MINUTES

ORDINARY MEETING
WARRNAMBOOL CITY COUNCIL
5:45 PM - MONDAY 1 JUNE 2020



VENUE: Reception Room 25 Liebig Street Warrnambool

COUNCILLORS

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

Cr. Peter Sycopoulis

Copies of the Warrnambool City Council's Agendas & Minutes can be obtained online at www.warrnambool.vic.gov.au

Peter B. Schneider
CHIEF EXECUTIVE OFFICER

AUDIO RECORDING OF COUNCIL MEETINGS

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

BEHAVIOUR AT COUNCIL MEETINGS

Thank you all for coming – we really appreciate you being here. These meetings are the place where, we as Councillors, make decisions on a broad range of matters. These can vary greatly in subject, significance and the level of interest or involvement the community has. As part of making these decisions, we are presented with comprehensive information that helps us to form our position – you will find this in the agenda. It should also be remembered that the Council meeting is a "meeting of the Council that is open to the public", not a "public meeting with the Council." Each Council is required to have a local law that pertains to governance meeting procedures. Warrnambool City Council has followed best practice in this regard and its Local Law No.1 - Governance (Meeting Procedures) Local Law provides regulations and procedures for the governing and conduct of Council meetings. Copies of the Conduct and Behaviour excerpt from Warrnambool City Council Local Law No. 1 - Governance (Meeting Procedures) Local Law can be obtained online at www.warrnambool.vic.gov.au or are available from the table at the rear of the room

We thank you in anticipation of your co-operation in this matter.

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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 1 JUNE 2020 COMMENCING AT 5:45 PM

PRESENT: Cr. Tony Herbert, Mayor/Chairman

Cr. Robert Anderson Cr. Sue Cassidy Cr. Kylie Gaston Cr. Michael Neoh Cr. David Owen Cr, Peter Sycopoulis

IN ATTENDANCE: Mr Peter B. Schneider, Chief Executive Officer

Mr Peter Utri, Director Corporate Strategies Mr Scott Cavanagh, Director City Infrastructure

Mr Andrew Paton, Director City Growth

Ms. Vikki King, Director Community Development

Ms. Wendy Clark, Executive Assistant

1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

Almighty God

Grant to this Council

Wisdom, understanding and Sincerity of purpose

For the Good Governance of this City

Amen.

ORIGINAL CUSTODIANS STATEMENT

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

2. APOLOGIES

Nil.

3. CONFIRMATION OF MINUTES

MOVED: CR. DAVID OWEN

SECONDED: CR. ROBERT ANDERSON

That the Minutes of the Ordinary Meeting of Council held on 4 May 2020, be confirmed.

CARRIED - 7:0

4. DECLARATION BY COUNCILLORS AND 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.

Nil.

5. REPORTS

5.1. POLICY & PROCEDURES REVIEW

PURPOSE:

To have Council seek community feedback on several updates to important Council Policies procedures and the Audit and Risk Committee Charter.

EXECUTIVE SUMMARY

Council will need to consider the review of several policies, procedures and its Audit and Risk Committee Charter in the first phase of the implementation of the new Local Government act by September 1 2020. Council is putting these documents out for exhibition and is inviting feedback via **yoursaywarrnambool.com.au**

MOVED: CR. MICHAEL NEOH SECONDED: CR. ROBERT ANDERSON

That Council note the attached draft policies, procedures and Audit and Risk Committee Charter of Council and that Council seek Community feedback for their further consideration on these documents.

CARRIED - 7:0

BACKGROUND

Attached are draft documents that were put to the Audit and Risk Committee for review and input, in response to changes in the intent of the new Local Government Act. These changes see the Committees oversight of governance policy compliance grow. This initial suite are the most pertinent documents due for review with the Audit and Risk Committee's input. These policies procedures and the charter were presented to the Audit and Risk committee on May 19 2020 for feedback. These are policies and procedures requiring update and are public policies of Council that deal with the good Governance of Council.

Whilst the Audit and Risk Committee Charter was last updated in 2019 the changes of the act require a further update to reflect the changes in intent of the legislation.

This report responds to changes created in the proclamation of the new Victorian Local Government Act 2020. The report provides a copy of several updated draft policies procedures and a draft of Councils Audit Committee Charter for the consideration of Council and the recommendation that these policies and procedures be put out for public exhibition comment and feedback.

The policies, procedures and charter would return to Council later for adoption with community feedback considered.

The intent of this exhibition period is to provide for an extended level of both transparency and engagement in the development of these important Council Documents. Both these elements reflect the changed emphasis that the new act envisages for Councils and the expanded role of the Audit and Risk Committee of Council. This process responds in an interim way to the legislation until a fully-fledged transparency policy is developed and the Community engagement policy reviewed in accordance with the intent of the changed legislation.

Further Policy Requirements – Local Government Act 2020 that Council will be seeking community feedback on will be

LGA Sec.	Subject	Deadline LGA 2020
41	Council expenses policy	1-Sep-20
69	Election period policy	1-Sep-20
60	Governance Rules	1-Sep-20
57	Public transparency policy	1-Sep-20

The policies, procedures and charter attached to this report for review and feedback includes:-

- Draft Audit and Risk Committee Charter
- Draft Public Interest Disclosure Procedure
- Draft Gift Policy (Councillor)
- Draft Fraud and Corruption Control Policy
- Draft Fraud and Corruption Control Procedure

CONSULTATION

Council is seeking feedback from the community in relation to several key documents. It is doing this to improve its understanding of the views of the community in relation to these governance documents.

The Documents will be available for inspection and comments are being sought via Councils Yoursaywarrnambool.com.au web site feed- back forum. Comments or feedback may also be made in writing to Council addressed to

Peter Utri Director Corporate Strategies PO Box 198 Warrnambool Victoria 3280.

Comments will be received for consideration until 5pm Wed 24th of June.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

- 5.1 Provision of opportunities for the community to actively participate in Council's decision-making through effective promotion, communication and engagement
- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness

TIMING

A report will be returned for Council's consideration at the Ordinary Meeting of Council to be held on Monday 6 July 2020.

OFFICERS' DECLARATION OF INTEREST

No conflict.

ATTACHMENTS

- 1. FRAU D__ CORRUPTION POLICY May 2020 [5.1.1 8 pages]
- 2. GIFT POLICY May 2020 [5.1.2 7 pages]
- 3. FRAUD PROCEDURES May 2020 [5.1.3 18 pages]
- 4. PUBLIC INTEREST DISCLOSURE PROCEDURE [5.1.4 30 pages]
- 5. CLEAR Audit Committee Charter [5.1.5 9 pages]





DOCUMENT CONTROL

Document Title:	Fraud and Corruption Control Policy
Policy Type:	Council
Responsible Branch:	Governance & Risk
Responsible Officer:	Manager Governance
Document Status:	Draft 12 May 2020
Approved By:	
Adopted Date:	
Review Date:	



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1. INTRODUCTION

Purpose

The purpose of this Policy is to demonstrate the Council's commitment to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct.

The Council is committed to protecting its reputation and assets from any attempt by a Councillor, Council staff or any external person or parties to gain financial or other benefits by deceit or dishonest conduct.

The Council recognises that fraud and corruption have the potential to cause significant financial and non-financial harm and that the prevention and control of fraud and corruption should feature predominantly within the systems and procedures of Council.

Scope

This policy applies to all Councillors, Council staff, volunteers and contractors and any associated external parties of the Council. Procedures have been developed in support of this Policy

This policy does not cover general misconduct involving a Councillor and Council staff. These matters are dealt with in accordance with the Codes of Conduct and associated disciplinary policies and procedures.

Definitions and Terminology

Term	Meaning
Fraud ¹	Dishonest activity involving deception that causes actual or potential financial loss. Examples of fraud include: • theft of money or property • falsely claiming to hold qualifications • false invoicing for goods or services not delivered, or inflating the value of goods and services • theft of intellectual property or confidential information • falsifying an entity's financial statements to obtain an improper or financial benefit • misuse of position to gain financial advantage.
Corruption	Dishonest activity in which employees act against the interests of their employer and abuse their position to achieve personal gain or advantage for themselves or others.

¹ Meaning of 'Fraud' and 'Corruption' sourced from Victorian Auditor-General's Report on *Fraud and Corruption Control – Local Government*, June 2019.



Term	Meaning
	 Examples of corruption include: payment or receipt of bribes a serious conflict of interest that is not managed and may influence a decision nepotism, where a person is appointed to a role because of their existing relationships, rather than merit manipulation of procurement processes to favour one tenderer over others gifts or entertainment intended to achieve a specific outcome in breach of
	an agency's policies.
IBAC	Independent Broad-based Anti-corruption Commission

References

Legislation	Public Interest Disclosures Act 2012
	Local Government Act 1989
	Local Government Act 2020
	Independent Broad-based Anti-corruption Commission Act 2011
Standards &	Commonwealth Fraud Control Guidelines – 2011
Guidelines	Victorian Auditor-General's Office (VAGO) report 6 June 2012
	Australian Standards AS 8001-2008
	Code of Good Governance
	IBAC Safeguarding Integrity
	Local Government Best Practice Guideline for the Sale, exchange and Transfer of
	land 2009
Council Related	Fraud & Corruption Control Procedures
Policy &	Protected Disclosure Procedures
Procedures	Privacy Policy
	Risk Management Policy & Procedures
	Councillors Code of Conduct
	Staff Code of Conduct
	Recruitment and Selection Policy
	Disciplinary Policy& Procedure
	Gifts & Benefits Policy
	Audit and Risk Committee charter
	Procurement Policy
	Acceptable computer use policy



2. POLICY

Commitment

The Council is committed to developing and maintaining an organisational culture supported by appropriate controls, procedures and strategies, which prevent fraud and corrupt conduct.

The **Council**'s commitment to fraud and corruption control will be managed by ensuring that fraudulent or corrupt activity is prevented, conflicts of interest are avoided, and auditing systems are in place to deter and/or identify corrupt activities.

Principles

- The Council has a zero tolerance to fraud, theft, corruption, or misconduct.
- The Council will implement effective controls to eliminate or reduce the possibility of fraud occurring, including Fraud & Corruption Control Procedure, fraud Risk Assessments and auditing. The Council will utilise available resources to:
 - Implement effective fraud controls;
 - o Conduct any investigations and analysis of fraudulent activities; and,
 - o Conduct appropriate awareness training for staff.
- The Council is committed to detecting, investigating, reporting and prosecuting cases of fraud, theft, corruption, or misconduct.
- All Councillors and Council staff have a role in assisting the Council to:
 - o Identify and detect suspected fraudulent or corrupt activities, and
 - o Report any potential suspected fraudulent or corrupt activities.
- The Council will provide a fair mechanism to ensure that:
 - Those who have become aware of, or who suspect that fraudulent activity may be occurring, are not victimised or disadvantaged for making allegations in accordance with the Council's Public Interest Disclosure Procedure;
 - o There is a fair process in place for staff against whom allegations are made; and,
 - o All matters concerning the suspicion of fraud are treated with strictest of confidence.

Reporting and Investigation

Councillors and staff are obligated to report all suspected incidents of fraudulent or corrupt activities.

- Councillors will report all suspected fraud, theft, corruption, or misconduct to the Chief Executive Officer, a Director or the Public Interest Disclosure Coordinator, except where it relates to a Councillor. If the matter relates to a Councillor, then a Councillor should follow the relevant provisions of the Councillor Code of Conduct, or if protected disclosure matter, report the matter to IBAC.
- Council staff can report to their supervisor, manager, Director, the Chief Executive Officer,
 Public Interest Disclosure Coordinator, Public Interest Disclosure Officers or IBAC.

Subject to the requirements of the *Public Interest Disclosures Act 2012* and *Independent Broad-based Anti-Corruption Commission Act 2011*, all reports of fraud, theft, corruption, and misconduct, will be

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assessed and, if appropriate, investigated, in accordance with the Fraud & Corruption Control Procedure.

The Chief Executive Officer will report:

- · Any suspected corrupt conduct to IBAC (mandatory reporting) occurring
 - o in the Council; and
 - in other organisations where it is connected with the Chief Executive Officer's duties, functions and exercise of powers.
- Confirmed incidences of fraud, theft, corruption, or misconduct to the Audit and Risk Committee (that are not protected disclosures).
 - Where a suspected fraud or corrupt behaviour is reported or detected and is deemed likely to have a material impact on Councils reputation or operations, in the opinion of the CEO. They will inform the Chair of the Audit and Risk Committee of the incident subject to the limitations on disclosure that may be imposed by external integrity bodies.

Appropriate disciplinary actions will be applied to persons found to be perpetrating fraudulent or corrupt activities or behaviours and include termination of employment.

The Council will report appropriate matters to the police for prosecution. Council will seek financial recovery of losses in all cases and civil proceedings may be initiated.

3. GOVERNANCE

Review

No later than three years after previous review.

Compliance Responsibility

Body/Persons	Responsibilities
Council	As the body responsible for the good governance of the municipality it is responsible for setting the tone for honesty and integrity in the provision of services to the community and the management of the Council. Ensure that Management has appropriate systems in place to detect and prevent fraud.
Audit and Risk Committee	 Monitor and provide advice on fraud prevention systems and controls. This includes: Reviewing processes in the prevention and management of fraudulent activity; Reviewing reports of fraud from management, the status of ongoing investigations and recommendations to improve fraud controls; Assessing the operational effectiveness of the fraud prevention controls; and Ensuring that the internal audit program assists in identifying any
Chief Executive Officer	potential fraud risks. Principal responsibility for fraud control and to ensure staff compliance with

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Body/Persons	Responsibilities
	this Policy and associated Procedures.
	Ensure that appropriate governance structures are in place.
Executive	Responsible for the co-ordination, monitoring, ongoing review and
Management Team	communication of the Policy.
(EMT)	
Council Staff	Responsible for acting with propriety in all council activities. Must not use
	their position with the Council to gain personal advantage or to confer
	advantage, or disadvantage, on any other person.



DOCUMENT CONTROL

Document Title:	Gifts Policy (Councillors)
Policy Type:	Council Policy
Responsible Branch:	Corporate Strategies
Responsible Officer:	Manager Governance
Document Status:	Draft 12 May 2020
Approved By:	
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1. INTRODUCTION

Purpose

The Council is committed to protecting its assets, its integrity and reputation and protecting Councillors from allegations of impropriety. Councillors must be, and seen to be ethical, fair and scrupulous in carrying out their role as a Councillor.

The Council recognises that Councillors will on occasion be offered gifts, benefits and hospitality.

The purpose of this policy is to provide clear guidance to Councillors on their approach to the acceptance, or otherwise, of gifts, benefits or hospitality from individuals or other entities external to Council.

Scope

This policy applies to all Councillors.

The Local Government Act (the Act) sets out legislative requirements in relation to conflict of interest and Councillors are responsible to familiarise themselves with the provisions contained in the Act and the requirements of this Policy.

Nothing in this policy shall be construed to override the provisions of the Act. In the event of any apparent inconsistency, the provisions of the Act will prevail. Procedures have been developed in support of this Policy.

Definitions and Terminology

Term	Meaning
Benefit	Something which is believed to be of value to the receiver, including access to
	sporting, cultural or social event, preferential treatment (queue jumping) and
	access to discounts or loyalty programs. While their value may sometimes be
	difficult to quantify in dollars, they may be highly valued by the intended recipient
	and therefore used to influence their behaviour.
Bribe	Money, reward or service offered to procure an action, decision or preferential
	treatment.
Gift	Gifts are unsolicited and mean to convey a feeling of goodwill on behalf of the giver
	and where there is no expectation of favours or repayment. Some examples of these
	types of gifts could include clothes, products and tickets.
Gift Register	A summary of gifts, benefits and hospitality received which will contain the
	following information; recipient details, providers details, date received,
	description and estimated value of the gift, benefit or hospitality.
Hospitality	Provision of food or beverages, travel, accommodation or entertainment, which is
	offered to convey goodwill on behalf of the giver, for which there is no expectation
	of favours or repayment. Hospitality is a form of Gift, but for the purpose of this
	Policy is considered separately.
Monetary	Cash, cheques, money orders, travellers' cheques, direct deposits or item
Benefit	which can easily be converted to cash.



Term	Meaning
Official Gift	A gift received by Councillors or Council officers as representatives of the City or
	the Council. Includes gifts from a Sister City, organisations or corporations that are
	bestowing a corporate gift (i.e. plaques, plates, vases, trophies, artwork) or
	souvenir to the City, or as a token of appreciation for a contribution to a
	conference or industry event.
Token	Is of such a nature and Value (less than \$100) that it could not reasonably be
Gift	regarded as capable of influencing any actions or decisions of the relevant person
	in relation to a matter. Does not create a sense of obligation in the receiver that
	will influence, or appear to influence, the exercise of their official duties. In the
	event that it might reasonably be perceived to influence, or appear to influence,
	the recipient, it cannot be defined as a Token Gift.
Value	Face value or estimate retail value.

References

Category	Document
Legislation	Local Government Act 1889
	Local Government Act 2020
Standards and	Conflict of Interest, A Guide for Councillors – 2012
Guidelines	
Council Related	Gifts Procedure (Councillors)
Policies &	Councillors Code of Conduct
Procedures	Fraud Prevention & Control Policy
	Public Interest Disclosure Procedure

2. POLICY

General Principles

Councillors must:

- Not seek, solicit, or use their position with Council to obtain gifts, benefits or hospitality from external organisations or individuals for themselves or others;
- Ensure that a person, company or organisation is not placed in a position in which they feel obliged to offer gifts, benefits or hospitality in order to secure or retain Council business;
- Avoid circumstances where accepting any gift, benefit or hospitality could give the appearance
 of a past, present or future Conflict of Interest;
- Avoid circumstances where the offer of a gift, benefit or hospitality could be interpreted as having been made with the objective of securing, or in return for, a favour or preference;
- Under no circumstances accept or receive a monetary benefit, supplier's goods or services at no cost or at a non-commercial discount;
- Be fully accountable and responsible for their actions and ensure that the methods and processes they use to arrive at decisions are beyond reproach, do not create a conflict of interest and can withstand audit processes and proper scrutiny; and
- Report any incidences where a bribe or inducement is offered.



Acceptance of Gifts and Benefits

The following conventions apply to Councillors in relation to the acceptance of Gifts, Benefits or Hospitality:

- Token Gifts (gift of value less than \$100) may be accepted provided they do not create a real
 or perceived sense of obligation that may lead to a perception of preferential service.
- Gifts and benefits with a value in excess of \$100 must only be accepted where they have been authorised and formerly declared in accordance with Gifts Procedure.
- Gifts and benefits are not to be accepted under any circumstance by a Councillor who is aware that the benefit is being offered by a supplier who is in the process of tendering for the supply of goods and services to the Council.

Official Gifts

From time to time individuals or organisations may offer Official Gifts to Councillors.

Individuals may be involved in conferences or social, cultural, community, industry events where Official Gifts are presented or exchanged. Where it would appear impolite or inappropriate to decline the offer, it is reasonable for official representatives of the Council to accept Official Gifts on behalf of the Council. Official Gifts shall be considered to be the property of the Council and may be displayed in an appropriate and secure location for public viewing.

Notwithstanding, in some circumstances, including where the item may not be suitable for public display or the gift is of a personal nature to the recipient, the Chief Executive Officer may use discretion as to the appropriate use of the Official Gift.

The Chief Executive Officer will ensure that an Official Gift is recorded in the Gift Register.

Hospitality

Councillors in the normal course of their duties, will from time to time receive invitations of Hospitality to attend various functions and events.

Where such Hospitality is modest in nature and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations. Where practical, approval should be obtained prior to the attendance.

If, however, acceptance of the Hospitality is likely to create the impression of compromised impartiality of the Councillor or could be perceived as a Conflict of Interest, the offer of Hospitality should be politely declined.

Any Hospitality estimated to be in excess of \$50 must be reported in the same manner as a Gift.



Conflict of Interest

Councillors should be aware one or more Gifts or Hospitality with a total value of, or more than, \$500 received from one person, over a five year period, will give rise to a conflict of interest, which must be declared in accordance with the Local Government Act.

This does not include the value of any reasonable hospitality received by a Councillor at an event or function that they attended in an official capacity.

All other forms of Hospitality must be declared. Hospitality does not constitute a Gift if it is paid for by the Council, or by the person receiving the Hospitality.

3. GOVERNANCE

Review

This policy is reviewed, in consultation with the Audit and Risk Committee, no later than six months after a general election.

Compliance Responsibility

The Audit and Risk Committee shall exercise an oversight function over compliance with this policy.

Where a Councillor fails to comply with this policy, the issue shall be dealt with in the same manner as disputes arising under the Councillor Code of Conduct.



FRAUD and CORRUPTION CONTROL PROCEDURES DRAFT

DOCUMENT CONTROL

Document Title:	Fraud and Corruption Control Procedure
Responsible Branch:	Governance and Risk
Responsible Officer:	Manager Governance
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1. INTRODUCTION

Purpose

The Council is committed to providing an organisational culture supported by appropriate policies and procedures to prevent fraud and corruption. The desired outcome of this commitment is the minimisation and elimination of actual or perceived fraudulent and corrupt behaviours and acts throughout the Council operations.

This Procedure sets out the framework and approach to the implementation and review of fraud and corruption prevention, detection, monitoring and reporting.

Scope

This Plan applies to Councillors, staff, contractors, sub-contractors, consultants, persons employed through a third party agency and volunteers of Council.

Definitions and Terminology

Term	Meaning
Fraud ¹	Dishonest activity involving deception that causes actual or potential financial loss. Examples of fraud include: • theft of money or property • falsely claiming to hold qualifications • false invoicing for goods or services not delivered, or inflating the value of goods and services • theft of intellectual property or confidential information • falsifying an entity's financial statements to obtain an improper or financial benefit
	misuse of position to gain financial advantage.
Corruption	Dishonest activity in which employees act against the interests of their employer and abuse their position to achieve personal gain or advantage for themselves or others. Examples of corruption include: • payment or receipt of bribes • a serious conflict of interest that is not managed and may influence a decision • nepotism, where a person is appointed to a role because of their existing relationships, rather than merit • manipulation of procurement processes to favour one tenderer over others • gifts or entertainment intended to achieve a specific outcome in breach of an agency's policies.
IBAC	Independent Broad-based Anti-corruption Commission

¹ Meaning of 'Fraud' and 'Corruption' sourced from Victorian Auditor-General's Report on *Fraud and Corruption Control – Local Government*, June 2019.

Examples of Fraud and Corruption

Fraud

General

- Theft of funds, assets, plant, equipment or information
- Unauthorised use of Council equipment or materials for personal benefit
- Causing a loss or avoiding creating a liability by deception
- False invoicing (involving a staff member creating a fictitious invoice claiming payment for goods or services not delivered or exaggerating the value of goods delivered or services provided)
- Accounts receivable fraud (misappropriation or misdirection of remittances received from a debtor)
- Credit card fraud involving the unauthorized use of a credit card or credit card number issued to another person, including use of purchasing card to buy goods or services for personal use
- Providing false or misleading information
- Making false or misleading financial reports
- Release or use of misleading or inaccurate information for the purposes of deceiving or misleading, or to hide wrongdoing
- Misuse of position in order to gain some form of financial advantage
- Theft of intellectual property or other confidential information
- Bribery or kickbacks.

Payroll/timesheet fraud

- Time in lieu claimed but not worked
- · Overtime claimed but not worked
- Not recording leave taken on timesheet
- Forgery of manager's signature
- Fraudulent medical certificates.

Unauthorised use of Council assets

- Unauthorised private use of vehicles
- Taking supplies for private use
- Taking equipment for private use.

False claims for reimbursement

- Claiming for non work related costs
- Claiming for costs not actually incurred.

Recruitment fraud

- Fake qualifications
- Fictitious former employers
- Fake references.

Corruption

Corruption includes Councillors, employees, volunteers and contractors:

- Being targeted by external parties seeking to gain an improper benefit
- Targeting external parties or other internal parties in seeking to gain an improper benefit.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver (e.g. building projects completed at an employee's private residence)
- Release of confidential information for other than a proper business purpose in exchange for some form of non-financial benefit or advantage accruing to the employee releasing the information
- Solicitation of donations for an improper political purpose

- Senior personnel acting in their own self-interest rather than the interests of Council (e.g. failing to declare a conflict of interest in a decision)
- Serious nepotism and cronyism where the appointee is inadequately qualified to perform the role to which he or she has been appointed
- Manipulation of the procurement process by favouring one tenderer over others or selectively providing information to some tenderers. This may involve allowing tenderers to resubmit a 'non-complying' tender after being provided with the details of other bids
- Gifts or entertainment intended to achieve a specific or generic commercial outcome in the short or long-term in breach of Council's Gifts and Benefits procedure.

2. PLANNING AND RESOURCING

Fraud and Corruption Control Documents

The Fraud & Corruption Control Policy and Procedure, the Staff Code of Conduct and the Councillor Code of Conduct are important documents for clearly articulating Council's objectives and expected outcomes in managing fraud and corruption.

The Fraud & Corruption Control Policy establishes Council's attitude and approach to fraud control, while the Staff Code of Conduct and Councillors Code of Conduct set out the high standards of ethical behaviour expected and Council's commitment to those standards.

The Fraud and Corruption Control Plan relates to a specific period in time. It outlines the Council's intended actions in implementing and monitoring its fraud and corruption prevention, detection and response initiatives. The key elements for a Fraud and Corruption Control Plan are listed in Appendix 1

It describes Council's current fraud and corruption risk context, and its current fraud and corruption risks (as identified in a risk assessment). It contains detailed and specific information on fraud and corruption control activities, responsibilities and timelines in response to those risks.

Internal Audit Activity

Internal audit supports fraud prevention by ensuring employees conform to internal controls, and by deterring potential perpetrators with the increased prospect of being caught. It has a key role in detection of fraud and provides necessary inputs into the Council's responses to fraud.

The Governance Manager, in consultation with the Director Corporate Strategies, should ensure that internal audit schedules or plans adequately address Council's fraud risk exposures and adequately test Council's fraud risk controls.

If deemed necessary the Council will utilise the role of the internal auditor in the investigation and reporting of any suspected fraud or corrupt activity.

Monitoring

The Audit & Risk Committee provides a key role in monitoring the Council's fraud control processes. Any incident of fraud will be reported to the Committee as part of the risk Review report at the quarterly meeting of the Audit and Risk Committee.

The Audit & Risk Committee reviews whole of organisation risk and determines the Annual Internal Audit Plan delivered by the Internal Auditor.

Internal review of controls (systems, processes and procedures) will be undertaken by Council staff as identified in the fraud risk assessment, and/or may be selected by the Audit & Risk Committee for internal audit as part of the Annual Internal Audit Plan.

An internal audit of the Risk Register will be undertaken annually.

Where a suspected fraud or corrupt behaviour is reported or detected and it is deemed likely to have a material impact on Councils reputation or operations, in the opinion of the CEO. They will inform the Chair of the Audit and Risk Committee within 10 working days of the incident subject to the limitations on disclosure that may be imposed by external integrity bodies.

3. FRAUD AND CORRUPTION PREVENTION

Ethical Culture

All management and staff are responsible for the development and maintenance of an ethical culture. The Codes of Conduct detail the ethical values and principles that are expected of all staff and of the Council.

Senior Management will not be complacent and will treat fraud and corruption risks as a serious threat to the organisation

EMT and Managers will regularly be briefed on the following:

- Councils current fraud and corruption plan and policy
- Information on the program and robustness of the internal control environment in regard to preventing and detecting fraud
- The types of fraud and corruption common with the sector
- Incidence of fraud and corruption generally in Australia
- Information on the types of fraud and corruption that have been detected at Council over the previous five years
- Information of new or emerging trends in this area.

Fraud and Corruption Policy and Procedure

The Council will ensure that it has Fraud and Corruption Policy and Procedures in place. Audit and Risk Committee will periodically review the effectiveness of the Fraud and Corruption Policy and Procedure.

Line Managers shall set the example in regard to exercising and demonstrating high levels of integrity in the execution of their roles and functions by regularly reminding employees of the importance of complying with the Code of Conduct, the Fraud and Corruption Control Policy and Fraud and Corruption Plan.

Raising Awareness

Corporate Induction and Fraud Awareness Training is Council's method for ensuring that all employees are aware of their responsibilities for fraud control and of the expectations for ethical behaviour in the workplace.

Fraud Awareness Training will be provided to all managers to ensure that they are aware of the additional responsibility as a manager, with regards to fraud control.

A copy of the Fraud and Corruption policy and procedures will be made available to all Councillors, employees, contractors and volunteers.

The Learning & Development Officer in consultation with the Risk Management Coordinator is responsible for the development and delivery of fraud awareness training, which will be included in the induction program for all new staff, and delivered across the organisation as refresher training, every two years or as deemed necessary.

Risk Identification

The Risk Management Review Panel is responsible for the Council's overall management of risk. The Panel comprises the Chief Executive Officer, Directors, Manager Governance Projects and Risk and the Risk Management Coordinator.

The Panel meets quarterly to continually identify, review and manage the Council's risk exposure as recorded in the Risk Register, and reviews the Risk Management Strategy and processes.

Fraud has been identified as a high risk to the Council. In order to ensure that all aspects of fraud risk exposure are clearly understood and to effectively implement control measures, the Panel will make recommendations on further treatments that can be implemented in order to control the risk of fraud. These will be detailed within the Fraud Control Plan and implemented in due course.

The Risk Management Coordinator is responsible for coordination of fraud risk assessments. However, each Branch Manager is responsible for the identification of potential exposure of fraud and corruption in their work areas and the development, implementation and monitoring of internal controls (systems, processes and procedures) to minimise risks. The risks, treatments and controls identified through the risk assessment process will be recorded and reported through the Risk Register.

Risks identified will be reported in line with the Risk Management Framework.

Levels of accountability are detailed in all staff Position Descriptions. With general guidelines regarding the protection of Council assets detailed in the Staff Code of Conduct.

Communication and Awareness of Fraud and Corruption

It is important that fraud and corruption is identified and reported at an early stage and that staff and Councillors have understanding and confidence in the system.

Staff and Councillors will be provided with information on the Fraud and Corruption Plan and Policy so that they have confidence in knowing how to respond if this type of activity is detected or suspected.

The awareness of Council's risk of fraud and corruption controls will be made available to staff and Councillors through the following:

- Copy of the Staff Code of Conduct and Fraud and Corruption Policy will be included in packs for all new staff
- A dedicated page will be maintained on the Council intranet in regard to fraud and corruption, this will include links to all relevant documents in particular the process for reporting allegations
- Staff will complete Fraud and Corruption Awareness Training every two years
- Any substantive changes in the Code, Plan or Policy will be communicated to all staff
- Councillors will complete relevant training with a focus on statutory requirements and Councillor Code of Conduct as required.

Employment Screening

Employment screening will be undertaken for all new positions. This screening process will reduce the risk of a potential security breach and will provide a high level of assurance as to the integrity, identity and credentials of prospective employees.

The following screening shall be undertaken with the express consent of the individual concerned for all prospective employees:

- Verification of identity requiring at least two forms of identity (passport, birth certificate, drivers licence, rate certificate, at least one must include photo identification)
- · Police criminal history check
- Working with children check relevant identified positions
- Reference checks with two most recent employers
- Consideration of any gaps on employment history and the reasons for the gaps
- Verification of formal qualifications claimed.

Job Rotation and Excess Annual Leave

Individual Service Units will regularly consider job rotation for positions where there are multiple officers undertaking the same or similar functions and the position is deemed a high risk from a fraud or corruption perspective, local law enforcement, parking enforcement, planning officers, contract management, for example.

Excess annual leave will be monitored on a quarterly basis to ensure excess leave is managed.

Supplier Vetting

The Council will continue to undertake supplier vetting for new and ongoing suppliers in accordance with existing practices.

Financial and/or Performance assessments will be undertaken where the contract poses a key financial risk to Council or where it is a new supplier that has never been used by Council before and the risk of poor performance or financial collapse is likely to adversely affect Council.

Financial and Performance assessment checks may also be undertaken where Council wishes to understand the financial and previous contract performance of the supplier or if no security is in place.

4. FRAUD AND CORRUPTION DETECTION

Detection Program

The Council's detection program includes the annual internal audit plan, annual financial statement external audit, Audit and Risk Committee oversight, review of risk strategies and various reporting avenues. Other detection programs may also include:

- Post transactional reviews a review of transactions after they have been processed. This
 option may identify or uncover altered documents or missing documentation, falsified or
 altered authorisations or inadequate documentary support.
- Data mining the application of sophisticated (and sometimes unsophisticated) software applications and techniques where a series of suspect transactions can be identified and then investigated which can identify anomalies at an early stage.
- Analysis of management accounting reports using relatively straight forward techniques in analysing management accounting reports, trends can be examined and investigated which may be indicative of fraudulent of corrupt conduct.

External Audit

External audit can detect material misstatements in Council's financial statements due to fraud or error.

The Council's external auditors meet with the Audit & Risk Committee:

- Prior to conducting audits, where they present the audit methodology
- After conducting the audit, where they present a closing report.

The Director Corporate Strategies should ensure that the external auditors are briefed about the Council's expectations on external audit to detect fraud, and appropriately supported by Council staff to enable this.

Reporting by Internal Parties

The Council takes fraud and corruption very seriously and does not accept fraudulent or corrupt behaviour. It encourages all personnel to maintain awareness and vigilance in regard to fraud and corruption.

All Councillors and staff are encouraged to assist the Council by:

- identifying suspected or potential fraudulent and corrupt activities; and
- reporting any such activities in order that those activities are investigated.

Internal reporting avenues include notifying:

- the Chief Executive Officer; or
- line Supervisors or Managers or Directors (for staff reporting only); or
- · Manager, Governance; or
- Public Interest Disclosure Officer or Co-ordinator.

All reports involving corrupt conduct reported by staff must be forwarded to the Chief Executive Officer.

External reporting avenues include notifying:

- the Local Government Inspectorate on 1800 469 359, or
- the IBAC on 1300 735 135, or
- the Victorian Ombudsman on (03) 9613 6222.

Other reporting avenues include notifying:

- the Internal Auditor; or
- the Audit and Risk Committee Chair

The internal Auditor or Audit & Risk Committee Chair will refer the notification to an authorised external body and/or notify the Chief Executive Officer provided always that any request for non-identification of the discloser will be maintained.

Alleged criminal conduct will be reported to Victoria Police as appropriate, and serious improper conduct to IBAC as required by law.

Reporting by External Parties

From time to time employees of external parties such as suppliers may become aware, or suspicious, that Council personnel are engaging in fraudulent or corrupt behaviour. Encouraging and enabling reporting of this behaviour is an important part of a fraud and corruption control program.

The Procurement Coordinator should ensure that procurement procedures include:

- making new suppliers aware of Council's fraud and corruption control program;
- encouraging them to report fraudulent or corrupt behaviour, or suspected behaviour; and
- providing them with the contact details of Council's Public Interest Disclosure Coordinator.

Public Interest Disclosure

Under the *Public Interest Disclosures Act 2012*, persons can make disclosures to the Council and IBAC about improper conduct and detrimental action in relation to the activities and functions of Council. This is encouraged where any person wishes to access the protections afforded by the Act. The Council's Public Interest Disclosure Procedures are available on the Council Web site.

Disclosures about improper conduct or detrimental action by Councillors should be made to the IBAC or to the Ombudsman. If Council receives a misdirected disclosure about a Councillor, such disclosures will be assessed and managed in accordance with Council's Public Interest Disclosure Procedures.

A public interest disclosure can be made to:

The Council's Public Interest Disclosure Officer or Public Interest Disclosure Coordinator

IBAC

Level 1, North Tower 459 Collins Street Melbourne Vic 3000

Postal address: GPO Box 24234, Melbourne VIC 3001 Telephone: 1300 735 135

Website: www.ibac.vic.gov.au

5. MANDATORY REPORTING

The Chief Executive Officer must notify IBAC of any matter they suspect on reasonable grounds to involve corrupt conduct occurring or having occurred. This obligation cannot be delegated. Where another person is acting as the Chief Executive Officer, the obligation applies to that person.

The Chief Executive Officer must notify IBAC of all instances of suspected corrupt conduct occurring in the Council, and suspected corrupt conduct occurring in other organisations where it is connected with the Chief Executive Officer's duties, functions and exercise of powers.

The notifications must be made as soon as practicable after the Chief Executive Officer has formed a reasonable suspicion that corrupt conduct may have occurred or may be occurring. An assessment as to whether a matter must be notified to IBAC should be made based on the material available to the Chief Executive Officer.

6. RESPONDING TO DETECTED FRAUD AND CORRUPTION INCIDENTS

For all matters subject to Mandatory Reporting to IBAC, no action will be taken until IBAC has assessed the matter and informed the Chief Executive Officer of its decision. Exceptions apply where the action is:

- necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual or to public health or safety; or
- taken to comply with another legal obligation, such as a duty to report the matter under other legislation; or
- reporting the matter to Victoria Police.

For all other reports detected or suspected fraud or corruption and any matters subsequently referred back by IBAC for Council to consider, the Council will investigate first, and determine a course of action second, depending on the outcomes of the investigation.

Investigation

All reported fraudulent or corrupt behaviour, or suspected behaviour, will be investigated by either by the Council, an external investigator or Victoria Police.

The purpose of an investigation is to:

- Determine if in fact fraudulent or corrupt behaviour has been committed;
- Identify the person(s) responsible for the fraudulent or corrupt behaviour;

- Discover the extent of the fraudulent or corrupt behaviour and determine the action to be taken;
- · Provide the basis of any insurance claim; and
- Identify how long the fraudulent or corrupt behaviour has been occurring and thereby the
 extent of the breakdown of internal controls.

Upon receipt of a report of fraudulent or corrupt behaviour, or suspected behaviour, the Director Corporate Strategies and the Manager Governance will as soon as practicable ensure that an investigation is conducted into the alleged misconduct.

The Chief Executive Officer will be consulted and decide whether the Police or any external assistance will be employed. The Chief Executive Officer is responsible for the selection of the personnel to be involved in the Investigation team. This may include referring the investigation to the Internal Auditor for action.

External Investigation

The Chief Executive Officer may decide that the investigation should be conducted by an external party or the matter referred directly to Victoria Police. Any referral direct to Victoria Police will be coordinated by the Director Corporate Strategies.

The Director Corporate Strategies, in consultation with the Manager Governance, will consider the report from the external investigation and make recommendations to the Chief Executive Officer as to the most appropriate course of action as soon as practicable.

Internal Investigation

The investigation should be conducted as quickly as practicable, including but not limited to the following steps:

- Develop the terms of reference, identifying:
 - Confirming who should conduct the investigation
 - Who should be interviewed
 - What records should be examined
 - Who should be kept informed, on a 'need to know' basis
- Conduct the investigation
 - Collect witness statements
 - Examine records
 - Conduct the interviews, on an innocent until proven guilty basis; persons against
 whom allegations are made should be made aware of the nature of the allegations
 and given an opportunity to respond within a reasonable timeframe; they should be
 allowed a support person in the interviews, but that person may not represent them
 or provide comment
 - All parties to maintain confidentiality and propriety at all times
- Compile a report
 - Conclusions as to the likely truth or otherwise of the allegations
 - Comment on the breadth and seriousness of the misconduct
- Register the report in Records Management system using a highly restricted security classification.

The Director Corporate Strategies and the Manager Governance will consider the report and make recommendations to the Chief Executive Officer as to the most appropriate course of action as soon as practicable.

A Fraud Investigation Checklist is included in Appendix 2.

Responses to Investigations

The Chief Executive Officer, upon receipt of recommendations from the external or internal investigation, should decide on the most appropriate course of action, and act or delegate actions accordingly, as soon as practicable.

The Council's responses to investigations may include disciplinary action, reporting to Victoria Police, and/or civil action to recover losses.

Disciplinary action

The Manager Organisational development will coordinate disciplinary action in accordance with Council's Disciplinary Policy and Procedure.

• Reporting to Victoria Police

The Director Corporate Strategies will coordinate the reporting of the investigation outcome to Victoria Police.

Civil action to recover losses

The Council will pursue recovery of any losses due to fraud or corruption where there is clear evidence of fraud and corruption and where the likely benefits of such recovery will exceed the funds and resources required to be invested in the recovery action. The Director Corporate Strategies will coordinate any civil action taken by Council to recover losses incurred as a result of the fraud or corruption.

Review of Internal Controls

Where fraud or corruption is detected, the relevant service unit Manager, in consultation with the Manager Governance and/or the Risk-Management Co-ordinator, will review the findings and assess the adequacy of the relevant internal control environment and provide a report to the Director Corporate Strategies on any recommended improvements identified.

Where internal controls may be practicably improved, the relevant Responsible Officer should ensure as soon as practicable that those improvements are developed, documented and implemented, and understood by those who have roles and responsibilities in them.

Record Keeping

The Manager Governance will maintain a record of reports of fraudulent and corrupt behaviour, or suspected behaviour, and investigation outcomes.

All investigative documentation will comply with relevant legislative provisions, will remain strictly confidential and will be retained in accordance with the Council's Information Privacy Policy and Records Management system controls.

Insurance Covers

The Council will maintain a fidelity guarantee insurance policy that insures the risk of loss arising from internal fraudulent conduct. The level of the policy will be determined as part of Council's annual insurance renewal program. This will be reported annually to the RMC alongside Council's other insurance policies.

Insurance for external fraud and corruption, in particular the theft of Council property, will also be maintained and reviewed annually by staff in conjunction with the normal annual reassessment of insurance policy cover and limits.

7. GOVERNANCE

Review

To be reviewed every three years unless required earlier by changes to legislation or systems.

Responsibilities and Accountabilities

Position	Responsibilities/Accountabilities	
Council	As the body responsible for the good governance of the municipality, setting the tone for honesty and integrity in the provision of services to the community and the management of the Council's organisation. Ensure that Management has appropriate measures in place to detect and prevent fraud.	
Audit & Risk Committee	 Monitor and provide advice on fraud prevention systems and controls. This includes: Reviewing processes in the prevention and management of fraudulent activity; Reviewing reports of fraud from management, the status of ongoing investigations and recommendations to improve fraud controls; Assessing the operational effectiveness of the fraud prevention controls; and Ensuring that the internal audit program assists in identifying any potential fraud risks 	
Chief Executive Officer	 Principal responsibility for fraud control and to ensure staff compliance with the Fraud & Corruption Control Policy and these Procedures. Decide on appropriate course(s) of action arising from investigations and act where required 	
Executive Management Group (EMT)	 Co-ordination, monitoring, ongoing review and communication of the Fraud & Corruption Control Policy and Procedure. Conform to fraud and corruption control policies and procedures Ensure others that report to them do likewise Maintain awareness of fraud and corruption risks Provide regular communication to the organisation about fraud and corruption Provide information for the risk context statement in the Fraud and Corruption Control Plan 	

Position	Responsibilities/Accountabilities	
Director Corporate	Oversee Council's fraud and corruption control program	
Strategies	Allocate risk control responsibilities to Responsible Officers where required	
	Ensure investigations are undertaken	
	Consider investigation reports and make recommendations for the Chief Executive	
	Report serious fraud and corruption to Victoria Police	
Manager	Review the Fraud and Corruption Control Policy and Procedure	
Governance	Ensure internal audit programs adequately address fraud and corruption risk	
	Ensure procurement procedures adequately address fraud and corruption risk	
	Coordinate external investigations and make recommendations for the Chief Executive	
	Coordinate civil action to recover losses	
	Ensure Council maintains appropriate insurance cover	
Manager Organisation	Ensure employment procedures adequately address fraud and corruption risk	
Development	Coordinate disciplinary action for misconduct where required	
	Ensure induction and performance management procedures adequately address fraud and corruption risk	
Manager Financial	Ensure finance procedures adequately address fraud and corruption	
Services	risk Co-ordinates access to financial information to audit authorities.	
	Ensure procurement procedures adequately address fraud and corruption risk	
Risk Management	Coordinate fraud and corruption risk assessments	
Co-ordinator	Record risks and associated risk treatment plans in the Risk Register	
Managers	Ensure procedures and local work instructions regarding activities for	
(Responsible	which they have operational responsibility adequately address fraud	
Officers)	and corruption risk	
All councillors,	Conform to Council's policies and procedures regarding fraud and	
employees,	corruption control, including reporting fraudulent or corrupt	
volunteers and	behaviour, or suspected behaviour, as soon as practicable	
contractors		

Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively.

Examples of minor administrative changes include changes to names of the Council departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

Attachment 5.1.3

COMMUNICATING INTENT	IDENTIFYING RISKS	LIMITING OPPORTUNITIES	RAISING AWARENESS	MONITORING
Fraud and Corruption Policy	Risk Assessments/Risk Register	Internal controls including but	E-learning Fraud and	Risk Management Committee
Fraud and Corruption Control		not limited to:- system controls	Corruption mandatory training	
Plan	Risk Management Framework	(Finance, HR 21, E- Procure,	and induction, plus refresher	Compliance Plan reviews
		WASP-stores, Secure sign in –	cycle.	
Employee Code of Conduct	Quarterly Procurement	procurement/tender, Riskware		Internal Audit Plan and ad hoc
	Expenditure Data report	– risk register)	Participation in the IBAC Local	audits
Councillor Code of Conduct			Council Integrity Framework	
	Recruitment vetting (Police	Internal Audit actions	Research Project and Survey	Annual Procurement internal
Workplace Values	check, referees, qualifications, COI etc.)	Compliance Review actions	2017.	audit
Procurement Policy		Recruitment Procedure	Circulation of the VAGO, IBAC	External Audit, VAGO
·	Supplier/Customer vetting		and Ombudsman reports and	
Tendering Procedures Manual		Delegations, Authorisation	newsletters.	Audit and Risk Committee
	The IBAC/ VAGO/ Ombudsman	procedures, Conflict of Interest		
Supplementary	publications	declaration and register	Procurement induction and regular communication	EMT monitoring i.e. excess staff leave balances
Procurement procedures and		Delegations, Gift register, IT	updates.	
tools		system access controls		
			Contractor Management	
Public Interest Disclosure		Exception reporting i.e. payroll,	training.	
Procedures, including		accounts payable etc.		
mandatory reporting by CEO				
,		Segregation of duties		
Petty Cash Procedures				
,		Vendor Masterfile cleansing		
Token Gift Policy				
,		Dual authorisation payroll EFT		
		payments		

APPENDIX 2 – FRAUD INVESTIGATION CHECKLIST

FRAUD INVESTIGATION CHECKLIST

A complete description of the allegations or suspected events
The name and position of any public official/s alleged to be involved
The name/s of the person/s who made the allegation/s
The name and role of any other person/s relevant to the matter
The dates and/or time frames in which the alleged conduct occurred
A brief analysis of why the events in question may be corrupt conduct
A brief analysis of the basis for forming a reasonable suspicion about the
events in question
An indication as to whether the conduct appears to be a one-off event or
part of a wider pattern or scheme
The date the allegation was made or the date you became aware of the
conduct
How you became aware of the conduct
How you became aware of the conduct What your organisation has done about the suspected conduct, including
·
What your organisation has done about the suspected conduct, including
What your organisation has done about the suspected conduct, including notification to any other agency (e.g. the Police or the Victorian
What your organisation has done about the suspected conduct, including notification to any other agency (e.g. the Police or the Victorian Ombudsman)
What your organisation has done about the suspected conduct, including notification to any other agency (e.g. the Police or the Victorian Ombudsman) What further action you propose The approximate amount of money or value of resources (if any) involved
What your organisation has done about the suspected conduct, including notification to any other agency (e.g. the Police or the Victorian Ombudsman) What further action you propose The approximate amount of money or value of resources (if any) involved
What your organisation has done about the suspected conduct, including notification to any other agency (e.g. the Police or the Victorian Ombudsman) What further action you propose The approximate amount of money or value of resources (if any) involved Any other indicators of seriousness



PUBLIC INTEREST DISCLOSURE PROCEDURE Draft

DOCUMENT CONTROL

Document Title:	Public Interest Disclosure Procedure
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1. INTRODUCTION

Purpose

These procedures form an essential part of the Council's commitment to the aims and objectives of the Public Interest Disclosure Act 2012 (the Act). The Council does not tolerate improper conduct by the organisation, Councillors, staff or contractors, nor the taking of reprisals against those who come forward to disclose such conduct.

The Council recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal improper conduct or expose the taking of detrimental action against persons who come forward to report such improper conduct.

The Council will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also afford natural justice to any person who is the subject of a disclosure.

Scope

These procedures are a resource for disclosers and potential disclosers, whether they be a Councillor staff member, contractor, or an external member of the public; essentially, any individual who wants to find out how to make a disclosure, receive the protections available under the Act, and how a disclosure will be managed and handled by the Council.

All disclosures regarding local government Councillors must be made directly to IBAC or the Victorian Ombudsman. The Council is not permitted to receive disclosures about Councillors.

For complaints that do not meet the threshold for a public interest disclosure, a discloser should follow the process outlined in the Council's Complaint Handling Procedure.

Definitions and Terminology

Term	Meaning	
Act	Public Interest Disclosure Act 2012	
Assessable	Any disclosure either made directly to IBAC or the VI , or if received by the	
Disclosure	Council is required under s 21 of the Act to be notified by the Council to	
	IBAC for assessment.	
Co-operators	People who have cooperated or intend to cooperate with the investigation	
	of a public interest disclosure complaint.	
Council	Warrnambool City Council.	
CEO	Chief Executive Officer of the Council .	
Discloser	A person who (purports to) make(s) a complaint, allegation or disclosure	
	(however described) under the Act .	
Disclosure	Any complaint, concern, matter, allegation or disclosure (however	
	described) purported to be made in accordance with Part 2 of the Act.	
Guidelines	The Guidelines published by IBAC under s 57 of the Act .	
IBAC	Independent Broad-based Anti-corruption Commission.	

Term	Meaning	
Investigative Entity	Any one of the bodies authorised to investigate a public interest disclosure	
	complaint.	
Procedures	This version of the procedures, as established under s 58 of the Act by the	
	Council.	
Protected discloser	A person who makes a disclosure of improper conduct or detrimental action	
	in accordance with the requirements of Part 2 of the Act .	
Public Bodies	Defined in s. 6 of the Act.	
	Includes:	
	 a public sector body within the meaning of the Public Administration Act 2004; 	
	 a body, whether corporate or unincorporated, established by or under an Act for a public purpose; 	
	a Council;	
	 a body that is performing a public function on behalf of the State or a public body or public officer (whether under contract or otherwise). 	
Public Interest	A public interest disclosure that has been determined by IBAC, the VI, or	
Complaint (PIC)	the Integrity and Oversight Committee to be a public interest complaint	
	(previously a protected disclosure complaint).	
Public Interest	Disclosure by a natural person of information that shows or tends to show,	
Disclosure (PID)	or information that the person reasonably believes shows or tends to show,	
	improper conduct or detrimental action (previously known as protected disclosure).	
Public Officers	Defined in s. 6 of the Act.	
	Includes:	
	a person employed in any capacity or holding any office in the public	
	sector;	
	a Councillor;	
	a member of Council staff;	
	a person that is performing a public function on behalf of the State or	
	a public officer or public body (whether under contract or otherwise)	
Regulations	Public Interest Disclosure Regulations 2019	
VI	Victorian Inspectorate.	

References

Category	Document
Legislation Public Interest Disclosure Act 2012	
	Protected Disclosure Regulations 2013
	Independent Broad-based Anti-Corruption Commission Act 2011
	Local Government Act 1989
	Local Government Act 2020
	Freedom of Information Act 1982
Standards and	IBAC Guidelines for handling public interest disclosures, January 2020
Guidelines	IBAC Guidelines for public interest disclosure welfare management, January
	2020
Council related	Councillor Code of Conduct
Policies and	Staff Code of Conduct
Procedures	Complaint Handling Procedure

Public Interest Disclosure Act 2012

The Protected Disclosure Act 2012 was renamed the Public Interest Disclosures Act 2012 (the Act) in March 2019. The new legislation introduced changes to support people making disclosures which are in the public interest. On 1 January 2020, these changes took effect replacing existing 'protected disclosure' arrangements with 'public interest disclosures' (PIDs).

The Act aims to:

- encourage and assist people to report improper conduct and detrimental action taken in reprisal for a public interest disclosure
- provide certain protections for people who make a disclosure or those who may suffer detrimental action in reprisal for a disclosure
- ensure that certain information about a disclosure is kept confidential the identity of the person making the disclosure and the content of that disclosure

Procedure Requirements

The Council is required to establish and publish procedures under s 58 of the Act and in accordance with the Guidelines of IBAC published under s 57 of the Act. The Council is required to ensure that the procedures are readily available to members of the public as well as internally to all Councillors, staff and contractors.

These procedures cover:

- the Council's reporting structures
- · how disclosures may be made to the Council;
- how the Council handles the receipt of disclosures;
- how the Council assesses disclosures it is able to receive under the Act;
- notifications the Council is required to make about disclosures, to both disclosers and to IBAC;
- how the Council protects certain people involved in the processes:
 - o disclosers,
 - o persons who are the subject of public interest disclosures and public interest complaints, and
 - o other persons connected to public interest disclosures, such as witnesses or persons cooperating with an investigation.

The procedures have been established to ensure the confidentiality of a person making a disclosure and their welfare is protected.

2. COUNCIL PRINCIPLES and STRUCTURE

Principles

The Council supports a workplace culture based on trust, ethics and authenticity; where the making of public interest disclosures is valued by the organisation and the right of any individual to make a public interest disclosure is taken seriously.

The Council will:

- be visible, approachable, openly communicative and lead by example in establishing a
 workplace that supports the making of public interest disclosures and impartial.
 investigations;
- ensure these procedures, including information about how disclosures may be made and to whom, are accessible on its website and available internally and externally to Councillors, staff and any individual in the broader community;
- provide appropriate training at all levels of the organisation to raise awareness of how a
 public interest disclosure may be made and how disclosures are received and managed;
- ensure its reporting system is centralised and accessible only by appropriately authorised staff, allowing the flow of information to be tightly controlled to enhance confidentiality and minimising risks of reprisals being taken against disclosers;
- ensure the reporting system protects the confidentiality of information received or obtained in connection with a public interest disclosure and protects the identity of persons connected with a public interest disclosure;
- not tolerate the taking of detrimental action in reprisal against any person for making a
 public interest disclosure, including to take any reasonable steps to protect such persons
 from such action being taken against them;
- afford natural justice and treat fairly those who are the subject of allegations contained in disclosures; and
- take appropriate action against any Councillor or staff engaged in the taking of detrimental action.

Councillors, Staff and Contractors

All Councillors, staff and contractors are encouraged to report known or suspected incidences of improper conduct or detrimental action in accordance with these procedures, whether such conduct or action has taken place, is still occurring or is suspected will take place.

All Councillors, staff and contractors have an important role to play in supporting those who have made a legitimate disclosure. All persons must refrain from any activity that is, or could be perceived to be, victimisation, harassment or bullying of a person who makes a disclosure.

Furthermore, they should protect and maintain the confidentiality of a person they know or suspect to have made a disclosure.

Public Interest Disclosure Coordinator

The Council has appointed a Public Interest Disclosure Coordinator who has pivotal role in the internal reporting system and maintains oversight over the system.

The Public Interest Disclosure Coordinator will:

- be the primary contact point for general advice about the operation of the Act, for integrity agencies such as IBAC and for any person wishing to make a disclosure;
- liaise with the Public Interest Disclosure Officer and receive all disclosures forwarded from them:
- ensure that the Council carries out its responsibilities under the Act, any regulations made pursuant to the Act and any guidelines issued by IBAC;
- take all necessary steps to ensure information received or obtained in connection with a disclosure, including the identities of the discloser and the person(s) to whom the disclosure

- relates, are kept secured, private and confidential at all times;
- consider each disclosure impartially to determine whether it should be notified to IBAC for assessment under the Act;
- arrange any necessary and appropriate welfare support for the discloser, including appointing a Welfare Manager to support the discloser and to protect him or her from any reprisals;
- advise the discloser, appropriately and in accordance with the Act, the progress of the
 disclosure and the stage reached at a given time (whether it has been notified to IBAC for
 assessment etc);
- coordinate the Council's reporting system and establish and manage a confidential filing system for the disclosures;
- collate and publish statistics on disclosures, as required by the Act; and
- liaise with the CEO of the Council.

The Council's Public Interest Disclosure Coordinator is: (temporary)

Position Director Corporate Strategies Address 25 Liebig street Warrnambool
Address 25 Liebig street Warrnambool
Email putri@warrnambool.vic.gov.a
<mark>Phone 0355594807</mark>

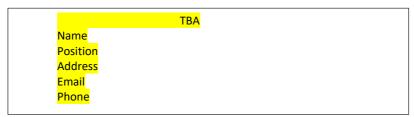
Public Interest Disclosure Officer

The Council has appointed a Public Interest Disclosure Officer who may also receive disclosures made internally within the Council or from external sources.

The Public Interest Disclosure Officer will:

- make arrangements for a disclosure to be made privately and discreetly and, if necessary, away from the workplace;
- receive any disclosure made orally or in writing from internal or external sources;
- commit to writing any disclosure made orally;
- forward all disclosures and supporting evidence to the Public Interest Disclosure Coordinator for further action in accordance with the Act;
- take all necessary steps to ensure the information disclosed, including the identity of the discloser and any persons involved, is secured, remains private and confidential;
- impartially assess the allegation and consider whether it is a disclosure required to be notified to IBAC for assessment under s 21 of the Act; and
- offer to remain a support person for the discloser in dealing with the Public Interest Disclosure Coordinator.

The Council's Public Interest Disclosure Officer is:



From time to time, it may be necessary to appoint other or additional Public Interest Disclosure Officers. The Council will take all reasonable steps to publicise the contact details of those persons.

3. MAKING a DISCLOSURE

What is a Disclosure?

A disclosure under the Act may be made about:

- the improper conduct of public bodies or public officers (including corrupt conduct); and
- the detrimental action taken by public bodies or public officers in reprisal against a person for the making of a public interest disclosure or co-operating with the investigation of a public interest disclosure.

The term disclosure is interpreted under the Act in the ordinary sense of the word, for example, as a "revelation" to the person receiving it. IBAC considers that a complaint or allegation that is already in the public domain will not normally be a public interest disclosure. Such material would, for example, include matters which have already been subject to media or other public commentary.

The conduct or action being disclosed about may be one which has taken place, is still occurring, or is believed is intended to be taken or engaged in. Disclosures may also be made about conduct that occurred prior to the commencement of the Act (on 10 February 2013).

The following are not public interest disclosures under the Act:

- a disclosure that has not been made in accordance with all of the procedural requirements of Part 2 of the Act and the prescribed procedures in the Regulations;
- a disclosure made by a discloser who expressly states in writing, at the time of making the
 disclosure, that the disclosure is not a disclosure under the Act;
- a disclosure made by an officer or employee of an investigative entity in the course of
 carrying out his or her duties or functions under the relevant legislation, unless the person
 expressly states in writing that the disclosure is a disclosure and the disclosure is otherwise
 made in accordance with Part 2 of the Act.

If the Council receives any disclosures which do not meet all of the requirements of Part 2 of the Act or the prescribed procedures in the Regulations, the Council will not be required to consider whether it is a public interest disclosure under the Act. However, the Council will always consider whether it would be appropriate to inform the discloser how to make the disclosure in a way that would comply with the requirements of the Act and the Regulations in order to ensure that persons are properly afforded the opportunity to receive any appropriate protections available to them under the Act.

In addition, the Council is required to consider whether a disclosure that does not meet the requirements of the Act and the Regulations should be treated as a complaint, notification or referral to the Council in accordance with any other laws or internal policies and procedures.

Who can make a Disclosure?

A disclosure may:

- only be made by a natural person (or a group of individuals making joint disclosures).
- be made anonymously;

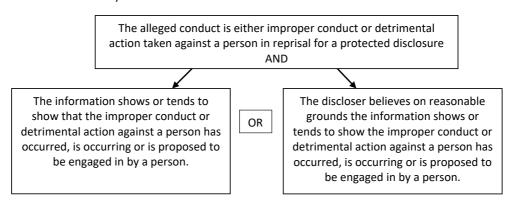
- be made even where the discloser is unable to identify precisely the individual or the organisation to which the disclosure relates; and
- also be a complaint, notification or disclosure (however described) made under another law.

It should be noted that some of the protections set out in the Act protecting a discloser are available only to the person who makes a disclosure. As a consequence of this, if a person makes a disclosure by notifying the agency on behalf of another individual, then it is the notifier who may receive those protections, and not the person on whose behalf they have made the disclosure. The person on whose behalf the disclosure has been made will only be entitled to protections against detrimental taken against them in reprisal for the disclosure made by the notifier.

Anonymous disclosures may create difficulties for the Council. Some of the notification requirements imposed on the Council in relation to disclosures will not apply in relation to an anonymously made disclosure. In addition, it may impede the Council's ability to properly assess whether the complaint or allegation is a public interest disclosure for the purposes of the Act.

What can a Disclosure be Made About?

A disclosure must be about the conduct of a person or organisation in their capacity as a Public Officer or a Public Body as outlined below:



In assessing whether there is improper conduct or detrimental action, the Council will look critically at all available information about the alleged conduct and about the discloser.

Preliminary questions the Council may seek answers to, or consider, include:

- What is the discloser's connection to the alleged conduct is the discloser a victim, a witness, or a participant in the alleged conduct?
- How did the discloser come to know about the conduct was or is the discloser directly
 involved in it, did the discloser observe it happening to another person or did someone else
 tell the discloser about it?
- How detailed is the information provided is there sufficient information to enable the Council to consider whether there is improper conduct or detrimental action?
- How reliable is the information given to the Council is it supported by other information?

Improper Conduct

Improper conduct includes corrupt conduct, criminal offences and other conduct specified in the Act. If the conduct is trivial, it will not meet the threshold of improper conduct.

Improper conduct is defined in the Act to mean either:

- · corrupt conduct;
- conduct by a public officer or public body in their capacity as a public officer or public body that constitutes:
 - a criminal offence;
 - serious professional misconduct;
 - o dishonest performance of public functions;
 - o an intentional breach or reckless breach of public trust;
 - an intentional or reckless misuse of information or material acquired in the course of the performance of the functions of the public officer or public body;
 - o a substantial mismanagement of public resources;
 - o a substantial risk to the health of safety of one or more persons;
 - a substantial risk to the environment;
- conduct of any person that:
 - o adversely affects the honest performance by a public officer or public body of their functions as a public officer or public body
 - is intended to adversely affect the effective performance or exercise by a public officer or public body of the functions or powers of the public officer or public body and results in the person or an associate of the person obtaining:
 - a licence, permit, approval, authority or other entitlement under any Act or subordinate instrument
 - an appointment to a statutory office or as a member of the board of any public body under any Act or subordinate instrument
 - a financial benefit or real or personal property
 - any other direct or indirect monetary or proprietary gain,

that the person or associate would not have otherwise obtained.

• conduct by a third party that could constitute a conspiracy or attempt to engage in any of the conduct referred to above.

Central to the notion of improper conduct is the notion of the "public trust". Public trust is a concept that provides the basis 'for obligations of honesty and fidelity in public officers that exist to serve, protect and advance the interests of the public'.

A person acting in their official capacity is exercising 'public power' that is derived from their public office holding and may be controlled or influenced by legislative provisions, administrative directions, or constitutional principles or conventions. There is an expectation that members of the community may rely on and trust their public bodies and officials to act honestly. The expectation is that public officers will not use their positions for personal advantage or use the influence of their public office for improper purposes where there is a duty to act objectively and impartially.

Disclosers or the Council will need to identify that there is a link between the alleged improper conduct of a person or an organisation and their function as a public officer or a public body.

Corrupt conduct

Corrupt conduct is defined in s 4 of the IBAC \mbox{Act} and includes:

- conduct of any person that adversely affects the honest performance by a public officer or public body of his or her or its functions as a public officer or public body;
- conduct of a public officer or public body that constitutes or involves the dishonest performance of his or her or its functions as a public officer or public body;

- conduct of a public officer or public body that constitutes or involves knowingly or recklessly breaching public trust;
- conduct of a public officer or a public body that involves the misuse of information or
 material acquired in the course of the performance of his or her or its functions as a public
 officer or public body, whether or not for the benefit of the public officer or public body or
 any other person; or
- conduct that could constitute a conspiracy or an attempt to engage in any of the conduct referred to above; and

if that conduct could be proved beyond reasonable doubt at a trial, amounts to:

- an indictable offence; or
- one of the following 3 types of common law offences committed in Victoria:
 - o perverting the course of justice
 - o attempting to pervert the course of justice
 - o bribery of an official.

