

# MINUTES

**SCHEDULED COUNCIL MEETING**

**WARRNAMBOOL CITY COUNCIL**

**5:45 PM - MONDAY 3 OCTOBER 2022**



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## **VENUE:**

**Lighthouse Theatre Studio**

**Lighthouse Theatre**

**Timor Street**

**Warrnambool**

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## **COUNCILLORS**

Cr. Vicki Jellie AM (Mayor)

Cr. Otha Akoch

Cr. Debbie Arnott

Cr. Ben Blain

Cr. Angie Paspaliaris

Cr. Max Taylor

Cr. Richard Ziegeler

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

**Peter Schneider**

**CHIEF EXECUTIVE OFFICER**

## **AUDIO RECORDING OF COUNCIL MEETINGS**

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

## **BEHAVIOUR AT COUNCIL MEETINGS**

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



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**MINUTES OF THE SCHEDULED MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD  
IN THE LIGHTHOUSE THEATRE STUDIO, LIGHTHOUSE THEATRE, TIMOR STREET,  
WARRNAMBOOL ON MONDAY 3 OCTOBER 2022 COMMENCING AT 5:45 PM**

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

**IN ATTENDANCE:** Mr Peter Schneider, Chief Executive Officer  
Mr Peter Utri, Director Corporate Strategies  
Mr David Leahy, Director City Infrastructure  
Mr Andrew Paton, Director City Growth  
Ms Ingrid Bishop, Director Community Development  
Ms Julie Anderson, Manager Governance Property & Projects  
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, present and emerging.

**2. APOLOGIES**

Nil.

**3. CONFIRMATION OF MINUTES**

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**MOVED: CR RICHARD ZIEGELER**  
**SECONDED: CR DEBBIE ARNOTT**

**That the Minutes of the Scheduled Meeting of Council held on 5 September 2022, be confirmed.**

**CARRIED - 7:0**

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

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

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

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

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

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

Nil.

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

We are looking forward to the AFLW football game that's coming this Sunday 9 October at 1.10pm at the Reid Oval. The game will be with Essendon and Geelong and it looks to be an exciting game. It's great to attract elite competitions such as this which encourages participation not only for female sports but for all community members to become active and especially our young community members to be involved and healthy so we're hoping that there will be about 4,000 or 5,000 people there, hope the weather's fine and remember that if you would like to attend you must book online through Ticketmaster to gain access to the game, it's \$10 for adults and free for entry for all under 18 so it's a really good thing to be coming to city for us all.

I would also like to congratulate all those involved in last Saturday's Multicultural Festival which was held on the Civic Green. The event was attended by about 4,000 people over the day. I was there earlier in the day when it opened at 10 and there were hundreds of people there. There was so many cultures represented, about 20 different nationalities and a lot of people made comment that they didn't realise we had that many nationalities in our city so it was really good, it was great to celebrate the diversity of our community, they shared their culture their dance, their food and coming together of so many. A lot of hard work was done by the organisers and it definitely paid off and I hope it returns as an annual event for the City because I think it was well received by everyone.

## **6. PETITIONS AND JOINT LETTERS**

### **6.1. PETITIONS - OBJECTION TO PROPOSED RELOCATION OF WARRNAMBOOL ART GALLERY TO CANNON HILL**

Written and electronic petitions have been received with 5,013 combined signatures lodged by David Atkinson OAM JP, Brian Guyett and Ray Loughheed *Objecting to the proposed relocation of Warrnambool Art Gallery to Cannon Hill.*

At the Scheduled Meeting of Council held on 1 August 2022, Council considered a report on the proposed development of a Business Case for a new Warrnambool Art Gallery.

The motion carried at the 1 August 2022 Council meeting was:-

*“That a Business Case be developed using the Cannon Hill site for a new state-of-the-art Regional Gallery in Warrnambool.”*

In accordance with Clause 25 of the Governance Rules pertaining to Petitions and joint Letters, the only motions that may be considered for any petitions are:-

- (a) that the petition be received;
- (b) that the petition be referred to the Chief Executive Officer for consideration and response; or
- (c) that the petition be referred to the Chief Executive Officer for an Officer Report to a future Council Meeting.

Given that work is currently underway in support of the aforementioned resolution, it is recommended that the appropriate motion be that the petition be received. The subject matter of the petition will be taken into account when the outcome of the Business Case is considered by Council.

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR RICHARD ZIEGELER**

***That in accordance with the Governance Rules, the petition lodged *Objecting to the proposed relocation of Warrnambool Art Gallery to Cannon Hill*, be received.***

**CARRIED - 7:0**

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## **7. PUBLIC QUESTION TIME**

### **7.1 QUESTION FROM STEVE MOORE, WARRNAMBOOL**

*Has the design work for Scoborio reserve been completed yet please.*

#### **RESPONSE**

A draft design has been completed and will be checked on-site and could possibly be staged in its construction as it includes formalising indented parking at the base of Scoborio Reserve. The design will provide for car & trailer parking only areas, an accessible parking area and increased areas for car and trailer parking.

## **8. REPORTS**

### **8.1. AMENDMENT TO GOVERNANCE RULES - CONDUCT OF VIRTUAL COUNCIL MEETINGS**

**DIRECTORATE : Executive Services**

**PURPOSE:**

***This report provides information on the proposed amendments to the Governance Rules for the conduct of virtual Council Meetings and Delegated Committee meetings following public exhibition of the proposed changes to the Governance Rules.***

#### **EXECUTIVE SUMMARY**

- The State Government have passed the Regulatory Legislation Amendment (Reform) Act 2022.
- This piece of legislation amends the Local Government Act 2020 (the Act) to provide for Councillors and members of delegated committees attendance and participation in virtual and hybrid (combination of virtual and in person) Council meetings and delegated committee meetings.
- The proposed changes to Council's Governance Rules were considered at the Scheduled Meeting of Council held on 5 September 2022, with Council resolving to place the amendments to the Governance Rules on public exhibition.
- The proposed changes to the Governance Rules were placed on public exhibition with submissions open to be received via direct submission, or to [yoursaywarrnambool.com.au](https://yoursaywarrnambool.com.au). One (1) submission was received.

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR RICHARD ZIEGELER**

**That Council adopt the Governance Rules, as at Attachment 1 of this report, to provide for Councillors and members of delegated committees attendance and participation in virtual and hybrid (combination of virtual and in person) Council meetings and delegated committee meetings.**

**CARRIED - 7:0**

#### **BACKGROUND**

The State Government have passed the Regulatory Legislation Amendment (Reform) Act 2022. This piece of legislation amends the Local Government Act 2020 (the Act) to provide for Councillors and members of delegated committees attendance and participation in online Council meetings and delegated committees.

The changes replace the existing temporary emergency provisions and will commence on 2 September 2022.

Under the amended legislation, Council must amend its Governance Rules to:

- Outline the conduct of holding meetings by electronic means of communication (both Council and delegated committees).
- Outline a process for Councillors and committee members to request and have approved attendance by electronic means of communication at Council meetings and meetings of delegated committees.

- As outlined in Council's Community Engagement Policy, Council is committed to offering opportunities for the community to contribute to the decisions made by Council. The updated rules are required to provide for Council and Delegated Committee meetings to be held by electronic means of communication. In accordance with the Act, the Governance Rules must continue to:
- Provide for Council to consider and make decisions of any matter being considered by the Council fairly and on the merits;
- Provide for Council to institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered; and
- Be developed in accordance with a community engagement process. Proposed amendments to the Governance Rules are contained in **Attachment 1**.

## **ISSUES**

The purpose of the update is to develop and adopt Governance Rules that accommodate the virtual meeting procedure which includes amendments to the following:

### **Definitions**

- a) Council Meeting
- b) Committee meeting

### **Meeting preparation**

- a) Types of Council meetings (including for delegated committee meetings)
- b) Notice of meetings
- c) How a Councillor and members of Delegated committee requests attendance to be by electronic means
- d) Process for approval of request by electronic means Roles and Conduct a) by electronic means of communication Conflict of interest a) leaving the room by electronic means

### **General Conduct of meetings**

- a) Quorums due to technical difficulties
- b) Closing a meeting to the public (confidentiality)
- c) Public Participation

### **Conduct of debate**

- a) Motions and amendments
- b) Voting

Types of meetings and electronic means of communication definitions might include "physical" (in-person), "virtual" or "hybrid".

Section 66 of the Act, a council or delegated committee must keep a meeting "open to the public" except in specified circumstances. New provisions insert a definition of "open to the public" to mean:

- Either, attendance in person by a member of the public, or a meeting that is broadcasted live on the Internet site of the Council
- A recorded meeting that is published on the council internet site as soon as practicable after the meeting (in the case of a delegated or joint delegated committee only); or
- Any other prescribed means of meeting

## CONSULTATION

The proposed changes to the Governance Rules were placed on public exhibition via direct submission or to [yoursaywarrnambool.com.au](https://yoursaywarrnambool.com.au) with one (1) submission received.

The submission put the question to Council about whether members of the public who were unable to attend a meeting in person should be able to have ask their question virtually.

Given the changing world we live in, and the requirement to isolate at home in certain circumstances, it was agreed that it is reasonable for people who are not present at a Council Meeting to be allowed to have their questioned asked in some format.

As the changes to the Governance Rules to allow for virtual meetings is designed to provide alternate options in extenuating circumstances, it was determined that, at this stage, given the resource requirement to support the inclusion of external parties to engage directly in virtual meetings, this would not be included. This could, however, be a future amendment made to the Governance Rules if Council where to find that virtual meetings were occurring with greater occasion that is currently anticipated.

In reviewing the submission, Council did consider that it was reasonable for the CEO to ask a question on behalf of a person who is unable to attend the meeting. This is in line with the reasoning for the required change to the Governance Rules. The additional amendment at section 26 (11) now reads:

*Where the person who submitted the question is not present at the Council Meeting, the Chief Executive Officer may read the text of question on that person's behalf, and the Chair may then direct that the question to be answered by the Chief Executive Officer or a nominated Officer.*

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 5 An effective Council

5.1 Leadership and governance: Council will be a high-functioning team committed to respectful relationships, collaboration and ongoing engagement. It will provide strong, effective leadership, sound governance and informed decision-making

5.2 Engaged and informed community: Council will ensure ongoing community engagement to identify changing needs and priorities when developing and delivering services and programs.

## TIMING

Ministerial guidelines outline the requirements to update Council's Governance Rules were issued mid-June 2022. The legislative changes come into force on 2 September 2022. To ensure Council abides by section 60(4) of the Local Government Act 2020, the draft Governance Rules were put out on exhibition prior to them being put before Council for their proposed adoption at the 3 October Council Meeting.

## COMMUNITY IMPACT / CONSULTATION

Section 60(4) of the Act requires that a process of community engagement is followed when amending the Governance Rules. This means that some form of community consultation must be undertaken before amended rules are adopted. As this update to the Governance Rules is a statutory requirement, it is recognised that this limits the opportunity for the community to provide significant input into the proposed amendments.

## **LEGAL RISK / IMPACT**

The update is legislated; therefore, Council must update and include the relevant provisions and procedures in the Governance Rules to ensure legislative compliance.

## **OFFICERS' DECLARATION OF INTEREST**

No officer conflict declared.

## **COLLABORATIVE PROCUREMENT**

N/A

## **CONCLUSION**

The Governance Rules have been amended to include new legislative requirements around the provision of and procedures for virtual Council and Delegated Committee meetings. The draft Governance Rules were placed on public exhibition in accordance with section 60(4) of the Local Government Act prior to their proposed adoption.

## **ATTACHMENTS**

1. Governance Rules - FINAL Draft - 22 September 2022 [8.1.1 - 63 pages]



## GOVERNANCE RULES

### Introduction

#### 1. Nature of Rules

These are the Governance Rules of Warrnambool City Council, made in accordance with section 60 of the *Local Government Act 2020*.

#### 2. Date of Commencement

These Governance Rules commence on 3 May 2021.

#### 3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

#### 4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

**Absolute Majority** means the number of:

- (a) Councillors which greater than half the total number of Councillors of Council; and
- (b) members of a Delegated Committee which is greater than half the total number of members of the Delegated Committee.

**Act** means the *Local Government Act 2020*.

**Additional Council Meeting** means a meeting called in accordance with rule [12].

**Agenda** means a document containing the date, time and place of a *Meeting* and a list of business to be transacted at the *Meeting*.

**Annual (Statutory) Meeting** means the *Council Meeting* at which the Mayor is elected.

**Authorised Officer** means an *Officer* who is authorised by the *Chief Executive Officer* or *Council* under section 224 of the *Local Government Act 1989*.

**Call of the Council Meeting** means a *Council Meeting* called under rule 22.

**“Caretaker period”** has the same meaning as ‘election period’ in Section 3(1) of the *Act*, and means the period that starts on the entitlement date and ends at 6pm on Election Day;

**Chair** means the:

- (a) *Councillor* elected as Mayor under rule [3];

- (b) person appointed as the Chairperson of a *Delegated Committee*; or
- (c) person taking the chair at a *Meeting* in accordance with *these Rules* in the absence of the Mayor or Chairperson of the *Delegated Committee*, as the case requires.

**Chief Executive Officer** means the person occupying the position of Chief Executive Officer of *Council* and includes a person acting that position.

**Civic Centre Precinct** means 25 Liebig Street Warrnambool.

**Committee Meeting** means a meeting of a *Delegated Committee* or *Community Asset Committee*.

**Community Asset Committee** means a *Community Asset Committee* established under section 65 of the *Act*.

**Community Asset Committee Meeting** means a meeting of a *Community Asset Committee*.

**Community Engagement Policy** means the Community Engagement Policy adopted by the Council under section 55 of the *Act*.

**Confidential Information** has the same meaning as in section 3(1) of the *Act*.

**Council** means the Warrnambool City Council.

**Council Chambers** means the place where a scheduled meeting of Council is advertised to be held.

**Council Meeting** includes Scheduled Council meeting and Additional Council Meeting as defined by section 61 of the *Act*; and includes a scheduled or unscheduled meeting that may be held as a face-to-face (in person) meeting at a set location or via electronic means (virtual or remote) or in a hybrid format that mixes in person and virtual (remote) attendance.

**Councillor** means a Councillor of Council.

**Councillor Code of Conduct** means the code of conduct developed and adopted by Council under section 76C of the *Local Government Act 1989*.

**Delegated Committee** means a delegated committee established under section 63 of the *Act*.

**Delegated Committee Meeting** means a meeting of a *Delegated Committee* convened in accordance with *these Governance Rules*. A *Delegated Committee Meeting* includes a scheduled or unscheduled meeting that may be held as a face-to-face (in person) meeting at a set location or via electronic means (virtual or remote) or in a hybrid format that mixes in person and virtual (remote) attendance.

**Deputy Chair** means the:

- (a) Councillor elected as Deputy Mayor under rule 6; or
  - (b) person appointed as the Deputy Chair of a *Delegated Committee*;
- as the case requires.

**Division** means a formal count of those Councillors or members of a *Delegated Committee* who voted for or against, or did not vote in respect of, a motion and the recording of that count and the way each Councillor or member of the *Delegated Committee* voted in the minutes of the *Meeting*.

**Hearings Council Meeting** is a meeting of Council for the specific purpose of hearing submissions in accordance with section 223 of the *Local Government Act 1989*.

**Informal Councillor Meeting** means a meeting referred to in Chapter 6(1).

**"Leave of absence"** means formal leave requested and taken by a Councillor who is not available, or unable, to perform their Council duties for a specified period of time;

**Mayor** means the Mayor of *Council* or, in the *Mayor's* absence, the *Deputy Mayor*.

**Meeting** means a *Scheduled Council Meeting*, an *Additional Council Meeting*, a *Hearings Council Meeting*, *Delegated Committee Meeting* and a *Community Asset Committee Meeting*, as the context requires.

**Minister** means the Victorian State Government Minister responsible for administering the *Act*.

**Minutes** means the record of proceedings of a *Meeting*.

**Municipality** means the municipal district of Council.

**Notice of Motion** means a notice setting out the text of a motion, which a *Councillor* proposes to move at a *Council Meeting*.

**Officer** means a member of *Council* staff.

**Officer Report** means a report prepared by a *Council Officer* for consideration by *Council*.

**Operational Service Request Process** means a request for action through Council's Customer Request System in use by the Council or request relating to the day to day management of Council operations as defined in Section 94A(1) of the *Act* as the functions of the Chief Executive Officer.

**Point of Order** means a point of order raised in accordance with rule 77.

**Procedural Motion** means a motion contained in the Table at Appendix 1 to *these Rules*.

**Quorum** at a Council Meeting or Delegated Committee Meeting means an Absolute Majority of Councillors or members of the Delegated Committee, as the case requires.

**Rescission Motion** means a *Notice of Motion* proposing the rescission of a resolution made by Council.

**Resumption of Standing Orders** means the resumption of the provisions of *these Rules* governing the conduct of *Meetings* to permit decisions to be made.

**Senior Officer** has the same meaning as in Section 3(1) of the *Local Government Act 1989*.

**Significant Expenditure** means one (1) percent or more of general rate income of the *Council*.

**Suspension of Standing Orders** means the suspension of the provisions of *these Rules* governing the conduct of *Meetings* to facilitate full discussion on a matter without formal constraints.

**these Rules** means these Governance Rules.

**Urgent Business** means a matter that has arisen since distribution of the Agenda for a Meeting and cannot safely or conveniently be deferred until the next Meeting.

**"Visitor"** means any person (other than a Councillor or an Officer) present at a Meeting;

**Council Website** means Council's website at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au).

**Written or In Writing** includes duplicated, photocopied, photographed, printed and typed and extends to both hard copy and soft copy form.

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## Chapter 1 – Governance Framework

### 1. Context

*These Rules* should be read in the context of and in conjunction with:

the overarching governance principles specified in section 9(2) of the *Act*; and the following documents adopted or approved by *Council*:

- Councils Code of Conduct
- Councils Transparency Policy
- Councils Community Engagement Policy

### 2. Decision Making

In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

- fairly, by giving consideration to all available information and making a decision which is ethical and impartial; and
- on its merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

*Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

Without limiting anything in paragraph (ii) of this sub-Rule:

- before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person has or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
- if an *Officer Report* to be considered at a *Council Meeting* concerns subject-matter which will directly affect the rights of a person or persons, the *Officer Report* must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
- if a report to be considered at a *Delegated Committee Meeting* concerns subject-matter which will directly affect the rights of a person or persons, the report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
- if a *Council Officer* proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the *Council Officer* must, when making that decision, ensure that they record that notice of the decision to be made was given to the person or persons and such person was or persons were provided with an opportunity to communicate their views and have their interests considered.

## Chapter 2 – Meeting Procedure for Council Meetings

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## **PART A - INTRODUCTION**

### **1. Purpose**

The purpose of this Chapter is to:

- (1) facilitate good government and provide a process for good decision making of *Council* on matters affecting the *Municipality* and *Community*;
- (2) provide the procedures governing the conduct of *Meetings*;
- (3) set expectations with respect to the behaviour of those participating in, or present at, *Meetings*;
- (4) provide rules for the election of the *Mayor* and *Temporary Chair*.

## **PART B - ELECTION OF MAYOR AND TEMPORARY CHAIRS**

### **2. Election of the Mayor**

- (1) The *Mayor* must be elected annually at the *Annual (Statutory) Meeting*.
- (2) The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act* and *these Rules*.
- (3) Subject to rule 3(3)(b), the *Chief Executive Officer* must determine the most appropriate time and date for the election of the *Mayor*, except that the election of the *Mayor* must be held:
  - (a) after the fourth Saturday in October but not later than 30 November in each year; or
  - (b) in any case, as soon as possible after the office of *Mayor* becomes vacant.
- (4) Notwithstanding rule 3(1), *Council* may resolve to elect a *Mayor* for a term of 2 years. If *Council* resolves to elect the *Mayor* for a term of 2 years, the next election of the *Mayor* is 2 years after the last Saturday in October but not later than 30 November in the second year after the election.
- (5) The order of business at the *Annual (Statutory) Meeting* is to be determined by the *Chief Executive Officer*.
- (6) The *Councillor* elected to the position of *Mayor* may make a commencement speech for up to 10 minutes outlining their vision for their term as *Mayor*.
- (7) The commencement speech must not address matters outside the powers of *Council*, be derogatory, or be prejudicial to any person or *Council*.

### **3. Method of Voting**

The election of the *Mayor* must be carried out by a show of hands.

### **4. Procedure for Election of the Mayor**

- (1) The election of the *Mayor* will be conducted in accordance with the provisions of the *Act* and this rule 5.
- (2) The *Chief Executive Officer* must open the *Annual (Statutory) Meeting* at which the *Mayor* is to be elected.
- (3) Before nominations for the office of *Mayor* are invited by the *Chief Executive Officer*, the *Council*

must resolve if the term of the *Mayor* is to be for one (1) year or two (2) years.

- (4) Any nominations for the office of *Mayor* must be made verbally by *Councillors* present at the *Annual (Statutory) Meeting*.
- (5) A nomination for *Mayor* does not require a seconder.
- (6) If there is only one nomination, the *Councillor* nominated is deemed to be elected.
- (7) If there is more than one nomination:
  - (a) each of the candidates shall be invited to speak for no more than three (3) minutes to their nomination in alphabetical order of their surnames and, where two or more such candidates' surnames are identical, the order will be determined by the alphabetical order of the candidates' first names;
  - (b) after each of the candidates has been given an opportunity to speak, a vote must be taken to elect one of the candidates nominated, where:
    - (i) a candidate receiving an *Absolute Majority* of the votes is declared elected;
    - (ii) if no candidate receives an *Absolute Majority* of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate (and, where more than one of them has the same fewest number of votes, the candidate to be eliminated is to be determined by lot);
    - (iii) a further vote will then be taken for the remaining candidates;
    - (iv) where one of the remaining candidates receives an *Absolute Majority* of the votes, he or she shall be declared elected;
    - (v) where none of the remaining candidates receives an *Absolute Majority* of the votes, the procedure described in rule 5(7)(b)(ii) is repeated;
    - (vi) this process shall continue until one of the candidates has received an *Absolute Majority* of the votes, or the final two candidates have an equal number of votes;
    - (vii) where one of the candidates has received an *Absolute Majority* of the votes, that candidate is declared elected; and
    - (viii) where the remaining candidates have an equal number of votes and one of them needing to be declared elected, the defeated candidate shall be determined by lot.
- (8) The following provisions apply to the conduct of the lot:
  - (a) each candidate will draw one (1) lot;
  - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the candidates who received an equal number of votes and, where two or more such candidates' surnames are identical, the order will be determined by the alphabetical order of the candidates' first names;
  - (c) as many identical pieces of paper as there are candidates who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be *Written* on one (1) of the pieces of paper, and the candidate who draws the paper with the word "Defeated" *Written* on it must be declared the defeated candidate;
  - (d) if only one candidate remains, that candidate is deemed to be elected; and
  - (e) if more than one candidate remains, a further vote must be taken on the remaining candidates and the above process repeated if necessary, in which case that candidate will be declared

duly elected.

- (9) The *Chief Executive Officer* will declare the result of the election and the successful candidate.

**5. Procedure for Election of the Deputy and Temporary Chairs**

- (1) At a *Meeting* to elect the *Mayor*, the *Council* may determine to elect a *Deputy Mayor*.
- (2) The procedure used for the election of *Mayor* will be used to elect the *Deputy Mayor* or temporary *Chair* (in cases where the *Mayor* and *Deputy Mayor* are absent from a *Council Meeting*), provided that a reference to the *Mayor* is a reference to the *Deputy Mayor* or to the temporary *Chair*, as the case may be.
- (3) The *Chief Executive Officer* or his/her delegate will conduct the election of the *Deputy Mayor* and temporary *Chair*.

**PART C - COUNCIL MEETING PROCEDURES**

***DIVISION 1 – ROLE OF CHAIR***

**6. Mayor to take Chair**

- (1) The *Mayor* must take the *Chair* at all *Council Meetings* at which the *Mayor* is present.
- (2) If the *Mayor* is not in attendance at a *Council Meeting*, the *Deputy Mayor* (if one has been elected) must take the *Chair*.
- (3) If the *Mayor* and *Deputy Mayor* are not in attendance at a *Council Meeting*, the *Council* must elect one (1) of the *Councillors* as temporary *Chair*.
- (4) In the event that a *Council Meeting* is held virtually (and not in person) under Division 15 of these Rules, the *Council Meeting* will be Chaired in accordance with rules 6(1), 6(2) and 6(3), as is applicable.
- (5) In the event that a *Council Meeting* is held *partially in person and partially by electronic means* under Division 15 of these Rules, the *Council Meeting* will be Chaired by the *Mayor* at all *Council Meetings* at which the *Mayor* is present in person,
- (6) In the event that a *Council Meeting* is held *partially in person and partially by electronic means* under Division 15 of these Rules, if the *Mayor* is not in attendance in person, the *Council Meeting* will be Chaired by the *Deputy Mayor* where the *Deputy Mayor* is present in person.
- (7) In the event that a *Council Meeting* is held *partially in person and partially by electronic means* under Division 15 of these Rules, and neither the *Mayor* or *Deputy Mayor* are present in person at the *Council Meeting*, the *Council* must election one (1) of the *Councillors* as temporary *Chair*.

**7. The Chair's Duties and Discretions**

In addition to the specific duties and discretions provided in *these Rules*:

- (1) the *Chair* must not accept any motion, question or statement which the *Chair* determines is:
- (a) is derogatory;
  - (b) defamatory;

- (c) objectionable in language or nature;
  - (d) vague or unclear in intention;
  - (e) outside the powers of the *Council*; or
  - (f) irrelevant to the item of business on the *Agenda* and has not been admitted as *Urgent Business*, or purports to be an amendment but is not; and
- (2) if the behaviour of a person is disruptive and interferes with the conduct of the business of the *Council*, the *Chair* must call that person to order.

Also see Division 14 – Conduct & Behaviour

## ***DIVISION 2 – NOTICE OF MEETINGS & DELIVERY OF AGENDAS***

### **8. Meetings Open to the Public**

- (1) The *Council* may hold:
- (a) *Scheduled Council Meetings* at which the business of the *Council* may be transacted; and
  - (b) *Additional Council Meetings* at which the business specified in the notice calling the *Additional Council Meeting* may be transacted.
- (2) All *Meetings* will be open to the public unless it is considered necessary to close the *Meeting* to the public in accordance with section 66(2) of the *Act*.
- (3) In the event that a Scheduled Council Meeting is held virtually (and is not held in person) as prescribed under Division 15 of these Rules, members of the public can watch the live webcast on the Council meeting at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au).

See rule 15 – Meetings Closed to the Public

- (4) The *Council* may hold *Special meetings* to deal with the following:
- (a) Adoption of the *Council* Plan and the Declaration of Rates and Charges;
  - (b) Adoption of the *Council's* Audited Financial Report, Standard Statement and Performance Statement;
  - (c) Election of the *Mayor* and appointment of *Council* representatives;
  - (d) Presentation of the Annual Budget; and
  - (e) Any other matter.

### **9. Appointment of *Council* Representatives and Delegates**

At a *Council Meeting* held as soon as practicable after the *Annual (Statutory) Meeting*, the *Council* must resolve to:

- (1) appoint *Councillors* as members of, or representatives on, *Delegated Committees*; and
- (2) appoint *Councillors* as delegates to external committees and organisations,

for the ensuing year.

### **10. Date and Times of Scheduled Council Meetings**

- (1) The *Council* will fix the dates, times and places of all *Scheduled Council Meetings* for the following 12 months at the first *Council Meeting* following the *Annual (Statutory) Meeting*.
- (2) The dates, times and places of all *Scheduled Council Meetings* are to be made available to the public.

See Rule 21 – Notice of Meeting to the Public

#### **11. Holding Additional Council Meetings or Hearings Council Meetings**

An *Additional Council Meeting* or a *Hearings Council Meeting* will be held where:

- (1) Written notice of the *Additional Council Meeting* or a *Hearings Council Meeting* is provided to the *Chief Executive Officer* by the *Mayor* or by three or more *Councillors*, at least 7 days prior to the proposed meeting to allow for appropriate advertising of the meeting; and
- (2) the written notice specifies the:
  - (a) date, time and place for the *Additional Council Meeting* or the *Hearings Council Meeting*;
  - (b) business to be transacted at the *Additional Council Meeting* or the *Hearings Council Meeting*; and
  - (c) reason that the business to be transacted at the *Additional Council Meeting* cannot be left to be considered at the next *Scheduled Council Meeting*; or
- (3) the *Chief Executive Officer* determines, in their absolute discretion, that an *Additional Council Meeting* is necessary or desirable.

A *Hearings Council Meeting* will be held where:

- (4) Council is required to hear submissions in accordance with section 223(b) of the Local Government Act 1989, or in accordance with the Community Engagement Policy.
- (5) Council elects to hear submissions from the community on matters outlined in the notice of the *Hearings Council Meeting*.
- (6) Any item that the Council elects to hear submissions for must be:
  - (a) a matter within the powers of the *Council*;
  - (b) a matter subject to a *Council* decision-making process which has commenced but is not yet complete;
  - (c) consistent and in accordance with any Act or its Regulations; and
  - (d) consistent with any Council or Operational Policy, Local Law or adopted Council Strategy or Plan.
- (7) Any item that the Council elects to hear submissions for must not be:
  - (a) of an operational, minor or routine nature;
  - (b) be defamatory or objectionable in language or nature;
  - (c) be prejudicial to any person or *Council*;
  - (d) be identical or substantially similar to a *matter* that has been considered by the *Council* in the preceding six (6) months;

- (8) Unless all Councillors unanimously agree by resolution to hear a matter that is not specified on in the resolution or notice of the *Hearings Council Meeting*, only the matters specified will be heard.

The following procedures will apply to a *Hearings Council Meeting*:

- (9) Notice of desire to speak to the matters advertised in the *Hearings Council Meeting* notification must be submitted to Council prior to the deadline stated on that notice, or two (2) business days prior to the meeting, whichever comes first.
- (10) In any case where written submissions are requested, these must be provided by the deadline specified in the public notice/advertisement and indicate whether the submitter wants to speak at a *Hearings Council Meeting*.
- (11) Submitters will be allocated five (5) minutes to speak to matter and/or their submission.
- (12) Councillors will be allowed to ask questions of speakers at the conclusion of their five minute presentation time.
- (13) No decisions of the Council will be made on the matters addressed at the *Hearings Council Meeting*.

## **12. Meeting Locations**

*Scheduled Council Meetings* will be held:

- (1) in the *Council Chambers* or any building within the *Civic Centre Precinct* as determined by the *Chief Executive Officer*, or
- (2) another location outside the *Civic Centre Precinct* by resolution of the *Council*.

## **13. Cancellation of Meeting**

- (1) The *Chief Executive Officer* may postpone or cancel a *Scheduled Council Meeting* if, in his or her opinion:
- (a) the content of an *Agenda* is such that the *Scheduled Council Meeting* is unnecessary; or
- (b) in the case of an emergency.
- (2) Where the *Chief Executive Officer* postpones or cancels a *Scheduled Council Meeting*, he or she must give such notice to *Councillors* and the public as is practicable.
- (3) The *Chief Executive Officer* must submit a *Written* report of the circumstances requiring the postponement or cancellation of a *Scheduled Council Meeting* to the next *Scheduled Council Meeting*.

## **14. Altering Meeting Dates, Time and Venue**

- (1) The *Council* may, by resolution, alter the day, time and/or place at which a *Scheduled Council Meeting* will be held, and must provide reasonable notice of the change to the public.
- (2) In consideration of public interest in *Agenda* items or an emergency arising, the *Chief Executive Officer*, in consultation with the *Mayor*, may, without resolution of *Council*, alter the place at which an *Ordinary meeting* will be held, and must provide reasonable notice of the change to the public.

## **15. Notice of Meetings to the Public**

- (1) Public notice of all *Council Meetings* will be provided by the *Chief Executive Officer* in accordance with this rule 16.
- (2) Public notice of *Scheduled Council Meetings* will be provided by:

- (a) a schedule of all *Scheduled Council Meetings*, including the date, time, place and mode of attendance for each *Scheduled Council Meeting*, as updated from time to time, being displayed on the *Council Website*; and
  - (b) the *Agenda* for a *Scheduled Council Meeting* being displayed on the *Council Website* no less than two (2) days before the *Scheduled Council Meeting*.
- (3) Public notice of *Additional Council Meetings* will be provided by:
  - (a) notice of the date, time, place and mode of attendance of the *Additional Council Meeting* being displayed on the *Council Website* as soon as practicable after the *Additional Council Meeting* is called under rule 12; and
  - (b) the *Agenda* for the *Additional Council Meeting* being displayed on the *Council Website* as far in advance of the *Additional Council Meeting* as possible.
- (4) Despite the provisions of this rule 16, the *Chief Executive Officer* may determine to provide shorter public notice of an additional *Council Meeting* where he or she considers it necessary or desirable to do so, in his or her absolute discretion.

**16. Notice of Meetings to Councillors**

- (1) The notice for a Council Meeting must state the date, time, place and mode of attendance of the Council Meeting and the business to be dealt with, incorporating the Agenda for the Council Meeting, and must be delivered to each Councillor by email, to the Councillor's Council-provided email address at least forty-eight (48) hours before the Council Meeting, unless the Chief Executive Officer determines, in his or her absolute discretion, that a shorter time is necessary
- (2) A notice of a *Council Meeting* will be served on a *Councillor* who has been granted *Leave of Absence* unless the *Councillor* has requested *In Writing* to the *Chief Executive Officer* to discontinue the giving of notice of any *Council Meeting* to be held during his or her absence.

***DIVISION 3 – QUORUMS***

**17. Quorum**

The *Quorum* for any *Council Meeting* is an *Absolute Majority*.

In accordance with section 61(6A) of the Act, for the purposes of Council Meetings, a Councillor present by electronic means of communication is deemed present for the purposes of a quorum

**18. Inability to Obtain a Quorum**

If a *Quorum* is not present within thirty (30) minutes of the time appointed for the commencement of any *Council Meeting* or adjournment, those *Councillors* present or, if there are no *Councillors* present, the *Chief Executive Officer* or, in his or her absence, a *Director*, may adjourn the *Council Meeting* for a period not exceeding seven (7) days from the date of the adjournment.

*Also see Rule 27.*

**19. Inability to Maintain a Quorum**

If during any *Council Meeting* or adjournment a *Quorum* is lost and cannot be regained within 30 minutes, those *Councillors* present or, if there are no *Councillors* present, the *Chief Executive Officer* or, in his or her absence, a *Senior Officer*, may adjourn the *Council Meeting* for a period not exceeding seven (7) days from the time of adjournment.



**20. Inability to Maintain a Quorum due to Conflicts of Interest from Councillors**

If a *Quorum* cannot be gained or maintained at a *Council Meeting* or adjournment due to conflicts of interest among the *Councillors*, *Council* will consider whether the decision can be made by dealing with the matter in an alternative manner, in accordance with section 67 of the *Act*.

**21. Call of the Council**

- (1) If a *Quorum* of *Councillors* cannot be formed and maintained due to the absence of *Councillors*, the *Chief Executive Officer* may require all *Councillors* to attend a *Call of the Council Meeting*.
- (2) A *Call of the Council Meeting* must be treated as an *Additional Council Meeting*.
- (3) If a call of the *Council* has been required, immediately after the opening of the meeting, the *Chief Executive Officer* must call the name of:
  - (a) the *Mayor*; and
  - (b) each *Councillor* in alphabetical order.
- (4) Each person present must answer to his or her name, all excuses for absence must be considered and to each excuse the following question must be put to the vote:

"Is the excuse of Cr                      a reasonable excuse to the satisfaction of *Council*?"

***DIVISION 4 – BUSINESS OF MEETINGS***

**22. Order of Business**

- (1) The order in which business is listed on the *Agenda* shall be determined by the *Chief Executive Officer* so as to facilitate and maintain open, efficient and effective processes of government.
- (2) Subject to any changes made by the *Chief Executive Officer* in his or her absolute discretion, the default order of business is as follows:
  - (a) Welcome and Acknowledgement of Country;
  - (b) *Councillor* Apologies and *Leave of Absence* Applications;
  - (c) (*On Notice*) *Mayoral* Presentation
  - (d) (*On Notice*) Petitions and Joint Letters
  - (e) Public Question Time;
  - (f) Disclosure of Conflict of Interest in any item on the *Agenda*; (see chapter 5)
  - (g) Adoption and Confirmation of the *Minutes* of previous *Meetings*;
  - (h) Officer Reports;
  - (i) Reports from *Committees*;
  - (j) Informal meeting records; (Chapter 6 (1))
  - (k) *Mayoral & Chief Executive Officer Council* Activities – Summary Report

- (l) (On Notice) Notices of Motion;
- (m) General Business;
- (n) Urgent Business.

**23. Councillor Apologies and Leave of Absence Applications**

- (1) Apologies shall be read out by the *Chair* at the commencement of each *Meeting*.
- (2) All requests for *Leave of Absence* shall be submitted to the *Chief Executive Officer in Writing* and approved by resolution of the *Council*.
- (3) Section 35 of *the Act* states that a *Councillor* ceases to hold office if the *Councillor* is absent from *Council Meetings* for a period of four (4) consecutive months without leave being obtained from the *Council*.

**24. Mayoral Presentations**

From time to time, the *Mayor*, as the principle spokesperson for Council, may give a short presentation or make a statement relating to his or her civic and ceremonial duties or to issues of interest and/or importance to the *Council*, provided that the presentation is no longer than five (5) minutes.

**25. Petitions and Joint Letters**

- (1) A petition or joint letter received by the *Council* or an individual *Councillor* must be lodged with the *Chief Executive Officer* at least five (5) days before *Council Meeting* at which it is to be considered to ensure sufficient time to include the petition or joint letter in the *Agenda*.
- (2) A petition submitted to the *Council* must:
  - (a) be in legible and permanent writing;
  - (b) have the full name, address and signature of all individual signatories;
  - (c) not be defamatory, indecent, abusive or objectionable in language or content;
  - (d) not relate to matters beyond the powers of the *Council*;
  - (e) include the whole of the request of the petitioners or signatories on each page; and
  - (f) consist of single-sided pieces of paper and must not be pasted, stapled, pinned or otherwise affixed to any other piece of paper.
- (3) Notwithstanding rule 25(2) (a), (b), (e) and (f), an electronic petition may be received by the Council or an individual Councillor and submitted to the next Council Meeting in accordance with rule 25(1) for Council's consideration.
- (4) The *Chief Executive Officer* must arrange for petitions to be submitted to the next practicable Ordinary meeting following their receipt.
- (5) Only the petitioner's request and the number of signatories will be included in the *Agenda* for the *Council Meeting* at which it will be considered.
- (6) If a petition is addressed to an individual *Councillor*, and listed on the *Agenda*, that *Councillor* may read the petition out at the *Council Meeting* without speaking to it. Other petitions will be read by the *Chief Executive Officer* or his or her delegate.
- (7) Unless rule 25(9) applies, the only motions that may be considered for any petitions are:

- (a) that the petition be received;
  - (b) that the petition be referred to the *Chief Executive Officer* for consideration and response; or
  - (c) that the petition be referred to the *Chief Executive Officer* for an *Officer Report* to a future *Council Meeting*.
- (8) If the petition relates to any item already on the *Agenda* for the *Council Meeting* at which the petition is submitted, the matter may be dealt with in conjunction with that *Agenda* item.
- (9) If the petition relates to an operational matter, the *Council* must refer it to the *Chief Executive Officer* for consideration.
- (10) If the petition relates to:
- (a) a planning matter which is the subject of a public notification process under the *Planning and Environment Act 1987*; or
  - (b) a matter which is the subject of a public submission process under Section 223 of the *Local Government Act 1989* or a community engagement process under the *Community Engagement Policy*,
- the petition will be treated as a joint submission in relation to the matter.
- (11) A petition may nominate a person to whom a reply must be sent, but if no person is nominated or is the obvious intended contact person, the *Council* may reply to the first signatory who appears on the petition.
- (12) Any petitions or joint letters that do not comply with *these Rules* will not be tabled at a *Council Meeting*.

## **26. Public Question Time**

- (1) Unless the *Council* resolves otherwise, there must be a public question time at every *Scheduled Council Meeting* to enable members of the public to submit questions to the *Council*.
- (2) Rule 26(1) does not apply during any period when a *Scheduled Council Meeting* is closed to members of the public or during a *Caretaker Period*.
- (3) Thirty (30) minutes will be allocated at each meeting for Public Question Time. Where the thirty (30) minutes allocated has been exhausted, a motion to extend must be put and passed for Public Question Time to be extended.
- (4) Unless the *Chief Executive Officer* determines, in their absolute discretion, to permit a question to be submitted in a different way, all questions must be received *In Writing* on the prescribed form available on the *Council Website* and state the name and address of the person submitting the question.
- (5) All questions must be received no later than two (2) hours before the commencement of the *Scheduled Council Meeting* or 4pm on the day of the *Scheduled Council Meeting* where it is scheduled to commence at 5.45pm, at which the question is to be asked.
- (6) No person may submit more than two (2) questions to any one (1) *Scheduled Council Meeting*. A question may be split into a maximum of two parts only. If more than two parts to a question are received, only the first two parts will be considered. Similarly, if more than two questions are received, only the first two questions will be considered. All parts of a question must be relevant to the same subject of enquiry.
- (7) A question may be disallowed by the *Chair* if the *Chair* has determined that:

- (a) the person directing the question, or their representative, is not present in the gallery;
  - (b) the question is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - (c) the question deals with a subject matter already answered;
  - (d) the question is aimed at embarrassing a *Councillor* or *Officer* or any other person; or
  - (e) the question relates to *Confidential Information*.
- (8) The Chair, or the *Chief Executive Officer* or their delegate must read to the *Scheduled Council Meeting* the name of the person who has submitted a permitted question.
- (9) The person who submitted the question must read the text of the question and the *Chair* may then direct that the question to be answered by the *Chief Executive Officer* or a nominated *Officer*.
- (10) Where requested by the person who submitted the question, the *Chief Executive Officer* must read the text of question on that person's behalf, and the *Chair* may then direct that the question to be answered by the *Chief Executive Officer* or a nominated *Officer*.
- (11) Where the person who submitted the question is not present at the Council Meeting, the *Chief Executive Officer* may read the text of question on that person's behalf, and the *Chair* may then direct that the question to be answered by the *Chief Executive Officer* or a nominated *Officer*.
- (12) In the event that a Council Meeting is held virtually (and not in person) under Division 15 of these Rules, questions submitted by members of the public prior to the Council Meeting (in accordance with these Rules above) will be read out on behalf of the submitter.
- (13) All questions must be asked as succinctly as is possible and answers to questions should be as complete as is practical under the circumstances.
- (14) Further or follow up questions that have not been submitted, or debate on the response provided shall not be allowed.
- (15) Like questions may be grouped together and a single answer provided.
- (16) The *Chair*, *Chief Executive Officer* or *Officer* to whom a question is directed may take a question on notice. If a question is taken on notice, a *Written* copy of the answer must be sent to the person who asked the question and to all *Councillors*.
- (17) The name of the questioner, the question and the response must be recorded in the *Minutes*, as an official record of the questions submitted to the *Scheduled Council Meeting*.

## **27. Changes to the Order of Business**

Once the *Agenda* for a *Council Meeting* has been prepared and sent to *Councillors*, the order of business for the *Council Meeting* may only be altered by resolution of the *Council*. This includes a request for an item to be brought forward.

## **28. Presentation of Officer Reports**

*Officer Reports* may be summarised for the purposes of verbal public presentation by the *Chief Executive Officer* or his/her delegate at the *Council Meeting* at which they are to be considered.

## **29. General Business**

- (1) If the *Agenda* for a *Scheduled Council Meeting* makes provision for *General Business*, business of a minor or routine nature may be admitted for the consideration of *Council* at the discretion of the

*Chair.*

- (2) The *Chair* must reject an item of *General Business* if it:
- (a) is not of a minor or routine nature;
  - (b) substantially affect the levels of *Council* service;
  - (c) commits *Council* to *Expenditure* not included in the adopted budget;
  - (d) is intended to establish or amend *Council* Policy;
  - (e) commits *Council* to any contractual arrangement;
  - (f) requires the giving of prior notice;
  - (g) is defamatory or objectionable in language or nature;
  - (h) may be prejudicial to any person or *Council*;
  - (i) is identical or substantially similar to a *matter* that has been considered by the *Council* and lost in the preceding six (6) months;
  - (j) is outside the powers of the *Council*;
  - (k) is a *matter* subject to a *Council* decision-making process which has commenced but is not yet complete;
  - (l) is inconsistent with any Act or its Regulations; or
  - (m) is inconsistent with any Council or Operational Policy, Local Law or adopted Council Strategy or Plan.
- (3) Councillors wishing to speak to *General Business* may speak for a maximum of two (2) minutes.
- (4) Officers present at the meeting will be allowed to address or respond to any matters raised by Councillors during *General Business*.

### **30. Urgent Business**

- (1) Business which has not been listed on the *Agenda* for a *Council Meeting* that is not of a minor or routine nature can only be admitted as *Urgent Business* by resolution of the *Council*, and only then if it:
- (a) relates to or arises out of a *matter* which has arisen since distribution of the *Agenda*; and
  - (b) cannot safely or conveniently be deferred until the next *Council Meeting*.
- (2) Notwithstanding anything to the contrary in *these Rules*, a *Councillor* (with the agreement of the *Council Meeting*) may only submit or propose an item of *Urgent Business* if the:
- (a) *matter* relates to business that does not:
    - (i) substantially affect the levels of *Council* service;
    - (ii) commit *Council* to *Significant Expenditure* not included in the adopted budget; establish or amend *Council* Policy;
    - (iii) commit *Council* to any contractual arrangement; or
    - (iv) require, pursuant to any other policy determined by *Council* from time to time, the giving of prior notice; and
  - (b) proposed motion(s) is *In Writing* and given to the *Chair* who must seek a resolution of approval from *Council Meeting*.
- (3) A *Councillor* proposing that a *matter* be admitted as *Urgent Business* must lodge it *In Writing* with the *Chief Executive Officer* no later than 30 minutes prior to commencement of the *Council Meeting* at which it is to be considered.
- (4) The *Chief Executive Officer* will advise the *Mayor* of any *matter* that the *Chief Executive Officer* determines appropriate for *Council* to consider admitting as *Urgent Business*.

## ***DIVISION 5 - VOTING***

### **31. Voting – How Determined**

To determine a motion before a *Council Meeting*, the *Chair* will:

- (1) first call for those in favour of the motion; and
- (2) then those opposed to the motion,

and will then declare the result to the *Council Meeting*.

### **32. Casting Vote**

In the event of a tied vote, the *Chair* must, unless *the Act* or this Local Law provides otherwise, exercise a casting vote.

### **33. Voting – By Show of Hands**

Voting on any matter will be by show of hands.

### **34. Vote to be taken in Silence**

Except that a *Councillor* may demand a *Division*, *Councillors* must remain seated in silence while a vote is being taken.

### **35. Motion to be Read Again**

- (1) The *Chair* may direct the *Chief Executive Officer* or his or her delegate or the mover of the motion to read the motion or amendment to the *Council Meeting* before the vote is taken.
- (2) Before any matter is put to the vote, a *Councillor* may request the motion or amendment be read again.

### **36. Recount of Vote**

The *Chair* may direct that the vote be re-counted as often as may be necessary to be satisfied of the result.

### **37. Declaration of Vote**

- (1) The *Chair* must declare the result of the vote as soon as it is taken.
- (2) When declaring the vote, the *Chair* shall state the number of votes FOR and the number of votes AGAINST the motion and the surname of each *Councillor* who voted FOR the motion, AGAINST the motion and DID NOT VOTE and whether the motion is carried or lost.

### **38. No discussion once Vote declared**

Once a vote on a motion is taken no further discussion relating to the motion is allowed unless the discussion relates to:

- (1) a *Rescission Motion* which a *Councillor* is proposing to lodge in respect of the motion voted on; or
- (2) follows a resolution having been rescinded.

See Division 9 – Rescission Motions

### **39. Procedure for a Division**

- (1) The request by a *Councillor* for a *Division* must be made to the *Chair* either immediately prior to or immediately after the vote has been taken, but cannot be requested after the *Council* has moved to the next item of business on the *Agenda*.
- (2) No *Councillor* is prevented from changing his or her original vote when voting on the *Division*.
- (3) When a *Division* is called for, the *Chair* will:
  - (a) first ask each *Councillor* wishing to vote FOR the motion to raise a hand and, upon such request being made, each *Councillor* wishing to vote FOR the motion must raise his or her hand. The *Chair* will then state, and the *Chief Executive Officer* (or any person authorised by the *Chief Executive Officer* to attend the *Council Meeting* and take the *Minutes* of such *Council Meeting*) must record in the *Minutes*, the names of those *Councillors* voting FOR the motion;
  - (b) then ask each *Councillor* wishing to vote AGAINST the motion to raise a hand and, upon such request being made, each *Councillor* wishing to vote AGAINST the motion must raise his or her hand. The *Chair* will then state, and the *Chief Executive Officer* (or any person authorised by the *Chief Executive Officer* to attend the *Council Meeting* and take the *Minutes* of such *Council Meeting*) must record in the *Minutes*, the names of those *Councillors* voting AGAINST the motion; and
  - (c) the *Chief Executive Officer* (or any person authorised by the *Chief Executive Officer* to attend the *Council Meeting* and take the *Minutes* of such *Council Meeting*) must record in the *Minutes* the names of those *Councillors* who DID NOT VOTE on the motion.

#### ***DIVISION 6 – MOTIONS AND DEBATE***

#### **40. Councillors may Propose Notices of Motion**

*Councillors* may propose an issue is listed on the *Agenda* by lodging a *Notice of Motion* in accordance with the procedures outlined in this Division.

#### **41. Notices of Motion**

- (1) A *Notice of Motion* must be *In Writing*, signed and dated by the *Councillor* and lodged with the *Chief Executive Officer* by 12 noon on the Wednesday before the next *Scheduled Councillor Briefing*, prior to the *Notice of Motion* being placed on the *Agenda* of the next available *Scheduled Council Meeting* to allow sufficient notice to each *Councillor* of the matters and inclusion in the *Agenda*.
- (2) The *Chief Executive Officer* must reject any *Notice of Motion* which:
  - (a) is vague;
  - (b) is identical or substantially similar to a *Notice of Motion* or a *Rescission Motion* that has been considered by the *Council* and lost in the preceding six (6) months;
  - (c) is defamatory;
  - (d) may be prejudicial to any person or *Council*;
  - (e) is objectionable in language or nature;
  - (f) is outside the powers of the *Council*;
  - (g) is submitted during the *Caretaker Period*; or
  - (h) is a matter subject to a *Council* decision-making process which has commenced but is not yet complete.

- (3) If the *Chief Executive Officer* rejects a *Notice of Motion* under rule 41(2), they will inform the *Councillor* who lodged the *Notice of Motion* of that rejection and the reasons for it. The *Councillor* will be provided with 24 hours to lodge a revised *Notice of Motion* provided that the *Council Meeting* at which the *Notice of Motion* is to be considered is more than 24 hours from the time of rejection.
- (4) The *Chief Executive Officer* may reject and refer any *Notice of Motion* to the *Council's Operational Service Request Process* if it relates to a matter that he or she determines is more appropriately addressed that way.
- (5) In addition to rule 41(2), and subject to rules 41(6) and (7), the *Chief Executive Officer* may require a *Councillor* who lodges a *Notice of Motion* to amend it to call for an *Officer Report* if the *Notice of Motion*:
  - (a) substantially affects the level of *Council* services;
  - (b) commits the *Council* to expenditure in excess of \$5,000 that has not been included in the adopted budget;
  - (c) establishes or amends a *Council* policy; or
  - (d) commits the *Council* to any contractual arrangement.
- (6) Where a *Notice of Motion* is likely to commit *Council* to *Significant Expenditure* not included in the adopted budget then the *Notice of Motion* must only call for referral to *Council* for its consideration as part of its future year's annual budget and public submission process.
- (7) The *Chief Executive Officer* may determine that a *Notice of Motion* contains *Confidential Information* and ought to be treated as being confidential unless the *Council* resolves otherwise.
- (8) The full text of any *Notice of Motion* accepted by the *Chief Executive Officer* must be included in the *Agenda*.
- (9) The *Chief Executive Officer* must arrange for an *Officer Report* to be prepared and presented to the *Council* for the purposes of rule 41(5). Where practicable the *Officer Report* should be presented to the next *Scheduled Council Meeting*.
- (10) The *Chief Executive Officer* must cause all *Notices of Motion* to be sequentially numbered, dated and entered in a register.
- (11) Except by leave of the *Council*, each *Notice of Motion* before any *Council Meeting* must be considered in the order in which it was entered into the register under rule 41(10).
- (12) If a *Councillor* who has lodged a *Notice of Motion* is absent from the *Council Meeting* at which the *Notice of Motion* is to be considered, or fails to move the *Notice of Motion* when called upon to do so by the *Chair*, any other *Councillor* may move the *Notice of Motion*.
- (13) If a *Councillor* moving a *Notice of Motion* wishes to amend it, he or she may do so by seeking leave of the *Council* to amend the *Notice of Motion* prior to it being seconded.
- (14) Another *Councillor* can put forward an amendment to a *Notice of Motion* for consideration, which must be dealt with in accordance with *these Rules*, except that a *Notice of Motion* to confirm a previous resolution of the *Council* cannot be amended.
- (15) The *Chair*, having lodged a *Notice of Motion* in accordance with this rule 41, must vacate the *Chair* if he or she intends to move the *Notice of Motion*, and the *Council* must appoint a temporary *Chair* for the consideration of the item.
- (16) If a *Notice of Motion* is not moved at the *Council Meeting* at which it is listed, then it lapses.

**42. Chair's Duty**



Any motion which:

- (1) is defamatory;
- (2) is objectionable in language or nature;
- (3) is vague or unclear in intention;
- (4) is outside the powers of the *Council*;
- (5) is irrelevant to an item of business on the *Agenda* and has not been admitted as *Urgent Business*; or
- (6) purports to be an amendment but is not,

must not be accepted by the *Chair*.

#### **43. Introducing an Officer Report**

Before an *Officer Report* is considered by the *Council* and any motion moved in relation to it, the *Chief Executive Officer* or his or her delegate may introduce the report by a short statement of not more than two (2) minutes.

Also see rule 29 – Presentation of Officer Reports

#### **44. Procedure for Introducing a Motion or an Amendment**

- (1) The procedure for moving any motion or amendment is:
  - (a) the mover may briefly state the nature of the motion or amendment and then must move it without speaking to it;
  - (b) the motion or amendment must be seconded by a *Councillor* other than the mover. If the motion or amendment is not seconded, the motion or amendment will lapse for want of a seconder;
  - (c) if a motion or amendment is moved and seconded, the *Chair* must call for any *Councillor* questions and then ask whether the motion or amendment is opposed and whether any *Councillor* wishes to speak to the motion or amendment;
  - (d) if no *Councillor* indicates opposition or a desire to speak to the motion or amendment, the *Chair* may declare the motion or amendment carried without discussion;
  - (e) if a *Councillor* indicates opposition or a desire to speak to the motion or amendment, then the *Chair* must invite the mover to address the *Council Meeting*;
  - (f) after the mover has addressed the *Council Meeting*, the seconder may address the *Council Meeting*;
  - (g) after the seconder has addressed the *Council Meeting* (or after the mover has addressed the *Council Meeting* if the seconder does not wish to address the *Council Meeting*), the *Chair* must invite debate by calling on any *Councillor* who wishes to speak to the motion or amendment, providing an opportunity to alternate between those wishing to speak against the motion or amendment and those wishing to speak for it; and
  - (h) after the *Chair* has invited debate on the motion or amendment, and, in the case of a motion, offered the right of reply under rule 53, the *Chair* must put the motion or amendment to the vote.
- (2) If the *Chair* wishes to speak to a motion or amendment, he or she may only do so once all other

*Councillors* wishing to speak to it have done so, and just before closure of debate by the mover of the motion or amendment.

**45. Right of Reply**

- (1) The mover of a motion which has not been amended may, once debate has been exhausted, exercise a right of reply to matters raised during the debate. (Time Limit – two (2) minutes)
- (2) The mover of a motion loses his or her right of reply if an amendment to the motion is carried.
- (3) The mover of an amendment to a motion does not have a right of reply.
- (4) A *Councillor* exercising a right of reply must not introduce any new matter.
- (5) After a right of reply has been taken, but subject to any *Councillor* exercising his or her right to ask any question concerning or arising out of the motion, the motion must be immediately put to the vote without any further discussion or debate.

**46. Moving an Amendment**

- (1) Subject to rule 55(2), a motion which has been moved and seconded may be amended by leaving out or adding words. Any words must be relevant to the subject of the motion.
- (2) A motion to confirm a previous resolution of the *Council* cannot be amended.
- (3) An amendment cannot be the negative of, or substantially contrary to, the motion.
- (4) Any *Councillor* moving an amendment will be allocated one (1) minute to explain the reasons for the amendment. The statement must be an explanation only and will not entertain the benefits or detriments of the amendment or the substantive motion.
- (5) No notice needs to be given of any amendment, however, if any *Councillor* intends to move an amendment, it must be done prior to the right of reply being exercised.

**47. Agreed Alterations to a Motion or Amendment**

- (1) A motion having been moved and seconded may, with the consent of the mover and seconder, be amended by leaving out, inserting or adding words which must be relevant to the original motion or amendment and framed so as to complement it as an intelligible and consistent whole, provided that the amendment is made before the motion or amendment is voted on.
- (2) With the leave of the *Chair*, both the mover and seconder of a motion may agree to an alteration to the original motion proposed by any other *Councillor*. This does not necessitate the recording of an amendment into the *Minutes* of the *Council Meeting* as the alteration would then form part of the substantive motion.

**48. Who May Propose an Amendment**

An amendment may be proposed or seconded by any *Councillor*, other than the mover or seconder of the original motion.

**49. Who May Debate an Amendment**

A *Councillor* may address the *Council Meeting* once (1) on any amendment, whether or not they have spoken to the original motion, but their debate must be confined to the terms of the amendment.

**50. How Many Amendments May be Proposed**

- (1) Any number of amendments may be proposed to a motion but only one (1) amendment may be accepted by the *Chair* at any one (1) time.

- (2) No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

**51. An Amendment once Carried**

- (1) If an amendment is carried, the motion as amended becomes the motion before the *Council Meeting*.
- (2) The amended motion will then be dealt with in accordance with *these Rules*.

**52. Foreshadowing a Motion**

- (1) At any time during debate, a *Councillor* may foreshadow a motion to inform the *Council* of his or her intention to move a motion at a later stage in the *Council Meeting*. This does not extend any special rights to the foreshadowed motion.
- (2) A foreshadowed motion may be prefaced with a statement that in the event a particular motion is resolved in a certain way a *Councillor* intends to move an additional motion.
- (3) A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the *Meeting*.
- (4) The *Chief Executive Officer* or his/her delegate is not expected to record a foreshadowed motion in the *Minutes* until the foreshadowed motion is formally moved.

**53. Withdrawal of a Motion**

Before any motion is put to the vote, it may be withdrawn by the mover with agreement of the seconder or by resolution of the *Council*.

**54. Separation of Motions**

Where a motion contains more than one (1) part a *Councillor* may request the *Chair* to put the vote in separate parts.

**55. Chair may Separate or Allow Motions to be Moved in a Block**

- (1) The *Chair* may decide to put any motion to the vote in separate parts.
- (2) The *Chair* may allow or request *Councillors* to move "like items" in a block.

**56. Motions In Writing**

- (1) A *Councillor* wishing to move a motion other than a recommendation or alternate motion included in an *Officer Report* (detailed in the *Agenda*) must prepare the motion *In Writing* and either read it out to the *Council Meeting* or submit it to the *Chair*.
- (2) The *Chair* may adjourn the *Council Meeting* while the motion is being *Written* or may request that the *Council* defer the matter until the motion has been *Written*, allowing the *Council Meeting* to proceed uninterrupted.
- (3) The *Chair* may request the *Chief Executive Officer* or the person taking the *Minutes* of the *Council Meeting* to read the motion or amendment to the *Council meeting* before the vote is taken.

**57. Debate must be Relevant to the Motion**

- (1) Debate must always be relevant to the motion before the *Council Meeting* and, if not, the *Chair* will request the speaker to confine debate to the subject matter.
- (2) If, after being told to confine debate to the motion before the *Council Meeting*, the speaker continues to debate irrelevant matters, the *Chair* may disallow the speaker any further comment in respect of

the matter before the *Council Meeting*.

- (3) A speaker to whom a direction has been given under rule 66(2) must comply with that direction.

#### ***DIVISION 7 – PROCEDURAL MOTIONS***

##### **58. Procedural Motions**

- (1) Unless otherwise prohibited, a *Procedural Motion* may be moved at any time and must be dealt with immediately by the *Chair*.
- (2) *Procedural Motions* require a seconder.
- (3) The *Chair* is unable to move or second a *Procedural Motion*.
- (4) Notwithstanding any other provision in *these Rules*, *Procedural Motions* must be dealt with in accordance with the procedures set out in Appendix 1 to *these Rules*.

#### ***DIVISION 8 – SPEAKING TO THE MEETING***

##### **59. Rising when speaking**

- (1) Except in cases of sickness or infirmity, a *Councillor* must rise when speaking at a *Council Meeting*.
- (2) The *Chair* may remain seated when speaking at a *Council Meeting*.
- (3) It is unnecessary to rise when speaking at a *Delegated* or *Community Asset Committee Meeting*.

##### **60. Speaking Times**

- (1) A *Councillor* must not speak longer than the times prescribed in this Local Law i.e.:
- (a) the mover of a motion or amendment – five (5) minutes;
  - (b) the seconder of a motion or amendment – three (3) minutes;
  - (c) any other *Councillor* – three (3) minutes; and
  - (d) the mover of a motion exercising their right of reply – two (2) minutes.
- (2) An extension of speaking time may be granted by the *Chair* for each *Councillor*. Any extension of speaking time must not exceed two (2) minutes. There is no limit to the number of extensions that can be requested, with discretion to grant any extension being that of the *Chair*'s. A motion for an extension of speaking time must be proposed:
- (a) immediately before the speaker commences debate;
  - (b) during the speaker's debate; or
  - (c) immediately after the speaker has concluded debate but before the next speaker has commenced.
- (3) A motion for an extension of speaking time cannot be accepted by the *Chair* if another speaker has commenced his or her debate.

**61. Interruptions, Interjections and Relevance**

A *Councillor* must not be interrupted except by the *Chair* or upon a *Point of Order*. All debate and discussion must be relevant to the item presented and interjections will not be allowed.

See rule 70 - Point of Order

**62. Priority of Address**

In the case of competition for the right to speak, the *Chair* must decide the order in which *Councillors* will be heard.

**63. Councillors Not to Speak Twice to Same Motion or Amendment**

Except that the mover of a motion (other than an amendment) has the right of reply and that any *Councillor* may take a *Point of Order*, a *Councillor* must not speak more than once to the same motion or amendment.

**64. Right to Ask Questions**

- (1) A *Councillor* may, when no other *Councillor* is speaking, ask through the *Chair* any question concerning or arising out of the motion or amendment before the *Chair*.
- (2) The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

***DIVISION 9 - RESCISSION MOTIONS***

**65. Rescission Motion**

- (1) Motions to revoke, rescind or alter a previous resolution of the *Council* can only be made in the following ways:
  - (a) *Notice of Motion*; or
  - (b) recommendation contained in an *Officer Report*, included in the *Agenda*,  
that a previous decision be altered or revoked.
- (2) A *Notice of Motion* lodged by a *Councillor* and proposing a *Rescission Motion* must:
  - (a) be signed by the *Councillor* and dated;
  - (b) not relate to a resolution that has been acted on;
  - (c) not, in the opinion of the *Chief Executive Officer*, have the effect, if passed, of placing of the *Council* at significant legal, financial or other risk, including non-compliance with statutory obligations; and
  - (d) be delivered or sent electronically to the *Chief Executive Officer* setting out:
    - (i) the resolution to be rescinded; and
    - (ii) the *Council Meeting* at, and date on, which the resolution was made.
- (3) Where possible, a resolution should not be acted on for a period of 24 hours after the decision is made. Where there is a need to action a resolution more immediately, this need should be demonstrated in the *Officer's Report*.
- (4) A resolution will be deemed to have been acted on if:

- (a) its content or substance has been formally communicated *In Writing* by the *Chief Executive Officer* or another *Officer* to a person whose interests are materially affected by it;
  - (b) a statutory process has been commenced; or
  - (c) work has been commenced in respect of it,
- so as to vest enforceable rights in or obligations on the *Council* or any other person.
- (5) The *Chief Executive Officer* or an appropriate *Officer* must defer implementing a resolution which:
- (a) has not been acted on; and
  - (b) is the subject of a *Rescission Motion* which has been delivered or sent to the *Chief Executive Officer* in accordance with rule 65(2)(d),
- unless deferring implementation of the resolution would, in the opinion of the *Chief Executive Officer*, have the effect of:
- (c) depriving the resolution of its usefulness or efficacy; or
  - (d) placing the *Council* at significant legal, financial or other risk.

**66. Rescission, If Lost**

If a motion to rescind or alter a previous resolution is lost, an identical or similar motion may not be put before the *Council* for at least six (6) months from the date it was last lost, unless:

- (1) the *Council* resolves that the *Rescission Motion* be re-listed at a future *Council Meeting*; or
- (2) an *Officer Report* is included in an *Agenda* for a *Council Meeting*.

**67. Rescission, If Not Moved**

If a *Rescission Motion* is not moved at the *Council Meeting* at which it is listed, it lapses.

**68. Rescission Motion May Be Moved By Any Councillor**

A *Rescission Motion* listed on an *Agenda* may be moved by any *Councillor* present at the *Council Meeting* but may not be amended.

***DIVISION 10 – POINTS OF ORDER***

**69. Points of Order**

A *Point of Order* may be raised on the grounds that a matter is:

- (a) contrary to *these Rules*;
- (b) an act of disorder or conduct in contravention of the *Councillor Code of Conduct*;
- (c) defamatory;
- (d) irrelevant to the matter before *Council*;
- (e) outside the *Council's* power; or
- (f) frivolous, vexatious or constitutes improper conduct.

- (2) A *Councillor* expressing a difference of opinion or contradicting a speaker is not grounds for raising a *Point of Order*.

**70. Procedure for Point of Order**

- (1) The *Councillor* taking the *Point of Order* must nominate the ground under rule 69(1) relied upon to support the *Point of Order* being taken.
- (2) If called to order, the *Councillor* who is speaking must stop and remain silent until the *Point of Order* is decided upon, unless otherwise directed by the *Chair*.
- (3) The *Chair* may request a *Councillor* provide an explanation in respect to the *Point of Order* raised.

**71. Chair to Decide Point of Order**

- (1) The *Chair* when ruling on a *Point of Order* must state the reason for the ruling.
- (2) The *Chair* may adjourn the *Council Meeting* to consider a *Point of Order* but must otherwise rule upon it as soon as it is raised.
- (3) All other matters before the *Council* are to be suspended until the *Point of Order* is decided.

**72. Final Ruling on a Point of Order**

- (1) The decision of the *Chair* in respect of a *Point of Order* will not be open for discussion and will be final and conclusive unless the majority of *Councillors* present vote in favour of a motion of dissent.
- (2) A motion of dissent on a *Point of Order* must state the provision, rule, practice or precedent to be substituted for the *Chair's* ruling.
- (3) A motion of dissent in relation to a *Point of Order* is not a motion of dissent in the *Chair* and the *Chair* must at all times remain in the *Chair* and he or she will maintain his or her right to a second vote.
- (4) A motion of dissent on a *Point of Order* will take precedence over all other business and if carried must be acted on instead of the ruling given by the *Chair*.

**73. Criticism of Officers**

The *Chief Executive Officer* may make a brief statement at a *Council Meeting* in respect of any public statement (whether made at a *Council Meeting* or not) which has been critical of or may adversely affect an *Officer*.

**74. Ordering Withdrawal of Remark**

- (1) Whenever any *Councillor* at a *Council Meeting* makes use of any expression or remark that is disorderly or capable of being applied offensively to any other *Councillor* or *Officer*, the offending *Councillor* may be required by the *Chair* to withdraw the expression or remark and to make a satisfactory apology to the *Council Meeting*.
- (2) The *Chair* may require a *Councillor* to withdraw any remark that is defamatory, indecent, abusive or offensive in language or substance.
- (3) A *Councillor* required to withdraw a remark must do so immediately without qualification or explanation.

***DIVISION 11 – SUSPENSION OF STANDING ORDERS***

**75. Suspension of Standing Orders for the Purpose of Discussion**

- (1) The provisions of *these Rules* may be suspended for a particular purpose by resolution of the *Council*.
- (2) The *Suspension of Standing Orders* will be used to enable full discussion of any issues without the constraints of formal procedures. An appropriate motion would be "*That Standing Orders be suspended to enable discussion on* \_\_\_\_\_".
- (3) Once the discussion has taken place and before any motion can be moved the *Resumption of Standing Orders* will be necessary. An appropriate motion would be "*That Standing Orders be resumed*".
- (4) No motion may be accepted by the *Chair* or be lawfully dealt with during any *Suspension of Standing Orders*.

#### ***DIVISION 12 – MEETING ADJOURNMENTS***

##### **76. *Adjourning the Meeting***

- (1) In addition to any procedures for adjourning a *Council Meeting* provided in *these Rules*, the *Council* may, from time to time, resolve to adjourn a *Council Meeting*:
  - (a) if the *Council Meeting* becomes disorderly and order cannot be restored;
  - (b) to allow for additional information to be presented to the *Council Meeting*; and
  - (c) in any other situation where adjournment is considered by the *Council* to be desirable.
- (2) A *Council Meeting* cannot be adjourned for a period exceeding seven (7) days from the date of the adjournment.
- (3) An appropriate motion would be: "*That the meeting be adjourned until* \_\_\_\_\_". (Time and date to be specified which does not exceed seven (7) days.)
- (4) No discussion is allowed on any motion for adjournment of the *Council Meeting*, but if the motion is lost, the substantive matter before the *Council Meeting* must be disposed of before any subsequent motion for adjournment of the *Council Meeting* is moved.

##### **77. *Notice for Adjourned Meeting***

- (1) If a *Council Meeting* is adjourned, the *Chief Executive Officer* will ensure that the *Agenda* for the continuation of the adjourned *Council Meeting* is identical to the *Agenda* for the *Council Meeting* which was originally adjourned.
- (2) Except where a *Council Meeting* is adjourned until later on the same day, the *Chief Executive Officer* must give all *Councillors* *Written* notice of a new date for the continuation of the adjourned *Council Meeting* and every reasonable attempt must be made to advise the public of the new *Council Meeting* date.
- (3) Where it is not practical to provide *Written* notice to *Councillors* because time does not permit that to occur then, provided a reasonable attempt is made to contact each *Councillor*, contact by telephone, electronic form, or in person will be sufficient.

#### ***DIVISION 13– MINUTES & RECORDING OF MEETINGS***



## **78. Keeping of Minutes**

The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the *Council Meeting* and to take the *Minutes* of such *Council Meeting*) must keep *Minutes* of each *Council Meeting* and those *Minutes* must record:

- (1) the date and time the *Council Meeting* was commenced, adjourned, resumed and concluded;
- (2) the names of the *Councillors* and whether they are present, an apology, on *Leave of Absence* or other details as provided;
- (3) the titles of the *Officers* in attendance;
- (4) any disclosure of a conflict of interest made by a *Councillor*;
- (5) arrival and departure times (including temporary departures) of *Councillors* during the course of the *Council Meeting*;
- (6) each motion and amendment moved, including the mover and seconder of the motion or amendment;
- (7) the outcome of every motion or amendment, whether it was put to the vote and the result to indicate whether the motion or amendment was carried, lost, withdrawn, lapsed, amended and the names of every *Councillor* and how they voted (either FOR or AGAINST or DID NOT VOTE);
- (8) where a *Division* is called, the names of every *Councillor* and the way their vote was cast (either FOR or AGAINST or DID NOT VOTE);
- (9) details of a failure to achieve a *Quorum* and any adjournment whether as a result of that or otherwise;
- (10) the time and reason for any adjournment of the *Council Meeting* or *Suspension of Standing Orders*;
- (11) closure of the *Council Meeting* to members of the public and the reason for such closure; and
- (12) any other matter which the *Chief Executive Officer* deems should be recorded to clarify the intention of the *Council Meeting* or the reading of the *Minutes*.

## **79. Availability of Minutes**

Advice that the *Minutes* are available must be provided to all *Councillors* no later than forty-eight (48) hours before the next *Scheduled Council Meeting*.

## **80. Confirmation of Minutes**

At every *Council Meeting* the *Minutes* of the previous *Council Meeting(s)* must be dealt with as follows:

- (1) when confirming the *Minutes* of a *Council Meeting*, the *Chair* shall ask *Councillors* "Are any changes required to the *Minutes*?";
- (2) opposition can only be expressed on the basis that the record contained in the *Minutes* is incorrect (in line with rule 86) or inaccurate and the *Chair* must not allow discussion or motions on any issue other than an alleged omission from, or inaccuracy of, the *Minutes*;
- (3) if a *Councillor* indicates opposition, he or she must specify the particular item or items in the *Minutes* concerned and can, after asking any questions to clarify the matter, only move a motion to rectify the alleged error(s) in the record;
- (4) if no *Councillor* indicates opposition, the *Chair* must, after seeking a mover and seconder, put the matter to the vote and declare the *Minutes* to be confirmed; and

- (5) after the *Minutes* are confirmed, they must be signed by the *Chair* of the *Council Meeting* at which they were confirmed.

**81. Deferral of Confirmation of *Minutes***

The *Council* may resolve to defer the confirmation of *Minutes* until later in the *Council Meeting* or until the next *Scheduled Council Meeting* as appropriate.

**82. Recording of Council Meetings**

- (1) The *Chief Executive Officer* or their delegate shall record and, where feasible, livestream via *Council's* website on suitable equipment, all proceedings of *Council Meetings* except where the *Council Meeting* is closed to the public to consider *Confidential Information*.
- (2) Recordings of *Council Meetings* will be retained and available for public for viewing or listening on the *Council Website* for a period of twelve (12) months from the date of the *Council Meeting*.
- (3) *Visitors* are to be advised that the *Council Meeting* is being livestreamed and recorded and will be made available on the *Council Website*.
- (4) *Visitors* will also be advised by appropriate venue signage that, while care is taken through recording and filming to maintain a person's privacy as an attendee in the *Council Chamber*, they may be recorded on audio and film.
- (5) Media representatives may, with the consent of the *Council*, record any part of the *Council Meeting*. The consent of the *Council* must not be unreasonably withheld, and may be revoked any time during the course of the relevant *Council Meeting*. The *Chair* shall provide reasons why permission has been revoked.

***DIVISION 14 – CONDUCT AND BEHAVIOUR***

**83. Conduct of Councillors**

During the course of any *Council Meeting*, *Councillors* must comply with the *Councillor Code of Conduct*, a copy of which is available on the *Council Website*, or can be obtained by contacting the *Chief Executive Officer's* office.

**84. Conduct of Visitors**

- (1) *Visitors* must not interject or take part in the debate at a *Council Meeting*.
- (2) *Visitors* must extend due courtesy and respect to the *Council* and the processes under which it operates and *Councillors* and *Officers* present at the *Council Meeting* and must take direction from the *Chair* whenever called on to do so.
- (3) *Visitors* must not operate photographic audio or video recording equipment or any other recording device at any *Council Meeting* without first obtaining the consent of the *Council*.

**85. Chair May Remove**

- (1) The *Chair* may order and cause the removal of any person including a *Councillor* who disrupts any *Council Meeting* or fails to comply with a direction.
- (2) A person removed from a *Council Meeting* must leave the *Council Chamber* or move to a public area of the *Council Chamber* where they can no longer disrupt the *Council Meeting*.

**86. Removal from the Meeting**

If necessary, the *Chair* may ask the *Chief Executive Officer* or Victoria Police to remove from the *Council Meeting* any person who acts inconsistently with *these Rules* and whom the *Chair* has ordered to be removed from the *Council Meeting* under rule 94.

**87. Chair may Adjourn Disorderly Meeting**

If the *Chair* is of the opinion that disorder at the *Council* table or in the *Council Chamber* makes it desirable to adjourn a *Council Meeting*, the *Chair* may adjourn the *Council Meeting* to a later time on the same day, or to some later day prior to the next *Scheduled Council Meeting*, at a time and date and venue to be fixed.  
*See Division 12 – Meeting Adjournments*

***DIVISION 15 - PROVISIONS MADE FOR REMOTE (VIRTUAL) COUNCIL MEETINGS***

*In the event that Council needs to conduct a Council Meeting remotely, such as during a pandemic or emergency situation (as experienced throughout the COVID-19 pandemic), the Regulatory Legislation Amendment (Reform) Act 2022, which received Royal Assent on 29 March 2022, provides reforms relating to virtual Council Meetings. These reforms will be incorporated into Part 3, Division 2 of the Local Government Act 2020 from 2 September 2022 and relate to procedures for decision making and the holding of virtual meetings (either Council Meetings, Joint Meetings of Councils, Delegated Committee Meetings and Joint Delegated Committee Meetings).*

*Notwithstanding any protocols or guidelines developed and provided to all participants of a Council Meeting (and which do not form part of these Rules), the following outlines how any Meeting is to be conducted and what procedures participants must follow under the Local Government Act 2020 to ensure a consistent and transparent approach is maintained throughout any virtual Meeting. All reasonable technological support and advice will be provided to participants attending a Council Meeting virtually. This section of these Governance Rules applies to all Council Meetings, Joint Meetings of Councils, Delegated Committee Meetings and Joint Delegated Committee Meetings.*

*Note that protocols or guidelines may change from time to time as information technology improvements are made.*

**88. Mode of Attendance**

Each Notice of Meeting (Agenda) must indicate whether the relevant Council Meeting is to be conducted:-

- i) wholly in person;
- ii) wholly by electronic means, or
- iii) partially in person and partially by electronic means.

The indication in the Notice of Meeting (Agenda) must be consistent with any Resolution of Council that has expressed a preference for, or otherwise specified, when those Council Meetings are to be conducted:-

- i) wholly in person;
- ii) wholly by electronic means, or
- iii) partially in person and partially by electronic means.

**89. Request to Attend Meeting Virtually**

If a Council Meeting is to be conducted wholly in person a Councillor may nonetheless request to attend by electronic means. Any request made under this clause must:-

- i) be in writing;
- ii) be given to the Chief Executive Officer or Chair no less than 24 hours prior to the commencement of the relevant Council Meeting; and
- iii) specify the reasons why the Councillor is unable or does not wish to attend the Council Meeting in person.

The Chief Executive Officer or Meeting Chair must ensure that any request received in accordance with the above and any other request received from a Councillor to attend by electronic means is made known at the

commencement of the relevant Council Meeting.

Council may approve and must not unreasonably refuse any request.

Despite anything in these Rules, the Chief Executive Officer may determine that a meeting be conducted wholly by electronic means of communication, with consideration to the following, but not limited to, factors;

- i) Any health or safety risk to Councillors, staff and the community;
- ii) The majority of Councillors have requested to participate by electronic means of communication;
- iii) Any other extraordinary circumstances deemed appropriate by the Chief Executive Officer.

#### **90. Responsibilities of Attending Meeting Virtually**

A Councillor who is attending a Council Meeting by electronic means is responsible for ensuring that they are able to access such equipment and are present in such an environment that facilitates participation in the Council Meeting.

Without detracting from anything said in the above clause, a Councillor who is attending by electronic means must be able to:-

- i) hear the proceedings;
- ii) see all Councillors and members of Council staff who are also attending the Council Meeting, at least while a Councillor or member of Council staff is speaking;
- iii) be seen by all Councillors, members of Council staff and members of the public who are physically present at the Council Meeting; and
- iv) be heard when they speak.

If these conditions cannot be met by one or more Councillors attending a Council Meeting, whether because of technical difficulties or otherwise:

- i) the Council Meeting will nonetheless proceed as long as a quorum is present, and
- ii) the relevant Councillor (or Councillors) will be treated as being absent from the Council Meeting or that part of the Council Meeting.

Unless the Meeting has been adjourned in accordance with these Rules.

Nothing in this section prevents a Councillor from joining (or re-joining) a Council Meeting at the time that they achieve compliance with the above even if the Council Meeting has already commenced or has continued in their absence.

#### **91. Meetings Conducted Remotely**

If a Council Meeting is conducted wholly or partially by electronic means, the Chair may, with the consent of the Meeting, modify the application of any of these Rules to facilitate the more efficient and effective transaction of the business of the Meeting.

If the Live Stream is disrupted during a Council Meeting that is being conducted wholly by electronic means of communication, the meeting will adjourned for up to 30 minutes. If the technical matter cannot be resolved within 30 minutes, the meeting will be adjourned to a date and time nominated by the Chief Executive Officer.

### **PART D – COUNCILLOR BRIEFINGS, DEPUTATIONS & PRESENTATIONS**

#### **92. Deputations and Presentations**

- (1) Members of the public may present deputations to the *Council* and these will usually be considered at an *Informal Meeting of Councillors*.

- (2) A person who seeks, or persons who seek, to make a deputation or presentation to the *Council* shall make a *Written* request to do so to the *Chief Executive Officer*.
- (3) The *Chief Executive Officer* shall determine which *Informal Meeting of Councillors* the request shall be referred to for consideration.
- (4) Time limits may be set for speakers and *Councillors* may question the deputation on matters raised for the purpose of clarification.

#### **PART E - MISCELLANEOUS**

##### **93. Procedure Not Provided in the Local Law**

Where a situation has not been provided for in *these Rules*, the *Council* may determine the matter by resolution.

##### **94. Policies and Guidelines**

The *Council* may adopt any policies or guidelines from time to time for the purpose of exercising any discretions provided by *these Rules*.

## Appendix 1 – Procedural Motions

Procedural Motions Table:

Procedural Motion	Form	Mover/Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on a Motion
<b>1. Adjournment of debate to later hour and/or date</b>	That this matter be adjourned to “am/pm” and/or “date”	Any <i>Councillor</i> who has not moved or seconded the motion or otherwise spoken to the motion.	(a) During the election of a <i>Chair</i> ; (b) When another <i>Councillor</i> is speaking	Motion and amendments postponed to the stated time and/or date	Debate continues unaffected	Yes
<b>2. Adjournment of debate indefinitely</b>	That this matter be adjourned until further notice.	Any <i>Councillor</i> who has not moved or seconded the motion or otherwise spoken to the motion.	(a) During the election of a <i>Chair</i> ; (b) When another <i>Councillor</i> is speaking; (c) When the matter is one in respect of which a call of the <i>Council</i> has been made.	Motion and any amendment postponed but may be resumed at any later <i>Meeting</i> if on the <i>Agenda</i>	Debate continues unaffected	Yes
<b>3. The Closure</b>	That the motion be now put.	Any <i>Councillor</i> who has not moved or seconded the motion or otherwise spoken to the motion.	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any <i>Councillor</i> exercising his or her right to ask any question concerning or arising out of the motion.	Debate continues unaffected	No

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Procedural Motion	Form	Mover/Seconder	When Prohibited	Motion	Effect if Carried	Effect if Lost	Debate Permitted on a Motion
<b>4. Laying question on the table</b>	That the question lie on the table	Any <i>Councillor</i> who has not moved or seconded the motion or otherwise spoken to the motion.	(a) During the election of a <i>Chair</i> ; (b) During a <i>Meeting</i> which is a call of the <i>Council</i> ; (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement		Motion and amendment is not further discussed or voted on until:  (a) the <i>Council</i> resolves to take the question from the table at the same <i>Meeting</i> ;  (b) the matter is placed on an <i>Agenda</i> and the <i>Council</i> resolves to take the question from the table.	Debate continues unaffected	No
<b>5. Previous question</b>	That the question be not now put	A <i>Councillor</i> who has spoken to the motion or any amendment of it.	(a) During the election of a <i>Chair</i> ; (b) When another <i>Councillor</i> is speaking; (c) When the matter is one in respect of which a call of the <i>Council</i> has been made. (d) When an amendment is before the <i>Council</i> ; or (e) When a motion would have the effect of causing the <i>Council</i> to be in breach of a legislative requirement.		(a) No vote or further discussion on the motion until it is placed on an <i>Agenda</i> for a later <i>Meeting</i> ;  (b) Proceed to next business.	Motion (as amended up to that time) put immediately without further amendment or debate.	Yes

Procedural Motion	Form	Mover/Seconder	When Prohibited	Motion	Effect if Carried	Effect if Lost	Debate Permitted on a Motion
6. Proceeding to next business	<p>That the <i>Meeting</i> proceed to the next business.</p> <p>Nb: This Motion</p> <p>(a) May not be amended;</p> <p>(b) May not be debated; and</p> <p>(c) Must be put to the vote as soon as seconded.</p>	A <i>Councillor</i> who has spoken to the motion or any amendment of it.	(a) During the election of a <i>Chair</i> ; (b) When another <i>Councillor</i> is speaking; (c) When the matter is one in respect of which a call of the <i>Council</i> has been		If carried in respect of:  (a) An amendment, <i>Council</i> consider the motion without reference to the amendment  (b) A motion – no vote or further discussion on the motion until it is placed on an <i>Agenda</i> for a later <i>Meeting</i> .	Debate continues unaffected	No
7. Alter the order of business	That the item listed as ## on the <i>Agenda</i> be considered before/after the item listed as item ##.	Any <i>Councillor</i> (including the <i>Mayor/Chair</i> )	During debate		Alters the order of business for the <i>Meeting</i> .	Items are considered in the order as listed in the <i>Agenda</i> .	No



Procedural Motion	Form	Mover/Seconder	When Prohibited	Motion	Effect if Carried	Effect if Lost	Debate Permitted on a Motion
<b>8. Suspension of Standing Orders</b>	That Standing Orders be suspended to ##(reason must be provided)	Any <i>Councillor</i> (including the <i>Mayor/Chair</i> )	During any debate		The rules of the <i>Meeting</i> are temporarily suspended for the specific reason given in the motion.	<i>Meeting</i> continues unaffected.	No and no debate or decision on any matter. Resolution to resume Standing Orders is the only decision permissible.
<b>9. Resumption of Standing Orders</b>	That the Standing Orders be resumed.	Any <i>Councillor</i> (including the <i>Mayor/Chair</i> )	When Standing Orders have not been suspended.		The temporary suspension of the rules of the <i>Meeting</i> is removed.	The <i>Meeting</i> cannot continue.	No
<b>10. Consideration of confidential matter(s)</b>	That, in accordance with sections 89(2) and 77(2) of <i>the Act</i> , the <i>Meeting</i> be closed to members of the public for the consideration of item ## which has been designated confidential on the grounds it relates to ## (insert grounds from s.77(2))	Any <i>Councillor</i>	N/A		The <i>Meeting</i> is closed to members of the public.	The <i>Meeting</i> continues to be open to the public.	Yes
<b>11. Reopen the meeting.</b>	That the <i>Meeting</i> be reopened to members of the public.	Any <i>Councillor</i>	N/A		The <i>Meeting</i> is reopened to members of the public.	<i>Meeting</i> remains closed to members of the public.	No.

## Chapter 3 – Meeting Procedure for Delegated Committees

### 1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and  
any reference in Chapter 2 to:

a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

a Councillor is to be read as a reference to a member of the *Delegated Committee*;  
and

the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

### 2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

*Council* may; or

the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

## **Chapter 4 – Meeting Procedure for Community Asset Committees**

### **1. Introduction**

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

### **2. Meeting Procedure**

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

## Chapter 5 – Disclosure of Conflicts of Interest

### 1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.\*

### 2. Definition

In this Chapter:

“meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and

a member of a *Delegated Committee* includes a Councillor.

### 3. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or

intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

advising of the conflict of interest;

explaining the nature of the conflict of interest; and

detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:

name of the other person;

nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

### 4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

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\* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered; or

intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:

advising of the conflict of interest;

explaining the nature of the conflict of interest; and

detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

name of the other person;

nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

#### **5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting**

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which he or she:

is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered; or

intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

advising of the conflict of interest;

explaining the nature of the conflict of interest; and

detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

name of the other person;

nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

**6. Disclosure at a Meeting Conducted Under the Auspices of Council**

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which he or she is present must:

disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;

absent himself or herself from any discussion of the matter; and

as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

**7. Disclosure by Members of Council Staff Preparing Reports for Meetings**

A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

*Council meeting;*

*Delegated Committee meeting;*

*Community Asset Committee meeting*

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest.

The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer* the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

**8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power**

A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

**9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function**

A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

**10. Retention of Written Notices**

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

## Chapter 6 – Miscellaneous

### 1. Informal Meetings of Councillors

If there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient *Council meeting*; and
- recorded in the minutes of that *Council meeting*.

### 1. Confidential Information

If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

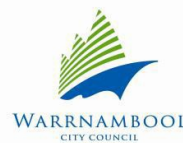


## **Chapter 7 – Election Period Policy**



WARRNAMBOOL  
CITY COUNCIL

## **ELECTION PERIOD POLICY**



**DOCUMENT CONTROL**

<b>Document Title:</b>	<i>Election Period Policy</i>
<b>Policy Type:</b>	<i>Council</i>
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## 1.1 PURPOSE

During the period preceding a Council election the Council assumes a “caretaker role”. This period is defined in the Act as the ‘Election Period’.

The purpose of this Policy is to ensure that the business of local government in the City of Warrnambool continues throughout an Election Period in a responsible and transparent manner in accordance with statutory requirements and established “caretaker” conventions.

Councils Procedure and proceedings functions are set out in Part 3 Division 2 of the 2020 Local Government Act the caretaker provisions that Councils must take heed of are contained in section 69.

## 1.2 SCOPE

This policy applies to all Councillors and staff.

During an Election Period the business of the Council continues, and ordinary matters of administration still need to be addressed. This policy establishes a series of caretaker practices which aim to ensure that actions of the Council do not bind an incoming council and limit its freedom of action.

## 1.3 DEFINITIONS

Term	Definition/Meaning
Act	Local Government Act 2020
Election Period	The period that: Starts at the time that nominations close on nomination day; and Ends at 6pm on election day
Nomination Day	The last day on which nominations to be a candidate at a Council election may be received in accordance with the Act and the regulations
Publication	includes any means of publication, including letters and electronic information on the Internet
Public Consultation	A process that involves inviting individuals, groups or organisations or the community generally to comment on an issue or proposed action or proposed policy, and which includes discussion of that matter with the public
Council Resources	Includes the financial, human and material resources of Council and includes – offices, vehicles, staff, hospitality, services, property, equipment (phones, computers etc.) and stationery etc.

## 2. POLICY

### 2.1 POLICY STATEMENT

This policy commits the Council during an Election Period to:

- not making any major decisions;
- not making decisions that significantly affect the municipality or unreasonably bind the incoming Council;
- ensuring that public resources, including staff resources, are not used for election

campaign purposes, or in a way that may improperly influence the result of an election;  
and

- not publishing or distributing electoral matter, unless it is simply information about the election process.

This policy prescribes the actions and procedures the organisation, Councillors and staff will implement during an Election Period in observance of the statutory requirements and in the interests of good governance and a fair election generally.

## **2.2 POLICY POSITION**

This policy applies during any Council Election Period and covers:

- Major decisions made by the Council;
- Scheduling consideration and announcement of major decisions;
- Use of the Council's resources including staff and materials published by Council;
- Access to information by Councillors and candidates;
- Council's online presence including social media;
- Communications and media services;
- Attendance and participation at Council organised activities and events;
- Public Consultation.

## **2.3 ROLES AND RESPONSIBILITIES**

### **2.3.1 Councillors**

Councillors are bound by sec. 76D and 76E of the Local Government Act 1989 regarding misuse of position and improper direction and improper influence. A breach of sec. 76D attracts serious penalties including possible imprisonment.

During an Election Period, Councillors must not use Council resources for campaigning to increase advantage over other candidates or to influence voters.

### **2.3.2 Chief Executive Officer**

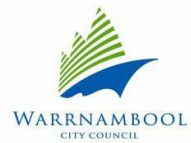
The Chief Executive Officer will ensure, as far as practicable, that all Councillors and staff are informed of the application of this policy at least 30 days prior to the commencement of an Election Period and instructions are provided to staff on the implementation of the procedures detailed in this policy.

During an Election Period the Chief Executive Officer will be the official spokesperson for the Council in relation to all matters.

## **3. PROCEDURES**

### **3.1 DECISION MAKING PROCESSES DURING AN ELECTION PERIOD**

- a) It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. The Council therefore commits to this principle in that it will make every endeavour to avoid making decisions that inappropriately bind the incoming Council. This includes a commitment to not making any "Major Decision" or "Significant Decisions" as specified in this policy.



- c) The Chief Executive Officer will ensure, as far as practicable, that matters of Council business requiring Major Decision or Significant Decision are scheduled for Council to enable resolution prior to the commencement of an Election Period or deferred where appropriate for determination by the incoming Council.
- d) Scope exists for Council to hold a Council meeting but only in the most urgent or extraordinary circumstances or any statutory circumstances or any statutory processes that may arise. *Refer clause 3.1.3*

#### 3.1.1 Major Decision

- a) A 'Major Decision means any decision relating to:
  - (i) the employment or remuneration of a Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer;
  - (ii) termination or the appointment of a Chief Executive Officer;
  - (iii) committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; and
  - (iv) enabling the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.
- b) If Council considers that there are extraordinary circumstances where the community would be significantly disadvantaged by the Council not making a particular Major Decision, the Council will, by resolution, request an exemption from the Minister for Local Government.
- c) The prohibitions on Major Decisions apply to Special Committees and a person acting under delegation.

#### 3.1.2 Significant Decisions

- a) Over and above the decisions specified as Major Decisions, the Council will avoid making other decisions during an Election Period that are of a significant nature and which would unnecessarily bind an incoming Council.
- b) "Significant Decisions" include:
  - (i) Irrevocable decisions that commit the Council to substantial expenditure or major actions; and
  - (ii) Irrevocable decisions that will have a major impact on the municipality or the community.
- c) The Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Therefore, where a delay in making a "Significant Decision" would result in significant detriment to the local community, or the broader community, the Council may make an exception to this procedure. In making an exception to this procedure, the Council will deal with the matter impartially, having regard to the long-term interests of the community and as transparently as possible.
- d) In the case of a decision that significantly affects the municipality or binds the incoming Council, which is not expressly prohibited, a number of factors will be considered, including:

- (i) The urgency of the issue - could a decision be reasonably deferred until the next Council is in place;
- (ii) The possibility of financial and/or legal repercussions if it is deferred;
- (iii) Whether the decision is likely to be controversial; and
- (iv) The best interests of Council.

### **3.1.3 Council Meetings**

***Note: The Council will not hold an ordinary Council Meeting during an Election Period. This section only applies to reports for an unscheduled Council Meeting, if such a meeting is called.***

In order to facilitate compliance with its commitment to ensuring appropriate decision-making during elections, Council adopts the following procedure:

- a) During an Election Period, the Chief Executive Officer will ensure that a "Caretaker Statement" is included in every report submitted to a Council meeting (if required) for a decision.
- b) The "Caretaker Statement" will specify one of the following:
  - (i) *"The recommended decision is not a "Major Decision" or a "Significant Decision" within the meaning of this policy"; or*
  - (ii) *"The recommended decision is not a "Major Decision". The recommended decision is a "Significant Decision" within the meaning of this policy, but an exception should be made for the following reasons [insert reasons for making an exemption]"; or*
  - (iii) *"The recommended decision is to seek an exemption from the Minister because the matter requires a "Major Decision"; or*
  - (iv) *"The recommended decision is a "Major Decision", but an extraordinary circumstances exemption was granted by the Minister for Local Government on [insert date]".*
- c) During an Election Period, the Council will not make a decision on any matter or report that does not include one of these Caretaker Statements.

### **3.1.4 Delegated Committees and Advisory Committees**

The operation of all Delegated Committees and Advisory Committees will be suspended upon the commencement of an Election Period.

## **3.2 PUBLIC CONSULTATION DURING AN ELECTION PERIOD**

- a) Public consultations are best to be avoided during an Election Period.
- b) This clause does not apply to public consultation required under any statutory provisions, including the Planning and Environment Act 1987.
- c) Consultations may be undertaken during an Election Period to facilitate the day-to-day business of Council, to ensure matters continue to be proactively managed. Consultations will avoid any express or implied links to a Council election.
- d) Consultations under statutory provisions shall only proceed after express agreement by the Chief Executive Officer and then if it relates solely to the normal day-to-day business



of Council.

### 3.3 COUNCIL PUBLICATIONS DURING AN ELECTION PERIOD

#### 3.3.1 Certification of Council publications during an election period

- a) The Council will not publish material with public funds that may influence, or be seen to influence, voting in a Council election.
- b) The Council will not:
  - (i) Print, publish or distribute; or
  - (ii) Cause, permit or authorise to be printed, published or distributed on behalf of the Council;

any advertisement, handbill, pamphlet or notice during an election period unless it has been certified, in writing, by the Chief Executive Officer.

- c) This prohibition applies to all documents produced for the purpose of communicating with the community, including:
  - (i) Council newsletters
  - (ii) Advertisements and notices e.g. job advertisements, public notices of contracts etc.
  - (iii) Media releases
  - (v) Leaflets and brochures
  - (vi) Mailouts to multiple addresses
- d) Council will avoid all publication activity during an Election Period except where essential for the conduct of Council operations. Where printing, publishing or distributing a document is deemed essential to Council business during an Election Period the Chief Executive Officer's certification is required. Publication includes electronic information and web-based productions.
- e) The procedure for certifying publication is:

Step	Procedure
1	During an Election Period all proposed publications that are normally sent to the Communications unit and/or other Council units for publication e.g. Organisational Development for job advertisements must be sent in the first instance to the Manager Governance
2	The Manager Governance is responsible for checking that no election material is present (other than factual election process information). Refer clause 3.3.5
3	Should the proposed publication contain electoral material, it will be returned to the author for correction and re-submission.
4	Should the proposed publication not contain electoral material, the Manager Governance will send the material to the Chief Executive Officer for certification, by advising: <i>"This material has been checked and does not contain any electoral or electoral related matter to the best of my knowledge. Can you please certify in writing that you authorise for this material to be printed, published or distributed?"</i>
5	If the proposed publication is approved by the Chief Executive Officer, he/she



	will certify this in writing: <i>"I certify that the attached material is suitable for printing, publishing or distributing on behalf of Warrnambool City Council"</i>
6	The Manager Governance is responsible for maintaining the record of certification of documents and advising relevant officers of the publication approval.

- f) Councillors may publish campaign material on their own behalf, as long as the material does not originate from, or is authorised by, the Council or use Council logos.

### 3.3.2. Council's Online Facilities (includes Social Media)

- a) The Council website is the main corporate site; there are separate websites for some activities including Warrnambool Art Gallery, Aquazone, Lighthouse Theatre, Surfside Holiday Park and Flagstaff Hill Maritime Village. The Council also has a number of social media sites including twitter feeds and Facebook pages.
- b) Council auspiced social media must not be used for election campaigning.
- c) At the start of an Election Period any online information on Council hosted sites about Councillors who are candidates will be restricted to their name and contact details.
- d) Council agendas and minutes of meetings do not require certification if they are published in the usual way on the website.
- e) Any references on Council's website to the election will only relate to the election process.
- f) Any new material published on Council's website during an Election Period that may be considered an advertisement, handbill, pamphlet or notice must be subject to the certification process.
- g) Any publication on social media sites such as, Facebook, twitter etc. which are auspiced by Council, will require certification by the Chief Executive Officer.
- h) During an Election Period Facebook and twitter posts are to be kept to minimum, normal day- to-day activities only. No launches or announcement of any new projects, policy initiatives, or programs must be made. Where possible, the functions that permit comments and posts by the public on Council social media will be disabled during an Election Period and if so, the Council will provide an explanation via social media on this being necessitated in accordance with this Policy.
- i) No new Council You Tube videos will be uploaded during an Election Period.
- j) Council's Communications unit monitors the Council's corporate website, Facebook site and twitter feeds between the hours of 8.15am and 5.00pm on weekdays (excluding public holidays). During an Election Period monitoring will extend to after hours and weekends and will be undertaken by the Communication unit which will have the editing access to delete any material posted that makes reference to candidates or a Council election.

### 3.3.3 Council Publications

- a) Any current Council publication which may be potentially affected by this policy will be reviewed by the Communication unit in consultation with the Manager Governance to

ensure that any circulated, displayed or otherwise publicly available material during an Election Period does not contain material that may be construed as “electoral matter”.

- b) Council’s City Assist unit undertake an audit of brochures and pamphlets in all Council’s customer service centres and remove any which might contain electoral matter prior to an Election Period.
- c) Any references to Councillors in Council publications printed, published or distributed during an Election Period must not include promotional text.
- d) Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, will be subject to the certification process.
- e) Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.
- f) Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.
- g) Councillors may use the title “Councillor” in their election material, as they continue to hold that position during an Election Period. To avoid confusion, Councillors shall ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.
- h) Material printed or disseminated during an Election Period to publicise a function or event must be subject to the certification process.

#### 3.3.4 Council Annual Report

- a) Council is required to produce an Annual Report and this generally will coincide with an Election Period. This publication is not considered an ‘advertisement, handbill, pamphlet or notice’ and does not require certification.
- b) The Annual Report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.
- c) A summary version of the Annual Report is regarded as a pamphlet and must be subject to the certification process.
- d) Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of an Election Period.

#### **3.3.5 Electoral Material**

Material is definitely an electoral matter if it:

- Publicises the strength or weaknesses of a candidate;
- Advocates the policies of the Council or of a candidate;
- Responds to claims made by a candidate;
- Publicises the achievements of the elected Council;
- Publicises matters that have already been the subject of public debate;
- About matters that are known to be contentious in the community and likely to be the subject of election debate;

- Deals with Election Candidates statements;
- Refers to Councillors or candidates by name or by implicit reference.

#### **3.4 USE OF COUNCIL RESOURCES DURING AN ELECTION PERIOD**

- a) Public resources must not be used in a manner that would influence the way people vote in elections. The Council commits to this principle in that it will ensure that Council resources are not used inappropriately during an Election Period. This includes a commitment to comply with the following procedures.
- b) The Council will ensure that due propriety is observed in the use of all Council resources, and staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice is to be sought from the relevant Director.
- c) Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during an Election Period. and shall not be used in connection with any electioneering activity.
- d) No Council events, logos, letterheads, or other Warrnambool City Council branding can be used for, or linked in any way to, a candidate's election campaign.
- e) The Chief Executive Officer or any staff should not be asked to undertake any tasks connected directly or indirectly with electioneering.
- f) Photos or images taken by or provided by the Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council websites that may be able to be copied. *Also refer to clause 3.7*
- g) No election material or active campaigning is to be conducted at Council sponsored events or to be displayed in any Council building.
- h) Staff must not undertake an activity that may affect voting in the election or authorise, use or allocate a Council resource for any purpose that may influence voting in the election.
- i) If staff that feel they are being placed in a compromising situation by a request from a Councillor they should refer the Councillor to the Chief Executive Officer for clarification.
- j) Any staff member who considers that a particular use of Council resources may influence voting in an election or provide an undue advantage for a candidate shall advise the relevant Director before authorising, using or allocating the resource. The Director in consultation with the Chief Executive Officer will decide if the use of Council resources is appropriate or not.
- k) Public events will only be organised and run if it is totally unavoidable to conduct such events during an Election Period and then only with the express permission of the Chief Executive Officer.
- l) Speeches for Councillors will only be prepared by staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be

circulated or available for publication.

- m) Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.
- n) Equipment and facilities provided to Councillors for the purpose of conducting normal Council business will not be used for campaigning purposes.
- o) Reimbursement of Councillor expenses incurred during an Election Period should only apply to costs incurred in the performance of normal Council duties, and not for campaigning and not for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.
- p) Where Councillors have Council funded services, such as mobile phones, land lines and internet connections, and where it is impractical for Councillors to discontinue their use of these during the election, then Councillors will either reimburse the Council or not make a Council claim that exceeds normal usage levels for usage of those services during an Election Period.
- q) Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.
- r) During an Election Period, Councillors shall not participate in any regional and or interstate travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, the Council may by resolution approve such attendance. If consideration by the Council is impractical the Chief Executive Officer may determine the issue.

### **3.5 ACCESSING COUNCIL INFORMATION DURING AN ELECTION PERIOD**

- a) The Council recognises that all election candidates have rights to information from the Council administration and that it is important that sitting Councillors continue to receive information that is necessary to fulfil their elected roles.
- b) Neither Councillors nor candidates will receive information or advice from staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during an Election Period.
- c) Information and briefing material prepared by staff for Councillors during an Election Period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day to day activities.
- d) An Information Request Register will be maintained by the Manager Governance commencing on the opening of nominations. The Register will be a public document (available for inspection) that records all requests for information of a non-election nature by all candidates, and the responses given to those requests.
- e) Responses to candidate's requests will only be issued through the Manager Governance. Staff in receipt of a candidate request must refer the request and any proposed response to the relevant Director and Manager Governance. Only information that can be reasonably accessed will be released.

