attachment D – Contour and Feature Survey
- 15 Attachment E – Staging Plan and Multi Dwelling Plan
- 16 Attachment F – Linkages Plan
- 17 Attachment G – Cultural Heritage Report

**ANNEXURE A – RELATIVE TO PROMNITZ LAND ONLY**

- 1A Attachment H – Water Sensitive Urban Design Repo
- 1B Attachment I – Bulk Earthworks Plan
- 1C Attachment J – Road and Drainage Design Plans
- 1D Attachment K – Wangoom Road Treatment
- 1E Attachment L – Planting Schedule and Landscape Plan

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## 1 Introduction

This Development Plan has been prepared by Urbanomics on behalf of and the Roman Catholic Land Trust for St Joseph's Parish and Peter and Pamela Promnitz acting in their capacity as joint trustees of the Marrakai Superannuation Fund. ("the owners")

Under Amendment C55, the subject land will be affected by the Development Plan Overlay (DPO7). The requirement of the proposed DPO7 is that a development plan is required to be prepared and approved by the Council prior to the subdivision of the land.

On behalf of the owners of the two land parcels Council is requested to assist and approve this development plan application.

## 2 Subject Land

The properties affected by DPO7 Area B, for which this development plan has been prepared are:

**Property address**

Wangoom Road, Warrnambool

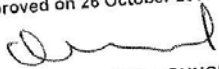
**Title details**

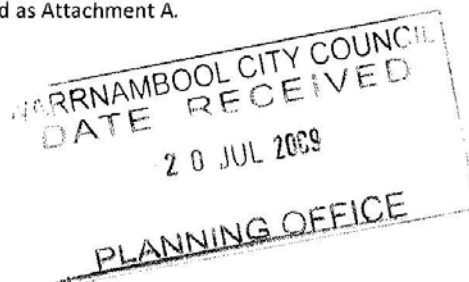
Ca28, Section 28, Parish of Wangoom  
Volume 10975, Folio 627  
TP 376810A  
Parent title (Volume 06064, Folio 626)  
Created by AN 124633Q 12/05/2006

Mortlake/Wangoom Road, Warrnambool

Ca29, Section 29, Parish of Wangoom  
Volume 11077, Folio 034  
TP 932387L  
Conveyance Deed 521, Book 765,  
Created by AN 087683B 17/06/2008

Titles for the above land are included as Attachment A.

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### 3 Development Plan Area and Surrounds

#### 3.1 North East Warrnambool Structure Plan

The subject land is located in south-west regional Victoria within the boundary of the City of Warrnambool.

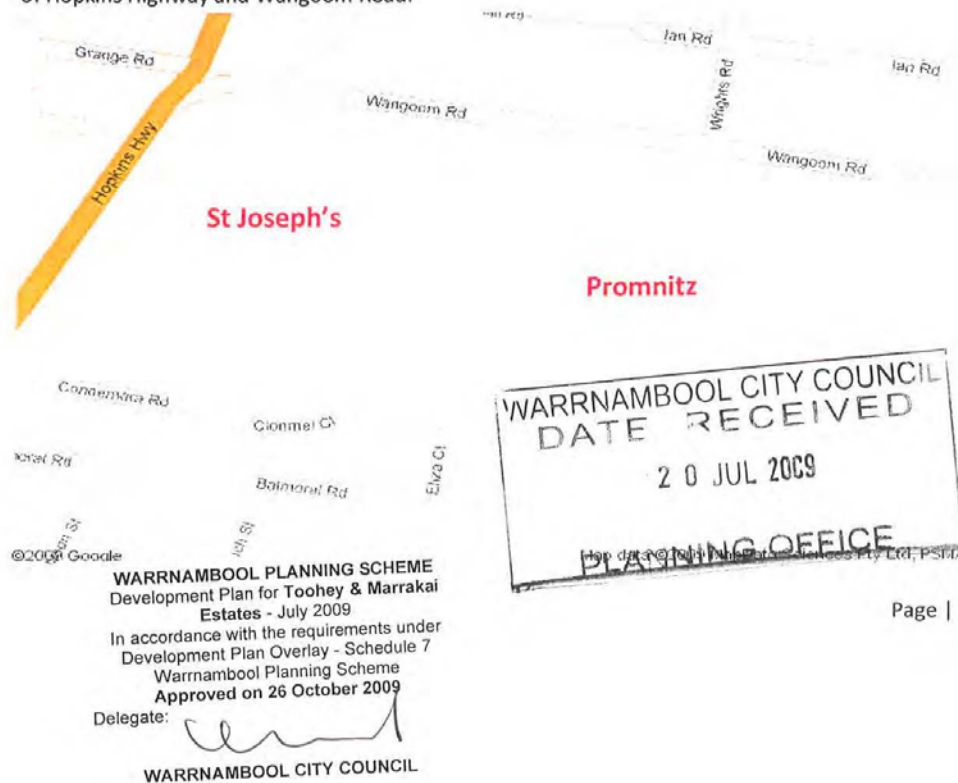
The land has been identified within the North East Warrnambool Structure Plan for immediate residential development to contribute to Warrnambool's 15 year land supply requirements. Established residential development exists to the north and south west, rural land to the east with an educational facility established to the south.

A current planning scheme amendment request (C55) applies to the subject land for the following:

- Land currently included in the Farming Zone be rezoned to the Residential 1 Zone
- Land currently included in the public use zone to be rezoned to the Residential 1 Zone
- All land be included in a new schedule 7 to the Development Plan Overlay.
- All land be included in Design and Development Overlay Schedule 4.
- Affected land be included in Land Subject to Inundation contained in the North Warrnambool Flood Study.

#### 3.2 Development Plan Area

The location of the subject land is shown below as the two adjoining allotments at the intersection of Hopkins Highway and Wangoom Road.



A site analysis plan is included as Attachment C. Major features shown include:

- The area of land is approximately 17.69ha.( St Jospehs ) and 13.91ha.( Promnitz ) respectively
- The area is bounded by Wangoom Road to the north, existing Farming Zone land to the east, Kings College to the south and Mortlake Road to the west.
- The land is currently utilized for livestock grazing purposes.
- No significant vegetation is present on the site.
- The topography of the site is predominately flat with an inclination to the north east corner and a natural fall across the site towards the south east corner. The Contour and Feature Survey Plan [Attachment D] shows contours of 1.0 metre.
- The eastern boundary of the site consists of an open drain which is a tributary to Russells Creek.
- Natural drainage traverses the site from the western boundary to the south east corner.
- Currently there are no easements across the site but it is subject to a potential sewerage easement on behalf of Wannon Water.



Figure 3 - Eastern perspective of bottom south east corner – Promnitz land

### 3.3 Surrounding area

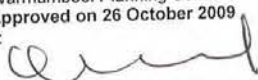
Features of areas in the immediate vicinity of the subject land include:

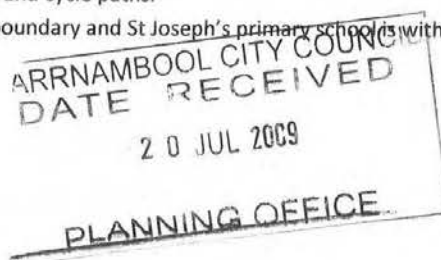
- Land on the opposite side of Wangoom Road (directly North) currently is within the Rural Living Zone for residential purposes.
- Land to the east is currently designated Farming Zone.
- Centro Northlands complex and some specialty outlets are situated approx 500metres to the south of the site. The Gateway Plaza and Homemaker Centre are the same distance from the site as the Warrnambool CBD.
- The Russells Creek corridor is located approximately 400metres to the south with its tributary forming the eastern boundary of the site providing a linkage to the existing wider open space network of pedestrian and cycle paths.
- Kings College abuts the southern boundary and St Joseph's primary school is within a kilometer.

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- The public transport system does not extend to the site at present but a bus service operates along Balmoral Road adjacent to Kings College.
- The existing road network servicing the site relies upon Wangoom Road connecting to the Hopkins Highway for direct connection to the city centre. Aberline Road provides an alternative route to the Princes Highway utilizing the Gateway Road.

### 3.4 Consultation

Considerable consultation has been undertaken with adjoining landowners, or their representatives, to enable a consensual model of development adhering to the requirements of all concerned. Thus the design and features of the subdivision have been modified in cognizance of such desires:

- The design and features of the two individual parcels have been progressed in unison especially in relation to internal roadways and provision of common services and amenities.
- Eastern boundary, Glenelg Hopkins CMA-Considerable negotiations have been conducted with this organization particularly regarding the LSIO area and regeneration of the boundary drain. Both matters have been resolved amicably and are the subject of individual elements of this application.
- Eastern boundary, Peter Square- Early consultations indicated no desire to develop adjoining land in the near future. In order to provide for the re-vegetation of the boundary drain a stock proof fence has been constructed.
- Southern boundary, Kings College- Council has required pedestrian and cycle access through Kings College to Balmoral Road. Ongoing consultation has taken place between Kings College and the proponents of this submission.


## 4 Planning Policy Framework

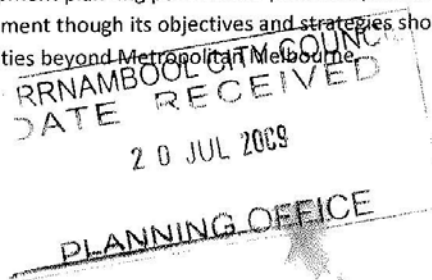
This section of the report briefly outlines the key planning and Council policies that influence a Development Plan (DP). The site is within the City of Warrnambool and is covered by the Warrnambool Planning Scheme.

### 4.1 State Planning Policy Framework (SPPF)

The following clauses of the State Planning Policy Framework (SPPF) are considered relevant to the subject site. The SPPF seeks to ensure that the objectives of planning of Victoria are fostered through appropriate land use and development planning policies and practices (**Clause 11**).

**Clause 12** refers to Metropolitan Development though its objectives and strategies should be taken into account where relevant in municipalities beyond Metropolitan Melbourne.

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The objectives of **Clause 14** are:

- To ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses.
- To facilitate the orderly development of urban areas.

It requires planning authorities to accommodate projected population growth over at least a 10 year period. The orderly development of developing urban areas should be facilitated through the preparation of structure plans.

In **Clause 15.09** the objective relates to the conservation of native flora and fauna to assist the protection and preservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals whilst controlling pest plants and animals.

**Clause 15.10** seeks to assist creation of a diverse and integrated network of public open space commensurate with the needs of urban communities and rural areas. Planning and responsible authorities should ensure that open space networks:

- Are integrated with open space contributions from abutting subdivisions.
- Are linked through the provision of walking and cycle trails and rights of way.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts.

**Clause 15.11** encourages planning and responsible authorities to identify, conserve and protect places of natural or cultural value from inappropriate development.

The objectives of **Clause 16** relate to housing and are to encourage:

- Residential development that is cost-effective in infrastructure provision and usage, energy efficient, incorporating water sensitive design principles and promotes public transport use.
- Subdivisions in locations with access to physical and community infrastructure and providing a range of lot sizes, a convenient and safe road network, appropriate pedestrian and cycle paths, sufficient usable public open space and low vulnerability to fire and flood.
- Opportunities for increased residential densities to aid in the consolidation of urban areas.

#### 4.2 Local Planning Policy Framework (LPPF)

The following clauses of the Local Planning Policy Framework (LPPF) are considered relevant to the subject site.

##### 4.2.1 Municipal Strategic Statement

**Clause 21.03-2** includes the Warrnambool Land Use Strategy (LUS) in the Planning Scheme and identifies the following in relation to the site:

- The land is included within the Urban Growth Boundary;
- The 'North East Corridor' is identified for short and medium term integrated residential development;
- A future corridor extension is identified for the North East Corridor that exists to the east and north of the site;

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- Short term residential growth is to occur south of the site in Aberline Road together with development along the Hopkins Highway connecting with existing development in Grange Road;
- A community/neighborhood focused use is to be developed at the former Brierly site south of the development;
- The 'Eastern Activity Precinct' to the south east of the site is for mixed commercial, residential and technology uses as is a significant area to the south along Hopkins Highway.

Clause 21.05 discusses 'housing' and Greenfield development areas. General comments regarding greenfield development include:

- Containing growth within the urban growth boundary;
- Discouraging low density residential subdivision where it would prejudice long term residential development.

Regarding residential land release timeframes, the LUS nominates land for short to medium term residential development based on a utilization rate of 192.5 lots per year.

Clause 21.05 also states that the staging of subdivision within the growth areas should allow for the orderly extension of services, giving priority to areas that can utilize existing infrastructure and require lower levels of investment in new infrastructure.

#### 4.2.2 Local Planning Policies

The following Local Planning Policies (LPP) is considered relevant to the subject site:

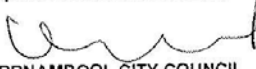
Clause 22.02-1 Urban Floodway Zone identifies potential flood hazards and provides a sound basis for the future development and use of land considered liable to be at risk of flooding. Land use in potentially affected areas is controlled by the Urban Floodway Zone and the Land Subject to Inundation Overlay contained in the study 'Urban Areas – Land Liable to Flooding Background Report, June 1994' in accordance with the controls introduced by Amendment L17B to the Warrnambool Planning Scheme on 20 June, 1997. The designated area of the subject land was also included in the proposed Amendment C44 Part 2 of the Warrnambool Planning Scheme, which has now lapsed.

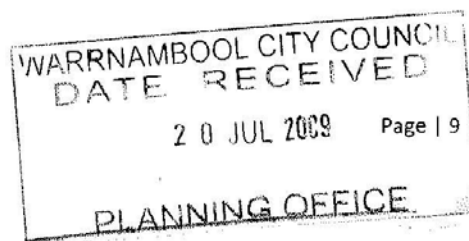
The initial North Warrnambool Flood Study, on which the current Planning Scheme model is based, was commissioned in 2003 by Glenelg Hopkins Catchment Management Authority (CMA). Following the commissioning by the proponent of this application of a further study by the initial consultants, GHD, the inundation extent has been re-plotted utilizing additional information available subsequent to the 2003 investigation.

Consequently, the responsible authority, Glenelg Hopkins CMA, is satisfied that a compromise solution resulting in a level for level floodplain storage compensation to the original report LSIO level is appropriate due to the refined modeling conclusions and the minimal fill level required.

Clause 22.02-2 Potential for Groundwater Recharge aims:

- To identify areas subject to high ground water recharge;
- To ensure development is compatible with site capability and that native vegetation is retained.

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It is the policy that the *Mapped Salinity Discharge and Potential for Recharge within the Warrnambool Shire (sic) – Draft Map* shall be used as a guide to identify areas within the municipality that are High Potential Recharge Areas.

The subject land is outside of the nominated area for potential recharge.

**Clause 22.02-3** Susceptibility for Mass Movement aims to protect areas prone to erosion by minimizing land disturbance and vegetation loss.

It is the policy that the *Susceptibility to Mass Movement (Landslip) within the Warrnambool Shire (sic) – Draft Map* be used as a guide to identify areas within the municipality that are susceptible to mass movement.

The subject land is not susceptible to mass movement.

**Clause 22.02-6** Provides policy applicable to the construction of dams and is extrapolated to include the design and construction of wetland areas which are to be provided in the south east corner of the proposed development. The wetland area has been designed, in conjunction with the Glenelg Hopkins CMA, to ensure all objectives and policies are adhered to in its construction and maintenance.

#### 4.3 Zones

The subject site is currently within the Public Use and Farming Zone.

The subject site is proposed to be included within the Residential 1 Zone (R1Z) as per Planning Scheme Amendment C55. Therefore, this application has been assessed against the proposed zoning of the subject land.

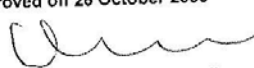
Residential 1 Zone (R1Z) has the following objectives:

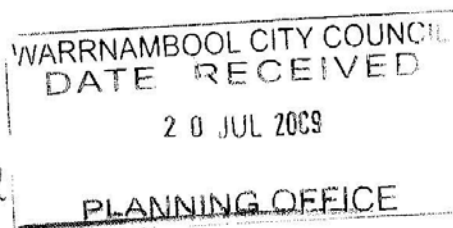
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households;
- To encourage residential development that respects the neighborhood character;
- In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

#### 4.4 Overlays

The subject site is not covered by any overlays at the current time.

It is proposed that the subject site will be included within the Design and Development Overlay (DD04), the Development Plan Overlay (DPO7) and Land Subject to Inundation (LSIO) as per Planning Scheme Amendment C55. Hence, this application has been assessed against these proposed overlays of the subject land.

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**Design and Development Overlay (DD04)**

The purpose of the DDO is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To identify areas which are affected by specific requirements relating to the design and built form of a new development.

Schedule 4 of the DDO applies to single dwellings. The design objective for single dwellings is:

- To ensure that new single dwellings are compatible with the existing scale and character of adjoining dwellings and of the area;
- To ensure the height and visual bulk of single dwellings are acceptable in the neighborhood setting.

Under DDO4, no planning permit is required for buildings and works except for new single dwellings or extensions to single dwellings that are 7.0 metres or more above existing ground level. No single dwellings over the requisite height are proposed as part of this development plan application.

**Development Plan Overlay (DPO7)**

The purposes of the DPO are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To identify areas which require form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land;
- To exempt an application from notice and review if it is generally in accordance with a development plan.

A permit must not be granted to use or subdivide land, construct a building or construct or carry on works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

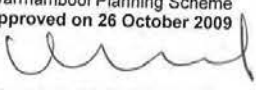
- Be generally in accordance with the development plan;
- Include any conditions or requirements specified in a schedule to this overlay.

Schedule 7 of the DPO applies to the North East Warrnambool Growth Area. The development plan must be generally consistent with the *North East Warrnambool Structure Plan 2007*.

The DPO7 sets out numerous requirements within Section 3 of the schedule for development plans which must be addressed in the development plan.

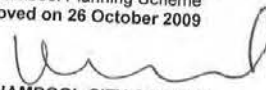
Each of these requirements is summarized and addressed within the next section of this report.

**Land Subject to Inundation (LSIO)**

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#### 4.5 Particular Provisions

The following clause of the Particular Provisions is considered relevant to the subject site.

**Clause 52.01** Public Open Space Contribution and Subdivision requires that any person wishing to subdivide their land must make a contribution to Council for public open space, either "being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both".

In this situation, the percentage required should not exceed 5% and any excess be compensated as a percentage of the site value of such excess contribution.

#### 4.6 General Provisions

The following clause of the General Provisions is considered relevant to the subject site.

**Clause 65** Decision Guidelines states that before an application are determined, the responsible authority must consider the following as appropriate:

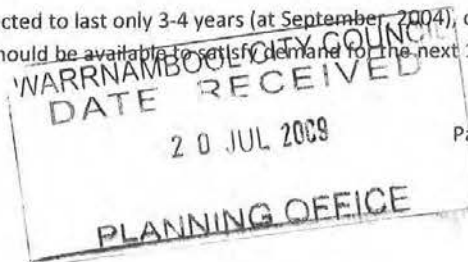
- The matters set out in Section 60 of the Act;
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The purpose of the Zone, overlay or other provision;
- Any matter required to be considered in the Zone, overlay or other provision;
- The orderly planning of the area;
- The effect on the 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 storm water 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.

#### 4.7 Other Planning Documents

##### 4.7.1 Warrnambool Land Use Strategy

The Warrnambool Land Use Strategy and its directions are now firmly embedded in the Warrnambool Planning Scheme. The following comments are relevant to the subject site:

- Warrnambool's annual growth rate of 1.6% between 1996 and 2001 is higher than the state average;
- Warrnambool's land supply is projected to last only 3-4 years (at September 2004), or between 600 and 800+ lots. Land should be available to satisfy demand for the next 15 years;



- Since 1996 an average of 220 dwellings per year have been constructed in Warrnambool. This has more recently increased to 295 dwellings in 2006/2007 and 332 dwellings in 2007/2008 with the current trend being just under 30 new houses per month.
- An additional 1950 lots are planned for in the strategy, which would have the potential to accommodate approximately 4500 people.
- Residential growth within the north east of Warrnambool growth area will primarily take the form of detached and semi-detached dwellings on a variety of allotment sizes with the potential yield of 913 lots to meet demand within the immediate 15 year time span.