Detrimental Action

It is an offence under the Act for a Public Officer or a Public Body to take detrimental action against a discloser in reprisal for making a public interest disclosure. Detrimental action as defined by the Act includes:

- action causing injury, loss or damage;
- intimidation or harassment; and
- discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.

In addition, a person can have taken detrimental action without having taken the action itself, but just by threatening to take such action. Further, the detrimental action need not necessarily have been taken (or threatened to be taken) against a person making a public interest disclosure, but against any person connected with a public interest disclosure.

Examples of detrimental action prohibited by the Act include:

- threats to the discloser's personal safety or property, including intimidating, harassing a
 discloser or the discloser's family or friends, otherwise causing personal injury or prejudice
 to the safety or damaging property of a discloser or the discloser's family or friends;
- the demotion, transfer, isolation or change in duties of a discloser due to him or her having made a disclosure;
- discriminating or disadvantaging a discloser in their career, profession, employment, trade or business; or
- discriminating against the discloser or the discloser's family and associates in subsequent applications for promotions, jobs, permits or tenders resulting in financial loss or reputational damage.

The person (or the person incited to take detrimental action) must take or threaten the detrimental action, because, or in the belief that the:

- other person or anyone else has made, or intends to make the disclosure;
- other person or anyone else has co-operated or intends to cooperate with an investigation of the disclosure.

If the fact that a staff member has made a disclosure forms any part of the reason for which action is taken against them by their employer, it will constitute detrimental action. Said action is consequently reportable as a public interest disclosure as well as being a criminal offence.

How to Make a Disclosure?

Disclosure to be Made to a Body Authorised to receive it

One of the most critical requirements of the Act is that disclosures are made to a body authorised under the Act to receive the disclosure. The Council can only deal with disclosures which concern the organisation and its staff.

Disclosures about improper conduct or detrimental action by Councillors should be made to IBAC or to the Ombudsman. Those disclosures cannot be made to the Council.

Disclosures about improper conduct or detrimental action by the Council or its staff may be made to the Council or one of four (4) external authorities:

- IRAC
- Ombudsman in relation to limited types of disclosures;
- VI in relation to limited types of disclosures; or
- Chief Commissioner of Police in relation to limited types of disclosures.

In most circumstances, disclosures about the Council or its staff should be made to the Council or to IBAC.

A public interest disclosure made to the Council, when the Council is not the receiving entity to which the disclosure may or must be made under Part 2 of the Act, is a misdirected disclosure if the discloser honestly believed that the Council was the appropriate receiving entity. A misdirected disclosure may be redirected to another receiving entity without the discloser losing the protections contained in the Act.

The Council must notify the appropriate receiving entity of the disclosure within 28 days. Beyond this notification, the Council is prohibited from disclosing the content of the misdirected disclosure and from disclosing information likely to reveal the identity of the discloser.

Making a Disclosure to the Council

Oral disclosures

An oral disclosure to the Council **must** be made in private and **may** be made:

- in person; or
- by telephone to one of the persons authorised to receive disclosures set out below, including by leaving a voicemail message on that telephone number; or
- by some other form of non-written electronic communication.

The oral disclosure **must** be made to one of the following persons:

- the CEO of the Council (Phone: 1300 003 280 (local call) or 5559 4800);
- the Public Interest Disclosure Officer identified in these procedures;
- the Public Interest Disclosure Coordinator identified in these procedures;
- to the direct or indirect manager of the discloser, if the discloser is a staff member of Council; or
- to the direct or indirect manager of the person to whom the disclosure relates, if that person is a staff member of Council.

If the disclosure is made orally, the person receiving the disclosure will make notes at the time recording the disclosure. Recording of the conversation will only be done with the disclosure's permission or by giving prior warning that the conversation will be recorded.

Written disclosures

A written disclosure to the Council **must** be:

- delivered personally to the office of the Council at 25 Liebig Street, Warrnambool; or
- sent by post marked "Confidential" and addressed to the Public Interest Disclosure Coordinator, Warrnambool City Council, PO Box 198, Warrnambool, Victoria 3280; or
- sent by email marked "Confidential" to the official email address of:
 - o the Public Interest Disclosure Officer identified in these procedures; or
 - o the Public Interest Disclosure Coordinator specified these procedures.
- if the discloser is a staff member of the Council the disclosure may also be made to:
 - o the direct or indirect supervisor or manager of the discloser; or
 - the direct or indirect supervisor or manager of the person to whom the disclosure relates.

The Council recommends that the discloser ensures, where a written disclosure is being provided personally or by post to the official office location or address of the Council, that the disclosure be sealed in an envelope which is clearly marked with one or more of the following:

- "Re: Public interest disclosure";
- "To the personal attention of the Chief Executive Officer";
- "To the personal attention of the Public Interest Disclosure Coordinator"; or
- "To the personal attention of the Public Interest Disclosure Officer".

In relation to a disclosure being emailed to the official email address of the Council, rather than to the email address of one of the individuals specified above the Council recommends that the discloser insert in the email subject line one of the labels set out above applicable to personally delivered or posted items.

Disclosures cannot be made by fax. A disclosure made by email from an address from which the identity of the discloser cannot be ascertained will be treated as an anonymous disclosure.

Disclosures to Council Supervisors or Managers

A Council supervisor or manager receiving a disclosure from staff will:

- immediately bring the matter to the attention of the Public Interest Disclosure Coordinator or Public Interest Disclosure Officer for further action in accordance with the Act;
- · commit to writing down any disclosures made orally;
- take all necessary steps to ensure the information disclosed, including the identity of the discloser and any persons involved, is secured, remains private and confidential; and
- offer to remain a support person for the discloser in dealing with the Public Interest Disclosure Coordinator or Public Interest Disclosure Officer.

Making a Disclosure to IBAC

Oral disclosures

An oral disclosure to IBAC **must** be made in private and **may** be made:

- in person;
- by telephone, to 1300 735 135;
- by leaving a voicemail message for one of the specified individuals below; or

 $\bullet \quad \text{by some other form of non-written electronic communication}.$

The oral disclosure **must** be made to one of the following persons:

- the Commissioner of IBAC;
- the Deputy Commissioner of IBAC;
- the CEO of IBAC;
- an employee referred to in s 35(1) of the IBAC Act; or
- any staff referred to in s 35(2) of the IBAC Act.

Contact details are available from IBAC (telephone 1300 735 135).

Written disclosures

A written disclosure to IBAC must be:

- delivered personally to the office of IBAC, at Level 1, North Tower, 459 Collins Street, Melbourne, VIC 3001; or
- · sent by post addressed to the office of IBAC, at GPO Box 24234, Melbourne, VIC 3000; or
- sent by email to the official email address of a person specified above to whom an oral disclosure may be made (i.e., the Commissioner, the Deputy Commissioner, the CEO, or employee or staff referred to in s 35 of the IBAC Act); or
- submitted by an online form available on the IBAC website

Making a Disclosure to Ombudsman

Oral disclosures

An oral disclosure to the Ombudsman **must** be made in private to an Ombudsman officer and **may** be made:

- in person:
- by telephone, to 9613 6222 or toll free (regional areas only) to 1800 806 314;
- by leaving a voicemail message on the telephone number of any Ombudsman officer; or
- by some other form of non-written electronic communication.

Written disclosures

A written disclosure to the Ombudsman must be:

- delivered personally to the office of the Ombudsman, at Level 9, North Tower, 459 Collins Street, Melbourne, VIC 3001; or
- sent by post addressed to the office of the Ombudsman, as above; or
- sent by email to the office of the Ombudsman at: ombudvic@ombudsman.vic.gov.au; or
- · sent by email to the official email address of any Ombudsman officer; or
- submitted by an online form (if any) identified in the procedures established by the Ombudsman under s 58(1) of the Act.

4. HANDLING DISCLOSURES

Receiving a Disclosure

When the Council receives a complaint, report or allegation of improper conduct or detrimental action, the first step will be to ascertain whether it has been made in accordance with Part 2 of the Act.

The Public Interest Disclosure Coordinator or Public Interest Disclosure Officer must ask the following questions about the disclosure:

- Has a natural person or persons made the disclosure?
- Does the disclosure relate to the conduct of a Public Officer or Public Body acting in their official capacity?
- Does the alleged conduct constitute either improper conduct or detrimental action taken against a person?
- Does the person making a disclosure have reasonable grounds for believing the alleged conduct has occurred or may occur?

If the answer to one or more of the above elements is yes, the disclosure satisfies Part 2 of the Act, and the discloser is entitled to receive protections under Part 6 of the Act.

Assessing a Disclosure

If the disclosure satisfies the requirements of Part 2 of the Act, the Council is required to determine whether the disclosure may be a public interest disclosure by going through the two step assessment process recommended by IBAC.

This will be the case even if the discloser does not refer to the Act or require the protections of the Act. The initial assessment is made on the nature of the information disclosed or on the belief that the discloser has about the nature of the information, and not the discloser's intention.

First step

The first question the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer must answer is whether the information disclosed shows, or tends to show, that there is improper conduct or detrimental action taken in reprisal for the making of a public interest disclosure.

This requires the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer to ascertain whether the information satisfies the 'elements' of improper conduct or detrimental action, as defined in the Act and whether any of the relevant exceptions apply.

This may require the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer to:

- seek further information;
- conduct a discreet initial enquiry;
- · seek (further) evidence from the discloser;
- ascertain whether there is sufficient supporting material to demonstrate that the conduct or actions covered by the Act have occurred, are occurring or are likely to occur.

If it is not clear that the information disclosed does show or tend to show that there is improper conduct or detrimental action, then the Council will go on to the second step below.

Second step

This requires the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer to ask whether the discloser believes on reasonable grounds that the information shows or tends to show there is improper conduct or detrimental action.

That is, does the person actually believe that the information shows, or tends to show, there is improper conduct or detrimental action? A reasonable belief requires the belief to be based on facts that would be sufficient to make a reasonable person believe there was improper conduct or detrimental action.

This reasonable belief does not have to be based on actual proof that the improper conduct or detrimental action in fact occurred, is occurring, or will occur, but there must be some information supporting this belief. The grounds for the reasonable belief can leave something to surmise or conjecture, but it must be more than just a reasonable suspicion, and the belief must be probable.

According to IBAC, simply stating that improper conduct or detrimental action is occurring, without providing any supporting information, would not be a sufficient basis for having a reasonable belief. In IBAC's view, a belief cannot be based on a mere allegation or conclusion unsupported by any further facts or circumstances.

Other matters that IBAC suggests the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer can consider are:

- the reliability of the information provided by the discloser, even if it is second- or third-hand. For example, how would the discloser have obtained the information?
- the amount of detail that has been provided in the information disclosed; and
- the credibility of the discloser, or of those people who have provided the discloser with information.

When making a decision as to whether the event or behaviours show or tends to show that there was improper conduct or detrimental action, the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer may seek guidance from IBAC.

Urgent Action

In some circumstances, the disclosure may be about improper conduct that may pose an immediate threat to health and safety of individuals, preservation of property, or may consist of serious criminal conduct.

Examples of this provided by IBAC include where the disclosure may be about:

- a child protection worker allegedly sexually assaulting children in care;
- a council worker allegedly lighting bush fires; or
- a person threatening to poison the water supply.

In these cases, the Council can take immediate action while considering whether or not it is an assessable disclosure that must be notified to IBAC or awaiting IBAC's decision on a notified matter.

It may also be necessary to report criminal conduct to Victoria Police for immediate investigation or take appropriate action against a staff member, in accordance with existing organisational policy and procedure, to prevent further improper conduct.

The Act allows the Council to disclose the content of the disclosure by a person or body "to the extent necessary for the purpose of taking lawful action in relation to the conduct that is the subject of an assessable disclosure including disciplinary process or action". However, IBAC notes that this does not allow the identity of the discloser to be revealed.

Decision on Assessment

At the conclusion of the assessment, the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer must decide whether it considers the disclosure to be a public interest disclosure. If the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer decides it may be a public interest disclosure, it *must* notify IBAC of the disclosure. If the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer does not consider it to be a public interest disclosure, then it may be a matter that the Council otherwise deals with through any other relevant internal complaint or grievance management processes.

Decision that Disclosure may be a Public Interest Disclosure

If the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer considers the disclosure may be a public interest disclosure under the Act, the Council will, within 28 days of receiving the disclosure:

- · notify IBAC that:
 - o the Council considers the disclosure may be a public interest disclosure; and
 - o the Council is notifying the disclosure to IBAC for assessment; and
- notify the discloser that:
 - o the disclosure has been notified to IBAC for assessment; and
 - it is an offence under s74 of the Act to disclose that the disclosure has been notified to IBAC for assessment under the Act.

In addition, at the time of notifying IBAC or at any later time the Council may also provide IBAC with any information obtained by the Council regarding the disclosure in the course of its enquiries leading up to its notification of the disclosure to IBAC.

Decision that Disclosure may Not be a Public Interest Disclosure

If the Public Interest Disclosure Coordinator/ Public Interest Disclosure Officer determines the disclosure is not a public interest disclosure, and the discloser has indicated to the Council (or it otherwise appears to the Council) that the discloser wishes to receive the protections that apply to a public interest disclosure under the Act, the discloser will be notified in writing, within 28 days of the Council receiving the disclosure, that:

- the Council considers the disclosure is not a public interest disclosure;
- the disclosure has not been notified to IBAC for assessment under the Act; and
- regardless of whether the disclosure is notified to IBAC for assessment under the Act, the protections under Part 6 of the Act apply.

Notifications to a discloser do not need to be provided by the Council in response to an anonymously made disclosure.

Protections for Public Officers

A public officer is given specific protections under the Act to provide information to other public officers or to IBAC in dealing with a disclosure they have received. When a public officer acts in good faith and in accordance with the Act, Regulations and IBAC's Guidelines, the public officer does not commit an offence under laws imposing a duty to maintain confidentiality or restricting the disclosure of information.

5. IBAC ASSESSMENT

Once a disclosure has been notified to IBAC, it must determine whether it is a public interest disclosure complaint. Such a determination must be made within a reasonable time after the disclosure is notified to IBAC.

In making its assessment, IBAC may seek additional information from the Council or from the discloser if IBAC considers there is insufficient information to make a decision.

If IBAC is of the view that the assessable disclosure is not a public interest disclosure, then it is not a 'public interest disclosure complaint'. If IBAC is of the view that the assessable disclosure is a public interest disclosure, then it must determine that the public interest disclosure is a "public interest complaint".

IBAC must inform the Council of its determination as to whether or not the disclosure is a public interest disclosure complaint:

- in writing; and
- within a reasonable time after making the determination.

If IBAC determines the Disclosure is Not a Public Interest Complaint

If IBAC determines the disclosure is not a public interest complaint, IBAC must advise the discloser in writing and within a reasonable time after the determination is made, that:

- IBAC has determined that the disclosure is not a public interest complaint; and
- as a consequence of that determination:
 - o the disclosure will not be investigated as a public interest complaint; and
 - the confidentiality provisions under Part7 of the Act no longer apply in relation to the disclosure; and
- regardless of whether IBAC has determined that the disclosure is a public interest complaint, the protections under Part 6 apply to a public interest disclosure.

In addition, if IBAC is of the view that the disclosure, although not a public interest complaint, may be able to be dealt with by another entity, IBAC may advise the discloser that:

- the matter which is the subject of the disclosure may be able to be dealt with by that entity other than as a public interest complaint; and
- if the discloser wishes to pursue the matter, to make a complaint directly to that entity.

If this is the case, IBAC will also advise the relevant notifying entity that the discloser has been given this advice.

IBAC is also able to consider whether it wishes to treat the assessable disclosure as a notification made to IBAC under the IBAC Act.

If IBAC determines the Disclosure is a Public Interest Complaint

Notification to Discloser

If IBAC determines the disclosure is a public interest complaint, IBAC must advise the discloser in writing and within a reasonable time after the determination is made, that:

• IBAC has determined that the disclosure is a public interest complaint;

- the protections available to a discloser of a public interest disclosure under Part 6 of the Act apply;
- the discloser has rights, protections and obligations under the Act as contained in ss 72, 74 and Parts 6 and 7 of the Act, including an explanation of the effect of those sections and Parts of the Act; and
- it is an offence under s 74 of the Act to disclose that IBAC has determined that the disclose is a public interest complaint.

Once IBAC has determined that a disclosure is a public interest complaint, the discloser cannot withdraw that disclosure. However, under the IBAC Act, IBAC can decide not to investigate a public interest complaint if the discloser requests that it not be investigated.

Further Actions IBAC may take

Once IBAC has established whether or not the assessable disclosure is a public interest complaint, then it decides what action it might take under the IBAC Act. IBAC may **dismiss**, **investigate**, or **refer** the matter.

- If it dismisses a public interest complaint, then it must do so on one of the grounds specifically set out in the IBAC Act.
- It may choose to investigate the alleged conduct if it is reasonably satisfied that it is "serious corrupt conduct".
- It may also choose to refer the public interest complaint to another appropriate and relevant investigating entity.

If IBAC determines that the disclosure is not a public interest disclosure, it may advise the discloser that they should make a complaint directly to the relevant public body.

At the conclusion of its investigation, IBAC must provide the discloser with information about the results of its investigation, including any action taken by IBAC and any recommendation by IBAC that action or further action be taken (subject to certain exceptions).

IBAC may provide written information about the commencement, conduct or result of an investigation, including any actions taken and any recommendation made that any action or further action be taken to the relevant principal officer. However, IBAC must not provide any information that is likely to lead to the identification of a discloser.

6. WELFARE MANAGEMENT

Welfare Obligations

The Council is committed to the protection of genuine disclosers against detrimental action taken in reprisal for the making of public interest disclosures.

The protection of persons making genuine public interest disclosures about improper conduct or detrimental action is essential for the effective implementation of the Act. In addition, the Act extends the need for welfare management to people who have cooperated or intend to cooperate with an investigation of a public interest complaint (co-operators). Persons who are the subject of allegations are also entitled to have their welfare protected.

The Council must endeavour to ensure disclosers and co-operators are protected from direct and indirect detrimental action being taken against them in reprisal for the public interest disclosure. The Council will ensure its workplace culture supports disclosers and co-operators. Such support will extend to the relevant persons regardless of whether they are internal to the organisation (e.g., Councillors and staff) or external members of the public.

However, different legislative responsibilities apply to persons internal to the organisation, and to persons who may be clients or users of the Council's services.

Those derive from various legislative and administrative obligations to:

- ensure the health and wellbeing of employees of a public sector body under laws including those relating to Occupational Health and Safety, the Charter of Human Rights and Responsibilities Act 2006, the Staff Codes of Conduct; and
- comply with various relevant laws, policies and practices when making administrative and other decisions or taking particular actions affecting a customer, client or user of the public body's services.

Generally, for internal persons, the Council will ensure a supportive work environment and respond appropriately to any reports of intimidation or harassment against these persons. For external persons, the Council will take reasonable steps to provide appropriate support. The Council will discuss reasonable expectations with all persons receiving welfare management in connection with a public interest disclosure.

Support available to Disclosers and Co-operators

The Council will support disclosers and co-operators by:

- keeping them informed, by providing:
 - o confirmation that the disclosure has been received;
 - o the legislative or administrative protections available to the person;
 - o a description of any action proposed to be taken;
 - if action has been taken by the Council, details about results of the action known to the Council;
- providing active support by:
 - $\circ \quad \text{acknowledging the person for having come forward} \\$
 - assuring the discloser or co-operator that they have done the right thing, and the Council appreciates it;
 - making a clear offer of support;
 - o assuring them that all reasonable steps will be taken to protect them;
 - giving them an undertaking to keep them informed as far as the Council is reasonably able to;
- managing their expectations by undertaking an early discussion with them about:
 - what outcome they seek;
 - o whether their expectations are realistic;
 - o what the Council will be able to deliver;
- maintaining confidentiality by:
 - ensuring as far as is possible that other people cannot infer the identity of the discloser or co-operator;
 - o reminding the discloser or co-operator not to reveal themselves or to reveal any information that would enable others to identify them as a discloser or co-operator;
 - ensuring that hardcopy and electronic files relating to the disclosure are accessible only to those who are involved in managing disclosures in the Council;

- proactively assessing the risk of detrimental action being taken in reprisal (rather than
 reactively waiting for a problem to arise and a complaint made by the discloser or cooperator). That is, actively monitor the workplace, anticipating problems and dealing with
 them before they develop as far as is possible;
- protecting the discloser or co-operator by:
 - examining the immediate welfare and protection needs of the person and seeking to foster a supportive work environment;
 - listening and responding to any concerns the person may have about harassment, intimidation or victimisation in reprisal for their actions;
 - assessing whether the concerns the person may have about harassment, intimidation or victimisation might be due to other causes other than those related to the public interest disclosure;
- preventing the spread of gossip and rumours about any investigation into the public interest disclosure; and
- keeping thorough and complete records of all aspects of the case management of the person, including all contact and follow-up action.

Appointment of Welfare Manager

In appropriate circumstances, the Council will appoint a suitable Welfare Manager to protect a discloser or a co-operator. The Welfare Manager may be sourced externally where disclosures are made by staff to avoid any potential conflicts of interest and to ensure an impartial, third party view is provided.

The following matters will be taken into consideration by the Council when deciding whether to appoint a Welfare Manager in a particular case:

- are there any real risks of detrimental action against the discloser or co-operator, taking into account their particular circumstances?
- whether the Council can or will take the discloser or co-operator seriously and will be able to treat them with respect?
- whether the Council will give the discloser or co-operator effective support, including keeping the discloser informed of the status of the disclosure?
- can the Council protect the person from suffering repercussions, by dealing with the matter discreetly and confidentially, and responding swiftly and fairly to any allegations that the discloser or co-operator has in fact suffered retribution?

If the answer to the first question is 'yes' then IBAC recommends the appointment of a dedicated Welfare Manager. If the answer to the first question is 'no' and the Council can meet the needs set out in the remainder of the questions IBAC suggests there may be no need for a dedicated Welfare Manager to be appointed for that particular case.

In most circumstances, a Welfare Manager will only be required where a public interest complaint proceeds to investigation, but each public interest disclosure received by the Council will be assessed on its own merits.

In particular, a Welfare Manager will be appointed where the Council believes that one is required to ensure that the appropriate support can be provided to the discloser or co-operator.

If appointed, the Welfare Manager will, in addition to providing the general support:

• advise the discloser or co-operator of the legislative and administrative protections available to him or her, including providing practical advice;

- listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making a disclosure;
- not divulge any details relating to the public interest disclosure to any person other than the Public Interest Disclosure Coordinator or the CEO;
- ensure all meetings between the Welfare Manager and the discloser or co-operator are conducted discreetly to protect the person from being identified as being involved in the public interest disclosure; and
- ensure the expectations of the discloser are realistic and reasonable, and that the discloser
 or co-operator understands the limits of the support the Council is able to reasonably
 provide in the particular circumstances.

Welfare Management of Persons Subject of Public Interest Disclosure

The Council recognises that persons against whom disclosures are made must also be supported and afforded natural justice. It is important to remember that until a public interest complaint is resolved, the information about the person is only an allegation.

The Council will make a decision about whether or when the subject of a disclosure will be informed about a public interest disclosure involving an allegation made against him or her. It is possible that the subject of the disclosure may never be told about the disclosure if it is not determined to be a public interest complaint, or if a decision is made to dismiss the disclosure.

The Act limits the disclosure of information about the content of an assessable disclosure and the identity of the discloser to certain specified circumstances set out in Part 7 of the Act. The Council may give information about the disclosure to the subject of the disclosure if it is directed or authorised to do so by the investigative entity investigating the public interest complaint, or for the purpose of taking action with respect to the conduct alleged, including disciplinary action.

Investigative entities may also inform the subject of the public interest complaint in the course of their investigation for the purposes of conducting that investigation, or any actions that they propose to take as a result of the investigation.

Welfare services

A person the subject of a disclosure who is made aware of their status as such may have a Welfare Manager appointed by the Council. Alternatively, the Public Interest Disclosure Coordinator/Public Interest Disclosure Officer will provide support and advice to a person the subject of a disclosure, particularly in relation to their rights and obligations under the Act, the Council's internal reporting system as set out in these procedures, and any other relevant law or code of conduct.

The Council will consider each matter on a case by case basis, taking into account the particular circumstances of the person and the public interest complaint.

Natural Justice

The Council will afford natural justice to the subject of a disclosure prior to any decision being made about the allegations. If the matter has been investigated by an investigative entity, then the investigative entity will be responsible for ensuring consultations with the subject include the provision of natural justice to him or her.

IBAC has noted that affording a subject of a disclosure natural justice in this context means that if a decision is to be made about their conduct this person has the right to:

- be informed about the substance of the allegations against them;
- be given the opportunity to answer the allegations before a final decision is made;
- be informed about the substance of any adverse comment that may be included in any report arising from an investigation; and
- have his or her defence set out fairly in any report.

If the Allegations are Wrong or Unsubstantiated

The Council will provide support to a person who is the subject of a disclosure where the allegations contained in a disclosure have been found to be wrong or unsubstantiated.

In those circumstances, the Council and any investigative entity involved will ensure that there are no adverse consequences for this person arising out of the disclosure or its investigation. This is particularly crucial in a situation where there has been publicly disclosed information identifying the subject, but also where such information has become well-known across the Council and the subject is a Councillor or staff of the Council.

Further, if the matter has been publicly disclosed by the Council, the CEO will consider any request by that person to issue a statement of support setting out that the allegations were clearly wrong or unsubstantiated.

If Detrimental Action is Reported

If any person reports an incident of harassment, discrimination or adverse treatment that may amount to detrimental action apparently taken in reprisal for a disclosure, the Welfare Manager, Public Interest Disclosure Coordinator or Public Interest Disclosure Officer must record details of the incident and advise the person of their rights under the Act.

Detrimental action taken against another person in reprisal for a public interest disclosure is:

- when the person takes, or threatens to take, detrimental action against the other person because, or in the belief that:
 - o the other person or anyone else has made, or intends to make, the disclosure; or
 - o the other person or anyone else has cooperated, or intends to cooperate, with an investigation of the disclosure; or
- for either of the reasons above, the person incites or permits someone else to take or threaten to take detrimental action against the other person.

It is a criminal offence to take detrimental action against another person in reprisal for a public interest disclosure under the Act.

In such circumstances, the Council will be careful about making preliminary enquiries or gathering information concerning such an allegation of detrimental action so that, to the extent it is reasonably able to, it protects the integrity of any evidence that might be later relied upon in a criminal prosecution.

In addition, the taking of detrimental action in reprisal for making a disclosure can be grounds for a person to make a further disclosure with respect to that conduct. The disclosure of this allegation will then be assessed by the Council as a new disclosure under Part 2 of the Act. Where the detrimental action is of a serious nature likely to amount to a criminal offence, the Council will also

consider reporting the matter to the police or IBAC (if the matter was not already the subject of a disclosure notified to IBAC).

A discloser of a public interest disclosure may also:

- take civil action against the person who took detrimental action against the discloser and seek damages;
- take civil action against the Council jointly and severally to seek damages if the person who
 took detrimental action against the discloser took that action in the course of employment
 with, or while acting as an agent of the Council; and
- apply for an order or an injunction from the Supreme Court.

Protections available to Disclosers

Part 6 of the Act sets out the protections provided to persons who make a disclosure that is a 'public interest disclosure'.

In summary, they are as follows:

- the discloser is not subject to any civil or criminal liability for making the public interest disclosure;
- the discloser is not subject to any administrative action (including disciplinary action) for making the public interest disclosure;
- by making the public interest disclosure, the discloser is not committing an offence against the *Constitution Act 1975* or any other law that imposes obligations of confidentiality or otherwise restricts the disclosure of information;
- by making the public interest disclosure, the discloser is not breaching any other obligation (made by oath, rule of law or practice) requiring him or her to maintain confidentiality; and
- the discloser cannot be held liable for defamation in relation to information included in a public interest disclosure made by him or her.

The protections in Part 6 apply from the time at which the disclosure is made by the discloser. They apply even if the Council receiving the disclosure does not notify the disclosure to IBAC, and even if IBAC has determined that the public interest disclosure is not a public interest complaint.

Limits on Protection

A number of the protections in the Act do not apply if a discloser:

- knowingly provides false or misleading information
- claims that a matter is the subject of a public interest disclosure knowing the claim to be false.

The Act also specifically states that a person is still liable for their own conduct even if they disclose that conduct.

A person who makes a disclosure is not protected against legitimate management action being taken in relation to them.

Where a discloser is implicated in improper conduct, the Council will protect the discloser from reprisals in accordance with the Act, IBAC's guidelines and these procedures. The Council acknowledges that the act of making a disclosure does not exclude the person making the disclosure from being subject to reasonable consequences flowing from any involvement in improper conduct.

In some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

Taking disciplinary or other action against a person who has made a public interest disclosure invariably creates the perception that it is being taken in reprisal for the disclosure.

The CEO will make the final decision as to whether disciplinary or other action will be taken against a discloser. Where disciplinary or other action relates to conduct that is the subject of the disclosure, the disciplinary or other action will only be taken after the disclosed matter has been appropriately dealt with.

In all cases where disciplinary or other action is being contemplated, the CEO must be satisfied that it has been clearly demonstrated that:

- the decision to proceed with disciplinary action is not causally connected to the making of the disclosure (as opposed to the content of the disclosure or other available information);
- there are good and sufficient grounds that would fully justify action against any other person not making a disclosure in the same circumstances;
- there are good and sufficient grounds that justify exercising any discretion to institute disciplinary or other action.

The Council will take all reasonable steps to thoroughly document its decision-making process, including recording the reasons why the disciplinary or other action is being taken, and the reasons why the action is not being taken in retribution against the discloser for making the disclosure, so that it will be able to clearly demonstrate that the disciplinary or other action was taken for the appropriate and permitted reasons under the Act.

The discloser will be clearly informed of any action proposed to be taken, be afforded natural justice, and be informed of any mitigating factors that have been taken into account.

7. CONFIDENTIALITY

Confidentiality Obligations

Consistent with the Council's confidentiality obligations under the Act the fact that a disclosure has been made, whether it has been notified to IBAC for assessment, any information received from IBAC or another investigative entity and the identities of persons involved will not be divulged.

The Council will take all reasonable steps to protect the identity of a discloser and to ensure the confidentiality of the subject of a disclosure during any assessment and any ensuing investigation. Where the disclosure is dismissed or investigations do not substantiate the allegations made against the person, the fact that the investigation was undertaken, its results, and the identity of the person subject of the disclosure will still be kept confidential.

Maintaining confidentiality in relation to public interest disclosure matters is crucial in ensuring reprisals are not made against a discloser.

Exceptions

The Act makes it a crime to disclose information connected with a disclosure made in accordance with the Act. Limited exceptions to the prohibition on disclosure are specified by the Act, include circumstances such as:

- where disclosure is required by the Council (or one of its staff) in the exercise of functions of the Council under the Act;
- where necessary for the purpose of the exercise of functions under the Act;
- by an investigating entity for the purpose of exercising that entity's functions under the IBAC Act:
- in accordance with a direction or authorisation given by the investigating entity that is investigating the disclosure;
- to the extent necessary for the purpose of taking lawful action in relation to the conduct that is the subject of an assessable disclosure including a disciplinary process or action;
- where IBAC or VI has determined that the assessable disclosure is not a public interest disclosure and the discloser or the Council subsequently discloses the information;
- when an investigative entity had published a report to Parliament, in accordance with its confidentiality obligations;
- for the purpose of obtaining legal advice in relation to matters specified in the Act;
- in order to enable compliance with the Act:
 - where a person does not have a sufficient knowledge of the English language, to obtain a translation from an interpreter;
 - o where a person is under 18 years of age, to a parent or guardian of a discloser;
 - where a person is suffering a disability and is not able to understand, to an independent person;
- in disciplinary actions or legal proceedings for certain offences in the Act or other specified

It is important to note that the Act prohibits the inclusion of any details, in any report or recommendation that is likely to lead to the identification of a discloser. The Act also prohibits the identification of the person who is the subject of the disclosure in any particulars included in an annual report or any reports to Parliament.

Offences

The Act contains a number of offence provisions relating to unauthorised disclosure of information by either disclosers or persons who have received disclosures. The relevant penalties include imprisonment, financial payments or both.

The criminal offences set out in the Act relating to confidentiality include:

- divulging information obtained in connection or as a result of the handling or investigation
 of a public interest disclosure without legislative authority. Maximum penalty: 60 penalty
 units, six months imprisonment, or both.
- disclosing that a disclosure has been notified to IBAC for assessment under the Act. Maximum penalty: 60 penalty units, six months imprisonment, or both.
- disclosing that a disclosure has been assessed by IBAC or VI to be a public interest complaint under the Act. Maximum penalty: 60 penalty units, six months imprisonment, or both.

8. RECORDS MANAGEMENT

The Council will ensure all files, whether paper or electronic, are kept securely. Those files will be accessible only by the Public Interest Disclosure Coordinator, Public Interest Disclosure Officer and CEO. A Welfare Manager may be able to gain access (where appropriate) to related welfare matters.

All printed material will be kept in files that are clearly marked as a 'Public Interest Disclosure Matter' and warn of the criminal penalties that apply to any unauthorized divulging of information concerning a public interest disclosure.

All electronic files will be either password protected, stored separately or secured. All materials relevant to an investigation, such as tapes from interviews, will also be stored securely with access only by authorised officers, as listed above.

All phone calls and meetings will be conducted in private. Transmission of files containing sensitive information will not be sent to devices that have general staff access.

A person cannot obtain information about a public interest disclosure by application under the Freedom of Information Act 1982 (the 'FOI Act'). Although the FOI Act provides a general right of access for any person to seek documents in the possession of the Council, it provides that certain information related to public interest disclosures as contained in documents in the possession of the Council will be exempt from the application of the FOI Act.

Such information excluded from the operation of the FOI Act includes:

- any information relating to a disclosure made in accordance with the Act;
- any information relating to a disclosure notified to IBAC by the Council under s 21 of the Act for assessment; and
- any information that is likely to lead to the identification of a discloser.

The Council is required to contact IBAC prior to providing any document originating from IBAC or relating to a public interest disclosure, if that document is sought under the FOI Act.

9. TRAINING for COUNCILLORS and STAFF

The Council will:

- ensure that Councillors and staff have access to a copy of these procedures in hard or soft copy;
- incorporate into its induction procedures training about the Council's general obligations under the Act and the rights and obligations of all Councillors and staff;
- introduce periodic refresher courses for Councillors and staff about their rights and obligations under the Act;
- provide additional training and assistance to:
 - any staff of the Council with specific responsibilities and functions to handle and manage public interest disclosures under the Act, including the Public Interest Disclosure Coordinator, Public Interest Disclosure Officer and people involved in welfare management;
 - its complaint handling staff to ensure that any complaints received will be dealt with consistently and in accordance with the Act as required;
 - any staff with functions and duties under the FOI Act or with responsibilities for information management, to ensure that no prohibited information is disclosed

- under the Act and to ensure there is appropriate liaising with the staff of IBAC or other investigative agencies where required in response to a request for access under the FOI Act; and
- all staff dealing with customers to ensure any potential disclosures received from external sources can be handled appropriately in accordance with the Act and these procedures.

10. GOVERNANCE

Review

This procedure will be reviewed every three years or upon significant change to the Act, the Regulations or IBAC's guidelines to ensure they comply with the requirements of the Act, the Regulations and IBAC's guidelines.

From time to time, circumstances may change leading to the need for minor administrative changes to this procedure. Where an update does not materially alter this procedure, such a change may be made administratively.

Examples of minor administrative changes include changes to Council personnel, change to names of Government departments and agencies or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this procedure, it must be considered by the Council

Compliance Responsibility

The Council is required to publish certain statistics about the Act in its annual reports. That information relates mainly to how these procedures may be accessed and the number of disclosures notified to IBAC for assessment under s 21 of the Act during the financial year.

The Public Interest Disclosure Coordinator will establish a secure register to record such information, and to generally keep account of the status of disclosures made under the Act.



Draft AUDIT & RISK COMMITTEE CHARTER

May 2020

www.warrnambool.vic.gov.au

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1. PURPOSE

The Audit and Risk Committee (the Committee) is an independent advisory committee to Council established under section 54 of the Local Government Act 2020.

The purpose of *the Committee* is to advise Council on the effectiveness of the organisation's systems, processes and culture for complying with its legal and financial obligations and the management of risk. In fulfilling this role, *the Committee* is to aid in the implementation of the Council Plan.

The Committee is accountable to and reports directly to Council.

The Committee's work is to be informed by the requirements of *the Act* and best practice in audit, risk and governance principles and processes.

2. AUTHORITY

The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and is therefore independent of management.

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to this Charter in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

The Committee has the authority to:

- Seek resolution on any disagreements between management and the external auditors on financial reports;
- Review all auditing, planning and outcomes;
- Seek any information it requires from Council members, officers and external parties via the Chief Executive.
- Formally meet with Council officers, internal and external auditors as necessary.
- Address issues brought to the attention of *the Committee*, including responding to requests from Council for advice which is within the parameters of *the Committee's* terms of reference.
- The Chair has no executive authority on behalf of Council but can be consulted as required, as a sounding board by the Chief Executive or his/her delegate on matters that arise regarding audit, risk management or governance related issues.

3. MEMBERSHIP

The Committee will be comprised of five members:

- One (1) independent Chairperson;
- Two (2) independent members; and
- Two (2) Councillors

All members shall have full and equal voting rights unless a member is unable to vote due to a conflict of interest.

The following requirements will apply to members and the Committee Chairperson

- a) Council will appoint Committee members and the Committee Chairperson;
- b) A quorum of any meeting will be a least two independent members (which may include the Chairperson) and at least one Councillor member.

c) The Chairperson shall be an independent member of the Committee and shall have a casting vote on occasions where there is an equal tally of votes on a matter. In the absence of the appointed Chairperson form a meeting, the meeting will appoint an acting Chairperson from the independent members present.

4. TERM OF APPOINTMENT

- a) Appointments of external members shall be made by Council by way of public notice inviting expressions of interest and be for a maximum term of four years. Options for reappointment, subject to successful performance reviews, are also available and a maximum of two extensions is considered reasonable.
- b) Where possible, the terms of external members should be arranged to ensure an orderly rotation and of overlap appointment membership, relative to the elected Council's quadrennial terms.
- c) The independent members will, collectively, have expertise in financial management and risk, experience in public sector management and be conversant with the financial and other reporting requirements. The evaluation of potential members will be undertaken initially by the Chair utilising officer input as required and subsequently by the Mayor and Chief Executive, taking account the experience of applicants and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.
- d) Council members (councillors) shall be appointed annually at Council's Annual (Statutory) Meeting.
- e) If the Council proposes to remove an external member of *the Committee*, it must give written notice to the external member of its intention to do so and provide that external member with the opportunity to be heard at a Council meeting which is open to the public, if that external member so requests.
- f) Remuneration will be paid to each external member of *the Committee* on the basis of an annual fee, with an additional amount paid to the Chairperson. Annual increases in the remuneration of Committee members will be limited to increases in the Consumer Price Induct (CPI All Groups Melbourne) and adjusted annually on July 1.
- g) The Chairperson shall be appointed by Council from the external members of *the Committee*. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.

5. MEETINGS

The following requirements shall apply to meetings of the Committee:

- a) The Committee shall meet as required, but at least quarterly each year.
- b) The Chief Executive, Director Corporate Strategies, Manager Financial Services, Manager Governance Projects & Risk Manager Organisational Development and the internal auditor (whether a member of staff or contractor) should attend all meetings, except when *the Committee* chooses to meet in camera. Other members of Council or Council staff may be invited to attend at the discretion of *the Committee* to advise and provide information when required.
- c) The Committee, without management present, will meet separately with the internal auditor and the external auditor, at least annually, to discuss issues of relevant interest.

- d) Representatives of the external auditor will attend a meeting to consider the draft annual standard statements, financial statements and the results of the external audit and may be invited to attend other meetings at the discretion of *the Committee*.
- e) A schedule of meetings and annual work plan will be developed and agreed by members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines.
- f) Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any two (2) members of *the Committee*, the Chief Executive, the internal or external auditor.
- g) The agenda for each meeting shall take a structured format to comply with *the Act* and Council's Governance (Meeting Procedures) Local Law No. 1. In addition, the agenda format shall reflect *the Committee's* annual work plan or matters where regular reports should be presented or identified.
- h) The agenda and supporting documentation will be circulated to members of *the Committee* at least one (1) week in advance of each meeting.
- i) Minutes will be reported to the Committee of the Whole of Council after every meeting inclusive of any report(s) to explain any specific recommendations and key outcomes.
- j) The Corporate Strategies directorate shall provide secretarial and administrative support to the Committee.

6. REPORTING

- a) The Committee will prepare a biannual (twice a year) audit and risk report that describes the activities of the Committee and includes its findings and recommendations and provide a copy of the report to the Chief Executive Officer for tabling at the next Council meeting.
- b) The Committee may report, at any time, to Council on any matters of significance as determined by the Committee.
- c) The Committee Chairperson, will attend a briefing meeting of Councillors annually (in the period late October-mid November each year) to:
 - Summarise the activities of the Committee during the previous financial year;
 - Provide any recommendations to councillors in relation to the functioning of the Committee;
 - Brief Council on key aspects of the Committee's proposed annual work plan for the following calendar year; and
 - Draw councillors' attention to any other matters which the Chairperson or Committee see as appropriate
- d) The Chairperson is entitled to attend any briefing of Councillors' meeting at any other time to bring any particular matters to the attention to Council which the Chairperson or Committee sees fit. Such meetings may be held with or without management present at the election of the Chairperson following consultation with the Mayor.
- e) The Committee Charter and details of its members will be published on Council's website.
- f) Council's Annual Report will contain information on the makeup of the Committee, number of meetings held and attended by Committee members, audit processes, details of any remuneration paid to independent members during the reporting period and a summary of work completed by the Internal and External Auditor during the year.

7. FUNCTIONS AND RESPONSIBILITIES

The functions and responsibilities of the Committee include:

7.1 External Reporting

- a) Review Council's draft annual financial report, focusing on:
 - Accounting policies and Approved Accounting Standards;
 - Changes to accounting policies and Approved Accounting Standards;
 - The process used in making significant accounting estimates;
 - Significant adjustments to the financial report (if any) arising from the audit process;
 - Compliance with accounting standards and other reporting requirements of financial and nonfinancial information; and
 - Significant variances (with explanations thereof) from prior year's figures.
- b) Review and recommend adoption of the Annual Financial and Performance Statements to Council and review any significant changes and the reasons for the changes that may arise subsequent to any such recommendation but before the financial report is signed.
- c) Review the completeness of management reporting on the legislative performance indicators and the governance and management checklist as prescribed in the Local Government (Planning and Reporting) Regulations 2014.

7.2 External Audit

The Committee will:

- a) Oversee the external audit function
- b) Be briefed by the external auditor on the audit engagement and the overall audit strategy of the Victorian Auditor General's Office (VAGO) at the commencement of each year's audit process;
- c) Discuss and review with the external auditor the scope of the audit and the planning of the audit;
- d) Discuss and review with the external auditor issues arising from the audit, including all Management Letters issued by the auditor for completeness and appropriateness;
- e) Ensure significant findings and recommendations made by the external auditor and management's proposed responses are received, discussed and appropriately actioned by management;
- f) Review on an annual basis the performance of the external auditors; and
- Maintain an awareness of local government performance audits undertaken by VAGO and any other relevant reviews undertaken by bodies such as IBAC and consider recommendations for action or implementation where appropriate.

7.3 Internal Audit

The Committee will:

- a) Oversee the internal audit function
- b) Be kept informed by Council officers of any process to appoint or terminate Council's internal audit service provider and provide advice to Council with respect to appointment of internal auditor services;
- c) Review the level of resources allocated to internal audit and the scope of its authority;
- d) Review the scope of the internal audit plan and programme and the effectiveness of the function. This review should consider whether, over a period of 3 years the internal audit plan systematically addresses:
 - Internal controls over significant areas of risk, including non-financial management control systems;

- Internal controls over revenue, expenditure, assets and liability processes;
- The efficiency, effectiveness and economy of significant Council programmes; and
- Compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements;
- e) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or the Chief Executive;
- f) Review internal audit reports and monitor the implementation by management of recommendations made by internal audit.
- g) Monitor the implementation of recommendations by management;

Attachment 5.1.5

- h) Facilitate liaison between the internal and external auditors to promote compatibility, to the extent appropriate, between their audit programmes;
- Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's Charter. Review management's response to, and actions taken as a result of, the issues raised; and
- j) Review on an annual basis the performance of the internal auditor, including adherence to appropriate professional and quality standards, and where performance is not considered satisfactory, report to Council and make recommendations, which may, in extreme cases, include a recommendation that Council terminate the internal audit contract and undertake a tender process for the appointment of a new internal auditor.

7.4 Risk Management and Fraud Prevention

The Committee will:

- a) Monitor the risk exposure of Council by determining if management has appropriate risk management frameworks, processes and adequate management information systems;
- b) Monitor reported breaches of ethical standards and related party transactions and monitor the implementation of recommendations arising from reports presented and review the effectiveness of Council's internal control systems.
- c) Monitor the progress of any major lawsuits facing the Council.
- d) Provide oversight of Council's risk management framework (including Council's health and safety management system) and activities conducted by the internal and external auditors and any other assurance providers, to give assurance over that framework;
- e) Escalate to Council when *the Committee* feels that management is not responding as it wishes/should on concerns about the risk management framework.
- f) Monitor and provide advice on fraud prevention systems and controls, including:
 - Reviewing processes in the prevention and management of fraudulent activity;
 - Reviewing reports of fraud from management, the status of ongoing investigations and recommendations to improve fraud controls;
 - Assessing the operational effectiveness of the fraud prevention controls; and
 - Ensuring that the internal audit program assists in identifying any potential fraud risks.

7.5 Ethical Behaviour

The Committee will:

 Receive updates from management of any suspected cases of fraud, corruption or serious misconduct impacting Council;

WARRNAMBOOL CITY COUNCIL

- c) Identify and refer specific projects or investigations deemed necessary though the Chief Executive, the internal auditor and the Council, if appropriate.
- d) Monitor any subsequent investigation, including the investigation of any suspected cases of fraud, corruption, serious misconduct or breaches of conflict of interest; and
- e) Review the findings of any examinations by regulatory agencies (eg VAGO), and any auditor (registered internal or external auditors) observations. Other audits/investigation may also be reviewed if relevant to this committee.
- f) Where a suspected fraud or corrupt behaviour is reported or detected and is deemed likely to have a material impact on Councils reputation or operations, in the opinion of the CEO. The CEO will inform the Chair of the Audit and Risk Committee of the incident subject to the limitations on disclosure that may be imposed by external integrity bodies, this may occur outside of the regular quarterly updates on ethical behavior.

7.6 Financial Reporting and Financial Matters

a) The Committee will monitor Council financial reporting and performance.

Attachment 5.1.5

- The Committee will receive details of all reimbursements (for out-of-pocket expenses) for Councillors and delegated committee members
- c) The Committee wil exercise an oversight function over compliance with Gifts Policy.

7.7 Council Policies and Procedures

The Committee will monitor the compliance of the Council's policies and procedures with:

- a) The overarching governance principles set out in s. 9 Local Government Act 2020, viz:
 - i. Council decisions are to be made and actions taken in accordance with the relevant law;
 - ii. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - iii. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - iv. the municipal community is to be engaged in strategic planning and strategic decision making;
 - v. innovation and continuous improvement is to be pursued;
 - vi. collaboration with other Councils and Governments and statutory bodies is to be sought;
 - vii. the ongoing financial viability of the Council is to be ensured;
 - viii. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - ix. the transparency of Council decisions, actions and information is to be ensured.
- b) The Local Government Act 2020 and the regulations (made for or with respect to any matter or thing required or permitted by the Act to be prescribed) and any Ministerial directions.

7.8 Matters Referred to the Committee by Council

The Committee will address issues brought to its attention, including responding to requests from Council for advice.

7.9 CEO Employment and Remuneration Policy

The Committee will oversee adherence of Council to the CEO Employment and Remuneration Policy.

8. ANNUAL WORKS PROGRAM

The Committee must adopt an annual works program, by no later than 1 May each year.

WARRNAMBOOL CITY COUNCIL

AUDIT & RISK COMMITTEE CHARTER 2020

9. PERFORMANCE EVALUATION

- a) The Committee, in conjunction with Council, and the Chief Executive, should develop the Committee's performance indicators.
- b) The Committee will assess its own performance on an annual basis using a Self-Assessment tool which will be reviewed, adopted and completed by the Committee.
- c) The Committee provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting.

10. CONFLICT OF INTEREST AND REGISTER OF INTERESTS

- a) Sections 123 (misuse of position) and 125 (confidential information) and Division 2 of Part 6 (conflict of interest) of the Act apply to any member of the Committee who is not a Councillor as if the member were a member of a delegated committee.
- b) Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper management of any conflicts of interest as and when they may arise.
- c) Members of *the Committee* must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in the Act.
- d) Failure to comply with the provisions of the Act with regard to conflicts of interest may result in prosecution and the member's appointment being terminated by the Council.

11. REVIEW OF THE COMMITTEE CHARTER

The Committee will review the Committee Charter on a biennial basis and recommend any changes to Council for approval.

The next review date will be: May 2023.

5.2. CORONAVIRUS (COVID-19) RESPONSE AND RECOVERY STRATEGY

PURPOSE:

This report outlines the strategic approach to rebuild the community's health, wellbeing and the economy from the ongoing impacts of the COVID-19 pandemic.

EXECUTIVE SUMMARY

The COVID-19 pandemic is the most serious and pressing public health, social and economic issue facing the globe, our nation and our local community.

Since the establishment of the first ever National Cabinet to co-ordinate a national response and the Victorian Government declaration of a State of Emergency on 14th March 2020, Council began planning and responding to COVID-19 impacts.

Council has continued to elevate organisational and community responses in accordance with Federal and State Government advice and information. The rate of change and scale of the impacts is unprecedented, and has required a significant re-prioritisation of Council's internal and external activities.

The Warrnambool City Council Coronavirus (COVID-19) Response and Recovery Strategy has been developed to guide a whole-of-organisation response to the COVID-19 pandemic with a focus on:

- short term relief and direct support measures as outlined in our previously released Stage
 1 COVID-19 Response Plan of April 2020; and
- a longer term Stage 2 strategy to assist the recovery of the community and local businesses.

Council's response to COVID-19 also highlights the breadth and in many instances, the complexity of issues that Council has been responding to since the declaration of the State of Emergency. Council will continue to prioritise its efforts on Warrnambool's most vulnerable residents and families, businesses and community groups across our municipality.

The aim of the COVID-19 Response and Recovery Strategy is for practical assistance to be implemented within Council's sphere of responsibility and capacity to mitigate negative impacts of COVID-19 including:

- Health and wellbeing outcomes;
- · Community with a focus on the most vulnerable in our community; and
- The local economy and our 2,800 registered businesses in our City.

In developing these measures, consideration has been given to various State and Federal government support and economic support packages. The Strategy will be capable of evolving depending on how the COVID 19 pandemic continues to unfold.

MOVED: CR. DAVID OWEN SECONDED: CR. SUE CASSIDY

That Council note the contents of the Warrnambool City Council Coronavirus (COVID-19) Response and Recovery Strategy, at Attachment 1 to this report.

CARRIED - 7:0

Council has limited income sources and will continue to manage its finances in order to deliver the essential services to required by our community. The COVID-19 pandemic has the potential to cause significant financial hardship for many members of the community and Council can, in certain circumstances, provide support.

In developing and funding community assistance, it will be necessary for Council to recast budget forecasts. It is not possible at this stage to accurately forecast the full economic impact of the COVID-19 pandemic, therefore a degree of agility underpinned by regular financial monitoring and reporting will be required.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 Sustain, enhance and protect the natural environment

- 1.1 Protect and enhance our waterways, coast and land
- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.4 Review options for managing waste
- 1.5 Educate and partner with the community on Council's sustainability initiatives

2 Foster a healthy welcoming City that is socially and culturally rich

- 2.1 Promote healthy lifestyles
- 2.2 Increase participation, connection, equity, access and inclusion
- 2.3 Increase community health and social connections.
- 2.4 Encourage and support participation in sport, recreation and physical activity.
- 2.6 Engage a broader range of people in cultural activities.

3 Maintain and improve the physical places and visual appeal of the City

- 3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians
- 3.2 Create a more vibrant City through activating high quality public places.
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

4 Develop a smarter economy with diverse and sustainable employment

- 4.1 Grow the Cities population through local economic growth
- 4.2 Encourage more sustainable local business.
- 4.3 Enhance the visitor experience.
- 4.4 Advocate for and improve infrastructure including transport, services and digital infrastructure.
- 4.5 Create stronger links between education providers, business and industry.

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk
- 5.4 Deliver customer-focused, responsive service
- 5.5 Foster an encouraging and positive staff culture

COMMUNITY IMPACT / CONSULTATION

Council has engaged with Federal and State Government, related agencies, community service providers, local businesses and individual community members to both respond to urgent emerging issues and to inform the Strategy.

OFFICERS' DECLARATION OF INTEREST

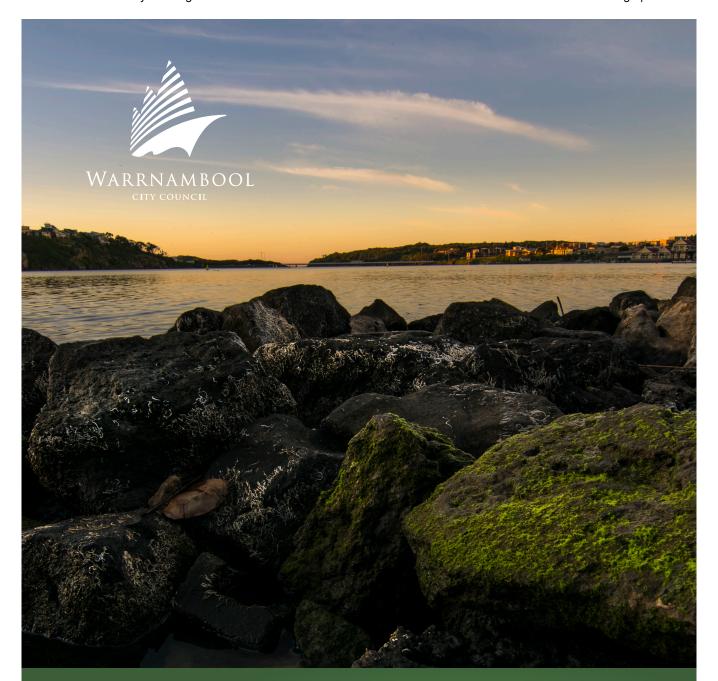
None.

CONCLUSION

That Council note the contents of the Warrnambool City Council Coronavirus (COVID-19) Response and Recovery Strategy, at Attachment 1 to this report.

ATTACHMENTS

1. WCC Coronavirus Response & Recovery Strategy [5.2.1 - 15 pages]



Warrnambool City Council Coronavirus (COVID-19) Response and Recovery Strategy

June 2020

A message from the Mayor

This Strategy is the first stage of what will be an evolving approach to our community responding and recovering from the impacts of the COVID-19 pandemic.

The Strategy encompasses Council's previously released Stage 1 COVID-19 Response Plan of April 2020 which was designed to lessen the financial burden impacting residents, businesses and community groups.

This Strategy outlines the approach Warrnambool will take to rebuild the community's health, wellbeing and the economy after a prolonged COVID-19 crisis both in the short term and long term.

It will be a dynamic document. Should conditions demand that we change or update our approach, we will do so.

Throughout the State of Emergency Council has, and will continue to prioritise Warrnambool's most vulnerable residents and families, businesses and community groups across our municipality. Our home care support workers continued to go to the homes of some 1200 clients who rely on Council for meals, home and garden maintenance, toileting and dressing. This frontline response was unwavering and will continue.



Council is cognisant of the economic impact on businesses and households. The best way to support our vulnerable is to provide Council programs and services that complement, customise or leverage whenever possible the significant health and economic support provided by the Victorian and Australian governments.

Council is also committed to maintaining its substantial capital works program which will employ local people while building our liveability.

While the term "unprecedented times" has been much used over recent months, the reality is that we are contending with a unique health and wellbeing challenge at a time when we have a global economy in which livelihoods depend on that economy operating without disruption.

As it rebounds, our community will need to be resilient and resourceful. As a Council, we will need to provide a measured response that involves careful allocation of resources and effort that ensures we care for those in need while also stimulating business activity and a re-establishing workforce numbers.

Key approaches in our strategy include:

- Promotion of Council's Hardship Policy to help local residents, businesses and ratepayers who are struggling financially, along with a Rates, Charges and Fee Review to further reduce financial pressure.
- New ways of delivering services and programs to prioritise the vulnerable
- A COVID-19 Business Support plan that will encourage business input into recovery initiatives
- Developing a support package for local sporting clubs
- An expanded community and business grants program, and
- Joint (Warrnambool and Moyne) Emergency Relief Committee.

I would like to take this opportunity to acknowledge and thank the fellow councillors and Council staff for developing this strategy.

I wish everyone well as we work together on this recovery.

Mayor, Cr Tony Herbert





Response and Recovery

The COVID-19 pandemic response is managed by the Victorian Government under the Emergency Management Act of 2013 and other executive powers. All local governments have a number of roles under the Emergency Management Act 2013.

In response to the COVID-19 outbreak, the Victorian Government established "essential services" in order to co-ordinate the pandemic response across Victoria. This included hospitals, health services, police, and related essential services including Local Government.

The Local Government operations defined as essential

- Emergency Management team
- Immunisation
- Aged and Disability
- Children's and Family Services
- Local Laws
- Customer service/call centre
- Cleaning services

This (COVID-19) Response & Recovery Strategy provides a whole-of-council approach to help recover from the impact of COVID-19.

It aims to assist to mitigate negative impacts of the COVID -19 including:

- · health and wellbeing outcomes
- community- with a focus on the most vulnerable throughout the community
- the local economy including business, industry and

In response to the rapid, unprecedented developments arising from the coronavirus pandemic, Warrnambool Council has moved to develop and implement a wholeof-council Response Strategy that is in line with the expectations of the community and the leading medical advice from the Victorian and Australian governments.

This Strategy aligns with the Warrnambool Council Plan 2017-2021, Council's Municipal Emergency Management Plan (MEMP), the Pandemic Plan and the broad objectives of the community plan, Warrnambool 2040, which.

Council's Strategy will seek to complement and address, where possible, gaps which may not be met by the current Federal and State support packages.

Key Stage 1 areas of focus for Council's Strategy include a focus on priorities aligning with Council Plan strategic objectives including natural environment, health and wellbeing, city infrastructure and physical spaces, stimulus of the local economy and engagement and advocacy.

Priorities in this regard for respective stakeholders include increased health and wellbeing services for vulnerable residents, options for rates and fee relief for residents and businesses, sport club fee relief, supporting local

businesses, extensions to community and events grants, engaging with Federal Government, State Government and non-government sector, and more.

This is a whole-of-council Strategy designed to ensure all resources, programs and initiatives across Council can assist in the response and recovery phases of the COVID-19 pandemic.

This strategy describes Council's guiding objectives and aims and it is anticipated that it will be adapted to ensure it remains relevant within a rapidly changing environment and to ensure that the city is well placed to act on external funding and program initiatives.

Our people

There are a number of community cohorts from a health, wellbeing and economic perspective that are being severely affected by the COVID-19 pandemic, which the Response Strategy seeks to consider:

Vulnerable community health and wellbeing cohorts, which include:

- Older people
- Culturally and linguistically diverse communities
- Aboriginal community members
- Homeless, foreign students and asylum seekers
- Young families affected
- People subject to family violence and abuse

Vulnerable economic community cohorts which include:

- Local businesses
- Local employees
- Those in the creative industries, tourism, sport and recreation, and other sectors deemed 'non-essential'
- Community groups and social enterprises

Response and Recovery Overview

Key pillars to this whole-of-council Strategy, directly aligned to the Council Plan, are:

- Protection of the natural environment
- Fostering a healthy, welcoming city that is socially and 2.
- Maintaining and improving the physical spaces and visual appeal of the city
- Developing a smarter economy with diverse and sustain-
- Practising good governance through openness and accountability while balancing aspirations with sound financial management

Stage 1 responses focused on the immediate needs of the community and council staff, as well as the immediate continuity of essential services and temporary modification of services during the Covid-19 restrictions. Stage 2 responses are focused on assisting community with community building recovery initiatives.



Response - Sustain, enhance and protect the natural environment

Response initiative	Stage 1,2	Response Area	Description
Waste management and recycling	Stage 1,2	Infrastructure	Waste management including kerbside collections continuing as per normal schedule.
			Glass collection (fourth bin) pilot program being assessed ahead of rollout across the municipality.
Environment and sustain- ability response	Stage 1 and 2	Environment and Sustainability	Prioritising initiatives from the Warrnambool Green Plan to align with COVID-19 impacts. Developing collateral and online resources for all residents to be more sustainable and energy efficient, particularly while spending more time at home.
City hygiene	Stage 1, 2	Infrastructure	Program of street, parks and open space cleansing, ongoing cleaning of public and community facilities, including playgrounds and other Council assets, in accordance with Federal and State advice.

Response - Sustain, enhance and protect the natural environment

Response initiative	Stage 1,2	Response Area	Description
Community facilities	Stage 1	Whole of organisation	To protect the community and staff the following facilities were closed: More than 60 playgrounds Public toilets Skate Park Warrnambool Community Dog Park AquaZone Flagstaff Hill Maritime Village Warrnambool Visitor Information Centre Fishing jetties and pontoons Surfside Holiday Park Public barbeques Warrnambool Stadium Warrnambool Gymnastics Centre Warrnambool Airport Terminal building Warrnambool Library Lighthouse Theatre Warrnambool Art Gallery Sportsgrounds Archie Graham Community Centre
	Stage 2		Progressive reopening of facilities in line with advice from the Australian and Victorian governments.

Response initiative	Stage 1,2	Response Area	Description
Early Years Intervention and Support	Stage 1	Maternal and Child Health	Eliminated waiting rooms, families to remain in the car prior to appointments No toys or books in clinics. Disposable equipment for measuring babies. Extra precaution in cleaning of rooms and facilities and separate entry and exit access introduced. Families screened prior to using service. Cars/desks provided with sanitary station kits. Cancelled supported playgroup, community playgroup, First parent groups and Baby Makes Three sessions. Staff encouraged to work from home where possible. Commenced telephone consultations for current bookings based on DHHS guidelines.
	Stage 2		Weighing/physical clinic set up at Archie Graham Community Centre for a scheduled approach to see vulnerable babies and children. MCH continue with telephone consults as per calendars, refer to weigh station set up at Archie Graham Community Centre. Nurses seeing each baby under eight weeks for full physical exam. Babies born from March recalled for full physical examination. New Parent groups meeting online twice weekly in small groups of 7-9.
	Stage 1	Family Services	All external meetings transferred online. Staff established parenting telephone appointments/ system. Issued referral forms to all agencies. Clients informed of COVID-19 restrictions on ser- vice. Staff issued non-contact consultations and drop of essential food and supplies. Staff undertook consultations via phone at more regular intervals.
	Stage 2		Weekly online team meeting to address COVID-19 issues and service delivery. Taxi vouchers issued for families to attend essential services where Family Services staff may have normally taken families to appointments. Telehealth support to families. Visits replaced with telephone consultations where possible, these require specific risk assessments with each call. Families receiving two or more calls weekly. Every second week families receive a 15-minute non-contact visit with appropriate COVID-19 screening. Additional resources delivered to families. Staff organising prepared meals for families through local provider. Focus on school reengagement. Staff sourcing balls, chalk drawing, skipping ropes, scooters and other items to occupy children in isolation.
	Stage 1	Parenting Services	Commenced 1:1 parenting support

Response initiative	Stage 1,2	Response Area	Description
	Stage 2		Conducted one-on-one with families online or via telephone. Commencing book-in parenting support line for families. The program will branch out to schools for referral with a focus on teenagers and school work, boundaries and routines.
	Stage 1	Supported Play- group	Groups cancelled.
	Stage 2		Three private Facebook groups have been established for clients of our supported playgroup families. There are 27 families currently accessing the program. Small Talk program component is being conduct via telephone each week. Home schooling packs for primary and secondary students and isolation rescue packs for children created to provide fun art/mood activities for children to utilise.
	Stage 2		
Early Years Learning and Development	Stage 1, 2	Childcare centres	242 children across the week are accessing CBCC. 188 Families are accessing the remote learning. Small number of families choose to self-isolate.
	Stage 2		Large number of families started to self-isolate, a high number returned with the introduction of free childcare. We now have 361 daily sessions occurring across the service. The service is adhering to the Governments Priority of Access handed down with the new Early Childhood Education and Care Relief Package from the Federal Government. Remote learning is occurring via KidsXap, closed face book groups, via telephone, learning links and home packs for children to complete at home. Staff are reading stories, singing songs, teaching dancing to children through apps, sharing the learning program within the classroom to those at home, providing activities and recipes to families. Families at home are interacting back sharing videos, photos and messages to staff around activities they are doing, how they are going, how they are missing the staff and other children Pantries have been implemented at all our Childcare and Kinder services for families to access items that they may need for their families. The stop and go pantries have been supported by food share. These pantries provide families with the everyday staples they may be missing from their pantries at home. We have also been able to support a number of families with food share hampers, staff have been able to keep in contact with families and drop off any essential hampers to families in need.