- f) Any Freedom of Information (FOI) application lodged during an Election Period will be dealt with where possible outside of an Election Period. (the FOI Act specifies a 45-day period in providing a response)

### **3.6 ASSISTANCE TO CANDIDATES**

- a) The Council affirms that all candidates standing for the Council election will be treated equally.
- b) Any assistance and advice to be provided to candidates as part of the conduct of a Council election will be provided equally to all candidates.
- c) All election related enquiries from candidates will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

### **3.7 COMMUNICATIONS AND MEDIA SERVICES DURING AN ELECTION PERIOD**

- a) The Council's communication systems and media services will not be used in any way that might influence the outcome of a Council election.
- b) During an Election Period, staff must not initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.
- c) Council newsletters will not be printed by the Council during an Election Period.
- d) Any edition(s) of Council's C2C published within two months prior to the commencement of an Election Period will only contain general information pertaining to the election process and will not contain any photograph of a Councillor or candidate, or any statement by a Councillor or candidate. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate.
- e) In response to media inquiries the Chief Executive Officer, Directors or the Manager Communications will only provide a response and such information should relate only to current services and operations.
- f) During an Election Period, the Council initiated communications shall be restricted to the communication of normal Council activities.
- g) No media advice or assistance will be provided to Councillors in relation to election campaign matters.
- h) No publicity will be provided that involves specific Councillors during an Election Period.
- i) Councillors should not use their position as an elected representative or their access to staff and other Council resources or information in support of an election campaign. This includes photos or images provided by the Council for past Council activities.
- j) Any requests from Councillors for media advice or assistance during an Election Period will be referred to the Chief Executive Officer.

- k) Media releases will not mention or quote any Councillor(s) during an Election Period.
- l) Contact with the local media will be restricted to the communication of normal Council activities and responding to questions not involving an election or possible election outcomes.
- m) Publicity for Council events (if any during an Election Period) will be restricted to the communication of factual material and will not mention or quote any Councillor or candidate.
- n) Councillor participation at Council sponsored events during an Election Period will not be used to gain attention in support of an election campaign.

## **4. GOVERNANCE**

### **4.1 Policy Owner**

- a) The Manager Governance shall be responsible for monitoring the currency of this Policy.
- b) Staff enquiries regarding the implementation of this policy should be directed to either Manager Governance or the relevant Director.
- c) Councillor or candidate enquires should be directed to the Manager Governance or the Chief Executive Officer.

### **4.2 Policy Review**

This policy will be reviewed no later than six (6) months prior a Council General Election.

## **8.2. ANNUAL REPORT 2021-2022**

### ***DIRECTORATE: Corporate Strategies***

#### **PURPOSE:**

***For Council to consider the Annual Report 2021-2022.***

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#### **EXECUTIVE SUMMARY**

Under section 100 of the Local Government Act 2020, the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at an open Council meeting.

This annual report covers the financial year 2021-2022 and reports on the progress Council has made against the objectives in the Council Plan 2021-2025.

The Annual Report comprises three main sections: an operations report, performance statement and financial statements – refer **Attachment 1** – 2021-22 Annual Report.

Among the highlights of the year was the completion of the Reid Oval redevelopment. The upgrade included a new surface built to AFL Victoria and Cricket Victoria standards, improved lighting and a new accessible, inclusive pavilion that enables female participation.

Work continued on the new Warrnambool Library and Learning Centre which will replace the current library. The new library, constructed in partnership with South West TAFE, is situated on the TAFE campus in Kepler Street and will provide about four times the floor space of the existing library.

Work also began on the upgrade of the Lake Pertobe Adventure Playspace which will ensure that this key recreational space continues to be a drawcard for residents and visitors to the city.

The replacement of Edwards Bridge will restore a second access point to the foreshore precinct and will have the capacity to accept heavier vehicles. It will also have improved safety for pedestrians and cyclists.

In late 2021 our Library staff made themselves available to help people access and display their COVID vaccination certificates and Warrnambool was involved in the trial to progressively open a “vaccinated economy”.

Council began installing large photovoltaic arrays on major buildings including the Warrnambool Art Gallery, AquaZone, the Civic Centre and Archie Graham Community Centre as the effort towards having zero net greenhouse gas emissions from Council operations by 2026.

The 2022 Community Satisfaction Survey contained some very pleasing results with the community expressing greater levels of satisfaction across all key measures including overall Council direction.

Operating expenditure for 2021-22 was tightly controlled and council's operating income and expenditure were within 8% and 6% respectively of the Annual Budget adopted in June 2021.

In 2021-22, council achieved a surplus of \$18.445 million.



---

**MOVED: CR ANGIE PASPALIARIS**  
**SECONDED: CR DEBBIE ARNOTT**

**That Council endorses the Warrnambool City Council Annual Report 2021-2022.**

**CARRIED - 7:0**

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## **BACKGROUND**

Section 98 of the Local Government Act 2020 states that Council must prepare an annual report for each financial year.

The annual report must contain:

- (a) a report of operations of the Council;
- (b) an audited performance statement;
- (c) audited financial statements;
- (d) a copy of the auditor's report on the performance statement;
- (e) a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;
- (f) any other matters prescribed by the regulations.

The operations section of the report must contain:

- a) a statement of progress on implementation of the Council Plan, which includes the results of the strategic indicators;
- b) (b) a statement of progress in relation to the major initiatives identified in the budget or a revised budget;
- c) (c) the prescribed indicators of service performance for the services provided by the Council and funded in the budget during the financial year, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;
- d) (d) any other information prescribed by the regulations.

At its meeting in September and in accordance with the requirements of the Local Government Act 2020 Council gave in-principle approval to the acceptance of the performance statement and financial statements, subject to a final sign-off from the Victorian Auditor General's Office. This in-principle approval also allowed the Councillor representatives of the Audit and Risk Committee the authority to conclude the final statements when approval was returned from the Auditor General's Office.

## **ISSUES**

N/A

## **FINANCIAL IMPACT**

N/A

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

### **5 An effective Council**

5.2 Engaged and informed community: Council will ensure ongoing community engagement to identify changing needs and priorities when developing and delivering services and programs.

5.3 Customer-focused services: Council will continue to develop a program of Council services that are delivered to the community's satisfaction.

5.5 Organisational and financial sustainability: Council will ensure organisational and financial sustainability through the effective and efficient use of Council's resources and assets.

## **TIMING**

The Annual Report must be considered by Council at an open Council meeting within four months of the end of the financial year.

## **COMMUNITY IMPACT / CONSULTATION**

Through the presentation of the Annual Report the Council is fulfilling an obligation to inform the community of its performance over the 2021-2022 fiscal year.

## **LEGAL RISK / IMPACT**

N/A

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

The consideration of the Annual Report at an open Council meeting fulfills the requirements of the Local Government Act in relation to annual reporting.

## **ATTACHMENTS**

1. 3247 Annual Report 2021-22 final [8.2.1 - 179 pages]



# REPORT OF OPERATIONS

For the year ended 30 June 2022

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# INTRODUCTION

Welcome to the report of operations 2021-22.

The Warrnambool municipality is situated on the lands of the Gunditjmara and Eastern Maar peoples. Council acknowledges their Elders past, present and emerging.

This annual report includes a report of operations, financial and performance reports for the 2021-2022 year.

Warrnambool City Council is committed to transparent reporting and accountability to the community and the Annual Report 2021-2022 is the primary means of advising the Warrnambool community about council's operations and performance during the financial year.

## The Warrnambool municipality

The municipality of Warrnambool covers 120sqkm in Victoria's South West.

It includes the city of Warrnambool and townships of Allansford, Bushfield and Woodford.

It has annual population growth of about one per cent, a population of 35,600 and is the most populous city in the South West.

Warrnambool is the major regional centre for health care, education, professional services and sport and culture.

Warrnambool's economy generates an annual output of \$4.743 billion accounting for over 25 per cent of the Great South Coast region's economic output from less than one per cent of the land area.

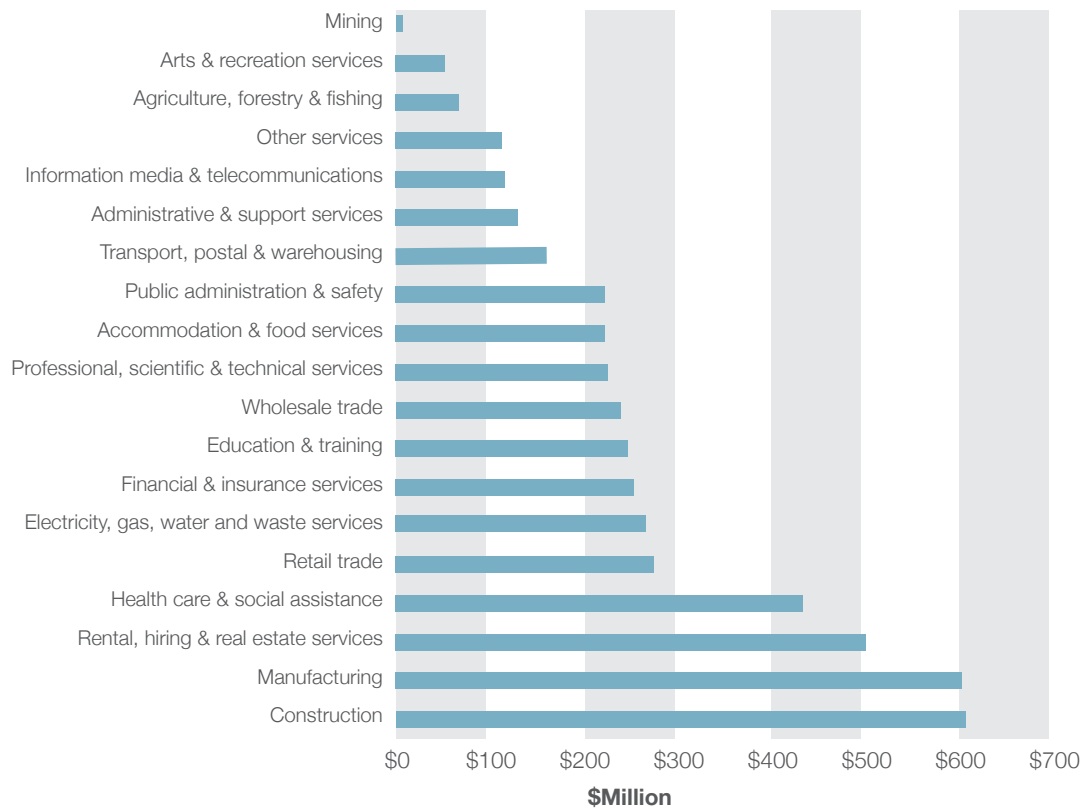
### Output by industry sector

Industry Sector	\$M	%
Construction	\$608	12.8%
Manufacturing	\$605	12.8%
Rental, hiring & real estate services	\$502	10.6%
Other	\$3,029	63.9%





Economic output - all sectors



There are 16,653 jobs in Warrnambool. The major contributors to employment are:

Industry Sector	Jobs	%
Health Care & Social Assistance	3,279	19.7%
Retail Trade	2,370	14.2%
Education & Training	1,677	10.1%
Other	9,327	56.0%

## GUIDING OUR ACTIONS

Council activities are guided by key strategic documents. These include the four-year Council Plan, developed by Councillors and adopted within six months of a Local Government election. The Council Plan, which is revised annually, also acknowledges the goals of the long-term community plan, Warrnambool 2040 (W2040).

Council, in partnership with the community, developed W2040 over 2017 and 2018. A long-term community plan, or vision, is now a requirement under the new Local Government Act 2020. The Council Plan aligns with the goals of W2040.

The icons beside the Council Plan objectives and the W2040 visions below will appear throughout this report to provide readers with an insight into the strategic origins of Council's actions and initiatives.

### Our vision

A thriving city at the heart of coast and country

#### Our strategic objectives

1. A healthy community – we will be a healthy, inclusive and thriving community with equitable access to services, cultural opportunities and recreational activities
2. A sustainable environment – we will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.
3. A strong economy – we will support a resilient local and self-sustaining economy that encourages economic growth and provides increased employment opportunities that attract ongoing investment.
4. A connected, inclusive place – we will provide high quality places that people value and want to live, work, play and learn in.
5. An effective Council – we will be recognised as a collaborative Council and a high performing organisation that enables positive outcomes for Warrnambool's community, environment and economy for Victoria's South West.

### Warrnambool 2040 – the community's long-term vision

Council is a major partner in the delivery of the objectives identified in the long-term community plan, Warrnambool 2040.

Prepared with the community through an extensive community engagement process, Warrnambool 2040 contains the following four strategic objectives.



1. People. Warrnambool will be a city where all people thrive.



2. Economy. Warrnambool will be Australia's most resilient and thriving regional economy.



3. Place. Warrnambool will be Australia's most liveable regional city.



4. Environment. Warrnambool will be Australia's most sustainable city







## OUR ORGANISATIONAL VALUES

### Accountability

We will be responsible and take ownership of our actions and decisions by being ethical, honest and transparent.

### Collaboration

We will foster effective relationships through engagement, communication and co-operation, supporting decisions and outcomes for the benefit of all.

### Respectfulness

We will treat everyone with dignity, fairness and empathy, providing others with the opportunity to share views and be heard.

### Progressiveness

We will evolve and grow by encouraging development, change and continuous improvement in all that we do.

### Wellbeing

We will commit to providing a safe and healthy workplace that promotes staff engagement, performance and achievement, allowing employees to flourish for the benefit of themselves and the organisation.





## 1. A HEALTHY COMMUNITY

### Funding to improve the Jetty Flat pavilion

In August Council and the Victorian Government announced the sports pavilion at Jetty Flat Reserve would receive a \$980,000 upgrade that includes female-friendly changerooms.

Council was successful in its application to the Victorian Government's Local Sports Infrastructure Fund seeking \$500,000 for the project.

Council committed \$395,000 towards the project with a further \$30,000 from Cricket Victoria and \$55,000 from the Warrnambool BMX Club and Russells Creek Cricket Club.

The upgrade will create two new change areas and amenities that are not gender specific and which will provide clear separation between club amenities and the general public.

From the pavilion, there will be a clear line of sight to the BMX track to the south and the cricket oval to the north.

Designated umpires amenities include a separate shower, toilet and changing space, while the shared community and social spaces will be able to transform from one space to two.

### Regardless of age, we all count

Warrnambool Mayor Cr Vicki Jellie signed up to the EveryAGE Counts campaign, which focused on addressing ageism relating to older people.

"Ageism can have a terrible impact on people," Cr Jellie said.

"It can restrict people's opportunities and diminish confidence and health.

"The reality is that people are able to make a contribution to the workplace and community well into senior years and this is something we should celebrate.

"We need to acknowledge that older people are capable and have accumulated valuable life and professional experience.

"Our older years should be like any other phase within a person's life span – valid, positive and meaningful."

The EveryAGE Counts campaign, organised by the Benevolent Society, has a vision for "a society where every person is valued, connected and respected regardless of age and functional health". Council created a public pledge poster on the exterior of the Lighthouse Theatre and encouraged Warrnambool residents to show their commitment to tackling ageism.

## A vaccinated economy

In October 2021 Warrnambool was involved in a trial to progressively reopen a "vaccinated economy".

The trial conducted by the Victorian Government saw businesses and events across highly vaccinated parts of regional Victoria re-opened to help the state progressively move towards a vaccinated economy.

The trials tested systems and support in the fortnight before Victoria anticipated reaching a 70 per cent full vaccination mark, which triggered greater freedoms for vaccinated people.

"This is tremendous news for our economy and feels like a great reward for the effort that Warrnambool people have made over the past 18 months," Warrnambool Mayor Cr Vicki Jellie said.

The trials covered hospitality, hairdressing, beauty services and tourism businesses, along with events such as race meetings, community celebrations and concerts – allowing higher patron numbers with all attendees confirmed as being fully vaccinated. Other municipalities to be part of the trial - all with high vaccination rates and low or no COVID-19 cases – included Bass Coast, Greater Bendigo, Pyrenees, Buloke and East Gippsland.

## Help with vaccination proof

Warrnambool Library staff were available to help people access and display their COVID-19 vaccination certificates.

The Library developed a simple guide explain how to access vaccination certificates, which was available at the library and on the library's website. People could receive help by booking a one-on-one session during the Computer Connected program.

## First cricket game on new Reid Oval surface

The first match on the new Reid Oval was a Division 1 cricket match between Nestles and North Warrnambool Eels in January.

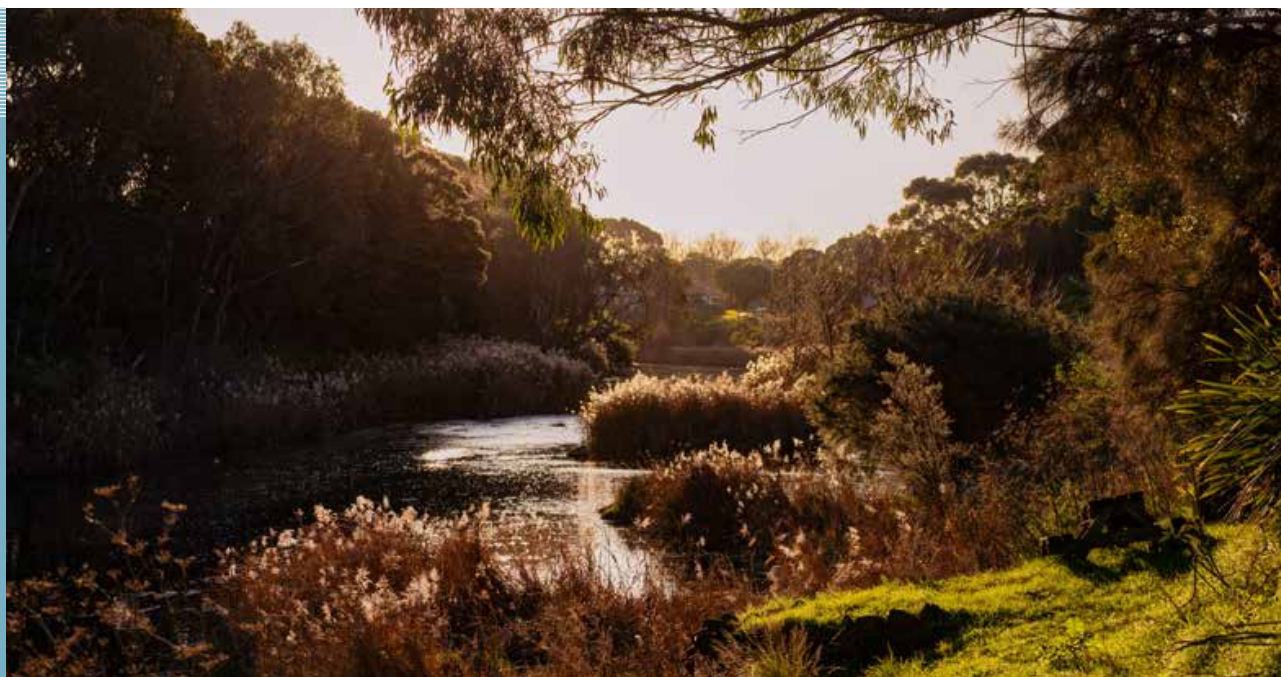
Reid Oval Project Control Group Chair Cr Debbie Arnott said while the playing surface and the wicket was ready to go by the beginning of January, there's still work to be done on the pavilion and the area around the oval.

The Reid Oval Redevelopment is a \$10.7 million project funded by the Victorian Government (via Sport and Recreation Victoria and Regional Development Victoria), the Warrnambool City Council (via the Victorian Government's Community Sports Infrastructure Loans Scheme), the AFL (via the Australian Football Facilities Fund) and Cricket Victoria (via the Australian Cricket Infrastructure Fund).



Everyday Gourmet host Justine Schofield in Warrnambool with Cr Debbie Arnott.





## 2. A SUSTAINABLE ENVIRONMENT

### Fox baiting produces results

Fox activity along Warrnambool's foreshore was more than halved following a baiting program earlier this year, with a second phase to focus on remaining hotspots.

In an attempt to protect native bird and animal species, Council carried out a fox baiting program during October and November 2021.

Bait was buried in the coastal reserve around Pickering Point, Thunder Point and Shelly Beach. Following a baiting program in April to June specially-trained border collies scouted the baiting areas to look for signs of fox activity, with the results of the pre and post-program survey showing a 58 per cent reduction in fox scats.

Warrnambool City Council Director Infrastructure Services David Leahy said that while the results were encouraging, realistically, foxes will be a constant threat to native wildlife.

"Overall scat numbers were low around Lake Pertobe and the Viaduct Road precinct following the program, which is good news for the native fauna in the area," he said.

"Surveying showed that although there was a reduction in scat numbers between Thunder Point and the golf course, there were still active foxes in the area, so we will be concentrating our efforts

along the coastal reserves in spring as foxes begin to be more active."

### When the rubber, glass and plastic hit the road

Recycled glass, rubber and plastic were used for Council's 2021 Road Rehabilitation Program.

Council has used locally recycled glass to rehabilitate roads since 2020 and in 2021 introduced recycled plastic and rubber from old tyres to asphalt and sprayed seal road finishes.

About 2km of roads were rehabilitated over the five week program, which began in late October. Warrnambool Mayor Cr Vicki Jellie said along with many Councils across Australia, Warrnambool was looking at new and innovative ways to reduce its environmental impact by finding new uses for old materials.

"Our roads projects are one area in particular where we can make use of a significant volume of recycled materials," she said.

"Last year, we used the equivalent of 360,000 glass bottles on our roads.

"This year, we're expecting to use a similar volume of recycled glass as well as approximately 440 tyres and plastic predominantly from old car parts."



## Solar to help power Stadium

Council completed a solar energy project at the Warrnambool Stadium funded by the RACV.

The RACV project, which includes battery storage, was part of a \$1 million RACV program to install solar systems on community facilities around Victoria.

Venues were chosen based on them also being used as emergency safe places and relief centres during bushfires and other extreme weather events. During the St Patrick's Day fires of 2018 the stadium and its staff played a vital role in switching the function of the stadium from sporting venue to relief centre.

The RACV is installing solar and battery systems in 24 towns across Victoria, each worth about \$40,000 on average.

Other locations include Omeo, Tallangatta, Wairewa, Wodonga, Goongerah, Clifton Creek, Yea, Aireys Inlet, Calivil, Anglesea, Heathcote, Dederang, Winchelsea, Hamilton, Harrietville, Hawkesdale, Balmoral and Mirranatwa.

## Detox your home

The annual Detox Your Home event in Warrnambool was held in March 2022 at the South-West Victorian Livestock Exchange in Caramut Road.

Organised by Sustainability Victoria in partnership with Warrnambool City Council, the Detox Your Home program helps residents dispose of their old and unwanted chemicals in an environmentally responsible way.

Warrnambool Mayor Cr Richard Ziegeler encouraged everyone to make use of the free service.

"It's time to clean those unwanted household chemicals out of your shed, cupboard and from under your sink to dispose of them safely," he said. "2.7 tonnes of hazardous chemicals were collected at the most recent Detox Your Home event in Warrnambool.

"That's 2.7 tonnes of material that isn't polluting the environment, harming a loved one or acting as fuel in the event of a fire."

## Solar power for the WAG, Archie Graham, AquaZone and the Civic Centre

In 2022 Council began the rollout of a

large photovoltaic project involving four Council buildings.

The four sites and the size of the installation were:

- AquaZone = 136kW
- Archie Graham Community Centre = 37.2kW
- Civic Centre = 76kW
- WAG = 64.4 kW

Council will install a total of 313.6kW of solar capacity across the four buildings - about 785 panels.

The payback period for the installations is six to eight years.



Solar installation on the Warrnambool Art Gallery.

## More waste diverted from landfill

Council completed the rollout of its four-bin kerbside waste collection system which has further reduced the volume of rubbish being sent to landfill.

Collection stream	Tonnage collected 2020-2021	Tonnage collected 2021-2022
FOGO	6,279	6,125
Recycle	3,153	2,453
Glass	413	1,174*
Waste	5,432	4,965

\*Glass breakdown was 1149T kerbside plus 25T at the glass bank (Cleanaway).





### 3. A STRONG ECONOMY

#### Extra BIG

In July Council opened its second round of Business Improvement Grants (BIG) to help local businesses increase efficiency and navigate COVID-19 impacts.

This allowed local businesses to apply for grants of up to \$3,000 to help implement new ideas, projects or programs.

#### Free CBD parking

Council introduced one hour of free parking in the city centre as a business stimulus measure in its 2021-2022 Budget.

This was a response to calls for more free parking in the city centre and to assist businesses recovering from the impact of COVID-19. The free hour was made available in the 2P bays within Parkers Car Park, Ozone Car Park and in the privately owned Coles-Younger Car Park.

New signage and linemarking was installed to help identify the free parking bays.

#### Business opportunity to Level Up

In November 2021 Council hosted Level Up, a special half-day conference for tourism, retail, events and other local businesses and professionals that covered a range of topics to help businesses thrive in a rapidly changing world.

Advertiser, social activist and author Alex Wadelton, who counts McDonald's, Nike, Myer, the Australian Defence Force, the Australian Football League and Cricket Australia among his past clients, discussed the business of creativity and ways to unlock your hidden creative potential.

Public relations and marketing professional Karen Foster presented a grant writing masterclass while retail expert Martin Ginnane spoke about overcoming challenges and embracing opportunities in 2022 and beyond.

Catriona Rowntree was host with funding for the event obtained by Council via the Department of Jobs Precincts and Regions' Regional Recovery Fund.

Warrnambool City Council CEO Peter Schneider said that local businesses had expressed a desire to sharpen their skills in events, marketing, tourism and retail.

## Grant funds for off-peak events

As part of city's COVID recovery, Council's Activate Warrnambool program provided grants of up to \$5,000 for small and medium events and up to \$10,000 for large events and festivals held between May and November, traditionally quieter months in terms of visitation.

For small and medium events, no matching funding was required, which meant the events could be fully funded by an Activate Warrnambool grant. In 2021, the program provided a combined \$68,000 to 12 events.

With the summer holiday period cut short for many,

a strong off-peak period became more important for our tourism and hospitality businesses.

Raglan Presents was one of the 12 successful applicants in 2021, with funding helping its Downtown Festival.

Raglan Presents Director James Kol said the funding allowed him to confidently plan and deliver a large scale music festival in the heart of Warrnambool during uncertain times.

"Without the backing of Activate Warrnambool, Raglan Presents would not have been able to present the festival at a level that we would expect due to the added expenses involved in making the event a COVID-safe experience," he said.



Austin 7 National Rally at Fletcher Jones





Mayor Cr Vicki Jellie and Peek Whurrong Elder Uncle Robert Lowe at Merrivale's Marrang Park where signage to complement existing sandstone sculptures was installed.

## 4. A CONNECTED, INCLUSIVE PLACE

### Small Infrastructure Fund

At its July 2021 meeting Council endorsed five community projects worth a combined \$430,000 to be delivered via the Small Infrastructure Fund.

Projects included an update to Goodwin Hall used by the Holiday Actors and the Warrnambool Theatre Group, a new veranda roof for the Warrnambool Croquet Club, concrete resurfacing at the BMX track, a rabbit fence at Jetty Flat Oval and a new storage shed for the Dragon Boat Club.

### Support for Aboriginal art and culture

Warrnambool Art Gallery (WAG) won funding of \$125,000 through Regional Arts Australia to support its Aboriginal art and cultural engagement initiatives.

The funding will be provided over three years and will help support the employment of a Curator of Cultural Engagement who will implement programs, exhibitions and workshops at the Maar Nation

Gallery within WAG.

Mayor Cr Vicki Jellie said the funding was great acknowledgement of the significance of Aboriginal art in the South West and of the cultural engagement already undertaken by the WAG team.

"We know that the South West has a long and rich cultural Aboriginal history that indigenous and non-indigenous people value highly," Cr Jellie said.

"It is important that it is appropriately acknowledged with a dedicated space and resources within WAG."



### Better paths, better accessibility

New concrete paths built at Lake Pertobe over recent months have made negotiating the iconic park much easier for many people.

Among those who have welcomed the paths is Warrnambool resident and wheelchair user Rhiannon Newman.

"The footpath at Lake Pertobe is great. It makes it easy for me to view the lake and access most parts of the park. Accessing the park can be hard especially when the grass is wet and muddy," Ms



Newman told Council.

"I also like the accessible change rooms that have been installed at Lake Pertobe. This can mean the difference between going out or staying at home."

Ms Newman is a client of disability services organisation, Southern Stay.

Southern Stay Chief Executive Officer Paul Loughheed said it was important that new infrastructure catered to all abilities.

"This work is welcomed by Southern Stay," Mr Loughheed said.

"These kinds of upgrades, which seem so simple, can make a profound difference for some people with restricted mobility.

"The Changing Places facility is another example of infrastructure that can really improve the quality of life for people who might not otherwise be able to contemplate a visit to Lake Pertobe, something many of us might perhaps take for granted."

## Poetry slam comes to Warrnambool

Write a revolution. Write to speak.

Write to be heard in Australia's largest performance poetry competition!

In September the Warrnambool Library hosted one of just three regional Victorian heats of the Australian Poetry Slam (APS).

Hosted by Ren Alessandra, 2020 APS Champion, poets had two minutes to perform their original work; no props, no costumes, no music. Judges were randomly chosen from the audience with the two highest-scoring poets able to complete in the Victorian state final hosted by the State Library of Victoria.

The program also included a poetry slam workshop for young adults hosted by Ren.

## Raised pedestrian crossing for East Warrnambool

A new raised pedestrian crossing was finished in Ward Street to make getting to and from East Warrnambool Primary School safer for students, parents and carers.

Funded by the Transport Accident Commission Local Government Small Infrastructure grant, the new "wombat" crossing gives pedestrians priority when crossing the road and the raised platform reduces car speed as well as making people on the crossing more visible.

In addition to the crossing in Ward Street, a raised

crossing was also built in Garden Street in July while other pedestrian infrastructure improvements were added to Aitkins Road near the playground, Selby Road near Our Lady Help of Christians Primary School and Zeigler Parade near the Allansford Kindergarten and along Merrivale Drive.



## WAG façade takes on a new glow

Ballarat artist Ash Keating covered the WAG façade with a blaze of colour that reflected the sometimes gentle, sometimes intense, colours of South West sunsets.

Ash's work on the WAG façade was a prelude to the Wallawar festival held in November.

For several years Ash has been used fire hydrants full of paint to create his splash art works that layer colour rapidly over large surfaces in a spectacular way.

He said using fire extinguishers allowed him to create a large scale abstract expressionist style that had a lot of gravity and pull as the paint descended the surface of the wall. He balances the paint using fire extinguishers filled with water.

"It is about creating immersive painting that reflects the spectacle of nature that we all enjoy. It is quite spontaneous and because it is large scale it is a bit like action painting," he said.



## Home is where the art is

A new mural at a decommissioned Derby Street bus shelter became part of Council's Let's Get Neighbourly program, designed to bring neighbours closer together.

Deakin University PhD student Thiru Somasundara moved to Warrnambool two years ago.

COVID-19 has had an impact on the social connections of most people, but for the Sri Lankan student who didn't know anybody in the city, it was especially tough.

"I was so lonely and upset and I couldn't connect with anybody in the neighbourhood," he said.

"This is my second year in Australia and Warrnambool and I didn't have many friends."

He heard about the Let's Get Neighbourly program and decided to get involved. Through workshops and mentoring, the program guided participants through the process of introducing themselves to their neighbours, and potentially forming new neighbourhood groups.

"I couldn't build my relationships gradually and properly with people at university or at other places because of all the lockdowns," he said.

"At the Let's Get Neighbourly program, I got advice on how to approach neighbours. This is entirely a new world for me.

"I think I learnt a lot, and it helped me to have positive interactions with my neighbours.

"I know my neighbours now, and I feel like I've been accepted."

The project culminated in a public mural, with Thiru the lucky participant selected to have the artwork created in his neighbourhood.

Artist Jimmi Buscombe said that the design was shaped by local residents.

"Everyone was really enthusiastic. It was just a fun, cohesive thing and we were able to tie a lot of their ideas together," he said.

## Citizen of the year

Eco-defender Colleen Hughson was the 2022 Warrnambool Citizen of the Year.

The long-time Warrnambool resident started a movement by not just picking up rubbish on local beaches, but working tirelessly to try and stop it at the source.

Other award winners are music therapist Garry Price, who has won a Local Achiever Award, and TEDxWarrnambool which was named the Warrnambool Event of the Year.

Colleen leads Beach Patrol 3280-3284, and along with a team of fellow volunteers, she was instrumental in the banning of plastic stemmed cotton buds in Victoria and New South Wales. Long-time visitors to the beaches west of Thunder Point can also attest to the tangible difference Beach Patrol has made in recent years.

Colleen was also recognised at the 2019 Warrnambool Australia Day Awards as a Local Achiever.

Ms Hughson said that while she had won the award, she was accepting it on behalf of everyone who helped make their local beaches and coastline better places.

"It's an absolute honour to be recognised for something that I really enjoy doing and something that I'm really passionate about," she said.

"It's a wonderful opportunity to raise awareness about the issue of marine litter along our coastline and I also see it as an opportunity to thank all the volunteers that are part of Beach Patrol. Thank you to my husband and kid too."

Ms Hughson said that the first time she visited a beach with the sole purpose of picking up rubbish was in August 2017 when she saw cotton buds on Shelly Beach, and things had grown from there.

"I was walking along and seeing all these sticks and I thought 'this is terrible, someone should do something about this' and as I was walking home I thought 'hang on, I could go back with a bag and pick them up'," she said.

"It was a bit of a wake up and I haven't looked back since then."

Beach patrol has done over 500 clean ups on Shelly Beach and collected 27,000 cotton buds.





## Redeveloped Reid Oval officially opens in April

The redeveloped Reid Oval opened with the \$10.7 million project completed on-time and under budget.

The upgrade included a new playing surface; a modern, accessible, gender equitable pavilion; lighting that allows for night football and cricket matches as well as better training facilities. Christine Couzens MP officially opened the new facility on Friday April 29 on behalf of the Victorian Government.

Warrnambool Mayor Cr Vicki Jellie thanked the many parties responsible for such a terrific outcome. "A project of this magnitude is years in the making, and to borrow a sporting cliché, this win is a team effort," she said. "Despite the complexities of such a large project, not to mention the significant impact of COVID-19, the Reid Oval Redevelopment was completed on time and under budget.

"This meant that we could include a 500m concrete footpath around the entire oval, improving the

accessibility for all spectators. It also meant that we could upgrade the lights at the netball courts to allow for night games to be played. And all while remaining within budget.

"I'd like to recognise that a facility as outstanding as Reid Oval doesn't just look after itself. "As well as investing in new equipment, Council staff have spent years undergoing specialised training to prepare for the curation of such a high-level playing surface.

"Reid Oval is in safe hands, and it's a facility that everyone can enjoy for many years to come." Warrnambool Football Netball Club Football Operations President Ken Radley said that the club was excited to settle in to its new home. "It's been a long time coming but we've been really patient and worked really well with Council and the contractors," he said. "It's a fantastic facility and we're really grateful to be a tenant here.

"Our numbers in our youth girls under 18s has grown dramatically and these facilities help make our women feel part of the club."

Nestles Cricket Club President Gary MacLean said that the surface, as well as the new nets and the potential for night cricket were all very exciting. "This year we got to play four or five games here at the end of the season, and now moving forward, we have 12 teams that are part of our club, boys and girls, so it'll be fantastic to be able to get into the brand-new nets and really work towards getting our club to where we want to be," he said.

"Everyone has been impressed with the wicket and the grass – it's nice and fast for cricket – and the next step is to turn the lights on for some T20 games or day-night games."

## The funding:

Organisation	Amount
Victorian Government (Sport and Recreation Victoria & Regional Development Victoria)	\$7,100,000
Council (Treasury Corporation Victoria Loan)	\$3,000,000
AFL Victoria	\$250,000
Cricket Victoria	\$200,000
Club and community	\$ 95,000
<b>TOTAL</b>	<b>\$10,645,000</b>



## Early years literacy – it takes a village

A special forum run by the Council in May - Early years literacy: it takes a village - discussed the role we can all play to have a positive impact on young children's learning.

"This is a really good opportunity for parents, carers and educators to hear from experts in the field about how we can build foundations for lifelong learning," Warrnambool Mayor Cr Vicki Jellie said.

"The Warrnambool Library has organised the forum which is free to attend and provides access to people working at the cutting edge of early years literacy."

Keynote speaker was Associate Professor Jane Page who is Associate Director, Pedagogy and

Leadership Research in the REEaCh Hub, the University of Melbourne.

Assoc. Professor Page has worked in early childhood for more than 30 years and over the past decade has been involved in several professional learning and research projects designed to enhance early years teachers' pedagogical practices and to have a positive impact on young children's learning.

Also presenting at the forum were South West HealthCare speech pathologist Elisia Nichol and occupational therapist Danili Dwyer who bring a combined 20 years' experience working with children, families and early years professionals.

There was also a panel discussion with a Q and A session, a presentation on the Beyond the Bell project, Koori Kinder Preschool, the Warrnambool Toy Library and Nurture in Nature, which connects kids and communities with the natural world.

Neighbour Day celebrations at West Warrnambool Primary School.



## Community Development Fund

Under the Community Development Fund 2021/22 round, Council received 68 applications.

Of the 68 applications, 12 were ineligible based on the criteria, 2 eligible were not supported, 48 are fully funded and 6 are partially funded.

Of the funded applicants, 32 were funded with conditions attached to their funding.

The report recommends \$218,131 to be allocated to 54 eligible local clubs and organisations under the Community Development Fund 2021/22.

Environment and Sustainability \$23,183

Festivals and Events \$42,197

Sport and Recreation, Culture and Arts \$152,751

**Total \$218,131**

Organisation Name	Project	Funding category	Total approved
Find Your Voice Collective	Capturing creative activism, accessibility & advocacy	Culture and Arts	\$3,103
Friends of Warrnambool Botanic Gardens	Take a seat and rest revive review	Culture and Arts	\$3,920
Russells Creek Club	Showcasing local Indigenous culture in a football clash guernsey	Culture and Arts	\$5,000
Warrnambool & District Artists Society	Warrnambool and District Artists Society 60th anniversary celebrations	Culture and Arts	\$4,467
Warrnambool & District Historical Society	Archival survival	Culture and Arts	\$1,000
Warrnambool Camera Club Incorporated	Increasing competition and workshop participation	Culture and Arts	\$3,709
Warrnambool Mozart Choral Group Incorporated	Mozart Hall stage lighting	Culture and Arts	\$5,000
Warrnambool Symphony Orchestra	Purchase of percussion equipment	Culture and Arts	\$4,612
Australian Plants Society - Warrnambool & District (Prev Society for Growing Australian Plants)	Environmental Weeds of Warrnambool booklet	Environment and Sustainability	\$4,996
Beach Patrol 3280-3284	Beach Patrol 3280-3284	Environment and Sustainability	\$4,280
Friends of Harris on Merri	Harris on Merri upstream revegetation 2022	Environment and Sustainability	\$4,600
Russells Creek Landcare	Revegetating Russells Creek	Environment and Sustainability	\$2,970
Tozer Reserve	Protecting the natural values of Tozer Reserve	Environment and Sustainability	\$1,390
Warrnambool & District Landcare Network Inc	WCLN essential equipment	Environment and Sustainability	\$4,947
Bushfield and Woodford Community Hub	Community engagement	Festivals & Events	\$1,282
Comunidades de Lingua Portuguesa	Warrnambool Portuguese Festival- 1522 to 2022	Festivals & Events	\$5,000

Dennington Community Association	Carols by the Merri	Festivals & Events	\$2,000
Warrnambool Agricultural Society	Warrnambool Show 2021	Festivals & Events	\$5,000
Warrnambool and District Easter Arts Festival	Warrnambool Easter Arts Festival	Festivals & Events	\$4,000
Warrnambool Gem Club Inc.	2022 Gem Show signage for new show location	Festivals & Events	\$4,259
Warrnambool Gift	Warrnambool Gift	Festivals & Events	\$5,000
Warrnambool Model Railway Club Inc.	Model Railway Exhibition 2022	Festivals & Events	\$2,000
Warrnambool Organ Festival Inc	The 2021 Warrnambool Organ Festival	Festivals & Events	\$3,656
Warrnambool Tri Club	Warrnambool Foreshore Tri 2022	Festivals & Events	\$5,000
Wunta Fiesta Incorporated	Wunta Fiesta	Festivals & Events	\$5,000
Brierly Christ Church Cricket Club	Bowling machine	Sport and Recreation	\$4,900
Dennington Bowling Club	Shade sails for shelter	Sport and Recreation	\$5,000
Dennington Football Netball Club	New tables and chairs for the football club rooms	Sport and Recreation	\$5,000
Dennington Pony Club Inc	Purchase of show jumping timing system	Sport and Recreation	\$1,000
Lake Gilleard Small Bore Rifle Club	Improve access and inclusion - electronic target	Sport and Recreation	\$5,000
Merrivale Cricket Club	Purchase of super soaker	Sport and Recreation	\$1,000
Nestles Cricket Club Incorporated	Scoreboard replacement	Sport and Recreation	\$1,947
Nestles Rowing Club	Boat and trailer winch	Sport and Recreation	\$4,555
North Warrnambool Eels Cricket Club	North Warrnambool Eels strategic plan development	Sport and Recreation	\$5,000
North Warrnambool Rifle Club	Target and range safety equipment purchase	Sport and Recreation	\$2,250
Old Collegians Football Netball Club	Increasing club capacity, amenity and efficiency	Sport and Recreation	\$5,000
Panorama Three Year Old Kindergarten	Active, happy, healthy kids	Sport and Recreation	\$1,313
South Rovers Football Netball Club	Let's go to the videotape	Sport and Recreation	\$4,755
Southern Titans Cricket Club	Junior development program	Sport and Recreation	\$4,549
Southwest Strength Sports	Purchase of equipment 2021	Sport and Recreation	\$4,985
Warrnambool Athletic Club	2021 Warrnambool Running Festival	Sport and Recreation	\$5,000

Warrnambool Bridge Club Inc	Purchase appropriate seating	Sport and Recreation	\$5,000
Warrnambool Calisthenics Club	Annual concert	Sport and Recreation	\$3,400
Warrnambool City Croquet Club	Fast 5 Croquet - the next big hit!	Sport and Recreation	\$4,742
Warrnambool Cycling Club	Women's cycling program	Sport and Recreation	\$3,000
Warrnambool Gun Club Inc	Upgrade to electronic scoreboard and electronic shoot program	Sport and Recreation	\$4,969
Warrnambool Kart Club	Girls in karts	Sport and Recreation	\$5,000
Warrnambool Little Athletics	Back to the track and field	Sport and Recreation	\$5,000
Warrnambool Rangers Football Club	Jones Oval lighting upgrade	Sport and Recreation	\$5,000
Warrnambool Rifle Club	90m safety range lighting	Sport and Recreation	\$4,791
Warrnambool Roller Hockey Club	Replacement of spectator grandstand	Sport and Recreation	\$4,784
Warrnambool Small Bore Rifle Club	Purchase interactive electronic target	Sport and Recreation	\$5,000
Warrnambool Springers Gymnastics	Soft underlay in arena to alleviate possible injury	Sport and Recreation	\$5,000
Warrnambool Volleyball Association	Junior training development	Sport and Recreation	\$5,000







## 5. AN EFFECTIVE COUNCIL

### Council recognised with events awards

In a challenging year for public events Council won two awards at a national “Event of the Year” awards ceremony, the only municipality in Australia to do so.

Online music festival “Get Around Warrnambool presents LoungeFest” won the 2020 Victorian Government Event of the Year award while neon-themed scavenger hunt “Solstice Searching” was deemed the 2020 Victorian Regional Event of the Year.

The awards were announced in September 2021. The awards were presented by Meetings and Events Australia, the largest professional events organisation in the country. Warrnambool Mayor Cr Vicki Jellie said the awards recognise the goodwill in the events space between Council, event partners and the broader community. “Warrnambool is an events city. When there aren’t

restrictions on tourism, events play a key role in our visitor economy, but they are just as important for local residents and they add a lot to the liveability of the city,” she said.

“While virtual concerts will forever be synonymous with the COVID-19 pandemic, LoungeFest was one of the first events of its kind in Australia.

“The reason we could put the event together so quickly was due to the willingness of the local musicians and all of our event partners to get involved. Everyone saw what we were trying to create, and people watched in their thousands.

“With Solstice Searching, it was such a great concept, it could have worked at any time.”

### Investment tackles drainage maintenance backlog

Council invested in a new jet/vac truck to help clear a significant drainage maintenance backlog, while allowing staff to quickly respond to blockages in the event of heavy rain.

The vehicle is equipped with a high-pressure water hose that breaks up debris up to 100m along the drainage pipe, while a second hose acts as a vacuum, sucking the material into the truck. In its first few months of operation, Council’s



drainage team averaged 18 cubic metres, or 25 tonnes of debris cleared from the stormwater system each month.

In previous years, drains were cleaned by hand. In more recent times, Council would employ a contractor to use a jet/vac truck. Warrnambool City Council CEO Peter Schneider said that the new truck was a great investment in the city's drainage system. "We no longer need to hire contractors to clean our drainage pits and stormwater pipes, so this truck will well and truly pay for itself over its lifespan," he said. "Without the need to rely on contractors, if we receive a report of a blocked drain, our staff can respond much more quickly. And in the event of a flood, we are not reliant on the availability of an external company.

"Depending on the type of drain, the team are now cleaning 50 to 60 drains a week. Back when things were done by hand, one drain could take all day." After debris is sucked into the truck, it is taken to the municipal depot where it is drained, sorted, sifted and where possible, recycled. Council awarded a \$511,000 tender for the Hino truck and Spout Vac body.

## CFA volunteers gain skills loading water bomber

In December 2021 CFA volunteers including Council staff gained or refreshed skills in loading firefighting aircraft.

A Hamilton-based water bomber was flown down for the exercise and volunteers completed a number of drills which involved refilling the aircraft with water.



The CFA air base at Warrnambool Airport acts as a supporting base to refill fixed-wing firefighting aircraft after they have been dispatched for larger incidents.

Local CFA volunteers undertake additional training and are placed on a duty roster during the fire season in order to ensure the airbase can be manned and operational within 15 minutes. Council's airside infrastructure ensures a greater level of fire safety to Warrnambool and the South West.

Council Chief Executive Officer Peter Schneider said he was proud of the Council and community roles staff often performed.

"It's not uncommon for staff to be pitching in outside their work, just as many other residents do, to make their city and region a better place," Mr Schneider said.

## A chance to have a say

Council began community engagement for the 2022-2023 Budget and the 2022 revision of the 2021-2025 Council Plan in February.

This involved asking the community to submit any questions or requests they have in relation to the Council Plan and/or budget. The questions and commentary were reviewed by Council and used to help inform the revision of the plan and budget preparation.

## Making Archie the best it can be

In March residents were asked how they thought the Archie Graham Community Centre could be improved.

Archie is a special place for many Warrnambool people who wish to learn, to have fun, socialise and even work out.

It is a community where people can connect and feel a great sense of belonging.

To ensure it continued to meet the needs of the whole community Council sought community input to help us plan Archie programs and, if need be, shift the focus on the services Council provides and how they are provided.

Council ran two surveys, one for current Archie customers and clients – including our active and engaged senior citizens group which is very much at the heart of Archie – and the other for the whole of community who might not have much involvement with Archie at the moment.

## Funding for planning projects

In February Council received \$200,000 from the Victorian Government to fund strategic planning projects in Allansford and Bushfield-Woodford.

Council received \$100,000 to implement the Allansford Strategic Framework Plan and \$100,000 to develop the Bushfield-Woodford Strategic Framework Plan through the Victorian Planning Authority's Streamlining for Growth program

The plans are designed to anticipate and address issues arising relating to population growth and land supply.

The townships within our municipality are growing and with that comes challenges and opportunities to look at how these townships can grow while enhancing amenity and built infrastructure.

They need to grow in a way that will not detract from the appeal they have and the lifestyle they offer for current and future residents.

In May last year Council adopted the Allansford Strategic Framework Plan (Allansford SFP). The Allansford SFP sets a long-term strategic land use vision for Allansford and provides a framework for its future growth and development over the next 20 years.

The Allansford SFP considered site attributes, relevant policy and range of feedback received

during three rounds of community and stakeholder engagement.

To implement the Allansford SFP, Council will undertake detailed technical assessments on stormwater drainage, flooding and traffic impact and also prepare a planning scheme amendment to provide the policy direction to deliver the recommendations of the plan.

Council will undertake a community engagement process with the Bushfield-Woodford community to inform the development of the Bushfield-Woodford Strategic Framework Plan.

## A digital strategy for the South West

The municipalities of Warrnambool, Moyne and Corangamite began work on developing a regional digital strategy to enhance liveability, productivity and promote sustainability in the South West.

The strategy aims to provide the Councils, communities, partners and investors with a clear direction for digital activity and initiatives that enrich community outcomes.

"The City of Warrnambool and Shires of Moyne and Corangamite understand the importance of digital transformation as an enabler for the region to become sustainable, resilient and attractive for residents, visitors, businesses and investors into the future," Warrnambool City Council Mayor Cr Vicki Jellie said.

"We're excited to be working together to accelerate momentum, address digital risks and overcome local challenges and barriers."



Mayor Cr Vicki Jellie and CEO Peter Schneider at the mental health and wellbeing event, Let's Talk on the Green.



## LOOKING AHEAD

### Challenges faced by Council

- Worker shortages in some sectors e.g. early childhood.
- Meeting asset renewal and maintenance needs
- Decision to be made around investment at the South-West Victorian Livestock Exchange

### Future projects

- Further development of shared services (IT enterprise system) with Moyne and Corangamite shires.
- Further investigation into a community hub at the Brierly Reserve to service a growing population in Warrnambool's north.
- Investigation into a new or upgraded aquatic centre for Warrnambool.
- Opening of the new Library and Learning Centre. This is Warrnambool's new public library and is situated on the South West TAFE site. It will open in the second half of 2022 and replaces the existing library service which is in a small and outdated space at the Civic Centre.





## MAYOR'S MESSAGE

This Annual Report details Warrnambool City Council's achievement of the 2021-2025 Council Plan strategic objectives and is the third report of this Council. The role of council includes:

The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

It must give effect to over-arching governing principles which are:

Council decisions are to be made and actions taken in accordance with the relevant law;

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- (d) the municipal community is to be engaged in strategic planning and strategic decision making;
- (e) innovation and continuous improvement is to be pursued;
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- (g) the ongoing financial viability of the Council is to be ensured;
- (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- (i) the transparency of Council decisions, actions and information is to be ensured

## Highlights

A significant step to making sport in Warrnambool more inclusive was taken with the opening of the Reid Oval redevelopment.

Along with a high standard playing surface the upgrade included a new pavilion with change-rooms that cater equally to males and females. The pavilion also has improved all-abilities access and the ground itself has a concrete path around its perimeter that can be used by those with scooters or wheelchairs. Work began on a new Edwards Bridge and on an amazing new playspace at Lake Pertobe Adventure Park.

As a Council we also continued our journey to learn more about our local Aboriginal history and culture and to build relationships with our Aboriginal community.

## Advocacy and engagement

We asked a great deal of the community when it came to seeking feedback on Council activities and proposals.

Among the issues we canvassed were the Budget, Council Plan, Beach Access Strategy, Asset Plan, Volunteering Strategy, Public Tree Planting, Archie Graham Community Centre, the Principle Pedestrian Network and the Waste Asset Management Plan – and that list is by no means exhaustive. Councillors and executive staff also made representations to State and Commonwealth

levels of government on matters of importance to our community. In June a delegation from Council travelled to Spring Street to meet Victorian members of parliament and senior government officials. Included in the items for discussion were the 2026 Commonwealth Games, Brierly Reserve Community Hub, Japan Street catchment management and flood mitigation, an upgrade of the animal shelter, Wollaston Road, Raglan Parade pedestrian safety, the repair of the Breakwater and a new surf lifesaving club building.

## Thank you

I would like to thank my fellow councillors for their dedication and effort on behalf of the city.

In particular I acknowledge Cr Richard Ziegeler who served as Mayor from November 2021 to February 2022.

Thank you also to the dedicated Council staff for their work to deliver on the objectives of the Council Plan.

And a very special thank you to residents who completed a Council survey, sent us a letter or attended a Council forum or meeting. The feedback we receive from our very engaged community is insightful, helpful and enters our considerations when we make decisions as a Council.

Cr Vicki Jellie  
Mayor



New Edwards Bridge under construction.





## A MESSAGE FROM THE CHIEF EXECUTIVE OFFICER

On behalf of Warrnambool City Council it is a pleasure to present Council's Annual Report for the year ending June 30, 2022.

The Chief Executive Officer is responsible for:

- Establishing and maintaining an appropriate organisational structure for the council
- Ensuring that the decisions of the council are implemented without undue delay
- The day to day management of the Council's operations in accordance with the council plan
- Developing, adopting and disseminating a code of conduct for council staff
- Providing timely advice to the council
- Carrying out the council's responsibilities as a deemed employer with respect to councillors, as deemed workers, which arise under or with respect to the Accident Compensation Act 1985 or the Accident Compensation (WorkCover Insurance) Act 1993.

### Highlights

The past financial year was extremely busy with a number of major infrastructure projects under way including the Library and Learning Centre, the construction of Edwards Bridge and the installation of a major playspace at Lake Pertobe Adventure Park

We also had the official opening of the redeveloped Reid Oval. All of these projects improve the liveability of the city and in some cases enhance the experience of visitors to Warrnambool.

The 2022 Community Satisfaction Survey contained some very pleasing results with the community expressing greater levels of satisfaction across all key measures including overall council direction.

Internally we formed a Gender Equity Action Committee to develop a Gender Equality Action Plan. This will be an influential plan and together with the Gender Equality Act will create not only a fairer workplace but will have an influence on all aspects of Council operations, including infrastructure design.

### Organisational performance

At the end of June 2022, council's financial position remains sound.

We care for community assets that have a replacement value estimated at \$865 million. About half of that value comprises our roads and 368 buildings.

While asset renewal and maintenance remain perennial challenges our Long Term Financial Plan spells out how we intend to do address this.

Operating expenditure for 2021-22 was tightly controlled and council's operating income and expenditure were within 8% and 6% respectively of the Annual Budget adopted in June 2021.

In 2021-22, council achieved a surplus of \$18.445 million.

### Thank you

I would like to take the opportunity to acknowledge council, the local community and all Warrnambool City Council staff who are working to ensure we are a thriving city at the heart of coast and country.

Peter B. Schneider  
Chief Executive Officer  
Warrnambool City Council



An under 18s girls match was the first football game under lights at the redeveloped Reid Oval.

# FINANCIAL SUMMARY

Council's financial position continues to remain sound.

A summary of our performance is outlined below. Detailed information relating to council's financial performance is included within the financial statements and performance statement sections of this report.

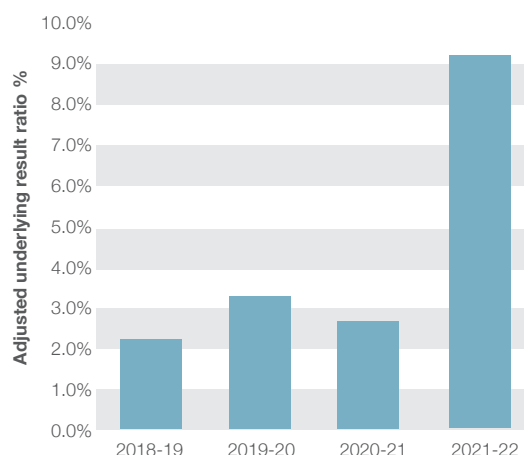
## Operating position

Council achieved an accounting surplus of \$18.45 million in 2021-22 which is higher than the 2020-21 surplus of \$12.09 million and is impacted by a higher level of capital grants in particular for the Reid Oval Redevelopment project and the Joint Use Learning and Library Hub, the advance payment of 75% of the Victoria Grants Commission funding and the property insurance settlement for the Florence Collins child care centre.

In addition, user fees were higher than the previous year due to increased usage across multiple services post-COVID.

Salary costs were lower than expected due to vacancies across the organisation and there were some savings in materials and services.

The adjusted underlying surplus of council, after removing non-recurrent capital grants, non-monetary capital contributions, profit/loss on sale of equipment and major expensed capital works, is a surplus of \$7.45 million (\$2.00m in 2020-21). Sustaining an adjusted underlying surplus is a critical financial strategy that provides capacity to renew the \$738 million of community assets under council's control.



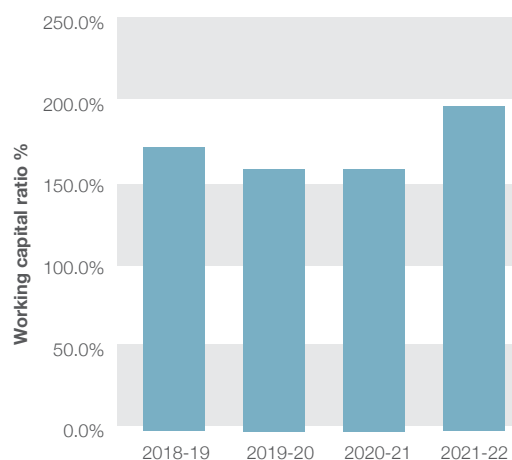
## Liquidity

The working capital ratio has increased from 158.9% to 196.2%.

This is mainly due to a number of government grants received in advance for provision of service or project delivery that will occur in the 2022-23 financial year, the advance payment of 75% of the Victoria Grants Commission funding, the increase in user fees plus salary costs being lower than expected due to vacancies.

In addition, council are carrying forward some funds to complete projects that were not able to be completed in 2021-22 due to a shortage of professional staff and the impact of COVID19. The working capital ratio which assesses Council's ability to meet current commitments is calculated by measuring Council's current assets as a percentage of current liabilities.

Council's result of 196.2% is an indicator of satisfactory financial position and within the expected target band of 100% to 200%.



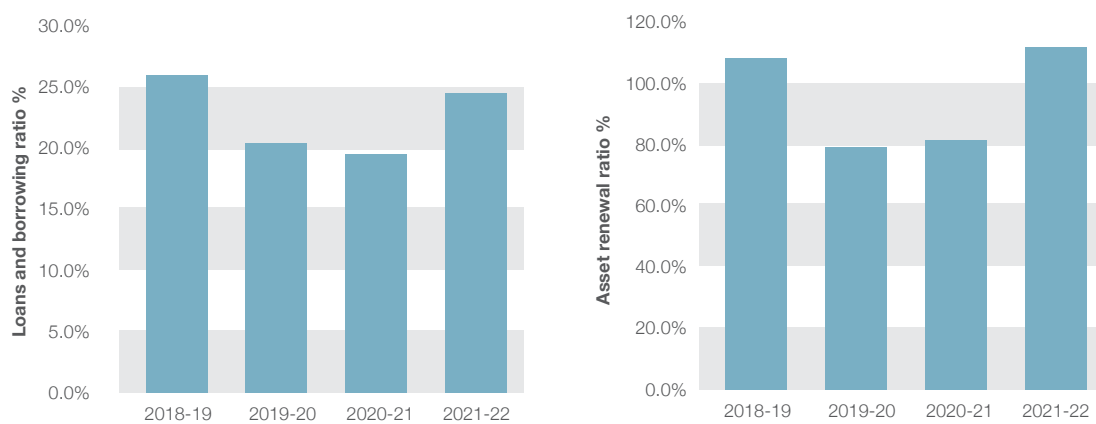


## Obligations

Council aims to ensure that it is able to maintain its infrastructure assets at the expected levels, while at the same time continuing to deliver the services needed by the community.

To help bridge the current infrastructure gap, council invested \$14.10 million in asset renewal works during the 2021-22 financial year which was higher than the 2020-21 investment of \$9.98 million. Council's asset renewal ratio which is measured by comparing asset renewal expenditure to depreciation was 113.4% compared to the 2020-21 rate of 82.5%.

The increase is primarily as a result of Council's capital works program having an emphasis on asset renewal and includes the Lake Pertobe Adventure Playspace, Edwards Bridge and the completion of the Reid Oval Pavilion redevelopment.



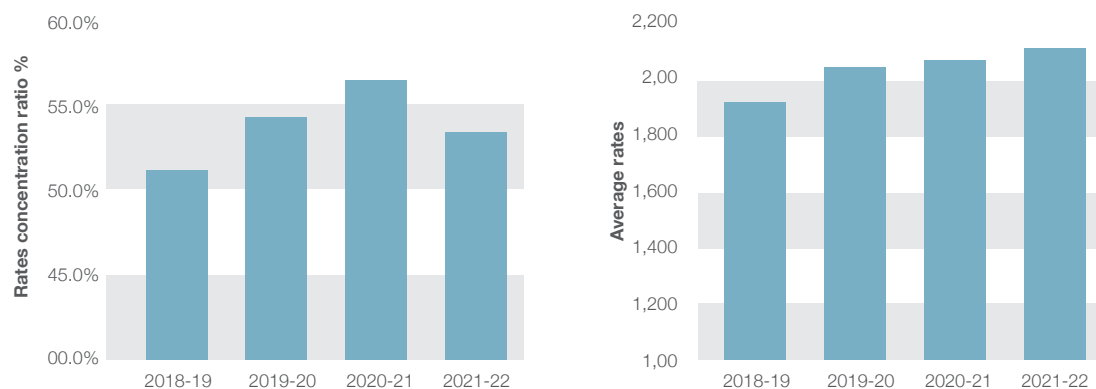
## Stability and efficiency

Council raises a wide range of revenues including rates, user fees, fines, grants and contributions.

Council's rates concentration which compares rate revenue to adjusted underlying revenue was 53.4% for the 2021-22 year which is within the expected target band of 40% to 60%.

This is lower than the previous year with the COVID pandemic having less of an impact on fee income especially in the latter part of the second half of the financial year.

Council's average rate per residential assessment of \$2,106 has increased on prior years driven by the 1.5% rate cap increase and an increase in waste management fees of \$6.91 due to the implementation of a four-bin system. The four-bin system includes kerbside glass collection reduces Council's risk exposure to the recycling market and provides environmental benefits that will help achieve the objectives in the Council Plan.





Reid Oval Pavilion under construction.

## DESCRIPTION OF OPERATIONS

Warrnambool City Council provides a diverse range of services which include: the building and maintenance of municipal roads, footpaths, cycling paths and public amenities; waste management; tourism and economic development; Meals on Wheels, respite care, early childhood services, recreation services including provision and maintenance of sporting facilities; planning; a live performance theatre, aquatic centre, art gallery, sporting stadium, a visitor information centre maritime museum and village tourism attraction.

Council's vision, strategic objectives and strategies to further improve services and facilities are described in the Council Plan 2021-2025, the 2021-2022 Council budget and the annual report.

The delivery of services, facilities, support and advocacy to achieve the Strategic Objectives is measured by a set of service performance indicators and measures.

Council also has a wide range of responsibilities under Victorian and Australian legislation.

## Economic factors

### Major capital works

- Reid Oval
- Library and Learning Centre
- Edwards Bridge
- Lake Pertobe Adventure Playspace

## Major achievements

Council finalised key guiding documents including our major Asset Plan 2022-2032, Principal Pedestrian Network, Waste Management Asset Management Plan and the Beach Access Strategy.

## Our Council

### Municipal profile

The Warrnambool municipality covers an area of 120sqkm and is situated in the Great South Coast region of Victoria, 263km south-west of Melbourne. It contains the coastal city of Warrnambool and the towns of Allansford, Bushfield and Woodford.

Warrnambool has a growing population and over recent years has attracted people seeking a seachange and those from the region who are seeking professional and educational opportunities. Stunning Lady Bay provides a focal point and major attraction for residents and visitors and in winter and spring the bay is home to southern right whales and their calves.

Warrnambool serves as a centre for a regional population of about 120,000 people. It contains a TAFE college, a Deakin University campus

including a School of Medicine and a base hospital which is part of South West Healthcare. The major employment sectors are health care and social assistance, retail, manufacturing, education and training, accommodation and food services, professional services and construction.

Warrnambool has a moderate climate with an average maximum summer temperature of about 24°C, while the average winter maximum is about 14°C.

The Great South Coast region features major visitor attractions including the 12 Apostles, Tower Hill and Budj Bim National Park.

Along with the natural attractions visitors are drawn to events including the speedway car racing, the May Racing Carnival and surf lifesaving events. The region also features some of Australia's most fertile agricultural land much of which is dedicated to dairy and beef production. Major dairy manufacturers and a large meat processor are situated in and around Warrnambool providing a major source of employment.

## Council offices

Civic Centre  
25 Liebig Street  
Warrnambool

**Telephone:** 03 5559 4800

**Telephone:** 03 5559 4800

**Email:** [contact@warrnambool.vic.gov.au](mailto:contact@warrnambool.vic.gov.au)

**Website:** [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

**Postal address:** P.O. Box 198, Warrnambool, Victoria 3280

The first wicket taken on the new Reid Oval.



## OUR COUNCIL

The council was elected to provide leadership for the good governance of the municipal district and the local community.

In 2020 the Warrnambool community elected a new council for a four-year term. The municipality does not have wards with the seven councillors the elected representatives of all residents and ratepayers across the municipality. They are responsible for setting the strategic direction for the municipality, policy development, identifying service standards and monitoring performance across the organisation.

### The Councillors are:

Mayor - Vicki Jellie

**Elected:** October 24, 2020

**Email:** [vjellie@warrnambool.vic.gov.au](mailto:vjellie@warrnambool.vic.gov.au)

Angie Paspaliaris

**Elected:** October 24, 2020

**Email:** [apaspaliaris@warrnambool.vic.gov.au](mailto:apaspaliaris@warrnambool.vic.gov.au)

Deputy Mayor - Debbie Arnott

**Elected:** October 24, 2020

**Email:** [darnott@warrnambool.vic.gov.au](mailto:darnott@warrnambool.vic.gov.au)

Max Taylor

**Elected:** October 24, 2020

**Email:** [mtaylor@warrnambool.vic.gov.au](mailto:mtaylor@warrnambool.vic.gov.au)

Otha Akoch

**Elected:** October 24, 2020

**Email:** [oakoch@warrnambool.vic.gov.au](mailto:oakoch@warrnambool.vic.gov.au)

Richard Ziegeler

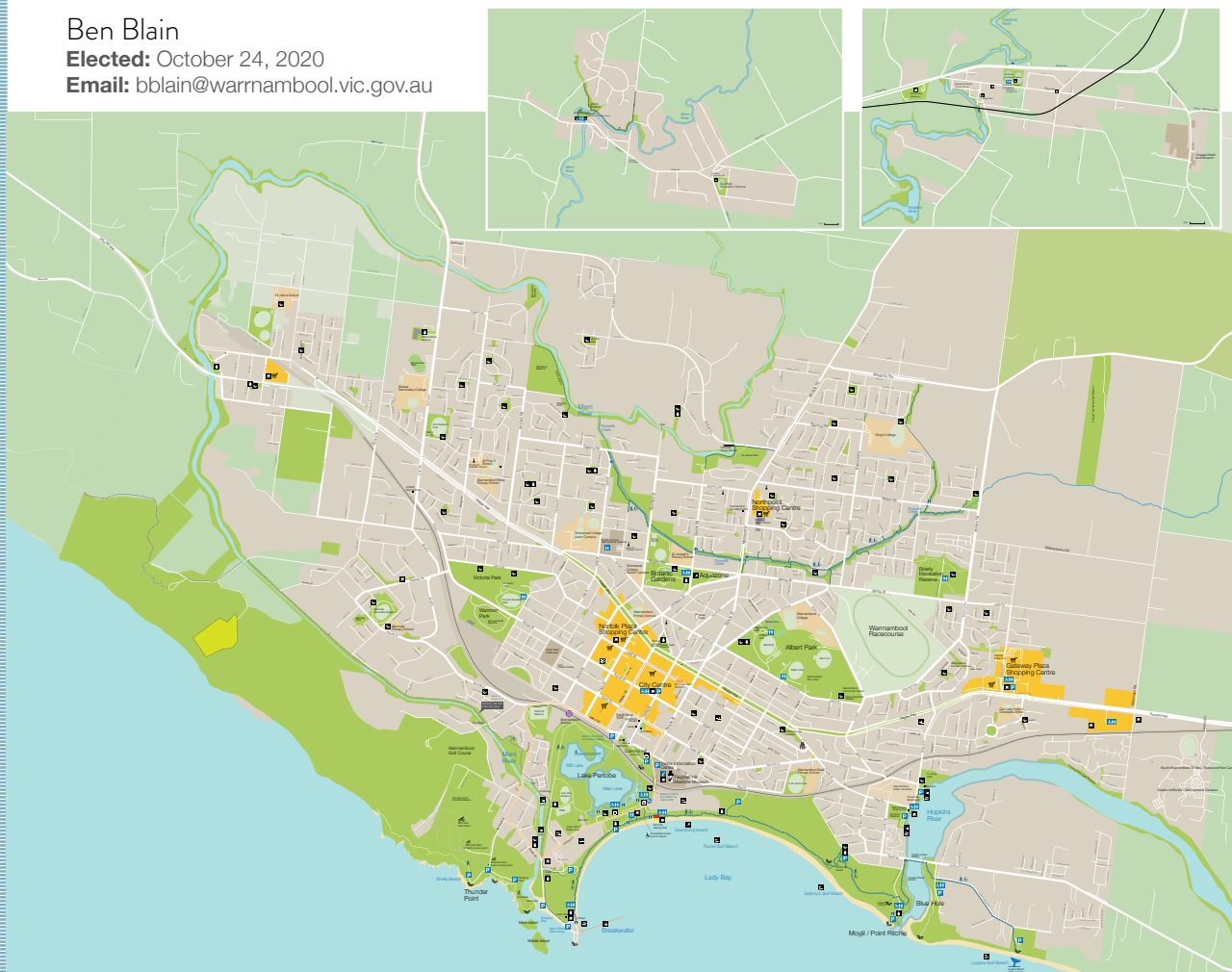
**Elected:** October 24, 2020

**Email:** [rziegeler@warrnambool.vic.gov.au](mailto:rziegeler@warrnambool.vic.gov.au)

Ben Blain

**Elected:** October 24, 2020

**Email:** [bblain@warrnambool.vic.gov.au](mailto:bblain@warrnambool.vic.gov.au)





# OUR PEOPLE

## Organisational structure

Council is the governing body that appoints a Chief Executive Officer (CEO).

The CEO has responsibility for the day-to-day management of operations in accordance with the strategic directions of the council plan. Four Directors and the CEO form the Executive Management Team (EMT) and lead the organisation. Details of the CEO and senior officers reporting directly to the CEO are set out below.

### Chief Executive Officer (CEO) **Peter Schneider**

Senior officers reporting directly to the CEO

### Director City Growth **Andrew Paton**

Areas of responsibility:

- Economic development and investment
- City Strategy and Development
- Visitor Services

### Director Community Development **Jodie McNamara (acting)**

Areas of responsibility:

- Community Planning and Policy
- Recreation and Culture
- Capacity, Access and Inclusion
- Children's and Family Services

### Director Corporate Strategies **Peter Utri**

Areas of responsibility:

- Financial Services
- Organisational Development
- South-West Victorian Livestock Exchange
- General Counsel, Strategy and Procurement

### Director City Infrastructure **David Leahy**

Areas of responsibility:

- Infrastructure Services
- City Amenity
- Facilities and Projects

## COUNCIL

Chief Executive Officer Peter B. Schneider

Manager Governance

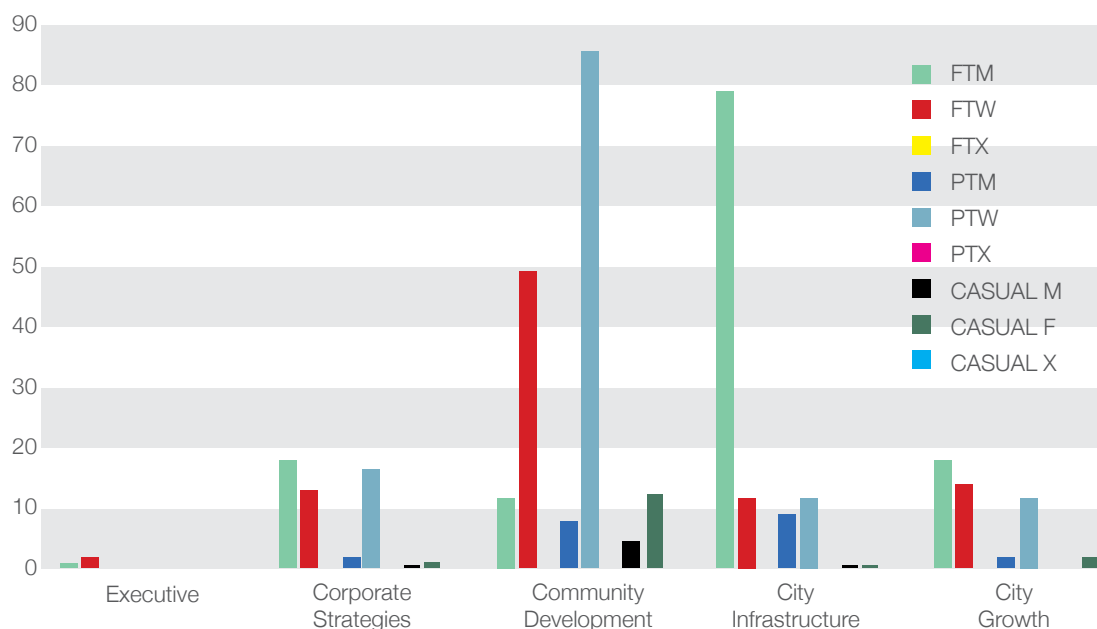
Executive Assistant

Director Corporate Strategies	Director City Growth	Director Community Development	Director City Infrastructure
Manager Financial Services	Manager Economic Development and Tourism	Manager Community Planning and Policy	Manager Infrastructure Services
Manager Information Services	Manager City Strategy and Development	Manager Recreation and Culture	Manager City Amenity
Manager Organisational Development		Manager Capacity, Access and Inclusion	Manager Facilities and Projects
General Counsel, Strategy and Development		Manager Children's and Family Services	
Manager South West Victorian Livestock Exchange			
Manager Communications			

## COUNCIL STAFF

A summary of the number of full time equivalent (FTE) council staff by organisational structure, employment type and gender is set out below.

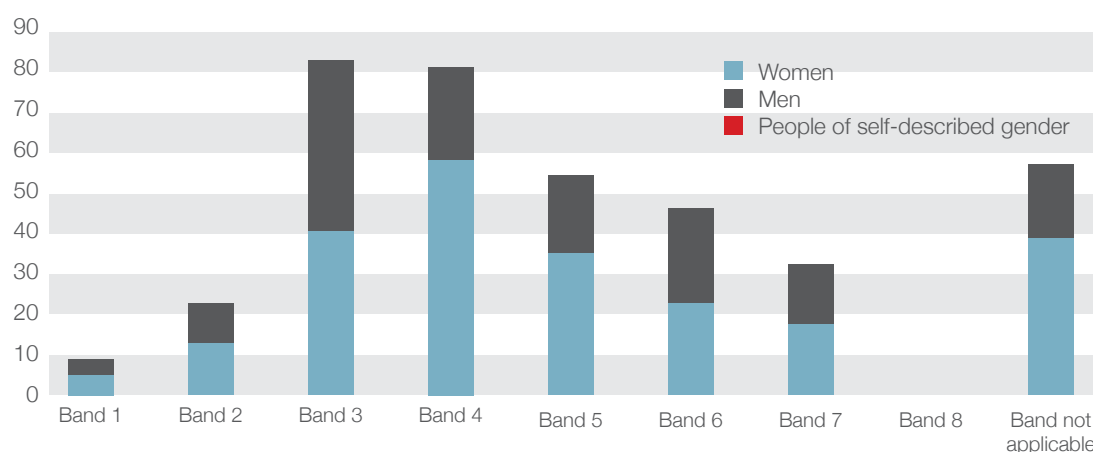
Employee type/gender	Executive	Corporate Strategies	Community Development	City Infrastructure	City Growth	Total
Full-time men	1.00	18.00	12.00	79.00	18.00	128.00
Full-time women	2.00	13.00	49.00	12.00	14.00	90.00
Full-time self-described gender	0.00	0.00	0.00	0.00	0.00	0.00
Part-time men	0.00	1.70	7.90	9.00	1.70	20.30
Part-time women	0.00	16.50	85.30	11.20	11.60	124.60
Part-time self-described gender	0.00	0.00	0.00	0.00	0.00	0.00
Casual men	0.00	0.90	4.40	0.90	0.20	6.40
Casual women	0.00	1.00	12.20	0.80	1.70	15.70
Casual self-described gender	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>3.00</b>	<b>51.10</b>	<b>170.80</b>	<b>112.90</b>	<b>47.20</b>	<b>385.00</b>



Legend: FT-Full time PT-Part time W-Women M-Men X- persons of self-described gender

Employment Classification	Women FTE	Men FTE	Persons of self-described gender FTE	Total
Band 1	5.40	3.60	0.00	9.00
Band 2	13.10	8.90	0.00	22.00
Band 3	40.40	42.00	0.00	82.40
Band 4	57.50	23.10	0.00	80.60
Band 5	35.60	19.60	0.00	55.20
Band 6	22.70	23.20	0.00	45.90
Band 7	16.50	16.00	0.00	32.50
Band 8	0.00	0.00	0.00	0.00
Band not applicable	39.10	18.30	0.00	57.40
<b>Total</b>	<b>230.30</b>	<b>154.70</b>	<b>0.00</b>	<b>385.00</b>

Banding and gender



## OTHER STAFF MATTERS

### Gender equity plan

Council formed a working group to develop a Gender Equality Action Plan.

The Plan was presented to the community at an open Council meeting in 2022 and subsequently submitted to the Gender Equality Commission as required under the Gender Equality Act.

Council has formed a Gender Equality Action Committee to oversee the implementation of the Plan.

### Enterprise bargaining agreement

Negotiations with staff and union representatives progressed through 2021-2022 with a new Enterprise Agreement to be finalised early in the 2022-2023 financial year.





WARRNAMBOOL  
CITY COUNCIL

# REPORT OF OPERATIONS **2020-2021** **OUR PERFORMANCE**



## Integrated strategy planning and reporting framework

Part 4 of the Local Government Act 2020 requires councils to prepare the following:

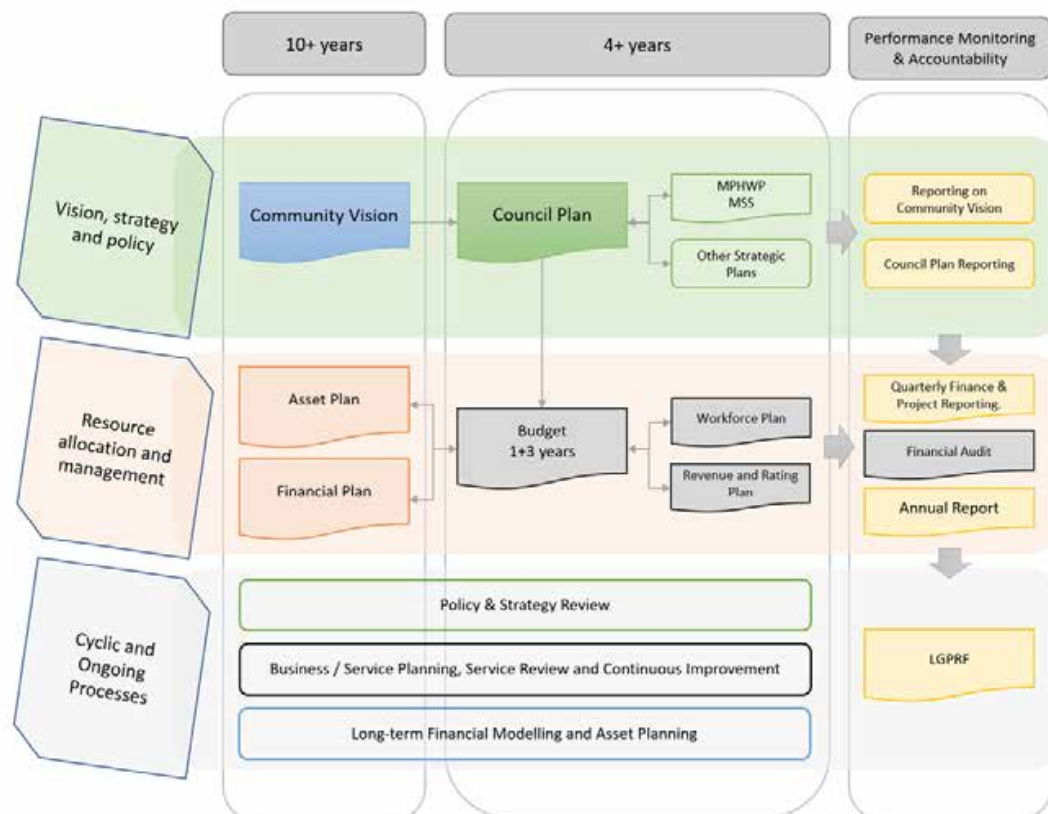
- a Community Vision (for at least the next 10 financial years) – Warrnambool 2040;
- a Council Plan (for at least the next 4 financial years);
- a Financial Plan (for at least the next 10 financial years);
- an Asset Plan (for at least the next 10 financial years);
- a Revenue and Rating Plan (for at least the next 4 financial years);

- an Annual Budget (for the next 4 financial years);
- a Quarterly Budget Report;
- an Annual Report (for each financial year); and
- financial policies.

The Act also requires councils to prepare:

- A Workforce Plan (including projected staffing requirements for at least 4 years);

The following diagram shows the relationships between the key planning and reporting documents that make up the integrated strategic planning and reporting framework for local government. It also shows that there are opportunities for community and stakeholder input and feedback.





An autumnal Liebig Street.

## COUNCIL PLAN

The council plan 2021-25 includes strategic objectives, strategies for achieving these for the four year period, strategic indicators for monitoring achievement of the strategic objectives and a strategic resource plan.

The following are the five strategic objectives as detailed in the council plan.

### 1. A healthy community

we will be a healthy, inclusive and thriving community with equitable access to services, cultural opportunities and recreational activities

### 2. A sustainable environment

we will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.

### 3. A strong economy

we will support a resilient local and self-sustaining regional economy that encourages economic growth and provides increased employment opportunities that attract ongoing investment.

### 4. A connected, inclusive place

we will provide high quality places that people value and want to live, work, play and learn in.

### 5. An effective Council

we will be recognised as a collaborative Council and a high-performing organisation that enables positive outcomes for Warrnambool's community, environment and economy and for Victoria's South West.

## PERFORMANCE

Council's performance for the 2021-2022 year has been reported against each strategic objective to demonstrate how council is performing in achieving the 2021-2025 Council Plan.

Performance has been measured as follows:

- Results achieved in relation to the strategic indicators in the council plan
- Progress in relation to the major initiatives identified in the budget
- Services funded in the budget and the persons

or sections of the community who are provided those services

- Results against the prescribed service performance indicators and measures

The following colour code indicates the level of progress against each measure for the year ending June 30, 2022.

- Completed
- Progressing
- On hold
- Not progressing
- Not completed
- Withdrawn

# STRATEGIC OBJECTIVE 1: A HEALTHY COMMUNITY

We will be a healthy, inclusive, and thriving community with equitable access to services, cultural opportunities and recreational activities.

## Strategic indicators

The following statement reviews performance against the Council Plan, including results achieved in relation to strategic indicators.

Strategic Indicator/measure	Result	Comments
Recreational facilities – Community Satisfaction Survey	71	Maintained the 2021 result.
Community and cultural services – Community Satisfaction Survey	66	An improvement on the 2021 result of 64.
Arts centres and libraries - Community Satisfaction Survey	70	An improvement on the 2021 result of 68.

Major Initiatives	Progress
Construction of new public library (Warrnambool Library and Learning Centre) at the Warrnambool campus of the South West Institute of TAFE.	Construction progressing well and the library will be open to the public in October 2022.
Community consultation under way over a possible new site for the Warrnambool Art Gallery.	July-August 2022 - Council has moved to have a business case prepared that examines the viability of a new art gallery at Cannon Hill.
Redevelopment of Reid Oval	New playing surface and more accessible pavilion to cater for male and female participants completed. Officially opened in April 2022.

## Services

The following statement provides information in relation to the services funded in the 2021-22 budget and the persons or sections of the community who are provided the service.

Service	Description	Net Cost Actual Budget Variance \$000
<b>Aged Services</b>	This area provides a range of services including meals on wheels, personal care, respite, home maintenance, home care, adult day care and senior citizens programs.	506 530 <b>24</b>
<b>Family Services</b>	This service provides family oriented support services including pre-schools, maternal & child health, child care, counselling & support, youth services, immunization, family day care.	1,036 997 <b>-39</b>

<b>Art and Culture</b>	Provision of high-quality venues where people can see, present and explore the arts, ideas and events provided at the Art Gallery and Lighthouse Theatre.	1,215 1,061 -154
<b>Library Services</b>	Provision of quality library and information services to the community.	670 656 -14
<b>Recreation</b>	Provision of sport, recreation and cultural facilities, service and programs in response to identified community need and to provide information and advice to clubs and organisations involved in these areas.	542 428 -114
<b>Leisure Centres</b>	The Arc and Aquazone provide premier indoor community leisure facilities in South West Victoria, providing equitable and affordable access to a wide range of aquatic and fitness activities.	1,109 1,448 339
<b>Health Services</b>	Administrations of legislative requirements pertaining to public health, immunisation and food premises.	293 322 29

## Service performance indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

### Results



Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Aquatic Facilities</b>					
<b>Service standard</b>					
Health inspections of aquatic facilities [Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]	2.00	3.00	4.00	4.00	
<b>Utilisation</b>					
Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]	6.85	4.37	3.65	3.96	Reduction in COVID closures this financial year but still periods of tight restrictions with about 8-9 months of non-impacted operations.
<b>Service cost</b>					
Cost of aquatic facilities [Direct cost of aquatic facilities less income received / Number of visits to aquatic facilities]	New in 2020	\$3.87	\$4.53	\$3.80	Operations were impacted in the first quarter by COVID19 closures and restrictions with the remaining nine months being relatively normal. This allowed a stronger return of income streams from Learn to Swim and memberships. There was also an 8% increase in overall visitation numbers for the financial year.
<b>Animal management</b>					
<b>Service standard</b>					
Animals reclaimed [Number of animals reclaimed / Number of animals collected] x100	84.24%	19.16%	20.92%	17.25%	While the number of dogs reclaimed maintained pretty steady from the prior year, the number of dogs collected increased from the prior year from 612 to 655.
<b>Animals rehomed</b>					
[Number of animals rehomed / Number of animals collected] x100	New in 2020	64.57%	71.73%	66.72%	

Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Service cost</b> Cost of animal management service per population [Direct cost of the animal management service / Population]	New in 2020	\$16.12	\$17.32	\$19.34	There was an increase in the cost of the RSPCA Agreement to cover ongoing increases in costs to run the pound facility.
<b>Health and safety</b> <b>Animal management prosecutions</b> [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	New in 2020	0.00%	0.00%	0.00%	During the 2021-22 financial year, Council did not initiate any animal management prosecutions as there were no incidents that warranted a prosecution.
<b>Food Safety</b> <b>Timeliness</b> Time taken to action food complaints [Number of days between receipt and first response action for all food complaints / Number of food complaints]	1.00	1.00	1.00	1.00	
<b>Service standard</b> <b>Food safety assessments</b> [Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment in accordance with the Food Act 1984 / Number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment in accordance with the Food Act 1984] x100	99.64%	94.26%	53.27%	20.32%	The number of food safety assessments that were performed are lower than prior years due to the limited staffing the department has had since 2021.
<b>Service cost</b> <b>Cost of food safety service</b> [Direct cost of the food safety service / Number of food premises registered or notified in accordance with the Food Act 1984]	\$323.35	\$281.93	\$289.76	\$353.27	Consulting labour has had to be used to fill gaps in staff shortages causing an increase in costs.
<b>Health and safety</b> Critical and major non-compliance outcome notifications [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about food premises] x100	84.21%	100.00%	47.22%	100.00%	All major non-compliance issues have been made a priority which causes the number of standard food safety assessments able to be performed reduce.
<b>Libraries</b> <b>Utilisation</b> Physical library collection usage [Number of physical library collection item loans / Number of physical library collection items]	4.49	3.44	3.07	3.48	Library loans are up due to the lessening effect of COVID-19 closures and restrictions and increased patron confidence in returning to the library to regularly borrow items.





Service/ Indicator/ measure	2019	2020	2021	2022	Comments
Resource standard Recently purchased library collection [Number of library collection items purchased in the last 5 years / Number of library collection items] x100	69.03%	66.40%	77.01%	90.26%	With the exit from the Corangamite Regional Library Corporation on 1st of July 2021, Warrnambool library's collection was greatly reduced with the result that a greater percentage of items are less than 5 years old. The library has been following a program of regular collection management practices to assess and delete items according to our Collection management policy.
Participation Active library borrowers in municipality [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	13.77%	13.87%	12.36%	11.22%	In 2021/22 the Warrnambool Library conducted an active member review, purging all cards that had been inactive or not updated by 31st of May 2022.
Service cost Cost of library service per population [Direct cost of the library service / Population]	New in 2020	\$21.62	\$22.67	\$25.77	Previously Warrnambool City Council was paying a contribution to the Corangamite Regional Library Corporation to deliver a library service, in 2021/22 Warrnambool City Council are paying the full cost of running a library service in-house.
Maternal and Child Health (MCH) Service standard Infant enrolments in the MCH service [Number of infants enrolled in the MCH service (from birth notifications received) / Number of birth notifications received] x100	99.74%	100.00%	100.00%	103.10%	
Service cost Cost of the MCH service [Cost of the MCH service / Hours worked by MCH nurses]	\$75.13	\$78.44	\$81.30	\$87.24	
Participation Participation in the MCH service [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	76.99%	77.68%	82.25%	82.97%	Warrnambool City Council has targeted assertive outreach to re-engage families who typically fall away from the 2-year-old Key Age and Stage visits.
Participation Participation in the MCH service by Aboriginal children [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	73.24%	80.00%	86.81%	93.21%	Warrnambool City Council has signed a Memorandum of Understanding with Gunditjmara Aboriginal Cooperative to deliver Maternal and Child Health services to families who identify as Aboriginal, via a cultural coordinator who works with the Maternal and Child Health staff to undertake Maternal and Child Health Key Age and Stage visits.
Satisfaction Participation in 4-week Key Age and Stage visit [Number of 4-week key age and stage visits / Number of birth notifications received] x100	New in 2020	98.62%	96.10%	101.97%	


## A HEALTHY COMMUNITY – progress report

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.1.1	Provide information to new residents that introduces key Council services, organisations and agencies including those in recreation, culture and early childhood.	Manager Communications	100%		The Communications Team is finalising an updated map of Warrnambool that will show locations of major services and features that will be useful to new and existing residents.
1.1.2	Develop and implement a range of Council activities and events to encourage participation from diverse groups within our community.	Service Manager Healthy Engaged Communities	100%		<p>Staff continue to be active participants in the Wata Waetnanda group. Healthy Engaged Communities team members facilitated the Sorry Day display at Gateway Plaza and making purple flowers for a display through various groups and activities at the Archie Graham Community Centre and West Warrnambool Neighbourhood House. In addition, instruction packs and materials were provided to home-bound community members so they could be included and contribute. We assisted in organising Reconciliation Week events, including the opening ceremony hosted by Council on the Civic Green. Healthy Engaged Communities staff led and organised this year's Council IDAHOBIT Day celebrations on May 17. The event started with a flag-raising ceremony conducted by the Mayor with speeches from Council CEO Peter Schneider and Brophy CEO Francis Broekman. This was followed by refreshments at the Lighthouse Theatre foyer with live music from Maddie Jackway and a rainbow cake cutting ceremony. Council received positive feedback with many comments on the welcoming and joyful ambience of the event. This marked the largest community attendance of any IDAHOBIT Day so far.</p> <p>Our Social Connection Program in collaboration with the Neighbourhood House launched the "Home is Where the Art Is" project during Neighbourhood House week. In addition to a postcard drop to residents which informed and invited them to be part of the project, a community consultation process was held to develop and consolidate ideas for a community art project in West Warrnambool. Students from West Warrnambool Primary school attended which provided diverse and intergenerational representation and input. Apart from beautifying areas of West Warrnambool, the project aims to bring residents together to combat social isolation, loneliness and promote inclusiveness.</p>

REPORT OF OPERATIONS THE YEAR IN REVIEW


Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.1.3	Increase access to participation for all abilities and raise awareness of the community regarding the needs of people with a disability.	Service Manager Healthy Engaged Communities	100%		<p>The Volunteer Project Officer has developed and implemented a training program for Volunteers and Volunteer Involving Organisations, Welcoming Volunteers with a Disability facilitated by Australian Network on Disability. The training aims to assist Volunteer Involving Organisations to create an inclusive environment in which all people have to opportunity to reach their full potential. The training will help identify barriers that prevent workplaces being an accessible and dignified environment for people with a disability.</p> <p>Healthy, Engaged Communities staff recently attended "Voice at the Table" (VATT) training for service providers which provides practical information to ensure people with cognitive disabilities have a real and equal voice at meetings and other collaborative opportunities. VATT is a project of the Self-Advocacy Resource Unit (SARU), who aims to increase the number of people with cognitive disabilities sitting on boards, committees and advisory groups within government, service providers, community and mainstream organisations at a local, state and national level. The Healthy, Engaged Communities Service Manager was involved in a co-design workshop hosted by South West Sport's Warrnambool Accessibility Project to create more participation opportunities for people with a disability and remove barriers to participation. By participating in this collective action we will support advocacy efforts for more accessible facilities at the Archie Graham community Centre, as well provide an opportunity to assess where any participation gaps may be and how we can support more people in our community to be physically active.</p>
1.1.4	Engage with community to ensure that a diversity of voices are informing Council policies, strategies, programs, and services.	Manager Community Policy & Planning	100%		<p>During the fourth quarter, significant engagement occurred with the community around the following: Botanic Area Local Traffic Management, Regional Digital Strategy for the South West, Volunteering Strategic Plan 2021-24, New Logo for the Library, Draft Public Tree Planting and Management Policy, Draft Beach Access Policy and Council's Asset Plan 2022-2032.</p> <p>A Community Forum was organised on 11 May to discuss the Council Plan and Council Budget for 2022-23 at the Lighthouse Theatre. During the forum, Council's Executive Management team presented on the priorities for the coming year for feedback from the community. Written feedback was also requested from the community and eight submissions were received. All submissions were acknowledged and personally responded to by Council officers.</p>



Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.1.5	Develop and implement programs to improve community connections and reduce social isolation.	Service Manager Community Support	100%		The Local Support Network continues to meet monthly with an average of 20 community groups, volunteer involving organisations and clubs. This network brings together existing community supports, strengthens community participation and expands opportunities to collaborate in the delivery of support, projects and initiatives that decrease social isolation and increase social connection. Our newly arrived residents and multicultural cohorts continue to be supported through the youth Engagement team's Multicultural Leadership group, and support of the multicultural women's group at Archie Graham Community Centre. Supporting Volunteer Involving organisations to be more inclusive and welcoming of volunteers from multicultural backgrounds has been facilitated through cultural training hosted by the Volunteer Connect team. The intercultural café continues to thrive each Thursday afternoon, assisting participants to better connect with the Warrnambool community, share stories, improve English skills and make social connections.
1.1.6	Provide library programs and collections that facilitate inclusion, understanding and acceptance of diversity.	Manager Recreation & Culture	0%		Duplication Outcomes provided in 1.1.7
1.1.7	Establish LOTE, ESL and LGBTQI+ collections in the library to foster diversity.	Manager Recreation & Culture	100%		Collection profiles have been developed and procurement has commenced. Collections will be available in the new Warrnambool Library from October.



REPORT OF OPERATIONS THE YEAR IN REVIEW

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.1.8	Develop and implement programs and activities that improve community engagement and social connection through West Warrnambool Neighbourhood House.	West Warrnambool Neighbourhood House Coordinator	100%		<p>VCOSS (Victorian Council of Social Services) Voices of Victoria: Listening Tour - 6/4 held at Archie Graham Community Centre (25 attendees) .</p> <p>Term 2 playgroup on Tuesday mornings in partnership with Growing Stronger Families (WCC Children's Services).</p> <p>Conducted activities at Lane Pavilion to celebrate Neighbourhood House Week (May 9-13) Activities included playgroup, mosaics, resin art and Home is where the art is community project.</p> <p>Participated in WCC IDAHOBIT Event - Raising of the Rainbow Flag and community celebrations on May 17.</p> <p>Participated in National Volunteer Week - Screening of movie at Lighthouse Theatre for volunteers May 17</p> <p>Held a Purple flower .making community workshop at Lane Pavilion to commemorate National Sorry Day, flowers were collectively displayed with other organisations at Gateway Plaza.</p> <p>Participated in WCC Reconciliation Week event held at Civic Green on May 27.</p> <p>Attended SW Network of Neighbourhood Houses PD topics included Employment Law for NFP organisations and Working with other organisations.</p> <p>Currently working in Collaboration with DFFH/ SW Health Care to assist in activating the West Warrnambool Social Housing Hubs recreation rooms - post Covid. Rooms have now been opened for use of residents only. WWNH in collaboration with Community Connection program will raise awareness of the Social prescribing program opportunities as well as conduct Power Saving Bonus applications for residents.</p> <p>Participated in the new Power Saving Bonus (PSB#3) online training through Department of Energy, Land, Water and Power and NHVIC) \$250 is available to all eligible households with an electricity bill. WWNH will receive \$50 per application.</p> <p>Enrolled for Mental Health First Aid course to assist with Community Connector and WWNH roles.</p> <p>Continue to deliver Food Share hampers to residents of West Warrnambool. Delivered 650kg this quarter.</p> <p>Continued assisting with power saving bonus - 12 applications this quarter.</p>

## STRATEGIC OBJECTIVE 2: A SUSTAINABLE ENVIRONMENT

We will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.

### Strategic indicators

The following statement reviews performance against the Council Plan, including results achieved in relation to strategic indicators.

Strategic Indicator/measure	Result	Comments
Waste management – Community Satisfaction Survey	73	An improvement on the 2021 result which was 71.
Environmental sustainability – Community Satisfaction Survey	66	An improvement on the 2021 result which was 62

Major Initiatives	Progress
Rollout of rooftop photovoltaic installations on major Council buildings	Completed
	Completed

### Services

The following statement provides information in relation to the services funded in the 2021-22 budget and the persons or sections of the community who are provided the service.

Activity	Description	Net cost Actual Budget Variance \$'000
<b>Environmental Management</b>	This service develops environmental policy, coordinates and implements environmental projects and works with other services to improve Council's environmental performance.	637 676 <b>39</b>
<b>Waste Management &amp; Street Cleaning</b>	This service provides kerbside rubbish collections of garbage and recycling waste from all households and some commercial properties in Council. It also provides street cleaning, leaf collection and street litter bins throughout Council.	4,741 4,500 <b>-241</b>
<b>Parks and Gardens</b>	This service covers a range of areas including tree pruning, planting, removal, street tree strategies and the management of conservation and parkland areas, creeks and other areas of environmental significance. Parks management provides management and implementation of open space strategies and maintenance programs.	4,001 4,294 <b>293</b>

## Service performance indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

### Results

Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Waste Collection Satisfaction</b>					
Kerbside bin collection requests [Number of kerbside garbage and recycling bin collection requests / Number of kerbside bin collection households] x1,000	162.81	215.87	207.27	46.52	A decrease in the number of bin collection requests compared to the previous year was attributed to the completion of the glass bin rollout.
<b>Service standard</b>					
Kerbside collection bins missed [Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling collection bin lifts] x10,000	4.49	7.03	10.43	2.19	Decrease in the number of bin collections missed. In prior years the implementation of the four-bin system contributed to higher numbers.
<b>Service cost</b>					
Cost of kerbside garbage bin collection service [Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]	\$111.26	\$86.17	\$87.43	\$75.67	Lower garbage volumes are going to landfill which has reduced the cost of the service. Landfill costs (landfill levies) are an expensive component of the overall service cost.
Cost of kerbside recyclables collection service [Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]	\$59.15	\$61.03	\$52.49	\$45.49	Council now offers a four-bin service: rubbish, FOGO(food organics, garden organics), recycling and glass.
<b>Waste diversion</b>					
Kerbside collection waste diverted from landfill [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	47.78%	64.30%	64.44%	66.24%	Increasing diversion from landfill is aided by the four-bin system.



## A SUSTAINABLE ENVIRONMENT – progress report





### Objective 1: NATURAL ENVIRONMENT:

Council will enhance open spaces and infrastructure that support a healthy community, wildlife, flora, fauna and biodiversity.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.1.1	Develop and implement Pest Plant and Animal Management Framework for the control of environmental weeds and pests.	Coordinator Natural Environment	100%		Development of the Pest Plant and Animal Framework is progressing with commencement of the strategy development underway. The implementation of the Fox Action Plan continues within the Warrnambool Coastal Reserve and control actions will continue to be undertaken throughout 2022/23.
2.1.2	Develop and implement strategy and programs that improve biodiversity and protect and enhance flora and fauna.	Coordinator Natural Environment	100%		Council's Wild Warrnambool bioQuest is currently underway in the Great Australian bioQuest competition. This citizen science program enables members of the community to register sightings of local flora and fauna to be added to CSIRO's Atlas of Living Australia. The Gardens of Warrnambool pilot project is coming to a close with learnings to be reviewed for consideration of an ongoing program.

### Objective 2: WATER & COASTAL MANAGEMENT:




Council will protect and enhance the health of Warrnambool's coastline and inland waterways to protect and improve biodiversity.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.2.1	Implement the Domestic Waste Water Management Plan to improve health and environmental outcomes for our community.	Coordinator Local Laws Traffic Fire & Animal Contr	100%		Waste water management plan has been adopted by Council with actions and processes being implemented. Data collection is still being transferred over.
2.2.2	Investigate water use opportunities to improve water resource management.	Director City Infrastructure	100%		Council has been successful in a grant application under the Integrated Water Management Fund to undertake a study to create options to improve water quality in Lake Pertobe.
2.2.3	Implement the Warrnambool Coastal Management Plan to guide the future use, development and management of Warrnambool's coastline.	Coordinator Natural Environment	100%		Implementation of the Warrnambool Coastal Management Plan is ongoing and includes implementation of the Wild Coast Landscape Master Plan. Council is currently implementing action of the Wild Coast Landscape Master Plan including signage and fencing. The Beach Access Strategy was recently adopted by Council and will support strategic management of the beach access.
2.2.4	Implement the Moyjil- Point Ritchie Conservation Management Plan.	Coordinator Natural Environment	100%		Implementation of the Moyjil-Point Ritchie Conservation Management Plan is overseen by the Moyjil Advisory Committee and is ongoing.




### Objective 3: MINIMISE ENVIRONMENTAL IMPACT & THE IMPACT OF A CHANGING CLIMATE:

Council will encourage innovation and initiatives that minimise Warrnambool's environmental impact.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.3.1	Investigate new technologies to reduce waste from landfill towards zero waste to landfill.	Coordinator Local Laws Traffic Fire & Animal Contr	100%		Volunteer group was pleased with the donated collection bags, with both entities information displayed. Organisation of another promotional day is under way. Staff continue to be involved in the circular economy meetings for the management of waste in the region.
2.3.2	Deliver the Smart Buildings energy efficiency program to reduce greenhouse gas emissions and utilise renewable energy.	Coordinator Natural Environment	100%		The delivery of the Smart Building Program is progressing. The installation of the solar panels at the Civic Buildings is nearing completion. The pool blanket installation for Aquazone has been completed. The solar system at the Warrnambool Stadium is now operational and electric vehicle charging stations are at the design stage for procurement and installation later in the year.
2.3.3	Facilitate and support the delivery of climate change mitigation, adaptation and resilience actions to raise awareness and prepare for a changing climate.	Coordinator Natural Environment	100%		The Barwon South West Climate Alliance has been established and will provide an avenue to progress climate change mitigation, adaptation and resilience actions and programs. A heat vulnerability mapping project will be undertaken in 2022.

**Objective 4: WATER RESOURCE MANAGEMENT:** Council will promote and encourage awareness of sustainable practices in our work, and the community including water resource management.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.4.1	Develop a drainage system litter and contaminants improvement/management plan to reduce gross pollutants into the waterways.	Director City Infrastructure	15%		No further actions since Q3 report. This project will continue once staffing positions are filled in the Strategic Asset Team.