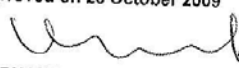
#### 4.7.2 North East Warrnambool Structure Plan

The North East Warrnambool (and North Dennington) Structure Plan was endorsed by Council in June, 2007. The following comments are relevant to the subject site:

- North East Warrnambool is acknowledged as being the next stage in the growth corridor. There is significant new growth to the south east which includes the growing Eastern Activity Precinct.
- Several roads within the Structure Plan area play a sub-regional role including Hopkins Highway (Mortlake Road) and Wangoom and Aberline Roads.
- The redevelopment of the Brierly Hospital site (118 new lots and incorporating a new retirement village) combined with other residential developments (such as Grange Road) will place pressure on the existing facilities such as open space, infrastructure and the natural environment. Approximately 2 hectares has been allocated to open space on the subject land, which will be extensively vegetated with indigenous plants, to partially address this requirement.
- The Structure Plan estimates that based on conventional density residential development, the area is more likely to accommodate for 1600 lots based upon land availability, as compared to 700 lots estimated by the LUS.
- Extension of bus routes will be required to serve future development on the subject land.
- Pedestrian and cyclist linkages should be continued along the Russells Creek tributary from Whites Road to connect to the provided public open space and its network of same.

## 5 Development Plan Assessment

This section assesses the DP against the proposed provisions and requirements of DP07 in the Warrnambool Planning Scheme. The Development Plan is included as **Attachment B**. The following explanatory table sets out how this DP meets the requirements of Section 3 of the DPO7:

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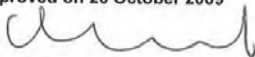


Requirements of DP07	How the proposed DP responds
<p><b>Vision</b></p> <p><i>A residential community providing for diverse housing densities, high quality and sustainable urban design outcomes, the timely provision of physical and social infrastructure and the effective management of drainage issues.</i></p> <p><b>Site Analysis Report and Plan</b></p> <p><i>Facilitate developments that incorporate a high standard of urban design, providing safe and inviting streetscapes, roads, gateways, open space areas and pedestrian linkages.</i></p> <p><i>Plan requirements</i></p> <ul style="list-style-type: none"> <li>• <i>Include a Site Analysis which shows the topography of the land, the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features.</i></li> </ul>	<p>The DP [Attachment B] facilitates residential development within an identified growth area. The design of the DP allows for a variety of residential densities depending on market demand. Two substantial parcels of land within the subject area has been allocated to public open space and are to be developed according to the landscape concept plan, including recreational infrastructure facilities. The proposed internal road network provides for a connected and legible residential area with excellent connections into and out of the individual estates and connection through the estates for motor vehicles, pedestrians and cyclists. In depth discussion has been initiated with responsible authorities to implement WSUD principles to ensure incorporation of environmentally sensitive and ecologically friendly urban design.</p> <p>Plans have been prepared and are attached including a Site Analysis Plan [Attachment C] and a Contour and Feature Survey prepared by Brian Consulting – (Attachment D) which shows the topography and drainage lines. There are no sites of conservation, heritage or archaeological significance on the site.</p>

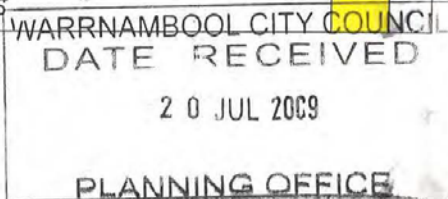
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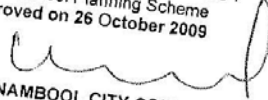
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<ul style="list-style-type: none"> <li>• A proposed development layout including roads, open space and other features of subdivision in a manner which is responsive to the features identified in the Site Analysis.</li> <li>• Provide adequate and useable public open space and demonstrate the suitability and accessibility of the provided open space to form part of the open space network.</li> <li>• Identify the means by which any sites of conservation, heritage or archaeological significance will be managed during and following the development.</li> <li>• Identify designated areas within the plan area proposed as potentially suitable for medium and higher density housing types based upon accessibility to public transport, open space, services and other factors.</li> <li>• Identify designated areas to be set aside for single dwelling development only.</li> </ul>	<p>The proposed development plan [Attachment B] indicates roads, drainage reserves, development areas and public open space areas in response to the features identified on the Site Analysis Plan. The drainage reserve along the eastern boundary of the area is the most significant drainage line. The plan proposes the upgrading of this waterway and the development of a sympathetic landscaped area and open space reserve along the full length of the drainage line.</p> <p>The public open space areas provide two different types of opportunities for residents and visitors to the area. The park in the western section of the estate will provide a traditional park area with a playground and small playing field.</p> <p>The public open space area along the drainage reserve will also include a playground and landscaped setting and will include a walkway connecting this area to the Russell's Creek linear park.</p> <p>The small park on the southern boundary of the area will provide a walkway to Balmoral Road.</p> <p>There are no sites of conservation, heritage or archaeological significance that will need to be managed during and following the development. A cultural heritage assessment (Attachment I) confirms this proposition.</p> <p>The attached plan [Attachment E] clearly indicates the lots that may be used for multi dwelling sites and those that may only be used for single dwellings.</p> <p>As the developed area to the north of the subject land is currently within the Rural Living Zone, with larger block sizes, the blocks along the north east boundary of the subject land are larger and more complementary block sizes. The remainder of the area has been designed to reflect the more traditional style of residential subdivision in the inner Warrnambool area. This includes a grid pattern with</p>
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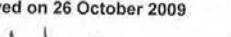
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<ul style="list-style-type: none"> <li>• <i>Provide for community interaction, safety and surveillance by the provision of housing to front streets and/or public open space in the development area.</i></li> </ul>	<p>connectivity and permeability between the different streets in the two estates that comprise this area.</p> <p>Given the site's location, it is not anticipated there will be a market demand for a higher density of development however provision is available for a small higher density development if required. Standard residential densities of approximately 800/m<sup>2</sup> for single dwellings is proposed with one multi dwelling site on the Promnitz land and only corner lots being made available for multi dwellings on the "church" land.</p> <p>The layout of the development plan provides for housing to front onto public streets and for virtually all of the streets to be interconnected. This approach creates a safer environment for residents by allowing casual surveillance of public roads and avoiding too many "cul de sacs" that can be less safe environments that the connected road layout.</p> <p>The two main parks are adjacent to public roads creating a very open and safe recreation area. These parks will be overlooked by residents within their houses, opposite these reserves and by people using the roads and footpaths passing these reserves. Open fences are incorporated where required in the open space area to avoid an unattractive appearance without passive visual surveillance in particular around the wetlands area and its associated walking track. The playground area has been designed to afford maximum visual surveillance from both the road and the proposed B&amp;Q area with open security fencing along the east and north perimeter.</p>
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<p><b>Provide linkages between the Merri River and Russell's Creek.</b></p>	
<p><i>Provide linkage between the Merri River and Russell's Creek tributary open space corridors by demonstrating a network of pedestrian permeable access and open space networks through the development.</i></p>	<p>The site does not have direct access to the Russell's Creek corridor. Direct access to Russell's Creek from the subject land is along the Russell's Creek tributary which forms the eastern boundary of the subject land. In compliance with the objectives contained in the Warrnambool Land Use Strategy Plan a large section of this boundary is to be surrendered to public open space and developed providing a linkage from the south east corner of the subject land to Wangoom Road. [Attachment F]</p> <p>The attached plan indicates how the land will connect from the Russell's Creek corridor through the development site and into the Merri River corridor along Grange Road. In time it will be possible for pedestrian and cyclists to access the Russell's Creek linear park and walkway with the Merri River linear park and walkway through this subdivision.</p>
<p><b>Mortlake and Wangoom Roads</b></p> <ul style="list-style-type: none"> <li><i>Mortlake and Wangoom Roads should be reinforced as major roads. Service roads should be provided to allow for appropriate integration of housing to streets and enhance safety.</i></li> </ul>	<p>Mortlake Road is the major road in this development. Consequently a service road is proposed for the Mortlake Road frontage of the site. Similarly a service road is proposed for the Wangoom Road frontage of the two sites within this area as shown on the linkage plan (Attachment F) and Road and Drainage Design plan for Promnitz, [Attachment J]. This will reinforce the importance of Wangoom Road and provide an excellent street address to this road.</p>
<p><b>Public Linkage</b></p> <ul style="list-style-type: none"> <li><i>Provide a "public" linkage to the northern areas of King's College to provide for a convenient northern access to the school, and to the proposed pedestrian linkage to Balmoral road through the College.</i></li> </ul>	<p>The design of the development plan is intended to provide excellent linkages from this public open space corridor through the estate. As part of the overall planning for this area King's College has indicated support for the provision of an access way through its property to Eliza Court and Balmoral Road. This is shown on Attachment F</p>

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<ul style="list-style-type: none"> <li>• Provide dual purpose pedestrian and cycle paths on Aberline and Wangoom Roads.</li> </ul>	<p>The Linkages Plan [Attachment F] indicates that a pedestrian and cycle path will be constructed along Wangoom Road in front of this estate, through to Mortlake Road. This will connect with the Russell Creek cycling trail which will eventually run along the Russell's Creek tributary to Wangoom Road from Whites Road and beyond.</p>
<p><b>PLAN REQUIREMENTS</b></p> <ul style="list-style-type: none"> <li>• Identify a preferred character or theme in relation to the proposed development area including general design treatments for streetscapes, roads and boulevards, and open space.</li> </ul>	<p>Maintenance of the area's environmental objectives are the primary goals to improve its biodiversity and nature the regeneration of the land into a leading example of sustainable community living enhancing the estates natural flowing atmosphere. Wide streetscapes with mature tree plantings further achieve this position.</p>
<ul style="list-style-type: none"> <li>• Designate by consideration of slope and accessibility, land suitable for open space provision within development areas, including prevention of direct private ownership and boundaries to watercourses.</li> </ul>	<p>There are two significant public open space areas within the DP [Attachment B]. One is located along the eastern boundary of the site where it meets the tributary of Russell's Creek. The other major park is in the central area of the land near the western entrance to the estate from Wangoom Road.</p> <p>The eastern public open space area is based around the frontage to the waterway and the opportunity to revegetate the riparian zone of this waterway. It also provides for a constructed wetland system utilizing best management practice objectives to reduce pollutant and other contaminant loads as well as providing a recreational setting and landscape value, a haven for wildlife and to provide for flow control. The design also prevents direct private ownership of watercourses.</p> <p>The western park is based on creating a very active play area with the opportunity to use a relatively flat parcel of land for active recreational pursuits as well as providing passive recreational opportunities.</p>

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<ul style="list-style-type: none"> <li>• Provide for detailed planting schemes including specification of species.</li> <li>• Provide a direct open space linkage from the existing Russell's Creek corridor south of Whites Road into the development areas.</li> <li>• Identify landscape treatments to ensure urban development does not adversely impact on surrounding rural areas.</li> </ul>	<p>A detailed Planting Schedule and Landscape Plan for Promnitz is provided. [ Attachment 1]</p> <p>The layout of the DP has been based around providing a link into and along the Russell's Creek open space network. The plan provides for this outcome to be achieved.</p>
<p><b>ENVIRONMENTAL REPORT</b></p> <p><i>Plan requirements</i></p> <ul style="list-style-type: none"> <li>• Identify the approach to water sensitive urban design in relation to drainage, road and allotment layout design. A theme should be applied to the entire development and should be based upon best practice provisions of water quality and turbidity, coupled with achieving relatively efficient maintenance provisions.</li> </ul>	<p>The DP provides for the incorporation of water sensitive urban design (WSUD) principles [Attachment H] by implementing a 'treatment train' sequencing structural BMPs to achieve optimal flow management and pollutant removal from stormwater runoff. The proposed drainage system consists of bio-filtration systems and wetlands destined to attenuate stormwater runoff and improve water quality by a combination of grass 3.0m bio-retention swale drains integrated into the design of the streetscapes, infiltration and wetland treatment processes. These combined measures reduce peak flows by detention</p>

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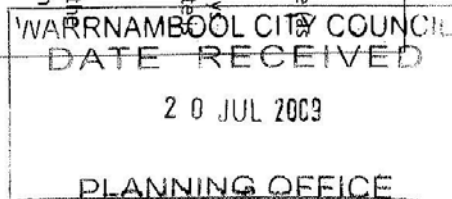
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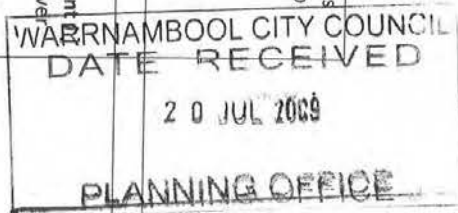
<ul style="list-style-type: none"> <li>Provides information on the biodiversity of the riparian corridor of any watercourses or existing and proposed open space corridors in the development area.</li> <li>Identify opportunities for the incorporation of the third pipe storm water collection including demonstration of consultation with Wannon Region Water Authority or its subsequent equivalent authority.</li> </ul>	<p>measures and minimize impervious areas whilst improving water quality and providing aquatic habitat protection and visual and recreational amenities. [ Attachment J – Sheets 1 to 3 ]</p> <p>The proposed wetland is located at the natural low point of the site per the 0.5m contours. [ Attachment J – Sheet 3 ]</p> <p>Extensive discussion has been held with the Glenelg Hopkins Catchment Management Authority in regard to works on waterway and flood levels for a 1 in 100 year event. Part of the Promnitz site to be filled to satisfy GHCMA requirements. [ Attachment I ]</p> <p>The subject land does not have direct access to the Merri River or the Russells Creek. It does however have a boundary formed by a drain which, when flowing, forms a tributary to Russells Creek.</p> <p>In consultation with Glenelg Hopkins CMA and Council officers this flow path will remain virtually untouched by the proposed development with substantial vegetation with indigenous plants, utilizing recommended species along the length of its bank, being undertaken. [ Attachment G ]</p> <p>The designation of this area as a public open space reserve will enhance the opportunity for appropriate management of the riparian zone.</p> <p>The DP also provides for the participation in the Wannon Water pipeline will be provided for implementation of this program with large underground storage tanks to retard flow and provide immediate storage facilities until a trunk collection pipeline is provided. A rebate system is to be instigated to ensure allotment purchasers connect to the provided collection system. [ Attachment H ]</p>
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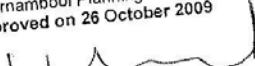
<ul style="list-style-type: none"> <li>Identify areas of significance along the Merri River corridor and Russell's Creek and tributary and identifies design guidelines for lots within significant sections of the corridors to guide building height, roof materials and colours and siting of dwellings.</li> </ul>	<p>The setback of the proposed housing lots from the tributary means that the normal planning controls within DDO4 will be sufficient to ensure that the waterway area is not unduly affected by the development</p>
<p><b>INFRASTRUCTURE REPORT</b></p> <ul style="list-style-type: none"> <li>Integrate drainage as part of high quality open space nodes and linear linkages. Where possible integrate storm water management systems such as Bio filter wetlands as part of a high quality open space network.</li> <li>Provide an open space area in each plan that responds to the balance between open space usability and functionality, and the objectives of floodplain management.</li> <li>Provide a staging plan for the development of the land in relation to efficient infrastructure provision through stages.</li> <li>Provides for the provision and funding of physical infrastructure.</li> </ul>	<p>The drainage from the subject site will be collected and treated in constructed wetlands before discharging from the site. [Attachment E] This will minimize any downstream impacts on the creek and/or river environs.</p> <p>No biodiversity study has been completed for the subject site. The land has a long history of pastoral land uses and is currently devoid of any environmental value.</p> <p>A frog habitat will be provided for the endangered Growing Grass Frog as part of the wetland area.</p> <p>The open space areas are useable and aesthetically significant. The opportunity for improving the biodiversity of the waterway is one of the key components of the eastern public open space area. It will also allow connection into other open space areas through the Russell's Creek linear park. The second park will provide a more active recreation area but will also be important in opening up the residential area and allowing for substantial trees to be planted in a large open area.</p> <p>A staging plan has been prepared and is attached [Attachment E]. It indicates two stages for each of the two separate land ownerships within the residential subdivision area.</p> <p>A Developer Contribution Plan is currently being prepared by Council for the North East Warrnambool area. This will provide an indicative costing of all public works and associated development costs. The DP</p>



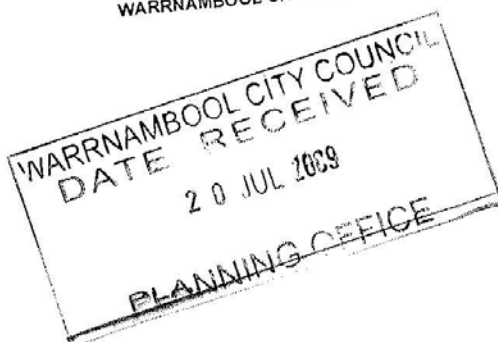
- Provides a timing schedule of public and infrastructure works, and staging of development for the development area.

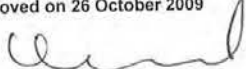
incorporates infrastructure at a level deemed appropriate for level of development proposed.  
These works will be provided by the developer and reimbursed at the cost of such works to be included in the Developer Contribution Plan when completed. A Section 173 agreement has been finalised to fund the necessary infrastructure works.

The scheduling of public infrastructure works is dependent on the staging of the development, which is dependent upon the approval of re-zoning, DP and subdivision applications. A timing schedule can be provided once all approvals have been granted, if Council still require same.

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## 6 Traffic Assessment

It is considered that the proposed development of both estates within the DP will have negligible effect on the current external roadways servicing the area namely the Hopkins Highway (Mortlake Road) and Wangoom Road.

However it is conceded that the projected increase in traffic volumes of 715 VPD for the St Joseph subdivision and 560VPD for the Promnitz subdivision will amplify the current usage dilemma experienced at both the Mortlake Road roundabout and the intersection of Wangoom and Mortlake Roads. These matters will be adequately addressed and rectified on adoption of the roadwork program contained in the proposed North East Warrnambool Development Contribution Plan (DCP). It is also contended that Aberline and Wangoom Roads within the North East area are not suitable for heavy truck traffic, nor should serve as an outer ring road for Warrnambool and it is suggested that it would be more prudent to make an allowance for any future ring road proposal to be aligned along the city's current eastern boundary.

The treatment for access to the subdivisions has been discussed with the Council engineering department and VicRoads and it is proposed to provide a 3 lane treatment of Wangoom Road adjacent to the entry point into both subdivisions. The intersection of Wangoom Road and the access into the Promnitz subdivision has been designed and the alignment plan is shown as (Attachment K.)

## 7 Cultural Heritage Management

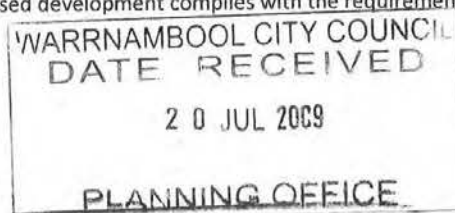
The Aboriginal Heritage Act 2006 (Victorian) became effective on 28 May, 2007

It is considered that the development of the subject site would not cause harm to Aboriginal Cultural Heritage issues and is consistent with the disturbance of the said property by Wannon Water in connecting a trunk line sewer along the entire eastern boundary.

Heritage consultant Ms Petra Schell from Ochreimprints inspected both of the properties on the 24<sup>th</sup> June 2009 and has advised that no additional investigation work is required to comply with the Act. [ Attachment G ]

## 8 Planning Response

Below is a schedule outlining how the proposed development complies with the requirements of the Warrnambool Planning Scheme.