Response initiative	Stage 1,2	Response Area	Description
	Stage 1	Preschools	All kinder services remained opened and operated as usual, except all excursions where placed on hold then were closed for the term 1 school holidays
	Stage 2		The start of term 2 changes were made to the program following all Department of Education and Department of Health and Human Services guidelines 138 attended kinder when it return in term 2, now there is 280. Children attend multiple sessions across a week. 223 Families are accessing the kinder program through remote learning, now there is only 81not attending, although the program is open to all families within the service. Through remote learning staff are sharing the program that they are operating in the service with the families at home. The program consists of activity packs for families to complete at home, on line sessions with families, reading stories, singing songs and dance, sharing activities, science experiments, literacy and numeracy, culture and music lessons. Families have responded positively to the remote learning and are very appreciative to the staff for including and extending the program to their home environment. Families have been responding with messages, photos and videos of their own experiences at home with staff in the services. Platforms for online learning are through closed Facebook sites for each service and through our early year's app KidsXap. Kinder services remain fully funded by the State and Federal Government. Three year old kinder programs merged due to low attendance.
Aged care, home support, meals on wheels	Stage 1,2	Community Development	Essential service delivery of In home support services has continued with increased infection control procedures. Services delivery types have broadened to meet the needs of individual who are experiencing hardship as a result of the COVID-19 crisis. This includes regular welfare checks and home visits to reduce social isolation. Delivery and provision of essential items including food and toiletries. Council staff redeployed to assist with service delivery.
	Stage 2		
Social wellbeing programs	Stage 1,2	Community Development Economic Development	The West Warrnambool Neighbourhood house has commenced outreach services to the local neighbourhood. The Archie Graham Community Centre continues to engage with Centre patrons through on line activities and programs. The Centre is also conducting regular check with patrons. Welcoming Cities Initiatives in partnership with relevant agencies to provide support and information with a particular focus on multicultural communities.
	Stage 2		

Response initiative	Stage 1,2	Response Area	Description
Sport, recreation and leisure services	Stage 1,2	Recreation and culture	With the lifting of COVID-19 restrictions, Aquazone Fitness will commence offering outdoor fitness classes from June with a view to reopening the pool, gym and fitness area, with restricted numbers and reduced hours, from June 22. The Learn to Swim program will not be able to recommence until restrictions have eased further. The use of the facility after June 22 will be through bookings only and with strict hygiene measures in place.
	Stage 1, 2	Sportsgrounds	Council is following advice from Federal and State governments on how and when sport and recreation activity can return. Clubs have been advised of their obligations under Stay at Home and Restricted Activity Directions, and to access information required to develop their Return to Play plans. South West Sports has also been instrumental in supporting clubs to prepare.
Community development	Stage 2		Community Development Grants Fund to enable Council to provide financial assistance to existing community support and other groups, particularly those who are providing community support services during the pandemic
	Stage 2		
Arts and culture	Stage 1	Warrnambool Art Gallery	Key arts and creative initiatives including the War- rnibald are supported with online components and where appropriate, livestreaming.
	Stage 2		Re-opening will be managed in accordance with Victorian Government advice.
	Stage 1	Lighthouse Theatre	Lighthouse Theatre closed to ensure safety of the staff and public.
	Stage 2		Re-opening will be managed in accordance with Victorian Government advice.
	Stage 1	Library	During the Covid-19 closure Warrnambool Library provided a home delivery service to more than 250 patrons before restrictions increased and have since offered a click and collect service from the library foyer. The click and collect service was availed by 547 library patrons, and some 2000 items were borrowed in this way. Staff remained available via phone and email to offer help with choosing and reserving items for the click and collect service, as well as to assist people accessing our eResources. E-Resources usage increased by over 50% compared to the same time last year across the region, including Warrnambool. Warrnambool Library created a new YouTube channel, filmed and published virtual Baby Rhyme Time and Preschool Storytime sessions. Staff attended two online meetings of first mothers' groups, delivering a Baby Rhyme Times session and talking to parents about the importance of books from birth and library services generally. Staff organised an online 'in conversation with' event involving acclaimed author, Kirsty Manning. Due dates were extended over the shutdown period and a fines amnesty for the month after reopening will be in place

Attachment 5.2.1

Response initiative	Stage 1,2	Response Area	Description
	Stage 2		Timing of the library re-opening will be in accordance with Victorian Government guidelines. More online events including conversations with authors, are planned.
Youth services	Stage 1		Enhancement of online delivery of programs where appropriate. This has already included the livestreaming of the annual youth awards program.

Response - Maintain and improve the physical spaces and visual appeal of the city

Response initiative	Stage 1,2	Response Area	Description
Capital works	Stage 1,2		The delivery of projects has continued, with only some projects experiencing delay as a result of Covid-19. Wangoom Road start has been moved to later in 2020. Cultural Heritage Site Induction process made available by video in a new partnership with the Eastern Maar Aboriginal Corporation.
	Stage 2		
Local Laws	Stage 1		Free parking provided in the city centre over April, May and June. Local Laws officers redeployed to building maintenance and school crossing supervision.
	Stage 2		Officers assist police with ensuring compliance with COVID-19 restrictions at Council facilities.
Immunisation	Stage 1		Seasonal flu vaccination program expanded to whole of community and more than 1600 participants in temporary clinic established in the Lighthouse Theatre.

Response - Develop a smarter economy with diverse and sustainable employment

There are 2,830 registered businesses in the municipality of Warrnambool across 19 broad industry classifications and 96 industry sub-classifications. The COVID-19 Business Support Plan will be city-wide, adapt as restrictions are altered, and success will be measurable. Stage 1 is immediate and addresses critical response and recovery initiatives. Future stages will follow and be targeted at recovery and rebuild initiatives.

Re	esponse initiative	Stage	Response Area	Description
			A dedicated economic response team will support Warrnambool businesses as a point of contact.	
COVIE	O-19 Business Sup- port Plan	Stage 1	Communication – Point of contact and Dedicated COVID-19 Business Support website	A dedicated webpage to help businesses access information and regular updates such as financial assistance packages, business mentoring and advisory services, managing staff, health and safety resources, webinars, marketing resources. Listing and making businesses aware of all available State and Federal Business Support Packages is a critical role of this resource.



Response initiative	Stage 1,2	Response Area	Description
COVID-19 Business Support Plan	Stage 1	Communication – Contact with Business	 The following engagement to inform action and advocacy and short and long term recovery priorities: Business Impact Surveys to be undertaken over regular intervals to provide evidence base of how COVID-19 is impacting Warrnambool businesses. Ongoing program of proactive direct contact (phone calls during COVID-19 restrictions) to 'check-in' with businesses to ensure awareness of info and support. A dedicated point of contact to respond to all business enquires and support. Weekly email bulletins to business database and regular Facebook posts to communicate updates and changes to business support, grants and stimulus programs.
COVID-19 Business Support Plan	Stage 1	Communication – Get Around Warrnambool Campaign (GAW)	Get Around Warrnambool (GAW) Campaign designed to provide an overarching and long term campaign for a wide range of economic and community development initiatives to fall under the GAW banner. These are tough times but what we can do is work together as a community and look after each other – Get Around Warrnambool. Wide application of uses across all forms of media – social, print, radio, television. Templates of marketing materials freely available for businesses, individuals and community groups to use. An early component of this campaign has been to encourage our community to Think, Support, Spend Local. This campaign provides branding posters and social media collateral available to businesses to use and will be promoted across a range of social media, television, radio, print, and street and roundabout banners. Get Around Warrnambool Loungefest events supporting local musical artists. April 11 event peaked peaked at 1800 simultaneous screens, instantly making the concert one of the biggest in the city's history. After the success that was Get Around Warrnambool – LoungeFest, a follow up event to be streamed on Facebook on May 30 - LoungeFest Volume 2 that will include sets from local musical acts and comedians. Viewership of the original event on April 11 Musicians and comedians taking part are paid for their performances.

Response initiative	Stage 1,2	Response Area	Description
COVID-19 Business Sup- port Plan	Stage 1, 2	Council Resource Support	Council will continue to consider and act on opportunities to provide impacted COVID-19 businesses with fair and prudent financial relief including. Council has acted decisively to put the following Stage 1 measures in place: Advice issued to businesses on applying for rates deferral in 2019/20. No interest to be raised on outstanding rates or other payments. All debt recovery actions currently in progress put on hold. Waiver of a number of business permit fees and registrations in 2020/21. Assistance for business tenants of Council-owned buildings or facilities. Free Parking in the City Centre Paying local suppliers as quickly as possible.
COVID-19 Business Sup- port Plan	Stage 2 and 3	Recovery and Rebuild	Using the principles of inform, consult, involve, collaborate and empower, Council will maintain, adapt or develop new initiatives as the COVID-19 impacts evolve and change. Support and foster a co-ordinated recovery and rebuild approach to activities to support businesses beginning with those sectors most adversely impacted. Economic Development, Visitor Economy and International Relations Advisory Committee structures to foster collaboration between leaders in the business community and provide advice on the recovery program; Encourage business input to a recovery program for local businesses; Seek business input to campaigns designed to support Warrnambool businesses; Engage neighbouring municipalities, State and Federal Government and other stakeholders as required and to encourage partnership working initatives.

Response initiative	Stage 1,2	Response Area	Description
COVID-19 Business Support Plan	Stage 2 and 3	Recovery and Rebuild	Business Initiatives Grants (BIG) program will provide Warrnambool businesses impacted by COVID-19 the opportunity to apply for grants to implement projects that will assist recovery and enhance resilience. BIG will likely roll out over tranches with the first tranche expected to be open to businesses early June 2020. Business mentoring and marketing support programs. Health and wellbeing initiatives targeted at businesses via counselling support, networking events, mental health GAW campaigns, community events with a well-being focus. Better Approvals Project established as a one stop shop for new and existing businesses to streamline regulatory processes and reduce red-tape. Evidence-based marketing campaigns to promote Warrnambool and the Think, Support, Spend Local Campaign across a combination of social media, television, radio and print., As we emerge from restrictions our City's Festivals and Events program will rebuild community confidence. A Festivals and Events Grants program will assist activation of key precincts across the City. Community led place-making initiatives such as the continuation of the Beers and Ideas program to empower the community for input for street activation. Support and assistance to help businesses take their business online, including but not limited to e-commerce opportunities. Continue and where possible, accelerate the program of strategic land use planning work being undertaken to identify development opportunities to attract private investment and accommodate growth in our City. Engagement occurring with State Governments Building Victoria's Recovery Taskforce regarding eligible projects that might be fast-tracked due to COVID-19 related impacts on the Victorian Plan-

Response - Practising good governance through openness and accountability while balancing aspirations with sound financial management

Response initiative	Stage 1,2	Response Area	Description
Communications and engagemen	Stage 1,2	Corporate Strategies	Dedicated web page with COVID-19 updates and resources.
			Regular communications (internal and external) on COVID-19 and operating status of Council services.
			Ongoing communication to encourage social distancing.
			Launching and building upon the Get Around Warrnambool campaign to support community wellbeing, local businesses and residents.
			Co-ordinating and monitoring Council's COVID-19 Response and Recovery Strategy
			Ongoing engagement and co-ordination with surrounding municipalities, regional cities, Municipal Association of Victoria (MAV), Emergency Management Teams and other relevant State and Federal departments.
			Utilisation of Council's Advisory Committees for oversight and advice.
Hardship policy	Stage 1	Corporate Strategies	Advice issued to residents on applying for rates deferral. No interest raised on rates between declaration of State of Emergency and June 30, 2020.
	Stage 1		
Advocacy	Stage 1	Corporate Strategies	Prioritise State and Federal government funding opportunities for projects that will assist in the ongoing recovery of our City.
			Regular surveying (short form) of local businesses to understand the economic impact of COVID-19 on our city. This evidence base is important to not only inform Council's response plan but also advocate for, and access any future Victorian and Australian government COVID-19 recovery programs.
Workforce redeployment planning	Stage 1,2	Corporate Strategies	Council will continue to monitor and action staff redeployment and reallocation of resources across the organisation to ass essential service areas that are encountering increasing demand.
Technology	Stage 1, 2	Corporate Strategies	Enhance and expansion of capacity for more staff to work from home with remote access to Council network. Move to online trading at South-West Victorian Livestock Exchange.

Emergency management and Council's operational response

COVID-19 is classified as a class 2 emergency under the Emergency Management Act 2013. Council's emergency management staff have been working in both the response and relief phases of the emergency and performing roles in accordance with their responsibilities to support the lead control agency, the Department of Health and Human Services in the emergency response. As the situation has progressed Council has taken a lead role in the coordination of relief and recovery in accordance with the Emergency Management Manual Victoria (EMMV) and the Emergency Management Act 2013.

The Emergency Management team has supported the Environmental Health Officer in implementing Council's Pandemic Plan. A joint Warrnambool City Council Relief & Recovery Committee was established and meets weekly via video conference and includes representatives from Warrnambool City Council, Moyne Shire, Victoria Police, Department of Health and Human Services, Southwest Primary Care Partnership, Red Cross, Victorian Council of Churches Emergency Ministry, Salvation Army, South West Health Care, Department of Agriculture Victoria, Emma House, Women's Health and Wellbeing, Foodshare and Anglicare.

The Committee identifies relief issues in relation to the consequences of COVID-19, including but not limited to addressing issues of increased homelessness and family violence matters, business economic issues, psycho-social / mental health issues, establishing identified pathways and connections. Warrnambool City Council has played a significant role in developing key agency contact lists and ensuring that agency details are displayed in all public amenities. Council has also played a key role in partnership with local support agencies such as Anglicare to provide facilities such as showers and washing facilities to the homeless.

Council is also mindful that we may be subject to another emergency incident and have maintained plans to respond and operate an Emergency Relief Centre if the need arises. From April 27, 2020, in accordance with the State Relief Plan, municipalities assumed the role of coordinating emergency relief packages for members of the community who had a confirmed case of COVID-19 and who contacted the COVID-19 Emergency Hotline telephone service. This role was previously undertaken by the Victorian Government, with the assistance of Red Cross and Australia Post.

Planning and preparations continue with Emergency Management staff meeting at local and regional levels for all hazards including COVID-19.

Delivery of the recovery

The Warrnambool City Council Recovery Action Plan aims to provide guidance to stakeholders in relation to their communication, and understanding of the community's needs, by identifying the key principles that allow the community to lead their own recovery with the assistance from Warrnambool City Council in a supportive and coordination role at the local level.

The Joint (Warrnambool and Moyne) Emergency Relief Committee comprises representatives from both Councils, Victoria Police, the Department of Health and Human Services, South West Primary Care Partnership, South West Healthcare, Moyne Health Services, Australian Red Cross, Salvation Army, Warrnambool and District FoodShare, the Department of Jobs, Precincts and Regions and the Department of Economic Development, Jobs, Transport and Resources. The joint relief committee will continue to meet and mitigate any risks identified by the community or relief and recovery agencies to ensure the most suitable outcomes are delivered in a timely manner to support positive community outcomes.



March 17, 2020

Council begins to wind down, postpone or suspend sporting, recreational and cultural services including those at the Lighthouse Theatre and Warrnambool

March 28, 2020

Stage 3 restrictions announced – four reasons to leave home **April 2, 2020**

Compulsory provision of childcare services for all families currently enrolled and to any essential service workers and vulnerable or at-risk families.

May 12, 2020

May 24, 2020
Victorian Government announces further easing of restrictions to take effect from June 1 including conditional re-opening of cafes and restaurants.

May 26, 2020

VCE and grades prep, one and two students return to school.

5.3. AMENDMENT TO PLANNING APPLICATION PP2004-0225.08 - 43-45 HAYLEY DRIVE

PURPOSE:

This report recommends that Council determine to issue a Notice of Decision to Grant an Amendment to Planning Permit PP2004-0225.08 to amend the site and floor plan and for the display of signage at 43-45 Hayley Drive, Warrnambool.

EXECUTIVE SUMMARY

- A planning application has been received to amend an existing planning permit to alter the following:
 - o revised south bar entry and new outdoor footpath seating;
 - New acoustic wall adjoining Hayley Drive;
 - New outdoor 'people and pets' area to the northern aspect of the site;
 - Additional bicycle parking, electric car charging parks and new rainwater tanks;
 - New signage;
- Five (5) objections have been received, following notification of the proposed amendment;
- An on-site consultation meeting has been undertaken with Councillors, objectors, the applicant and Council Officers;
- Subject to conditions being applied it is considered the proposal can be supported in accordance
 with the relevant provisions of the Warrnambool Planning Scheme and a Notice of Decision to
 Grant an Amended Permit is recommended.

MOVED: CR. SUE CASSIDY SECONDED: CR. MICHAEL NEOH

That Council having caused notice of Planning Application No. PP2004-0225.08 to be given under Section 52 of the Planning and Environment Act 1987 and the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant an amended Planning Permit under the relevant provisions of the Warrnambool Planning Scheme in respect of the land known and described as ALLOT Lots 6, 7 & 8 PS 324317 TSH WARR, 43-45 Hayley Dr WARRNAMBOOL VIC 3280, for the amendment to site and floor plan and for the display of signage, subject to the following conditions:

- 1. Before the use and development commences, amended plans are required to the satisfaction of the responsible authority. When the plans are approved to the satisfaction of the responsible authority, they will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided generally in accordance with the layout shown on Development Plan number 0330 TP03t October 2005 but modified to show:
 - a. A full set of elevation plans:
 - b. An internal layout of the restaurant showing the location of seating;
 - c. Location of waste disposal facilities;
 - d. Deleted
 - e. Show any pedestrian footpath and/or easement located on the site;
 - f. Removal of the area shown as lawn at the frontage of the bottle shop. This will be paved area;
 - g. Deleted
 - h. Deleted

- i. The edge wall Perspex screens must be removed and replaced with openable louvers either timber or glass or a combination of both;
- j. The outdoor terrace must be provided with a retractable roof/pergola covering of a sufficient size to provide total coverage to the terrace area once closed, and suitable for the amelioration of noise to the satisfaction of the responsible authority;
- k. The retractable roof covering may only be opened between the hours of 7am and 9pm, and must remain securely closed at all other times;
- I. In addition to Condition 2 of this permit, a minimum 1.5 metre wide landscape strip must be designed along the external northern and western edge of the outdoor area to assist in screening and the amelioration of noise. A landscape plan is required to be prepared by a suitably qualified landscape designer. The landscape plan must provide:
 - planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - indicate that an in-ground irrigation system is to be provided to all landscaped areas;
 - a maintenance schedule including that any diseased or damaged plants are to be replaced.

The landscaping shown on the endorsed plans must be planted and maintained to the satisfaction of the responsible authority, and completed prior to the commencement of the use and/or occupation of the development.

m. Added

- n. The site layout and floor plan showing the 'daytime people and pets area' relocated to the southern portion of the site to be removed from the plans.
- 2. Prior to the commencement of the development, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. The landscape plan must show the location, quantity, size and botanical name of each proposed tree, shrub and ground cover and show the treatment of each landscaped surface. The plan should provide for advanced planting and the predominant use of indigenous plantings to the satisfaction of the Responsible Authority. An endorsed copy of the plan will then form part of this permit. The plan shall show generally in accordance with landscape plan No. 04-134L-TP1A.
- Before the development starts, a schedule of construction materials, external finishes and colours to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.
- 4. The layout of the site and size, design and location of the buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 6. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

- 8. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
 - a. Transport of materials, goods or commodities to or from the land
 - b. Appearance of any building, works or materials
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. Presence of vermin.
- 9. No more than 225 seats may be made available at any one time to patrons of the premises, without the written consent of the responsible authority.
- 10. The predominant activity carried out on the premises, must be the preparation and serving of meals for consumption on the premises.
- 11. Tables and chairs must be placed in position so as to be available for at least 75% of patrons attending the premises at any one time.
- 12. Except with the written consent of the responsible authority, the trading hours for the Licensed premises must only operate between the hours of:
 - a. 7am-11pm (Monday to Saturday (excluding Anzac Day and Good Friday)
 - b. 10am to 11pm on Sunday, and
 - c. 12 noon to 11pm, Anzac Day and Good Friday.
- 13. Deliveries to and from the site (including waste collection) must only take place between:
 - a. 7.00am and 10.00pm Monday to Saturday
 - b. 8.00am and 9.00pm Sunday or public holiday
- 14. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
- 15. At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager').
- 16. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria under section 129 of the Liquor Control Reform Act 1998; and/or take action on his/her behalf in accordance with the direction of such an officer.
- 17. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection policy (Control of Music Noise from Public Premises), No. N-2.
- 18. Before the use of the licensed premises starts, a 'noise and Amenity Plan/Patron management Plan' to the satisfaction of the responsible authority must be submitted to and approved by the authority. When approved, the Plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include:
 - a. Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons.
 - b. Signage to use used to encourage responsible off-site patron behaviour.

- c. Staff communication arrangements.
- d. Measures to control noise emissions from the premises.

19. Added

The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

20. Added

The signs must not contain any flashing light or reference to a hotel.

21. Added

The signs must be constructed and maintained to the satisfaction of the Responsible Authority.

- 22. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the responsible authority.
- 23. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- 24. With regard plant/equipment or features on the roof No plant, equipment, services or architectural features other than those shown on the endorsed plan are permitted above the roof level of the buildings without the written consent of the responsible authority.
- 25. All pipes (excluding down pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
- 26. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.
- 27. External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse affect on adjoining land to the satisfaction of the responsible authority.
- 28. Before the occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed
 - b. Properly formed to such levels that they can be used in accordance with the plans
 - c. Surfaced with an all-weather-seal coat
 - d. Drained
 - e. Line marked to indicate each car space and all access lanes
 - f. Clearly marked to show the direction of traffic along access lanes and driveways To the satisfaction of the responsible authority. Detailed plans of car parking construction plans must be submitted to Council for approval.
- 29. No fewer than 42 car spaces must be provided for the use and development, including 2 spaces clearly marked for use by disabled persons, as shown on the endorsed plan or to the satisfaction of the responsible authority.

- 30. A minimum of 2 car spaces must be provided for the exclusive use of disabled persons. The car spaces must be provided as close as practicable to suitable entrances of the building and must be clearly marked with a sign to indicate that the spaces must only be utilised by disabled persons. The minimum dimensions of the car spaces must be 3.2 metres wide by 4.9 metres long.
- 31. Parking and No Entry signs to the satisfaction of the responsible authority must be provided directing drivers to the areas set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.
- 32. Vehicular crossings must be constructed to the road to suit the proposed accessways to the satisfaction of the responsible authority and any existing crossing or crossing opening which is required to be removed must be removed and replaced with footpath, nature strip, kerb and channel to the satisfaction of the responsible authority.
- 33. Protective kerbs of a minimum height of 150mm must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas.
- 34. Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the satisfaction of VicRoads and the responsible authority.
- 35. Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from Hopkins Highway, with the exception of entry via the western access point on Hayley Drive and exit via the eastern access point on Hayley Drive only for the purpose of deliveries.
- 36. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.
- 37. All stormwater runoff must be retained on site and discharged to an approved outlet to the satisfaction of the responsible authority.
- 38. No fence (other than temporary fences during construction) shall be constructed without the consent of the Responsible Authority.
- 39. Deleted
- 40. Street lighting adjacent to the site in Hayley Drive and Hopkins Highway must be provided to Australian Standards to the satisfaction of the Responsible Authority.

CMA Conditions

- 41. The finished floor levels of the following buildings shall be constructed at a minimum of 8.60 metres AHD:
 - a. Restaurant
- 42. The following applies to the buildings identified in Condition 33:
 - a. Water resistant building materials must be used for foundations, footings, floors and walls up to 8.60 metres AHD.
 - b. Electrical fittings must comply with any requirements of the relevant power authority and must be fixed above 8.60 metres AHD.
 - c. Sewer fixtures must comply with any requirements of the relevant water authority and must be fixed above 8.60 metres AHD.

- d. The sewer connections must be designed to prevent entry of flood water into the sewer.
- e. Openings shall be provided in the sub floor brick walls to allow flood water to pass under the buildings. The area under the floor shall be constructed so that the sub floor area is free draining after the flood event.
- f. All chemicals, oil, fuel, grease, waste or other potential pollutants must be stored above 8.60 metres AHD. Adequate storage areas and shelving must be provided for this purpose.

Wannon Regional Water Authority Conditions

- 43. The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development. The works are to be constructed in accordance with the plans specifications approved by, and under supervision of, the South West Water Authority.
- 44. The provision, as the developer's cost, of the required water supply works necessary to serve the proposed development. The works are to be constructed in accordance with the plans and specifications approved by, and under the supervision of, the South West Water Authority.
- 45. The developer entering into an agreement with the Authority for the contribution of the present day cost of works that are used or will be able to be used for the provision of services to the proposed development.
- 46. Deleted.
- 47. The developer obtaining the necessary consents and approvals for:
 - a. Alteration to or connection of on-site plumbing.
 - b. Building over or within any easement.
 - c. Building over or within 1 metre horizontally of water or sewerage works whether within or beyond the boundary of the property or easement.
 - d. The discharge of "trade waste" (other than domestic sewerage) form the property.
 - e. Changes to the natural surface levels that result in a portion of the building not being able to be provided with gravity sewerage services.

Country Fire Authority Conditions

48. Any alteration to public roads shall be designed to the satisfaction of the Responsible Authority in consultation with the Country Fire Authority.

Expiry

- 49. This permit will expire if one of the following circumstances applies:
 - a. The development and use is not started within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.

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

50. Added

The approved signage expires 15 years from the date of this permit.

BACKGROUND

The existing planning permit was issued on 24 August 2006 and allowed the following:

Buildings and Works, on-premises liquor licence in association with a restaurant, dispensation from car parking, dispensation from bicycle facilities and creation of carriageway easements.

The planning permit has been amended seven (7) times (as per PP2004.0225.07) and has been extended several times. The planning permit will now expire if the development is not completed by 24 August 2021.

Similar community concerns and planning issues have arisen from each amendment to the planning permit since its original approval in August 2006.

The following chronology of the application is provided as follows:-

Date of amendment 30 April 2008	Brief description of amendment Two year extension of time.
4 November 2009	Condition 1 amended.
7 July 2010	Two year extension of time.
17 June 2011	Amendment to endorsed plans.
26 June 2012	Two year extension of time.
8 September 2014	Two year extension of time.
8 October 2014	Condition 1 amended.
1 December 2014	Various conditions amended.
4 May 2016	One year extension of time.
29 August 2017	Two year extension of time.
17 July 2019	Two year extension of time.

The site was part of Planning Scheme Amendment C37 to the Warrnambool Planning Scheme which was a combined Planning Scheme Amendment and Planning Permit Application. It rezoned the land from Residential 1 Zone to Business 1 Zone and for the development of the Centro Shopping Centre (now Northpoint) and restaurant (subject site/permit). A Planning Panel recommended the adoption of the amendment and the granting of the permits, and included within their summary:-

[&]quot;....In recommending the adoption of the proposed amendment and granting the permits, the Panel believes that there is a positive net community benefit associated with the development of a significant neighbourhood shopping centre. The centre will be located in a part of Warrnambool that is experiencing population growth, and which is identified in the Land Use Plan 2004 as being the location of a significant part of the expected future population growth of Warrnambool for the next 20 years..."

ISSUES

The subject site is zoned Commercial 1 and is adjacent to the Northpoint Shopping Centre (formerly Centro). Car parking is shared between the two sites. A copy of the amendment application documents is at **Attachment 1**.

The development currently under construction ('Northpoint Hotel') adjoins and is to the rear of Northpoint Liquor (formerly Duncan's Liquor), with access from Hayley Drive and internal Northpoint car park.

Development has commenced in accordance with Planning Permit PP2004.0225 but has not been completed.

Assessment of the application includes consideration of urban design outcomes, signage provisions, patron numbers, car parking and traffic impacts, bicycle parking, safety and general amenity. As a result it is proposed to request amended plans which require the 'daytime people and pets area' to be relocated to the southern portion of the site or to be removed from the plans. The detailed planning assessment is at **Attachment 2**.

ASSESSMENT SUMMARY

- The proposal finds policy support within the Planning Policy Framework.
- The proposal finds policy support within the Municipal Strategic Statement
- The proposal complies with the provisions of the Commercial 1 Zone (Clause 34.01).
- The proposal is in accordance with the signage considerations at Clause 52.05.
- The proposal is in accordance with car parking considerations at Clause 52.06.
- The proposal is generally in accordance with the considerations of the decision guidelines at Clause 65.01.
- Having regard to the objections, on balance the proposal will not cause adverse material detriment or have an undue impact on the amenity of the surrounding area.
- The proposal will continue to be subject to planning permit conditions as appropriate.

FINANCIAL IMPACT

The application process and assessment has been provided for within the City Strategy and Development Budget .

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

2 Foster a healthy welcoming City that is socially and culturally rich

2.2 Increase participation, connection, equity, access and inclusion

3 Maintain and improve the physical places and visual appeal of the City

3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians

4 Develop a smarter economy with diverse and sustainable employment

4.1 Grow the Cities population through local economic growth

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

5.1 Provision of opportunities for the community to actively participate in Council's decision-making through effective promotion, communication and engagement

TIMING

In accordance with the provisions of the Planning and Environment Act 1987.

COMMUNITY IMPACT / CONSULTATION

Notification has been carried out in accordance with the requirements of the Planning and Environment Act 1987 via letters to adjoining landowners and occupiers and a sign on site. Five (5) objections have been received which can be summarised as follows;

- Content and nature of signage;
- Clarity on land use definitions;
- Increase in patron numbers;
- Car parking and increased traffic;
- Additional bicycle parking;
- Safety and amenity of residents and shopping centre users;

A copy of the objections is at **Attachment 3**.

LEGAL RISK / IMPACT

Risk is managed through assessment of the proposal in accordance with all relevant requirements of the Planning Scheme and the Planning and Environment Act 1987.

OFFICERS' DECLARATION OF INTEREST

None

TIMING

In accordance with the provisions of the Planning and Environment Act 1987.

ATTACHMENTS

- 1. 39-45 Hayley Dr Warrnambool Application to Amend [5.3.1 4 pages]
- 2. 39-45 Hayley Dr Warrnambool Cover Letter & Repor [5.3.2 6 pages]
- 3. 39-45 Hayley Dr Warrnambool Site Photos Live A [5.3.3 5 pages]
- 4. 39-45 Hayley Dr Warrnambool Plans Live Archite [5.3.4 5 pages]
- 5. P P 2004 0225 08 for 43 45 Hayley Drive [5.3.5 22 pages]
- 6. P P 2004-0225.08 Objection Received re 43-45 Hayle [5.3.6 6 pages]
- 7. P P 2004-0225.08 Objection Received re 43-45 Hayle (2) [5.3.7 6 pages]
- 8. P P 2004-0225.08 Objection Received re 43-45 Hayle (3) [5.3.8 3 pages]
- 9. P P 2004-0225.08 Objection Received re 43-45 Hayle (4) [5.3.9 3 pages]
- 10. P P 2004-0225.08 Objection Received re 43-45 Hayle (5) [5.3.10 3 pages]
- 11. 43-45 Hayley Dve Amendment to Planning Permit P P 2004-0225.08 2019 [**5.3.11** 3 pages]
- 12. CC E 30092019 0002 [**5.3.12** 4 pages]
- 13. CC E 30092019 0001 [**5.3.13** 3 pages]

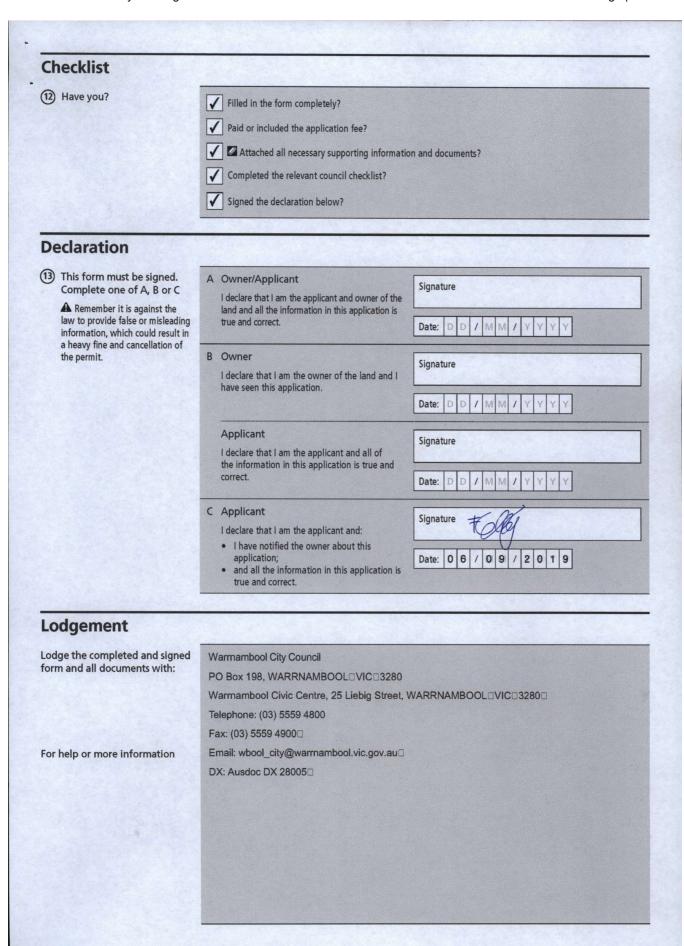
Attachment 5.3.1

	Office Use Only			Warrnambool City Council		
0 9 SEP 2019	Application No.:			Receipt No.:		
W	Date Lodged:	1	1	Ward:	0 9 SEP 2019	
	Date Allocated:	1	1	Zone(s)\o	NAME OF THE OWNER OWNER OF THE OWNER OWNE	
	Allocated to:	24		Officer Overlay(s) Scanned	Yes / No Ch:	
lanning Enquiries hone: (03) 5559 4800	Application to Amend a Planning Permit Use this form to make an application to amend a planning permit under section 72 of the Planning and Environment Act 1987 and to provide the information required by section 47 of Act and regulation 16 of the Planning and Environment Regulations 2005. Supplementary information requested in this form should be provided as an attachment to your application. Please print clearly or complete the form electronically (refer to How to complete the Application to Amend a Planning Permit form).					
eb: www.warrnambool.vic.gov.au						
	A Note: This form ca	nnot be	used to ame	nd a permit issued	at the direction of VCAT.	
	Privacy notice					
	A Information collected be made available for pu	d with this	s application we ection in accord	vill only be used to con dance with section 51	nsider and determine the application. of the <i>Planning and Environment Act</i>	
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The amendment pro						
A You must give full details of the principle of the prin	e permit being amended and the amendment being applied for. If oposal you will be asked for more information. This will delay your	you do not give enough detail application.				
6 a. What permit is being amended?	PP2004-0225.07					
Include the permit number and what the permit allows.	Building & Works, on-premises liquor license in association with a Restaurant					
b. What is the amendment being applied for?	Detail any changes sought to what the permit allows.					
Describe the changes proposed	Nil					
to the permit including any changes to the plans or to any other documents included in the	Detail any changes sought to the current conditions of the permit.					
permit.	Nil					
	Detail any changes sought to the plans or to any other documents endorsed under the permit.					
	New outdoor pet & people area, changes to entry, outdoor footpath seat	ting, bicycle parking & acoustic wa				
	Temporary Construction Banner Signage is proposed.					
	Final building signage to be approved.					
c. Why is the amendment required?	Better use of the car park & landscaping, better service to the local community by having a people & pets					
State the reasons for the change.	outdoor area.					
	Details of Signage was not included on the original permit.					
Additional information	☑ Attach additional information providing details of the propo	sal, including:				
about the proposal. Contact council or refer to	Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.					
council planning permit checklists for more information	✓ Plans showing the layout and details of the proposal.					
about council's requirements.	If required, a description of the likely effect of the proposal (eg. traffic,	noise, environmental impacts).				
8 Encumbrances on title. Encumbrances are identified on the certificate of title.	Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation on title	A Note				
	such as an easement or building envelope? No, go to 9.	Council must not grant an amendment to permit that authorises anything that				
	Yes, Attach a copy of the document (instrument) specifying the details of the encumbrance.	would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the				
	Does the proposal breach, in any way, the encumbrance on title?	Planning and Environment Act 1987).				
	No, go to 9.	Contact council and/or an appropriately qualified person for advice.				
	Yes, contact council for advice on how to proceed before	ioi advice.				

9 If the permit allows	Cost \$ 50,000.00		
development, state the estimated cost difference between the development allowed by the permit and the development to be allowed by the amended permit.	Note: If the estimated cost of the development to be allowed by the amended permit is less than the estimated cost of the development allowed by the permit, show it as a negative number (see <i>How to complete the Application to Amend a Planning Permit</i> form for examples).		
Do you require a receipt for the amendment to permit fee?	✓ Yes No		
Contact, applicant a	nd owner details		
11) Provide details of the contact,			
Contact	Name: Fiona Golding		
The person you want Council to communicate with about the	Organisation (if applicable): Live Architecture		
application.	Postal address: PO Box 980		
	Warrnambool Postcode: 3 2 8 0		
	Contact phone: 03 5561 4334		
	Mobile phone: 0409 911 583		
	Email: fiona@livearchitecture.com.au Indicate preferred contact method		
	Fax:		
Applicant	Same as contact. If not, complete details below.		
The person or organisation who wants the amendment to permit.	Name: Gavan Dwyer		
	Organisation (if applicable):		
	Postal address: 82 Mortlake Road		
	Warrnambool Postcode: 3 2 8 0		
Owner	Same as contact Same as applicant		
The person or organisation who owns the land.	Where the owner is different from the applicant or contact, provide the name of the person or organisation who owns the land.		
	Name (if applicable):		
	Organisation (if applicable):		
	Postal address:		
	Postcode:		

Attachment 5.3.1





6th September 2019

Cameron McNeill Statutory Planner, City Development Warrnambool City Council Warrnambool VIC 3280

Dear Cameron,

RE: Amendment to Planning Permit PP2004-0225.07

Building & Works, on-premises liquor license in association with a Restaurant

39 - 45 Hayley Drive, Warrnambool

Please find enclosed the proposed amendments to be assessed as part of the Amendment to Planning Permit PP2004-0225.07.

The amendments are as follows;

- 1. Revised South Bar entry & new outdoor footpath seating
- 2. New acoustic wall
- 3. New outdoor people & pets area
- 4. Additional bicycle parking, electric car charging parking & new rain water tanks
- 5. Signage

The following documents are attached for your reference;

- 1. Application to Amendment a Planning Permit Form
- 2. Copy of Title
- 3. Amended Plan 0731/TP02M, dated 27/01/17
- 4. Amended Plan 0731/TP03M, dated 02/11/16
- 5. D01 Construction Banner Signage, dated July 2019
- 6. D02 Proposed Signage Elevations, Rev B dated 6.09.19
- 7. D03 Site Context Plan, Rev A dated September 2019
- 8. Site photos

1. REVISED SOUTH BAR ENTRY & NEW OUTDOOR FOOTPATH SEATING

Modifications to the bar entry doors (removing a ramp and external steps) to create an outdoor seating area with 4 no. movable café canvas barriers. This modification will create a greater sense of engagement with an informal outdoor area for those with pets. With 4 no. movable café barriers, there is space for 3 outdoor tables located adjacent to the parking, which allow for a 1.8m wide footpath adjacent to the building line not being affected. The seating allows for uninterrupted pedestrian access and the red line plan has been amended to include this area. The footpath in this area is proposed to have bluestone paving.

Shown as number 22 on 0731/TP02M, and also on 0731/TP03M. Centre management have approved this amendment to the plans as the footpath is not council owned, it is part of the shopping centre.

2. NEW ACOUSTIC WALL

A proposed 2.4m high acoustic fence to provide an additional sound barrier to the adjacent residential area. The acoustic wall will screen noise from the delivery bay, outdoor dining area and the daytime people & pets area.



The acoustic fence will have landscaping to either side, shown as number 19 on 0731/TP02M. The new acoustic wall will be Modular walls 'Slim Wall' 50mm thick 'AcoustiMax' EPS core construction with Fibre cement outer skins. It has a Rw rating of 28 and is used commonly used for child care centres, fast food drive through areas and schools for sound reduction. The manufacturer suggests that typically a sound reduction of 20 dB can be achieved in audible noise.

3. NEW OUTDOOR PEOPLE & PETS AREA

A new daytime people & pets area (request from community feedback) and also to realise the original Architect's vision for this area is proposed. This is an informal daytime area where people with their pets can stop or meet up with friends to have a coffee, drink or meal. There is an existing area like this adjoining the Silver Fox which is already popular for daytime use.

A new path from new exit doors required by the building surveyor, shown as number 15 on 0731/TP02M is also proposed.

Recent changes to the Food Act 1984 allow customers to bring their dogs into outdoor areas. Due to a significant amount of community requests and to further foster a sense of vibrant community, it is proposed that an additional outdoor area be provided that will cater for daytime customers & their dogs in an appropriate and safe outdoor area away from car parking areas. The location of the daytime people & pets area to the north is a convenient location due to:

- proximity to the dog wash (adjoining the bakery across the road)
- proximity to walking paths and provides a convenient meet up space
- the north side is protected and removed from paths of travel, therefore pedestrians do not have to walk past in close proximity,
- the area is away from vehicular traffic and safe for pets,
- the area is partly enclosed with a masonry wall and glazed screen above,
- it fosters a more active & vibrant community with those walking dogs and stopping at the local shops for a social meal.

Although the red line area and outdoor dining area is proposed to be increased to include the daytime people & pets area it is believed that visual and acoustic impacts have been appropriately addressed by;

- the inclusion of a 2.4m high acoustic fence which shields noise towards the neighbouring residential area,
- landscaping is proposed to the footpath side of the acoustic fence and wire screens for creepers to grow up are proposed on the internal side of the fence,
- it should be noted that the client owns the 2 closest residential properties,
- the addition of another masonry & glazed wall to provide a windbreak, create privacy and a further acoustic buffer,
- there will also be 1m wide landscaping in front of this masonry wall to break up the hard areas and provide a further visual and acoustic amenity,
- views from the new daytime people & pets area are towards the highway and shops, residential views are screened, refer to attached photos,
- current permit conditions of closing the walls & roof of the outdoor area at 9pm every evening will take place and the daytime people & pets area will cease use,
- there is no proposed increase to existing allowed patron numbers.



These additional measures of visual and acoustic screening of the additional outdoor area are considered to be an appropriate response that respect the current permit conditions and adjoining residential area.

4. ADDITIONAL BICYLCE PARKING, ELECTRIC CAR CHARGING PARKING & RAIN WATER TANKS

Proposed additional bicycle parking adjacent to the south east entry, shown as number 14 on 0731/TP02M is proposed as well as 2 new 5,000L rain water tanks and extension of the fenced waste area, shown as number 21 on 0731/TP02M. Electric car charging parking is proposed adjoining the delivery bay.

5. SIGNAGE

TEMPORARY CONSTRUCTION MESH BANNER SIGNAGE

The proposal is to install Builders mesh banner signage to the existing temporary fencing which advertises the future Bar & Bistro. Please find attached the updated proof which includes some minor alterations.

The 6 mesh banner signs will be 1.8m in height with;

- Sign A 1.8M high X 23.5M long
- Sign B 1.8M high X 39.2M long
- Sign C 1.8M high X 46.2M long
- Sign D 1.8M high X 6.6M long
- Sign E 1.8M high X 22.0M long
- Sign F 1.8M high X 3.3M long

The signs are to be installed to conceal the final stages of construction and will be removed once construction is completed towards the end of 2020.

FINAL BUILDING SIGNAGE

Refer to D02 for proposed building signage locations and details. Where noted, some signage is to be illuminated. Proposed signage is located at entrances and illuminated to assist with wayfinding in the evening. The proposed signage is focused on the west and south elevations, is respectful of the existing location and is limited to Hayley Drive due to the residential nature of the street.

Sheet metal printed signage (not illuminated) is proposed to the acoustic fence near the footpath on the north boundary. There will be an allowance of 600mm for landscaping in front of the acoustic fence. Refer to the North Elevation on D02.

SITE CONTEXT

Site context is shown further on the site plan and attached existing photographs to describe in greater detail:

 The location of the proposed sign on the site or building and distance from property boundaries.

The location of proposed temporary construction banner signage is shown on D01 Proposed Site Plan. It is to be located on the existing temporary construction fencing which is within the north boundary adjoining the existing footpath, on the east boundary and over the footpath on the canopy easement to the south boundary.

The location of the proposed building signage is shown on D03 Site Context Plan & D02 Elevation pages. Distances from property boundaries varies and is noted on the Site Context Plan.



- The location and size of existing signage on the site including details of any signs to be retained or removed.
 - Existing signage is documented in the attached photos and on D03 Elevation page. There are 3 existing signs for the Bottle O and existing LED flashing signage under the drive through entry. No existing signage is proposed to be removed.
- The location and form of existing signage on abutting properties and in the locality.
 Existing signage in the shopping complex is a mixture of illuminated and non illuminated. Refer to attached photos.
- The location of closest traffic control signs.
 - The existing traffic lights are more than 51m from the proposed corner LED TV display. VicRoads have provided a letter to confirm that in principle they have no objection to the proposal.
- Identification of any view lines or vistas that could be affected by the proposed sign.
 - As described above, view lines from the closest traffic lights will not be an obtrusion. Signage to the north façade facing Hayley drive is non illuminated, simple and modest in scale as to not overwhelm the residential nature of the street. Illuminated signage is located to the south and east entry to highlight the main points of entry from the car park. This is considered to be a positive and consistent approach with comparison to existing signage in the shopping centre.

SIGN DETAILS

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
 - Refer to D02 Elevations for locations, dimensions and projections of the proposed signs.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
 - As noted above.
- Details of associated on-site works.
 - On site works will be undertaken by Cassign, who are experienced and reputable Signage installers.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
 - Refer to D02 for proposed building signage locations and details. Proposed signage located at the car park entrances will be illuminated to assist with wayfinding in the evening. The signs will be illuminated at night and be on a timer to switch off before sunrise. The illuminated signage will be the white lettering and the yellow circular logo and will be a similar lighting level to existing illuminated signage within the shopping complex.
- The colour, lettering style and materials of the proposed sign.
 - Refer to D02 for proposed building signage materials & details. Northpoint Hotel lettering is as shown and heights are noted.
- The size of the display (total display area, including all sides of a multi-sided sign).



Refer to D02 for proposed building signage sizes & display area.

 The location of any logo box and proportion of display area occupied by such a logo box.

Refer to D02 for proposed logo box sizes & display area. The yellow circular logo sign is to be 1m in diameter. The final design is to be confirmed by Cassign. Final Signage proofs can be forwarded through for council endorsement prior to signs being made.

 For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.

The existing traffic lights are more than 51m from the proposed corner LED TV display. VicRoads have provided a letter to confirm that in principle they have no objection to the proposal. The LED TV display will have promotions of meal specials, events and the like.

Any landscaping details.

Landscaping details are outlined on D03 Site Context Plan and endorsed Planning Permit Plans for PP204-0225.07. Landscaping of 800mm width is proposed to either side of the proposed acoustic fence, 900mm from the existing footpath on Hayley Drive.

SIGNS WITH A DISPLAY AREA OF 18 SQUARE METRES OR MORE

For a sign with a display area of 18 square metres or more:

 A description of the existing character of the area including built form and landscapes.

The signage with a display area of 18 square metres is the temporary construction banner signage. The total area of this signage will be 300m2 although it is only temporary until the construction is near completion. The design of the banner signage has a black background with simple signage and suggested images of what can be expected in the bistro after completion. This is similar in style to the existing lifestyle images at the entrance on Hayley Drive that cover the full height glazing of the Chemist. Refer to photos for the existing character.

 The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.

As mentioned, existing signage to the chemist exceeds 18 square metres.

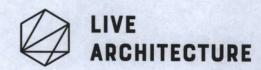
- Any existing identifiable advertising theme in the area.
 - Lifestyle images are prevalent, images of good food and people.
- Photo montages or a streetscape perspective of the proposed sign.
 - A photo of the existing fence and weathered shade cloth is attached for your reference.
- Level of illumination including: Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone, The dwell and change time for any non-static images.

The proposed banner signage will not be illuminated.

• The relationship to any significant or prominent views and vistas.



There are no significant or prominent views that will be affected by the proposed banner signage as the existing temporary fencing is already installed and the existing weathered shade cloth will be replaced with new signage. The banner signage will provide added security and privacy to the existing construction sight and obscure construction debris from the public. The banner signage is a positive outcome.



SITE PHOTOS



Photo 1 - View from proposed outdoor people & pets area to the highway and shops.



Photo 2 - View across the road of proposed outdoor people & pets area.



Photo 3 - Modified image of proposed outdoor people & pets area beyond acoustic fence.



SITE PHOTOS



PHOTO 1 - Aerial view looking from shopping centre entry.



PHOTO 2 - Existing Bottle O signage.

Sustainable design for living

3/241-247 Timor St, Warrnambool 3280 p 03 5561 4334 e fiona@livearchitecture.com.au www.livearchitecture.com.au





PHOTO 3 - Existing Bottle O signage and proposed locations for signs 10 & 12.



PHOTO 4 - Existing Bottle O signage and proposed locations for signs 13 & 1.





PHOTO 5 - Existing signage within the shopping complex.



PHOTO 6 - Existing signage within the shopping complex, existing signage to parapets is illuminated.

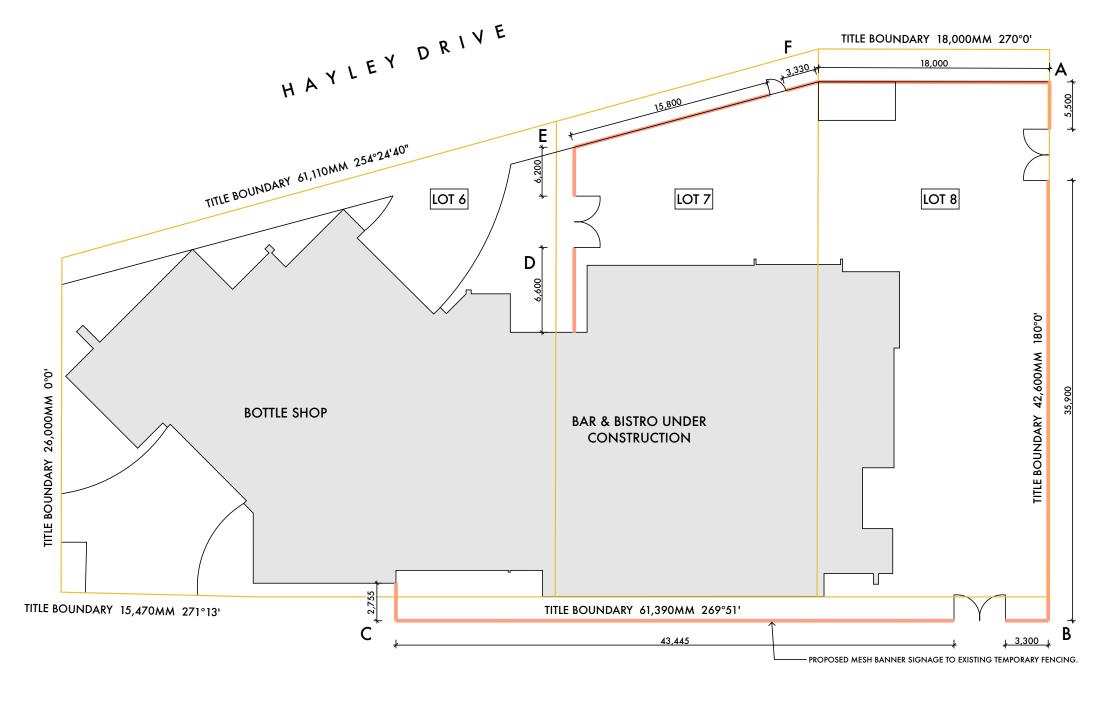




PHOTO 7 - Existing signage within the shopping complex, existing signage to parapets is illuminated.



PHOTO 8 – Existing temporary construction fencing with weathered shade cloth to be replaced with new banner signage.









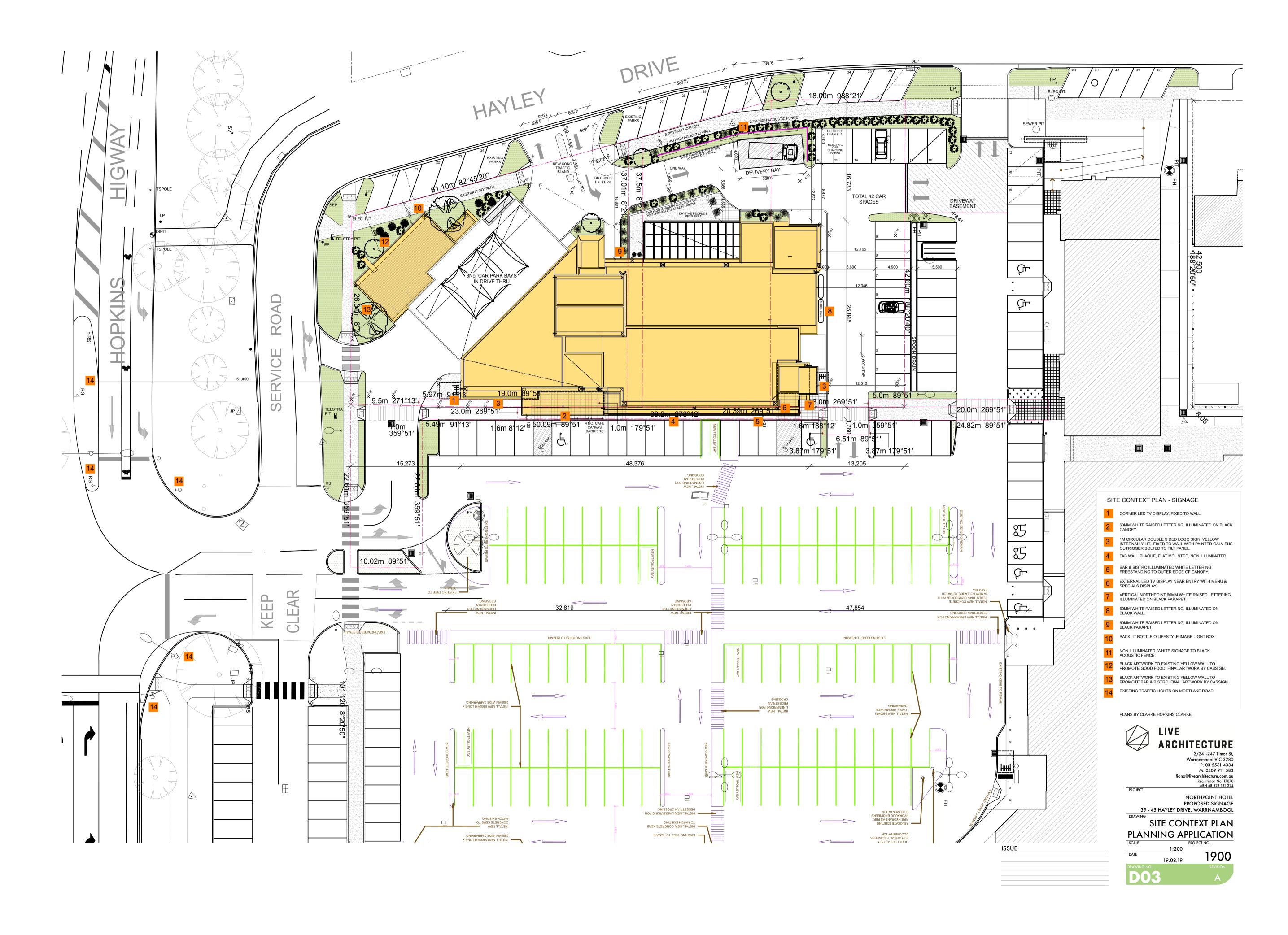
Principal: Fiona Golding. B Arch, AIA A+ ABN 68 626 161 224 3/241-247 Timor St, Warrnambool 03 5561 4334 0409 911 583 flona@livearchitecture.com.au

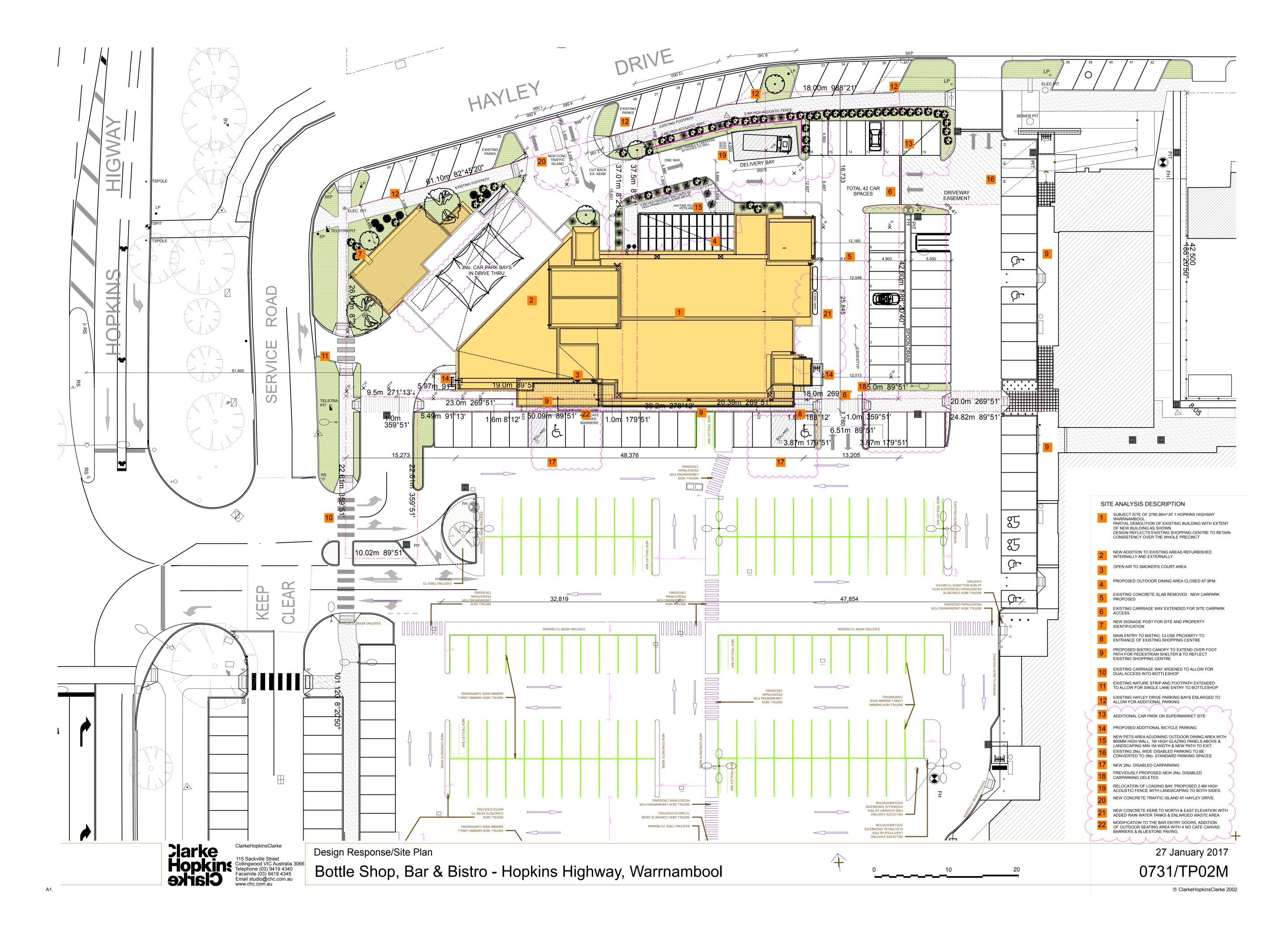
1900

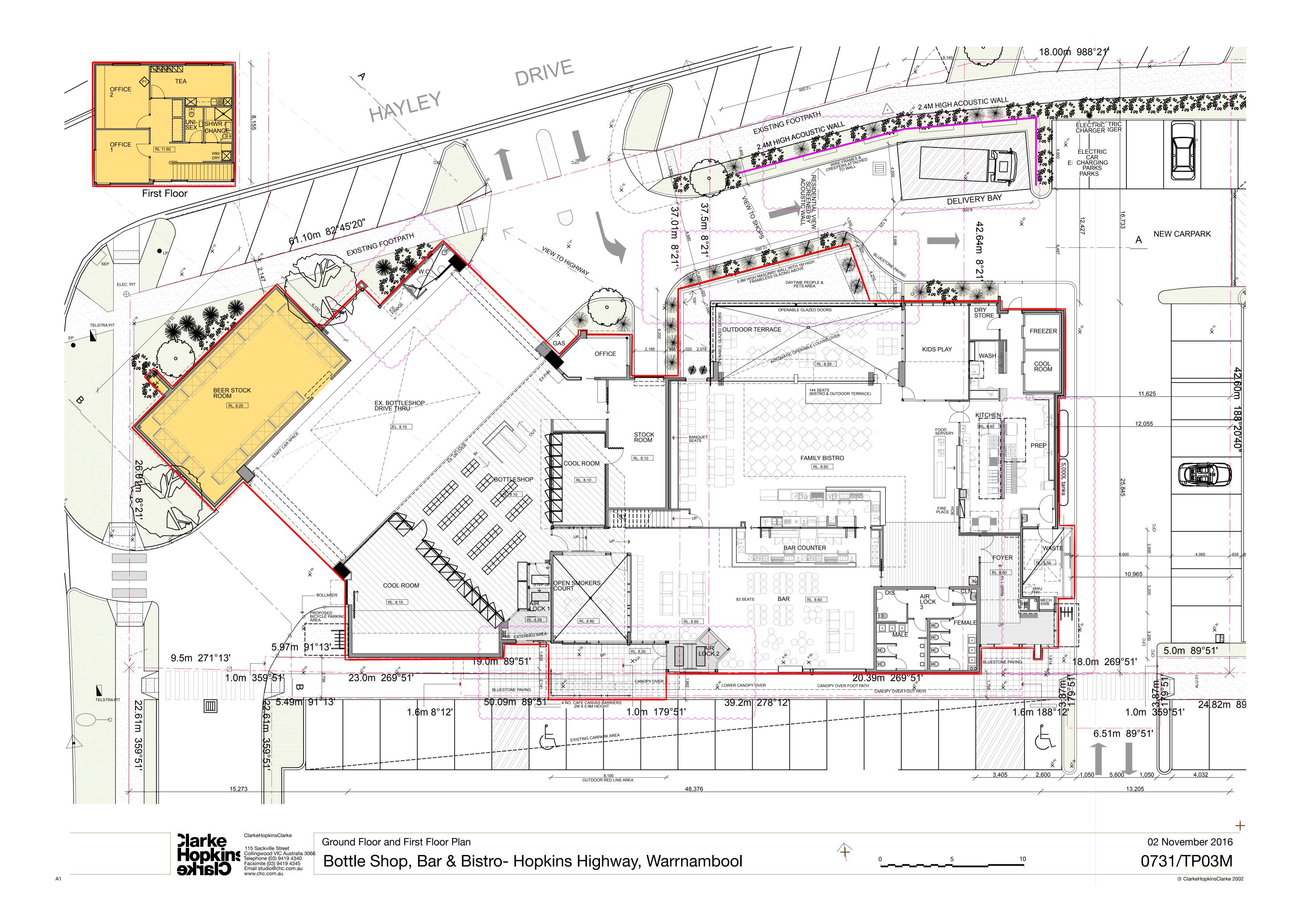
D0'

SCALE 1:250 JULY 2019 DRAWN: FG JOB NO. SHEET









Planning Assessment Report

Amendment Proposal

The current permit allows 'buildings and works, on-premises liquor licence in association with a restaurant, dispensation from car and bicycle parking, creation of a carriageway easement generally in accordance with the endorsed plans'.