**Objective 5: WASTE MINIMISATION:** Council will pursue programs to minimise waste throughout the community, industry and promote the benefits of reduction, reuse and recycling of materials.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.5.1	Reduce contamination of recyclable materials.	Coordinator Local Laws Traffic Fire & Animal Contr	100%		New Coordinator has commenced and is reviewing policies. Discussions continue with our contractors during COVID times.
2.5.2	Ensure financial efficiency and meeting financial targets by developing a Waste Management Asset Management Plan and Strategy.	Coordinator Local Laws Traffic Fire & Animal Contr	100%		The waste management plan has been adopted by Council, and was favorably accepted by the public.

**Objective 6: AWARENESS & CELEBRATION:** Council will foster community awareness and recognition of the benefits of positive outcomes for Warrnambool's environment.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
2.6.1	Promote awareness and celebrate the outcomes of environmental work including actions that align with the Green Warrnambool plan.	Coordinator Natural Environment	100%		The Green Futures Now Program is underway for 2022 and seeks to connect young people to community groups in the environment and sustainability field along with individuals who are making an impact on the environment and our community. The program is aligned with the goals and actions of Green Warrnambool.
2.6.2	Monitor and manage organisational greenhouse gas emissions and energy usage.	Coordinator Natural Environment	100%		Councils greenhouse gas emissions and energy usage continues to be monitored and managed in partnership with Service Providers and Facility Managers. Council is part of the Victorian Energy Collaboration (VECO) where 40% of Councils electricity is provided by renewable energy.

## STRATEGIC OBJECTIVE 3: A STRONG ECONOMY

We will support a resilient local and self-sustaining regional economy that encourages economic growth and provides increased employment opportunities attracting ongoing investment.

### Strategic indicators

The following statement reviews performance against the Council Plan, including results achieved in relation to strategic indicators.

Strategic Indicator/measure	Result	Comments
Business/community development/tourism – Community Satisfaction Survey	64	An improvement on the 2021 result of 61.
Business and community development – Community Satisfaction Survey	62	An improvement on the 2021 result of 60.
Town Planning Policy – Community Satisfaction Survey	57	An improvement on the 2021 result of 55.
Planning and building permits – Community Satisfaction Survey	56	Down from 59 in 2021.

### Major initiatives

The following statement reviews the progress of council in relation to major initiatives identified in the 20X3-X4 budget for the year.

Major Initiatives	Progress
Master Plan of Flagstaff Hill	Under way and expected to be complete in 2022-2023.
East of Aberline Structure Plan	<p>The future urban growth area is located between Wangoom Road to the north, Dales Road to the south, Aberline Road to the west, and Horne Road to the east.</p> <p>The growth area covers approximately 360 hectares of land. The northern boundary of the growth area abuts the municipal boundary of Moyne Shire. The growth area is positioned centrally to other key development sites identified in the Warrnambool Planning Scheme, being the Eastern Activity Precinct and the Horne Road Industrial Precinct.</p> <p>A Precinct Structure Plan (PSP) is being prepared for the growth area to guide future development and land use outcomes within the growth area, known as East of Aberline Precinct Structure Plan.</p>

### Services

The following statements provide information in relation to the services funded in the 2021-2022 budget and the persons or sections of the community who are provided the service.



Activity	Description	Net cost Actual Budget Variance \$'000
Statutory Building Services	This service provides statutory building services to the Council community including processing of building permits.	103 158 <b>55</b>
City Strategy & Development	This service prepares and processes amendments to the Council Planning Scheme. This service processes statutory planning applications, provides advice and makes decisions about development proposals which require a planning permit, as well as representing Council at the Victorian Civil and Administrative Tribunal where necessary. It monitors the Council's Planning Scheme, prepares major policy documents and processes amendments to the Council Planning Scheme.	942 1,209 <b>267</b>
Warrnambool Livestock Exchange	Provides a regional livestock marketing centre that meets the needs of the stock agents, buyers and producers.	-192 -267 <b>-75</b>
Holiday Parks	Provides affordable holiday accommodation that is modern, clean and well maintained in a family orientation atmosphere.	-742 -838 <b>-96</b>
Flagstaff Hill Maritime Village	A major regional tourist attraction that includes a recreated heritage village that displays the maritime history of the region and features the "Shipwrecked" Sound & Light laser show.	633 894 <b>261</b>
Economic Development	Includes the industry and business support, research and statistical analysis and project development which underpin economic development.	570 789 <b>219</b>
Warrnambool Airport	This service provides a regional Airport that meets the needs of users and operates as a viable commercial enterprise to the benefit of the region.	124 172 <b>48</b>
Port of Warrnambool	This service aims to maintain a viable port facility.	-11 2 <b>13</b>
Festivals and Events Group	Delivers a range of promotions, festivals and events along with attracting events to the city to deliver economic benefits.	859 1,059 <b>200</b>



## Service performance indicators




The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.

### Results




Service/ Indicator/ measure	2019	2020	2021	2022	Comments
Statutory Planning Timeliness Time taken to decide planning applications [The median number of days between receipt of a planning application and a decision on the application]	37.00	35.00	28.00	53.00	High numbers of planning applications and fewer staff have influenced the 2022 outcome (delay between positions becoming vacant and then filled).
Service standard Planning applications decided within required timeframes [(Number of regular planning application decisions made within 60 days) + (Number of VicSmart planning application decisions made within 10 days) / Number of planning application decisions made] x100	93.20%	91.97%	100.00%	71.79%	High numbers of planning applications and fewer staff have influenced the 2022 outcome (delay between positions becoming vacant and then filled).
Service cost Cost of statutory planning service [Direct cost of statutory planning service / Number of planning applications received]	\$1,928.14	\$1,806.07	\$1,399.64	\$1,691.67	
Decision making Council planning decisions upheld at VCAT [Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	50.00%	0.00%	50.00%	0.00%	During the 2021-2022 financial year there were no VCAT decisions in relation to WCC planning applications.

## A STRONG ECONOMY – progress report

**Objective 1: BUILD ON COMPETITIVE STRENGTHS:** Council will support initiatives that foster ongoing development and investment in the industries which underpin Warrnambool's economic strengths and comparative advantages.




Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.1.1	Implement Development Plans and Developer Contributions Plans to provide future resources for improved infrastructure across the municipality.	Manager Infrastructure Services	100%		Development Plan applications and Development Plan amendments continue to be processed and determined by Council, being: - 15 Dales Road . - 147 Wollaston Road - Yallambe Estate Council approved 119 Bridge Road in Woodford and a permit has since followed for a multi-lot subdivision. Pre app meetings for 158 Wollaston Rd have also occurred. Numerous development applications have been received for subdivision in the growth areas. Where relevant permits include conditions triggering contributions payable in accordance with the relevant DCP. The planning department is developing efficiencies in processing plans to comply to assist developers meet their permit requirements and bring forward land in a timely manner.
3.1.2	Develop programs and collateral to promote Warrnambool as an appealing investment destination.	Manager Economic Development & Events	100%		Council has completed a round of industry engagement with businesses in the CBD and industrial precincts across the municipality. Business databases have been updated and engagement directed towards understanding the investment pipeline of businesses and potential barriers to investment.
3.1.3	Grow engagement with local businesses across the municipality.	Manager Economic Development & Events	100%		Engagement with local businesses occurred through Jan - May adding to the existing levels of engagement by Council via the EcoDev Business Support Program. To strengthen Council's engagement with businesses from a wider range of industries, ATO's Local Business Register was downloaded and the ED Team is in the process of cleansing the data to make them available for use. This data will be incorporated with the existing data so Council will have a complete list of local businesses with and without GST from various industries.

**Objective 2: EMERGING INDUSTRIES:** Council will encourage emerging industry sectors that contribute to Warrnambool's economic growth and diversity.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.2.1	Facilitate and partner in initiatives to progress the implementation of the Great South Coast Economic Futures Plan, including the development of renewables in Warrnambool and the Great South Coast region.	Director City Growth	100%		Funding has been secured through State Government to appoint a Program Manager through 2022/23 to assist with delivery of the GSC Economic Futures Program. Key priority of this resource will be bridging the gap between current high level strategies for the high value economic pathways from the Economic Futures report to clear, identifiable actions to achieve successful outcomes.
3.2.2	Review and implement the Warrnambool Economic Development and Investment Strategy to facilitate investment and employment growth across the Warrnambool municipality.	Manager Economic Development & Events	100%		Planning is under way for the new Warrnambool Economic Development and Investment Strategy and grant funding opportunities are being explored. WCC Economic Development have taken the lead to re-establish quarterly meetings with all economic development units from LGA's in the GSC Region to foster collaboration and sharing and will host the first meeting in August.
3.2.3	Facilitate and promote business support initiatives to grow the local economy.	Manager Economic Development & Events	100%		<p>Economic Development Team are currently working on several new initiatives including:</p> <ul style="list-style-type: none"> <li>• Warrnambool Business Survey which is being launched in July to gain an understanding about local businesses' interest in economic projects and issues, particularly the challenges post COVID</li> <li>• The 'Win in Winter' campaign commenced encouraging locals to shop at locally owned and operated business in the Warrnambool City Council municipality. The campaign goes for 10 weeks June throughout August. Shoppers take a photo at a local business and post it to Instagram with the chance to win a \$500 worth of vouchers each week to be redeemed locally.</li> <li>• Council's Business Information Portal to provide relevant information efficiently with enhanced navigation and up-to-date information.</li> <li>• Business seminars and training programs have recommenced with face to face delivery</li> <li>• An enhanced newsletter will be launched in the second half of 2022. The current newsletter now goes to over 1000 businesses as a result of the industry engagement improved database work completed.</li> <li>• Enhanced business database from the industry visits and consultation.</li> <li>• Strengthening a 'One Stop Shop' service to businesses through completing the councils economic development web pages</li> <li>• Planning is underway to reintroduce business networking events on a monthly basis commencing in the 2023 financial year</li> <li>• Our sister cities anniversaries are scheduled for this year with Miura (Japan) a 30th year and Changchun (China) a 10th anniversary.</li> </ul>



Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.2.4	Plan for the development and implementation of precinct structure plans to facilitate investment in appropriate development across the municipality.	Coordinator City Strategy	100%		<ul style="list-style-type: none"> <li>- The East of Aberline Precinct Structure Plan is progressing under the lead of the Victorian Planning Authority. Technical reports and studies are currently underway for flooding and drainage, with detailed traffic modelling to commence later in 2022. Landowner consultation will be undertaken later in 2022 to update landowners on the work to date and next steps.</li> <li>- Implementation of the Hopkins / Coastal, North Dennington and North of the Merri structure plans continue with subdivision and development occurring at a growing rate.</li> <li>- The Allansford Strategic Framework Plan has been adopted with an implementation plan currently being developed. External funding has been received to implement the Allansford Strategic Framework Plan, including developing technical studies for traffic, drainage and flooding.</li> <li>- External funding has also been successful to develop a strategic framework plan for Bushfield/Woodford. Project planning is currently underway for these externally funded projects.</li> </ul>


**Objective 3: VISITOR GROWTH:** Council will facilitate Warrnambool's visitor growth and year-round visitation through industry development, effective destination management and promotion of attractions and experiences leveraging key events.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.3.1	Review and implement the Warrnambool Destination Action Plan in partnership with Great Ocean Road Regional Tourism and industry.	Manager Economic Development & Events	100%		With easing on COVID-19 restrictions, Council's Visitor Economy teams are working together with Great Ocean Road Regional Tourism and Industry to develop the Destination Action Plan in the calendar year 2022. Engagement with industry stakeholders will occur later in the year.
3.3.2	Increase visitation with events across the year and enhance the profile of Warrnambool as a destination.	Manager Economic Development & Events	100%		20 events were delivered with the assistance of Council during Q4. Equating to a total of \$38,448 and the delivery of the new event - Solstice Search Party. This new winter event attracted over 5,000 attendees and supported 18 local businesses and creatives. May Racing Carnival was also delivered at full capacity for the first time since Covid with a record attendance of 29,048.
3.3.3	Develop and share economic data and analysis to business and industry to inform the performance of the Warrnambool economy.	Designated Area Migration Agreement Coordinator	100%		Council continues to use Spendmapp, Remplan, ABS data, AU Government's Labour Market Information Portal etc. to monitor economic performance. Economic Development is in the process of publishing user-friendly local economic data on a quarterly basis to share with residents and businesses in and outside the LGA.



Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.3.4	Increase community participation in the delivery of a diverse range of events through a grants program.	Service Manager, Events & Promotion	100%		Following the success of Activate Warrnambool Round one, a second round was delivered in April 2022. The goal was again to drive event activation during the off peak time of May - November 2022. 8 events were funded to a total of \$38,448.
3.3.5	Participate in the establishment of the Great Ocean Road Coast and Parks Authority to protect and manage visitation of the Great Ocean Road Coast and Parks.	Director City Growth	100%		Established in late 2020 the Great Ocean Road Coast and Parks Authority's primary purpose is to protect and manage visitation of the Great Ocean Road Coast and Parks. Council continues to engage in workshops with the authority, more recently on the development of an asset methodology to better understand the asset needs and service levels across Crown Coastal land in the region. Further engagement is expected through 2022/23.

**Objective 4: WORKFORCE CAPABILITY:** Council will foster the development of a workforce capable of supporting the needs of the local and regional economy.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.4.1	Deliver the Designated Area Migration Agreement (DAMA) representative role for the Great South Coast region and the Regional Certifying Body function on behalf of the Great South Coast.	Designated Area Migration Agreement Coordinator	100%		Analysis of endorsed employers to date (March 2019 to July 2022). 43 employers endorsed & 6 for a Deed of variation. - x 1 worker = 22 endorsements. - x 2 workers = 8 endorsements. - x 3 workers = 8 endorsements. - 3+ workers = 5 endorsements. - Current Applications in Progress x 3. Total workers endorse to date = 203. 60% of the businesses endorsed in the first 3 years are dairy farms. Discussions have been completed with all LGAs in the GSC DAMA. Key employers and industry sectors have been consulted with to review the current list of occupations with the view to expanding it. Business cases are being developed to support the increased occupations and seek approval from the Department of Home Affairs. Health, aged care are the main sectors indicating a need for more occupations to be available.
3.4.2	Partner on projects and initiatives with Deakin University Warrnambool and South West TAFE that help provide a skilled workforce that meets local industry needs.	Manager Economic Development & Events	100%		The Economic Development Team is currently reviewing the DAMA Occupation List with a view to expanding the number of areas for skills shortages. The work is being done in collaboration with industry, Deakin University Warrnambool (and five other LGAs) and South West TAFE. A strong emphasis on supporting the health and aged care sectors are coming through in the consultation phase. Council is also continuing to assist Deakin University and SWTAFE with industry engagement in various industry sectors for vocational training package development and attracting a skilled workforce within Australia and internationally.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.4.3	Deliver education and advisory services to business and industry to raise awareness of building, planning and heritage requirements.	Manager Infrastructure Services	100%		Council's Heritage Advisory Service is transitioning away from remote only to the advisor visiting the city again. The service continues to be used frequently including via an online platform e.g zoom. Permit activity within the heritage areas continues to be strong. The services is proving essential with several large projects in Warrnambool including the Callaghans site redevelopment, Stanley Street bridge replacement and pre-application advice on other redevelopment sites within the city. The website has recently been updated and there is an opportunity to add content on the planning pages on frequently asked questions and design guidelines

**Objective 5: DIGITAL CAPABILITY:** Council will facilitate greater digital capability.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.5.1	Participate in the implementation of the Great South Coast Digital Plan to address connectivity issues for industry and households.	Director City Growth	100%		The Great South Coast Digital Plan identifies gaps in the region's current digital infrastructure and makes recommendations on how these gaps can be addressed. As part of this regional implementation, Warrnambool is developing its own digital strategy and action plan with funding support from Regional Development Victoria. The Great South Coast Digital Plan is expected to be completed on schedule in 2022/23.
3.5.2	Identify and promote investment in digital projects across the Warrnambool municipality to address priority digital infrastructure supply shortfalls, including mobile coverage, and access to business-grade broadband.	Manager Economic Development & Events	100%		The Economic Development Unit represents Council on the Great South Coast Regional Digital Plan. The project will develop a digital strategy and action plan for the local government areas of Warrnambool, Corangamite and Moyne. The strategy is expected to be completed in 2022/23.



## STRATEGIC OBJECTIVE 4: A CONNECTED, INCLUSIVE PLACE

We will provide quality places that all people value and want to live, work, play and learn in.

### Strategic indicators

The following statement reviews performance against the Council Plan, including results achieved in relation to strategic indicators.

Strategic Indicator/measure	Result	Comments
Parking facilities – Community Satisfaction Survey	56	An improvement on the 2021 result of 51.
Traffic management	55	Down from 59 in 2021.
Appearance of public areas	76	On par with the 2021 result
Sealed local roads	60	Up from 59 in 2021.

### Major initiatives

The following statement reviews the progress of council in relation to major initiatives identified in the 2021-22 budget for the year.

Major Initiatives	Progress
Replacement of Edwards Bridge	Provides vital access to the foreshore and Port of Warrnambool. This project is under way and will be completed in late 2022.
A new adventure playspace at Lake Pertobe	Under way and will be completed in late 2022.

### Services

The following statement provides information in relation to the services funded in the 2021-22 budget and the persons or sections of the community who are provided the service.

Activity	Description	Net cost Actual Budget Variance \$'000
Asset Maintenance	This service prepares long term maintenance management programs for Council's property assets in an integrated and prioritised manner in order to optimise their strategic value and service potential. These include municipal buildings, pavilions and other community buildings.	1,824 1,847 <b>23</b>
Infrastructure Services	This service prepares and conducts capital works and maintenance planning for Council's main civil infrastructure assets in an integrated and prioritised manner in order to optimise their strategic value and service potential. These include roads, laneways, car parks, foot/bike paths, drains and bridges.	2,890 3,564 <b>674</b>
Regulatory Services	Local laws enforcement including parking fees and fines, public safety, animal management and traffic control.	-789 -590 <b>199</b>

## Service performance indicators

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.








### Results

Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Roads</b>					
<b>Satisfaction of use</b>					
Sealed local road requests [Number of sealed local road requests / Kilometres of sealed local roads] x100	67.89	58.50	60.19	54.98	
<b>Condition</b>					
Sealed local roads maintained to condition standard [Number of kilometres of sealed local roads below the renewal intervention level set by council / Kilometres of sealed local roads] x100	96.48%	96.80%	96.05%	95.43%	
<b>Service cost</b>					
Cost of sealed local road reconstruction [Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]	\$91.05	\$97.30	\$98.78	\$112.65	The reason for the higher variance between 2020/21 and 2021/22 is due to a substantial increase in the market unit rates for costs of road construction jobs nation-wide in 2021/22 due to changes with materials supply and demand.
<b>Service Cost</b>					
<b>Cost of sealed local road resealing</b> [Direct cost of sealed local road resealing / Square metres of sealed local roads resealed]	\$8.18	\$6.65	\$6.85	\$5.87	The 2021/22 Reseal Program was a joint program with Corangamite Shire. The joint venture and the large number of roads resealed in 2021/22 resulted in a better market rate for road reseals (spray sealing).
<b>Satisfaction</b>					
Satisfaction with sealed local roads [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	58	48	59	60	The public perceptions in relation to this category relate predominantly to the State road network. Warrnambool's local road network is at a high standard.









## CONNECTED & INCLUSIVE PLACE – progress report

**Objective 1: EFFECTIVE PLANNING:** Council will ensure its planning acknowledges the unique character and attributes of local places, and that it supports social connection, equitable access, appropriate housing and sustainable population growth.


Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.1.1	Deliver the building renewal program.	Coordinator Building Strategy & Services	100%		Building renewal program has concluded and is being reported on in detail via the capital works reporting process. Projects at Proudfoots Boathouse and Lighthouse Theatre have been moved to the 22-23 program due a poor response to an invitation to tender and ongoing staff shortage due to illness.
4.1.2	Develop and adopt a Tree Asset Management Plan including significant and heritage trees.	Director City Infrastructure	100%		Public Tree Planting & Maintenance Plan adopted by Council in July and works continuing on the Tree Asset Management Plan.
4.1.3	Complete service level reviews for parks, gardens, roads and drainage services.	Coordinator Municipal Depot Operations	100%		This is completed annually when business plans are reviewed prior to the budget process. Depot Coordinator still completing components of Manager Infrastructure duties and will be until at least August 2022.
4.1.4	Review the CBD Parking Strategy including the expansion of off-street parking areas.	Coordinator Local Laws Traffic Fire & Animal Contr	75%		A new parking strategy is about to commence covering the CBD and outlying areas.
4.1.5	Finalise the Social Housing Planning Project Report to support delivery of social and affordable housing.	Coordinator City Strategy	100%		Implementation plan has been finalised and reported to Councillors in January 2022.
4.1.6	Deliver the redevelopment of Reid Oval.	Manager Recreation & Culture	100%		Successful launch event held. Oval condition good and handling expected hours of play. Agreement with SWS as weekday tenant in place. Minor issues still outstanding with contractor.
4.1.7	Commence planning of neighbourhood community infrastructure assets.	Manager Community Policy & Planning	10%		Progress on this will occur in the quarter of July 2022 based on the new Census 2021 data that has recently been released by ABS.

**Objective 2: CONNECTED COMMUNITY:** Council will enhance Warrnambool's connectivity through the delivery of, or advocacy for, improvement to roads, public transport, footpaths, trails and digital infrastructure.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.2.1	Advocate for essential safety and road improvements on the Princes Highway West.	Director City Infrastructure	75%		No formal advocacy underway, awaiting designs for the section between Warrnambool and Port Fairy.
4.2.2	Advocate for improved passenger and freight rail services between the South West region and Melbourne.	Director City Growth	100%		Work on the Warrnambool Line upgrade is continuing, with signalling upgrades between Waurn Ponds and Warrcoort. More than 24km of signalling cable has been installed, along with 8km of access tracks along the line. The project will upgrade more than 50 public level crossings on the Warrnambool line with improved train technology to detect when VLocity trains are approaching. Boom gates will be added to 17 of these crossings to boost safety for motorists and train passengers. Once complete, there will be no unprotected public level crossings on the line. The new crossing loop at Boorcan and a fifth week-day return service between Warrnambool and Melbourne will come into operation following the completion of signalling and commissioning works along the line. The stabling facility at Warrnambool Station is to be upgraded to house the longer VLocity trains, allowing them to start and finish their journey at Warrnambool. The Warrnambool Line Upgrade is targeted for completion in late 2023.
4.2.3	Plan for growth and changes in traffic movements by identifying current and future traffic volumes and use this to review the Municipal Road Management Plan and Road Hierarchy.	Director City Infrastructure	10%		Still awaiting the Strategic Asset Coordinator to commence in their role.
4.2.4	Facilitate the implementation of Cycling Reference Group actions adopted by Council.	Director City Infrastructure	100%		Cycling Reference Group minutes continue to be presented to Council and a number of recommendations for safety improvements are included in the recently adopted Botanic Area Local Area Traffic Management Plan
4.2.5	Review City Centre traffic flows with implementation of new pedestrian crossings.	Coordinator Infrastructure Management	100%		Investigation complete. Briefing report provided to Council on 14 June. Final report will be provided to Council in August 2022.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.2.7	Seek funding for and deliver road safety projects.	Coordinator Infrastructure Management	100%		<p>Number of applications have been made in 2021/22 year under the following programs</p> <p>Successful</p> <ul style="list-style-type: none"> <li>• TAC Local Government Infrastructure Grant- Construction of platform crossing Brenton St</li> <li>• Blackspot- Lava/Kepler St</li> <li>• Department of Transport community Road Safety grant- delivering bicycle education to the community</li> <li>• TAC Community Road Safety grant- Bike Ed training, Bike Maintenance, Safe to School (part of the HEALTHY MOVES)</li> </ul> <p>Unsuccessful</p> <ul style="list-style-type: none"> <li>• TAC Local Government Infrastructure Grant- Analysis project for Merri/Henna and Merri/Fairy St</li> </ul>

**Objective 3: STRONGER NEIGHBOURHOODS:** Council will fostering neighbourhood connection and capacity building including the development of inclusive recreational and cultural opportunities.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.3.1	Implement the key initiatives of the Open Space Strategy, including our review of the strategy.	Coordinator City Strategy	100%		<p>The Warrnambool Open Space Strategy is seven years into its implementation and on schedule. A detailed progress report was presented to Council in 2021 to highlight achievements to date. Some of the recommendations more recently completed include:</p> <ul style="list-style-type: none"> <li>- a Wayfinding Sign Design Package for the Foreshore, City Centre, and Russell's Creek (with several signs now installed),</li> <li>- investigation of open space opportunities through the Allansford Strategic Framework Plan,</li> <li>- acquisition of new open space adjoining the Merri and Hopkins Rivers,</li> <li>- completion of all recommendations from the Jubilee Park Master Plan at Woodford,</li> <li>- completion of the South of Merri Open Space Precinct Plan. An implementation plan has been prepared for the South of Merri Precinct, with successful external funding recently received to implement works within the Woodend Road reserve and Platypus Park precincts. These works are currently underway, being undertaken in partnership with the Glenelg Hopkins CMA. 100% of City-wide recommendations have commenced or are complete, and 78% of precinct-based recommendations are complete or under way.</li> </ul>

**Objective 4: SUSTAINABLE PRACTICES:** Council will promote and encourage the implementation of sustainable design across the municipality including the attractiveness, safety, accessibility and functionality of our built environment.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.4.1	Identify and regularly monitor condition of Council's built assets to ensure effective management.	Director City Infrastructure	100%	<div style="width: 100%; height: 10px; background-color: green;"></div>	Program developed for building renewal for the 2022/23 and this will be extended to a 4 year program.



Peek Whurrong Elder Uncle Locky Eccles.

## STRATEGIC OBJECTIVE 5: AN EFFECTIVE COUNCIL

We will be recognised as a collaborative Council and a high-performing organisation that enables positive outcomes for Warrnambool's community, environment and economy and Victoria's south west.

### Strategic indicators

The following statement reviews performance against the Council Plan, including results achieved in relation to strategic indicators.

Strategic Indicator/measure	Result	Comments
Customer service – Community Satisfaction Survey	73	Council fielded more than 50,000 inquiries from customers over the phone and in person at the Civic Centre.
Informing the community– Community Satisfaction Survey	60	Up from 52 in 2021. Council moved to quarterly newsletters delivered to all Warrnambool households. Council meetings were livestreamed.
Consultation and engagement	56	Up from 50 in 2021. More opportunities have been made available for people to provide feedback to Council via the Your Say Warrnambool website.

### Major initiatives

The following statement reviews the progress of council in relation to major initiatives identified in the 2016-17 budget for the year.

Major Initiatives	Progress
Shared IT services project involving Warrnambool, Moyne and Corangamite municipalities.	Procurement process under way following process mapping exercise.

### Services

The following statement provides information in relation to the services funded in the 2016-17 budget and the persons or sections of the community who are provided the service.

Activity	Description	Net cost Actual Budget Variance \$'000
Governance & Elected Council	Elected Council governs our City in partnership with and on behalf of our community, and encourages and facilitates participation of all people in civic life. Also includes contributions made to community groups and organisations.	-807 607 <b>1,414</b>
Executive Services	Manages and facilitates the Council governance service, implementation of Council decisions and policies and compliance with the legislative requirements.	505 545 <b>40</b>
Communications & Customer Service	Provides a customer interface for various service units and a wide range of transactions. Includes media and marketing.	1,097 1,119 <b>22</b>



Activity	Description	Net cost Actual Budget Variance \$'000
Volunteer Services	Volunteer Connect provides support and guidance to organisations and community groups that involve volunteers in their work, and provides a volunteer matching service to bring together volunteer roles, and volunteers to fill them.	121 124 <b>3</b>
Information Services	Enables Council staff to have access to the information they require to efficiently perform their functions. Includes software support, licensing and lease commitments.	2,583 2,457 <b>-126</b>
Organisation Development	This service promotes and implements positive HR strategies to assist staff reach their full potential and, at the same time be highly productive in delivering Council's services to the community. Includes recruitment, staff inductions and training.	1,560 1,724 <b>164</b>
Corporate & Financial Services	Provides corporate support to Council and all divisions/branches in meeting organisational goals and objectives and includes banking and treasury functions, loan interest, audit, grants commission, legal, procurement, overhead costs including utilities and unallocated grants commission funding.	-2,153 -740 <b>1,413</b>
Depreciation	Depreciation is the allocation of expenditure write down on all of Council's assets over their useful lives.	12,435 13,050 <b>615</b>

## Service performance indicators – an effective Council

The following statement provides the results of the prescribed service performance indicators and measures including explanation of results in the comments.



### Results






Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Governance</b> <b>Transparency</b> Council decisions made at meetings closed to the public [Number of council resolutions made at ordinary or special meetings of council, or at meetings of a special committee consisting only of councillors, closed to the public / Number of council resolutions made at ordinary or special meetings of council or at meetings of a special committee consisting only of councillors] x100	5.19%	12.68%	5.77%	1.88%	Council has worked diligently to meet its Transparency Policy and Local Government Act obligations. This has lowered the number of closed meetings and the total number of items being decided in closed meetings.
<b>Consultation and engagement</b> Satisfaction with community consultation and engagement [Community satisfaction rating out of 100 with how council has performed on community consultation and engagement]	47	42	50	56	Council has undertaken significant consultation with the community in accordance with the Act and Council's Community Engagement Policy and the quality and quantity of that engagement is reflected in the community's satisfaction results.



Service/ Indicator/ measure	2019	2020	2021	2022	Comments
<b>Attendance</b> Councillor attendance at council meetings [The sum of the number of councillors who attended each ordinary and special council meeting / (Number of ordinary and special council meetings) x (Number of councillors elected at the last council general election)] x100	90.68%	90.48%	100.00%	100.00%	Councillors understand the importance of attending meetings and have been committed to attending as many meetings as possible.
<b>Service cost</b> Cost of elected representation [Direct cost of the governance service / Number of councillors elected at the last council general election]	\$56,627.94	\$42,908.86	\$47,574.14	\$45,870.43	Councillor allowances increased in line with direction from State Government.
<b>Satisfaction</b> Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	48	38	49	58	The increase in community satisfaction with Council decisions is a reflection of Council's commitment to transparency and to informed, fact-based decision-making in accordance with the role of Councillors as defined in the Local Government Act 2020.

## AN EFFECTIVE COUNCIL – progress report





**Objective 1: LEADERSHIP & GOVERNANCE:** Council will be a high-functioning team committed to respectful relationships, collaboration, and ongoing engagement. It will provide strong, effective leadership, sound governance and informed decision-making.



Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.1.1	Ensure key priorities of the community are appropriately reflected in the development and review of the Council Plan with the appropriate prioritisation of resources to key strategic themes.	General Counsel, Strategy & Procurement	100%		The annual review of the Council Plan is underway with community engagement planned and staff review being completed. Any updates to the Council Plan will be reviewed and considered prior to being adopted at the end of this financial year.
5.1.2	Identify and report on changes to Council operations, policies and procedures in line with the Local Government Act.	Governance, Property, Projects & Legal	100%		The Local Government Act 2020 has now had all required transition actions completed.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.1.3	Improve Council's systems and policies through review of Governance Framework.	Governance, Property, Projects & Legal	100%		An internal audit on Council's current governance framework has been completed with the audit report including recommendations expected within the next month. This will help inform improvements to be made to relevant systems and policies.
5.1.4	Improve asset management practices.	Director City Infrastructure	100%		Significant step forward with building renewal program, adoption of the 10 year asset plan and draft of saleyards asset management plan.
5.1.5	Improve the Warrnambool Planning Scheme which controls land use and development within the municipality.	Coordinator City Strategy	100%		<p>The Warrnambool Planning Scheme is continuously monitored to ensure officers are kept abreast of State Government planning reforms and trends and relevant reforms are reported to Council. Recent State Government planning reforms include new reforms and streamlined provisions for transport planning; implementation of Stage 1 of the State Government's ESD roadmap which embeds policy support for improved ESD outcomes in the built environment; and amended reforms to support extractive industries. Other recent improvements to the Warrnambool Planning Scheme include:</p> <ul style="list-style-type: none"> <li>- new flood controls for the Russells Creek and parts of the Merri River catchments in north Warrnambool to reflect updated and improved flood modelling for these areas. A Panel hearing has been held to hear submissions, and the Panel report has been recently received and is currently under consideration.</li> <li>- Rezoning of land at Kings College and the adjacent Royal Court subdivision to correctly align the zoning with the ongoing use of the land, has been adopted by Council and will be forwarded to the Minister for Planning for final approval.</li> <li>- Pre-planning and project scoping has commenced for a review of the Warrnambool Planning Scheme. The Planning Scheme must be reviewed every 4 years to ensure it remains effective and efficient in implementing State, regional and local policy objectives.</li> </ul>
5.1.6	Work with neighbouring Councils to develop sub-regional and regional plans and advocacy strategies to benefit the region and deliver on the community's aspirations.	Chief Executive	100%		Developed the Great South Coast Advocacy Plan which has been supplied to various Ministers; meetings have also been held with various Ministers regarding the advocacy plan. Ongoing advocacy to take place.
5.1.7	Align the implementation of the Warrnambool 2040 Plan with the Financial Sustainability Plan.	Director Corporate Strategies	100%		The long term financial plan is aligned to Warrnambool 2040. The priorities relevant to Council are picked up in the long term financial plan and Council continues to balance competing demands from many sources. Council continues to review and change its priorities with consultation with its community and updates and modifies its financial plans accordingly.





Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.1.8	Ensure achievement and maintenance of organisation-wide Child Safe Standards compliance and currency of Working With Children Checks.	Manager Organisation Development	100%		An External audit conducted by Crowe has been completed, including the uptake and requirements of WWCC and Standard compliance. Findings were positive with high levels of compliance across the organisation. Opportunities for improvement have been identified and have been adopted by the Child Safe Committee to be addressed in 2022/223
5.1.9	Develop and rollout the Regional and Rural Liveability Strategy in partnership with State Government and South West Primary Care Partnership.	Manager City Strategy & Development	30%		The South West Primary Care Partnership has been realigned to the Public Health Unit of Barwon Health. Partnerships with State Government continue through the Healthy Warrnambool plan and the communities of practice.

**Objective 2: ENGAGED & INFORMED COMMUNITY:** Council will ensure ongoing community engagement to identify changing needs and priorities when developing and delivering services and programs.






Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.2.1	Improve accessibility, transparency and accountability of Council decision-making.	Governance, Property, Projects & Legal	100%		Inclusions to the report template such as prompts for staff to add any relevant information about gender equity assessments undertaken continue to build upon the information provided to inform Council decision-making.
5.2.2	Monitor and report on the reach and effectiveness of Council's communications measures.	Manager Communications	100%		Council has over the past quarter re-engaged with the community to help inform the development of the 2022-2023 Budget and the 2022 review of the 2021-2025 Council Plan. Community engagement activities have also been undertaken for Council's 10-year Asset Plan, Beach Access Strategy (75 online responses), Tree Planting and Management Policy, Library logo (123 responses), Volunteering Strategic Plan and the Archie Graham Community Centre (200-plus responses).
5.2.3	Produce the annual State of the Assets Report that identifies the asset renewal funding performance to inform renewal expenditure.	Director City Infrastructure	100%		Report completed and presented to Council along with the 10 year community asset plan
5.2.4	Review adopted Asset Management Plans for major asset classes to inform operational activities.	Director City Infrastructure	100%		Process of review and adoption is continuing. The latest adoption is the Public Tree Planting and Maintenance Policy which is linked to the tree asset management plan.




5.2.5	Review strategies and plans to comply with Council's Asset Management Policy.	Director City Infrastructure	100%		Plans and strategies are reviewed to comply with many strategic documents such as, Council Plan, Warrnambool 2040, Gender Equality, Cultural Heritage etc. Each review of a plan or strategy references these plans along with the Asset Management Plan.
5.2.6	Provide communications support to promote Council services, facilities, programs and events.	Manager Communications	100%		In recent weeks the Communications Unit has been involved in helping to promote the Solstice Searching and Solstice Search Party, which received an enthusiastic response from the community. The unit has also supported the Win in Winter business promotion and the official opening of Reid Oval including the inaugural night football matches. Support was also provided to the Early Childhood team to help promote kindergarten enrolments and open days.

**Objective 3: CUSTOMER-FOCUSED SERVICES:** Council will continue and develop a program of Council services that are delivered to the community's satisfaction.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.3.1	Review and update Council's complaint handling policy and processes in line with the Local Government Act changes and Ombudsman's guidelines.	Governance, Property, Projects & Legal	80%		Improvement to processes to support the Complaints Handling Policy are currently on hold due to temporary resourcing implications.
5.3.2	Improve outcomes in the delivery of Council's customer services.	Customer Service Team Leader	100%		Our Live Chat software is presently being looked at to improve efficiencies and increase use of software that may expand on the use of the software.
5.3.3	Deliver library customer programs in partnership with community organisations, non-government organisations and business.	Manager Recreation & Culture	25%		Duplicated in 1.5.6
5.3.4	Develop and influence strategic integrated planning process and decisions to ensure Council strategy is appropriately prioritised and executed.	General Counsel, Strategy & Procurement	100%		Council Plan update adopted on 27 June 2022 as well as 22/23 budget.

**Objective 4: HIGH-PERFORMANCE CULTURE:** Council will foster an organisational culture to support engaged, committed and high-performing staff for the effective delivery of Council's services and programs.







Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.4.1	Prepare and develop appropriate service and organisational review processes to optimise operational efficiency.	Chief Executive Officer	100%		<p>The program of activities in the service review space has concluded for 2021-2022 new opportunities will continue to be explored in the 2022 - 2023 financial year and ongoing, with workforce alignment opportunities being considered as vacancies occur and business process re-engineering continuing to evolve to deliver efficient and effective services to the community.</p> <p>A high level executive review of the the structure has been concluded as part of the development of Councils workforce plan requirement and the core structural elements remain unchanged as the core service functions remain unchanged.</p> <p>The key focus for service review remains in the Corporate Strategies directorate with the shared Information technology project underway with Moyne and Corangamite shires. Concurrently process re-engineering continues around billing, payroll, rosters development and contracts management to improve efficiency and add automated processes. Shared technology strategy has been completed across the Moyne Corangamite and Warrnambool. A centralized Training and development system has been scoped and is being introduced to ensure greater efficiency compliance and targeted staff development across the organisation.</p>
5.4.2	Support an organisational approach to strategic procurement to ensure effective operational decision making that improves organisational performance.	General Counsel, Strategy & Procurement	100%		<p>More centralised approach is being supported by the new structure. An internal audit is also taking place on the tendering process which will further support strategic procurement.</p>
5.4.3	Review and improve human resource operational processes to ensure best practice.	Manager Organisation Development	100%		<p>The Human Resource function has implemented actions from the recent internal audit and is now operating along best practice principles.</p>
5.4.4	Enhance organisational awareness of Victoria's Child Safe Standards.	Manager Organisation Development	100%		<p>Organisation awareness of Child Safe Standards has increased following the reformation of the Child Safe Committee.</p>
5.4.5	Continue to evolve the staff training and development programs in order to drive enhanced employee engagement and culture.	Manager Organisation Development	100%		<p>The training requirements for all staff now sit within the remit of the OD Branch. As such on-line training application and approval processes have been developed and implemented. Planned training has also been aligned to the annual performance review process.</p>




Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.4.6	Implement work-place actions to meet the requirements of the Gender Equality Act 2020 resulting in improved gender equity outcomes.	Manager Organisation Development	100%		Gender equity Action Plan completed and submitted to Gender Equity Commission in line with legislative requirements. All actions have now been allocated and recorded in the Corporate reporting data base, Pulse.
5.4.7	Support the re-sourcing of Development Engineering assessments and approvals.	Director City Infrastructure	100%		Current vacancy in this area, which will be filled as soon as possible. The time taken for approvals has shortened when the resources were available.
5.4.8	Develop a Workforce Management Plan which will include an approach to attracting and enhancing workforce to the area/region and ensure effective resource planning.	Manager Organisation Development	100%		The Workforce Plan has been developed and adopted.
5.4.9	Improve systems and structures that facilitate the recruitment and retention of volunteers.	Service Manager Healthy Engaged Communities	100%		Our Volunteers Special Projects Officer developed & delivered cultural awareness training for community & volunteer organisations across the region providing an understanding of the benefits of working in a diverse environment, including the tools to create a more inclusive organisation. Participants now have an enhanced understanding of engaging with volunteers from a culturally & linguistically diverse backgrounds & are able to promote the benefits of a diverse volunteer workforce. The Volunteering Strategic Plan 2021-2024 was adopted by Council on 4 July 2022. Volunteers across Warrnambool were recognised and acknowledged at the annual Volunteer Appreciation Movie Night during National Volunteer Week. Volunteer Connect continue to support Council volunteers to update data on the Better Impact volunteer management software to ensure data is accurate and appropriate screening occurs across the organisation. Position Descriptions have been revised across a number of program areas to accurately reflect volunteer roles to assist in recruitment.







## Objective 5: ORGANISATIONAL & FINANCIAL SUSTAIN-



**ABILITY:** Council will ensure organisational and financial sustainability through the effective and efficient use of Council's resources and assets.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.5.1	Review and embed the legal and procurement processes to ensure compliance and risk mitigation and that Council is operationally effective.	General Counsel, Strategy & Procurement	100%		Induction training updated and new basic broad training to be captured in Litmos.
5.5.2	Review Council's property management processes, including for Crown land that Council is the Committee of Management for, with consideration of rental agreements, property and current market valuations and disposal of surplus land.	Governance, Property, Projects & Legal	100%		Small improvements in property management processes continue to be implemented such as seeking template agreements for specific agreement types - for example the agreements for hangar spaces at the Warrnambool Airport.
5.5.3	Allocate financial resources in accordance with strategic plans.	Manager Financial Services	100%		The budget was adopted by Council at a meeting on 27 June 2022.
5.5.4	Review and update the Long Term Financial Plan to ensure Council remains financially sustainable into the future.	Manager Financial Services	100%		The long term financial plan has been updated and formed the basis of the budget preparation for the 2022/23. The long term indicators are forecasting that Council will remain sustainable into the future.
5.5.5	Enhance business processes including IT systems integration.	Manager Financial Services	100%		Accounts payable automation has been installed with a post implementation review completed to establish whether the goals were achieved and future improvements. Council wide roster system has been implemented with the initial go-live phase at Aqua-zone, a post implementation review will begin in the 2022/23 financial year. A new business process automation has been developed to assist the new centralised learning and development model.
5.5.6	Improve digital capacity for Council staff.	Manager Information Services	100%		Shared Service activities scheduled for completion by 30/6/2022 have been completed. EOI evaluations are progressing according to schedule. Invitation To Offer should proceed with little or no delay. Regional Digital Strategy development is on schedule. First draft is out for review.



Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.5.7	Monitor asset condition to ensure they meet users' needs and remain fit for purpose.	Director City Infrastructure	100%		Full scale assessment of entire footpath network completed in May 2022. Ongoing monitoring of every asset class, with a percentage of each class reviewed every year.
5.5.8	Implement COVID-19 recovery plans for Council business units.	Manager Recreation & Culture	100%		All of Council business units have current COVID plans that align with government public health orders. Plans are updated regularly to adapt to changing restrictions.
5.5.9	Recommence rollout of Shared Services Project with surrounding councils.	Director Corporate Strategies	100%		The Shared Services Program has recommenced with Warrnambool City, Moyne Shire and Corangamite Shire.

**Objective 6: RISK MITIGATION:** Council will mitigate and manage organisational risks through sound management systems and processes.




Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.6.1	Review the IT Strategy and system resilience in relation to data security, confidentiality and critical incidents.	Manager Information Services	100%		Shared ICT Strategy with Moyne and Corangamite developed and adopted by all three councils.
5.6.2	Assist development of Victorian Protective Data Security Plan and lodging of attestation to Office of the Victorian Information Commissioner.	Manager Information Services	100%		Project with Votar Partners is progressing on schedule. All activities due for completion by 30/6/2022 have been. Maturity assessment completed. Information Asset Register discovery interviews completed. First draft of Information Asset Register ready for review. Protective Data Security preparation has commenced.
5.6.3	Ensure effective Business Continuity Planning (BCP) is in place.	Manager Organisation Development	100%		The overarching BCP has been reviewed and is in place. Work continues on the sub-plans.
5.6.4	Enhance Councils risk management processes to ensure key strategic and operational decision making considers risk factors.	Manager Organisation Development	100%		The entire risk framework has undergone a thorough review, including a full review and update of strategic and corporate risks. The risk register has been transitioned across to a more user friendly environment and relevant officers have undergone training in both awareness of the new risk profile and use of the software system.

5.6.5	Continue the development and implementation of Councils Health and Safety Management System with a focus on injury prevention, improved return-to-work processes, OHS training calendar implementation and increased organisation engagement.	Health & Safety Project Officer	100%		Councils Health and Safety Management System continues to be review, refined and implemented. All Health and Safety Management System documents are now in controlled documents and available to all staff via the intranet page.
5.6.6	Partner with State Government to activate and maintain Public Health Pandemic and Emergency Management Operations for staff and community wellbeing.	Director City Infrastructure	100%		Continue to provide services that Council is required to provide. The food delivery service ceased on 30 June for Local Government with residents requiring relief, to apply via the COVID hot-line.

**Objective 7: EFFECTIVE ADVOCACY:** Council will pursue effective advocacy by providing compelling materials for desired support and funding for community priorities through establishing strong relationships with other levels of government, strategic partners and key stakeholders.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.7.1	Provide materials to support advocacy efforts and report on advocacy outcomes.	Manager Communications	100%		A suite of advocacy documents was developed that summarised Council's advocacy priorities. These were presented to Victorian Government politicians and key department representatives during recent meetings.
5.7.2	Advocate for access to safe and secure housing that is appropriate and affordable for a diversity of needs.	Manager Infrastructure Services	100%		Advocacy for diversity of housing leading to affordability is being undertaken through representation at the regionally based key worker housing strategy project. Advocacy and active engagement is also being undertaken at a regional level through the Big Housing Build agency.

**Objective 8: REGIONAL ROLE & RELATIONSHIPS:** Council will acknowledge Warrnambool's capability as the regional centre of south-west Victoria through appropriate leadership, advocacy and partnerships that enable greater opportunity for the region.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.8.1	Participate in shared services project - for a shared Information technology enterprise system and associated processes - with Moyne and Corangamite shires.	Director Corporate Strategies	100%		2021 -2022 program of works completed with expression interest out to market and submissions being assessed to move to request for select tender for shared enterprise system for the three Councils
5.8.2	Pursue funding for animal shelter redevelopment in collaboration with surrounding municipalities to facilitate a regional facility if appropriate.	Coordinator Local Laws Traffic Fire & Animal Contr	100%		The agreement with the Glenelg Shire is progressing well. Council officers continue to meet with RSPCA management relating to the project. Funding options are continually being discussed.
5.8.3	Participate in advocacy efforts as part of Regional Cities Victoria, Regional Capitals Australia and Great South Coast Group of Councils.	Chief Executive Officer	100%		Advocacy efforts for 2021- 2022 culminated with a visit to parliament by Councillors and senior executive to advocate for Key councils projects and issues to ministers and shadow ministers of State Parliament.

## Retired service performance indicators

Retired indicators Service / indicator / measure	Results 2019	Comment
<b>Aquatic Facilities</b>		
<b>Service cost</b>		
Cost of indoor aquatic facilities [Direct cost of indoor aquatic facilities less income received / Number of visits to indoor aquatic facilities]	-\$1.08	This measure was replaced by Cost of aquatic facilities for 2020.
Cost of outdoor aquatic facilities [Direct cost of outdoor aquatic facilities less income received / Number of visits to outdoor aquatic facilities]	\$1.10	This measure was replaced by Cost of aquatic facilities for 2020.
<b>Animal Management</b>		
<b>Service cost</b>		
Cost of animal management service [Direct cost of the animal management service / Number of registered animals]	\$41.48	This measure was replaced by Cost of animal management service per population for 2020.
<b>Health and safety</b>		
Animal management prosecutions [Number of successful animal management prosecutions]	4	This measure was replaced by Animal management prosecutions (%) for 2020.
<b>Libraries</b>		
<b>Service cost</b>		
Cost of library service [Direct cost of the library service / Number of visits]	\$6.75	This measure was replaced by Cost of library service per population for 2020.
<b>Maternal and Child Health (MCH)</b>		
<b>Satisfaction</b>		
Participation in first MCH home visit [Number of first MCH home visits / Number of birth notifications received] x100	93.3%	This measure was replaced by Participation in 4-week Key Age and Stage visit for 2020.

# GOVERNANCE, MANAGEMENT AND OTHER INFORMATION

## Governance

Warrnambool City Council is constituted under the Act to provide leadership for the good governance of the municipal district and the local community. Council has a number of roles including:

- Taking into account the diverse needs of the local community in decision-making
- Providing leadership by establishing strategic objectives and monitoring achievements
- Ensuring that resources are managed in a responsible and accountable manner
- Advocating the interests of the local community to other communities and governments
- Fostering community cohesion and encouraging active participation in civic life.

Council is committed to effective and sustainable forms of democratic and corporate governance as the key to ensuring that council and its administration meet the community's priorities. The community has many opportunities to provide input into council's decision-making processes including community consultation, public forums such as ward meetings and the ability to make submissions to Special Committees of council.

Council's formal decision-making processes are conducted through council meetings and Special Committees of Council. Council delegates the majority of its decision-making to council staff. These delegations are exercised in accordance with adopted council policies.

## Meetings of Council

Council conducts open public meetings on the first Monday of each month. Members of the community are welcome to attend these meetings and observe from the gallery.

Dates for Council meetings are advertised in the local media and on our website. A guide to Council's meeting procedures is also available on the website at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

Council meetings also provide the opportunity for community members to submit a question to the council and to put their question to Council verbally. Over 2021-22 Council held 16 scheduled meetings.

The following table provides a summary of councillor attendance at council meetings for the 2021-22 financial year.

COUNCILLOR	Scheduled Council Meetings attended	Annual/Additional Council Meetings attended	Closed meetings of Council attended	Informal Meetings of Council attended
Cr. Otha Akoch	11/11	3/3	1/1	37/39
Cr. Debbie Arnott	10/11	2/3	1/1	37/39
Cr. Ben Blain	11/11	3/3	1/1	38/39
Mayor, Cr. Vicki Jellie AM	11/11	2/3	1/1	36/39
Cr. Angie Paspaliaris	9/11	3/3	1/1	37/39
Cr. Max Taylor	11/11	3/3	1/1	34/39
Cr. Richard Ziegeler (Mayor October-April)	11/11	3/3	1/1	36/39

## Delegated committees

The Act allows councils to establish one or more delegated committees consisting of:

- Councillors
- Council staff
- Other persons
- Any combination of the above.

The following table contains a list of delegated committees established by the council that are in operation and the purpose for which each committee was established

Delegated committee	Councillors	Officers	Other	Purpose
<b>Community and International Relations Advisory Committee</b>	1	1	4	Provides strategic advice on Council's sister city relationships, international relations and to advance Council's progress against the Welcoming Cities standards.
<b>Environment and Sustainability Advisory Committee</b>	1	3	5	Provides strategic advice on environmental and sustainability projects and programs to advance the Green Warrnambool plan.
<b>South-West Victorian Livestock Exchange Advisory Committee</b>	2	2	5	Provides advice on the management and operation of the livestock exchange and acts as a conduit of information between stakeholders and Council.
<b>Economic Development and Tourism Advisory Committee</b>	1	2	5	Provides strategic advice and direction on economic development and tourism matters and acts as a conduit of information between stakeholders and Council.
<b>Audit and Risk Committee</b>	2	-	3	Provides advice on the effectiveness of Council's governance, risk and financial control systems, process and compliance culture to give Council assurance and confidence in these activities.

## Code of conduct

The Act requires councils to develop and approve a councillor Code of Conduct within 12 months after each general election.

On February 1, 2021, Council adopted a revised Councillor Code of Conduct which requires Councillors to:

- treat other Councillors, Council staff and members of the community with dignity, fairness, objectivity, courtesy and respect;
- to perform the role of Councillor effectively and responsibly;
- to comply with good governance measures;
- to not discredit or mislead Council or the public; and,
- acknowledge that the standards of conduct do not limit, restrict or detract from robust public debate in a democracy.

In addition to setting out the Councillor Conduct Principles, the Code also outlines:

- Other conduct definitions under the Act, such as those relating to misuse of position, improper direction, breach of confidentiality and conflict of interest
- Roles and relationships
- Dispute resolution procedures.



## Conflict of interest

Councillors are elected by the residents and ratepayers to act in the best interests of the community.

This is a position of trust that requires councillors to act in the public interest. When a council delegates its powers to a council officer or a committee, the committee or officer also needs to act in the public interest.

A conflict of interest occurs when a personal or private interest might compromise the ability to act in the public interest. A conflict of interest exists even if no improper act results from it.

Council has a comprehensive procedure in place to accommodate the disclosure of a conflict of interest. Declaration of a conflict of interest is a standard agenda item for all council and Committee meetings. While the procedures vary depending on the particular role and circumstances, in general they involve disclosing the relevant interests in a specific way and then stepping aside from the relevant decision-making process or from the exercise of the public duty. A register is maintained to record all disclosed conflict of interests.

During 202-20/22, Councillors declared 25 conflicts of interest.

Type of Meeting	No. of Cr. Conflicts declared
Scheduled	7
Special/Additional	0
Closed	0
Informal	18

## Councillor allowances

In accordance with Section 39 of the Act, councillors are entitled to receive an allowance while performing their duty as a councillor.

The Mayor is also entitled to receive a higher allowance.

The State Government sets the upper and lower limits for all allowances paid to councillors and Mayors. Councils are divided into three categories based on the income and population of each council. In this instance Warrnambool City Council is recognised as a category two council.

The following table contains details of current allowances fixed for the mayor and councillors during the year.

Role	Category 2 Councillor allowance
Mayor	\$96,470
Deputy Mayor	\$48,235
Councillor	\$30,024



New cricket training nets at Reid Oval.

## Councillor expenses

In accordance with Section 40 of the Act, council is required to reimburse a councillor for expenses incurred whilst performing their duties as a councillor.

Council is also required to adopt and maintain a policy in relation to the reimbursement of expenses for councillors.

The policy provides guidance for the payment of reimbursements of expenses and the provision of resources, facilities and other support to the mayor and councillors to enable them to discharge their duties. Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each councillor and member of a council committee paid by the council.

The details of the expenses including reimbursement of expenses for each councillor and member of a council committee paid by the council for the 2021-22 year are set out in the following table.

	Allowance	Tel	Tech	Accomm	Meals	Training	Travel	Airfares	Total
Cr Vicki Jellie	64,536.84	416.25	431.18	1,474.91	665.84	3,150.67	0.00	0.00	70,675.70
Cr Otha Akoch	29,487.06	414.00	431.18	1,378.08	340.84	1,542.14	115.20	349.43	34,057.94
Cr Max Taylor	15,405.79	414.00	431.18	0.00	340.84	1,542.14	0.00	0.00	18,133.96
Cr Angie Paspaliaris	29,487.06	414.00	431.18	0.00	340.84	1,542.14	0.00	0.00	32,215.23
Cr Ben Blain	29,487.06	415.50	431.18	1,582.30	990.84	2,382.14	207.11	410.86	35,907.00
Cr Debbie Arnott	41,061.28	414.00	431.18	940.91	665.84	2,850.67	0.00	0.00	46,363.89
Cr Richard Ziegler	53,728.64	414.00	431.18	0.00	665.84	2,616.23	87.27	377.53	58,320.70
<b>Totals</b>	<b>263,193.73</b>	<b>2,901.75</b>	<b>3,018.26</b>	<b>5,376.20</b>	<b>4,010.91</b>	<b>15,626.15</b>	<b>409.58</b>	<b>1,137.82</b>	<b>295,674.40</b>

### Audit and Risk Committee Independent Member Expenses 2021-22

	Allowances \$	Training \$	Total \$
R. Wallis	2,368	-	2,368
A. Kumar	1,582	1,565	3,147
D. Farley	2,185	-	2,185
D. Porritt	396	-	396
L. Fitzgerald	396	-	396
<b>Total</b>	<b>6,926</b>	<b>1,565</b>	<b>8,490</b>

## Management

Council has implemented a number of statutory and better practice items to strengthen its management framework. Having strong governance and management frameworks leads to better decision making by council.

The Act requires council to undertake an assessment against the prescribed governance and management checklist and include this in its report of operations. Council's Governance and Management Checklist results are set out in the section below. The following items have been highlighted as important components of the management framework.

## Audit Committee

The Audit Committee's role is to oversee and monitor the effectiveness of council in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management and fostering an ethical environment.

The Audit Committee consists of three independent members. Mr Rob Wallis resigned from the committee on November 16, 2021, Mr Dennis Farley resigned on March 8, 2022, Mr Aswin Kumar served for the entire financial year and Mr Leon Fitzgerald and Ms Donna Porritt joined the committee on November 16, 2021 and served for the remainder of the financial year.

Crs Ben Blain and Angie Paspaliaris served on the committee for the duration of the financial year.

Independent members are appointed for four-year term, with a maximum of three terms. The chair is elected by the Council. The Internal Auditor, Chief Executive Officer, Director Corporate Services, Manager Organisation Development, Manager Governance and Risk and Manager Financial Services attend all Audit Committee meetings. Other management representatives attend as required to present reports.

The external auditors attend each year to present the audit plan and independent audit report. Recommendations from each Audit Committee meeting are subsequently reported to and considered by council.

## Internal audit

Council's internal audit function provides independent and objective assurance that the appropriate processes and controls are in place across council.

A risk-based Strategic Internal Audit Plan (SIAP) is revised annually to ensure the audit resources remain focused on the appropriate areas. The review process considers council's risk framework, the council plan, the impact of any change on operations, systems or the business environment; prior audit coverage and outcomes and management input. The SIAP is reviewed and approved by the Audit Committee annually.

A Finance Unit representative attends Audit and Risk Committee meetings to report on the status of the SIAP to provide an update on the implementation of audit recommendations and to present findings of completed reviews. The responsible Director and Manager for each area reviewed are required to attend the Audit Committee meeting to respond to questions in relation to the review. All audit issues identified are risk-rated. Recommendations are assigned to the responsible Manager and tracked in council's performance management system. Managers provide quarterly status updates that are reported to the Executive Management Team and the Audit and Risk Committee.

The SIAP for 2021-22 was completed with the following reviews conducted:

- Essential Safety Measures (ESM) (August 2021)
- Payroll Management (September 2021)
- Post Incident Internal Control Review (November 2021)
- Project Management (February 2022)
- Human Resources - Workforce Development (February 2022)
- Tree Management (May 2021)



Kinder kids out and about.



## External audit

Council is externally audited by the Victorian Auditor-General. For the 2021-22 year the annual external audit of council's Financial Statements and Performance Statement was conducted by the Victorian Auditor-General's representative.

The external auditors attend the May and August Audit Committee meetings to present the annual audit plan and Independent Audit Report. The external audit management letter and responses are also provided to the Audit Committee.

## Risk management

In March 2021 council adopted a Risk Management Policy in line with current best practice in the management of business enterprise risks and current AS/NZS 31000 guidelines.

The Risk Management Policy commits Council to the following risk management objectives and statements:

- We will apply a coordinated and integrated approach to risk management across Council Consistent with the principles of AS/NZS ISO 31000:2009 Standards.
- Council through its Audit and Risk committee shall ensure the establishment, implementation and ongoing review of the Councils risk management framework, internal compliance and control systems.
- Risk management will be an integral part of planning and decision making processes.
- We will adopt risk management strategies which promote confidence in the achievement of optimal business & community outcomes.
- We will establish a culture of risk consciousness within our organisation and promote risk awareness with our stakeholders.
- Communication within the stakeholder community in relation to the identification and management of risk is encouraged.
- We will develop and continually improve risk management practices based on established standards and industry practice.
- We will apply a coordinated and integrated approach to risk management.
- There is accountability assigned to all those with risk management responsibilities.
- Council staff will be provided with the necessary training to allow them to undertake their risk management duties.
- All staff with risk management roles and responsibilities are provided with the necessary authority to undertake these responsibilities.
- We will extend our risk management capabilities to our agents (contractors and business partners) to enhance management of their project risks, or use of their policies and procedures if considered suitable.








## Governance and management checklist

The following are the results in the prescribed form of council's assessment against the prescribed governance and management checklist.

Governance and Management Items	Assessment	
<b>1</b> <b>Community engagement policy</b> (policy under section 55 of the Act outlining Council's commitment to engaging with the community on matters of public interest)	Adopted in accordance with Section 55 of the Act on February 1, 2021.	✓
<b>2</b> <b>Community engagement guidelines</b> (guidelines to assist staff to determine when and how to engage with the community)	Revised guidelines/template commenced with the adoption of the Community Engagement Policy on February 1, 2021.	✓
<b>3</b> <b>Financial Plan</b> (plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years)	Adopted in accordance with section 92 of the Act on June 28, 2021.	✓
<b>4</b> <b>Asset Plan</b> (plan under section 92 of the Act setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Adopted in Accordance with Section 92 of the Act on June 27, 2022.	✓
<b>5</b> <b>Revenue and Rating Plan</b> (plan under section 93 of the Act setting out the rating structure of Council to levy rates and charges)	Adopted in accordance with Section 93 of the Act on June 28, 2021.	✓
<b>6</b> <b>Annual budget</b> (plan under section 94 of the Act setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required)	Adopted in accordance with section 94 of the Act Date of adoption: June 27, 2022	✓
<b>7</b> <b>Risk policy</b> (policy outlining council's commitment and approach to minimising the risks to council's operations)	Policy commenced on May 14, 2022.	✓
<b>8</b> <b>Fraud and Corruption Control Policy</b> (policy outlining council's commitment and approach to minimising the risk of fraud)	Adopted July 6, 2020	✓
<b>9</b> <b>Municipal emergency management plan</b> (plan under section 60ADB of the Emergency Management Act 2013 for emergency mitigation, response and recovery)	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986. Revised November 2019.	✓

<b>10</b> <b>Procurement policy</b> (policy under section 108 of the Act outlining the principles, processes and procedures that will apply to the purchase of goods and services by the Council)	Adopted in accordance with Section 108 October 4, 2021.	✓
<b>11</b> <b>Business continuity plan</b> (plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Plan updated January 2021.	✓
<b>12</b> <b>Disaster recovery plan</b> (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Plan updated January 2021.	✓
<b>13</b> <b>Risk management framework</b> (framework outlining council's approach to managing risks to the council's operations)	Commenced in February 2021.	✓
<b>14</b> <b>Audit and Risk Committee</b> (see sections 53 and 54 of the Act)	Established in accordance with section 53 of the Act. Committee charter adopted in May 2020.	✓
<b>15</b> <b>Internal audit</b> (independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls)	Engaged  Date of engagement of current provider:	✓
<b>16</b> <b>Performance reporting framework</b> (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Local Government Act 2020)	Framework  Date of adoption of current framework: 1 July 2015	✓
<b>17</b> <b>Council Plan report</b> (report reviewing the performance of the council against the council plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Council provides quarterly reports to the community on progress made in each of the Council Plan objectives (activities and initiatives reports). Reports presented: November 2021 (included in Annual Report) March 7, 2022 May 2, 2022	✓
<b>18</b> <b>Financial reporting</b> (quarterly statements to the Council under section 97(1) of the Local Government Act 2020, comparing actual and budgeted results and an explanation of any material variations)	Reports presented to the Council in accordance with section 97(1) of the Local Government Act 2020 Date reports presented: September 6, 2021; November 1, 2021; February 7, 2022; May 21, 2022.	✓
<b>19</b> <b>Risk reporting</b> (6-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Date of reports: August 31, 2021; November 16, 2021; March 8, 2022; May 17, 2022.	✓

<b>20</b> <b>Performance reporting</b> (6-monthly reports of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Local Government Act 2020)	Date of reports: November 1, 2021; March 7, 2022; May 2, 2022.  Community Satisfaction Survey results presented July 5, 2021.	
<b>21</b> <b>Annual report</b> (annual report under sections 98, 99 and 100 of the Local Government Act 2020 containing a report of operations and audited financial and performance statements)	2020-2021 Annual Report presented at a meeting of the Council in accordance with section 100 of the Act Date statements presented: November 1, 2021	
<b>22</b> <b>Councillor Code of Conduct</b> (Code under section 139 of the Act setting out the standards of conduct to be followed by Councillors and other matters)	Code of Conduct reviewed and adopted on February 1, 2021.	
<b>23</b> <b>Delegations</b> (documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff, in accordance with sections 11 and 47 of the Act)	Delegations reviewed in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act. Reviewed September 5, 2021.	
<b>24</b> <b>Meeting procedures</b> (Governance Rules under section 60 of the Act governing the conduct of meetings of Council and delegated committees)	Governance Rules adopted in accordance with section 60 of the Act. Governance Rules adopted May 3, 2021.	

**I certify that this information presents fairly the status of council's governance and management arrangements.**



**Peter B Schneider**  
Chief Executive Officer  
Dated: 12 September 2022



**Cr Vicki Jellie**  
Mayor  
Dated: 12 September 2022



## STATUTORY INFORMATION

The following information is provided in accordance with legislative and other requirements applying to council.

### Documents available for public inspection

In accordance with regulation 12 of the Local Government (General) Regulations 2015 the following are prescribed documents that are available for public inspection or copies of the documents can be obtained for the purposes of section 222 of the Act at 25 Liebig Street, Warrnambool:

- a document containing details of overseas or interstate travel (other than interstate travel by land for less than three days) undertaken in an official capacity by councillor or any member of council staff in the previous 12 months
- minutes of ordinary and special meetings held in the previous 12 months which are kept under section 93 of the Act, other than those agendas and minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act
- the minutes of meetings of special committees established under section 86 of the Act and held in the previous 12 months, other than those minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act
- a register of delegations kept under sections 87(1) and 98(4) of the Act, including the date on which the last review took place under sections 86(6) and 98(6), respectively, of the Act
- a document containing details of all leases involving land which were entered into by the council as lessor, including the lessee and the terms and the value of the lease
- a register maintained under section 224(1A) of the Act of authorised officers appointed under that section
- a list of donations and grants made by the council in the previous 12 months, including the names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant.

### Contracts

From July 1, 2021, to October 4, 2021, Council entered into the following works contracts valued at more than \$200,000.

- Construction of Lake Pertobe Playspace & Waterplay
- Design & Construction of Edwards Bridge
- Construction of Lake Pertobe Carpark
- Bushfield Recreation Reserve Power & Lighting Upgrade

Over the same period it entered into the following good/services contracts valued at more than \$150,000.

- Wollaston Road Design Services
- WAG business case

From October 4, 2021, to June 30, 2022, Council entered into the following works contracts valued at more than \$300,000.

- Boat Ramp Construction
- FY2021 / 2022 Playground Renewal
- 21/22 & 22/23 Joint Infrastructure Agreement - Bitumen Resealing Works
- Port of Warrnambool Dredging
- Register of Contractors Supporting Minor Building Construction & Maintenance

Over the same period Council entered into the following goods/services contracts valued at more than \$300,000.

- Supply & Installation of Solar Panels
- Cleaning Services at Main Council Buildings
- Provision of Security Services 2022
- IT Hardware/Computer Refresh

Council also awarded a works contract in excess of \$300,000 for the redevelopment of the Jetty Flat Pavilion. A public tender for this work was advertised December 18, 2021, inviting tender submissions from suitably qualified and experienced contractors. Close of tenders was February 4, 2022, and no submissions were received. Council then invited local building contractors to submit tender prices with updated practical completion dates. Following this process a contract was awarded at the June 6, 2022 meeting of Council.

### Disability action plan

In accordance with section 38 of the Disability Act 2006, as council has prepared a Disability Action Plan it must report on the implementation of the Disability Action Plan in its annual report. Council has prepared a Disability Action Plan and implemented the following actions:

- develop and implement a Volunteer Strategy that integrates the needs of people with a

- disability
- promote events such as Carers Week and International Day of People with a Disability

## Domestic animal management plan

In accordance with the Domestic Animals Act 1994 Section 68a, council is required to prepare a Domestic Animal Management Plan at four yearly intervals and evaluate its implementation in the annual report.  
Council adopted the Domestic Animal Management Plan 2021–22 in October 2021.

## Food Act Ministerial directions

In accordance with section 7E of the Food Act 1984, council is required to publish a summary of any Ministerial Directions received during the financial year in its annual report. No such Ministerial Directions were received by council during the financial year.

## Freedom of information

In accordance with section 7(4AA)(a) and 7(4AA)(b) of the Freedom of Information Act 1982, council is required to publish certain statements in their annual report or separately such as on its website, concerning its functions and information available. Council has chosen to publish the statements separately however provides the following summary of the application and operation of the Freedom of Information Act 1982.

Access to documents may be obtained through written request to the Freedom of Information Officer, as detailed in section 17 of the Freedom of Information Act 1982 and in summary as follows:

- it should be in writing
- it should identify as clearly as possible which document is being requested
- it should be accompanied by the appropriate application fee (the fee may be waived in certain circumstances).

Requests for documents in the possession of council should be addressed to the Freedom of Information Officer. Requests can also be lodged online or by email.

Access charges may also apply once documents have been processed and a decision on access is made (e.g. photocopying and search and retrieval charges).

Further information regarding FOI can be found at

[www.foi.vic.gov.au](http://www.foi.vic.gov.au) and on the Warrnambool City council website, [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

## Protected disclosure procedures

In accordance with section 69 of the Protected Disclosure Act 2012 a council must include in their annual report information about how to access the procedures established by the council under Part 9 of that Act. It is also required to provide certain information about the number and types of protected disclosures complaints investigated during the financial year.

The Protected Disclosure Act 2012 aims to ensure openness and accountability in government by encouraging people to disclose improper conduct within the public sector and provide protection for people who make disclosures. Procedures on how to make a disclosure are publicly available council's website.

During the 2021-2022 year no disclosures were notified to council officers appointed to receive disclosures, or to IBAC.

## Road management Act Ministerial direction

In accordance with section 22 of the Road Management Act 2004, a council must publish a copy or summary of any Ministerial direction in its annual report. No such Ministerial Directions were received by council during the financial year.

Infrastructure and development contributions  
In accordance with section 46GM and 46QD of the Planning and Environment Act 1987, a council that is a collecting or development agency must prepare and give a report to the Minister for Planning on infrastructure and development contributions including levies and works in kind. The report must be published in a council's annual report.  
For the 2021-22 year the following information about infrastructure and development contributions is disclosed.

## Infrastructure contributions

Total DCP levies received in 2021-22

DCP name (year approved)	Levies received in 2021-22 financial year \$
North of the Merri DCP (2011)	-
North Dennington DCP (2014)	-
Total	-

DCP land, works, services or facilities accepted in-kind in 2021-22

DCP name (year approved)	Project ID	Project description	Item purpose	Project value \$
North of the Merri DCP (2011)	DR02	Riverland Estate Stage 4	Drainage Assets provided in-kind	\$377,236
North Dennington DCP (2014)	RO02			\$-
Total				\$377,236

Total DCP contributions received and expended to date

DCP name (year approved)	Total levies received \$	Total levies expended \$	Total works-in-kind accepted \$	Total ICP contributions received (levies and works-in-kind) \$
North of the Merri DCP (2011)	1,406,804.52	979,551.28	504,321.00	1,911,125.52
North Dennington DCP (2014)	0.00	-	289,114.00	289,114.00
Total	\$1,406,805	\$979,551	\$793,435	\$2,200,240



WARRNAMBOOL  
CITY COUNCIL

PERFORMANCE  
STATEMENT  
**FOR THE YEAR ENDED  
30 JUNE 2022**



## Independent Auditor's Report

### To the Councillors of Warrnambool City Council

<b>Opinion</b>	<p>I have audited the accompanying performance statement of Warrnambool City Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• description of municipality for the year ended 30 June 2022</li> <li>• sustainable capacity indicators for the year ended 30 June 2022</li> <li>• service performance indicators for the year ended 30 June 2022</li> <li>• financial performance indicators for the year ended 30 June 2022</li> <li>• other information and</li> <li>• certification of the performance statement.</li> </ul> <p>In my opinion, the performance statement of Warrnambool City Council in respect of the year ended 30 June 2022 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 4 of the <i>Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020</i>.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the performance statement</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the performance statement in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the performance statement</b>	<p>The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the <i>Local Government Act 2020</i> and the <i>Local Government (Planning and Reporting) Regulations 2020</i> and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of a performance statement that is free from material misstatement, whether due to fraud or error.</p>

**Auditor's  
responsibilities for the  
audit of the  
performance  
statement**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement.

As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOURNE  
16 September 2022



Travis Derricott  
*as delegate for the Auditor-General of Victoria*



# PERFORMANCE STATEMENT

For the year ended 30 June 2022

## Description of municipality

The municipality of Warrnambool covers 120sqkm in Victoria's South West.

It includes the city of Warrnambool and townships of Allansford, Bushfield and Woodford. Warrnambool is 263km south-west of Melbourne and connected to the capital via the Princes Highway and by rail.

It has annual population growth of about one per cent, a population of 35,600 and is the most populous city in the South West.

It contains the coastal city of Warrnambool and the towns of Allansford, Bushfield and Woodford. Warrnambool has a growing population and over recent years has attracted people seeking a seachange and those from the region who are seeking professional and educational opportunities. Stunning Lady Bay provides a focal point and major attraction for residents and visitors and in winter and spring the bay is home to southern right whales and their calves.

Warrnambool serves as a centre for a regional population of about 120,000 people. It contains a TAFE college, a Deakin University campus including a School of Medicine and a base hospital which is part of South West Healthcare. The major employment sectors are health care and social assistance, retail, manufacturing, education and training, accommodation and food services, professional services and construction.

Warrnambool has a moderate climate with an average maximum summer temperature of about 24°C, while the average winter maximum is about 14°C. The Great South Coast region features major visitor attractions including the 12 Apostles, Tower Hill and Budj Bim National Park.

Along with the natural attractions visitors are drawn to events including the speedway car racing, the May Racing Carnival and surf lifesaving events. The region also features some of Australia's most fertile agricultural land much of which is dedicated to dairy and beef production. Major dairy manufacturers and a large meat processor are situated in and around Warrnambool providing a major source of employment.

Warrnambool's economy generates an annual output of \$4.743 billion accounting for over 25 per cent of the Great South Coast region's economic output from less than one per cent of the land area.

## Overview of 2021-2022

Throughout the course of the financial year COVID-safe measures began to ease which in turn meant that a number of Council entities including the Library and AquaZone began to return to more usual operation levels.

A number of substantial capital works projects were begun in the financial year including the replacement of Edwards Bridge and the upgrade of Lake Pertobe Adventure Playspace.

The redevelopment of Reid Oval as the premier regional sportsground was completed while work continued on the new library, situated on the campus of South West TAFE.



New indented parking along Botanic Road.



## Sustainable Capacity Indicators

For the year ended 30 June 2022

### Results

Indicator / measure [formula]	2019	2020	2021	2022	Comment
<b>Population</b>					
Expenses per head of municipal population [Total expenses / Municipal population]	\$2,154.41	\$2,052.59	\$2,044.55	\$2,102.06	
Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$13,443.32	\$13,267.27	\$13,429.52	\$16,094.87	A revaluation of all infrastructure assets and buildings occurred in 2021/22 and there were significant increases in construction costs.
Population density per length of road [Municipal population / Kilometres of local roads]	104.31	104.71	104.82	104.11	
<b>Own-source revenue</b>					
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,629.60	\$1,685.48	\$1,617.14	\$1,813.41	There has been an increase in user fees resulting from less COVID19 restrictions particularly in the second half of the financial year. Rates continue to increase via growth and increases in line with the rate cap. In addition, there was a substantial property insurance settlement received for the Florence Collins Child Care Centre building maintenance issue of \$1.285m.
<b>Recurrent grants</b>					
Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$394.38	\$342.09	\$359.36	\$389.45	
<b>Disadvantage</b>					
Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	5.00	5.00	5.00	5.00	
<b>Workforce turnover</b>					
Percentage of staff turnover [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	10.0%	13.1%	10.5%	13.1%	The staff turnover rate for the 2021/22 financial year is slightly higher than Councils historical averages. Primarily this increase is related to COVID19 vaccine mandates which compromised the ability of employees who chose not to be vaccinated to participate in the workforce.

## Definitions

“adjusted underlying revenue” means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

“infrastructure” means non-current property, plant and equipment excluding land

“local road” means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

“population” means the resident population estimated by council

“own-source revenue” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

“relative socio-economic disadvantage”, in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

“SEIFA” means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

“unrestricted cash” means all cash and cash equivalents other than restricted cash.

## Service Performance Indicators

For the year ended 30 June 2022

### Results

Service/indicator/measure [formula]	2019	2020	2021	2022	Comment
<b>Aquatic Facilities</b>					
<b>Utilisation</b>					
Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]	6.85	4.37	3.65	3.96	Reduction in COVID closures this financial year but still periods of tight restrictions with about 8-9 months of non impacted operations.
<b>Animal Management</b>					
<b>Health and safety</b>					
Animal management prosecutions [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	New in 2020	0%	0%	0%	During the 2021-22 financial year, Council did not initiate any animal management prosecutions as there were no incidents that warranted a prosecution.
<b>Food Safety</b>					
<b>Health and safety</b>					
Critical and major non-compliance outcome notifications [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	84.21%	100.00%	47.22%	100.00%	All major non-compliance issues have been made a priority which causes the number of standard food safety assessments able to be performed reduce.
<b>Governance</b>					
<b>Satisfaction</b>					
Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	48	38	49	58	The increase in community satisfaction with Council's decisions is a reflection of Council's transparency and commitment to informed, fact based decision making in accordance with the role of Councillors under the Local Government Act 2020.
<b>Libraries</b>					
<b>Participation</b>					
Active library borrowers in municipality [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	13.77%	13.87%	12.36%	11.22%	In 2021/22 the Warrnambool Library conducted an active member review, purging all cards that had been inactive or not updated by 31st of May 2022.

Maternal and Child Health (MCH)					
Participation					
Participation in the MCH service [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	76.99%	77.68%	82.25%	82.97%	Warrnambool City Council has targeted assertive outreach to re-engage families who typically fall away from the 2-year-old Key Age and Stage visits.
Participation					
Participation in the MCH service by Aboriginal children [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	73.24%	80.00%	86.81%	93.21%	Warrnambool City Council has signed a Memorandum of Understanding with Gunditjmara Aboriginal Cooperative to deliver Maternal and Child Health services to families who identify as Aboriginal, via a cultural coordinator who works with the Maternal and Child Health staff to undertake Maternal and Child Health Key Age and Stage visits.
Roads					
Satisfaction					
Satisfaction with sealed local roads [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	58	48	59	60	The public perceptions in relation to this category relate predominately to the State road network. Warrnambool's local road network is at a high standard.
Statutory Planning					
Decision making					
Council planning decisions upheld at VCAT [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	50.00%	0.00%	50.00%	0.00%	During the 2021/22 financial year, there were no VCAT decisions made in relation to planning applications.
Waste Collection					
Waste diversion					
Kerbside collection waste diverted from landfill [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	47.78%	64.30%	64.44%	66.24%	Council continues to see increased diversion from landfill with the glass bin rollout meaning recycling is front of mind for ratepayers.

## Definitions

“Aboriginal child” means a child who is an Aboriginal person

“Aboriginal person” has the same meaning as in the Aboriginal Heritage Act 2006

“active library borrower” means a member of a library who has borrowed a book from the library

“annual report” means an annual report prepared by a council under section 98 of the Act

“class 1 food premises” means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act

“class 2 food premises” means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act

“critical non-compliance outcome notification” means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

“food premises” has the same meaning as in the Food Act 1984

“local road” means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

“major non-compliance outcome notification” means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

“MCH” means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

“population” means the resident population estimated by council



## Financial Performance Indicators

For the year ended 30 June 2022

	Results				Forecasts				
Dimension/indicator/ measure	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations and Comments
<b>Efficiency</b>									
<b>Expenditure level</b>									
Expenses per property assessment [Total expenses / Number of property assessments]	\$4,319.97	\$4,136.33	\$4,122.63	\$4,177.02	\$4,368.61	\$4,451.73	\$5,207.30	\$4,579.33	
<b>Revenue level</b>									
Average rate per prop- erty assessment [Total rate revenue (general rates and municipal charges) / Number of property assessments]	New in 2020	\$1,946.27	\$1,996.37	\$2,026.28	\$2,059.08	\$2,092.55	\$2,126.26	\$2,166.31	
<b>Liquidity</b>									
<b>Working capital</b>									
Current assets compared to current liabilities [Current assets / Cur- rent liabilities] x100	171.63%	158.72%	158.93%	196.17%	140.78%	140.18%	133.56%	152.60%	Council's cash balance increased due to the receipt of a number of grants for projects that will commence in 2022/23, the major one being the Port boat ramp upgrade. Council also received 75% of the 2022/23 Victoria Grants Commission payment in 2021/22, there was an increase in user fees and salary costs were lower than expected due to vacancies. A number of multi-year capital projects or capital projects scheduled for 2021/22 that were not completed have been rolled over into 2022/23 which will reduce the ratio in that year before averaging out over the coming years.

Unrestricted cash								
Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	66.21%	125.43%	77.97%	109.24%	88.03%	86.74%	80.77%	96.80%
Council's cash balance increased due to the receipt of a number of grants for projects that will commence in 2022/23, the major one being the Port boat ramp upgrade. Council also received 75% of the 2022/23 Victoria Grants Commission payment in 2021/22, there was an increase in user fees and salary costs were lower than expected due to vacancies. A number of multi-year capital projects or capital projects scheduled for 2021/22 that were not completed have been rolled over into 2022/23 which will reduce the ratio in that year before averaging out over the coming years.								
Obligations								
Loans and borrowings								
Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	26.23%	20.39%	19.54%	24.54%	31.32%	32.11%	33.61%	31.61%
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	4.84%	4.85%	4.28%	4.42%	4.74%	5.43%	5.59%	5.79%
Council borrowed funds in 2021/22 for the Reid Oval upgrade. Council also borrowed funds for the Library and Learning Centre with part of the funds being drawn down in 2021/22 and the balance being drawn down in 2022/23. In the forecast period, Council is intending to borrow funds to complete some major capital projects.								
Loan repayments increased in 2021/22 as Council borrowed funds for the Reid Oval upgrade and the Learning and Library Hub. Part of the funds were drawn down in 2021/22 for the Learning and Library Hub with the balance being drawn down in 2022/23. In the forecast period, Council is intending to borrow more funds to complete some major capital projects.								





## REPORT OF OPERATIONS THE YEAR IN REVIEW

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ANNUAL REPORT 2021 - 2022

Indebtedness								
Non-current liabilities compared to own source revenue	16.79%	15.09%	15.42%	17.03%	20.48%	20.43%	21.06%	19.67%
[Non-current liabilities / Own source revenue] x100								Council borrowed funds in 2021/22 for the Reid Oval upgrade and the Learning and Library Hub. In the forecast period, Council is intending to borrow significant funds to complete some major capital projects.
Asset renewal and upgrade								
Asset renewal and upgrade compared to depreciation	New in 2020	101.76%	115.13%	131.15%	212.19%	112.50%	92.05%	126.22%
[Asset renewal and asset upgrade expense / Asset depreciation] x100								Council received significant grant funds for projects that had elements of renewal, in particular, the Reid Oval upgrade which was completed in 2021/22. In the forecast period, the level of asset renewal will fluctuate depending on the major capital works and level of government funding.
Operating position								
Adjusted underlying result								
Adjusted underlying surplus (or deficit)	-1.03%	3.21%	0.81%	7.57%	1.42%	1.65%	1.56%	3.90%
[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100								Council aims for a breakeven underlying surplus however it was higher in 2021/22 due to a number of reasons including: - 75% of the 2022/23 Victorian Local Government Grants Commission funding was received in 2021/22; - Property insurance settlement received for the Florence Collins Child Care Centre building maintenance issue (\$1.285m); - User fees increased higher than the previous year due to increased usage across multiple services post COVID19; - Reduced expenditure in materials and services with some savings in costs due to COVID19 restrictions and the inability to engage professional staff for some projects; - Salary costs lower than expected due to vacancies across the organisation (\$1.699m). In the forecast period, Council expects the underlying surplus to only be slightly above breakeven.

Stability								
Rates concentration								
Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	51.47%	54.58%	57.11%	53.35%	55.58%	55.50%	48.43%	54.95%
Rates effort								
Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.57%	0.58%	0.58%	0.57%	0.43%	0.43%	0.43%	0.43%



Retired indicators	Results	Comment
Service / indicator / measure	2019	
<b>Animal Management</b>		
<b>Health and safety</b>		
Animal management prosecutions [Number of successful animal management prosecutions]	0	This measure was replaced by Animal management prosecutions (%) for 2020.
<b>Efficiency</b>		
<b>Revenue level</b>		
Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,920.58	This measure was replaced by Average rate per property assessment for 2020.
<b>Obligations</b>		
<b>Asset renewal</b>		
Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	110.26%	This measure was replaced by Asset renewal and upgrade compared to depreciation for 2020.

## Definitions

“adjusted underlying revenue” means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

“adjusted underlying surplus (or deficit)” means adjusted underlying revenue less total expenditure

“asset renewal expenditure” means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

“current assets” has the same meaning as in the AAS

“current liabilities” has the same meaning as in the AAS

“non-current assets” means all assets other than current assets

“non-current liabilities” means all liabilities other than current liabilities

“non-recurrent grant” means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council’s Strategic Resource Plan

“own-source revenue” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

“population” means the resident population estimated by council

“rate revenue” means revenue from general rates, municipal charges, service rates and service charges

“recurrent grant” means a grant other than a non-recurrent grant

“residential rates” means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

“restricted cash” means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

“unrestricted cash” means all cash and cash equivalents other than restricted cash.

# OTHER INFORMATION

For the year ended 30 June 2022

## 1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report.

The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its financial plan on 28 June 2021 and which forms part of the council plan. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting council.

## Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.



**John Brockway CPA**  
Principal Accounting Officer  
Dated: 12 September 2022

In our opinion, the accompanying performance statement of the Warrnambool City Council for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the Local Government (Planning and Reporting) Regulations 2020 to certify this performance statement in its final form.



**Cr Ben Blain**  
Councillor  
Dated: 12 September 2022



**Cr Angie Paspaliaris**  
Councillor  
Dated: 12 September 2022



**Peter B Schneider**  
Chief Executive Officer  
Dated: 12 September 2022





WARRNAMBOOL  
CITY COUNCIL

ANNUAL  
FINANCIAL REPORT  
**FOR THE YEAR  
ENDED 30 JUNE 2022**





## Independent Auditor's Report

### To the Councillors of Warrnambool City Council

<b>Opinion</b>	<p>I have audited the financial report of Warrnambool City Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• balance sheet as at 30 June 2022</li> <li>• comprehensive income statement for the year then ended</li> <li>• statement of changes in equity for the year then ended</li> <li>• statement of cash flows for the year then ended</li> <li>• statement of capital works for the year then ended</li> <li>• notes to the financial statements, including significant accounting policies</li> <li>• certification of the financial statements.</li> </ul> <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2022 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 4 of the <i>Local Government Act 2020</i>, the <i>Local Government (Planning and Reporting) Regulations 2020</i> and applicable Australian Accounting Standards.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the financial report</b>	<p>The Councillors of the council are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the <i>Local Government Act 2020</i> and the <i>Local Government (Planning and Reporting) Regulations 2020</i>, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.</p>

**Auditor's responsibilities for the audit of the financial report**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors
- conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



MELBOURNE  
16 September 2022

Travis Derricott  
*as delegate for the Auditor-General of Victoria*

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Balance Sheet  
Statement of Changes in Equity  
Statement of Cash Flows  
Statement of Capital Works

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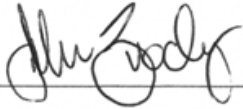
9.2 Reconciliation of cash flows from operating activities to surplus

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### Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.



John Brockway CPA

**Principal Accounting Officer**

12 September 2022

Warrnambool

In our opinion, the accompanying financial statements present fairly the financial transactions of Warrnambool City Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.



Cr Angie Paspaliaris

**Councillor**

12 September 2022

Warrnambool



Cr Benjamin Blain

**Councillor**

12 September 2022

Warrnambool



Peter B Schneider

**Chief Executive Officer**

12 September 2022

Warrnambool

## Warrnambool City Council

2021/2022 Financial Report

### Annual Financial Report for the year ended 30 June 2022

### Victorian Auditor-General's Office Report

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Insert VAGO Report here

Warrnambool City Council

2021/2022 Financial Report

Annual Financial Report  
for the year ended 30 June 2022

Victorian Auditor-General's Office Report (continued)

Insert VAGO Report here

ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2022





## Understanding Council's Financial Statements

### Introduction

Each year, individual Local Governments across Victoria are required to present a set of audited financial statements to their council and community.

### What you will find in the Report

The financial report set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2022.

The format of the financial report is standard across all Victorian Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by Local Government Victoria.

### About the Certification of the Financial Statements

The financial statements must be certified by senior staff and Councillors as "presenting fairly" the Council's financial results for the year as well as Council's financial position, and are required to be adopted by Council - ensuring both responsibility for and ownership of the financial statements.

### About the Primary Financial Statements

The financial statements incorporate 5 "primary" financial statements:

#### 1. Comprehensive Income Statement

Summarises Council's financial performance for the year, listing all income & expenses.

Includes other comprehensive income which primarily records changes in the fair values of Council's property, infrastructure, plant and equipment.

#### 2. Balance Sheet

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

#### 3. Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

#### 4. Statement of Cash Flows

Indicates where Council's cash came from and where it was spent.

#### 5. Statement of Capital Works

This statement details all amounts expended by Council on capital works.

### About the Notes to the Financial Report

The Notes to the financial statements provide greater detail and additional information on the 5 primary financial statements.

### About the Auditor's Reports

Council's financial statements are required to be audited by the Victorian Auditor General's Office.

The auditor provides an audit report which gives an opinion on whether the financial statements present fairly the Council's financial performance and position.

### Who uses the Financial Report?

The financial report is a publicly available document and is used by (but not limited to) Councillors, residents and ratepayers, employees, suppliers, contractors, customers, Local Government Victoria, state and federal governments, and financiers including banks and other financial institutions.

The financial statements must be presented at a Council meeting (open to the public) by 31 October.

## Comprehensive Income Statement for the year ended 30 June 2022

	Notes	2022 \$ '000	2021 \$ '000
<b>Income</b>			
Rates and charges	3.1	43,202	41,828
Statutory fees and fines	3.2	2,239	2,079
User fees	3.3	16,261	12,593
Grants - operating	3.4	14,481	14,686
Grants - capital	3.4	8,157	4,659
Contributions - monetary	3.5	1,278	1,734
Found assets	3.8	102	61
Contributions - non monetary	3.5	4,705	6,132
Net gain on disposal of property, infrastructure, plant and equipment	3.6	126	8
Share of net profits/(loss) of associates and joint ventures	6.2	—	(49)
Other income	3.7	2,742	954
<b>Total income</b>		<b>93,293</b>	<b>84,685</b>
<b>Expenses</b>			
Employee costs	4.1	35,990	33,563
Materials and services	4.2	25,228	25,601
Depreciation	4.3	12,435	12,099
Amortisation - Right of use assets	4.4	282	260
Bad and doubtful debts	4.5	37	160
Borrowing costs	4.6	211	264
Finance Costs - Leases	4.7	35	34
Other expenses	4.8	630	619
<b>Total expenses</b>		<b>74,848</b>	<b>72,600</b>
<b>Surplus for the year</b>		<b>18,445</b>	<b>12,085</b>
<b>Other comprehensive income:</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment/(decrement)	6.1	84,582	—
<b>Total items which will not be reclassified subsequently to the operating result</b>		<b>84,582</b>	<b>—</b>
<b>Total other comprehensive income</b>		<b>84,582</b>	<b>—</b>
<b>Total comprehensive result</b>		<b>103,027</b>	<b>12,085</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

## Balance Sheet

as at 30 June 2022

	Notes	2022 \$ '000	2021 \$ '000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1	12,838	10,314
Trade and other receivables	5.1	3,552	2,923
Other financial assets	5.1	25,000	20,000
Inventories	5.2	202	175
Other assets	5.2	2,169	1,186
<b>Total current assets</b>		<b>43,761</b>	<b>34,598</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1	1	5
Other financial assets	5.1	2	2
Property, infrastructure, plant and equipment	6.1	737,030	640,290
Right-of-use assets	5.8	1,225	1,427
<b>Total non-current assets</b>		<b>738,258</b>	<b>641,724</b>
<b>Total assets</b>		<b>782,019</b>	<b>676,322</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3	5,322	4,667
Trust funds and deposits	5.3	2,034	1,694
Unearned income/revenue	5.3	6,291	6,718
Provisions	5.5	6,813	6,844
Interest-bearing liabilities	5.4	1,562	1,586
Lease liabilities	5.8(b)	286	261
<b>Total current liabilities</b>		<b>22,308</b>	<b>21,770</b>
<b>Non-current liabilities</b>			
Provisions	5.5	992	1,092
Interest-bearing liabilities	5.4	9,039	6,587
Lease liabilities	5.8(b)	963	1,183
<b>Total non-current liabilities</b>		<b>10,994</b>	<b>8,862</b>
<b>Total liabilities</b>		<b>33,302</b>	<b>30,632</b>
<b>Net assets</b>		<b>748,717</b>	<b>645,690</b>
<b>Equity</b>			
Accumulated surplus		265,259	248,976
Reserves	9.1	483,458	396,714
<b>Total Equity</b>		<b>748,717</b>	<b>645,690</b>

The above balance sheet should be read in conjunction with the accompanying notes.

## Statement of Changes in Equity for the year ended 30 June 2022

	Note	Total \$ '000	Accumulated Surplus \$ '000	Revaluation Reserves \$ '000	Other Reserves \$ '000
<b>2022</b>					
<b>Balance at beginning of the financial year</b>		645,690	248,976	384,874	11,840
<b>Surplus/(deficit) for the year</b>		18,445	18,445	—	—
<b>Other comprehensive income</b>					
Net asset revaluation increment/(decrement)	6.1	84,582	—	84,582	—
Other comprehensive income from investment in associates		—	—	—	—
<b>Other comprehensive income</b>		84,582	—	84,582	—
<b>Total comprehensive income</b>		103,027	18,445	84,582	—
Transfers to other reserves	9.1	—	(2,781)	—	2,781
Transfers from other reserves	9.1	—	619	—	(619)
<b>Balance at end of the financial year</b>		748,717	265,259	469,456	14,002
<b>2021</b>					
<b>Balance at beginning of the financial year</b>		633,605	239,575	385,580	8,450
<b>Surplus/(deficit) for the year</b>		12,085	12,085	—	—
<b>Other comprehensive income</b>					
Other comprehensive income from investment in associates		—	—	—	—
<b>Other comprehensive income</b>		—	—	—	—
<b>Total comprehensive income</b>		12,085	12,085	—	—
Transfers to other reserves	9.1	—	(2,936)	(706)	3,642
Transfers from other reserves	9.1	—	252	—	(252)
<b>Balance at end of the financial year</b>		645,690	248,976	384,874	11,840

The above statement of changes in equity should be read in conjunction with the accompanying notes.

## Statement of Cash Flows

for the year ended 30 June 2022

		2022	2021
		Inflows/ (Outflows) \$ '000	Inflows/ (Outflows) \$ '000
	Notes		
<b>Cash flows from operating activities</b>			
Rates and charges		43,630	41,748
Statutory fees and fines		1,905	2,259
User fees		15,357	12,067
Grants - operating		16,046	15,099
Grants - capital		6,185	7,247
Contributions - monetary		1,278	1,734
Interest received		47	183
Trust funds and deposits taken		5,223	839
Other receipts		1,635	564
Net GST refund/(payment)		209	(392)
Employee costs		(35,895)	(34,152)
Materials and services		(24,544)	(22,822)
Short-term, low value and variable lease payments		(234)	(300)
Trust funds and deposits repaid		(4,883)	(195)
Other payments (incl. Interest paid)		(841)	(883)
<b>Net cash provided by/(used in) operating activities</b>	9.2	<b>25,118</b>	<b>22,996</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	6.1	(20,141)	(19,261)
Proceeds from sale of property, infrastructure, plant and equipment		429	641
Payments for investments		(11,000)	(21,280)
Proceeds from sale of investments		6,000	17,951
<b>Net cash provided by/(used in) investing activities</b>		<b>(24,712)</b>	<b>(21,949)</b>
<b>Cash flows from financing activities</b>			
Proceeds from borrowings		4,125	1,400
Repayment of borrowings		(1,697)	(1,528)
Interest paid - lease liability		(35)	(34)
Repayment of lease liabilities		(275)	(249)
<b>Net cash flow provided by/(used in) financing activities</b>		<b>2,118</b>	<b>(411)</b>
<b>Net Increase (decrease) in cash and cash equivalents</b>		<b>2,524</b>	<b>636</b>
Cash and cash equivalents at the beginning of the financial year		10,314	9,678
<b>Cash and cash equivalents at the end of the financial year</b>		<b>12,838</b>	<b>10,314</b>
Financing arrangements	5.6	5,850	350
Restrictions on cash assets	5.1	2,295	1,884

The above statement of cash flows should be read in conjunction with the accompanying notes.

## Statement of Capital Works

for the year ended 30 June 2022

	2022 \$ '000	2021 \$ '000
<b>Property</b>		
Land	429	57
Land improvements	—	—
<b>Total land</b>	<b>429</b>	<b>57</b>
Buildings specialised	2,875	740
Buildings non-specialised	—	14
Building improvements	—	15
<b>Total buildings</b>	<b>2,875</b>	<b>769</b>
<b>Total property</b>	<b>3,304</b>	<b>826</b>
<b>Plant and equipment</b>		
Plant, machinery and equipment	987	1,697
Fixtures, fittings and furniture	—	113
Computers and telecommunications	422	647
Library books	150	—
Paintings and exhibits	69	37
<b>Total plant and equipment</b>	<b>1,628</b>	<b>2,494</b>
<b>Infrastructure</b>		
Roads	4,609	4,333
Bridges	2,615	642
Footpaths and cycleways	754	1,069
Drainage	499	105
Recreational, leisure and community facilities	—	125
Parks, open space and streetscapes	6,733	6,192
Aerodromes	—	5
Off street car parks	—	46
Other infrastructure	1	1,200
<b>Total infrastructure</b>	<b>15,211</b>	<b>13,717</b>
<b>Total capital works expenditure</b>	<b>20,143</b>	<b>17,037</b>
<b>Represented by:</b>		
New asset expenditure	3,828	3,022
Asset renewal expenditure	14,103	9,976
Asset expansion expenditure	6	85
Asset upgrade expenditure	2,206	3,954
<b>Total capital works expenditure</b>	<b>20,143</b>	<b>17,037</b>

The above statement of capital works should be read in conjunction with the accompanying notes.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 1. Overview

#### Introduction

Warrnambool City Council was established by an Order of the Governor in Council on 20 September 1994 and is a body corporate.

The Council's main office is located at 25 Liebig Street, Warrnambool.

#### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

#### Significant accounting policies

##### (a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1.)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1.).
- the determination of employee provisions (refer to Note 5.5.).
- the determination of landfill provisions (refer to Note 5.5.)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not *AASB 1059 Service Concession Arrangements: Grantors* is applicable
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 1. Overview (continued)

#### (b) Impact of Covid-19

During 2021-22 the COVID-19 pandemic continued to impact Council's operations. Council has noted the following significant impacts on its financial operations:

- Additional revenue: Council received COVID-19 related grants of \$878,080 across Community Development, City Growth and Corporate Strategies directorates.
- Revenue reductions: The first half of the financial year saw reductions in revenue at Aquazone, Flagstaff Hill and the Holiday Parks. This was offset by reductions in related expenses.
- Revenue foregone: Council took decreased parking management fees of \$309,607 compared to the original budget.
- Additional costs: COVID-19 requirements for extra staff and additional cleaning contributed to increased costs across Council venues.

### Note 2.1. Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of greater than 10 percent and at least \$500,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

	Budget 2022 \$ '000	Actual 2022 \$ '000	Variance \$ '000	Variance %	Ref
<b>2.1.1 Income and expenditure</b>					
<b>Income</b>					
Rates and charges	42,906	43,202	296	1%	
Statutory fees and fines	2,117	2,239	122	6%	
User fees	17,636	16,261	(1,375)	(8)%	
Grants - operating	12,626	14,481	1,855	15%	1
Grants - capital	5,313	8,157	2,844	54%	2
Contributions - monetary	563	1,278	715	127%	3
Contributions - non monetary	5,200	4,705	(495)	(10)%	4
Net gain on disposal of property, infrastructure, plant and equipment	—	126	126	∞	
Found Assets	—	102	102	∞	
Share of net profits of associates and joint ventures	—	—	—	∞	
Other income	418	2,742	2,324	556%	5
<b>Total income</b>	<b>86,779</b>	<b>93,293</b>	<b>6,514</b>	<b>8%</b>	
<b>Expenses</b>					
Employee costs	37,689	35,990	1,699	5%	
Materials and services	26,471	25,228	1,243	5%	
Depreciation	13,050	12,435	615	5%	
Amortisation - right of use assets	265	282	(17)	(6)%	
Bad and doubtful debts	131	37	94	72%	
Borrowing costs	302	211	91	30%	

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.1. Performance against budget (continued)

	Budget 2022 \$ '000	Actual 2022 \$ '000	Variance \$ '000	Variance %	Ref
Finance costs - leases	46	35	11	24%	
Net loss on disposal of property, infrastructure, plant and equipment	1,036	—	1,036	100%	6
Other expenses	841	630	211	25%	
<b>Total expenses</b>	<b>79,831</b>	<b>74,848</b>	<b>4,983</b>	<b>6%</b>	
<b>Surplus for the year</b>	<b>6,948</b>	<b>18,445</b>	<b>11,497</b>	<b>165%</b>	
<b>Other comprehensive income</b>					
Net asset revaluation increment / (decrement)	10,000	84,582	74,582	746%	7
<b>Total comprehensive result</b>	<b>16,948</b>	<b>103,027</b>	<b>86,079</b>	<b>508%</b>	

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.1. Performance against budget (continued)

#### (i) Explanation of material variations

##### Variance Explanation

- | Ref | Explanation  |
|-----|--|
| 1.  | The Victorian Local Government Grants Commission funding increased by \$286k compared to the budget and the advance payment of 2022/23 funding has resulted in an additional \$1.200m favourable variance. Unbudgeted government grants of \$670k relating to COVID19 support have been received by Council. There were some areas where grants were approved throughout the year relating to specific projects of \$100k.   |
| 2.  | Capital grant income was \$2.844m favourable to the Original Budget primarily due to the timing of projects. The Reid Oval Redevelopment grant was carried over from 2020/21 of \$3.402m and an additional \$500k received in 2021/22 for this project was unbudgeted along with \$1.293m for the Joint Use Learning and Library Hub due to timing of the projects. This variance is partially offset by some grant funds budgeted but not yet received including the Stanley Street Bridge Upgrade (\$700k) and the Local Roads and Community Infrastructure Program grant being allocated to unearned income (\$1.208m) as projects are being carried out over multiple years.   |
| 3.  | A number of unbudgeted developer contributions were paid during 2021/22 which are related to continued increase demand for property (\$253k). Some contributions received by Council that were not known at the time of adopting the budget include contributions for various Warrnambool Art Gallery projects (\$173k), a Social Prescribing project (\$49k) and a Volunteer management activity contribution (\$89k). Council also received external contributions towards the Jetty Flat Pavilion Redevelopment (\$27k) and the Bushfield Reserve Lighting Upgrade (\$56k) that were not included in the budget.  |
| 4.  | The level of non monetary contributions (gifted assets) is dependent on the level of development activity. The number of subdivisions that are completed vary from year to year and the timing of these assets transfers is outside of Council control and difficult to predict.   |
| 5.  | Council was required to relocate one of their child care centres due to building maintenance issues which was covered under insurance and now this claim has concluded with Council receiving a final settlement of \$1.285m. This was unbudgeted due to the uncertain nature of the claim. In addition, rebates were received from the National Carbon Bank of Australia and Powercor to assist in efficient street lighting installation (\$350k), a fuel tax credit review resulted in additional claims (\$56k), other insurance claims received (\$183k), a reimbursement of costs for a shared strategy review (\$55k) were received. These claims were unknown at the time of adopting the Original Budget. Recognition of the volunteer workforce at Lighthouse Theatre and Meals on Wheels (\$218k) and is offset with an equivalent amount in expenditure. |
| 6.  | During the 2021/22 financial year, Council made a profit on sale of its motor vehicles and heavy plant due to the strong second hand market for vehicles which resulted in improved sale prices.   |
| 7.  | Council has assessed the value of its asset base through a unit costing methodology. A revaluation of all infrastructure assets and building occurred in 2021/22 and there were significant increases in construction costs.   |

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.1. Performance against budget (continued)

	Budget 2022 \$ '000	Actual 2022 \$ '000	Variance \$ '000	Variance %	Ref
<b>2.1.2 Capital works</b>					
<b>Property</b>					
Land	—	429	429	∞	1
<b>Total land</b>	—	429	429	∞	
Buildings specialised	—	2,875	2,875	∞	2
Buildings non-specialised	—	—	—	∞	
Building improvements	2,679	—	(2,679)	(100)%	3
<b>Total buildings</b>	2,679	2,875	196	7%	
<b>Total property</b>	2,679	3,304	625	23%	
<b>Plant and equipment</b>					
Plant, machinery and equipment	980	987	7	1%	
Fixtures, fittings and furniture	—	—	—	∞	
Computers and telecommunications	316	422	106	34%	
Library books	270	150	(120)	(44)%	
Paintings and exhibits	35	69	34	97%	
<b>Total plant and equipment</b>	1,601	1,628	27	2%	
<b>Infrastructure</b>					
Roads	3,752	4,609	857	23%	4
Bridges	3,000	2,615	(385)	(13)%	
Footpaths and cycleways	1,673	754	(919)	(55)%	5
Drainage	340	499	159	47%	
Recreational, leisure and community facilities	1,850	—	(1,850)	(100)%	6
Parks, open space and streetscapes	519	6,733	6,214	1,197%	7
Aerodromes	30	—	(30)	(100)%	
Off street car parks	415	—	(415)	(100)%	
Other infrastructure	2,728	1	(2,727)	(100)%	8
<b>Total infrastructure</b>	14,307	15,211	904	6%	
<b>Total capital works expenditure</b>	18,587	20,143	1,556	8%	
<b>Represented by:</b>					
New asset expenditure	976	3,828	2,852	292%	9
Asset renewal expenditure	11,846	14,103	2,257	19%	10
Asset expansion expenditure	—	6	6	∞	
Asset upgrade expenditure	5,765	2,206	(3,559)	(62)%	11
<b>Total capital works expenditure</b>	18,587	20,143	1,556	8%	

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.1. Performance against budget (continued)

#### (i) Explanation of material variations

##### Variance Explanation

- | Ref | Explanation   |
|-----|---|
| 1.  | The purchase of a block of land for additional parking was expected to be purchased in the 2020/21 financial year, however the settlement date was in July 2021 and pushed into the 2021/22 financial year.   |
| 2.  | The Reid Oval pavilion was initially budgeted for completion in the 2020/21 financial year however the project ran into 2021/22 with a significant amount of spend occurring in the first part of the 2021/22 financial year. The saleyard upgrade works were classified as Buildings however, the budget for the saleyards work was classified as Other Infrastructure. Initial works on the new Joint Use Library was not budgeted however has commenced and has been classified under Buildings. |
| 3.  | This budget line will offset some of the costs in Buildings - Specialised. When the budget was set it was unknown which category of buildings to place the budget amount.   |
| 4.  | Part of Council's reseal program from 2020/21 was rolled over into 2021/22 and was completed in this financial year. The initial budget did not have this allowed for and it would have been taken up in Council's forecast variations during the year.   |
| 5.  | Council was unable to complete all of its footpath renewal program due to lack of contractor availability and the backlog of footpath projects from the prior year. Many of these projects will be rolled over into the 2022/23 financial year.   |
| 6.  | The budget for the Reid Oval ground work was incorrectly shown on the Recreational, leisure and community facilities line rather than the Parks, open space and streetscapes, which is where the actuals have been classified.  |
| 7.  | The majority of the actuals are for the Reid Oval ground work which was budgeted in prior years and funded from budget rollovers.   |
| 8.  | The saleyards upgrade works were budgeted in Other infrastructure however, the actual costs for the saleyards work has been classified as Buildings - specialised.  |
| 9.  | The Joint Use Library works have been classified as New which were not initially in the budget. The solar panel installation works was classified as Upgrade in the budget however, the actuals have been classified as New.  |
| 10. | The Reid Oval pavilion works was classified as Renewal. This item was not in the initial budget as it was rolled over works from 2020/21.   |
| 11. | The solar panel installation works was classified as Upgrade in the budget however, the actuals have been classified as New.  |

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.2. Analysis of Council results by program

#### 2.2.1 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

##### Corporate Strategies

The Corporate Strategies directorate is responsible for financial services, procurement, revenue, property and land management, leasing and legal issues, city assist (customer service), organisational development (human resources, occupational health and safety, learning and development), business improvement, information technology and records, communication services and the Warrnambool Livestock Exchange.