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STATE PLANNING POLICY FRAMEWORK	
Clause 14 Settlement	The subject land forms part of the North East Warrnambool growth area. There are other growth areas within Warrnambool that contribute to the provision of 10 years land supply as directed by the policy. The North East Warrnambool Structure Plan applies to the subject land. The DP facilitates the development of urban areas providing approximately 260 lots, which equates to one and a half (1.5) year land supply for Warrnambool.
Clause 15.09 Conservation of native flora and fauna	The subject land has been cleared for many years to enable utilization for pastoral land use. The site is devoid of native vegetation.
Clause 15.10 Open space	The proposed DP allocates approximately 15% of the subject land to open space inclusive of a wetland and walking and cycling paths providing a future connection to the extensive north south facility. Provision of a BBQ area and an extensive playground area catering for tots to teenagers is facilitated in the DP together with substantial re-vegetation of the entire eastern perimeter drain. A wider streetscape has been provided throughout the development to encourage pedestrian connections to both the public open space and surrounding and future developments.
Clause 15.11 Heritage	No heritage features or issues have been identified within the subject land.
Clause 16 Housing	The proposed DP instigates the creation of a future neighborhood that can accommodate a variety of housing designs on differing lot sizes. The proposed road network can accommodate for the provision of public transport routes and the site is located close to established urban areas that have infrastructure connections. Proposed drainage solutions incorporate the principles of water sensitive urban design.
LOCAL PLANNING POLICY FRAMEWORK	
Municipal Strategic Statement	
Clause 21.03-2 Warrnambool Land Use Strategy	The subject land forms part of an identified growth area within Warrnambool. The design of the DP has allowed for the future growth of the North East Corridor into rural land located on

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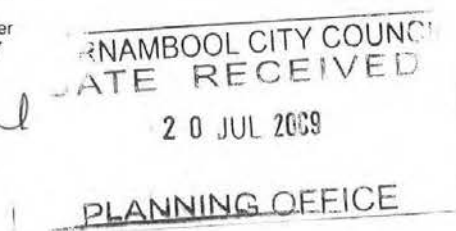
20 JUL 2009

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	the east.
Clause 21.05 Housing	The proposed DP provides for a total of 250 lots. Based on current Warrnambool trends the subject land represents a total land release of less than two (2) years land supply for Warrnambool.
<b>Local Planning Policies</b>	
Clause 22.02-2 Potential for groundwater recharge	The subject land is not located within an identified area for groundwater recharge.
Clause 22.02-3 Susceptibility for mass movement	The subject land is not susceptible to mass movement.
<b>Zoning</b>	
Residential 1 Zone	The proposed development is consistent with the purpose of the zone to provide for residential development. The design of the DP will facilitate future development that respects the surrounding neighborhood character.
<b>Overlays</b>	
DD04 Design and Development Overlay	This overlay is not applicable at this stage as it applies to the development of single dwellings.
DP07 Development Plan Overlay	Section 5 of this report describes in detail how the proposed DP meets with the vision and individual objectives of the DP07.
<b>Particular Provisions</b>	
Clause 52.01 POS contribution & subdivision	As the public open space provided within the development plan is in excess of requirements a compensatory monetary adjustment will not be required at the time of subdivision.
<b>General Provisions</b>	
Clause 65 Decision guidelines	This assessment report demonstrates that the proposed development plan responds to the SPPF, LPPF, zone, overlays and other provisions of the planning scheme. The development plan facilitates the orderly planning for the area, as directed by the Warrnambool LUS and North East Structure Plan.

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## 9 Review

As each stage is completed and a statement of compliance is issued each individual proponent will consult with council to have the DPO for that area removed.

## 10 Conclusion

This DP is consistent with the objectives of the Warrnambool Planning Scheme and the Development Plan Overlay (DPO7).

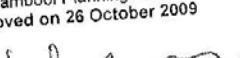
The development plan has been prepared for the subject land in consultation with surrounding land owners and all responsible authorities.

The design of the proposed DP has been a thoroughly researched document that has addressed multiple concerns relating to drainage, road connections, public open space, established Enviro Development criteria, urban design principles, and integration with adjacent urban areas. In establishing particular aspects of the proposed DP substantial investigation of new estate features throughout Victoria and South East Queensland have been studied and adopted where relevant. This, together with consultation with numerous service authorities, affected landholders and council staff during the development of the DP, has resulted what is considered to be a proposal that enhances and establishes all the objectives required by council.

The proposed subdivision supports and enhances ecological sustainability and will provide home builders with a raft of incentives to conserve water, currently the world's most precious and wasted resource.

Urbanomics

June 2009

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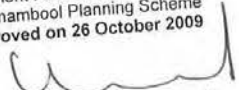
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## ATTACHMENT A

## TITLES

Victorian Property Enquiry

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

VOLUME 10975 FOLIO 627

Security no : 124030000005B  
Produced 09/06/2009 12:57 pm

### LAND DESCRIPTION

Crown Allotment 28 Section A Parish of Wangoom.  
PARENT TITLE Volume 06064 Folio 626  
Created by Application No. 1246330 12/05/2006

### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
PETER PROMNITZ  
PAMELA JOY PROMNITZ both of "STRADBROKE TOWER" APARTMENT 34 2 GOODWIN STREET  
KANGAROO POINT QLD 4169  
AF079017Y 21/05/2007

### ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out  
under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
AG547310K 05/06/2009

### DIAGRAM LOCATION

SEE TP376810A FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER	AGREEMENT	STATUS	DATE
AG547310K		Registered	05/06/2009

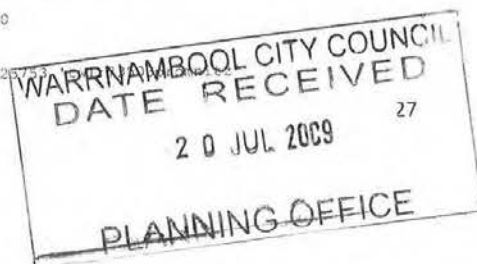
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Additional information: (not part of the Register Search Statement)

Street Address: WANGOOM ROAD WARRNAMBOOL VIC 3280

DOCUMENT END

(Register Search Statement) # 9328473 - 9328473126753



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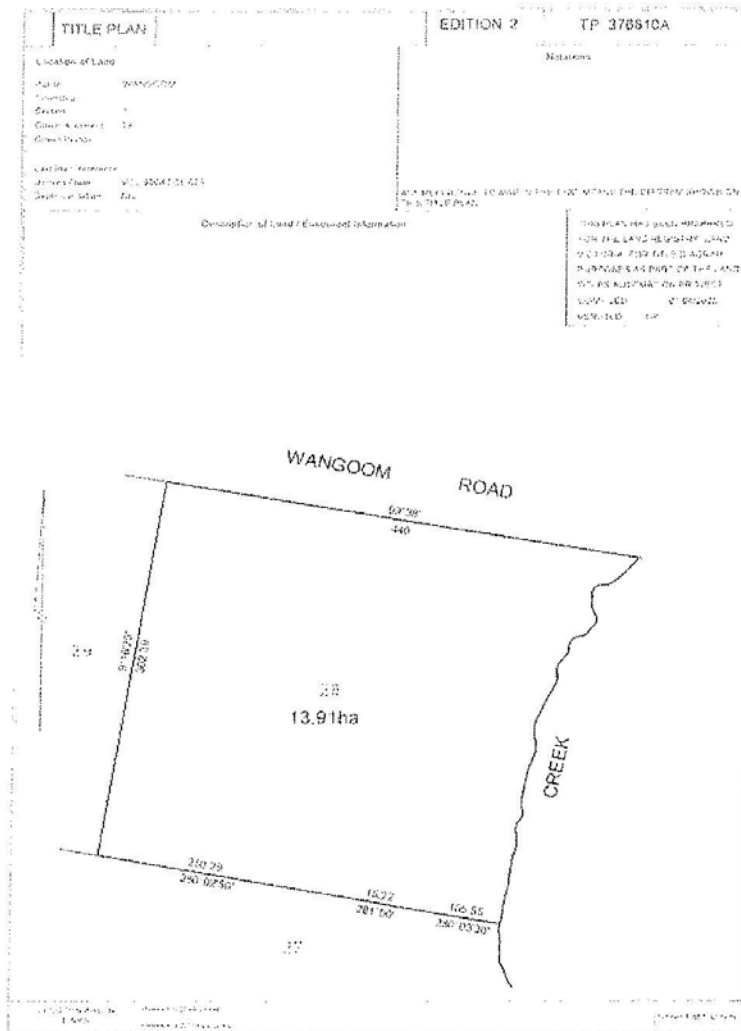
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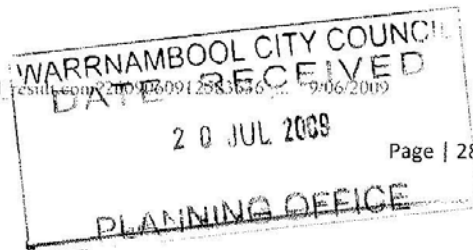
# VIC Lands Image Request

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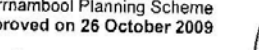
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<https://www.confirmit.com.au/submit/pasegi/SEND> result: 2009060912583636 9/06/2009



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Victorian Property Enquiry

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

VOLUME 11077 FOLIO 034

Security no : 124025999960C  
Produced 09/06/2009 12:56 pm

## LAND DESCRIPTION

Lot 1 on Title Plan 932387L.  
Created by Application No. 087683B 17/06/2008

## REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor

THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF BALLARAT of 15  
LYONS STREET SOUTH BALLARAT VIC 3350  
Application No. 087683B 17/06/2008

## ENCUMBRANCES, CAVEATS AND NOTICES

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 TP932387L FOR FURTHER DETAILS AND BOUNDARIES

## ACTIVITY IN THE LAST 125 DAYS

NIL

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

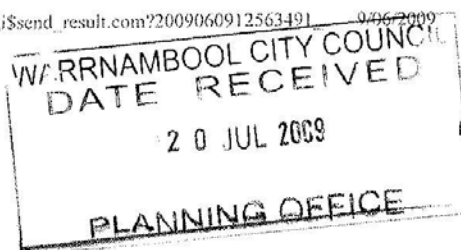
Additional information: (not part of the Register Search Statement)

Street Address: 172-200 MORTLAKE ROAD WARRNAMBOOL VIC 3280

DOCUMENT END

[Register Search Statement] # 9328449 - 9328449125608 'twi:90166roman'

[https://www.confirm.citec.com.au/htbin/pasegi\\$send\\_result.com?2009060912563491](https://www.confirm.citec.com.au/htbin/pasegi$send_result.com?2009060912563491)



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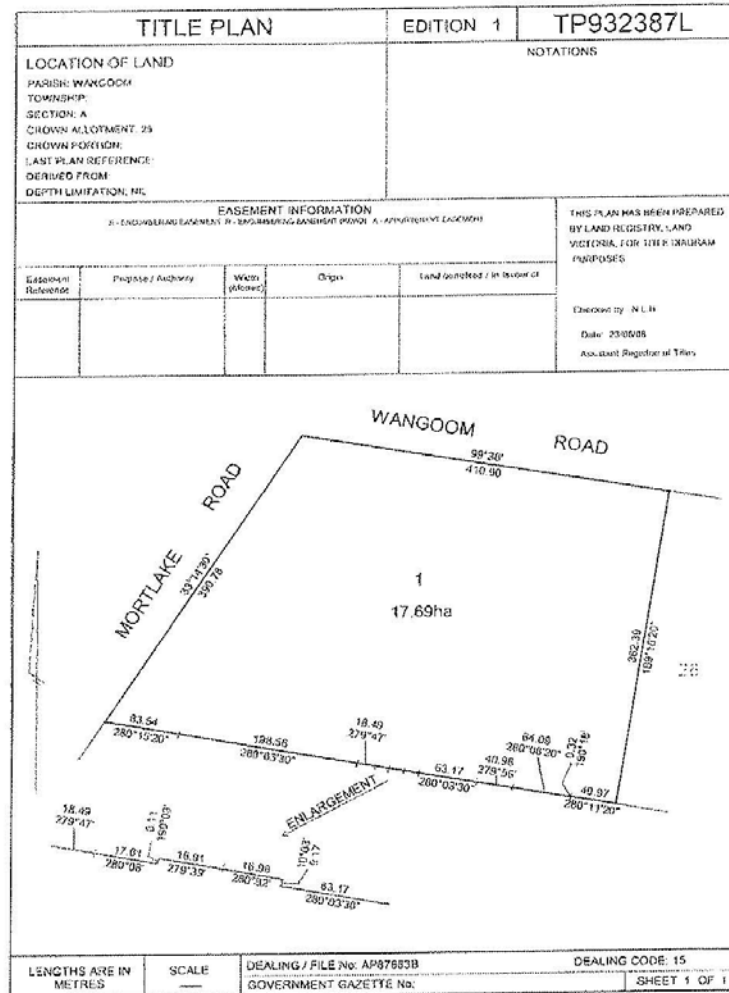
**WARRNAMBOOL PLANNING SCHEME**  
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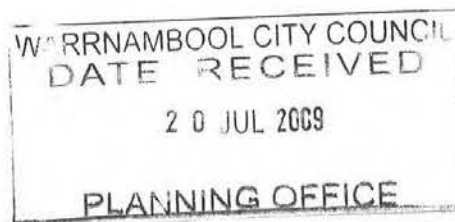
## ATTACHMENT B

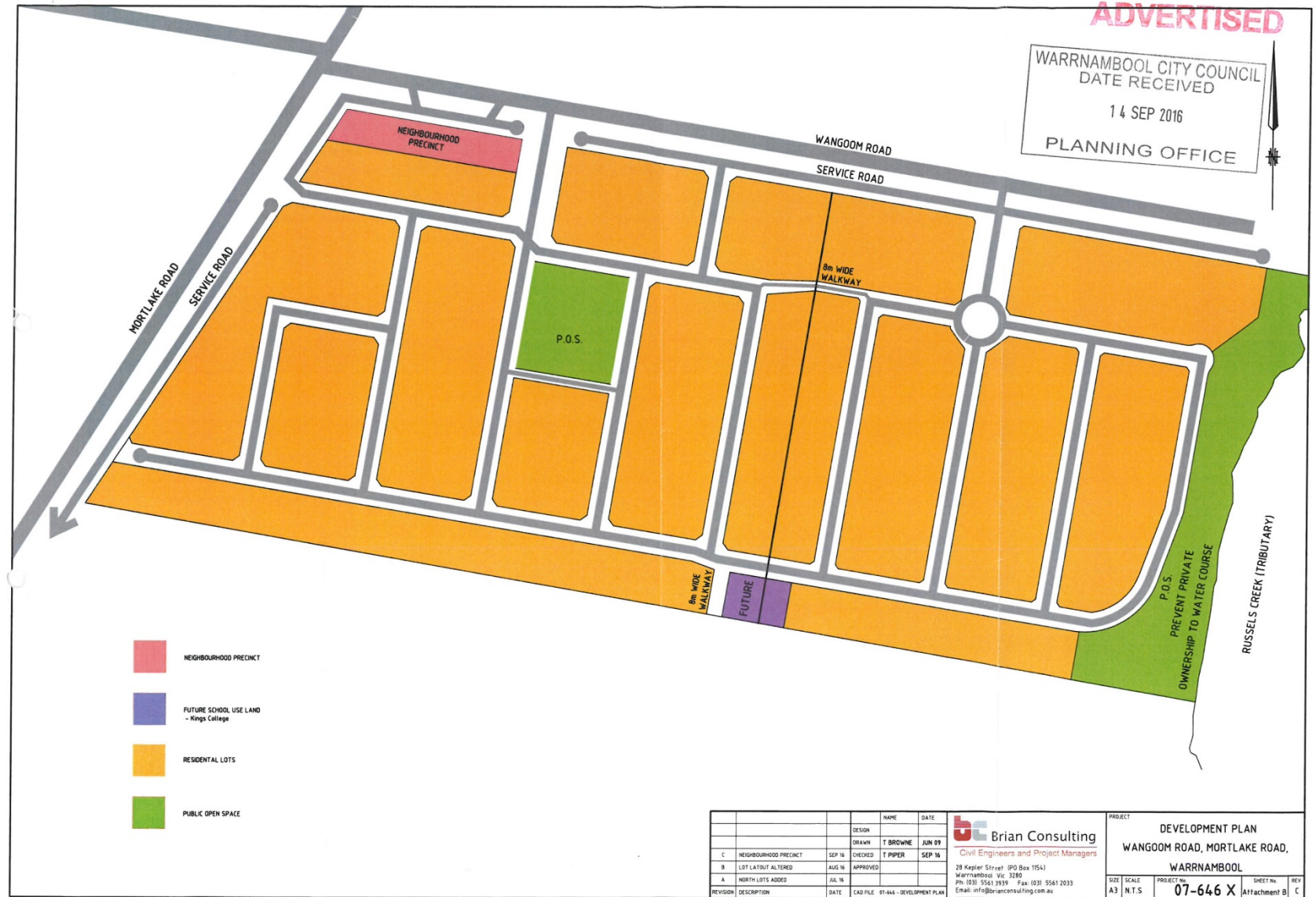
### DEVELOPMENT PLAN

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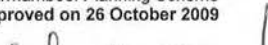
  
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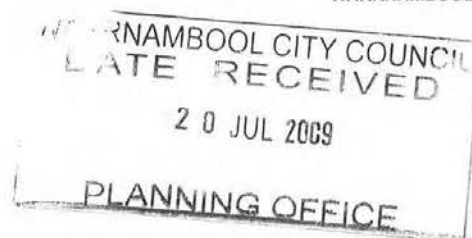


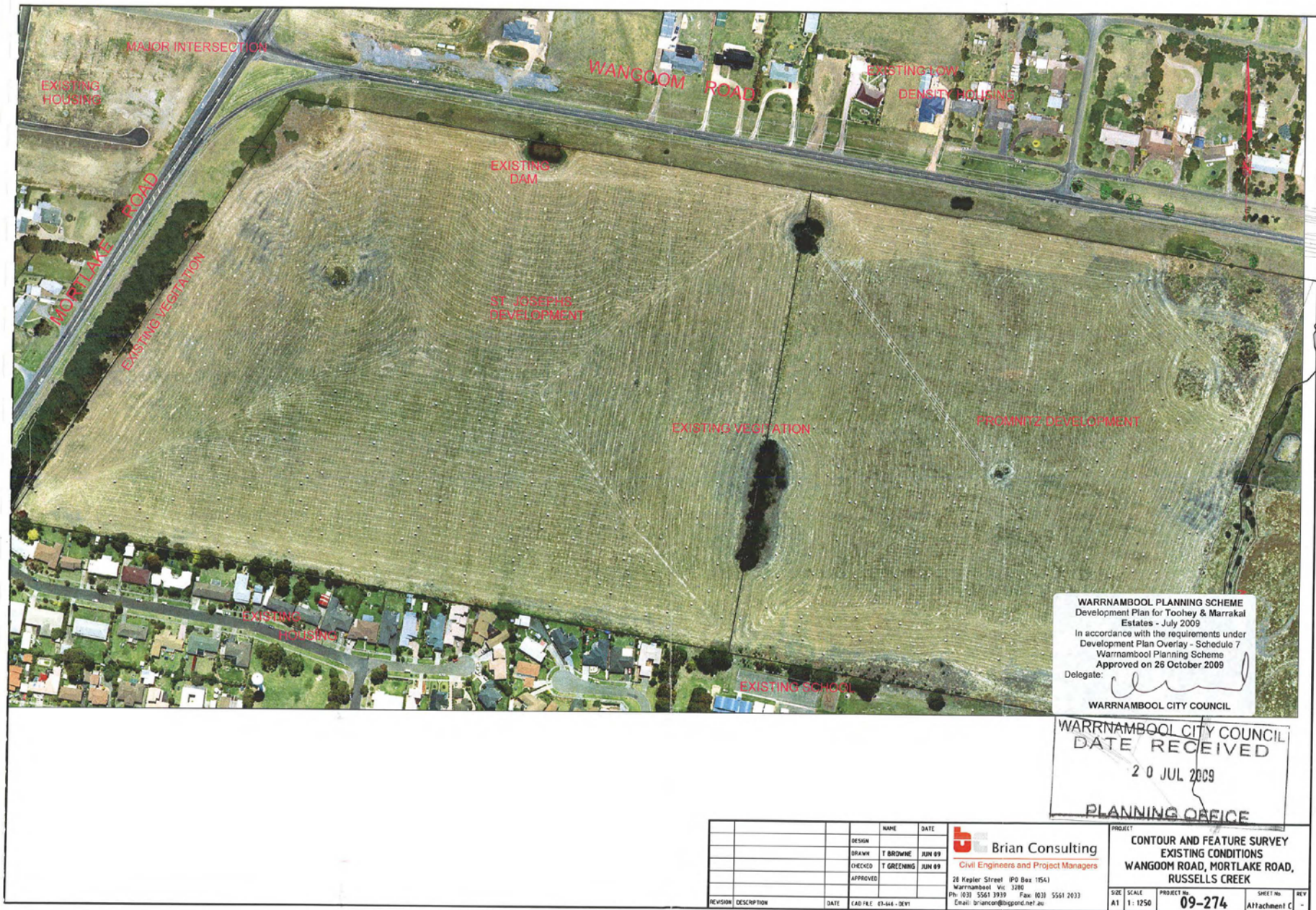
## ATTACHMENT C

### SITE ANALYSIS PLAN

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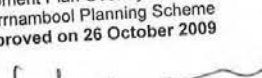
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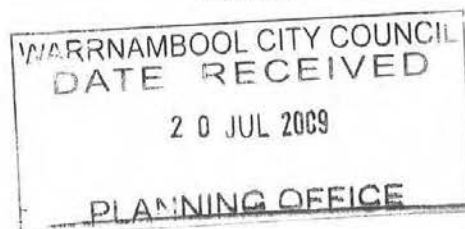