The proposed amendments include the following changes to the endorsed plans under PP2004-0225.07:

- Revised South Bar entry and new outdoor footpath seating
- New acoustic wall adjoining Hayley Drive
- New outdoor 'people and pets' area to the northern aspect of the site
- · Additional bicycle parking, electric car charging parking and new rain water tanks
- New signage

Revised South Bar entry and new outdoor footpath seating

Modifications to the bar entry doors (removing a ramp and external steps) to create an outdoor seating area with 4 no. movable café canvas barriers. This proposal is intended to create an informal outdoor area for customers with pets. With 4 no. movable café barriers, there is space for 3 outdoor tables located adjacent to the parking, which allow for a 1.8m wide footpath adjacent to the building line not being affected.

The seating is proposed for uninterrupted pedestrian access and the red line plan is proposed to be amended to include this area.

The footpath in this area is proposed to have bluestone paving. Shown as number 22 on 0731/TP02M, and also on 0731/TP03M.

New northern outdoor area

Proposed changes to area adjacent to northern outdoor terrace area to include an outdoor area intended for customers with pets.

Surrounding the outdoor area is an 800mm high masonry wall with an addition 1000mm of frameless glazing above (an effective height of 1800mm).

The current approved outdoor terrace area with automatic operatable louvre will remain vastly unchanged.

The area will retain a landscaping strip of approximately 1000mm wide around the outdoor area and will blend with a bluestone paving area to the north as an entry point.

New acoustic wall

A proposed 2.4m high acoustic fence to provide an additional sound barrier to the adjacent residential area. The acoustic wall is proposed to screen noise from the delivery bay and outdoor dining area. The acoustic fence is proposed to have landscaping to either side, shown as number 19 on 0731/TP02M.

The new acoustic wall will be Modular walls 'Slim Wall' 50mm thick 'AcoustiMax' EPS core construction with Fibre cement outer skins. It has a Rw rating of 28 (Weighted Sound Reduction Index 'Rw') and is used commonly used for child care centres, fast food drive through areas and schools for sound reduction.

Additional bicycle parking, electric car charging parking and new rain water tanks

Proposed additional bicycle parking adjacent to the south east entry, shown as number 14 on 0731/TP02M is proposed as well as two (2) new 5,000L rain water tanks and extension of the fenced waste area, shown as number 21 on 0731/TP02M. Electric car charging parking is proposed adjoining the delivery bay.

It is noted that electric vehicle charging stations and rain water tanks up to 10,000L are exempt from requiring a planning permit, but they are changes to the set of plans nevertheless and are noted.

Signage

The thirteen (13) signs proposed include a mixture of Business identification, promotional, electronic and internally illuminated signed.

- Sign 1 1.25m x 6.60m (corner wrap)
 - o Total area of 8.25sqm.
 - A 90 degree corner splay LED TV display screen for specials and events (electronic sign).
- Sign 2 0.75m x 6.5m
 - o Total area of 4.87sqm.
 - Internally illuminated sign which reads NORTHPOINT HOTEL BAR BISTRO BOTTLESHOP. White lettering on black background (internally illuminated business identification signage).
- Sign 3 1.0m x 1.0m (circle) x2
 - Total area of 3sqm.
 - Internally lit circular logo which includes the letter N and also Bar and Bistro (internally illuminated sign).
- Sign 4 0.6m x 0.6m
 - o Total area of 0.36sqm.
 - o Sign which reads TAB (promotional).
- Sign 5 0.53m x 5.8m
 - o Total area of 3.07sqm.
 - Internally illuminated sign with white writing with green background which reads Bar & Bistro (internally illuminated business identification signage).
- Sign 6 1.0m x 0.6m
 - o Total area of 0.6sqm.
 - LED TV display for menu and meal special (electronic sign).
- Sign 7 4.1m x 0.45m
 - o Total area of 18.84sqm.
 - Internally illuminated sign which reads NORTHPOINT. White lettering on black background (internally illuminated business identification signage).
- Sign 8 0.95m x 7.5m

- o Total area of 7.12sqm.
- Internally illuminated sign which reads NORTHPOINT HOTEL BAR BISTRO BOTTLESHOP. White lettering on black background (internally illuminated business identification signage).
- Sign 9 0.75m x 5.7m
 - o Total area of 4.27sqm.
 - Internally illuminated sign which reads NORTHPOINT HOTEL BAR BISTRO BOTTLESHOP. White lettering on black background (internally illuminated business identification signage).
- Sign 10 2.4m x 1.8m
 - o Total area of 4.32sqm.
 - Lifestyle graphics sign internally illuminated by light box and reads Liquid Rewards. The image is of an alcoholic beverage (promotional).
- Sign 11 0.75m x 5.7m
 - o Total area of 4.27sqm.
 - Acoustic wall signage which reads 'NORTHPOINT HOTEL BAR BISTRO BOTTLESHOP'. White lettering on a black background. Not illuminated.
- Sign 12 6.2m x 4.25m
 - o Total area of 26.35sqm.
 - Painted artwork promoting International Good Food Restaurants as shown on the plans. Not illuminated
- Sign 13 3.3m x 2.7m
 - Total area of 8.91sqm
 - Painted artwork promoting International Good Food Restaurants as shown on the plans. Not illuminated

Total building signage area = 93.23 square metres

Subject site & locality

An inspection of the site and the surrounding area has been undertaken.

The site has a total area of 1213 square metres and contains a drive thru bottle shop and storage sheds.

The site is located approximately 2km north of the Warrnambool City Centre on the south east corner of Mortlake Road and Hayley Drive Warrnambool and the north-western corner of the Northpoint Activity Centre.

The Northpoint Shopping Centre (Former Centro Shopping Centre) is located to the southeast of the site and comprises a supermarket and a number of speciality shops including café, chemist, bakery and hairdressers.

The activity centre is located within a predominantly residential area and a number of dwellings are located within close proximity to the site.



Figure 1: Subject site (Image source: Exponare 2019)



Figure 2: North elevation



Figure 3: South elevation



Figure 4: East elevation



Figure 5: Western elevation

Permit/Site History

The history of the site includes:

P2004-225 was issued on the 24 August 2006 for the Buildings and Works for construction of a restaurant and alteration of existing bottle shop. The permit has been amended as follows:

Date of amendment	Brief description of amendment
30 April 2008	Pursuant to Section 69 of the Act, the date by which the permit must commence has been extended by two years. Works must now commence by 24th August 2010.
4 November 2009	Condition 1 has been amended as follows:
	1(d) and 1(g) have been deleted;
	1(h) and 1(l) have been included.
7 July 2010	Pursuant to Section 60 of the Act,, the date by which the permit must commence has been extended by two years. Works must now commence by 24 th August 2012 and be completed by 24 th August 2014.
17 June 2011	Pursuant to Section 74 of the Planning and Environment Act 1987, endorsed plans on 4/1/2010 have been superseded by this amendment to allow minor changes to plans and new plans dated 14/4/2011 have been endorsed on 17/6/2011 which now form part of this planning permit.
26 June 2012	Pursuant to Section 69 of the Act, the date by which the permit must commence has been extended by two years. Works must now be completed by 24 th August 2014.
8 September 2014	Pursuant to Section 69 of the Act, the date by which the permit must be completed has been extended by two years. Works must now be completed by 24th August 2016.
8 October 2014	Condition 1 has been amended as follows:
	1(h) has been deleted;
	1(I) has been amended;
	Condition 9 has been amended.
1 December 2014	Condition 1(e) has been amended.
	Condition 38 has been amended.
	Condition 39 has been amended.
	Condition 36 has been deleted.
	Condition 43 has been deleted.

4 May 2016	Pursuant to Section 69 of the Act, the date by which the permit must be completed has been extended by one year. Works must now be completed by 24th August 2017.
29 August 2017	Pursuant to Section 69 of the Act, the date by which the permit must be completed has been extended by two years. Works must now be completed by 24th August 2019.
17 July 2019	Pursuant to Section 69 of the Act, the date by which the permit must be completed has been extended by two years. Works must now be completed by 24th August 2021.

The following planning permits are also applicable to the site and considered relevant:

Permit Number	What the Permit Allows	Status
P2010-185 issued on 8 November 2010	General Liquor Licence in accordance with the endorsed plans	Permit amended on 3 September 2013 and will expire if the use is not started by 8 November 2016.
PP2010-185.01	•	This permit has been extended three times for commencement. The most recent extension was approved 17/7/2019. The permit will now expire if the use is not started by 8 November 2021

The site was subject to Planning Scheme Amendment C37 to the Warrnambool Planning Scheme. The planning scheme amendment was a combined Planning Scheme Amendment and Planning Permit Application, which sought to rezone the land from Residential 1 Zone to Business 1 Zone and for the development of the Centro Shopping Centre (now Northpoint) and restaurant (subject site/permit). A Planning Panel recommended the adoption of the amendment and the granting of the permits.

ABORIGINAL CULTURAL HERITAGE

- Is the site in an area of significance? Yes
- Is the proposed development exempt? No
- Has the site been significantly disturbed in the past? Yes
- Is a Cultural Heritage Management Plan required? N/A
- Has the applicant provided an approved Cultural Heritage Management Plan? N/A

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

Sending notices to the owners and occupiers of adjoining land.

and

The display of signs on site.

The notification has been carried out correctly. A statutory declaration was received 3 October 2019.

Council has received five (5) objections to date. The key issues that were raised in the objections are:

- Signage, including its contents.
- Increase in patron numbers
- · Car parking and increased traffic
- · Additional bicycle parking
- Safety and amenity of residents and shopping centre users.

An on-site consultation meeting was undertaken with the applicant, objectors and Councillors.

Consideration of Objections

1. Signage, including its contents

Concerns were raised having regard to the signage for the site and its contents.

Objections as summarised:

- Northpoint Hotel Bar Bistro Bottleshop imply the development is not a restaurant
- Hotel should not be part of a residential area
- Hotel does not attract the same patronage as a restaurant
- The proposal is a Hotel and not a restaurant
- The word Hotel on the signage should not be approved

The Warrnambool Planning Scheme provides limited control on the signage content itself, including wording.

2. Clarity on land use definitions

Below are some of the land use definitions within the Warrnambool Planning Scheme which may be *perceived* to be associated with the proposed use.

The land use which has been approved for the site under Planning Permit PP2004-0225 is a **restaurant**. Any deviation from this definition would require a new planning permit or amendment to the use of the land.

Restaurant

Land used to prepare and sell food and drink, for consumption on the premises. It may include:

- a) entertainment and dancing; and
- b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time.

It does not include the sale of packaged liquor.

Bar (formerly Tavern)

Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.

Hotel

Land used to sell liquor for consumption on and off the premises. It may include Hotel accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.

Bottleshop

Land used to sell packaged liquor for consumption off the premises.

The approved use of the land as a restaurant is able to be enforced. The predominant activity carried out on the premises must be the preparation and serving of meals for consumption on the premises and tables and chairs must be positioned so as to be available for at least 75% of patrons attending the premises at any one time. This is a condition of the current permit (#11).

3. Increase in patron numbers

Objections were made in relation to the increase of the patronage areas and subsequently would increase the number of patrons to the site.

Although there is an increase in area, planning permit conditions currently allow 300 patrons at any one time, with seating for 225 patrons. Patron numbers are not proposed to be altered at this point in time.

4. Car parking and increased traffic

Objections relating to car parking and traffic are summarised as:-

- Additional parking required for predicted increase in patronage
- Dispensation for car parking
- Car park has been developed for Shopping Centre patrons, not restaurant patrons
- Increased traffic in this area
- Patrons parking on residential streets

The proposal does not seek to increase patron numbers despite the minor increase in overall floor area.

Additional car parking dispensation is not sought or required.

In terms of the Northpoint Shopping Centre car park (south of site) which has recently been redeveloped (late 2019) reflects an agreement in place between the

owner of the subject site and the shopping centre management relating to car parking.

Customers are able to park within the shopping centre car park, on-site, and within the on street car parking spaces on Hayley Drive.

Car parking dispensation had previously been approved under previous planning permits and subsequent amendments.

The subject amendment does not seek to change the number of approved car parking spaces, although alters the layout. The new layout is considered to be generally in accordance with previously approved plans.

5. Additional bicycle parking

Clause 52.34 provides for bicycle parking and its exemption from notice and review, therefore, is unable to be considered as part of the notification process. The amendment application does not propose a further dispensation from bicycle facilities.

Notwithstanding the above, the amendment proposes additional bicycle parking near the south-eastern entrance. On balance, this is considered to be a positive planning outcome which further encourages alternative modes of transport.

6. Safety and amenity of residents and shopping centre users

Objections relating to the amendment proposal raise concerns about safety and amenity of nearby residents.

Existing planning permit conditions to assist in protecting the amenity of the neighbourhood are summarised:

- Trading hours for the licensed premises must only operate between the hours of 7am to 11pm Monday to Saturday 10am to 11pm on Sunday
- The retractable roof covering may only be open during the hours of 7am and 9pm and must remain securely closed at all other times.
- At all times of operation of the use, there must be present on the premises a person over the age of 18 who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality.

It is considered appropriate to require the new people and pets area to be relocated to the southern portion of the building, away from residents.

The acoustic wall addition to the plans will provide for an improved acoustic outcome.

The application was referred to Victoria Police and no objection was made.

Referrals

Section 55 Referrals:

VicRoads

No objection.

Section 52 Referrals:

Victoria Police

No objection was made to the amendment to the outdoor area and associated alterations.

Assessment

The Planning Policy Framework (PPF)

The following clauses within the PPF are considered to be the most relevant to the application:

- Clause 13.05-1S Noise abatement
- Clause 15 Built Environment and Heritage
- Clause 15.01-1S Urban Design
- Clause 17 Economic Development

Assessment

The proposal presents amendments to the site plan layout and the display of signage in addition to previous approvals. On balance the proposal continues to find support within the Planning Policy Framework. The planning policy context has not changed since previous approvals which would alter a PPF assessment against the amendment.

Municipal Strategic Statement:

The following within the MSS are considered to be the most relevant to the application:

- Clause 21.01 Municipal Profile, Council Vision and Strategic Directions
- Clause 21.04-4 Noise and Air
- Clause 21.06 Built Environment and Heritage
- Clause 21.08 Economic Development

<u>Assessment</u>

The proposal is generally considered to be able to meet the objectives and strategies set out by the relevant clauses within the MSS of the Warrnambool Planning Scheme. Having regard to what the amendment seeks, the changes are considered to be acceptable and would produce an acceptable outcome without having an adverse impact upon on the amenity of the surrounding area.

Local Policies:

There are no relevant local policies.

Zoning:

The subject site is within the Commercial 1 Zone (C1Z).

The purpose of the C1Z includes the following:

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

Sign requirements are at Clause 52.05. The signs are in association with a development allowed under previous planning permits.

Clause 34.01-8 - Decision guidelines:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- General The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The design of buildings to provide for solar access.

<u>Assessment</u>

In the context of the previous approvals, the changes proposed are considered to not lead to any adverse or commercial 1 zone outcomes.

Overlays:

The subject site is not covered by any overlays.

Relevant Particular Provisions
Clause 52.05 –Signs

The purpose of this clause provides:-

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

Signs within the Commercial 1 Zone are classified as Category 1 – Commercial Areas. The proposed signage is considered to be Business Identification Signage, Electronic Signage, Internally Illuminated Signage and Promotional Signage which are defined as follows:

Business Identification Signs – 'A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.'

Promotional Signage – 'A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.'

Electronic Signage – 'A sign that can be updated electronically. It includes screens broadcasting still or moving images.'

Internally Illuminated Signage – 'A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.'

Assessment

Decision Guidelines

The decision guidelines under the signage provisions of the scheme include:

Decision Guidelines	Officer Comments
The character of the area including:	Decision guideline met
The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural	The sensitivity of the nearby residential area is recognised.
 landscape or residential character. The compatibility of the proposed sign with the existing or desired future character of 	The majority of the signage is facing towards the general direction of the Northpoint Shopping Centre.
the area in which it is proposed to be located. The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of	The northern elevation is the most visible from the residential area. The plans indicate that signage has been limited in the north-eastern corner. Illuminated and electronic signs do not face the residences.
signs. The consistency with any identifiable	All elevations of the development are somewhat exposed and have a presence to both the street

Impacts on views and vistas: The potential to obscure or compromise important views from the public realm. The potential to dominate the skyline. The potential to impact on the quality of significant public views. The potential to impact on the quality of significant public views. The potential to impact on the quality of significant public views. The potential to impact on the quality of significant public views. The potential to impact of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements. The ability to screen unsightly built or other elements. The ability to reduce the number of signs by rationalising or simplifying signs. The relationship to the site and building: The relationship to the site and building: The relationship to the site and building: The extent to which the sign relative to the scale, proportion and any other significant characteristics of the host site and host building. The extent to which the sign requires the removal of vegetation or includes new landscaping. The extent to which associated structures integrate with the sign: The extent to which associated structures integrate with the sign: The extent to which associated structures integrate with the sign: The extent to which associated structures integrate with the sign: The impact of any illumination: The impact of any illumination: Decision guideline met The proposed signage will not compromise any views or vistas. The signage will be attached to an approved building. Decision guideline met The proportion of the sign signage in relative to the streetscape, setting or the signage in relative to the residential area and is adequately located across the building. The position of the signs is logical and does not protrude excessively. The scale of the signage in relation to the building is acceptable and appropriate, subject to conditions. The signage is mixed (refer to different number of signs and attworks) and one particular type of sign is not domi	outdoor advertising theme in the area.	(Hayley Dr) and the carpark and broader shopping
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	The impact of any illumination:	Decision guideline met

•	The impact of glare and illumination on the safety of pedestrians and vehicles.	Illuminated signs do not face the however there may be views
•	The impact of illumination on the amenity of nearby residents and the amenity of the area.	eastern elevation which is illuminated.
•	The potential to control illumination temporally or in terms of intensity.	This sign is not anticipated to impact to the point where Counrestriction on its illumination.

The impact of any logo box associated with the sign:

- The extent to which the logo box forms an integral part of the sign through its position. lighting and any structures used to attach the logo box to the sign.
- The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

the residential area: s to Sign 8 on the proposed to be

cause an adverse ncil should impose a

Proposed illuminated signs across the site will not impact the safety of pedestrians or vehicles.

Decision guideline met

Logo boxes are small where applicable and will not cause an adverse impact.

The need for identification and the opportunities for adequate identification on the site or locality.

The impact on road safety. A sign is a safety hazard if the sign:

- Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway

Decision guideline met

The otherwise large vacant walls provide for signage opportunities which are appropriate.

Decision guideline met

Proposed illuminated signs across the site will not impact the safety of pedestrians or vehicles.

VicRoads did not object to any of the signage proposed, namely the electronic sign which prompted the referral (Sign 1).

The signs should not be flashing or animated as to not dazzle or distract drivers. Planning permit conditions can be included to control this aspect.

On balance the signs will not impact road safety or cause a hazard.

- crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

Clause 52.06 - Car Parking

The purpose of this clause is to:

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

Assessment

The car parking layout has been altered slightly and has prompted a review against car parking provisions.

Overall, the amended plans present a car parking layout which is generally in accordance with the previously approved layout but with some minor changes to the location of curbing, loading and unloading areas and disabled access spaces. An electric car charging station is proposed between two car parking spaces in the northern part of the site.

Some spaces are provided within Hayley Drive as on street car parking spaces and some are located within the Northpoint Shopping Centre car park, but abutting the subject site for convenient access purposes.

The new layout has regard to the recently constructed (late 2019) new layout of the Northpoint Shopping Centre car park. It is understood that the land owners of each respective site have car parking agreements in place in terms of allocation.

The purpose of Clause 52.06 and the considerations of the provisions are considered to be met.

Clause 52.34 - Bicycle Facilities

Clause 52.34 is triggered for the amendment application as the proposal slightly increases the floor area on site overall.

Previous plans were approved with a bicycle parking dispensation. Additional space has been created to provide for an additional six bicycle spaces. This is considered to be a positive outcome.

The design of the bicycle spaces are appropriate and located in a way which does not impede pedestrian movement or access to the building entrances. The application has had regard to the decision guidelines for Bicycle Facilities at Clause 52.34-4

It is noted that aspects of the application relating to bicycle facilities are exempt from notice and review under 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.

General Provisions:

Clause 65.01 - Approval of an Application or Plan

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

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

Assessment

The proposal is generally in accordance with the decision guidelines. The orderly planning of this area has been considered having regard to previous approvals. The small outdoor area expansion is proposed to be relocated to the south via planning permit condition. The acoustic measures shown on the plans are able to be enforced so that unintended amenity impacts are created due to the amendment proposed. The amendment slightly alters the northern access way to the site but maintains appropriate loading and unloading areas and car parking spaces.

Conclusion

In conclusion the proposal finds support within the Warrnambool Planning Scheme for the following reasons:

- The proposal finds policy support within the Planning Policy Framework.
- The proposal finds policy support within the Municipal Strategic Statement
- The proposal complies with the provisions of the Commercial 1 Zone (Clause 34.01).
- The proposal is in accordance with the signage considerations at Clause 52.05
- The proposal is in accordance with car parking considerations at Clause 52.06.
- The proposal is generally in accordance with the considerations of the decision guidelines at Clause 65.01.
- Having regard to the objections, on balance the proposal will not cause adverse material detriment or have an undue impact on the amenity of the surrounding area.

- The proposal as a whole will continue to be subject to planning permit conditions as appropriate.

Recommendation

That council having caused notice of Planning Application No. PP2004-0225.08 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme and having considered all the matters required under Section 60 of *the Planning and Environment Act 1987* decides to <u>issue a Notice of Decision to Grant an amended Planning Permit</u> under the relevant provisions of the Warrnambool Planning Scheme in respect of the land known and described as ALLOT Lot 6, 7 & 8 PS 324317 TSH WARR, 43-45 Hayley Dr WARRNAMBOOL VIC 3280, for the amendment to site and floor plan and for the display of signage subject to the following conditions

- 1. Before the use and development commences, amended plans are required to the satisfaction of the responsible authority. When the plans are approved to the satisfaction of the responsible authority, they will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided generally in accordance with the layout shown on Development Plan number 0330 TP03t October 2005 but modified to show:
 - a. A full set of elevation plans;
 - b. An internal layout of the restaurant showing the location of seating;
 - c. Location of waste disposal facilities;
 - d. Deleted
 - e. Show any pedestrian footpath and/or easement located on the site;
 - f. Removal of the area shown as lawn at the frontage of the bottle shop. This will be paved area;
 - g. Deleted
 - h. Deleted
 - i. The edge wall Perspex screens must be removed and replaced with openable louvers either timber or glass or a combination of both;
 - j. The outdoor terrace must be provided with a retractable roof/pergola covering of a sufficient size to provide total coverage to the terrace area once closed, and suitable for the amelioration of noise to the satisfaction of the responsible authority;
 - k. The retractable roof covering may only be opened between the hours of 7am and 9pm, and must remain securely closed at all other times;
 - I. In addition to Condition 2 of this permit, a minimum 1.5 metre wide landscape strip must be designed along the external northern and western edge of the outdoor area to assist in screening and the amelioration of noise. A landscape plan is required to be prepared by a suitably qualified landscape designer. The landscape plan must provide:
 - planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - indicate that an in-ground irrigation system is to be provided to all landscaped areas;
 - a maintenance schedule including that any diseased or damaged plants are to be replaced.

The landscaping shown on the endorsed plans must be planted and maintained to the satisfaction of the responsible authority, and completed prior to the commencement of the use and/or occupation of the development.

m Added

The site layout and floor plan to show the 'daytime people and pets area' relocated to the southern portion of the site or to be removed from the plans.

- 2. Prior to the commencement of the development, a landscape plan prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. The landscape plan must show the location, quantity, size and botanical name of each proposed tree, shrub and ground cover and show the treatment of each landscaped surface. The plan should provide for advanced planting and the predominant use of indigenous plantings to the satisfaction of the Responsible Authority. An endorsed copy of the plan will then form part of this permit. The plan shall show generally in accordance with landscape plan No. 04-134L-TP1A.
- 3. Before the development starts, a schedule of construction materials, external finishes and colours to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.
- **4.** The layout of the site and size, design and location of the buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- **5.** Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- **6.** Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- **7.** The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
- **8.** The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
 - a. Transport of materials, goods or commodities to or from the land
 - b. Appearance of any building, works or materials
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. Presence of vermin.
- **9.** No more than 225 seats may be made available at any one time to patrons of the premises, without the written consent of the responsible authority.
- **10.** The predominant activity carried out on the premises, must be the preparation and serving of meals for consumption on the premises.
- **11.** Tables and chairs must be placed in position so as to be available for at least 75% of patrons attending the premises at any one time.

- **12.** Except with the written consent of the responsible authority, the trading hours for the Licensed premises must only operate between the hours of:
 - a. 7am-11pm (Monday to Saturday (excluding Anzac Day and Good Friday)
 - b. 10am to 11pm on Sunday, and
 - c. 12 noon to 11pm, Anzac Day and Good Friday.
- **13.** Deliveries to and from the site (including waste collection) must only take place between:
 - a. 7.00am and 10.00pm Monday to Saturday
 - b. 8.00am and 9.00pm Sunday or public holiday
- **14.** All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
- **15.** At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager').
- 16. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria under section 129 of the Liquor Control Reform Act 1998; and/or take action on his/her behalf in accordance with the direction of such an officer.
- **17.** Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection policy (Control of Music Noise from Public Premises), No. N-2.
- **18.** Before the use of the licensed premises starts, a 'noise and Amenity Plan/Patron management Plan' to the satisfaction of the responsible authority must be submitted to and approved by the authority. When approved, the Plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include:
 - a. Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons.
 - b. Signage to use used to encourage responsible off-site patron behaviour.
 - c. Staff communication arrangements.
 - d. Measures to control noise emissions from the premises.

19. Added

The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

20. Added

The signs must not contain any flashing light.

21. Added

The signs must be constructed and maintained to the satisfaction of the Responsible Authority.

- **22.** All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the responsible authority.
- **23.** Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- **24.** With regard plant/equipment or features on the roof No plant, equipment, services or architectural features other than those shown on the endorsed plan are permitted above the roof level of the buildings without the written consent of the responsible authority.
- **25.** All pipes (excluding down pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
- **26.** Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.
- **27.** External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse affect on adjoining land to the satisfaction of the responsible authority.
- **28.** Before the occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed
 - b. Properly formed to such levels that they can be used in accordance with the plans
 - c. Surfaced with an all-weather-seal coat
 - d. Drained
 - e. Line marked to indicate each car space and all access lanes
 - f. Clearly marked to show the direction of traffic along access lanes and driveways

To the satisfaction of the responsible authority.

Detailed plans of car parking construction plans must be submitted to Council for approval.

- **29.** No fewer than 42 car spaces must be provided for the use and development, including 2 spaces clearly marked for use by disabled persons, as shown on the endorsed plan or to the satisfaction of the responsible authority.
- **30.** A minimum of 2 car spaces must be provided for the exclusive use of disabled persons. The car spaces must be provided as close as practicable to suitable entrances of the building and must be clearly marked with a sign to indicate that the spaces must only be utilised by disabled persons. The minimum dimensions of the car spaces must be 3.2 metres wide by 4.9 metres long.
- **31.** Parking and No Entry signs to the satisfaction of the responsible authority must be provided directing drivers to the areas set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.
- **32.** Vehicular crossings must be constructed to the road to suit the proposed accessways to the satisfaction of the responsible authority and any existing crossing

- or crossing opening which is required to be removed must be removed and replaced with footpath, nature strip, kerb and channel to the satisfaction of the responsible authority.
- **33.** Protective kerbs of a minimum height of 150mm must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas.
- **34.** Access to the site shall only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the satisfaction of VicRoads and the responsible authority.
- **35.** Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from Hopkins Highway, with the exception of entry via the western access point on Hayley Drive and exit via the eastern access point on Hayley Drive only for the purpose of deliveries.
- **36.** The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land.
- **37.** All stormwater runoff must be retained on site and discharged to an approved outlet to the satisfaction of the responsible authority.
- **38.** No fence (other than temporary fences during construction) shall be constructed without the consent of the Responsible Authority.
- 39. Deleted
- **40.** Street lighting adjacent to the site in Hayley Drive and Hopkins Highway must be provided to Australian Standards to the satisfaction of the Responsible Authority.

CMA Conditions

- **41.** The finished floor levels of the following buildings shall be constructed at a minimum of 8.60 metres AHD:
 - a. Restaurant
- **42.** The following applies to the buildings identified in Condition 33:
 - a. Water resistant building materials must be used for foundations, footings, floors and walls up to 8.60 metres AHD.
 - b. Electrical fittings must comply with any requirements of the relevant power authority and must be fixed above 8.60 metres AHD.
 - c. Sewer fixtures must comply with any requirements of the relevant water authority and must be fixed above 8.60 metres AHD.
 - d. The sewer connections must be designed to prevent entry of flood water into the sewer.
 - e. Openings shall be provided in the sub floor brick walls to allow flood water to pass under the buildings. The area under the floor shall be constructed so that the sub floor area is free draining after the flood event.
 - f. All chemicals, oil, fuel, grease, waste or other potential pollutants must be stored above 8.60 metres AHD. Adequate storage areas and shelving must be provided for this purpose.

Wannon Regional Water Authority Conditions

- **43.** The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development. The works are to be constructed in accordance with the plans specifications approved by, and under supervision of, the South West Water Authority.
- **44.** The provision, as the developer's cost, of the required water supply works necessary to serve the proposed development. The works are to be constructed in accordance with the plans and specifications approved by, and under the supervision of, the South West Water Authority.
- **45.** The developer entering into an agreement with the Authority for the contribution of the present day cost of works that are used or will be able to be used for the provision of services to the proposed development.
- 46. Deleted.
- **47.** The developer obtaining the necessary consents and approvals for:
 - a. Alteration to or connection of on-site plumbing.
 - b. Building over or within any easement.
 - c. Building over or within 1 metre horizontally of water or sewerage works whether within or beyond the boundary of the property or easement.
 - d. The discharge of "trade waste" (other than domestic sewerage) form the property.
 - e. Changes to the natural surface levels that result in a portion of the building not being able to be provided with gravity sewerage services.

Country Fire Authority Conditions

48. Any alteration to public roads shall be designed to the satisfaction of the Responsible Authority in consultation with the Country Fire Authority.

Expiry

- **49.** This permit will expire if one of the following circumstances applies:
 - a. The development and use is not started within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.

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

50. Added

The approved signage expires 15 years from the date of this permit.

Warrnambool City Council

2 6 SEP 2019

Ref No Officer

Scanned Yes / No Ch:



Objection to Grant Planning Permit - Part A

The information requested on this page will be used solely by the Warrnambool City Council. Council will not use your personal information for any other purpose without first seeking your consent, unless authorised or required by law. Council may not be able to process your request unless sufficient information is given.

who is objecting?	
Name(s) lan Adam	surnameJohnson
Name(s)	. Surname
Address 33 Hayley Drive	Warrambool
	Surname Warnambool Post Code 3280
Telephone (Home) 55 621886	.Telephone (Work)
Mobile	Facsimile
Email Johno 123@ big pon	d.com.
Signatures(s) /all	d.com Date 24/9/19
Signatures(s)	Date

Important notes about objections to permit applications

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



Objection to Grant Planning Permit - Part B

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

Vhat application do you object to? Vhat is the address of the land that is proposed to be used or developed? Hanning Application Number PP2004-025\$.08 Vhat is the address of the land that is proposed to be used or developed? H3 - 45 Hayley Drive Warrnambool What is proposed? A licence Restaurant. Vhat are the reasons for your objection? (If there is not enough room, attach a separate page.) Please sead attached Sheets
What is the address of the land that is proposed to be used or developed?
What is the address of the land that is proposed to be used or developed?
H3-45 Hayley Drive Warrnambool What is proposed? A licence Restaurant. What are the reasons for your objection? (If there is not enough room, attach a separate page.)
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TIERCE TERM ATMICHED SINCE
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

23 September, 2019

PO Box 960 Warrnambool Vic 3280

Mr Cameron McNeill Statutory Planner City Development Warrnambool City Council PO Box 198 WARRNAMBOOL VIC 3280

Dear Mr McNeill

Re: Amendment to Planning Permit PP2004-0225.07

Buildings and Works, on-premises liquor licence in association with a restaurant, dispensation from car parking, dispensation from bicycle facilities and signage

I am an owner/occupier of 33 Hayley Drive, Warrnambool and hereby respond to the *eighth* application for amendment to planning permit PP2004-0225.07.

1. REVISED SOUTH BAR ENTRY AND NEW OUTDOOR FOOTPATH SEATING.

Whilst this area faces into the southern aspect of the Northpoint Shopping precinct, it is clearly development creep in that the developer is extending the patronage area outside that which has been indicated in previous plans. This highlights the need for the developer to increase the number of provided parking spaces for patrons attending the premises.

2. **NEW ACOUSTIC WALL**

This is clearly necessary for residents within the vicinity.

3. NEW OUTDOOR PEOPLE & PETS AREA

This addition also falls into the category of item 1.

4. ADDITIONAL BICYCLE PARKING, ELECTRIC CAR CHARGING PARKING & RAIN WATER TANKS

The application for amendment states the developer is requesting a dispensation from bicycle parking, yet upon viewing document 0731/TP02M site notation 14, planning is in place for additional bicycle parking. Clarity is required as to exactly what the developer is planning.

5. SIGNAGE

Confirmation of what the developer is advertising the future establishment as is required. Keeping in mind that this is the eighth application for amendment to this planning permit, we believe the application for a general licence to operate the bottleshop alongside a restaurant has been granted. The descriptive text for the amendment to the planning permit clearly mentions a restaurant.

The applicant may be asked why proposed signage states 'NORTHPOINT HOTEL – BAR. BISTRO.BOTTLESHOP' (Ref: Site photo number 3).

Upon viewing the submitted signage and placement plan (D02), it came to my attention Sign 4 is for a TAB. It can only be considered that a TAB cannot be placed on the premises of a restaurant, but can be when the premises are called a Hotel. This brings a different type of clientele into the neighbourhood.

Once again, there will be the need for the developer to provide extra car parking spaces for the predicted increase in patronage. Whilst some patrons will access the premises to place a bet and leave, most will remain on premises as they do in other establishments offering this service.

6. DISPENSATION FROM CAR PARKING

There is no information in the application detailing what the developer is seeking.

The Mortlake Thai restaurant/takeaway opened recently bringing an increase in patronage to this area. With the busy Summer period approaching it would be expected an increase in cars accessing parking will take place.

Referencing an article in the Warrnambool Standard, dated 6 September, 2019 (copy attached):-

- Works were underway (now completed) to remove the grassed pad at the front of the carpark to increase available parking spaces for patrons of the Northpoint Shopping Centre by 25.
- This was also being done to enable existing carpark spaces to be widened due to concerns the current spaces were narrow, which infers a minor decrease in parking spaces to accommodate the expansion.
- This action was to be of benefit to shop owners within the Northpoint Shopping Centre.
- Although there are vacant shops at present, the leasing agent is looking to fill these premises and is actively seeking a hairdresser, Asian restaurant and possibly a gym. The point being raised is that once these vacant shops have been leased, an expectation that the carpark will be constantly utilized to capacity would be reasonable.
- The current situation is that cars park close to existing Hayley Drive entry/exit point

in Hayley Drive, as well as outside residences which impedes access to driveways. Should the applicant be allowed any dispensation from car parking this situation will surely be a more serious problem.

It would be an unreasonable request for the developer to seek a dispensation from car parking to accommodate development creep. It is obvious the carpark has been developed to service Northpoint Shopping Centre patrons, not future patrons of the Northpoint Restaurant.

Yours truly

lan Johnson

(Part owner/occupier)

33 Hayley Drive

Warrnambool Vic 3280

Warrnambool City Council
Minutes for Ordinary Meeting

Attachment 5.3.6

1 JUNE 2020 Page 154

More, bigger car parks

BUSINESS

BY JACKSON GRAHAM

Warmambool

WORK is underway to improve car parking at Warrnambool's Northpoint Shopping Centre following concerns about narrow spaces.

An area of lawn near the western frontage of Northpoint will make way for 25 new parking spaces, while existing parking bays will widen.

Falk and Co property manager David Falk said the additional spaces responded to feedback about narrow parks and would be more convenient for shoppers.

"They are increasing the size of the existing parking bays to make it easier for people to go in and out," Mr Falk said.

Northpoint Brumby's owner David McMahon welcomed upgrades.

"One criticism of that car park is that it's a bit tight," Mr McMahon said.

"It was just a big green area in the middle of the car park that was just wasted space.

"It should improve parking and that should only be good



6.9.19

MORE BAYS: Real Estate agent David Falk at the site where 25 new car parks are under construction at Northpoint Shopping Centre. The upgrade makes use of a formerly grassed area. Picture: Anthony Brady

for us as shop owners."

Warrambool

He said the centre was a "hive of activity for north Warmambool".

"It saves people having to go into the main shopping district and have to pay for parking," Mr McMahon said.

A fruit shop, doughnut shop and hairdresser have all closed in past years, leaving three vacant shops at the centre.

Mr Falk said businesses had expressed interest in filling those shopfronts, but the centre rejected them because they offered similar products to existing stores.

"The people who own the building have shopping centres all over Australia and they know the mix they need to make it a successful cen-

tre," Mr Falk said.

"We would be interested in talking to a hairdresser ... maybe an Asian restaurant would be great."

He said a grassed area at the centre's south-west also had planning approval for a "big space" such as a gym about a year ago, but was yet to find an interested developer. "We have thought maybe a gym, although we have a number of them, to service all those houses and save everyone having to drive into town." Mr Falk said.

The Northpoint upgrade comes as supermarket giant Kaufland will seek approval approval for a massive new store in the city's north, on Ragian Parade.

Warrnambool City Council

2 6 SEP 2019

Ref No
Officer



Objection to Grant Planning Permit - Part A

The information requested on this page will be used solely by the Warrnambool City Council. Council will not use your personal information for any other purpose without first seeking your consent, unless authorised or required by law. Council may not be able to process your request unless sufficient information is given.

Who is objecting?	
I/What (Names in Block Letters)	
Name(s) KAREN ELIZABETH	Surname JOHNSON
	Surname
Address 33 HAYLEY DRIVE	
WARRNAMBOOL	V(cPost Code 3280
Telephone (Home). 03 / 55 62 188 6	Telephone (Work)\UA
Mobile .0.44기 중3& 74기	.Facsimile
Email johno 1230 bigpond con	<u></u>
Signatures(s)	Date 23/9/(9
Signatures(s)	Date
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Important notes about objections to permit applications

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Objection to Grant Planning Permit - Part B

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

What application do you object to?
Planning Application Number PP 2004 - 0225.07
What is the address of the land that is proposed to be used or developed?
43-45 HAYLEY DRIVE
WARKNAM BOOL VIC 3280
What is proposed? Amendment to Planning Application - PP2004-0225-07
Buildings and Works, on-premises liquor licence in association with
a restaurant dispersation from ear parking dispersation from bicycle facil
What are the reasons for your objection? (If there is not enough room, attach a separate page.)
Please see attacked letter of objection
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)
Mease refer to attached letter of objection

23 September, 2019

PO Box 960 Warrnambool Vic 3280

Mr Cameron McNeill Statutory Planner City Development Warrnambool City Council PO Box 198 WARRNAMBOOL VIC 3280

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2. **NEW ACOUSTIC WALL**

This is clearly necessary for residents within the vicinity.

3. NEW OUTDOOR PEOPLE & PETS AREA

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The application for amendment states the developer is requesting a dispensation from bicycle parking, yet upon viewing document 0731/TP02M site notation 14, planning is in place for additional bicycle parking. Clarity is required as to exactly what the developer is planning.

5. SIGNAGE

Confirmation of what the developer is advertising the future establishment as is required. Keeping in mind that this is the eighth application for amendment to this planning permit, we believe the application for a general licence to operate the bottleshop alongside a restaurant has been granted. The descriptive text for the amendment to the planning permit clearly mentions a restaurant.

The applicant may be asked why proposed signage states 'NORTHPOINT HOTEL – BAR. BISTRO.BOTTLESHOP' (Ref: Site photo number 3).

Upon viewing the submitted signage and placement plan (D02), it came to my attention Sign 4 is for a TAB. It can only be considered that a TAB cannot be placed on the premises of a restaurant, but can be when the premises are called a Hotel. This brings a different type of clientele into the neighbourhood.

Once again, there will be the need for the developer to provide extra car parking spaces for the predicted increase in patronage. Whilst some patrons will access the premises to place a bet and leave, most will remain on premises as they do in other establishments offering this service.

6. **DISPENSATION FROM CAR PARKING**

There is no information in the application detailing what the developer is seeking.

The Mortlake Thai restaurant/takeaway opened recently bringing an increase in patronage to this area. With the busy Summer period approaching it would be expected an increase in cars accessing parking will take place.

Referencing an article in the Warrnambool Standard, dated 6 September, 2019 (copy attached):-

- Works were underway (now completed) to remove the grassed pad at the front of the carpark to increase available parking spaces for patrons of the Northpoint Shopping Centre by 25.
- This was also being done to enable existing carpark spaces to be widened due to concerns the current spaces were narrow, which infers a minor decrease in parking spaces to accommodate the expansion.
- This action was to be of benefit to shop owners within the Northpoint Shopping Centre.
- Although there are vacant shops at present, the leasing agent is looking to fill these premises and is actively seeking a hairdresser, Asian restaurant and possibly a gym. The point being raised is that once these vacant shops have been leased, an expectation that the carpark will be constantly utilized to capacity would be reasonable.
- The current situation is that cars park close to existing Hayley Drive entry/exit point

in Hayley Drive, as well as outside residences which impedes access to driveways. Should the applicant be allowed any dispensation from car parking this situation will surely be a more serious problem.

It would be an unreasonable request for the developer to seek a dispensation from car parking to accommodate development creep. It is obvious the carpark has been developed to service Northpoint Shopping Centre patrons, not future patrons of the Northpoint Restaurant.

Yours truly

Karen Johnson

(Part owner/occupier)

33 Hayley Drive

Warrnambool Vic 3280

More, bigger car parks

BUSINESS

BY JACKSON GRAHAM

Warrnambool

WORK is underway to improve car parking at Warrnambool's Northpoint Shopping Centre following concerns about narrow spaces.

An area of lawn near the western frontage of Northpoint will make way for 25 new parking spaces, while existing parking bays will widen.

Falk and Co property manager David Falk said the additional spaces responded to feedback about narrow parks and would be more convenient for shoppers.

"They are increasing the size of the existing parking bays to make it easier for people to go in and out," Mr Falk said.

Northpoint Brumby's owner David McMahon welcomed upgrades.

"One criticism of that car park is that it's a bit tight," Mr McMahon said.

"It was just a big green area in the middle of the car park that was just wasted space.

"It should improve parking and that should only be good



MORE BAYS: Real Estate agent David Falk at the site where 25 new car parks are under construction at Northpoint Shopping Centre. The upgrade makes use of a formerly grassed area. Picture: Anthony Brady

for us as shop owners."

He said the centre was a "hive of activity for north Warrnambool".

"It saves people having to go into the main shopping district and have to pay for parking," Mr McMahon said.

A fruit shop, doughnut shop and hairdresser have all closed in past years, leaving three vacant shops at the centre.

Mr Falk said businesses had expressed interest in filling those shopfronts, but the centre rejected them because they offered similar products to existing stores.

"The people who own the building have shopping centres all over Australia and they know the mix they need to make it a successful cen-

tre," Mr Falk said.

"We would be interested in talking to a hairdresser ... maybe an Asian restaurant would be great."

He said a grassed area at the centre's south-west also had planning approval for a "big space" such as a gym about a year ago, but was yet to find an interested developer. "We have thought maybe a gym, although we have a number of them, to service all those houses and save everyone having to drive into town." Mr Falk said.

The Northpoint upgrade comes as supermarket giant Kaufland will seek approval approval for a massive new store in the city's north, on Raglan Parade.

Warrnambool City Council

3 0 SEP 2019

Ref No



Objection to Grant Planning Remit - Part A

The information requested on this page will be used solely by the Warrnambool City Council. Council will not use your personal information for any other purpose without first seeking your consent, unless authorised or required by law. Council may not be able to process your request unless sufficient information is given.

willo is objecting?	
I/We (Names in Block Letters)	
Name(s)	Surname JAMOS
Name(s)	"Surname Mananas
Address SI HAMILY ON	Just
MARMINUL	Post Code SAS
Telephone (Home)	Telephone (Work) \$5621299
Mobile U. 4-1 2 4445 273	Facsimile
Email of Misatheathmont	2 by pond 20 M Date 20 9 19
Signatures(s)	Date 20 9 19
Signatures(s)	Date 26 119

Important notes about objections to permit applications

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



Objection to Grant Planning Permit - Part B

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

What application do you object to?
Planning Application Number PP 2004 - 0 225.07
What is the address of the land that is proposed to be used or developed?
What is proposed?
MONKS, J ASSOCIATED WITH NESTAUNAR
What are the reasons for your objection? (If there is not enough room, attach a separate page.)
See attached
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

29 September, 2019

31 Hayley Drive Warrnambool Vic 3280

Mr Cameron McNeill Statutory Planner City Development Warrnambool City Council PO Box 198 WARRNAMBOOL VIC 3280

Dear Mr McNeill

Re: Amendment to Planning Permit PP2004-0225.07

We are the occupiers of 31 Hayley Drive, Warrnambool.

Our objection to the above amendment to the planning permit is focused on parking, traffic flow and the type of establishment planned for this site.

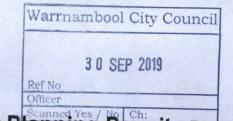
It is noted the developer is planning to extend his services at the site which will surely result in increased patronage and traffic in this area.

One of us has assisted victims of and been witness to traffic incidents at the Hayley Drive entrance/exit point from Northpoint shopping centre in Hayley Drive.

There is already an increase in on street parking to accommodate regular patronage at the shopping centre. Should the developer have a dispensation from an obligation to provide the correct ratio of parking spaces for his venue, the question needs to be asked as to where patrons attending his venue will park. The carpark at Northpoint has recently been refurbished, but we are sure this was not done to accommodate the requirements of this developer.

We believe a Hotel should not be part of a residential area. There is already a situation where foot traffic throw empty alcohol cans and bottles in the gardens and driveways of residents and there is a potential for this situation to be a bigger problem should a Hotel, which does not attract the same patronage as that of a restaurant, to exacerbate.

Rob James and Gill Marsden Occupiers 31 Hayley Drive Warrnambool



WARRNAMBOOL

Objection to Grant Planning Permit - Part A

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Who is objecting?		
I/We (Names in Block Letters)		
Name(s) Scott	Surname Dance	
Name(s)	Surname	
Address 48 HAYLEY DVE	WARRIAMBOOL	
	Post Code 3280	
	Telephone (Work)	
Mobile .0423533325	Facsimile	
Email 5-Dance 38 6 HOTMAIL COM		
Signatures(s) & Pm	Date 29/9/19	
	Date	

Important notes about objections to permit applications

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- To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice – Application for Planning Permit.
- 4. An objection must:
 - State the reasons for your objection: and
 - State how you would be affected if a permit is granted.
- The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
- 6. Any person may inspect an objection during office hours.
- If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
- To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the site.
- 9. If you object before the responsible authority makes a decision, the authority will tell you its decision.
- 10. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil & Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
- 11. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.



Objection to Grant Planning Permit - Part B

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

What application do you object to?
Planning Application Number PP2 004 - 0225. 07
What is the address of the land that is proposed to be used or developed?
43-45 Hayley Drive
Warrantool
What is proposed? Building s and Works on premises liquar
licence in association with a restaurant, dispensation
What is proposed? Building s and Works, on premises liquar licence in association with a restaurant, dispensation from car parking dispensation from bicycle facilities ar
What are the reasons for your objection? (If there is not enough room, attach a separate page.)
See affected
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)

29 September, 2019

48 Hayley Drive Warrnambool Vic 3280

Mr Cameron McNeill Statutory Planner City Development Warrnambool City Council PO Box 198 WARRNAMBOOL VIC 3280

Dear Mr McNeill

Re: Amendment to Planning Permit PP2004-0225.07

My family and I occupy 48 Hayley Drive, Warrnambool.

Our objection to the above amendment to the planning permit is the impact on parking and traffic flow as a result of further development of this site.

I am a parent of small children who access the playground. We quite often meet parents who have driven to the playground with their children to use the playground equipment. There are not a lot of these facilities in the area, which means families with small children need to drive. On-street parking already extends along Hayley Drive to the playground. If the developer has a dispensation for parking spaces, patrons will have no choice but to access on-street parking which will mean cars are spread along the street further.

The street is not wide enough to facilitate parking on both sides, and allow traffic to flow through, which will also increase the chance of an accident occurring.

Scott Dance Occupier 48 Hayley Drive Warrnambool Mr Cameron McNeill Town Planner City Development Warrnambool City Council 25 Liebig Street Warrnambool VIC 3280 29 Hayley Drive Warrnambool VIC 3280

25.9.2019

OBJECTION TO APPLICATION FOR AN AMENDMENT TO PLANNING PERMIT PP2004-0225.08: 43-45 HAYLEY DRIVE, WARRNAMBOOL VIC 3280.

Dear Sir:

I refer to your letter of 23.9.2019 (copy attached) concerning the abovementioned application for amendment to the planning permit for the development underway at the indicated address. The application relates, inter alia, to proposed signage for the premises. Documents supporting the application reveal that the proponent seeks to erect signage that reads "Northpoint Hotel". As a resident living close to the development, I wish to lodge an objection as follows.

REASONS FOR MY OBJECTION

People in the neighbourhood were told some years ago the development would be a licensed restaurant. Indeed, the notice of application carries the words "on-premises liquor licence in association with a restaurant". Now the applicant for amendment to the permit seeks to erect signage that reads "Northpoint Hotel". I would strongly make the point that, in business, brands are powerful. The choice of signage can have an impact, including on the type of clientele attracted. In this case, the aim of the proposed signage seems to be to attract more drinkers and fewer diners than what was envisaged under the business model for the facility originally touted to Council and the neighbourhood. To eliminate any appearance of the Council tolerating devious conduct by the proponent, and to show respect for the integrity of the original public consultation and approval process, I submit that use of the word "Hotel" on the signage should not be approved. There are acceptable alternatives.

HOW I WOULD BE AFFECTED BY THE AMENDMENT

Other things being equal, I have envisaged having meals at the establishment from time to time once it is up and running. However, if, under the influence of any factor, including branding, the premises turn into a facility predominantly patronised for bar service, the ambience may become unattractive to diners and I may not wish to be a client. More worrying is the prospect of larger numbers of inebriated persons walking or driving along Hayley Drive and Mortlake Road.

Yours sincerely,

ILKKA AALTONEN (Mr) Email: iaaltonen83@gmail.com Tel 55621777 Mobile 0434993032 Warrnambool City Council

2 6 SEP 2019

Ref No Officer

Senned Yes / No Ch:

Our Ref:

PP2004-0225.08

23/09/2019



Mr Ilkka S Aaltonen PO Box 5289 WARRNAMBOOL VIC 3280

Dear Sir/Madam,

Amended Planning Application Number: PP2004-0225.08
Buildings and Works, on-premises liquor licence in association with a restaurant, dispensation from car parking, dispensation from bicycle facilities and signage 43-45 Hayley Dr WARRNAMBOOL VIC 3280

Council has received an Amended Planning Permit Application for the above property. In accordance with Section 52 of the Planning and Environment Act 1987, notice of the Application is required to be given to any person who may be affected by the granting of a permit.

Details of the Amended Application are outlined in the enclosed 'Notice of an Application for an Amended Planning Permit'.

You may object to the application, or make other written submissions in respect of the proposal. All objections/submissions must be made in writing and must be lodged with Council.

Please note that submissions are public documents and may be viewed by others.

Council will not decide on the Amended Application before the date specified on the enclosed 'Notice of an Application for an Amended Planning Permit'.

Any queries regarding this matter should be directed to Planning Support on 03 5559 4800.

Yours faithfully.

Cameron McNeill
Town Planner
CITY DEVELOPMENT

Encl.

FORM 3 SECTION 52 (1)



NOTICE OF AN APPLICATION FOR AN AMENDMENT TO A PLANNING PERMIT

The land affected by the application is located at:	43-45 Hayley Dr WARRNAMBOOL VIC 3280
The application is to amend permit number PP2004-0225.08 by:	Buildings and Works, on-premises liquor licence in association with a restaurant, dispensation from car parking, dispensation from bicycle facilities and signage
The applicant for the amendment to the permit is:	Mr Gavan John Dwyer C/o Live Architecture
The application reference number is:	PP2004-0225.08
You may look at the application and any documents that support the application at the office of the responsible authority:	Town Planning Office Warrnambool Civic Centre 25 Liebig Street WARRNAMBOOL 3280
For further reference please contact:	Planning Support Telephone: 03 5559 4800 Email: planning@warrnambool.vic.gov.au

This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the Responsible Authority (Warrnambool City Council).

An objection must

- * be made to the Responsible Authority in writing
- include the reasons for the objection, and
- * state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

If you object, the Responsible Authority will tell you its decision.

Objections/Submissions are accepted by:

- post to Town Planning Office, Warrnambool City Council, PO Box 198 Warrnambool 3280
- in person at the Warmambool Civic Centre, 25 Liebig Street, Warmambool
- submitting an 'Objection to grant a Planning Permit' form available from <u>www.warrnambool.vic.gov.au</u> Click on Property – Planning Permits - Objection to grant a Planning Permit form
- email to planning@warrnambool.vic.gov.au

The Responsible Authority will not decide on the application before:	1 October 2019
The Responsible Authority will not decide on the application before:	1 October 2019

23 September, 2019

PO Box 960 Warrnambool Vic 3280

Mr Cameron McNeill Statutory Planner City Development Warrnambool City Council PO Box 198 WARRNAMBOOL VIC 3280

Dear Mr McNeill

Re: Amendment to Planning Permit PP2004-0225.07

<u>Buildings and Works, on-premises liquor licence in association with a restaurant,</u> dispensation from car parking, dispensation from bicycle facilities and signage

I am an owner/occupier of 33 Hayley Drive, Warrnambool and hereby respond to the *eighth* application for amendment to planning permit PP2004-0225.07.

1. REVISED SOUTH BAR ENTRY AND NEW OUTDOOR FOOTPATH SEATING.

Whilst this area faces into the southern aspect of the Northpoint Shopping precinct, it is clearly development creep in that the developer is extending the patronage area outside that which has been indicated in previous plans. This highlights the need for the developer to increase the number of provided parking spaces for patrons attending the premises.

2. NEW ACOUSTIC WALL

This is clearly necessary for residents within the vicinity.

3. NEW OUTDOOR PEOPLE & PETS AREA

This addition also falls into the category of item 1.

4. ADDITIONAL BICYCLE PARKING, ELECTRIC CAR CHARGING PARKING & RAIN WATER TANKS

The application for amendment states the developer is requesting a dispensation from bicycle parking, yet upon viewing document 0731/TP02M site notation 14, planning is in place for additional bicycle parking. Clarity is required as to exactly what the developer is planning.

5. SIGNAGE

Confirmation of what the developer is advertising the future establishment as is required. Keeping in mind that this is the eighth application for amendment to this planning permit, we believe the application for a general licence to operate the bottleshop alongside a restaurant has been granted. The descriptive text for the amendment to the planning permit clearly mentions a restaurant.

The applicant may be asked why proposed signage states 'NORTHPOINT HOTEL – BAR. BISTRO.BOTTLESHOP' (Ref: Site photo number 3).

Upon viewing the submitted signage and placement plan (D02), it came to my attention Sign 4 is for a TAB. It can only be considered that a TAB cannot be placed on the premises of a restaurant, but can be when the premises are called a Hotel. This brings a different type of clientele into the neighbourhood.

Once again, there will be the need for the developer to provide extra car parking spaces for the predicted increase in patronage. Whilst some patrons will access the premises to place a bet and leave, most will remain on premises as they do in other establishments offering this service.

6. DISPENSATION FROM CAR PARKING

There is no information in the application detailing what the developer is seeking.

The Mortlake Thai restaurant/takeaway opened recently bringing an increase in patronage to this area. With the busy Summer period approaching it would be expected an increase in cars accessing parking will take place.

Referencing an article in the Warrnambool Standard, dated 6 September, 2019 (copy attached):-

- Works were underway (now completed) to remove the grassed pad at the front of the carpark to increase available parking spaces for patrons of the Northpoint Shopping Centre by 25.
- This was also being done to enable existing carpark spaces to be widened due to concerns the current spaces were narrow, which infers a minor decrease in parking spaces to accommodate the expansion.
- This action was to be of benefit to shop owners within the Northpoint Shopping Centre.
- Although there are vacant shops at present, the leasing agent is looking to fill these premises and is actively seeking a hairdresser, Asian restaurant and possibly a gym. The point being raised is that once these vacant shops have been leased, an expectation that the carpark will be constantly utilized to capacity would be reasonable.
- The current situation is that cars park close to existing Hayley Drive entry/exit point

in Hayley Drive, as well as outside residences which impedes access to driveways. Should the applicant be allowed any dispensation from car parking this situation will surely be a more serious problem.

It would be an unreasonable request for the developer to seek a dispensation from car parking to accommodate development creep. It is obvious the carpark has been developed to service Northpoint Shopping Centre patrons, not future patrons of the Northpoint Restaurant.

Yours truly

Karen Johnson (Part owner/occupier) 33 Hayley Drive Warrnambool Vic 3280



Objection to Grant Planning Permit - Part A

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 - State how you would be affected if a permit is granted.
- The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
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Objection to Grant Planning Permit – Part B

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

What application do you object to?
Planning Application Number PP 2004-0225-08
What is the address of the land that is proposed to be used or developed?
43-45 HAVLEY DRIVE WARRHAMBOOK VIE 3280
What is proposed? BUILDINGS + WORKS, ON-PREMISES LIQUOR LICENCE IN
ASSOCIATION WITH A RESTAURANT, DEPENSATION FROM CAR PARKING,
DISPENSATION FROM BICYCLE FACILITIES AND SIGNAGE
What are the reasons for your objection? (If there is not enough room, attach a separate page.)
PLEASE SEE ATTACHED STATEMENT
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)
PLEASE SEE ATTACHED STATEMENT

39-9-14

Warrnambool City Council

Att; Cameron McNeill

Town Planner

CITY DEVELOPMENT

Dear Cameron;

Amended Planning Application Number; PP2004-0225.08

43-45 Hayley Drive Warrnambool Vic 3280

I am stating my strong objection to the amendments that are now before the Planning division of the Warrnambool City Council. My 87 year old mother resides at 50 Hayley drive and these amendments will affect her safety and quality of life as she live alone. If the proposed Project goes ahead security upgrades will have to be made to 50 Hayley Drive to make her feel secure in her own home placing an extra financial burden upon her shoulders.

I have sited the proposed signage and it now seems clear the site will be a hotel and not a restaurant as first proposed. I object to all sections of the proposed amendment and feel another meeting with town planner is desperately needed to try to clarify the developer's true intentions. I have attached a copy of my letter of objection lodge with the council 01/03/2014 for your information as many predictions forecast by myself and other objectors have proved to be true.

I do not believe that the council will permit a hotel of this size to be located so close to residential homes filled with both families and retired people, I cannot think of any pub in Warrnambool being located next to residential homes. As the tittle holder of the property/50 Hayley Drive I feel sure if this proposal moves forward that all the property values in the vicinity will fall.

I wish you to look closing at the bigger picture here and decide when enough is enough

Kind Regards

Ann Chapman

Central Court Motel Warrnambool

an Charman

581 Raglan Pde

Warrnambool Vic 3280

03 55628 555

0427 643 974

info@centralcourt.com.au

1-3-2014

WARRNAMBOOL CITY COUNCIL

ATT; Lauren Schneider

Coordinator CITY DEVELOPMENT

Dear Lauren

Amended Planning Application Numbers 2004-225b and P2010-185

43-45 Hayley Drive Warrnambool.

With reference to the above amended planning application, I STRONGLY object to any further enlargement of the proposed premises that are to be erected at this address. Despite strong public objection over the original planning applications it would seem that permission was granted for an establishment to be built to accommodate a specific number of patrons. How can the council now be entertaining the notion of an increase in both patron numbers and seating numbers. This site and the neighbourhood do not lend themselves to a tavern/restaurant at all, so can you please at least keep the numbers as was granted in the original application. One wonders what the next amendment will be!

My elderly mother lives at 50 Hayley Drive and the homes around her also consist of elderly people and family homes and I do not think that this is an appropriate location for this type of business. Rarely ever have I seen such a disruptive commercial development opened so close to a large residential area, I do not know of anyone who would want to live next to a tavern and I certainly do not want my mother to have to cope with late night disturbances.

Please consider this to be my strong objection to any amendments to the original planning permit for 43-45 Hayley Drive Warrnambool Vic.

Regards

Ann Chapman

11 Katya Court

Warrnambool Vic 3280

Ph; 55628 555

Attachment 5.3.13



Who is objecting?

Objection to Grant Planning Permit - Part A

The information requested on this page will be used solely by the Warrnambool City Council. Council will not use your personal information for any other purpose without first seeking your consent, unless authorised or required by law. Council may not be able to process your request unless sufficient information is given.

will is objecting:	
I/We (Names in Block Letters)	.Surname Wikson
Name(s)	Surnamev.v.th.sv.ts
Name(s)	. Surname
	Vie Post Code 3280
	Telephone (Work)
. , ,	Facsimile
Email in 6 Ocentral eourt com a	1.41
Signatures(s) All swho	Date 30-9-2019
	Date
0.3	

Important notes about objections to permit applications

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- 3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice Application for Planning Permit.
- 4. An objection must:
 - · State the reasons for your objection: and
 - State how you would be affected if a permit is granted.
- 5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
- 6. Any person may inspect an objection during office hours.
- 7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
- 8. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the site.
- 9. If you object before the responsible authority makes a decision, the authority will tell you its decision.
- 10. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil & Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
- 11. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.



Objection to Grant Planning Permit - Part B

person for the purpose of consideration as part of the planning process.	
What application do you object to?	
Planning Application Number PP 2004-0225-08	
What is the address of the land that is proposed to be used or developed?	
43-45 HAYLEY DRIVE WARRHAMBOOL VIE 3280	
What is proposed? BUILDINGS TWORKS, ON-PREMISES LIQUOR LICENCE IN	
ASSOCIATION WITH A RESTAURANT, DEPENSATION FROM CAR PARKING	
DISPENSATION FROM BICYCLE FACILITIES AND SIGNAGE	
What are the reasons for your objection? (If there is not enough room, attach a separate page.)	
PLEASE SEE ATTACHED STATEMENT	
How will you be affected by the grant of a permit? (If there is not enough room, attach a separate page.)	
PLEASE SEE ATTACHEO STATEMENT	

Warrnambool City Council

Att; Cameron McNeill

Town Planner

CITY DEVELOPMENT

Dear Cameron;

Amended Planning Application Number; PP2004-0225.08

43-45 Hayley Drive Warrnambool Vic 3280

My name is Molly Lavine Wilson and I live at 50 Hayley Drive Warrnambool Vic, and I am very disappointed to see the next proposed changed to the <u>Restaurant</u> being built at 43-45 Hayley Drive

Back in 2014 an amendment for extra seating and other considerations was granted to this project despite receiving several objects from the effected residents, and I had hoped this would be an end to this but 5 years later here we go again. It has always been my impression that this build would be a HOTEL and if the proposed signage is correct that is exactly what it is.

I am 87 years of age and cannot believe my council is happy for me to live opposite a hotel with all the disturbances that will come with it. When I bought this property I was OK with a bottle shop and shopping centre close at hand but this new development is very upsetting.

Warnnambool has been a great place to spend my golden years, please consider the safety risks of grant a permit for a HOTEL so close to so many residential homes.

Kind Regards

Molly Lavine Wilson

Molly 2 wilson

50 Hayley Drive

Warrnambool Vic 3280

03 55620047

5.4. ZERO WASTE EVENTS POLICY 2020

PURPOSE:

This report introduces the draft Zero Waste Events Policy 2020 and seeks Council approval to advertise the policy for feedback for a period of four weeks.