The directorate is largely responsible for servicing the administrative and legislative needs of other directorates with back-of-house systems and other support.

##### City Infrastructure

The City Infrastructure directorate provides infrastructure, capital works, asset management, waste management, environmental management, local laws, environmental health and services to the Port of Warrnambool and the Warrnambool Regional Airport. The directorate also assists in facility management and oversight of the council cleaning contract, through the building services team included in the facilities and projects branch. Administrative support is provided to a number of Project Control Groups, Reference Groups and where possible administration support is provided to other programs outside of the City Infrastructure directorate.

The directorate provides engineering services including investigation, design, processing of development approvals, project management and engineering supervision of key infrastructure projects. Strategy and policy advice is provided to council along with technical services and advice to the community. Provision of some contract management for projects in the capital works program as well as servicing the community by managing the city's road, drainage and footpath network, parks, recreational and sporting facilities and vehicle fleet.

The directorate is also responsible for local law enforcement, traffic and animal control and administration of school crossing supervision and is active in promoting and protecting the health of all residents and visitors through food safety monitoring, law enforcement of the Health Act, immunisation and public health education programs. The directorate's immunisation team have also actively assisted in the roll-out of the Covid-19 (Astra Zeneca) vaccine.

In 2021/22, the City Infrastructure team has overseen the implementation of a number of large capital works projects. These include the completion of the Reid Oval upgrade, a project valued at \$11m, the commencement of the Edwards Bridge construction at a value of approximately \$4.5m and the reconstruction of the Warrnambool Boat Ramp and Jetties at a value of \$2.2m. All of these projects have required the management of significant grant funds to enable them to be undertaken.

##### Community Development

The Community Development directorate plans for and provides a broad range of social, cultural, community, recreational and educational services and facilities to support residents of all ages and stages of life. The directorate receives funding from a variety of sources including State and Federal Government departments in order to subsidise and support the services provided. The directorate also works in partnership with a range of Government departments, and strategic partners and sectors in order to plan for and achieve the community's strategic goals and aspirations.

Services in the directorate include: community policy and planning, baby makes 3+, early years learning and development, maternal and child health, family and children's services, pre-schools, family day care, outside school hours care, Warrnambool Library, AquaZone, multi-purpose stadium, gymnastics stadium, recreation and planning, Warrnambool Art Gallery, Lighthouse Theatre, youth services, Archie Graham Community Centre, volunteer services, home and community care, meals on wheels, home maintenance, respite care, social support programs and a range of community projects.

##### City Growth

The City Growth Directorate is required to plan, facilitate and deliver growth of population, jobs and investment but with the added responsibility of maintaining the liveability of Warrnambool for residents and visitors. City Growth has a key role in engaging business and all tiers of government, as well as supporting regional growth in business and tourism.

The City Growth directorate provides many services including tourism development, visitor information centre, holiday parks, Flagstaff Hill Maritime Village, economic development and investment, business support, events, regional skilled migration programs (including the Great South Coast Designated Area Migration Agreement), city statutory planning and development, strategic planning to cater for new residential and commercial/industrial growth, building services, environment and sustainability projects and services, open space planning and graphical information support.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 2.2. Analysis of Council results by program (continued)

The directorate also has responsibility for supporting and adding value to the city's international relationships with Miura (Japan), Changchun (China), Knoxville (USA) and Mariestad (Sweden).

#### 2.2.2 Summary of income, expenses, assets and capital expenses by program

Functions/activities	Income \$ '000	Expenses \$ '000	Surplus / (Deficit) \$ '000	Grants included in income \$ '000	Total assets \$ '000
<b>2022</b>					
Corporate Strategies	58,507	24,315	34,192	6,396	49,361
City Infrastructure	7,601	18,935	(11,334)	3,473	718,243
Community Development	21,504	23,583	(2,079)	12,159	1,222
City Growth	5,681	8,015	(2,334)	610	13,193
<b>Total functions and activities</b>	<b>93,293</b>	<b>74,848</b>	<b>18,445</b>	<b>22,638</b>	<b>782,019</b>
<b>2021</b>					
Corporate Strategies	56,328	25,267	31,061	5,443	41,125
City Infrastructure	5,643	19,028	(13,385)	2,088	619,688
Community Development	18,344	19,819	(1,475)	11,317	2,316
City Growth	4,370	8,486	(4,116)	497	13,193
<b>Total functions and activities</b>	<b>84,685</b>	<b>72,600</b>	<b>12,085</b>	<b>19,345</b>	<b>676,322</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services

	2022 \$ '000	2021 \$ '000
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#### 3.1 Rates and charges

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is its imputed market value.

The valuation base used to calculate general rates for 2021/22 was \$7.526 billion (2020/21 \$7.204 billion).

Residential Rates	22,435	21,705
Municipal charge	5,067	4,927
Waste management charge	6,691	6,482
Commercial rates	5,240	5,153
Vacant Land rates	1,285	1,265
Industrial rates	1,840	1,714
Urban farm rates	442	416
Cultural and recreational land rates	87	87
Interest on rates and charges	115	79
<b>Total rates and charges</b>	<b>43,202</b>	<b>41,828</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2021, and the valuation will be first applied in the rating year commencing 1 July 2021.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

	2022 \$ '000	2021 \$ '000
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#### 3.2 Statutory fees and fines

Town planning and building	752	652
Parking fines	503	526
Animal control	448	520
Permits and certificates	348	210
Health and Local Laws	188	171
<b>Total statutory fees and fines</b>	<b>2,239</b>	<b>2,079</b>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.3 User fees</b>		
Children's services	4,123	3,665
Foreshore holiday parks	2,622	1,867
Regulatory control	1,779	1,393
Cultural centres	1,546	481
Indoor aquatic centre	1,339	829
Tourism and promotion	1,144	831
Livestock exchange	1,138	1,191
Property management	806	643
Multi Purpose Sports Stadium	766	672
Aged services fees	646	729
Other fees and charges	352	292
<b>Total user fees</b>	<b>16,261</b>	<b>12,593</b>

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.4 Funding from other levels of government</b>		
Grants were received in respect of the following:		
<b>Summary of grants</b>		
Commonwealth funded grants	9,466	6,630
State funded grants	13,172	12,715
<b>Total grants received</b>	<b>22,638</b>	<b>19,345</b>
<b>(a) Operating Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Victoria Grants Commission - Financial Assistance Grant	4,786	3,554
Victoria Grants Commission - local roads	858	697
Aged Services	2,076	1,959
Other	—	89
<b>Recurrent - State Government</b>		
Family and children	3,079	3,792
Aged services	542	882
Pension rebate	751	743
Cultural centres	713	344
School crossing supervision	197	187
Port operations	97	97
Environment initiatives	70	57
Other	48	168
<b>Total recurrent operating grants</b>	<b>13,217</b>	<b>12,569</b>
<b>Non-recurrent - Commonwealth Government</b>		
Other	9	1
<b>Non-recurrent - State Government</b>		
Family and children	345	1,022
Economic development	588	250
Aged services	84	212
Environment initiatives	71	209
Cultural centres	7	192
Recreation	9	90
Infrastructure Services	151	41
Other	—	100
<b>Total non-recurrent operating grants</b>	<b>1,264</b>	<b>2,117</b>
<b>Total operating grants</b>	<b>14,481</b>	<b>14,686</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>(b) Capital Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Roads to recovery	650	200
<b>Total recurrent capital grants</b>	<b>650</b>	<b>200</b>
<b>Non-recurrent - Commonwealth Government</b>		
Infrastructure services	1,087	130
<b>Non-recurrent - State Government</b>		
Other	1,396	430
Infrastructure services	860	901
Recreation	3,920	2,728
Port operations	244	270
<b>Total non-recurrent capital grants</b>	<b>7,507</b>	<b>4,459</b>
<b>Total capital grants</b>	<b>8,157</b>	<b>4,659</b>
<b>(c) Unspent grants received on condition that they be spent in a specific manner:</b>		
<b>Operating</b>		
Balance at start of year	700	2,329
Received during the financial year and remained unspent at balance date	2,272	2,958
Received in prior years and spent during the financial year	(698)	(4,587)
<b>Balance at year end</b>	<b>2,274</b>	<b>700</b>
<b>Capital</b>		
Balance at start of year	6,018	350
Received during the financial year and remained unspent at balance date	2,527	9,195
Received in prior years and spent during the financial year	(4,528)	(3,527)
<b>Balance at year end</b>	<b>4,017</b>	<b>6,018</b>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
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#### (d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

#### Income recognised under AASB 1058 Income of Not-for-Profit Entities

General purpose	13,037	12,452
Specific purpose grants to acquire non-financial assets	8,234	4,658
Other specific purpose grants	791	1,858

#### Revenue recognised under AASB 15 Revenue from Contracts with Customers

Specific purpose grants	576	377
	<b>22,638</b>	<b>19,345</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.5 Contributions</b>		
<b>Monetary contributions</b>		
Monetary	1,278	1,734
<b>Total monetary contributions</b>	<b>1,278</b>	<b>1,734</b>
<b>Non-monetary contributions</b>		
Non-monetary	4,705	6,132
<b>Total non-monetary contributions</b>	<b>4,705</b>	<b>6,132</b>
<b>Total contributions</b>	<b>5,983</b>	<b>7,866</b>

Contributions of non monetary assets were received in relation to the following asset classes.

Land	284	244
Roads	1,863	2,450
Bridges	–	29
Parks open spaces and streetscapes	–	211
Drainage	1,857	966
Footpaths and cycleways	701	1,296
Land under roads	–	922
Paintings and exhibits	–	14
<b>Total non-monetary contributions</b>	<b>4,705</b>	<b>6,132</b>

Monetary and non monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

	2022 \$ '000	2021 \$ '000
<b>3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>		
<b>Land and buildings</b>		
Proceeds of sale	–	309
Written down value of assets disposed	–	(250)
<b>Total net gain/(loss) on disposal of land and buildings</b>	<b>–</b>	<b>59</b>
<b>Plant and equipment</b>		
Proceeds of sale	429	332
Written down value of assets disposed	(289)	(185)
<b>Total net gain/(loss) on disposal of plant and equipment</b>	<b>140</b>	<b>147</b>
<b>Infrastructure Assets</b>		
Written down value of assets disposed	(14)	(198)
<b>Total net gain/(loss) on disposal of Infrastructure Assets</b>	<b>(14)</b>	<b>(198)</b>
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>126</b>	<b>8</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.7 Other income</b>		
Reimbursements	1,630	539
Interest	50	137
Infrastructure services	174	61
Family and community	14	4
Recreation and cultural programs	38	7
Recognition of in-kind volunteer support	218	79
Other	618	127
<b>Total other income</b>	<b>2,742</b>	<b>954</b>

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

	2022 \$ '000	2021 \$ '000
<b>3.8 Found Assets</b>		
<b>Found Assets were received in relation to the following asset classes</b>		
Roads	102	—
Drainage	—	57
Footpaths and cycleways	—	—
Recreation, Leisure and Community Facilities	—	—
Parks and Streetscapes	—	2
Plant and Equipment	—	2
<b>Total found assets</b>	<b>102</b>	<b>61</b>

Found assets are recorded if they are discovered when Council completes its maintenance program. This mainly occurs with assets that are underground such as drainage and drainage pits.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 4. The cost of delivering services

	2022 \$ '000	2021 \$ '000
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#### 4.1 Employee costs

##### (a) Employee costs

Wages and salaries	31,470	29,640
Superannuation	3,033	2,667
WorkCover	1,220	1,025
Fringe benefits tax	267	231
<b>Total employee costs</b>	<b>35,990</b>	<b>33,563</b>

##### (b) Superannuation

Council made contributions to the following funds:

##### Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	201	200
	<b>201</b>	<b>200</b>

##### Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	2,149	2,102
Employer contributions - other funds	683	365
	<b>2,832</b>	<b>2,467</b>

##### Total superannuation costs

	<b>3,033</b>	<b>2,667</b>
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Employer contributions payable at reporting date

358 331

Refer to Note 9.3 for further information relating to Council's superannuation obligations.

#### 4.2 Materials and services

Corporate services	4,762	5,661
Infrastructure services	5,330	5,891
Waste management	3,870	3,679
Recreation and cultural services	4,912	4,075
Tourism and promotion	1,594	1,648
Children's services	1,288	1,045
Health and local laws	1,086	1,021
Aged services	850	740
Foreshore caravan parks	587	679
Livestock Exchange	474	669
Family day care	136	145
Office administration	1	—
Other	338	348
<b>Total materials and services</b>	<b>25,228</b>	<b>25,601</b>

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 4. The cost of delivering services (continued)

	2022 \$ '000	2021 \$ '000
<b>4.3 Depreciation</b>		
<b>Property</b>		
Land improvements	16	18
Buildings - specialised	2,077	2,035
Buildings - non specialised	37	37
Building improvements	19	20
<b>Total depreciation - property</b>	<b>2,149</b>	<b>2,110</b>
<b>Plant and equipment</b>		
Plant machinery and equipment	1,004	952
Fixtures fittings and furniture	98	90
Computers and telecomms	619	524
Library books	62	–
<b>Total depreciation - plant and equipment</b>	<b>1,783</b>	<b>1,566</b>
<b>Infrastructure</b>		
Roads	4,389	4,282
Bridges	386	379
Footpaths and cycleways	1,307	1,263
Drainage	940	941
Recreational, leisure and community	103	124
Waste management	41	41
Parks open spaces and streetscapes	608	624
Aerodromes	257	258
Off street car parks	330	331
Other infrastructure	142	180
<b>Total depreciation - infrastructure</b>	<b>8,503</b>	<b>8,423</b>
<b>Total depreciation</b>	<b>12,435</b>	<b>12,099</b>

Refer to note 5.8 and 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

### 4.4 Amortisation - Right of use assets

Property	51	21
Plant & equipment	231	239
<b>Total Amortisation - Right of use assets</b>	<b>282</b>	<b>260</b>



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 4. The cost of delivering services (continued)

	2022 \$ '000	2021 \$ '000
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#### 4.5 Bad and doubtful debts

Local Laws debtors	24	135
Other debtors	13	25

<b>Total bad and doubtful debts</b>	<b>37</b>	<b>160</b>
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#### Movement in provisions for doubtful debts

Balance at the beginning of the year	870	743
New provisions recognised during the year	30	159
Amounts already provided for and written off as uncollectible	(17)	(30)
Amounts provided for but recovered during the year	(3)	(2)

<b>Balance at end of year</b>	<b>880</b>	<b>870</b>
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Provision for doubtful debt is recognised based on an expected credit loss model.

This model considers both historic and forward looking information in determining the level of impairment.

#### 4.6 Borrowing costs

Interest - Borrowings	211	264
<b>Total borrowing costs</b>	<b>211</b>	<b>264</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

#### 4.7 Finance Costs - Leases

Interest - Lease Liabilities	35	34
<b>Total finance costs</b>	<b>35</b>	<b>34</b>

#### 4.8 Other expenses

Councillors' allowances	281	258
Auditors' remuneration - Internal Audit	72	57
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	56	50
Recognition of in-kind volunteer support	221	79
Impairment of Corangamite Regional Library Corporation investment <sup>1</sup>	—	175
<b>Total other expenses</b>	<b>630</b>	<b>619</b>

(1) Impairment of Councils investment in the Corangamite Regional Library Corporation based on its equity share at the exit date of the 30th June 2021.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position

	Note	2022 \$ '000	2021 \$ '000
<b>5.1 Financial assets</b>			
<b>(a) Cash and cash equivalents</b>			
<b>Current</b>			
Cash at bank		12,790	10,274
Cash on hand		48	40
<b>Total current cash and cash equivalents</b>		<b>12,838</b>	<b>10,314</b>
<b>(b) Other financial assets</b>			
<b>Current</b>			
Term deposits - current		25,000	20,000
<b>Total current other financial assets</b>		<b>25,000</b>	<b>20,000</b>
<b>Non-current</b>			
Unlisted shares in corporations		2	2
<b>Total non-current other financial assets</b>		<b>2</b>	<b>2</b>
<b>Total current financial assets</b>		<b>37,838</b>	<b>30,314</b>
<b>Total non-current financial assets</b>		<b>2</b>	<b>2</b>
<b>External restrictions</b>			
Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:			
Resort and recreation reserve	9.1	261	190
Trust funds and deposits	5.3	2,034	1,694
<b>Total restricted funds</b>		<b>2,295</b>	<b>1,884</b>
<b>Total unrestricted cash and cash equivalents</b>		<b>10,543</b>	<b>8,430</b>
<b>Intended allocations</b>			
Although not externally restricted the following amounts have been allocated for specific future purposes by Council:			
Cash held to fund carried forward capital works		11,173	11,457
<b>Total funds subject to intended allocations</b>		<b>11,173</b>	<b>11,457</b>

Cash and term deposits held to fund carried forward capital works.

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>(c) Trade &amp; Other Receivables</b>		
<b>Current</b>		
<i>Statutory receivables</i>		
Rates debtors	659	1,087
Infringement debtors	1,288	1,078
GST receivable	409	443
<i>Non-statutory receivables</i>		
Development and buildings	62	55
Animals	138	156
Child care	39	27
TAFE	60	45
Fire Service Levy	10	9
Loans and advances to community organisations	14	14
Other debtors	1,753	880
<i>Provisions for doubtful debts</i>		
Provision for doubtful debts - other debtors	(19)	(31)
Provision for doubtful debts - infringements	(861)	(840)
<b>Total current trade and other receivables</b>	<b>3,552</b>	<b>2,923</b>
<b>Non-Current</b>		
<i>Non-statutory receivables</i>		
Loans and advances to community organisations	1	5
<b>Total non-current trade and other receivables</b>	<b>1</b>	<b>5</b>
<b>Total trade and other receivables</b>	<b>3,553</b>	<b>2,928</b>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

	2022 \$ '000	2021 \$ '000
<b>(d) Ageing of receivables</b>		
The ageing of the Council's trade & other receivables (excluding statutory receivables) that are not impaired was:		
Current (not yet due)	1,702	906
Past due by up to 30 days	139	40
Past due between 31 and 180 days	65	106
Past due between 181 and 365 days	14	17
Past due by more than 1 year	138	91
<b>Total trade and other receivables</b>	<b>2,058</b>	<b>1,160</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
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#### 5.2 Non-financial assets

##### (a) Inventories

###### Current

Inventories held for sale	136	109
Inventories held for distribution	66	66
<b>Total current inventories</b>	<b>202</b>	<b>175</b>

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

##### (b) Other assets

###### Current

Prepayments	552	825
Accrued income	1,617	361
<b>Total current other assets</b>	<b>2,169</b>	<b>1,186</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>5.3 Payables, trust funds and deposits and unearned income/revenue</b>		
<b>(a) Trade and other payables</b>		
<b>Current</b>		
<i>Non-statutory payables</i>		
Accrued expenses	4,054	3,648
Trade payables	1,047	973
<i>Statutory payables</i>		
Net GST payable	221	46
<b>Total current trade and other payables</b>	<b>5,322</b>	<b>4,667</b>
<b>(b) Trust funds and deposits</b>		
<b>Current</b>		
Refundable deposits	1,969	1,660
Retention amounts	65	34
<b>Total current trust funds and deposits</b>	<b>2,034</b>	<b>1,694</b>
<b>(c) Unearned income/revenue</b>		
<b>Current</b>		
<b>Grants received in advance:</b>		
Grants received in advance - operating	2,274	700
Grants received in advance - capital	4,017	6,018
<b>Total grants received in advance</b>	<b>6,291</b>	<b>6,718</b>
<b>Total unearned income/revenue</b>	<b>6,291</b>	<b>6,718</b>

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of which Council is yet to meet its obligations. Unearned income are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

#### Purpose and nature of items

Refundable developer deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>5.4 Interest-bearing liabilities</b>		
<b>Current</b>		
Treasury Corporation of Victoria borrowings - secured	268	–
Other borrowings - secured	1,294	1,586
	<b>1,562</b>	<b>1,586</b>
<b>Non-current</b>		
Treasury Corporation of Victoria borrowings - secured	3,746	–
Other borrowings - secured	5,293	6,587
	<b>9,039</b>	<b>6,587</b>
<b>Total</b>	<b>10,601</b>	<b>8,173</b>

Borrowings are secured by Council rates

#### a) The maturity profile for Council's borrowings is:

Not later than one year	1,561	1,586
Later than one year and not later than five years	6,625	4,776
Later than five years	2,415	1,811
	<b>10,601</b>	<b>8,173</b>

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition. At present, all Council's borrowings are classified as amortised cost.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	Employee provisions \$ '000	Landfill restoration \$ '000	Total \$ '000
<b>5.5 Provisions</b>			
<b>2022</b>			
Balance at the beginning of the financial year	7,284	652	7,936
Additional provisions	2,788	–	2,788
Amounts used	(2,816)	(62)	(2,878)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(18)	(23)	(41)
<b>Balance at the end of the financial year</b>	<b>7,238</b>	<b>567</b>	<b>7,805</b>
<b>2021</b>			
Balance at the beginning of the financial year	7,097	732	7,829
Additional provisions	2,638	–	2,638
Amounts used	(2,425)	(77)	(2,502)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(26)	(3)	(29)
<b>Balance at the end of the financial year</b>	<b>7,284</b>	<b>652</b>	<b>7,936</b>
	<b>2022</b>	<b>2021</b>	
	<b>\$ '000</b>	<b>\$ '000</b>	
<b>Summary of provisions</b>			
<b>Total current provisions</b>	<b>6,813</b>	<b>6,844</b>	
<b>Total non-current provisions</b>	<b>992</b>	<b>1,092</b>	
<b>Total provisions</b>	<b>7,805</b>	<b>7,936</b>	

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>(a) Employee provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	2,240	1,862
Long service leave	661	600
	<b>2,901</b>	<b>2,462</b>
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	261	718
Long service leave	3,570	3,583
	<b>3,831</b>	<b>4,301</b>
<b>Total current employee provisions</b>	<b>6,732</b>	<b>6,763</b>
<b>Non-Current</b>		
Long service leave	506	521
<b>Total Non-Current Employee Provisions</b>	<b>506</b>	<b>521</b>
Aggregate Carrying Amount of Employee Provisions:		
Current	6,732	6,763
Non-current	506	521
<b>Total Aggregate Carrying Amount of Employee Provisions</b>	<b>7,238</b>	<b>7,284</b>

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

#### Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

#### Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:

- on-cost rate	12.10%	11.83%
- wage inflation rate	3.85%	2.95%
- discount rate	3.69%	1.49%



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>(b) Landfill restoration</b>		
<b>Current</b>		
Current	81	81
<b>Total current</b>	<b>81</b>	<b>81</b>
<b>Non-current</b>		
Non-current	486	571
<b>Total non-current</b>	<b>486</b>	<b>571</b>

Council is obligated to restore Watson Street landfill site to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Key assumptions:

- inflation rate	5.10%	2.00%
- rehabilitation years	30	30
- remaining rehabilitated years	7	8

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
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#### 5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2022.

Bank overdraft	200	200
Credit card facilities	150	150
Treasury Corporation of Victoria facilities	5,500	—
<b>Total Facilities</b>	<b>5,850</b>	<b>350</b>
Used facilities	4,197	47
<b>Used facilities</b>	<b>4,197</b>	<b>47</b>
<b>Unused facilities</b>	<b>1,653</b>	<b>303</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	Not later than 1 year \$ '000	Later than 1 year and not later than 2 years \$ '000	Later than 2 years and not later than 5 years \$ '000	Later than 5 years \$ '000	Total \$ '000
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#### 5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

##### (a) Commitments for expenditure

#### 2022

##### Operating

Recycling collection	1,003	1,029	2,135	–	4,167
Waste collection	1,931	1,979	4,062	–	7,972
Food and organics collection	1,334	1,367	2,838	–	5,539
Glass collection	485	497	1,031	–	2,013
Transactional banking	56	59	128	–	243
Cleaning services	747	516	164	–	1,427
Security Services	217	222	190	–	629
Parking Services	50	–	–	–	50
Animal Services	485	165	–	–	650
Internal Audit	78	40	–	–	118
Meals for delivery	167	–	–	–	167
Information technology	50	47	–	–	97
<b>Total</b>	<b>6,603</b>	<b>5,921</b>	<b>10,548</b>	<b>–</b>	<b>23,072</b>

##### Capital

Information technology	–	–	–	–	–
Infrastructure	7,511	78	21	–	7,610
Library and Learning HUB	1,650	–	–	–	1,650
<b>Total</b>	<b>9,161</b>	<b>78</b>	<b>21</b>	<b>–</b>	<b>9,260</b>

#### 2021

##### Operating

Recycling collection	671	696	2,251	–	3,618
Waste collection	410	405	1,116	–	1,931
Food and organics collection	850	882	2,850	–	4,582
Glass collection	500	518	1,666	–	2,684
Transactional banking	16	–	–	–	16
Cleaning services	262	17	–	–	279
Security Services	6	–	–	–	6
Parking Services	48	–	–	–	48
Animal Services	489	506	170	–	1,165
Internal Audit	37	–	–	–	37
Meals for delivery	319	218	–	–	537
Information technology	69	71	66	–	206
<b>Total</b>	<b>3,677</b>	<b>3,313</b>	<b>8,119</b>	<b>–</b>	<b>15,109</b>

##### Capital

Information technology	5	–	–	–	5
Infrastructure	4,110	–	–	–	4,110
Library and Learning HUB	3,025	–	–	–	3,025
<b>Total</b>	<b>7,140</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>7,140</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

#### 5.8 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

The interest rate applied to lease payments for 2021/22 was 3.2350% (2020/21: 2.0400%).

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

#### (a) Right-of-Use Assets

	Property \$ '000	Plant & Equipment \$ '000	Total \$ '000
<b>2022</b>			
Balance at 1 July	97	1,330	1,427
Additions	36	44	80
Adjustments to right-of-use assets due to re-measurement of lease liability	—	—	—
Amortisation charge	(50)	(232)	(282)
<b>Balance at 30 June</b>	<b>83</b>	<b>1,142</b>	<b>1,225</b>
<b>2021</b>			
Balance at 1 July	45	1,112	1,157
Additions	73	422	495
Adjustments to right-of-use assets due to re-measurement of lease liability	—	35	35
Amortisation charge	(21)	(239)	(260)
<b>Balance at 30 June</b>	<b>97</b>	<b>1,330</b>	<b>1,427</b>

	2022 \$ '000	2021 \$ '000
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#### (b) Lease Liabilities

Maturity analysis - contractual undiscounted cash flows		
Less than one year	315	295
One to five years	872	968
More than five years	149	297
<b>Total undiscounted lease liabilities as at 30 June:</b>	<b>1,336</b>	<b>1,560</b>
<b>Lease liabilities included in the Balance Sheet at 30 June:</b>		
Current	286	261
Non-current	963	1,183
<b>Total lease liabilities</b>	<b>1,249</b>	<b>1,444</b>

#### Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

#### Expenses relating to:

Short-term leases	—	13
Leases of low value assets	234	287
<b>Total</b>	<b>234</b>	<b>300</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>Non-cancellable lease commitments - Short-term and low-value leases</b>		
Commitments for minimum lease payments for short-term and low-value leases are payable as follows:		
Payable:		
Within one year	254	199
Later than one year but not later than five years	536	353
<b>Total lease commitments</b>	<b>790</b>	<b>552</b>

## Notes to the Financial Statements for the year ended 30 June 2022

### Note 6. Assets we manage

#### 6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment	Carrying amount 30 June 2021 \$ '000	Additions \$ '000	Contributions \$ '000	Revaluation \$ '000	Depreciation \$ '000	Disposal \$ '000	Write-off \$ '000	Transfers \$ '000	Carrying amount 30 June 2022 \$ '000
Property	289,180	654	284	2,142	(2,149)	–	–	88	290,199
Plant and equipment	22,570	1,329	–	–	(1,783)	(289)	(48)	–	21,779
Infrastructure	321,241	1,541	4,524	82,440	(8,503)	(14)	–	99	401,328
Work in progress	7,299	16,618	–	–	–	–	(89)	(100)	23,728
<b>Total</b>	<b>640,290</b>	<b>20,142</b>	<b>4,808</b>	<b>84,582</b>	<b>(12,435)</b>	<b>(303)</b>	<b>(137)</b>	<b>87</b>	<b>737,034</b>

Summary of Work in Progress	Opening WIP \$ '000	Additions \$ '000	Write-off \$ '000	Transfers \$ '000	Closing WIP \$ '000
Property	1,202	2,650	(88)	(682)	3,082
Plant and equipment	–	299	–	–	299
Infrastructure	6,097	13,669	(1)	582	20,347
<b>Total</b>	<b>7,299</b>	<b>16,618</b>	<b>(89)</b>	<b>(100)</b>	<b>23,728</b>

	Land specialised \$ '000	Land non specialised \$ '000	Land improve- ments \$ '000	Total land and land improve- ments \$ '000	Buildings specialised \$ '000	Buildings non specialised \$ '000	Building improve- ments \$ '000	Total buildings \$ '000	Work in progress \$ '000	Total property \$ '000
Property										
At fair value 1 July 2021	160,413	2,689	995	<b>164,097</b>	140,570	2,853	926	<b>144,349</b>	1,202	<b>309,648</b>
Accumulated depreciation at 1 July 2021	–	–	(423)	<b>(423)</b>	(18,486)	(74)	(283)	<b>(18,843)</b>	–	<b>(19,266)</b>
Carrying amount - 1 July 2021	<b>160,413</b>	<b>2,689</b>	<b>572</b>	<b>163,674</b>	<b>122,084</b>	<b>2,779</b>	<b>643</b>	<b>125,506</b>	<b>1,202</b>	<b>290,382</b>
<b>Movements in fair value</b>										
Additions	–	–	–	–	654	–	–	<b>654</b>	2,650	<b>3,304</b>



## Notes to the Financial Statements for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

	Land specialised \$ '000	Land non specialised \$ '000	Land improve- ments \$ '000	Total land and land improve- ments \$ '000	Buildings specialised \$ '000	Buildings non specialised \$ '000	Building improve- ments \$ '000	Total buildings \$ '000	Work in progress \$ '000	Total property \$ '000
Contributions and Found Assets	284	—	—	284	—	—	—	—	—	284
Revaluation	—	—	—	—	(3,702)	(14)	(60)	(3,776)	—	(3,776)
Disposal	—	—	—	—	—	—	—	—	—	—
Write-off	—	—	—	—	—	—	—	—	(88)	(88)
Transfers	—	—	—	—	88	—	—	88	(682)	(594)
<b>Total movements in fair value</b>	<b>284</b>	<b>—</b>	<b>—</b>	<b>284</b>	<b>(2,960)</b>	<b>(14)</b>	<b>(60)</b>	<b>(3,034)</b>	<b>1,880</b>	<b>(870)</b>
<b>Movements in accumulated depreciation</b>										
Depreciation and amortisation	—	—	(16)	(16)	(2,077)	(37)	(19)	(2,133)	—	(2,149)
Accumulated depreciation of disposals	—	—	—	—	—	—	—	—	—	—
Transfers	—	—	—	—	—	—	—	—	—	—
Revaluation	—	—	—	—	5,932	(191)	177	5,918	—	5,918
<b>Total movements in accumulated depreciation</b>	<b>—</b>	<b>—</b>	<b>(16)</b>	<b>(16)</b>	<b>3,855</b>	<b>(228)</b>	<b>158</b>	<b>3,785</b>	<b>—</b>	<b>3,769</b>
At fair value 30 June 2022	160,694	2,689	996	164,379	137,611	2,839	866	141,316	3,082	308,777
Accumulated depreciation at 30 June 2022	—	—	(439)	(439)	(14,632)	(302)	(126)	(15,060)	—	(15,499)
<b>Carrying amount - 30 June 2022</b>	<b>160,694</b>	<b>2,689</b>	<b>557</b>	<b>163,940</b>	<b>122,979</b>	<b>2,537</b>	<b>740</b>	<b>126,256</b>	<b>3,082</b>	<b>293,278</b>



## Notes to the Financial Statements for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

	Plant machinery and equipment \$ '000	Fixtures fittings and furniture \$ '000	Computers and telecomms \$ '000	Library books \$ '000	Paintings and exhibits \$ '000	Total \$ '000	Work in progress \$ '000	Total plant and equipment \$ '000
<b>Plant and Equipment</b>								
At fair value 1 July 2021	10,303	5,787	7,211	352	13,193	36,846	–	36,846
Accumulated depreciation at 1 July 2021	(6,017)	(4,737)	(3,522)	–	–	(14,276)	–	(14,276)
Carrying amount - 1 July 2021	4,286	1,050	3,689	352	13,193	22,570	–	22,570
<b>Movements in fair value</b>								
Additions	987	–	192	150	–	1,329	299	1,628
Contributions and Found Assets	–	–	–	–	–	–	–	–
Revaluation	–	–	–	–	–	–	–	–
Disposal	(507)	–	(103)	(72)	–	(682)	–	(682)
Write-off	–	–	–	(48)	–	(48)	–	(48)
Transfers	–	–	–	–	–	–	–	–
Transfers from associates and joint ventures	–	–	–	–	–	–	–	–
Total movements in fair value	480	–	89	30	–	599	299	898
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	(1,004)	(98)	(619)	(62)	–	(1,783)	–	(1,783)
Accumulated depreciation of disposals	393	–	–	–	–	393	–	393
Transfers	–	–	–	–	–	–	–	–
Total movements in accumulated depreciation	(611)	(98)	(619)	(62)	–	(1,390)	–	(1,390)
At fair value 30 June 2022	10,781	5,787	7,300	382	13,193	37,443	299	37,742
Accumulated depreciation at 30 June 2022	(6,628)	(4,835)	(4,143)	(62)	–	(15,668)	–	(15,668)
Carrying amount - 30 June 2022	4,153	952	3,157	320	13,193	21,775	299	22,074





## Notes to the Financial Statements for the year ended 30 June 2022

### Note 6. Assets we manage

	Roads \$ '000	Bridges \$ '000	Foot- paths and cycle- ways \$ '000	Drainage \$ '000	Recreati- on, leisure, communi- ty \$ '000	Waste manage- ment \$ '000	Parks, open spaces, streetsca- pes \$ '000	Aerodro- mes \$ '000	Off street car parks \$ '000	Other infra- structure \$ '000	Total \$ '000	Work in progress \$ '000	Total infra- structure \$ '000
<b>Infrastructure</b>													
At fair value 1 July 2021	265,508	33,676	59,610	94,473	7,013	606	19,055	10,064	13,860	8,877	512,742	6,097	518,839
Accumulated depreciation at 1 July 2021	(105,853)	(11,255)	(25,434)	(25,131)	(4,698)	(89)	(6,287)	(2,140)	(6,006)	(4,608)	(191,501)	–	(191,501)
Carrying amount - 1 July 2021	159,655	22,421	34,176	69,342	2,315	517	12,768	7,924	7,854	4,269	321,241	6,097	327,338
<b>Movements in fair value</b>													
Additions	1,435	–	66	19	–	–	21	–	–	–	1,541	13,669	15,210
Contributions and Found Assets	1,966	–	701	1,857	–	–	–	–	–	–	4,524	–	4,524
Revaluation	18,158	(8,914)	18,209	13,792	20	–	(2,815)	(801)	984	8	38,641	–	38,641
Disposal	(6)	(8)	(17)	–	–	–	–	–	–	–	(31)	–	(31)
Write-off	–	–	–	–	–	–	–	–	–	–	–	(1)	(1)
Transfers	5	–	94	–	–	–	–	–	–	–	99	582	681
Total movements in fair value	21,558	(8,922)	19,053	15,668	20	–	(2,794)	(801)	984	8	44,774	14,250	59,024
<b>Movements in accumulated depreciation</b>													
Depreciation and amortisation	(4,389)	(386)	(1,307)	(940)	(103)	(41)	(608)	(257)	(330)	(142)	(8,503)	–	(8,503)
Accumulated depreciation of disposals	3	6	8	–	–	–	–	–	–	–	17	–	17
Transfers	–	–	–	–	–	–	–	–	–	–	–	–	–
Revaluations	52,388	2,971	(19,798)	4,748	434	–	307	1,296	1,393	62	43,801	–	43,801
Total movements in accumulated depreciation	48,002	2,591	(21,097)	3,808	331	(41)	(301)	1,039	1,063	(80)	35,315	–	35,315
At fair value 30 June 2022	287,067	24,754	78,664	110,140	7,032	606	16,261	9,263	14,844	8,886	557,517	20,347	577,864
Accumulated depreciation at 30 June 2022	(57,853)	(8,663)	(46,532)	(21,322)	(4,366)	(131)	(6,589)	(1,100)	(4,942)	(4,688)	(156,186)	–	(156,186)
Carrying amount - 30 June 2022	229,214	16,091	32,132	88,818	2,666	475	9,672	8,163	9,902	4,198	401,331	20,347	421,678

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

#### Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

#### Asset recognition thresholds and depreciation periods

	Depreciation Period years	Threshold Limit \$ '000
<b>Land and land improvements</b>		
land	n/a	–
land improvements	20 - 200 years	5
<b>Buildings</b>		
buildings	30 - 100 years	5
building improvements	25 - 60 years	1
leasehold improvements	10 - 20 years	1
<b>Plant and Equipment</b>		
plant, machinery and equipment	3 - 40 years	1
fixtures, fittings and furniture	2 - 25 years	5
computers and telecommunications	5 - 20 years	2
paintings and exhibits	n/a	–
<b>Infrastructure</b>		
roads	12 - 60 years	5
bridges	30 - 200 years	5
footpaths and cycleways	10 - 80 years	5
drainage	100 - 200 years	1
recreational, leisure and community facilities	20 - 80 years	1
parks, open spaces and streetscapes	15 - 80 years	5
off street car parks	12 - 60 years	5
aerodromes	16 - 100 years	1
other infrastructure	20 - 60 years	5

#### Land under roads

Council recognises land under roads it controls at fair value from 1 January 2008.

#### Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner, which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

#### *Repairs and maintenance*

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

#### **Valuation of land and buildings**

##### *Land- Non Specialised*

Valuation of non-specialised land was undertaken by Mr L Speed AAPI (Val) in 2020. The valuation of land is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

##### *Land - Specialised*

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

##### *Buildings - Non-specialised*

Non-specialised buildings were reviewed in 2022 by Mr Sam Ortisi (Graduate Diploma - Electrical Engineering and Quality Management) from CT Management who reviewed the unit rates used in the valuation process. It should be noted that non-specialised buildings are fair value hierarchy 2 due to the available market for this type of asset.

##### *Buildings - Specialised*

The current valuation of specialised buildings is based on an independent assessment by a qualified Quantity Surveyor, component level condition assessments, and on current replacement costs. The valuation was conducted by Mr Sam Ortisi (Graduate Diploma - Electrical Engineering and Quality Management) from CT Management who was engaged by Warrnambool City Council in 2022. The details of the current valuation are detailed in the table below.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1 2022 \$ '000	Level 2 2022 \$ '000	Level 3 2022 \$ '000	Date of valuation
Land - non specialised	—	2,689	—	30/06/2020
Land - specialised	—	—	160,694	30/06/2020
Land improvements	—	—	557	30/06/2021
Buildings - non-specialised	—	2,537	—	30/06/2022
Buildings - specialised	—	—	122,979	30/06/2022
Building improvements	—	—	740	30/06/2022
<b>Total</b>	<b>—</b>	<b>5,226</b>	<b>284,970</b>	

#### *Valuation of Infrastructure*

Valuation of infrastructure assets was performed by internal professional staff, Mr Sam Ortisi (Graduate Diploma - Electrical Engineering and Quality Management) from CT Management, and independent assessments by qualified external subject matter experts whom have all been approved by Mr. David Leahy, Director City Infrastructure with Warrnambool City Council. The date of the current assessment is 30 June 2022

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1 2022 \$ '000	Level 2 2022 \$ '000	Level 3 2022 \$ '000	Date of valuation
Roads	—	—	229,214	30/06/2022
Bridges	—	—	16,091	30/06/2022
Footpaths and cycleways	—	—	32,132	30/06/2022
Drainage	—	—	88,818	30/06/2022
Recreational, leisure & community facilities	—	—	2,666	30/06/2022
Waste management	—	—	475	30/06/2019
Parks, open space & streetscapes	—	—	9,672	30/06/2022
Aerodromes	—	—	8,163	30/06/2022
Off street car parks	—	—	9,902	30/06/2022
Other	—	—	4,198	30/06/2022
<b>Total</b>	<b>—</b>	<b>—</b>	<b>401,331</b>	

#### Description of significant unobservable inputs into level 3 valuations

**Specialised land and land under roads** is valued using a market based direct comparison technique.

Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 70% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0.12 and \$939 per square metre.

**Specialised buildings** are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$293 to \$4,941 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 30 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 10 years to 200 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

#### Reconciliation of specialised land

	2022 \$ '000	2021 \$ '000
Land under roads	5,506	5,222
Crown land	75,144	75,144
Council freehold land	80,044	80,047
<b>Total specialised land</b>	<b>160,694</b>	<b>160,413</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

	2022 \$ '000	2021 \$ '000
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#### 6.2 Investments in associates, joint arrangements and subsidiaries

##### (a) Investments in associates

Investments in associates and joint arrangements accounted for by the equity method are:

Corangamite Regional Library Corporation	—	—
<b>Total investments in associates and joint arrangements</b>	<b>—</b>	<b>—</b>
Associates and joint arrangements - in profit		
Corangamite Regional Library Corporation	—	(49)
<b>Total surplus for year in associates and joint arrangements</b>	<b>—</b>	<b>(49)</b>

##### Corangamite Regional Library Corporation

Warrnambool City Council in conjunction with Colac Otway Shire, Corangamite Shire and Moyne Shire had an interest in the Corangamite Regional Library Corporation. Warrnambool City Council exited the Library Corporation on 30 June 2021. From this date onwards Warrnambool City Council has a 0% equity interest (39.00% in 2020/2021).

##### Council's share of accumulated surplus/(deficit)

Council's share of accumulated surplus(deficit) at start of year	—	695
Reported surplus(deficit) for year	—	(49)
Transfers (to) from reserves	—	25
Distributions for the year	—	(496)
Movement in equity share	—	—
Impairment Loss	—	(175)

##### Council's share of accumulated surplus(deficit) at end of year

	—	—
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##### Council's share of reserves

Council's share of reserves at start of year	—	25
Transfers (to) from reserves	—	(25)

##### Council's share of reserves at end of year

	—	—
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##### Movement in carrying value of specific investment

Carrying value of investment at start of year	—	720
Share of surplus(deficit) for year	—	(49)
Distributions received	—	(496)
Movement in equity share	—	—
Impairment Loss	—	(175)

##### Carrying value of investment at end of year

	—	—
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Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 6. Assets we manage (continued)

	2022 \$ '000	2021 \$ '000
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#### (b) Committees of management

##### Committees of management

##### Port of Warrnambool

The Council is the Committee of Management for the Port of Warrnambool. The financial transactions have been included in Council's financial statements and are summarised below:

##### Summarised Statement of Comprehensive Income

##### Income

Grants - operating	97	97
User fees	6	9
Grants - capital	1,297	128

##### Expenditure

Materials and Services	(226)	(122)
Capital expenditure	(160)	(341)

##### Surplus/(Deficit) for the Year

	<u>1,014</u>	<u>(229)</u>
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The operation of the Port of Warrnambool is by an agreement between Warrnambool City Council and the Department of Transport. Any assets are returnable on cessation of the agreement.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 7. People and relationships

#### 7.1 Council and key management remuneration

##### (a) Related Parties

###### Parent entity

Warrnambool City Council is the parent entity.

###### Subsidiaries and Associates

Interests in subsidiaries and associates are detailed in Note 6.2.

##### (b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Warrnambool City Council. The Councillors, Chief Executive Officer and Executive Directors are deemed KMP.

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

<b>Councillors</b>	Councillor Vicki Jellie (Mayor 01/07/2021 to 24/10/2021; 04/04/2022 to 30/06/2022) Councillor Richard Ziegeler (Mayor 25/10/2021 to 21/03/2022) Councillor Debbie Arnott (Deputy Mayor and Acting Mayor 22/03/2022 to 03/04/2022) Councillor Otha Akoch Councillor Angie Paspaliaris Councillor Ben Blain Councillor Max Taylor
<b>Chief Executive Officer</b>	Mr Peter Schneider
<b>Key Management Personnel</b>	Director - Corporate Strategies Mr Peter Utri Director - City Growth Mr Andrew Paton Director - City Infrastructure Mr David Leahy Director - Community Development Ms Jodie McNamara (Acting 14/10/2021 to 30/06/2022) Director - Community Development Mr Richard Stone (Acting 26/07/2021 to 13/10/2021) Director - Community Development Mr David Leahy (Acting 01/07/2021 to 25/07/2021)

	2022 No.	2021 No.
<b>Total Number of Councillors</b>	7	14
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	6	9
<b>Total Number of Key Management Personnel</b>	13	23



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 7. People and relationships (continued)

	2022 \$ '000	2021 \$ '000
<b>(c) Remuneration of Key Management Personnel</b>		
Total remuneration of key management personnel was as follows:		
Short-term benefits	1,287	1,527
Long-term benefits	25	27
Post employment benefits	94	86
<b>Total</b>	<b>1,406</b>	<b>1,640</b>

	2022 No.	2021 No.
The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:		
\$10,000 - \$19,999	2	12
\$20,000 - \$29,999	3	1
\$30,000 - \$39,999	—	3
\$40,000 - \$49,999	1	—
\$50,000 - \$59,999	1	2
\$60,000 - \$69,999	1	—
\$120,000 - \$129,999	—	1
\$130,000 - \$139,999	1	—
\$210,000 - \$219,999	1	2
\$220,000 - \$229,999	2	—
\$280,000 - \$289,999	—	1
\$320,000 - \$329,999	1	—
\$390,000 - \$399,999	—	1
	<b>13</b>	<b>23</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 7. People and relationships (continued)

#### (d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000

The number of Senior Officers are shown below in their relevant income bands:

	2022 No.	2021 No.
Income Range:		
\$110,000 - \$119,999	—	1
\$140,000 - \$149,999	—	1
\$150,000 - \$159,999	1	—
\$170,000 - \$179,999	1	1
\$200,000 - \$209,999	1	—
	<u>3</u>	<u>3</u>

	2022 \$ '000	2021 \$ '000
Total Remuneration for the reporting year for Senior Officers included above amounted to:	529	434

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 7. People and relationships (continued)

#### 7.2 Related party disclosure

##### (a) Transactions with related parties

During the period Council entered into the following transactions with related parties:

Councillor	Related Party	Nature of Relationship	Terms and Conditions	Nature of Transaction	Aggregate Total \$'000
Cr Arnott	Style Active by Chloe	Controlled entity	Commercial	Vouchers	0.1
Cr Paspaliaris	Alex Pye Electrics	Spouse controlled entity	Commercial	Electrical repairs and maintenance	1

##### (b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties:

2022 - Nil (2021 - Nil)

##### (c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

2022 - Nil (2021 - Nil)

##### (d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

2022 - Nil (2021 - Nil)

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 8. Managing uncertainties

#### 8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

##### (a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council.

Construction of infrastructure assets by developers in the course of creating new subdivisions results in the infrastructure assets being vested in Council when Council issues a Statement of Compliance.

At reporting date, developers had commenced construction of assets that will eventually be transferred to Council contingent upon council issuing a Statement of Compliance.

Due to the nature of the arrangements in place and the assets involved, a contingent asset amount cannot be reliably measured prior to completion.

##### (b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
- it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
- the amount of the obligation cannot be measured with sufficient reliability.

##### Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

##### Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

##### MAV Workcare

Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 2017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by WorkSafe Victoria. If required, adjustments will occur at the 3-year and 6-year points during the liability period, and will affect participating members.

Gallagher Bassett is a direct provider appointed by WorkSafe Victoria to provide workers compensation insurance and have been appointed as Council's agent since the closure of the MAV WorkCare Scheme.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 8. Managing uncertainties (continued)

#### (c) Guarantees for loans to other entities

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the Council, not the fair value of the financial guarantee.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised.

The Council acts as guarantor in respect of bank loans provided to the following clubs and community groups:

Entity and Institution	Original Loan \$'000	Balance of borrowings 2022 \$'000	2021 \$'000
Warrnambool Returned Services Club - Commonwealth Bank	3,351	2,176	2,705
Warrnambool Football Netball Club - Commonwealth Bank	800	556	643
Old Collegians Football Netball Club - NAB	100	90	95
Dennington Football Netball Club - Bendigo Bank	49	35	40
Dennington Bowls Club -Bendigo Bank	100	8	1

### 8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. Council assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to impact Council.

### 8.3 Financial instruments

#### (a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank and/or TCV borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### (b) Market risk

Market risk is the risk that the fair value or future cash flows of Council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

##### *Interest rate risk*

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes Council to fair value interest rate risk.. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 8. Managing uncertainties (continued)

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

#### (c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- Council has a policy for establishing credit limits for the entities Council deals with;
- Council may require collateral where appropriate; and
- Council only invests surplus funds with financial institutions which have a recognised credit rating specified in Council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provides a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

#### (d) Liquidity risk

Liquidity risk includes the risk that, as a result of Council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

#### (e) Sensitivity disclosure analysis

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 8. Managing uncertainties (continued)

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A shift of + 2.5 % and - 0.25 % in market interest rates (AUD) from year-end rates of 3.52%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

#### 8.4 Fair value measurement

##### *Fair Value Hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

##### *Revaluation*

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 5 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

##### *Impairment of assets*

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 8. Managing uncertainties (continued)

asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

### 8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

### Note 9. Other matters

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Share of incr. (decr) on revaluation of the asset through disposal of investment \$ '000	Balance at end of reporting period \$ '000
<b>9.1 Reserves</b>				
<b>(a) Asset revaluation reserves</b>				
<b>2022</b>				
<b>Property</b>				
Land	124,251	—	—	124,251
Buildings	92,113	2,576	—	94,689
	<b>216,364</b>	<b>2,576</b>	<b>—</b>	<b>218,940</b>
<b>Plant and equipment</b>				
Artworks	2,640	—	—	2,640
	<b>2,640</b>	<b>—</b>	<b>—</b>	<b>2,640</b>
<b>Infrastructure</b>				
Roads	99,350	72,418	—	171,768
Bridges	15,346	(5,943)	—	9,403
Footpaths and cycleways	677	(677)	—	—
Drainage	21,218	18,540	—	39,758
Aerodromes	238	495	—	733
Offstreet car parks	—	553	—	553
Other infrastructure	29,041	(3,380)	—	25,661
	<b>165,870</b>	<b>82,006</b>	<b>—</b>	<b>247,876</b>
<b>Total asset revaluation reserves</b>	<b>384,874</b>	<b>84,582</b>	<b>—</b>	<b>469,456</b>



## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Share of incr. (decr) on revaluation of the asset through disposal of investment \$ '000	Balance at end of reporting period \$ '000
<b>2021</b>				
<b>Property</b>				
Land	124,251	—	—	124,251
Buildings	92,113	—	—	92,113
	<b>216,364</b>	<b>—</b>	<b>—</b>	<b>216,364</b>
<b>Plant and equipment</b>				
Corangamite Regional Library Corporation	706	—	(706)	—
Artworks	2,640	—	—	2,640
	<b>3,346</b>	<b>—</b>	<b>(706)</b>	<b>2,640</b>
<b>Infrastructure</b>				
Roads	99,350	—	—	99,350
Bridges	15,346	—	—	15,346
Footpaths and cycleways	677	—	—	677
Drainage	21,218	—	—	21,218
Aerodromes	238	—	—	238
Other infrastructure	29,041	—	—	29,041
	<b>165,870</b>	<b>—</b>	<b>—</b>	<b>165,870</b>
<b>Total asset revaluation reserves</b>	<b>385,580</b>	<b>—</b>	<b>(706)</b>	<b>384,874</b>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time. The Corangamite Regional Library Corporation recognises the fair value of revalued assets in their books

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

	Balance at beginning of reporting period \$ '000	Transfer from Accumulated Surplus \$ '000	Transfer to Accumulated Surplus \$ '000	Balance at end of reporting period \$ '000
<b>(b) Other reserves</b>				
<b>2022</b>				
Main drainage fund	886	–	(487)	399
Committed reserve	8,556	2,535	–	11,091
Heritage restoration fund	45	1	–	46
Insurance claims reserve	90	–	–	90
Art gallery reserve	47	1	–	48
Resort and recreation reserve	190	71	–	261
Car park fund	617	–	(132)	485
North of the Merri developer contribution reserve	1,113	57	–	1,170
Hopkins Point Road developer contribution reserve	140	108	–	248
North East growth area developer contribution reserve	156	8	–	164
<b>Total Other reserves</b>	<b>11,840</b>	<b>2,781</b>	<b>(619)</b>	<b>14,002</b>
<b>2021</b>				
Main drainage fund	749	137	–	886
Committed reserve	5,888	2,668	–	8,556
Heritage restoration fund	45	–	–	45
Insurance claims reserve	90	–	–	90
Information technology reserve	131	–	(131)	–
Art gallery reserve	47	–	–	47
Resort and recreation reserve	311	–	(121)	190
Car park fund	96	521	–	617
North of the Merri developer contribution reserve	1,080	33	–	1,113
Hopkins Point Road developer contribution reserve	13	127	–	140
North East growth area developer contribution reserve	–	156	–	156
<b>Total Other reserves</b>	<b>8,450</b>	<b>3,642</b>	<b>(252)</b>	<b>11,840</b>

Main Drainage Fund is maintained specifically for future major drainage works.  
Committed Reserve is specifically for future works and Councils small infrastructure fund.  
Heritage Restoration Fund is maintained specifically for grant loans for heritage works.  
Insurance Claims Reserve is maintained specifically for Council's self-insurance.  
Information Technology Reserve is maintained specifically for major information technology upgrades.  
Art Gallery Reserve is maintained specifically for the purchase of art pieces.  
Resort and Recreation Reserve is maintained specifically for public open space works.  
Car Park Fund is maintained specifically for future major car park works.  
North of the Merri Developer Contributions Reserve is maintained specifically for contributions held in this growth area.  
Hopkins Point Road Developer Contributions Reserve is maintained specifically for contributions held in this growth area.  
Northeast DCP Developer Contributions Reserve is maintained specifically for contributions held for the growth areas in the Northeast of Warrnambool.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

	2022 \$ '000	2021 \$ '000
<b>9.2 Reconciliation of cash flows from operating activities to surplus</b>		
Surplus for the year	18,445	12,085
<b>Add / (deduct) non-cash items:</b>		
Depreciation/amortisation	12,717	12,359
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(126)	(8)
Contributions - Non-monetary assets	(4,705)	(6,132)
Found assets	(102)	(61)
Net share of net profits of associates and joint ventures	—	49
Bad and doubtful debts expense	37	160
Interest on lease liabilities	35	34
Prior year periodical collections written off	48	—
<b>Change in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	(662)	(169)
(Increase)/decrease in inventories	(27)	29
(Increase)/decrease in prepayments	273	384
Increase/(decrease) in accrued income	(1,256)	160
Increase/(decrease) in trade and other payables	659	1,482
Increase/(decrease) in provisions	(131)	107
Increase/(decrease) in trust deposits	340	644
Increase/(decrease) in Unearned income /revenue	(427)	1,873
<b>Net cash provided by/(used in) operating activities</b>	<b>25,118</b>	<b>22,996</b>

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

#### 9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

##### Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021: 9.5%)).

##### Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of the Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

##### Funding Arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

Net investment returns 4.75% pa  
Salary information 2.75% pa  
Price inflation (CPI) 2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2022.

Vision Super has advised that the VBI at 30 June 2022 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:

Net investment returns 5.5% pa  
Salary information 2.5% pa to 30 June 2023, and 3.5% pa thereafter  
Price inflation (CPI) 3.0% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

##### Employer contributions

###### (a) Regular contributions

On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10.0% of members' salaries (9.5% in 2020/21). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

#### (b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

#### The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2021 (Interim) \$m	2020 (Triennial) \$m
- A VBI Surplus	214.7	100.0
- A total service liability surplus	270.3	200.0
- A discounted accrued benefits surplus	285.2	217.8

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

Council was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

#### The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

## Notes to the Financial Statements

for the year ended 30 June 2022

### Note 9. Other matters (continued)

#### Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

Scheme	Type of scheme	Rate	2022 \$ '000	2021 \$ '000
Vision Super	Defined benefit	10%	201	200
Vision Super	Accumulation fund	10%	2,149	2,102
Other Funds	Accumulation fund	10%	683	365

In addition to the above contributions, Council has paid unfunded liability payments to Vision Super totalling \$0 during the 2021/22 year (2020/21 \$0).

There were \$358k contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$190k.

### Note 10. Changes in accounting policies

There have been no changes to accounting policies in the 2021-22 year.

There are no pending accounting standards that are likely to have a material impact on council.



### **8.3. INFORMATION COMMUNICATIONS TECHNOLOGY SHARED SERVICES JOINT VENTURE ESTABLISHMENT**

***DIRECTORATE : Corporate Strategies***

**PURPOSE:**

***The report recommends Warrnambool City Council enter and establish an unincorporated joint venture for the purpose of operating the South West Councils ICT "Information Communications Technology" Alliance. The joint venture's purpose is to implement, then operate a business case prepared for and funded by the State Government's Rural Councils Transformation Program.***

#### **EXECUTIVE SUMMARY**

This is the formalization of the shared service arrangement has been in place since the adoption of an endorsement by Council at a meeting on 25 March 2019 of the shared ICT project. The adoption of the joint venture gives the form and substance to the informal arrangement that have been in place and sets the mechanisms for which the three Councils can work together plan together and resolve any issues related to the operation of this shared services venture.

---

**MOVED: CR BEN BLAIN**

**SECONDED: CR RICHARD ZIEGELER**

**That**

- 1. Having complied with Division 3 of Part 5 of the Local Government Act 2020, Council enters into, establishes and operates the South West Councils ICT Alliance as a joint venture on the terms set out in the South West Councils ICT Alliance Joint Venture Agreement attached to this Report as Attachment 1; and**
- 2. Notes that, in accordance with:**
  - a) Clause 5.1.1(a) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer is appointed to the Joint Venture Governance Committee; and**
  - b) Clause 5.1.1(b) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer will nominate one staff member to the Joint Venture Governance Committee, being Council's Director Corporate Strategies; and**
- 3. Authorises the Chief Executive Officer to:**
  - a) Sign and affix Council's common seal to the South West Councils ICT Alliance Joint Venture Agreement attached to this Report as Attachment 1 including schedules 3 and 4 previously provided to Council under separate cover.**
  - b) Exercise Council's rights and powers under the Joint Venture Agreement on Council's behalf.**

**CARRIED – 7:0**

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#### **BACKGROUND**

Corangamite Shire, Moyne Shire and Warrnambool City were successful in securing a State Government grant of \$4.5 million in June 2019 under the State Government's Rural Councils Transformation Program (RCTP) to implement a business case to transition the respective Enterprise Resource Planning (ERP) platform of each council into a shared service model. An ERP is the corporate digital platform that delivers the core business information systems of an organisation.



The business case also considered an appropriate entity structure for the purpose of administering the shared service arrangement. An unincorporated joint venture is preferred. This structure represents the least costly and most flexible option, particularly with a 'start-up'. Legal advice was sought in determining this preferred approach.

A joint venture agreement has been finalized and is attached. The agreement governs the administration of the joint venture and, for all intents and purposes, are the rules how the shared service model will operate. The agreement, inter alia, includes governance arrangements, contribution to costs, procurement, dispute resolution and termination. The agreement also describes the appointment of an administering council and its roles and functions. The administering council will be responsible for day-to-day functions of the joint venture arrangement.

## **Discussion**

In August 2018, the State Government launched the Rural Councils Transformation Program (RCTP) to support the 48 regional and rural councils to implement large-scale transformative projects. The RCTP was designed to seed fund transformative projects requiring approximately \$2 million to \$5 million in funding. Total project funding announced was \$20 million.

As lead Council at the time, Corangamite Shire submitted an Expression of Interest (EOI) on behalf of the partner councils (known as Southwest Councils ICT Alliance) in November 2018 to secure funding to implement the outcomes of a business case previously prepared.

Corangamite Shire Council received notification in December 2018 that the EOI had been successful, and the partner councils were invited to make formal application to the RCTP by 31 March 2019. The formal application built upon an initial business case completed mid-2018. As part of the application, each of the partner councils were required to pass resolutions to implement the business case should the Alliance's application be successful. In June 2019 Corangamite Shire Council was notified the application had been successful. The funding agreement, upon signing, required the Alliance to submit supplementary material as an addendum to the business case. This was submitted to Local Government Victoria (LGV) in March 2020.

Council received notification in February 2021 that approval to proceed with the 'planning and preparation' phase of the project had been granted by the RCTP Board – a State Government oversight arrangement established for the purpose of administering the grant that includes representatives of Department of Treasury and Finance, Local Government Victoria and Service Victoria.

Due to a range of factors experienced over the last 18 months, including the impacts of the Coronavirus pandemic and unavoidable delays, Corangamite Shire Council on behalf of the Alliance sought an extension to the milestone completion date of the planning and preparation phase. Approval was granted late October 2021 for a 12-month extension to complete the planning and preparation phase which is currently underway and nearing completion.

During the formation stage of the business case and occurring in conjunction with the planning and preparation phase, legal advice has been sought on an appropriate and cost-effective legal structure to implement and operate the shared delivery model. It is considered an unincorporated joint venture be established for this purpose. In that regard a joint venture agreement has been prepared and agreed to in principle by the Joint Venture Governance Committee, which consists of the participating Council Chief Executive Officers and Director Corporate Services (or equivalent). The agreement attached to this report, once approved, becomes a legally binding document that prescribes the joint ventures governance arrangements including Schedules three and four of the agreement have been provided to Council under separate cover at a confidential briefing of Council on the 26th of September 2022 and contain commercially sensitive material which forms part of the complete agreement.

- Purposes of the Joint Venture
- Role of administering Council
- Contributions to costs
- Procurement
- Dispute Resolution and Dispute Avoidance
- Termination

The Joint Venture Governance Committee recommends the appointment of Warrnambool City Council as the initial administering council. This is reflected in the agreement.

## **Business Case**

Rural and regional councils in Victoria face several pertinent challenges, in a financial sense. This led to the partner councils to explore implementing shared service information and communications technology initiatives:

1. There is considerable financial pressure on expenditures, with rate capping and an anticipated, reduced grant environment impacting Council financial sustainability.
2. The scope, cost and complexity of information and communications technology (ICT) systems is growing within councils, driven by issues such as community expectations for online services, regulatory complexity, a digitization agenda, internal demand and cyber security.
3. Access to ICT skills is limited through a combination of small teams and distance from capital cities and major regional centers.
4. There is political pressure to collaborate, leveraging a viewpoint that there is waste and inefficiency through unnecessary duplication and repetition both within and between councils.

In response to the above challenges the business case examined whether it made good business sense to transition the three (3) existing core ERP systems at Corangamite Shire, Moyne Shire and Warrnambool City into a shared service model. After completion of the business case and the impacts of the coronavirus pandemic have amplified the need to address the challenges described above, and more.

The business case concluded there is a strong financial and structural argument to make the change, while understanding that there are risks that need to be understood and managed. (Refer below for further discussion on the finance and resource implications.)

A copy of the commercially confidential business case and addendum detailing the proposed return on investment has been previously provided to Council at a confidential briefing as with schedules 3 and 4 of the Joint Venture Agreement.

## **ISSUES**

The commencement of the unincorporated joint venture is the first step for the projects transition to Warrnambool City Council as the lead agency for the purposes of administration of the Joint Venture.

The joint venture needs to commence formally for the coordination of the implementation phase of the project and the management of the joint venture in the business-as-usual state at the completion of the implementation. The Joint Venture frames processes and parameters that enable the services to occur in a practical and agreed manner.

## **FINANCIAL IMPACT**

The business case concludes in a shared service ERP environment with a fully funded government investment of \$4,500,000. A positive Net Present Value of \$73,247 (as per addendum) is achieved across the five-year project timeline. Section 6 of the business case details the NPV assessment, including the underlying assumptions. Financial modelling forecast savings within the initial business plan (including anticipated productivity gains not directly able to be realized in monetary terms) to Warrnambool City Council over the five-year period of \$1,887,000.

The detailed financial and options analysis is contained within the business case and addendum 2 and 3. This options analysis also includes an optimistic and pessimistic scenario. In an optimistic scenario, additional benefits are realized and the projected NPV is higher than anticipated. Similarly, in a pessimistic scenario, the project doesn't become NPV positive within the required 5 years set out by LGV. Should this circumstance arise, the alternatives available to Council would be to abandon the shared service model or continue knowing the benefits realized are less than those anticipated or will take longer to achieve.

Prior to implementation and as part of the preparation and planning phase the business case will be refreshed to confirm scope, costs, risks and the implementation plan are within expectation. Implementation will not proceed until the refreshed business case is approved by the Rural Councils Transformation Program Board, which is anticipated to be late 2022 or early 2023

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

### **3 A strong economy**

3.4 Workforce capability: Council will foster the development of a workforce capable of supporting the needs of the local and regional economy

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

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

4.2 A connected community: Council will enhance Warrnambool's connectivity through the delivery of, or advocacy for, improvement to roads, public transport, footpaths, trails and digital infrastructure.

### **5 An effective Council**

5.1 Leadership and governance: Council will be a high-functioning team committed to respectful relationships, collaboration and ongoing engagement. It will provide strong, effective leadership, sound governance and informed decision-making

5.3 Customer-focused services: Council will continue to develop a program of Council services that are delivered to the community's satisfaction.

5.5 Organisational and financial sustainability: Council will ensure organisational and financial sustainability through the effective and efficient use of Council's resources and assets.

5.6 Risk mitigation: Council will mitigate and manage organisational risks through sound management systems and processes.

The establishment of the unincorporated joint venture will allow the councils of Corangamite Shire, Moyne Shire and Warrnambool City to implement and operate a shared and integrated software platform described in the business case.

Consideration of this report supports the achievement of the Council Plan 2021-2025 objectives as outlined in the Council plan objectives listed above.

There has been a great deal of work aligning the strategic intent of the three organisations in the intervening period of the projects

The RCTP project also aligns with the Heads of Agreement - Shared Corporate Services that exists between six (6) councils of the Southwest Councils Victoria Alliance who agree will, inter alia, identify shared corporate service opportunities that will improve council efficiency and service provision.

Similarly, the shared service project aligns with the commonly developed strategic intent of the recently completed Shared Information and Communications Technology Strategy 2022-2026 which is to "to rationalize and standardize our applications where it makes sense".

The three organisations are also completing a shared Great South Coast: Regional Digital Strategy which is looking at the broader strategic future of the region, both for Councils the community, and industry. This strategy has a vision of "A digitally enabled region; progressive, thriving, inclusive and livable".

## **TIMING**

A common report is being presented to each of the three Councils to conclude the formal stand-up of the Unincorporated Joint Venture over the last week of September and the first week of October.

Concurrent to the commencement of the Joint Venture, the finalization of the procurement phase of the project is being completed below is the current program for the procurement of the enterprise system. The procurement exercise is being led by Corangamite Shire Council as the current holder of the Local Government Victoria grant.

Activity	Date and AESTD time
RFT issued	31 August 2022
RFT briefing (if applicable)	10:00-11:00am, 6 September 2022
End of period for questions or requests for information	17:00pm, 21 September 2022
Closing time for Respondent's response	17:00pm 28 September 2022
Intended completion date of evaluation of Respondent's responses	Minimum of 4 weeks from 28 September 2022
Intended date for Clarification and/or Live Demonstrations onsite at Warrnambool City Council if required	October 2022
Intended date of RFT outcome	November 2022
Intended Contract executed	December 2022
Intended project start date	January/ February 2023

## **COMMUNITY IMPACT / CONSULTATION**

The project has involved internal stakeholders across the organization since the inception of the project with ebbs and flows of activity a renewed engagement has been launched to alert stakeholders as to the final phase of procurement and to initiate engagement around the timing and resource implications of the project's implementation.

## **LEGAL RISK / IMPACT**

The recommendation to establish an unincorporated joint venture is made following discussion with and legal advice received from Maddocks Lawyers.

Maddocks Lawyers have prepared the agreement in consultation with Director's Corporate Services (or equivalent) of the participating councils. The Joint Venture Governance Committee has endorsed the agreement and recommends its approval.

The business case describes the risks and mitigation strategies. An assessment of risk was undertaken, including mitigation measures. This is detailed in section 7.2. Appendix 1 includes a Risk assessment. Section 4.4 of the addendum provides an update to the original assessment. Importantly, there remains a great risk to Council of not participating in the RCTP initiative, particularly in regard to the unbudgeted financial impact, obsolete systems and cyber security risk.

Each of the three councils must pass resolutions to establish the joint venture after addressing the Division 3 – Beneficial Enterprises requirements of the Local Government Act 2020. The Division requires each council to consider the benefits and risk of entering into the arrangement and the reporting and oversight mechanisms that will be implemented. The business case, which was previously approved by Council, has addressed these issues. Each council will also be required to report on the operations and performance of the joint venture in their annual report.

Projects of this nature are inherently complex, and in that regard, a significant investment has been made in de-risking the project. This includes the appointment of a commercial services partner to assist with procurement, a quality assurance advisor to advise on project governance, a probity advisor and engagement of legal services.

## **OFFICERS' DECLARATION OF INTEREST**

No officer preparing this report has a conflict of interest in the matter

## **CONCLUSION**

An evolution is underway in how organisations employ information and communications technology to improve business performance. The journey from a traditional enterprise to a digital world involves changes in approach. The digitization agenda is one centered on putting the customer first and creating processes that offer enhanced customer experiences enabled by technology.

The business case prepared jointly by Corangamite Shire, Moyne Shire and Warrnambool City determined it is financially viability to transition to a shared service delivery model in order to meet the future needs of their respective organisation, community and customers.

The Rural Councils Transformation Program provides the opportunity to realise this through mitigation of the financial risk and ongoing project support. The initiative will also position the partner councils favourably to leverage additional shared service and collaborative opportunities particularly in the corporate services space where a common Information technology platform creates a springboard for many shared process and support for process improvements and automation.

The 'planning and preparation' phase is underway, and Council is now recommended to establish the formal joint venture arrangements for the purposes of implementing and operating the outcomes of the business case.

## **ATTACHMENTS**

1. South West Councils ICT Alliance Joint Venture Agreement 13 September 2022 [8.3.1 - 49 pages]



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**13 September 2022**

## South West Councils ICT Alliance Joint Venture Agreement

**Corangamite Shire Council**  
ABN 87 042 518 438  
and

**Moyne Shire Council**  
ABN 69 056 376 923  
and

**Warrnambool City Council**  
ABN 44 594 264 321



Maddocks

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## South West Councils ICT Alliance Joint Venture Agreement

### Dated

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### Parties

Name	<b>Corangamite Shire Council ABN 87 042 518 438</b>
Short name	<b>Corangamite</b>
Name	<b>Moyne Shire Council ABN 69 056 376 923</b>
Short name	<b>Moyne</b>
Name	<b>Warrnambool City Council ABN 44 594 264 321</b>
Short name	<b>Warrnambool</b>

The Parties' address and contact details are set out in Schedule 1

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### Background

- A. Corangamite, Moyne and Warrnambool (together, the **Councils**) are each Councils for the purposes of the LGA.
- B. The Councils have secured funding under the State of Victoria's Rural Councils Transformation Program (**RCTP**) through the Funding Agreement for delivery of the South West Councils ICT Alliance, with Corangamite named as the Lead Council for the purposes of the Funding Agreement.
- C. The South West Councils ICT Alliance (**SWC ICT Alliance**) is:
- C.1 an ongoing program that the Councils commenced prior to this Agreement; and
- C.2 is, at the time of this Agreement, intended to operate for a period of around 5 years,
- and is intended as a program that works towards delivering a shared Enterprise Resource Planning platform across the Councils.
- D. The Councils, having reviewed the program and its delivery, have:
- D.1 decided to continue pursuing the shared services arrangement as an unincorporated joint venture; and
- D.2 each resolved to enter into this Agreement to establish and operate the South West Councils ICT Alliance as a joint venture.



- E. Under this Agreement (amongst other things):
- E.1 the Councils will appoint an Administering Council to establish the SWC ICT Alliance as a separate business unit within the Administering Council's existing corporate structure;
  - E.2 the SWC ICT Alliance will be governed by a Joint Venture Governing Committee (**JVGC**) consisting of the Chief Executive Officer and the Director of Corporate Services (or equivalent) of each Council, together with an Independent Chair;
  - E.3 each other Council may, with the agreement of the Administering Council and the relevant staff, second or transfer the employment of relevant existing staff to the Administering Council for the purposes of the SWC ICT Alliance;
  - E.4 the SWC ICT Alliance will conduct a procurement process to identify one or more supplier(s) to provide services to all of the Councils on the basis of a standard form Master Services Agreement (**MSA**) with specific services to be provided on the basis of specific Statements of Work (**SOW**);
  - E.5 the Administering Council (as the legal entity administering the SWC ICT Alliance) will enter into one or more MSA(s) with the Supplier(s) on its own behalf and as the agent for each of the remaining member councils on common terms, including pricing;
  - E.6 each Council appoints the Administering Council as its agent to deal with the Supplier(s) on its behalf;
  - E.7 ICT Services will be ordered and supplied to each Council under Statements of Work (**SOW**) under each MSA;
  - E.8 SOWs may be on the same terms for core or similar procurements or on specific terms for Council-specific service requirements;
  - E.9 the Administering Council will:
    - E.9.1 maintain separate revenue, expense and capital accounts for the SWC ICT Alliance;
    - E.9.2 provide periodic and ad-hoc reporting to the JVGC;
    - E.9.3 support the JVGC to provide financial reports to each Council in accordance with the LGA (which may be audited upon request); and
    - E.9.4 provide full access to the financial ledgers and supporting documentation of the SWC ICT Alliance to each other Council upon request;
  - E.10 the JVGC will prepare a Strategic Plan and Annual Plans and Budgets for approval by the Councils; and
  - E.11 each Council will make financial contributions to the SWC ICT Alliance in accordance with the approved Annual Plan and Budget.
- F. The Councils have entered into this Agreement to record their common intentions.



## The Parties agree

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### 1. Definitions

In this Agreement:

**Administering Council** means the Council appointed under clause 4.

**Administering Council Roles and Functions** means the roles and functions of the Administering Council specified in this Agreement or Schedule 7 (as updated, replaced or amended from time to time under clause 6.3).

**Agreement** means this South West Councils ICT Alliance Joint Venture Agreement.

**Annual Plan and Budget** means an annual plan and budget for the Joint Venture to be prepared by the JVGC under clause 6.2 for the consideration and approval of the Councils.

**Background IP** has the meaning given by clause 10.1.

**Business Day** means a day other than a Saturday, Sunday or public holiday in Victoria.

**Claim** means any claim, allegation, cause of action, proceeding, demand, debt, liability, obligation, cost or expense of any nature however it arises and whether it is present or future, fixed or unascertained, actual or contingent (whether or not the facts, matters or circumstances giving rise to that claim are known to that person or to any other person at the date of this Agreement) and whether at law, in equity, under statute or otherwise.

**Commencement Date** means the date this Agreement is executed by all of the Councils.

**Confidential Information** means any information relating to the past, present or future business of a Party that comes to the knowledge of another Party and includes:

- (a) the existence, terms and subject matter of this Agreement;
- (b) the drafts of any Model ICT Procurement Policy, Strategic Plan or Annual Plan and Budget;
- (c) any report, financial, budgetary, marketing, research and business plan information which have not been authorised by the JVGC for release;
- (d) the position of a Party or an officer or employee of that Party on any confidential matter;
- (e) the terms of any draft or final MSA, SOW or other contract, agreement or business arrangement with third parties;
- (f) trade secrets, licences, know-how and related information;
- (g) client lists and supplier lists;
- (h) third party information disclosed in confidence; and
- (i) any other information the disclosure or use of which may be detrimental to the interests of a Party or of any other person who has provided it to that Party on a confidential basis,



but does not include information in the public domain (unless in the public domain due to a breach of confidentiality by any person).

**Consequential Loss** means any loss or damage which does not naturally or directly result in the ordinary course of events from the breach, action or inaction in question, whether or not a party has been advised of or is aware of that loss or damage, including any loss of revenue, profit, data, opportunity, business, goodwill or future reputation, any failure to realise anticipated savings, any downtime costs, any damage to credit rating, and any penalties payable under contracts other than this Agreement.

**Corangamite** means Corangamite Shire Council.

**Council** means each of Corangamite, Moyne and Warrnambool.

**Dispute** means a dispute between the Parties within the meaning of clause 13.2.

**Functions** means the functions of the Joint Venture set out in clause 3.3.

**Funding Agreement** means the RCTP Funding Agreement between the State of Victoria (through the Department of Environment, Land, Water and Planning) and Corangamite made on or about 21 June 2019.

**Initial Term** means the period from the Commencement Date to 30 June 2025.

**Intellectual Property Rights** means all intellectual property rights (whether or not registered, including all applications and the right to apply for registration) including:

- (a) any processes, technology, systems, reports, specifications, blueprints, patents, trademarks, service marks, trade names, domain names, designs, design rights, brands and company names, trade secrets, copyright works, URLs, drawings, discoveries, inventions, improvements, technical data, research data, formulae, computer programs, software, know-how, logos, symbols and similar industrial or intellectual property rights;
- (b) all supplier lists and other supplier-related information generated by or for the Joint Venture; and
- (c) the right to keep Confidential Information of the Joint Venture confidential.

**Investment and Operations Committee** or **IOC** means the committee formed by the JVGC under clause 5.2.6(a).

**Joint Venture** means the South West Councils ICT Alliance joint venture established under this Agreement.

**Joint Venture Account** means a bank account or accounts established for the purposes of the Joint Venture.

**Joint Venture Governance Committee** or **JVGC** means the Joint Venture Governance Committee established under clause 5.1.

**Joint Venture Governing Committee Terms of Reference** means the terms of reference for the Joint Venture Governing Committee set out in Schedule 5.

**Joint Venture IP** has the meaning given by clause 10.2.

**Lead Council** has the meaning given by the Funding Agreement.



**LGA** means the *Local Government Act 1989* (Vic) or the *Local Government Act 2020* (Vic), as appropriate.

**Loss** means any damage, punitive damages, liability, Claim, obligation, duty, loss, charge, cost or expense (including legal expenses on a full indemnity basis and consultant's fees), interest, penalty, fine and tax, however it arises and whether it is present or future, fixed or unascertained, actual or contingent, and includes Consequential Loss.

**Master Services Agreement** or **MSA** means a Master Services Agreement between the Administering Council and a Supplier for the purposes of the Joint Venture.

**Model ICT Procurement Policy** means the model ICT Procurement Policy developed and adopted under clause 8.1.

**Moyne** means Moyne Shire Council.

**Party** means a party to this Agreement set out in Schedule 1.

**Policies and Procedures** means the policies and procedures of the Joint Venture made and as varied under clause 6.4.

**Purposes** means the purposes of the Joint Venture set out in clause 3.2.

**Quarter** means a 3 month period commencing on 1 January, 1 April, 1 July or 1 October.

**Relative Interest** means the relative interest of each Party in the Joint Venture, including in any assets or liabilities of the Joint Venture, as specified in item 1 of Schedule 2.

**Statement of Work** or **SOW** means a Statement of Work under an MSA in the form substantially set out in Schedule 6 or other form determined by the JVGC.

**Strategic Plan** means the long-term strategic plan for the future development and direction of the Joint Venture to be prepared by the JVGC under clause 6.1 for the consideration and approval of the Councils.

**Supplier** means a supplier of goods and / or services to the Councils under an MSA.

**Term** means the term of this Agreement, as determined under clause 2.

**Warrnambool** means Warrnambool City Council.

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## 2. Term of Agreement

### 2.1 Initial Term

This Agreement and the Joint Venture commences on the Commencement Date and continues for the Initial Term unless extended under clause 2.2 or terminated sooner under clause 14.



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## **2.2 Extension**

- 2.2.1 Unless the Initial Term is terminated sooner under clause 14, not more than 24 months and not less than 12 months prior to the expiry of the Initial Term, the Councils must consider whether to extend the operation of the SWC ICT Alliance and the Joint Venture.
- 2.2.2 If each Council agrees in writing, the SWC ICT Alliance and the Joint Venture may be extended for a further term of 5 years after the date this Agreement would otherwise have expired.

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## **3. Establishment of Joint Venture**

### **3.1 Establishment**

- 3.1.1 On the Commencement Date, the South West Councils ICT Alliance is established as an unincorporated joint venture between Corangamite, Moyne and Warrnambool to undertake the Functions under clause 3.3 to achieve the Purposes of the Joint Venture under clause 3.2.
- 3.1.2 Each Party:
  - (a) has an undivided interest as a tenant in common in the assets and business of the Joint Venture; and
  - (b) is liable for the debts and liabilities of the Joint Venture,  
in proportion to its Relative Interest.

### **3.2 Purposes of the Joint Venture**

The Purposes of the Joint Venture are to:

- 3.2.1 enhance the provision of ICT services to the Councils in terms of functionality and value for money in accordance with the LGA as determined by the Councils and specified in the Strategic Plan and Annual Plan and Budget prepared by the JVGC;
- 3.2.2 manage and perform the Councils' obligations under the Funding Agreement (as administered by the Administering Council), including the receipt of, expenditure of and accounting for all monies received under the Funding Agreement; and
- 3.2.3 carry out any other purpose unanimously agreed by the Councils in writing from time to time.

### **3.3 Functions of the Joint Venture**

The Functions of the Joint Venture are to, in accordance with the Strategic Plan and Annual Plan and Budget:

- 3.3.1 procure information, communications and other technology (ICT) goods and / or services for the use by the Councils (as may be agreed from time to time);
- 3.3.2 manage the provision of ICT goods and / or services to the Councils on their behalf;
- 3.3.3 develop and implement best practice processes and methodologies for the procurement and management of ICT goods and / or services;



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- 3.3.4 improve the effectiveness and efficiency of procurement of ICT goods and / or services;
- 3.3.5 other activities agreed between the Councils from time to time, including activities specified in an approved Strategic Plan or Annual Plan and Budget; and
- 3.3.6 any other functions unanimously agreed by the Councils in writing from time to time.

### **3.4 No Partnership**

- 3.4.1 The Parties expressly state that they have no intention of carrying on the Joint Venture as a business in common with a view of profit and expressly disclaim any intention to create a partnership between themselves, including within the meaning of the *Partnership Act 1958* (Vic).
- 3.4.2 Other than as expressly provided for in this Agreement, no Party may bind another in contract or create legal obligations binding on another Party and each Party is only liable for the debts or liabilities of the Joint Venture in accordance with clause 3.1.2(b).

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## **4. Administering Council**

### **4.1 Appointment of Administering Council to act for Councils in Joint Venture**

- 4.1.1 With effect from the Commencement Date and during the Term, each of the Councils appoint the Administering Council as the agent of the Joint Venture, to and only to:
  - (a) carry out the Functions for the Purposes of the Joint Venture as determined by the JVGC;
  - (b) carry out the roles and functions of the Administering Council under clause 4.2; and
  - (c) otherwise act in accordance with this Agreement.
- 4.1.2 The Administering Council accepts the appointment under this clause 4.1.

### **4.2 Roles and functions of the Administering Council**

- 4.2.1 The roles and functions of the Administering Council are to administer the Joint Venture on behalf of the Councils and in accordance with:
  - (a) this Agreement;
  - (b) the decisions and directions of the JVGC;
  - (c) the current Strategic Plan;
  - (d) the current Annual Plan and Budget;
  - (e) the Administering Council Roles and Functions; and
  - (f) the Policies and Procedures of the Joint Venture or, where such Policies and Procedures do not exist, in accordance with the Policies and Procedures of the Administering Council.



- 4.2.2 To the extent of any inconsistencies, the Administering Council must, in administering the Joint Venture, give precedence to the requirements of a document or requirement mentioned earlier in clause 4.2.1 over a document or requirement mentioned later in clause 4.2.1.
- 4.2.3 Without limitation to its other roles and functions, the Administering Council must provide secretariat services to the JVGC as determined by the JVGC from time to time.

#### **4.3 Appointment and Replacement of Administering Council**

- 4.3.1 The initial Administering Council is Warrnambool City Council.
- 4.3.2 The Administering Council may resign as Administering Council by giving not less than 6 months prior notice in writing to the JVGC and the other two Councils. If the Administering Council requests to terminate this Agreement under clause 14.3, it will be deemed to have given notice of its intention to resign as Administering Council under this clause 4.3.2.
- 4.3.3 The Councils may by unanimous or two-thirds agreement, resolve to remove the Administering Council and appoint a different Council as the Administering Council.
- 4.3.4 If the Administering Council resigns or is removed under this clause 4.3 (**Outgoing Administering Council**), it must do all things reasonably necessary to ensure the orderly transition of the role of Administering Council to the Council assuming the role of Administering Council (**Incoming Administering Council**), including:
  - (a) the Outgoing Administering Council must provide the Incoming Administering Council with all information, records, documents and things in its possession relevant to the administration of the Joint Venture;
  - (b) the Outgoing Administering Council must transfer to the Incoming Administering Council the balance of the Joint Venture Account; and
  - (c) the Outgoing Administering Council must consult with the JVGC, the Incoming Administering Council and staff of the Joint Venture in relation to the orderly transition of the secondment, employment or contracts of the staff of the Joint Venture from the Outgoing Administering Council to the Incoming Administering Council.

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### **5. Governance of Joint Venture**

#### **5.1 Appointment of Joint Venture Governance Committee**

- 5.1.1 The Councils must appoint and keep appointed a Joint Venture Governance Committee (**JVGC**) consisting of 7 members being:
  - (a) the Chief Executive Officer of each Council;
  - (b) one staff member of each Council, who will be the Director, Corporate Services or equivalent role nominated by each Council's Chief Executive Officer; and
  - (c) an independent chair.
- 5.1.2 Each Council may from time to time by notice in writing to each other Council remove and replace any of its appointees to the JVGC.





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- 5.1.3 Subject to any amendment to the JVGC's composition under clause 5.1.1, the independent chair may be removed by a vote of any two Councils and replaced by a person approved in writing by all three of the Councils.
- 5.1.4 Each Council must ensure that its appointees to the JVGC comply with this Agreement in the exercise of their powers and discharge of their duties.
- 5.1.5 The Councils must ensure that any person appointed as an independent chair has undertaken to each Council in writing to:
  - (a) exercise their powers and discharge their duties in good faith and for a proper purpose in the best interests of the Joint Venture as a whole;
  - (b) not improperly use their position to gain an advantage for themselves or anyone else or to cause detriment to the Joint Venture; and
  - (c) not improperly use any confidential information of the Joint Venture to gain an advantage for themselves or anyone else or to cause detriment to the Joint Venture.

### 5.2 Role and operation of Joint Venture Governance Committee

- 5.2.1 The JVGC will have the power and responsibility for the operation of the Joint Venture to perform its Functions and achieve its Purposes in accordance with this Agreement.
- 5.2.2 The JVGC must meet:
  - (a) at least once per Quarter, unless unanimously agreed to the contrary by the JVGC;
  - (b) if requested by any member of the JVGC; or
  - (c) if directed by any Council to do so.
- 5.2.3 Subject to the JVGC Terms of Reference, the JVGC will determine its own process and procedure, consistent with the terms of this Agreement.
- 5.2.4 The JVGC may suggest amendments or changes to the JVGC Terms of Reference to the Councils for consideration and approval from time to time. A change or amendment to the JVGC Terms of Reference takes effect once notice that the change or amendment has been agreed by the Councils has been given in writing to the JVGC.
- 5.2.5 The JVGC must keep written records of its meetings, considerations and decisions.
- 5.2.6 Subject to the JVGC Terms of Reference and without derogating from this Agreement, the JVGC may delegate its powers in writing to:
  - (a) an Investment and Operations Committee (**IOC**) consisting of 2 officers of each Council;
  - (b) a subcommittee of the JVGC; or
  - (c) to an officer of the Joint Venture (whether the officer is employed by, contracted to or seconded to the Joint Venture),however, the JVGC may not delegate this power of delegation.



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## **6. Documents, policies and procedures of the Joint Venture**

### **6.1 Strategic Plan**

- 6.1.1 The initial Strategic Plan for the Joint Venture is set out in Schedule 3.
- 6.1.2 The JVGC must prepare and provide to the Councils within 6 months of the date of this Agreement a draft Strategic Plan for the future development and direction of the Joint Venture in accordance with its Purposes and Functions and in consultation with the Councils.
- 6.1.3 The draft Strategic Plan must be consistent with the obligations of the Councils (via the Lead Council) under the Funding Agreement and address any matters requested by the Councils to be addressed in relation to future development and direction of the Joint Venture.
- 6.1.4 The Councils must review and approve or decline to approve the draft Strategic Plan by notice in writing to the JVGC.
- 6.1.5 If the Councils do not approve the draft Strategic Plan:
  - (a) the Councils must provide the JVGC with written reasons for declining to approve the draft Strategic Plan;
  - (b) the JVGC must reconsider the draft Strategic Plan and the Councils' reasons for declining to approve it; and
  - (c) the JVGC must resubmit a further draft Strategic plan to the Councils for their review and approval.
- 6.1.6 Once the Councils approve the draft Strategic Plan, it is the Strategic Plan for the purposes of this Agreement.
- 6.1.7 The JVGC must review and update the Strategic Plan at least every 3 years after it is adopted. The Councils may request the JVGC to review and update the Strategic Plan at any time and the JVGC must comply with any such request.

### **6.2 Annual Plan and Budget**

- 6.2.1 Until the first Annual Plan and Budget is approved by Council under this clause 6.2, the JVGC must conduct its affairs in accordance with the initial Annual Plan & Budget set out in Schedule 4.
- 6.2.2 The JVGC must prepare and provide to the Councils a draft Annual Plan and Budget for the operation of the Joint Venture and the provision of the services of the Joint Venture to the Councils in respect of each financial year.
- 6.2.3 The draft Annual Plan and Budget must:
  - (a) be prepared in consultation with the Councils;
  - (b) be consistent with the Purpose and Functions of the Joint Venture and the Strategic Plan;
  - (c) address any matters requested by the Councils to be addressed in relation to the operation of the Joint Venture;



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- (d) contain a detailed budget for the operation of the Joint Venture during the relevant financial year specifying expected income and the Joint Venture's costs of providing its services;
  - (e) contain detailed key performance indicators for the performance of the Joint Venture; and
  - (f) in respect of each financial year commencing on or after 1 July 2023, be provided to the Councils not less than 6 months prior to the commencement of the financial year to which it relates.
- 6.2.4 The Councils must review and approve or decline to approve the draft Annual Plan and Budget by 14 July in each year by notice in writing to the JVGC.
- 6.2.5 If the Councils decline to approve the draft Annual Plan and Budget:
- (a) the Councils must provide the JVGC with written reasons for declining to approve the draft Annual Plan and Budget;
  - (b) the JVGC must reconsider the draft Annual Plan and Budget and the Councils' reasons for declining to approve it; and
  - (c) the JVGC must resubmit a further draft Annual Plan and Budget to the Councils for their review and approval within 4 weeks.
- 6.2.6 Once the Councils approve the draft Annual Plan and Budget, it is the Annual Plan and Budget for the relevant financial year for the purposes of this Agreement.

### **6.3 Administering Council Roles and Functions**

- 6.3.1 In addition to the matters set out in this Agreement, the Administering Council's Roles and Functions are set out in Schedule 7.
- 6.3.2 The JVGC may from time to time make proposals to vary, replace or repeal any of the roles and functions of the Administering Council provided, and to the extent that, they are not inconsistent with this Agreement, the Strategic Plan or Annual Plan and Budget.
- 6.3.3 The Councils must review and approve or decline to approve, by notice in writing to the JVGC, any proposed amendments to the Administering Council Roles and Functions proposed by the JVGC under clause 6.3.2.
- 6.3.4 If the Councils decline to approve any proposed amendments to the Administering Council Roles and Functions proposed by the JVGC:
- (a) the Councils must provide the JVGC with written reasons for declining to approve the amendments to the Administering Council Roles and Functions;
  - (b) the JVGC must reconsider the amendments to the Administering Council Roles and Functions and the Councils' reasons for declining to approve them; and
  - (c) the JVGC must resubmit a further draft of the amended Administering Council Roles and Functions to the Councils for their review and approval within 4 weeks.
- 6.3.5 Once the Councils approve any amendments to the Administering Council Roles and Functions, they become the Administering Council Roles and Functions for the



purposes of this Agreement from the date stated in the proposal or, if no date is stated, the date of the approval.

**6.4 Policies and Procedures**

- 6.4.1 The JVGC may from time to time adopt, vary or repeal policies or procedures for the administration of the Joint Venture which are not inconsistent with this Agreement, the Strategic Plan or Annual Plan and Budget.
- 6.4.2 The JVGC may adopt relevant policies and procedures of the Administering Council to apply to the Joint Venture and its staff where appropriate.
- 6.4.3 Each Council (including the Administering Council) and the staff of the Joint Venture must comply with the Policies and Procedures of the Joint Venture.

**6.5 Reports to Councils**

- 6.5.1 The JVGC must provide the Councils with Quarterly written reports on the performance of the Joint Venture within 10 Business Days of the end of each Quarter, including:
  - (a) a summary financial performance of the Joint Venture in the preceding Quarter;
  - (b) the status of the key performance indicators in the current Annual Plan and Budget;
  - (c) details of any significant departures from the current Annual Plan and Budget or Strategic Plan;
  - (d) any other potential issues in relation to the Joint Venture which may have a significant positive or negative effect on the Joint Venture or its performance in the future; and
  - (e) other matters requested by the Councils from time to time.
- 6.5.2 The JVGC must prepare and provide to the Councils an annual report of the Joint Venture, including:
  - (a) a report by the JVGC as to the activities and affairs of the Joint Venture; and
  - (b) a financial report of the transactions and financial status of the Joint Venture which provides a true and fair view of the financial affairs of the Joint Venture and is:
    - (i) prepared in accordance with any reporting requirements of the Councils, including in accordance with the LGA; and
    - (ii) if requested by any Council, audited by a person qualified to audit financial reports of councils under the LGA.



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## **7. Contributions to Costs and Indemnity**

### **7.1 Contributions to Costs**

- 7.1.1 If requested by the JVGC, Corangamite must (as Lead Organisation under the Funding Agreement) pay funds received under the Funding Agreement into the Joint Venture Account.
- 7.1.2 Unless agreed by the Council to the contrary, each Council must:
- (a) contribute to the general operating and administrative costs of the Joint Venture (not including payments to suppliers under MSAs) in proportion to its Relative Interest in the Joint Venture; and
  - (b) pay all of the costs incurred by the Joint Venture directly associated with the supply of goods and / or services under an MSA and / or SOW directly to the relevant Supplier in accordance with the relevant MSA and / or SOW.
- 7.1.3 Without limitation to clause 7.1.2(a), each Council must pay to the Joint Venture Account each contribution specified in an approved Annual Plan and Budget at the time specified in the Annual Plan and Budget.

### **7.2 Indemnity**

Each Council (which is not the Administering Council) must indemnify and keep the Administering Council indemnified on demand for an amount equal to the total cost to the Administering Council of any Loss or any Claim made against the Administering Council arising out of or in connection with the Joint Venture, to the extent of and in proportion to each Council's Relative Interest.

### **7.3 Operation of indemnity**

- 7.3.1 Clause 7.2 is in addition to, and does not limit or exclude, any other rights or remedies that the Administering Council may have.
- 7.3.2 Clause 7.2 is a continuing obligation of each of the Councils which is not the Administering Council (**Other Councils**), which is separate and independent from its other obligations. Clause 7.2 survives the termination, completion or expiration of this Agreement.
- 7.3.3 It is not necessary for the Administering Council to incur any expense or make any payment before enforcing a right under clause 7.2.

### **7.4 Benefit of indemnity**

- 7.4.1 The Administering Council holds the benefit of clause 7.2 on trust for, and may enforce clause 7.2 directly against each of the Other Councils on behalf of the councilors, officers, employees, agents and contractors of the Administering Council (**Additional Indemnified**).
- 7.4.2 Clause 7.4.1 applies even though the Additional Indemnified are not party to this Agreement.
- 7.4.3 The consent of the Additional Indemnified is not required for any amendment to or waiver of rights under this Agreement.



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## **8. Procurement Activities**

### **8.1 Alignment of Council Procurement Policies**

- 8.1.1 The JVGC must prepare a draft Model ICT Procurement Policy consistent with:
- (a) the requirements of section 108(3) of the LGA;
  - (b) the Funding Agreement;
  - (c) the Purpose and Functions of the Joint Venture;
  - (d) the Strategic Plan; and
  - (e) the terms of any existing MSA with a Supplier.
- 8.1.2 Each Council must consider the draft Model ICT Procurement Policy and, if thought fit, approve it as part of the Council's procurement policy under section 108 of the LGA.
- 8.1.3 If a Council declines to approve the draft Model ICT Procurement Policy it must provide the JVGC with written reasons for doing so.
- 8.1.4 The JVGC must consider the written reasons provided under clause 8.1.3 and make any appropriate amendments to the draft Model ICT Procurement Policy arising from them, for further consideration by each Council.
- 8.1.5 From time to time the JVGC may of its own motion or upon request by any of the Councils, review and update the Model ICT Procurement Policy. This clause 8.1 applies to any updated draft Model ICT Procurement Policy.
- 8.1.6 Any dispute or difference between the Councils in relation to the preparation, adoption or modification of the Model ICT Procurement Policy may be referred for dispute resolution under clause 13.2 (and without limitation to the Councils' general obligations under clause 13.1).

### **8.2 Compliance with Model ICT Procurement Policy**

- 8.2.1 Once adopted by all Councils, the JVGC and each Council must comply with the Model ICT Procurement Policy.

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## **9. Administrative and management services**

The Joint Venture may, in accordance with the Annual Plan and Budget, acquire administrative or management services (including office accommodation) from any of the Councils or a third party by written agreement.

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## **10. Intellectual Property**

### **10.1 Background Intellectual Property**

- 10.1.1 Each Council will contribute to the Joint Venture all Intellectual Property Rights:
- (a) owned by the Council; or



- (b) licensed for use by the Council (to the extent the Council is lawfully permitted to do so),

required for the operation of the Joint Venture, the performance of the Joint Venture's Functions or the achievement of the Joint Venture's Purposes (**Background IP**).

10.1.2 Each Council will contribute its Background IP:

- (a) by making any document, record, article or thing in which the Background IP is embodied available to the Joint Venture upon request; and
- (b) as an irrevocable, perpetual, royalty-free and non-exclusive license for the Joint Venture and each other Council to use the Background IP (including by doing any act comprised in the exclusive rights in the Background IP) for the Purposes or Functions of the Joint Venture.

10.1.3 Each Council acknowledges and agrees that it gains no right, title or interest in the Background IP of another Council, other than as expressly provided for in this Agreement or a written Agreement between the relevant Parties.

**10.2 Joint Venture IP**

10.2.1 Any Intellectual Property Rights in, or in relation to, any document, article or thing created by:

- (a) the JVGC, IOC, a committee of the JVGC or a member of staff of the Joint Venture;
- (b) any Supplier under any MSA, SOW or other agreement for the purposes of the Joint Venture, under which the Intellectual Property Rights are expressed to vest in the Joint Venture; and
- (c) a Council expressly for the purpose of the Joint Venture,

(**Joint Venture IP**) will be an asset of the Joint Venture for the purposes of clause 3.1.2(a).

10.2.2 Each Council has an irrevocable, perpetual, royalty-free and non-exclusive license from the Joint Venture and each other Council to use the Joint Venture IP (including by doing any act comprised in the exclusive rights in the Joint Venture IP):

- (a) for the Purposes or Functions of the Joint Venture; and
- (b) to receive the benefit of the services of the Joint Venture and any Supplier under an MSA, SOW or any other agreement or arrangement entered into for the Council's benefit.

**10.3 Protection of Joint Venture IP**

10.3.1 The JVGC must take such steps as it reasonably considers necessary to protect the Joint Venture IP including:

- (a) seeking the registration of any Joint Venture IP which may be registered, where the JVGC considers registration is in the interests of the Joint Venture; and



- (b) taking such steps, including commencing legal proceedings, to enforce the Joint Venture IP as the JVGC considers reasonably necessary and appropriate.
- 10.3.2 Each Council must do such things as requested by the JVGC, including authorising the use of its name in any application for registration or for any legal proceedings, as requested by the JVGC.

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## **11. Confidential Information**

### **11.1 Duty not to disclose or misuse Confidential Information**

- 11.1.1 Each Party may disclose Confidential Information only:
  - (a) for the purposes of performing its obligations under this Agreement;
  - (b) as required by law; or
  - (c) as permitted or required in writing by the other Parties.
- 11.1.2 The Parties may only use Confidential Information to perform their obligations under this Agreement.