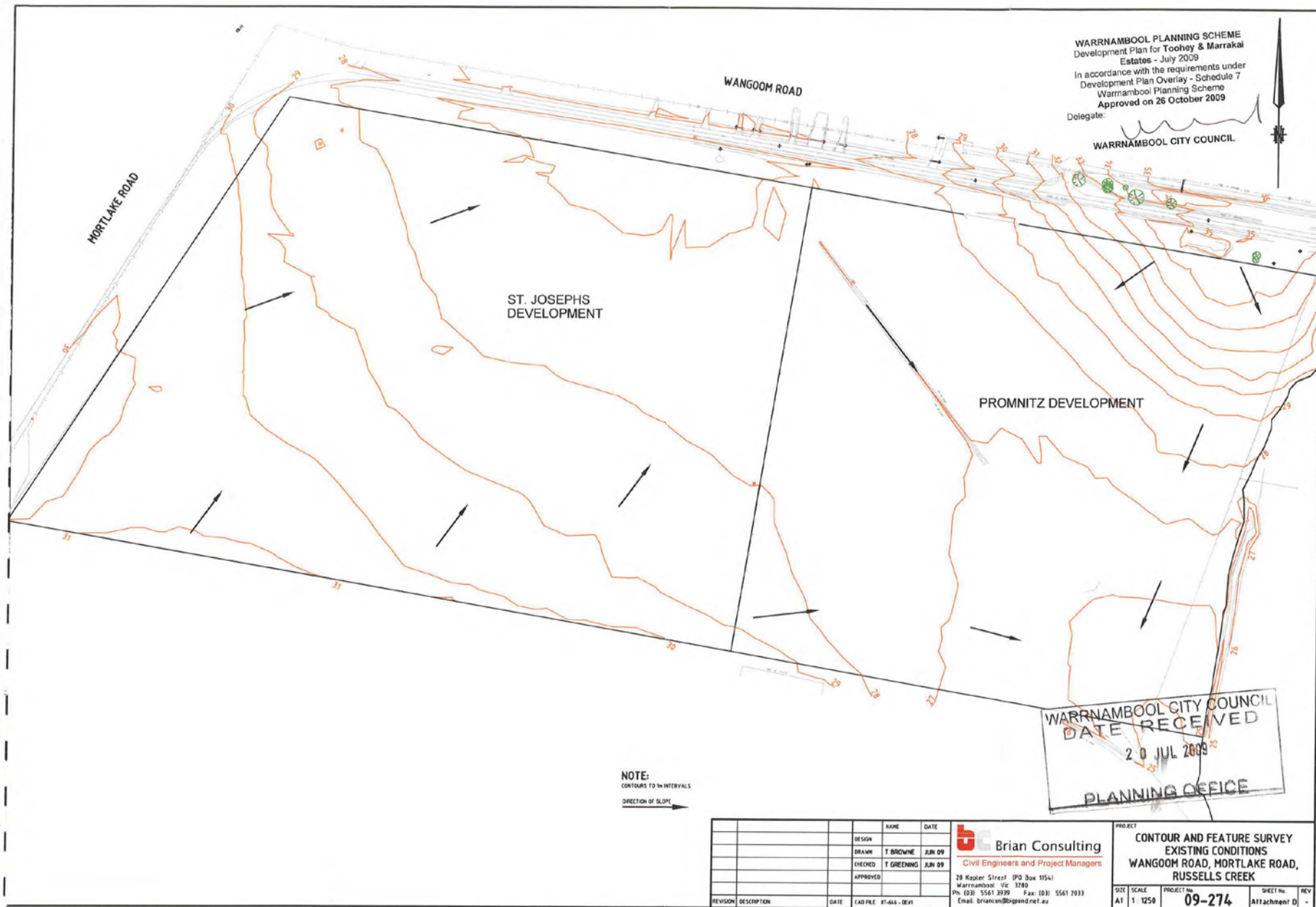
## ATTACHMENT D

### CONTOUR AND FEATURE SURVEY

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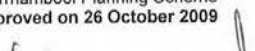
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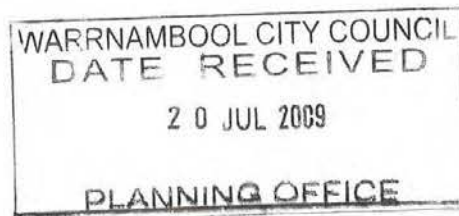


## ATTACHMENT E

### STAGING PLAN

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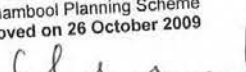
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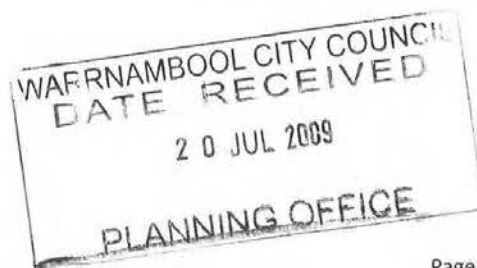


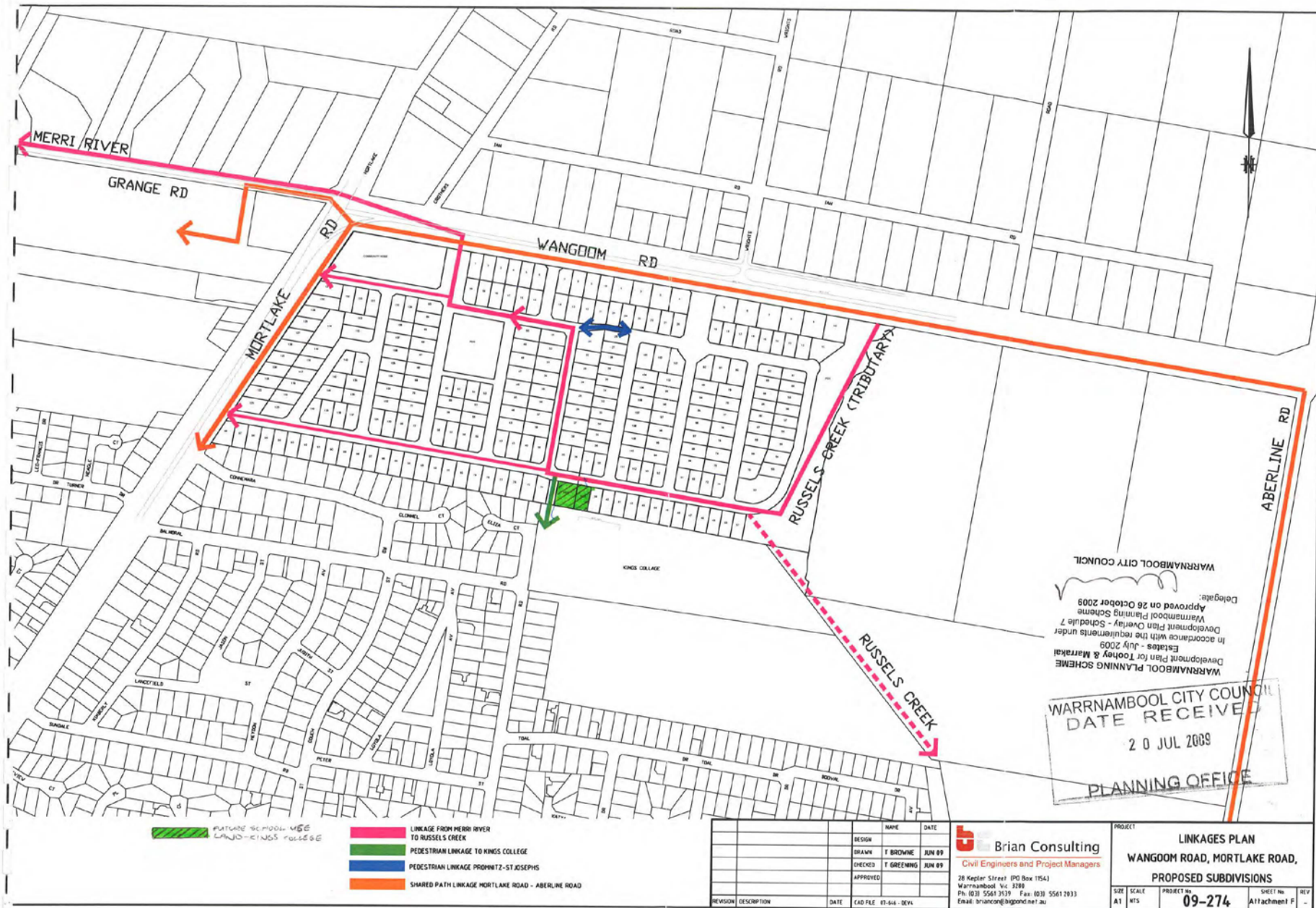
## ATTACHMENT F

### LINKAGES PLAN

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## ATTACHMENT G

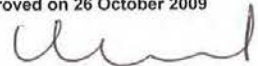
### CULTURAL HERITAGE ACT

### OCHREIMPRINTS REPORT – JUNE 2009

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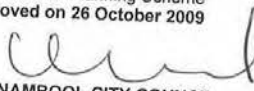
Peter Promnitz  
Layed Brick Trenching  
9 Walter Crescent  
Warrnambool VIC 3280



ABN 94 875 372 810  
Suite 6, 7 Mayfield St  
Abbotsford VIC 3067  
P.O. Box 280  
Clifton Hill VIC 3068  
phone (03) 9429 4777  
fax (03) 9429 4799

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25<sup>th</sup> June 2009

  
WARRNAMBOOL CITY COUNCIL

Dear Peter,

**RE: CULTURAL HERITAGE MANAGEMENT PLAN REQUIREMENTS  
WANGOOM RD PROPERTY<sup>1</sup> & 172-200 MORTLAKE ROAD, WARRNAMBOOL**

I respond to your inquiry regarding proposed residential subdivision development of the above properties in Warrnambool and whether a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* is required during the planning process. I am well qualified to comment on this matter as I meet the requirements to be a 'cultural heritage advisor' under the *Aboriginal Heritage Act 2006*, and am a member of the Australian Association of Consulting Archaeologists Inc.

In order to determine whether a Cultural Heritage Management Plan is required I have undertaken: a review of the *Aboriginal Heritage Act 2006*, including the Aboriginal Heritage Regulations 2007; a check of the Victorian Aboriginal Heritage Register (VAHR)<sup>2</sup>; and, and a brief visual inspection of the subject land.

#### What Are The Triggers For A CHMP?

The Aboriginal Heritage Regulations 2007 (r. 6) require a CHMP for an activity if:

- All or part of the activity area for the activity is an area of cultural heritage sensitivity (and has not been subject to significant ground disturbance); *and*
- All or part of the activity is a high impact activity.

#### Is The Proposal A High Impact Activity?

The proposed residential subdivision development or 'activity' at Warrnambool is likely to be classified as a high impact activity under:

<sup>1</sup> Title details for this property are: Crown Allotment 28, Parish of Wangoom, Shire of Warrnambool, Victoria.

<sup>2</sup> The VAHR is maintained by Aboriginal Affairs Victoria and lists all registered Aboriginal places in Victoria.



r. 46 (1) 'The subdivision of land into two three or more lots is a high impact activity if – (a) the planning scheme that applies to the activity area in which the land to be subdivided is located provides that at least three of the lots may be used for a dwelling subject to the grant of a permit; and (b) the area of each of at least three of the lots is less than eight hectares'.

#### Is The Activity In An Area of Cultural Heritage Sensitivity?

The proposed activity is not in an area of Cultural Heritage Sensitivity, as defined by the Aboriginal Heritage Regulations 2007 (see Plate 1).<sup>3</sup> In addition, a check of the VAHR undertaken on 22<sup>nd</sup> June 2009 revealed that there are no Aboriginal places registered within 50 m of the subject land. No Aboriginal places were identified during a brief visual inspection of the subject land, undertaken on 24<sup>th</sup> June 2009.

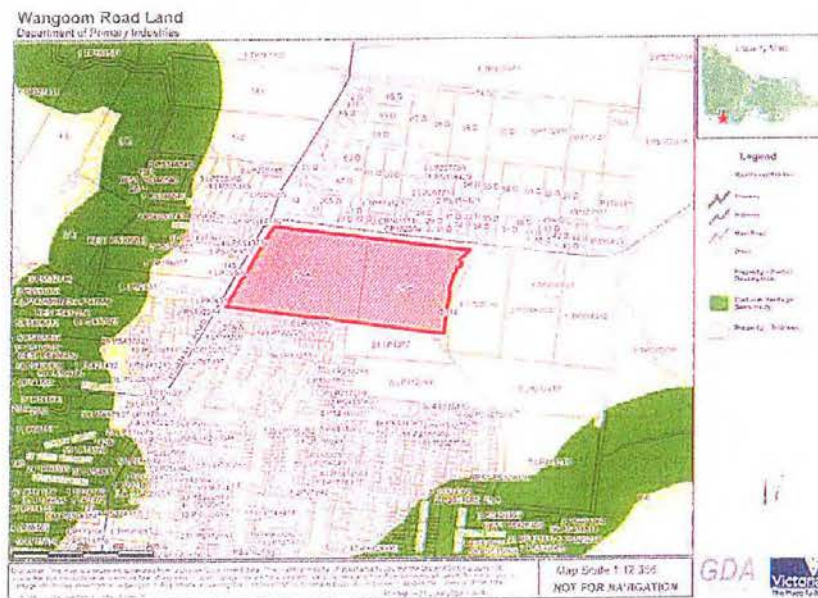
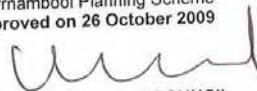


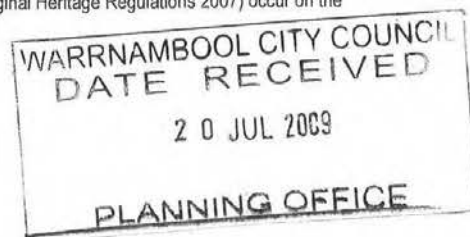
Plate 1: The subject land in relation to areas of Cultural Heritage Sensitivity (highlighted in green) as defined by the Aboriginal Heritage Regulations 2007 (taken from Department of Primary Industry Online Interactive GeoVic Mapping Tool).

#### Implications

Based on the results of this review, I have formed the opinion that residential subdivision development of the subject land **does not** trigger the need for a CHMP. While the activity is a high impact activity (r. 46) it does not occur within an area of Cultural Heritage Sensitivity.

<sup>3</sup> Consideration of significant ground disturbance (as per recent VCAT decisions) is not a factor in this decision as no areas of Cultural Heritage Sensitivity (as defined by the Aboriginal Heritage Regulations 2007) occur on the subject land

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However, it is highlighted that Aboriginal places can only be harmed within the context of a CHMP or a Cultural Heritage Permit.<sup>4</sup> No Aboriginal places have been identified to-date on the subject land and I did not identify any Aboriginal places during a brief visual inspection of the subject land on 24<sup>th</sup> June 2009. As a result no Cultural Heritage Permit is required. It is also noted that the drainage line on the eastern margin of the subject land has been subject to a previous archaeological survey, during which no Aboriginal places were identified.<sup>5</sup>

If you require any further information or have any questions regarding this matter, please do not hesitate to contact me.

Yours sincerely,



Petra Schell

Principal,

ochre imprints

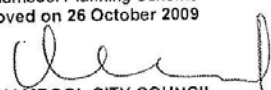
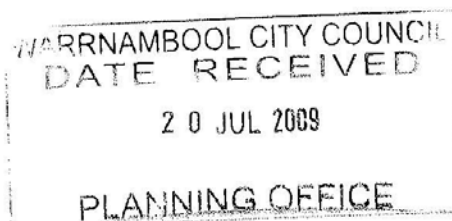
<sup>4</sup> In addition, harm to Aboriginal sites outside of either a Cultural Heritage Management Plan process or a Cultural Heritage Permit, may result in a fine.

<sup>5</sup> The results of this archaeological assessment are reported in Schell (2007) 'Wangoom Road Sewer Extension: Aboriginal Cultural Heritage Assessment'.

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Delegate:

  
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## APPENDIX A

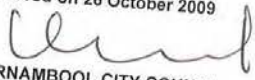
### ATTACHMENT H

#### WATER SENSITIVE URBAN DESIGN REPORT - PROMNITZ

#### Proposed Water Sensitive Urban Design Measures For Marrakai Estate,

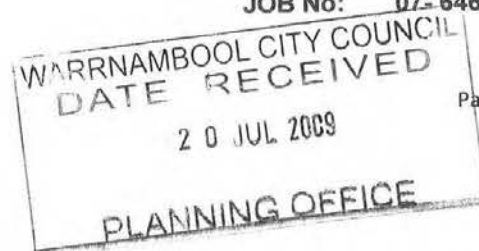
**LOCATION :** Wangoom Road  
Warrnambool

**CLIENT:** Peter Promnitz  
Apt 34, Stradbroke Tower,  
2 Goodwin Street  
KANGAROO POINT 4169

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**DATE:** 19<sup>nd</sup> May, 2008

**JOB No:** 07-646



BRIAN CONSULTING


## Forward

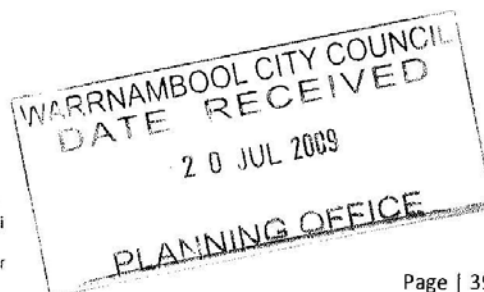
Peter Promnitz (Developer) has engaged Brian Consulting (Engineers) to submit a report to Warrnambool City Council (WCC) that outlines the Water Sensitive Urban Design (WSUD) measures proposed for his subdivision in Wangoom Road (Marrakai Estate). WCC are encouraged to take into consideration the measures outlined in this report when compiling conditions for the planning permit.

## Overview

The Marrakai Estate will comprise of 112 lots and has been earmarked to become the flagship of WSUD throughout S-W Victoria. Some of the proposed WSUD measures to be incorporated within this development include bioretention swales, sediment basins, wetlands, rain-gardens and rainwater harvesting. Another key feature of the development will be a fully landscaped parcel of public open space abutting the Russells Creek tributary including playgrounds, wetlands and picnic areas.

All WSUD measures proposed for this development will be designed in accordance with the "CSIRO's WSUD engineering procedures" and will adequately satisfy Clause 56 of the planning scheme.

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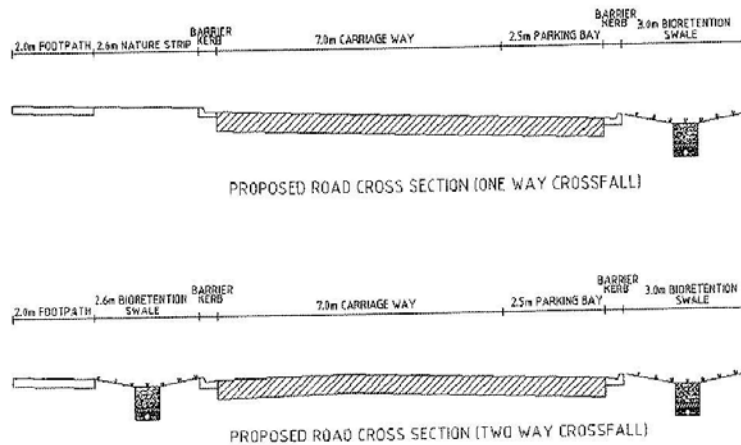
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## Bioretention Swales

It is proposed that bioretention swales are used as the main form of collecting road runoff. These swales provide a very high level of treatment to storm water.

### Road cross-section

It is proposed that the road reserve will be extended to a width of 18m to accommodate the swales. This will include a 7m carriageway and 2.5m parking bay. The parking bay has been included in order to discourage people from parking in the swales. A B2 barrier kerb has also been proposed to keep cars out of the swales. The majority of the development will comprise of one-way cross fall with a swale on the low side. Where two way cross fall is encountered swales will be used on both sides. A footpath is proposed for the high side only. A plan has been attached to show the proposed layout of the subdivision (appendix 1)



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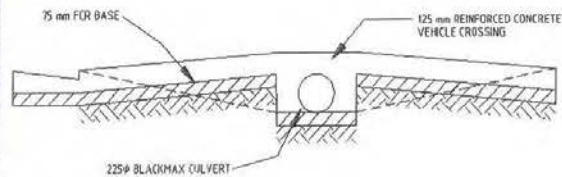


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**Vehicle Crossings**

It is proposed that all vehicle crossings are constructed as part of the subdivision. The vehicle crossings will have a culvert under them to allow stormwater to flow through the swale drain. The majority of the stormwater will soak into the bioretention system but the culverts will allow for higher flows to be collected in the nearest grated pit. As a condition of sale an encumbrance will be placed on each lot to restrict owners from changing the position of the vehicle crossing.