EXECUTIVE SUMMARY

- The draft Zero Waste Events Policy 2020 has been developed in house in consultation with the key internal stakeholders from the City Growth and City Infrastructure Directorates.
- The purpose of the Policy is to reduce waste at events and markets working towards a zero waste future and plastic free events within the Warrnambool City Council Municipality.
- More than 200 individual events and markets take place annually in Warrnambool. Many of these events have excessive waste and poor overall waste outcomes with heavy reliance on waste to landfill.
- This Policy applies to Council events, Events and markets on Council managed land, Events and markets permitted by Council and Events and markets where Council is providing financial support.
- This policy does not apply to events and activities on private or non-Council managed land. However, Council will play an advocacy role to achieve better waste outcomes.
- The key issue in the Policy gaining traction is education. Proactive steps will be required to inform event organisers, patrons and vendors to eliminate packaging where possible and where packaging is essential, the use of compostable or recyclable packaging and FOGO collection for foodwaste.
- This may be a step by step process as event organisers transition away from waste methods that are contrary to the Policy. However as demonstrated by Councils in Australia who have successfully achieved zero waste events, it can be achieved in time.
- The draft Policy is provided for the review of Council prior to seeking community feedback for a period of 4 weeks.
- Once feedback has been received, any required amendments to the Policy will be made prior to seeking Council adoption.

MOVED: CR. DAVID OWEN SECONDED: CR. SUE CASSIDY

That Council agrees to advertise the Zero Waste Events Policy for public comment for a period of 4 weeks.

CARRIED - 7:0

BACKGROUND

More than 200 individual events and markets take place annually in Warrnambool.

Many of these events have excessive waste and poor overall waste outcomes with heavy reliance on waste to landfill.

The purpose of the Zero Waste Events Policy 2020 is to reduce waste and eliminate plastic at events and markets within the Municipality, to allow sustainable growth of events, with a reduced impact on the environment.

This will be achieved by applying the Policy to Council Events, Events and Markets on Council managed land; Events and Markets permitted by Council and Events and Markets where Council is providing financial support.

The intent of the Policy is to achieve zero waste. This means that packaging is discouraged and any other waste such as food waste is composted for reuse and any packaging that cannot be avoided is either compostable or recyclable.

The Policy does not apply to events and activities on private or non-Council managed land. However, Council will play an advocacy role to achieve better waste outcomes.

To assist with education and awareness of the Policy, an accompanying guidelines document and templates will be available to event organisers.

ISSUES

The key issue in the Policy gaining traction is education.

Proactive steps will be required to inform event organisers, patrons and vendors to eliminate packaging where possible and where packaging is essential, the use of compostable or recyclable packaging and FOGO collection for foodwaste.

This may be a step by step process as event organisers transition away from waste methods that are contrary to the Policy. However as demonstrated by Councils in Australia who have successfully achieved zero waste events, it can be achieved in time.

The draft Zero Waste Events Policy is provided for the review Council prior to seeking feedback from the community.

FINANCIAL IMPACT

There are no anticipated financial impacts to implement the Policy as current resources within City Growth and City Infrastructure are sufficient to undertake the required education and provide information to stakeholders.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 Sustain, enhance and protect the natural environment

- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.4 Review options for managing waste

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness

Policy basis:

Green Warrnambool

- Zero Warrnambool: achieve zero net emissions for a renewable energy future.
- Adaptable Warrnambool: adapt to the impacts of climate change
- Wise Warrnambool: be a wise city that waste not.
- Naturally Warrnambool: enjoy, love, respect and care for the natural environment.
- Blue Warrnambool: water is for life.
- Green Warrnambool: become a city in nature.

This policy also supports the Council's vision by contributing to a range of strategic objectives and targets.

Council Plan 2017-2021

 Sustain and enhance the natural environment: Council will demonstrate its commitment to sustainability by providing strong, intelligent and informed leadership, support and education

TIMING

Once the Policy is adopted by Council, work can begin to implement the Policy prior to the main summer events season.

COMMUNITY IMPACT / CONSULTATION

Consultation and engagement with key internal stakeholders has informed the development of the draft Zero Waste Events Policy and the implementation pathway.

A series of workshops were held to develop and review the draft policy.

The key internal stakeholders include:

- Manager City Amenity
- Strategic Waste Management Officer
- Service Manager Events & Promotion
- Coordinator Natural Environment
- Sustainability Officer

It is proposed that the Policy be advertised for a period of 4 weeks to seek community feedback. Any resultant amendments to the Policy will be made and the Policy will then be presented to Council for adoption.

LEGAL RISK / IMPACT

There are no legal risks identified.

The key risk is considered to be reputational although this risk is considered minor.

It is also possible that the community will welcome efforts to improve waste outcomes at events and this may impact positively on Council's reputation.

Implementation and compliance with the Policy will be monitored to ensure it is meeting the needs of Council and the community.

Compliance will be critical, although officers will take a gentle approach to non-compliance initially. However should event organisers disregard the Policy on an ongoing basis, Council could withhold consent for the applicable event.

OFFICERS' DECLARATION OF INTEREST

No conflicts of interest were declared.

CONCLUSION

The Zero Waste Policy 2020 will outline the procedure for event organisers to implement and manage any waste produced as a result of hosting an event or market. The policy will be used in conjunction Warrnambool City Council Event Planning Guide and Warrnambool City Council Waste Management Plan Template. The coordinated planning and delivery of zero waste events will provide a pathway to meet the goals of Green Warrnambool 2018 and Events Strategy 2018-2022.

This report seeks Council's authorisation to seek community feedback on the policy. A further report will be presented to Council with any resultant changes to the Policy prior to seeking adoption by Council.

ATTACHMENTS

1. Draft Zero Waste Events Policy [5.4.1 - 10 pages]



Zero Waste Events Policy

POLICY TYPE: COUNCIL

APPROVAL DATE: [TBC]
REVIEW DATE: [TBC]



DOCUMENT CONTROL

Document Title:	Zero Waste Events Policy	
Policy Type:	Council	
Responsible Branch:	Events and Promotions	
Responsible Officer:	Manager Events and Promotions	
Document Status:	Draft	
Approved By:	Council	
Adopted Date:	TBC	
Review Date:	TBC	



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1. INTRODUCTION

1.1. Purpose

To reduce waste and eliminate plastic at events and markets that take place within Warrnambool City Council (Council).

1.2. Scope

This Policy applies to:

- · Council events;
- · Events and markets on Council managed land;

Attachment 5.4.1

- Events and markets permitted by Council and;
- · Events and markets where Council is providing financial support.

This policy does not apply to events and activities on private or non-Council managed land.

1.3. Definitions

Term	Definition		
	Either <i>bio-based</i> or <i>biodegradable</i> plastic, including plastic items that are made with or without the use of petrochemical compounds.		
Bioplastic	Bio-based plastic: Plastic made from natural bio-polymer – i.e. organic and renewable materials such as rice, starch, sugar cane, wheat or corn.		
	Biodegradable plastic: Plastic that has the potential to break down into natural components over a period of time. These products can be made from natural and/or fossil fuel based materials.		
Certified compostable	A subset of biodegradable plastic, made from material assessed to be compostable in a commercial composting environment in accordance with Australian Standards.		
Commercial event	An event organised for profit.		
Community event	An event conducted by or for the community.		
Council event	Any event organised by Council.		
Council sites	Land, buildings, venues, roads or any other location owned or managed by Council.		
Event	Any planned activity where any open area (fenced or unfenced), structure (permanent or temporary), roadway, venue or facility will contain a number of persons greater than normally found in that area or location at one time.		
Event	For the purpose of this policy it includes all civic, commercial and community events such as markets, festivals, ceremonies, exhibitions, expos, meetings, functions, workshops, information sessions, conferences, parties,		

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	CITY COUNCIL	
competitive sporting events, and other organised sporting and recreat events.		
FOGO Food Organics and Garden Organics.		
Fundraising Raising money with all profits for the benefit of a registered char		
Itinerant trading	Itinerant trading is defined as the mobile and temporary use of public land for the sale and delivery of goods and services.	
Litter	Rubbish such as paper, cans, bottles and other refuse left lying in an open or public place.	
Market	A regular gathering of people for the purchase of sale of provisions, livestock, services and commodities.	
Market organiser	The organiser of a market with multiple stallholders within a designated location.	
Market stallholders	A trader operating within the confines of an organised, Council permitted market.	
One off markets	A market on a single occasion.	
Ongoing markets	A market held on multiple occasions throughout the year. This are permitted through a Crown Land license agreement.	
Plastic	Polyethylene, polystyrene and polypropylene made from petrochemical compounds, including degradable and biodegradable products made from these compounds.	
Plastic bottle water	Drinking water sealed in plastic bottles designed or intended to be discarded after consumption.	
Seasonal markets	Held for a limited period of time at a specified time of year.	
Single use plastics	Any disposable plastic or polystyrene item that is designed to be used only once for a short period of time before being discarded. They include, but are not limited to, plastic bags, cups, bowls, plates, cutlery, straws, cotton buds, bottled water, sachets (e.g. sauces, sunscreen), containers, packaging and other similar items. For the purpose of this policy, it also applies to balloons, disposable paper cups with plastic lining and/or lids (for hot or cold drinks), plastic glitter, glow sticks and confetti, and single use or disposable plastic promotional items and giveaways.	
Single use plastic bags	A type of bag or pouch made from thin, flexible, plastic film that is used for containing or transporting goods, designed to be used only once or for a short period of time before being discarded. For the purpose of this policy, this definition includes both thin (35microns) and heavier weight disposable or limited use plastic bags.	
Soft plastics	Plastic products that can be easily scrunched up in your hand and cannot be recycled through Council's kerbside recycling collection. They include, but are not limited to, plastic bags (including shopping bags, freezer bags and garbage bags), cling wrap, lolly wrappers, chip packets shrink wrap, bubble wrap and other packaging.	
Sporting and recreational activities	Any regular or organised sporting or recreational activity occurring at Council owned or managed sites, including those run by community sporting clubs.	
Waste Any material that is discarded and is not reused, recovered, composted.		

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Waste	The waste hierarchy ranks waste management options in order of their
hiorarchy	general environmental desirability. Rankings are Avoid (most preferred);
morarony	Reduce; Reuse; Recycle, Dispose (least preferred).

1.4. References

2018 National Waste Policy: Less waste, more resources

Environmental Protection Amendment Act 2018 Plastic Bag Ban (effective from 1 November 2019) Recycling Victoria: A new economy (February 2020)

Local Government Act 1984 Building Regulations 2018

Building Act 1993

Public Health and Wellbeing Act 2008

Warrnambool City Council: Itinerant Trading Policy 2019

Warrnambool City Council: Local Law Number 2. Community Amenity Local Law (Adopted 4th

February 2019)

Warrnambool City Council: Green Warrnambool 2018

Warrnambool City Council: Council Plan 2017-2021 (Revised 2019)

Warrnambool City Council: Events Strategy 2018-2022

2. POLICY

This policy is intended to reduce waste at events and markets working towards a zero waste future and plastic free events.

2.1. Policy Objectives

- Events must prepare a waste management plan as requested by Council for approval prior to the event taking place.
- Waste hierarchy principles must be demonstrated, prioritizing avoidance, reduction, reuse, then recycling with disposal being the last resort.
- Any waste generated should either be recycled, composted or re-used.
- Single use plastic must be avoided. Exemptions may be given if Council is satisfied that it is required for food safety, to ensure access, for medical purposes or for security or personal safety.
- All events must cater for a four bins system if required including recycling, FOGO, glass and general waste collection facilities. It is an objective of this policy to eliminate general waste collection.
- Event organisers must ensure appropriate collection services for recycling, FOGO, glass and general waste without relying on public place bins.

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3. PROCEDURE

Events application flowchart.

Prior to event

- Event application completed by Event Organiser and submitted to Events & Promotions Branch (EPB)
- EPB member processes event application through Event Control Group (ECG) for departmental feedback
- EPB member collates feedback and communicates back to event organiser, specifying completions date for Waste Management Plan and any other feedback
- Waste management plans received and approved by Strategic Waste Officer

Day of event

- · Waste management plan implemented by organiser
- Regulatory checks take place by sustainability team, waste management team and / or events team to ensure waste management plan is adhered to

▼ <u>Post e</u>vent

- Feedback gathered by Council and fed back to organiser by EPB
- Post event inspection to ensure site left clean and tidy and all conditions of the event consent have been met.
 Failure to comply event conditions may result in cancellation of funding and/or future consent for the event or additional costs charged to the event organizer.

3.1 Prior to the event.

- Event organisers plan to incorporate and accommodate the principles of this Policy before, during and after the event.
- Event organisers are active in educating and guiding their event staff (including volunteers, contractors, service providers), vendors/stallholders, sponsors, patrons and participants on why a sustainable event is important and what practices should be followed, including:
 - Eliminating ALL disposable plastic items where possible;
 - Encouraging and enabling the use of reusable alternatives;
 - Ensuring that no plastic items become litter at the events site; and
 - Providing information and infrastructure to assist with achieving the above.
- Some plastics are both a greater risk to the environment and/or are more easily avoided or replaced. Recognising this, the following products are **not** used, sold or distributed (unless an exemption is granted for health, wellbeing or safety reasons):
 - Single use plastic bags, including promotional or event participating bags;
 - Single use plastic plates, bowls, cups, straws, cutlery, cotton buds, food containers and sachets;
 - Single use/disposable items and plastic packaging used for promotional items, giveaways and merchandise;

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- Plastic bottled water (access to drinking water required); and
- Balloons.
- Some plastics remain a risk to the environment; however they are currently less easily avoided
 or replaced. Recognising this, if they cannot be eliminated immediately, event organisers
 demonstrate a shift away from following (unless an exemption is granted for health, wellbeing
 or safety reasons):
 - Single use, plastic lined and/or plastic lidded cups used for hot or cold drinks (e.g. takeaway coffee cups);
 - Single serve drinks (in addition to water) that are packaged in plastic bottles, e.g. soft drink, juice, milk, etc.
 - Soft plastic packaging including cling wrap, wrappers, bags and similar; and
 - Single use or limited use plastics items use in event infrastructure and promotion, including cable ties, course markings, decorations and giveaways.
- Cigarette butts are contained and prevented from entering the natural environment, and disposed
 of to landfill after the event.
- Access to drinking water is provided (unless the event location prevents this) and clearly signed, along with alternatively packaged water if it is required.
- Waste management plan for events must be prepared and submitted according to this policy.

3.2 During the event - delivery and performance monitoring

- Event organisers are active in educating and guiding their event staff (including volunteers, contractors, service providers), vendors/stallholders, sponsors, patrons and participants on why a plastic wise approach is important and what practices should be followed.
- No items, including small items such as cable ties and cigarette butts, become litter.
- Event organisers monitor their event and collect evidence (e.g. photos) that will illustrate the effectiveness of their sustainable approach and waste management systems with the intention to identify opportunities for improvement for future events and for this policy.

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3.3 After the event - clean up and evaluation

- The event site or venue is left litter free and returned to pre-event conditions in the agreed timeframe, and with no risk of litter items impacting the environment, e.g. waterways, in this time. (Note: any site remediation required will be at the expense of the event organiser).
- Event organisers should review their event against this policy to identify opportunities for improvement for future events.

3.4. Supporting Documentation

3.4.1. Related Material

- Warrnambool City Council Events Planning Guide
- Waste Management Plan Template

4. GOVERNANCE

4.1. Owner

City Growth – Events and promotion branch

4.2. Review

The Policy will be reviewed every four years or as required with changes on legislation and changes to Council and Government policies.

4.3. Compliance Responsibility

- **4.3.1.** Executive Management Group (Chief Executive and Directors)
- 4.3.2. Events and Promotion Branch
- 4.3.3. Events Control Group

4.4. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.

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Attachment 5.4.1

1 JUNE 2020 Page | 193

ZERO WASTE EVENTS POLICY



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5.5. SUSTAINABLE COUNCIL BUILDINGS POLICY & GUIDELINES

PURPOSE:

This report provides information on the Sustainable Council Buildings Policy and Guidelines.

EXECUTIVE SUMMARY

- Warrnambool City Council is responsible for over 400 buildings and structures used by staff
 and community members. These buildings are large consumers of Councils energy, water and
 other resources. The sustainability and efficiency of these buildings play an important role in
 achieving Council's vision to be the most environmentally sustainable city in Australia.
- The Sustainable Council Buildings Policy and Guidelines have been developed to incorporate sustainable design and operation into all Council buildings.
- The implementation guidelines provide the process to integrate sustainability from the early planning phase, through to design, build and construction for new buildings, retrofit and facilities management of Council owned and operated buildings.
- The policy and implementation framework takes into account the total project capital costs to define the building project type, the Environmental Sustainable Design tools, minimum standards and specific requirements for major and small new builds.
- The successful implementation of the Sustainable Building Policy and the Guidelines will lead the way for Council to move towards targets outlined in the Green Warrnambool Plan, Warrnambool 2040 Community Plan and Council Plan.

MOVED: CR. ROBERT ANDERSON

SECONDED: CR. SUE CASSIDY

That the report be received.

CARRIED - 7:0

BACKGROUND

Warrnambool City Council is responsible for over 400 buildings and structures used by staff and community members. These buildings are large consumers of Councils energy, water and other resources. The sustainability and efficiency of these buildings play an important role in achieving Council's vision to be the most environmentally sustainable city in Australia.

The purpose of the Sustainable Council Buildings Policy is to incorporate sustainable design and operation into all Council buildings. This will be achieved by applying the policy to new builds, renovations and asset maintenance for building owned, leased and managed by Council.

Policy basis:

Green Warrnambool

- Zero Warrnambool: achieve zero net emissions for a renewable energy future.
- Adaptable Warrnambool: adapt to the impacts of climate change
- Wise Warrnambool: be a wise city that waste not.
- Naturally Warrnambool: enjoy, love, respect and care for the natural environment.
- Blue Warrnambool: water is for life.
- Green Warrnambool: become a city in nature.

This policy also supports the Council's vision by contributing to a range of strategic objectives and targets of the **Council Plan 2017-2021**

- Sustain and enhance the natural environment: Council will demonstrate its commitment to sustainability by providing strong, intelligent and informed leadership, support and education
- Maintain and improve the physical fabric of the city: well-designed commercial, residential, cultural and recreational precincts that are attractive, activated, accessible, sustainable, adaptable, multi-use and safe.

ISSUES

Over time there has been varying approaches to Council building upgrades and maintenance works to ensure the most energy efficient measures are implemented and sustainable building design is incorporated into the building.

The purpose of the Sustainable Council Buildings Policy is to facilitate the coordinated delivery of Environmentally Sustainable Development (ESD) principles into all building design and construction projects, major refurbishments, building maintenance works and all other upgrades, practices and uses which could improve Council's carbon footprint and operating efficiencies.

The Sustainable Council Buildings Policy and Guidelines have been approved by the Executive Management Team and are provided at Attachment 1.24.1 - Sustainable Council Buildings Policy and Attachment 1.24.2 Sustainable Council Buildings Guidelines.

FINANCIAL IMPACT

The development of the Sustainable Council Buildings Policy and Guidelines has been undertaken within the City Sustainability budget.

The policy and implementation framework takes into account the total project capital costs to define the building project type, the Environmental Sustainable Design tools, minimum standards and specific requirements for major and small new builds.

The policy seeks to reduce the ongoing operational costs associated with Council buildings and facilities.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 Sustain, enhance and protect the natural environment

- 1.1 Protect and enhance our waterways, coast and land
- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.3 Assess our climate change preparedness
- 1.4 Review options for managing waste
- 1.5 Educate and partner with the community on Council's sustainability initiatives

3 Maintain and improve the physical places and visual appeal of the City

- 3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians
- 3.2 Create a more vibrant City through activating high quality public places.
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

TIMING

The Sustainable Council Buildings Policy and Guidelines have been adopted and implementation is underway.

COMMUNITY IMPACT / CONSULTATION

Consultation and engagement with the Smart Buildings Working Group and key internal stakeholders has informed the development of the Sustainable Council Buildings Policy and the implementation pathway.

The Smart Buildings Working Group and key internal stakeholders include:

- Director Community Services
- Director City Growth
- Manager City Strategy & Development
- Manager Projects & Facilities
- Manager Financial Services
- Manager Recreation and Culture
- Manager Infrastructure Services
- Coordinator Assets
- Projects Engineers
- Coordinator Natural Environment
- Sustainability Officer

LEGAL RISK / IMPACT

Implementation and compliance with the policy and guidelines will be monitored to ensure it is meeting the needs of Council and the community. The focus of the monitoring and reporting will be based on the Green Warrnambool goals.

The Sustainable Council Buildings Policy will ensure Environmental Sustainable Design is incorporated into Council buildings and operations for the ongoing efficiency improvements and the associated environmental and social benefits of sustainable buildings and facilities.

OFFICERS' DECLARATION OF INTEREST

None.

CONCLUSION

The Sustainable Council Buildings Policy will guide the coordinated planning and delivery of sustainable design into all Council buildings and provide a pathway to meet the goals of Green Warrnambool.

ATTACHMENTS

- ECM 11011609 v 1 Sustainable%20 Council%20 Buildings%20 Policy%20%284%29 [5.5.1 9 pages]
- 2. ECM 11011612 v 1 Sustainable%20 Council%20 Buildings%20 Guidelines%20%282%29 [5.5.2 12 pages]



CODEVELOPED BY HIP V. HYPE SUSTAINABILITY



POLICY TYPE: ORGANISATIONAL

APPROVAL DATE: May 2020 REVIEW DATE: May 2022



DOCUMENT CONTROL

Document Title:	Title: Sustainable Council Buildings Policy	
Policy Type: Organisational		
Responsible Branch:	City Growth	
Responsible Officer:	esponsible Officer: Director City Growth	
Document Status:	Final	
Approved By:	EMT	
Adopted Date:	May 2020	
Review Date:	May 2022	

Author Sara van der Meer, Senior Consultant Reviewer Gavin Ashley, Better Cities Lead

Version V1.0 (Final)
Date V1.0 (Final)

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1. INTRODUCTION

1.1 Purpose and Scope

Warrnambool City Council is responsible for over 400 buildings and structures used by staff and community members. Highlighted in the Smart Building Opportunities Report, buildings are large consumers of energy, water and other resources. They play an important role in achieving Council's vision to be the most environmentally sustainable regional city in Australia.

The purpose of this Sustainable Building Policy is to incorporate sustainable design and operation into all Council buildings. This will be achieved by applying this policy to new builds, renovations and facilities management for buildings owned, leased and managed by Council, including:

Administrative offices Libraries Commercial buildings Leisure and aquatic centres Depots Residential buildings Sportsground pavilions Child care centres Community buildings Town halls

The Policy confirms that Council building projects must integrate consideration of their external landscape and public realm context, as well as increasingly frequent and extreme weather events (heatwaves, storm events etc) predicted as a result of climate change.

This policy does not cover sustainability standards for privately owned buildings.

1.2 Policy Basis

The policy supports the realisation of the goals outlined in the Green Warrnambool Plan:

- Zero Warrnambool: achieve zero net emissions for a renewable future;
- Adaptable Warrnambool: adapt to the impacts of climate change;
- Wise Warrnambool: be a wise city that wastes not;
- Naturally Warrnambool: enjoy, love, respect and care for the natural environment;
- Blue Warrnambool: water is life;
- Green Warrnambool: become a city in nature.

This policy also supports the Council's Vision and Mission by contributing to a range of strategic objectives and targets.

Council Plan 2017-2021

- Sustain and enhance the natural environment: Council will demonstrate its commitment to sustainability by providing strong, intelligent and informed leadership, support and education;
- Maintain and improve the physical fabric of the city: well-designed commercial, residential, cultural and recreational precincts that are attractive, activated, accessible, sustainable, adaptable, multi-use and safe.

Smart Buildings Opportunities Report 2018

- Implement cost saving measures in the operation of Council buildings;
- Provide an opportunity for Council to demonstrate its commitment to energy efficiency;
- Increase capacity of Council staff to implement efficiency solutions;
- Influence the community by providing an opportunity to promote energy saving projects.

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Policy Type: Organizational I Responsible Branch: City Growth | Approved Date: May 2020 | Review Date: May 2022 Document Set ID: 11011609



Climate Change Action Plan

- Council will lead by example to reduce its corporate emissions;
- · Reduce greenhouse gas emissions;
- Reduce oil dependency;
- Transition to alternative energy sources;
- Adapt to the physical impacts of climate change.

1.3 Objectives

The objectives of this policy are:

- Reduce operational costs associated with Council buildings and facilities;
- Demonstrate leadership to the community;
- Ensure efficient use of energy to enable Council to achieve net zero greenhouse gas emissions by 2026;
- Ensure 40% of Council's energy use is sourced from renewable sources by 2026;
- Improve the comfort, health and wellbeing of building users;
- Divert at least 80% of waste from landfill by recovering, reusing and recycling materials during construction, upgrades, maintenance and operation;
- Increase greenery in infrastructure to help the City adapt to increasing temperatures;
- Ensure the efficient use of water, reduce potable water use and manage and protect the groundwater systems;
- Enable Council to have one certified 5 Star Green Star or 'equivalent' building by 2026.

2. BUILDING PROJECT DEFINITIONS

Council buildings will be built, retrofitted and maintained to an agreed minimum sustainability standard dependent on the nature of the project. This does not preclude Council deciding to seek a higher standard on particular projects if supported by a positive feasibility assessment. Table 1 below outlines building project definitions, required tools and minimum standards, as well as specific requirements.

BUILDING PROJECT TYPE	ESD TOOL AND MINIMUM STANDARD	SPECIFIC REQUIREMENTS
Major New Building ¹ Definition:	Green Star Design and As Built – 5 Star or	Sustainability Management Plan
Gross floor area greater than 500m²; and,	'equivalent'	Prepare a Climate Change Adaptation Plan
Total project capital cost over \$5,000,000		Prepare a Landscape Plan ²
		Integrated Water Management Plan
		Commissioning report from an Independent Commissioning Agent

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Policy Type: Organizational I Responsible Branch: City Growth | Approved Date: May 2020 | Review Date: May 2022 Document Set 1D: 11011609

¹ New buildings include projects which utilise part of an existing structure but there is a significant departure from the original structure



		CITY COUNCIL
 Small New Building Definition: Gross floor area equal to or less than 500m²; and, Total project capital cost equal to or less than \$5,000,000 		Sustainable Design Assessment Integrated Water Management Prepare a Landscape Plan ² Carry out commissioning and tuning
Major Retrofit, Upgrade or Expansion Definition: • Gross retrofit floor area greater than 500m²; and, • Total project cost over \$5,000,000	NABERS – 4 Star	Sustainability Management Plan Review opportunities to improve the overall building sustainability performance as part of the project in a cost-effective way. Prepare a Climate Change Adaptation Plan Prepare a Landscape Plan ² Integrated Water Management Plan Commissioning report from an Independent Commissioning Agent
Small Retrofit, Upgrade or Expansion Definition: Gross retrofit floor area equal to or less than 500m²; and, Total project cost between \$100,000 and \$5,000,000		Sustainable Design Assessment Review opportunities to improve the overall building sustainability performance as part of the project in a cost-effective way. Integrated Water Management Plan
Facilities Management Definition: Regular facilities management activities, including scheduled plant upgrade or replacement; and, Total project cost less than \$100,000	Refer to facilities management implementation guideline	

 $^{^{2}}$ Unless public realm or landscape changes are specifically excluded from the project scope following Director approval

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Demolition	Target 80% of waste	Waste Management Plan that	
All major demolition work	diverted from landfill	demonstrates all recoverable waste	
		is diverted from landfill	

Table 1: Building Project Definitions

3. SUSTAINABLE USE OF COUNCIL BUILDINGS

Individuals and organisations using Council Buildings, from staff, to tenants and the general public, are expected to take steps to minimise their environmental impact and resource use.

Council will support sustainable use of the buildings by:

- · Educating and supporting staff in sustainable practices;
- Provide new tenants with building user guides and educational signage to encourage sustainable behaviours;
- Fit-out buildings with appliances and electrical equipment with a rating or performance within one star or 10% of best available and selected as 'fit for purpose';
- Negotiating tenancy agreements that support appropriate shared use and incentivise sustainable practices.

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Policy Type: Organizational I Responsible Branch: City Growth | Approved Date: May 2020 | Review Date: May 2022 Document Set ID: 11011609



4. MONITORING AND REPORTING

Implementation and compliance with the Policy and Implementation Guidelines will be monitored to ensure that it is meeting the needs of Council and the community. The focus of monitoring and reporting for the Policy will be based on the six Green Warrnambool Plan Goals.

GOAL	PERFORMANCE MEASURE	TARGET	DATA SOURCE(S)	RESPONSIBILITY	REPORTING
Zero Warrnambool	Greenhouse gas emissions	Zero net emission by 2026	Utility and metering data	Sustainability	Annually
	Renewable energy uptake	40% energy usage from renewables	Utility and metering data	Sustainability	Annually
Adaptable Warrnambool	Facility utilisation rates	Establish baseline utilisation rates	Facility usage audits Online booking system (where available)	Community Development	Annual after baseline is established
	Percentage of building projects compliant with minimum standards for a 5 Green Star building	All major projects to have 5 Star Green Star rating or equivalent	ESD report at Design Stage and Commissioning	Strategy and Development	Annually
Wise Warrnambool	Percentage of waste diverted from landfill	80% of waste diverted from landfill	Waste Management Report Regular waste audits	Facilities and Projects	On building completion + Annually
Natural Warrnambool	Increased flora and fauna biodiversity	Establish baseline biodiversity data	Warrnambool's Biodiversity Plan	Environmental unit	Annually
Blue Warrnambool	Litres of water harvested/ reused	Percentage of water harvested	ESD report at Design Stage and Commissioning	Strategy and Development	Annually
Green Warrnambool	Square metres of greenery and space for natural habitat	Establish target for greenery and natural habitat	Landscape plan	Strategy and Development	On building completion + Annually

Table 2: New Build Framework Monitoring and Reporting

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5. SPECIAL CONSIDERATIONS

There are some cases where the sustainability standards or certain ESD items may not be achievable or practical to deliver. In the following cases Council will aim to reach the standards while recognising that the standards remain as aspiration targets.

- Heritage Buildings Due to building construction techniques and heritage protection guidelines it may not be possible, or practical, to reach the standards.
- Buildings leased by Council (Council as tenant) Council may not be able to meet building
 performance standards due to market forces or other factors. In such cases Council will aim
 to reach the standards and advocate for property owners to meet the standards.
- Where compliance with sustainability standards or components of them has been assessed as providing inadequate environmental, social or economic benefit to warrant the investment required.

An assessment will be made by relevant officers with representation from Council's Sustainability unit and, where appropriate, with input from a suitably qualified person in sustainable building design. The decision to apply special considerations in this regard will be made by the relevant Director.

6. REVIEW

An interim review will take place in line with the review of the Green Warrnambool Plan to ensure the policy is meeting the needs of the community and is supporting the realisation of the goals outlined above. A major review of the policy will take place every four years in line with broader strategic review.

7. IMPLEMENTATION

Implementation of this policy is outlined in the Sustainable Building Guidelines. These guidelines include a section on monitoring to guide that the policy meets the needs of Council and the community.

8. REFERENCE DOCUMENTS

- Green Warrnambool Plan
- Council Plan 2017-2021
- Smart Buildings Opportunities report 2018
- Climate Change Action Plan 2012
- Asset Management Strategy (2014)
- Asset Management policy (2014)

- Asset Management Plans (AMP)
- Long-Term Financial Plan (LTFP)
- Procurement Policy
- Risk Management Policy
- Risk Management Strategy
- IDM Sustainable Infrastructure Guidelines

9. APPENDICES

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CODEVELOPED BY HIP V. HYPE SUSTAINABILITY





NEW BUILD IMPLEMENTATION GUIDELINE

1. SCOPE AND PURPOSE

This implementation guideline supports the realisation of the Sustainable Building Policy for New Build Council owned and operated buildings. Table 1 in the Sustainable Building Policy defines the building project type, Environmentally Sustainable Design (ESD) tools and minimum standards and specific requirements for major and small new buildings.

The purpose of this guideline is to guide that sustainability principles are integrated into the entire new build process and not seen as an add-on. This guideline will enable Council to consider climate change effects during the useful life of new Council buildings.

2. ESD MINIMUM STANDARDS

In order to ensure that Council building projects work towards the objectives outlined in the Sustainable Building Policy, the table below highlights specific requirements and standards that should be included in the project scope and budget preparation of New Build Council projects.

LARGE NEW BUILD	ALL NEW BUILD
Use products with third party sustainability certifications including steel, timber.	Entire building envelope insulation R-values to be at least 15% above NCC¹ requirements.
Adopt an air-tightness target and complete air-tightness testing during construction.	Improvement of 50% on NCC minimum requirement for bicycle parking.
All glazing in conditioned spaces to be at minimum double-glazed and have glazing specifications of total system to be 15% above NCC glazing calculator compliance.	LED technology for all lighting with lighting controls linked to building management systems and/ or security system.
Ensure a minimum of three waste streams are available onsite for operational waste (i.e. recycling, general and compost).	Fixed or adjustable exterior shading to the North, East and West elevations that provide full shading from late October to late February. ²
5% of parking to include electric vehicle charging.	Fixtures and fittings to be within one star of the highest WELS rating.
Target less than 10kg/ m² (of gross floor area) of construction waste to landfill.	100% of electricity to be supplied by accredited GreenPower
Building Management System that integrates the control and monitoring of major energy consuming systems (including HVAC, lighting, fire and security systems).	Light materials with Solar Reflectance Index (SRI) in accordance with the Green Star criteria to be used for roof and external façade to reduce urban heat island effect and reduce cooling load.
Photovoltaic (solar) system installed to the lower of 50% of available, suitable roof area or expected electricity demand.	Rainwater harvesting system to supply toilets, urinals, laundry, garden etc. Tank ratio of 10L/ m², or demonstrated as optimised to collection area and projected reuse patterns (using appropriate modelling tool).

¹ National Construction Code

² SDAPP (Sustainable Design Assessment in the Planning Process) factsheet 2.1 Sun shading



Specify high efficiency electric heat pumps for hot water and HVAC with a Coefficient of Performance (CoP) and Energy Efficiency Ratios (EER) within 15% of the most efficient equivalent unit available. ³
All paints, adhesives, sealants and carpets meet the VOC limits stipulated by Green Star

Table 1: New Build Specific Minimum Standards

3. ROLES AND RESPONSIBILITIES

The Smart Buildings Working Group has been appointed to oversee the implementation of the Sustainable Building Policy. As such they are responsible for the successful implementation of the Policy and specific implementation frameworks.

3.1. Service Manager

The Service Manager is responsible for developing the budget bid. During the business case development stage, the service manager should identify the specific requirements and minimum standards that are outlined in the Sustainable Building Policy and this guideline. To understand scope and cost, the service manager should seek advice from the Smart Buildings Working Group and particularly the Facilities and Project and the Sustainability representatives in this Working Group.

- Major projects: meet with Sustainability Officer, Manager Facilities and Projects and appointed project manager to determine scope and associated costs. Appoint a representative from Sustainability to the project working group.
- Small projects: request advice from Sustainability Officer on projects as part of the project working group.

3.2. Project Manager

The project manager is responsible for implementing projects, works and building services in compliance with the Sustainable Building Policy. The project manager should seek advice (as required) from the nominated Facilities and Projects and Sustainability representatives on:

- Specifications and technical notes
- Design review
- Tender document development to include ESD requirements and standards
- Tender review
- Build phase ESD specific elements
- Engagement of Independent Commissioning Agent (major projects only)

3.3. Sustainability Team

The Sustainability team provides support throughout the new build process to ensure that projects comply with the Sustainable Building Policy and Implementation Guideline

Diagram 1 below outlines the Process Map for integrating sustainability from early in the budget bid process (planning), through design, build, commission and building use.

³ Gas hot water and HVAC are only acceptable with agreement from the project executive where an all-electric servicing strategy is not feasible. Gas services must employ condensing technology.



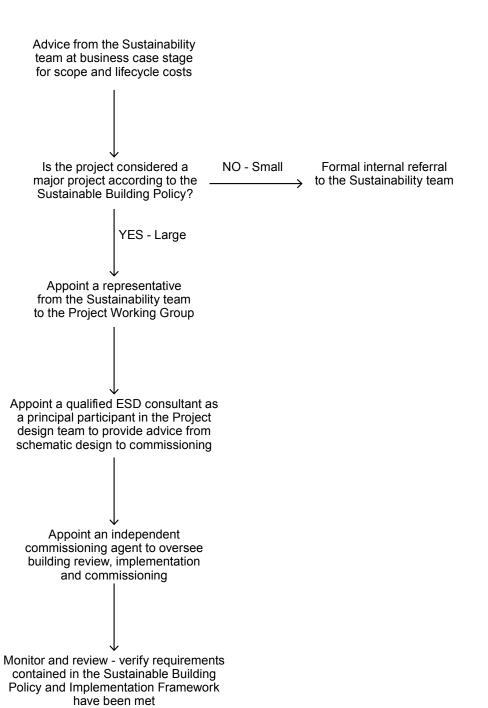


Diagram 1: New Build Sustainability Process Map



4. MONITORING AND REVIEW

In order to ensure new build projects are able to deliver the data required for monitoring and reporting outlined in the Sustainable Building Policy, the appropriate infrastructure needs to be in place on building completion to allow for the collection of data.

This implementation guideline will be reviewed following the completion of the next three new build projects to ensure that the framework is fit-for-purpose and functions in practice. Following from this, the guideline will be reviewed every four years in line with broader strategic review.



RETROFIT IMPLEMENTATION GUIDELINE

1. SCOPE AND PURPOSE

This implementation guideline supports the realisation of the Sustainable Building Policy for the retrofit of Council owned and operated buildings. Table 1 in the Sustainable Building Policy defines the building project type, Environmentally Sustainable Design (ESD) tools and minimum standards and specific requirements for major and small retrofit projects.

The purpose of this guideline is to guide that sustainability is integrated into the entire retrofit process and not seen as an add-on. This framework will enable Council to consider climate change effects during the useful life of upgraded Council buildings.

2. ESD MINIMUM STANDARDS

In order to ensure that Council building projects work towards the objectives outlined in the Sustainable Building Policy, the table below highlights specific requirements and standards that should be included in the project scope and budget preparation of Council Retrofit projects. The standards highlighted in the table apply only to the area of the building that is being upgraded.

LARGE RETROFITS	ALL RETROFITS
Use products with third party sustainability certifications including steel, timber.	Improvement of 50% on NCC ⁴ minimum requirement for bicycle parking.
Entire building envelope insulation R-values to be at least 15% above NCC requirements.	Fixtures and fittings to be within one star of the highest WELS rating.
All glazing in conditioned spaces to be at minimum double-glazed and have glazing specifications of total system to be 15% above NCC glazing calculator compliance.	Rainwater harvesting system to supply toilets, urinals, laundry, garden etc. Tank ratio of 10L/ m², or demonstrated as optimised to collection area and projected reuse patterns (using appropriate modelling tool).
Ensure a minimum of three waste streams are available onsite for operational waste (i.e. recycling, general and compost).	LED technology for all lighting with lighting controls linked to building management systems and/ or security system.
Building Management System that integrates with existing system or new system for control and monitoring of major energy consuming systems (including HVAC, lighting, fire and security systems).	Light materials with Solar Reflectance Index (SRI) in accordance with the Green Star criteria to be used for roof and external façade to reduce urban heat island effect and reduce cooling loading.
5% of parking to include electric vehicle charging infrastructure with signage of dedicated parking space.	All paints, adhesives, sealants and carpets meet the VOC limits stipulated by Green Star
Target less than 10kg/ m² (of gross floor area) of construction waste to landfill.	
Photovoltaic (solar) system installed to the lower of 50% of available, suitable roof area or expected electricity demand.	
Fixed or adjustable exterior shading to the North, East and West elevations that provide	

⁴ National Construction Code



full shading from late October to late February. ⁵	
i coluary.	

Table 2: Retrofit Specific Minimum Standards

3. ROLES AND RESPONSIBILITIES

The Smart Buildings Working Group has been appointed to oversee the implementation of the Sustainable Building Policy. As such they are responsible for the successful implementation of the Policy and specific implementation guidelines.

3.1. Service Manager

The Service Manager is responsible for developing the budget bid. During the business case development stage, the service manager should identify the specific requirements and minimum standards that are outlined in the Sustainable Building Policy and this guideline. To understand scope and cost, the service manager should seek advice from the Smart Buildings Working Group and particularly the Facilities and Projects and Sustainability representatives in this Working Group.

- Major projects: Meet with Sustainability Officer, Manager Facilities and Projects and appointed project manager to determine scope and associated costs. Appoint a representative from Sustainability to the project working group.
- Small projects: request advice from Sustainability Officer on projects as part of the project working group.

3.2. Project Manager

The project manager is responsible for implementing projects, works and building services in compliance with the Sustainable Building Policy and Implementation Guideline. The project manager should seek advice (as required) from the nominated Facilities and Projects Sustainability representatives on:

- · Specifications and technical notes
- Design review
- Tender document development to include ESD requirements and standards
- Tender review
- Build phase ESD specific elements
- Engagement of Independent Commissioning Agent (major projects only)

3.3. Sustainability Team

The Sustainability team provides support throughout the retrofit process to ensure that projects comply with the Sustainable Building Policy and Implementation Guideline.

Diagram 2 below outlines the Process Map for integrating sustainability from early in the budget bid process (planning), through design, upgrade, commission and building use.

⁵ SDAPP factsheet 2.1 Sunshading



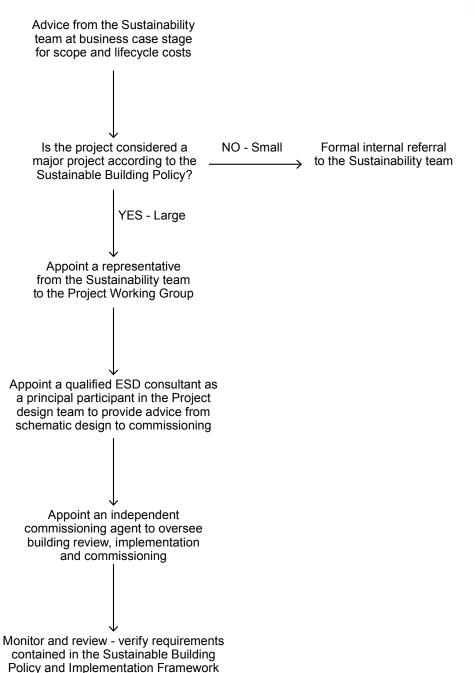


Diagram 2: Retrofit Sustainability Process Map

have been met



4. MONITORING AND REVIEW

In order to ensure retrofit projects are able to deliver the data required for monitoring and reporting outlined in the Sustainable Building Policy, the appropriate infrastructure needs to be in place on building completion to allow for the collection of data.

This implementation framework will be reviewed following the completion of the next three retrofit projects to ensure that the framework is fit-for-purpose and functions in practice. Following from this, the framework will be reviewed every four years in line with broader strategic review.



FACILITIES MANAGEMENT IMPLEMENTATION GUIDELINE

1. SCOPE AND PURPOSE

This implementation guideline supports the realisation of the Sustainable Building Policy for facilities management and minor works on Council owned and operated buildings. Table 1 in the Sustainable Building Policy defines facilities management as having a project capital cost of less than \$100,000.

The purpose of this guideline is to guide that sustainability is integrated into facilities management as this is a key activity within Council where there is significant opportunity to support the realisation of the Green Warrnambool Goals. This guideline will enable Council to consider climate change effects during the maintenance of Council buildings and have greater control the over the outcomes of routine maintenance.

2. ESD IMPROVEMENT OPPORTUNITIES

In order to ensure that Council owned and operated buildings work towards the objectives outlined in the Sustainable Building Policy, the table below highlights improvement opportunities that can be identified during routine inspections.

IMPROVEMENT OPPORTUNITIES

Explore non-mechanical solutions to improve thermal comfort (cross ventilation, blinds, shading)

Light materials with Solar Reflectance Index (SRI) in accordance with the Green Star criteria to be used for roof and external façade to reduce urban heat island effect and reduce cooling loading.

Improve roof and ceiling insulation R-values beyond minimum NCC⁶ compliance

Education opportunities for facility users

Introduce an additional waste stream onsite to have a minimum of three waste streams available for facility users

Use the routine inspection checklist to identify improvement opportunities

Use products specified on the Product List for any replacements (i.e. lighting, fixtures and fittings, equipment)

Use Council approved suppliers or use the supplier questions list to identify new suppliers

Table 3: Facilities Management Improvement Opportunities

3. ROLES AND RESPONSIBILITIES

The Smart Buildings Working Group has been appointed to oversee the implementation of the Sustainable Building Policy. As such, they are responsible for the successful implementation of the Policy.

⁶ National Construction Code



3.1. Manager of Facilities and Projects

The Manager of Facilities and Projects is responsible for maintenance requests and/or the routine maintenance of facilities.

- Budget request: triggers a routine inspection by Strategic Asset Management.
- Routine inspection: maintain the routine inspection checklist used by Strategic Asset Management.
- Routine maintenance: use only products listed in the approved products list, as approved by the Manager of Facilities and Projects.
- Routine maintenance: use suppliers from the database as determined by Procurement and Finance to perform routine maintenance.

3.2. Building Services Unit

The Building Services Unit is responsible for carrying out routine inspections on Council owned and operated buildings. Routine inspections will occur according to a set timeline or when a Manager of Facilities and Projects puts in a budget request.

Routine inspections are used to identify improvement opportunities highlighted in Table 1

3.3. Sustainability Team

The Sustainability team is responsible for providing input into the routine inspection checklist, standard product list and supplier database to ensure that sustainability is factored in.

The Sustainability team will also provide support on an as-needs basis to identify suitable alternative products or suppliers, where the ones on the approved list are unavailable.

Diagram 3 below outlines the Process Map for integrating sustainability from into the facilities management process.

Sustainable Building Implementation Guidelines



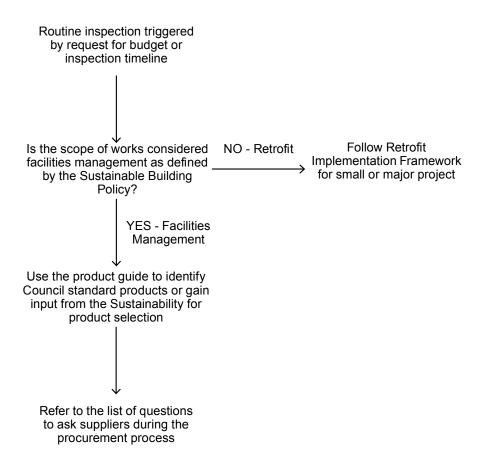


Diagram 3: Facilities Management Sustainability Process Map

4. MONITORING AND REPORTING

In order to ensure facilities are able to deliver the data required for monitoring and reporting outlined in the Sustainable Building Policy, the appropriate infrastructure should be installed as part of maintenance activities to allow for the collection of data.

Upon completion of the Routine Inspection Checklist, Standard Product List and Supplier Database, this implementation framework will be reviewed following the next three routine maintenance that trigger a budget request. This will ensure that the framework is fit-for-purpose and functions in practice. Following from this, the framework will be reviewed every four years in line with broader strategic review.

5.6. DRAINAGE ASSET MANAGEMENT PLAN

PURPOSE:

For information and to introduce the draft Drainage Asset Management Plan (AMP).

EXECUTIVE SUMMARY

- It is a requirement of the Local Government Act 2020 that councils have in place Asset Management Plans (AMP) to strategically manage their assets.
- AMPs are a key document in Council's Asset Management Framework, sitting under the Policy and Strategy.
- Council does not currently have a Drainage Asset Management Plan
- This AMP has been developed in accordance with industry best practice and principles, informed by the Drainage Strategy, known condition information and existing operational and maintenance practices.
- The plan outlines what it costs to deliver the current level of service, if this is being met and what the risks are of not meeting these requirements.
- As this is the first Drainage AMP to go through this process, some assumptions are made.
 These will be refined along with completing other Improvement Actions on future iterations of the Plan.
- This Plan has been endorsed by the Asset Management Steering Committee.
- The AMP must go through community consultation prior to adoption by Council.

MOVED: CR. MICHAEL NEOH SECONDED: CR. ROBERT ANDERSON

That Council:

- 1. Agrees to advertise the draft Drainage Asset Management Plan 2020 for public comment for a period of not less than 28 days.
- 2. Receives a future report to adopt the Drainage AMP which summarizes any submissions and amendment made to the document.

CARRIED - 7:0

BACKGROUND

Until recently it has been best practice for councils to have Asset Management Plans (AMP) which guide infrastructure investment in a sustainable way that also meets the community's needs. However, this has now become a legislated requirement with the Local Government Act 2020.

The historic barrier to creating the Drainage AMP has been lack of data, or confidence in the data. However through ongoing condition audits, Urban Drainage Flood Modelling, development of a Drainage Strategy, and criticality assessment, our confidence is ever increasing.

Some assumptions are still required where data is not complete, but these gaps have been identified throughout the Plan and inform the Improvement Actions plan at the end of the document.

This AMP has been developed in accordance with current best practice principles guided by IPWEA and NAMS, a large component being the formation of an internal stakeholder group to provide technical and historical knowledge, this group also and assisted with the reviewing assumptions.

The aim of the Plan is to combines risk management, financial, engineering and technical practices to ensure that the required levels of services are met by the most efficient means with consideration for Council's financial limitation. The AMP defines the services to be provided and to what standard, and what funds are required to provide the services over a 15-year planning period.

ISSUES

Council currently doesn't have an adopted Drainage Asset Management Plan.

Data limitations often reduce decision makers' confidence in the results; however, the first step is to identify these gaps as improvement actions and work towards strengthening this confidence.

Some key issues identified around stormwater management:

- Information on Council's Drainage Assets
- Insufficient budget for operations and maintenance to achieve desired level of service.
- Lack of sufficient renewal budget for assets in poor condition.
- · Lack of funding to manage critical risks.

FINANCIAL IMPACT

There is no financial impact in adopting this AMP. However, the plan will optimize council's investment in future in relation to stormwater and flood management.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

This Plan is a legislated requirement under the LGA2020, and responds to following Council Plan initiatives:

2 Foster a healthy, welcoming city that is socially and culturally rich

2.2 Increase participation, connection, equity, access and inclusion.

3 Maintain and improve the physical places and visual appeal of the City

- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

TIMING

Community consultation will follow Council's endorsement of the plan. Proposed changes and feedback will be reported back to Council for the final adoption of the plan mid-2020.

COMMUNITY IMPACT / CONSULTATION

Community consultation will follow Council's endorsement of this plan.

LEGAL RISK / IMPACT

The plan is the requirement of the Local Government Act 2020.

OFFICERS' DECLARATION OF INTEREST

No relevant declarations.

CONCLUSION

Council should agree to advertise the draft Drainage Asset Management Plan for public comment.

ATTACHMENTS

1. ECM 10864958 v 22 Drainage Asset Management Plan- draft [5.6.1 - 61 pages]





Attachment 5.6.1

Document Control Warrnambool City Council PO BOX 198 WARRNAMBOOL VIC 3280

Document: Drainage Asset Management Plan 2020 Responsible Branch: Infrastructure Services

Responsible Directorate: City Infrastructure
Responsible Officer: Director of City Infrastructure

Distribution Schedule

Rev No	Date	Revision Details	Author	Reviewer	Approver
V1.0	2008	Version 1 was initiated in 2005 and completed during 2008. It was adopted by Council.			
V2.0	June 2014	Redraft to align with MAV STEP Brief AMP template	B. McDonald		
V3.0	Sept 2015	Updated asset quantities and values	B. McDonald		
V4.0	Nov 2019	Updated all sections	T. Mathew		
V5.0	May 2020	Draft Drainage Asset Management Plan	A. Pradhan		

Schedule of Adoption

Acknowledgements:

Disclaimer:

This publication may be of assistance to you, but Warrnambool City Council, its employees, consultants and contractors do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on the information in this publication.

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1 EXECUTIVE SUMMARY

1.1 The Purpose of the Plan

Drainage Asset management planning is a comprehensive process to ensure delivery of services from Council's Drainage infrastructure is provided in a financially sustainable manner. The plan combines management, financial, engineering and technical practises to ensure that the required services levels of stormwater drainage are met by the most efficient means with consideration for Council's fiscal and resource limitation.

This asset management plan details information about infrastructure assets including actions required to provide an agreed level of service in the most cost effective manner while outlining associated risks. The plan defines the services to be provided, how the services are provided and what funds are required to provide the services over a 15-year planning period.

Stormwater drainage is intended to manage the quality and quantity of the stormwater generated from developed areas. The primary aim for managing stormwater drainage is to ensure stormwater runoff from the impermeable areas causes minimum nuisance, danger and damage to community, property, and environment.

This plan covers drainage infrastructure serving to collect and convey, retain and improve water quality. Water flows are mainly collected via run-off from hard surfaced, impervious areas (roads, roof tops, paved areas etc.) in open drains, pits, pipes and other designed features to retard and direct water flows, improve and manage water quality, store and discharge water.

1.2 Asset Description

The Warrnambool City council stormwater drainage network is primarily comprised of following assets:

- 10,954Pits
- 270,950 m Pipes
- 24,017 m Open drains / Surface drains
- 2,879 m Tunnels
- 270,239 m2 Basins
- 25,000 L (5 tanks) Rainwater Tanks
- 40 Stormwater quality improvement devices (GPTs and Litter Traps)
- 13,720 m2 Swales
- 1,331 m2 Rain gardens

These infrastructure assets have significant value estimated at \$89,380,798

1.3 Levels of Service

The current levels of service have been formulated with regard for legislative requirements, Australian standards, Infrastructure Design Manual, results from the community satisfaction survey and through analysis of customer requests. Service level performance will be monitored in accordance with this plan over the 15 year period, which will provide guidance on the required funding to ensure these service levels. Our present funding levels are insufficient to continue to provide existing services at current levels in the medium term.

If funding levels are reduced this would impact on Council's ability to maintain current levels of service and performance.

The main service consequences would result in:

- Reduced levels of service leading to a decrease in overall performance of the drainage network.
- Increased risk of flooding and property impact.
- Increased risk of public hazards due to failure of critical drainage infrastructure.

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1.4 Future Demand

Understanding the future demand for Drainage within the municipality is essential in ensuring an ongoing appropriate service is provided to the community. Council recognises and plans for many factors which are predicted to influence the future service requirements of drainage.

The main demands for new services are created by:

- Demographics-Residential and commercial land development due to population growth.
- Climate change-Storm intensity and severity due to climate change impacts.
- Finance and economics-Changes in material and resource cost, technology, design regulations and legislative standards

These will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand and demand management. Demand management practices include non-asset solutions, insuring against risks and managing failures.

- Using emerging and new technologies to ensure cost effective management of repairs and asset renewal works.
- Targeted renewal, upgrade and new infrastructure to focus and address where capacity issues have been identified.

1.5 Lifecycle Management Plan

What does it Cost?

The projected outlays necessary to provide the services covered by this Asset Management Plan (AM Plan) includes operations, maintenance, renewal, upgrade and new assets over the 10-year planning period is \$ 2.4 million on average per year. This includes modelled numbers in lieu of full condition data. All costs in this plan are in current (real) dollars at the time of publication.

1.6 Financial Summary

What we will do

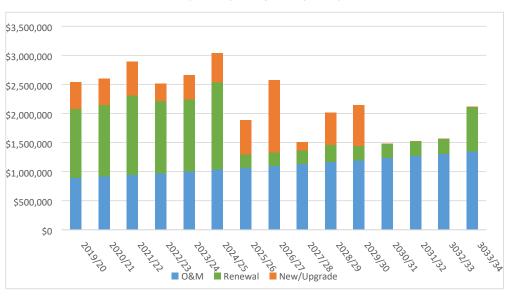
Estimated available funding for this period \$1.36 million on average per year as per the long term financial plan or budget forecast. This is 55% of the cost to sustain the current level of service at the lowest lifecycle cost.

The infrastructure reality is that only what is funded in the long term financial plan can be provided. The emphasis of the Asset Management Plan is to communicate the consequences that this will have on the service provided and risks, so that decision making is "informed".

The allocated funding leaves a shortfall of \$1.1 million on average per year of the projected expenditure required to provide services in the AM Plan compared with planned expenditure currently included in the Long Term Financial Plan. This is shown in the figure below.

- 3 -

Projected Operating and Capital Expenditure



We plan to provide stormwater drainage services for the following:

- Operation, maintenance, renewal and upgrade of drainage infrastructure assets as detailed in Table 2.1a to meet service levels set by in annual budgets.
- Major renewal and improvements works as identified in Appendix A and Appendix B within the 10-year planning period.
- Maintain critical drainage assets as a high priority.

What we cannot do

We currently do **not** allocate enough funding to sustain these services at the desired standard or to provide all new services being sought. Works and services that cannot be provided under present funding levels are:

- Reduction of water soluble pollutants of stormwater discharged to natural water bodies.
- Mitigation and resilience to climate change impacts.
- Mitigation and reduction of impact to flooding hotspots within the municipality.
- Increase in drainage infrastructure condition assessment investigations.
- Assessment of capacity and renewal requirements for all stormwater basins.
- Daily residential street cleaning.

Managing the Risks

The risk management section identifies risks that may affect the ongoing delivery of services from drainage infrastructure. During the process of identifying significant risks, assets which present a high consequence of failure were highlighted as "critical assets" such that they may potentially receive greater consideration during the formulation of works programs, with respect to their overall risk rating. Our present funding levels are insufficient to continue to manage risks in the medium term.

The main risk consequences are:

- Further deterioration of critical drainage assets increasing risk of failure.
- Further exposure to risk and liability as a result of flooding.

We will endeavour to manage these risks within the available funding by:

Attachment 5.6.1

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- Undertaking further investigations of the identified flooding hotspots to determine the best value for money treatment outcomes.
- Undertake a regular review of this Asset Management Plan to ensure alignment with Council's strategic planning cycle and to inform the investment need through the Long Term Financial Plan.

1.7 Asset Management Practices

Council is using a systemised approach to monitor and manage the Council's Drainage Infrastructure which has helped to improve the productivity and efficiency in Asset Management and are as follows:

- Technology One: Council's Financial management/information system.
- Conquest: Council's Asset register that contains Asset data, description and hierarchy, condition inspection
 and defects.

1.8 Monitoring and Improvement Program

The next steps resulting from this asset management plan is to improve asset management practices. The items listed below are the priority improvement actions identified during the development of the plan. Refer to the action plan (Table 8.1) for the full lists of actions and further details.

- We currently have no targeted research on customer expectation data relating to service level needs and
 requirements for drainage infrastructure. The Victorian Community Satisfaction Survey 2019 that relates to the
 sentiment towards Council's local streets and footpath is used to gain overall perspective on drainage assets.
 Thus, undertaking community consultation to determine and confirm community levels of service for drainage
 infrastructure is necessary in the future.
- There are 83km of pipes with an unknown age, for depreciation purpose these were assumed to be halfway through their life. Improvement in asset data confidence for condition and attributes (i.e. age) is necessary.
- Prepare an annual renewal works program that is fully funded. The annual renewal work program would be based
 on CCTV condition inspection and would be prioritised based on the criticality of the assets.
- Continue to analyse drainage capacity modelling. This would identify the deficiencies in the Council drainage system, identify the areas that may be subject to overland flow and determine best value for money upgrade project.

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2. INTRODUCTION

2.1 Background

This asset management plan communicates the actions required for the responsive management of assets, compliance with regulatory requirements, and funding needed to provide the required levels of service over a 15-year planning period. The plan combines management, financial, engineering and technical practises to ensure that the required service levels of drainage infrastructures are met by the most efficient means with consideration for Council's fiscal and resource limitations.

The Drainage Asset Management Plan is to be read in conjunction with relevant planning documents including the Asset Management Policy and Asset Management Strategy as well as all documents and references identified within this document.

Stormwater drainage is intended to manage the quality and quantity of the stormwater generated from developed areas. The primary aim for managing stormwater drainage is to ensure stormwater runoff from the impermeable areas causes minimum nuisance, danger and damage to community, property, and environment.

Drainage networks can functionally be grouped into three sections, namely;

- Collection and Conveyance The infrastructure responsible for the collection and conveyance of runoff from impervious surfaces belong in this category. These are the drainage infrastructure used for conveyance including pits, pipes, surface drains, tunnels and minor culverts. The primary responsibility of the infrastructure is to protect the community and assets from the flooding.
- Retention This is a hold point for stormwater. The conveyance infrastructures leaves the water to this phase where
 stormwater is retained to enable some level of treatment and groundwater recharge or reuse. The infrastructure elements
 included in the retention phase are stormwater basins, aquifer recharge bores, water harvesting tanks and other machinery
 related to this infrastructure such as pumps in basins and backflow prevention devices.
- Water quality The infrastructure, which helps in enhancing stormwater quality such as Stormwater Quality Improvement
 Devices (SQID) and Water Sensitive Urban Devices elements (WSUD). SQIDs include litter traps, gross pollution traps, and
 water sensitive urban devices including swales, rain gardens, etc.

The infrastructure assets covered by this asset management plan are shown in Table 2.1a.

Table 2.1a: Assets covered by this Plan

Functional type	Asset components	
Collection and	Pits (Side entry pits, Junction Pits, Grate pits, End walls, Headwalls, Outfalls, etc.)	
Conveyance	Pipes (Includes concrete pipes, PVC pipes, Black Max pipes, HDPE pipes, minor culverts, and earthen pipes)	
	Surface drains (Agricultural drains, natural open drain, open drains, grated drainage channel)	
	Tunnels	
Retention	Basins	
	Soak pits	
	Rainwater harvesting tanks	
	Aquifer recharge bores	
	Drainage pumps	
	Backflow prevention devices	
	Retention cells	
Water Quality Swales and rain gardens,		
	Stormwater Quality Improvement Devices (GPT, Litter trap)	
Flood Plain	Flood Walls	
Management		

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Boom Gates
Level Sensors
Indicator Signs

Note: Major Culverts are considered within the Bridge and Major Culvert Asset Management Plan

The key stakeholders in this Stormwater Drainage Asset Management Plan include:

Table 2.1b: Key Stakeholders involved in this plan

KEY STAKEHOLDER	ROLE IN ASSET MANAGEMENT PLAN
Asset Custodian	Regulatory authority responsible for the care and control of the drainage network to service community service needs.
Asset management	Responsible for development of the Drainage Asset Management Plan and renewal modelling
Executive Management Team	Management – responsible for corporate review, resourcing and ensuring implementation of the Drainage Asset Management Plan.
Councillors	Council authority – Approval of the Drainage Asset Management Plan and approval of annual budgets and long term financial planning.
Community	General public – Service level recipients.

Roles and Responsibilities for asset management within Warrnambool City Council is described as follows;

Service Managers, who are responsible for planning, controlling, and directing Council services.

The primary service manager for drainage assets is the Manager Infrastructure Services, who is responsible for planning, operation, maintenance and renewal/ upgrade works. The table below details the breakup of drainage related responsibilities vested with each service manager.

DESIGNATION	RESPONSIBILITY
Coordinator Infrastructure Management	Responsible for the planning of drainage infrastructure. Improve/enhance the capacity and function of the drainage network. Providing input for required service levels such as performance and safety. Responsible for delivery of renewal and upgrade programs.
Coordinator Municipal Operations	Ensure the performance of drainage systems with periodic maintenance and operational activities. Providing reports and metrics concerning the drainage performance. Monitoring the risks associated with the respective assets.
Manager Infrastructure Services	Emergency Management.

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Asset Managers, who are responsible for planning the delivery and longevity of assets required for Council services. The asset manager for drainage is Coordinator Strategic Asset Management, who is responsible for the following:

- Collecting and managing asset data to keep the asset register updated and complete.
- Conducting condition assessments.
- Ensuring the timely maintenance of drainage.
- Monitoring and development of the service levels for drainage.
- Assist the service managers in predicting future demand.
- Develop the asset renewal and upgrade programs.

Improvement Action:

Split roles and responsibilities matrix by each drainage asset types for clarity

2.2 Goals and Objectives of Asset Ownership

Our goal in managing infrastructure assets is to meet the defined level of service (as amended from time to time) in the most cost effective manner for present and future consumers. The key elements of infrastructure asset management are:

- · Providing a defined level of service and monitoring performance,
- Managing the impact of growth through demand management and infrastructure investment,
- Taking a lifecycle approach to developing cost-effective management strategies for the long-term that meets the
 defined level of service,
- Identifying, assessing and appropriately controlling risks, and
- Linking to a long-term financial plan which identifies required, affordable expenditure and how it will be allocated.

Key elements of the planning framework are

- Levels of service specifies the services and levels of service to be provided,
- Future demand how this will impact on future service delivery and how this is to be met,
- Life cycle management how to manage its existing and future assets to provide defined levels of service,
- Financial summary what funds are required to provide the defined services,
- Asset management practices how we manage provision of the services,
- Monitoring how the plan will be monitored to ensure objectives are met,
- Asset management improvement plan how we increase asset management maturity.