### **11.2 Preservation of Confidential Information**

Each Party must take whatever measures are reasonably necessary to prevent the disclosure or misuse of Confidential Information, including:

- 11.2.1 complying with all security measures established to safeguard Confidential Information from unauthorised access or use; and
- 11.2.2 keeping Confidential Information under the Party's control.

### **11.3 Return or destruction of Confidential Information**

A Party must immediately on termination of this Agreement or on another Party's written request at any other time:

- 11.3.1 return to the other Party Confidential Information provided to or obtained or accessed by the Party under this Agreement; or
- 11.3.2 destroy Confidential Information so that it is incapable of being revived; and
- 11.3.3 provide a statutory declaration to the other Party that all Confidential Information has been returned or destroyed in accordance with this clause.

### **11.4 Confidentiality of Agreement**

- 11.4.1 The Parties agree that the terms of this Agreement are confidential and may not be disclosed to any other person except:
  - (a) with the prior written consent of the other Parties;
  - (b) to the Parties' financial or legal advisers for the purposes of obtaining professional advice or assistance;





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(c) for the purpose of enforcing or otherwise giving effect to the terms of this Agreement; or

(d) if required by law.

11.4.2 The Parties agree that no media release or public statement will be made in connection with this Agreement, without the prior written consent of the other Parties.

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## **12. Review of Operations**

12.1 The JVGC may of its motion and must:

12.1.1 if required by any Council; or

12.1.2 as required under the Funding Agreement,

conduct a review of the operations of the Joint Venture and prepare a report of the findings and outcomes of that review.

12.2 A majority of Councils may request an independent review be conducted of the Joint Venture by an appropriately qualified person. The cost of the review will be borne by the Joint Venture and the JVGC must co-operate with and provide any information reasonably requested by the person conducting the independent review.

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## **13. Dispute Avoidance and Dispute Resolution**

### **13.1 Dispute Avoidance**

13.1.1 The Councils each acknowledge and agree that the time and cost of any disputes between them in relation to the operation of the Joint Venture may result in the Joint Venture failing to achieve its Purposes.

13.1.2 Therefore, each Council agrees that if it becomes aware of any fact, matter or circumstance which may result in a Dispute arising under clause 13.2 with another Council or the JVGC, it will notify the JVGC of the facts, matters and / or circumstances which may give rise to the dispute as soon as possible after becoming aware of them.

13.1.3 Each Council and the JVGC must promptly consider any notice given under clause 13.1.2 in good faith in an attempt to prevent any dispute arising from those facts, matters or circumstances.

13.1.4 Nothing in clause 13.1.3 requires a Council to act other than in its reasonable determination of its own best interests, but each Council must consider the benefits of avoiding the cost, time and disruption of a dispute when determining its best interests.

### **13.2 Dispute Resolution**

Any dispute between the Parties which arises out of or in connection with the Joint Venture (**Dispute**) must be resolved under this clause 13.2.

#### **13.2.1 Notice of Dispute**



If a Party wishes to have a Dispute resolved or determined, it must give a written notice (**Notice of Dispute**) to the other Parties. A Notice of Dispute must state that it is a notice under clause 13.2.1 and must specify in reasonable detail:

- (a) the legal basis for and detailed particulars of the Dispute;
- (b) the facts relied on; and
- (c) the relief or outcome sought.

**13.2.2 Negotiation by CEOs**

Within 5 Business Days after a Notice of Dispute is given (or a longer period agreed by the Parties in writing), the Parties must ensure that the Chief Executive Officers of each Council meet, undertake good faith negotiations and use their reasonable endeavours to resolve the Dispute.

**13.2.3 Submission to expert determination**

If a Dispute is not resolved within the period referred to in clause 13.2.2, a Party may give a written notice to the other Parties to refer the Dispute for expert determination (**Notice of Referral**).

**13.2.4 Appointment of expert**

- (a) Only an Expert (as defined in clause 13.2.4(b)) may conduct an expert determination under clause 13.2.3.
- (b) An **Expert** is a person:
  - (i) agreed between the Parties;
  - (ii) appointed by the Executive Director, Local Government Victoria at the request of a Party, if:
    - (A) the Parties are unable to agree on a person under clause 13.2.4(b)(i); or
    - (B) the person referred to in clause 13.2.4(b)(i) is unavailable or does not enter into an engagement agreement within 10 Business Days after the date the Notice of Referral is given.
- (c) The Parties must promptly enter into an engagement agreement with the Expert on terms reasonably required by the Expert.

**13.2.5 Not an arbitration**

An agreement for expert determination under this Agreement is not an arbitration agreement under the *Commercial Arbitration Act 2011* (Vic).

**13.2.6 Procedure for determination**

The Parties agree that the Expert must:

- (a) act as an expert and not as an arbitrator;
- (b) act fairly, impartially and independently of each Party;



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- (c) apply the Expert's own knowledge and expertise;
- (d) determine and notify the Parties of the procedure for conducting the expert determination as the Expert thinks fit, and is not bound by the rules of evidence;
- (e) make any directions for conducting the expert determination as the Expert thinks fit;
- (f) conduct investigations and enquiries, examine documents and interview persons to the extent the Expert considers necessary or desirable to resolve the Dispute;
- (g) determine the Dispute as expeditiously as possible; and
- (h) give the Parties a written determination with reasons, within 20 Business Days after the date of the engagement agreement referred to in clause 13.2.4(c), or any later date the Parties may agree in writing.

### 13.2.7 Legal representation

Each Party is entitled to legal representation during the expert determination.

### 13.2.8 Disclosure of conflict

- (a) The Expert must use all reasonable endeavours to avoid any actual or potential:
  - (i) conflict of interest or duty; or
  - (ii) circumstance that may reasonably be considered to adversely affect the Expert's impartiality or independence.
- (b) The Expert must immediately give the Parties written notice if the Expert becomes aware of the existence of anything described in clause 13.2.8(a).
- (c) The appointment of the Expert terminates immediately after the Expert gives a notice under clause 13.2.8(b).

### 13.2.9 Expert's determination

To the extent permitted by law, the Expert's determination is final and binding on the Parties unless:

- (a) there is any fraud; or
- (b) there is a material miscalculation of figures or a material mistake in the description of any person, thing or matter.

### 13.2.10 Correction

Any Party may make a written request to the Expert to correct the determination for:

- (a) a minor mistake arising from an accident or omission; or
- (b) a defect in form.



**13.2.11 Cooperation**

Each Party must:

- (a) cooperate in good faith with the Expert and the other Parties in the conduct of the expert determination; and
- (b) use reasonable endeavours to comply with all requests and directions reasonably given by the Expert.

**13.2.12 Costs**

The Parties must:

- (a) bear their own costs in connection with the expert determination; and
- (b) ensure the Joint Venture pays the costs of the Expert as costs of the Joint Venture.

**13.2.13 Subsequent proceedings**

A Party must not appoint the Expert as arbitrator, advocate or adviser in any arbitral, judicial or adjudication proceedings relating to the Dispute or any part of it, except with the other Parties written consent.

**13.3 Urgent relief**

Nothing in clause 13.2 prejudices the right of a Party to seek urgent injunctive or declaratory relief for any matter in connection with this Agreement.

**13.4 Confidentiality**

13.4.1 Subject to clause 13.4.2, the Parties must, and must ensure that the Expert must keep confidential, and not disclose to any other person:

- (a) all proceedings and submissions relating to an expert determination under clause 13.2, including the fact that any step in the expert determination is occurring; and
- (b) all documents and any other information (in any form) relating to the expert determination, including the Expert's determination.

13.4.2 A Party may disclose confidential information referred to in clause 13.4.1:

- (a) if that Party obtains the prior written consent of the other Party;
- (b) as required by law; or
- (c) to the extent necessary to give effect to or to enforce a determination.

**13.5 Continuing obligations**

Despite the existence of a Dispute or its referral to expert determination, each Party must continue to perform their obligations under this Agreement.

**13.6 Survival**

Clause 13 survives the termination or expiry of this Agreement.



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## **14. Termination**

### **14.1 Termination by Expiry**

Unless extended by the Parties under clause 2.2, this Agreement terminates at the end of the Initial Term.

### **14.2 Termination by Agreement**

The Parties may by written agreement between them, terminate this Agreement and the Joint Venture at any time or as specified in the written agreement.

### **14.3 Termination by Request**

14.3.1 Any Council (the **Terminating Council**) may request that this Agreement and the Joint Venture be terminated by notice in writing to the other Councils (the **Other Councils**).

14.3.2 Unless agreed by all Councils to the contrary:

- (a) this Agreement will terminate 12 months after the date the notice under clause 14.3.1 is received by each other Council;
- (b) the Terminating Council remains liable in proportion to its Relative Interest for the costs incurred by the Joint Venture and each Council in terminating or arising out of the termination of the Joint Venture (including in relation to the costs of redeployment or redundancy of any staff and winding up the Joint Venture under clause 14.4.4) as determined by the JVGC or, in the case of any dispute, under clause 13.2.3; and
- (c) if the Other Councils give the Terminating Council notice that they have agreed to reconstitute the Joint Venture (together or with other councils or parties), the Terminating Council must do all things reasonably necessary or requested by the Other Councils to enable the orderly transition to the new joint venture.

### **14.4 Consequences of termination**

Upon expiry or termination of this Agreement for any reason:

- 14.4.1 the Joint Venture is taken to have been terminated;
- 14.4.2 each MSA and SOW between a Council and a Supplier continues unaffected by the termination of this Agreement and the Joint Venture;
- 14.4.3 if the Joint Venture or a member of staff of the Joint Venture is nominated as the representative of a Council under an MSA or SOW, the Council must nominate another person as its representative in accordance with the MSA or SOW;
- 14.4.4 the JVGC and Councils must take all steps reasonably necessary to promptly:
  - (a) redeploy the staff of the Joint Venture or, if redeployment is not reasonably practicable, terminate the employment of the staff of the Joint Venture for redundancy;
  - (b) wind up the operations of the Joint Venture and pay all costs and liabilities of the Joint Venture from the Joint Venture Account; and



- (c) once all the costs and liabilities of the Joint Venture have been paid or satisfied, transfer the balance remaining in the Joint Venture Account to the Councils in proportion to their Relative Interest.

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## **15. GST**

### **15.1 Definitions**

In this clause:

- 15.1.1 words and expressions that are not defined in this Agreement but which have a defined meaning in the GST Law have the same meaning as in the GST Law;
- 15.1.2 **GST** means GST within the meaning of the GST Law and includes penalties and interest; and
- 15.1.3 **GST Law** has the meaning given to that term in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

### **15.2 GST exclusive**

Except as otherwise provided in this Agreement, all consideration payable under this Agreement in relation to any supply is exclusive of GST.

### **15.3 Increase in consideration**

If GST is payable in respect of any supply made by a supplier under this Agreement (**GST Amount**), the recipient must pay to the supplier an amount equal to the GST payable on the supply. Subject to clause 15.4, the recipient must pay the GST Amount at the same time and in the same manner as the consideration for the supply is to be provided under this Agreement in full and without deduction, set off, withholding or counterclaim (unless otherwise provided in this Agreement).

### **15.4 Tax invoice**

The supplier must provide a tax invoice to the recipient before the supplier will be entitled to payment of the GST Amount under clause 15.3.

### **15.5 Reimbursements**

If this Agreement requires a Party to pay, reimburse or contribute to any expense, loss or outgoing suffered or incurred by another Party, the amount which the first Party must pay, reimburse or contribute is the sum of:

- 15.5.1 the amount of the payment, reimbursement or contribution, less any input tax credit in respect of the payment, reimbursement or contribution to which the other Party is entitled; and
- 15.5.2 if the payment, reimbursement or contribution is subject to GST, an amount equal to that GST.

### **15.6 Adjustment events**

If an adjustment event occurs in relation to a taxable supply under this Agreement:

- 15.6.1 the supplier must issue an adjustment note to the recipient within 7 days after becoming aware of the adjustment; and



- 15.6.2 any payment necessary to give effect to that adjustment must be made within 7 days after the date of receipt of the adjustment note.

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## **16. Notices**

### **16.1 Delivery of notice**

- 16.1.1 A notice or other communication given to a Party under this Agreement must be in writing and in English, and must be delivered to the Party by:
- (a) delivering it personally to the Party;
  - (b) emailing it to the Party at the email address set out in the notice details
  - (c) leaving it at the Party's address set out in the notice details; or
  - (d) posting it by prepaid post to the Party at the Party's address set out in the notice details.
- 16.1.2 If the person to be served is a company, the notice or other communication may be served at the company's registered office.

### **16.2 Notice details**

- 16.2.1 The notice details of each Party are set out in Schedule 1 of this Agreement under the heading 'Parties' (or as notified by a Party to the other Parties according to this clause).
- 16.2.2 Any Party may change its notice details by giving notice to the other Parties.

### **16.3 Time of service**

- 16.3.1 A notice or other communication is taken to be delivered:
- (a) if delivered personally or left at the person's address, upon delivery;
  - (b) if posted within Australia to an Australian address:
    - (i) using express post, 2 Business Days after posting; and
    - (ii) using any other prepaid post, 6 Business Days after posting.
- 16.3.2 Despite clause 16.3.1, a notice or other communication which is received after 5.00pm or on a non-business day (each in the place of receipt), is taken to be delivered at 9.00am on the next business day in the place of receipt.

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## **17. Governing law**

This Agreement is governed by the law applying in Victoria and the Parties submit to the exclusive jurisdiction of the courts of Victoria.



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## **18. Interpretation**

### **18.1 Words and headings**

In this Agreement, unless expressed to the contrary:

- 18.1.1 words denoting the singular include the plural and vice versa;
- 18.1.2 the word 'includes' in any form is not a word of limitation;
- 18.1.3 where a word or phrase is defined, another part of speech or grammatical form of that word or phrase has a corresponding meaning;
- 18.1.4 headings and sub-headings are for ease of reference only and do not affect the interpretation of this Agreement; and
- 18.1.5 no rule of construction applies to the disadvantage of the Party preparing this Agreement on the basis that it prepared or put forward this Agreement or any part of it.

### **18.2 Specific references**

In this Agreement, unless expressed to the contrary, a reference to:

- 18.2.1 a gender includes all other genders;
- 18.2.2 any legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced and includes any subordinate legislation issued under it;
- 18.2.3 any document (such as a deed, agreement or other document) is to that document (or, if required by the context, to a part of it) as amended, novated, substituted or supplemented at any time;
- 18.2.4 writing includes writing in digital form;
- 18.2.5 'this Agreement' is to this Agreement as amended from time to time;
- 18.2.6 'A\$', '\$', 'AUD' or 'dollars' is a reference to Australian dollars;
- 18.2.7 a clause, schedule or attachment is a reference to a clause, schedule or attachment in or to this Agreement;
- 18.2.8 any property or assets of a person includes the legal and beneficial interest of that person of those assets or property, whether as owner, lessee or lessor, licensee or licensor, trustee or beneficiary or otherwise;
- 18.2.9 a person includes a firm, partnership, joint venture, association, corporation or other body corporate;
- 18.2.10 a person includes the legal personal representatives, successors and permitted assigns of that person, and in the case of a trustee, includes any substituted or additional trustee; and
- 18.2.11 any body (**Original Body**) which no longer exists or has been reconstituted, renamed, replaced or whose powers or functions have been removed or transferred to another body or agency, is a reference to the body which most closely serves the purposes or objects of the Original Body.



  
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**19. General**

**19.1 Variation**

This Agreement may only be varied by a document executed by the Parties.

**19.2 Counterparts**

This Agreement may be executed in counterparts, all of which taken together constitute one document.

**19.3 Entire agreement and no reliance**

19.3.1 This Agreement:

- (a) constitutes the entire agreement between the Parties about the Joint Venture; and
- (b) supersedes and cancels any contract, deed, arrangement, related condition, collateral arrangement, condition, warranty, indemnity or representation relating to Joint Venture that was imposed, given or made by a Party (or an agent of a Party) prior to entering into this Agreement.

19.3.2 Each Party acknowledges that in entering into this Agreement it has not relied on any representations made by any other Party (or its agents or employees) other than matters expressly set out in this Agreement.

**19.4 Liability**

If a Party consists of 2 or more people or entities, an obligation of that Party binds each of them jointly and severally.

**19.5 Severability**

19.5.1 Any provision of this Agreement that is held to be illegal, invalid, void, voidable or unenforceable must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable.

19.5.2 If it is not possible to read down a provision as required by this clause, part or all of the clause of this Agreement that is unlawful or unenforceable will be severed from this Agreement and the remaining provisions continue in force.

**19.6 Waiver**

The failure of a Party at any time to insist on performance of any provision of this Agreement is not a waiver of the Party's right at any later time to insist on performance of that or any other provision of this Agreement.

**19.7 Further assurance**

Each Party must promptly execute and deliver all documents and take all other action necessary or desirable to effect, perfect or complete the transactions contemplated by this Agreement.



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**19.8 Survival and enforcement of indemnities**

- 19.8.1 Each indemnity in this Agreement is a continuing obligation, separate and independent from the other obligations of the Parties and survives termination of this Agreement.
- 19.8.2 It is not necessary for a Party to incur expense or make payment before enforcing a right of indemnity conferred by this Agreement.

**19.9 No merger**

The warranties, undertakings, agreements and continuing obligations in this Agreement do not merge on completion of the transactions contemplated by this Agreement.

**19.10 Business Day**

If a payment or other act is required by this Agreement to be made or done on a day which is not a Business Day, the payment or act must be made or done on the next following Business Day.



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**Schedule 1      Party details**

Name	<b>Corangamite Shire Council ABN 87 042 518 438</b>
Address	181 Manifold Street, Camperdown, Victoria 3260 (PO Box 84, Camperdown, Victoria 3260)
Email	shire@corangamite.vic.gov.au
Contact	Director Corporate and Community Services
Short name	<b>Corangamite</b>
Name	<b>Moyne Shire Council ABN 69 056 376 923</b>
Address	Princes Street, Port Fairy, Victoria 3284 (PO Box 51, Princes Street, Port Fairy, VIC 3284)
Email	moyne@moyne.vic.gov.au
Contact	Director Community and Corporate Services
Short name	<b>Moyne</b>
Name	<b>Warrnambool City Council ABN 44 594 264 321</b>
Address	25 Liebig Street Warrnambool, Victoria 3280 (PO Box 198, Warrnambool, Victoria 3280)
Email	contact@warrnambool.vic.gov.au
Contact	Director Corporate Strategies
Short name	<b>Warrnambool</b>



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Schedule 2      Contract Details

Item	Clause	Details								
1.	1	<p><b>Relative Interests</b></p> <p>The Relative Interests of the Councils are:</p> <table><tr><th>Council</th><th>Relative Interest</th></tr><tr><td>Corangamite</td><td>One Third (1/3)</td></tr><tr><td>Moyne</td><td>One Third (1/3)</td></tr><tr><td>Warrnambool</td><td>One Third (1/3)</td></tr></table>	Council	Relative Interest	Corangamite	One Third (1/3)	Moyne	One Third (1/3)	Warrnambool	One Third (1/3)
Council	Relative Interest									
Corangamite	One Third (1/3)									
Moyne	One Third (1/3)									
Warrnambool	One Third (1/3)									



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**Schedule 3      Initial Strategic Plan**



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**Schedule 4      Initial Annual Plan and Budget**



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## Schedule 5 Initial Joint Venture Governing Committee Terms of Reference

### 1. BACKGROUND

- 1.1 The Rural Councils Transformation Program (**RCTP**) through the South West Councils ICT Alliance (**SWCICTA**) aims to deliver cost savings, efficiencies of scale and best practice business process management. This will be achieved by developing a common technology platform and processes for Councils to collaborate in an efficient and integrated manner.
- 1.2 Enabled by funding provided by Local Government Victoria (**LGV**) to SWCICTA under the Funding Agreement, RCTP will allow the Councils to improve the quality, effectiveness and affordability of core services to ratepayers. It will enable resource sharing, align business systems and deliver a regionally shared Enterprise Resource Planning platform to support 9 service areas including financial processes, procurement, human resources, including payroll, records management, customer service, rates, planning and building, permits and by-laws and waste.
- 1.3 The strategic priorities for SWCICTA include to:
  - 1.3.1 meet the increasingly sophisticated technical expectations of our communities.
  - 1.3.2 utilise a shared service model to minimise cost of providing services.
  - 1.3.3 meet the needs of a contemporary workforce with increasingly hybrid working arrangements.
- 1.4 Central to the achievement of the SWCICTA is the development of common and shared Policies and Procedures as well as adoption of a common technology platform for identified services.
- 1.5 An ICT enabled program (**Program**) has been formed to deliver this common technology platform and shared processes. These Terms of Reference form the governance framework for the delivery of this Program.
- 1.6 As the Program transitions into operations these Terms of Reference will be updated to reflect the governance arrangements during operations; where operations are defined as the point when the ERP is fully implemented and ready for operations under the management of the JV.

### 2. PURPOSE

- 2.1 A Joint Venture Governance Committee (**JVGC**) has been established and will, among its broader responsibility for the operation of the Joint Venture under the Agreement, the JVGC will govern the delivery of the Program to ensure the achievement of long-term benefits for the participating Councils and the community. More specifically the JVGC is the key body responsible for governing the strategic implementation of the shared services solution.
- 2.2 These Terms of Reference have been created to establish the agreed roles, functions and authority for the collective governance of the Councils. These Terms of Reference are owned, maintained and utilised by the Joint Venture to ensure the Joint Venture is governed responsibly and maintains the intentions of establishing the Program. This Program specific role of the JVGC will continue beyond the implementation of the shared services that are the subject of the Program, until all members of the JVGC are satisfied processes are in place for the ongoing achievement of the benefits specified in paragraph 5 of these Terms of Reference.



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2.3 The Terms of Reference are based on:

2.3.1 the Agreement; and

2.3.2 the approved SWCITCA Business Case and Business Case Addendum incorporated into the Funding Agreement.

### 3. Governance

3.1 The JVGC is the key body responsible for governing the design and implementation of the shared services solution. The JVGC has responsibility for ensuring the investment into the formation of the Joint Venture and the Program delivers the intended benefits for the south west region and the Councils.

3.2 The JVGC's governance spans Program delivery and operations. The boundary of Program delivery is from business case development and approval through to system implementation and readiness for service.

3.3 The JVGC will be responsible for approving a post implementation review (PIR).

3.4 In delivering this responsibility the JVGC will be guided by 4 core principles of governance being transparency, clarity, accountability and authority; providing transparency and clarity on what the respective governance boards are responsible for, and the accountability and authority to act.

### 4. Governance Structure

4.1 The JVGC will be supported by a Project Control Group (**PCG**) and governance boards within each Council.

#### 4.2 Project Control Group

4.3 The PCG will be a multi-Council group comprising Director level members nominated by each Council from its Corporate and Community and Technology / Transformation roles.

4.4 The PCG will operate during the Program and the first years of Operation to ensure implementation of a shared services model that will assure the benefits specified in paragraph 5 of these Terms of Reference are realised. As the Program transitions fully into Operations the Executive Officer of the Joint Venture will assume responsibility for ongoing delivery, from the PCB.

4.5 The PCG will have a dual role:

4.5.1 representing and specifying the needs of those who will use Program outputs, as well as ongoing monitoring of the Program to ensure Program benefits are delivered specified in paragraph 5 of these Terms of Reference; and

4.5.2 ensuring the best solution is adopted to deliver the Program, and its intended benefits specified in paragraph 5 of these Terms of Reference.

4.6 The PCG will be Chaired by a Director of the Administering Council.

4.7 The PCG will have its own terms of reference clearly identifying PCG decision making responsibilities and thresholds for risk and issue management, including the category of risks and issues referred to the JVGC.





**4.8 Council Specific Governance Arrangements**

- 4.9 Each Council will form its own governance arrangement to guide the development and implementation of the common IT and software solution into each Council. Council specific governance arrangements will be concerned with making decisions only that impact the operation of their own Council and which have no broader implication for another participating Council.
- 4.10 Each Council specific governance arrangement will be supported by the PCB and the JVGC.
- 4.11 As a framework for decision making Council specific governance arrangements will be guided by the 4 mandatory principles for all decision-making described in paragraph 3.4 of these Terms of Reference. Each Council governance arrangement will be responsible for escalating any issue that may impact the achievement of these mandatory principles within its authorising environment as noted in these Terms of Reference.
- 4.12 More specifically each Council specific governance arrangement is responsible for:
- 4.12.1 informing members of the Council (and community) of the status/progress of their implementation;
  - 4.12.2 disseminating relevant SWCITCA directions to Council members;
  - 4.12.3 managing key design and implementation decisions within a Council; and
  - 4.12.4 ensuring that each Council adopts a consistent approach to the adoption and operation of the common IT and software solution.

**5. Benefits**

- 5.1 The Program will deliver benefits to the region's community through transformational reforms to Council functions, including:
- 5.1.1 generating the sustainability and growth of the local government sector, particularly within regional Victoria;
  - 5.1.2 creating greater capacity for the workforce to deliver consistently high-quality services;
  - 5.1.3 providing greater access to a mobile and skilled workforce across the region;
  - 5.1.4 supporting the identification of critical roles and skills gaps across the 3 Councils;
  - 5.1.5 flexibility and adjust to environments we are operating in;
  - 5.1.6 modernising Councils' technology environment;
  - 5.1.7 implementing best of breed, shared processes and policies;
  - 5.1.8 improving local community liveability across local government boundaries;
  - 5.1.9 increasing the cost-effectiveness of delivery of internal and community facing Council services;
  - 5.1.10 improving data capture and management (at a Council and Partnership level) supporting enhanced decision making by Executives; and
  - 5.1.11 better meet Council risk and compliance requirements.



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## 6. JVGC GOVERNANCE PURPOSE

- 6.1 The JVGC has a broad purpose under the Joint Venture Agreement to govern the establishment and operation of the Joint Venture.
- 6.2 The JVGC is to provide a senior collaborative and leadership forum across the 3 participating Councils that informs the design, delivery and operation of the shared services solution and its anticipated benefits. The JVGC will provide an approval point for Program decisions that sit above the scope of any one Council. It will also provide a forum for the establishment of consistent 'better practice' processes across Councils during implementation and early-stage operation.
- 6.3 The objectives of the JVGC are to:
- 6.3.1 provide leadership, strategic direction and decision making to facilitate the successful delivery of the Program;
  - 6.3.2 maintain focus on the agreed scope, outcomes and benefits of the Program against the baseline provided by the Business Case and Business Case Addendum under the Funding Agreement;
  - 6.3.3 provide a forum for communication, cooperation and coordination between the participating Councils;
  - 6.3.4 remove obstacles to successful delivery of the Program;
  - 6.3.5 embed a culture that is committed to shared services and fostering collaboration; and
  - 6.3.6 encourage a whole of region perspective in relation to the provision of services to the community.
- 6.4 The JVGC will be advised by the individual governance arrangements that are to operate within each of the 3 participating Councils and informed by the PCG, as described under paragraph 4 of these Terms of Reference.

## 7. DECISION MAKING ROLE

- 7.1 Critical to the achievement of Program benefits is the ability to design and implement shared policies and services, and to procure and implement a consistent technology platform across the 3 Councils for relevant services where this maximises benefit outcomes.
- 7.2 The JVGC must focus decision making on achieving this outcome while balancing budget and resource constraints of each participating Council. Each participating Council aims to achieve equal or better return on investment over 5 years, against existing technology and resource investments as documented in the Business Case and Business Case Addendum under the Funding Agreement.
- 7.3 Key mandatory principles that govern JVGC decision making are to include:
- 7.3.1 implementation that enables a single Program wide solution to maximise benefits realisation;
  - 7.3.2 implementation that enables inter-Council mobility;
  - 7.3.3 onboarding and operating processes that are common across Councils and that enables job sharing; and



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- 7.3.4 a procurement output that caters for the operating budgets of each of the participating Councils.
- 7.4 More specifically, during the Program the decision making role of the JVGC is to:
  - 7.4.1 determine program scope, budget and timeframes through approval of the Business Case Addendum under the Funding Agreement;
  - 7.4.2 review and approve any changes to scope, budget and timeframes as defined in the Business Case Addendum under the Funding Agreement, and approve any associated impact to benefits realisation;
  - 7.4.3 direct the allocation and prioritisation of budget and scope for the overall Program and each Program component including the allocation of funds from the Program contingency, within the constraints of the Business Case Addendum;
  - 7.4.4 direct, and make available, the allocation of in-kind resources to the Program (Joint Venture);
  - 7.4.5 review and endorse the Program workplan, communications plan, change management plan, risk register, Program charters and service level agreements for each shared service;
  - 7.4.6 discuss and approve any variations from standard policies or processes to be implemented across Councils;
  - 7.4.7 support the objectives of the Shared ICT Strategy consistent across the 3 participating Councils;
  - 7.4.8 collaborate to resolve enterprise-level issues;
  - 7.4.9 allocate and share resources, in particular to support technology implementations, across the 3 councils;
  - 7.4.10 approve joint procurements;
  - 7.4.11 decide when the Program is 'finished';
  - 7.4.12 ensure outcomes / benefits are realised in full even after Program conclusion; and
  - 7.4.13 report to LGV on the implementation and performance of phase 1 and phase 2.
- 7.5 The JVGC's advisory and monitoring responsibilities are to:
  - 7.5.1 work closely with the Program Director to provide expertise, advice, and connections as required;
  - 7.5.2 monitor Program Director's progress and performance and direct as necessary;
  - 7.5.3 review and provide feedback on all reports presented to the JVGC;
  - 7.5.4 monitor and manage factors outside the JVGC's control that are critical to the Program's success;
  - 7.5.5 advise respective Councils in relation to the matters referred to within the scope of the JVGC's purpose and objectives;
  - 7.5.6 ensure the Program is delivered on time and within budget; and



- 7.5.7 advise on the need for Program review at agreed milestones, including the need for independent review as required.
- 7.5.8 ensure completion of post implementation review (PIR) that:
  - 7.5.8.1 confirms the Program has been delivered against the benefits, and accordingly program governance responsibilities have been completed.
  - 7.5.8.2 ensures an operational environment has been established with satisfactory resources and processes in place for the benefits to be realised over time.
  - 7.5.8.3 ensures operational governance commences, focussing on service delivery and operation of the shared service within the Joint Venture.
- 7.6 The JVGC is responsible for establishing, maintaining and overseeing performance against the following frameworks:
  - 7.6.1 the Agreement and Terms of Reference – which defines the operation of the Joint Venture and the JVGC meetings;
  - 7.6.2 Financial Management and Delegations policy – which defines the financial delegations and authorities that apply;
  - 7.6.3 Procurement policy – which defines the procurements delegations and authorities, consistent with the Funding Agreement, the Victorian Local Government Best Practice Procurement Guidelines, the requirements of the Victorian Industry Participation Policy, and such other policy requirements that may apply at that time; and
  - 7.6.4 Shared ICT Strategy - which defines ICT design principles and standards to guide system implementation within, and across, the 3 Councils.
- 7.7 Governance responsibilities during Operations will be confirmed and these Terms of Reference updated accordingly as the Program moves into the Operations phase.

## **8. MEMBERSHIP**

### **8.1 Members During Program Governance**

- 8.1.1 The JVGC will comprise the Chief Executive Officers of all participating councils, the Directors of Corporate services (representing the users of the service) and the Program Director, plus an independent chairperson. The members of the JVGC are:
  - (a) Voting Members:
    - (i) CEO Corangamite Shire Council;
    - (ii) CEO Warrnambool City Council;
    - (iii) CEO Moyne Shire Council;
    - (iv) Director Corporate and Community Services, Corangamite Shire Council;
    - (v) Director Community & Corporate Support, Moyne Shire Council; and



(vi) Director Corporate Strategies, Warrnambool City Council;

(b) Non-voting Members:

(i) Program Director (TBA);

(ii) Independent Chair (TBA); and

(iii) Quality Assurance, Deirdre Diamante, Mia Consulting Services.

8.1.2 JVGC membership is based on organisational roles within each participating Council.

## 8.2 Members During Operational Governance

8.2.1 The Operations JVGC will comprise the Chief Executive Officers of all participating Councils, the Directors of Corporate services (representing the users of the service) and an Executive Officer of the Joint Venture, plus an independent chairperson. The members of the JVGC are:

(a) Voting Members:

(i) CEO Warrnambool City Council (as proposed Administering Council);

(ii) CEO Corangamite Shire Council;

(iii) CEO Moyne Shire Council;

(iv) Director Corporate and Community Services, Corangamite Shire Council;

(v) Director Community & Corporate Support, Moyne Shire Council; and

(vi) Director Corporate Strategies, Warrnambool City Council.

(b) Non-voting Members:

(i) Independent Chair (TBA); and

(ii) Executive Officer Joint Venture.

8.2.2 JVGC membership is based on organisational roles within each participating Council.

## 8.3 Membership Provisions

8.3.1 JVGC members will commit to:

(a) attend all scheduled JVGC meetings. Proxies will not be allowed. Where a JVGC member appoints a person to act in their organisational role then this person will also assume that JVGC member's JVGC role;

(b) wholeheartedly champion Program benefits specified in paragraph 5 of these Terms of Reference;

(c) share communications and information across all members and discussing matters openly and honestly;



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- (d) respond expeditiously in providing its findings, comments and recommendations so as not to hold up the Program;
  - (e) provide timely input and feedback on Program milestones and Funding Agreement deliverables;
  - (f) notify members of the JVGC, as soon as practical, if any matter arises which may be deemed to affect the JVGC;
  - (g) conduct consultation as necessary with relevant stakeholders to clarify any issues;
  - (h) act fairly and impartially; and
  - (i) undergo regular 'health checks' to verify the status and 'health' of the JVGC.
- 8.3.2 JVGC members will expect to be:
- (a) provided with complete, accurate and meaningful information in a timely manner;
  - (b) given reasonable time to make key decisions; and
  - (c) alerted to the potential risks and issues that could impact the Program, as they arise.
- 8.3.3 JVGC members must declare any conflicts of interest or duty at the start of each meeting or before discussion of an agenda item or topic where a conflict exists. Details of any conflict are to be appropriately minuted and appropriate action taken as agreed to by the JVGC.

## 9. ROLES AND RESPONSIBILITIES

### 9.1 Sponsor

- 9.1.1 Unless otherwise resolved the Administering Council is the JVGC Sponsor.
- 9.1.2 The JVGC Sponsor's overall responsibilities include:
- (a) ultimate accountability for the Program, including governance arrangements, on behalf of participating Councils;
  - (b) ownership of the joint business case;
  - (c) ensuring Program assurance processes;
  - (d) ongoing risk management;
  - (e) guidance on identification and engagement of stakeholders; and
  - (f) ultimate accountability for realisation of Program benefits.
- 9.1.3 In addition to the JVGC Sponsor, the CEO of each Council fulfills the sponsorship role for delivering the Program into their Council. The CEO will be supported by a Senior User described in paragraph 9.2.

### 9.2 Senior Users

The Directors of Corporate and Community will each assume a Senior User role. Key responsibilities of this role include:



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- 9.2.1 contributing resources to the Program to ensure outputs are developed satisfactorily and sustainably to meet business and operational needs (this involvement is going from the conceptual phase through to accepting and/or testing the output products);
- 9.2.2 ensuring the Program is planned with the end in mind (to meet the desired outcomes);
- 9.2.3 ensuring each output is specified and delivered fit-for-purpose;
- 9.2.4 managing Program outputs for their operational use, in alignment with the benefits;
- 9.2.5 securing resources for the ongoing maintenance of the asset/solution;
- 9.2.6 being accountable to the JVGC Sponsor for the measuring and reporting of Program outcomes; and
- 9.2.7 being responsible for the realisation of benefits from the investment.

### 9.3 Independent Chair

The independent chair's role is to provide independent oversight of the Program that includes:

- 9.3.1 provide the senior governance structure with an independent perspective on the progress of the Program including any risks and issues not identified or being effectively managed;
- 9.3.2 monitor Program delivery actively and interject with recommendations to address elements of concern; and
- 9.3.3 monitor board interactions and call out conflicts of duty or stakeholder bias, particularly during decision making.

### 9.4 Quality Assurance Advisor

9.4.1 The quality assurance role is to provide independent oversight of the Program that includes:

- (a) monitor Program delivery actively and interject with recommendations to address elements of concern;
- (b) monitor adherence to standards and the level of quality of documentation that responds to those standards; and
- (c) report on activities as required by the Program. For example, undertake the task of producing the 'Progress report', 'Yearly report' and 'Outcomes report'.

9.4.2 The tenure of the quality assurance advisor is up to post implementation signified by an approved Post Implementation Plan.

### 9.5 Project Director

The Project Director is accountable to and works under the direction of the JVGC. The Project Director co-ordinates and assigns Program work and is responsible for:

- 9.5.1 Program recruitment and staff management, including contractor resourcing;



- 9.5.2 driving the Program and delivering against the Business Case and Business Case Addendum (through a Program plan);
- 9.5.3 breaking work in to separate work tasks;
- 9.5.4 allocating work tasks and co-ordinating resources;
- 9.5.5 identifying risks and troubleshooting issues as they arise;
- 9.5.6 monitoring progress and achievements;
- 9.5.7 providing reports to JVGC; and
- 9.5.8 other roles within the Project Director description.

## 10. OPERATING CHARTER

### 10.1 Meeting Procedures

- 10.1.1 The Chairperson is to preside at all meetings of the JVGC. When the Chairperson is not available the JVGC Sponsor of the Administering Council will assume the role of Chairperson.
- 10.1.2 Meetings shall be held monthly at either a physical location or by electronic means as necessary to enable it to exercise and discharge its functions described in the Agreement and these Terms of Reference.
- 10.1.3 The JVGC will be supported by the Program Director of the SWCICTA, who will attend JVGC meetings. The Program Director will report on the progress of the Program at each JVGC meeting.
- 10.1.4 Other subject matter experts may attend the meetings at the Chairperson's request where issues require clarification.
- 10.1.5 A quorum of members is required present in person or by use of technology. A quorum will consist of a minimum of two CEOs and a simple majority (more than half) of the members of the JVGC at the time the meeting is held.
- 10.1.6 Decisions will be made by consensus, which means when members are satisfied with the decision even though it may not be their first choice. If consensus is not possible, the decision will be put to a vote, with the JVGC Sponsor holding the casting vote in the event of an equality of votes. Each voting member of the JVGC has and may exercise one equal vote on any question before the JVGC for determination. Voting will be by majority of votes by a show of hands. Only members in attendance are entitled to vote. All decisions are final. JVGC members not at JVGC meetings must accept the decisions made.
- 10.1.7 Resolutions can be made out of session via a circulating resolution approved by all members using email or other technology agreed by the JVGC. If a unanimous circulating resolution cannot be reached, the matter may be considered and agreed by a majority at a subsequent meeting of the JVGC.
- 10.1.8 For its business papers, meetings and otherwise, the JVGC may use technology including telephone, video-conferencing, email and internet as arranged by the Chair.

### 10.2 Meeting documentation





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- 10.2.1 Meetings agendas, minutes and administrative support will be provided by the Project Director.
- 10.2.2 All agenda items will be forwarded to the Project Director within 5 working days prior to the next scheduled meeting. The agenda, with attached meeting papers, will be distributed at least 3 working days prior to the next scheduled meeting.
- 10.2.3 The JVGC shall keep accurate minutes of its proceedings at meetings. Directions of the JVGC are to be explicitly noted within these minutes with a list of action items included. Directions are issued as a result of a decision by the JVGC.
- 10.2.4 Draft minutes will be circulated to members for comment no later than 3 working days following each meeting and will be included in the business papers for consideration/adoption at the next JVGC meeting.
- 10.2.5 The meetings of the JVGC, including agenda material and minutes, are deemed to be Confidential Information under the Agreement. Release of the JVGC's correspondence or papers can only be made with the approval of the JVGC.

### 10.3 Meeting agenda

The following standing agenda will be followed at each meeting and other items are to be added through advice to the secretariat.

- 10.3.1 previous minutes;
- 10.3.2 declaration of conflict of interest;
- 10.3.3 declaration of conflict of duty;
- 10.3.4 action items;
- 10.3.5 specific agenda items;
- 10.3.6 Council report back on the Program;
- 10.3.7 vendor update on releases;
- 10.3.8 benefits tracking and risk reporting;
- 10.3.9 recommendations and decisions sought;
- 10.3.10 out of session decisions;
- 10.3.11 other business; and
- 10.3.12 decision to proceed with the Program.

### 10.4 Conflict of interest and duty

- 10.4.1 Members are required to bring to the attention of the Independent Chair any conflict of interest or duty or potential conflict they may have with any item on the agenda.
- 10.4.2 If a member is deemed to have a real or perceived conflict of interest or duty in a matter that is being considered at a meeting, the Board will agree how to manage that conflict during discussions and decision making.





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## Schedule 6      Template Statement of Work

### South West Councils ICT Alliance Statement of Work

**From: ##Council Name**

**To: ##Administering Council**

**Date: ##**

#### Part 1 Details of Statement of Work

1.	SOW number	[Insert SOW number]
2.	SOW name	[Insert]
3.	Initiating Council	[insert name of Council initiating the statement of work]
4.	SOW Commencement Date	[Insert date SOW is to commence]

#### Part 2 Scope of Services

[insert]

#### Part 3 Deliverables

[insert]

**Signed for and on behalf of [insert] Council**

Name (print)

Position

Signature and date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_



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## **Schedule 7      Administering Council Roles and Functions**

In addition to the roles and functions set out in the Agreement, the Administering Council's roles and functions are to:

1.      establish the SWC ICT Alliance as a separate business unit within the Administering Council's existing corporate structure;
2.      enter into one or more MSA(s) with the Supplier(s) on its own behalf and as the agent for each of the remaining Councils on common terms, including pricing;
3.      deal with the Supplier(s) on each Council's behalf to:
  - 3.1      maintain separate revenue, expense and capital accounts for the SWC ICT Alliance;
  - 3.2      provide periodic and ad-hoc reporting to the JVGC;
  - 3.3      support the JVGC to provide financial reports to each Council in accordance with the LGA (which may be audited upon request); and
  - 3.4      provide full access to the financial ledgers and supporting documentation of the SWC ICT Alliance to each other Council upon request;
4.      administer the Funding Agreement;
5.      administer the Joint Venture on behalf of the Councils and in accordance with:
  - 5.1      the Agreement;
  - 5.2      the decisions and directions of the JVGC;
  - 5.3      the current Strategic Plan;
  - 5.4      the current Annual Plan and Budget;
  - 5.5      the Policies and Procedures of the Joint Venture or, where such Policies and Procedures do not exist, in accordance with the Policies and Procedures of the Administering Council;
6.      provide secretariat services to the JVGC as determined by the JVGC from time to time;

The Administering Council Roles and Functions listed within this Schedule 7 may be amended (modified, expanded or removed) by the JVGC from time to time in accordance with clause 6.3.



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Signing Page

Executed by the Parties

The Common Seal of the Corangamite Shire was placed on this document in the presence of:

Chief Executive Officer

Date

The Common Seal of the Moyne Shire Council was hereunto affixed this day of October 2022 in the presence of:

Councillor

Chief Executive Officer

The Common Seal of Warrnambool City Council was affixed in the presence of:

Chief Executive Officer  
Pursuant to Local Law 1 of the Council.

Witness

#### **8.4. DEVELOPMENT PLAN APPLICATION DP2022-0005 - 147 WOLLASTON ROAD**

**DIRECTORATE : City Growth**

**PURPOSE:**

***This report considers the North of the Merri River Development Plan, describing future residential development, a retirement village, and open space development in relation to 147 Wollaston Road, and recommends that Council approve the plan subject to required changes.***

**EXECUTIVE SUMMARY**

- Council has received a Development Plan (DP) prepared by proUrban planning consultants for land at 147 Wollaston Road (LOT 1 TP99782 and LOT 1 TP884446) situated between Wollaston Road and the banks of the Merri River.
- The site has an area of approximately 24.8 hectares and is within the North of the Merri River Growth area, and jointly the General Residential zone (GR1Z) and Urban Floodway zone (UFZ), which anticipate residential use and development with appropriate consideration for flood prone areas.
- The Development Plan as submitted comprises:
  - A nominated residential subdivision along the eastern boundary serviced by a single access from Wollaston Road and a carriageway easement for possible future access across the river,
  - Fifty-two (52) lots ranging in size from 698m<sup>2</sup> to 957m<sup>2</sup> with a density level of 10.4 lots per hectare (slightly below target of 12),
  - The balance of the residential zoned area shown as suitable for a retirement village on a single lot, where specific information about development has not been provided on the plan,
  - The remainder of the urban floodway zoned area shown as 'golf course / open space', with a 36 metre section of 'creek reserve' showing retained/re-instated vegetation and a public pathway.
- The Development Plan was subject to internal and external referrals as required.
- The Development Plan was placed on exhibition for a non-statutory period of two (2) weeks and three (3) submissions were received.
- The new Development Plan is generally consistent with the Development Plan Overlay requirements and relevant provisions of the Warrnambool Planning Scheme, under condition that any open space is not held privately, and is therefore appropriate to endorse.
- If the Development Plan is endorsed a planning application will be subject to further assessment by Council.

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR RICHARD ZIEGELER**

**That non-statutory notice was given of the application and having considered all the matters normally required under Section 60 of the Act for planning applications, Council should approve the development plan under the relevant provisions of the Warrnambool Planning Scheme in respect of the land known and described as Lot 1 on Title Plan 99782 and Lot 1 on Title Plan 8844446 at 147 Wollaston Rd, WARRNAMBOOL VIC 3280, which seeks to facilitate future residential, retirement village and open space development on site with the following required changes:**

- 1. Provision of the floodplain corridor as public open space in accordance with the Development Plan Overlay Schedule 10 and the North of the Merri River Structure Plan.**
- 2. Agreement to receive a follow up report on proposed leasing of portions of the public open space for use as a golf course connected to the retirement village that facilitates required drainage infrastructure, shared path corridors along the eastern and southern boundaries and landscaping enhancements to the satisfaction of the authority and the GHCMA.**

**LOST - 3:4**

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

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## **BACKGROUND**

The proposal seeks approval for a Development Plan which would facilitate the future development on site of 52 residential lots, a retirement village indicatively comprising 192 dwellings, a golf course, open space and associated roads, infrastructure and facilities.

A Traffic Impact Assessment, Open Space Plan, CHMP, Stormwater Management Strategy, Services Plan and Urban Design Report have been submitted in support of the application. A land budget, vegetation assessment, and bushfire assessment were also submitted in response to a request for further information.

The proposed development plan broadly proposes residential and retirement village development on that part of the site within the General Residential zone, and open space within the floodplain area. The open space area is proposed to accommodate land used as a golf course (presented in the plan as privately run) with associated drainage infrastructure (one retarding basin and one wetland). The development is separated into three individual stages. Stage 1 includes 26 residential lots and, while the DP does not specify which lots, it is understood the land would be developed from the northeast corner. Stage 2 would contain the remaining 26 residential lots and stage 3 would combine the entire retirement village area and golf course (developed on one lot).

A 36m wide public open space corridor is proposed along the north of the Merri River with a 10m vegetation buffer and 2.5m shared path. The DP proposes a Section 173 agreement that will provide the floodplain land as open space in the event that stage 3 of the development is not developed for the purposes of a retirement village.

## **ISSUES**

The Glenelg Hopkins Catchment Management Authority have raised concerns with the location of the retarding basin, wetland and golf course in the floodplain. The GHCMA have sought further details including hydraulic modelling that demonstrates the retarding basin and wetland will not impact on the flood behaviour in the floodplain, and further details of any cut and fill proposed to construct the golf course which would also require hydraulic modelling. The applicant has indicated the SWMS provides hydraulic modelling and preliminary meetings have been held with the GHCMA. Despite this, the GHCMA have not provided their approval of the proposal. The residential layout in the DP relies on the location of the retarding basin and wetland in the floodplain. The GHCMA referral also provides commentary on the future bridge connection and the need for a flood response plan for the retirement village.

Crucially, the Structure Plan requires the floodplain area and river reserve to be vested to Council as public open space. An open space plan has been provided that indicates the layout for the site. The plan provides for the floodplain area to be utilised as a private golf course, which is inconsistent with the anticipated use of the site for public open space within the North of Merri River Structure Plan.



## **FINANCIAL IMPACT**

Costs associated with the review and assessment of the Development Plan has been included in the 2021/2022 City Strategy and Development Budget.

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

### **2 A Sustainable environment**

2.1 Natural environment: Council will enhance open spaces and infrastructure that support a healthy community, wildlife, flora, fauna and biodiversity.

2.2 Water and coastal management: Council will protect and enhance the health of Warrnambool's coastline and inland waterways to protect and improve biodiversity

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

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

4.3 Stronger neighbourhoods: Council will foster neighbourhood connections and capacity building including the development of inclusive recreational and cultural opportunities.

## **TIMING**

In accordance with the *Planning and Environment Act 1987*.

## **COMMUNITY IMPACT / CONSULTATION**

All documentation forming part of the Development Plan (DP) has been subject to referrals and a period of non-statutory public exhibition over two weeks, in accordance with Council's policy to provide notice of development plans. Exhibition of the DP is a non-statutory requirement to enable Council to make an informed decision on the future development of the site.

Three (3) submissions were received with the following concerns:

- Road Design
- Bromfield Street River Crossing and Road Extension
- Drainage Catchments
- Stormwater Management
- Wetland Preservation
- Golf Course and Public Open Space
- Inconsistency with the Merri River Development Control Plan

The Structure Plan has an overall density target of 15 dwellings per hectare. The proposed plan suggests lower density housing on the land which results in approximately 12 dwellings per hectare, in combination with much higher density in relation to the retirement village. The underlying zone (General Residential 1) seeks to 'encourage a diversity of housing types' that respects neighbourhood character. If the DP is approved a future planning application would require Council to have greater consideration to matters raised in the submission as part of a rescode assessment, however it can be concluded that development is generally consistent with the intent of the Structure Plan.

The development plan was referred to Wannon Water; Downer (Gas); Environmental Protection Authority; Glenelg Hopkins Catchment Management Authority; Country Fire Authority; Council's City Infrastructure; City Sustainability and City Strategy departments. Referral responses indicate general consent, with specific and targeted concerns primarily concerning infrastructure provision, and the provision and management of appropriate open space. The river crossing is a DCP item and will be designed and constructed with the correct input from all authorities at the appropriate time. Specific details concerning road design and stormwater management can be dealt with at

subdivision stage. The primary input from both objectors and referral sources, therefore, is the inappropriate provision of open space.

With the exception of the creek reserve, open space is intended to be used as a private golf course for the retirement village. The structure plan specifically indicates this space as public open space, and while the future use as a golf course may be appropriate, the land must be vested to Council. Discussions with the applicant were held to determine the suitability of designating the floodplain area simply as 'open space', thus potentially alleviating the concerns from both objectors and referral authorities, however the applicant stated their preference for declaring the future land use intent. As recommended above, it is firmly believed that in the first instance land must be vested to Council, but that there is benefit in understanding future intent, and further engaging with the applicant to understand future design options.

The DP with recommended changes is therefore considered an acceptable response to the Development Plan Overlay and as a concept for this area.

## **LEGAL RISK / IMPACT**

The Plan has been processed and assessed in accordance with the requirements of the Warrnambool Planning Scheme and the *Planning and Environment Act 1987*. The applicant has an avenue of appeal should Council refuse endorsement of the Plan.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **COLLABORATIVE PROCUREMENT**

Not applicable.

## **CONCLUSION**

The role of the Development Plan is to provide direction on the form and layout of future development of the land. The proposed Plan must be changed to provide open space in accordance with the structure plan, however once modified the Plan provides an appropriate direction and description of the future form of development on the land. A planning application will be required if the Plan is approved and this will allow Council to assess the proposal against the relevant provisions of the Warrnambool Planning Scheme.

## **ATTACHMENTS**

1. DP2022 0005 147 Wollaston Road delegate report [8.4.1 - 21 pages]
2. 220603 147 Woolaston Road, Warrnambool - Development Plan [8.4.2 - 32 pages]
3. 147 Wollaston Road DP - Appendix A Urban Design Pa [8.4.3 - 9 pages]
4. 147 Wollaston Road DP - Appendix B Open Space Plan [8.4.4 - 4 pages]
5. 147 Wollaston Road DP - Appendix C Traffic Impact [8.4.5 - 24 pages]
6. 147 Wollaston Road DP - Appendix D Stormwater Mana [8.4.6 - 56 pages]
7. 147 Wollaston Road DP - Appendix E Services Plan [8.4.7 - 1 page]
8. 147 Wollaston Road DP - Appendix G Approved CHMP [8.4.8 - 140 pages]
9. 211104 147 Woolaston Road, Warrnambool - Vegetation Assessment [8.4.9 - 18 pages]
10. 220722 - 147 Wollaston Road - Bushfire Report [8.4.10 - 38 pages]
11. 220414 - 147 Wollaston Road Warrnambool - Response to submissions [8.4.11 - 7 pages]



## Delegate Planning Assessment Report

### Application Details:

<b>Application is for:</b>	A Development Plan which seeks to facilitate future development on site including 52 residential lot subdivision, a retirement village, golf course, drainage infrastructure and riparian corridor along the Merri River frontage.	
<b>Applicant's/Owner's Name:</b>	Pro Urban Suite 201/5 Claremont Street, SOUTH YARRA, VIC 2141	
	Received: 14 September 2021	Further Info Rec: 26 July 2022
<b>Statutory Days:</b>	N/A	Notice Period: November 2021
<b>Application Number:</b>	DP2022-0005	
<b>Planner:</b>	Rob Wandell	
<b>Land/Address:</b>	Lot 1 on Title Plan 99782 and Lot 1 on Title Plan 8844446 147 Wollaston Rd, WARRNAMBOOL VIC 3280	
<b>Zoning:</b>	General Residential 1 Zone Urban Floodway Zone	
<b>Overlays:</b>	Development Plan Overlay Schedule 10 Floodway Overlay Environmental Significance Overlay Schedule 2 Development Contributions Plan Overlay Schedule 1	
<b>Under what clause(s) is a permit required?</b>	Pursuant to Clause 43.04-2, a permit must not be granted until a development plan has been prepared to the satisfaction of the RA.  Further permits will be required for subdivision and development.	
<b>Restrictive covenants on the title?</b>	A caveat has been registered on both titles	
<b>Current use and development:</b>	Existing dwelling, associated outbuilding and agricultural grazing land use.	

### Proposal

The proposal seeks approval for a Development Plan which would facilitate the future development on site of 52 residential lots, a retirement village comprising 192 dwellings, a golf course, open space and associated roads, infrastructure and facilities.

A Traffic Impact Assessment, Open Space Plan, CHMP, Stormwater Management Strategy, Services Plan and Urban Design Report have been submitted in support of the application. A land budget, vegetation assessment, and bushfire assessment were also submitted in response to a request for further information.

The proposed development plan broadly proposes residential and retirement village development on that part of the site within the General Residential zone, and open space within the floodplain area. The open space area is proposed to accommodate land used as a golf course (presented in the plan as privately run) with associated drainage infrastructure (one retarding basin and one wetland). The development is separated into three individual

stages. Stage 1 includes 26 residential lots and, while the DP does not specify which lots, it is understood the land would be developed from the northeast corner. Stage 2 would contain the remaining 26 residential lots and stage 3 would combine the entire retirement village area and golf course (developed on one lot).

The DP identifies 52 residential lots ranging from 698m<sup>2</sup> to 957m<sup>2</sup> which achieves a NDha of approximately 10.5 lots per hectare. This falls below the density envisioned by the North of the Merri River Structure Plan (NMRSP) which seeks an average lot density of 12 dwellings per NDha. The balance of the lot is indicated as a future retirement village with approximately 192 dwelling on single lot. Should the retirement village not proceed, the report indicates that land would be developed for residential purposes in line with the density target of the NMRSP.

A 36m wide public open space corridor is proposed along the north of the Merri River with a 10m vegetation buffer and 2.5m shared path. The DP proposes a Section 173 agreement that will provide the floodplain land as open space in the event that stage 3 of the development is not developed for the purposes of a retirement village.

The DP provides a future carriageway link across the Merri River to Bromfield Street with a 24m wide carriage easement that connects with the proposed internal road network that links to Wollaston Road. No vehicle access is contemplated to Ponting Drive; however, pedestrian and cycle access is provided. Road cross sections of 20m in width have been provided.

Pedestrian access is provided along the northern bank of the Merri River via a 2.5m shared path and two waterbodies are proposed within the floodplain area and have been incorporated into the golf course design.

The site will be serviced by reticulated sewerage via the existing connection to the west and east in line with Ponting Drive. Reticulated water supply will be provided with a new watermain along the northern edge of the site.

The Development Plan provides the full details of the development of Stage 1 and 2 only. Pursuant to Clause 43.04-4, a DP can be prepared in stages which is in effect what the applicant is proposing. It is anticipated a further DP approval will be required prior to the development of Stage 3.

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## **Subject site & locality**

The site has a total area of 24.844 hectares and is currently occupied by a single storey residential dwelling and outhouse in the central eastern extent. As shown in Figure 1, the subject site has a north to south orientation. The site has a frontage of 389.79m to Wollaston Road. The site also has a frontage to Ponting Drive; however, the title documents do not indicate any legal right of access to this road.

The site is bound by residential properties to the east, Merri River School and agricultural land to the west and the Merri River to the south. From a highpoint in the northeast corner of the site, the site broadly slopes down to the south. Approximately 30% of the site is located within a floodplain of the Merri River. Vegetation on site is largely limited to the banks of the Merri River with some trees around the existing dwelling. An existing intermittent waterbody is located in the south-eastern corner of the site.



### Permit History:

**Restrictions on title:**

Whether a caveat should be considered a restriction on title and be a material consideration of a planning application was contemplated by the Supreme Court in *Brighton Foreshore Association Inc v Bayside City Council* [2021] VSC 2. The Court determined that a caveat should not be considered a registered restrictive covenant and is not breached by the issue of a permit for use and development.

The site is located within an area of Aboriginal Cultural Heritage Sensitivity. The proposal

triggers a requirement for a mandatory CHMP.

A CHMP, approved on 13 May 2021, has been submitted in support of the application. The CHMP applies standard conditions regarding maintaining a copy of the CHMP on site, providing a CHMP induction and contingency plans in the event an aboriginal cultural heritage site is discovered.

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## Public Notification

The application was subject to non-statutory advertisement in line with Council's general policy regarding development plans. Notice was sent by way of letters to adjoining properties and a newspaper advertisement.

Three (3) objections were received, which raised the following concerns:

- Road Design
- Bromfield Street River Crossing and Road Extension
- Drainage Catchments
- Stormwater Management
- Wetland Preservation
- Golf Course and Public Open Space
- Inconsistency with the Merri River Development Control Plan

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## Referrals

**Wannon Water** advises in the letter dated 23 September 2021 that further investigation is needed to determine whether a sewer pumpstation has adequate cover to service the development, whether the watermain along Wollaston Road needs to be upgraded and whether the future Wollaston Water tower is sufficient. Wannon Water indicates that if any of these assets need upgrading, they will seek a contribution from the developer. The applicant has updated the plans to indicate the watermain being upgraded to 150mm. The applicant has also indicated they would be willing to contribute to any infrastructure upgrades and are prepared to enter into an agreement with Council to contribute to the bridge project. It is noted the Bridge is a DCP item and contributions will be levied at the subdivision stage.

**Downer, on behalf of Ausnet**, advises in the letter dated 4 October 2021 they do not have any objections to the approval of the Development Plan by Council.

**Environmental Protection Authority** advises in the letter dated 6 October 2021 they do not object to the Development Plan but they highlight that no information has been provided by way of environmental assessment to satisfy the requirements of DPO10 or Section 2.2 of the NMRSP. An environmental assessment was later sent in response to a request for further information.

**The Glenelg Hopkins Catchment Management Authority** referral dated 7 October 2021 raises concerns with the location of the retarding basin, wetland and golf course in the floodplain. The GHCMA have sought further details including hydraulic modelling that demonstrates the retarding basin and wetland will not impact on the flood behaviour in the floodplain, and further details any cut and fill proposed to construct the golf course which would also require hydraulic modelling. The applicant has indicated the SWMS provides hydraulic modelling and preliminary meetings have been held with the GHCMA. Despite this, the GHCMA have not provided their approval of the proposal. The residential layout in the DP relies on the location of the retarding basin and wetland in the floodplain. While it is not

considered appropriate to approve a layout without support from the CMA, discussion concerning the open space is included in future sections.

The GHCMA referral also provides commentary on the future bridge connection and the need for a flood response plan for the retirement village. The bridge is a DCP item and will be designed and constructed with the correct input from all authorities. The flood response plan can be secured at the time of a planning permit for the retirement village.

**Country Fire Authority** advises in the letter dated 7 October 2021 that the site is within a Designated Bushfire Prone area but no information has been provided responding to the requirements of Clause 13.02-1S. Given Clause 13.02-1S elevates bushfire considerations above all other considerations and the proposal would entrench sensitive uses and a layout of the site, it is not considered appropriate to leave bushfire matters to the planning permit stage. A bushfire assessment was therefore provided in response to a request for further information, and re-referred to CFA. A response was not provided as of the time of writing.

#### **Internal Referrals:**

Council's Infrastructure Management Team referral indicates the wetland is located in the future road easement and there are inconsistencies with the stormwater management strategy and the NMR DCP. The referral also indicates a Bromfield Street section is inconsistent with the section in the NMRSP. In the event the development plan is approved, a condition of approval will require the cross section in the DP be updated to reflect the section in the NMRSP.

Council's City Development Teams referral response indicates the NMRSP requires the floodplain area and river reserve to be vested in Council as public open space and a 30m river biodiversity corridor, and provides comment on annotations in the DP, whether roads are private or public and whether the lot density is met. The DP proposes a 36m reserve along the rivers northern bank which provides this biodiversity corridor function. The roads will be public and the lot density proposed is considered acceptable.

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## **Assessment**

### **PLANNING POLICY**

The following policies are relevant to this application:

- Clause 02.03 (Strategic Directions)
- Clause 02.04 (Strategic Framework Plan)
- Clause 11.01-1S (Settlement)
- Clause 11.01-1R (Settlement – Great South Coast)
- Clause 11.03-2S (Growth Areas)
- Clause 11.03-2L (North of the Merri Growth Area)
- Clause 11.03-4S (Coastal Settlement)
- Clause 12.03-1L (Waterways and Wetlands)
- Clause 12.05-1S (Environmentally Sensitive Areas)
- Clause 13.02-1S (Bushfire Planning)
- Clause 13.03-1L (Merri River and Russell's Creek Floodplains)
- Clause 16.01-1L (Housing Supply)
- Clause 19.02-6S (Open Space)
- Clause 19.02-6L (Open Space)
- Clause 19.03-3L (Integrated Water Management)

The Municipal Policy Statement (MPS) and Planning Policy Framework (PPF) broadly seek to promote sustainable growth and development in regional Victoria with a focus for growth and investment in major regional cities, including Warrnambool.

The PPF includes policy directives for retaining settlement boundaries and seeking housing growth and diversity in locations with excellent access to service and amenities. Residential development that respects existing or preferred neighbourhood character and minimises impacts on neighbouring properties is also sought. The MPS supports increased residential densities in areas close to transport corridors, activity centres and open space. The proposal will provide increased housing supply in an area identified for urban development and will make a material contribution to housing diversity and affordability in Warrnambool. The siting and layout of the subdivision concept responds to the context of the site and the area's character. The proposal appropriately avoids amenity impacts on adjoining properties.

Clause 13.03 seeks to protect life, property and community infrastructure from flood hazards and to maintain the natural flood storage function of floodplains. The proposal to construct a wetland in the general location of an existing wetland is consistent with the objectives of Clause 13.03-1L which encourages the use of existing waterbodies in the development of drainage infrastructure.

Given the residential and retirement village uses and the site's location in a designated fire prone area, the application must identify the bushfire hazard and undertake an appropriate risk assessment pursuant to Clause 13.02-1S to prioritise the protection of human life. The application has provided an assessment of the bushfire hazard, which shows a suitable level of risk, where specific mitigation measures can be dealt with at the time of subdivision.

Clause 19.02-6S seeks to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community. The proposal would provide a 36m open space corridor along the river frontage, but the floodplain that is identified for public open space in the NMRSP is proposed as a private golf course. This is not considered appropriate, and the land must be vested in Council. While the golf course use may be appropriate in this location, further hydraulic modelling will be required to confirm this and the applicant will be given an opportunity thereafter to negotiate with Council for a lease over this land to retain the underlying public ownership. This is discussed in greater detail in later sections.

#### **North of the Merri Structure Plan (2011)**

The North of the Merri Structure Plan (NMRSP) outlines the planning and development framework for approximately 250ha of land referred to as the North of the Merri River Growth Area. The NMRSP defines a vision and broad structure for the movement network and land uses within the Structure Plan area to guide preparation of more detailed development plans and planning permit applications.

The NMRSP identifies the following items of particular relevance to the subject site:

- Standard residential densities (12 dwellings per NDha) to the part of the site within the GRZ, with diverse housing or medium density fronting open space areas.
- Public Open Space for that part of the site within the Urban Floodway Zone, including pedestrian paths and wetlands.
- A future crossing over the Merri River through the site to Bromfield Street.
- Cross sections for the new roads.

**Figure 2: Structure plan map showing site location (source: NMRSP)**



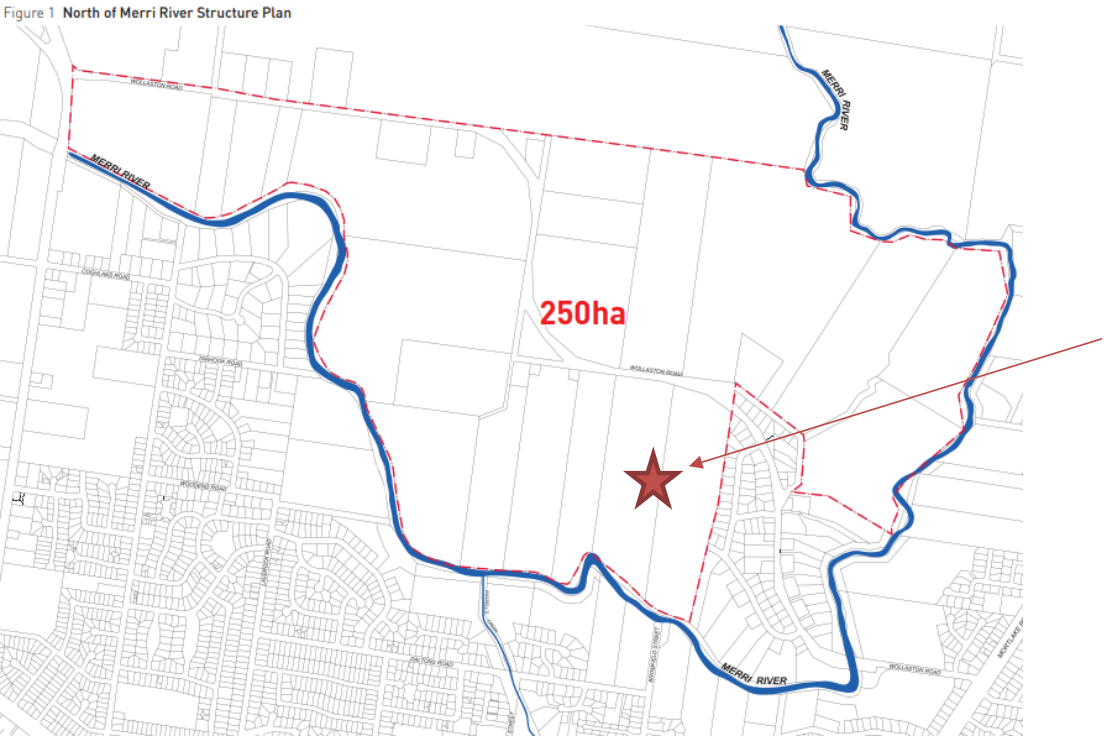
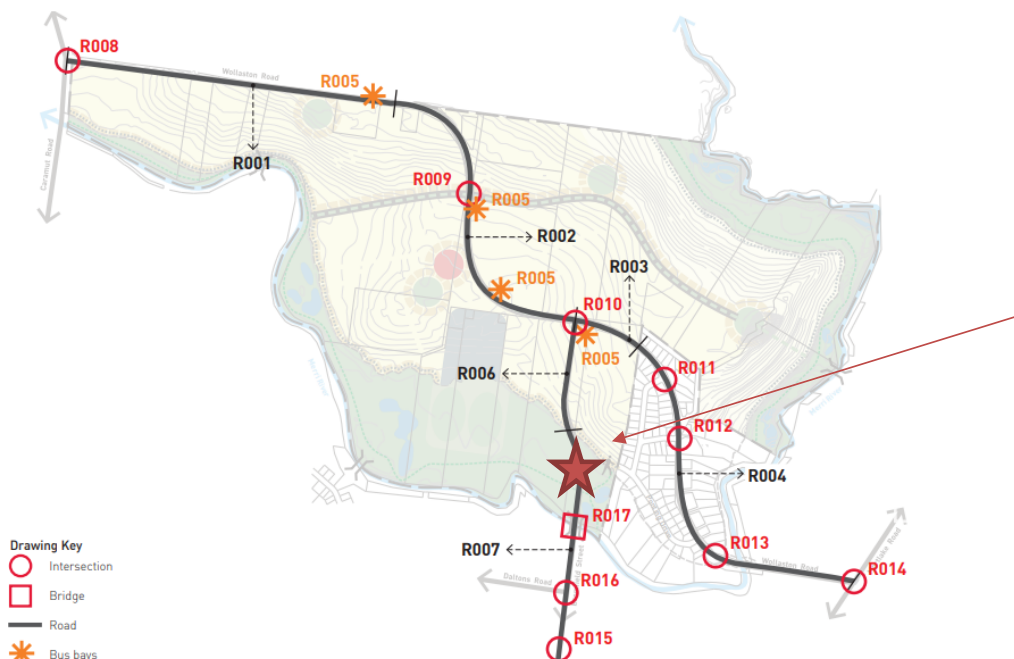


Figure 3: Subject site as shown in underlying framework plan (source: NMSP)



Figure 4: Subject site as shown within the development contributions plan (source: NMR DCP)



The NMRSP is an incorporated document in the Warrnambool Planning Scheme and the Development Plan must be generally in accordance with this document. The proposed development plan broadly realises the vision of the NMRSP with residential and retirement village development on that part of the site within the GRZ and open space within the floodplain area. The key difference proposed by the development plan is the open space area is proposed to accommodate a private golf course and drainage infrastructure (one retarding basin and one wetland). This will be discussed in depth in the response to the DPO10 section.

The development is separated into three individual stages. Stage 1 includes 26 residential lots and, while the DP does not specify which lots, it is understood the land would be developed from the northeast corner. Stage 2 would contain the remaining 26 residential lots and stage 3 would combine the entire retirement village area and golf course.

A 36m wide public open space corridor is proposed along the Merri River with a 10m vegetation buffer and 2.5m shared path. The DP proposes a section 173 agreement that will provide the floodplain land as open space in the event that stage 3 of the development is not developed for the purposes of a retirement village. This privatisation of land that should be public open space is not considered appropriate. This is discussed further below.

The DP provides a future carriageway link across the Merri River to Bromfield Street with a 20m wide carriage easement that connects with the proposed internal road network that links to Wollaston Road. Road cross sections of 20m in width have been provided. The cross sections are not consistent with the cross sections in the NMRSP. The NMRSP indicates this road should have a 9 metre wide carriageway when the DP is indicating a 7.3 metre wide carriageway. In the event the DP is approved, this can be resolved via condition of approval.

No vehicle access is contemplated to Ponting Drive; however, pedestrian and cycle access is provided. This is consistent with the NMRSP. Pedestrian access is provided along the northern bank of the Merri River via a 2.5m shared path and two waterbodies are proposed within the floodplain area and have been incorporated into the golf course design. The

Development Plan does not propose to construct any of the DCP items on the site; however, would provide a carriageway easement for the future road connection and bridge across the Merri River.

## **ZONE**

The subject site is partly within the General Residential Zone, Schedule 1.

The Purpose of this zone is:

- *To implement the Municipal Planning Strategy and Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The decision guidelines include the following objectives:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.
- An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56.

The proposed development plan does not trigger a permit under the GRZ. Future planning applications will be assessed under the purpose and decision guidelines of the Zone; however, the proposed residential and retirement village uses are considered to be broadly consistent with the purpose of encouraging a diversity of housing types in appropriate locations that respect neighbourhood character.

The site is also partly within the Urban Floodway Zone. The purpose of this zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*

The proposed development plan does not trigger a permit under the Urban Floodway Zone. Future planning applications for the golf course, wetlands, retarding basin and other infrastructure in this area will be assessed under the purpose and decision guidelines of the Zone. The proposal is considered to be broadly consistent with the purpose of identifying flood paths, maintaining free passage of floodwater and protecting water quality.

## OVERLAYS

### Development Plan (Clause 43.04 and Schedule 10)

The subject site is within the Development Plan Overlay Schedule 10 (DPO10) and the application seeks approval for a Development Plan under this overlay.

The purpose of the DPO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.*

Pursuant to Clause 43.04-2, a permit must not be granted to use or subdivide land, or construct a building or carry out works until a development plan has been prepared to the satisfaction of the Responsible Authority.

The proposal is considered to be broadly consistent with the objectives and requirements of DPO10. An assessment of the development plan against the objectives and requirements of Schedule 10 to Clause 43.04 Development Plan Overlay has been undertaken in the tables below.

Objective	Comment
<b>Movement network objective</b> <i>To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:</i>	
Responds to the topography and existing road reserves (internal and external to the Development Plan area).	<b>Acceptable</b>  The development plan responds to the site topography. The layout allows for the fall of the site from the north-east corner, down to the river. The road alignment and lot layout minimise earthworks required for individual sites.  In developing the road network, the development plan has generally undertaken consideration of the existing external roads. The site will connect to Wollaston Road in the north and will allow for future connections to Bromfield Street to the south through a 24m carriageway easement that connects to the internal road network. No vehicle access has been provided through to Ponting Drive; however, pedestrian access would be provided. It is noted the NMRSP does not

Objective	Comment
	identify vehicle access through to Ponting Drive.
Establishes a modified grid-based local road network with a high level of streetscape diversity, including a variety of street cross-sections.	<p><b>Acceptable</b></p> <p>Only one road is proposed as part of the development plan to facilitate the development of stage 1 and 2, and the future connection across the Merri River. Pursuant to Clause 43.04-4, a DP can be prepared in stages which is in effect what the applicant is proposing. It is anticipated a further DP approval will be required prior to the development of Stage 3.</p> <p>The traffic report indicates the proposed vehicle movements for Stages 1, 2 and 3 can be accommodated by the surrounding road network.</p>
Establishes connections between neighbourhoods within the structure plan area, and to existing surrounding neighbourhoods where relevant.	<p><b>Acceptable</b></p> <p>Vehicle access to Ponting Drive will not be provided to prevent 'rat-running' through the existing street network. Council considers this acceptable based on advice from NMRSP which indicates Ponting Drive should provide pedestrian and cycle access into the site and does not identify vehicle access from Ponting Drive.</p> <p>An east-west pedestrian and cycle path will be provided adjacent to Merri Creek and will connect with the existing path from the adjacent development reserve. A north-south shared path will connect the aforementioned path to Ponting Drive.</p>
Incorporates a positive landscape character in key locations through use of boulevard treatments and high-quality street tree planting.	<p><b>Acceptable</b></p> <p>The street frontages include wide nature strips which will be landscaped with native and indigenous vegetation selected from the WCC street tree planting guidelines. Limited detail of landscaping has been provided beyond this; however, it is noted the DPO10 does not explicitly require full landscaping details.</p> <p>The DP indicates that full details of species and the location of street trees and landscaping will be subject to a Landscape Masterplan that will be submitted at the permit application stage. This is considered appropriate.</p>
Provides an accessible public transport route along Wollaston Road and a linked pedestrian and cycle network (on and off road).	<p><b>Acceptable</b></p> <p>Pedestrian paths will be provided along both sides of the internal road and shared pedestrian, with a link to Ponting Road and a shared path will be provided in the southern portion of the site.</p>
<p><b>Open space objectives</b> <i>To provide an interlinked open space network that:</i></p>	

Objective	Comment
Focuses on the Merri River floodplain and key site features (ridgelines, existing vegetation, heritage features) to create a 'green loop' of open space connected by boulevard roads throughout the structure plan area.	<p><b>Acceptable</b></p> <p>A 36m corridor of open space will be provided along the northern river edge. It will include a shared path that connects with existing paths to create a green loop. The proposed wetlands are located in place of the existing intermittent waterbody and a retarding basin is also proposed to be incorporated into the design of the floodplain.</p>
Is visually and physically connected to surrounding land uses through use of edge road treatments or active frontages.	<p><b>Acceptable</b></p> <p>The proposal has only provided the interface details with the open space when Stage 2 integrates with the floodplain area. The DP report provides no details of the development of Stage 3 including the interface treatments with the open space area. The DPO enables a Development Plan to be prepared in stages and as such the lack of detail of Stage 3 will require a further Development Plan before this area is developed.</p>
Accommodates a range of functions, including drainage, active and passive recreation, walking/cycling trails and preserves key site features.	<p><b>Unacceptable</b></p> <p>With the exception of a 36m wide creek reserve, the open space is intended to be used as a private golf course for the retirement village. While the golf course layout generally provides a well landscaped design and is an appropriate use in a floodplain, the DP is effectively proposing the privatisation of an area designated for public open space in the NMRSP. This also have implications for DCP levies and the delivery of drainage infrastructure.</p> <p>The North of Merri River Structure Plan specially indicates this space as public open space. While the golf course use may be appropriate, the land must be vested in Council. The applicant can then negotiate with Council for a leasehold arrangement for the golf course.</p>
Locates local open space to form the heart of neighbourhoods.	<p><b>Unacceptable</b></p> <p>The proposed golf course would privatise and restrict access to the area of open space identified in the NMRSP.</p>
Establishes a distinct character for each open space that reflects the context and intended function of the space and provides for an area of usable open space.	<p><b>Unacceptable</b></p> <p>The use of the open space as a private golf course is unacceptable. This space should provide opportunities for leisure and activities that is consistent with the needs of the public.</p>
Reinforces the role of streets by establishing small green spaces within the local street network, including small parks, widened nature	<p><b>Acceptable</b></p>

Objective	Comment
strips and central medians to provide points of difference and to create neighbourhood character.	The development plan reinforces the role of streets and enhances the neighbourhood character. The carriageway that runs north to south through the site includes pedestrian pathways, on-street parking and wide nature strips with street trees.
Identifies land within the floodplain suitable for active and passive recreation purposes and for drainage and conservation purposes, having regard for the 30 metre biodiversity corridor along the river.	<b>Unacceptable</b>  With the exception of a 36m wide creek reserve, the floodplain area will be used as a private golf course. This is inconsistent with the North of Merri River Structure Plan which anticipates that this area will be used for public open space.
<b>Activity centre and community facilities objectives</b> <i>To provide a centralised activity and community centre that:</i>	
Provides a local focus for the community, incorporating retail at a local Convenience Centre scale.	<b>N/A</b>  In accordance with the North of Merri River Growth Area Framework Plan, the local convenience centre is to be located on the northern side of Wollaston Road.
Locates community facilities, including the primary school and local and active open space, adjacent to or nearby the retail/service centre.	<b>N/A</b>  The subject site is identified for conventional residential development only. Community, school and commercial development has been identified on other parcels.
Identifies opportunities for shared use of land for community facilities, including the primary school and any required Council operated facilities.	The proposal does not accommodate any community uses. The vesting of the floodplain area with Council provides opportunities for public access and use of this land.
Is accessible via public transport with convenient access to a bus stop.	<b>Acceptable</b>  The NMRSP does not identify any future public transport corridors within the site. The proposal would provide for appropriate bus stop locations.
Takes a 'street-based' form with a design that enhances visual interaction between the street and the land uses and accommodates on-street parking.	<b>Acceptable</b>  The proposed carriageways will accommodate on-street parking. The conventional residential lot layout provides appropriate opportunities for development to address the street.
Provides adequate parking for retail and other commercial uses in a location that does not feature prominently from key locations, such as Wollaston Road.	<b>N/A</b>  Retail and commercial uses will not be provided on site.
Provides opportunities for diverse housing options including higher density housing and mixed use activities surrounding the centre, including service businesses and home offices.	<b>Acceptable</b>  The development plan will provide a diversity of lot sizes and includes provision for a future retirement village. While the densities in Stages 1 and 2 are below the 12 per NDha expected by the NMRSP, this is an appropriate response to the adjacent larger lot development. The future retirement village will provide opportunities for greater densities.

Objective	Comment
Incorporates buildings and uses of a scale sympathetic to the surrounding residential context.	<b>Acceptable</b>  The indicative future residential development and retirement village uses are of a scale that is sympathetic to the surrounding residential development. In particular, the lot layout of Stages 1 and 2 provide an appropriate interface to Wollaston Road and the adjacent residential land to the east.
<b>Neighbourhoods and density objectives</b> <i>To provide a series of internal neighbourhoods that:</i>	
Are diverse in landscape, streetscape and built form character, each with a neighbourhood 'core' consisting of a feature (such as open space, a streetscape feature, local activity centre etc).	<b>Acceptable</b>  The development plan provides for a neighbourhood core with smaller lot sizes that adjoining land which will contribute to character that will be distinguished from elsewhere in the precinct. The single road proposed will create the neighbourhood feature and will accommodate street tree planting and views down through to the floodplain and Merri River.
Are clearly defined by streetscape features and land uses, yet are connected through use of local streets and the 'green loop' of open space and boulevard connectors.	
Provide diversity in lot sizes and housing styles, with smaller lots in key, high amenity locations around open space and the local activity centre and larger lots in appropriate locations such as on steep slopes.	<b>Acceptable</b>  The DP identifies 52 residential lots ranging from 698m <sup>2</sup> to 957m <sup>2</sup> which achieves a NDha of approximately 10.5 lots per hectare. This falls below the density envisioned by the NRMSP which seeks an average lot density of 12 dwellings per NDha. The balance of the lot is indicated as a future retirement village with approximately 192 lots. Despite the vision for 192 retirement village lots, applications for the future retirement village will be encouraged to provide greater densities, particularly along the interface with the open space area and as such the current lower NDha is considered appropriate.
Achieve an overall density of 12 lots per net developable hectare across the structure plan area.	
Incorporate a high amenity character through use of diverse streetscape cross-sections and distinct open space to provide a context for diverse and higher density housing outcomes.	<b>Acceptable</b>  The proposed design of Stage 1 and 2, and the street layout will provide a unique character for this neighbourhood in the precinct which will centre on smaller lot sizes and a road network offering views of the floodplain and Merri River area.
Incorporate sensitive design of lots and siting of housing to preserve opportunities for infill development to occur over time.	<b>Acceptable</b>  The conventional residential layout will provide opportunities for infill development in the future. Importantly, the layout will not prejudice the future development of stage 3 or the redevelopment of any land to the east.
Provide an appropriate housing and fencing interface to adjoining rural land, and vehicle and pedestrian connections to adjoining residential land.	<b>Acceptable</b>  The site does not have interfaces with rural land. Pedestrian connections are provided



Objective	Comment
	along the Merri River corridor and Ponting Drive as per the NMRSP.
<b>Utilities and drainage objectives</b>	
<p><i>To provide physical services and infrastructure that:</i></p> <ul style="list-style-type: none"> <li>• <i>Meet the needs of the future community and the development.</i></li> <li>• <i>Is provided in accordance with the North of the Merri River Development Contributions Plan 2011.</i></li> <li>• <i>Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.</i></li> <li>• <i>Incorporates a Water Sensitive Urban Design approach to stormwater management to protect the water quality of the Merri River.</i></li> </ul>	<p><b>Acceptable</b></p> <p>The Development Plan and services plan indicate the site is capable of be serviced by existing utilities and services. The site will be serviced by reticulated sewerage via the existing connection to the west and east in line with Pointing Drive. Reticulated water supply will be provided with a new watermain along the northern edge of the site. Wannon Water has indicated further investigations are required to determine whether infrastructure upgrades are required to service the development. In the event upgrades are required, the development will be required to contribute to these costs.</p> <p>The Development Plan does not propose to construct any of the DCP items on the site as works in kind; however, would provide a carriageway easement for the future road connection and bridge across the Merri River.</p> <p>A stormwater management strategy has been submitted in support of the application that details a WSUD strategy for the development of the wider site. The strategy would rely on a retarding basin and wetland located in the floodplain area and would protect the quality and pre-development flows of any discharge into the Merri River.</p>

Requirement	Comment
A development plan must be generally in accordance with the <i>North of the Merri River Structure Plan 2011</i> and the North of Merri River Growth Area Framework Plan in this schedule.	<p><b>Acceptable</b></p> <p>The Development Plan is generally in accordance with the North of the Merri River Structure Plan 2011 with the exception of the privatisation of the floodplain area as a golf course. As discussed above, this area must be vested in Council as public open space whereby the applicant can then enter into negotiations for a leasehold of this land for the golf course.</p>
A development plan should be prepared for a group of landholdings generally in accordance with the Development Plan Precincts identified in the <i>North of the Merri River Structure Plan</i> . Variations to the development plan precincts must be to the satisfaction of the responsible authority.	<p><b>Acceptable</b></p> <p>Minor variations to the Structure Plan have been undertaken to adjust the location of the internal road and the residential lot density. As discussed above, this is considered to be broadly acceptable.</p>

Requirement	Comment
A design response that is based on the results of the site analysis process, and is generally consistent with the objectives and requirements of the <i>North of the Merri River Structure Plan</i> .	<b>Acceptable</b>  The design response is based on the site analysis in the DP report and the urban design analysis. Other than the items raised above, the design response is considered to broadly reflect the objectives and requirements of the North of Merri River Growth Area Structure Plan.
A written report and plans addressing the objectives described in this schedule.	<b>Acceptable</b>  The Development Plan report addresses the objectives of the schedule.
<i>A detailed site analysis that includes the following items to the satisfaction of the responsible authority:</i>	
An environmental assessment of the flora, fauna and habitat significance of the land which includes recommended actions for management, revegetation and restoration of any identified conservation and vegetation protection areas where relevant. The assessment must also make recommendations with regard to management of noxious weeds as identified by the <i>Catchment and Land Protection Act 1994</i> . The assessment should be guided by the broader environmental assessment and recommendations completed as part of the <i>North of the Merri River Structure Plan</i> .	<b>Acceptable</b>  The Development Plan is supported by an environmental assessment (Trenrove, November 2021). The DP report indicates no native vegetation exists on the site aside from the riparian zone along the Merri River, and the report generally confirms this view. Although the application has not addressed the management of noxious weeds, this could form part of future permit conditions.
An arboriculture assessment of all existing trees on the land which provides a description of the condition, health and integrity of all trees. The assessment must include recommendations for the long term preservation of tree(s) having regard to proposed open space or development in the neighbourhood context. The arboriculture assessment must include a plan showing the location of all vegetation nominated for removal and retention and surveyed locations of the trunk, canopy and tree protection zone of all vegetation nominated for retention.	<b>Acceptable</b>  While the site has been largely cleared of vegetation in the previous 3 years, from aerial photographs a number of trees seemed to have been retained around the existing dwelling/dairy. The Development Plan describes Cypress Trees planted in wind breaks along fence lines, and the vegetation assessment suggests "evidence of recent tree clearing (presumably large Cypress trees)". Although it is unconfirmed as to whether or not those trees would have required planning consideration, given they have been removed and the assessment concludes no national, state, or regionally significant plant species were recorded in 2021, it would be unreasonable to require an arboricultural assessment for an area of predominantly exotic species with no significant trees.
An archaeological survey and heritage assessment which includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites. The assessment must also identify areas where a Cultural Heritage Management Plan is required by the <i>Aboriginal Heritage Act 2006</i> . The assessment should be guided by the broader archaeological and heritage assessment and recommendations completed as part of the <i>North of the Merri River Structure Plan</i> .	<b>Acceptable</b>  A Cultural Heritage Management Plan has been prepared as part of this development plan. No specific measures are needed for the management of Aboriginal cultural heritage and no Aboriginal cultural heritage or areas of archaeological potential were identified on site during the assessment. Standard conditions apply to the CHMP.

Requirement	Comment
A landscape assessment that defines any important landscape views or vistas and any landscape features.	<b>Acceptable</b>  The urban design package provides a rudimentary analysis of existing view corridors. The design of the development is expected to maintain public view lines.
An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.	<b>Unacceptable</b>  The environmental assessment addresses the environmental conditions on site but no environmental audit has been provided to demonstrate the site's suitability for sensitive land uses. An environmental audit or qualified statement could be required by permit condition.
A consolidated site analysis plan in digital and hard copy format that depicts all relevant site analysis information.	<b>Acceptable</b>  A Consolidated Site Analysis Plan has been provided.
<b><i>Movement network</i></b>	
A street layout plan that details all aspects of the movement network, including streets, intersection treatments, traffic management devices, public transport routes and pedestrian/cycle paths.	<b>Acceptable</b>  A Street Layout Plan has been provided for the Stage 1 and 2 of the development. No road network has been provided for the stage 3 development. This would be the subject of the future DP application.
Typical cross-sections for all streets.	<b>Unacceptable</b>  A typical local road cross-section have been provided as part of the proposal. The cross section is not consistent with the NMRSP in relation to the carriageway. This could be resolved via a condition of approval if the Development Plan is approved.
A road hierarchy plan.	<b>Acceptable</b>  The proposed network hierarchy generally follows the structure plan by providing a road link between Wollaston Road and Bromfield Street; albeit further to the east of the site that identified in the NRMSP. The traffic report submitted in support of the application demonstrates a connection road can still be provided in the location identified in the SP; however, this has not been detailed in the DP.
A road traffic safety plan that assigns a traffic volume range to each road and identifies measures to ensure roads do not exceed the traffic volume range commensurate with their position in the road hierarchy.	<b>Acceptable</b>  The Traffic Assessment submitted in support of the application demonstrates the anticipated vehicle movements associated with the development can be accommodate by the local road network.
<b><i>Open Space</i></b>	
An open space plan identifying encumbered open space, passive open space, land suitable for active open space, and any additional open space required to perform a streetscape function or to link open space areas.	<b>Unacceptable</b>  An open space plan has been provided that indicates the layout for the site. The plan provides for the floodplain area to be utilised

Requirement	Comment
A landscape masterplan that identifies a preferred character/theme for each open space area and a street tree theme for streets and boulevards, including nomination of suitable species.	as a private golf course. This is inconsistent with the anticipated use of the site for public open space within the North of Merri River Structure Plan. A condition of approval is recommended to require this land to be public open space.
A landscape masterplan for the floodplain or part thereof that clearly defines land within the floodplain suitable for active, passive and conservation functions, with a distinct landscape design for each.	The Open Space Plan provides a high-level landscape concept and a planting palette for the street trees and floodplain area. A condition of approval will require the redesign of this area from a golf course, the broad design of a landscape buffer along the river corridor and other planting that would generally retain existing views down to the river.
A plan detailing any vegetation to be preserved on site, vegetation to be removed and any revegetation works required in accordance with the recommendations of the flora and fauna assessment.	<b>Acceptable</b>  An assessment has been provided which concludes no patch or scatter tree native vegetation is to be impacted, and not significant plant species recorded within the study area. Re-vegetation works could be required via permit condition.
Details of fencing treatments proposed for land abutting open space, including land abutting the floodplain.	<b>Acceptable</b>  Details of the post and rail fencing proposed at the interface with the river/reserve is shown on landscape plans. Further fencing details would require confirmation of the intended use of the open space area, and could be provided as part of the permit process.
<b>Activity centres and community facilities</b>	
An activity centre plan indicatively identifying the design of the centre, the location and scale of uses, location of bus stops and parking areas and the relationship between the activity centre and the open space, primary school and any community facilities required by the responsible authority.	<b>N/A</b>  An Activity Centre Plan has not been provided. This is considered acceptable given the local centre has been identified on another parcel.
<b>Neighbourhoods and density</b>	
An indicative lot layout plan that identifies areas appropriate for medium density housing, areas that are suitable for potential change over time (potential re-subdivision) and areas appropriate for mixed uses.	<b>Acceptable</b>  An indicative lot layout plan has been provided as part of the proposal. It identifies the eastern portion of the site as the location for 52 residential lots and the western portion as a future retirement village or potential residential development.  Stage 1 and 2 achieve a density of 10.4 dwelling per NDha. This is considered an appropriate response to the larger lots directly to the east. Stage 3 of the development will provide opportunities for greater densities without impacting neighbouring land.
<b>Utilities and Drainage</b>	
A development sequencing plan that identifies the likely sequence of development, the staging and provision of infrastructure, drainage, roads and	<b>Acceptable</b>

Requirement	Comment
other key facilities and evidence that reticulated water supply and sewerage services can be provided to the land in a timely and efficient manner.	The site services plan indicates the servicing of Stages 1 and 2. As discussed above, the DPO enables a DP to be prepared in stages. A further DP approval will be required prior to any permit being issued for Stage 3 of the site.
An overall land budget that calculates the area for each category of land use shown on the plan. The land budget must specifically identify land that will be set aside for infrastructure and open space in accordance with the North of the Merri River Development Contributions Plan 2011.	<b>Acceptable</b>  The proposed DP submission includes a land budget at Section 5.5. It includes land to be set aside for future roads, however does not address open space since the proposal assumes otherwise. If the plan is approved on condition of the provision of open space, the budget can be updated accordingly.

#### Environmental Significance (Clause 42.01 and Schedule 2)

Part of the site is impact by the Environmental Significance Overlay. The objective of the overlay is:

- *To protect the natural, cultural and visual values of the Hopkins and Merri Rivers, their tributaries, adjacent land and associated habitat corridors.*
- *To promote the integrated management and protection of the rivers and adjacent land.*
- *To ensure freehold land along the rivers is used and developed in a sustainable manner.*
- *To maintain and enhance stands of remnant vegetation and encourage planting of locally indigenous species.*
- *To prevent and arrest erosion of the riverbanks, which includes discouraging the grazing of stock close to riverbanks.*
- *To place high priority on protecting the rivers and adjacent land in locations which are visible from main roads, residential areas and other key activity locations.*
- *To provide the opportunity for the provision of public open space adjacent to the river in appropriate locations to provide for passive and active recreational activities..*

The proposed development plan does not trigger a permit under the ESO2. Future planning applications at the site will be assessed against the environmental objectives and decision guidelines. The proposal is considered to be capable of respecting the natural and cultural values of the site.

#### Development Contributions Plan (Clause 45.06 and Schedule 1)

Part of the site is impact by the Development Contributions Plan Overlay – Schedule 1 (DCPO1). The purpose of the DCPO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*

- *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

The application does not trigger a permit requirement or a contributions requirement on the development. DCP's will be levied at the planning or subdivision permit stage.



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## Recommendation

That non-statutory notice was given of the application and having considered all the matters normally required under Section 60 of the Act for planning applications, the Council should approve the development plan under the relevant provisions of the Warrnambool Planning Scheme in respect of the land known and described as Lot 1 on Title Plan 99782 and Lot 1 on Title Plan 8844446 at 147 Wollaston Rd, WARRNAMBOOL VIC 3280, which seeks to facilitate future residential, retirement village and open space development on site with the following required changes:

- 1) Provision of the floodplain corridor as public open space in accordance with the Development Plan Overlay Schedule 10 and the North of the Merri River Structure Plan.
- 2) Amending the proposed Bromfield Street cross-section to be consistent with the relevant cross-section in the North of the Merri River Structure Plan.

Planner  
Responsible:

Delegate:

Signature:

Signature:

Date:

Date:



# 147 WOLLASTON DEVELOPMENT PLAN North of the Merri River Growth Area

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3 June 2022





Document No.	Document Form	Prepared By	Reviewed By	Dated
1.	Draft	G. Rule	H. McKenzie	13 Jan 2021
2.	Draft	G. Rule	H. McKenzie	31 Aug 2021
3.	Draft	G. Rule	H. McKenzie	2 Sept 2021
4.	Final Draft	pU	Gull Group	3 Sept 2021
5.	Final	pU	Council	7 Sept 2021

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## Appendix

	Document	Date	Prepared By
A	Urban Design Package	02/09/21	Beveridge Williams
B	Landscape Plan	03/09/21	Beveridge Williams
C	Traffic Impact Assessment	25/08/21	Beveridge Williams
D	Stormwater Management Strategy	27/08/21	Beveridge Williams
E	Services Plan	26/08/21	Beveridge Williams
F	Title Documents	3/09/21	
G	Cultural Heritage Management Plan	15/04/21	Heritage Insight Pty Ltd.

## 1 Introduction

### 1.1 Development Plan Overview

The 147 Wollaston Development Plan ('The Development Plan') has been prepared by proUrban Planning Advisory & Management (proUrban) on behalf of The Gull Group.

The Development Plan provides a clear framework for the future development of the land identified as 147 Wollaston Road, Warrnambool.

The Development Plan has been prepared in accordance with the requirements of the Development Plan Overlay – Schedule 10 (DPO10) at Clause 43.04-10 of the Warrnambool Planning Scheme and the North of the Merri River Growth Area Structure Plan.

### 1.2 Development Plan Vision

To implement the vision depicted in the North of the Merri River Structure Plan to establish a vibrant community that is well-connected, well-serviced and that has a positive sense of place.

The 147 Wollaston Development Plan seeks to guide the future development of the land to provide for a diverse range of residential lots and residential land uses to meet the needs of the community. The Development Plan seeks to facilitate future development which will improve the Merri River interface and create a well-connected open space network.

The Development seeks to provide improved pedestrian and cycle connectivity through the area.

## 2 Site Context

### 2.1 Site Context

The City of Warrnambool, located 330km southwest of Melbourne, is the major regional centre within south-western Victoria. The City has a diverse population and provides a base for housing, employment and education for the broader region.

To accommodate projected population growth, the City of Warrnambool has identified four key growth areas suitable for accommodating growth, including the North of the Merri River growth area.

The North of the Merri River growth area is located approximately 4km north west of the Warrnambool Central Business District and has historically been used for farming, with established residential areas to the south, east and west.

Development has commenced on a number of residential estates within the North of the Merri River growth area.

### 2.2 Site Description

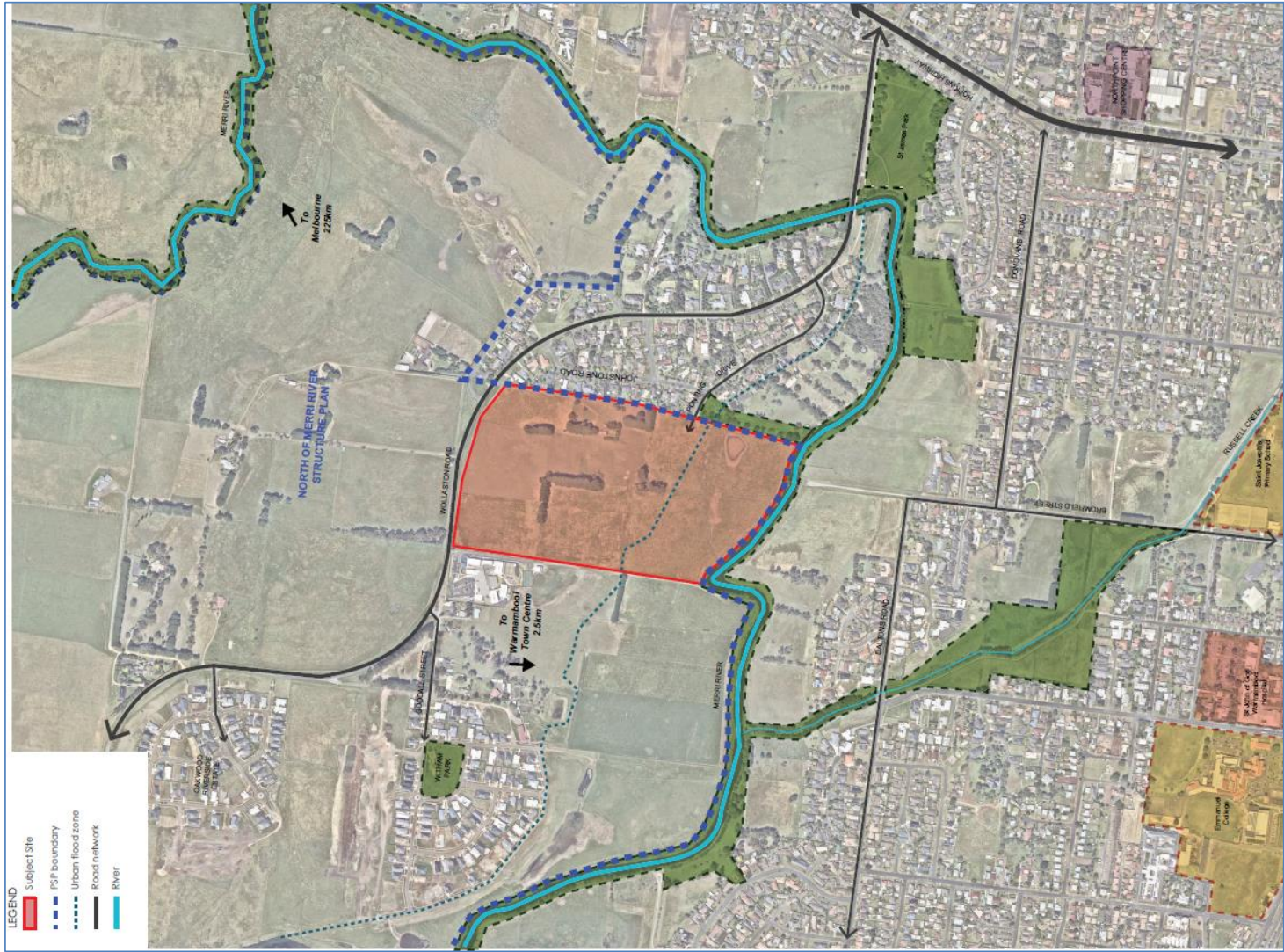
The subject site is located at 147 Wollaston Road. The site contains two lots and the relevant Certificate of Titles confirm that the site has the following legal descriptions:

- Lot 1 on Title Plan 99782; and
- Lot 1 on Title Plan 8844446.

The site has a total area of approximately 24.844ha and is currently occupied by a single dwelling and outbuildings. There are a number of established stands of pine trees across the site. Other than grassland and fencing the site is otherwise void of any notable onground features. The land generally slopes from the north (Wollaston Road) down to the south (Merri River). Please refer to the aerial image on page six and site and surrounds photos on pages seven, eight and nine for further details of the existing conditions of the site.

The subject site is located on the eastern edge of the growth area, with frontage to Wollaston Road to the north and the Merri River to the south. Ponting Drive and the Ponting Drive Reserve Playground are to the east south east with established residential dwellings along the northern half of the eastern boundary (fronting Johnstone Road). The Merri River Mootkana school is to the west.

Approximately one third (the southern third) of the site is in the Merri River floodplain.



Plan 1 | Site Context Plan





*Figure 1 | View from Wollaston Road looking southwest to Merri River School*



*Figure 2 | View from Wollaston Road looking south*



*Figure 3 | View from Wollaston Road looking east*



*Figure 4 | View from Wollaston Road looking north*





*Figure 5 | View from Ponting Drive looking northwest*



*Figure 6 | View from Ponting Drive looking south*



*Figure 7 | View from Ponting Drive looking west*



*Figure 8 | View of Merri River from southeast corner of site*





*Figure 9 | View from Ponting Drive looking south*



*Figure 10 | View from Bromfield Weir looking north*



*Figure 11 | View from Bromfield Street looking north*



*Figure 12 | View of Bromfield Weir looking north*



### 3 Planning Policy Context

#### 3.1 Planning Policy Framework

The Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development policies and practices. It informs the preparation and implementation of local planning policy objectives and the introduction of zone and overlay controls, and seeks to integrate relevant environmental, cultural, social and economic factors in the interest of net community benefit and sustainable development. Those clauses most relevant to the Development Plan include:

- Clause 11 Settlement
- Clause 12 Environmental and Landscape Values
- Clause 13 Environmental Risks
- Clause 15 Built Environment and Heritage
- Clause 16 Housing
- Clause 18 Transport
- Clause 19 Infrastructure.

Clause 11.01-1R Settlement – Great South Coast

- *To attract more people to the region.*

Clause 11.03-2S Growth Areas

- *To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.*

Clause 11.03-2L-01 North of the Merri Growth Area

- Land use strategies:
  - Create five distinct neighbourhoods defined by a neighbourhood 'core' of passive open space and the local activity centre.
  - Avoid further urban expansion beyond the established boundary to protect the viability of nearby agricultural land.