Each vehicle crossing will be 4.0m wide and be situated on the Northern and Eastern side of the lot. A 370 diameter half culvert will be provided on each crossing. The invert of channel will curved to direct water into the swale as per the photo below.



TYPICAL DRIVEWAY CROSS SECTION

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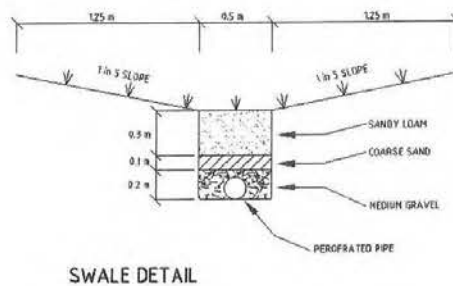


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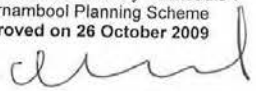
**Swale Drain**

The actual swale will have sides at 1 in 5 with a 500mm base. The perforated pipe will have approximately 600mm cover and be backfilled with medium gravel (bottom), coarse sand and sandy loam (top) to allow filtration. An encumbrance will be placed on each lot that requires swales to be fully fenced off during the construction phase of houses.

**Landscaped Grated Pits**

Grated pits will be provided through out the swale system to collect water from larger flows above the capacity of the bioretention system. These grated pits will be landscaped similar to the photo shown below.



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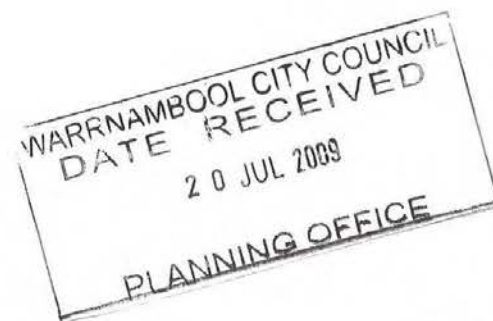
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### Rain Gardens

There will be rain gardens situated within the entrance medium and roundabout. The rain gardens will be landscaped and have sand filter medium and slotted pipe to treat and convey water.



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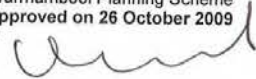
### Wetlands

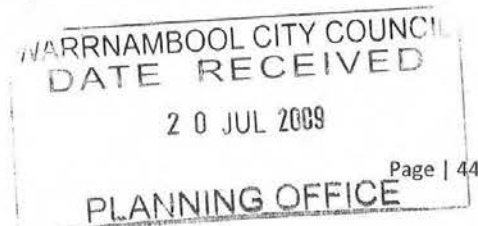
All stormwater runoff will be passed through a wetland prior to entering the Russells Creek. The wetland will be approximately 2% of the effective catchment area and will comprise of sediment ponds, macrophyte zones and open water areas. The wetland will be fully landscaped and will become a show piece for the development.



### Water Reuse System

All lots will be connected to the water reuse system. This system will harvest roof runoff and pipe the water to the Brierly Basin to be included in Warrnambool's water supply. This project is an Australian first and close consultation has occurred between developer and Wannon water in the design of this system.

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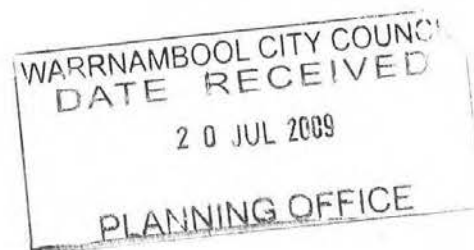
## ANNEXURE A

## ATTACHMENT I

## BULK EARTHWORKS PLAN - PROMNITZ

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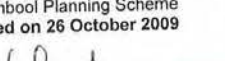


## ANNEXURE A

## ATTACHMENT J

## ROAD AND DRAINAGE DESIGN PLANS

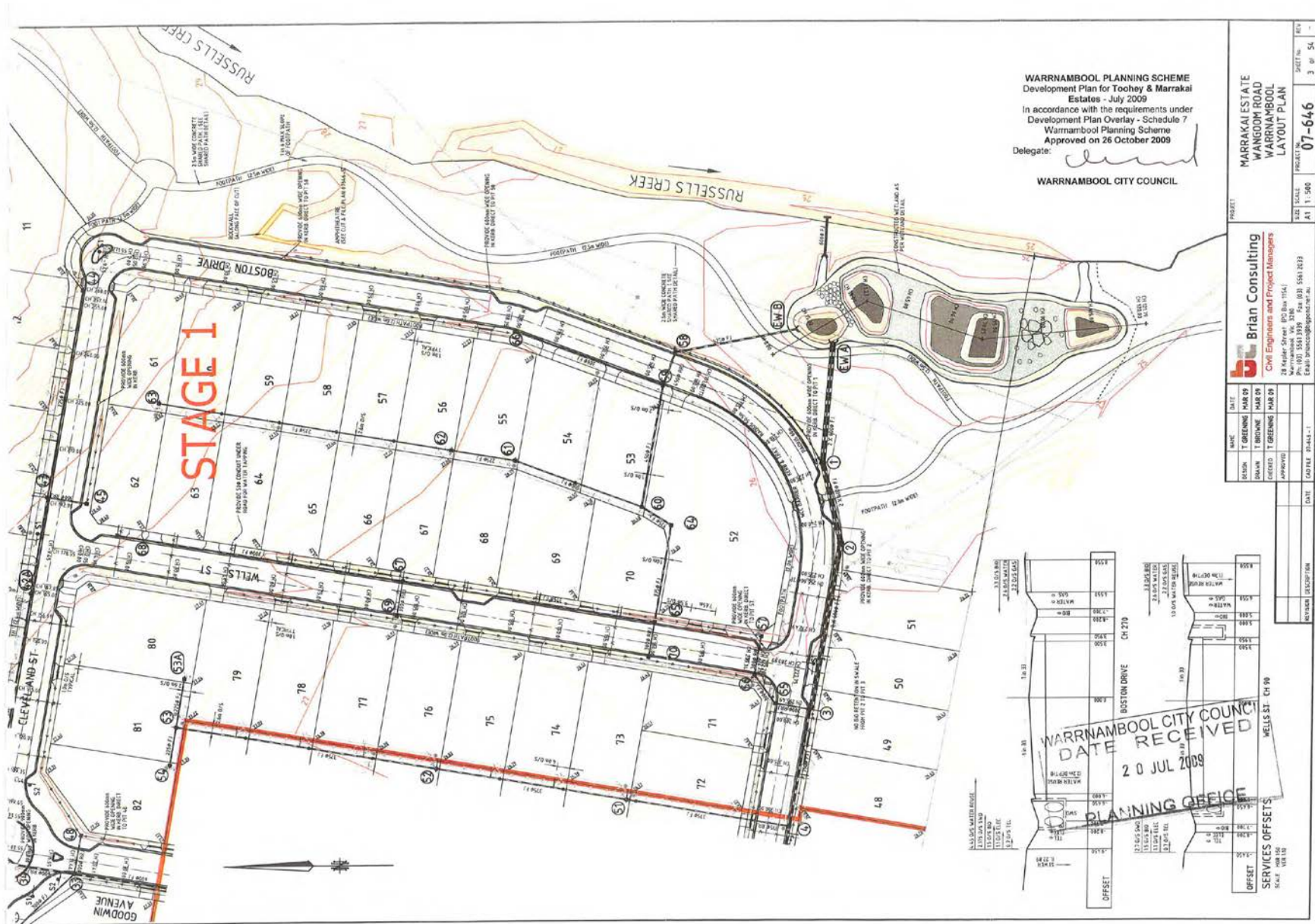
## PROMNITZ

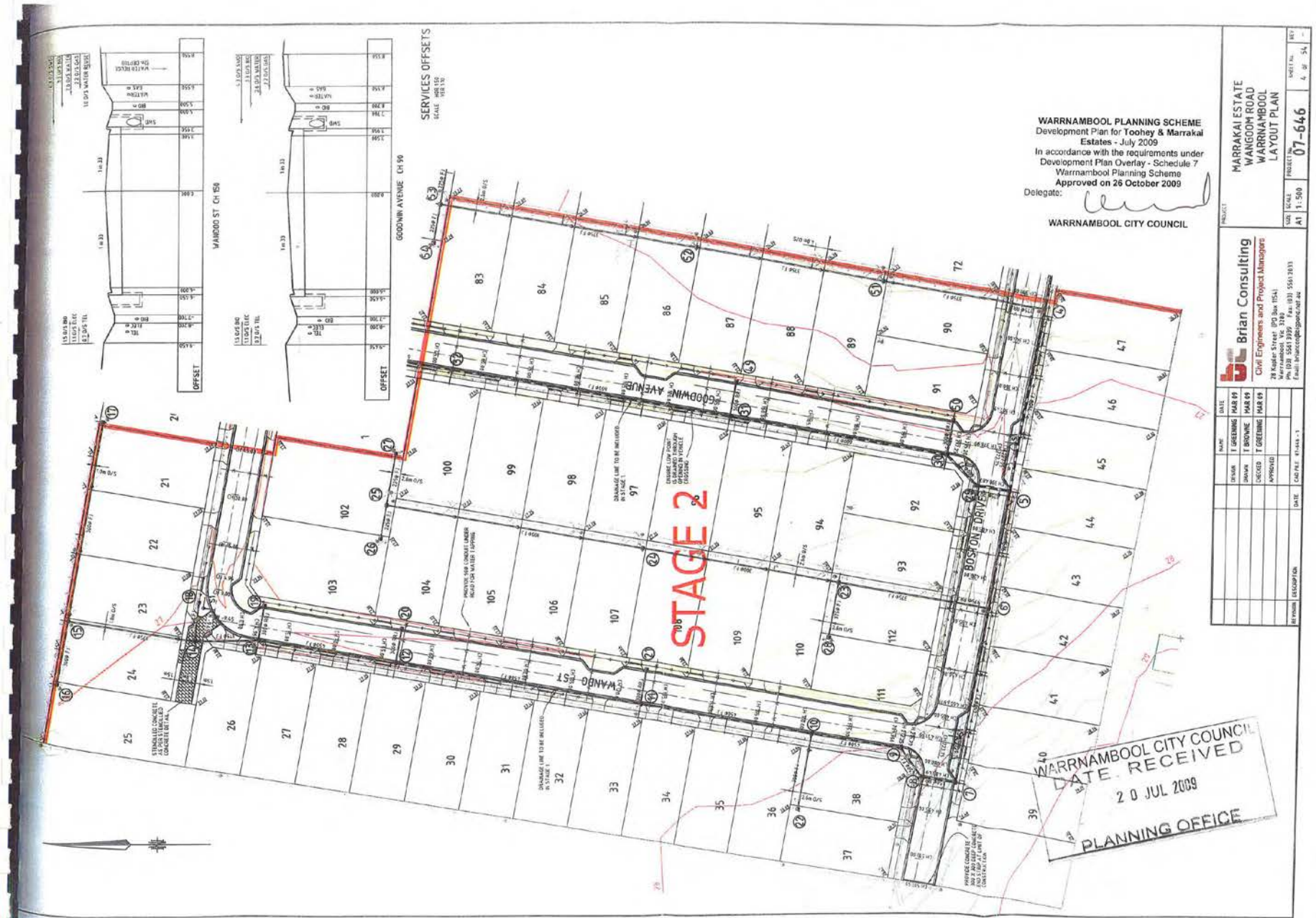
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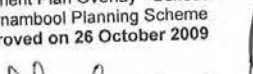




## ANNEXURE A

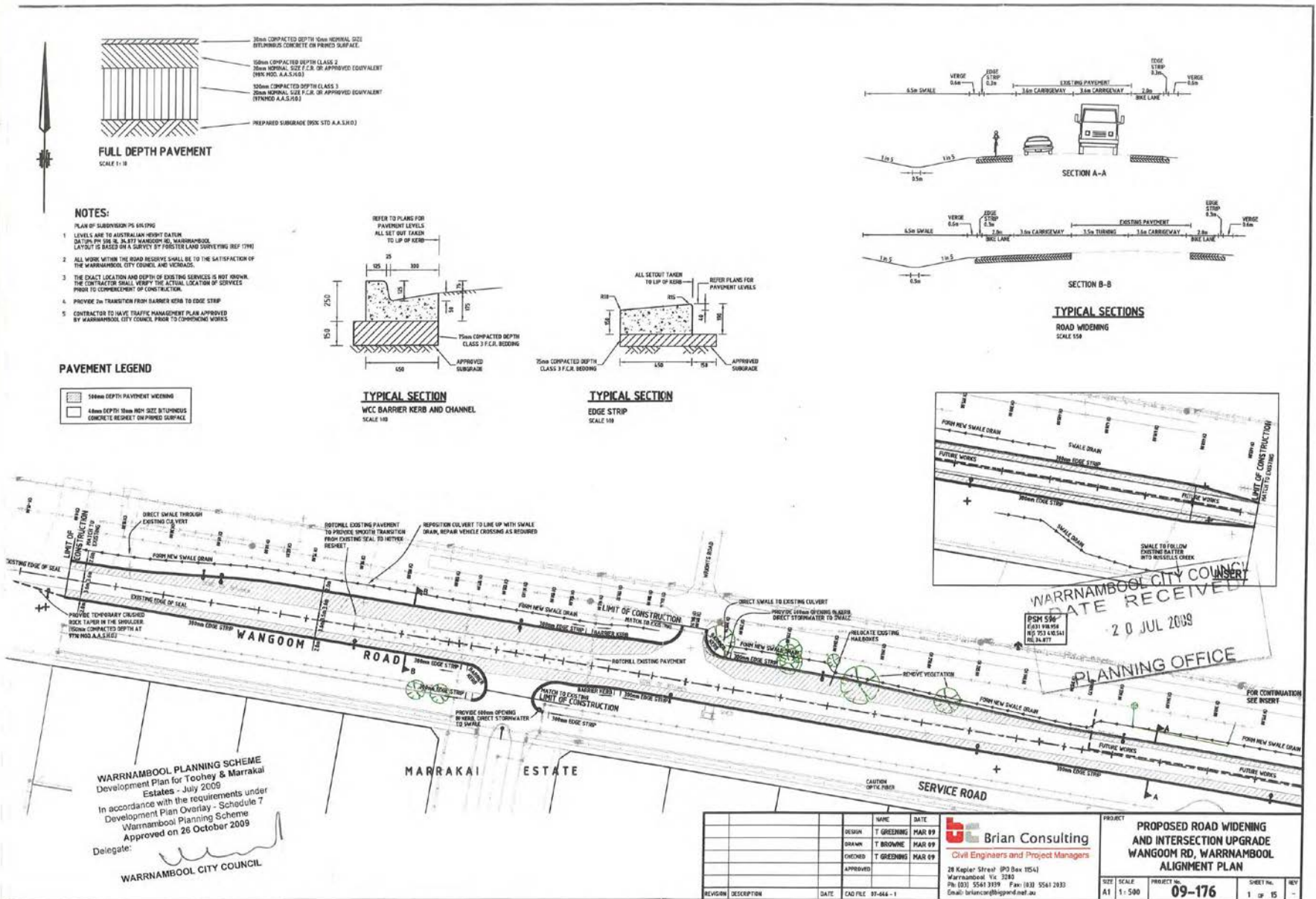
## ATTACHMENT K

## WANGOOM ROAD TREATMENT - PROMNITZ

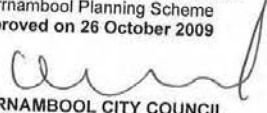
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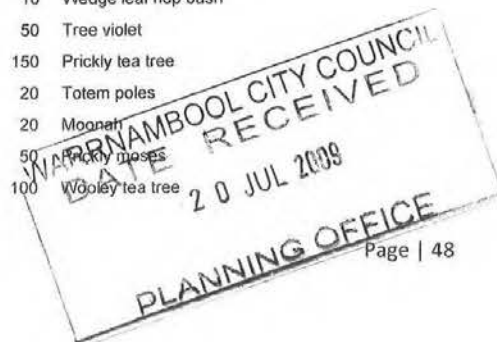




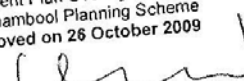
**ANNEXURE A****ATTACHMENT L****PLANTING SCHEDULE****AND LANDSCAPE PLAN ( PROMNITZ )**

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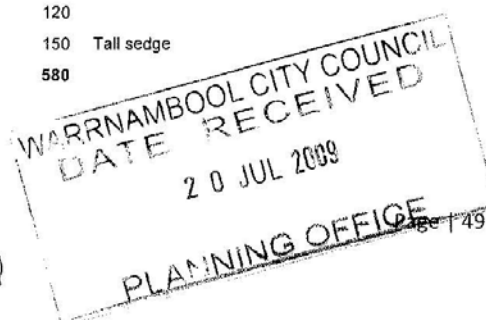
	Botanical name	Number	Common name
Large trees	<i>Eucalyptus viminalis</i>	25	Manna Gum
	<i>Eucalyptus ovata</i>	50	Swamp gum
	<i>Acacia melanoxylon</i>	100	Blackwood
	<i>Eucalyptus camaldulensis</i>	25	River red gum
		<b>200</b>	
Small to medium trees	<i>Banksia integrifolia</i>	200	Coastal Banksia
	<i>Bursaria spinosa</i>	50	Sweet bursaria
	<i>Acacia pycnantha</i>	100	Golden wattle
	<i>Allocasuarina luehmannii</i>	50	Buloke
	<i>Banksia marginata</i>	200	Silver Banksia
		<b>600</b>	
Shrubs	<i>Melaleuca squarrosa</i>	100	Scented paperbark
	<i>Dodonea viscosa cuneata</i>	10	Wedge leaf hop bush
	<i>Hymenanthera dentata</i>	50	Tree violet
	<i>Leptospermum continentale</i>	150	Prickly tea tree
	<i>Melaleuca decussata</i>	20	Totem poles
	<i>Melaleuca lanceolata</i>	20	Moonah
	<i>Acacia verticillata</i>	50	Prickly moses
	<i>Leptospermum lanigerum</i>	100	Woolly tea tree




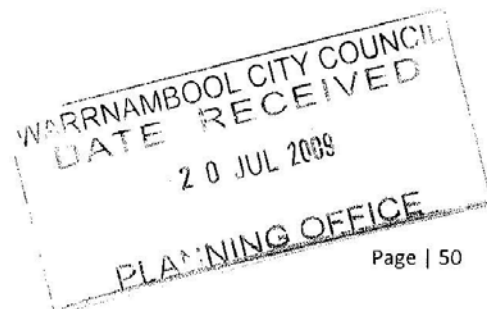
	Callistemon citrinus	25	Callistemon lana
	Callistemon phoeniceus	25	Callistemon phoeniceus
		550	
Feature trees	<b>Botanical name</b>	<b>Number</b>	<b>Common Name</b>
	Calodendrum carpensis	2	Cape chestnut
Nature strips	Ulmus parvifolia	40	Chinese Elm
	Agonis Flexuosa 'Burgundy'	50	Burgundy Agonis
		25	Dwarf eucalyptus
		25	Dwarf eucalyptus
		140	
Garden Beds	Shrubs		
	Correa alba	250	White Correa
		250	Correa Dusky Bells
		100	Grevillea 'honey gem'
		100	
		700	
	Sedges/rushes/grasses		
	Lomandra longifolia	100	Spiny headed mat rush
	Poa sieberiana	100	Tussock grass
	Gahnia radula	100	Thatch saw sedge
	Poa labillardierei	250	Silver tussock
		100	Fine leaf mat rush
		850	
	Lilies		
	Dianella revoluta	150	Black anther flax lily
	Dianella tasmanica	100	Tasman flax lily
	Carex elata 'Aurea'	100	Bowles' golden sedge
		150	Native iris
		500	
WETLAND	Juncus pallidus	150	Pale rush
	Phragmites australis	160	
	Typha domingensis	120	
	Carex appressa	150	Tall sedge
		580	

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**APPENDIX C – PROPOSED AMENDMENT TO THE DEVELOPMENT PLAN****URBANOMICS**

Planning - urban design - projects

4 September 2017

Jodie McNamara  
Coordinator Strategic Planning  
Warrnambool City Council  
P.O. Box 198  
WARRNAMBOOL, 3280

*James Phillips*  
*City Director*

Warrnambool City Council	
- 4 SEP 2017	
Ref N°	
Officer	
Scanned Yes / No	Chr

Dear Jodie,

**Re Development Plan for Toohey Estate,  
Corner Mortlake and Wangoom Road, Warrnambool**

The Toohey and Marrakai Estates Development Plan was approved by the Warrnambool City Council on 26 October 2009 and recently amended by the Warrnambool City Council. This amendment related to the area known as stage 4 of the overall subdivision.