Other references to the benefits, fundamentals principles and objectives of asset management are:

- International Infrastructure Management Manual 2015
- ISO 55000

2.3 Core and Advanced Asset Management

This plan is prepared as a 'core to intermediate' asset management plan over a 15 year planning period in accordance with the International Infrastructure Management Manual. The plan contains more than the minimum requirements of a basic plan, with legislative and organisational requirements for sustainable service delivery along with long-term financial planning and reporting.

Further revisions of this plan will move towards advanced asset management using a 'bottom up' approach, with additional information on individual assets and programs to meet agreed service levels.

3. LEVELS OF SERVICE

3.1 Customer Research and Expectations

We currently have no targeted research on customer expectation data relating to service level needs and requirements for drainage infrastructure, however there are a number of other surveys and community engagement processes that have been undertaken that provides guidance as to the community expectations including the Victorian Community Satisfaction Survey (2019), the Warrnambool Flood Plain Management Plan, and council's customer request system. Council acknowledges the

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need to undertake targeted community engagement to understand the community needs and expectations with respect to service levels and will investigated for future updates of the asset management plan.

Warrnambool City Council participates in the Victorian Local Government Customer Satisfaction survey which benchmarks the performance of most councils across Victoria. This extensive telephone survey polls residents to determine the importance of a service and the council's performance of that service.

The survey below relates to the sentiment towards Council's local streets and footpaths, and is not specific to Council's drainage assets, however it is believed an overall perspective can be gained on the general performance of drainage assets as they form a critical part of the road network.

Table 3.1: Victorian Community Satisfaction Survey 2019

Local Streets and footpaths	Importance Level	Performance
Warrnambool City Council	78	64
Regional Average	77	61
State Average	77	59

It is considered reasonable to extrapolate the results from the community satisfaction survey relating to the road network to reflect the satisfaction for drainage and drainage related infrastructure especially as this forms a critical component of a functioning road network. The results of the Victorian Community Satisfaction Survey 2019 show Warrnambool City Council is performing well compared to the average regional and state performance index with regard to drainage infrastructure management.

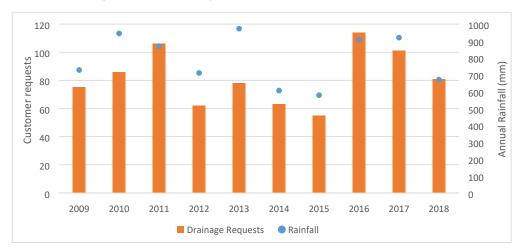
Council acknowledges that in future, community satisfaction should be assessed specifically against drainage infrastructure as a standalone service.

In addition to the above survey, Council's customer request system is used for tracking and actioning requests from the public with respect to drainage related enquiries. Typically it is expected the requests associated with drainage infrastructure will fluctuate and align with rain events and storm intensity. It is generally considered there is a strong correlation between recorded rainfall and the number of requests received which gives high level insight to the network performance and capacity of the drainage network. It is acknowledged the relationship between customer requests received, and alignment with rain events would provide greater clarity and therefore service delivery understanding if the customer requests could be interrogated with respect to location clusters, timing of rain event and rain intensity.

Figure 3.1 shows the customer requests relating to drainage and the annual reported rainfall over the last 10 years. As previously outlined, it is unclear what impact rain intensity had on customer requests. There were wide spread regional flooding events during 2011 and 2016 however the total rainfall for these years was not out of the ordinary. This may explain why these two years showed customer requests significantly higher when compared to other years.

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Figure 3.1: Customer Requests and Annual Rainfall



A significant number of customer requests relate to flooding, which indicates the drainage capacity is not meeting the needs and expectations of the community. Council has undertaken flood modelling and analysis which confirms there are areas across the network that are under capacity and do not deliver the community or technical service levels. This has been incorporated into Council's drainage upgrade program for consideration in future capital investment, and is included within the financial modelling within this management plan.

Improvement Action

- Introduce drainage satisfaction questions to the Victorian Local Government Satisfaction Survey
- Ensure the AMP review focuses on community levels of service

3.2 Strategic and Corporate Goals

This asset management plan is prepared under the direction of the Warrnambool City Council's vision, mission, goals and objectives.

Our vision for Warrnambool is: **A** cosmopolitan city by the sea

Our mission is: To make Warrnambool Australia's most liveable regional city

Relevant goals and objectives and how these are addressed in this asset management plan are:

Table 3.2a: Council Plan Goals and how these are addressed in this Plan

Goal	Action	How Goals and Actions are addressed in this AM Plan			
Objective 2. Foster a h	ealthy, welcoming city that is socially an	d culturally rich			
2.2 Increase participation, connection, equity, access and inclusion. Support the collection and sharing of consistent data and evidence to inform strategic and service access and inclusion. Support the collection and sharing of consistent technical and community levels of service drainage. Documents the upgrade and improvement works required to meet the current service levels for drainage.					
Objective 3. Maintain	Objective 3. Maintain and improve the physical places and visual appeal of the city.				
3.4 Maintain and enhance existing Council infrastructure	Identify and regularly monitor condition of asset classes.	Utilise asset condition modelling to determine renewal funding requirements. Highlights the benefits of improved data confidence and knowledge in refining future funding requirements.			
	Update asset management plans for asset classes including drainage, roads, open space, IT, buildings and monuments.	The preparation and adoption of this asset management plan will achieve this action.			

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	Complete service level reviews for parks and gardens, roads and drainage services.	Identify asset maintenance requirements to continue to provide current levels of service and maintain safe infrastructure. Investigate service demands to determine drainage upgrades necessary to meet future community needs.		
Objective 5. Practice g management.	Objective 5. Practice good governance through openness and accountability while balancing aspirations with sound financial management.			
5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk	Review and update the Long Term Financial Plan to ensure Council remains financially sustainable into the future.	Identifies poor condition, aged and unserviceable assets requiring renewal or disposal to be included within Council's Long Term Financial Plan.		

Table 3.2b: Blue Warrnambool and Warrnambool 2040 goals and how these are addressed in this Plan

2040 Goal	Action	How Goals and Actions are addressed in this AMP
Water Sensitive Urban Design principles are used in all infrastructure and open space developments and upgrades.	Develop a Green-Blue City Plan for Warrnambool to provide a framework for integrated water management and incorporate Water Sensitive Urban Design into residential and commercial development	Alignment of new developments and gifted assets with IDM guidelines that set out the requirement in relation to a range of WSUD options from large scale detention systems to small scale detention systems.
All new developments incorporate roof water harvesting infrastructure.	Neighbourhood scale solutions for stormwater treatment and reuse.	Investigation of the most efficient policy change to achieve this Goal as improvement plan.
No stormwater enters our waterways and coast without treatment.	Contribute to management and protection of groundwater systems.	All hazards identified by risk assessment to be addressed appropriately. Targeted 100% performance of the SQIDs.

The Warrnambool City Council will exercise its duty of care to ensure public safety in accordance with the infrastructure risk management plan prepared in conjunction with this AM Plan. Management of infrastructure risks is covered in Section 6.

Improvement Action:

Investigation of most efficient policy to incorporate roof water harvesting infrastructure in all new developments. Determine the costs to ensure the SQIDs to perform at 100%.

3.3 Legislative Requirements

There are many legislative requirements relating to the management of assets. These include:

Table 3.3: Legislative Requirements

Legislation	Requirement
Local Government Act 2020	Sets out the role, purpose, responsibilities and powers of local governments including the preparation of a long term financial plan supported by infrastructure and asset management plans for sustainable service delivery.
Road Management Act 2004	Enables the council to set out its own specific Road Management Plan and intervention levels. This enables councils to manage their network to provide a safe and responsive network for the public, in order to manage their civil liability. Road authorities lost their immunity through the removal

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	of nonfeasance which gave rise to the 2004 legislation in Victoria.
Road Management (General) Regulations 2005	Sets out additional matters for the review and amendment of a Road Management Plan not contained in the 2004 Road Management Act for consultation with the community. The regulation also prescribes certain matters that must be recorded on a register of public roads and provides for the protection of roads and property. Provides for a coordinated management system for public roads including use of the road reserves for other legitimate purposes such as the provision of utility services and drainage. It defines the responsible authorities , and makes Council the controlling authority for public local roads, boundary roads and parts of declared roads within the municipal area, which also makes Council responsible for managing the infrastructure assets within them.
Transport Act 1983	Relates to the operation of the road network and regulation or prohibition of drainage discharge onto any road.
Water Act 1989	Management of the use of water resources including conservation, protection, and discharge requirements.
Environmental Protection Act 1970	Relates to the discharge, emissions, or deposits especially within drainage systems and at the point of discharge to water ways.
Wrongs Act 1958	The Act imposes several thresholds for the recovery of damages for economic and non-economic loss from personal injury and death in Victoria, as a result of negligence or fault. It defines Duty of Care and establishes the principles for determining negligence.
Integrated Water Management Framework for Victoria	A framework to deliver greater community value through consistent and strategic collaboration within the water sector – including water corporations, local governments, catchment management authorities, and links with organisations involved in land use planning.
Applicable Standards, Codes of Practice, Design Guidelines, Local Laws and Council policy and governance	Used to determine minimum standards for road construction and maintenance including drainage, basins and any drainage related infrastructure.

3.4 Customer Levels of Service

Service levels are defined service levels in two terms, customer levels of service and technical levels of service. These are supplemented by organisational measures.

Customer Levels of Service measure how the customer receives the service and whether value to the customer is provided.

Customer levels of service measures used in the asset management plan are:

Quality How good is the service ... what is the condition or quality of the service? This is the condition score with C1

being Very good and C5 being Very poor

Function Is it suitable for its intended purpose Is it the right service?

Capacity/Use Is the service over or under used ... do we need more or less of these assets? One indication of the capacity is

the serviceability score with SER1 being Very good and SER5 being Very poor

The current and expected customer service levels are detailed in Tables 3.4 and 3.5. Table 3.4 shows the expected levels of service based on resource levels in the current long-term financial plan.

Organisational measures are measures of fact related to the service delivery outcome e.g. number of occasions when service is not available, condition percent of Very Poor, Poor/Average/Good, Very good.

These Organisational measures provide a balance in comparison to the customer perception that may be more subjective.

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Table 3.4: Customer Level of Service

Key Performance Level of Service Indicator		Performance Measure	Target Performance	Current Performance
		Community levels of ser	vice	
Health and safety	Drainage system is safe and hazard free	Absence of significant health and safety hazards	All hazards identified by risk assessment should be addressed appropriately	No hazards identified to date for 2019/2020 financial year.
Environmental Standards	Gross pollutants are removed from Stormwater prior to entering waterways	Performance of GPTs	100% of SQIDs are functioning as designed	< 100% functioning as designed
Responsiveness	Registered drainage complaints are timely responded	Response time for the complaints registered	100% of the customer complaints to close in time	87% of the customer complaints are closed in time

Improvement Action:

- Determine effectiveness of GPTs
- <u>Develop water quality monitoring of stormwater discharge at outfalls</u>

3.5 Technical Levels of Service

Supporting the customer service levels are operational or technical measures of performance. These technical measures relate to the allocation of resources to service activities that the organisation undertakes to best achieve the desired customer outcomes and demonstrate effective organisational performance.

Technical service measures are linked to the activities and annual budgets covering:

- **Operations** the regular activities to provide services (e.g. opening hours, cleansing, street sweeping, mowing grass, inspections, etc.)
- Maintenance the activities necessary to retain an asset as near as practicable to an appropriate service condition.

 Maintenance activities enable an asset to provide service for its planned life (e.g. cleaning of refuse/rubble, removing tree roots, replacing cracked pit lids)
- Renewal the activities that return the service capability of an asset up to that which it had originally (e.g. frequency and cost of pipeline replacement),
- Upgrade/New the activities to provide a higher level of service (e.g. replacing a pipeline with a larger size) or a new service that did not exist previously (e.g. drainage augmentation projects).

Service and asset managers plan, implement and control technical service levels to influence the customer service levels.

Table 3.5 shows the technical levels of service expected to be provided under this AM Plan. The 'Desired' position in the table documents the position being recommended in this AM Plan.

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Table 3.5: Technical Levels of Service

Key Performance Indicator	Level of Service	Performance Measure	Desired Performance	Current Performance		
	Technical levels of service					
Design	Capacity in accordance with land use and IDM	Pipe capacity as per flood model	No pipes over capacity in accordance with IDM	45% of drains are under the desired level of capacity		
	Serviceability	Pipe capacity not reduced by blockages, lack of maintenance or intrusions	100% of pipes with a serviceability score better than 5(SER5)	79% of pipes with a serviceability score better than SER5 (Appendix E)		
	New developments and gifted assets meet current-day IDM design guidelines	Amount of infrastructure meeting current-day IDM design requirements at handover	100% alignment	TBD		
Condition	Drainage maintained in good condition and fit for purpose.	Condition Score	95% of assets better than Condition Score 5(C5)	96.6% better than C5		
	ne for purpose.	Renewal Planning	100% of C5 assets covered by the 15-year capital works program	15-year capital works program currently in development stage.		
		Amount of network inspected each year	5% of pipe network per year	3%		
Operations	Street sweeping	Frequency of Street sweeping	CBD-Daily Residential Street-Annually	CBD-Daily Residential Street- Annually		

It is important to monitor the service levels provided regularly as these will change. The current performance is influenced by work efficiencies and technology, and customer priorities will change over time. Review and establishment of the agreed position which achieves the best balance between service, risk and cost is essential.

Improvement Action:

- Develop condition inspection and inventory collection programs for all drainage asset types.
- Develop a 15-year works program
- <u>The Current Performance of New developments and gifted assets meet current-day IDM design guidelines</u>

4. FUTURE DEMAND

4.1 Demand Drivers

Drivers affecting demand include things such as population and demographic changes, environmental factors influencing infrastructure capacity and design requirements, and technological change and improvements in maintenance and management of infrastructure. The main drivers are discussed as follows;

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Natural Environment

It is expected climate change will influence demand for new and upgraded drainage infrastructure to address changes in rainfall intensity and storm frequency. A study of climate change impacts show Warrnambool might experience a sea-level rise of 0.49m and increased rainfall intensity by 2070. Given the cities topography and close proximity to the ocean, climate change impacts are likely to increase flooding vulnerability, frequency and impact.

Population and Demographic Changes

Population forecasts predict Warrnambool will be home to approximately 46,210 people by 2036, which is a significant increase of 28% of the current population. Significant development of current broad acre allotments will be required to meet the housing development required to house the significant population growth. It is also anticipated infill development type will change to more consolidated high density development, which will place further demand on the ageing existing stormwater system.

Finance and Economics

Factors include changes to regulations and design standards, technology advancements, material and resource cost increases. When these factors are combined it provides opportunities of increased life expectancy for new technology assets, reduced maintenance resources/costs and alternative renewal methods to prolong asset life. This also provides for improved service levels and reduction of impact from asset failure, flooding severity and social impact.

4.2 Demand Forecasts

The present position and projections for demand drivers that may impact future service delivery and use of assets were identified and are documented in Table 4.3. Warrnambool's current population is expected to grow from 36,000 in 2019 to 46,000 in 2036. This is an increase of 28% over 17 years. This growth will require the expansion of the existing stormwater network to these new growth areas as well as potential upgrade to brownfield development sites.

4.3 Demand Impact on Assets

The impact of demand drivers that may affect future service delivery and use of assets are shown in Table 4.3.

Table 4.3: Demand Drivers, Projections and Impact on Services

Demand drivers	Present position	Projection	Impact on services				
Natural Environment	Natural Environment						
Climate Change	A study on climate change impact on Warrnambool's drainage was carried out. This stated that a notable risk is posed by climate change through increasing storm surges, sea-level rise, ground-level movement, groundwater changes, temperature, and solar radiation and frequency and intensity of extreme rainfall events.	Warrnambool might experience a sea-level rise of 0.49m and increased rainfall intensity with climate change.	City more vulnerable to flooding, especially in areas like Koroit Street, Japan Street and Koroit Street intersection, Harrington Road, Morriss Road and Anthony Street.				
Demographics and Land use							
New growth areas (North of Merri, West Dennington, East Warrnambool, and	Drainage infrastructure will be constructed in growth areas as per the Council's adopted growth area	It is anticipated to have an additional 8.5km of pipes, 325 pits, minimum of 25 soak pits, 15 GPT's, 7km of	Significant increase in impervious area.				

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Logans)	structure plans.	swales and five basins in next 10 year as per planned development.	
Increased infill developments within the urban areas	One of the recommendations of the Warrnambool City-Wide Housing Strategy is that housing densities should be expected to increase in many parts of Warrnambool.	Increase in demand for capacity on existing network or need for onsite retention	Increase in impervious areas.
Finance and Economic	S		
Technology improvement and utilisation	Increase in available technology for the construction, management, maintenance, and renewal of drainage infrastructure.	Further analysis is required.	Opportunity of cost savings in service delivery as well as improvement in structural integrity resulting in more life span for the assets.
Unit rate changes	Unit rate cost might increase larger than the expected rate of increase or vice versa	Further analysis is required, however consideration given in ongoing maintenance costs within LTFP.	Changes in unit cost will affect in Council's utilisation of maintenance, renewal, and capital expenses.

4.4 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand and demand management. Demand management practices can include non-asset solutions, insuring against risks and managing failures.

Opportunities identified to date for demand management are shown in Table 4.4. Further opportunities will be developed in future revisions of this asset management plan.

Table 4.4: Demand Management Plan Summary

Demand Driver	Impact on Services	Demand Management Plan
Climate Change	City more vulnerable to flooding, especially in areas like Koroit Street, Japan Street and Koroit Street intersection, Harrington Road, Morriss Road and Anthony Street.	Warrnambool Climate Change Drainage Impact Study details the impact of Climate change and suggests the flood mitigation measures associated with it.
New growth areas	Significant increase in impervious area.	The planning and construction of drainage in new subdivisions is managed through the planning process, which includes a detailed drainage study and design for the area.
Increased infill developments	Increase in impervious areas.	All the infill developments are guided through the planning process, which should satisfy various amendments, including amendment VC154 on stormwater management.
Inadequate controls of private retention	Increased run-off beyond design capacity	No management plan in place

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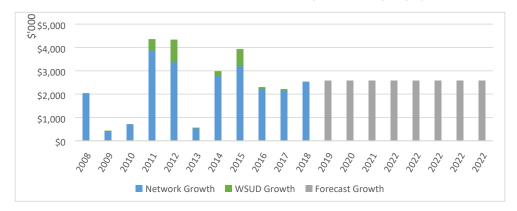
Technology improvement and utilisation	Opportunity of cost savings in service delivery as well as improvement in structural integrity resulting in more life span for the assets.	Continue to monitor and be updated with the new developments in this space.
Unit rate changes	Changes in unit cost will affect Council's utilisation of maintenance, renewal, and capital expenses.	Conduct an annual review on unit rates.

Improvement Action: Create controls relating to private retention systems

4.5 Asset Programs to meet Demand

New drainage assets are typically received through the development of land and are then gifted to Council. They can also be acquired or constructed. Additional assets are discussed in Section 5.4. The summary of the value of additional asset is shown in Figure 4.5. Although there are cycles of peaks and troughs, on average the stormwater asset base grows by \$2.5M (or 3%) annually.

Figure 4.5: Annual additions to Council's stormwater network from developments and capital projects.



All subsequent values in this document are in current (real) dollars and not discounted for inflation. Acquiring these new assets will commit ongoing operations, maintenance and renewal costs for the period that the service provided from the assets is required. These future costs are identified and considered in developing forecasts of future operations, maintenance and renewal costs for inclusion in the long term financial plan further in Section 5.

These figures are only based on asset expansion to provide the existing level of service to new catchment areas in line with population growth. Refer to Section 5.4 which identifies upgrade and improvement projects to expand the capacity of the existing network to reduce the impact of flood events on current customers in line with community accepted levels of service.

Improvement Action: Assess the impact of Victorian Planning Provision VC154 on drainage requirements

5. LIFECYCLE MANAGEMENT PLAN

The lifecycle management plan details how the Warrnambool City Council plans to manage and operate the assets at the agreed levels of service (defined in Section 3) while managing life cycle costs.

5.1 Background Data

5.1.1 Physical parameters

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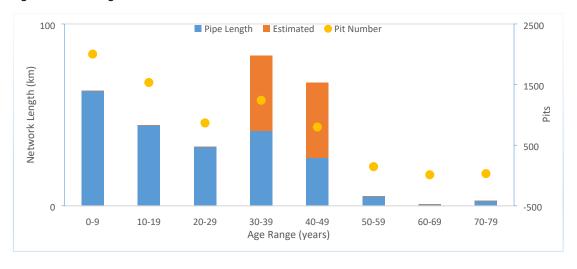
Table 5.1a: The assets covered by this asset management plan

Asset Type	Quantity	Asset Replacement Value (\$)	Asset Current Value (\$)	Annual deterioration rate (\$)
Pits	10,954	\$17,983,421	\$12,538,321	\$180,298
Pipes	270,950 m	\$50,921,138	\$37,533,324	\$505,195
Surface drains	24,017.29 m	\$761,970	\$698,636	\$7,262
Tunnels	2,879 m	\$8,211,870	\$4,745,109	\$53,280
Basins	18 (270,239 m2)	\$4,730,487	\$4,601,471	\$27,215
Soak pits	300	\$478,963	\$355,304	\$4,801
Rainwater harvesting tanks	5 (5,000 L each)	\$387,839	\$345,183	\$3,876
Aquifer recharge bores	1	\$40,020	\$38,620	\$200
Drainage pumps	5	\$702,500	\$409,666	\$61,983
Backflow prevention devices	4	\$41,589	\$41,589	\$2,310
Flood Walls	1180 m	\$1,563,778	\$1,518,132	\$15,659
Retention cells	1	\$21,240	\$20,805	\$435
Stormwater Quality Improvement Devices	40	\$2,798,680	\$2,586,223	\$27,881
Swales	13,720 m2	\$0	\$0	\$0
Rain Gardens	1,331.2 m2	\$671,685	\$613,724	\$9,157

The age profile of the assets included in this AM Plan are shown in Figure 5.1a. There is more confidence in construction dates from 2010 onwards. Prior to this time, ages were taken from archived records and design plans which would have unlikely been constructed in the same year as being drafted.

There are 83km of pipes with an unknown age, for depreciation purposes these were assumed to be halfway through their life and given the construction date of 1975. Investigation should be done to apply appropriate ages to these assets. They are included in all graphs and models going forward.

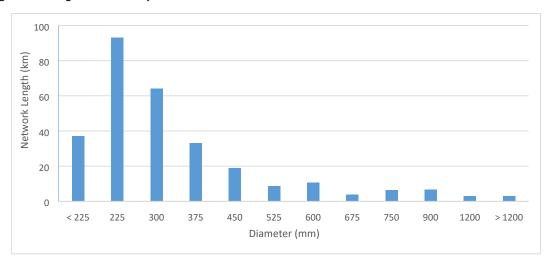
Figure 5.1a: Asset Age Profile



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Figure 5.1b shows that most of Council's stormwater network is small in diameter, with 66% of the network being 300mm or less in diameter, these are the lines which primarily service properties and are likely to block due to their reduced capacity. Two percent of the network is 1200mm or greater. Note only significant groups are shown.

Figure 5.1b: Length of Network by Diameter



<u>Improvement Action: Investigate best method to record accurate construction dates on all drainage assets.</u>

5.1.2 Expected Useful Lives

Extracts of expected useful lives of different asset types are given in table 5.1.2a.

Table 5.1.2a: Expected useful lives

Asset Type	Expected useful life
Pipes	100
Pits	100
Surface drains	100
Tunnels	100
Basins	200
Soak pits	100
Rainwater harvesting tanks	50
Aquifer recharge bores	200
Drainage pumps	20
Backflow prevention devices	20
Flood Walls	100
Retention cells	50
Stormwater Quality Improvement Devices	100
Swales	150
Rain Gardens	60

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Improvement Action: Founded on industry benchmarks, investigation to be confirmed for Warrnambool environment

5.1.3 Asset capacity and performance

Assets are generally provided to meet design standards where these are available. Locations where deficiencies in service performance are identified in Appendix E.

The capacity of pipes were assessed against their prescribed IDM standard for their designated land use. Drains in or around commercial areas, essential utilities, institutions and hospitals should have a capacity for a 5% AEP, drains in the industrial area should have a capacity to take 10% AEP and drains in residential areas should have a capacity for an 18% AEP flood event (Table 5.1.3b)

Pipes under capacity are given a score of 1 in the AMS indicating great performance. Those at capacities are given a score of 2, indicating they are meeting current demand without issue but that there is no potential for increasing the future demand under the current condition. Assets over capacity are given a score of 5 indicating a failure in their levels of service.

Table 5.1.3a: IDM drainage capacities by land use

7	Capacity Score		
Zone	Under Capacity	At Capacity	Over Capacity
Commercial	1% AEP	5% AEP	10% AEP
Essential utilities/ Institutions/ Hospitals	1% AEP	5% AEP	10% AEP
Industrial	5% AEP	10% AEP	18% AEP
Residential	10% AEP	18% AEP	>20% AEP

Following an assessment of existing infrastructure under current IDM standards, about 45% of Council's drains are under capacity according to these IDM standards. Table 5.1b details the current capacity of the drainage network for various planning zones. A TUFLOW flood model calculated the maximum amount of stormwater which can flow through corresponding pipes. This model assumes no blockages, root intrusions or debris are reducing the capacity of these pipes.

Table 5.1.3b: Percentage of pipe length with corresponding capacity limits

	Pipe capacity					
	1%AEP	5% AEP	10% AEP	18% AEP	>20% AEP	Percentage of pipe with
	(1 in 100	(1 in 20	(1 in 10	(1 in 5		capacity lower than
Zone	year event)	year event)	year event)	year event)		suggested flood immunity
						85% (16.3km) of drainage
						pipes along commercial
						areas are lower than flood
Commercial	0.66%	14.07%	14.73%	17.05%	53.49%	immunity as per IDM
Essential						81% (13.2km) of drainage
utilities/						pipes along essential
Institutions/						utility areas are lower than
Hospitals	1.40%	17.55%	14.08%	9.37%	57.60%	flood immunity as per IDM
						69% (9.8km)of drainage
						pipes along Industrial
						areas are lower than flood
Industrial	2.90%	21.36%	6.24%	10.41%	59.09%	immunity as per IDM
						39.8% (82km) of drainage
						pipes along residential
						areas are lower than flood
Residential	4.74%	24.46%	16.65%	14.19%	39.86%	immunity as per IDM

Flooding hotspots- Flooding hotspots are identified and prioritised under the Drainage Strategy. Twenty prioritised hotspots are considered for upgrade projects to increase the capacity of drainage.

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5.1.4 Asset condition

Condition of the pipe network is determined via CCTV inspections which apply WSAA defect codes to each asset and provide an overall condition (structural) and serviceability score. An annual budget of \$50,000 allows for approximately 3% of the underground drainage network to be done each year. Reinspections to determine deterioration over time have not yet been planned.

Condition is measured using a 1-5 grading system as detailed in Table 5.1.4a.

Table 5.1.4a: Simple Condition Grading Model

Condition Grading	Description of Condition
1	Very Good: only planned maintenance required
2	Good: minor maintenance required plus planned maintenance
3	Fair: significant maintenance required
4	Poor: significant renewal/rehabilitation required
5	Very Poor: physically unsound and/or beyond rehabilitation

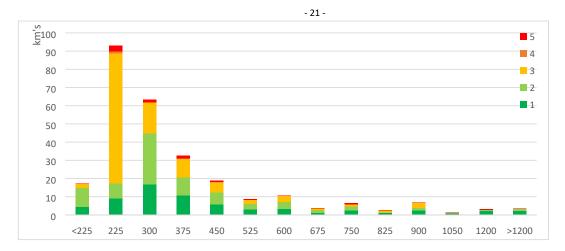
The condition profile of our each method is shown below. There appears to be a trend that the smaller the diameter of pipe, the worse the condition it will be, this may be due to the location in road reserves and how they are impacted by other works, excavation and property connections.

km's 9 5 8 4 3 6 2 1 4 3 2 0 <225 225 300 375 450 525 600 675 750 825 900 1050 1200

Figure 5.1.4a: Asset Condition Profile from Inspected Pipes by Diameter

A decision tree model using age, material, diameter, and soil salinity as inputs was created to predict condition scores for the remainder of the network which has not yet been inspected based on how these inputs affect the known sample areas. This Coarse Condition Score (CCS) was applied to all non-inspected pipes, asset-by-asset, and provides an indicative condition score for financial and renewal planning. This is believed to be a robust assessment with enough confidence for predictive renewal modelling, the confidence can be improved with ongoing condition assessments to refine the model and these scores can also be updated as actually condition information becomes available.

Fig 5.1.4b: Asset Condition Profile from Desktop Assessment by Diameter



Serviceability of drains- This score indicates the degree to which root intrusions or debris are causing blockages or reducing the capacity of the drainage system, reducing the performance of the drainage. Figure 5.1a summarises the serviceability of pipes which have been visually condition assessed. 21% of pipes have a serviceability score of 5, which suggests blockages in these pipes are greatly preventing stormwater conveyance and potentially causing flooding upstream. It is recommended to jet or root-cut these lines where the pipes are structurally sound enough to withstand the impact of these activities (Table 5.1c).

Figure 5.1.4c: Summary of network serviceability

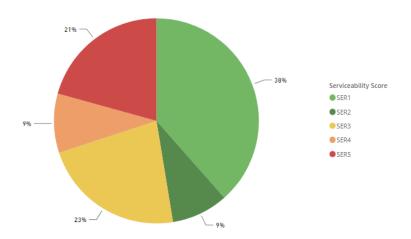


Table 5.1.4b: Length of pipe by serviceability cross referenced by structural score

	SER1	SER2	SER3	SER4	SER5	Total
C1	8,458m	1, 775m	3,722m	97m	3,979m	10,452m
C2	362m	24m	256m	46m	405m	1,093m
C3	1,192m	64m	516m	368m	708m	2,848m
C4	653m	6m	276m	112m	188m	1,235m
C5	2,1 23m	1,098m	2,729m	1 ,595m	1 ,602m	9,147m
Total	4,330m	2,967m	7,499m	3,097m	6,882m	24,775m

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5.2 Operations and Maintenance Plan

Operations include regular activities to provide services such as public health, safety and amenity, e.g. Condition assessments and inspections, pit cleaning, pipe jetting, street sweeping, including all labour, plant and overhead costs. This also includes staff training and development.

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again, e.g. Pipe patching, pit repairs or pit cover replacements and minor repairs under the capital threshold and doesn't extend the life of the asset.

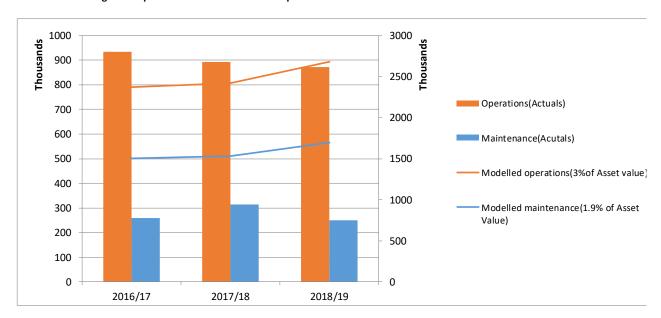
Maintenance includes all actions necessary for retaining an asset as near as practicable to an appropriate service condition including regular ongoing day-to-day work necessary to keep assets operating.

Maintenance expenditure is shown in Table 5.2.

Table 5.2: Operations and Maintenance Expenditure Trends

Year	Operations(Actuals) ,000	Maintenance(Actuals) ,000	Modelled operations(3% of Asset Value),000	Modelled maintenance(1.9%of Asset Value),000	Asset value
2016/17	\$935	\$258	\$2,37	\$1,50	\$79,152,436
2017/18	\$892	\$314	\$2,42	\$1,53	\$80,745,376
2018/19	\$873	\$250	\$2,68	\$1,70	\$89,380,798

Fig 5.2a: Operations and Maintenance Expenditure Trends



Note: The assumptions in table 5.2 have been included within the above section of the AMP. Considering this, Council should carefully review these assumptions and resulting forecasts and update accordingly with a more accurate set of data as required. It is recommended that these forecasts should be reviewed prior to the adoption of the final 10-year budgets.

Operations and Mmaintenance expenditure levels are considered to be inadequate to meet projected service levels, which may be less than or equal to current service levels. Where maintenance expenditure levels are such that they will result in a lesser level of service, the service consequences and service risks have been identified and highlighted in this AM Plan and service risks considered in the Infrastructure Risk Management Plan.

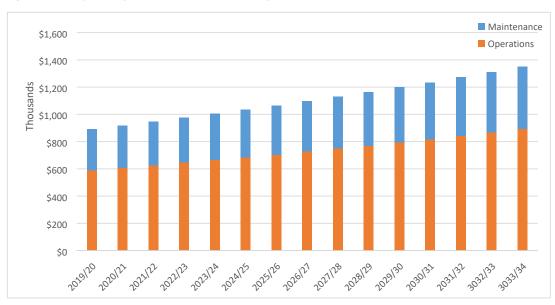
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IA: Test the assumptions used to model operational and maintenance expenditure to determine if rates are appropriate Refine actual O&M expenditure to ensure all appropriate drainage activities are covered

Summary of future operations and maintenance expenditures

Future operations and maintenance expenditure is forecast to trend in line with the value of the asset stock as shown in Figure 5.2b.

Figure 5.2b: Projected Operations and Maintenance Expenditure



This expenditure is in line with the drafted levels of service agreed upon by the Drainage Working Group. It allows for extremely high priority assets to be done every two years, and low priority assets only once in 15 years. These are set to also increase by 3% annually in line with the growth of the asset base. As this is the first time we are defining levels of service for maintenance, as opposed to being reactive driven by customer requests, this level of service should be reviewed annually in line with community and budget expectations.

Deferred maintenance, i.e. works that are identified for maintenance and unable to be funded are to be included in the risk assessment and analysis in the infrastructure risk management plan.

Maintenance is funded from the operating budget where available. This is further discussed in Section 7.

5.3 Renewal/Replacement Plan

Renewal and replacement expenditure is major work which restores, rehabilitates, replaces or renews an existing asset to its original service potential without increasing the asset's design capacity. Work over and above restoring an asset to original service potential is considered to be an upgrade or new work expenditure resulting in additional future operations and maintenance costs.

5.3.1 Renewal ranking criteria

Asset renewal and replacement is typically undertaken to either:

- Ensure the reliability of the existing infrastructure to deliver the service it was constructed to facilitate (e.g. replacing a
 pipe that has partially collapsed), or
- To ensure the infrastructure is of sufficient quality to meet the service requirements (e.g. Drains water to reduce pooling and ponding).

It is possible to get some indication of capital renewal and replacement priorities by identifying assets or asset groups that:

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- Have a high consequence of failure,
- Have high use and subsequent impact on users would be greatest,
- Have a total value representing the greatest net value,
- Have the highest average age relative to their expected lives,
- Are identified in the AM Plan as key cost factors,
- Have high operational or maintenance costs, and
- Have replacement with a modern equivalent asset that would provide the equivalent service at a savings.

The ranking criteria used to determine priority of identified renewal and replacement proposals is detailed in Table 5.3.

Table 5.3: Renewal and Replacement Priority Ranking Criteria

Criteria	Priority level
Assets with an alarming defect and zero or no remaining life, criticality score 4 & 5 and extremely high risk	1 (Extreme high)
Assets with an alarming defect and up to 10-year remaining life with criticality score 3 and high risk	2 (High)
Assets with a significant defect and up to 15-year remaining life with criticality score 2 and medium risk	3 (Medium)
Assets with a significant defect and more than 15-year remaining life with criticality score 1 and low risk	4 (Low)

5.3.2 Summary of future renewal and replacement expenditure

Projected future renewal and replacement expenditures are forecast to increase over time when the asset stock increases. The expenditure is required is shown in Figure 5.3.

The projected capital renewal and replacement program is shown in Appendix A.

Figure 5.3: Projected Capital Renewal and Replacement Expenditure



It is not deemed appropriate to use age alone as a measure for future renewal requirement as there are no assets which have reached the standard useful life, and no significant renewal expenditure to determine the appropriateness of this life - it is merely an industry benchmarked average. Estimates of remaining useful life for those assets in condition 5 tend to be conservative due to the fact they may fail at any time. However they may also last years beyond this estimate. This also makes it is difficult to determine the remaining useful lives accurately in the mid to long-term period.

Attachment 5.6.1

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Pipes

There are varying levels of confidence in sources of renewal requirement. There is high confidence in the cost and treatment requirement identified from CCTV inspections over the years. These have been reviewed, treatments proposed, and costed. All pipes known to be in condition 5 total \$1.7M in replacement cost. As these audits cover 12% of the network and assumed to be a representative sample, this suggests 77km of the network is in condition 5 and due for renewal in the near future at a potential cost of \$6.9M, however relining or patching may offer cheaper alternatives.

<u>Pits</u>

Various components of pits are given condition scores, with walls acting as the indicator of overall condition. Of the assessed pits, 274 (9%) are condition 5. It is likely to cost \$411k to replace all of these. If this is applied to all pits, 1030 may require replacing at a cost of \$1.5M.

Basins

Condition of basins, swales and rain gardens are unknown and not identified in the renewal requirement above. It could be argued that these can be maintained without capital renewal investment. Investigation is required to determine if Lake Pertobe requires renewal works and to what extent.

Deferred renewal and replacement (those assets identified for renewal and/or replacement and not scheduled in capital works programs) are to be included in the risk analysis process in the risk management plan.

Renewal expenditure in the capital works program will be accommodated in the long term financial plan. This is further discussed in Section 7.

5.4 Creation/Acquisition/Upgrade Plan

New works are those that create a new asset that did not previously exist, or works which will upgrade or improve an existing asset beyond its existing capacity. They may result from growth, social or environmental needs. Assets may also be acquired at no cost. These additional assets are considered in Section 4.4.

5.4.1 Selection criteria

New and upgrade projects are identified from various sources such as community requests, proposals identified by strategic plans or partnerships with others. Candidate proposals are inspected to verify need and to develop a preliminary project estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes. The priority ranking criteria detailed below was developed by Water Tech during their drafting of the Drainage Strategy.

Table 5.4.1a: Prioritisation of Flood Study Projects

Weighting	Properties Flooded	Depth >150mm	Depth >300mm	Depth >500mm
	0.25	1	2	3

The flooding hotspots identified in the flood study were assessed using maximum depth results for the 1% AEP flood event. The number of properties and building footprints within the flood extent were identified for each area as well as the maximum depth of flooding within building footprints classified into flooding above 150mm, 300mm & 500mm depth. The parcels within each category were then counted and a weighting (Table 5.4.1a) was used to develop the criteria assessment for current flood risk.

A multi-criteria assessment was then used to select the 20 flooding hotspots where further investigation would be undertaken. This utilised the above flood risk assessment weighting as well as four additional criteria. These included the likely number of properties to have a reduced flood risk, an estimate of the overall cost, likely interest/support from Council (based on meetings with WCC) and constructability. Public Safety was also included in the analysis by assessing the maximum velocity or flood hazard (product of depth and velocity) for each of the flooding hotspots (Table 5.4b).

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Table 5.4.1b Multi-Criteria Assessment Weighting

Criteria	Weighting	Classification			
Reduction in Flood Risk (Properties)	1.5	N/A (Number of properties)			
Cost	20	Low 1 (<\$50,000)	Medium 2 (\$50,000-\$1,000,000)	High 3 (>\$1,000,000)	
Public Safety	5	Low 1 (Velocity < 2 m/s or Flood Hazard < 0.2m²/s)	Medium 2 (Velocity 2-3 m/s or Flood Hazard 0.2 – 0.3m²/s)	High 3 (Velocity > 3 m/s or Flood Hazard > 0.3m ² /s)	
Interest / Support	5	Low -5 (Not Wanted)	Medium 1	High 5 (Priority)	
Constructability Difficulty (Including disruption/ consultation/ technical design	10	Low 3 (minor works)	Medium 1 (Consultation Required)	High -10 (eg. major disruption, new tunnel outlet)	

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Table 5.4.1c Cost benefit analysis of top 20 Flooding Hotspots

Please refer to Drainage Strategy and Appendix B for and the description of Area of Interest (AOI)

Mitigation Option	Average Annual Damages	Annual Maintenan ce Cost	Actual Cost Saving(Reductio n in AAD)	Net Present Value (6%)	Project Capital Cost	Cost-Benefit Ratio
AOI 2: Additional pipe capacity / raised kerb	\$248,236	\$6,346	\$198,672	\$2,842,307	\$345,054	8.10
AOI3: New Pipe alignment along Banyan St	\$20,850	\$5,066	\$297	\$4,173	\$264,439	0.02
AOI 7&10: Mitigation / ongoing Racecourse project.	\$2,620	\$2,584	\$10,842	\$152,461	\$141,397	1.08
Re-orientated retention basin.	\$3,733					
AOI 12: Mitigation pipe	\$ 7,742	\$2,131	\$3,492	\$49,107	\$113,759	0.43
AOI 14: Raise kerb & new retarding basin	\$3,149	\$754	\$902	\$12,686	\$43,070	0.29
AOI 19 & 35: Install new retarding basin & pipe	\$4,006	\$8,670	\$-5,225	\$-73,475	\$462,534	-0.16
upgrade						
AOI 21: Increase pipe size & new pits	\$28,854	\$441	\$16,069	\$225,966	\$27,019	8.36
AOI 23: Stormwater harvesting	\$1,838	\$8,011	\$-7,091	\$-99,721	\$415,619	-0.24
AOI 24: Diversion pipe along Timor St	\$43,590	\$3,048	\$19,288	\$271,234	\$165,210	1.64
AOI 30: Additional Pits & Raised Kerb	\$268,201	\$13,716	\$-7,951	\$-111,810	\$730,308	-0.15
AOI 33&48: Pipe upgrade	\$3,501	\$2,719	\$16,382	\$230,377	\$148,290	1.55
AOI39: Mitigation pipe & regrading road	\$207	\$8,670	\$-5225	\$73,475	\$462,534	-0.16
AOI 40&44: New retarding basin and pipe	\$20,883	\$10,500	\$-9,426	\$-135,556	\$552,124	-0.24
AOI 42: Divert north to Racecourse	\$5,393	\$5,151	\$-4,026	\$-56,508	\$268,763	-0.21
Kelp Street Diversion Pipe	\$1,464,425	\$10,913	\$51,556	\$725,002	\$591,498	1.23
AOI 40 only: New retarding basin and pipe	\$20,874	\$6,750	\$-5685	\$-65,238	\$356,869	-0.22

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5.4.2 Summary of future upgrade/new assets expenditure

Projected upgrade/new asset expenditures are summarised in Figure 5.4a. The projected upgrade/new capital works program is shown in Appendix B.

Figure 5.4.2a: Projected Capital Upgrade/New Asset Expenditure



Expenditure on new assets and services in the capital works program will be accommodated in the long term financial plan but only to the extent of the available funds

Raising the levels of service results in an increase in future renewal liability, whether pipes are duplicated, enlarged, or retention basins installed, these will all add to the renewal requirement in years to come. Acquiring these new assets will also commit the funding of ongoing operations and maintenance costs for the period that the service is provided, which is typically indefinitely.

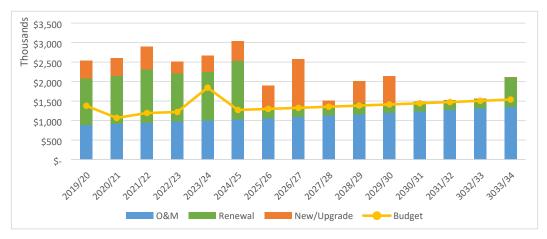
5.5 Summary of asset expenditure requirements

The financial projections from this asset plan are shown in Figure 5.4.2b for projected operating (operations and maintenance) and capital expenditure (renewal and upgrade/expansion/new assets).

The bars in the graphs represent the anticipated budget needs required to achieve lowest lifecycle costs, the budget line indicates what is currently available. The gap between these informs the discussion on achieving the balance between services, costs and risk to achieve the best value outcome.

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Figure 5.4.2b: Projected Operating and Capital Expenditure



Operational costs will steadily grow as the asset base continues to increase in line with land development, the recurrent generally increases in line with this growth. We are currently funding to meet the Operations and Maintenance and slight renewal. The majority of renewal is not funded and will increase in future years. Identified new and upgrade works are not funded.

5.6 Disposal Plan

Disposal includes any activity associated with the disposal of a decommissioned asset including sale, demolition or relocation. Assets identified for possible decommissioning and disposal are shown in Table 5.5, together with estimated annual savings from not having to fund operations and maintenance of the assets. These assets will be further reinvestigated to determine the required levels of service and see what options are available for alternate service delivery, if any. Disposal of drainage infrastructure may occur under the following conditions:

A request made by the community which is approved by Council.

Following the study of demand, it is demonstrated that an asset receives low or no usage and thus continual expenditure on maintaining the asset is not justified.

An asset handed over to private interest or other authority.

Table 5.5: Assets Identified for Disposal

Asset	Reason for Disposal	Timing	Disposal Expenditure	Operations & Maintenance Annual Savings
Asbestos pipes	Phasing out of dangerous substances	Subject to failure and identification of maintenance issues.	To be determined on case by case basis	To be determined.
Flood prone sites	Pipes of inadequate capacity.	Subject to 15 year capital plan	To be determined on case by case basis	To be determined.
Japan Street tunnel (abandoned section)	Asset no longer in service	Subject to 15 year capital plan	To be determined.	To be determined.

Council uses approved contractors with respect to the removal of asbestos pipes for the correct OHS and disposal requirements.

IA: To determine cost to dispose assets.

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6. RISK MANAGEMENT PLAN

The purpose of infrastructure risk management is to document the results and recommendations resulting from the periodic identification, assessment and treatment of risks associated with providing services from infrastructure, using the fundamentals of International Standard ISO 31000:2009 Risk management – Principles and guidelines.

Risk Management is defined in ISO 31000:2009 as: 'coordinated activities to direct and control with regard to risk.

An assessment of risks associated with service delivery from infrastructure assets has identified critical risks that will result in loss or reduction in service from infrastructure assets or a 'financial shock'. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

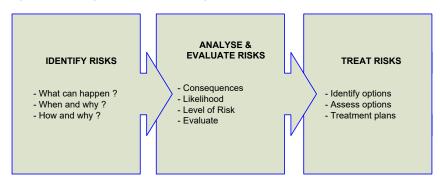
6.1 Risk Assessment

The risk management process used in this project is shown in Figure 6.2 below.

It is an analysis and problem solving technique designed to provide a logical process for the selection of treatment plans and management actions to protect the community against unacceptable risks.

The process is based on the fundamentals of the ISO risk assessment standard ISO 31000:2009.

Fig 6.2 Risk Management Process - Abridged



The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

An assessment of risks associated with service delivery from infrastructure assets has identified the critical risks that will result in significant loss, 'financial shock 'or a reduction in service.

An assessment of overall asset risk classification was undertaken to determine what the percentage of drainage network (underground pits and pipes) was that sat within each category of the risk matrix. The summary is provided in Table 6.2.1 and Table 6.2.2.

Council has developed a criticality and risk model derived from a variety of factors as detailed below:

• Consequence of failure:

- Location of infrastructure (at road reserve, under road or rail, below the building) to assess the extent of impacts like road closure and economic impacts.
- o Flood depth as per flood model to assess the impact due to the depth of flooding
- o Density of the areas, to assess the impact due to loss of service
- o Critical facilities If the infrastructure is servicing critical facilities like hospitals, schools, etc.

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- o Cause of pollution
- o Catchment area

• Likelihood of failure:

- o Material
- o Age
- Asset Condition
- Soil profile
- $\circ\quad$ Coarse condition of the soil, including the salinity of the soil.

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Table 6.2.1: Risk matrix

	Consequence(Percentage of the network)			
Probability	Low (Minor)	Medium (Moderate)	High (Significant)	Extreme high (Catastrophic)
	(IVIIIIOI)	(iviouerate)	(Significant)	(Catastropine)
0-5 (Rare)	0.18%	9.12%	1.01%	0.02%
6-10 (Unlikely)	0.88%	24.47%	19.61%	0.56%
11-15 (Moderate chance)	0.27%	20.66%	18.07%	1.17%
16-21 (Likely)	0.14%	1.57%	1.36%	0.91%

Table 6.2.2: Drainage Network Risk Analysis

Risk Hazard Level	Percentage of network	Description
Extreme High Risk	3.44%	Extreme high-risk assets are the ones who have high consequence and probability. Risks are more associated with flooding of the depth of more than 500mm and failure of tunnels/ raising mains.
High Risk	20.21%	High-risk ones are the assets with a significant consequence of failure, and events have a moderate chance to happen. In case of drainage, it is more about flooding.
Medium Risk	40.43%	Medium risk assets are the assets have medium consequence and probability.
Low Risk	35.92%	Low-risk assets are the ones with low consequence and probability.

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The risk register in Appendix D of the document identifies 2 "unacceptable risks" in the delivery and management of drainage infrastructure.

Potential failure modes and impacts are shown as follows;

Failure Mode	Impact
Urban/ built-in areas with experiencing flooding of depth more than 500mm	Public safety and amenity Property damage Financial Loss
Sinkholes due to failure of tunnels	Public safety and amenity Property damage Financial Loss

By identifying critical assets and failure modes investigative activities, condition inspection programs, maintenance and capital expenditure plans can be targeted at the critical areas.

6.2 Critical Assets

Critical assets are defined as those which have a high consequence of failure causing significant loss or reduction of service. Similarly, critical failure modes are those which have the highest consequences. These are thought to be assets which demonstrate attributes like >900mm diameter, have backflow prevention, have litter traps, or pits >5m deep, are considered critical assets.

Critical assets have been identified and their potential failure mode and the impact on community and service delivery. The critical assessment maps are shown in Appendix G.

Following factors were considered in determining critical assets:

Consequence of failure	
Location of infrastructure	At regionally significant Lifelines Facility(Hospitals), Schools, Arterial roads, Buildings, City Centre, Under Train track, Industrial zones.
Flooding Factor	Flood depth as per flood model to assess the impact due to the depth of flooding
Density of the areas	To assess the impact due to loss of service
Critical facilities	If the infrastructure is servicing critical facilities like hospitals, schools, etc.
Cause of pollution	Asset with no GPT/Swales/Raingardens or leading to or near to pollution prone areas.
Catchment area	Basins with catchment Area with area >500,000,000 sq. metre

By identifying critical assets and failure modes investigative activities, condition inspection programs, maintenance and capital expenditure plans can be targeted at the critical areas.

Critical risks are assessed with 'Extreme High' (requiring immediate corrective action) and 'High' (requiring corrective action) risk ratings identified in the Infrastructure Risk Management Plan. The residual risk after the selected treatment plan is implemented is shown in Appendix H. These risks and costs are reported to management.

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Determine if risks are acceptable or additional controls are needed. Calculate costs associated with mitigating risks

Attachment 5.6.1

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6.3 Infrastructure Resilience Approach

The resilience of our critical infrastructure is vital to our customers and the services we provide. To adapt to changing conditions and grow over time we need to understand our capacity to respond to possible disruptions and be positioned to absorb disturbance and act effectively in a crisis to ensure continuity of service.

Resilience is built on aspects such as response and recovery planning, financial capacity and crisis leadership.

Our current measure of resilience is shown in Table 6.4 which includes the type of threats and hazards, resilience assessment and identified improvements and/or interventions.

Table 6.4: Resilience

Threat / Hazard	Resilience LMH	Improvements / Interventions
Infill Development - Increased demand for capacity on existing networks	Low	Understanding capacity issues of existing network and impacts to that. Model infill development impacts Preparation of a drainage strategy using the current data, modelling and investigations that have been completed. Have drainage fund available for large capacity projects via drainage reserve. Funding capacity is available
Climate Change impacts – Rising sea levels	Low	Model sea level rise to identify impact areas Consideration to infrastructure treatments i.e. backflow prevention
Climate Change impacts – high intensity storm events	Low	Flood modelling Modelling network capacity issues Retention and diversion infrastructure
Climate Change impacts – rise in riverine flooding	Low	Flood modelling Modelling network capacity issues Retention and diversion infrastructure
Environmental impact – gross pollutants within waterways and drainage points.	Low	Formalise inspection program for current GPT's installed Carry out routine maintenance for GPT repair and operational upkeep. Carry out routine operational maintenance (i.e. cleaning)

6.4 Service and Risk Trade-Offs

The decisions made in adopting this AM Plan are based on the objective to achieve the optimum benefits from the available resources.

6.4.1 What we cannot do

There are some operations and maintenance activities and capital projects that are unable to be undertaken within the next 10 years. These include:

- Provide a fully compliant drainage network to meet the capacity requirements of the Infrastructure Design Manual.
- Complete condition assessments for all drainage assets.
- Address and mitigate all flood hot spot areas as identified in the Drainage Study.
- Address and mitigate impacts of climate change on Council drainage infrastructure (i.e. outfall management impact due to sea level rise).
- Improve stormwater discharge quality to align with the performance targets within the CSIRO guidelines.

Attachment 5.6.1

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6.4.2 Service trade-off

Operations and maintenance activities and capital projects that cannot be undertaken will maintain or create service consequences for users. These include:

- Property owners will continue to be impacted by overland flooding during heavy storm events.
- Stormwater discharge water quality may continue to impact on water body quality.
- Delayed renewal and replacement of existing drainage infrastructure assets.
- Reduction of investment and provision of new and upgraded drainage infrastructure.

6.4.3 Risk trade-off

The operations and maintenance activities and capital projects that cannot be undertaken may maintain or create risk consequences. These include:

- Reduction in serviceability or failure of critical drainage infrastructure
- Stormwater drainage failure risk remains due to gaps in asset condition assessment data.
- Property owners will continue to be impacted by overland flooding during heavy storm events.
- Stormwater discharge water quality may continue to impact on water body quality.

These actions and expenditures are considered in the projected expenditures, and where developed are included in the Risk Management Plan.

7. FINANCIAL SUMMARY

This section contains the financial requirements resulting from all the information presented in the previous sections of this asset management plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

7.1 Financial Statements and Projections

7.1.1 Asset valuations

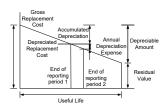
The best available estimate of the value of assets included in this Asset Management Plan are shown below. Assets are valued at fair value, using greenfield construction rates, condition and age as inputs to determine depreciated replacement cost and considerate of any impairment

Gross Replacement Cost \$89,380,798

Depreciable Amount \$89,380,798

Depreciated Replacement Cost \$66,109,536

Annual Average Asset Consumption \$897,765



7.1.1 Sustainability of service delivery

Two key indicators for service delivery sustainability that have been considered in the analysis of the services provided by this asset category, these being the:

- · asset renewal funding ratio
- medium term budgeted expenditures/projected expenditure (over 10 years of the planning period).

Asset Renewal Funding Ratio

The 5-year average of the Asset Renewal Funding Ratio is currently 60% (Table 7.1a). This Ratio indicates that we are only funding 60% of Council's renewal requirement on average, this shortfall adds to the renewal gap which has been growing over

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time. The peak in asset renewal in 2018-19 was due to the Simpson Street tunnel relining project. Although this project was fully funded, minor pipe networks were still neglected.

Table 7.1a: Asset Renewal Funding Ratio

Year	17/18(\$000)	18/19(\$000)	19/20(\$000)	20/21 (\$000)	21/22(\$000)	5-year average
Actual(Budget)	\$102	\$3,109	\$175	\$216	\$325	\$785
Renewal Requirement	\$550	\$4,221	\$530	\$596	\$616	\$1,303
Renewal Ratio	19%	74%	33%	36%	53%	60%

^{*}Values shown in \$'000

Medium term - 10 year financial planning period

This asset management plan identifies the projected operations, maintenance and capital renewal expenditures required to provide an agreed level of service to the community over a 10 year period. This provides input into 10 year financial and funding plans aimed at providing the required services in a sustainable manner.

These projected expenditures may be compared to budgeted expenditures in the 10 year period to identify any funding shortfall. In a core asset management plan, a gap is generally due to increasing asset renewals for ageing assets.

The projected operations, maintenance and capital renewal expenditure required over the 10 year planning period is \$1.9 Million on average per year. Estimated (budget) operations, maintenance and capital renewal funding is \$941,538 on average per year giving a 10 year funding shortfall of \$958,312 per year. As most of the new assets comes from new development of which Council has a little control in timing, upgrade/new assets have been excluded from this chapter.

Providing services from infrastructure in a sustainable manner requires the matching and managing of service levels, risks, projected expenditures and financing to achieve a financial indicator of approximately 1.0 for the first years of the asset management plan and ideally over the 10-year life of the Long Term Financial Plan.

7.1.2 Projected expenditures for long term financial plan

Table 7.1b shows the projected expenditures for the 10 year long term financial plan as of 2019.

Table 7.1b: Projected Expenditures for Long Term Financial Plan

Year	Operations & Maintenance (\$000)	Projected Capital Renewal (\$000)	Capital Upgrade/ New (\$000)	Disposals (\$000)
2019/20	\$892	\$1,185	\$460	-
2020/21	\$919	\$1,233	\$450	-
2021/22	\$946	\$1,367	\$578	-
2022/23	\$975	\$1,241	\$297	-
2023/24	\$1,004	\$1,242	\$416	-
2024/25	\$1,034	\$1,503	\$505	-
2025/26	\$1,065	\$1,185	\$592	-
2026/27	\$1,097	\$236	\$1,246	-
2027/28	\$1,130	\$238	\$141	-
2028/29	\$1,164	\$1,185	\$552	-

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7.2 Funding Strategy

Funding for assets is provided from the budget and long term financial plan.

Council may, as a result of this plan, consider the funding or treatment arrangements over the coming years to manage the discrepancies between available and required renewal funding amounts to ensure the existing service levels are maintained. If this cannot be achieved, Council may alternatively decide to achieve a lower level of service for drainage infrastructure and manage the associated additional risk.

7.3 Valuation Forecasts

Asset values are forecast to increase as additional assets are added to the service, as well as the increased construction costs in line with CPI.

Additional assets will generally add to the operations and maintenance needs in the longer term, as well as the need for future renewal. Additional assets will also add to future depreciation forecasts.

Determination of future renewal demand in today's dollars is also likely to underestimate Council's future liability.

7.4 Key Assumptions Made in Financial Forecasts

This section details the key assumptions made in presenting the information contained in this asset management plan. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this asset management plan are:

Table 7.4: Key Assumptions made in AM Plan and Risks of Change

- All figures are in current day dollars and do not account for inflation
- Budgets increase by 2% annually
- Growth of the asset base will continue with the previous 10-year average

7.5 Forecast Reliability and Confidence

The expenditure and valuations projections in this AM Plan are based on best available data. Currency and accuracy of data is critical to effective asset and financial management. Data confidence is classified on a 5 level scale in accordance with Table 7.5.

Table 7.5: Data Confidence Grading System

Confidence Grade	Description
A Highly reliable	Data based on sound records, procedures, investigations and analysis, documented properly and agreed as the best method of assessment. Dataset is complete and estimated to be accurate $\pm2\%$
B Reliable	Data based on sound records, procedures, investigations and analysis, documented properly but has minor shortcomings, for example some of the data is old, some documentation is missing and/or reliance is placed on unconfirmed reports or some extrapolation. Dataset is complete and estimated to be accurate $\pm10\%$
C Uncertain	Data based on sound records, procedures, investigations and analysis which is incomplete or unsupported, or extrapolated from a limited sample for which grade A or B data are available. Dataset is substantially complete but up to 50% is extrapolated data and accuracy estimated ± 25%
D Very Uncertain	Data is based on unconfirmed verbal reports and/or cursory inspections and analysis. Dataset may not be fully complete and most data is estimated or extrapolated. Accuracy ± 40%
E Unknown	None or very little data held.

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The estimated confidence level for and reliability of data used in this AM Plan is shown in Table 7.5.1.

Table 7.5.1: Data Confidence Assessment for Data used in AM Plan

Data	Confidence Assessment	Comment
Population Growth and Demand drivers	А	Derived from Census report.
Acquisition forecast	С	Averages of past acquisitions, this is largely dependent on developers of which Council has little control. The Drainage Strategy identifies additional asset requirements.
Operation forecast	С	Opex is budget driven, not service driven, compare against 3% of asset base value.
Maintenance forecast	D	Limited maintenance records, budget driven, compare against 1.9% of asset base value.
Renewal forecast	D	Renewal estimates only, no CW to test assumptions
Asset values	С	Based on tender rates, but no actual invoices, some asset types have never been reconstructed
Asset useful lives	С	Founded on industry benchmarks, have not been confirmed for Warrnambool environment
Condition modelling	С	Only 12% of network condition assessed, drivers have been extrapolated to rest of network in a desktop exercise (coarse condition rating)
Disposal forecast	С	Identified disposals have not been confirmed or costed

IA: To improve the Confidence Level from Uncertain/Very Uncertain(C, D) to Reliable (B) as a minimum

8. PLAN IMPROVEMENT AND MONITORING

8.1 Status of Asset Management Practices

8.1.1 Accounting and financial data sources

All financial processes including budgets, forecasts, profiling and transactions are recorded in Council's corporate financial system Technology One. Asset valuation, depreciation and capitalisation occur in excel.

8.1.2 Asset management data sources

Council's drainage asset data is stored in Conquest. The accuracy and extent of data across the various asset categories varies significantly, however the asset register attribute data includes the structure location, description, dimension, condition, function, replacement cost, written down value, useful life, construction date and more.

Drainage assets are also represented spatially using Council's geographic information system (GIS) MapInfo and QGIS. As the GIS platforms integrate with Conquest, all data is stored and maintained solely within Conquest providing confidence in having a single point of truth for asset data.

8.2 Improvement Plan

The asset management improvement plan generated from this asset management plan is shown in Table 8.1.

Table 8.1: Improvement Plan

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Action	Soction /	- 39 -		
No	Section / Reference	Task	Responsibility	Timeline
1.	2.1	Split roles and responsibilities matrix by each drainage asset types for clarity	Coordinator Strategic Asset Management	Short term
2.	3.1	Ensure the AMP review focuses on community levels of service	Coordinator Strategic Asset Management	Immediate
3.	3.1	Introduce drainage satisfaction questions to the Victorian Local Government Satisfaction Survey	Coordinator Strategic Asset Management	Medium term
4.	3.2	Investigation of most efficient policy to incorporate roof water harvesting infrastructure in all new developments.	Coordinator Infrastructure Management	Medium term
5.	3.2	Determine the costs to ensure the SQIDs to perform at 100%.	Coordinator Infrastructure Management	Medium term
6.	3.4	Determine effectiveness of GPTs	Coordinator Infrastructure Management	Medium term
7.	3.4	Develop water quality monitoring of stormwater discharge at outfalls	Coordinator Natural Environment	Medium term
8.	3.5	Develop condition inspection and inventory collection programs for all drainage asset types.	Coordinator Strategic Asset Management	Immediate
9.	3.5	Develop a 15-year works program	Coordinator Strategic Asset Management	Short term
10.	3.5	The Current Performance of New developments and gifted assets meet current-day IDM design guidelines	Coordinator Infrastructure Management	Medium term
11.	4.4	Create controls relating to private retention systems	Coordinator Infrastructure Management	Medium term
12.	4.5	Assess the impact of Victorian Planning Provision VC154 on drainage requirements	Coordinator Infrastructure Management	Short term
13.	5.1	Investigate best method to record accurate construction dates on all drainage assets.	Coordinator Infrastructure Management	Short term
14.	5.1.2	Useful lives of assets based on industry benchmarks, investigation to be confirmed for Warrnambool environment	Coordinator Strategic Asset Management	Long term
15.	5.2	Test the assumptions used to model operational and maintenance expenditure to determine if rates are appropriate	Coordinator Strategic Asset Management	Medium term
16.	5.2	Refine actual O&M expenditure to ensure all appropriate drainage activities are covered	Coordinator Strategic Asset Management	Medium term
17.	5.6	To determine cost to dispose assets.	Coordinator Infrastructure	Short term

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			Management	
18.	6.2	Determine if risks are acceptable or additional controls are needed.	Coordinator Infrastructure Management	Medium
19.	6.2	Revision of Criticality Inputs	Coordinator Strategic Asset Management	Long term
20.	6.2	Calculate costs associated with mitigating risks	Coordinator Strategic Asset Management	Medium term
21.	7.5	To improve the Confidence Level from Uncertain/Very Uncertain(C,D) to Reliable(B) as a minimum	Coordinator Strategic Asset Management	Medium term

8.3 Monitoring and Review Procedures

This asset management plan will be reviewed during annual budget planning processes and amended to show any material changes in service levels and/or resources available to provide those services as a result of budget decisions.