- Provide higher density housing and mixed uses, such as home offices, surrounding the activity centre.
- Avoid future development encroaching upon flora, fauna and cultural heritage assets.
- Access and circulation strategies:
  - Link each neighbourhood by Wollaston Road, the east-west boulevard connector road and the 'green loop' comprising the floodplain.
  - Use Wollaston Road as the primary connector road to connect externally to the east and west and incorporate a central median to create a strong landscape character/boulevard effect.
  - Provide a north-south connection over the Merri River at Bromfield Street to connect the growth area with urban areas to the south.
  - Provide a connected on and off-road pedestrian/cycle network that uses the Merri River, local open space links and boulevard connector roads.
  - Provide an active edge to all open space areas, including the floodplain, via edge roads.
  - Provide direct property access to all roads, including Wollaston Road.
  - Provide a dedicated pedestrian/cycle link to the adjacent Ponting Estate in the location of Ponting Drive.
  - Discourage through vehicle movements into the Ponting Estate.
- Open space and landscape strategies:
  - Maximise use of the Merri River floodplain for active open space and passive recreation to minimise the need to set aside developable land for open space.
  - Create a 'green loop' system of open space and green boulevards, comprising the floodplain, east-west boulevard connector and local open space.

- Link open space to neighbourhoods through road treatments, including edge roads along the length of the floodplain.
- Cluster development to provide land for large areas of public open space (utilising the floodplain), environmental linkages and the protection of ridgelines.

Clause 12.03-1L Waterways and wetlands

- *To maintain the ecological health and natural and cultural values of Warrnambool's waterways and wetlands.*
- Strategies:
  - Encourage use and development that enhances estuary, river and lake water quality, and minimises nutrient and sediment load conditions.
  - Ensure use and development mitigates any visual impacts to the Hopkins estuary, rivers and their environs.
  - Support the restoration of degraded land, particularly stream frontages, floodplains and riparian areas.
  - Revegetate along waterways and floodplains using native species with the inclusion of understorey species.

Clause 13.03-1L – Merri River and Russells Creek floodplains

- *To maintain the integrity of the Merri River and Russells Creek floodplains.*
- Strategies:
  - Discourage the filling of land that is subject to flooding.
  - Encourage the use of constructed wetlands as a means of storing floodwater, to improve water quality and contribute to natural habitats. Incorporate the Merri River and Russells Creek floodplains into open spaces.
  - Avoid development that will have an adverse downstream impact in terms of flooding and water quality.
  - Ensure that when drainage and flood protection works are inadequate that habitable buildings are protected from flooding in major storms.

Clause 16.01-1L – Housing supply

- Support increased residential densities in growth areas and established urban areas within proximity to existing or planned transport corridors, activity centres and open space.
- Support the redevelopment of former industrial sites within established residential areas.
- Support residential infill development within established urban areas that complements the area's neighbourhood character.

Clause 19.02-6L – Open space

- Develop an open space network that protects the municipality's natural and cultural environments and enhances biodiversity and water quality.
- Protect sites with high environmental or cultural values by incorporating them into the open space network as part of growth area planning.
- Encourage development adjacent to public open space to provide clear separation between public and private land.
- Avoid development that reduces public access to open space.
- Encourage development to enhance a sense of safety by maximising interaction, passive surveillance and incidental lighting of open space.

Clause 19.03-3L – Integrated water management

- *To reduce environmental degradation associated with stormwater run-off and effluent disposal.*
- Strategies:
  - Establish artificial wetlands, retention basins and stormwater pollution traps and other water sensitive urban design features as a means of controlling the quality and quantity of stormwater run-off from urban areas.
  - Control urban run-off to protect and enhance waterways.
  - Reduce sediment and nutrients entering waterways.
  - Discourage waste disposal systems for residential, industrial and commercial purposes that are detrimental to the environment.

- Encourage the re-use of wastewater and stormwater run-off within greenfield growth areas.

### 3.2 Municipal Planning Strategy

The Municipal Planning Strategy (MPS) outlines the vision and strategic directions for the City of Warrnambool. The clauses most relevant to the Development Plan include:

#### Clause 02.01 – Context

- Warrnambool is Victoria's largest coastal regional city and is the fastest growing economy and population centre in South West Victoria.
- The City is bound by Moyne Shire in the north, east and west; and by the Southern Ocean in the south. It is approximately 260 kilometres west of Melbourne and has a land area of 120 square kilometres.
- Warrnambool has a steadily growing population of about 35,200 in 2019 (ABS) that is expected to increase to 43,000 people by 2031.
- The majority of the population is in Warrnambool, Dennington, Allansford, Bushfield and Woodford.
- Warrnambool is served by the Princes and Hopkins Highways and the Great Ocean Road. There is a passenger and freight rail service to Melbourne and a local and regional bus service. The Warrnambool Airport is 11 kilometres northwest of the City.
- Warrnambool has a diversity of land uses including residential, industrial and commercial. Much of the rural area (approximately 60 per cent of the land area) is used for agriculture, particularly dairy farming.
- Warrnambool provides support to the region for commerce, governance, social services, health, education, the arts and recreation. There is a clear retail hierarchy with Warrnambool City Centre as the principal retail and commercial centre for South-West Victoria and other retail components including the Eastern Activity Centre (a secondary retail centre), small shopping centres and convenience stores.

- Specialist medical services include the Warrnambool Base and St. John of God Hospitals. There are numerous primary and secondary schools and the Deakin University is located on the eastern outskirts of the City.
- First inhabitants and traditional custodians of the area are the Eastern Maar people and there are a number of important cultural heritage areas.
- Warrnambool has a large number of buildings, places, gardens, and trees dating from the nineteenth century that reflect Warrnambool's history as a market, port and place of residence and are of significant heritage value.
- Warrnambool is situated on one of the most spectacular sections of the southwest Victorian coastline and is a major tourist hub. The Botanic Gardens, Lake Pertobe and the Warrnambool Foreshore (among others) are key recreational spaces that also offer substantial tourism and environmental benefits.

#### Clause 02.02 – Vision

- The Council Plan (2017-2021) sets out the following vision for Warrnambool:  
*A cosmopolitan city by the sea*
- The Council Plan identifies four objectives relevant to land use planning:
  - Sustain, enhance and protect the natural environment.
  - Foster a healthy, welcoming city that is socially and culturally rich.
  - Maintain and improve the physical places and visual appeal of the city.
  - Develop a smarter economy with diverse and sustainable employment.

#### Clause 02.03 – Strategic Directions

##### Clause 02.03-1 Settlement – Urban Growth

- Warrnambool's growth areas provide for a variety of dwelling types and development densities.

- Council's strategic directions for its growth areas are:
  - Directing urban growth to identified growth areas in order to protect productive rural areas and achieve a more compact sustainable urban area.
  - Supporting increased residential densities in growth areas close to transport corridors, activity centres and open space.
  - Facilitating infrastructure provision of roads, drainage, utilities and community infrastructure through structure planning and development contributions.

Clause 02.03-2 Environmental and landscape values

- The Merri River, Hopkins River and associated wetlands and floodplains form a highly significant coastal wetland system that provides important habitat for listed species of flora and fauna
- Council's strategic directions for biodiversity are:
  - Protecting and enhancing sites of biodiversity conservation significance.
  - Providing wildlife habitat and corridors for vulnerable and threatened flora and fauna species in coastal reserves.
  - Arresting the decline and fragmentation of native vegetation to minimise land and water degradation issues.

Clause 02.03-3 Environmental risks and amenity

Floodplain management

- The Merri River and Russells Creek floodplains affect large expanses of land within urban and rural areas.
- The management of floodplains protects the natural environment and properties that are at risk of flooding.
- The filling of flood prone land can significantly alter water flow within the floodplain.
- Council's strategic directions for floodplain management are:
  - Protecting floodplains from development that would detrimentally impact their function.
  - Protecting life, property and community infrastructure from flood events.

Clause 02.03-5 Built environment and heritage

Sustainable development

- A compact urban environment that encourages increased public transport patronage as well as walking and cycling has substantial benefits in reducing reliance on motor vehicles with a consequent reduction in greenhouse gas emissions.
- A socially and economically sustainable Warrnambool will generally include a mix of shops and services, community facilities, employment choices, housing choices, a network of open spaces, and public transport options.
- Council is committed to ecologically sustainable development principles in relation to water conservation, the minimisation of greenhouse gas emissions, protection of biodiversity assets and the protection of natural coastal resources.
- Council's strategic directions for sustainable development are:
  - Creating a sustainable City that allows people to walk or cycle to access their everyday needs and contributes to social interaction, community building and wellbeing.
  - Promoting ecologically sustainable development.
  - Supporting development that reduces energy and greenhouse gas emissions.

Urban design

- View sharing is an emerging issue within the municipality. Views of the ocean, the Merri and Hopkins Rivers, inland hilltops and ridgelines, and surrounding rural areas are highly valued. The siting and design of development can have a critical impact on sensitive areas, views, liveability, safety and visual appearance.
- Distracting and dominating signage can impact on public amenity particularly in areas of heritage significance and along township entrances.
- The vision for a liveable city revolves around health and wellbeing and the social and physical attributes that contribute to this. The design of the built environment can also influence the incidence of crime and feelings of safety within the city.

- Council's strategic directions for urban design are:
  - Protecting and enhancing the quality of the built environment.
  - Facilitating the sharing, rather than protection, of views from the public realm and private areas.
  - Providing for signs that are in context with the scale of development, the surrounding environment and the surrounding signage patterns.
  - Promoting safety and the perception of safety in the design of buildings.
  - Designing developments to maximise vehicle and pedestrian access between activity centres and surrounding neighbourhoods.

#### Clause 02.03-6 Housing

##### Housing diversity

- Warrnambool has a range of dwelling sizes. Every five in ten dwellings contain three bedrooms. Two and four bedroom dwellings represent one in six of all dwellings. Over the next two decades, Warrnambool's population is projected to age and household sizes are expected to continue to get smaller. Dwelling sizes however, are anticipated to increase and by 2031, a quarter of the City's dwellings could have four or more bedrooms. More diversity in dwelling sizes is needed.
- Council's strategic directions for housing diversity are:
  - Providing infill opportunities to accommodate residential development.
  - Ensuring future populations have access to a diverse range of housing options including increasing the supply of housing for smaller households.

##### Housing affordability

- The affordability of housing has significant impacts on the liveability and economic prosperity of the community. A lack of affordable housing is a barrier to attracting key workers and tertiary students to the City. It also has detrimental impacts on sole parents, single people, young people, older people (65+ years) and children of sole parents.

- Council's strategic directions for housing affordability are:
  - Facilitating smaller lot sizes and housing for the ageing and student populations close to community services.
  - Providing social housing in future growth area planning

#### Clause 02.03-8 Transport and Infrastructure

##### Transport

- Warrnambool residents are currently heavily reliant on personal motor vehicles for transport. The Sustainable Transport Strategy (WCC, 2010) seeks to improve walking and cycling infrastructure and to encourage residents and visitors to use these transport modes and public transport more often.
- Council's strategic directions for transport are:
  - Providing an integrated transport network.
  - Facilitating the use of sustainable transport modes. Prioritising pedestrian movements in the Warrnambool City Centre.

##### Open space

- Warrnambool's open space network is identified on the Warrnambool Strategic Framework Plan at Clause 02.04. While overall provision of open space in Warrnambool is good, there are some areas where residents do not have access to open space within walking distance of home.
- Council's strategic directions for open space are:
  - Facilitating high quality open space within walking distance for all residents.
  - Improving access to waterways to provide important recreational opportunities.
  - Improving connectivity between open spaces and access to off-road trails.

##### Development Infrastructure

- Council's strategic directions for development infrastructure are:
  - Minimising stormwater runoff into the catchments by the use of water sensitive urban design and utilising open spaces to act as floodways.

- o Providing for the sustainable planning, design and construction of infrastructure.

### 3.3 Strategic Documents

#### Warrnambool Open Space Strategy (2014)

The overarching vision for open space in Warrnambool is:

*“Warrnambool will have a high quality, diverse, accessible open space network that reflects community needs and enhances social connection, environmental protection and economic benefit”.*

The Warrnambool Open Space Strategy (WOOS) provides a framework for open space planning and management within the City of Warrnambool. The WOOS identifies large amounts of flood affected land as open space areas within the growth area. The WOOS identifies opportunities for improved overall connectivity along the Merri River corridor.

#### Warrnambool City-Wide Housing Strategy (2013)

The Warrnambool City-Wide Housing Strategy (WCWHS) provides guidance on housing density and dwelling types for future residential development within Warrnambool. The WCWHS builds on the Warrnambool Land Use Strategy 2004, which identified the need for the expansion of Warrnambool's urban area and identified five greenfield growth areas including the North of the Merri precinct.

The subject site is identified as a greenfield growth area in the City-Wide Housing Framework Plan. The WCWHS seeks the development of 12 dwellings per net developable area and directs increased housing densities to areas near transport corridors, open space and activity centres. The WCWHS identifies opportunities for a variety of dwelling types to be provided within greenfield areas.

#### North of the Merri Structure Plan (2011)

The North of the Merri River Structure Plan (NMRSP) defines a vision and broad structure for the movement network and land uses within the Structure

Plan area to guide preparation of more detailed Development Plans and Planning Permit Applications that will be prepared for individual landholdings.

In doing so the NMRSP outlines the planning and development framework for the North of the Merri growth area.

The vision for the North of the Merri Structure Plan area is:

*To create a well-connected and well serviced community that has a positive sense of place.*

The NMSP identifies five key elements, including:

- Movement
- Open space
- Activity centre and community facilities
- Neighbourhood and density
- Utilities and drainage.

Clear themes emerge throughout the NMSP as to the desired outcome for the area. The key themes include:

- A positive landscape character.
- A focus on accessible public transport and pedestrian/cycle networks.
- Providing high amenity settings for diverse housing outcomes.

#### Warrnambool 2040 Plan (2019)

Warrnambool 2040 (W2040) is a community plan for Warrnambool that outlines the long-term visions and goals for Warrnambool's environment, economy, place and people.

In relation to place, W2040 outlines the following goals:

- an affordable and accessible place to live for everyone
- encourages and prioritises sustainable transport
- well-connected outside the city
- has accessible, high-quality public spaces and facilities

Progress measures identified to achieve these goals include:



- More residential properties within 400m of quality public open space than in 2017.
- Housing types and sizes are more diverse than in 2017.
- All residents feel safer walking in their neighbourhoods than they did in 2017.
- All residents have high-quality, public places/facilities/infrastructure within their local areas (800m).

#### Sustainable Subdivisions Framework Trial: October 2020 – March 2022

The Framework seeks to mitigate the impacts of future climate projection scenarios, creating sustainable and liveable subdivisions that can adapt to the changing climate. The Framework identifies seven (7) categories that can assist in creating environmentally sustainable subdivisions:

- Site Layout and Liveability
- Streets and Public Realm
- Energy
- Ecology
- Integrated Water Management (IWM)
- Urban Heat
- Circular Economy (Materials and Waste)

### 3.4 Zoning

#### 3.4.1 General Residential Zone (GRZ)

Majority of the site is located within Schedule 1 to the General Residential Zone (GRZ1) of the Warrnambool Planning Scheme. The GRZ1 relates to the General Residential Area. In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the GRZ1 includes:

- To encourage development that respects the neighbourhood character of the area.

- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

#### 3.4.2 Urban Floodway Zone (UFZ)

The southern portion of the site adjacent to the Merri River is located within the Urban Floodway Zone (UFZ). In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the UFZ includes:

- To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
- To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

A planning permit is required to undertake buildings and works within the UFZ.

### 3.5 Overlays

#### 3.5.1 Environmental Significance Overlay – Schedule 2 (ESO2)

The purpose of the ESO includes:

- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Schedule 2 to the ESO relates to the Hopkins and Merri River Environs. The ESO2 outlines the following environmental objectives to be achieved:

- To protect the natural, cultural and visual values of the Hopkins and Merri Rivers, their tributaries, adjacent land and associated habitat corridors.
- To promote the integrated management and protection of the rivers and adjacent land.
- To ensure freehold land along the rivers is used and developed in a sustainable manner.
- To maintain and enhance stands of remnant vegetation and encourage planting of locally indigenous species.
- To prevent and arrest erosion of the riverbanks, which includes discouraging the grazing of stock close to riverbanks.
- To place high priority on protecting the rivers and adjacent land in locations which are visible from main roads, residential areas and other key activity locations.
- To provide the opportunity for the provision of public open space adjacent to the river in appropriate locations to provide for passive and active recreational activities.

#### 3.5.2 Development Contributions Plan Overlay – Schedule 1 (DCPO1)

The North of the Merri River growth area, including the subject site is affected by Schedule 1 to the Development Contributions Plan Overlay (DCPO1). The purpose of the DCPO includes:

- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Schedule 1 to the DCPO provides a summary of the levies payable by the development.

The overlay was implemented following the preparation of The North of the Merri River Development Contributions Plan (NMRDCP). The NMRDCP was prepared to enable the equitable and efficient delivery of a range of infrastructure to service planned growth within the NMRSP area. The NMRDCP applies to all land that is subject to the NMRSP.

The NMRDCP identifies the necessary infrastructure and establishes a framework to ensure that the cost of infrastructure is shared equitably by all development proponents and by the broader community.

#### 3.5.3 Development Plan Overlay – Schedule 10 (DPO10)

The purpose of the DPO10 includes:

- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Schedule 10 to the DPO specifically relates to the North of the Merri Development Plan.

A development plan must be generally in accordance with the NMRSP and must address the following objectives:

#### Overall Objectives

To implement the vision depicted in the NMRSP to establish a well-connected and well serviced community that demonstrates a positive sense of place, with specific reference to the following plan elements:

- Movement network



- Open space
- Activity centre and community facilities
- Neighbourhoods and density
- Utilities and drainage.

To implement the layout, design and density objectives of the NMRSP.

#### Movement Network Objectives

To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:

- Responds to the topography and existing road reserves (internal and external to the Development Plan area). Establishes a modified grid-based local road network with a high level of streetscape diversity, including a variety of street cross-sections.
- Establishes connections between neighbourhoods within the NMRSP area, and to existing, surrounding neighbourhoods where relevant.
- Incorporates a positive landscape character in key locations through use of boulevard treatments and high quality street tree planting.
- Provides an accessible public transport route along Wollaston Road and a linked pedestrian and cycle network (on and off road).

#### Open Space Objectives

To provide an interlinked open space network that:

- Focuses on the Merri River floodplain and key site features (ridgelines, existing vegetation, heritage features) to create a 'green loop' of open space connected by boulevard roads throughout the structure plan area.
- Is visually and physically connected to surrounding land uses through use of edge road treatments or active frontages.
- Accommodates a range of functions, including drainage, active and passive recreation, walking/cycling trails and preserves key site features.
- Locates local open space to form the heart of neighbourhoods.
- Provides a high amenity setting for diverse housing outcomes, including current and future medium density housing.

- Establishes a distinct character for each open space that reflects the context and intended function of the space and provides for an area of usable open space.
- Reinforces the role of streets by establishing small green spaces within the local street network, including small parks, widened nature strips and central medians to provide points of difference and to create neighbourhood character.
- Identifies land within the floodplain suitable for active and passive recreation purposes and for drainage and conservation purposes, having regard for the 30m biodiversity corridor along the river.

#### Activity Centre and Community Facilities Objectives

To provide a centralised activity and community centre that:

- Provides a local focus for the community, incorporating retail at a local Convenience Centre scale.
- Locates community facilities, including the primary school and local and active open space, adjacent to or nearby the retail/service centre.
- Identifies opportunities for shared use of land for community facilities, including the primary school and any required Council operated facilities.
- Is accessible via public transport with convenient access to a bus stop. Takes a 'street-based' form with a design that enhances visual interaction between the street and the land uses and accommodates on-street parking.
- Provides adequate parking for retail and other commercial uses in a location that does not feature prominently from key locations, such as Wollaston Road.
- Provides opportunities for diverse housing options including higher density housing and mixed use activities surrounding the centre, including service businesses and home offices.
- Incorporates buildings and uses of a scale sympathetic to the surrounding residential context.

#### Neighbourhoods and Density Objectives

To provide a series of internal neighbourhoods that:

- Are diverse in landscape, streetscape and built form character, each with a neighbourhood 'core' consisting of a feature (such as open space, a streetscape feature, local activity centre etc).
- Are clearly defined by streetscape features and land uses, yet are connected through use of local streets and the 'green loop' of open space and boulevard connectors.
- Provide diversity in lot sizes and housing styles, with smaller lots in key, high amenity locations around open space and the local activity centre and larger lots in appropriate locations such as on steep slopes.
- Achieve an overall density of 12 lots per net developable ha across the structure plan area.
- Incorporates a high amenity character through use of diverse streetscape cross-sections and distinct open space to provide a context for diverse and higher density housing outcomes.
- Incorporates sensitive design of lots and siting of housing to preserve opportunities for infill subdivision/development to occur over time.
- Provides an appropriate housing and fencing interface to adjoining rural land, and vehicle and pedestrian connections to adjoining residential land.

#### Utilities and Drainage Objectives

To provide physical services and infrastructure that:

- Meet the needs of the future community and the development.
- Is provided in accordance with the NMRDCP.
- Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.
- Incorporates a Water Sensitive Urban Design approach to stormwater management to protect the water quality of the Merri River.

## 4 Site Analysis

### 4.1 Surrounding Land Uses and Development

The site is located on the eastern edge of the North of the Merri Growth Area.

To the east, the site adjoins established residential properties which front Johnstone Road and Ponting Drive. The dwellings are a mix of single and double storey and are well setback from the street. There is an existing playground at the intersection of Johnstone Road and Ponting Drive.

To the immediate north of the Development Plan land, the site adjoins Wollaston Road, a Category 2 Road Zone. On the opposite side of Wollaston Road, the land is currently vacant however forms part of the North of the Merri River Growth Area. The NMRSP envisages standard density residential development for this land.

To the west, the site adjoins the Merri River School (formally the Warrnambool Special Development School).

To the south, the site adjoins the Merri River. The Merri River originates in Winslow to the north of Warrnambool and flows through to Stingray Bay, in the Thunder Point Coastal Reserve. On the southern side of the Merri River, is the Bromfield Weir. The South of Merri Open Space Precinct Plan identifies a potential river crossing from the weir to the subject site.

### 4.2 Topography and Views

Landform within the site comprises undulating topography with a gentle slope towards the river. The Feature and Level plan shows the slopes generally descends from north east and north to south direction. The high points are located on the north east corner of the site, which is approximately RL 25. The low points are located along the southern boundary (the bank of Merri River), which ranges from RL 3 to 4.

The site benefits of views to Warrnambool to the south across the Merri River and to the west towards the North of the Merri growth area.

### 4.3 Waterways and Drainage

The Merri River is the primary waterway for the development plan area. The NMRSP identifies the Merri River as a key part of the drainage corridor function. The NMRSP identifies the need for Water Sensitive Urban Design (WSUD) treatment measures to ensure the discharge of urban stormwater into the Merri River protects the water quality of the river.

The Drainage Authority for the area is Warrnambool City Council, in consultation with the Glenelg Hopkins Catchment Management Authority (GHCMA). Council and the GHCMA have prepared detailed flood mapping of the area to determine the 1 in 100 year flood extent. The area of encumbered floodplain will serve a key drainage function as well as serving additional functions including environmental importance and opportunities for passive and active open space. The identified floodplain area has been zoned as UFZ and includes the southern portion of the subject site.

### 4.4 Flora and Fauna

Vegetation within the site is predominately exotic pasture grasses and weed species. There are a number of planted cypress trees planted in windbreaks along existing fencelines. A 2009 assessment of the Flora and Fauna in the growth area found the area was highly disturbed with little native vegetation remaining.

The assessment noted that there was native vegetation and other aquatic habitat values associated with the riparian zone along the Merri River, which may provide habitat for native amphibians and wetland bird species.

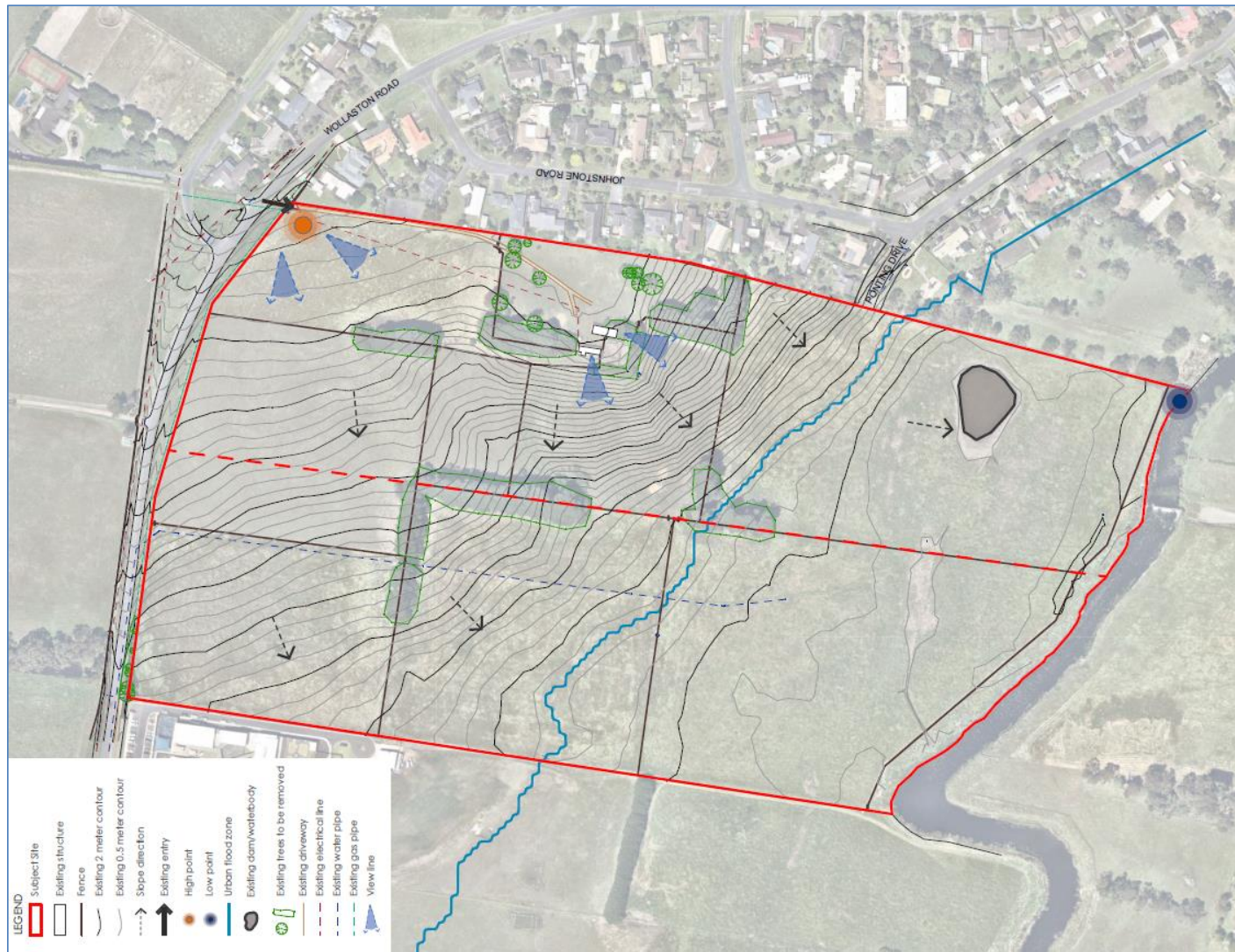
#### 4.5 Cultural Heritage

A Cultural Heritage Management Plan (CHMP) has been prepared by Heritage Insight Pty Ltd and approved by the Director Heritage Services Aboriginal Victoria.

A standard and complex assessment were undertaken by Heritage Insight Pty Ltd and the Eastern Maar Aboriginal Corporation (EMAC). The CHMP concluded that the activity area contains low archaeological potential as it is located on both a steep slope (unsuitable for camping) and the flood plain adjacent Merri River. It was noted that the flood plain is regularly inundated and has likely been highly modified since European settlement. No Aboriginal cultural material was located during this CHMP assessment.

#### 4.6 Access

The site currently has access from Wollaston Road. Wollaston Road is considered a connector road and has a road reserve of approximately 20 metres. Wollaston Road runs through the growth area and connects Caramut Road to the Hopkins Highway.



Plan 2 | Site Analysis Plan





Plan 3 | 147 Wollaston Development Plan

## 5 Development Plan

This Development Plan outlines the land use, built form and landscape features that will guide the future development of the land at 147 Wollaston Road, Warrnambool. The Development Plan has been informed by the views of the Warrnambool City Council, Glenelg Hopkins Catchment Management Authority, Wannon Water, Eastern Maar Aboriginal Corporation, the planning framework and the vision of the Gull Group.

The Development Plan seeks to implement the vision depicted in the NMRSP to establish a well-connected and well serviced community that demonstrates a positive sense of place, with specific reference to the following plan elements:

- Movement network;
- Open space;
- Neighbourhoods and density; and
- Utilities and drainage.

### 5.1 Movement network

The Development Plan has been designed around a well-connected movement network, which seeks to provide improved connectivity for vehicles, pedestrians and cyclists.

The proposed movement network connects into the existing road network at Wollaston Road and facilitates improved pedestrian and cycling networks envisaged by the NMRSP. The Development Plan also provides for future connections to Bromfield Street to the south through a 24m wide carriageway easement that connects the internal road network (and Wollaston Road) through the golf course recreation area and river corridor to the Merri River.

Strong consideration has been given to the existing road network and natural topography of the area in developing the road network. The Development Plan includes a north south connector road which comprises two different

cross sections. There is a strong focus on landscaping throughout the road network with nature strips proposed on both sides of the carriageway.

Whilst the residential connector street (stages 1 and 2) does not connect through to Ponting Drive. This connection has strategic merit, particularly in the interim whilst the Bromfield Street connection is not realised. Connecting the future Bromfield Street and Ponting Drive is discouraged by the NMRSP in response to feedback seeking to avoid 'rat running' through the existing street network.

The development plan realises the vision of the NMRSP by providing an east west shared path connection adjacent to the Merri Creek. This will link the sites western boundary with the Ponting Drive Reserve. A north south shared path will connect to the aforementioned shared path and also links Ponting Drive with the Merri River.

#### 5.1.1 Wollaston Road

The Development Plan adjoins Wollaston Road to the north. Wollaston Road is proposed to be upgraded to a Boulevard Connector to the west of the intersection with the subject site and a connector road to the east in accordance with the NMRSP. The Wollaston Road intersection has been designed 150m to the east of the indicative location depicted within the NMRSP. This has been done to better accommodate the proposed lot layout and support the retirement village or residential development within stage three. The development plan includes a row of residential lots which front Wollaston Road. It is proposed these lots will gain direct access from Wollaston Road.

#### 5.1.2 Connector Street

A 20m wide north-south connector street is proposed along the eastern side of the development plan area. The alignment of the road deviates slightly from the North of the Merri Structure Plan to facilitate the retirement living village in stage three.

Two variations of the connector street are proposed for the residential lot interface and retirement village interface. The residential lot interface provides a 7.3m carriage way separated by a 4.85m wide landscaping strip and 1.5m wide pedestrian path. The retirement village interfaces maintains the 7.3m carriageway but provides additional landscaping the the west, with a 6.85m wide landscape strip to the west and 2.85m wide landscape strip to the east.

Whilst the road layout and alignment is not strictly in accordance with the NMRSP, the proposed layout is generally in accordance with the NMRSP. The variances enable the facilitation of the retirement village which responds to broader strategic issues within the municipality. These include planning and managing for an ageing populating and facilitating community infrastructure associated with this.

The connector road intergrates with residential allotments proposed to back onto the established residential properties fronting Johnstone Road (outside the development plan area).

The development plan includes the provision for future connection to Bromfield Street to the south. A 24m wide easement is proposed to provide the future road connection at such time as the funding for the Bromfield Street bridge becomes available.

### 5.1.3 Pedestrian/Cycle Connections

Pedestrian paths are included along both sides of the connector Street. The development plan also includes a 2.5m wide shared path along the Merri River corridor and along the eastern boundary to the Ponting Street Reserve. The shared paths will connect into the existing informal paths through Ponting Reserve and the broader road network at Ponting Drive. To the west, the shared path will connect into the future development of the adjoining lot.

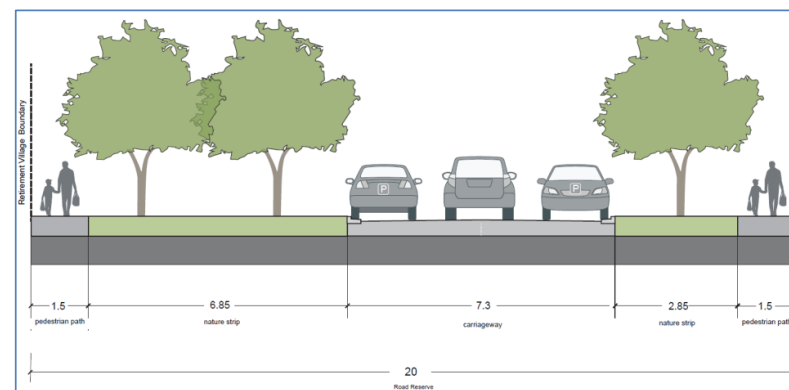


Figure 13 | Section - Residential Lot Interface

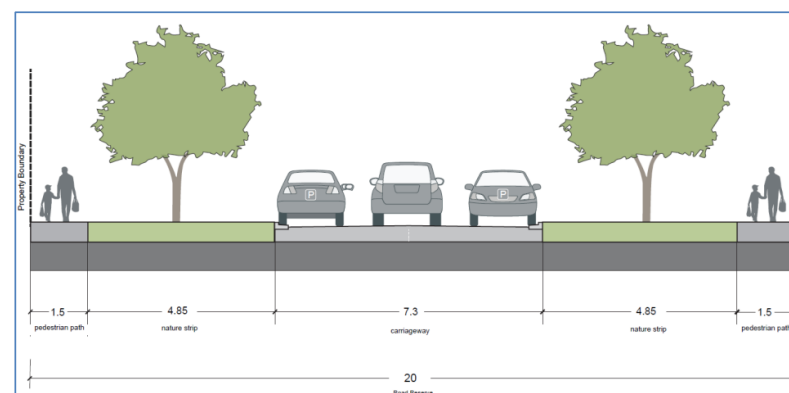
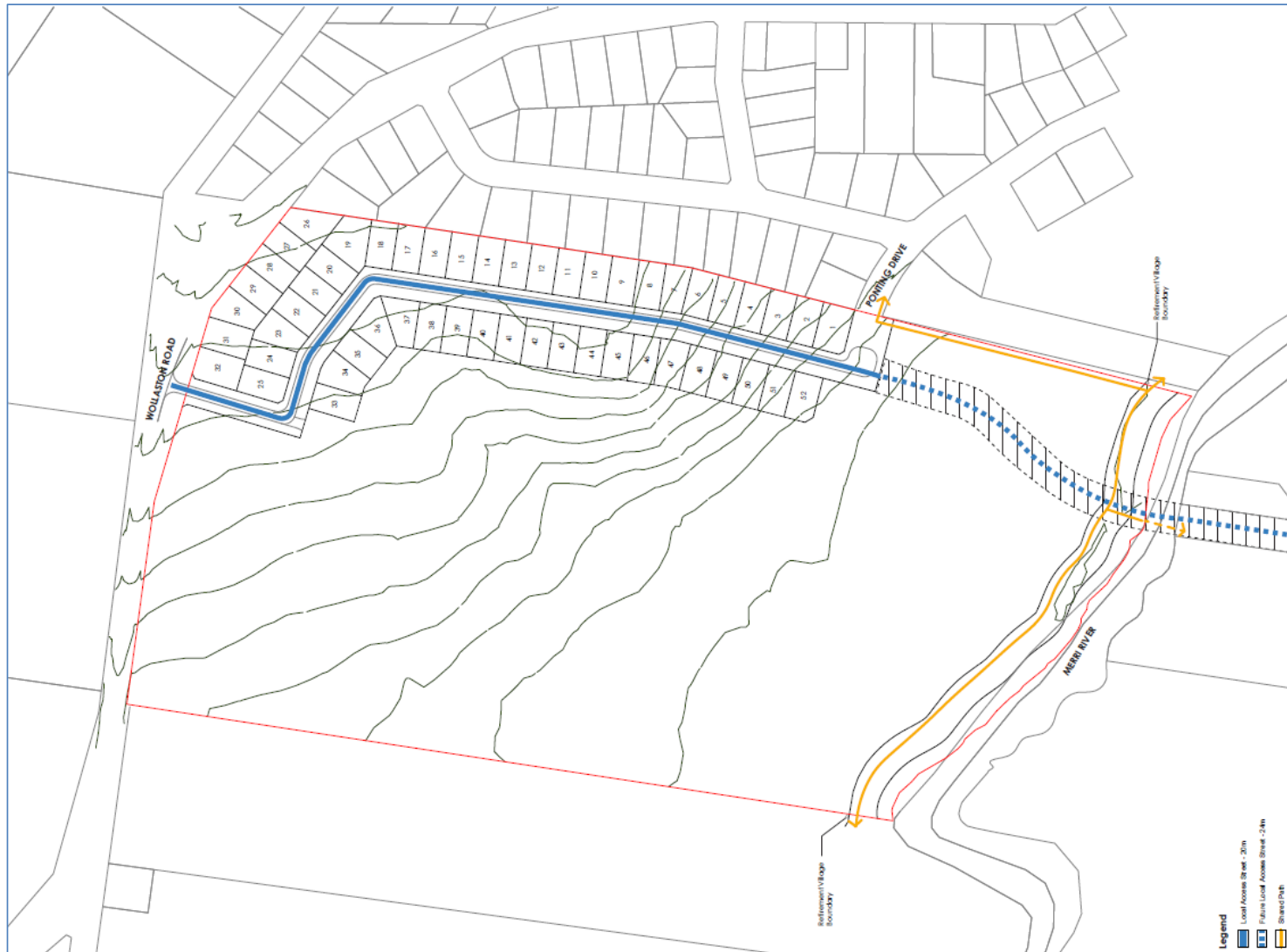


Figure 14 | Section – Retirement Village Interface





Plan 4 | Movement Network

## 5.2 Open space

The Merri River floodplain has been the centrepiece of the development plan. The development plan seeks to create a well-connected open space network along the river corridor to provide amenity to the future residents and broader area. The development plan also seeks to provide for active use of the floodplain to provide improved amenity for the future residents of the retirement village.

The development plan will play its part in facilitating the 'green loop' envisaged in the Structure Plan through the provision of open space and well landscaped road networks.

With the exception of the 36m wide proposed creek reserve, the floodplain area is to be used as golf course for the retirement village. In the event that stage 3 is not developed for the purpose of a retirement village, the area will be provided as open space in accordance with the relevant Section 173 Agreement.

Whilst not in strict accordance with the NMRSP, the proposal is generally in accordance with the NMRSP. The use of the area for recreational purposes is paramount to the success of the retirement village and on balance is of greater net community benefit than the passive open space otherwise envisaged. The east west and north south shared path connections will benefit from the improved offsite amenity associated with a well landscaped and vegetated golf course area.

### 5.2.1 River Corridor

The key feature of the open space network is the Merri River corridor. The development plan includes a 1.369ha corridor of open space, extending 36m from the river edge. The corridor includes the provision of a 2.5m wide shared path which is proposed to connect in to the Ponting Street reserve, road network and development to the west. A 10m wide vegetation buffer is proposed adjacent to the river edge and to retain and reinstate the existing vegetation.

To maintain the character and ecological values of the Merri River corridor, the river corridor area will include native vegetation indigenous to South West Victoria. A mix of trees, shrubs and groundcovers are proposed, including Blackwoods (*Accacia melanoxylon*) and Swamp gums (*Eucalyptus ovata*).

Post and rail fencing is proposed along the northern edge of the corridor to differentiate the river corridor and golf course area.

### 5.2.2 Golf Course

The remainder of the floodplain area is to be retained for drainage and a private golf course for the residents of the retirement village. The area includes a retarding basin and wetlands. Planting throughout the golf course is proposed to be native and indigenous species and follow the landscape character of the river corridor.

The golf course will provide active open space and a high level of amenity to encourage a more diverse housing offering, in the retirement village.

### 5.2.3 Street Network

The connector street includes wide nature strips which are proposed to be landscaped with native vegetation indigenous to south west Victoria. Plant species will be selected from the Warrnambool City Council Street Tree Planting and Management Guidelines and follow the landscape character of the river corridor.



Plan 5 / Open Space Network





Plan 6 | River Corridor Plan

### 5.3 Neighbourhoods and Density

The development plan seeks to achieve the objectives of the structure plan by providing a diversity of lot sizes and housing styles. In particular the site seeks to respond to the ageing population through the provision of a retirement village which will significantly improve the diversity of accommodation options in the precinct.

#### 5.3.1 Residential areas

The development plan includes 52 residential lots along the eastern portion of the site. The lots range in size from 698m<sup>2</sup> to 957m<sup>2</sup> with an average lot size of 718m<sup>2</sup>. The lots predominantly front the connector road, with 7 lots proposed to front Wollaston Road directly. The lots have been designed to enable future change over time to respond to increased housing demand in the area and enable infill subdivision or development.

The residential area provides for 10.4 lots per ha. It is acknowledged this is slightly below the density target of 12 lots per ha. The lower density is considered appropriate given the site's location on the edge of the growth area and potential for infill development in the future.

#### 5.3.2 Retirement village

The balance of the site is proposed to be developed as a retirement village. The retirement village is proposed to have a distinctive character and includes a series of internal private road networks. The retirement village area is to be retained as a single lot, however will provide for dwellings at increased densities, increasing the overall density of the site.

In the event the balance of the land is not developed as a retirement village, this land will be developed for residential purposes in line with the density target of the NMRSP.

### 5.4 Utilities and drainage

The utility providers have confirmed that the land can be serviced.

#### 5.4.1 Water and Sewerage

Wannon Water are the responsible authority for water and sewerage in the development plan area.

A new watermain is proposed along the northern edge of the area within the Wollaston Road reserve and will run along the new connector street. The area will connect to the existing watermain in the north east corner of the site and at Ponting Drive.

The development will connect into the existing sewer to the west and east in line with Ponting Drive.

#### 5.4.2 Electricity

Powercor Australia are the relevant service provider for electricity within the development plan area. The area will connect into the existing electricity lines at Ponting Drive and Wollaston Road.

The existing overhead powerlines connecting the existing dwelling are proposed to be removed.

#### 5.4.3 Telecommunications

Telstra are the relevant service provider for telecommunications in the area. The site will connect into existing telecommunications lines along Wollaston Road and Ponting Drive. The existing telecommunications line connecting the existing dwelling is proposed to be removed.

#### 5.4.4 Drainage

Warrnambool City Council and Glenelg Hopkins CMA are the relevant service providers for drainage.

A Stormwater Management Strategy has been prepared by Beveridge Williams as part of this development plan. Two stormwater retarding basins are proposed within the floodplain. The retarding basins will have volumes of 4,980m<sup>3</sup> and 1,160m<sup>3</sup> and will detain the 1% AEP post development site flow to pre-development level. Stormwater quality management is proposed to be managed through a 500m<sup>2</sup> sedimentation basin and a 2,000m<sup>2</sup> wetland system.

The legal drainage point for the overall catchment will be to Merri River to the south. The subsurface drainage network for the development will convey all pipe flows to the outlet location, via the proposed stormwater quality treatment facilities (sedimentation basin and wetland). The pipe network will be adequately sized to convey the 20% AEP flows throughout the proposed development's drainage network.

Overland flows from the subject site will be directed via the proposed subdivisional roads to the retarding basins. The internal roads for the development, and associated lot finished surface levels, will be designed to ensure that the 1% AEP overland flows through the site are within the safe hydraulic capacity of road floodway.

#### 5.4.5 Gas

Tennix are the service provider for gas within the development plan area. The area will connect to the existing gas main at the intersection of Wollaston Road and the connector street and at Ponting Drive.

#### 5.4.6 Staging

The development is proposed to be split across 3 stages to ensure the provision of infrastructure and services.

Development is proposed to commence in the north-east corner at the intersection of the connector street and Wollaston Road. Stage 1 comprises 26 lots and has an area of 2.466ha. Stage 2 includes the remainder of the residential lots and comprises an area of 2.544ha. Stage 3 includes the balance of the land set aside for the retirement village and golf course.

## 5.5 Land Budget

The following table calculates the net developable area for the site. In total there is a total of 21.779ha of developable land within the development plan area.

Description	Hectares	% of total area	% of NDA
<b>Total Development Plan area</b>	24.844 ha	100%	
<b>Encumbered Land</b>			
Urban Floodway Zone	1.247 ha	5.0%	5.7%
<b>Transport</b>			
Wollaston Road Upgrade	0.000 ha		0%
Local Road	1.275 ha	5.1%	5.9%
Easement (future road)	0.543 ha	2.2%	2.4%
<b>Net Developable Area (NDA)</b>	<b>21.779 ha</b>	<b>87.7%</b>	



# Urban Design Package

147 Wollaston Road, Warrnambool

**Client**  
Gull Group

**Issued**  
06.09.2021





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Master Plan	5
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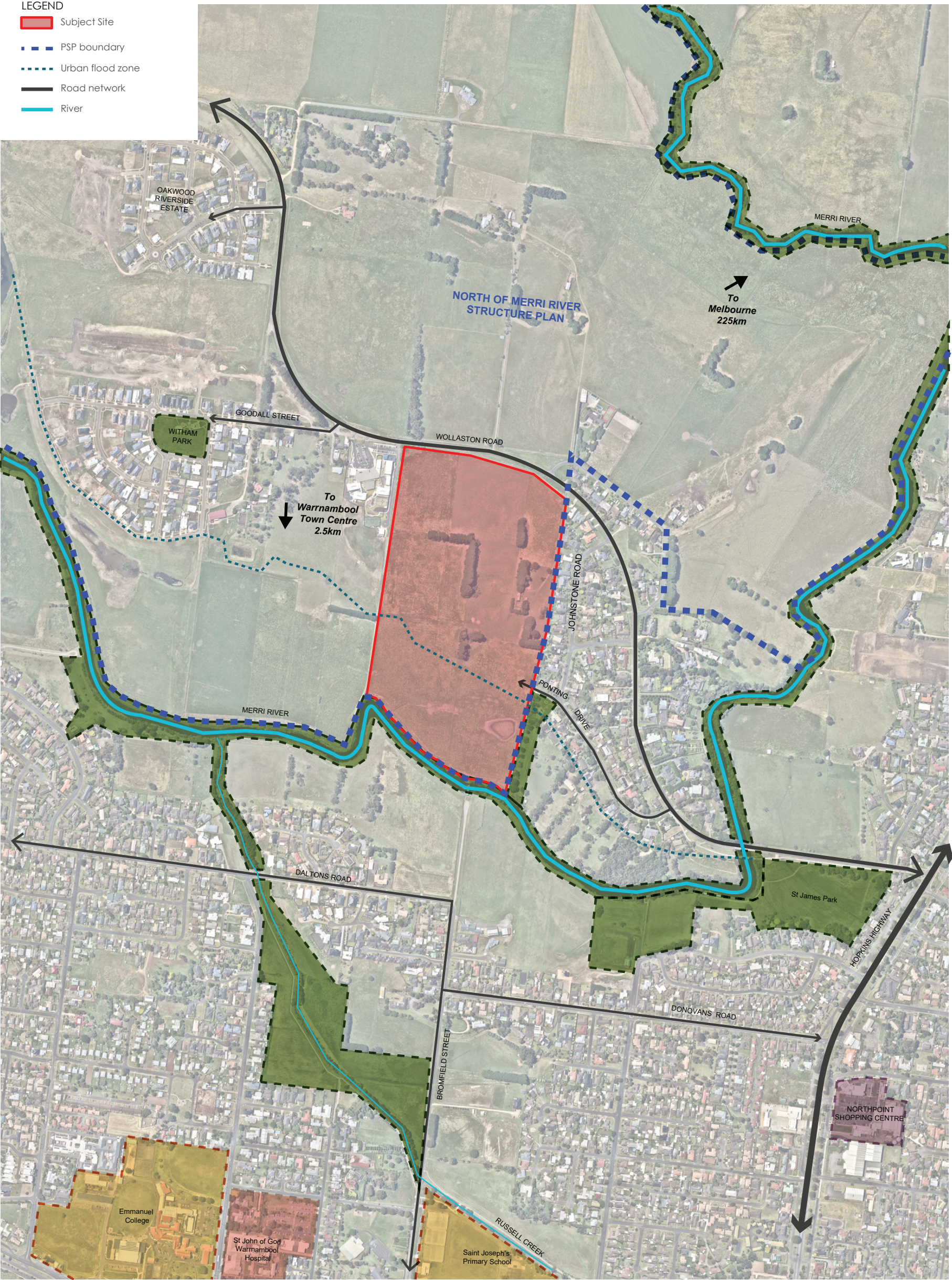
Client: Gull Group  
Issued: 06.09.2021  
Version: 05  
Prepared by: WEB/MJ  
Checked by: WEB

Town Planning  
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Site Context Plan  
147 Wollaston Road, Warrnambool  
Gull Group

01	04.03.2021	Initial Issue	WEB	WEB
Version	Date	Description	Drafted	Approved

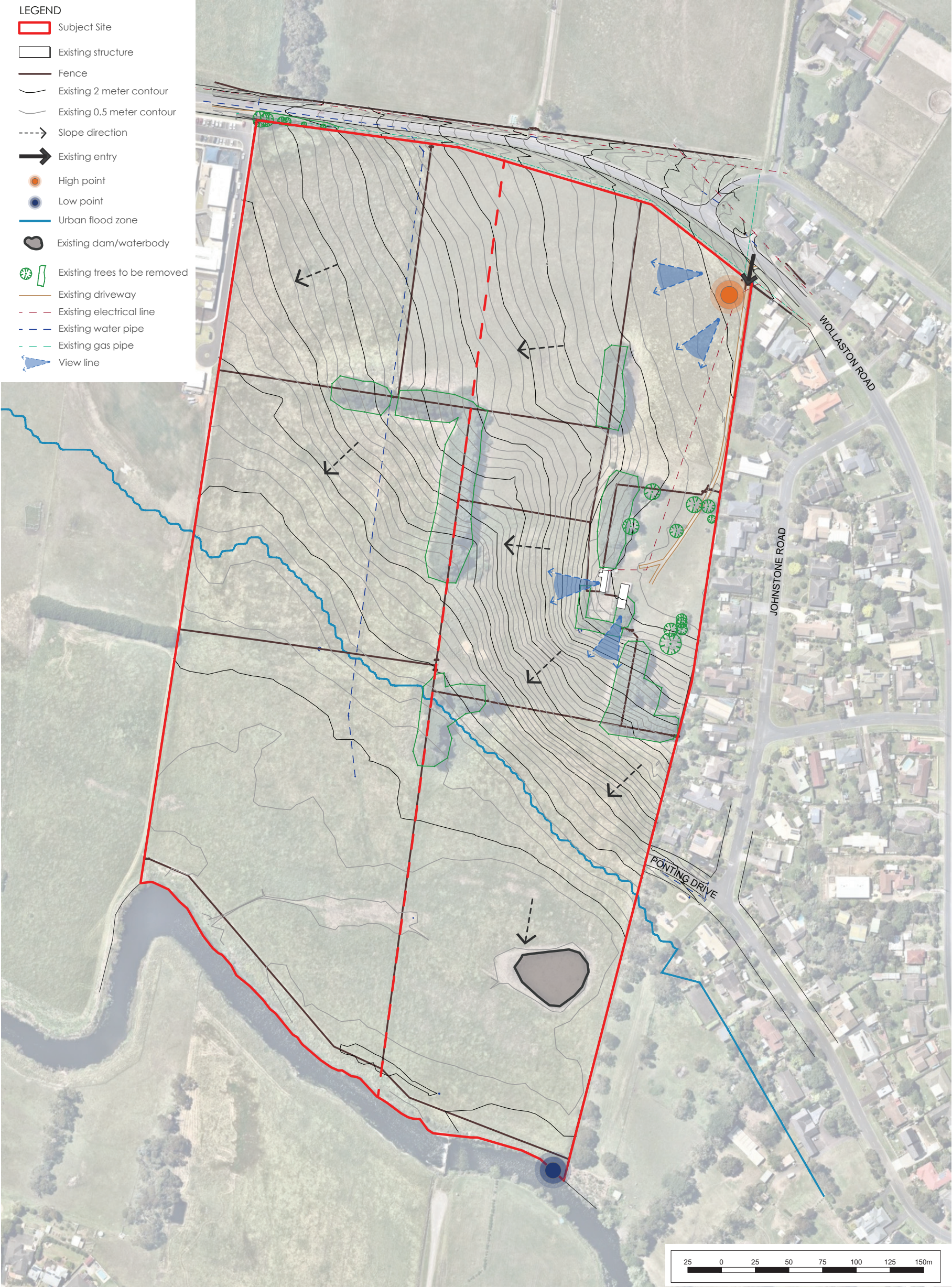
Date: 04.03.2021  
Version No: 01  
Job No: 2000243



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(A3): NS

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Site Analysis Plan  
147 Wollaston Road, Warrnambool  
Gull Group

01	04.03.2021	Initial Issue	WEB	WEB	
02	20.08.2021	Second Issue	MJ	WEB	
Version	Date	Description	Drafted	Approved	

Date: 20.08.2021  
Version No: 02  
Job No: 2000243  
Scale (A1): 1:1250  
(A3): 1:2500



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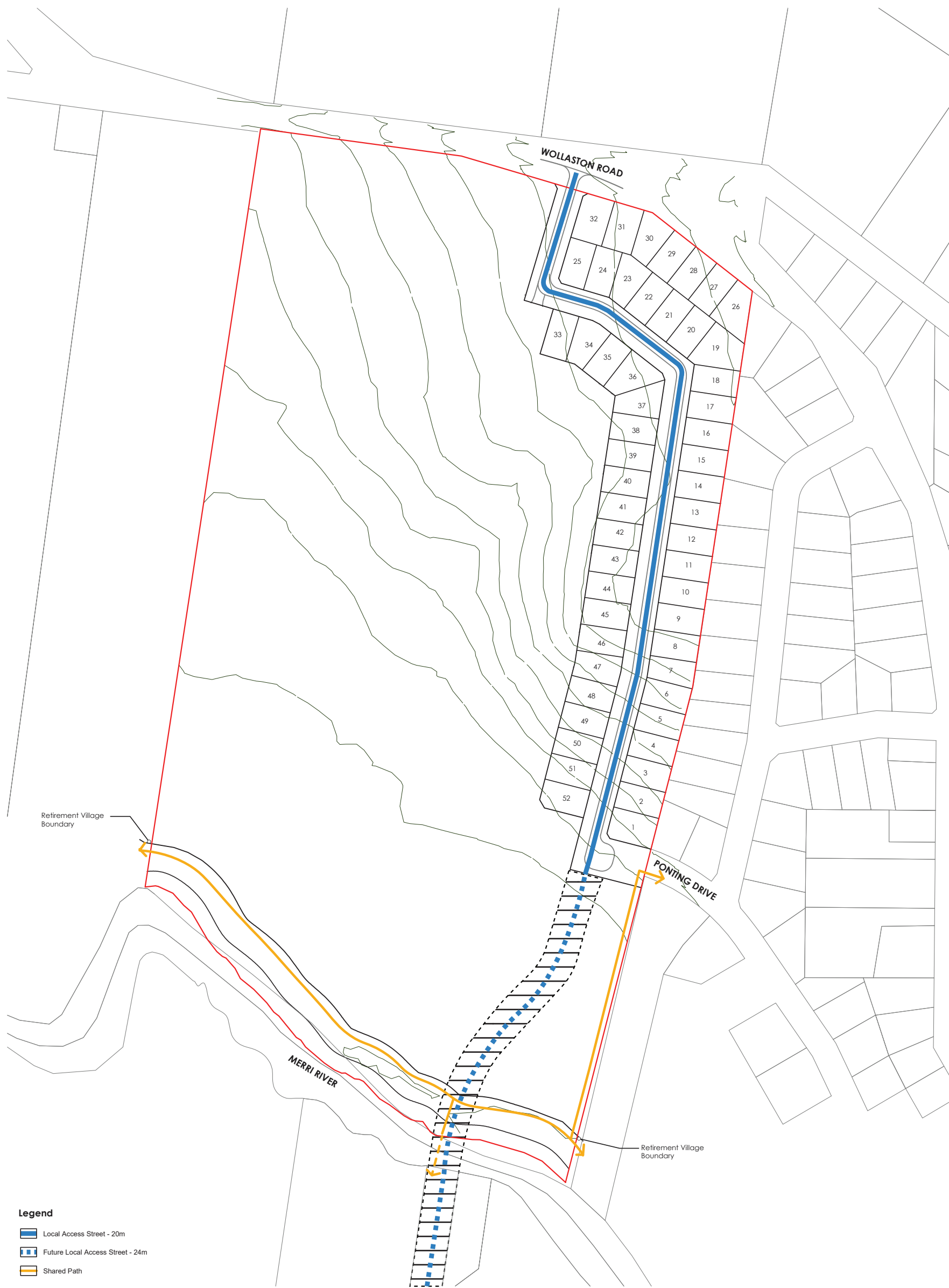




Indicative Subdivision Plan  
147 Wollaston Road, Warrnambool  
Gull Group

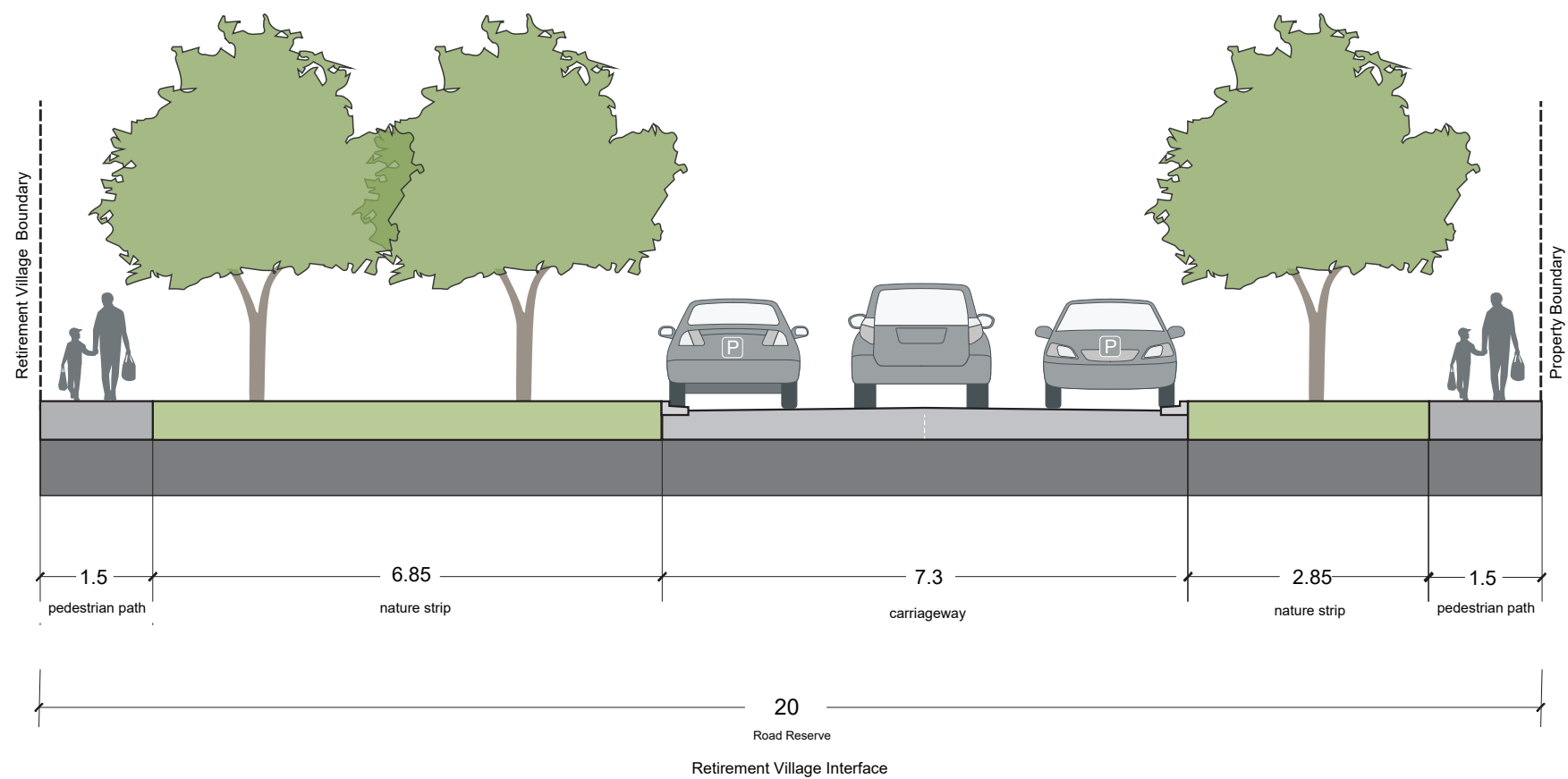
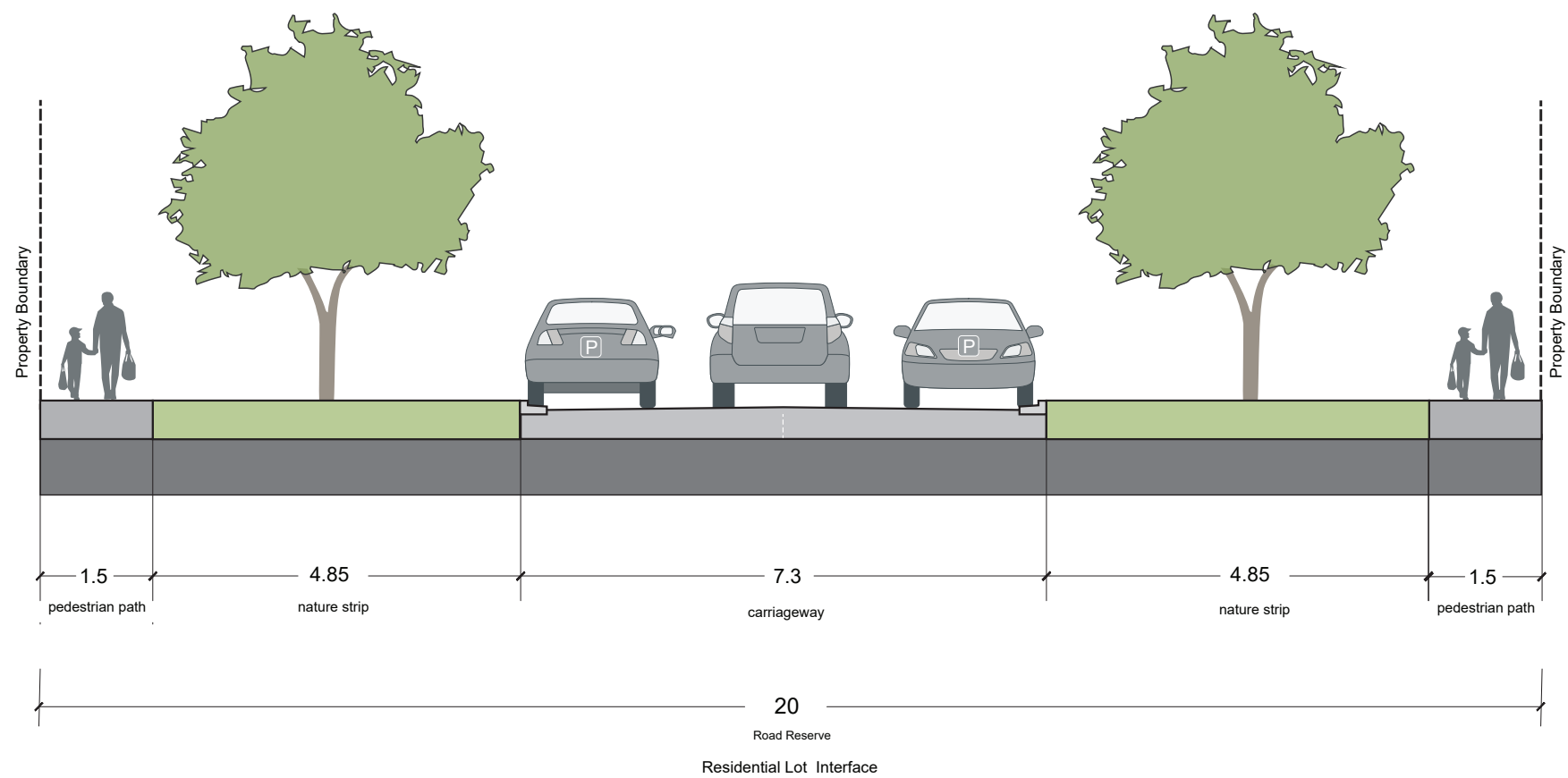
06	18.03.2021	Amended creek reserve boundary	WEB	WEB	Date: 25.08.2021
07	13.05.2021	Amended layout	MJ	WEB	Version No: 10
08	20.05.2021	Amended layout	MJ	WEB	Job No: 2000243
09	08.06.2021	Amended layout	MJ	WEB	Scale (A1): 1:1250
10	25.08.2021	Amended layout	MJ	WEB	(A3): 1:2500
Version	Date	Description	Drafted	Approved	





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LEGEND

-  1 Title Boundary
-  2 Minimum 3m wide clearance between planting and path
-  3 Minimum 10m wide vegetation buffer incorporating small planting.
-  4 2.5m wide hared granitic gravel path
-  5 Potential future pedestrian crossing by others
-  6 Grassed areas to provide active open spaces
-  7 Post and rail fencing at the interface of the corridor
-  8 Scattered trees and large shrubs along the river
-  9 Scattered medium shrubs along the river
-  10 Key viewline from existing open space as identified in the Merri River Landscape Guidelines



36m Creek Reserve Concept Plan

147 Wollaston Road, Warrnambool  
Gull Group

Project Number: 2000243  
Drawn by: SV  
Checked by: SK

Revision: A  
Issued: 28.07.2021

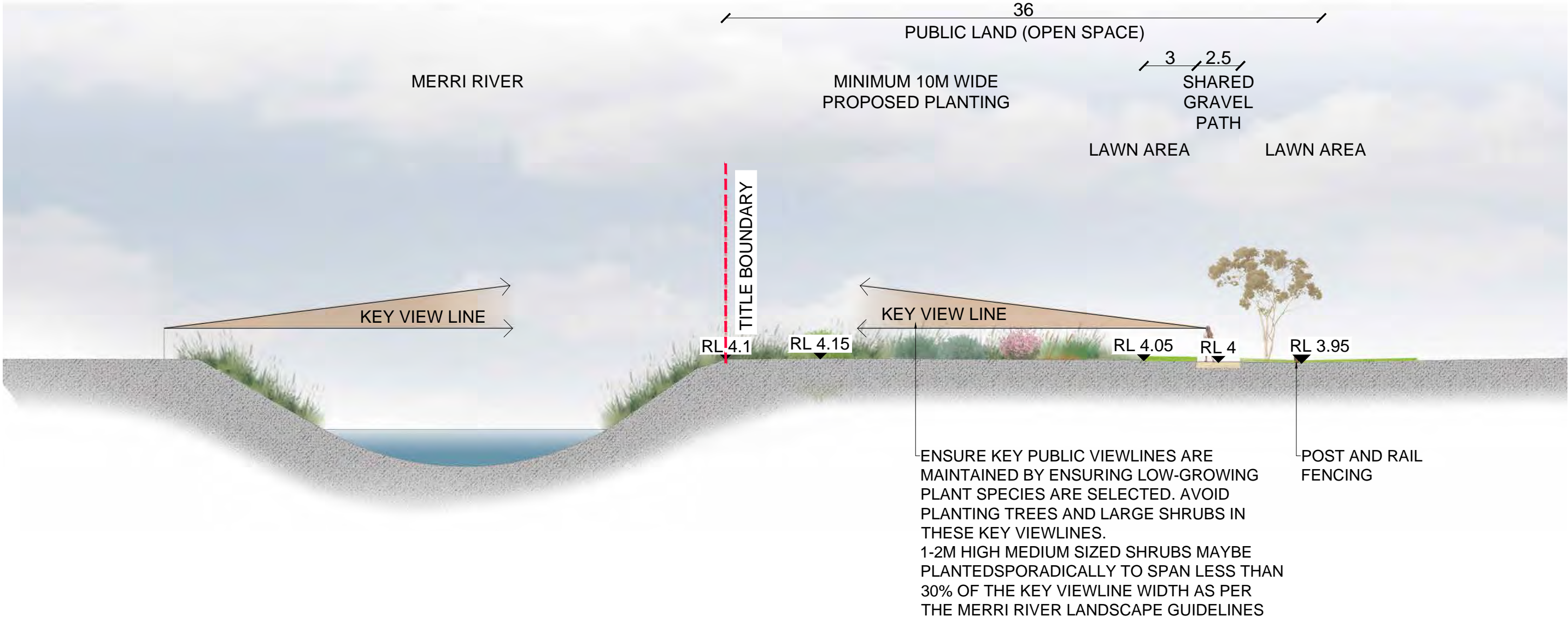


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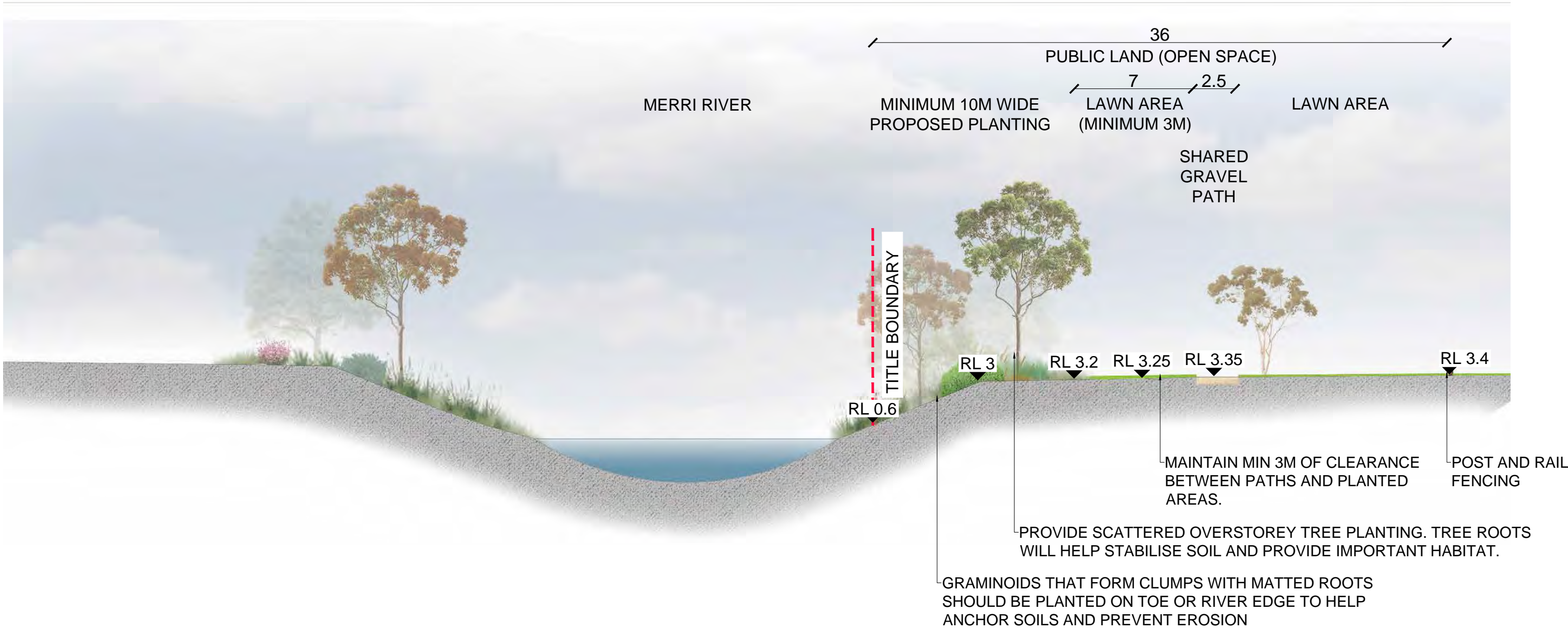


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SECTION AT AA



SECTION AT BB



POST AND RAIL FENCING

**Merri River Corridor Cross Sections**

147 Wollaston Road, Warrnambool

Gull Group

Project Number: 2000243

Drawn by: SV

Checked by: SK

Revision: A

Issued: 28.07.2021

Scale: 1:200 @A1



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*Acacia melanoxylon* | Blackwood  
12-15 x 5m



*Eucalyptus ovata* | Swamp Gum  
10 x 5m



*Leptospermum lanigerum* | Woolly  
Tea-tree | 2-6 x 1-3m



*Acacia paradoxa* | Hedge Wattle  
2-4 x 2-5m



*Melaleuca squarrosa* | Scented  
Paperbark | 2-5 x 1-2m



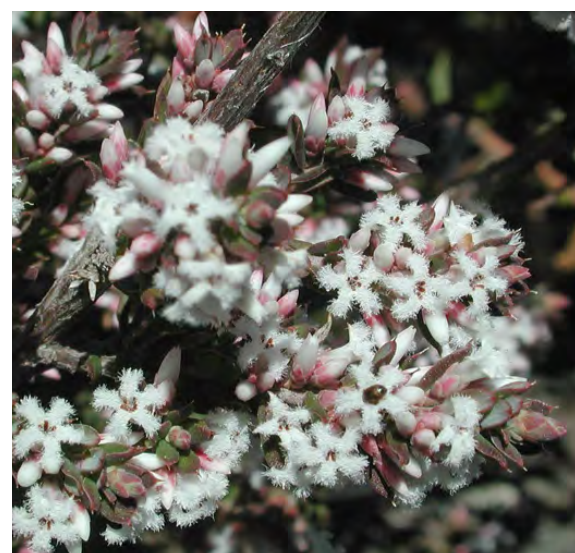
*Myoporum insulare* | Common  
Boobialla | 1-6 x 3m



*Acacia myrtifolia* | Myrtle Wattle |  
1-2 x 1-2m



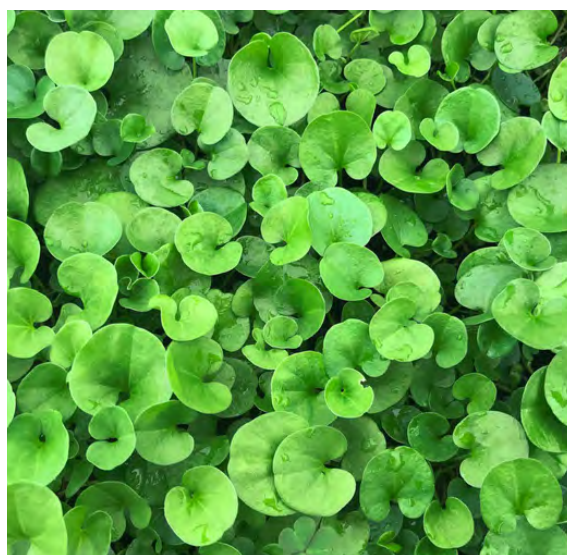
*Leptospermum scoparium* | Manu-  
ka | 2 x 2m



*Leucopogon virgatus* | Common  
Beard-heath | 0.3-1 x 0.2-0.6m



*Pimelea humilis* | Common  
Rice-flower | 0.3 x 0.3-1 m



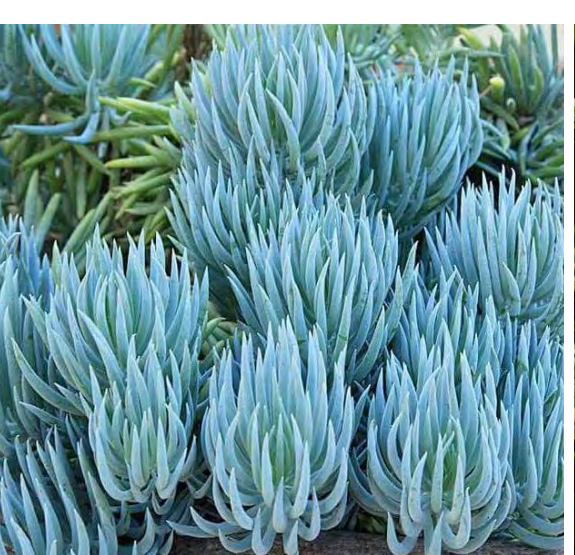
*Dichondra repens* | Kidney-weed |  
Prostrate



*Hydrocotyle pterocarpa* | Wing  
Pennywort | Prostrate



*Persicaria decipiens* | Slender Knot-  
weed | Prostrate



*Senecio odoratus var. odoratus* |  
Scented Groundsel



*Urtica incisa* | Scrub Nettle | Pros-  
trate



*Carex appressa* | Tall Sedge |  
1 x 1m



*Dianella revoluta* | Black Anther  
Flax-lily | 0.3-1 x 0.5-1m



*Ficinia nodosa* | Knobby Club-rush  
1 x 0.8m



*Gahnia sieberiana* | Red-fruit Saw-  
sedge | 1.5-2 x 2-3m



*Lomandra longifolia* | Mat Rush |  
0.5-1 x 0.4-0.6m



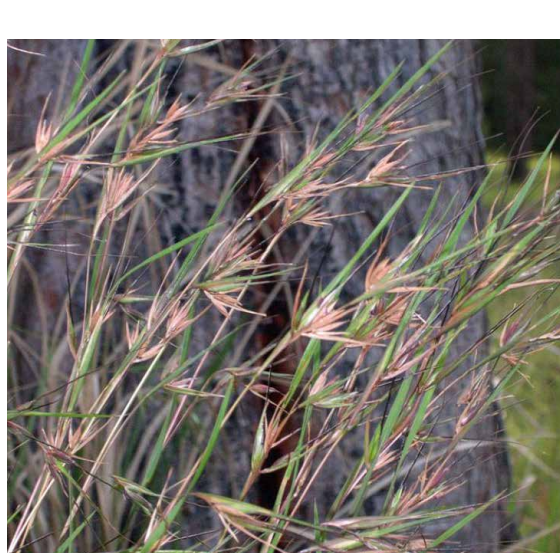
*Phragmites australis* | Common  
Reed |



*Poa labillardierei* | Common Tus-  
sock-grass | 1.2 x 0.3-0.8m



*Schoenus lepidosperma* | Slender  
Bog-sedge | 0.3 x 0.2m



*Themeda triandra* | Kangaroo Grass  
| 1.5 x 0.5m

NOTE - PLANTING PALETTE IS AS PER MERRI RIVER LANDSCAPE GUIDELINES AND EVC 53

Indicative Planting Palette

147 Wollaston Road, Warrnambool

Gull Group

Project Number: 2000243

Drawn by: SV

Checked by: SK

Revision: A

Issued: 28.07.2021

BW

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## Traffic Impact Assessment

147 WOLLASTON ROAD,  
WARNAMBOOL

**Issued**

25/08/2021

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## Beveridge Williams



Client: Gull Group  
Issued: 25/08/2021  
Version: 2.0  
Prepared by: Earl Aninipoc  
Checked by: Bernard Collins  
Project Manager: Roger Sanders  
Project Number: 2000243

Surveying  
Asset Recording  
Civil Engineering  
Infrastructure Engineering  
**Traffic & Transport Engineering**  
Environmental Consulting  
Water Resource Engineering  
Strata Certification (NSW)  
Town Planning  
Urban Design  
Landscape Architecture  
Project Management

### Revision Table

REV	DESCRIPTION	DATE	AUTHORISED
1.0	Submission	20/04/2020	E. Aninipoc
2.0	Layout plan amendments	25/08/2021	E. Aninipoc

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### 1 PREAMBLE

#### INTRODUCTION

Beveridge Williams has been engaged by Gull Group to prepare a Traffic Impact Assessment for a proposed Development Plan at 147 Wollaston Road, Warrnambool. The following report sets out the findings of this assessment based on the investigations undertaken by Beveridge Williams.

#### 1.2 OBJECTIVES

Based on the scope of Beveridge Williams engagement, the information contained within this assessment has been prepared to respond to the following objectives:

- Review of the surrounding road network;
- Review of the Warrnambool Planning Scheme;
- Traffic impact considerations;
- Access considerations;
- Design considerations; and
- Other considerations.

#### 1.3 FACTS AND MATTERS RELIED UPON

In preparing this assessment, Beveridge Williams have relied upon the following facts, matters and information:

- Warrnambool Planning Scheme;
- North of the Merri River Structure Plan;
- AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking;
- AS/NZS 2890.6:2009 Parking facilities Part 6: Off-street parking for people with disabilities;
- RMS Guide to Traffic Generating Developments (October 2002); and
- Traffic movement survey data collected.

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## 2 EXISTING CONDITIONS

### 2.1 SUBJECT SITE

The subject site is located at 147 Wollaston Road, Warrnambool, and occupies a total area of 28.8ha. The site is bordered by Wollaston Road to the north and Merri River to the south of the site. There is residential development to the site's east.

The site is predominantly cleared and undeveloped with sparse vegetation. There is an existing vehicle crossover on Wollaston Road, and a street connection to Ponting Drive along the eastern boundary.

The existing site conditions are shown in Figure 1.



Figure 1: Subject Site – Existing Conditions

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### 2.2 SUBJECT SITE CONTEXT

Located within the Warrnambool City Council municipality, the subject site is within a General Residential Zone (GRZ). The lower third of the site is also located within the Urban Floodway Zone (UGZ) due to Merri River along the site's southern border. The site is located within Schedule 10 to the Development Plan Overlay, which cross references the North of Merri River Development Plan discussed in section 2.4 of this report.

The site is located approximately 2.5km north of the Warrnambool Town Centre. The subject site locality and surrounding area are provided in Figure 2.

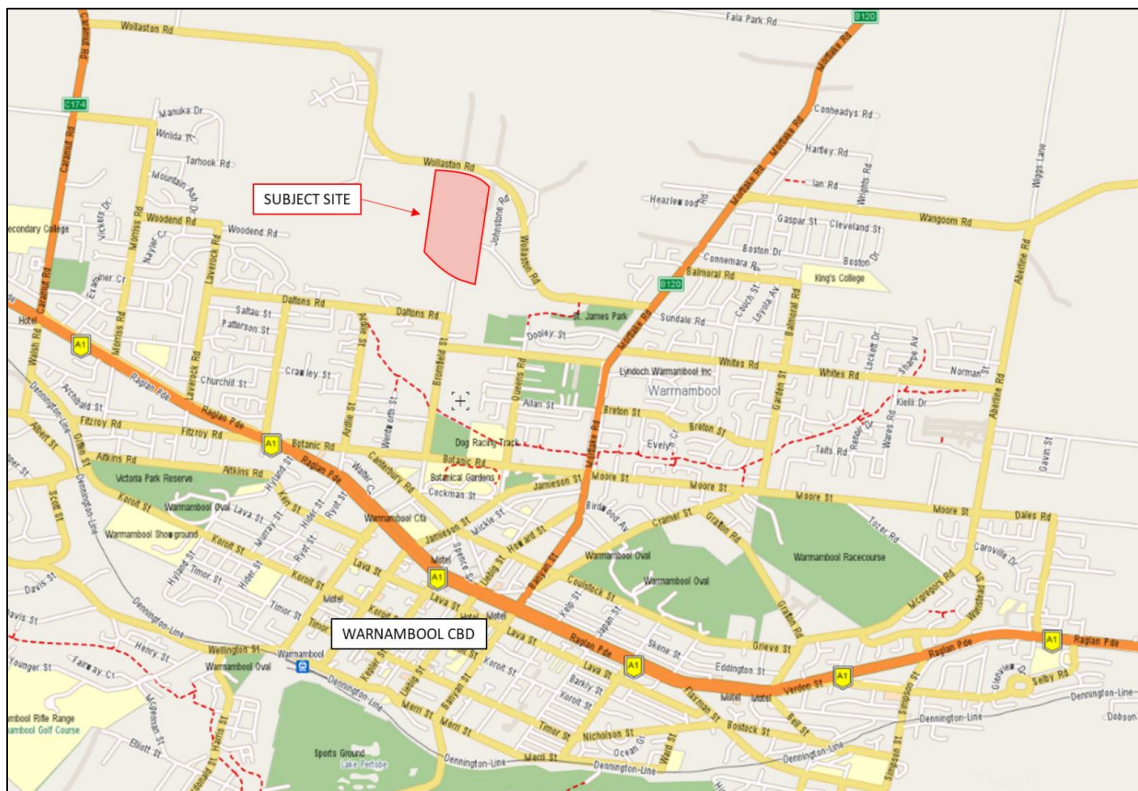


Figure 2 :Subject Site Locality



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### 2.3 ROAD NETWORK

#### 2.3.1 Wollaston Road

Wollaston Road is a rural collector road under the authority of the Warrnambool City Council. Wollaston Road runs between Hopkins Highway and Caramut Road, which are the main north/south roads that cross Merri River. Wollaston Road generally runs east/west with four large-radius, 90-degree bends.

At the frontage of the site, Wollaston Road is a two-lane, two-way road with 7m-wide carriageway and a posted speed limit of 80km/h. The roadside has grassed verges with no road shoulder. East of Walls Road the posted speed limit is 60km/h and the road is kerbed with no footpath on both sides of the road.



Figure 3: Wollaston Road facing west

#### 2.3.2 Ponting Drive

Ponting Drive is a local road under the authority of Warrnambool City Council. Ponting Drive intersects with Wollaston Road and runs parallel with Merri River for approximately 450m and terminates at the eastern boundary of the subject site.

At the eastern boundary of the site Ponting Drive is a two-lane, two-way road with pavement of approximately 8m between kerbs. There are no footpaths and wide nature strips on both sides of the street. The speed limit is a default 50km/h.



Figure 4: Ponting Drive at the site boundary

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### 2.4 NORTH OF MERRI RIVER STRUCTURE PLAN 2011

The North of Merri River Structure Plan 2011 has been prepared for Warrnambool City Council to provide planning and development framework for the land within the 250ha precinct area. The figure below shows the precinct area, with the site location and movement plan superimposed.

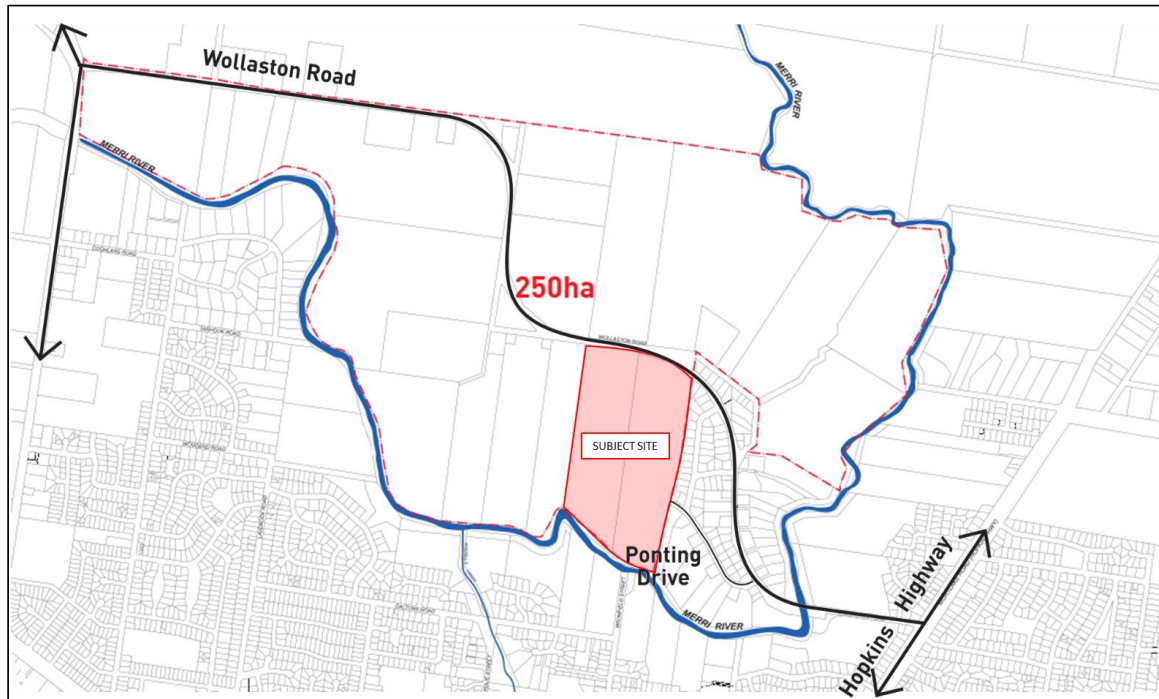


Figure 5: North of Merri River Precinct Area and Movement Plan

The movement plan as described in the North of Merri River Structure Plan indicates that Wollaston Road will continue its function to carry traffic between Hopkins Highway and Caramut Road. The through volumes are estimated to increase from approximately 3,000 vehicles per day (vpd) to 14,580vpd upon full development of the area. It is noted that the lot access objectives in Clause 56.06 in the Warrnambool Planning Scheme associates daily traffic volumes of more than 7,000vpd to an arterial road function albeit with the nominal geometry of a connector street.

It is also noted that the intersection of Hopkins Highway and Wollaston Road was signalised in 2015, after the structure plan was published 2011. The movement network also mentions a potential bridge connection to Bromfield Street, which terminates on the south side of Merri River.

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2.5 EXISTING TRAFFIC MOVEMENTS

Turning movement surveys were undertaken on Wednesday 10 March 2021 to determine the existing peak hour traffic movements along Ponting Drive at Wollaston Road and Johnstone Street. Refer to Appendix A for the full survey data.

The survey at Wollaston Road indicated that the morning peak occurred between 8am-9am and the afternoon peak occurred between 3.30pm-4.30pm. The survey at Johnson Street had significantly less traffic and indicated no single peak as the hours commencing at 9.15am, 9.30am and 10am all had the same volume. The afternoon peak occurred between 4.15pm-5.15pm. In addition to the typical peak periods, there was a peak in traffic between 12.30pm-1.30pm.

The combined peak hour movements are shown in Figure 6.

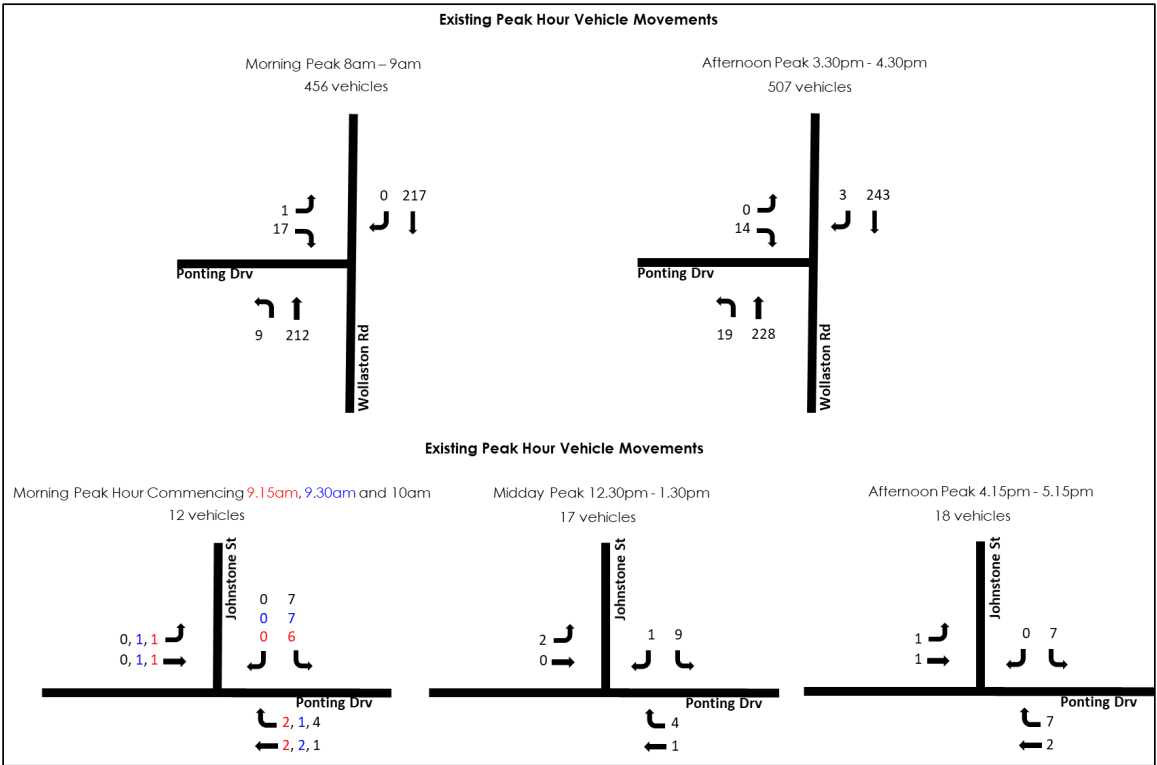


Figure 6: Existing Peak Hour Vehicle Movements

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The traffic volumes of the signals at Hopkins Highway/Wollaston Road was obtained from the DoT data website. The date of the data obtained was also for Wednesday 10 March 2021 to coincide with the turning movement survey that was commissioned.

As all the approach lanes at this intersection has an individual turning direction and detector loop, the loop volume data was able to be used to ascertain a turning movement survey. Collating the data, the morning peak was found to occur between 8am-9am with 1,281 vehicles and the afternoon peak between 4.30pm-5.30pm with 1,319 vehicles.

A copy of the detector map and peak hour turning movements are shown below.

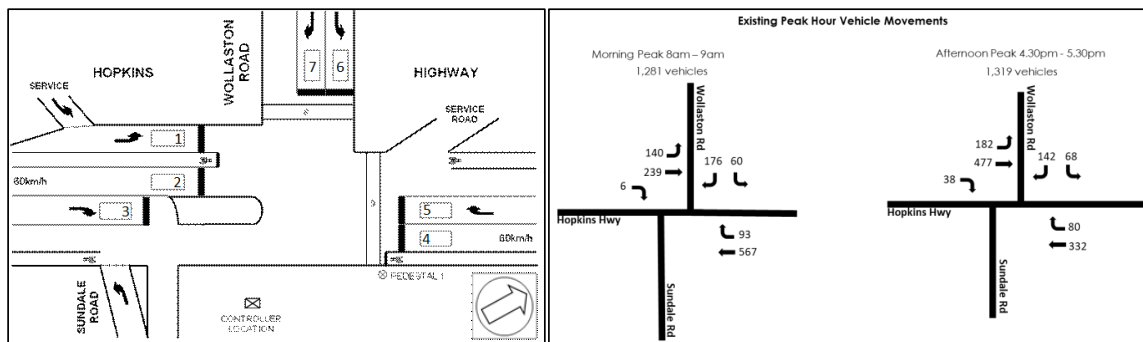


Figure 7: Detector Map and Peak Hour Turning Movements



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3 PROPOSAL  
3.1 GENERAL

The proposed Development Plan will comprise 52 residential lots, a retirement village comprising approximately 192 lots and associated facilities. The retirement village yield will be confirmed through subsequent permit applications. Access will be obtained approximately from the existing vehicle crossing location on Wollaston Road. The residential lots will be serviced by a single access street that terminates at a court bowl at the south of the residential area.

There is land set aside for a potential future road reserve along the southeast boundary to provide a bridge crossing over Merri River.

The proposed development is shown in Figure 8 and attached in Appendix B.

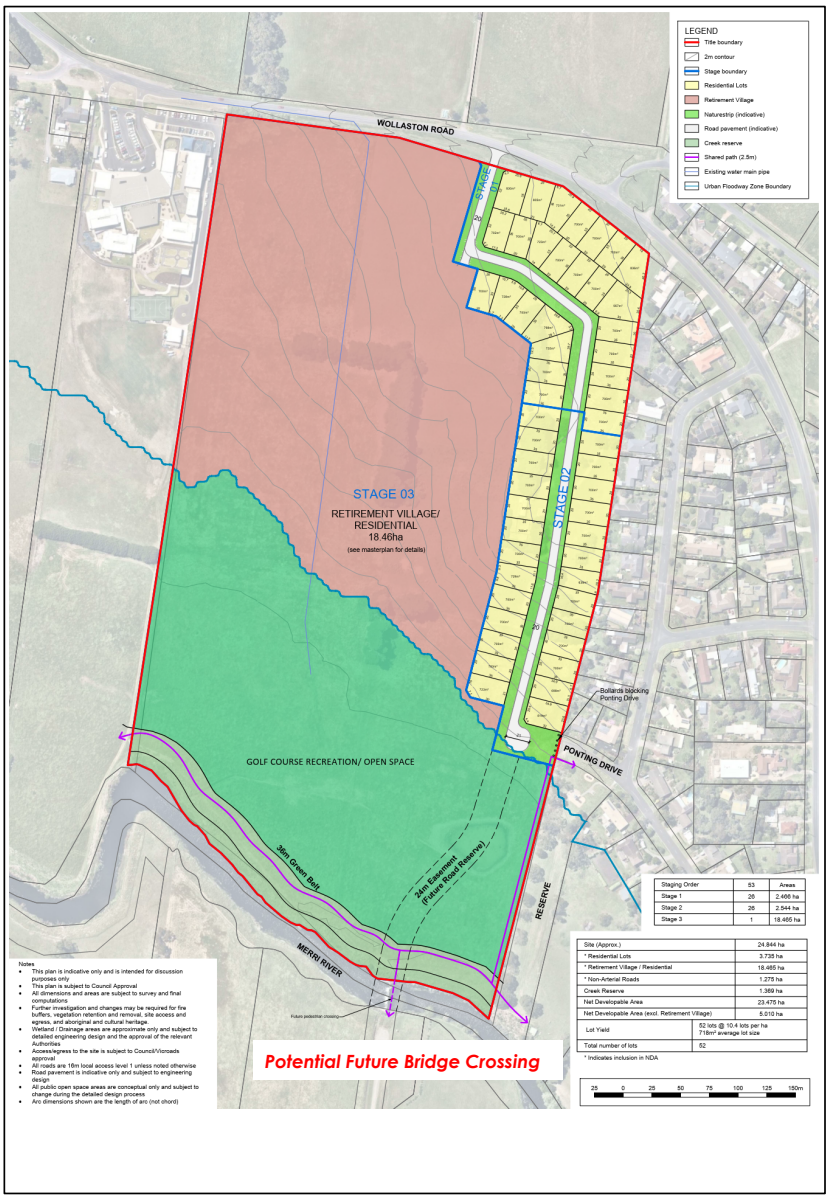


Figure 8: Proposed Development

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### 3.2 SITE ACCESSES

In accordance with the structure plan, the site will continue Ponting Drive access on the eastern border. There is one intersection access proposed along Wollaston Road approximately 145m from the eastern boundary, which is the location of the current vehicle crossing to the site. The 7 lots fronting the northern site boundary will also gain direct vehicle access to Wollaston Road, with the exception of lot 32, which will likely have access from the internal road.

There is also land set aside along southeast corner of the site to facilitate a road reserve that would provide access to the potential bridge connection to Bromfield Street, south of Merri River.

The site access locations including the potential bridge connection are demonstrated in the figure below.

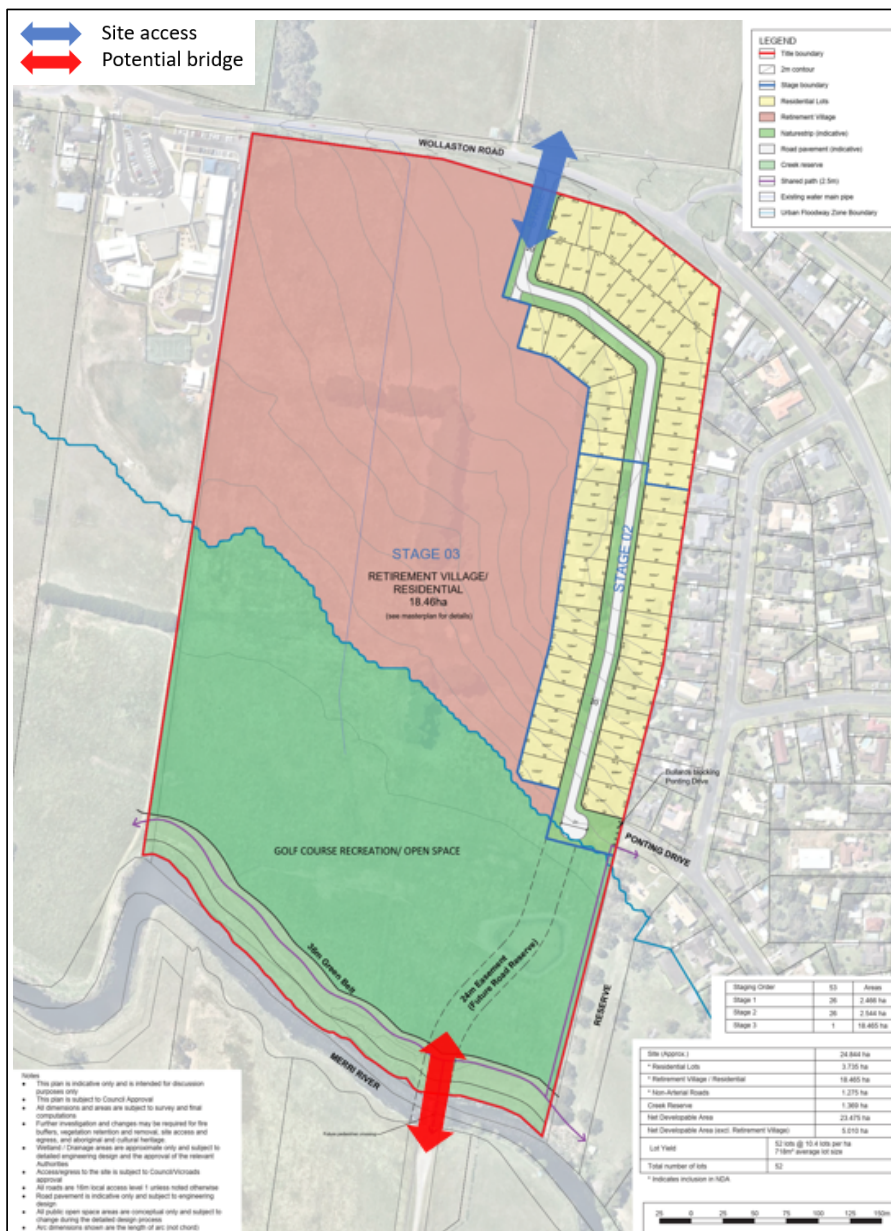


Figure 9: Site Access Plan

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### 3.3 NORTH OF MERRI CREEK STRUCTURE PLAN

#### 3.3.1 Existing Structure Plan

The North of Merri River Structure Plan outlines indicative amenity locations and road network. The indicative placement of the intersection access to the subject site is located immediately after the first left-hand bend from Hopkins Highway. Wollaston Road is proposed to be upgraded to a boulevard to the west of the site access with a wide median.

A north/south connector road is indicated through the subject site to connect Wollaston Road to the extension of Bromfield Street south of Merri River. Within the flood 1 in 100-year flood plain, a shared path is proposed to follow along the north of the

The developable area of the subject site located north of the 1 in 100-year flood line is indicated to comprise standard density residential lots. The structure plan also indicates a pedestrian path to run along the north side of Merri River.

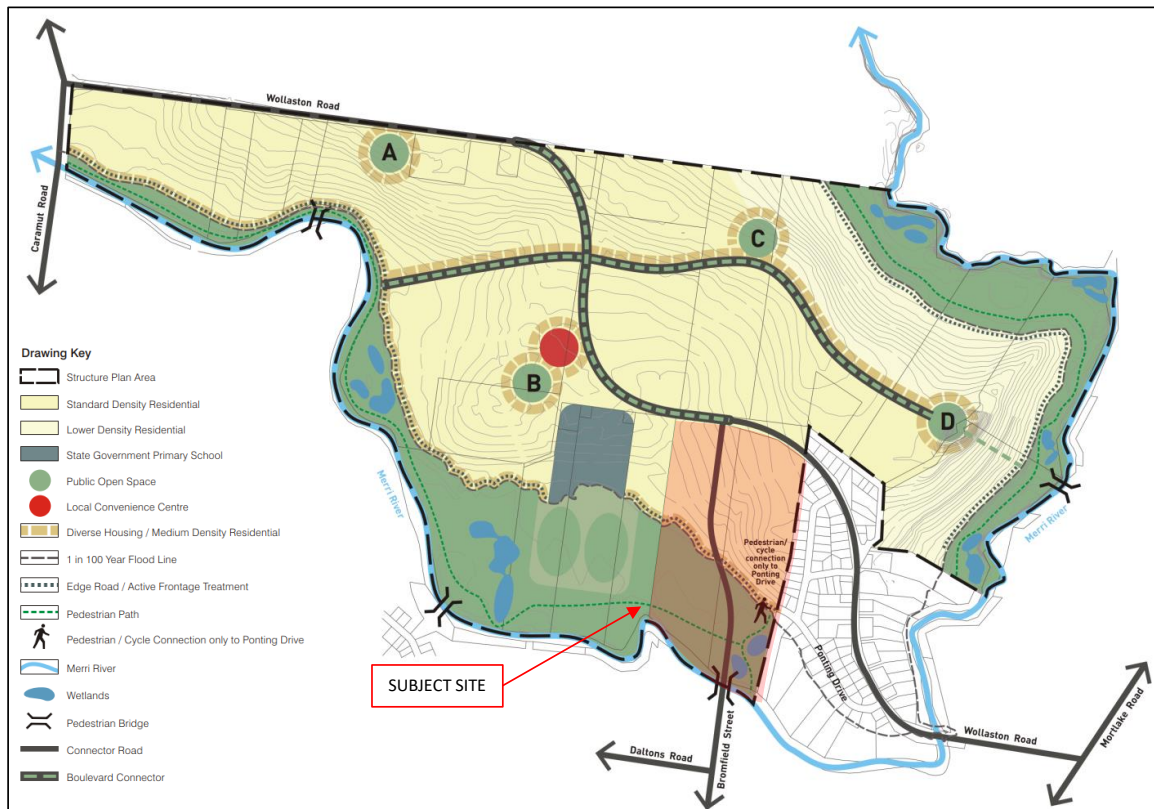


Figure 10: North of Merri River Structure Plan



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### 3.3.2 Proposed Structure Plan Departures

As a departure to the structure plan, the proposed intersection is approximately 150m east of the location indicated in the structure plan. Additionally, the connector road instead doglegs toward the east and predominantly runs 50m offset from the eastern boundary. The Bromfield Street continuation is proposed to follow the south and eastern corner boundary to link the connector road with the proposed river crossing.