The Development Plan was amended to change the area marked and designated as the Neighbourhood Activity Centre and to make it clear that council can only issue permits for section 2 uses in this area of Wangoom Road. The amendment also changed the staging plan for the estate and revised the layout plan to accord with the actual subdivision plan of the land.

It has now become apparent that the Development Plan is inconsistent with the covenants that attach to each title. The covenants restrict a number of matters including the minimum size of houses and the materials on outbuildings and sheds. Most importantly the covenants identify the lots that can be used for units. Each purchaser of land is made aware of which lots can be used for units by the covenant that attaches to each title.

The covenant that applies to each lot states that lots 97, 139, 141, 143 and 148 can be used for unit development. It was clear to the purchasers of a lot in this estate that units were limited to these lots only.

The Development Plan also nominates which lots can and cannot be used for units and this should be in accordance with the covenants. This is not the case as lots 143 and 97 are not shown on the Development Plan as being available for unit development. As a result, the Development Plan needs to be amended to be consistent with the covenants.

The attached plan indicates the corrected plan for the estate which shows lots 97 and 143 as suitable for multi-dwellings. I have also attached a copy of the covenant for stage 3 for your information.

I would be pleased if council could consider and support this request in order that a planning permit can be issued for units on lots 97 and 143.

Should you have any queries or should you wish to discuss this matter please do not hesitate to contact me.

Yours faithfully,

*Brendan Howard*

Brendan Howard

URBANOMICS, 40 Kepler Street, Warrnambool, 3280  
ABN 36 14 342 044 telephone: 0417 101 704 email: brendanhowardmobile@gmail.com

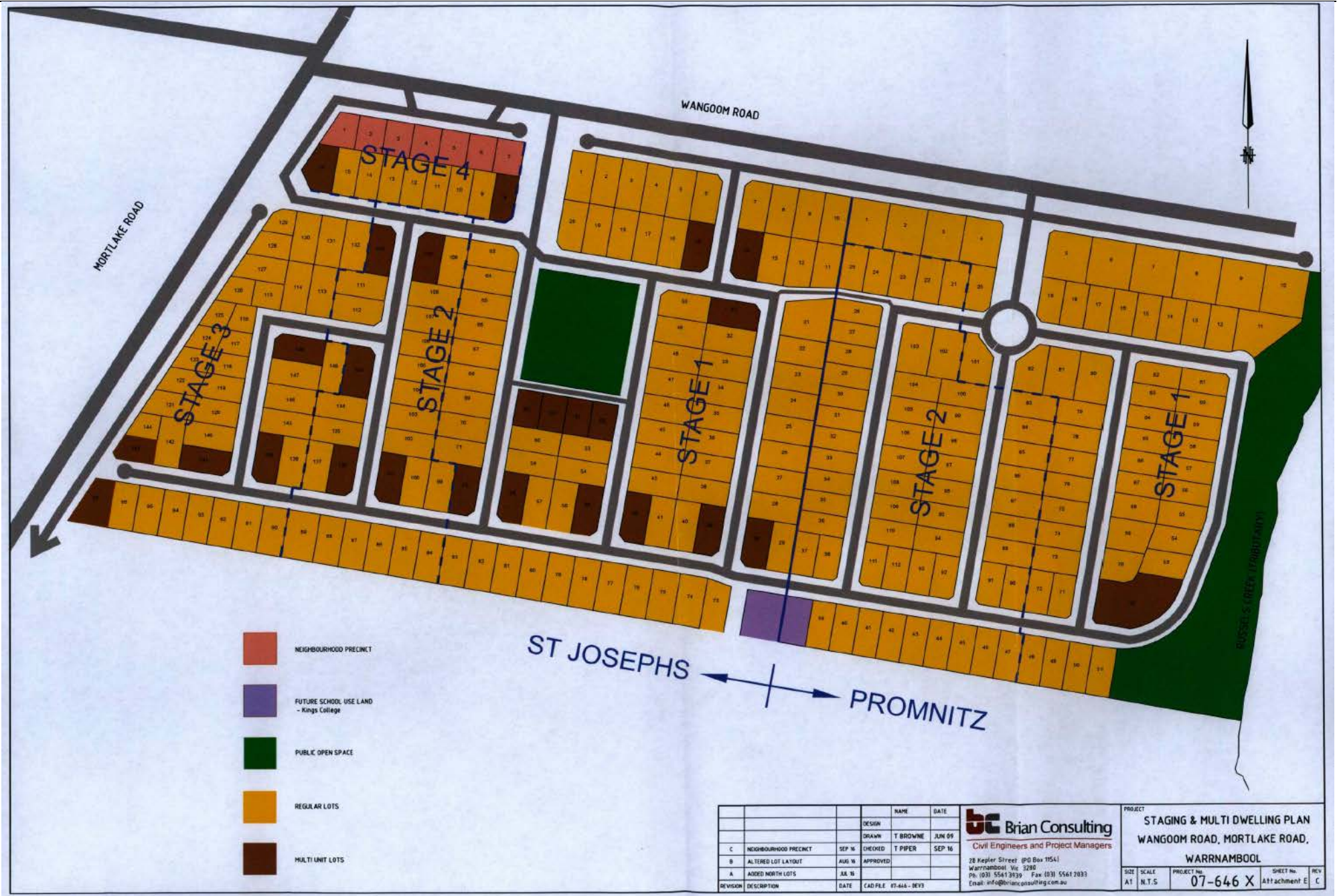
**TOOHEY ESTATE STAGE 3 COVENANT**

The Transferees for themselves and their heirs administrators executors and transferees and the registered proprietor or proprietors for the time being of the land hereby sold ("the land") do hereby and as separate covenants **COVENANT** with the transferors for themselves their heirs administrators executors or transferees the registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No 641497N ("the Plan of Subdivision") and each and every part thereof, excepting Lot 197 to which this Covenant shall not apply, other than the land hereby transferred that the transferees their heirs administrators executors assigns and transferees and the registered proprietor or proprietors for the time being of the land hereby transferred:-

- (i) will not move or cause to be moved or shifted onto the land hereby sold any building or buildings previously constructed or occupied for human habitation
- (ii) will not erect or build or permit to be erected or built on the land hereby sold any building other than a single private dwelling house together with appropriate outbuildings with the single private dwelling house having an internal floor area including garages but excluding verandas pergolas and outbuildings of not less than 200 square metres (or in the case of Lots 115, 116, 117, 124, 125, 126, 128, 129 and 144 not less than 170 square metres) however this restriction shall not apply to Lots 97, 139, 141, 143 and 148 on Plan of Subdivision No 641497N which Lots may be used for unit development
- (iii) will not erect or cause to be erected on the land any dwelling house other than a dwelling house using new materials with not less than fifty percent of the exterior walls (excluding windows) of brick, brick veneer or rendered cement finishes and the brick shall consist of an oven fired clay brick and no mud brick or bricks shall be used in the construction of any dwelling house or structure on the land
- (iv) will not erect or cause to be erected on the land any garage shed or outbuildings which shall be built of any materials other than new materials and the exterior walls of such garage shed or outbuildings must be constructed in double sided colorbond panels, brick, brick veneer or rendered finishes so as to be substantially similar to the external walls of the dwelling house
- (v) will not erect or cause to be erected on the land a garage shed or other outbuilding having a combined area in excess of 60 square metres or a wall height exceeding 2.7 metres
- (vi) will not erect or cause to be erected any dividing fences on the land other than of new materials consisting of treated pine paling and rails with a 150 millimetre plinth and such dividing fences shall be no less than 1.20 metres high or more than 1.8 metres in height save and except that the height of the dividing fences for the first 3 metres from the street boundary shall not exceed 1 metre with the exception of the side boundary of any corner Lot which may be fenced for a maximum distance of eighty percent of the length. No dividing fence may be constructed of colorbond or any other metal product
- (vii) must not keep more than two dogs on the land
- (viii) must not store or park on the land any caravans or boats between the road frontage and the dwelling house
- (ix) must not breach the following standards which apply to each Lot on Plan of Subdivision No 641497N excluding Lot 197
  - External television antennae and other acrias must not extend vertically more than 1 metre above the roof line of the dwelling house
  - Any satellite dish must be situated below the roof line of the dwelling house
  - Any clothes lines must not be visible from the street frontage of the land
  - Any air-conditioners must be located below the dwelling house eaves and must not be visible from the street frontage of the land
  - Any external plumbing on a two storey dwelling house must not be on the front wall of the dwelling house
- (x) will not erect a dwelling on the land unless a rainwater tank (minimum of 2000 Litres) is installed on the land and remains connected to the dwelling.

**AND IT IS HEREBY AGREED** that the benefit of the foregoing covenants shall be attached to and run at law and in equity with the land comprised in the said Plan of Subdivision other than the land hereby transferred and Lot 197 to which this Covenant does not apply and the burden thereof shall be annexed to and run at law and in equity with the said land hereby transferred and the same shall be noted upon every future Certificate of Title to issue in respect of the land hereby transferred and shall be noted as an encumbrance on the face of the said Title ;

**AND IT IS HEREBY AGREED** that the foregoing covenants shall cease to operate on the first day of January two thousand and twenty five



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**5.3 PETITION FOR COUNCIL – SECOND ENTRY/EXIT FOR AMENDED DEVELOPMENT PLAN –  
HUNTINGFIELD , VERDON STREET WARRNAMBOOL**

---

*Cr. Herbert remained out of the meeting for this item.*

**PURPOSE**

*To receive the petition requesting Council amend the Huntingfield Development Plan – Verdon Street to include a second entry/exit road*

---

**EXECUTIVE SUMMARY**

- A petition has been received with signatures representing 39 properties requesting that Council require the amended Huntingfield Development Plan – Verdon Street to include a second entry/ exit road – refer **Appendix A**.
- In accordance with Local Law L.1 Governance the petition is received, and referred to the Chief Executive for consideration and response.

---

**MOVED: CR. NEOH**  
**SECONDED: CR. OWEN**

**That in accordance with Local Law L1 Governance, the joint letter is received and referred to the Chief Executive for consideration and response.**

**CaRRIED – 6:0**

---

**BACKGROUND**

Council has received a petition with signatories representing 39 properties requesting that Council require a second entry/exit within the amended Huntingfield Development Plan – Verdon Street.

**CONSULTATION / COMMUNICATION**

A response letter has been sent to each of the represented properties to inform them of the Council process to receive a petition. Further letters will be provided to inform them of subsequent recommendations.

Warrnambool City Council	
75 C	
Ref N°	10500668
Officer	NC (FYI) JMN, AP
Scanned	Yes

31 Huntingfield Drive  
Warrnambool.  
Vic. 3280  
23<sup>rd</sup> October 2017

Mr. Bruce Anson,  
CEO,  
Warrnambool City Council  
Warrnambool Vic. 3280.

#### RE AMENDED HUNTINGFIELD ROAD DEVELOPMENT PLAN – VERDON STREET

Dear Mr. Anson

I am writing to you on behalf of all residents in Huntingfield Drive, Warrnambool and Gillan Park Retirement Village, regarding the above Development Plan.

Most of us only became aware of this proposed new development when the sign (*Appendix 1*) was erected.

We the residents of Huntingfield Drive and Gillan Park petition that we have a second entry/exit Road out of this expanded development. Please refer to our signed petition (*Appendix 2*)

The original Huntingfield Drive development, refer (*Appendix 3*) shows the only entry/exit road to our estate is via Mahoney's Road over the Railway Crossing. This will now become even more of an issue with the expansion of this new development.

As the plans for the new development refer (*Appendix 4*) show, all roads in the new development lead out onto Huntingfield Drive meaning the only way in or out for them and us is via Mahoney's Road.

Huntingfield Drive is very narrow as you can see by the photo refer (*Appendix 5*), and it also has some rather tricky twists and turns. It additionally passes the retirement village of Gillan Park.

With this new development of 35 new homes to be built and if each household has 2 cars this conservatively means that everyday 70 more vehicles in the morning and 70 more vehicles in the evening travelling along Huntingfield Drive.

However, even before the new homes are erected there is the development of the roads and building sites and then the construction of the 35 new homes. **ALL** the construction vehicles that will be involved in this development over possibly a few years will be travelling down the very narrow and windy Huntingfield Drive, and there only way in and out is via Mahoney's Road.

Referring back to (*Appendix 4*) along with the aerial view of the whole area (*Appendix 6*) it can be clearly seen the old and new Huntingfield Estate is bordered by the Railway to the North, the Hopkins River to the South and inaccessible land to the west leaving only one way out and this involves travelling over a level crossing.

This level crossing can become very busy with the traffic we already have, a typical line of traffic at 11.10 am last week refer (*Appendix 7*). The traffic to the north of the crossing was nearly as far back as the highway and if you notice on (*Appendix 7a and 7b*) there was a white vehicle that became impatient and actually crossed in-between the boom gates as the train was approaching from Deakin. This will only get worse with the construction vehicles and extra residents.

**On the original plan (*Appendix 3*) even back in 2003 there was indication that a second entry/exit road was planned for the estate but this never eventuated.**

Having just one way out for all of the old and new residents brings so many hazards and inconvenience to so many people. I don't know how the emergency services have approved this. For **ALL** emergency vehicles they will have to enter and also exit via Mahoney's Road they have **no other choice**, as the plans show, to either enter or exit to the west of the new development.

The residents of Gillan Park are in agreement that another exit road is absolutely essential. Many of them expressed to me that they had been promised a second access road when they first bought their units some as far back as 17 years ago. Gillan Park is also growing with new units being built at the moment and I was informed that there is proposed 40 + more units going to be erected on the vacant land as seen on the plan (*Appendix 4*). I was also informed Opal are planning a new wing for their residential care facility. This is all going to add extra pressure to the traffic and access to the whole development.

When I first approached the residents when I realised what was about to happen not one of them had any idea that it had already been passed by council, I refer Council minutes (*Appendix 8*). And no one had seen the small printed notice in the standard in July 2017 refer (*Appendix 9*). We are all in agreement that we should have received some form of notification individually via the old fashioned mail service so we could have been aware, thereby having the opportunity to object and/or attend the council meeting in August. This is going to impact in so many ways to a large number of residents and I don't think the council has acted in the best interests of their residents.

We all are at a loss to understand how this development plan could go forward without extra access for residents and emergency vehicles. If there was a fire which could easily happen refer (*Appendix 10*) a photo taken today, of the long grass at the back of our property in Huntingfield Drive, the number of vehicles and residents trying to exit the area only have ONE option via Mahoney's Road. This could be potentially a devastating situation.

Adding to the safety concerns there have been occasions that the Railway Crossing at Mahoney's Road has been closed for work and/or malfunctioning leaving the residents no way to enter or exit our development. I was informed that there is a gate leading off the University's land for emergencies, but this is locked with a padlocked. This really is a serious situation now and it is just going to get worse.

This petition is not just a knee jerk reaction to a new development this actually is concerned with the very real issue of our safety in a number of areas especially increased traffic on a very narrow road, the response time for emergency vehicles and in a crisis all vehicles having just one exit from potential danger.

We the residents of Huntingfield Drive implore that you seriously look into this matter and we wish our request and the reasons for our request of a second access road be acted upon before the new development gets underway.

As this matter has become extremely important to the residents of Huntingfield Drive and Gillan Park I have "cc" this letter and all relevant documentation to

- CFA HEADQUARTERS
- AMBULANCE VICTORIA
- ROMA BRITNELL MP
- MINISTER FOR PLANNING

This is to insure that if in the future any resident's life or property is compromised by the lack of a second access road we know we have alerted all the appropriate authorities of our concerns.

Yours sincerely,

Please Note I have attached a photocopy of the signed petition, the original can be sighted any time on request.



PETITION FOR A SECOND ACCESS ROAD FROM  
HUNTINGFIELD DRIVE ONTO PRINCES HIGHWAY

Petition summary and background	WITH THE PROPOSED NEW HUNTINGFIELD DRIVE HOUSING DEVELOPMENT THE LACK OF A SECOND ACCESS ROAD ONTO THE PRINCES HIGHWAY HAS TO BE A CONCERN FOR ALL RESIDENTS OF HUNTINGFIELD DRIVE PLUS ALL PROSPECTIVE RESIDENTS OF THE NEW DEVELOPMENT.
Action petitioned for	We, the undersigned, are involved residents who urge the Warrnambool City Council to urgently consider the importance, and act on, providing a second access road from HUNTINGFIELD DRIVE onto Princes Highways.



WARRNAMBOOL PLANNING SCHEME  
Development Plan for:

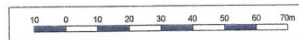
Huntingfield (Dobson Way)  
Is approved in accordance with the requirements  
under Development Plan Overlay - Schedule  
WARRNAMBOOL CITY COUNCIL

Delegate: [Signature]Date: 8 Nov 2017

This plan was prepared as a proposal only and should not be used for any other purpose.  
his plan is subject to Council approval.  
If dimensions and areas are subject to survey and final computations.  
The drainage reserve shown has been preliminarily sized for the treatment and detention of  
stormwater to Council requirements. The layout and area required will be subject to engineering  
design and Council approval.  
Dimensions of area shown are taken along the arc length.  
Further investigation may be required for fire buffers, vegetation retention and removal, site access  
ingress, and aboriginal and cultural heritage.  
Road pavement is indicative only and subject to detailed engineering design.

Site (Approx.)	4,336 ha
* Standard Residential Lots	2,349 ha
* Roads	1,020 ha
Steep River Bank (non developable)	0,564 ha
Pedestrian Walkway	0,026 ha
Drainage Reserve	0,195 ha
Unencumbered Passive Open Space	0,162 ha
Net Developable Area	3,369 ha
Lot Yield (Conventional Density)	approx 35 lots @ 10.4 lots per ha 67m <sup>2</sup> average lot size

\* Indicates inclusion in NDA



icative Subdivision Plan  
don Street Warrnambool

Jo Dicker



Beveridge Williams

www.beveridgewilliams.com.au

Warrnambool, 35 3924 5583  
www.beveridgewilliams.com.au

Drafted By: C KIRKCALDY  
Checked By: L NICKELS  
Version No: 02  
Date: 24.4.2017  
Initial Issue: 11.12.2015  
Scale: 1:1,000  
File: 1\_020



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**5.4 STATUS REPORT - PETITION FOR PLAYGROUND IN RUSSELL CREEK ESTATE**

***Cr. Herbert remained out of the meeting for this item.***

**PURPOSE**

***To provide information in relation to the petition which requests Council build a safe and accessible playground in the Russell Creek Estate, Warrnambool.***

**EXECUTIVE SUMMARY**

- A petition has been received with signatures from 94 residents living in the vicinity of the Russell Creek Estate requesting that Council build a safe and accessible playground for children in the Russell Creek Estate.
- In accordance with Local Law L.1 Governance the petition was received at Council's 7 August Ordinary Meeting, and referred to the Chief Executive for consideration and response.
- Council's open space infrastructure guidelines suggest that neighbourhood reserves such as Russell Creek Estate "might have" a playground.
- Development of a Play Space Strategy to guide the priorities for redevelopment and provision of new play spaces is budgeted for and scheduled for completion in 2017/2018.
- Various strategic documents note the provision of a playground for this area and another small playground is planned for the development land less than 100 metres directly to the north of the Russell Creek Estate.
- Strategic planning has identified projects which will complete and improve pedestrian / cycle links to surrounding playgrounds at Matthews Court, Brierly Recreation Reserve and the Marrakai Estate all being within one (1) kilometre walking distance.
- It is estimated that new a neighbourhood playground would range between \$150,000 to \$200,000, subject to the community engagement outcomes and undertaking detailed design.
- Council currently has in excess of \$500,000 available through developer contributions for projects in this area.

---

**MOVED: CR. GASTON**  
**SECONDED: CR. OWEN**

**That Council consider a playground for the Russell Creek Reserve No. 1 as part of its 2018/2019 budget process.**

**CARRIED – 6:0**

**BACKGROUND**

Council has received a petition with signatories from 94 residents living in the vicinity of the Russell Creek Estate asking that Council build a safe and accessible playground in the Russell Creek Estate.

On 7 August 2017 the petition was presented to Council and the following motion was passed:

*"That in accordance with Local Law L1 Governance, the joint letter is received and referred to the Chief Executive for consideration and response."*

**ISSUES**

The petition asks that Council build a safe and accessible playground in the Russell Creek Estate, Warrnambool.

**CURRENT**

Council has recently planted trees in the area and has scheduled works to construct a 2.5 metres shared path between Whites Road and Wilton Boulevard as part of its 2017/2018 Pathway Capital Works Plan.