The AM Plan will be updated annually to ensure it represents the current service level, asset values, projected operations, maintenance, capital renewal and replacement, capital upgrade/new and asset disposal expenditures and projected expenditure values incorporated into the long term financial plan.

The AM Plan has a life of 4 years and is due for complete revision and updating within 12 months of each Council election of Warrnambool City Council.

The progress of the implementation of the improvement plan will be monitored by the Asset Management Steering Committee.

8.4 Performance Measures

The effectiveness of the asset management plan can be measured in the following ways:

- Progress with the implementation of the Improvement Actions as identified in Table 8.1.
- The degree to which 1-5 year detailed works programs, budgets, business plans and corporate structures take into account the 'global' works program trends provided by the asset management plan,
- The degree to which the existing and projected service levels and service consequences (what we cannot do), risks and residual risks are incorporated into the Strategic Plan and associated plans,
- The Asset Renewal Funding Ratio achieving the target of 1.0.

9. REFERENCES

- IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australasia, Sydney, www.ipwea.org/IIMM
- IPWEA, 2008, 'NAMS.PLUS Asset Management', Institute of Public Works Engineering Australasia, Sydney, www.ipwea.org/namsplus.
- IPWEA, 2015, 2nd edn., 'Australian Infrastructure Financial Management Manual', Institute of Public Works Engineering Australasia, Sydney, www.ipwea.org/AIFMM.
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- IPWEA, 2012 LTFP Practice Note 6 PN Long Term Financial Plan, Institute of Public Works Engineering Australasia, Sydney
- Warrnambool City Council

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- o Council Plan (2017-2021)
- o Warrnambool 2040
- o Asset Management Policy 2019
- o Asset Management Strategy 2019
- o Drainage Strategy Action Plan 2019

Pit and Pipe Condition Rating

10. APPENDICES

Appendix I

Appendix A Projected 10 year Capital Renewal and Replacement Works Program Appendix B Projected 10 year Capital Upgrade/New Works Program Appendix C LTFP Budgeted Expenditures Accommodated in AM Plan Appendix D Drainage Infrastructure Risk Register Appendix E Network by Serviceability Score Appendix F **Drainage Capacity** Appendix G Critical Assets Identified from Drainage Criticality Model Appendix H Critical Risks and Treatments

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Appendix A. Projected 10-year Capital Renewal and Replacement Works Program

This is subject to our annual review as new works are identified or as budgets and priority change.

Year Asset ID		Description	Asset Location	Length	Treatment	Cost	
				(m)			
1	151466	RCP - 225	Garden St	42	Replacement	\$93,641.60	
	134129	RCP - 225	Morriss Rd: Archibald St (Intersection)	18	Replacement	\$39,625.31	
	64012	RCP - 375	Pecten Ave: From Mannix - Beamish	5	Relining	\$1,786.08	
	132980	RCP - 225	Banyan St: Timor St (Intersection)	7	Patching	\$1,605.15	
	153070	PVC - 225	Coles Carpark	66	Relining	\$24,192.60	
	124609	RCP - 300	Dennington Rise	39	Relining	\$14,274.00	
	124611	RCP - 300	Dennington Rise	43	Relining	\$15,738.00	
	168137	HDPE - 375	Warburton Way: Wiltshire - Toleman	22	Patching	\$5,376.00	
		Pits-C5	Various Locations		Replacement	\$260,300.00	
		1			Total Renewal	\$456,538.74	
2	133291	RCP - 225	Mortlake Rd Service Rd (East side): Russells Creek - Moore	27	Patching	\$2,472.00	
	133296	RCP - 225	Mortlake Rd Service Rd (West side): Russells Creek - Botanic	Creek - Botanic			
	139634	RCP - 375	Drummond St: Russell St (Intersection)	10	Patching	\$2,472.00	
	139727	RCP - 225	Drummond St: Preston St (Intersection)	10	Relining	\$3,550.20	
	139731	RCP - 225	Drummond St: Bath Ave (Intersection)	8	Relining	\$2,780.87	
	64202	RCP - 300	Saltau St: From Laverock - Patterson	40	Patching	\$9,600.00	
	64203	RCP - 375	Saltau St: From Laverock - Patterson	42	Patching	\$10,185.60	
	134180	RCP - 225	Morriss Rd: Helpman - Archibald	70	Relining	\$25,565.42	
	63914	RCP - 225	Newry Ct: From Breton - Bowl	23	Replacement	\$52,853.48	
	63915	RCP - 450	Newry Ct: From Breton - Bowl	13	Patching	\$3,096.00	
	132348	RCP - 375	Laverock Gr: Fitzroy - Clancey	21	Relining	\$7,847.02	
	133160	RCP - 225	Mortlake Rd: Moore - Allan	18	Patching	\$4,391.07	
		Pits-C5	Various Locations		Replacement	\$260,300.00	
			1	1	Total Renewal	\$388,663.86	
3	133170	RCP - 225	Mortlake Rd Service Rd (East side): Russells Creek - Moore	3	Replacement	\$7,799.63	
	133228	RCP - 225	Moore St: Rogers Ave (Intersection)	5	Patching	\$1,245.38	

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	133240	RCP - 225	Moore St: Kiama Ave (Intersection)	22	Patching	\$5,373.14
	133260	RCP - 225	Cramer St: Wildwood - Monash	15	Patching	\$3,642.77
	133261	RCP - 225	Cramer St: Birdwood - Wildwood	15	Patching	\$3,543.67
	133278	RCP - 225	Moore St: Cramer - Garden	10	Patching	\$2,411.34
	133291	RCP - 225	Mortlake Rd Service Rd (East side): Russells Creek - Moore	27	Relining	\$9,873.59
	133296	RCP - 225	Mortlake Rd Service Rd (West side): Russells Creek - Botanic	76	Patching	\$18,317.33
	133309	RCP - 225	Wildwood Cres: Birdwood - Cramer	7	Relining	\$2,536.31
	133331	RCP - 225	Moore St: Kiama - Rogers	40	Patching	\$9,672.01
	145926	RCP - 225	Somers Rd: Raglan - Canterbury	47	Patching	\$11,376.00
	61267	RCP - 375	Beamish St: From Pecten - Ross	57	Patching	\$13,658.40
					Total Renewal	\$89,449.58
4	142983	RCP - 300	Drummond St: Russell - Dennington Underpass	45	Relining	\$16,579.80
	162870	RCP - 450	Laverock Rd: From Angela - Saltau	11	Patching	\$2,529.60
	162841	PVC - 600	Laverock Rd: From Carolyn - Woodend	24	Patching	\$5,877.60
	140094	RCP - 300	The Esplanade: Raglan - Drummond	34	Patching	\$8,136.00
	139261	RCP - 450	Mortlake Rd Service Rd (East side)	29	Patching	\$6,864.00
	134241	RCP - 225	Drainpipe 225mm: : 44.0m	44	Relining	\$16,117.56
	133099	RCP - 225	Nicholson St: Foster - Ocean (West)	31	Patching	\$7,539.87
	161874	RCP - 375	Merriviews Stage 1	54	Patching	\$13,032.00
					Total Renewal	\$76,676.43
5	133270	RCP - 225	Cramer St: Officer Ct (Intersection)	11	Patching	\$14,421.60
	61217	RCP - 375	Beamish St: From Pecten - Ross	60	Patching	\$52,853.48
	141991	RCP - 375	Morack Ave: Birdwood - Bowl	20	Patching	\$4,680.00
	132872	RCP - 225	Koroit St: Japan - Foster	60	Relining	\$21,819.31
	132872	RCP - 225	Koroit St: Japan - Foster	60	Relining	\$21,819.31
	133059	RCP - 225	Koroit St: Japan - Foster	12	Relining	\$4,390.43
	132385	RCP - 450	Drainpipe 450mm: : 52.2m	52	Patching	\$12,530.55
	64021	PVC - 600	Pecten Ave: From Carolyn - Pecten	37	Patching	\$8,880.00
		•			Total Renewal	\$141394.67

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6	61217	RCP - 375	Beamish St: From Pecten - Ross	60	Patching	\$14,421.60
	64286	RCP - 225	Warroon Ct: From Balmoral - Bowl	11	Relining	\$4,172.40
	61567	RCP - 225	Edwin Ct: From Janlor - Bowl	34	Patching	\$8,068.80
	64118	RCP - 225	Roslyn Cl: From Mortlake - Bowl	25	Patching	\$6,028.80
	61553	RCP - 375	Dooley St: From St James (East) - Mortlake	17	Patching	\$3,988.80
	63961	RCP - 300	Mortlake Rd: From Moore - Roslyn (Vicroads)	10	Patching	\$2,419.20
	133214	RCP - 225	Cramer St: McConnell - Birdwood	13	Patching	\$3,215.04
		1			Total Renewal	\$42,314.64
7	133312	RCP - 225	Nelson St: Banyan - Cramer: 36.0m	36	Patching	\$8,646.55
	133315	RCP - 225	Nelson St: Banyan - Cramer: 4.8m	5	Patching	\$1,147.92
	133335	RCP - 225	Cramer St: Monash - Grafton: 55.3m	55	Patching	\$13,276.05
	134126	RCP - 225	Morriss Rd: Lipook Ct (Intersection): 42.2m	42	Relining	\$15,438.81
	141389	RCP - 525	Queens Rd: St Josephs Schoolyard	113	Patching	\$27,216.00
	132271	RCP - 375	Pertobe Rd: Stanley St (Intersection): 8.8m	9	Patching	\$2,115.49
	135069	RCP - 750	Lava St: Kelp - Japan: 48.2m	98	Relining	\$35,868.00
	135069	RCP - 750	Lava St: Kelp - Japan: 48.2m	98	Relining	\$35,868.00
	132178	RCP - 375	Moore St: Rowley St (Intersection): 16.9m	17	Patching	\$4,044.41
	133980	RCP - 225	Merrivale Dr: Duirs - Wellington: 49.9m	50	Relining	\$18,270.92
				1	Total Renewal	\$126,024.15
8	142982	RCP - 375	Drummond St: Russell - Dennington Underpass: 44.8m	45	Patching	\$10,752.00
	153086	RCP - 750	From Kingsway - Ilex	186	Relining	\$68,149.20
	61499	RCP - 225	Carramar Cres: From Lineda - Kagoola	32	Patching	\$7,766.40
	62246	RCP - 375	Moonah St: From Dunlea - Medinah	29	Patching	\$6,890.40
	133265	RCP - 225	Fenton St: Cramer - Lafferty	46	Patching	\$11,001.61
	133348	RCP - 225	Fenton St: Cramer - Lafferty	25	Patching	\$6,023.42
	132902	RCP - 225	Foster St: Margarets La (Intersection)	15	Relining	5,516.13
	61725	RCP - 375	Fotheringham St: From Chester - Saywell	29	Relining	\$10,705.50
	139293	RCP - 1200	Donovans Rd: Lutana - Mortlake	63	Patching	\$15,192.00
	133100	RCP - 225	Nicholson St: Ocean Gr (West) (Intersection)	90	Relining	\$32,992.93
L						

- 45 -

					Total Renewal	\$174,989.60
9	61177	RCP - 300	Balmoral Rd: From Warroon - Whites	9	Patching	\$2,220.00
	63912	RCP - 450	Newry Ct: From Breton - Bowl	8	Patching	\$1,944.00
	162852	RCP - 450	Flaxman St	63	Patching	\$15,120.00
	132876	RCP - 225	Patricks La	29	Patching	\$7,043.16
	132967	RCP - 225	Nicholson St: Ocean (West) - Harper	35	Patching	\$8,517.44
	132138	RCP - 450	Road-089: Fletcher - Road	oad-089: Fletcher - Road 160		\$38,393.29
	132138	RCP - 450	Road-089: Fletcher - Road	160	Patching	\$38,393.29
	134160	RCP - 225	Osburne Ct: Bradley - Bowl	77	Patching	\$18,523.72
	145721	RCP - 300	Dooley St: St James Cres (West) (Intersection)	10	Patching	\$2,352.00
					Total Renewal	\$132,506.91
10	61321	RCP - 300	Breton St: From Moonah (East) - Garden	9	Relining	\$3,473.34
	64072	RCP - 375	Pecten Ave: From Mannix - Beamish	22	Patching	\$5,208.00
	61910	RCP - 300	Janlor Dr: From Edwin - Curtin	34	Patching	\$8,052.00
	61908	RCP - 375	Janlor Dr: From Edwin - Curtin	9	Patching	\$2,212.80
	61739	RCP - 300	Garden St: From Breton - Mott	179	Patching	\$42,960.00
	132177	RCP - 375	Birdwood Ave: Banyan - Kiama	32	Patching	\$7,757.84
	132180	RCP - 375	Mortlake Rd Service Rd (West side): Allan - Russells Creek	50	Patching	\$12,106.67
	132471	RCP - 225	Botanic Rd: Bromfield - Queens	73	Patching	\$17,424.00
	133153	RCP - 225	Mortlake Rd Service Rd (East side): Breton - Roslyn	19	Patching	\$4,608.73
	133213	RCP - 225	Cramer St: McConnell St (Intersection):	29	Patching	\$6,949.35
	133215	RCP - 225	McConnell St: Banyan - Cramer	7	Patching	\$1,709.87
	134277	RCP - 225	Fitzroy Rd: Clyde East - Westmore	63	Patching	\$15,209.46
		1			Total Renewal	\$127,672.07

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Appendix B. Projected New/Upgrade/Expansion 10-year Capital Works Program

This is subject to funding and priority change. Refer to Drainage Strategy for further details of the project.

Year	Area	Description	Cost
2019/20	AOI 3	Timor St West/ Gibson St	\$295,000
	AOI 24	Margaret St/ Latrobe St	\$165,000
2020/21	AOI 14	Hopetoun Rd/ Chisholm St/ Crawley St	\$120,000
	AOI 21	Georges Av/Skiddaw Cr	\$27,000
	AOI 39	McKiernan Rd	\$303,000.
2021/22	AOI 12	Hyland St/ Timor St	\$114,000
	AOI 19 & 35	Laverock Rd/ Saltau St	\$464,200
2022/23	AOI 42	Waikato Ct	\$297,000
2023/24	AOI 23	Birdwood Rd /McConnell St	\$416,000
2024/25	AOI 33 & 48	Henry St	\$148,000
	AOI 40	McKeller Ct	\$357,000
2025/26	AOI 2	Japan St and Kelp St	\$592,000
2026/27	AOI 3	Banyan St	\$1,246,000
2027/28	AOI 7 & 10 Wanstead St, Fleetwood Ct / Armstrong Gr		\$141,400
2028/29	AOI 44	McKeller Ct/ White St	\$552,000
2029/30	AOI 22	Braithwaite St	\$705,000

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Appendix C. Budgeted Expenditures Accommodated in LTFP

Current Replacement Cost	\$89,380,798														% of Asset Value
Depreciable Amount	\$89,380,798												Annual Operat	ion	3.0%
Depreciated Replacement Cost	\$66,109,536												Annual Mainte	nance	1.9%
Annual Depreciation	\$897,765												Annual Depred	ciation	1.36%
Financial Year	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	2031-2032	2032-2033	2033-2034
Expenditure															
0&M	\$891,907	\$918,664	\$946,224	\$974,610	\$1,003,849	\$1,033,964	\$1,064,983	\$1,096,933	\$1,129,841	\$1,163,736	\$1,198,648	\$1,234,607	\$1,271,645	\$1,309,795	\$1,349,089
Renewal	\$1,184,627	\$1,232,874	\$1,366,840	\$1,241,156	\$1,242,304	\$1,503,225	\$232,373	\$235,534	\$238,034	\$296,823	\$243,381	\$246,062	\$248,749	\$251,442	\$765,212
New/Upgrade	\$460,000	\$450,000	\$578,200	\$297,000	\$416,000	\$505,000	\$592,000	\$1,246,000	\$141,400	\$552,000	\$705,000	\$-	\$-	\$-	\$-
Total Expenditure	\$2,536,534	\$2,601,538	\$2,891,264	\$2,512,766	\$2,662,153	\$3,042,189	\$1,889,356	\$2,578,467	\$1,509,275	\$2,012,559	\$2,147,029	\$1,480,669	\$1,520,394	\$1,561,237	\$2,114,301
Budget															
Drainage Capital from LTFP 2019	\$543,610	\$216,429	\$325,000	\$332,500	\$940,813	\$349,333	\$358,066	\$367,018	\$376,193	\$385,598	\$395,238	\$405,119	\$415,247	\$425,628	\$436,269
Drainage Maintenance - Index from TechOne Recu	\$835,829	\$852,546	\$869,596	\$886,988	\$904,728	\$922,823	\$941,279	\$960,105	\$979,307	\$998,893	\$1,018,871	\$1,039,248	\$1,060,033	\$1,081,234	\$1,102,859
Drainage - priority works(Renewal)	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,562.50	\$ 26,201.56	\$ 26,856.60	\$ 27,528.02	\$ 28,216.22	\$ 28,921.62	\$ 29,644.66	\$ 30,385.78	\$ 31,145.42	\$ 31,924.06	\$ 32,722.16
Asset Disposals	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0
Total Budget	\$1,404,439	\$1,093,975	\$1,219,596	\$1,244,488	\$1,871,104	\$1,298,358	\$1,326,202	\$1,354,651	\$1,383,716	\$1,413,413	\$1,443,754	\$1,474,753	\$1,506,425	\$1,538,786	\$1,571,850

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Appendix D. Drainage Infrastructure Risks Register

	Risk Identif	ication			Risk Analys	is	Risk Management
Risk Description	Risk type	Causes	Existing controls	Consequence	Likelihood	Risk rating	Management options
Sink holes due to tunnel failure	Safety , Image and reputation	Structurally condition 5 tunnel sections	Relined Simpson Street tunnel	Extreme high	Possible	Extreme high	Reline structurally bad sections of tunnel
Flooding (areas where flood depth above 500mm)	Environment /Image and reputation	Inadequate drainage capacity	Improve network via	High	Possible	Extreme High	Adopt drainage strategy and consider utility map for the drainage work in respective areas
Flooding (areas where flood depth 300mm- 500mm)	Environment /Image and reputation	Inadequate drainage capacity	Improve network via priority back works	High	Possible	High	Adopt drainage strategy and consider utility map for the drainage work in respective areas
Flooding in highly dense, commercial areas, CBD and near critical facilities	Loss of service	Blockages - due to lack of proactive maintenance	Reactive maintenance and limited proactive maintenance	High	Possible	High	Pro-active maintenance
Environmental contamination - poor storm water quality discharges to waterways	Environment	Lack of proactive maintenance	Reactive maintenance and limited proactive maintenance	High	Possible	High	Proactive maintenance required
Environmental contamination - poor storm water quality discharges to waterways	Environment	Lack of GPT's and stormwater treatment measures	Periodic GPT cleaning	High	Possible	High	More GPT's and stormwater treatment measures
Environmental contamination - poor storm water quality discharges to waterways	Environment	Inadequate stormwater treatment measures	No stormwater quality benchmarks	High	Possible	High	Planned action required

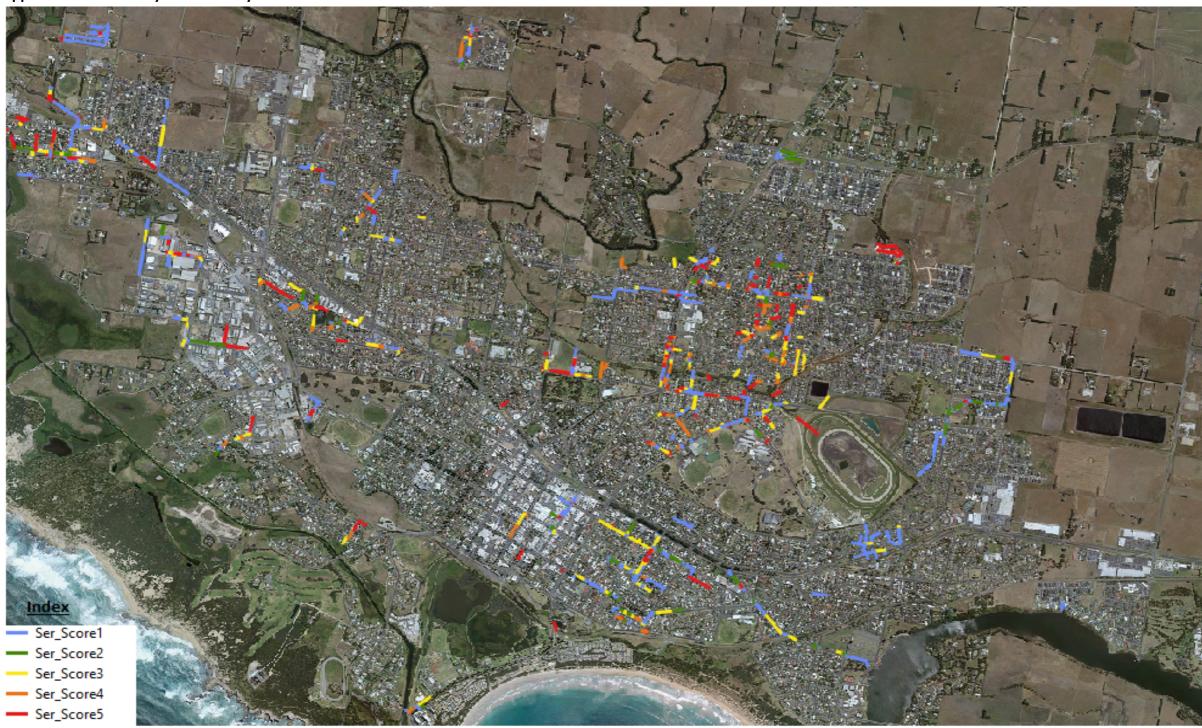
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Sink holes due to pipe failure of above 900mm diameter	Safety , Image	Structurally condition 5 pipe					Reline structurally bad sections
and raising main	and reputation	sections	N/A	High	Possible	High	of pipe
and raising main	and reputation	3000.01.0	1.47.1				Adopt drainage strategy and
	Environment						consider utility map for the
Flooding (areas where flood	/Image and	Inadequate	Improve network via				drainage work in respective
depth 150mm to 300mm)	reputation	drainage capacity	priority back works	Medium	Possible	Medium	areas
Flooding in medium dense		Blockages - due to lack of proactive	Reactive maintenance and limited proactive				
and residential areas	Loss of service	maintenance	maintenance	Medium	Possible	Medium	Pro-active maintenance
Sink holes due to pipe failure of 450mm diameter to	Safety , Image	Structurally condition 5 pipe					Reline structurally bad sections
900mm diameter	and reputation	sections	N/A	Medium	Possible	Medium	of pipe
Sink holes due to pipe failure of pipe till 450mm diameter	Safety , Image and reputation	Structurally condition 5 pipe sections	N/A	Medium	Possible	Medium	Reline structurally bad sections of pipe
Flooding (areas where flood depth 150mm)	Environment /Image and reputation	Inadequate drainage capacity	Improve network via	Low	Possible	Low	Adopt drainage strategy and consider utility map for the drainage work in respective areas
depth 130mm)	reputation	aramage capacity	priority back works	2011	1 0001010	2011	u.cus
			Reactive				
Flooding in low dense and		Blockages- due to	maintenance and				
recreational areas including		lack of proactive	limited proactive				
open space	Loss of service	maintenance	maintenance	Low	Possible	Low	Pro-active maintenance

Attachment 5.6.1

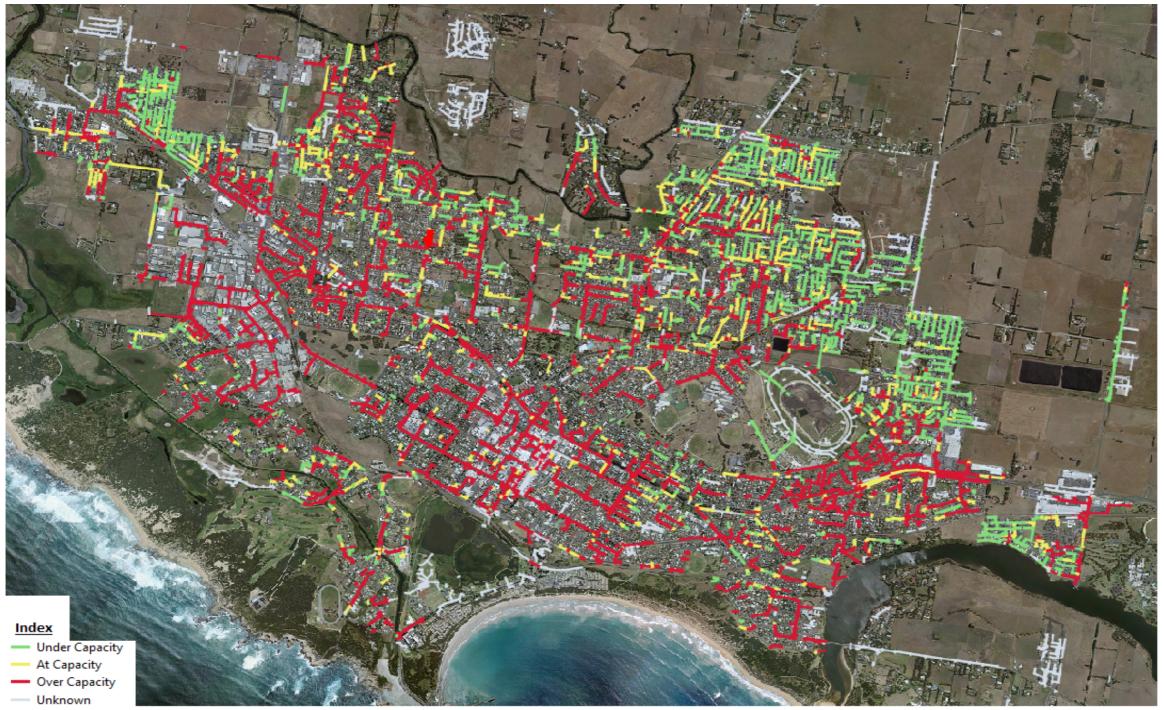
- 50 -

Appendix E. Network by Serviceability Score



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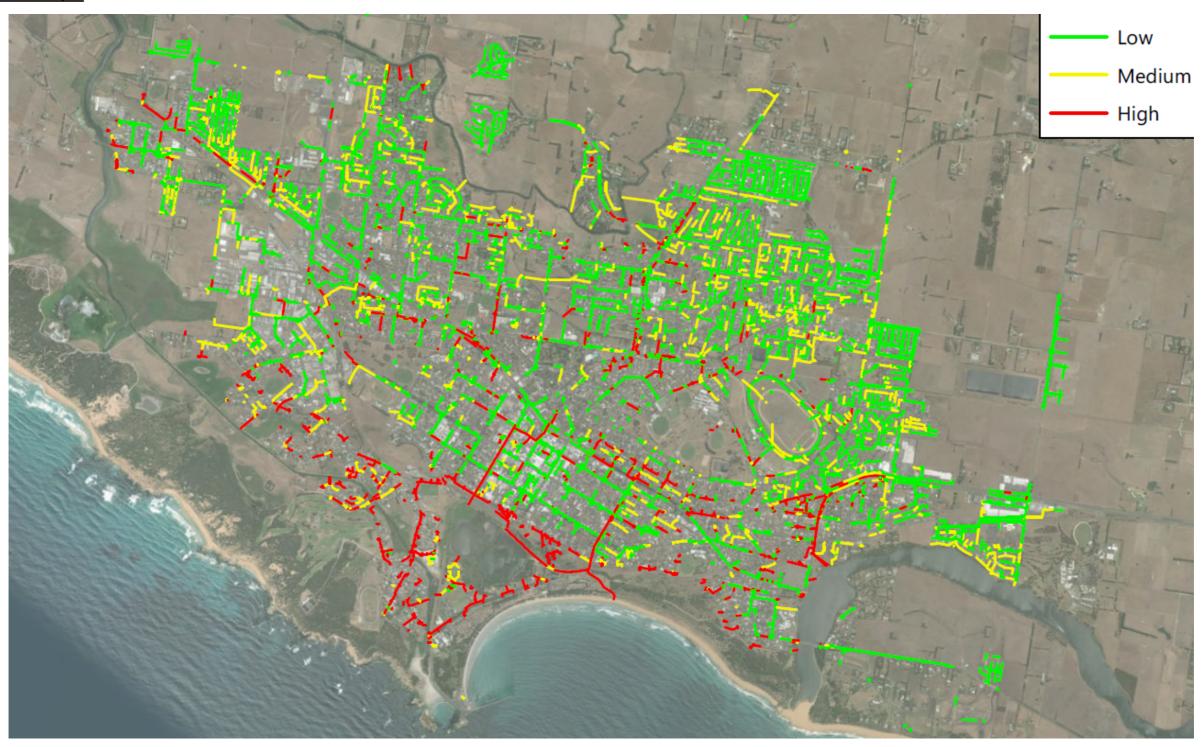
Appendix F. Drainage Capacity



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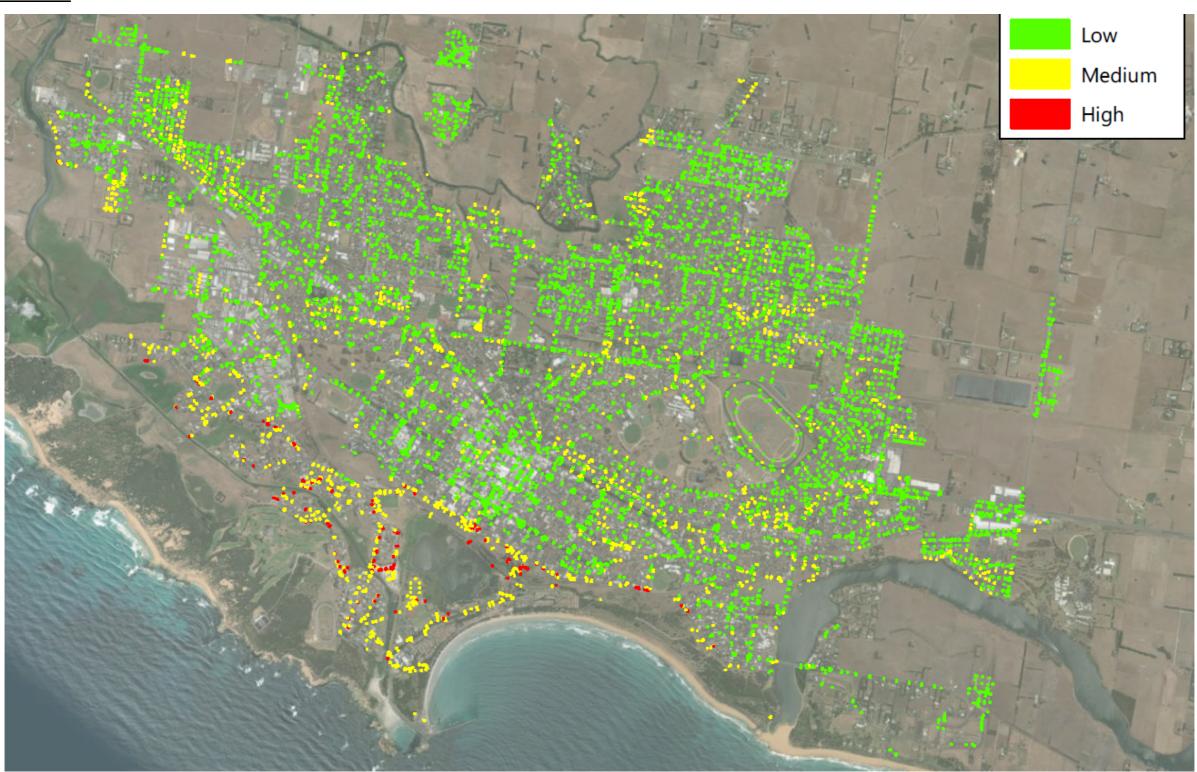
Appendix G.Critical Assets identified from Drainage Criticality Model.

<u>Critical Pipes</u>



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Critical Pits



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Critical GPT and litter Traps



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Critical Basins



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Appendix H. Critical Risks and Treatment Plans

Risk Description	The Cause (How can it happen)	Issue (What can happen)	Assessment Without Controls		Risk Rating (VH,	Proposed Controls	Re-Assessment with Controls in Place		Residual Risk Rating(VH, H,M,L)	Residual Risk Level Acceptable?
			Probability	Consequence	H,M,L)		Probability	Consequence		
Structural failure of critical pipes.	Presence of significant cracks	Loss of service	Likely	Significant	VH	CCTV inspections of pipes in most critical area identified from Drainage	Unlikely	Minor	L	YES
	Missing pieces Corroded	Negative Financial impact	Likely	Significant	VH	High consideration in renewal and maintenance programs for critical	Unlikely	Minor		YES
	reinforcement bars Major displacement of	Adverse impact on Council's image and reputation.	Likely	Significant	VH	assets identified. Early intervention	Unlikely	Minor	L	YES
	joints	Can induce failure of other Council assets; for instance road failure, sink holes.	Moderate	Catastrophic	VH		Unlikely	Minor	L	YES
Structural failure of critical pits.	Broken Pit Lids	Loss of service	Likely	Moderate	Н	Inspections of pits in most critical area identified from Drainage	Unlikely	Minor	L	YES
·	Significant Cracks	Negative Financial impact	Likely	Significant	VH	Criticality Study High consideration in renewal and	Unlikely	Minor		YES
	Corroded Reinforcement bars	Adverse impact on Council's image and reputation	Likely	Significant	VH	maintenance programs for critical assets identified. Early intervention	Unlikely	Minor	L	
		Hazard in relation to Public Safety.	Likely	Catastrophic	VH		Unlikely	Minor	L	
Environmental Contamination	GPT/Litter Traps Not Functioning 100%	Poor quality stormwater discharges to waterways	Likely	Significant	VH	Periodic GPT cleaning Reactive and proactive maintenance programs.	Unlikely	Minor	L	YES
		Degrades the water ecosystem	Likely	Significant	VH	Water Quality Study.	Unlikely	Minor	L	YES

Note * The residual risk is the risk remaining after the selected risk treatment plan is operational.

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Appendix I. Pipe and Pit Condition Rating

Rating	Condition	Example of Pipes	Example of Pits	Description
1	Excellent	STATE OF THE PROPERTY OF THE P		Recently installed or in as-new condition
2	Good	STATE OF THE STATE		As-new, sound physical condition. Assets likely to perform adequately without major works.
3	Average	District mores 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		Wear and tear could be evident but no failures in structural integrity. Potentially half way through its useful life. Some minor slipping at joints or exposed lifting points.
4	Poor			Evidence of minor structural failures and/or maintenance required.
5	Very poor	HARLE SPATERS HAVE HELDER CONTRACT		Failed or failure imminent. Poor condition which would have the structure in need of intervention in the short term.

5.7. SUITABILITY ASSESSMENT - MCGENNANS PUBLIC TOILET

PURPOSE:

To seek Council's endorsement to continue with the development of design for the construction of a new public amenity's facility in McGennans carpark.

EXECUTIVE SUMMARY

- There is currently a public amenities block located on the south side of Pertobe Road adjacent to the eastern vehicle entrance to McGennans carpark in the Lake Pertobe precinct.
- The Warrnambool Public Amenities Strategy 2013 included a recommendation to decommission the current public amenities building and replace with a new standalone facility within the McGennans carpark, which would be located closer to the beach to better service beach visitors.
- The Strategy recommended providing change facilities by making toilet cubicles larger and incorporating a small bench and providing external showers, and made recommendations to the design and function of the facility to improve passive surveillance to for increased safety of users.
- The new facility would also improve accessibility for all abilities through the provision of fully compliant disability accessible, and ambulant cubicles.
- A suitability assessment has been completed to review and determine the most appropriate location for the provision of public amenities within the McGennans carpark.
- Preliminary layout options have also been prepared to ensure the identified locations can adequately accommodate the facility requirements.

MOVED: CR. SUE CASSIDY SECONDED: CR. MICHAEL NEOH

That Council:

- 1. Endorse the recommendations of the suitability assessment and approve the continuation of the design process required for the provision of a new amenity's facility in the McGennans carpark.
- 2. Endorse the recommendation of the suitability assessment, being that further investigation be undertaken for Sites 2, 4 and 6 for the purpose of making application for approval from DELWP.
- 3. Agrees for a consultation process to begin which will seek feedback from the community on the shortlisted options.
- 4. Receives a future report to adopt a preferred option for the replacement of the McGennan's Public Amenities.

CARRIED - 7:0

BACKGROUND

Council recently engaged Guy McLeod Architects to carry out consultancy services to complete detailed design for the provision of a public amenity facility in the vicinity of McGennans carpark. The project involves a few hold points to ensure key decision points are identified and responded to in a timely and appropriate time within the delivery of the project.

The project will provide:

- Public amenities which are serviceable by all members of the community.
- A structure with a safe and strategic location in terms of visibility, lighting and proximity and connection to existing site facilities and infrastructure.
- A clean and visually appealing structure.

Prior to the commencement of concept layouts and building design, the consultant was required to undertake a Suitability Assessment which gives consideration to the following issues:

- Identification of the best site or sites for facilities
- Inspection of existing conditions of existing facility.
- Assessment of capacity / need assessment for facilities
- Assessment of suitability of existing structure for renewal and upgrade to project requirements.
- Assessment of suitably of other sites, including provision of services.
- Pros and cons for each site and evaluation and weighting

The suitability assessment was to take into account a number of factors including, but not limited to:

- Safety in Design
- Sustainable design
- Assessment of site accessibility, DDA access, paths of travel.
- Impact on Foreshore vegetation.
- Coastal Siting Guidelines.
- Access to water and sewerage infrastructure.
- Access to Electrical power
- Outline planning, marine & coastal management act consent

The report was to be presented to Council for endorsement of preferred site(s), which is the purpose of this report.

In preparing the suitability assessment, a safety in design workshop was held with representatives from Victoria Police, SES, CFA and Ambulance Victoria. The workshop resolved a number of sites to be not suitable in addressing the principles of safety, and an additional site (Site 6) was added for consideration. The sites that were deemed not appropriate included Site 3 and site 5, and as such these sites were not considered further. Further detail regarding this is included within the attached report.

The endorsement of the suitability report will enable the hold point of the contract to be released and allow the progress of permit applications and further development of concept designs to progress.

ISSUES

The options that are available include:

- Abandon the design process and not progress the project. This will mean that the current facility to be retained and operate in the current manner.
- Endorse the suitability report and progress the further consideration on site 2, 4 and 6. This
 will enable further discussion with approval agencies including DELWP to further analyse
 the suitability for each of the recommended sites.

It is recommended that Council endorse the suitability report and progress this project.

FINANCIAL IMPACT

The endorsement of the suitability report will not incur any financial impact as the full scope of the design process is fully funded.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

This project aligns and supports Council in meeting the following objectives of the Council Plan:

- 2 Foster a healthy welcoming City that is socially and culturally rich
- 2.2 Increase participation, connection, equity, access and inclusion
- 3 Maintain and improve the physical places and visual appeal of the City
- 3.3 Build Infrastructure that best meets current and future community needs.
- 4 Develop a smarter economy with diverse and sustainable employment
- 4.3 Enhance the visitor experience.

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

TIMING

The next phase of the project will involve the preparation of permit applications and concept designs. The application process and subsequent approvals may take a number of months, s it will involve discussions with DELWP, Eastern Maar (with respect to native title) and the community.

The project timeline has identified the completion of detailed design by October; however it is noted that the approval process may extend past this timeframe.

COMMUNITY IMPACT / CONSULTATION

Community consultation will be required to support applications made to DELWP for consent under the Marine and Coastal Act. It is proposed to seek community feedback on the identified sites, being Site 2, 4 and 6 together with concept layout designs, via a public submission period.

LEGAL RISK / IMPACT

There are no identified legal risks associated with further developing applications for the construction of a public amenities building within the McGennans carpark, however further detail and consideration will need to occur within the preparation of applications and design to ensure environmental and culture impacts are negated.

OFFICERS' DECLARATION OF INTEREST

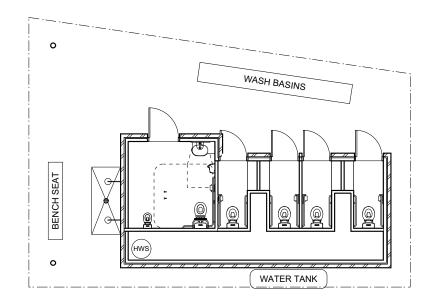
No officer has declaration any interest in the preparation of the suitability assessment or preliminary design associated with this project.

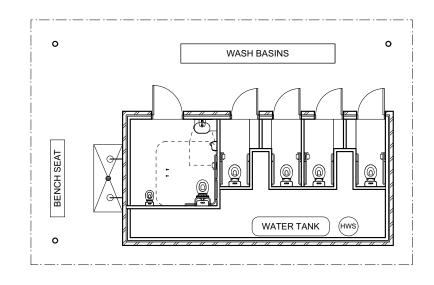
CONCLUSION

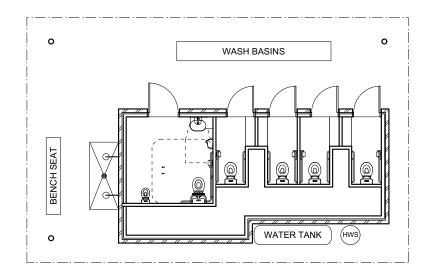
The suitability report identifies three (3) sites that warrant further consideration for the development and progression of the McGennans carpark public toilet project.

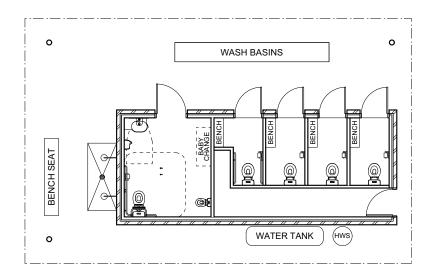
ATTACHMENTS

- 1. Preliminary Concepts Building Layout [5.7.1 3 pages]
- 2. Site Suitability Assessment Report [5.7.2 16 pages]









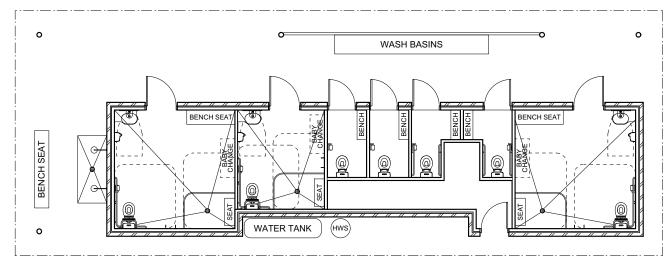
Preliminary - SKETCH ONLY



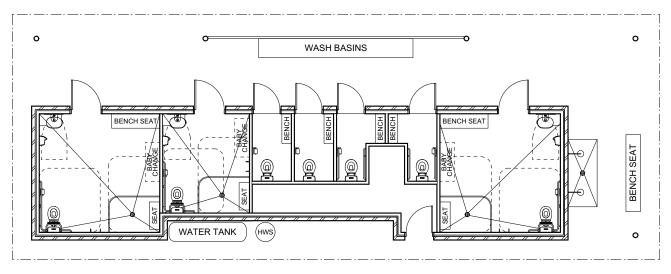
GUY MCLEOD architects
PO BOX 5428 WARRNAMBOOL VIC 3280
Timothy R. McLeod RAIA Architect
ABN 51 760 811 320

T 0438 802 840 E mail@guymcleodarchitects.com

McGennans Carpark Amenities Pertobe Road, Warrnambool	JOB No. GM20-203		
Warrnambool City Council	DATE	Mar 2020	DRAWING
vvarmambool City Council	SCALE	1:100 @ A3	SK01
Preliminary Design Options	DRAWN	TRM	SIXUI
Preliminary Design Options	CHECKED)	REVISION



SITE 2 FLOOR PLAN OPTION
Scale: 1:100 @ A3



SITE 4 FLOOR PLAN OPTION
Scale: 1:100 @ A3

Preliminary - SKETCH ONLY



GUY MCLEOD architects
PO BOX 5428 WARRNAMBOOL VIC 3280
Timothy R. McLeod RAIA Architect
ABN 51 760 811 320

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McGennans Carpark Amenities Pertobe Road, Warrnambool			JOB No. GM20-203
Warrnambool City Council	DATE	Mar 2020	DRAWING
Warmambool City Council	SCALE	As Noted	SK02
Preliminary Floor Plan Options	DRAWN	TRM	OINUZ
Preliminary Floor Flam Options	CHECKED	1	REVISION



SITE LOCATION PLAN Scale: 1:1000 @ A3



GUY MCLEOD architects
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Timothy R. McLeod RAIA Architect
ABN 51 760 811 320

T 0438 802 840 E mail@guymcleodarchitects.com



McGennans Carpark Amenities Pertobe Road, Warrnambool		JOB No. GM20-203
Warrnambool City Council	DATE Mar 2020 SCALE As Noted	SK03
Preliminary Site Plan Options	DRAWN TRM CHECKED	REVISION



CONTRACT 2019047 DESIGN OF PUBLIC AMENITIES RENEWAL 2019-2020 MCGENNANS CARPARK, WARRNAMBOOL

SITE SUITABLILTY ASSESSMENT REPORT

FOR

WARRNAMBOOL CITY COUNCIL

GUY MCLEOD architects
PO Box 5428 WARRNAMBOOL VIC 3280
ABN 51 760 811 320
T 0438 802 840
E mail@guymcleodarchitects.com



SITE SUITABILITY ASSESSMENT REPORT

CONTRACT 2019047 - MCGENNANS FORESHORE CARPARK AMENITIES

Client: Warrnambool City Council

Date: 14th May 2020

Scope

Warrnambool City Council currently operates an existing stand alone public amenities block on the south side of Pertobe Road adjacent to the eastern vehicle entrance to McGennans Carpark. This facility is an old style conventional fully roofed amenities block, and is in demand all year round with a high sustained summer peak usage. Being in the foreshore precinct between Lake Pertobe and the beach area, a high number of children and families use this facility.

The Warrnambool Public Amenities Strategy 2013 identified a recommendation the existing toilet block be demolished and replaced with a new stand-alone facility within McGennans Carpark closer to the beach to better service beach visitors by concentrating toilets near the higher use section of the beach and reducing the maximum walking distance to approximately 500m for users further along the beach. A number of potential sites were identified in the strategy and included in the project brief.

This strategy also recommended providing change facilities by making toilet cubicles larger than standard with a small bench for placing clothing on, and providing external showers. The strategy also recommended multiple cubicles with their own lockable doors opening directly to public areas, thus enabling the number in use to be restricted during the low season or low use times to assist with reducing cleaning and maintenance costs, or allow for more frequent cleaning of open cubicles. The strategy also included recommendations that external shower facilities be located at least 5m away from the nearest toilet door.

Accessibility for people of all abilities is also a requirement for any new amenities facility. The Warrnambool Public Amenities Strategy 2013 identified legislation changes requiring all new toilet blocks with more than one toilet cubicle to have at least one fully compliant disability accessible cubicle, and at least one additional cubicle accessible for people with disabilities who are ambulant.

The strategy recorded a preference for new foreshore toilets accessible from a beach to have as a minimum:

- Separate gender facilities
- Three cubicles for each gender one to be accessible for people with disabilities for each gender or two cubicles for each gender with a separate unisex cubicle accessible for people with disabilities
- Cubicles to be large and incorporate a change bench
- Disability cubicles to have baby change facilities and a junior toilet
- External showers.

The project brief specific to the current project doesn't include a specific design requirement, but expected the new facility to include a combination of the following:

- Outdoor showers
- · Accessible cubicle with toilet and shower
- Family change rooms with toilet and shower, benches and baby change facilities
- Unisex cubicle toilets with hand wash facilities compliant with ambulant disability requirements
- Unisex cubicle toilets with hand wash facilities.

The project brief also includes provision for ancilliary facilities including bathing change rooms, baby change facilities, external showers, and child toilet pans, and included a number of design guidelines



comply with best practice DDA and Crime Prevention Through Environmental Design (CPTED) principles.

Executive Summary

The Lady Bay West precinct includes McGennans Carpark which is part of the main foreshore activity node and allowances for the provision of new infrastructure, the impact to sites of cultural significance due to fragile and accessible nature, and various other matters.

The inclusion of public toilet facilities is an existing use and improves the amenity for users and future generations to enjoy, but needs to be respectful of the environment and traditional owners.

The existing site (Site 1) may not require native title recognition, but other proposed sites within the precinct will.

It is noted that all sites will require Marine and Coastal Act consent, including the existing site (Site 1) as it is probable the footprint of any new building will not be within the footprint of the existing building, and the value of the works will exceed \$100,000.

Specific to the actual building, provision is to be made for storage of consumables and other items regularly needed for cleaning and maintenance of the facility. All materials, fixtures and fittings will need to be high quality and durable and consistent with other council facilities.

Project costings will be prepared based on the preferred site and schematic design. The cost estimate will include all building works, associated building services, and a suitable allowance for consultant's fees, building permit fees, and other statutory fees.

An allowance for demolition costs for the existing toilets is excluded, as is asbestos removal, diversion or upgrade of existing services, and site penalties. However, an allowance for some or all of these items may need to be factored into the overall project cost dependent upon the final site selected.

Additional detail supporting this summary is included in the following pages and attachments.

Emergency Services Review

The initial stage of the site suitability analysis included a meeting with emergency services Victoria Police (VP), Ambulance Victoria (AV), Country Fire authourity (CFA) was conducted on 6th March 2020 and included a number of recommendations for consideration. The State Emergency Service (SES) were invited, but whilst unable to attend, cited their requirements as being consistent with those of the CFA.

At this meeting, following a review of the various needs, requirements, and safety considerations of these agencies, it was determined McGennans Site 3 and McGennans Site 5 did not satisfy a number of their requirements, and it was thus recommended they not be considered further.

These two sites created significant challenges for public safety including location of the roadway separating the site from principal pedestrian traffic thus the need for users, many of which are small children, to cross the roadway, the relative proximity of vegetation and the inability to properly sufficiently illuminate all approaches to maximise user safety.

The risks associated with management and operation of public toilets relative to each site were assessed against Crime Prevention Through Environmental Design (CPTED) principles in respect to public safety and the suitability of each site. The CPTED guidelines identified significant risks at Site 3 and Site 5 avoided or significantly reduced at other sites.

The option of an additional Site 6 at far western end of carpark discussed for consideration. It was noted this option may be suitable if other preferred sites not acceptable to other stakeholders, but would likely incur the most cost. Further evaluation of this site to be considered.



Emergency services noted sites in order of preference as Site 4 and Site 2.

Discussion with emergency services regarding building design noted a preference for orientation to the north or east away from prevailing weather conditions with all doorways highly visible. Provision of suitable privacy whilst maintaining safe access was noted as important.

Safety design concerns highlighted by Victoria Police are as follows:

- · Lighting to facility and around full perimeter including approach access ways and carparking
- · Use of non-flammable materials in construction
- Proximity of potential places to conceal persons, particularly vegetation on north side of carpark
- Sufficient lines of sight and space for safe visible access and egress and to manage or see children running
- · Vehicle access suitable for CFA will satisfy requirements of Victoria Police.

Safety and design concerns highlighted by Ambulance Victoria are as follows:

- · Safe access for stretchers including pathways, hard stands, crossovers
- Preference to be able to park ambulance on a level area with direct access to rear of vehicle for loading and unloading stretchers
- Prefer doors to open outwards to reduce risk of person falling against doors and restricting emergency access.

Safety and access concerns highlighted by the Coountry Fire Authority are noted as follows:

- General area of McGennans Carpark not of major concern for CFA. Existing access suitable for fire trucks and other equipment.
- · Prefer clearance in front of building if possible, possibly consider bollards to maintain access
- · Existing fireplugs in the vicinity are sufficient to cover all of the nominated sites.

The State Emergency Service was not represented at the meeting, but email advice received prior noted the following:

- Public Safety Concerns: SES is the Control Agency for Flood, Storm, Tsunami, Landslide
 and Earthquake. The only concern would be around Flood and Storm Surge, the Council
 planning scheme should address the impacts of flooding in the local area in particular flooding
 from the Merri River in South Warrnambool. Storm Surge is also a risk however due to lack
 of intelligence and planning, for Storm Surge effects we have used the Flood Overlays to
 assist with possible impacts for flooding from this type of event.
- Access for SES vehicles will be in line with CFA requirements which may also be addressed within Councils Planning Scheme.
- SES does not have any specific facility requirements, apart from our control agency roles we
 would be a support agency to other agencies and believe this could all be conducted under
 normal business as usual response.

Native Title

Native title rights may include the possession, use and occupation of traditional country. In some areas it may be a right of access to the land, but it can also include the right for native title holders to participate in decisions about how others use their traditional land and waters. The Native Title Act 1993 describes the circumstances under which native title will be recognised.

In the terms of new works, native title may not be extinguished, and the rights and interests of Aboriginal and Torres Strait Islander people and organisations must be considered in the planning stage.

Should the existing site (Site 1) be the preferred site, native title rights may already be extinguished and native title recognition will likely not be applicable.

Should Site 2, 4 or 6 be the preferred site, native title consent will be required, and must include consultation with Aboriginal and Torres Strait Islander people with a connection to the land to determine the circumstances under which native title will be recognised as described in the Act.



The Native Title Act 1993 provides the legal principles for the recognition of native title, the processes involved in having native title recognised and the role and responsibilities of the different bodies involved in this process.

The Native Title Unit in the Department of Justice & Regulation is responsible for the administration and implementation of the Victorian Government's responsibilities under the Native Title Act 1993 and the Traditional Owner Settlement Act 2010 (Vic).

The Traditional Owner Agreement Unit in the Department of Environment, Land, Water & Planning (DELWP) is also involved in native title matters and settlements under the Traditional Owner Settlement Act 2010 (Vic).

Cultural Heritage

The Aboriginal Heritage Act 2006 (Vic) (AHA) together with the Aboriginal Heritage Regulations 2007 (Vic) established a new regime for the protection and management of Aboriginal cultural heritage in Victoria.

With the exception of the existing site (Site 1) whereby the footprint of the new building may be contained within the footprint or immediate vicinity of the existing building, and the land has been subject to significant ground disturbance, a Cultural Heritage Management Plan (CHMP) will be required.

A Cultural Heritage Management Plan is required for an activity if—

- (a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- (b) all or part of the activity is a high impact activity.

Should Site 2, 4 or 6 be the preferred site, the proposed development is a high impact activity on coastal Crown Land of cultural heritage sensitivity thus there is a mandatory requirement for a CHMP to be prepared for the Activity Area.

Depending on the complexity of the CHMP requirements for the selected site, it is likely the preparation of a CHMP will take a period of some months. This will likely include research, a desktop assessment of the Activity Area, field survey, and more complex methods of assessment, possibly including archaeological excavations, dependent upon the outcomes of the initial assessments.

The specific outcome of the CHMP may also impact the construction methodology of the proposed development to mitigate the impact or manage sensitivities within the Activity Area.

Marine and Coastal Consent

Should the existing site (Site 1) be the preferred site, Marine and Coastal Consent is not required if the new structure is within the same footprint of the existing structure, does not increase in height over the existing building, and the value of the works is less than \$100,000.

As the existing toilet block is a square footprint and doesn't include family change rooms, it is therefore unlikely the new structure will fit within the footprint of the existing structure. The value of the works will also exceed \$100,000, therefore Marine and Coastal Consent will be required for Site 1. Any increase in footprint is considered a higher risk and must undergo a formal assessment process including community consultation and ensuring all native title requirements are met.

Should Site 2, 4 or 6 be the preferred site, Marine and Coastal Consent will be required as this is a higher risk and is not subject to general consent. A new building must undergo a formal assessment process including community consultation and ensuring all native title recognition requirements are met.



Under the Marine and coastal Act 2018, Marine and Coastal Consent will be required and will require an application to the Department of Environment, Land, Water and Planning (DELWP). The application will need to include the following information:

- the location and use of the proposed works
- · detailed plans of the proposed development
- · justification for the proposed use / development
- how the development is to be undertaken
- · details of the impact on the use / development
- · the community's view of the proposal.

Initial contact with DELWP has indicated any application should comply with existing Coastal Management Plans and the Act, and all applications are assessed with regard to such plans. Additional assessment will be required to ensure alignment with siting guidelines and other regulations and Environmental Management Plans applicable to the land.

Once an application is accepted as valid, the Minister (or delegate) must make a decision within 60 business days. During this period, DELWP may request additional information depending on the nature of the works and the information provided.

It is noted that under Section 70(7) of the Marine and Coastal Act 2018, if the Minister does not make a decision within 60 business days, the application is deemed to be refused.

It is also noted that if the Minister consents to a proposed use or development under the Act, the proposed use may still require other statutory approvals. If a planning permit is required, a copy of the planning permit application can also be taken to be an application for consent under the Marine and Coastal Act 2018, and once an application for a planning permit has been made to the responsible authority, the application will be directed to DELWP for consideration.

Should a planning permit not be required, the consent application form can be submitted directly to the local DELWP office.

Town Planning Advice

Advice received from Council's planning department confirms that no planning permit is required for the public toilets within the McGennans car park vicinity.

'Buildings and works' are exempt from a planning permit if being carried out by or on behalf of Council and the project is less than \$1,000,000, including within the PPRZ, SLO1 and ESO1.

Another exemption which benefits the proposal is that it is specified in the Warrnambool Planning Scheme that park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets do not require a planning permit.



Site 6 - McGennans West **Assessment Criteria** Site 1 - Existing Site 2 - Carnival Site 4 - McGennans Location Located on the east side of Located on the east side of Located centrally on the Alternative site suggested south side of McGennans following meeting with the vehicle entry to the vehicle entry roadway to McGennans Carpark and McGennans Carpark at the Carpark, adjacent to the emergency services at west adjacent to Pertobe Road eastern end of the carpark, beachfront boardwalk and end of McGennans Carpark. and the Beach Kiosk Café. adjacent to the beachfront beach access points. adjacent to the beachfront boardwalk and beach access boardwalk, some beach Direct access from south side Direct access from the access points, and adjacent points. of Pertobe Road, within close boardwalk, and further away to Shipwreck Bay Caravan proximity of existing toilets at Direct access from the from existing toilets at east Park. east end of Lake Pertobe end of Lake Pertobe boardwalk, and further away playground on north side of from existing toilets at east playground on north side of Direct access from the Pertobe Road. end of Lake Pertobe Pertobe Road thus improving boardwalk, and further away accessibility for pedestrians from existing toilets at east playground on north side of Pertobe Road thus improving using boardwalk and end of Lake Pertobe Access from the beach boardwalk difficult as no accessibility for pedestrians accessing beach. playground on north side of direct pathways and steep using boardwalk and Pertobe Road than all other slope for people with mobility accessing beach. Excellent access from options. issues. McGennans Carpark, no Good access from grade issues, fully accessible. Good access from Excellent visibility from McGennans Carpark, but McGennans Carpark, but Pertobe Road, but poor some grade issues to be No visibility from Pertobe some grade issues to be visibility from boardwalk and resolved to ensure full Road, but good visibility from resolved to ensure full McGennans Carpark. boardwalk and McGennans accessibility. accessibility. Carpark. Good visibility from Pertobe No visibility from Pertobe Road, boardwalk and Road, but good visibility from McGennans Carpark. boardwalk and McGennans Carpark. Native Title Existing site thus native title Native title recognition Native title recognition Native title recognition required. required. required. extinguished. **Cultural Heritage** High probability CHMP will Required. Required. Required. **Management Plan** not be required.

Positives considered include:	MACA / DELWP Approval	Required as likely building will not be contained within existing building footprint and cost of work will exceed \$100,000.	Required.	Required.	Required.
		Opportunity for good lighting to facility and full perimeter including approach access ways Proximity of potential places to conceal persons limited Sufficient lines of sight and space for safe visible access and egress and to manage or observe children Safe access for stretchers including pathways, hard stands, crossovers Level area available for ambulances Sufficient space for clearance in front of building to maintain access Existing fireplugs in the vicinity provide suitable coverage Existing vehicle access suitable for emergency	Opportunity for good lighting to facility and full perimeter including approach access ways No proximity of potential places to conceal persons Sufficient lines of sight and space for safe visible access and egress and to manage or observe children Directly adjacent to boardwalk for direct access by users Safe access for stretchers including pathways, hard stands, crossovers Level area available for ambulances Sufficient space for clearance in front of building to maintain access Existing fireplugs in the vicinity provide suitable coverage	 Opportunity for good lighting to facility and full perimeter including approach access ways No proximity of potential places to conceal persons Sufficient lines of sight and space for safe visible access and egress and to manage or observe children Directly adjacent to boardwalk for direct access by users Safe access for stretchers including pathways, hard stands, crossovers Level area available for ambulances Sufficient space for clearance in front of building to maintain access Existing fireplugs in the vicinity provide suitable coverage 	Opportunity for good lighting to facility and full perimeter including approach access ways Sufficient lines of sight and space for safe visible access and egress and to manage or observe children Dependent upon final location and carpark modifications, directly adjacent to boardwalk for direct access by users Safe access for stretchers including pathways, hard stands, crossovers Level area available for ambulances Sufficient space for clearance in front of building to maintain access Existing fireplugs in the vicinity provide suitable coverage Suitable vehicle access for emergency services



	Lower lying area than other sites, thus more likely to be impacted by flooding or storm surge Carparking for people with disabilities or limited mobility more challenging than other site options.	vehicles. Negatives include: Close proximity to existing toilets at Site 1 if existing toilets to be retained and refurbished for ongoing use in peak periods Possible visibility directly from beachfront highest, thus some impact on visual amenity from beach Minor modifications may be required to carpark to assist access for people with disabilities or limited mobility.	vehicles. Negatives include: Visibility directly from beachfront highest, thus largest impact on visual amenity from beach Minor modifications may be required to carpark to assist access for people with disabilities or limited mobility.	Negatives include: Furtherest distance from main parking area Possible visibility directly from beachfront highest, thus some impact on visual amenity from beach Proximity of potential places to conceal persons limited Significant modifications may be required to carpark to assist access for people with disabilities or limited mobility.
Accessibility & Disability Access	Accessibility from Pertobe Road excellent, but steep slope down from boardwalk and McGennans Carpark. Significant improvements to ramp and pathway gradients required to provide compliant access from boardwalk. Project brief notes preference for access from beach area rather than Pertobe Road.	Accessibility from boardwalk, beach access points and McGennans Carpark excellent, but some grade issues to be resolved to ensure full accessibility.	Excellent access from boardwalk, beach access points and McGennans Carpark, no grade issues, fully accessible.	Accessibility from boardwalk, beach access points and McGennans Carpark excellent, but some grade issues to be resolved to ensure full accessibility.
Staff Access & Amenity	Existing site easily accessible for cleaning and maintenance staff, easily accessed from Pertobe Road. No immediate	Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be	Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be	Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be

	proximity to potential places to conceal persons.	accommodated within design. Highly visible site, no proximity to places to conceal persons.	accommodated within design. Highly visible site, no proximity to places to conceal persons.	accommodated within design. Site visibility limited to western end of McGennans Carpark, limited proximity to places to conceal persons.
Building Services	Sewer, water, stormwater, power all available at existing site. No additional cost to extend services to new site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Some additional cost to extend services to new site from existing site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Additional cost to extend services to new site likely to exceed Site 2 due to greater distance from Pertobe Road and existing site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Additional cost to extend services to new site likely to exceed Site 2 & 4 due to greatest distance from Pertobe Road and existing site.
User Parking & Access	As per existing facility. No onsite parking, access directly from Pertobe Road not fully in keeping with project brief. Users unable to use facility during construction period.	Onsite parking available, some reconfiguration of parking required to provide disabled parking spaces adjacent to new facility. Some grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility constructed and commissioned.	Onsite parking available, some reconfiguration of parking required to provide disabled parking spaces adjacent to new facility. No grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility constructed and commissioned.	Onsite parking available, but may be compromised due to reconfiguration of parking required to provide site area to accommodate new facility. Changes to parking also required to provide disabled parking spaces adjacent to new facility. Some grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility

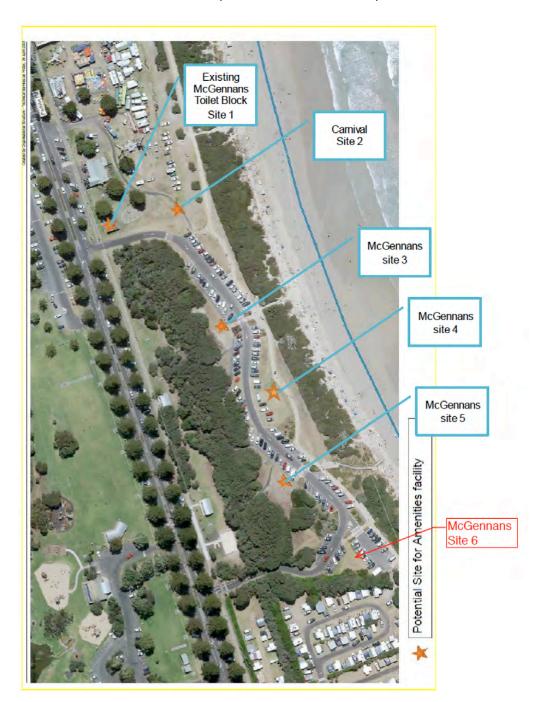


				constructed and commissioned.
Environmental Opportunities & Energy Efficiency	Some opportunities for utilising solar panels with good orientation, but large avenue of Norfolk Island Pines on north side may reduce viability due to shading. Rainwater harvesting options included in project brief.	Excellent opportunities for utilising solar panels with open site not impeded by trees or vegetation, no shading. Rainwater harvesting options included in project brief.	Excellent opportunities for utilising solar panels with open site not impeded by trees or vegetation, no shading. Rainwater harvesting options included in project brief.	Some opportunities for utilising solar panels, but east facing site not preferred orientation. Rainwater harvesting options included in project brief.
Hazardous Materials	Possibility of hazardous materials in existing building probable due to age of building. Slight risk of unknown hazardous materials being uncovered during construction.	Minimal risk of unknown hazardous materials being uncovered during construction.	Minimal risk of unknown hazardous materials being uncovered during construction.	Very slight to minimal risk of unknown hazardous materials being uncovered during construction. Risk of contamination at this site marginally higher than Site 2 & 4 due to proximity to Shipwreck Bay caravan park.
Construction Risk	Some risk of latent conditions, some risk of deteriorated services, slight risk of concealed hazardous materials being uncovered during construction following demolition of existing building. Access to site for building works good. Unlikely to require disruption to McGennans Carpark or	Minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works good. Unlikely to require disruption to McGennans Carpark or access roadway apart from modification works directly associated with the new	Minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works good. Unlikely to require disruption to access roadway, may require some disruption to McGennans Carpark to install inground services. Some disruption for	Very slight to minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works fair. Will require disruption to egress roadway and parking area, may require some disruption to McGennans Carpark to install inground services.



access roadway.	facility.	modification works directly	
	-	associated with the new	Localised traffic management
Localised traffic management	Localised traffic management	facility.	more likely to be required on
may be required during	may be required during		a regular basis during
construction to manage	construction to access	Localised traffic management	construction than other sites.
access from Pertobe Road.	roadway to McGennans	may be required during	
	Carpark.	construction to McGennans	Limited space for site huts
Sufficient space for site huts		Carpark.	and builder's work area,
and builder's work area,	Sufficient space for site huts		significant amenity impacts to
minimal amenity impacts to	and builder's work area,	Sufficient space for site huts	west end of carpark, adjacent
other adjacent activities and	minimal amenity impacts to	and builder's work area,	caravan park, and possibly
uses.	other adjacent activities and	minimal amenity impacts to	other adjacent activities and
	uses.	other adjacent activities and	uses.
		uses.	