The proposed structure plan terminates the internal road with a court bowl.

It is also proposed to amend the shared path route to connect to Ponting Drive. The shared path, much like the Bromfield Street continuation, will straddle the south and east corner boundary and continue following the general alignment of the Merri River.

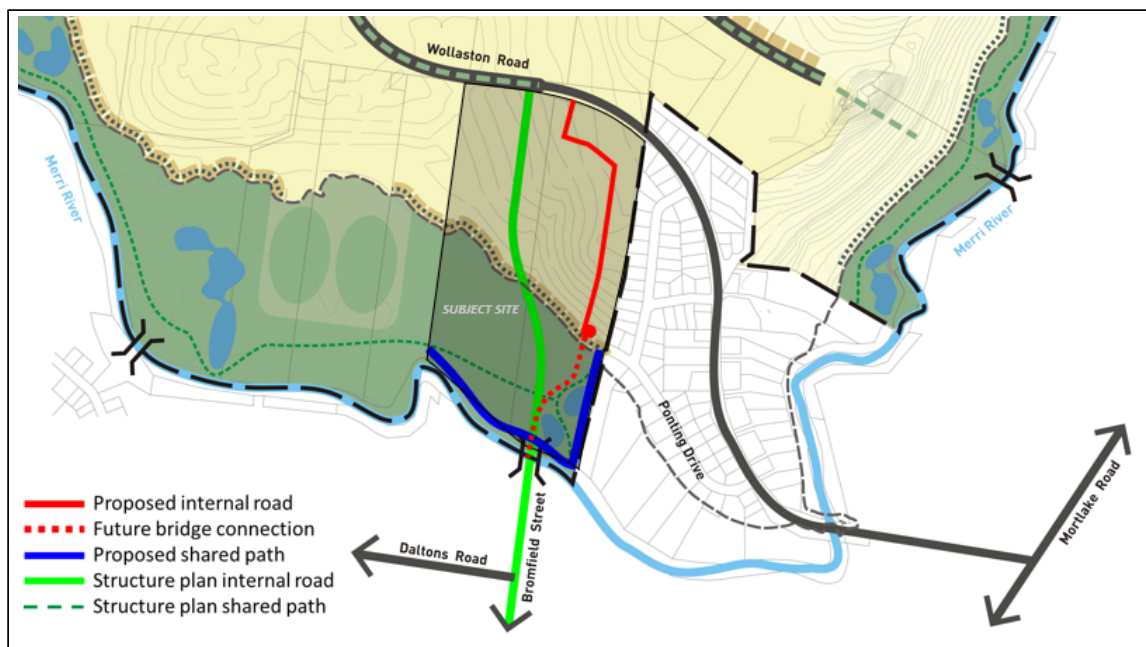


Figure 11: Proposed Development Structure Plan Amendments

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### 3.4 PROPOSED INTERNAL ROAD NETWORK HIERARCHY

The proposed network hierarchy generally follows the structure plan by providing a connector road link between Wollaston Road and Bromfield Street. The street network of the retirement village will remain private roads. The general carriageway width of these roads will be 6m.

The connector road is proposed to comprise two different cross sections: one for residential frontage and one for the retirement village frontage. The cross sections generally conform to the lot access objectives outlined in the Planning Scheme in Clause 56.06. The only departure of note is the minimum verge requirement of 4.5m each side. The retirement village cross section proposed an eastern verge of 4.35m.

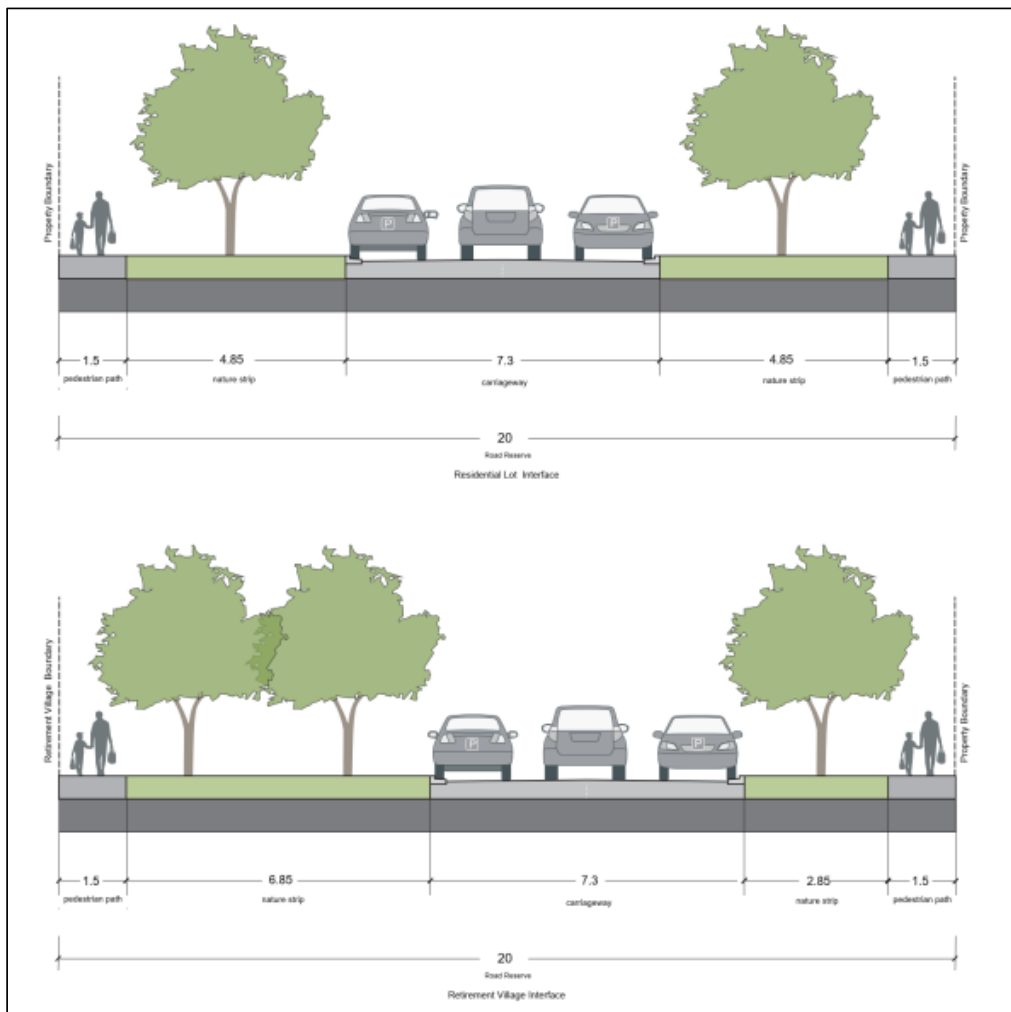


Figure 12: Connector Road Cross Sections

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### 4 TRAFFIC IMPACT CONSIDERATIONS

#### 4.1 TRAFFIC GENERATION

It is generally accepted that a single dwelling on a standard lot will generate vehicular traffic at a rate of 8-10 trips per day, with 10% of daily volume occurring in each peak hour. Based on case study data for similar projects, the following daily and peak hour rate for the subject site has been adopted.

- Daily volume: 10 vehicle movements / dwelling
- Peak volume: 1 vehicle movement / dwelling

The RMS Guide to Traffic Generating Developments outlines surveyed traffic generation and parking rates for specific land uses. The nominal traffic generation rate for housing for aged and disabled persons is as follows:

- Daily volume: 1-2 / dwelling
- Evening peak hour trips: 0.1-0.2 / dwelling

Applying the upper limit traffic generation rates for the 52 residential and indicative 192 retirement village lots, the estimated traffic volume is below:

- 904 daily vehicle movements: 520 residential and 384 retirement village
- 90 peak hour movements: 52 residential and 38 retirement village

#### 4.2 TRAFFIC DISTRIBUTION

Wollaston Road is expected to carry an additional 904 daily vehicle movements upon full occupation of the proposed development. Based off the turning movement survey at the intersection of Ponting Drive and Wollaston Road, the overwhelming demand is east toward Hopkins Highway. The subject site context also indicates that Warrnambool and Melbourne/Geelong-bound traffic will likely head east. As such, a distribution split of 95% east/5% west is applied.

During peak periods, traffic is generally split 90% outbound and 10% inbound during the morning and 40% outbound and 60% inbound during the afternoon peak.

Applying the above traffic generation rates to the internal lots, the traffic generation is calculated below.

	East out	East in	West out	West in
AM Peak	77	9	4	1
PM Peak	34	52	2	3



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4.3 POST-DEVELOPMENT TRAFFIC VOLUME

The total post-development daily traffic volume is shown below applying the distribution split estimations. As the internal road does not connect to Ponting Drive, all on-site traffic will use the proposed intersection. The on-site traffic will comprise the assumed 192 retirement living lots and all but 6 of the residential lots that front Wollaston Road. It was assumed lot 32's vehicle access will be from the internal road.

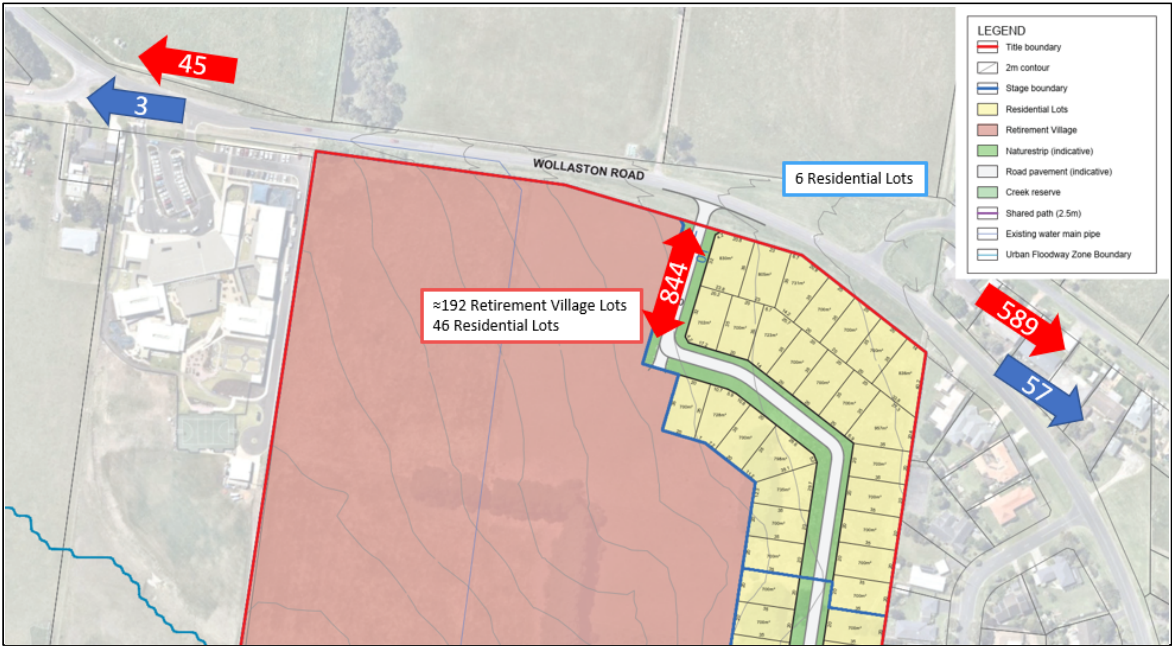


Figure 13: Additional Daily Post-Development Traffic Volumes

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### 4.4 POST-DEVELOPMENT TRAFFIC IMPACTS

Based on the lot objectives in Clause 56.06 of the Warrnambool Planning Scheme, the estimated daily traffic volume does not exceed the nominal volumes. The connector road has a daily volume cap of 3,000vpd, while Ponting Drive would have a daily volume cap of 2,000vpd-3,000vpd.

Based on the intended zoning objectives of the structure plan, the entire retirement village area replaces what would otherwise be standard density residential lots. This results in a significant reduction of traffic generation across more than half of the developable area of the subject site.

It is noted that the set of signals at the intersection of Wollaston Road and Hopkins Highway was constructed in 2015 – four years after the North of Merri River Structure Plan was published. It is assumed that the signals and lane geometry of this intersection would have taken into account the proposed traffic volumes of a fully developed study area. Considering the subject site proposes a lower traffic generating land-use the traffic impact of the proposed development along Wollaston Road, its intersection with Hopkins Highway, and Ponting Drive is expected to be less than the structure plan outlines. Additionally, the realignment of the connector road makes the travel route along Wollaston Road more equitable rather than using the Ponting Drive.

The proposed development is considered appropriate and is expected to operate with less of an impact than initially provisioned within the North of Merri River Structure Plan.

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### 5 SUMMARY AND CONCLUSIONS

Based on the preceding analysis, it is summarised that:

- The proposed Development Plan on the subject site will comprise 52 residential lots and a retirement village including approximately 192 lots.
- The site will be accessed by a proposed intersection along Wollaston Road.
- There is land set aside for a potential future road reserve along the southeast boundary to provide a bridge crossing over Merri River.
- A turning movement survey was commissioned on Wednesday 10 March 2010 along Ponting Drive at its intersections with Wollaston Road and Ponting Drive.
- The movement survey indicates that the volume along Ponting Drive is well under its road hierarchy.
- The site layout proposes a realigned connector street from the structure plan that travels closer to the eastern boundary of the site.
- The proposed shared path is also realigned to track along the north of the Merri River.
- The proposed development is expected to generate 904 daily vehicle movements or 90 peak hour movements.
- The traffic distribution is expected to predominantly travel east towards Hopkins Highway.
- The post development traffic generated from the site is expected to not exceed the operational objectives of the road hierarchies of the internal collector road, Wollaston Road or Ponting Drive.
- The proposed development is considered to not have significant impact on the operation of Wollaston Road, Ponting Drive or the signalised intersection at Hopkins Highway.

In conclusion, the proposed development is considered to have minimal impact on the operation of the existing road network. Should you have any queries or require any clarification, please do not hesitate to call or contact me via the email undersigned.

Yours faithfully,

**Earl Aninipoc**  
Principal Traffic and Transport Engineer  
BEVERIDGE WILLIAMS

Phone: 03 9524 8835  
Email: [aninipoce@bevwill.com.au](mailto:aninipoce@bevwill.com.au)



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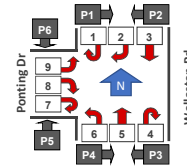


### APPENDIX A: TURNING MOVEMENT SURVEY



Client: Beverage Williams  
Name: Warrnambool Traffic Count  
Job No.: 6072  
Location: Wollaston Rd and Ponting Dr  
Date: Wed 10/03/2021  
Weather: Sunny

Time: 7am to 7pm



Absolute Value		VEHICLE MOVEMENTS																		PEDESTRIAN MOVEMENTS											
		1		2		3		4		5		6		7		8		9		P1		P2		P3		P4		P5		P6	
TIME		Car	Truck	Car	Truck	Car	Truck	Car	Truck	Car	Truck	Car	Truck	Car	Truck	Car	Truck	Car	Truck	Ped	Bike	Ped	Bike	Ped	Bike	Ped	Bike	Ped	Bike	Ped	Bike
7:00	7:15	0	0	0	0	20	2	0	0	29	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	
7:15	7:30	0	0	0	0	12	0	1	0	33	1	2	0	0	0	6	0	1	0	0	0	0	0	0	0	0	0	0	0	0	
7:30	7:45	0	0	0	0	24	1	0	0	24	3	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	
7:45	8:00	0	0	0	0	33	0	0	0	42	3	0	0	0	0	2	0	1	0	0	0	1	0	0	0	0	2	0	0	0	
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### APPENDIX B: SITE LAYOUT PLAN





Indicative Subdivision Plan  
147 Wollaston Road, Warrnambool  
Gull Group

06	18.03.2021	Amended creek reserve boundary	WEB	WEB	Date: 25.08.2021
07	13.05.2021	Amended layout	MJ	WEB	Version No: 10
08	20.05.2021	Amended layout	MJ	WEB	Job No: 2000243
09	08.06.2021	Amended layout	MJ	WEB	Scale (A1): 1:1250
10	25.08.2021	Amended layout	MJ	WEB	(A3): 1:2500
Version	Date	Description	Drafted	Approved	



# Stormwater Management Strategy Rev C

147 Wollaston Rd, Warrnambool

**Client**

Gull Group

**Issued**

7/09/2021

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**BW**  
Beveridge Williams



Client:	Gull Group	Surveying
Issued:	7/09/2021	Asset Recording
Version:	C	Civil Engineering
Prepared by:	Lola Nurhalim	Infrastructure Engineering
Checked by:	Aram Manjikian	Traffic & Transport Engineering
Project Manager:	Roger Sanders	Environmental Consulting
Project Number:	2000243	<b>Water Resource Engineering</b>
		Strata Certification (NSW)
		Town Planning
		Urban Design
		Landscape Architecture
		Project Management

## Revision Table

REV	DESCRIPTION	DATE	AUTHORISED
A	Drainage Strategy – 147 Wollaston Road, Warrnambool	24/03/2020	RS
B	Updated Master Plan Rev 07	27/08/2021	RS
C	Updated Master Plan Rev 08	07/09/2021	RS

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**APPENDIX A:FEATURE AND LEVEL SURVEY PLAN**

**APPENDIX B:INDICATIVE MASTER PLAN**

**APPENDIX C:CATCHMENT PLANS**

**APPENDIX D:RORB AND RFFE RESULTS**

**APPENDIX E:PC CONVEY RESULT**

**APPENDIX F:CONCEPT LAYOUT PLAN AND CROSS SECTIONS PLAN**

## *Glossary of terms*

Alphabetical list of terms and abbreviations used in report

AHD	Australian Height Datum A common national surface level datum approximately corresponding to mean sea level.
AEP	Annual Exceedance Probability. Probability of a flood event occurring in any year
AR&R	Australian Rainfall and Runoff
Authorities	Organisations responsible for supply and management of sewer, water, gas, electricity and telecommunications, roads and transport
BPEMG	Best Practice Environmental Management Guidelines
BWCo	Beveridge Williams & Co Pty Ltd
CMA	Glenelg Hopkins Catchment Management Authority
Client	Gull Group
Council	Warrnambool City Council
IDM	Infrastructure Design Manual
LSIO	Land Subject to Inundation Overlay
NTWL	Normal Top Water Level
Q <sub>5</sub>	Storm water flow generated from 20% AEP storm event.
Q <sub>100</sub>	Storm water flow generated from 1% AEP storm event.
Q <sub>gap</sub>	Flow difference between Q <sub>5</sub> and Q <sub>100</sub> storm event.
RB	Retardation Basin
WLRB	Wetland Retardation Basin
WSUD	Water Sensitive Urban Design



## 1 INTRODUCTION

Beveridge Williams has been commissioned by Gull Group to prepare a Stormwater Management Strategy (SWMS) for the proposed residential development site located at 147 Wollaston Road, Warrnambool. The total site area is 24.84 ha and is proposed to develop the land into a retirement village and 52 residential lots.

This SWMS report is intended to provide sufficient evidence that drainage strategy from the proposed development site can meet Stormwater Best Practice Environmental Management Guidelines (BPEMG) and to the satisfaction of Glenelg Hopkins CMA, Warrnambool City Council and other relevant authorities.

### 1.1. Site Overview

The subject site is located approximately 285 km west of Melbourne. It is located within the Warrnambool City Council municipality. The site is currently vacant land and is bounded by Wollaston Road to the north, existing residential area to the east, Merri River to the south and Merri River School to the west. There are a few existing rows of trees scattered around the site (Refer to Figure 1 below).



Figure 1: Site Aerial Map (Source: Near Map, Mar 2020)

## 2.1. Topography

[illegible]

Figure 2: Feature & Level Survey (Not to scale)

## 2.2. Surface Water and Drainage

As previously mentioned in Section 2.1, the site generally slopes from north east and north towards to the south. The surface water flows are mainly directed to the Merri River on the south, as shown in Figure 3 below.

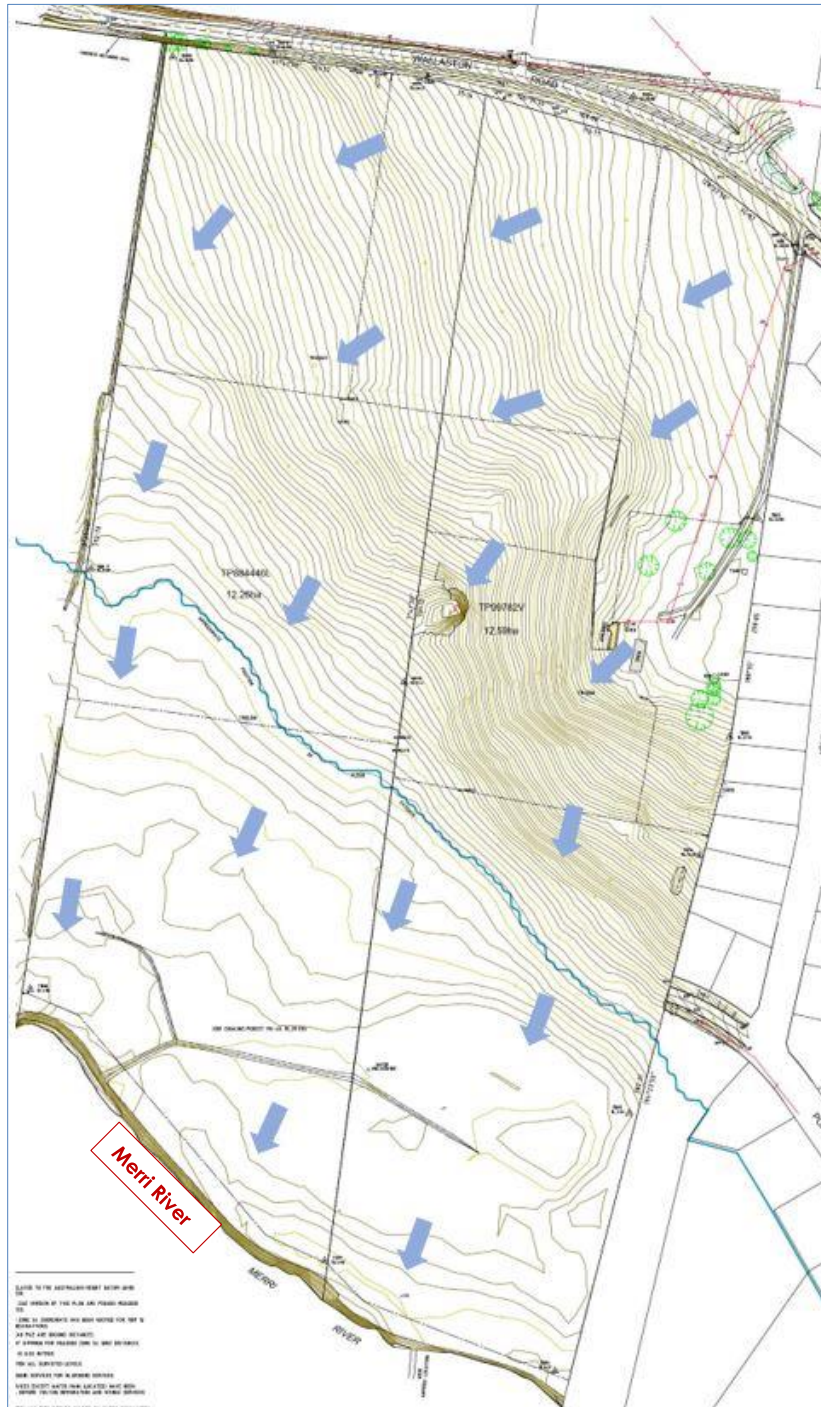


Figure 3: Site Drainage Analysis Plan (Not to scale)



### 3 DESIGN INTENT

#### 3.1. Proposed Development

It is proposed to subdivide the land for residential development to 52 lots (total of 5 ha) with 700 m<sup>2</sup> average lot size and a retirement village site. The development also includes a wetland (with a sedimentation basin) and two retarding basins. The total net developable area is 23.48 ha (Refer to Figure 4 below and Appendix B for Indicative Master Plan).

The overall development area is limited by the floodway zone boundary, as shown on Figure 4. Both residential lots and retirement village sited will be located on the northern part, outside from the floodway zone.



Figure 4: Indicative Master Plan Layout (Not to scale)

### 3.2. Proposed Stormwater Management Strategy

The proposed site's Stormwater Management Strategy is to follow the existing natural features of the pre-developed site.

For stormwater quantity management, it is proposed to provide two stormwater retardation basins (RBs) to the south of the retirement village residential area to detain the 1% AEP post development site flow to pre-development level.

For stormwater quality management, it is proposed to provide a sedimentation basin (SB) and a wetland system. Both stormwater treatment assets will be located within the golf course area located on the southern part of the site. The system will provide stormwater treatment for the proposed development site.

Details of both stormwater quantity and quality management are discussed in Sections 4 and 5 and Drainage Assets Location Plan is provided in Figure 5 below.



Figure 5: Drainage Assets Location Plan



## 4 STORMWATER QUANTITY MANAGEMENT

Details of stormwater quantity management are discussed in the following sections.

### 4.1. Pre- and Post- Development Catchment Plans

The pre-development and post-development catchment plans were developed to include the subject site and associated external catchment sites, as shown in Figures 6 and 7 (also in Appendix C). Each catchment plan shows with a series of sub-areas that indicate where stormwater discharges are channelled towards to southern direction (Merri River).

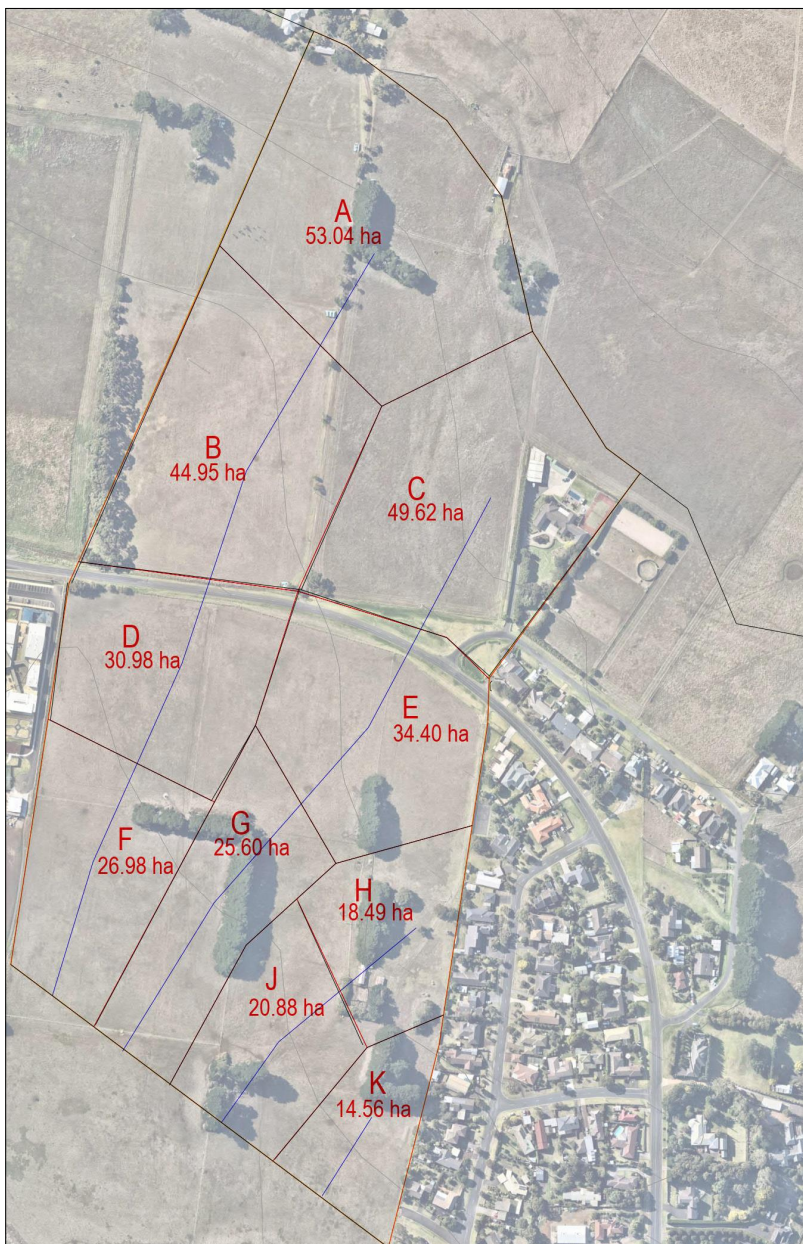


Figure 6: Pre-Development Catchment Plan



The post-development catchment plan shows that the flows are to be diverted towards the proposed retarding basins on the south prior to being discharged into Merri River. This plan was developed based on an Indicative Retirement Village Area Layout.

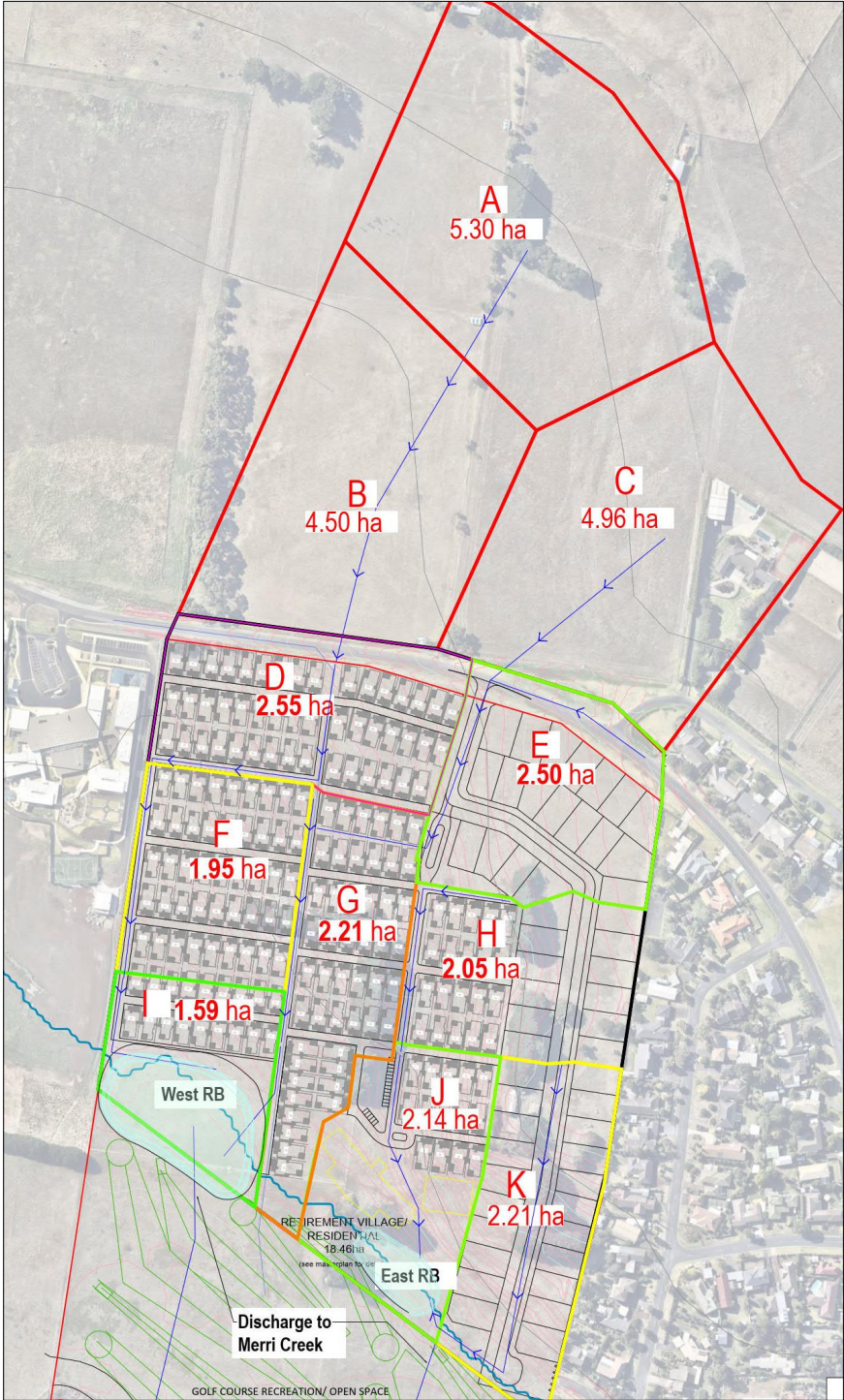


Figure 7: Post-development Catchment Plan (based on an Indicative Retirement Village Area Layout)

## 4.2. RORB Modelling

The hydrological analysis for the proposed development site was undertaken using RORB Runoff Routing Program modelling (in accordance with AR&R 2019) to determine the design flows for the pre-developed and post-developed scenarios. The RORB input parameters and results are provided as follows.

### 4.2.1. Losses

For this assessment, the losses adopted were derived from AR&R19 provided losses in the Datahub for rural catchments, as shown in Table 1.

**Table 1: Model Losses**

Type	Losses Type	Value
AR&R19 Provided Losses	Initial Losses (mm)	24
	Continuing Losses (mm/hr)	4.6

### 4.2.2. K<sub>c</sub> Parameter

The k<sub>c</sub> parameter for pre-development scenario was determined using the RORB default equation method. The k<sub>c</sub> parameter for post-development scenario was calibrated by using a k<sub>c</sub> to d<sub>av</sub> ratio from the pre-development parameter. Details of these parameters are provided in Table 2.

**Table 2: RORB Input Parameters**

Parameter	Adopted Parameters for the Pre Development Scenario	Adopted Parameters for the Post-development Scenario
k <sub>c</sub>	1.24	1.78
d <sub>av</sub> (km)	0.39	0.56
m	0.80	0.80

### 4.2.3. Model Comparisons

To ensure RORB practicality, the Regional Flood Frequency Equation Method (RFFE) has been used to check the suitability of the hydrology assessment (pre-develop flow) as suggested by AR&R19 guidelines. The comparison in Table 3 shows a difference of approximately 68% between the RFFE and RORB Model (using the RORB default method generated K<sub>c</sub>). This is considered not a suitable discrepancy between the two methods. The RFFE method is commonly more conservative to RORB modelling since the datasets RFFE extrapolates from have catchment areas ranging from 0.5-1000 km<sup>2</sup>, which is far greater than our overall catchment area that is less than 0.5 km<sup>2</sup> (Refer to Appendix D for RFFE calculation results).

Therefore, another comparison has been made with ARR 16 Book 7, Chapter 6.2.1.3 (MAR>800mm) and as shown on Table 3 the difference is approximately 17%, which considered a more suitable discrepancy. Additionally, a comparison with Rational Method has also been made with difference of approximately 36%, which is considered another slightly suitable discrepancy.

**Table 3: Calibration Check**

Methodology	Peak Pre-Development Flow (m <sup>3</sup> /s)
RORB Model	0.92
Rational Method	1.25
RFFE Method	0.29
ARR16 Book 7, Chapter 6.2.1.3 (MAR > 800mm, 21 catchments, 20 sq.km < A < 1924 sq.km)	0.76

#### 4.2.4. Sub-Catchment Area and Fraction Impervious

The RORB model sub-areas and fraction impervious used for this catchment modelling are provided in Table 4. The modelling includes associated external sub catchment areas to the north of the site (Refer to Figure 6).

**Table 4: RORB Sub-Catchment Areas and Fraction Impervious**

RORB Sub-Catchments and Fraction Impervious	
RORB Total Catchment Area:	31.96 ha
• West RB Catchment	25.56 ha
• East RB Catchment	6.40 ha
Total Catchment Area for the proposed development site (up to retarding basins)	17.20 ha
Total External Catchment Area	14.76 ha
Fraction Impervious for retirement village residential area (lot area < 300m <sup>2</sup> )	0.75
Fraction Impervious for residential area (lot area 601 - 1,000m <sup>2</sup> )	0.60
Fraction Impervious for reserve and external areas	0.10

#### 4.3. 1% AEP Peak Flows Results and Detention Storage Volume

The results of 1% AEP pre-development and post-development peak flows and the required detention storage volume from the RORB modelling are shown in Table 5. Additionally, the results of pre-development flows from the external catchments are also shown in Table 5. The RORB models were run using the Ensemble method. Details of the RORB modelling results are shown in Appendix D.

**Table 5: 1% AEP Post-development Flows and Detention Storage Volumes Required**

	Peak Pre- Development Flow (m <sup>3</sup> /s)	Peak Post- Development Flow (Total Inflow to RB) (m <sup>3</sup> /s)	Peak Post- Development Flow (m <sup>3</sup> /s) (Detention - Outflow from RBs)	Total Storage Volume Required for Detention (m <sup>3</sup> )
External Catchment (West)	0.38 (2hr)	-	-	-
External Catchment (East)	0.28 (2 hr)	-	-	-
<b>Total Catchment</b>	0.92 (3 hr)	4.42 (20 min)	0.91 (4.5 hr)	6,140

The above peak flows and detention storage volumes results indicate that the 1% AEP post-development peak flows for the overall site can be detained to the pre-development level by providing a total detention storage of 6,140 m<sup>3</sup>. This will be provided through the two retarding basins (RBs), the West RB with volume of 4,980 m<sup>3</sup> and the East RB with volume of 1,160 m<sup>3</sup>.

#### 4.4. Flow Hydrographs Comparison with Merri River

Peak-flow hydrographs for the development site (outlet from the RBs) and Merri River at the upstream boundary (taken from Design of North Warrnambool Floodplain Management Plan, prepared by Cardno for Glenelg Hopkins CMA & Warrnambool City Council, October 2010) are compared to analyse the peak-flow events for the 1% AEP flow. Both hydrographs (shown in Figures 8 and 9) clearly indicate that the peak flows occur at different rainfall events and times.

Peak flow from subject site (RB outlets) (0.91 m<sup>3</sup>/s @4.5 hr-median flow result) occur before peak flow of the Merri River (approximately 430 m<sup>3</sup>/s @25 hr). The location of Merri River adjacent to the subject site is further downstream from the flood study shown on Figure 9. That means that the peak flow further downstream occurs later than 25 hr and therefore, the peak flow from the subject site will not increase the peak flow discharge at Merri River.

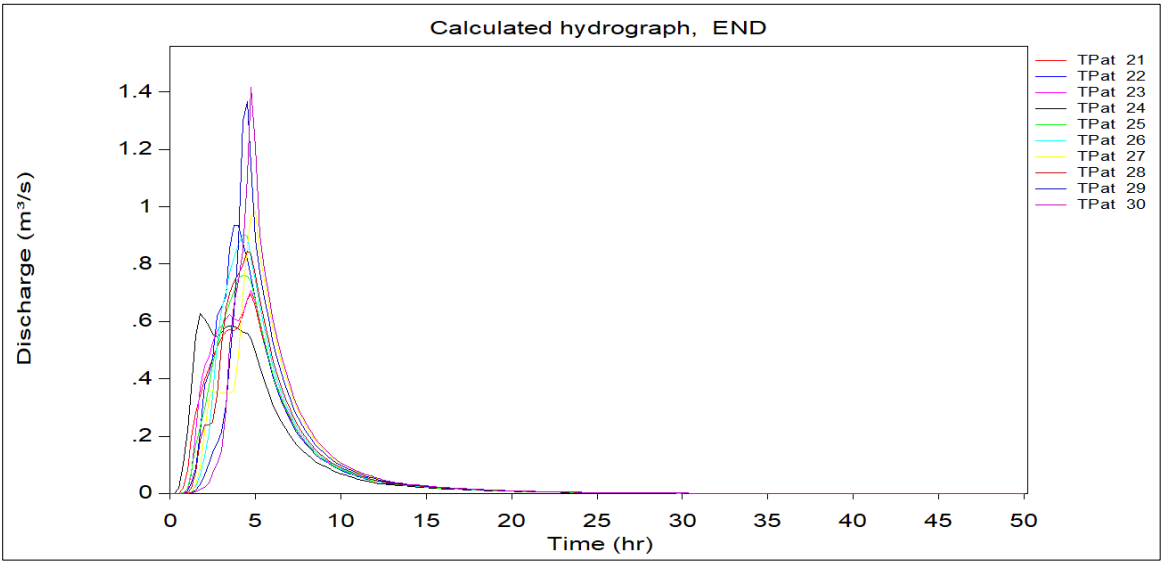


Figure 8: Hydrograph for the Development Site – Outlet from the RBs

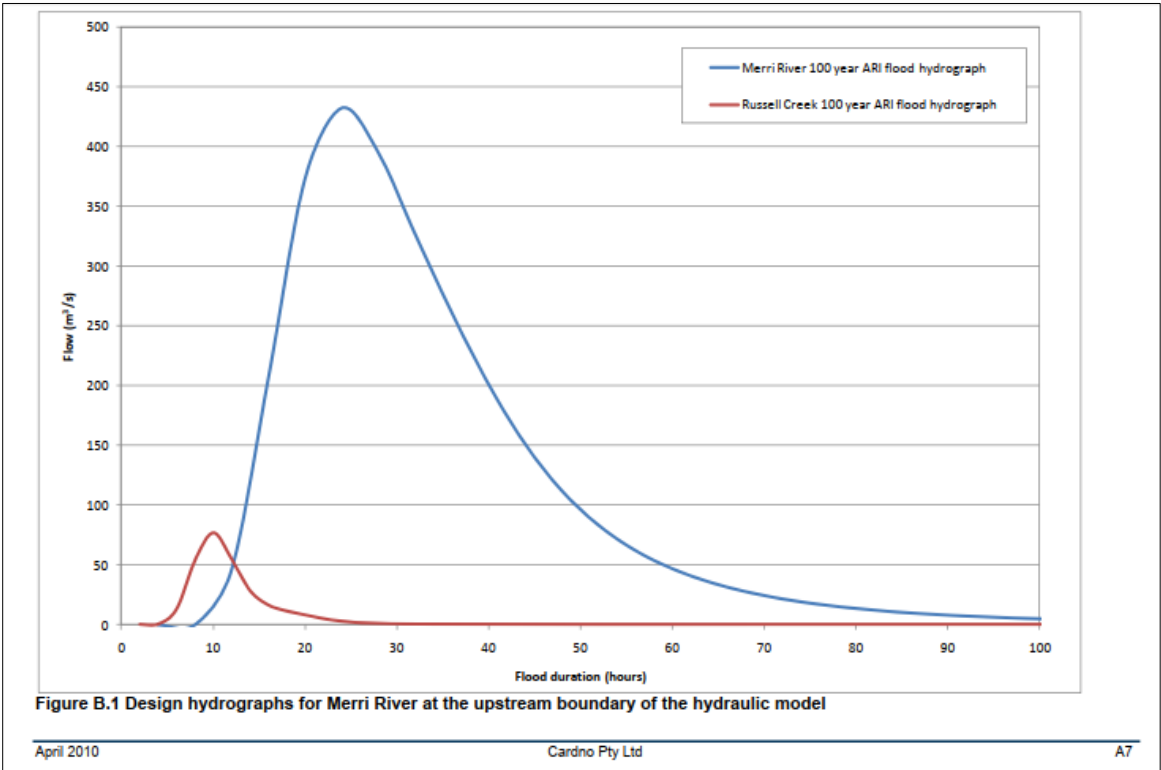


Figure 9: Hydrograph for Merri River at the Upstream Boundary (Source: Design of North Warrnambool Floodplain Management Plan, Cardno, October 2010)

#### 4.5. Gap Flow

Gap flow, which is the difference between 1% AEP and 20% AEP post-development flows, was calculated for the biggest sub-catchments area contributing to the West RB, which contributes to West RB Inflow 1 (Refer to Figure 10 in Section 4.7). These sub-catchments have a total area of 15.89 Ha, including associated external catchment area. The calculations are included in Appendix C and the results are shown in Table 6 below. These flows are the basis for the road reserve capacity assessment, which is further discussed in Section 4.7.

**Table 6: Gap Flows**

	1% AEP Flow (m <sup>3</sup> /s)	20% AEP Flow (m <sup>3</sup> /s)	Gap Flow (m <sup>3</sup> /s)
<b>Sub-catchments to the West RB Inflow 1</b>	1.66	0.76	0.90

#### 4.6. Subsurface Drainage

The legal drainage point for the overall catchment will be to Merri River to the south. The subsurface drainage network for the development will convey all pipe flows to the outlet location, via the proposed stormwater quality treatment facilities (a sedimentation basin and a wetland) on the southern part (golf course area) (Refer to Figure 4 in Section 3.2). The pipe network will be adequately sized to convey the 20% AEP flows throughout the proposed development's drainage network.

In addition, there are external catchment areas to the external north that will be directed to the proposed sub-surface drainage network.

#### 4.7. Subject Site Overland Flow

Overland flows from the subject site will be directed via the proposed subdivisional roads to the proposed two retarding basins on the south (Refer to Figure 10). The overland flow path plan (Figure 10) was developed based on an Indicative Retirement Village Area Layout.

The internal roads for the development, and associated lot finished surface levels, will be designed to ensure that the 1% AEP overland flows through the site are within the safe hydraulic capacity of road floodway.





Figure 10: Indicative Overland Flow Path Plan (based on an Indicative Retirement Village Area Layout) (Not to Scale)

#### PC Convey Assessment

The internal roads or overland flow path within the proposed site development and associated lot finished surface levels will be designed to ensure that the 1% AEP overland flows through the site are within the safe hydraulic capacity of road floodway. A PC Convey assessment for the overland flow path adjacent to the West RB Inflow 1 location (Refer to Figure 10) has been undertaken to demonstrate that gap flow of 0.90 m<sup>3</sup>/s for the designated sub-catchments can be contained within the overland flow path.

A typical cross section of the overland flow path is shown in Figure 11 and the calculation result is included in Appendix E. The section location was chosen based on where the largest peak flow would be expected to provide the most conservative result.



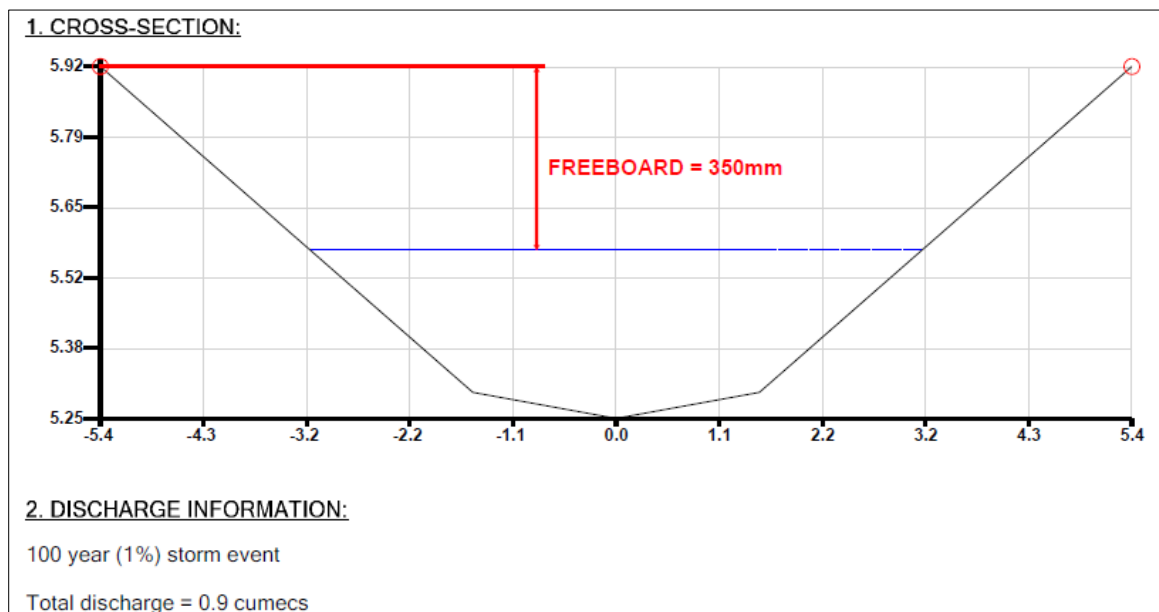


Figure 11: PC Convey Result for Proposed Development Site

As shown on above, the gap flow of 0.90 m<sup>3</sup>/s can be contained within the typical 10 m overland flow path reserve with 350 mm freeboard. In addition, the average velocity (Vav) m/s x average depth (dav) is 0.15 m<sup>2</sup>/s, which is less than 0.35 m<sup>2</sup>/s and an average depth (dav) of 0.21 m, which is less than 0.30 m. The Vav is 0.71 m/s which is less than 1.5 m/s. Therefore, the gap flow is within recommended safety limits.

#### 4.8. Sizing of the Retarding Basins and Outlets

Details of the proposed retarding basins for are provided in Table 7 below and a plan of indicative locations of the RBs is provided in the previous Figure 10 in section 4.7. Concept plans of the RBs are shown on Figure 12 and Figure 13. The overall concept layout plan is shown in Appendix F.

**Table 7: Details of Retarding Basin**

Retarding Basin	Outlet Control	Storage	Batter Slope
<b>West RB</b>	<ul style="list-style-type: none"> <li>Spillway 1 – 0.7 m length at the base level (RL 3.2m AHD)</li> <li>Spillway 2 – 10 m length at RL 3.9 m AHD</li> </ul>	4,980 m <sup>3</sup>	1 in 5
<b>East RB</b>	<ul style="list-style-type: none"> <li>Spillway 1 – 0.3 m length at the base level (RL 3.6m AHD)</li> <li>Spillway 2 – 10 m length at RL 4.4 m AHD</li> </ul>	1,160 m <sup>3</sup>	1 in 5

Outlets from both retarding basins will be conveyed to Merri Creek via swales or proposed outlet weirs throughout the golf course area.

The retarding basins will be designed in accordance with Melbourne Water's Retarding Basin Guidelines and IDM (Infrastructure Design Manual), where applicable. The design of the retarding basins, including the outlets configuration will be undertaken during the functional and detailed design phases of the project.

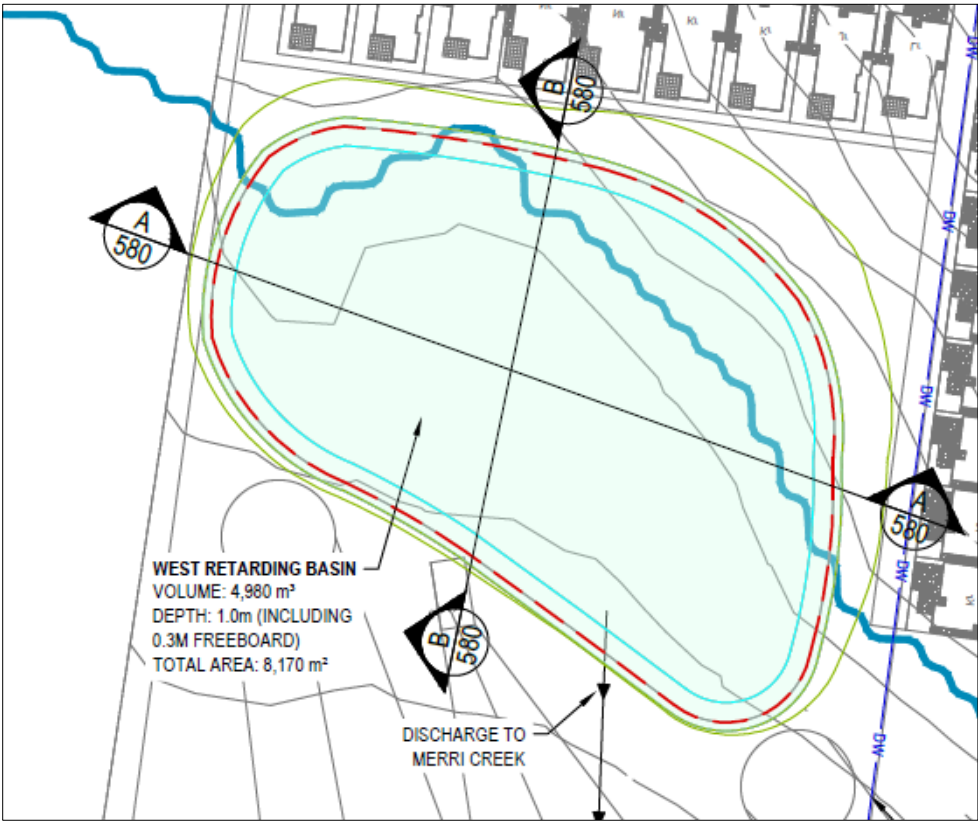


Figure 12: West RB Concept Layout Plan

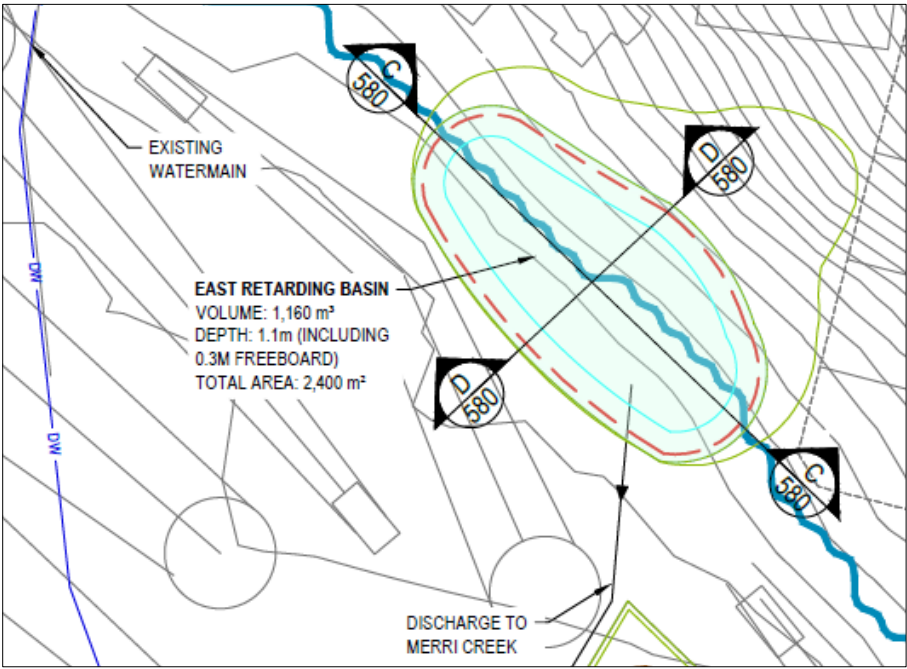


Figure 13: East RB Concept Layout Plan

## 5 STORMWATER QUALITY MANAGEMENT

It is a Victorian Government requirement that Quality of stormwater runoff from the proposed development meets the Urban Stormwater Best Practice Environmental Management Guidelines (BPEMG), which are required under Clause 56 of the Victorian Planning Provisions (VPP). The targets are:

- 70% removal of the Total Gross Pollutant Load (Litter)
- 80% removal of Total Suspended Solids (TSS)
- 45% removal of Total Phosphorus (TP)
- 45% removal of Total Nitrogen (TN)

Stormwater quality modelling was conducted using MUSIC (Model for Urban Stormwater Improvement Conceptualisation) for the development site. The weather station used was obtained from the BOM (Bureau of Meteorology) website ([www.bom.gov.au](http://www.bom.gov.au)) and located at Warrnambool Racecourse, which is approximately 4 km away from the subject site. The rainfall data ranges from 1950-2010.

The layout of the MUSIC Model is shown in Figure 14 and results of the MUSIC model are shown in Table 8. The stormwater treatment assets include a sedimentation basin and a wetland located on the south of the East RB, within the golf course area. Low flows from the two RB's will be directed to the sediment basin, and high flows will bypass the treatment assets to protect them from high velocities.

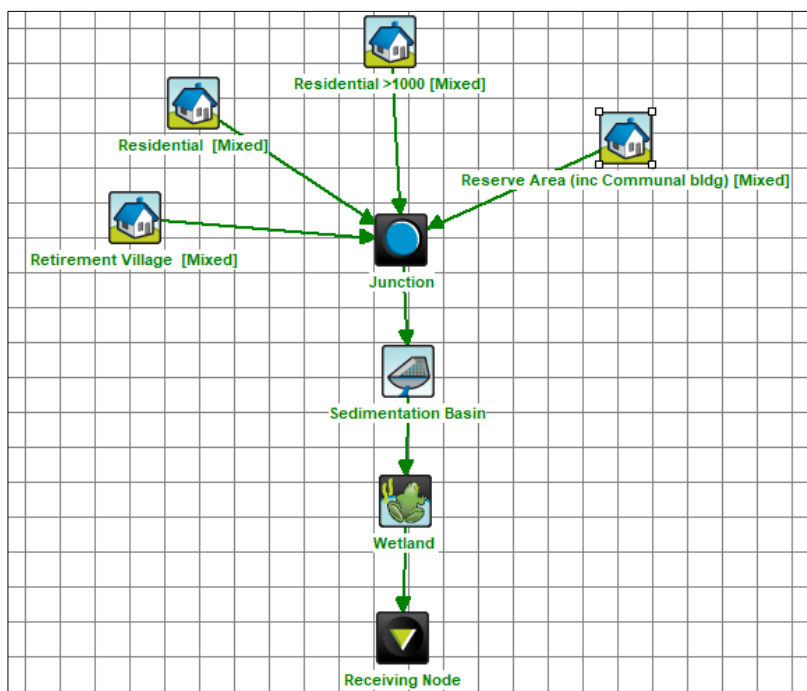


Figure 14: MUSIC Model Layout

Table 8: MUSIC Model Result

Site Treatment	BPEMG Target % Removal	% Removal
Total Suspended Solids (Kg/yr)	80	92.9
Total Phosphorus (Kg/yr)	45	75.9
Total Nitrogen (Kg/yr)	45	45.0
Gross Pollutants (Kg/yr)	100	100.0

As shown above, the proposed sedimentation basin and wetland meet the best practice BPEMG standard for the site development area.

Details of stormwater treatments assets are shown in Table 9 and the concept layout plan of both assets is shown on previous Figure 15 (also in Appendix F). Both sedimentation basin and wetland will be designed in accordance with Melbourne Water's Retarding Basin Guidelines and IDM (Infrastructure Design Manual), where applicable.

**Table 9: Details of Sedimentation Basin and Wetland**

Location	Catchment Area	Asset	Surface Area
Development site	17.20 ha	Wetland	2,000 m <sup>2</sup>
		Sedimentation Basin	500 m <sup>2</sup>
		Sediment Dry Out Area	640 m <sup>2</sup>

Outlet from the wetland will be conveyed to Merri Creek via swales/pipes throughout the golf course.

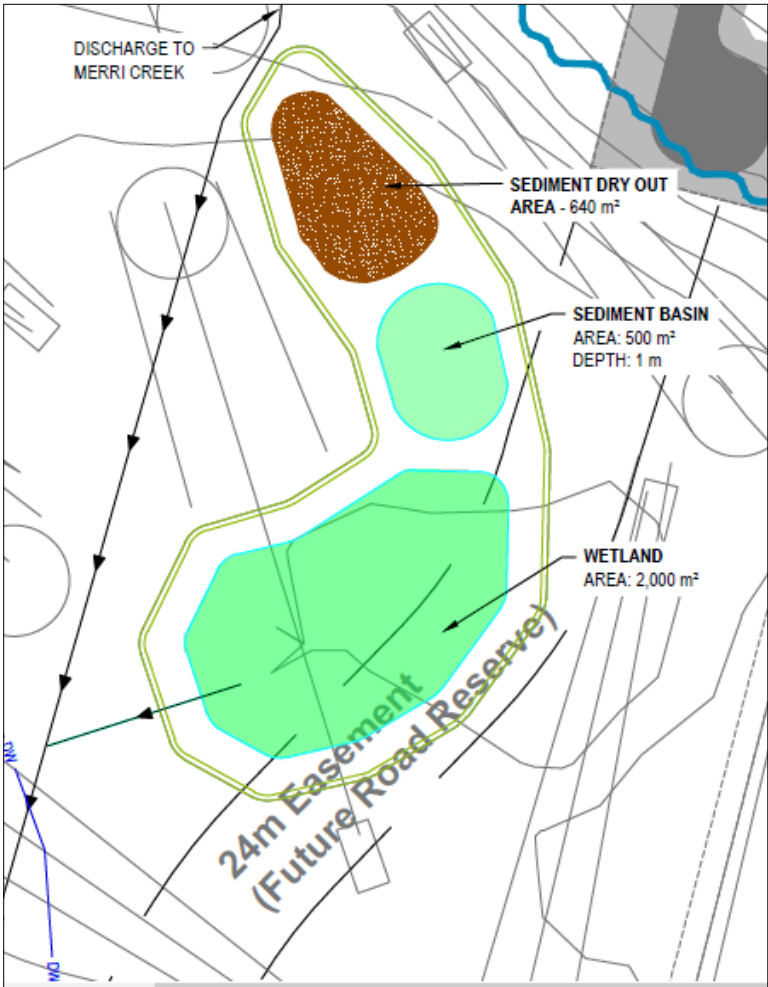


Figure 15: Sedimentation Basin and Wetland Concept Layout Plan

## 6 CONCLUSION

This report has identified an overall drainage management strategy for the proposed residential development at 147 Wollaston Road, Warrnambool. The strategy provides a methodology for the management of stormwater on the subject site, which would result in:

- Conveyance of catchment flows through the site in accordance with the Glenelg Hopkins Catchment Management Authority Floodway Criteria.
- Construction of drainage to meet the requirements of CMA and Council, including 1% AEP capacity road reserves and underground drainage for the 20% AEP storm event as required.
- Stormwater detention for the development site to detain 1% AEP post-development flow to pre-development level is provided through the proposed two retarding basins with volumes of 4,980 m<sup>3</sup> and 1,1600 m<sup>3</sup> for each.
- Stormwater quality treatment system required to meet BPMEG standard will be provided through the proposed a 500 m<sup>2</sup> sedimentation basin and a 2,000 m<sup>2</sup> wetland system located on the southern part of the site.

The above strategy can be implemented, and all the CMA's and Council's development requirements can be achieved, with no net effect on the downstream properties.

### BEVERIDGE WILLIAMS & CO PTY LTD

Prepared by

Reviewed by

*Lola Nurhalim*  
Senior Water Resources Engineer

*Aram Manjikian*  
Water Resources Engineering Manager

Approved for issue by

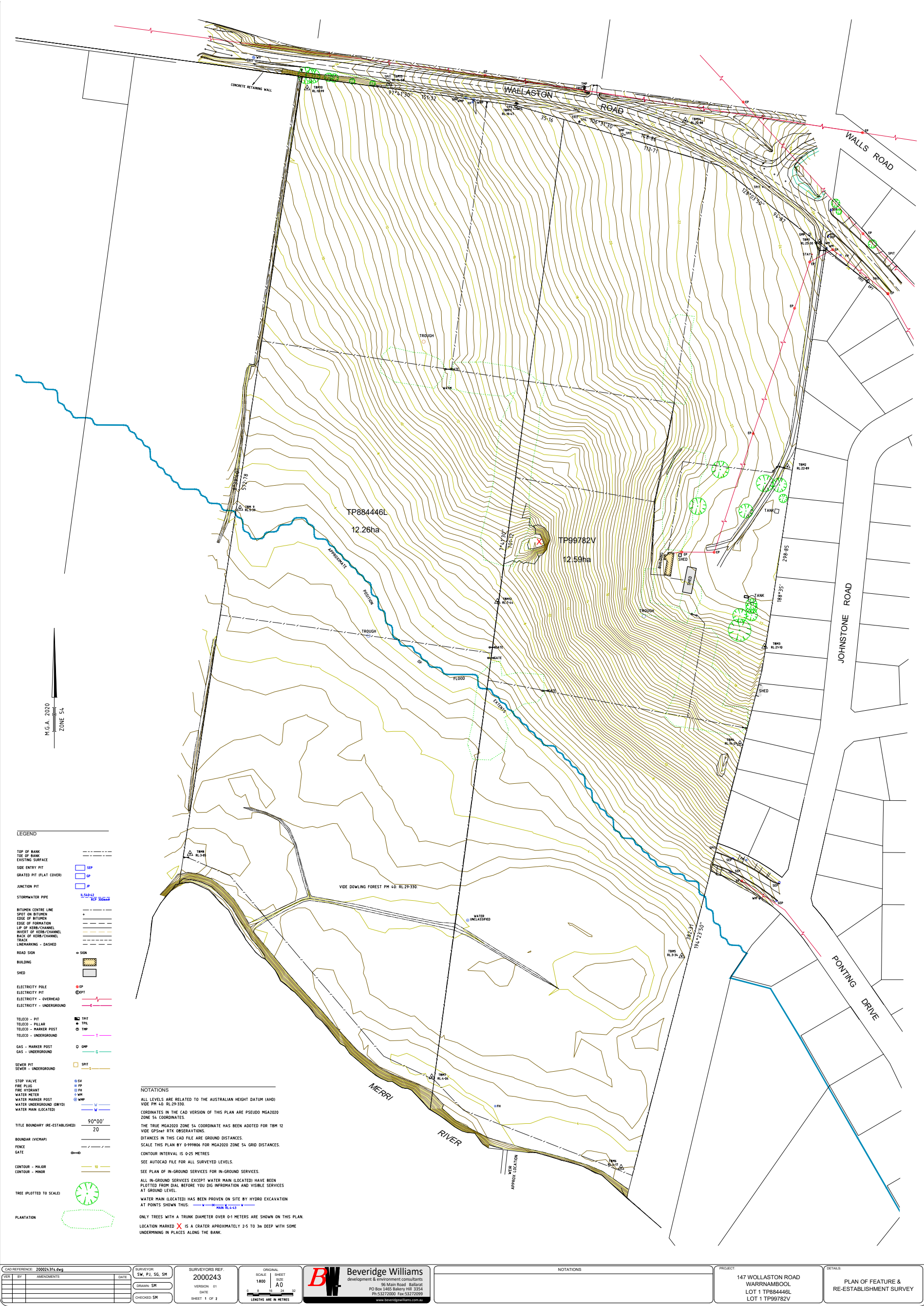
*Roger Sanders*  
Project Manager

## 7 REFERENCE

Design of North Warrnambool Floodplain Management Plan – Implementation Works, RM3309 v1.0 Final, Prepared for City of Warrnambool, Cardno (October 2010)



## **APPENDIX A: FEATURE AND LEVEL SURVEY PLAN**



## **APPENDIX B: INDICATIVE MASTER PLAN**





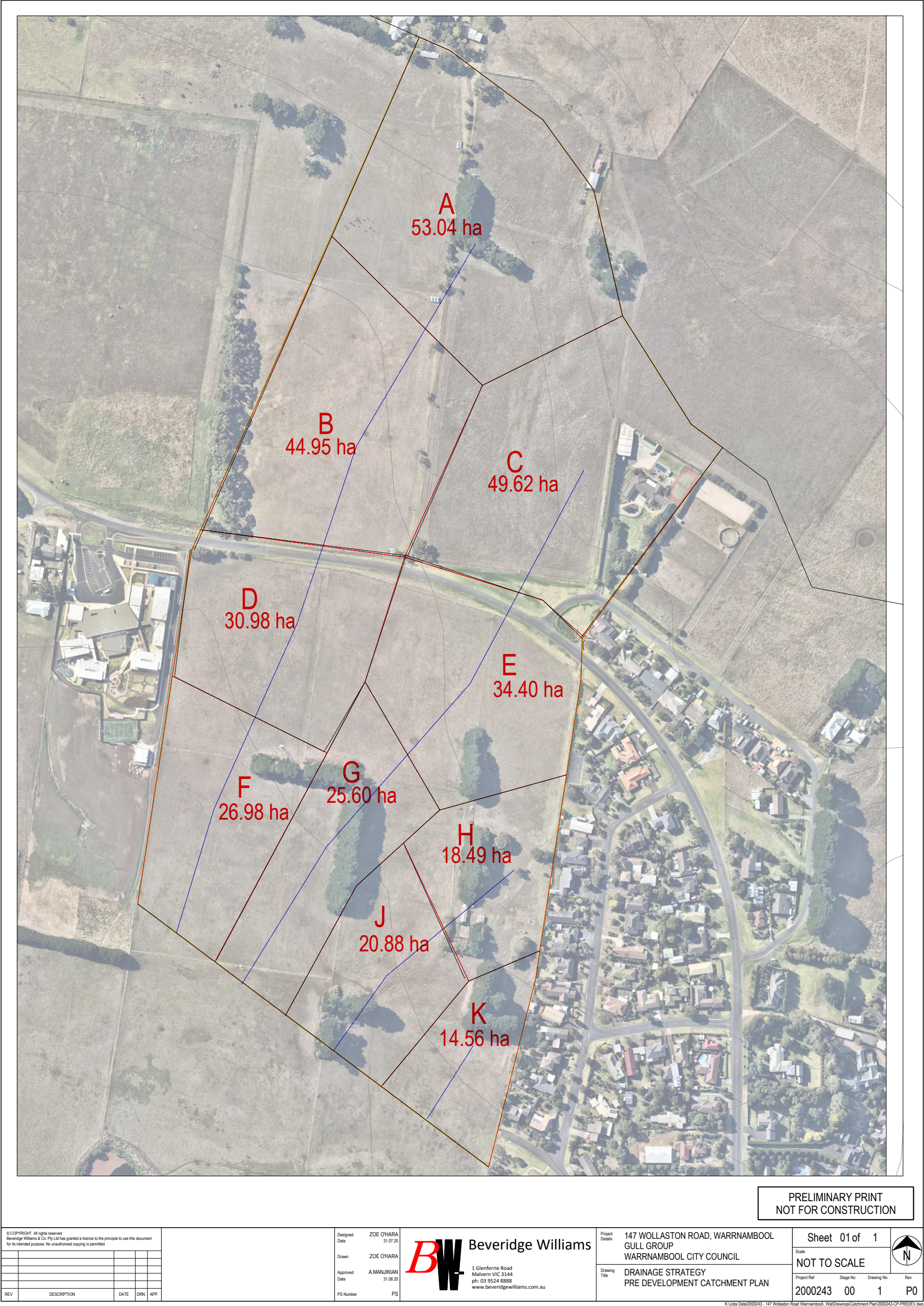
- Legend**
- 1 - Residential/retirement living
  - 2 - 9 hole golf course/ open space
  - 3 - Wetlands
  - 4 - Residential lots - 700m<sup>2</sup> - 52 lots
  - 5 - Creek reserve
  - 6 - Water main
  - 7 - Urban Flood Zone Boundary
  - 8 - Retarding Basin
  - 9 - Indicative swale
  - 10 - Indicative shared path (granitic sand)
  - 12 - Potential road reserve for future bridge crossing

Scale : 1:2000 @ A3

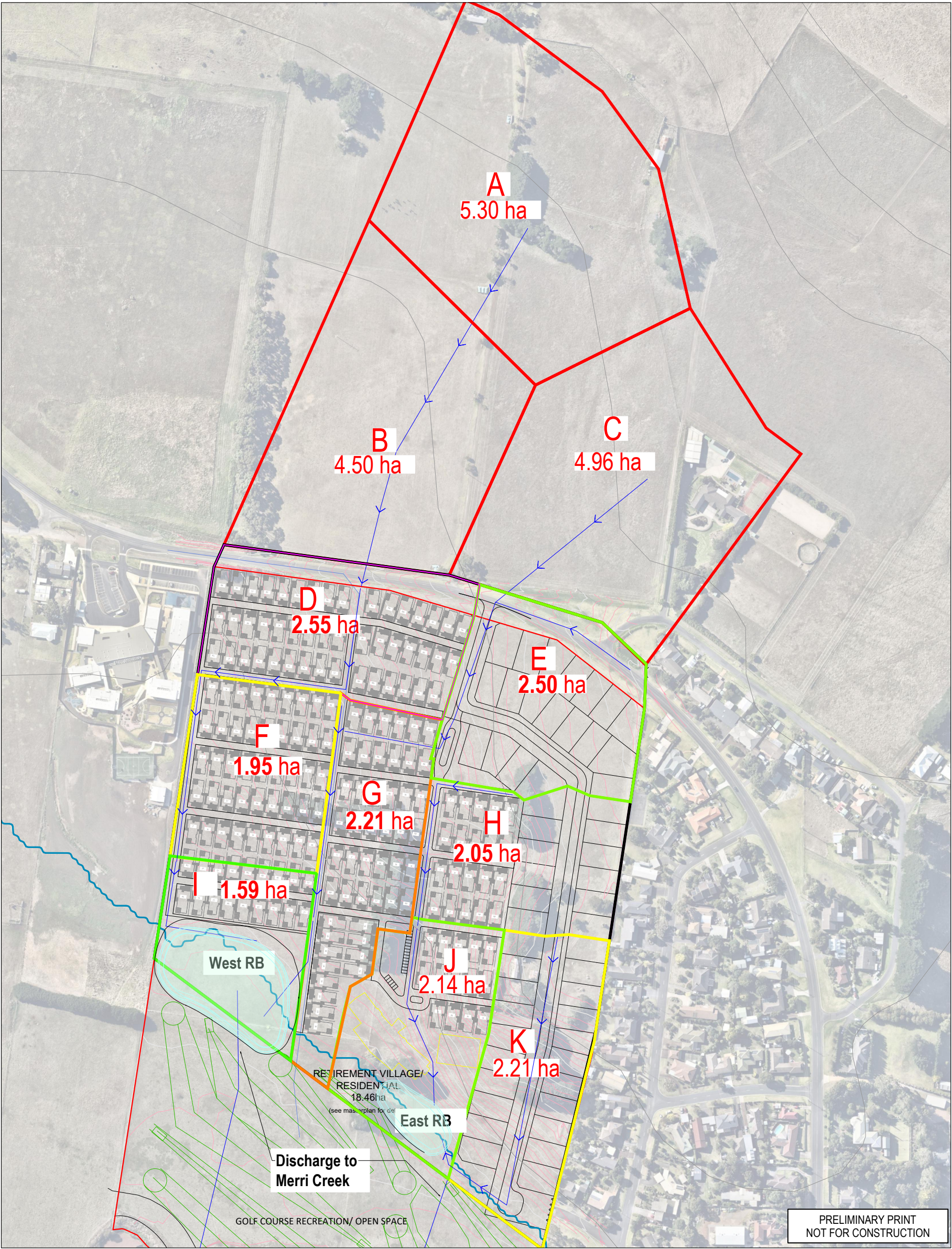


## **APPENDIX C: CATCHMENT PLANS**









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REV	DESCRIPTION	DATE	DRN.	APP.

Designed  
Date

L. NURHALIM  
04.03.21

Drawn  
Date

L. NURHALIM  
11.03.21

Approved  
Date

A. MANUKIAN  
11.03.21

PS Number

PS

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Project  
Details

147 WOLLASTON ROAD, WARRNAMBOOL  
GULL GROUP  
WARRNAMBOOL CITY COUNCIL

Drawing  
Title

DRAINAGE STRATEGY  
POST DEVELOPMENT CATCHMENT PLAN

Sheet 01 of 1

Scale  
NOT TO SCALE

Project Ref  
2000243

Stage No  
00

Drawing No  
1

Rev  
P1

N

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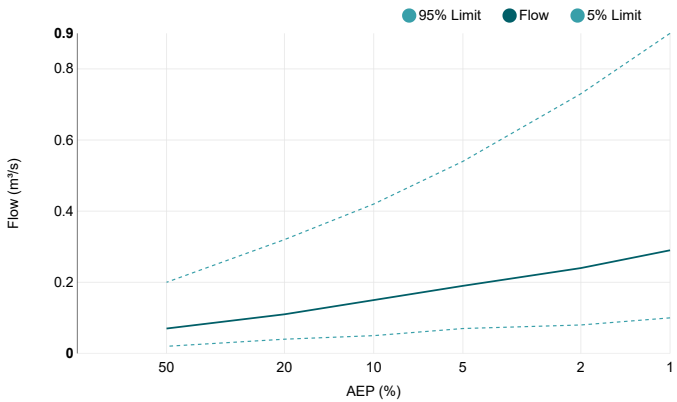


## **APPENDIX D: RORB AND RFFE RESULTS**

18/03/2021

Results | Regional Flood Frequency Estimation Model

### Results | Regional Flood Frequency Estimation Model



\*The catchment is outside the recommended catchment size of 0.5 to 1,000 km². Results have lower accuracy and may not be directly applicable in practice.

AEP (%)	Discharge (m³/s)	Lower Confidence Limit (5%) (m³/s)	Upper Confidence Limit (95%) (m³/s)
50	0.0700	0.0200	0.200
20	0.110	0.0400	0.320
10	0.150	0.0500	0.420
5	0.190	0.0700	0.540
2	0.240	0.0800	0.730
1	0.290	0.100	0.900

### Statistics

Variable	Value	Standard Dev
Mean	-2.909	0.678
Standard Dev	0.603	0.207
Skew	0.101	0.032

Note: These statistics come from the nearest gauged catchment. Details.

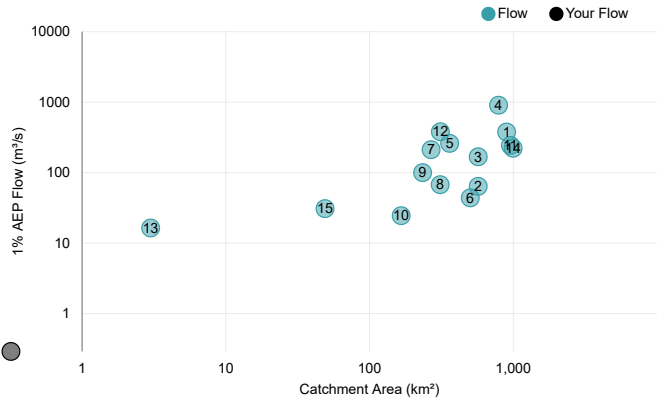
Correlation		
1.000		
-0.330	1.000	
0.170	-0.280	1.000

Note: These statistics are common to each region. Details.

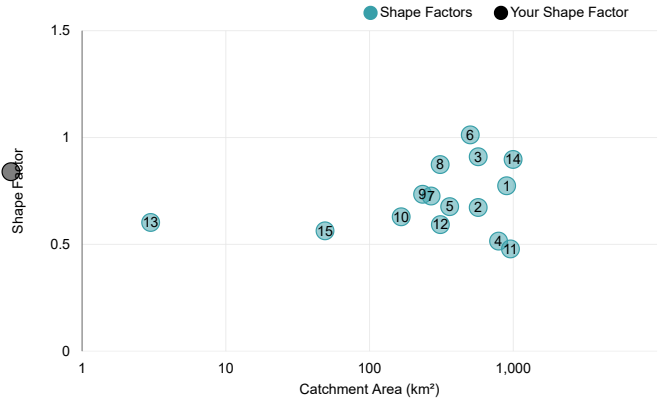
### 1% AEP Flow vs Catchment Area

18/03/2021

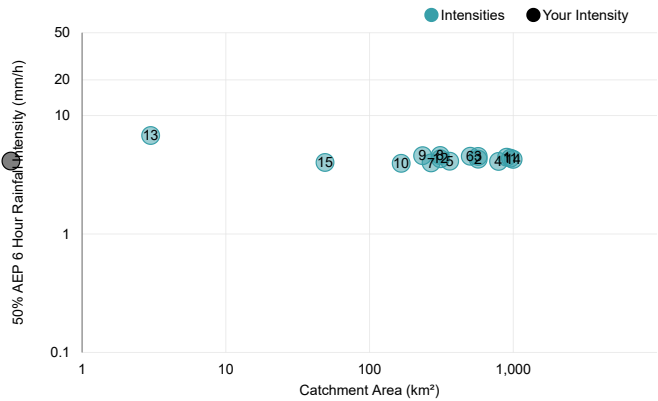
Results | Regional Flood Frequency Estimation Model



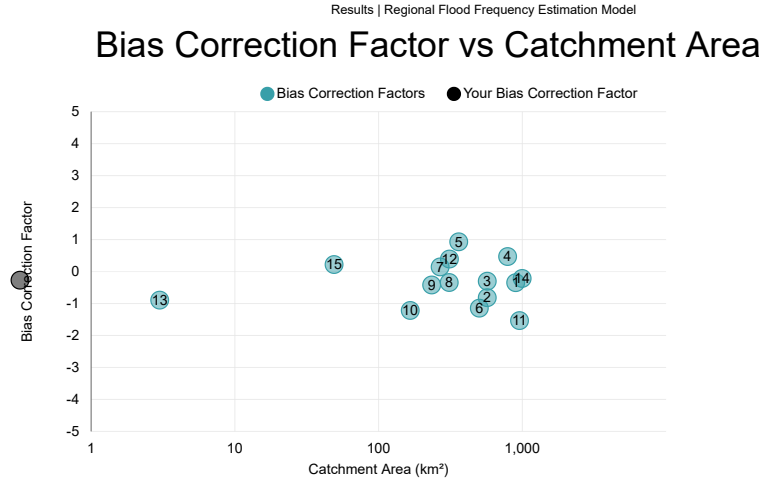
### Shape Factor vs Catchment Area



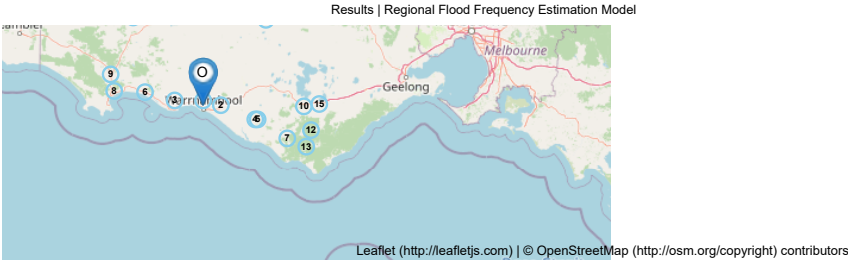
### Intensity vs Catchment Area



18/03/2021



18/03/2021



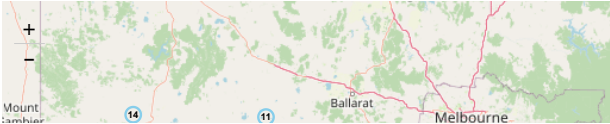
Method by Dr Ataur Rahman and Dr Khaled Haddad from Western Sydney University for the Australian Rainfall and Runoff Project. Full description of the project can be found at the project page (<http://arr.ga.gov.au/revision-projects/project-list/projects/project-5>) on the ARR website. Send any questions regarding the method or project here (<mailto:admin@arr-software.org>).



### Download

- TXT
- Nearby
- JSON

Input Data	
Date/Time	2021-03-18 14:50
Catchment Name	Catchment1
Latitude (Outlet)	-38.361
Longitude (Outlet)	142.483
Latitude (Centroid)	-38.357
Longitude (Centroid)	142.485
Catchment Area (km <sup>2</sup> )	0.32*
Distance to Nearest Gauged Catchment (km)	4.57
50% AEP 6 Hour Rainfall Intensity (mm/h)	4.129825
2% AEP 6 Hour Rainfall Intensity (mm/h)	10.448288
Rainfall Intensity Source (User/Auto)	Auto
Region	East Coast
Region Version	RFFE Model 2016 v1
Region Source (User/Auto)	Auto
Shape Factor	0.84
Interpolation Method	Natural Neighbour
Bias Correction Value	-0.27



RORBWin Batch Run Summary  
\*\*\*\*\*

Program version 6.45 (last updated 20th March 2019)  
Copyright Monash University and Hydrology and Risk Consulting

Date run: 04 Mar 2021 12:09

Catchment file : K:\Jobs Data\2000243 - 147 Wollaston Road Warrnambool\\_Wat\Models\RORB\Pre Dev\2000243-PREDEV.catg  
Rainfall location: User defined  
Temporal pattern : ARR2016 point temporal patterns  
Spatial pattern : Uniform  
Areal Red. Fact. : Based on ARR 2016 (Book 2 Chapter 4)  
Loss factors : Constant with ARI

Parameters: kc = 1.24 m = 0.80

Loss parameters Initial loss (mm) Cont. loss (mm/h)  
24.00 4.60

Peak Description  
01 Calculated hydrograph, END

Run	Duration	AEP	TPat	Rain(mm)	ARF	Peak0001
1	10 min	1%	21	22.00	1.00	0.0543
1	10 min	1%	22	22.00	1.00	0.0543
1	10 min	1%	23	22.00	1.00	0.0543
1	10 min	1%	24	22.00	1.00	0.0543
1	10 min	1%	25	22.00	1.00	0.0543
1	10 min	1%	26	22.00	1.00	0.0543
1	10 min	1%	27	22.00	1.00	0.0543
1	10 min	1%	28	22.00	1.00	0.0543
1	10 min	1%	29	22.00	1.00	0.0543
1	10 min	1%	30	22.00	1.00	0.0543
2	15 min	1%	21	26.80	1.00	0.1759
2	15 min	1%	22	26.80	1.00	0.1758
2	15 min	1%	23	26.80	1.00	0.1759
2	15 min	1%	24	26.80	1.00	0.1759
2	15 min	1%	25	26.80	1.00	0.1759
2	15 min	1%	26	26.80	1.00	0.1759
2	15 min	1%	27	26.80	1.00	0.1759
2	15 min	1%	28	26.80	1.00	0.1759
2	15 min	1%	29	26.80	1.00	0.1759
2	15 min	1%	30	26.80	1.00	0.1759
3	20 min	1%	21	30.10	1.00	0.3055
3	20 min	1%	22	30.10	1.00	0.3056
3	20 min	1%	23	30.10	1.00	0.3048
3	20 min	1%	24	30.10	1.00	0.3317
3	20 min	1%	25	30.10	1.00	0.3115
3	20 min	1%	26	30.10	1.00	0.3033
3	20 min	1%	27	30.10	1.00	0.3116
3	20 min	1%	28	30.10	1.00	0.3105
3	20 min	1%	29	30.10	1.00	0.3317

3	20 min	1%	30	30.10	1.00	0.3317
4	25 min	1%	21	32.60	1.00	0.4228
4	25 min	1%	22	32.60	1.00	0.3966
4	25 min	1%	23	32.60	1.00	0.4316
4	25 min	1%	24	32.60	1.00	0.4107
4	25 min	1%	25	32.60	1.00	0.4259
4	25 min	1%	26	32.60	1.00	0.4027
4	25 min	1%	27	32.60	1.00	0.3929
4	25 min	1%	28	32.60	1.00	0.4187
4	25 min	1%	29	32.60	1.00	0.4346
4	25 min	1%	30	32.60	1.00	0.4373
5	30 min	1%	21	34.60	1.00	0.4965
5	30 min	1%	22	34.60	1.00	0.4609
5	30 min	1%	23	34.60	1.00	0.4588
5	30 min	1%	24	34.60	1.00	0.4626
5	30 min	1%	25	34.60	1.00	0.4913
5	30 min	1%	26	34.60	1.00	0.5001
5	30 min	1%	27	34.60	1.00	0.4823
5	30 min	1%	28	34.60	1.00	0.4700
5	30 min	1%	29	34.60	1.00	0.5233
5	30 min	1%	30	34.60	1.00	0.5336
6	45 min	1%	21	38.90	1.00	0.6653
6	45 min	1%	22	38.90	1.00	0.6215
6	45 min	1%	23	38.90	1.00	0.6690
6	45 min	1%	24	38.90	1.00	0.6419
6	45 min	1%	25	38.90	1.00	0.6078
6	45 min	1%	26	38.90	1.00	0.6804
6	45 min	1%	27	38.90	1.00	0.6390
6	45 min	1%	28	38.90	1.00	0.6308
6	45 min	1%	29	38.90	1.00	0.6731
6	45 min	1%	30	38.90	1.00	0.7199
7	1 hour	1%	21	42.00	1.00	0.8263
7	1 hour	1%	22	42.00	1.00	0.6444
7	1 hour	1%	23	42.00	1.00	0.7044
7	1 hour	1%	24	42.00	1.00	0.7216
7	1 hour	1%	25	42.00	1.00	0.7476
7	1 hour	1%	26	42.00	1.00	0.7781
7	1 hour	1%	27	42.00	1.00	0.6924
7	1 hour	1%	28	42.00	1.00	0.7745
7	1 hour	1%	29	42.00	1.00	0.7647
7	1 hour	1%	30	42.00	1.00	0.8051
8	1.5 hour	1%	21	46.70	1.00	0.7696
8	1.5 hour	1%	22	46.70	1.00	0.9228
8	1.5 hour	1%	23	46.70	1.00	0.7391
8	1.5 hour	1%	24	46.70	1.00	0.8638
8	1.5 hour	1%	25	46.70	1.00	0.6648
8	1.5 hour	1%	26	46.70	1.00	0.8346
8	1.5 hour	1%	27	46.70	1.00	0.8714
8	1.5 hour	1%	28	46.70	1.00	0.8752
8	1.5 hour	1%	29	46.70	1.00	0.8238
8	1.5 hour	1%	30	46.70	1.00	1.0127
9	2 hour	1%	21	50.60	1.00	0.7706
9	2 hour	1%	22	50.60	1.00	0.7832
9	2 hour	1%	23	50.60	1.00	0.8673



9	2 hour	1%	24	50.60	1.00	0.8135
9	2 hour	1%	25	50.60	1.00	0.9503
9	2 hour	1%	26	50.60	1.00	0.8294
9	2 hour	1%	27	50.60	1.00	0.9620
9	2 hour	1%	28	50.60	1.00	0.8699
9	2 hour	1%	29	50.60	1.00	0.9652
9	2 hour	1%	30	50.60	1.00	1.0881
10	3 hour	1%	21	57.30	1.00	1.2167
10	3 hour	1%	22	57.30	1.00	0.6951
10	3 hour	1%	23	57.30	1.00	0.7712
10	3 hour	1%	24	57.30	1.00	0.6899
10	3 hour	1%	25	57.30	1.00	0.9420
10	3 hour	1%	26	57.30	1.00	0.9833
10	3 hour	1%	27	57.30	1.00	0.9341
10	3 hour	1%	28	57.30	1.00	0.9318
10	3 hour	1%	29	57.30	1.00	0.9192
10	3 hour	1%	30	57.30	1.00	1.1108
11	4.5 hour	1%	21	65.60	1.00	0.6589
11	4.5 hour	1%	22	65.60	1.00	0.9951
11	4.5 hour	1%	23	65.60	1.00	0.6592
11	4.5 hour	1%	24	65.60	1.00	0.5661
11	4.5 hour	1%	25	65.60	1.00	0.7394
11	4.5 hour	1%	26	65.60	1.00	0.8982
11	4.5 hour	1%	27	65.60	1.00	1.0289
11	4.5 hour	1%	28	65.60	1.00	0.8510
11	4.5 hour	1%	29	65.60	1.00	1.2549
11	4.5 hour	1%	30	65.60	1.00	1.2087
12	6 hour	1%	21	72.70	1.00	1.3732
12	6 hour	1%	22	72.70	1.00	0.7323
12	6 hour	1%	23	72.70	1.00	0.9846
12	6 hour	1%	24	72.70	1.00	0.6330
12	6 hour	1%	25	72.70	1.00	0.5997
12	6 hour	1%	26	72.70	1.00	0.9156
12	6 hour	1%	27	72.70	1.00	0.6968
12	6 hour	1%	28	72.70	1.00	0.7058
12	6 hour	1%	29	72.70	1.00	0.6326
12	6 hour	1%	30	72.70	1.00	0.9943
13	9 hour	1%	21	84.60	1.00	0.5385
13	9 hour	1%	22	84.60	1.00	0.4492
13	9 hour	1%	23	84.60	1.00	0.8724
13	9 hour	1%	24	84.60	1.00	0.6606
13	9 hour	1%	25	84.60	1.00	0.8978
13	9 hour	1%	26	84.60	1.00	0.5532
13	9 hour	1%	27	84.60	1.00	0.8184
13	9 hour	1%	28	84.60	1.00	0.8472
13	9 hour	1%	29	84.60	1.00	1.0245
13	9 hour	1%	30	84.60	1.00	1.2728
14	12 hour	1%	21	94.20	1.00	1.0044
14	12 hour	1%	22	94.20	1.00	0.7738
14	12 hour	1%	23	94.20	1.00	0.4007
14	12 hour	1%	24	94.20	1.00	0.5922
14	12 hour	1%	25	94.20	1.00	1.2441
14	12 hour	1%	26	94.20	1.00	0.5485
14	12 hour	1%	27	94.20	1.00	0.6119

14	12 hour	1%	28	94.20	1.00	1.0578
14	12 hour	1%	29	94.20	1.00	0.5817
14	12 hour	1%	30	94.20	1.00	0.6784
15	18 hour	1%	21	109.00	1.00	0.2246
15	18 hour	1%	22	109.00	1.00	0.3311
15	18 hour	1%	23	109.00	1.00	0.4149
15	18 hour	1%	24	109.00	1.00	0.6601
15	18 hour	1%	25	109.00	1.00	0.6275
15	18 hour	1%	26	109.00	1.00	0.2608
15	18 hour	1%	27	109.00	1.00	0.6554
15	18 hour	1%	28	109.00	1.00	0.5741
15	18 hour	1%	29	109.00	1.00	0.4022
15	18 hour	1%	30	109.00	1.00	0.4119
16	24 hour	1%	21	120.00	1.00	0.4562
16	24 hour	1%	22	120.00	1.00	0.2566
16	24 hour	1%	23	120.00	1.00	0.4808
16	24 hour	1%	24	120.00	1.00	0.4439
16	24 hour	1%	25	120.00	1.00	0.5466
16	24 hour	1%	26	120.00	1.00	0.4710
16	24 hour	1%	27	120.00	1.00	0.5027
16	24 hour	1%	28	120.00	1.00	0.1914
16	24 hour	1%	29	120.00	1.00	0.4945
16	24 hour	1%	30	120.00	1.00	0.4939
17	30 hour	1%	21	128.00	1.00	0.2413
17	30 hour	1%	22	128.00	1.00	0.5393
17	30 hour	1%	23	128.00	1.00	0.3120
17	30 hour	1%	24	128.00	1.00	0.3110
17	30 hour	1%	25	128.00	1.00	0.4585
17	30 hour	1%	26	128.00	1.00	0.1832
17	30 hour	1%	27	128.00	1.00	0.1422
17	30 hour	1%	28	128.00	1.00	0.1435
17	30 hour	1%	29	128.00	1.00	0.3567
17	30 hour	1%	30	128.00	1.00	0.1610
18	36 hour	1%	21	134.00	1.00	0.1419
18	36 hour	1%	22	134.00	1.00	0.2034
18	36 hour	1%	23	134.00	1.00	0.3401
18	36 hour	1%	24	134.00	1.00	0.6048
18	36 hour	1%	25	134.00	1.00	0.2883
18	36 hour	1%	26	134.00	1.00	0.1797
18	36 hour	1%	27	134.00	1.00	0.1042
18	36 hour	1%	28	134.00	1.00	0.1160
18	36 hour	1%	29	134.00	1.00	0.7742
18	36 hour	1%	30	134.00	1.00	0.3267
19	48 hour	1%	21	143.00	1.00	0.1029
19	48 hour	1%	22	143.00	1.00	0.3141
19	48 hour	1%	23	143.00	1.00	0.5489
19	48 hour	1%	24	143.00	1.00	0.2571
19	48 hour	1%	25	143.00	1.00	0.7027
19	48 hour	1%	26	143.00	1.00	0.1862
19	48 hour	1%	27	143.00	1.00	0.1410
19	48 hour	1%	28	143.00	1.00	0.1499
19	48 hour	1%	29	143.00	1.00	0.1423
19	48 hour	1%	30	143.00	1.00	0.3368
20	72 hour	1%	21	152.00	1.00	0.0302

20	72 hour	1%	22	152.00	1.00	0.2171
20	72 hour	1%	23	152.00	1.00	0.2311
20	72 hour	1%	24	152.00	1.00	0.0987
20	72 hour	1%	25	152.00	1.00	0.0388
20	72 hour	1%	26	152.00	1.00	0.0337
20	72 hour	1%	27	152.00	1.00	0.0851
20	72 hour	1%	28	152.00	1.00	0.3465
20	72 hour	1%	29	152.00	1.00	0.2083
20	72 hour	1%	30	152.00	1.00	0.1339
21	96 hour	1%	21	156.00	1.00	0.1457
21	96 hour	1%	22	156.00	1.00	0.4101
21	96 hour	1%	23	156.00	1.00	0.0276
21	96 hour	1%	24	156.00	1.00	0.1995
21	96 hour	1%	25	156.00	1.00	0.1513
21	96 hour	1%	26	156.00	1.00	0.0177
21	96 hour	1%	27	156.00	1.00	0.1088
21	96 hour	1%	28	156.00	1.00	0.0942
21	96 hour	1%	29	156.00	1.00	0.0550
21	96 hour	1%	30	156.00	1.00	0.5555
22	120 hour	1%	21	158.00	1.00	0.0176
22	120 hour	1%	22	158.00	1.00	0.2711
22	120 hour	1%	23	158.00	1.00	0.3275
22	120 hour	1%	24	158.00	1.00	0.2902
22	120 hour	1%	25	158.00	1.00	0.0429
22	120 hour	1%	26	158.00	1.00	0.0739
22	120 hour	1%	27	158.00	1.00	0.2043
22	120 hour	1%	28	158.00	1.00	0.0713
22	120 hour	1%	29	158.00	1.00	0.0091
22	120 hour	1%	30	158.00	1.00	0.1606
23	144 hour	1%	21	159.00	1.00	0.0674
23	144 hour	1%	22	159.00	1.00	0.1190
23	144 hour	1%	23	159.00	1.00	0.2596
23	144 hour	1%	24	159.00	1.00	0.0432
23	144 hour	1%	25	159.00	1.00	0.0519
23	144 hour	1%	26	159.00	1.00	0.0166
23	144 hour	1%	27	159.00	1.00	0.1774
23	144 hour	1%	28	159.00	1.00	0.0006
23	144 hour	1%	29	159.00	1.00	0.1785
23	144 hour	1%	30	159.00	1.00	0.0000
24	168 hour	1%	21	160.00	1.00	0.3403
24	168 hour	1%	22	160.00	1.00	0.0305
24	168 hour	1%	23	160.00	1.00	0.3441
24	168 hour	1%	24	160.00	1.00	0.4486
24	168 hour	1%	25	160.00	1.00	0.1652
24	168 hour	1%	26	160.00	1.00	0.1067
24	168 hour	1%	27	160.00	1.00	0.2616
24	168 hour	1%	28	160.00	1.00	0.1269
24	168 hour	1%	29	160.00	1.00	0.0000
24	168 hour	1%	30	160.00	1.00	0.0243
Run, 1	Representative hydrograph dur10min_aep1tp26.out					
Run, 2	Representative hydrograph dur15min_aep1tp25.out					
Run,	Representative hydrograph					

3 dur20min\_aep1tp25.out  
Run, Representative hydrograph  
4 dur25min\_aep1tp21.out  
Run, Representative hydrograph  
5 dur30min\_aep1tp25.out  
Run, Representative hydrograph  
6 dur45min\_aep1tp21.out  
Run, Representative hydrograph  
7 dur1hour\_aep1tp29.out  
Run, Representative hydrograph  
8 dur1\_5hour\_aep1tp24.out  
Run, Representative hydrograph  
9 dur2hour\_aep1tp28.out  
Run, Representative hydrograph  
10 dur3hour\_aep1tp27.out  
Run, Representative hydrograph  
11 dur4\_5hour\_aep1tp26.out  
Run, Representative hydrograph  
12 dur6hour\_aep1tp22.out  
Run, Representative hydrograph  
13 dur9hour\_aep1tp28.out  
Run, Representative hydrograph  
14 dur12hour\_aep1tp30.out  
Run, Representative hydrograph  
15 dur18hour\_aep1tp23.out  
Run, Representative hydrograph  
16 dur24hour\_aep1tp23.out  
Run, Representative hydrograph  
17 dur30hour\_aep1tp24.out  
Run, Representative hydrograph  
18 dur36hour\_aep1tp25.out  
Run, Representative hydrograph  
19 dur48hour\_aep1tp24.out  
Run, Representative hydrograph  
20 dur72hour\_aep1tp30.out  
Run, Representative hydrograph  
21 dur96hour\_aep1tp21.out  
Run, Representative hydrograph  
22 dur120hour\_aep1tp30.out  
Run, Representative hydrograph  
23 dur144hour\_aep1tp21.out  
Run, Representative hydrograph  
24 dur168hour\_aep1tp25.out

Elapsed Run Time (hh:mm:ss) = 00:02:32

RORBWin Batch Run Summary  
\*\*\*\*\*

Program version 6.45 (last updated 20th March 2019)  
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Date run: 27 Aug 2021 12:46

Catchment file : K:\Jobs Data\2000243 - 147 Wollaston Road Warrnambool\\_Wat\Models\RORB\Post Dev V2\2000243-POSTDEV RB V2.catg  
Rainfall location: User defined  
Temporal pattern : ARR2016 point temporal patterns  
Spatial pattern : Uniform  
Areal Red. Fact. : Based on ARR 2016 (Book 2 Chapter 4)  
Loss factors : Constant with ARI

Parameters: kc = 1.78 m = 0.80

Loss parameters Initial loss (mm) Cont. loss (mm/h)  
24.00 4.60

Peak Description  
01 Calculated hydrograph, Ext Flow West  
02 Calculated hydrograph, West RB Inlet 1  
03 Calculated hydrograph, Ext Flow East  
04 Calculated hydrograph, West RB Inlet 2  
05 Special storage : West RB - Outflow  
06 Special storage : West RB - Inflow  
07 Special storage : East RB - Outflow  
08 Special storage : East RB - Inflow  
09 Calculated hydrograph, END

Run	Duration	AEP	TPat	Rain(mm)	ARF	Peak0001	Peak0002	Peak0003	Peak0004	Peak0005	Peak0006	Peak0007	Peak0008	Peak0009
1	10 min	1%	21	22.00	1.00	0.0290	1.5685	0.0403	0.8324	0.1106	1.9683	0.1469	1.2880	0.2445
1	10 min	1%	22	22.00	1.00	0.0290	1.5446	0.0403	0.8539	0.1106	1.8880	0.1461	1.3116	0.2437
1	10 min	1%	23	22.00	1.00	0.0290	1.5781	0.0403	0.8161	0.1111	2.0238	0.1476	1.2681	0.2455
1	10 min	1%	24	22.00	1.00	0.0290	1.5010	0.0403	0.9417	0.1119	2.1807	0.1507	1.3983	0.2496
1	10 min	1%	25	22.00	1.00	0.0290	1.5616	0.0403	0.8392	0.1107	1.9452	0.1467	1.2953	0.2443
1	10 min	1%	26	22.00	1.00	0.0290	1.5400	0.0403	0.8660	0.1113	2.1075	0.1494	1.3112	0.2474
1	10 min	1%	27	22.00	1.00	0.0290	1.5539	0.0403	0.8461	0.1107	1.9197	0.1463	1.3029	0.2440
1	10 min	1%	28	22.00	1.00	0.0290	1.5098	0.0403	0.9221	0.1115	2.1613	0.1497	1.3792	0.2481
1	10 min	1%	29	22.00	1.00	0.0290	1.4398	0.0403	1.0189	0.1125	2.2618	0.1514	1.4425	0.2514
1	10 min	1%	30	22.00	1.00	0.0290	1.4936	0.0403	0.9524	0.1120	2.1925	0.1507	1.4054	0.2498
2	15 min	1%	21	26.80	1.00	0.0951	1.3956	0.0859	0.8793	0.1632	2.1303	0.1968	1.3168	0.3421
2	15 min	1%	22	26.80	1.00	0.0951	1.4226	0.0860	0.9837	0.1638	2.2732	0.1987	1.5250	0.3441
2	15 min	1%	23	26.80	1.00	0.0951	1.4222	0.0929	0.9396	0.1648	2.1260	0.1993	1.4743	0.3450
2	15 min	1%	24	26.80	1.00	0.0951	1.6670	0.0929	1.1399	0.1656	2.3383	0.2034	1.7802	0.3488
2	15 min	1%	25	26.80	1.00	0.0951	1.6717	0.0929	1.0504	0.1658	2.1636	0.2039	1.6998	0.3495
2	15 min	1%	26	26.80	1.00	0.0951	1.8440	0.0928	1.2178	0.1662	2.4388	0.2043	1.8246	0.3499
2	15 min	1%	27	26.80	1.00	0.0951	1.5540	0.0928	1.0608	0.1649	2.2762	0.2013	1.6914	0.3466
2	15 min	1%	28	26.80	1.00	0.0951	1.6512	0.0929	1.1145	0.1654	2.2918	0.2029	1.7616	0.3481
2	15 min	1%	29	26.80	1.00	0.0951	2.0546	0.0929	1.0816	0.1682	2.7336	0.2113	1.6993	0.3579
2	15 min	1%	30	26.80	1.00	0.0951	1.8344	0.0929	1.2219	0.1683	2.7826	0.2132	1.7603	0.3601
3	20 min	1%	21	30.10	1.00	0.1650	1.4532	0.1396	0.9876	0.2175	2.2014	0.2394	1.5723	0.4294