The Russell Creek Estate development is well advanced, with only a single stage of development remaining (Stage 4). Approximately 60% of the 150 lots in the total development area (which includes Stage 4) now have dwellings constructed.

## KEY CONSIDERATIONS

### Open Space Strategy 2014

The areas of open space along Russell Creek, Whites Road and Aberline Road are classified as “neighbourhood” reserves functioning as a recreational park and a linear linkage along the creek with the following classification description:

*“Relatively small parks that offer limited recreational opportunities to the community of an area, and provide a social meeting place for local residents. Intended for frequent, short duration visits within a walking or cycling distance of users.”*

The Open Space Strategy includes open space infrastructure guidelines which suggest that if neighbourhood reserves are considered a recreational park, it is appropriate that a playground be considered.

The precinct actions outlined in the Open Space Strategy focus on implementing the Brierly Recreation Reserve master plan, including completing the pedestrian / cycle link along Russell Creek and to the Brierly Recreation Reserve. These actions are being delivered in stages through capital works budget allocations, noting the pathway network along Aberline Road was completed recently with more capital works scheduled in the area along Russell Creek.

A municipal wide action from the Open Space Strategy is to “develop a Play Space Strategy to guide the priorities for redevelopment and provision of new play spaces”. This strategy has been included in the 2017/2018 Open Space Capital Works Plan.

### North East Warrnambool Structure Plan 2008

Many projects identified as part of the North East Warrnambool Structure Plan have now been completed. One of the more significant projects remaining is the construction of Wangoom Road and the Wangoom Road / Aberline Road intersection.

The open space commentary in the North East Warrnambool Structure Plan notes the significance of Brierly Recreation Reserve as the predominate open space location servicing the area, however:

*“It is important to ensure that in addition to the major linear open space linkages, smaller neighbourhood and local open space areas are provided. The planning and location of these spaces should be undertaken as part of the development planning process for precincts within the structure plan area. Local and neighbourhood parks should be sited so as to all residents are within a 300m radius of such open space, in accordance with Warrnambool City Council’s draft open space strategy.”*

### Coveland Estate Development Plan 2010

Consistent with to the North East Warrnambool Structure Plan, a Development Plan for the land fronting Whites Road and Aberline Road (now known as Russell Creek Estate) was prepared and adopted by Council. The following statements were extracted from the Development Plan relating to open space.

*“The parks will be designed and constructed to provide very active play areas with the opportunity to use the two parcels of land for active recreation pursuits as well as providing passive recreational opportunities.”*

*“Provision of a playground area catering for all ages is facilitated in the DP together with substantial re-vegetation of the entire western perimeter drain and Russell’s Creek.”*

The Development Plan shows a playground and shelter in Reserve No. 1 (corner Whites Road and Aberline Road).

## Northern Edge Development Plan 2014

Further development within the North East Warrnambool Structure Plan area is occurring in the area north of the Russell's Creek Estate referred to now as Northern Edge.

The Northern Edge Development Plan includes key features of:

- Continuation of a 2.5m wide shared pathway proposed to the south in Russells Creek Estate. This pathway will run parallel to the open space and boulevard road north through to Wangoom Road;
- A creek crossing linking this DP area with Marrakai and its adjoining shared path, wetland and playground and shelter;
- A small playground located adjacent to the Biofilta wetland area; and
- A second creek crossing to the south of the wetland area to link with the existing shared path on the west side of Russells Creek.

The location of the small playground as indicated in the Northern Edge Development Plan is less than 100 metres directly north of the Russell Creek Estate along the Russell Creek open space.

Delivery of a playground at this location would service both development areas within a 600 metres walking distance. The timing of delivery is not fixed and dependant on development progress, as it is a requirement on the developer to deliver.

### Playground Costs

A number of playgrounds have been delivered in recent years with the examples below an indication only of scope and costs and are detailed in the following summary:

**Location:** Barton Court  
**Classification:** Local Reserve  
**Approx. Construction Cost:** \$291,851



**Location:** Swan Reserve  
**Classification:** Neighbourhood Reserve  
**Approx. Construction Cost:** \$394,230



**Location:** Cramer Street (Albert Park)  
**Classification:** Regional Reserve  
**Approx. Construction Cost:** \$211,221

**Location:** Wollaston Way Estate  
**Classification:** Local Reserve  
**Approx. Construction Cost:** Developer Cost



Delivery of a contemporary playground is typically two or three times the cost of traditional / renewed playgrounds as they are more accessible, provide a range of functions to cater for all ages, incorporate quality materials and occasionally architectural features. Positioning, site topography and access for new playgrounds can also lead to the higher cost outcomes.

### **CONSULTATION / COMMUNICATION**

The various strategic documents listed in this report have been through a number of community engagement processes prior to their respective adoptions. The Play Space Strategy due for completion in 2017/2018 will also include an open community engagement process prior to adoption.

Notification that the petition has been received was provided to the nominated contact. A further response will be sent following once Council has received this report.

### **FINANCE**

Developer contributions form part of the funding strategy to deliver the projects identified in the North East Warrnambool Structure Plan, which included over \$11 million of roads, intersections and open spaces. Any shortfall not covered by these contributions is typically budgeted for from Council's capital works programs.

The construction of Wangoom Road and the Wangoom Road / Aberline Road intersection estimated at \$2.0 million is budgeted in Council's long-term financial plan as using developer contributions from earlier stages (currently held in reserve) to partially offset these costs. Noting Council is expected to contribute \$1.0 million to a short-fall in 2021/2022 towards these projects, use of the developer contributions for playground construction would increase Council's contribution at that time. There is currently over \$500,000 in the reserve at this point in time.

Previous developer contributions specific to the Russell Creek Estate open space were to be used for basic improvements to the open space and a credit for unencumbered land contribution in excess of 5%. This contribution also accounts for the recent tree planting and scheduled pathway works estimated to be valued of \$40,000.

It is estimated that a new neighbourhood recreation park playground cost would range between \$150,000 to \$200,000, subject to the community engagement outcomes and undertaking detailed design. Associated annual operation and maintenance budgets will also need to be adjusted to account for the legislated inspections and action requirements.

### **RISK**

Council needs to carefully consider how and when funding is allocated from the DCP fund for this area to ensure that adequate cash flows are available when priority projects are required.

***Cr. Herbert returned to the meeting at 6.00pm.***

## **5.5 MUNICIPAL EMERGENCY MANAGEMENT PLAN**

### **PURPOSE**

***To seek Council endorsement of the Warrnambool City Council Emergency Management Plan.***

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### **EXECUTIVE SUMMARY**

- In accordance with the *Emergency Management Act 1986* s.20 (1) Warrnambool City Council must prepare and maintain a Municipal Emergency Management Plan (MEMPlan) – **Refer separate attachment.**
- The MEMPlan is prepared by Council through the Municipal Emergency Management Planning Committee (MEMPC).
- The MEMPlan was audited on 5 July 2017 by the Victoria State Emergency Service (VicSES), consistent with Section 21A of the *Emergency Management Act 1986*.
- Council received a report and a certificate from VicSES on 3 August 2017 stating that the Warrnambool City Council MEMPlan has been assessed as complying with the guidelines issued by the Minister.
- Although not a requirement, all the recommendations made by VicSES were adopted.
- By endorsing the MEMPlan Council accepts and supports its responsibilities as outlined in the MEMPlan.

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**MOVED: CR. CASSIDY**  
**SECONDCED: CR. GASTON**

**That Council endorse the Warrnambool City Council Municipal Emergency Management Plan.**

**CARRIED – 7:0**

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### **BACKGROUND**

In accordance with the *Emergency Management Act 1986* s.20 (1) Council must prepare and maintain a Municipal Emergency Management Plan (MEMPlan). The MEMPlan is the overarching emergency management plan for the municipality and provides information to emergency services, other organisations and the community on how risks will be controlled, and the management arrangements for emergencies.

The plan identifies what hazards are likely to impact the municipality, what steps are to be taken to prevent, respond to and recover from emergency events and the role of organisations in relation to emergencies. It also contains other information required by legislation, including municipal resources and neighbourhood safer places – places of last resort.

Council prepares the MEMPlan through the Municipal Emergency Management Planning Committee (MEMPC). The MEMPC is made up of council employees, response and recovery agencies and local community groups involved in emergency management issues.

The MEMPlan must be audited at least once every 3 years by the Victoria State Emergency Service as per Section 21A of the *Emergency Management Act 1986*.

The audit was conducted on 5 July 2017 and was assessed as complying with the guidelines issued by the Minister.

The MEMPlan is not a static document and while it is the outcome of the planning process conducted at a point of time, it is maintained and updated regularly.

## ISSUES

There are no issues that should be highlighted regarding the endorsement of this plan.

## CURRENT STATUS

The attached MEMPlan has passed audit and is submitted to Council for endorsement.

## KEY CONSIDERATIONS

The MEMPlan has been prepared by Council and feedback has been sought from member agencies of the Joint Warrnambool City Council and Moyne Shire Council Municipal Emergency Management Planning Committee (MEMPC).

## TIMING

There are no timing requirements however; the auditor requested that the MEMPlan be presented to Council for consideration as soon as practical, after receipt of the audit report.

## COMMUNITY IMPACT / CONSULTATION

The MEMPlan was distributed for comment to all members of the Joint Warrnambool City Council and Moyne Shire Council Municipal Emergency Management Planning Committee. Membership includes: CFA, VicSES, Ambulance Victoria, Department of Land, Water and Planning, Wannon Water, Australian Red Cross, Department of Economic Development, Jobs, Transport & Resources, Department of Health and Human Services, Parks Victoria, VicRoads and Victoria Police.

## FINANCIAL IMPACT

The cost of preparing and implementing the MEMPlan forms part of Council's Emergency Management Program budget.

## RISK

Councils are expected to show leadership in emergency management to support the community before, during and after an emergency.

Failure to endorse the Warrnambool City Council Municipal Emergency Management Plan could result in a breach of s.21 (4) of the *Emergency Management Act 1986*.

## 5.6 PATHWAY ASSET MANAGEMENT

### PURPOSE

***The purpose of this report is to present the Pathway Asset Management Plan for Council adoption.***

### EXECUTIVE SUMMARY

- An Asset Management Plan (AMP) is a strategic document for managing Council's infrastructure and other assets such that they deliver an agreed standard of service.
- A key purpose of Asset Management Plans is to drive longer term thinking and planning to ensure the organisation is operating in a financially sustainable manner.
- The Strategic Asset Management team is in the process of refining the suite of Asset Management Plans with the objective of both increasing the sophistication of each document and updating each plan with current data.
- The Warrnambool City Council Pathway Asset Management Plan was released for public comment between the 22<sup>nd</sup> August and the 23<sup>rd</sup> of September inclusive.

- Council received 1 submission regarding the plan from the public requesting an upgrade on the western pedestrian crossing of the Gateway Drive / Dales Road intersection (**Appendix 2**).
- Council has a 15 year pathway renewal requirement of \$11,596,810, of which 48% is funded. The low level of renewal investment will result in 20% of pathways being outside of intervention by 2029/30.
- Approximately \$18,000,000 of new and upgrade pathway projects have been identified in the Sustainable Transport Strategy and Growth Area Planning. Completion of these works is subject to budget allocation and city growth.
- An increase of approximately \$90,000 (total) to Council's sealed path and gravel path maintenance and resurfacing budgets would be appropriate to effectively maintain these assets to ensure safety and access.

**Note: The *Warrnambool City Council Pathway Asset Management Plan Version 3.0, August 2017* is attached as a separate document.**

**MOVED: CR. HULIN**  
**SECONDED: CR. HERBERT**

**That Council:**

- 1. Adopts the attached – Warrnambool City Council Pathway Asset Management Plan Version 3.0, August 2017.**
- 2. Approves the use of pathway capital budget currently held in reserve as follows:**
  - i. \$90,000 to be reallocated to recurrent sealed path and gravel path maintenance budgets; and**
  - ii. \$36,707 to be allocated to recurrent asset condition audit budgets,**
- 3. Consider a permanent increase of approximately \$90,000 to Council's sealed path and gravel path maintenance and resurfacing budgets as part of the 2018/2019 budget process.**
- 4. Endorse the requirement for new and upgraded pathways to be constructed in concrete, and only consider all other types of pathways as part of a whole of asset life assessment demonstrating suitability and cost effectiveness.**

**CARRIED – 7:0**

## **BACKGROUND**

An Asset Management Plan (AMP) is a strategic document for managing Council's infrastructure and other assets such that they deliver an agreed standard of service. An AMP will rely on a multi-disciplinary approach to produce a holistic management solution for a class of assets, such as roads, drainage and buildings.

A key purpose of Asset Management Plans is to drive longer term strategic and financial planning to ensure the organisation is operating in a sustainable manner.

Asset Management Plans assist Council to achieve its goals and objectives specific to an individual asset class to provide the best value to the community. They may also act as a form of communication with the community regarding service levels and associated costs and risks.

## **ISSUE**

Council's Strategic Asset Management team is in the process of refining the current Asset Management Plans with the objective of both increasing the sophistication of each document whilst updating each plan with contemporary data.

The first plan which has been reviewed, updated and adopted by Council was the Bridge Asset Management Plan which has undergone a large scale update following a re-valuation and detailed condition inspections.

Similar to the Bridge Asset Management Plan, the Pathway Asset Management Plan (Appendix 1) has recently been reviewed and amended for Council consideration.

## CURRENT STATUS

The Warrnambool City Council Pathway Asset Management Plan Version 3.0 August 2017 was previously released for public comment and is now ready to be considered for adoption by Council.

## KEY CONSIDERATIONS

### Asset Data Facts:

- Council manages pathways with a wide range of ages, over 60% (200km) of Council's pathways are over 30 years old, and the average expected life of Council's pathways is approximately 55 years.
- Approximately 5% of pathways (about 16km) require intervention, meaning that they are currently in poor or very poor condition at high risk of being unsafe and potentially closed. Completing all of these "above intervention" works is estimated to cost approximately \$1,500,000.
- Approximately 60% (close to 200km) of pathways are in fair condition, which suggests a renewal requirements are expected to increase in the short to medium term.
- Council's pathway total replacement value is expected to increase between approximately 10-40% (about \$4,500,000 to \$18,000,000) in the coming 15 years (depending on funding for new/upgrade projects) due to development and city growth.
- The Pathway Asset Management Plan has been formulated using the latest set of pathway asset data, produced from a condition audit in April 2013. Typically, pathways condition data should be collected every 4 years, meaning that Council is scheduled to complete a condition assessment.

### Key Financial Facts:

- Council has a 15 year renewal requirement of \$11,596,810, corresponding to an average annual requirement of \$773,121.
- Council is currently funding 48% of the renewal requirement, corresponding to an average annual shortfall of approximately \$404,000 per year (total shortfall of \$6,060,000 over 15 years).
- Council's "backlog" of pathway renewal works, being works which were due for renewal but not funded in previous years amounts to \$912,000 (as at July 2017).
- An increase of approximately \$90,000 (total) to Council's sealed path and gravel path maintenance and resurfacing budgets would be appropriate to effectively maintain these assets as safe, and maintained as open.
- Council's pathways are, on average, deteriorating at a rate which is 2.6 times faster than the average annual renewal funding which is being allocated.
- Concrete pathways provide the best financial result by far over the life of all pathway construction materials due to their long life, flexibility in design and low maintenance requirement. This position is supported by the Council adopted Infrastructure Design Manual which requires pathways to be concrete or asphalt, with use of other types (i.e. gravel) only to be used with written approval following a whole of asset life assessment demonstrating suitability and cost effectiveness.
- Around \$18,000,000 of new and upgrade projects have been identified in the Sustainable Transport Strategy and Growth Area Planning documentation. Completion of these works is subject to budget allocation and city growth.

**CONSULTATION**

The Warrnambool City Council Pathway Asset Management Plan was released for public comment between the 22<sup>nd</sup> August and the 23<sup>rd</sup> of September 2017 inclusive. A notice was placed in the Standard newspaper, an article on the Council website and yoursay Warrnambool and an entry was placed in the C2C monthly magazine inviting the public to comment on the Plan. Council received one (1) submission on the Plan (**Appendix 2**), the details of which are summarised below.

Submission	Support	Council Response
Suggestion that Council install a median refuge on the western crossing of the Dales and Gateway intersection.	Supported by submission 1 ( <b>Appendix 2</b> )	<p>The Warrnambool City Council Pathway Asset Management Plan includes an action to undertake road/pathway interface safety audits which allow Council to properly prioritise upgrade and renewal projects.</p> <p>Through this process, and with consideration for the results from the Principal Pedestrian Network, the Dales Road and Gateway Road pedestrian provision shall be evaluated and prioritised for works if required.</p>

**FINANCIAL**

The development of the Pathway Asset Management Plan is undertaken through Council's Strategic Asset Management team operations, and supported by consultants for specialist activities such as detailed Pathway condition assessment.

Recommendations from the plan to increase sealed path and gravel path maintenance and resurfacing budgets by approximately \$90,000 will be referred to Council's 2018/2019 budget process for consideration.

Currently Council has \$126,707 held in a reserve account. This was previously allocated for new and upgrade pathway works, specifically for the industrial precinct improvement project which included road, car park and pathway works in the Albert Street / McMeekin Road / Scott Street area. External funding was sought a number of times, but remains unsuccessful, hence Council's pathway contribution remains in reserve.

It is recommended that this reserve amount be used to address two (2) key actions in the short term, being:

1. Reallocate \$90,000 to recurrent sealed path and gravel path maintenance budgets to effectively maintain these assets as safe, and maintained as open in 2017/2018; and
2. Reallocate \$36,707 to recurrent asset condition audit budgets for the purpose of undertaking a new condition audit of pathways in 2017/2018.

**RISK**

The benefit of adopting a Pathway Asset Management Plan, like all asset management plans is to provide transparency, clarity and governance to the specific asset class and include details pertaining to:

- Levels Of Service – Community Engagement & Legislative Requirements
- Future Demand
- Risk Management – Hazard Identification & Asset Criticality
- Lifecycle Management Plan – Creation, Renewal, Upgrade, Operation, Maintenance & Disposal
- Financial Plan – Valuations, Forecasts & Funding Strategies
- Asset Management Practices – Systems, Standards & Methodologies
- Plan Improvement And Monitoring

**5.7 WARRNAMBOOL HARBOUR MASTER PLAN**

***The purpose of this report is to present the Warrnambool Harbour Master Plan to Council for adoption***

**EXECUTIVE SUMMARY**

- Following an application to the Boating Safety and Facilities Program 2016–2017 for Safer Launching Facilities at the Port of Warrnambool, Council were advised that completion of a Master Plan for the Warrnambool Harbour would assist in improving the business case for the project.
- In preparation for the 2017-2018 Boating Safety and Facilities Program Council has undertaken a community consultation process regarding Port facilities and developed a Master Plan and concept design for the Safer Boating facilities.
- The development of the Master Plan was funded from the Harbour Redevelopment Feasibility Study Project with contributions from both the State Government and Council.
- The Warrnambool Harbour Master Plan (**attached as a separate document**) is now ready to be advertised for public comment.
- Council's in principle endorsement for the 'immediate' priorities in the master plan is being sought so that the plan can be submitted with its next application under the Boating Safety and Facilities (or similar) program.

**MOVED: CR. NEOH**  
**SECONDED: CR. HERBERT**

**That Council:**

1. **Provides in principle endorsement for the \$4.66M of immediate priorities contained in the Draft Warrnambool Harbour Master Plan;**
2. **Supports a funding application for the delivery of the \$3.22M Safer Launching and Retrieval Facilities in the Port of Warrnambool;**
3. **Agree to release the Draft Warrnambool Harbour Master Plan for public comment for a period of 28 days and consider submissions in relation to the Plan at a future Council meeting.**

**CARRIED – 7:0**

**BACKGROUND**

At the 7 December 2015 Council meeting, Council resolved to adopt Option A from a feasibility study for works and improvements to the Port of Warrnambool.

Council received \$240,000 from the Department of Transport, Planning and Local Infrastructure (DTPLI) and Council allocated \$60,000 to undertake the Master Plan development – a total project cost of \$300,000.

**ISSUE**

Following an application to the Boating Safety and Facilities Program 2016–2017 for Safer Launching Facilities at the Port of Warrnambool, Council were advised that completion of a Master Plan for the Warrnambool Harbour would assist in improving the business case for the project.

In preparation for the 2017-2018 Boating Safety and Facilities Program Council has undertaken a community consultation process regarding Port facilities and developed a Master Plan and concept design for the Safer Boating facilities.

The consultation process identified a mix of priorities and the Master Plan process has addressed and assessed as many objectives as possible. The master plan process has highlighted that the community holds diverse views in relation to the facilities and priorities for the Port of Warrnambool.