APPENDIX B: SITE LOCATION PLAN (BASED ON PROJECT BRIEF)





APPENDIX C: PHOTOS OF SITE OPTIONS



Site 1 - Existing



Site 2 - Carnival



Site 4 – McGennans



Site 6 – McGennans (western end)

APPENDIX D: COST PLAN FOR PREFERRED SITE OPTION

To be provided for preferred site when identified and final concept design approved.



5.8. SEPARABLE CONSTRUCTION PROPORTION OF SALEYARDS ROOF CONSTRUCTION

PURPOSE:

This report discusses the option to award the construction portion of works relating to the roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Road, Warrnambool Victoria 3280.

EXECUTIVE SUMMARY

At the 5 August 2019 Ordinary Council Meeting, Council resolved to:

- Award 'preferred tenderer' status to Bolden Constructions Pty Ltd in relation to Tender No. 2019041 - Detailed design and construction of a roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Road Warrnambool Victoria 3280.
- 2. Authorise the Director Corporate Strategies to negotiate terms and conditions in relation to the tender offer
- 3. At the conclusion of negotiations and consideration of funding options Council make a further determination on the tender.

At the 23 September 2019 Council Briefing, Council provided direction to separate the works into two portions, the design and the construction. This allowed the award and commencement of design elements of the contract to enable the project to remain on track should funding be resolved.

This report recommends that Council now award the construction separable portion to the preferred tenderer Bolden Constructions Pty Ltd in relation to Tender No. 2019041 - Detailed design and construction of a roof shelter system.

MOVED: CR. KYLIE GASTON

SECONDED: CR. ROBERT ANDERSON

That Council awards the separable component for the construction elements of the Warrnambool saleyards roof to its preferred tenderer Bolden Constructions Pty Ltd for the tendered sum of \$751,330.30.

CARRIED - 7:0

BACKGROUND

At the 5 August 2019 Ordinary Council Meeting, Council resolved to;

- 1. Award 'preferred tenderer' status to Bolden Constructions Pty Ltd in relation to Tender No. 2019041 Detailed design and construction of a roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Rd Warrnambool Victoria 3280.
- 2. Authorise the Director Corporate Strategies to negotiate terms and conditions in relation to the tender offer.
- 3. At the conclusion of negotiations and consideration of funding options Council make a further determination on the tender.

At the 23 September 2019 Council Briefing, Council provided direction separate the works into two portions, the design and the construction. This allowed the award and commencement of design elements of the contract to enable the project to remain on track should funding be resolved.

At its October 7 2019 ordinary Council meeting, Council resolved to

1. Accept the letting of a separable portion of Tender No. 2019041 for the amount \$72,079.70 exc. GST for the preparation of detailed design documents for the construction of a Sale yards roof as outlined in the Bolden Construction response to Tender No. 2019041.

ISSUES

Council has award 'preferred tenderer' status to Bolden Constructions Pty Ltd in relation to Tender No. 2019041 - Detailed design and construction of a roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Rd Warrnambool Victoria 3280.

Council has formal resolutions on record it is still going to operate the sale yards.

FINANCIAL IMPACT

The detailed design and documentation component have been separated from the initial price. These works have now been completed and the works are ready to commence and additional funding has been secured to make up the shortfall in funding.

The acceptance of this separable portion will see the roof completed the funding sourced from either the grant allocation or borrowings makes up for the shortfall in the project and Council has sufficient funds allocated in addition to this additional funding to complete the project.

Costs

\$72,079.70 Design (completed)

\$751,330.30 Construction

\$100,000 Power and Water retention and reuse

\$46,171 Project Contingency (5%)

\$969,581 Total Project Estimate

Funding

\$540,000 Council 2019 –2020 Capital Works Budget \$429,581 State Government Grant Funding or Council borrowings

\$969,581 Total Funding Source

The performance of the sale yards has been outstanding in 2019 - 2020 with performance exceeding budgets and improved forecasts year to date.

The Livestock exchange has continued to operate through the Pandemic modifying its selling procedures to respond to social distancing rules and COVID _19 restrictions the centre has also introduced an online selling option to increase its selling potential and to respond to the changed pandemic circumstances.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

- 3 Maintain and improve the physical places and visual appeal of the City
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

4 Develop a smarter economy with diverse and sustainable employment

4.1 Grow the Cities population through local economic growth

5 Practice good governance through openness and accountability while balancing aspirations with sound financial management

5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

TIMING

Elements associated with the design separable portion are nearing completion and are anticipated for completion in early June 2020.

Ongoing discussions continue with preferred tenderer Bolden Constructions Pty Ltd to finalise the construction program.

The construction based on the draft program would commence post the winter season to allow crane access to the site once the ground is drier. Agents and other stakeholders have worked through a logistics plan to ensure the ongoing operations of the selling center through construction

COMMUNITY IMPACT / CONSULTATION

A heightened level of activism amongst the local sale agents has become evident in and around the delivery of this project this year.

2020 marks the 50th Anniversary of the opening of the Sale yards at their current location.

Advocacy efforts to Government agencies in relation to funding is indicative of a favourable consideration for this project.

The development of the construction plan has involved key stakeholders to ensure a minimal disruption to the yard's operations through the construction phase

LEGAL RISK / IMPACT

Council can decide upon proceeding with a separable portion of the tender if it wishes to resolve so.

OFFICERS' DECLARATION OF INTEREST

No conflict officers have a conflict of interest in this matter.

CONCLUSION

Officers are seeking the adoption of the tendered offer of a separable portion for the construction of the sale yards roof.

ATTACHMENTS

1. Councillor Briefing Report Proposal for a Separable Design Proportion of Saleyards roof contruction [5.8.1 - 10 pages]

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PURPOSE:

For Council to consider a proposal from Boldens Construction to proceed with the design elements of the sale yards roof as a separable component of the works for the proposed construction of the

EXECUTIVE SUMMARY

Officers are continuing to seek further funding opportunities for the Sale yards roof. At a meeting with Boldens to inform them of the preferred tender status and outline to them situation in relation to the funding of the project and possible timing. Leigh Dufty a director of Bolden in attendance at the meeting put forward a suggestion to separate out the design element of the contract to enable the project to remain on track should funding be resolved. Attached is a memo prepared by Thomas hall councils construction engineer outlining the offer and process if Council were to choose to go forward with this proposal.

RECOMMENDATION

That Councilors provides direction as to their risk appetite to proceed with a consideration at Council of the letting of a separable portion of the detailed design and documentation of the sale yards roof.

BACKGROUND

At the 5 August 2019 Ordinary Council Meeting, Council resolved to;

- 1. Award 'preferred tenderer' status to Bolden Constructions Pty Ltd in relation to Tender No. 2019041 Detailed design and construction of a roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Rd Warrnambool Victoria 3280.
- 2. Authorise the Director Corporate Strategies to negotiate terms and conditions in relation to the tender offer.
- 3. At the conclusion of negotiations and consideration of funding options Council make a further determination on the tender.

ISSUES

If Council were to resolve at a future Council meeting to accept a separable proportion of the works to be completed ie: the design component, it would enable the project to remain ostensibly on track for completion this financial year and in time for the facility to be in place prior to the 2020 winter rains.

The risk associated with this course of action is that Council has not resolved to construct the roof as it is working through the funding shortfall question and is awaiting advice on:

- 1. the outcomes of a submission to RDV for funding
- 2. alternately a path forward through funding of the program via a review of our own current capital program
- 3. It may choose to defer the project to consider the shortfall in a future year's budgets
- 4. It may choose not to proceed with the project

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Acceptance of proceeding with the separable portion and then not proceeding with the construction project (option 4 above) would mean that the \$72,079.70 was wasted on the design. If Council believes that it is more likely that any of the first three options were to be the outcome Council is seeking, then

FINANCIAL IMPACT

There is no additional cost of this course of action to the tendered price. The detailed design and documentation component have been separated from the initial price. The acceptance of the separable portion means Council could still meet the initial time frame and not be subject to the CPI rise that was built into the pricing if Council were to defer the construction start date.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

- 3 Maintain and improve the physical places and visual appeal of the City
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure
- 4 Develop a smarter economy with diverse and sustainable employment
- 4.1 Grow the Cities population through local economic growth
- 5 Practice good governance through openness and accountability while balancing aspirations with sound financial management
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

TIMING

Proceeding with the separable portion would enable the project to still be completed this financial year if the residual funding considerations were resolved. The timing of the completion would coincide with the 50th anniversary of the opening of the sale yards at this location.

COMMUNITY IMPACT/CONSULTATION

A heightened level of activism amongst the local sale agents has become evident in and around the delivery of this project this year.

2020 marks the 50th Anniversary of the opening of the Sale yards at their current location

LEGAL RISK/IMPACT

Council can decide upon proceeding with a separable portion of the tender if it wishes to resolve so.

OFFICERS' DECLARATION OF INTEREST

No conflict of interest

CONCLUSION

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Officers are seeking direction as to Councils risk appetite to proceed with a report offering a separable portion of the construction to be undertaken (detailed design and documentation of the sale yards roof)

ATTACHMENTS

1. ECM 10884033 v 2 Memo Tender 2019041 Design & Construction of Saleyards Roof [4.2.1 - 7 pages]

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Warrnambool

MEMO

DATE: 17 September 2019

TO: Peter Utri

Director, Corporate Strategies

CC: Scott Cavanagh

Director, City Infrastructure

FROM: Thomas Hall

Projects Engineer

SUBJECT: Tender 2019041 Design & Construction of Saleyards

Roof - Separable Portions

Introduction

The following is an update on investigation in to possible options regarding Tender 2019041 Design & Construction of Saleyards Roof following the 5 August 2019 Ordinary Council Meeting resolution.

Background

At the 5 August 2019 Ordinary Council Meeting, Council resolved to;

- Award 'preferred tenderer' status to Bolden Constructions Pty Ltd in relation to Tender No. 2019041 - Detailed design and construction of a roof shelter system over a section of the dirt pens at the South West Victorian Livestock Exchange (SWVLX), 81 Caramut Rd Warrnambool Victoria 3280.
- 2. Authorise the Director Corporate Strategies to negotiate terms and conditions in relation to the tender offer.
- 3. At the conclusion of negotiations and consideration of funding options Council make a further determination on the tender.

Investigation

The Project Working Group has met with the Bolden Constructions Pty Ltd to determine parameters in separating elements associated with within the specification into two portions, the design (Separable Portion 1) and the construction (Separable Portion 2).

Bolden Constructions Pty Ltd has submitted a separable portion proposal (Please refer **Appendix A**). The following is a summary of the proposal;

- The total of each separable portions equals the original lump sum submission.
- The proposed breakdown amends schedule Item 1.1. General into two parts, differing the pre-construction actions until Separable Portion 2 is awarded.
- All remaining priced schedule items remaining unchanged.

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Cost Breakdown

Separable Portion 1: Design

Excluding GST \$72,079.70
GST \$7,207.97
Including GST \$79,287.67

Separable Portion 2: Construction

Excluding GST \$744,716.60 GST \$74,471.66 Including GST \$819,188.26

Total

Additional Project Works

An initial investigation has been completed to assess the existing power supply capacity (Refer **Appendix B**). The findings indicate the supply is near capacity and the proposed works would likely exceed the allocation. The next stage of this works would be to involve an electrical engineer to undertake a full assessment, design and pricing for upgrade if confirmed required.

Summary

- The proposal submitted from Bolden Constructions Pty Ltd provides an achievable option to commence the design within the current budget limits.
- The agreement be amended to award Separable Portion 1: Design with a clear hold point that Separable Portion 2: Construction shall not be undertaken without written approval.
- 3. Confirmation of the status of Separable Portion 1: Design award is not an award of Separable Portion 2: Construction and should not be interpreted as inferring such, nor does it confer any contractual commitment by Council. Council reserves the right to terminate all proceeding works at the completion of Separable Portion 1: Design without compensation for Separable Portion 2 Construction.
- 4. That the status of preferred tenderer remains in place for Separable Portion 2: Construction until Council provides further determination.
- 5. That the requirement to provide bank guarantees remains a requirement however given the proposal is aimed to separate the work into to two portions I suggest Council amends the agreement to apply this requirement upon award of Separable Portion 2: Construction.
- Engage an Electrical Engineer to undertake a full electrical assessment, design and pricing for upgrade if confirmed required.

Thomas Hall

Projects Engineer

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Appendix A - Separable Portion Proposal

Wednesday, 4 September 2019



Contract No. 2019041 Proposal for D&C of Saleyards Roof Rev 2

Client – Warrnambool City Council

BOLDEN CONSTRUCTIONS PTY LTD 5 MERRIVALE DRIVE, WARRNAMBOOL 3280 (03) 55 626 825

A.B.N. 52 579 923 139 H.I.A. NO. 514447 R.B.P.C.B-L 58012 D.B.-U8592

Bolden Proposal_WCC Sale Yard DC_Rev2

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Wednesday, 4 September 2019

Progress claims will be issued monthly based on % completed of each of the line items listed below.

Item No.	Description of Work	Unit	Quantity	Rate	Amount
Stag	ge 1				
1.0	General				
1.1	Contractor's overhead supervision, liaison and coordination during design,	Item	1	24,453.20	17,839.70
2.0	Preliminary Design				
2.1	Supply professional expertise, labour, materials, plant & equipment to conduct site surveys, prepare conceptual design report and presentation in accordance with the specification	No.	1	24,860.00	24,860.00
3.0	Detailed Design				
3.1	Structural design and certification, preparation of plans & specifications, prepare Bill of Quantities, site safety quality environmental management plans, obtain all permits and approvals; all necessary for commencement of construction, in accordance with the specification	Item	1	29,380.00	29,380.00
					72,079.70

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Wednesday, 4 September 2019

Stag	Stage 2				
1.0					
	Contractor's overhead and establishment charges, site safety, project management, environmental management, quality management, site allowance, amenities, site management, supervision, liaison and coordination, demobilisation, removal/disposal of construction wastes/debris	Item	1	19,232.60	25,843.10
4.0	Construction				
4.1	Supply professional expertise, labour, materials, plant & equipment to undertake construction of roof structure, drainage and electrical works pursuant to the Detailed Design and approvals issued for the works, in accordance with the specification	Item	1	720,625.00	720,625.00
4.0	PC & Documentation Requirements				
	Supply of Certificate of Occupancy, all certificates of compliance, warranty details, marked up as-constructed drawings, and defects period maintenance	Item	1	4859.00	4,859.00
					751,327.10

Total (Ex. GST)	823,406.80
GST (10%)	82,340.68
Total (Inc. GST)	905,747.48

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Appendix B - Existing Power Supply





Electrical inspection – Warrnambool Saleyards

Hi Paul.

As you are aware, I have been to site to assess the existing electrical installation to see if it is sufficient for the proposed undercover area lighting and power. Below are my findings; $% \left(\frac{1}{2}\right) =\left(\frac{1}{2}\right) \left(\frac{1}{2}$

Existing site conditions

The mains are 50mm² single insulated cables approximately 90 metres long from the supply transformer to the meter panel which is located on the outside of the building. The underground plan states that the cabling is 50mm single insulated. I believe that they may be in fact double insulated in the form of a 50mm² 4ce cable. An inspection of the mains in the locked CT chamber would be beneficial. Please see attached photo of the mains at the transformer end. The current metered supply is direct metering with up to 100A supply but possibly limited to 80A in the panel mounted service fuses. I have contacted Powercor to try and get a full supply capacity, however they did not have that information.

The existing MSB is a 48-way chassis switchboard in which 2 poles are spare only. The mains cable from the meter panel to the MSB is 50mm². The meter panel is located back to back with the MSB.

The MSB supplies power to the effluent DB, which when measured in normal operation, was drawing 30A per phase

Exterior lighting was also around 30A per phase which is also fed from the MSB. Another major load contributor was the compressor in which draws around 17A per phase.

A current measurement was recorded of the MSB with all lighting, compressor and effluent DB in operation, as well as general light and power excluding air conditioning and rear pole lights and the results were as follow;

Red Phase- 80A White Phase- 81A Blue Phase- 75A

Proposed Load of additional Light and Power

With the proposed works of enclosing a section of the saleyards and providing sufficient light and power to the area, I have a lighting design that involves 40 x 120Watt Hi-Bay light fittings to provide sufficient lighting for the building type to comply with BCA. The load involved in lighting will be approximately 21 Amps split over 3-4 $\,$ circuits. (Yet to be determined.) I have also allowed for 12 double power points with two power circuits around the structure. I have supplied a price to Boldens for these works.

The existing switchboard does not have sufficient space to house the proposed undercover area requirements. At the site visit, I established that another cubicle of similar construction can be installed to the right of the existing MSB. It would be made up of a 24-way chassis for the new power and light circuits, as well as rows of din rail to relocate the existing flood lighting control. I am happy to provide a price for this upgrade.

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Attachment 5.8.1

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Recommendations

As you can see, the installation is near the supply capacity if using the measured figures that I have provided.

If using a diversity calculation, including any additional load, the installation may be adequate, however, it appears that the full load current of the installation will exceed the SCCD of the site. It may be worth involving $your\ electrical\ engineer\ in\ this\ one.\ I\ can\ provide\ all\ the\ information\ they\ may\ require\ to\ eliminate\ a\ site\ visit.$

 $I \ am \ happy for you to give them \ my \ number for any \ queries. They \ may \ require \ more \ photos \ and \ information \ of$ $the \ existing \ installation \ to \ determine \ if \ the \ site \ requires \ a \ mains \ upgrade, or \ can \ run \ off \ the \ existing \ supply.$

Please let me know if you require any more assistance.

Also, I did remove the dead mouse that was above the main switch and tried to further seal the MSB. (see photo)

Regards,

Derrick Price

Price Electrical-0408613872

5.9. CITY CENTRE FREE CAR PARKING

PURPOSE:

This report seeks further direction from Council in relation to the free parking period applied to the CBD in response to COVID-19.

EXECUTIVE SUMMARY

- At a Committee of the Whole Meeting on 23 March 2020, Council resolved to initiate free parking in the CBD until 14 April 2020 in response to the Covid-19 pandemic.
- This resolution was made following a request by the Mayor for advice from officers in relation to free parking options as a response to the Covid-19 pandemic, in support of CBD retailers and businesses.
- At its 8 April 2020 Special Meeting Council further resolved; that Council continue with free parking in the CBD based on relevant time limits until 30 June 2020.
- Council has now requested that a further report on car parking be brought to the 6 July
 Ordinary Meeting. Accordingly, a new resolution to extend the current interim arrangements
 will ensure that any new resolution can be affected before the current arrangements conclude.

MOVED: CR PETER SYCOPOULIS SECONDED: CR. MICHAEL NEOH

That Council continue with free parking in the CBD based on the relevant signed time limits until 10 July 2020.

CARRIED - 7:0

BACKGROUND

Prior to the 23 March 2020 Committee of the Whole meeting, the Mayor sought advice from the CEO in relation to free parking options for the CBD as a response to the Covid-19 pandemic.

At the meeting of the 23 March 2020, Council resolved to provide free parking in the CBD based on the relevant existing signed limits

This resolution was enacted on the day following the Council meeting when parking in the CBD became free.

At its 8 April 2020 Special Meeting, Council further resolved: that Council continue with free parking in the CBD based on relevant time limits until 30 June 2020.

ISSUES

Officers require direction from Council in relation to its ongoing intent to ensure that the CelloPark app and meters can be programmed to reflect any decision.

FINANCIAL IMPACT

As part of any change to parking conditions Council could incur costs to alter signage, costs associated with meter reprograming, and costs associated with lost meter revenue.

Council previously generated between \$120,000 and \$170,000 per month from parking revenue which is used to fund the Local Laws program and to generate income for the parking reserve, which is then used to fund future City Centre upgrade works.

Any reduction in income will reduce the capacity to fund forward programs such as the CBD footpath replacement program. It is important to note that the Covid-19 community recovery period (economic and social) is not a period during which non-essential works in the CBD must occur and therefore a loss on income will simply delay any works program to future years.

TIMING

Advice from Council prior to the conclusion of current arrangements will provide officers with the necessary time to communicate any decisions and to implement any necessary system changes.

COMMUNITY IMPACT / CONSULTATION

Council is currently developing a car parking strategy which has involved a public consultation process.

No consultation has occurred in relation to this proposal.

OFFICERS' DECLARATION OF INTEREST

No Officer involved in the preparation of this report has declared a conflict of interest.

CONCLUSION

Council needs to provide updated direction in relation to its Covid-19 car parking response plan.

ATTACHMENTS

Nil

5.10. ADVISORY COMMITTEE REPORTS

PURPOSE

This report contains the record of one Advisory Committee meeting.

REPORT

1. Health & Wellbeing Advisory Committee – 6 May 2020 – refer Attachment 1.

ATTACHMENTS

- 1. CHWB minutes 6 May 2020 with appendices (final) [5.10.1 4 pages]
- 2. Attachment 2 CHWB PCP Advocacy Summary (1) [5.10.2 4 pages]
- 3. Attachment 1 CHWB RESPECT 2040 [5.10.3 5 pages]
- 4. Attachment 3 CHWB Farmer Mental Health Case Study [5.10.4 4 pages]

MOVED: CR. SUE CASSIDY

SECONDED: CR. ROBERT ANDERSON

That the record of the Health and Wellbeing Advisory Committee held on 6 May 2020, be received.

CARRIED - 7:0



Warrnambool City Council
Health and Wellbeing Advisory Committee

Meeting Minutes

Wednesday 6th May 2020, 2.00pm Location: Zoom meeting

Chair: Vikki King

Meeting Commenced 2.01pm

1. Welcome & Introductions

Attendance: Nicole Wood, Vikki King, Don Haugh, Glenys Philpot, Andrew Suggett, Mark Brennan, Michael Absalom, , Sue Cassidy, Peter Steele, Xavier Dannock (minutes)

Invitees: Emma Mahoney (WHWBSW), Lynda Smith (SWPCP), Richard Stone (WCC), Tina McLeod (WCC)

Apologies: Meg Reuel, Caitlin McConnell, Gemma Loomans

Vikki welcomed all to the meeting, and stood in as Chair on request of Cr Cassidy.

2. Strategy

a. Respect 2040

Emma Mahony, Chief Executive Officer – Women's Health & Wellbeing Barwon South West

Emma Mahoney, CEO of Women's Health & Wellbeing Barwon South West was invited to attend and provide a summary of the Respect 2040 program. This program is focused on reducing violence against women, through a sustained region-wide effort to create a movement for genuine change.

Emma provided a rundown of how the current pandemic has shined a light on the gaps and challenges that exist within our community, and has also highlighted the inequality between men & women through the fact that the frontline workers that have been so vital in managing the crisis are overwhelmingly roles filled by women; and a move to home schooling has also seen a change in some traditional home gender roles.

Emma spoke on how the Respect 2040 program isn't owned by one organisation, but it is owned by all organisations who have a stake in this work, and that we should be

ambassadors for its work within the community to ensure we can enact real change, that are drawn from the evidence with real solutions.

(Respect 2040 presentation slides attached)

Vikki thanked Emma for taking the time to present to the committee.

b. Manager Community Policy & Planning Vacancy

Vikki King (Director Community Development)

Vikki updated the committee on the position of Manager Community Policy & Planning. The role has been vacant since November 2019, and coincides with the current Organisational Review. Once the Organisational review outcomes are finalised and adopted we will be able to advise the Advisory Committee of the future arrangements.

c. WCC Health & Wellbeing Actions Update

Nicole Wood (Health & Wellbeing Project Officer)

Nicole Wood provided a presentation on the work being undertaken through Connect Warrnambool during the current Corona Virus pandemic. The page has been used to ensure the key information is being provided throughout the community, including across all key focus areas, including emergency messaging.

Nicole also outlined the importance of how Connect Warrnambool has been used to convey messages that align with the key framework of the Municipal Health & Wellbeing Plan, including across Healthy Lifestyles, Increasing Participation, providing Access & Equity and improving educational and economic outcomes. In particular this has included sharing information from Lifeline and Beyond Blue, SW Healthcare, Archie Graham Community Centre, Brophy Youth & Family Services, Headspace, and Food Share.

These measures have seen an additional 1000 followers of the page in the month of April. The committee shared their thanks for the hard work of the Connect team in keeping this up and running during the crisis.

Lynda Smith & Mark Brennan also provided an update on the progress of the Health and Wellbeing Plan Annual Progress review. The review is covering off the progress on 113 actions that currently sit with Council for action. This work is progressing on schedule and is expected to be presented to the Director Community Development for review by the end of July.

3. CV19 & Health Updates

a. Children's & Family Services

Tina McLeod (Manager, Children's and Family Services)

Tina provided an update on the operational changes and challenges encountered by WCC Children's and Family Services during the Corona Virus pandemic.

Tina summarised that it has been generally business as usual, as the roles covered by her team are essential, and it is vital they are running in some capacity to support the

community. There have been some challenges with face-to-face appointments and visits, particularly in areas such as Maternal & Child Health, however adapting systems and processes such as newborn weighing appointments occurring behind a glass screen with follow up calls have ensured the safety is maintained for staff and our clients.

Some key areas of concern have been underweight newborns, low immunisation rates for children and the isolation of families due to the closure of playgroups and playgrounds. The team has continued to innovate with equipment loans to families to encourage outside play, and supported playgroups via private, managed Facebook groups.

Tina also raised that home schooling has caused a significant strain on families, particularly vulnerable and special needs families. The team is working where possible to support these families and providing access to information where available.

The committee gave thanks to the entire Children's and Family Services Team for their hard work under very challenging circumstances.

b. Capacity, Access & Inclusion

Richard Stone (Manager, Capacity Access & Inclusion)

Richard provided a summary of the services being provided by the Capacity, Access & Inclusion team during the coronavirus crisis.

The Aged and Disability services team has been supporting over 1,200 people, with a small reduction in clients due to CV19 concerns. The team has implemented significant protocols to ensure the safety of clients when providing services, and have worked hard to ensure supply of essential items (such as toilet paper) to clients throughout the crisis.

Meals on Wheels has shifted to a temporary paid workforce to protect the volunteers who usually provide the service, as they primarily fall into the high-risk group.

Programs at Archie Graham have temporarily shut down, but good work has been completed in moving some of these online, including online fitness classes; and utilising staff to keep in contact with clients who may usually engage regularly with the centre from a welfare perspective.

Richard noted that staff welfare during this time has also been at the forefront of decision making, and that staff have proved dedicated and resilient, and are in fact very proud of their ability to help people during this time.

Youth Services has continued to work where possible during restrictions, including the annual Youth Achiever Awards which has moved to an interactive live stream; and continuing contact with participants of the L2P program for when it can recommence.

The Volunteer Services team have also continued work on processes behind the scenes as volunteer referrals and needs have reduced during the crisis, but need to be ready to assist as these services come back online in coming months.

The committee was appreciative of the update and the variety of work being undertaken by the whole team, and noted that their work is gratefully appreciated by the community.

c. South West Primary Care Partnership (SWPCP)
 Update on CV19 activities & PCP funding
 Mark Brennan
 (Coordinator SWPCP)

All 28 Primary Care Partnerships recently underwent a review by KPMG on behalf of the State Government. The purpose of the review was relatively broad. The SWPCP Board took a proactive approach in developing an advocacy document outlining the critical leadership, and support role the agency has played in rural regional SW Victoria over the past 3 years, in relation to the Fires and Emergency /Relief, mental health outreach support, health and wellbeing planning support for Local Governments, and other projects. A copy of the advocacy document is attached

Current funding runs until December 2020, until further notification is received following the review findings.

Mark also provided an update on the activities the SWPCP is undertaking in regards to the current crisis and progressing the wellbeing plan actions and requirements. Much of the PCP work might not be visible to the community, but the PCP does do significant work to support organisations where they are implementing processes in relation to health & wellbeing. Mark noted that much good work that occurs in Warrnambool is related to the quality leadership being shown by Council and organisations leadership when managing crisis situations. The PCP is also involved in the emergency management response to CV19 and other emergencies.

4. General Business Next Meeting:

- Health & Wellbeing Plan - Date to be determined

General Business – No general business was raised.

Vikki closed off the meeting thanking everyone for attending and noted that whilst we continue in an uncertain environment in particular with the Coronavirus, the Health & Wellbeing Plan will continue to play an important role in the recovery from the crisis, which is expected to take a longer than other emergency recovery of the past. Once the annual Health & Wellbeing Plan update is in final draft, it will be brought to this committee for review.

Meeting Closed - 3.38pm



Whilst metropolitan councils have the resources and capacity (financial and staffing expertise) to undertake the mandated processes to develop, implement and review municipal health and wellbeing plans with partners across their community, the divide between large well-resourced local governments in metropolitan areas and large regional cities versus small rural and regional councils is vast. Primary Care Partnerships (PCPs) are perfectly positioned to bridge this capacity and resource gap.

Over the past decade, Primary Care Partnerships have built local capacity by increasing the understanding of local government councillors and officers about their roles and responsibilities; have created foundations for good planning by providing regular policy and evidence summaries; and have developed strong data profiles and analysis to guide planning and interventions across the community.

Without PCPs playing a peer and mentor role for rural councils in South Western Victoria, health and wellbeing would rarely be considered in planning and policy activities. Council initiatives and projects risk being developed and delivered without the evidence and evaluation support, therefore risking the scant resources

that are invested in health and wellbeing activities by Councils being poorly targeted, not aligned to state policy or potentially not integrating with other partners and community goals.

In addition, PCPs regularly step in as a partnership facilitator/broker and secretariat for many community wide initiatives which without PCPs would be lost. This backbone support is critical for the success of any collective or collaborative approach to succeed and no agency alone has the funding or capacity to commit to this role.

The idea that topping up prevention activities via primary health services would replace the role of PCPs in rural and regional Victoria is misguided. Health services in southwest Victoria function as one of many partners working towards common health and wellbeing goals, however they do not have the capacity to facilitate effective and efficient partnership efforts.

Health promotion needs to remain embedded in community wide partnerships where it can have the most impact, rather than as a lower priority arm of health service delivery organisations.



The role of Primary Care Partnerships

Imagine an orchestra without a conductor. All of the musicians are highly talented in their own right, but without someone to bring them together, it's hard for them to coordinate their efforts. Some parts are played twice, some are missed entirely and the entire group loses synchronisation. The musicians become focused solely on what they are doing, and lose sight of their place in creating a beautiful symphony.

The PCPs are like conductors, while the partners and services are like musicians. Only by working together can they ensure community health priorities are identified and addressed in the most effective and efficient way.

The proposal to remove the conductors, while increasing funding to the musicians may lead to better musicians, but a much less cohesive orchestra, and one that will find engaging with an audience (the community) much more difficult.



The PCP and the St Patrick's Day Fires

One prominent example where the South West PCP had a major impact on the health and wellbeing of the community was in the wake of the devastating St Patrick's Day Fires in 2017.

SWPCP staff have built extensive and trusted community relationships across sectors to ensure action on priority issues during emergencies and periods of recovery, and these relationships were brought to the fore.

SWPCP took the lead in making all partners aware of each other's services, increasing access to health and community services and improving the efficiency and effectiveness of services delivered.

They mobilised partners to respond to the situational distress of local farming communities. Long after the fires were out, SWPCP was still working diligently. It was instrumental in establishing a new farmer health network and advocated for outreach counselling and community development and engagement activities.

As a result of this action, the South West PCP has partners across sectors advocating for recurrent funding of outreach counselling services that have no delays in access to services.





What does the South West PCP do that no-one else can?

PCPs provide extensive support to the mandated Municipal Primary Health and Wellbeing Planning (MPHWP) processes. They are a key partnership broker in bringing partners to the table to enable collective action to occur around these plans. With rate capping many Councils don't have staff to develop, implement, review or evaluate plans and actions. This support is provided by 26 of the 28 PCPs across the state and if lost would have a massively detrimental impact on the MPHWP responsibilities of all rural and regional Councils.

PCPs provide each Council with comprehensive health and wellbeing data to inform decisions around priority health issues. This analysis and summary of health trends on community health issues isn't available from any other agencies. If the South West PCP doesn't do this, Councils will have no other way of accessing this evidence base for future planning.

PCPs coordinate action on the integrated health promotion plans within their local catchment. They collate agency action in support of their partners, which the agencies on their own don't have the mandate, expertise or resources to do by themselves. PCPs are recognised as a non-partisan entity and create equal opportunities for member agencies in the best interest of the region.

Delivers training and education to partner agencies on how to engage and connect with vulnerable cohorts of community. This is delivered as part of health literacy training to allow people to provide feedback on the appropriateness of communications to enhance access to their service. This training led to 62 new quality improvement strategies being delivered across partners to improve service access. SWPCP has also provided training to partners to undertake audits of how well they engage vulnerable cohorts of community, and establish action plans to address these gaps.

Champions monitoring of liquor outlets to help ensure no-one under 18 purchases alcohol or has it purchased for them. This is done as part of a broader partnership working to reduce the harm of alcohol and the early initiation of youth to alcohol. It supports partnership applications to change the alcohol supportive culture of rural community and sporting groups.

Works as a key partner in the prevention of violence against women and children. SWPCP raises awareness and advocates for action by community through the distribution of planned social marketing of key messages through our partners. SWPCP also creates awareness and engagement of community of people with disabilities in a strategy called "Everybodies Business".

Works with smaller rural councils to promote better health and wellbeing service access to critical services like mental health counselling for youth, alcohol and other drug counselling. Part of this is bringing together service providers to promote the need for outreach services and community engagement in very small towns.

Contact:

Doreen Power | Chair | South West Primary Care Partnership

T: 03 5561 9300 | M: 0449 256 528 | E: doreenpiower@lyndoch.org.au





Contact:

Warrnambool City Council
Minutes for Ordinary Meeting
Attachment 5.10.3

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OUR HISTORY

2012

 100 people from 52 organisations collaborate for a regional approach to family violence

2014

- GSC local governments identifyprevention of violence against women as a priority
- Everybody's Business Conference 100+ attendees

2016

- Victorian Government commits to act on all 227 Royal Commission recommendations
- 16 Days of Activism Coffee Cups campaign in GSC

2019

- 16 Days of Activism Equity in the Bag campaign in GSC
- Workshops held to determine future direction of GSC strategy

2013

 GSC Prevention of Violence Against Women and Children Strategy 2013-2017 endorsed

2015

- Royal Commission into Family Violence
- Change the Story first national evidence base for prevention of violence against women published

2017

Global #metoo movement

2019

- Consultation with GSC strategy partners
- Respect 2040 movement forms

WHAT HAVE WE ACHIEVED?

- Gender equity and prevention of violence prioritised in local and regional plans
- Gender equity and prevention of violence programs delivered across region
- Gender equitable and inclusive policies established in many organisations
- Increased number of 16 Days of Activism campaigns across the region

TOWARDS 2040

A sustained regional effort is needed to build a movement for genuine change in the Great South Coast and beyond.

OUR VISION

A thriving community in which every person is safe, valued and can reach their full potential.

Attachment 5 10 3

CHANGE THE STORY

TEN ACTIONS TO PREVENT VIOLENCE AGAINST WOMEN



Violence against women is serious, prevalent and driven by GENDER INEQUALITY

GENDERED DRIVERS

of violence against women:

CONDONING of violence against women

MEN'S CONTROL of decisionmaking and limits to women's independence

STEREOTYPED constructions of masculinity and

DISRESPECT towards women and male peer relations

Gender inequality sets the NECESSARY SOCIAL CONTEXT







Violence against women PREVENTABI

if we all work together



that will prevent violence against women:

CHALLENGE condoning of violence against women

PROMOTE women's independence & decision-making CHALLENGE gender stereotypes and roles

STRENGTHEN positive, equal and respectful relationships

Promote and normalise GENDER EQUALITY in public and private life



MUTUALLY REINFORCING ACTIONS ARE NEEDED THROUGH LEGISLATION, INSTITUTIONAL, POLICY AND PROGRAM RESPONSES:

- · by governments, organisations and individuals
- . in settings where people live, work, learn and socialise
- · tailored to the context and needs of different groups.

















OUR PLAN

VISION

A thriving community in which every person is safe, valued and can reach their full potential.

By 2040

The Great South Coast community (individuals, groups and organisations) will hold attitudes, behaviours and practices that reject violence against women.

There is equal access to power and resources within workplaces, public life and personal relationships. Everyone within the Great South Coast, is encouraged and has the freedom to explore positive personal identities, sexualities and roles in our society. The Great South Coast community promote and experience positive, equal and respectful relationships.



How will we get there?

Respect 2040 will bring community members, business, groups and organisations together to create systems and structures that embed equality and respect where we live, work, learn, love and play.

Fostering Leadership

We have identified the organisations who will lead and own our vision and mission

Collective Action

A range of community,
business, service
organisations and decision
makers have contributed
meaningful action towards
achieving our vision

Learning Together

Respect 2040 members are more confident and skilled to create systems and structures that foster equality and respect

Tracking Progress

RESPECT SOMO

Respect 2040 members have the systems and tools to measure and share their progress towards our vision

OUR COMMITMENT

Pledge/commitment

OBSERVING

We are aware of the movement and interested in the cause. We will seek out information when we want it.

FOLLOWING

We care about the movement and the cause and are interested in receiving information about its progress.

ENDORSING

We endorse the movement and the work of those involved. At this stage, we are not able to invest a significant amount of effort and resources into it.

CONTRIBUTING

We are committed to the work and will pitch in and do our bit to help in our area of influence.

OWNING

We are fully invested in the mission and success of the movement. We are committed to ongoing collaborative actions and that these are likely to be broader than our internal organisation and our local community. We can take responsibility to figure out what needs doing and to be responsible for getting the job done in the way that makes the most sense.

LEADING

We are so deeply committed to the movement we will focus our energy on engaging and leading others in the work. We will provide energy and effort to ensure the movement reaches its vision and mission across the whole Great South Coast community through supporting and steering the direction and adapting to the changing landscape.



Observing

Following

Endorsing

Contributing

Owning

Leading

Examples of demonstrating commitment

OBSERVING

Visit website or social media pages when they choose.

FOLLOWING

Shares contact details to receive information such as newsletter distribution, RSS feed, social media pages.

ENDORSING

Undertakes straight forward, low risk actions to endorse the work, such as signing a pledge or petition, attending an event, sharing information about the work within sphere of influence. Regularly shares and comments about movement on social media.

CONTRIBUTING

Undertakes action and change to support the vision and mission of the movement within their area of influence. This may require significant resources to undertake. Actively shares learnings and progress with others who are interested in making similar changes.

OWNING

Takes responsibility for shaping and steering parts of the work within their local community or a community of interest. This is typically beyond internal organisational change and requires significant investment of resources.

LEADING

Supports senior people with influence to be heavily contributing to the work.

Engages others in the work from across the GSC region and/or policy makers and funders.

Actively involved in Collaborative Table.

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Suicide prevention partnerships and strategies

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Government has now funded a Great South Coast Suicide Prevention Trial, bringing an additional \$250,000 per year to focus on suicide prevention in the South West.

The Farmer Mental Health Outreach Support Program

 A consultation with SW farmers in 2019 recounted many stories of farmers planning to suicide but saved by the FHN partners and their unique integrated model of care, breaking

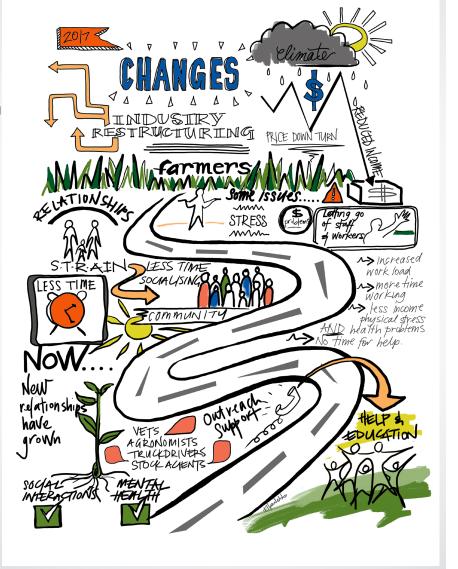
down the stigma and shame associated with mental health to enable better service access.

- Over 600 farming families received outreach mental health counselling between 2016 -19, averaging 12- 16 farm visits and 150 phone calls and texts a week often the preferred contact method for farmers.
- Over 500 farming families received emergency material aid (food, water, repairs, fuel)
- Over 300 farming families received rural financial counselling support
- Over 66 social events (Vantastic, field days, ladies lunches, pamper days, Christmas events, were provided after the St Patrick's Day fires
- \$600,000 of funding was successfully applied for over three years by SWPCP to support outreach counselling and the FHN partnership.
- SWPCP partnership with the agriculture industry increased partners by over 40%, boosting collaborative effort across sectors
- Partners now have an in-depth understanding of the dairy industry and the associated benefits of partnering to improve the mental health of farmers across SW Victoria.

RIGHT: rich picture of farmers' needs. Artist: Ella Webb

Coordination of effort

SWPCP worked tirelessly with a diverse range of cross-sector agencies to monitor and maintain the effectiveness and efficiency of the Farmer Health Network (FHN). Through effective leadership, partnership brokerage and robust communication, SWPCP created a feeling of collectivism, ensuring the group worked together to achieve the best possible outcome for South West farmers' heath and wellbeing while building a strong working relationship between agencies which had not previously worked together.





Building local community capacity to take action

Mental Health Outreach

The Farmer Mental Health Outreach Support Program

The Farmer Mental Health Outreach Support program created in 2016 included; on-farm outreach counselling to manage distress, community engagement to build relationships and referral of high-risk individuals to specialist services.

The outreach counsellors are supported by a Farmer Health Network (FHN) coordinated by SWPCP and includes health and community services and agricultural industry leaders and businesses. These agencies worked together to integrate effort by:

- Expanding the reach and access to services (referral to health & community services) and material aid (hay, water, repairs, food).
- Addressing barriers identified by outreach counsellors e.g. children not accessing school camps, Centrelink payments etc.
- Providing food drop off points in rural neighbourhood houses and coordinating social activities that link back to service recognition.
- Sharing social events and increasing community awareness via each other's relationships and communication platforms.
- Providing mobile connection points called Vantastic, where farmers were enabled to connect socially and create a peer support network in a non-clinical setting and share their lived experience and normalize key stressors.
 In addition, outreach counselors and shire emergency management staff triaged high risk farmers to receive support to reduce suicide risk and provide mental health services and or referral to address other situational stressors e.g. finance, and relationships issues.

- Sharing skills and knowledge between the agricultural and health sectors to create better care and support for farmers. Both sectors are complex and required upskilling of staff before they could identify mutual benefits and address issues and barriers.
- Integrating training e.g. Agriculture Victoria coordinated occasional counselling training where Southwest Healthcare and SWPCP provided funding to train 120; stock agents, vets, milk and feed suppliers, agronomists and dairy field officers to identify, respond and refer farmers to counselling and other health services. SWPCP also provided a situational distress service listing with participant's feeding back, "Knowing where to refer people at risk increased their confidence to open up the conversation with farmers."
- Coordinating responses and support post fires enhanced efficiency and access to farming families. More than 145 affected farming families were provided with help in the first two weeks. Support in the first instance; related to providing material aid, and a listening ear, recognising most farmers were focused on addressing immediate concerns of livestock, property losses and peat fire carbon monoxide exposure. The fast response occurred because of the coordination and support of the FHN partners.
- Providing 24-hour emergency refuge and relief for fire affected families and triaging those affected by the fires and carbon monoxide.

Suicide prevention partnerships and strategies

A SW suicide prevention multi-agency partnership called Fight For Your Life (FFYL) was established and aimed to halve the rates of suicide by 2023. SWPCP provided; backbone governance support, advocacy for funding, funding for interventions, community forums to define action and partnership brokerage to integrate and align effort.

SWPCP - the partners

Health services	Agricultural sector Government agencies		Community
Cobden Health Service	Dairy Australia	Agricultural Victoria	Rural Financial Counselling
Colac Area Health	National Centre for Farmer Health	Centrelink	Lifeline South West
Heyward Rural Health	Milk Factories	Corangamite Shire Council	Brophy Child & Family Services
Moyne Health Services	Stock Feed Companies	DEET Western Region	Brophy Headspace South West
South West Healthcare	Victorian Farmers Federation	DHHS, Dept. of Justice	Food Share
Timboon & District Health Service	West Vic Dairy	Moyne Shire Council	Aussie Helpers
Victoria Police, Ambulance Vic	Simpson & Camperdown Neighbourhood House	Warrnambool City Council	Lyndoch Living
Black Dog Institute			Deakin and Melbourne universities

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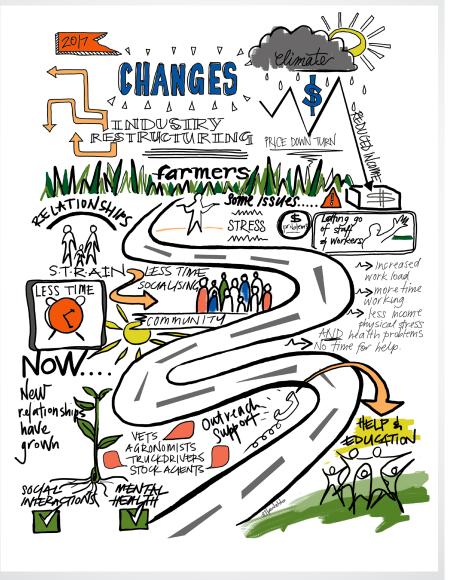
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5.11. ASSEMBLY OF COUNCILLORS REPORTS

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.

BACKGROUND INFORMATION

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

An Assembly of Councillors (however titled) means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be-

a) the subject of a decision of the Council;

or

b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee-

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organization.

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:-

- 11 May 2020 refer **Attachment 1**
- 18 May 2020 refer Attachment 2
- 25 May 2020 refer Attachment 3

ATTACHMENTS

- 1. Assembly of Councillors Record 18 May 2020 [5.11.1 1 page]
- 2. Assembly of Councillors Record 11 May 2020 [5.11.2 1 page]
- 3. Assembly of Councillors Record 25 May 2020 [5.11.3 2 pages]

MOVED: CR. ROBERT ANDERSON

SECONDED: CR. SUE CASSIDY

That the record of the Assembly of Councillors held on 11, 18 and 25 May 2020, be received.

CARRIED - 7:0

Assembly of Councillors Record

Written record in accordance with Section 80A(I) Local Government Act 1989

	· · · · · · · · · · · · · · · · · · ·		
Name of Committee or Group (if applicable):	Councillor Briefing		
Date of Meeting:	18 May 2020		
Time Meeting Commenced:	4.00pm		
Councillors in Attendance	Cr. T. Herbert, Mayor/Chairman Cr. R. Anderson		
Via Zoom Conferencing:	Cr. S. Cassidy		
	Cr. K. Gaston Cr. M. Neoh		
	Cr. D. Owen		
	Cr. P. Sycopoulis		
Council Officers in	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies		
Attendance Via Zoom	Andrew Paton, Director City Grow		
Conferencing:	Scott Cavanagh, Director City Infi	rastructure	
	Vikki King, Director Community Development		
Other persons present:	Dedy Friebe, Warrnambool & District Food Share		
Apologies			
Matters Considered:	 Grace Avenue Land Off Kepler Street Land purchase Amendment VC181 Planning Schemes Covid-19 Update Sustainable Council Buildings Policy & Guidelines Zero Waste Events Policy Drainage Asset Management Plan 123 Queens road 		
Other Matters Considered	Cochrane street footpath Community communications Kerr street footpath McGennans vegetation Co vid impact metrics reports		
Councillor Conflicts of inter			
Councillor's Name	Type of Interest	Item	
Cr Herbert	Business Association	Left at 5:47 returned at 5:51pm	
		Road refurbishment	
Meeting close time:	6:27 pm		
Record Completed by:	Peter Utri		
	Director Corporate Strategies		

Assembly of Councillors Record

Written record in accordance with Section 80A(I) Local Government Act 1989

Name of Committee or Group (if applicable):	Councillor Briefing		
Date of Meeting:	11 May 2020		
Time Meeting Commenced:	3.30pm		
Councillors in Attendance	Cr. T. Herbert, Mayor/Chairman Cr. R. Anderson		
Via Zoom Conferencing:	Cr. S. Cassidy Cr. K. Gaston Cr. M. Neoh Cr. D. Owen Cr. P. Sycopoulis		
Council Officers in Attendance Via Zoom Conferencing:	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth Scott Cavanagh, Director City Infrastructure Vikki King, Director Community Development Simon Fleming, Manager Organisation Development		
Other persons present:	Tom O'Connor, Warrnambool Racing Club Tony Matthews, Insync Consultant		
Apologies			
Matters Considered:	 Horses on Beaches Staff Survey Covid-19 update 123 Queens Road 		
Other Matters Considered	Increased dog attacks in the City High Voltage Line replacement Timor Street Maristad relationship West Warrnambool Neighbourhood House success Food Share Role i pandemic invitation to Executive officer to attend briefing Gilles street rail crossing advocacy to reopen Requests around Shovel ready projects from Government Palm tree removal		
Councillor Conflicts of interest Disclosures:			
Councillor's Name	Type of Interest	Item	
Meeting close time:	7.10 pm		
Record Completed by:	Peter Utri Director Corporate Strategies		

Assembly of Councillors Record

Written record in accordance with Section 80A(I) Local Government Act 1989

Name of Committee or	0 D . 6		
Group (if applicable):	Councillor Briefing		
Date of Meeting:	25 May 2020		
Time Meeting Commenced:	3.00pm		
Councillors in Attendance	Cr. T. Herbert, Mayor/Chairman Cr. R. Anderson		
Via Zoom Conferencing:	Cr. S. Cassidy		
	Cr. K. Gaston		
	Cr. M. Neoh Cr. D. Owen		
	Cr. P. Sycopoulis		
Council Officers in	Peter Schneider, Chief Executive Officer		
Attendance Via Zoom	Peter Utri, Director Corporate Str. Andrew Paton, Director City Grov		
Conferencing:	Scott Cavanagh, Director City Inf		
	Vikki King, Director Community D	evelopment	
	Jodie McNamara, Manager City S		
	Paul Cugley, Co-ordinator Infrast Thomas Hall, Projects Engineer	ructure Management	
	Mathew Deans, Emergency Man	agement/Waste Compliance	
	Officer		
	David Harrington, Manager Finan		
	Paula Gardiner, Contractor, City infrastructure Glenn Reddick, Manager City Amenity		
Other persons present:	Wayne Kayler-Thomson, Great Ocean Road Tourism		
	Liz Price, Great Ocean Road Tourism		
Apologies			
Matters Considered:	Great Ocean Road Regional Tourism – Update Governil Bantal Branching Applications for Bantal Ballaf		
	 Council Rental Properties – Applications for Rental Relief Policy & Procedures Review 		
	Amendment to Planning Application PP2004-0225.08 – 43-45		
	Hayley Drive		
	McGennans Public Toilet April Finance Benert		
	April Finance ReportCovid-19 Update		
	Merrivale Drive Safe Travel in Local Streets Funding		
	Port Safer Launching Project status report		
	Victorian Fisheries Authority funding application		
Other Matters Considered	Saleyards Roof Construction Workshap on Covid recovery initiatives		
Other matters considered	 Workshop on Covid recovery initiatives New Council meeting technology to be implemented to 		
	improve production quality		
		or planning acceleration by State	
	Government		
Councillor Conflicts of inter	SRV community club grants nterest Disclosures:		
Councillor's Name	Type of Interest	Item	
Meeting close time:	6.09 pm		
Record Completed by:	Peter Utri		

Attachment 5.11.3

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Director Corporate Strategies	

5.12. MAYORAL & CHIEF EXECUTIVE OFFICER COUNCIL ACTIVITIES - SUMMARY REPORT

PURPOSE

This report summarises Mayoral and Chief Executive Officer Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.

REPORT

Date	Location	Function
7 May 2020	Warrnambool	Chief Executive Officer – Attended via video conference a meeting of the Regional Cities CEO's.
8 May 2020	Warrnambool	Mayor – Attended via video conference a meeting of the Great South Coast Mayor's group.
13 May 2020	Warrnambool	Mayor & Chief Executive Officer – met via video conference with Deakin University's Vice Chancellor Professor Iain Martin and CEO, South west Victoria, Grant Sutherland regarding the Covid-19 impact on Deakin University.
14 May 2020	Warrnambool	Mayor – Attended via video conference a meeting of the Regional Cities Victoria's Mayors group.
15 May 2020	Warrnambool	Mayor – Attended via video conference a meeting of the Great South Coast Mayor's group.
19 May 2020	Warrnambool	Mayor - Attended via video conference a meeting of the Regional Capital Australia Board.
21 May 2020	Warrnambool	Mayor & Chief Executive Officer - Attended via video conference a meeting of the Regional Cities Victoria group with the Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government.
22 May 2020	Warrnambool	Mayor – Attended via video conference a meeting of the Great South Coast Mayor's Group.
28 May 2020	Warrnambool	Mayor – Attended via video conference a meeting of the Regional Cities Victoria's Mayors group.

MOVED: CR. MICHAEL NEOH SECONDED: CR. KYLIE GASTON

That the Mayoral & Chief Executive Officer Council Activities – Summary Report be received.

CARRIED - 7:0

6. PUBLIC QUESTION TIME

6.1 QUESTION FRM RODNEY BLAKE, 15 HENRY STREET, WARRNAMBOOL

'After a walk along the beach this morning from the yacht club to the surf club I was amazed at the degradation of the sand dunes from Worm Bay through to east of McGennans.

Whilst I have long known that the removal of the weed from the beach would have detrimental effects on the further erosion of our sand dunes, our problems here in Warrnambool have been exacerbated by sand being deposited from the open ocean into Lady Bay. Lady Bay includes the area of the Port of Warrnambool, see Govt Gazette G45 16/11/95 p 3210.

Sand being transported into our bay has the effect of essentially making the bay shallower, especially the western end. With the depth of the harbour being lost the approaching waves have the opportunity to run further up onto the beach and wash away the dune area, so really we are in a no win situation presently, the bay is getting shallower and the dunes are being eroded by the waves. Constant dredging of our harbour area is a requirement that cannot be avoided otherwise future generations will be playing beach cricket where the horses are now swum.

Given that all of this is common knowledge, the dredging program which was forecast for late 2019 did not go ahead for lack of planning by WCC. Problems with various State Govt departments over the years have contributed to terrible decisions to dump dredge spoils on the foreshore, only for the fine particles of sand to be promptly washed back into the bay/ harbour area.

Waiting for September when we get our biggest sea & swells then further erosion of the beach system is inevitable. Edmund Gill in his noteworthy study on the coastal movement of sands in this area noted that "our harbour is a sand trap within a sand trap"

What is the current state of affairs with the dredging program?

Are the results of the dredging survey to be made public?

Is the dredge program going to go ahead this year, given that we lost the opportunity last year? Is DWELP again going to dictate to WCC where the sand spoils can be deposited, when locals know darn well the best position is on land?

Please stop the procrastination and lets see some action."

The Chief Executive Officer provided the following response

What is the current state of affairs with the dredging program?

Council have a draft report which it is discussing with Ports and DELWP – Covid19 has slowed progress slightly.

Will the results of the dredging survey be made public?

Yes – we are discussing these with DELWP and Ports to understand their response.

Is the dredging program going to go ahead this year, given that we lost the opportunity last vear?

Council has not yet received funding for the dredging works from the state government – This question is best directed to regional ports or our state member of parliament. The delayed state government budget may also impact our ability to deliver in the short term.

Is DELWP again going to dictate to WCC where the sand spoil can be deposited, when locals know darn well the best position is on land?

DELWP has not yet provide its position on this matter. Council will be required to apply to DELWP for a Marine and Coastal Act consent – this permit will provide conditions to which Council must abide.

6.2 QUESTION FROM ANGIE PASPALIARUS, 62 KEPLER STREET, WARRNAMBOOL

"Council recently voted to allow free parking in the CBD, as per time limits displayed which was a welcomed decision by businesses. At the special meeting held, it was discussed by Councillors as 'means of survival..'.

Now that businesses are steadily returning to normal trading days and hours, it has become quite apparent that the free on-street car parking is being used by CBD workers whose cars are parked day.

Myself and other business owners sent formal complaints to Mayor Herbert over 3 weeks ago, to which his reply to me included 'we will continue to monitor the situation and parking officers have been asked to be present on streets'.

Since his email reply on May 20th 2020, there have not been any parking officers present on our street, and cars outside my business have continued to park all day without infringement notices. Some businesses on my street have resorted to posting up signs on their section of street discouraging all day parkers and asking for consideration.

The current state of (free) parking is damaging to already vulnerable businesses – especially those who rely on customers and clients walking into their premises to make a sale. It is also hindering customers' ability to park closer to where they need to go; this becoming increasingly important with bad winter weather approaching.

Why has Council not proactively deployed Local Laws officers to enforce the current free but time parking arrangements?

I would like my answer both verbally and in writing please."

The Director City Infrastructure advised - We have received several car parking petitions over the last 4-5 years, which have requested free parking options for the City Centre;

On each occasion in our response to these petitions, Council has outlined some of the implications of free parking programs.

The implications cited have noted that free parking relies heavily on a strong enforcement and compliance program.

This question is certainly evidence of that situation occurring, and builds on suggestions from previous free parking periods in which commuter parking was observed in off street parking areas. Council has never relied on a heavy enforcement campaign and generally carries out a program of responsive and periodical enforcement activities. One of the problems with free parking is that these rely on a marking or chalking program and these can be problematic at best.

Our officers have been patrolling the CBD over previous weeks and this will continue.

Whilst we are reluctant to commence a heavy enforcement program in the current environment we will issue warnings or infringements for blatant breaches.

6.3 QUESTION FROM BEN BLAIN, WRA VICE PRESIDENT

How does the council expect to enforce the parking time limits when the parking inspectors have been redeployed to building maintenance and crossings?

The Director City Infrastructure advised - Clearly as a result of Covid-19 we did redeploy some of our local laws officers, we initially expected a bit of a downturn in that area, that's certainly not been the case, the number of dog attacks has increased and that groups been very active in that. We have arranged for officers to come back on line to patrol the city centre and that has been occurring over the last couple of weeks and will continue to increase over the next couple of weeks.

6.4 QUESTION FROM BEN BLAIN, WRA VICE PRESIDENT

"According to the briefing meeting minutes from the 11th of May council was asked by the government, what projects are shovel ready? What projects did council advise were shovel ready and what are these projects projected to cost?"

The Chief Executive Officer responded that the projects that we put forward were Lake Pertobe Playspace Renewal, Replacement of the retaining wall and stairs at Proudfoots, Supply and installation of the Albert Park Maintenance facility, Lake Pertobe carpark, Wangoom Road – Widening and bicycle lanes, Lake Pertobe footpath, Walsh Road rehabilitation – heavy vehicle route, Edwards Bridge – Stanley Street, Footpath renewal, Brierly Christchurch Cricket Club changerooms, Bushfield Recreation Reserve improvements – Woodford Cricket and North Warrnambool Football Netball Club, South Warrnambool Football Netball Club – Netball court lighting upgrade, Warrnambool Art Gallery paving replacement, Lighthouse Theatre upgrades, FJ Factory – not for profit creative industries hub upgrades, Outdoor Pool – Aquazone. The total cost of the projects is approximately \$12. 8 million.

6.5 QUESTION FROM BRIAN KELSON, WARRNAMBOOL RATEPAYERS ASSOCIATION

"According to the fraud and corruption policy, we have one officer currently fulfilling 3 roles within council. Does council believe it is good governance to have this one officer involved in the reporting, investigation and the results/disciplinary action taken in relation to the reporting of fraud and corruption?"

The Chief Executive Officer responded that the position is being advertised the document is draft in its current form and reporting positions will be finalised in the adopted policy. We look forward to community feedback by 24 June 2020 for Item 5.1 of this evening's agenda.

6.6 QUESTION FROM JIM BURKE, 1 RIVERDALE COURT, WARRNAMBOOL

"Council has published 33 policy documents on the Warrnambool City Council's public website, these documents cover a range of matters from Affordable Housing to the Warrnambool Art Gallery collection policy. Of these 33 policies, 20 are out of date according to their own review dates. A further three policies will have exceeded their review by dates within the next 30 days. By any measure this is a very poor state of affairs.

While it is commendable that Council is considering two of these very important policies this evening, I am concerned that the Council failed to keep so many policies up to date that it now faces a huge work load just at a time when the recently amended Local Government Act will demand even further and significant policy development work in the immediate future.

What steps, if any, are Council taking to rectify this appalling lapse in policy development and renewal?"

The Chief Executive Officer responded that Council has instituted a controlled documents system to improve the co-ordination and ownership of these policy reviews.

6.6 QUESTION FROM JIM BURKE, 1 RIVERDALE COURT, WARRNAMBOOL

"The Council has fallen behind on the issue of policy development and renewal. Surely the role of ensuring policy currency, in particular ensuring responsible officers are reminded of the need for a policy review as they arise, is the responsibility of the Governance Manager. Further, six of the out of date Council policy documents published on its website have the Governance Manager as the nominated Responsible Officer. Yet Council has been without a Governance Manager for more than six months.

Given the policy renewal deficit and new policy development work ahead, what is being done to fill this position with an appropriately qualified officer?"

The Chief Executive Officer responded that Council has an Acting Governance Officer in place for the duration. The position has become vacant and is being advertised now. A temporary appointment has been made and the incumbent is working through the Governance Manager outstanding policies and making good progress.

7. CLOSE OF MEETING

The meeting closed at 7.30pm.

CHAIRMAN

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

CR. TONY HERBERT MAYOR