A significant portion of feedback reflected a concern that Council should re consider an enclosed harbour.

## CURRENT STATUS

Council needs to endorse the 'immediate' term priorities to ensure that it can clearly articulate its priorities as part of future funding opportunities and should consult on the final masterplan draft.

## KEY CONSIDERATIONS

Applications for the next round for funding through the Boating Safety and Facilities Program are expected to be invited in the very near future. Should further information or alterations be required this funding period may be missed.

## FINANCIAL CONSIDERATION

The development of the Master Plan is funded from the Harbour Redevelopment Feasibility Study Project with contributions from both the State Government and Council.

A funding opportunity is scheduled to become available through the Boating Safety and Facilities Program later this year and Council will be seeking funding for the construction of its \$3.22M Safer Launching and Retrieval Facilities Project.

The following table provides details of the projects contained in the 'immediate' section of the staging and implementation plan.

Item	Description	Indicative Capital Cost Estimate
1	Extend northern car park including double length parking bays for horse floats and long vehicles. Realign the existing coastal trail to connect the path with the proposed car park and provide a wider coastal buffer to stabilise existing dunes.	\$858,000
2	Construct upgraded facilities for horse wash down and waste at the rear of the car park.	\$162,000
3	Construct a 3 lane boat launch including new road configuration to allow for queuing areas and improved circulation. Upgrade existing jetty to the north and construct a 2 level jetty and mooring facilities to the south.	\$3,217,000
4	Undertake an assessment to identify short and long term requirements and upgrades to maintain and the breakwater.	\$70,000 (Funded)
5	Improve existing beach launch, address erosion issue, clean up contamination	\$172,000
6	Provide a fish cleaning facilities (interim treatment)	\$148,000
7	Navigation aid upgrade	\$36,000 (Funded)
<b>Total</b>		<b>\$4,663,000</b>

## TIMING

Council needs to reaffirm its support for the Safer Launching and Retrieval facilities and should advertise the broader Master Plan for community comment.

## RISK

There are various risks associated with each of the project which will be considered and addressed as part of individual project plans.

## **5.8 ADVISORY COMMITTEE REPORTS**

### **PURPOSE**

***This report contains the record of two Advisory Committees.***

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### **REPORT**

1. **Visitor Economy Advisory Committee**  
Thursday 26 October 2017 – refer **Appendix A**
  
  2. **Warrnambool Economic Development Advisory Committee**  
Tuesday 31 October 2017 – refer **Appendix B**
- 

**MOVED: CR. HULIN**  
**SECONDED: CR. NEOH**

**That the Advisory Committee reports be received.**

**CARRIED – 7:0**

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Meeting Minutes

Visitor Economy Advisory Committee Meeting Minutes					
Date	Thursday, 26 October 2017	Time	7:30am – 9:15am	Location	The Pavilion Café.
Committee Members	Chair Cr. David Owen & Cr Tony Herbert, Peter Downs, Jon Watson, Andrew Suggett, Lynette Skilbeck, Natasha Wilkinson, Bob Scarborough				
Council Officer Invitees	Andrew Paton, Director City Growth, David McMahon, Manager Visit Economy, Bethany Lewis, Co-Ordinator Destination Marketing.				
No	What				Who
1.	Apologies Peter Downs				Chair
2.	<b>Update from Manager, Visitor Economy</b> <ul style="list-style-type: none"> <li>• VE Staff Recruitment (Event Manager position, Facilities Co-Ordinator and Village Activations Co-Ordinator currently advertised. Some support for interview panels may be required.</li> <li>• New FSH Service Manager in place (Paul Pinkerton)</li> <li>• Event Strategy under development. Draft for review expected in mid Nov.</li> <li>• FSH Sound &amp; Light Show being commission from 30 Oct. Preview being conducted on 3 Nov, invites to follow.</li> <li>• Official Opening for FSH Redevelopment scheduled for 17 Nov at 7pm.</li> <li>• Fireworks for NYE will be launched from the Breakwater. Applications/Permits are being processed.</li> <li>• Summer activations (Beach Fest) to be launched in early Dec.</li> <li>• Nitro Circus Live (14 Apr 2018) confirmed – Contract pending.</li> </ul>				DMc



## Meeting Minutes

3.	<b>Warrnambool Destination Action Plan 2015 – 2017 (REVIEW)</b> <ul style="list-style-type: none"> <li>• A review of each Priority was conducted. General discussions and considerations were made.</li> <li>• ACTION: DMC to provide a detailed updated of each Priority Actions (x8) and its status, as well as new tasks/actions for review at the next meeting.</li> <li>• ACTION: VEAC Members to review and consider current DMP and its objectives.</li> </ul>	ALL
4.	<b>Statistics &amp; Reports</b> <ul style="list-style-type: none"> <li>• A review of current reporting and statistics was discussed.</li> <li>• ACTION: DMC to provide a draft VE report (in a dashboard format) at the next meeting that covers of current data collected by WCC and review how this can be benchmarked against GORRT and Visit Victoria data.</li> </ul>	ALL
5.	<b>General Business</b> <ul style="list-style-type: none"> <li>- Next meeting – Thursday, 15 November, 7:30am. Location TBC</li> </ul>	ALL

**Economic Development Advisory Committee****MINUTES**

of the  
**Economic Development Advisory Committee (EDAC)**  
was held in **Committee Room 1** at the  
**Civic Centre** on **Tuesday October 31st, 2017**

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**B U S I N E S S**

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**1. WELCOME AND APOLOGIES****Attendees**

Cr Peter Hulin, Shaun Miller, Mark Bridge, James Tait, Martin Ellul, Rob Lane, Dean Luciani, Eddie Ivermee

**Apologies**

Doreen Power, Dr Helen Scarborough, Alistair McCosh, Andrew Paton, Cr Tony Herbert

Acting Chair Cr. Hulin welcomed the committee and declared meeting open at 12.05pm.

**2. MINUTES OF PREVIOUS MEETING**

Minutes of the previous EDAC meeting August 24th were passed as true and correct.

James Tait – Moved. Dean Luciani - Second.

**3. ECONOMIC DEVELOPMENT STRATEGY PROGRESS REPORT**

The group was asked to share their thoughts on the recently produced Economic Development Strategy Progress Report that provides an update on the Council's Economic Development Strategy 2020.

The Group noted: –

- The Strategy covers a large body of work over various sectors.
- The focus should continue to be on advocacy and support for the City and region.
- Need to remain focussed on what the region does well and the strengths of Warrnambool, with additional support towards aged care and the arts/culture of the city.
- The group noted the extensive list of actions covered in the strategy while also acknowledging the significant resources devoted towards the City Renewal business support program during Stage 1 2017.

- The GSC Food and Fibre strategy component of the progress report was updated with the project recently receiving \$500,000 of State Government funding to implement the Action Plan.

#### **4. DEAN LUCIANI PRESENTED TO COMMITTEE ON CURRENT REGIONAL SKILLS SHORTAGES AND UPDATED FIGURES AROUND TRAINEE AND APPRENTICESHIPS**

Key components of the update included;

- There are approximately 375,000 trainees and apprentices employed in Australia which is close to the United States figure of 400,000.
- Completion rates of those starting in this field remains around 50%
- Perceived risk on taking on trainees or apprentices has risen over last few years around areas such as OHS, wages and work ethic, making businesses less likely to seek these type of employees.
- Apprenticeship decline has been significant over last 5 years with a near 50% drop off of numbers Australia wide.
- Warrnambool City Council does well supporting local trainees and apprentices but is looking to do more.

The group noted: -

- A collective approach to youth unemployment is a must for the local region with a collaborative focus needed to tackle the rising problem
- Needs to be a promotion or incentives for decision makers to be willing to get younger or disadvantaged people into the workforce as either trainees/apprentices

#### **5. CHANGCHUN DELEGATION FEEDBACK REPORT.**

Manager of Economic Development and Investment at Warrnambool City Council Shaun Miller spoke to the group about the recent business delegation to Changchun.

Key points included: -

- The relationship with Changchun in China as an official Sister City is now 5 years old and continuing to grow.
- The delegation offers participants real opportunities to grow their business into China and offer a better understanding of Chinese business culture and customs.
- The significance of the support of Asialink Businesses (offering translation services and on the field support) who accompanied the delegation in September.

It was also noted that the Warrnambool China Bureau program that has been in operation since February of this year has helped over 40 local businesses engage in the China space through services such as translation, in-market support and business background checks.

## 6. MILLION DOLLAR CAMPAIGN PROMOTION REPORT AND STATS

Finishing in early October, Shaun Miller spoke to committee about the Council's Million Dollar Campaign promotional activity for Stage 1 Liebig Street works.

- Initiated by Council to support affected traders in the CBD Renewal project the Campaign was designed by the Economic Development Unit to encourage shoppers to continue to shop in the CBD despite the works being underway.
- The chance for one lucky shopper to win \$1 million was undertaken through an insurance policy. The chosen entrant will win an assured \$10,000 with the chance to play for a variety of other prizes including a 1 in 250 chance of \$1 million.
- The group noted the success of the campaign which documented over \$2 million of spending and that 55% of entrants noted that the campaign influenced them to shop in the CBD.

## 7. OTHER BUSINESS

- An update on the Ignite Great South Coast initiative. **Action: Shaun Miller** – draft document to be circulated to members for comment.
- Group noted the importance in engaging with industry and political representatives to continue to advocate for projects and priorities for the City and region.

**MEETING CLOSE: 1.30pm**

**Next Meeting: TBC**

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**5.9 ASSEMBLY OF COUNCILLORS RECORDS****PURPOSE**

*The purpose of this report is to provide the record of any assembly of Councillors, which has been held since the last Council Meeting, so that it can be recorded in the Minutes of the formal Council Meeting.*

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**BACKGROUND INFORMATION**

The Local Government Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the Councillors (5) and a member of Council staff; or
2. an advisory committee of the Council where one or more Councillors are present.

The requirement for reporting provides increased transparency, particularly the declarations of conflict of interest.

**REPORT**

Section 80A(2) of the Local Government Act 1989 requires the record of an Assembly of Councillors be reported to the next practicable Ordinary Meeting of Council.

The record of the following Assembly of Councillors is enclosed:-

1. Monday 16 October 2017 – refer **Appendix A**
2. Monday 23 October 2017 – refer **Appendix B**

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**MOVED: CR. GASTON**  
**SECONDED: CR. OWEN**

**That the information be received.**

**CARRIED – 7:0**

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**Assembly of Councillors Record**

Purpose of meeting:	Councillor Briefing
Meeting date:	16 October 2017
Start time:	4.00pm
Councillors present:	Cr. K Gaston – Chairperson Cr. R Anderson Cr. S Cassidy Cr. T. Herbert Cr. P Hulin Cr. M Neoh
Council Officers present:	Bruce Anson, Chief Executive Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth Scott Cavanagh, Director City Infrastructure Vikki King, Director Community Development Sue Rondo Municipal Emergency Management Coordinator
Other persons present:	Doreen Power, CEO, Lyndoch Liz Price, General Manager, Great Ocean Road Regional Tourism Tony Ford, Executive Officer, Food & Fibre Council Alistair McCosh, Deakin University, Warrnambool Campus
Apologies:	Cr. D. Owen
Conflict of Interest Disclosures:	
Items discussed:	<ul style="list-style-type: none"> <li>▪ Municipal Emergency Management Plan</li> <li>▪ Warrnambool Economic Development &amp; Investment Strategy 2020</li> <li>▪ Building Better Regional Cities Program – North Dennington Housing Affordability Program</li> <li>▪ 2017 Great South Coast Small Business Festival</li> <li>▪ Municipal Fire Management Plan Review</li> <li>▪ Councils and Emergencies Position Paper</li> <li>▪ CBD Revitalisation Works</li> <li>▪ Essential Services Commission submission</li> <li>▪ East Gippsland Shire Council Councillor Conduct Panel</li> <li>▪ Great Ocean Road Taskforce</li> <li>▪ Shipwreck Coast</li> </ul>
Other items raised by Councillors & Officers:	<ul style="list-style-type: none"> <li>▪ Councillors requested further information in relation to</li> <li>▪ Strategy on population growth</li> <li>▪ An update on the plans of the state government for the princess Highway west of Colac</li> <li>▪ An update as to the timing of works from the announced rail funding</li> <li>▪ It was noted that the Fletcher Jones Community group had won a Victorian award for Collaborative community work and</li> <li>▪ A recent mountain bike event at thunder point had attracted some 190 participants</li> </ul>

The meeting closed at 6.10pm.

**Assembly of Councillors Record**

Purpose of meeting:	Councillor Briefing
Meeting date:	23 October 2017
Start time:	1.00pm
Councillors present:	Cr. K Gaston – Chairperson Cr. R Anderson Cr. S Cassidy Cr. T. Herbert Cr. P Hulin Cr. M Neoh Cr. D. Owen
Council Officers present:	Bruce Anson, Chief Executive Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth Scott Cavanagh, Director City Infrastructure Vikki King, Director Community Development David McMahon, Manager Visitor Economy Rohan Mc Kinnon Senior Projects Engineer, Russel Lineham manager Recreation and Culture David Harrington Manager Finance
Other persons present:	Mark Frisby, Fitzgerald Frisby Landscape Architecture Wayne Kayler-Thomson, Chair, Great Ocean Road Regional Tourism Board Kirsten Kilpatrick, Novo Planning Dean McKenna, Midfield Kevin Banner, Midfield Matt Fisher, Midfield
Apologies:	Nil
Conflict of Interest Disclosures:	Nil
Items discussed:	<ul style="list-style-type: none"> <li>▪ Port of Warrnambool Master Plan</li> <li>▪ Flagstaff Hill Maritime Village</li> <li>▪ Local Government Indicators</li> <li>▪ Midfield Meats</li> <li>▪ Toohey Estate Development Plan</li> <li>▪ Pathway Asset Management Plan</li> <li>▪ Petition for playground in Russell Creek Estate</li> <li>▪ September Monthly Financial Report</li> <li>▪ City Centre Renewal Public Art</li> <li>▪ CBD revitalisation</li> <li>▪ Regional Cities Victoria Annual Forum Minutes</li> <li>▪ MAV Regional Forum Barwon South West minutes</li> </ul>
Other items raised by Councillors & Officers:	<ul style="list-style-type: none"> <li>▪ Councillors sought further information on items related to</li> <li>▪ Place making seminar that was held in the city</li> <li>▪ Timing for tree planting in lower Banyan street</li> <li>▪ A further update on the progress of the stage two 2040 consultation</li> <li>▪ Progress on a Warrnambool promotional video</li> <li>▪ Seeking increased access for advocacy to local politicians both state and federal</li> <li>▪ Councillors passed on their Thanks to Lisa Macleod for the great work done in the 2040 consultation</li> <li>▪ Ensuring maximising outcomes of events held in the city</li> </ul>

The meeting closed at 6.20pm.

**5.10 MAYORAL & CHIEF EXECUTIVE COUNCIL ACTIVITIES – SUMMARY REPORT****PURPOSE**

*This report summarises Mayoral and Chief Executive 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>
29 September 2017	Warrnambool	Mayor – Attended the National Police Remembrance Day Service held at South West TAFE.
4 October 2017	Lake Condah	Mayor – Attended the Launch of the Aboriginal & Torres Strait Family Violence Police Protocols
	Warrnambool	Mayor – Attended the South West TAFE 2017 Victorian Building Authority & Energy Safe Victoria Trades Awards.
5 October 2017	Warrnambool	Mayor – Attended the Annual General Meeting of Warrnambool & District Pipes & Drums Inc.
6 October 2017	Warrnambool	Mayor – Attended the opening of the Warrnambool Art Show.
8 October 2017	Warrnambool	Mayor – Launched the Warrnambool 2017 Celebrate Seniors Festival.
9 October 2017	Warrnambool	Mayor – Attended the Food Share Annual General Meeting.
12 October 2017	Warrnambool	Mayor – Attended the funding announcement by Minister Jaala Pulford MP, Minister for Regional Development for Tower Hill Worn Gundidj Aboriginal Co-operative.
	Warrnambool	Mayor – Attended the official launch of the food and Fibre agribusiness course at Deakin University.
	Portland	Mayor – Attended the Great South Coast Regional Assembly.
13-15 October 2017	Warrnambool	Mayor – Attended the Australian Local Government Women's Association Victorian Branch State Conference hosted by Warrnambool.
14 October 2017	Warrnambool	Cr Anderson deputised for the Mayor at the 8th/7th Battalion - 2RVR Association Inc Annual Reunion dinner.
17 October 2017	Warrnambool	Mayor – Attended the official opening of the Emmanuel College Thomas O'Toole Industrial Skills Centre.
	Melbourne	Mayor – Attended a Reception in recognition of service to local government hosted by the Hon. Bruce Atkinson, President of the Legislative Council and Hon. Colin Brooks, Speaker of the Legislative Assembly held at Parliament House.
19 October 2017	Melbourne	Mayor – Attended the Municipal Association of Victoria Annual conference.
20 October 2017	Melbourne	Mayor – Attended the Municipal Association of Victoria State Council Meeting.

26 October 2017	Melbourne	Mayor & Chief Executive – Attended a meeting of Regional Cities Victoria.
	Warrnambool	Mayor & Chief Executive – Met with Wannon Water's Strategic Issues Committee regarding Warrnambool 2040.
27 October 2017	Port Campbell	Mayor – Attended the 2017 South West Games official opening.

**MOVED: CR. NEOH**  
**SECONDED: CR. OWEN**

**That this report be received.**

**CARRIED – 7:0**

## **6. PUBLIC QUESTION TIME**

### **6.1 QUESTION FROM RODNEY BLAKE, 15 HYENRY STREET, WARRNAMBOOL**

“Q1.

*In 2010 it was accepted and acknowledged that Warrnambool boating precinct lacked a safe and functional harbour, since that time WCC has been very slow and inactive in developing plans that will provide Australian Standard launching facilities for the boat ramp.*

*For many years now there has been a history of local information/advice given to Council on how best to fix the problem of the inner harbour regarding the boat ramp and associated facilities.*

*Why does our local council ignore decades of anecdotal evidence and professional experience when they readily spend 10's of not 100's of thousands of dollars on consultants and engineering reports, when you can get much more accurate and reliable information for free?*

*Eg; recent dredging with the dredge spoils dumped on the beach between the Yacht Club and Worm Bay, only for it to return to the inner harbour with the next storm, Council engineers were advised that would happen and they dismissed it as nonsense, now we are left with the bay sand levels continually raising leaving very little beach access for any activities on our high tides, and water depths diminishing to the boat ramp.”*

“Q2

*Given that the most effective way to fix the boat ramp and provide an Australian Standard facility is to address the root cause of all the problems – dramatically minimise the swell approaching the inner harbour and boat ramp.*

*No reconstruction nor alterations go the existing facility will make the ramp acceptable to AS apart from very extensive dredging. To save \$3.22m as quoted from the Warrnambool Standard today, will the current Warrnambool City Councillors and Council Executive please accept that to minimise the swell coming into the inner harbour, the area needs structural protection built i.e. a spur and groyne as recently proposed, and if they won't/cannot accept this please explain why not?”*

The Chief Executive responded that an abridged answer would be provided and that a more detailed response would be provided in writing when more information was available.

Firstly, it must be understood that the harbour is a State asset, not a Council asset, Council is contracted to maintain and manage the harbour but it is not Council's asset. That needs to be understood so that as we start looking at the recent dredging spoils that were dumped onto the beach, that was at the direction of DELWP. DELWP required Council to put the sand on the beach, they would not allow us to sell it, they would not allow us to put it into where we have previously placed it in between Worm Bay and the harbour. The permits that are issued put restrictions on what Council can and can't do in relation to dredging so it is not Council engineers and it wasn't dismissed as nonsense, we were directed to place it on to the beach.

Now given the most effective way of the boat ramp by Australian Standards is to address the root cause, the Council has resolved to do "A" which is to improve the boat ramp, to do dredging and to monitor that for 2 years to see the impact on the boat swell.

Council is aware that significant work needs to be done on two thirds of the breakwater that has not had any maintenance on it and Council was presented with photos in the last fortnight showing how bad the end of the breakwater is and that's part of the work that we will be undertaking.

Council is of the belief that works on the boat ramp will provide a fix that meets Australian Standards and it also said in its resolution that it would monitor that for 2 years so that is what the application is about, the masterplan does say in the longer term or medium term which is around 4-6 years out, Council will give consideration to other works that are required.

## **7. CLOSE OF MEETING.**

The meeting closed at 6.40pm.

## **CHAIRMAN**

**I certify that these minutes were confirmed at a subsequent meeting of Council**

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**CR. ROBERT ANDERSON**  
**MAYOR**