3	20 min	1%	22	30.10	1.00	0.1656	1.3854	0.1337	0.9602	0.2158	2.1892	0.2374	1.5094	0.4267
3	20 min	1%	23	30.10	1.00	0.1647	1.5418	0.1392	1.0720	0.2180	2.2427	0.2399	1.6635	0.4308
3	20 min	1%	24	30.10	1.00	0.1801	1.7630	0.1552	1.1185	0.2219	2.3987	0.2531	1.7646	0.4417
3	20 min	1%	25	30.10	1.00	0.1682	1.6662	0.1434	1.1661	0.2198	2.7015	0.2485	1.7457	0.4385
3	20 min	1%	26	30.10	1.00	0.1638	1.8794	0.1383	1.0987	0.2200	2.7268	0.2442	1.6900	0.4363
3	20 min	1%	27	30.10	1.00	0.1683	1.6599	0.1434	1.1590	0.2198	2.6874	0.2484	1.7327	0.4384
3	20 min	1%	28	30.10	1.00	0.1677	1.6417	0.1428	1.2054	0.2194	2.7226	0.2487	1.8126	0.4383
3	20 min	1%	29	30.10	1.00	0.1801	1.9143	0.1488	1.2646	0.2218	2.6334	0.2544	2.0282	0.4432
3	20 min	1%	30	30.10	1.00	0.1801	1.9631	0.1487	1.3120	0.2215	2.6629	0.2551	2.0852	0.4433
4	25 min	1%	21	32.60	1.00	0.2292	1.4090	0.1780	0.9809	0.2633	2.2864	0.2736	1.4381	0.5014
4	25 min	1%	22	32.60	1.00	0.2134	1.5307	0.1684	1.0261	0.2603	2.1940	0.2637	1.5845	0.4942
4	25 min	1%	23	32.60	1.00	0.2338	1.3677	0.1890	1.0020	0.2632	2.2771	0.2758	1.3976	0.5014
4	25 min	1%	24	32.60	1.00	0.2217	1.0995	0.1775	0.8123	0.2586	1.7504	0.2671	1.2395	0.4912
4	25 min	1%	25	32.60	1.00	0.2315	1.1899	0.1795	0.8936	0.2614	1.9559	0.2712	1.1759	0.4965
4	25 min	1%	26	32.60	1.00	0.2172	1.5259	0.1727	1.0228	0.2618	2.4172	0.2709	1.5257	0.5004
4	25 min	1%	27	32.60	1.00	0.2113	1.7845	0.1663	1.0722	0.2622	2.6383	0.2714	1.5607	0.5016
4	25 min	1%	28	32.60	1.00	0.2276	1.4364	0.1754	0.9858	0.2629	2.2642	0.2720	1.4976	0.5003
4	25 min	1%	29	32.60	1.00	0.2354	2.1153	0.1909	1.5237	0.2682	3.2495	0.2921	2.3430	0.5197
4	25 min	1%	30	32.60	1.00	0.2369	1.6909	0.1923	1.2139	0.2652	2.6064	0.2851	1.7330	0.5104
5	30 min	1%	21	34.60	1.00	0.2679	1.3093	0.2062	0.8922	0.2994	2.1114	0.2930	1.4312	0.5526
5	30 min	1%	22	34.60	1.00	0.2463	1.5686	0.1854	1.0575	0.2958	2.4880	0.2859	1.5741	0.5467
5	30 min	1%	23	34.60	1.00	0.2448	1.5344	0.1840	0.9734	0.2952	2.3624	0.2842	1.4561	0.5448
5	30 min	1%	24	34.60	1.00	0.2476	1.5814	0.1867	0.9543	0.2959	2.3420	0.2883	1.3940	0.5476
5	30 min	1%	25	34.60	1.00	0.2648	1.5990	0.2029	1.0631	0.3013	2.4375	0.2962	1.6443	0.5576
5	30 min	1%	26	34.60	1.00	0.2701	1.3153	0.2086	0.9729	0.3004	2.2302	0.2968	1.3670	0.5560
5	30 min	1%	27	34.60	1.00	0.2607	1.3908	0.1928	0.9416	0.2980	2.2088	0.2895	1.4429	0.5493
5	30 min	1%	28	34.60	1.00	0.2526	1.4642	0.1915	1.0429	0.2974	2.3730	0.2940	1.6240	0.5522
5	30 min	1%	29	34.60	1.00	0.2849	1.6989	0.2160	1.1593	0.3049	2.7015	0.3070	1.8422	0.5662
5	30 min	1%	30	34.60	1.00	0.2895	1.5919	0.2277	1.1744	0.3051	2.5887	0.3100	1.5689	0.5665
6	45 min	1%	21	38.90	1.00	0.3558	1.3227	0.2635	1.0352	0.3843	2.3228	0.3514	1.3236	0.6738
6	45 min	1%	22	38.90	1.00	0.3300	1.5310	0.2425	1.1038	0.3820	2.4795	0.3356	1.6588	0.6720
6	45 min	1%	23	38.90	1.00	0.3578	1.2514	0.2532	0.8003	0.3802	1.8414	0.3235	1.1847	0.6570
6	45 min	1%	24	38.90	1.00	0.3418	1.1633	0.2462	0.8965	0.3697	1.9558	0.3216	1.2681	0.6415
6	45 min	1%	25	38.90	1.00	0.3184	1.1909	0.2319	0.7886	0.3708	1.8398	0.3141	1.2401	0.6418
6	45 min	1%	26	38.90	1.00	0.3652	1.2276	0.2638	0.9469	0.3804	2.0839	0.3366	1.1034	0.6628
6	45 min	1%	27	38.90	1.00	0.3385	1.1041	0.2410	0.7685	0.3786	1.7579	0.3260	1.2182	0.6589
6	45 min	1%	28	38.90	1.00	0.3377	1.0532	0.2502	0.7896	0.3776	1.7418	0.3294	0.9915	0.6586
6	45 min	1%	29	38.90	1.00	0.3611	1.4973	0.2628	1.0876	0.3869	2.4922	0.4048	1.5740	0.7014
6	45 min	1%	30	38.90	1.00	0.3897	1.5436	0.2844	1.1610	0.3856	2.5050	0.3720	1.4831	0.6952
7	1 hour	1%	21	42.00	1.00	0.4474	1.5842	0.3173	1.1533	0.4524	2.6668	0.5952	1.5621	0.9076
7	1 hour	1%	22	42.00	1.00	0.3215	1.1265	0.2139	0.7479	0.4214	1.6940	0.3044	1.2098	0.6896
7	1 hour	1%	23	42.00	1.00	0.3647	1.3057	0.2700	0.9685	0.4389	2.1164	0.3609	1.1998	0.7309
7	1 hour	1%	24	42.00	1.00	0.3843	0.9484	0.2594	0.7242	0.4299	1.6081	0.3296	1.0121	0.7123
7	1 hour	1%	25	42.00	1.00	0.3955	1.1300	0.2692	0.8796	0.4217	1.9330	0.3318	1.0602	0.6996
7	1 hour	1%	26	42.00	1.00	0.4135	1.4333	0.2850	1.0163	0.4195	2.1032	0.3309	1.2930	0.6963
7	1 hour	1%	27	42.00	1.00	0.3591	1.1437	0.2527	0.8774	0.4355	1.8769	0.3372	1.0622	0.7255
7	1 hour	1%	28	42.00	1.00	0.4106	1.2179	0.2893	0.9084	0.4395	1.9645	0.4313	1.0183	0.7588
7	1 hour	1%	29	42.00	1.00	0.4007	1.1011	0.2767	0.8154	0.4378	1.7809	0.3852	0.8597	0.7321
7	1 hour	1%	30	42.00	1.00	0.4357	1.5633	0.3091	1.1335	0.4546	2.5796	0.5785	1.5219	0.8887
8	1.5 hour	1%	21	46.70	1.00	0.3599	1.0089	0.2247	0.7470	0.5076	1.6909	0.3106	0.9639	0.7906
8	1.5 hour	1%	22	46.70	1.00	0.4694	1.1013	0.3184	0.8187	0.5276	1.8984	0.5106	0.7826	0.9509
8	1.5 hour	1%	23	46.70	1.00	0.3732	0.8697	0.2480	0.6430	0.5021	1.4640	0.3243	0.7810	0.7729
8	1.5 hour	1%	24	46.70	1.00	0.4378	1.1506	0.2950	0.8313	0.4909	1.9443	0.3496	0.9014	0.7834
8	1.5 hour	1%	25	46.70	1.00	0.2805	1.1776	0.1832	0.7545	0.4765	1.7639	0.2807	1.1630	0.7171



8	1.5 hour	1%	26	46.70	1.00	0.4243	1.0481	0.2821	0.7899	0.5241	1.7568	0.4332	0.8896	0.8408
8	1.5 hour	1%	27	46.70	1.00	0.4457	1.0409	0.2960	0.7724	0.5208	1.7397	0.4412	0.7961	0.8572
8	1.5 hour	1%	28	46.70	1.00	0.4536	1.2147	0.3027	0.8853	0.5179	1.9027	0.4363	0.9913	0.8764
8	1.5 hour	1%	29	46.70	1.00	0.3880	1.2740	0.2731	0.9771	0.5253	2.1623	0.4011	1.3026	0.8266
8	1.5 hour	1%	30	46.70	1.00	0.5325	1.5694	0.3752	1.1570	0.5400	2.5881	0.6144	1.4975	1.0370
9	2 hour	1%	21	50.60	1.00	0.3513	0.9844	0.2193	0.7299	0.5519	1.6529	0.3060	0.9367	0.8007
9	2 hour	1%	22	50.60	1.00	0.3807	1.0390	0.2509	0.7882	0.5548	1.7342	0.3391	1.0876	0.8273
9	2 hour	1%	23	50.60	1.00	0.3762	1.4051	0.2314	0.9845	0.5247	2.2684	0.2913	1.4961	0.7887
9	2 hour	1%	24	50.60	1.00	0.4014	1.1908	0.2628	0.8711	0.5480	1.8720	0.3306	1.1906	0.8086
9	2 hour	1%	25	50.60	1.00	0.4744	1.1507	0.3104	0.8317	0.5795	1.9531	0.4609	0.8901	0.9014
9	2 hour	1%	26	50.60	1.00	0.3727	0.8026	0.2295	0.5523	0.5513	1.2662	0.3001	0.6670	0.8186
9	2 hour	1%	27	50.60	1.00	0.4686	0.9810	0.2981	0.7157	0.5768	1.6376	0.4029	0.7494	0.9178
9	2 hour	1%	28	50.60	1.00	0.3765	1.6395	0.2415	1.1171	0.5826	2.3212	0.3156	1.7164	0.8672
9	2 hour	1%	29	50.60	1.00	0.4660	1.0496	0.3058	0.7687	0.5971	1.7983	0.4727	0.7526	0.9158
9	2 hour	1%	30	50.60	1.00	0.5583	1.2653	0.3631	0.9128	0.6066	2.0978	0.6329	0.8472	1.0944
10	3 hour	1%	21	57.30	1.00	0.5836	1.2189	0.3767	0.8860	0.8669	2.0987	0.6022	0.7662	1.1458
10	3 hour	1%	22	57.30	1.00	0.3368	0.7659	0.2185	0.5148	0.4758	1.2717	0.2910	0.6378	0.7264
10	3 hour	1%	23	57.30	1.00	0.3061	0.5934	0.1762	0.4145	0.5428	1.0356	0.2437	0.5380	0.7613
10	3 hour	1%	24	57.30	1.00	0.3143	0.6973	0.2070	0.5104	0.5145	1.1777	0.2766	0.4602	0.7094
10	3 hour	1%	25	57.30	1.00	0.4054	0.8171	0.2416	0.5964	0.6261	1.5282	0.3004	0.7123	0.9077
10	3 hour	1%	26	57.30	1.00	0.4014	0.8850	0.2467	0.6594	0.7121	1.5139	0.3255	0.7182	0.9735
10	3 hour	1%	27	57.30	1.00	0.3765	0.8727	0.2264	0.6005	0.6189	1.4045	0.2970	0.5703	0.8881
10	3 hour	1%	28	57.30	1.00	0.3910	0.7663	0.2385	0.5644	0.6526	1.3294	0.3138	0.5157	0.9293
10	3 hour	1%	29	57.30	1.00	0.3995	0.8466	0.2440	0.6180	0.6019	1.5214	0.2896	0.5699	0.8838
10	3 hour	1%	30	57.30	1.00	0.4932	1.1257	0.3109	0.8291	0.8697	1.7895	0.4585	1.0412	1.1716
11	4.5 hour	1%	21	65.60	1.00	0.2254	0.4540	0.1255	0.2973	0.5156	0.7397	0.1848	0.4181	0.6963
11	4.5 hour	1%	22	65.60	1.00	0.3966	0.7917	0.2292	0.5576	0.6914	1.4433	0.2877	0.6405	0.9349
11	4.5 hour	1%	23	65.60	1.00	0.2196	0.5809	0.1275	0.4359	0.5237	0.9703	0.2102	0.5758	0.7071
11	4.5 hour	1%	24	65.60	1.00	0.2962	0.7277	0.2022	0.5065	0.4377	1.2665	0.2721	0.6134	0.6279
11	4.5 hour	1%	25	65.60	1.00	0.2548	0.5012	0.1404	0.3211	0.5693	0.7889	0.2123	0.3703	0.7618
11	4.5 hour	1%	26	65.60	1.00	0.3137	0.6647	0.2004	0.5094	0.6784	1.2070	0.2704	0.5359	0.9056
11	4.5 hour	1%	27	65.60	1.00	0.4199	0.8007	0.2485	0.5721	0.7287	1.4209	0.3001	0.5995	0.9845
11	4.5 hour	1%	28	65.60	1.00	0.3107	0.6789	0.1898	0.5117	0.6290	1.2286	0.2569	0.4991	0.8459
11	4.5 hour	1%	29	65.60	1.00	0.5420	1.1033	0.3142	0.7558	1.0528	1.7690	0.4489	0.6635	1.3683
11	4.5 hour	1%	30	65.60	1.00	0.4805	0.9934	0.2743	0.6630	1.0760	1.5798	0.3410	0.6816	1.4170
12	6 hour	1%	21	72.70	1.00	0.6239	1.2092	0.3668	0.8403	1.2086	2.0016	0.5279	0.7812	1.5474
12	6 hour	1%	22	72.70	1.00	0.3336	0.7607	0.2032	0.5568	0.5096	1.3042	0.2762	0.5356	0.7379
12	6 hour	1%	23	72.70	1.00	0.4102	0.8475	0.2453	0.6101	0.6333	1.5441	0.2719	0.5788	0.9026
12	6 hour	1%	24	72.70	1.00	0.2324	0.5839	0.1569	0.3901	0.4987	0.9676	0.2290	0.5171	0.6727
12	6 hour	1%	25	72.70	1.00	0.2715	0.5508	0.1732	0.4041	0.4566	0.9650	0.2395	0.4628	0.6230
12	6 hour	1%	26	72.70	1.00	0.4186	1.0522	0.2538	0.7613	0.5551	1.7498	0.2830	0.8498	0.7926
12	6 hour	1%	27	72.70	1.00	0.2359	0.4629	0.1343	0.3156	0.5558	0.7748	0.1948	0.2655	0.7379
12	6 hour	1%	28	72.70	1.00	0.2952	0.5983	0.1768	0.4105	0.5382	0.9819	0.2384	0.3677	0.7373
12	6 hour	1%	29	72.70	1.00	0.2257	0.4408	0.1342	0.3021	0.4974	0.7402	0.1991	0.3035	0.6650
12	6 hour	1%	30	72.70	1.00	0.3786	0.7383	0.2241	0.5106	0.8443	1.2153	0.2875	0.4214	1.0935
13	9 hour	1%	21	84.60	1.00	0.1729	0.3633	0.0944	0.2359	0.4615	0.5831	0.1506	0.2336	0.6047
13	9 hour	1%	22	84.60	1.00	0.1827	0.4055	0.1192	0.2957	0.4025	0.7000	0.1711	0.2505	0.5312
13	9 hour	1%	23	84.60	1.00	0.3798	0.8468	0.2260	0.6302	0.5908	1.4639	0.3210	0.5974	0.8640
13	9 hour	1%	24	84.60	1.00	0.2267	0.4452	0.1397	0.3178	0.5115	0.7930	0.2060	0.2921	0.7003
13	9 hour	1%	25	84.60	1.00	0.4086	0.8684	0.2428	0.5907	0.5317	1.4196	0.2975	0.6820	0.7399
13	9 hour	1%	26	84.60	1.00	0.1889	0.3953	0.1083	0.2753	0.4521	0.6690	0.1611	0.2392	0.6036
13	9 hour	1%	27	84.60	1.00	0.3233	0.6024	0.1853	0.4083	0.5992	1.0232	0.2335	0.3235	0.8014
13	9 hour	1%	28	84.60	1.00	0.2980	0.5566	0.1639	0.3640	0.6338	0.8941	0.2285	0.3236	0.8346
13	9 hour	1%	29	84.60	1.00	0.3573	0.7059	0.2076	0.4807	0.8724	1.1701	0.2659	0.3868	1.1312

13	9 hour	1%	30	84.60	1.00	0.5258	1.0786	0.3142	0.7524	1.1660	1.8356	0.3423	0.6280	1.5083
14	12 hour	1%	21	94.20	1.00	0.3880	0.7004	0.2154	0.4711	0.8415	1.1382	0.2762	0.3857	1.0922
14	12 hour	1%	22	94.20	1.00	0.2957	0.6166	0.1673	0.4106	0.5593	0.9494	0.2272	0.3970	0.7612
14	12 hour	1%	23	94.20	1.00	0.1412	0.2776	0.0882	0.2087	0.3710	0.4876	0.1506	0.2457	0.4901
14	12 hour	1%	24	94.20	1.00	0.2036	0.4094	0.1237	0.2765	0.4674	0.6961	0.1902	0.2724	0.6419
14	12 hour	1%	25	94.20	1.00	0.5240	1.0174	0.3100	0.7097	1.1270	1.7601	0.3394	0.5600	1.4310
14	12 hour	1%	26	94.20	1.00	0.1755	0.3511	0.0964	0.2328	0.4594	0.5926	0.1556	0.1890	0.6126
14	12 hour	1%	27	94.20	1.00	0.2401	0.4569	0.1416	0.3095	0.4574	0.7665	0.2027	0.2459	0.6486
14	12 hour	1%	28	94.20	1.00	0.4144	0.7321	0.2374	0.5315	0.8319	1.2859	0.2920	0.4479	1.1111
14	12 hour	1%	29	94.20	1.00	0.1989	0.3874	0.1131	0.2606	0.4886	0.6516	0.1692	0.2002	0.6457
14	12 hour	1%	30	94.20	1.00	0.2470	0.5222	0.1593	0.3524	0.5209	0.8402	0.2176	0.3759	0.7185
15	18 hour	1%	21	109.00	1.00	0.0809	0.1752	0.0479	0.1227	0.2393	0.3020	0.0964	0.1404	0.3249
15	18 hour	1%	22	109.00	1.00	0.1211	0.2562	0.0716	0.1753	0.3056	0.4231	0.1253	0.1451	0.4118
15	18 hour	1%	23	109.00	1.00	0.1442	0.2989	0.0837	0.2011	0.3586	0.4939	0.1306	0.1595	0.4875
15	18 hour	1%	24	109.00	1.00	0.2251	0.4358	0.1290	0.2940	0.5026	0.7239	0.1800	0.2283	0.6607
15	18 hour	1%	25	109.00	1.00	0.2482	0.4664	0.1422	0.3142	0.5089	0.7852	0.1935	0.2305	0.6722
15	18 hour	1%	26	109.00	1.00	0.0800	0.1761	0.0482	0.1296	0.2711	0.3048	0.1041	0.1628	0.3640
15	18 hour	1%	27	109.00	1.00	0.2205	0.3982	0.1222	0.2671	0.5018	0.6629	0.1846	0.2076	0.6788
15	18 hour	1%	28	109.00	1.00	0.2271	0.4580	0.1261	0.3068	0.3764	0.6808	0.1713	0.3266	0.5323
15	18 hour	1%	29	109.00	1.00	0.1480	0.2833	0.0907	0.1993	0.3632	0.4916	0.1319	0.1975	0.4846
15	18 hour	1%	30	109.00	1.00	0.1412	0.2781	0.0784	0.1818	0.3694	0.4558	0.1304	0.1425	0.4915
16	24 hour	1%	21	120.00	1.00	0.1520	0.2909	0.0827	0.1928	0.4011	0.4815	0.1376	0.1493	0.5286
16	24 hour	1%	22	120.00	1.00	0.0843	0.1975	0.0489	0.1389	0.2470	0.3280	0.0951	0.1324	0.3417
16	24 hour	1%	23	120.00	1.00	0.1807	0.3674	0.1029	0.2684	0.3571	0.6124	0.1557	0.2417	0.4959
16	24 hour	1%	24	120.00	1.00	0.1648	0.3522	0.1007	0.2450	0.3430	0.5908	0.1350	0.2132	0.4781
16	24 hour	1%	25	120.00	1.00	0.2117	0.4281	0.1187	0.2971	0.3904	0.6790	0.1676	0.2949	0.5580
16	24 hour	1%	26	120.00	1.00	0.1753	0.3345	0.0983	0.2282	0.3861	0.5387	0.1488	0.2099	0.5073
16	24 hour	1%	27	120.00	1.00	0.1864	0.4237	0.1152	0.2950	0.3932	0.7037	0.1504	0.2587	0.5222
16	24 hour	1%	28	120.00	1.00	0.0637	0.1642	0.0383	0.1329	0.2101	0.2901	0.0876	0.1628	0.2883
16	24 hour	1%	29	120.00	1.00	0.1704	0.4006	0.0995	0.2742	0.4078	0.6473	0.1426	0.2570	0.5430
16	24 hour	1%	30	120.00	1.00	0.1665	0.3827	0.0979	0.2786	0.3980	0.6565	0.1501	0.2515	0.5421
17	30 hour	1%	21	128.00	1.00	0.0798	0.1704	0.0448	0.1205	0.2326	0.2835	0.0888	0.1099	0.3214
17	30 hour	1%	22	128.00	1.00	0.1819	0.3622	0.1049	0.2430	0.4560	0.6027	0.1519	0.1885	0.5938
17	30 hour	1%	23	128.00	1.00	0.1075	0.2634	0.0666	0.1844	0.2607	0.4413	0.1069	0.1650	0.3343
17	30 hour	1%	24	128.00	1.00	0.0992	0.2281	0.0604	0.1575	0.2886	0.3781	0.1019	0.1332	0.3864
17	30 hour	1%	25	128.00	1.00	0.1617	0.3756	0.1029	0.2685	0.3867	0.6492	0.1905	0.2276	0.5394
17	30 hour	1%	26	128.00	1.00	0.0642	0.1618	0.0375	0.1176	0.1952	0.2788	0.0859	0.1199	0.2704
17	30 hour	1%	27	128.00	1.00	0.0496	0.1383	0.0301	0.0966	0.1664	0.2235	0.0712	0.1001	0.2377
17	30 hour	1%	28	128.00	1.00	0.0506	0.1262	0.0320	0.0897	0.1778	0.2184	0.0717	0.0772	0.2445
17	30 hour	1%	29	128.00	1.00	0.1204	0.2344	0.0666	0.1532	0.3166	0.3885	0.1141	0.1279	0.4168
17	30 hour	1%	30	128.00	1.00	0.0556	0.1397	0.0344	0.0979	0.1946	0.2383	0.0761	0.0832	0.2628
18	36 hour	1%	21	134.00	1.00	0.0463	0.1264	0.0278	0.0922	0.1730	0.2164	0.0742	0.0895	0.2412
18	36 hour	1%	22	134.00	1.00	0.0697	0.1492	0.0403	0.1072	0.2027	0.2533	0.0823	0.1017	0.2850
18	36 hour	1%	23	134.00	1.00	0.1186	0.2245	0.0659	0.1543	0.2745	0.3709	0.1073	0.1520	0.3819
18	36 hour	1%	24	134.00	1.00	0.2092	0.3665	0.1133	0.2371	0.4524	0.6180	0.1642	0.1960	0.6166
18	36 hour	1%	25	134.00	1.00	0.0958	0.1988	0.0530	0.1399	0.2594	0.3285	0.0970	0.1281	0.3563
18	36 hour	1%	26	134.00	1.00	0.0667	0.1588	0.0469	0.1174	0.1943	0.2764	0.0923	0.1062	0.2683
18	36 hour	1%	27	134.00	1.00	0.0349	0.1072	0.0222	0.0799	0.1384	0.1851	0.0603	0.0830	0.1987
18	36 hour	1%	28	134.00	1.00	0.0369	0.1222	0.0250	0.0889	0.1530	0.2097	0.0651	0.0877	0.2075
18	36 hour	1%	29	134.00	1.00	0.2892	0.5465	0.1623	0.3613	0.6287	0.9096	0.2187	0.2710	0.7922
18	36 hour	1%	30	134.00	1.00	0.1086	0.2321	0.0627	0.1547	0.3116	0.3809	0.1082	0.1246	0.4123
19	48 hour	1%	21	143.00	1.00	0.0341	0.1028	0.0218	0.0777	0.1442	0.1787	0.0692	0.0868	0.2051
19	48 hour	1%	22	143.00	1.00	0.1172	0.2362	0.0681	0.1595	0.2570	0.3951	0.1108	0.1219	0.3510
19	48 hour	1%	23	143.00	1.00	0.1825	0.3388	0.0967	0.2342	0.4228	0.5497	0.1444	0.2138	0.5673

[illegible]

19 dur48hour\_aep1tp24.out  
Run, Representative hydrograph  
20 dur72hour\_aep1tp30.out

Elapsed Run Time (hh:mm:ss) = 00:02:36

RORBWin Batch Run Summary  
\*\*\*\*\*

Program version 6.45 (last updated 20th March 2019)  
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Date run: 13 Aug 2021 16:44

Catchment file : K:\Jobs Data\2000243 - 147 Wollaston Road Warrnambool\\_Wat\Models\RORB\Post Dev V2\2000243-POSTDEV RB V2.catg  
Rainfall location: User defined  
Temporal pattern : ARR2016 point temporal patterns  
Spatial pattern : Uniform  
Areal Red. Fact. : Based on ARR 2016 (Book 2 Chapter 4)  
Loss factors : Constant with ARI

Parameters: kc = 1.78 m = 0.80

Loss parameters Initial loss (mm) Cont. loss (mm/h)  
24.00 4.60

Peak Description  
01 Calculated hydrograph, West RB Inlet 1  
02 Calculated hydrograph, West RB Inlet 2  
03 Special storage : West RB - Outflow  
04 Special storage : West RB - Inflow  
05 Special storage : East RB - Outflow  
06 Special storage : East RB - Inflow  
07 Calculated hydrograph, END

Run	Duration	AEP	TPat	Rain(mm)	ARF	Peak0001	Peak0002	Peak0003	Peak0004	Peak0005	Peak0006	Peak0007
1	10 min	20%	1	9.89	1.00	0.6457	0.3398	0.0338	0.8246	0.0467	0.5301	0.0772
1	10 min	20%	2	9.89	1.00	0.6465	0.3313	0.0336	0.7962	0.0465	0.5122	0.0770
1	10 min	20%	3	9.89	1.00	0.6456	0.3324	0.0336	0.7936	0.0465	0.5138	0.0770
1	10 min	20%	4	9.89	1.00	0.6266	0.3511	0.0335	0.7480	0.0461	0.5384	0.0769
1	10 min	20%	5	9.89	1.00	0.6500	0.3269	0.0336	0.8058	0.0465	0.5065	0.0771
1	10 min	20%	6	9.89	1.00	0.6266	0.3512	0.0335	0.7478	0.0461	0.5385	0.0769
1	10 min	20%	7	9.89	1.00	0.5885	0.4204	0.0340	0.8830	0.0490	0.6214	0.0794
1	10 min	20%	8	9.89	1.00	0.6267	0.3511	0.0335	0.7482	0.0461	0.5383	0.0769
1	10 min	20%	9	9.89	1.00	0.6316	0.3613	0.0338	0.8401	0.0476	0.5720	0.0780
1	10 min	20%	10	9.89	1.00	0.6235	0.3727	0.0338	0.8479	0.0478	0.5857	0.0781
2	15 min	20%	1	11.90	1.00	0.5974	0.3843	0.0437	0.8148	0.0595	0.6349	0.0980
2	15 min	20%	2	11.90	1.00	0.5379	0.3429	0.0435	0.7914	0.0584	0.5490	0.0971
2	15 min	20%	3	11.90	1.00	0.5300	0.3201	0.0433	0.7376	0.0583	0.5093	0.0967
2	15 min	20%	4	11.90	1.00	0.7764	0.4294	0.0449	0.9369	0.0612	0.6600	0.1008
2	15 min	20%	5	11.90	1.00	0.6701	0.4427	0.0441	0.8559	0.0606	0.6867	0.0992
2	15 min	20%	6	11.90	1.00	0.7184	0.4468	0.0444	0.8657	0.0612	0.6805	0.1001
2	15 min	20%	7	11.90	1.00	0.7872	0.4197	0.0449	0.9638	0.0613	0.6476	0.1010
2	15 min	20%	8	11.90	1.00	0.6927	0.4157	0.0442	0.8695	0.0606	0.6592	0.0996
2	15 min	20%	9	11.90	1.00	0.7663	0.4079	0.0449	0.9978	0.0613	0.6255	0.1012
2	15 min	20%	10	11.90	1.00	0.7216	0.4589	0.0449	1.0309	0.0625	0.7133	0.1022
3	20 min	20%	1	13.40	1.00	0.5392	0.3448	0.0513	0.8168	0.0675	0.5261	0.1140
3	20 min	20%	2	13.40	1.00	0.4735	0.3266	0.0517	0.7394	0.0677	0.5019	0.1147
3	20 min	20%	3	13.40	1.00	0.5773	0.3523	0.0524	0.8162	0.0684	0.5107	0.1160

3	20 min	20%	4	13.40	1.00	0.6999	0.4198	0.0531	0.8964	0.0706	0.7029	0.1179
3	20 min	20%	5	13.40	1.00	0.7378	0.5204	0.0534	1.0571	0.0717	0.7996	0.1192
3	20 min	20%	6	13.40	1.00	0.7637	0.4858	0.0535	0.9380	0.0716	0.7684	0.1191
3	20 min	20%	7	13.40	1.00	0.7593	0.4567	0.0535	0.9664	0.0715	0.7443	0.1189
3	20 min	20%	8	13.40	1.00	0.6656	0.4108	0.0531	0.8845	0.0697	0.6760	0.1172
3	20 min	20%	9	13.40	1.00	0.8030	0.5206	0.0538	0.9779	0.0723	0.7880	0.1199
3	20 min	20%	10	13.40	1.00	0.8396	0.4953	0.0539	1.0382	0.0725	0.7598	0.1200
4	25 min	20%	1	14.60	1.00	0.5260	0.3469	0.0582	0.7408	0.0747	0.5175	0.1276
4	25 min	20%	2	14.60	1.00	0.4868	0.3229	0.0574	0.7585	0.0739	0.4873	0.1265
4	25 min	20%	3	14.60	1.00	0.5196	0.3396	0.0585	0.8049	0.0748	0.5197	0.1283
4	25 min	20%	4	14.60	1.00	0.5628	0.3940	0.0586	0.8631	0.0764	0.5881	0.1294
4	25 min	20%	5	14.60	1.00	0.6076	0.4213	0.0593	0.9571	0.0774	0.6500	0.1311
4	25 min	20%	6	14.60	1.00	0.5053	0.3091	0.0587	0.7174	0.0747	0.4427	0.1284
4	25 min	20%	7	14.60	1.00	0.6886	0.4425	0.0589	0.9381	0.0765	0.6860	0.1303
4	25 min	20%	8	14.60	1.00	0.6253	0.3926	0.0589	0.9129	0.0766	0.6188	0.1304
4	25 min	20%	9	14.60	1.00	0.7704	0.4784	0.0602	0.9767	0.0795	0.7910	0.1335
4	25 min	20%	10	14.60	1.00	0.7240	0.5081	0.0601	1.0982	0.0795	0.8201	0.1334
5	30 min	20%	1	15.60	1.00	0.6023	0.3911	0.0639	0.8169	0.0807	0.6230	0.1386
5	30 min	20%	2	15.60	1.00	0.5715	0.3567	0.0625	0.8193	0.0784	0.5767	0.1365
5	30 min	20%	3	15.60	1.00	0.3994	0.2650	0.0623	0.6240	0.0778	0.3706	0.1354
5	30 min	20%	4	15.60	1.00	0.5403	0.3872	0.0644	0.8627	0.0827	0.5573	0.1411
5	30 min	20%	5	15.60	1.00	0.5972	0.4274	0.0644	0.9068	0.0829	0.6408	0.1411
5	30 min	20%	6	15.60	1.00	0.5183	0.3445	0.0638	0.8134	0.0817	0.5323	0.1400
5	30 min	20%	7	15.60	1.00	0.5871	0.4099	0.0647	0.9003	0.0839	0.6049	0.1425
5	30 min	20%	8	15.60	1.00	0.5349	0.3824	0.0631	0.8580	0.0808	0.5490	0.1384
5	30 min	20%	9	15.60	1.00	0.7302	0.4602	0.0661	0.9826	0.0859	0.7421	0.1455
5	30 min	20%	10	15.60	1.00	0.8411	0.5267	0.0661	1.0750	0.0880	0.8651	0.1472
6	45 min	20%	1	18.00	1.00	0.4327	0.2613	0.0737	0.5977	0.0889	0.4124	0.1587
6	45 min	20%	2	18.00	1.00	0.3940	0.2956	0.0734	0.6521	0.0884	0.4355	0.1580
6	45 min	20%	3	18.00	1.00	0.4849	0.2999	0.0721	0.6943	0.0850	0.5014	0.1541
6	45 min	20%	4	18.00	1.00	0.3817	0.2769	0.0736	0.5751	0.0895	0.4029	0.1574
6	45 min	20%	5	18.00	1.00	0.5981	0.4115	0.0745	0.8834	0.0937	0.6207	0.1632
6	45 min	20%	6	18.00	1.00	0.4288	0.3053	0.0753	0.6471	0.0939	0.4373	0.1632
6	45 min	20%	7	18.00	1.00	0.5891	0.3647	0.0768	0.8862	0.0951	0.5941	0.1677
6	45 min	20%	8	18.00	1.00	0.6275	0.3974	0.0740	0.8840	0.0892	0.6553	0.1602
6	45 min	20%	9	18.00	1.00	0.8099	0.5119	0.0787	1.2085	0.0999	0.8056	0.1733
6	45 min	20%	10	18.00	1.00	0.6969	0.4462	0.0773	0.9779	0.0975	0.6828	0.1693
7	1 hour	20%	1	19.80	1.00	0.4412	0.2797	0.0785	0.6575	0.0892	0.4413	0.1644
7	1 hour	20%	2	19.80	1.00	0.4127	0.2425	0.0790	0.6003	0.0911	0.3666	0.1655
7	1 hour	20%	3	19.80	1.00	0.4097	0.2627	0.0794	0.5806	0.0916	0.4197	0.1672
7	1 hour	20%	4	19.80	1.00	0.5554	0.3704	0.0833	0.8557	0.0994	0.5429	0.1791
7	1 hour	20%	5	19.80	1.00	0.3615	0.2629	0.0828	0.6028	0.1008	0.3647	0.1789
7	1 hour	20%	6	19.80	1.00	0.5467	0.3921	0.0825	0.8682	0.0998	0.5749	0.1779
7	1 hour	20%	7	19.80	1.00	0.5348	0.3562	0.0844	0.8227	0.1021	0.5774	0.1828
7	1 hour	20%	8	19.80	1.00	0.4411	0.2915	0.0821	0.6614	0.0969	0.4578	0.1750
7	1 hour	20%	9	19.80	1.00	0.9638	0.6084	0.0882	1.3861	0.1170	0.8970	0.1965
7	1 hour	20%	10	19.80	1.00	0.7206	0.4988	0.0879	1.1501	0.1149	0.7735	0.1952
8	1.5 hour	20%	1	22.50	1.00	0.3840	0.2419	0.0836	0.5843	0.0870	0.3909	0.1668
8	1.5 hour	20%	2	22.50	1.00	0.5288	0.3285	0.0845	0.7621	0.0862	0.5341	0.1654
8	1.5 hour	20%	3	22.50	1.00	0.4028	0.3036	0.0849	0.6372	0.0909	0.4710	0.1707
8	1.5 hour	20%	4	22.50	1.00	0.3167	0.2382	0.0935	0.5178	0.1095	0.3239	0.1986
8	1.5 hour	20%	5	22.50	1.00	0.5248	0.3329	0.0840	0.7781	0.0853	0.5451	0.1662
8	1.5 hour	20%	6	22.50	1.00	0.2803	0.2076	0.0897	0.4621	0.1019	0.3034	0.1875
8	1.5 hour	20%	7	22.50	1.00	0.4631	0.3132	0.0848	0.7332	0.0872	0.4693	0.1688



8	1.5 hour	20%	8	22.50	1.00	0.4580	0.3116	0.0940	0.7211	0.1101	0.4602	0.1992
8	1.5 hour	20%	9	22.50	1.00	0.5955	0.4153	0.0955	0.9035	0.1172	0.6288	0.2065
8	1.5 hour	20%	10	22.50	1.00	0.8667	0.6026	0.0983	1.3412	0.1271	0.8739	0.2179
9	2 hour	20%	1	24.70	1.00	0.3744	0.2411	0.0890	0.5281	0.0851	0.3800	0.1714
9	2 hour	20%	2	24.70	1.00	0.3578	0.2231	0.0848	0.5523	0.0760	0.3380	0.1588
9	2 hour	20%	3	24.70	1.00	0.3289	0.2056	0.0898	0.4673	0.0870	0.2594	0.1733
9	2 hour	20%	4	24.70	1.00	0.3318	0.2009	0.0986	0.4336	0.1030	0.2894	0.1977
9	2 hour	20%	5	24.70	1.00	0.4478	0.3481	0.1058	0.7442	0.1195	0.4928	0.2182
9	2 hour	20%	6	24.70	1.00	0.3321	0.2572	0.0958	0.5507	0.0993	0.3525	0.1903
9	2 hour	20%	7	24.70	1.00	0.3058	0.2279	0.0969	0.4831	0.0987	0.3380	0.1907
9	2 hour	20%	8	24.70	1.00	0.2865	0.2240	0.0948	0.4852	0.1040	0.3063	0.1938
9	2 hour	20%	9	24.70	1.00	0.3832	0.2795	0.1053	0.6127	0.1128	0.4136	0.2137
9	2 hour	20%	10	24.70	1.00	0.4706	0.2951	0.1095	0.6925	0.1210	0.4363	0.2255
10	3 hour	20%	1	28.20	1.00	0.2811	0.2040	0.1089	0.4470	0.0856	0.2480	0.1838
10	3 hour	20%	2	28.20	1.00	0.1806	0.1409	0.0896	0.3086	0.0753	0.1848	0.1623
10	3 hour	20%	3	28.20	1.00	0.2911	0.2161	0.0983	0.5522	0.0857	0.2752	0.1724
10	3 hour	20%	4	28.20	1.00	0.2855	0.2164	0.0974	0.4850	0.0851	0.3168	0.1743
10	3 hour	20%	5	28.20	1.00	0.1802	0.1406	0.1130	0.3233	0.0949	0.1673	0.2001
10	3 hour	20%	6	28.20	1.00	0.2091	0.1664	0.1155	0.3867	0.0963	0.1841	0.2077
10	3 hour	20%	7	28.20	1.00	0.1469	0.1182	0.1011	0.2543	0.0801	0.1722	0.1788
10	3 hour	20%	8	28.20	1.00	0.4349	0.3108	0.0987	0.6546	0.1094	0.4507	0.2045
10	3 hour	20%	9	28.20	1.00	0.3058	0.2234	0.1290	0.5242	0.1194	0.3163	0.2402
10	3 hour	20%	10	28.20	1.00	0.2414	0.1837	0.1287	0.4135	0.1151	0.2500	0.2362
11	4.5 hour	20%	1	32.30	1.00	0.1281	0.1001	0.1081	0.2119	0.0690	0.1323	0.1713
11	4.5 hour	20%	2	32.30	1.00	0.1831	0.1385	0.1312	0.3189	0.0859	0.1780	0.2099
11	4.5 hour	20%	3	32.30	1.00	0.2788	0.1948	0.1239	0.4380	0.0793	0.2670	0.1972
11	4.5 hour	20%	4	32.30	1.00	0.1780	0.1248	0.1180	0.2718	0.0786	0.1638	0.1866
11	4.5 hour	20%	5	32.30	1.00	0.2162	0.1478	0.1321	0.3253	0.0899	0.1948	0.2142
11	4.5 hour	20%	6	32.30	1.00	0.3182	0.2515	0.1476	0.5724	0.1067	0.2695	0.2455
11	4.5 hour	20%	7	32.30	1.00	0.2413	0.1690	0.1398	0.3532	0.0989	0.1927	0.2287
11	4.5 hour	20%	8	32.30	1.00	0.1357	0.0997	0.1242	0.2317	0.0797	0.1046	0.2004
11	4.5 hour	20%	9	32.30	1.00	0.2249	0.1728	0.1533	0.3792	0.1119	0.1807	0.2541
11	4.5 hour	20%	10	32.30	1.00	0.3201	0.2523	0.1594	0.5608	0.1228	0.2601	0.2705
12	6 hour	20%	1	35.50	1.00	0.2752	0.1922	0.1229	0.4324	0.0784	0.2626	0.1947
12	6 hour	20%	2	35.50	1.00	0.2027	0.1504	0.1034	0.3323	0.0678	0.2096	0.1648
12	6 hour	20%	3	35.50	1.00	0.0999	0.0785	0.0918	0.1700	0.0558	0.1031	0.1470
12	6 hour	20%	4	35.50	1.00	0.1737	0.1361	0.1143	0.3140	0.0746	0.1877	0.1739
12	6 hour	20%	5	35.50	1.00	0.1265	0.0955	0.1190	0.2110	0.0685	0.1280	0.1809
12	6 hour	20%	6	35.50	1.00	0.1616	0.1160	0.1312	0.2481	0.0794	0.1681	0.1984
12	6 hour	20%	7	35.50	1.00	0.1274	0.0981	0.1259	0.2182	0.0719	0.1244	0.1920
12	6 hour	20%	8	35.50	1.00	0.2781	0.2247	0.1529	0.4990	0.1100	0.2734	0.2270
12	6 hour	20%	9	35.50	1.00	0.3401	0.2377	0.1774	0.5082	0.1226	0.2581	0.2883
12	6 hour	20%	10	35.50	1.00	0.3657	0.2854	0.1824	0.6626	0.1278	0.2930	0.3001
13	9 hour	20%	1	40.70	1.00	0.1294	0.1055	0.0881	0.2403	0.0589	0.1291	0.1273
13	9 hour	20%	2	40.70	1.00	0.1393	0.0964	0.0893	0.2137	0.0551	0.1373	0.1434
13	9 hour	20%	3	40.70	1.00	0.1590	0.1136	0.1312	0.2501	0.0629	0.1375	0.1942
13	9 hour	20%	4	40.70	1.00	0.2077	0.1455	0.1377	0.3176	0.0827	0.1613	0.2059
13	9 hour	20%	5	40.70	1.00	0.1325	0.0984	0.1131	0.2311	0.0660	0.0956	0.1747
13	9 hour	20%	6	40.70	1.00	0.1518	0.1133	0.1405	0.2625	0.0808	0.1046	0.2131
13	9 hour	20%	7	40.70	1.00	0.1752	0.1287	0.1095	0.2981	0.0660	0.1350	0.1749
13	9 hour	20%	8	40.70	1.00	0.2175	0.1607	0.2006	0.3770	0.1088	0.1578	0.2945
13	9 hour	20%	9	40.70	1.00	0.1983	0.1482	0.1738	0.3578	0.1010	0.1599	0.2610
13	9 hour	20%	10	40.70	1.00	0.2648	0.1942	0.1961	0.4585	0.1083	0.1782	0.2873
14	12 hour	20%	1	44.70	1.00	0.1106	0.0798	0.0801	0.1956	0.0507	0.0993	0.1261

14	12 hour	20%	2	44.70	1.00	0.1624	0.1167	0.0877	0.2826	0.0783	0.1623	0.1606
14	12 hour	20%	3	44.70	1.00	0.0892	0.0606	0.0548	0.1391	0.0366	0.0731	0.0877
14	12 hour	20%	4	44.70	1.00	0.1155	0.0860	0.0931	0.1959	0.0580	0.0833	0.1485
14	12 hour	20%	5	44.70	1.00	0.1270	0.0977	0.1223	0.2310	0.0700	0.1154	0.1855
14	12 hour	20%	6	44.70	1.00	0.0590	0.0405	0.0581	0.0927	0.0346	0.0548	0.0925
14	12 hour	20%	7	44.70	1.00	0.1447	0.1050	0.1252	0.2384	0.0690	0.1202	0.1859
14	12 hour	20%	8	44.70	1.00	0.1847	0.1295	0.1628	0.3083	0.0806	0.1395	0.2315
14	12 hour	20%	9	44.70	1.00	0.3112	0.2105	0.2265	0.4881	0.1147	0.1940	0.3374
14	12 hour	20%	10	44.70	1.00	0.2534	0.1694	0.1543	0.3637	0.0911	0.2026	0.2319
15	18 hour	20%	1	50.70	1.00	0.0522	0.0404	0.0523	0.0897	0.0366	0.0522	0.0881
15	18 hour	20%	2	50.70	1.00	0.1335	0.0898	0.0892	0.2115	0.0729	0.1272	0.1487
15	18 hour	20%	3	50.70	1.00	0.0717	0.0615	0.0496	0.1368	0.0401	0.0769	0.0897
15	18 hour	20%	4	50.70	1.00	0.0541	0.0432	0.0590	0.1021	0.0362	0.0504	0.0925
15	18 hour	20%	5	50.70	1.00	0.0909	0.0706	0.0613	0.1450	0.0453	0.0994	0.0971
15	18 hour	20%	6	50.70	1.00	0.0525	0.0396	0.0408	0.0928	0.0308	0.0495	0.0716
15	18 hour	20%	7	50.70	1.00	0.0394	0.0284	0.0462	0.0668	0.0287	0.0343	0.0727
15	18 hour	20%	8	50.70	1.00	0.1009	0.0734	0.0965	0.1639	0.0529	0.0823	0.1494
15	18 hour	20%	9	50.70	1.00	0.0481	0.0360	0.0646	0.0832	0.0378	0.0435	0.1023
15	18 hour	20%	10	50.70	1.00	0.2474	0.1794	0.2037	0.4365	0.0915	0.1478	0.2941
16	24 hour	20%	1	55.20	1.00	0.0686	0.0468	0.0521	0.1075	0.0301	0.0619	0.0822
16	24 hour	20%	2	55.20	1.00	0.0741	0.0462	0.0485	0.1236	0.0312	0.0616	0.0773
16	24 hour	20%	3	55.20	1.00	0.1210	0.0830	0.0716	0.1778	0.0441	0.0983	0.1110
16	24 hour	20%	4	55.20	1.00	0.0426	0.0334	0.0396	0.0803	0.0246	0.0398	0.0642
16	24 hour	20%	5	55.20	1.00	0.0310	0.0226	0.0296	0.0533	0.0158	0.0298	0.0454
16	24 hour	20%	6	55.20	1.00	0.0290	0.0235	0.0270	0.0522	0.0147	0.0289	0.0417
16	24 hour	20%	7	55.20	1.00	0.1064	0.0780	0.0876	0.1914	0.0512	0.0878	0.1278
16	24 hour	20%	8	55.20	1.00	0.0965	0.0728	0.0853	0.1731	0.0486	0.0741	0.1274
16	24 hour	20%	9	55.20	1.00	0.1165	0.0819	0.1206	0.1852	0.0582	0.0840	0.1720
16	24 hour	20%	10	55.20	1.00	0.0526	0.0387	0.0518	0.0902	0.0335	0.0481	0.0833
17	30 hour	20%	1	58.70	1.00	0.0674	0.0462	0.0391	0.1086	0.0285	0.0626	0.0672
17	30 hour	20%	2	58.70	1.00	0.0469	0.0297	0.0473	0.0776	0.0295	0.0386	0.0752
17	30 hour	20%	3	58.70	1.00	0.0637	0.0469	0.0612	0.1105	0.0340	0.0546	0.0938
17	30 hour	20%	4	58.70	1.00	0.0204	0.0146	0.0249	0.0348	0.0120	0.0168	0.0362
17	30 hour	20%	5	58.70	1.00	0.1042	0.0735	0.0801	0.1699	0.0366	0.0793	0.1166
17	30 hour	20%	6	58.70	1.00	0.0287	0.0195	0.0282	0.0473	0.0161	0.0236	0.0430
17	30 hour	20%	7	58.70	1.00	0.0790	0.0560	0.0567	0.1249	0.0290	0.0630	0.0857
17	30 hour	20%	8	58.70	1.00	0.0366	0.0255	0.0446	0.0613	0.0271	0.0319	0.0693
17	30 hour	20%	9	58.70	1.00	0.0367	0.0255	0.0323	0.0609	0.0192	0.0323	0.0498
17	30 hour	20%	10	58.70	1.00	0.0509	0.0383	0.0520	0.0926	0.0341	0.0441	0.0806
18	36 hour	20%	1	61.50	1.00	0.0354	0.0246	0.0424	0.0592	0.0258	0.0306	0.0660
18	36 hour	20%	2	61.50	1.00	0.0430	0.0339	0.0373	0.0785	0.0275	0.0413	0.0616
18	36 hour	20%	3	61.50	1.00	0.0270	0.0194	0.0254	0.0428	0.0141	0.0250	0.0396
18	36 hour	20%	4	61.50	1.00	0.0354	0.0233	0.0267	0.0546	0.0147	0.0302	0.0414
18	36 hour	20%	5	61.50	1.00	0.0295	0.0211	0.0264	0.0513	0.0150	0.0252	0.0413
18	36 hour	20%	6	61.50	1.00	0.0400	0.0294	0.0334	0.0698	0.0209	0.0366	0.0511
18	36 hour	20%	7	61.50	1.00	0.0288	0.0195	0.0293	0.0466	0.0179	0.0239	0.0471
18	36 hour	20%	8	61.50	1.00	0.0695	0.0490	0.0357	0.1095	0.0265	0.0582	0.0623
18	36 hour	20%	9	61.50	1.00	0.0985	0.0706	0.0789	0.1645	0.0392	0.0767	0.1153
18	36 hour	20%	10	61.50	1.00	0.1614	0.1118	0.1656	0.2554	0.0765	0.1143	0.2421
19	48 hour	20%	1	66.00	1.00	0.0336	0.0230	0.0260	0.0517	0.0154	0.0297	0.0405
19	48 hour	20%	2	66.00	1.00	0.0490	0.0340	0.0429	0.0763	0.0261	0.0371	0.0657
19	48 hour	20%	3	66.00	1.00	0.0689	0.0537	0.0730	0.1185	0.0400	0.0604	0.1087
19	48 hour	20%	4	66.00	1.00	0.1165	0.0907	0.0788	0.1934	0.0562	0.1189	0.1350
19	48 hour	20%	5	66.00	1.00	0.0420	0.0300	0.0304	0.0724	0.0200	0.0371	0.0504

19	48 hour	20%	6	66.00	1.00	0.0865	0.0659	0.0777	0.1531	0.0482	0.0688	0.1115
19	48 hour	20%	7	66.00	1.00	0.0450	0.0337	0.0356	0.0804	0.0261	0.0412	0.0570
19	48 hour	20%	8	66.00	1.00	0.0291	0.0201	0.0215	0.0450	0.0140	0.0257	0.0348
19	48 hour	20%	9	66.00	1.00	0.1121	0.0786	0.0989	0.1807	0.0478	0.0839	0.1467
19	48 hour	20%	10	66.00	1.00	0.0403	0.0291	0.0344	0.0673	0.0206	0.0365	0.0551
20	72 hour	20%	1	72.30	1.00	0.0150	0.0081	0.0153	0.0221	0.0056	0.0084	0.0209
20	72 hour	20%	2	72.30	1.00	0.0372	0.0266	0.0354	0.0656	0.0257	0.0325	0.0564
20	72 hour	20%	3	72.30	1.00	0.0172	0.0110	0.0149	0.0278	0.0063	0.0121	0.0208
20	72 hour	20%	4	72.30	1.00	0.0325	0.0224	0.0219	0.0516	0.0130	0.0284	0.0349
20	72 hour	20%	5	72.30	1.00	0.0298	0.0211	0.0219	0.0477	0.0123	0.0265	0.0325
20	72 hour	20%	6	72.30	1.00	0.0110	0.0045	0.0076	0.0150	0.0020	0.0039	0.0096
20	72 hour	20%	7	72.30	1.00	0.0150	0.0035	0.0069	0.0159	0.0017	0.0029	0.0085
20	72 hour	20%	8	72.30	1.00	0.0358	0.0245	0.0232	0.0572	0.0140	0.0314	0.0372
20	72 hour	20%	9	72.30	1.00	0.0429	0.0308	0.0329	0.0711	0.0184	0.0382	0.0514
20	72 hour	20%	10	72.30	1.00	0.0445	0.0329	0.0315	0.0731	0.0173	0.0400	0.0487
21	96 hour	20%	1	77.20	1.00	0.0460	0.0351	0.0442	0.0836	0.0352	0.0418	0.0790
21	96 hour	20%	2	77.20	1.00	0.0360	0.0258	0.0420	0.0635	0.0292	0.0316	0.0711
21	96 hour	20%	3	77.20	1.00	0.0168	0.0096	0.0115	0.0263	0.0050	0.0104	0.0165
21	96 hour	20%	4	77.20	1.00	0.0440	0.0291	0.0304	0.0689	0.0155	0.0323	0.0459
21	96 hour	20%	5	77.20	1.00	0.0179	0.0111	0.0131	0.0287	0.0059	0.0124	0.0190
21	96 hour	20%	6	77.20	1.00	0.0371	0.0253	0.0235	0.0587	0.0125	0.0269	0.0360
21	96 hour	20%	7	77.20	1.00	0.0182	0.0118	0.0146	0.0280	0.0078	0.0135	0.0224
21	96 hour	20%	8	77.20	1.00	0.0327	0.0222	0.0258	0.0540	0.0137	0.0274	0.0395
21	96 hour	20%	9	77.20	1.00	0.0867	0.0620	0.0782	0.1441	0.0377	0.0658	0.1063
21	96 hour	20%	10	77.20	1.00	0.0413	0.0303	0.0272	0.0676	0.0162	0.0376	0.0434
22	120 hour	20%	1	81.40	1.00	0.0323	0.0231	0.0350	0.0568	0.0253	0.0278	0.0601
22	120 hour	20%	2	81.40	1.00	0.0277	0.0196	0.0295	0.0471	0.0201	0.0236	0.0496
22	120 hour	20%	3	81.40	1.00	0.0098	0.0043	0.0107	0.0142	0.0028	0.0036	0.0135
22	120 hour	20%	4	81.40	1.00	0.0208	0.0078	0.0157	0.0264	0.0048	0.0079	0.0204
22	120 hour	20%	5	81.40	1.00	0.0247	0.0132	0.0209	0.0371	0.0098	0.0146	0.0300
22	120 hour	20%	6	81.40	1.00	0.0465	0.0343	0.0314	0.0764	0.0178	0.0413	0.0493
22	120 hour	20%	7	81.40	1.00	0.0328	0.0226	0.0209	0.0521	0.0132	0.0287	0.0340
22	120 hour	20%	8	81.40	1.00	0.0778	0.0605	0.0766	0.1415	0.0494	0.0626	0.1260
22	120 hour	20%	9	81.40	1.00	0.0180	0.0110	0.0114	0.0276	0.0059	0.0125	0.0173
22	120 hour	20%	10	81.40	1.00	0.0765	0.0553	0.0680	0.1289	0.0358	0.0599	0.0938
23	144 hour	20%	1	85.40	1.00	0.0282	0.0185	0.0183	0.0447	0.0106	0.0229	0.0289
23	144 hour	20%	2	85.40	1.00	0.0636	0.0461	0.0531	0.1040	0.0241	0.0518	0.0767
23	144 hour	20%	3	85.40	1.00	0.0321	0.0231	0.0313	0.0548	0.0202	0.0281	0.0477
23	144 hour	20%	4	85.40	1.00	0.0284	0.0194	0.0262	0.0465	0.0142	0.0237	0.0398
23	144 hour	20%	5	85.40	1.00	0.0258	0.0173	0.0213	0.0405	0.0131	0.0212	0.0343
23	144 hour	20%	6	85.40	1.00	0.0504	0.0370	0.0361	0.0826	0.0192	0.0437	0.0554
23	144 hour	20%	7	85.40	1.00	0.0222	0.0148	0.0142	0.0346	0.0083	0.0177	0.0225
23	144 hour	20%	8	85.40	1.00	0.0143	0.0064	0.0101	0.0210	0.0029	0.0057	0.0128
23	144 hour	20%	9	85.40	1.00	0.0346	0.0251	0.0387	0.0594	0.0220	0.0307	0.0594
23	144 hour	20%	10	85.40	1.00	0.0957	0.0727	0.0946	0.1666	0.0562	0.0731	0.1395
24	168 hour	20%	1	89.40	1.00	0.0232	0.0167	0.0234	0.0359	0.0122	0.0205	0.0345
24	168 hour	20%	2	89.40	1.00	0.0256	0.0200	0.0185	0.0429	0.0102	0.0216	0.0287
24	168 hour	20%	3	89.40	1.00	0.0309	0.0208	0.0237	0.0523	0.0148	0.0250	0.0363
24	168 hour	20%	4	89.40	1.00	0.1204	0.0842	0.1088	0.1951	0.0437	0.0846	0.1447
24	168 hour	20%	5	89.40	1.00	0.0264	0.0107	0.0175	0.0343	0.0088	0.0120	0.0246
24	168 hour	20%	6	89.40	1.00	0.0330	0.0223	0.0228	0.0541	0.0128	0.0278	0.0356
24	168 hour	20%	7	89.40	1.00	0.0071	0.0018	0.0047	0.0080	0.0007	0.0013	0.0051
24	168 hour	20%	8	89.40	1.00	0.0316	0.0209	0.0324	0.0510	0.0204	0.0263	0.0499
24	168 hour	20%	9	89.40	1.00	0.0866	0.0610	0.0782	0.1418	0.0325	0.0649	0.1078

24	168 hour	20%	10	89.40	1.00	0.0182	0.0118	0.0132	0.0279	0.0064	0.0135	0.0186
Run,	Representative hydrograph											
1	dur10min_aep20tp5.out											
Run,	Representative hydrograph											
2	dur15min_aep20tp6.out											
Run,	Representative hydrograph											
3	dur20min_aep20tp7.out											
Run,	Representative hydrograph											
4	dur25min_aep20tp7.out											
Run,	Representative hydrograph											
5	dur30min_aep20tp4.out											
Run,	Representative hydrograph											
6	dur45min_aep20tp6.out											
Run,	Representative hydrograph											
7	dur1hour_aep20tp5.out											
Run,	Representative hydrograph											
8	dur1_5hour_aep20tp6.out											
Run,	Representative hydrograph											
9	dur2hour_aep20tp8.out											
Run,	Representative hydrograph											
10	dur3hour_aep20tp5.out											
Run,	Representative hydrograph											
11	dur4_5hour_aep20tp5.out											
Run,	Representative hydrograph											
12	dur6hour_aep20tp1.out											
Run,	Representative hydrograph											
13	dur9hour_aep20tp4.out											
Run,	Representative hydrograph											
14	dur12hour_aep20tp5.out											
Run,	Representative hydrograph											
15	dur18hour_aep20tp5.out											
Run,	Representative hydrograph											
16	dur24hour_aep20tp10.out											
Run,	Representative hydrograph											
17	dur30hour_aep20tp2.out											
Run,	Representative hydrograph											
18	dur36hour_aep20tp2.out											
Run,	Representative hydrograph											
19	dur48hour_aep20tp2.out											
Run,	Representative hydrograph											
20	dur72hour_aep20tp4.out											
Run,	Representative hydrograph											
21	dur96hour_aep20tp10.out											
Run,	Representative hydrograph											
22	dur120hour_aep20tp6.out											
Run,	Representative hydrograph											
23	dur144hour_aep20tp3.out											
Run,	Representative hydrograph											
24	dur168hour_aep20tp6.out											

Elapsed Run Time (hh:mm:ss) = 00:01:45

## **APPENDIX E: PC CONVEY RESULT**

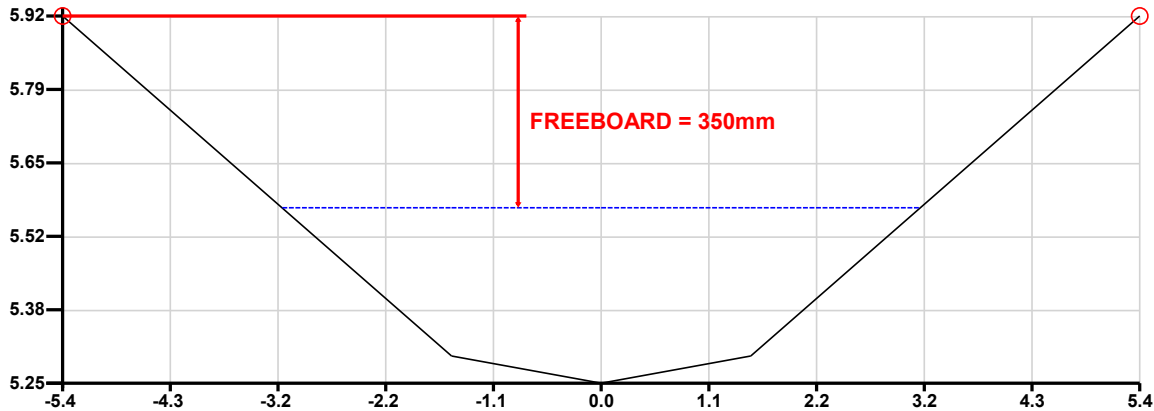
**PROJECT: 2000243-Wollaston OFLP 10m**

**Comment**

Print-out date: 27/08/2021 - Time: 2:06

Data File: C:\Users\nurhalim\Documents\Lola\Work BevWill-Temp\OFLP 10m.dat

**1. CROSS-SECTION:**



**2. DISCHARGE INFORMATION:**

100 year (1%) storm event

Total discharge = 0.9 cumecs

There is no pipe discharge

Overland / Channel / Watercourse discharge = 0.900 cumecs

**3. RESULTS: Water surface elevation = 5.570m**

High Flow Channel grade = 1 in 200, Main Channel / Low Flow Channel grade = 1 in 200.

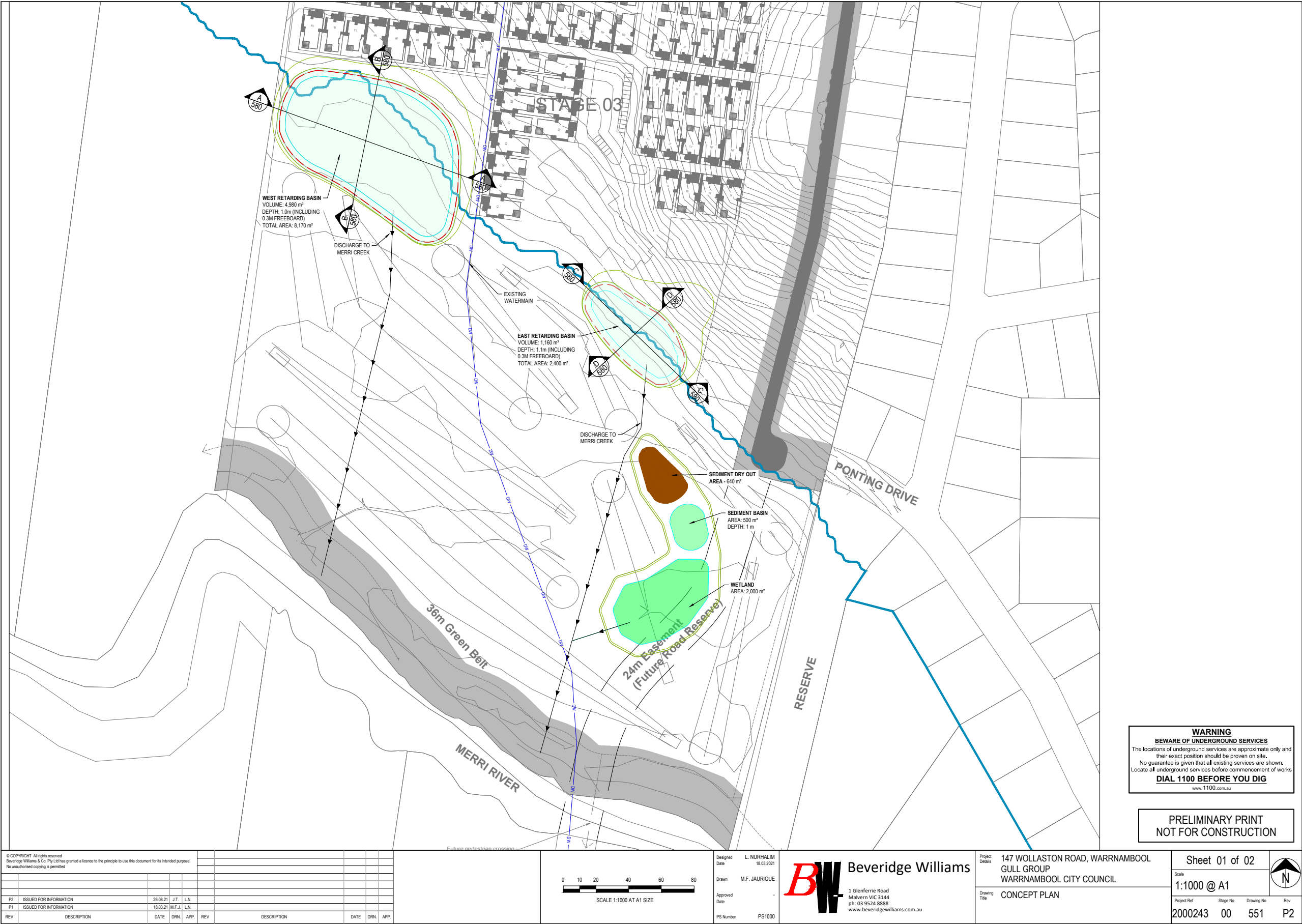
	LEFT OVERBANK	MAIN CHANNEL	RIGHT OVERBANK	TOTAL CROSS-SECTION
Discharge (cumecs):	0.00	0.95	0.00	0.95
D(Max) = Max. Depth (m):	0.00	0.32	0.00	0.32
D(Ave) = Ave. Depth (m):	0.00	0.21	0.00	0.21
V = Ave. Velocity (m/s):	0.00	0.71	0.00	0.71
D(Max) x V (cumecs/m):	0.00	0.23	0.00	0.23
D(Ave) x V (cumecs/m):	0.00	0.15	0.00	0.15
Froude Number:	0.00	0.50	0.00	0.50
Area (m <sup>2</sup> ):	0.00	1.34	0.00	1.34
Wetted Perimeter (m):	0.00	6.44	0.00	6.44
Flow Width (m):	0.00	6.40	0.00	6.40
Hydraulic Radius (m):	0.00	0.21	0.00	0.21
Composite Manning's n:	0.000	0.035	0.000	0.035
Split Flow?	-	-	-	No

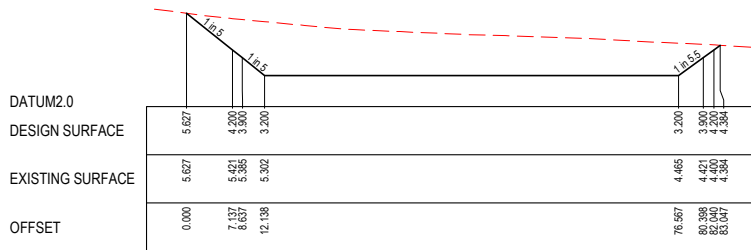
**4. CROSS-SECTION DATA:**

SEGMENT NO.	LEFT HAND POINT		RIGHT HAND POINT		MANNING'S N
	CHAINAGE (m)	R.L. (m)	CHAINAGE (m)	R.L. (m)	
1	-5.400	5.920	-1.500	5.300	0.035
2	-1.500	5.300	0.000	5.250	0.035
3	0.000	5.250	1.500	5.300	0.035
4	1.500	5.300	5.400	5.920	0.035

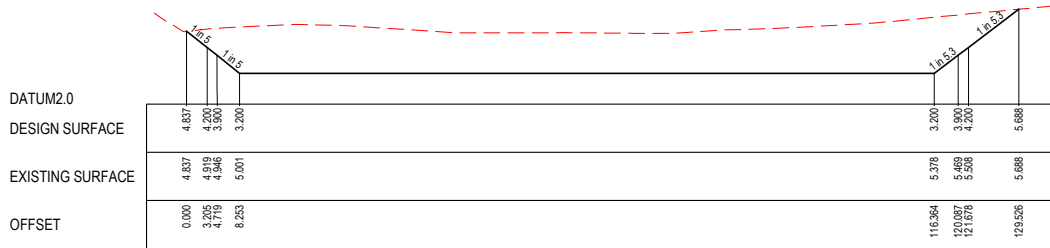


## **APPENDIX F: CONCEPT LAYOUT PLAN AND CROSS SECTIONS PLAN**



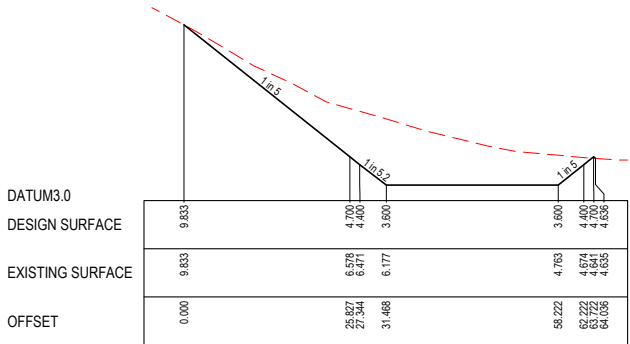


SECTION B-B

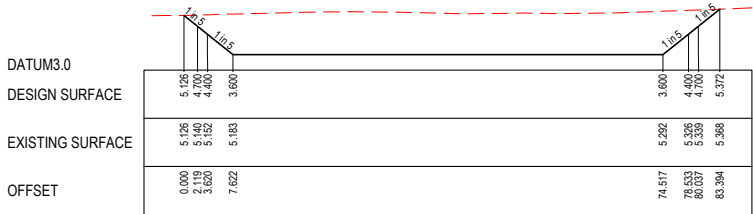


SECTION A-A

WEST SECTIONS



SECTION D-D



SECTION C-C

EAST SECTIONS

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P1	ISSUED FOR INFORMATION	18.03.21	M.F.J.	L.N.					
REV	DESCRIPTION	DATE	DRN	APP	REV	DESCRIPTION	DATE	DRN	APP

Designed	L. NURHALIM
Date	18.03.2021
Drawn	M.F. JAURIGUE
Approved	-
Date	
PS Number	PS1000

BW

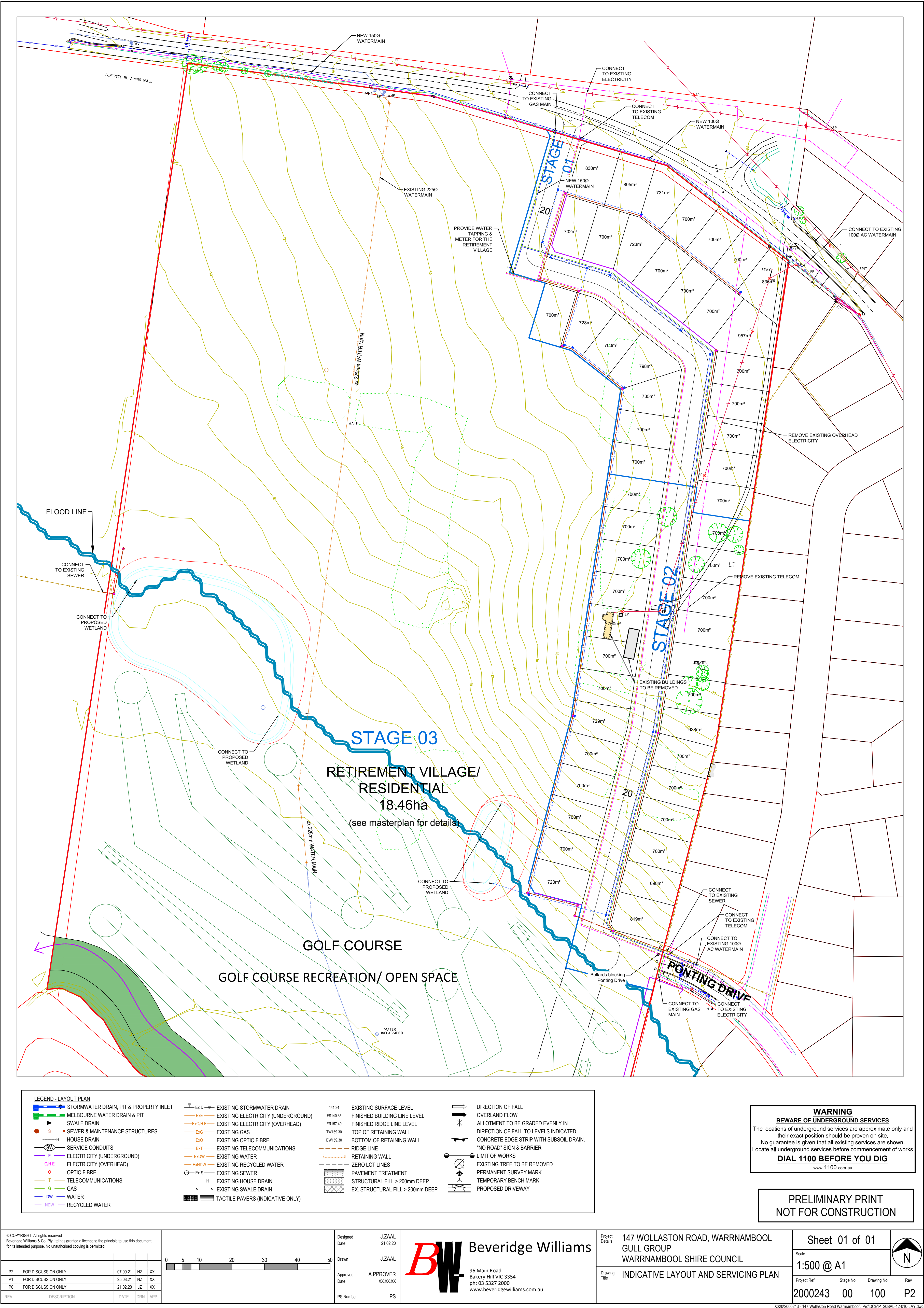
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Project Details	147 WOLLASTON ROAD, WARRNAMBOOL GULL GROUP WARRNAMBOOL CITY COUNCIL
Drawing Title	SECTIONS

Sheet 02 of 02			
Scale AS SHOWN			
Project Ref	Stage No	Drawing No	Rev
2000243	00	580	P2



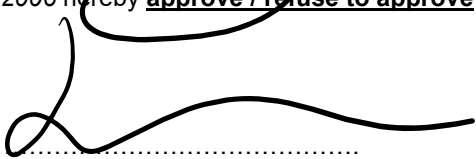




*Aboriginal Heritage Act 2006*  
Section 65

## Cultural Heritage Management Plan – Notice of Approval

<b>CHMP Name:</b> Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool	
<b>CHMP Number:</b> 17386	
<b>Sponsor:</b> Wollaston Developments Pty Ltd	<b>ABN:</b> 638 859 622
<b>Heritage Advisor(s):</b> Renee McAlister	
<b>Author(s):</b> Renee McAlister, Claire Nicholls and Simon Coxe ( Heritage Insight Pty Ltd)	
<b>Cover date:</b> 15 April 2021	<b>Pages:</b> vi + 130

TO BE COMPLETED BY THE SECRETARY (OR DELEGATE)	Yes	No
<b>I have considered the Evaluation Report for this CHMP and:</b>		
<i>I am satisfied that the CHMP has been prepared in accordance with the standards prescribed for the purposes of section 53 of the Aboriginal Heritage Act 2006.</i>	✓	
<i>I am satisfied that the CHMP adequately addresses the matters set out in section 61.</i>	✓	
<i>In considering this application, I consulted with and considered the views of Aboriginal persons or bodies I considered relevant to the application.</i>	✓	
<i>I have given proper consideration to any relevant human rights</i>	✓	
<p>I, Harry Webber, Director Heritage Services Aboriginal Victoria, acting under authority delegated to me by the Secretary, Department of Premier and Cabinet, and pursuant to section 65(2) of the <i>Aboriginal Heritage Act 2006</i> hereby <u>approve / refuse to approve</u> this cultural heritage management plan:</p> <p>Signed:  HARRY WEBBER</p> <p>Dated: 13 May 2021</p>		
<ul style="list-style-type: none"><li>• This notice of approval must be inserted after the title page and bound with the body of the management plan.</li><li>• The conditions in this management plan are now compliance requirements. Officers from the Department of Premier and Cabinet may attend the subject land to monitor compliance with the conditions.</li></ul>		

## **Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool Cultural Heritage Management Plan**



**Aboriginal Victoria Management Plan Identifier: 17386**

**Sponsor: Wollaston Developments Pty Ltd**

**Heritage Advisor: Renee McAlister**

**Authors: Renee McAlister, Claire Nicholls and Simon Cox**

**April 15, 2021**



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## Title Page

TITLE:	Proposed residential subdivision and retirement community: 147 Wollaston Road
ACTIVITY:	Subdivision and retirement community development
LOCATION:	147 Wollaston Road
LEVEL OF ASSESSMENT:	Complex
SIZE OF ACTIVITY:	Medium
ABORIGINAL HERITAGE PRESENT:	No
AV PLAN IDENTIFIER:	17386
DATE OF COMPLETION:	April 15, 2021
SPONSOR:	Wollaston Developments Pty Ltd
ABN:	638 859 622
HERITAGE ADVISOR:	Renee McAlister
AUTHOR:	Renee McAlister, Simon Cox and Claire Nicholls

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Samantha Fidge  
Corey Harradin  
Hayden Harradin

### Heritage Insight Staff

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Data compilation:	Nessa Beasley
Report editing:	Bronwyn Hislop

### Belmara Industries

Steven Weir

### The Sponsor

Cameron Gull (Wollaston Developments Pty Ltd)



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*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

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*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

## Executive Summary

Compliance requirements are set out in Part 1 of the Cultural Heritage Management Plan.

This mandatory Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, Wollaston Developments Pty Ltd for the proposed development of a residential subdivision, retirement community and sporting facilities at 147 Wollaston Road.

The southern portion of the activity area is located in an area of cultural heritage sensitivity because it is located within 200m of Merri River (r.26). The proposed activity is a high impact activity because it is for the construction of a residential subdivision (r.49), a retirement community, and a golf course and bowling green, along with associated facilities and utilities (r.46).

This is a medium-sized CHMP conducted to the level of complex assessment.

The results of the desktop assessment noted that the activity area had been subject to previous archaeological assessment which identified low archaeological potential, but identified the land near Merri River as an area of archaeological potential and noted that Aboriginal Places had been identified nearby on similar farming land and landforms.

The standard assessment was undertaken by Margaret Reith (Heritage Insight Pty Ltd) on January 11, 2021. She was assisted by Thomas Matanis (Heritage Insight Pty Ltd), Hayden Harradine and Corey Harradine (Eastern Maar Aboriginal Corporation – EMAC). Survey accessibility was excellent with the entire activity area being able to be accessed and surveyed, however, poor ground surface inhibited effective survey coverage.

The complex assessment was conducted on January 11–15, 2021 by Margaret Reith, Thanos Matanis (Heritage Insight), Corey Harradine and Hayden Harradine (EMAC). Mechanical excavation was done by Steven Weir (Belmara Industries).

A total of four 1x1m test pits (TPs) and seven 1mx5m machine trenches (MTs; note: one was discontinued) were excavated across the activity area in order to assess the likelihood of Aboriginal cultural material being present and to establish a profile of the soils within the activity area. None of the TPs or MTs exposed Aboriginal cultural materials. It was concluded that the activity area contains low archaeological potential as it is located on both a steep slope (unsuitable for camping) and the flood plain adjacent Merri River. It was noted that the flood plain is regularly inundated and has likely been highly modified since European settlement.

No Aboriginal cultural material was located during this CHMP assessment.

*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
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**Abbreviations**

ACHRIS – Aboriginal Cultural Heritage Register and Information System  
ASL – Above Sea Level  
AV – Aboriginal Victoria  
CBD – Central Business District  
CHMP – Cultural Heritage Management Plan  
DBYD – Dial Before You Dig  
dGPS or differential GPS – Differential Global Positioning System  
DPC – Department of Premier and Cabinet  
EMAC – Eastern Maar Aboriginal Corporation  
EPA – Environmental Protection Authority  
EVC – Ecological Vegetation Class  
GDA94 – Geocentric Datum of Australia 1994  
GIS – Geographic Information Systems  
HA – Heritage Advisor  
HV – Heritage Victoria  
ICOMOS – International Council on Monuments and Sites  
LDAD – Low Density Artefact Distribution  
LGA – Local Government Area  
LGM – Last Glacial Maximum  
MGA – Map Grid of Australia  
MMBW – Melbourne & Metropolitan Board of Works  
MT – Machine Transect  
NDA – Net Developable Area  
NOI – Notice of Intent to Prepare a CHMP  
OHS – Occupational Health and Safety  
PAD – Potential Archaeological Deposit  
PAS – Potential Archaeological Sensitivity  
PSP – Precinct Structure Plan  
RAP – Registered Aboriginal Party  
RTP – Radial Shovel Test Pit  
SU – Survey Unit  
STP – Shovel Test Pit  
TO – Traditional Owner  
TP – Test Pit  
VAHC – Victorian Aboriginal Heritage Council  
VAHR – Victorian Aboriginal Heritage Register

**Please note that all maps and plans in this CHMP are prepared using Victorian Government Standard GDA94 MGA coordinates (Zone 54).**

**A glossary of terms is provided in Appendix 4.**

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## **Part One: Cultural Heritage Management Conditions**

These conditions become compliance requirements once the Cultural Heritage Management Plan is approved. Failure to comply with a condition is an offence under Section 67A of the *Aboriginal Heritage Act 2006*.

The Cultural Heritage Management Plan must be readily accessible to the Sponsor and their employees and contractors when carrying out the activity.

### **1.0 Cultural Heritage Management Conditions**

#### **1.1 General Cultural Heritage Management Conditions**

##### **1.1.1 Condition 1: Cultural Heritage Induction**

A cultural heritage induction must be conducted with all site workers/contractors involved in ground disturbing works by a heritage advisor and a representative of the Eastern Maar Aboriginal Corporation (EMAC) prior to, or at the commencement of, construction works.

The session must include a brief history of the Aboriginal occupation of the activity area and broader region; a summary of the archaeological investigations conducted within the activity area; specific details of all Aboriginal Places and heritage located during the CHMP assessment; a summary of the conditions and contingencies contained within the CHMP; and the obligations of site workers/contractors and Sponsors under the Victorian *Aboriginal Heritage Act 2006*.

The main aim of the cultural heritage induction is to explain the procedures outlined in the CHMP; to show the site contractors examples of the most likely Aboriginal cultural heritage material to be located within the activity area; and to explain the procedure outlined in the contingency plan section of the CHMP in the unlikely event that this material is uncovered by them during the course of construction works.

The cultural heritage induction must be organised and paid for by the Sponsor.

##### **1.1.2 Condition 2: Contingency Plans**

There must also be a system for reporting any possible Aboriginal cultural heritage which may be discovered or uncovered during the conduct of the proposed activity. To this end, the contingency plans in Section 2 must be incorporated into the development documentation and risk assessment for the project.

##### **1.1.3 Condition 3: Approved CHMP to be Kept On-site**

An approved hard copy of this management plan must be held on-site for the duration of the activity.

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## 2.0 Contingency Plans

The approved form for a CHMP states that in accordance with Clause 13(1) Schedule 2 of the *Aboriginal Heritage Regulations 2018*, a management plan must also include specific contingency plans for:

- (a) the matters referred to in Section 61 of the *Aboriginal Heritage Act 2006*;
- (b) the resolution of any disputes between the Sponsor and relevant RAPs in relation to the implementation of an approved management plan or the conduct of the activity (if a RAP is evaluating the management plan);
- (c) reviewing compliance with the management plan and mechanisms for remedying non-compliance;
- (d) the management of Aboriginal cultural heritage found during the activity; and
- (e) the notification, in accordance with the *Aboriginal Heritage Act 2006*, of the discovery of Aboriginal cultural heritage during the carrying out of the activity.

Contingency plans are required even in situations where it has been assessed that there is a low probability of Aboriginal cultural heritage being located within an activity area.

If the activity is a subdivision referred to in r.49, a management plan must also include specific contingency plans [Clause 13(2) Schedule 2 of the Regulations] for:

- (a) how each lot is intended to be used or developed by the Sponsor; or
- (b) if a lot is not intended to be used or developed by the Sponsor; the use or development of the lot permitted by the relevant planning scheme.

Permitted uses for the subdivision will be compliant with the General Residential Zone – Schedule 1 (GRZ1) of the City of Warrnambool (Appendix 5).

### 2.1 Section 61 Matters

Section 61 of the *Aboriginal Heritage Act 2006* is concerned with the avoidance and/or minimisation of harm to Aboriginal cultural heritage and with any specific measures required for the management of Aboriginal cultural heritage during and following the activity. Section 61 matters pertaining to previously unknown, unexpected or undiscovered cultural heritage that is discovered, uncovered or may become exposed during the conduct of the activity are discussed in Section 2.3.

### 2.2 Dispute Resolution

In the event of a dispute between the Sponsor and the Eastern Maar Aboriginal Corporation (EMAC) over the implementation of this CHMP, the following must occur:

- details of the dispute should be documented by both the EMAC and the Sponsor;
- representatives of the Sponsor and the EMAC should organise a meeting as soon as possible to attempt to resolve the dispute;
- the understanding of the issue by both parties should be clearly stated by the relevant representatives during the course of the meeting;
- if desired by both parties, external mediation by a third party may occur during the meeting;

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- the objective of the meeting should be to discuss and arrive at an understanding of the matter being disputed and reach a negotiated settlement of the dispute. This may include a formal protocol between the Sponsor and the EMAC; and
- the resolution to the dispute should be recorded in writing and signed by both parties.

## **2.3 Discovery of Aboriginal Cultural Heritage During Works**

### **2.3.1 Unexpected Discovery of Human Remains**

If any suspected human remains are found during any activity, works must cease. The Victoria Police and the State Coroner's Office should be notified immediately. If there are reasonable grounds to believe the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted immediately on 1300 888 544. This advice has been developed further and is described in the following 5-step contingency plan.

Any such discovery at the activity area must follow these steps.

#### **1. Discovery:**

- a) If suspected human remains are discovered, all activity in the vicinity must stop; and
- b) The remains must be left in place, and protected from harm or damage.

#### **2. Notification:**

- a) If suspected human remains have been found, the State Coroner's Office and the Victoria Police must be notified immediately;
- b) If there is reasonable grounds to believe the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on 1300 888 544;
- c) The EMAC must also be independently informed of the discovery;
- d) All details of the location and nature of the human remains must be provided to the relevant authorities; and
- e) If it is confirmed by these authorities the discovered remains are Aboriginal Ancestral Remains, the person responsible for the activity must report the existence of them to the Victorian Aboriginal Heritage Council in accordance with section 17 of the *Aboriginal Heritage Act 2006*.

#### **3. Impact Mitigation or Salvage:**

- a) The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal Ancestral Remains, will determine the appropriate course of action as required by section 18(2)(b) of the *Aboriginal Heritage Act 2006*; and
- b) An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor.

#### **4. Curation and Further Analysis:**

- a) The treatment of salvaged Aboriginal Ancestral Remains must be in accordance with the direction of the Victorian Aboriginal Heritage Council.

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5. Reburial:

- a) Any reburial site(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details provided to Aboriginal Victoria; and
- b) Appropriate management measures must be implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future.

**Note:**

- a) do not take any photographs without the express request of the Coroners Office; and
- b) do not contact the media.

**2.3.2 Unexpected Discovery of Other Aboriginal Cultural Heritage**

In the event that unexpected Aboriginal cultural heritage is discovered in the activity area, the following steps must be taken:

- a) all works must cease and temporary webbing or fencing erected without ground disturbance at a distance of 10m (buffer zone) around the location of the suspected Aboriginal cultural heritage, with signage displayed at all times clearly identifying the location as a 'no-go zone'. A heritage advisor must be notified of the discovery by the site supervisor within two working days. The heritage advisor must then contact the EMAC to facilitate their participation in investigating the suspected discovery. Work may continue in other parts of the activity area away from the buffer zone;
- b) the EMAC must be contacted in the first instance. A heritage advisor must facilitate their involvement. This will include an on-site investigation and assessment of the significance of the suspected Aboriginal cultural heritage;
- c) the suspected Aboriginal cultural heritage must be examined by a qualified heritage advisor, a representative of the EMAC and a representative of the Sponsor. Within a period not exceeding five working days, the heritage advisor, in consultation with the EMAC will make a decision or recommendation regarding the appropriate management of the Aboriginal cultural heritage and how to proceed with works;
- d) if the find is confirmed as Aboriginal cultural heritage, the heritage advisor must record and register the Aboriginal Places with the VAHR. This includes recording the location of the cultural material with a differential GPS and photography of the location of the cultural heritage. Additional measures to manage or salvage the Aboriginal cultural heritage must also be provided (see Section 2.3.3); and
- e) if the find is determined to not be Aboriginal cultural heritage, works at the location may recommence and temporary fencing and signage must be removed.

**2.3.3 Management or Salvage of Aboriginal Cultural Heritage Discovered During the Activity**

Section 2.1 stipulates that Section 61 of the *Aboriginal Heritage Act 2006* is concerned with the avoidance and/or minimisation of harm to Aboriginal cultural heritage during and following the activity. This section outlines the steps that must be followed when there is an unexpected discovery of Aboriginal cultural heritage during the activity (confirmed at time of inspection as outlined in Section 2.3.2).



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- a) the heritage advisor, in consultation with the Sponsor and the EMAC, must provide a process to be followed to manage or salvage the Aboriginal cultural heritage in a manner which complies with the *Aboriginal Heritage Regulations 2018* and which is culturally appropriate. This process must be provided within a period not exceeding five working days of the Aboriginal cultural heritage being inspected and confirmed; and
- b) a process to manage or salvage the Aboriginal cultural heritage must consider the significance of the find in relation to the known archaeological and cultural heritage significance of existing Aboriginal Places in the region surrounding the activity area (see below).

In addition to recording and registering the Aboriginal cultural heritage (Section 2.3.2):

- c) an Aboriginal Place that is determined to be a commonly occurring archaeological site type by a heritage advisor in consultation with the EMAC, for example, isolated stone artefacts or fewer than five (5) artefacts (in either a surface or subsurface context) or fragmented shell midden material:
  - i. must be collected (salvaged) and the appropriate documentation completed and submitted to AV. Post-salvage management of Aboriginal cultural material is discussed in Section 2.5; and
  - ii. no further management of the Aboriginal Place is required once the above step has been completed to the satisfaction of the Sponsor, heritage advisor and the EMAC.
- d) an Aboriginal Place that is determined to be a less commonly occurring archaeological site type, for example, medium to high density artefact scatters, stratified occupation deposits, hearths or stratified middens:
  - i. must be protected in the first instance. A meeting with the Sponsor, heritage advisor and the EMAC must be held to discuss strategies for avoiding harm to the Aboriginal cultural heritage. If it is not possible to protect the Place in its entirety, a process to minimise harm to the Aboriginal cultural heritage must be developed. If it is not possible to minimise harm, a salvage process must be designed that uses an appropriate methodology as defined by the *Guide to Preparing a Cultural Heritage Management Plan* (Aboriginal Victoria 2016), *Guidelines for Conducting and Reporting on Aboriginal Cultural Heritage Investigations* (Aboriginal Victoria 2018a) and *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018b);
  - ii. at the conclusion of salvage works, the Aboriginal cultural heritage removed from the location must be recorded, catalogued and analysed and a salvage report produced of the salvage works. The salvage report must meet the standards as outlined in *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018b) and be submitted to AV, the RAP and the Sponsor within six months of the completion of fieldwork, as well as registering any updates to the existing Place registration on the VAHR. Post-salvage management of Aboriginal cultural material is discussed in Section 2.5;
  - iii. in the event that the Aboriginal cultural heritage is protected or a process of harm minimisation is developed, works may recommence near the location of the Aboriginal cultural heritage once the agreed measures have been put in place to the satisfaction of the Sponsor, heritage advisor and the EMAC; and

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- iv. in the event that salvage of the Aboriginal cultural heritage is undertaken, works may recommence within or near the location of the Aboriginal cultural heritage when the on-site salvage and recording has been completed to the satisfaction of the Sponsor, heritage advisor and the EMAC.
- e) an Aboriginal Place that is determined to be a rarely occurring or unique archaeological site type, for example, earth features (mounds, rings and ovens), quarries or stone arrangements:
  - i. must be protected; and
  - ii. works may only recommence near the location of the Aboriginal cultural heritage once the agreed protection measures have been put in place to the satisfaction of the Sponsor, heritage advisor and the EMAC.

#### **2.3.4 Protocol for Handling Sensitive Information**

Where Aboriginal cultural heritage is identified before, during or after the proposed activity, the Sponsor and heritage advisor must ensure that all actions carried out to manage and protect Aboriginal cultural heritage are completed in a culturally appropriate manner. The Secretary and the EMAC consider all Aboriginal Places, objects and Ancestral Remains to be culturally sensitive.

Accordingly, unless undertaken by the heritage advisor for the purposes of recording Aboriginal Places or objects, during the course of implementing the management conditions, there must not be any contact with the media, including the use of social media, photography, film and digital images in relation to any aspect of Aboriginal cultural heritage without the written permission of the Secretary and the EMAC.

#### **2.4 Reporting Discovery of Aboriginal Cultural Heritage During Works**

It is a requirement to report the discovery of an Aboriginal Place or object to the Secretary as soon as practicable under the *Aboriginal Heritage Act 2006* (Section 24). A system of reporting any possible Aboriginal cultural heritage items which are discovered during works must be built into the development documentation and risk assessment for the site (see Section 2.3.1 and 2.3.2).

The Sponsor must appoint a suitably qualified heritage advisor for the duration of the project. The heritage advisor will need to:

- a) be available to visit the site and inspect any reported items of suspected Aboriginal cultural heritage that may be found during works;
- b) facilitate the involvement of the EMAC during the investigation of the suspected Aboriginal cultural heritage, completion of Aboriginal Place documentation and the further management or salvage of the cultural heritage;
- c) facilitate the involvement of an appropriately qualified archaeologist for any required excavation works;
- d) document any items of Aboriginal cultural heritage that are found during works and report the Place/s to AV by means of registering the cultural heritage on the VAHR;
- e) advise on appropriate treatment or salvage of any Aboriginal cultural heritage; and
- f) provide adequate reporting on the treatment of any Aboriginal cultural heritage to standards required by AV.

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## **2.5 Management of Aboriginal Cultural Heritage Discovered During Works**

1. When previously unrecorded Aboriginal cultural material is located during the works, it will be the responsibility of the heritage advisor to:

- a) catalogue the Aboriginal cultural heritage;
- b) label and package the Aboriginal cultural heritage with reference to provenance;
- c) arrange storage of the Aboriginal cultural heritage in a secure location with copies of the catalogue and assessment documentation;
- d) at the conclusion of all site works and within a period of no longer than 12 months, the Aboriginal cultural heritage must be reburied together with relevant documentation in a durable sealed container, unless alternative arrangements are requested by the EMAC. The Aboriginal cultural heritage must be reburied at a location agreed upon with the EMAC. The reburial location must be recorded by a heritage advisor using a differential GPS, followed by lodgement of the relevant VAHR forms to AV for entry into the VAHR; and
- e) the Sponsor, as well as the EMAC, must be involved in the discussions about the reburial location to ensure that the reburied cultural heritage will not be disturbed in the future.

2. Custody of any Aboriginal cultural heritage material identified during the activity must be ascribed in the following order of priority:

- a) the EMAC;
- b) any relevant registered native title holder for the land from which the Aboriginal heritage is salvaged;
- c) any relevant native title party (as defined in the Act) for the land from which the Aboriginal heritage is salvaged;
- d) any relevant Aboriginal persons with traditional or familial links;
- e) any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal heritage relating to the land from which the Aboriginal heritage is salvaged;
- f) the owner of the land from which the Aboriginal heritage is salvaged; or
- g) Museum Victoria.

## **2.6 Reviewing Compliance with the Plan**

It is an offence under the *Aboriginal Heritage Act 2006* (s.27 and s.28) to harm Aboriginal cultural heritage unless it is in accordance with an approved CHMP or cultural heritage permit or Aboriginal cultural heritage land management agreement that applies specifically to that Aboriginal cultural heritage. Under the Act, an individual or corporate found responsible for harming Aboriginal cultural heritage can be subject to prosecution and a substantial fine. A person found guilty of an offence under s.27 of the Act is liable to a penalty not exceeding 1800 penalty units (individual), or 10 000 penalty units (corporate).

The Sponsor must ensure that compliance with this plan is reviewed. A review process must be incorporated in the risk assessment or similar document for the project. The management conditions in Section 1 must be listed in the risk assessment. There must also be a mechanism included (such as a checklist or database) to indicate when the management conditions for Aboriginal cultural heritage have been carried out. The Sponsor is responsible for maintaining this list. Any associated documentation which accompanies the conditions must be recorded on the checklist or database.

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The record of compliance must be maintained by the Sponsor at all times and must be available for inspection by either an Authorised Officer under the *Aboriginal Heritage Act 2006* or other representative of the Secretary. It is illegal to harm cultural heritage outside of the conditions contained within this CHMP. Authorised Officers from AV or Aboriginal Heritage Officers from the RAP may conduct CHMP compliance audits. A checklist is provided below that specifies what measures will be undertaken to review compliance with the CHMP. The Sponsor must verify that the measures specified below have been undertaken.

**Contingency Table 1: Checklist for reviewing compliance with CHMP 17368\***

	Yes	No	Date
<b>Prior to works occurring</b>			
1. Has the cultural heritage induction been completed by the heritage advisor and representative of the RAP?			
2. Have the contingency plans contained in Section 2 of this report been incorporated into the development documentation and risk assessment for the project?			
3. Is a copy of this CHMP kept on-site at all times for the duration of the activity?			
<b>Identification of human remains during works</b>			
1. Has <b>all</b> work ceased and has webbing or fencing been erected with 'no-go zone' signage displayed at all times?			
2. Have Victoria Police and the Coroner's Office (and the Coronial Admissions and Enquiries on 1300 888 544 for suspected Aboriginal Ancestral Remains) been notified?			
3. Has a suitably qualified heritage advisor been engaged to document the find?			
4. If the remains are confirmed as Aboriginal Ancestral Remains, has the VAHC been notified?			
5. Have the VAHC management measures for the Aboriginal Ancestral Remains been implemented?			
<b>Identification of unexpected Aboriginal cultural heritage during works</b>			
1. Has all activity within 10m ceased and has webbing or fencing been installed with 'no-go zone' signage displayed at all times?			
2. Have a heritage advisor and the EMAC been notified?			
3. Has an on-site investigation of the suspected Aboriginal cultural heritage taken place?			
4. Has harm to Aboriginal cultural heritage occurred?			
5. Has an appropriate mitigation/salvage strategy been developed and/or implemented?			
6. Has the salvaged cultural heritage been treated in accordance with the direction of the EMAC?			
<b>Reburial Procedure for Aboriginal cultural heritage</b>			
1. Once a reburial site has been agreed upon with the EMAC has a suitably qualified heritage advisor been engaged to fully document the location when the reburial takes place?			
2. Has the reburial location been clearly marked, accurately recorded and details provided to the VAHR?			
3. Has a strategy been developed to ensure no further disturbance?			

\*Review of this CHMP can be undertaken at any time by project delegates representing the Sponsor, or by an agreed independent reviewer to ensure that the Sponsor, heritage advisor and EMAC are complying with the terms of this CHMP.

## 2.7 Resolution of Non-Compliance with the Plan

Compliance with the conditions of an approved CHMP is a requirement of the *Aboriginal Cultural Heritage Act 2006*. To ensure compliance with the terms of this CHMP, the Sponsor must verify that the measures specified in the above checklist have been undertaken. If there is non-compliance with the conditions or contingency plans contained within Part 1 of this CHMP, the Sponsor must contact Aboriginal Victoria immediately.

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### 3.0 Communications

The Sponsor and any personnel involved with supervision of future construction must read the CHMP and be aware of the legal requirements and contingency procedures concerning Aboriginal cultural heritage within the activity area. The Sponsor (or other relevant supervisory staff) must be responsible for implementing any conditions contained in the CHMP.

The Sponsor must set in place internal processes of communication to ensure that they are notified prior to any contractors conducting works (including archaeological contractors) at any of the archaeological sites on the property.

#### Contact Details

##### **The Sponsor or Sponsor's Agent**

Wollaston Developments Pty Ltd  
Attn: Cameron Gull

Phone: 0438341592  
Email: cameron@gullco.com.au

##### **Eastern Maar Aboriginal Corporation**

Craig Edwards  
Heritage Manager

PO Box 546, Warrnambool Victoria 3280  
Phone: 0481 761 990  
Email: craig.edwards@easternmaar.com.au

##### **Aboriginal Victoria**

GPO 2392  
Melbourne VIC 3001

Phone: 1800 762 003  
Email: aboriginal.heritage@dpc.vic.gov.au

##### **Victorian Aboriginal Heritage Council**

GPO Box 2392  
Melbourne VIC 3001

Phone: (03) 8392 5392  
Email: vahc@dpc.vic.gov.au

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## **Part Two: Assessment**

### **4.0 Introduction**

#### **Reasons for Preparing a Cultural Heritage Management Plan**

This Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, Wollaston Developments Pty Ltd, for a proposed development of a residential subdivision, retirement community and sporting facilities at 147 Wollaston Road, Warrnambool. A CHMP is a mandatory requirement for the proposed activity because:

- all or part of the activity area is an area of cultural heritage sensitivity (*Aboriginal Heritage Regulations 2018*, Division 1, 7(a)); and
- the proposed activity is a high impact activity (*Aboriginal Heritage Regulations 2018*, Division 1, 7(b)).

The southern portion of the activity area is located in an area of cultural heritage sensitivity because it is located within 200m of Merri River (r.26).

#### **Waterways (r.26)**

(1) Subject to subregulation (2), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity.

The proposed activity is a high impact activity because it is for the construction of a residential subdivision (r.49), a retirement community, and a golf course and bowling green along with associated facilities and utilities (r.46).

#### **Subdivision of land (r.49)**

- (1) The subdivision of land into 3 or more lots is a high impact activity if—
- (a) the planning scheme that applies to the activity area in which the land to be subdivided is located provides that at least 3 of the lots may be used for a dwelling or may be used for a dwelling subject to the grant of a permit; and
  - (b) the area of each of at least 3 of the lots is less than 8 hectares.

#### **Buildings and works for specified uses (r.46)**

- (1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—
- (a) would result in significant ground disturbance; and
  - (b) is for, or associated with, the use of the land for any one or more of the following purposes—
    - (xv) a minor sports and recreation facility;
    - (xviii) a place of assembly;
    - (xxiv) a retirement village.



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**Sponsor for the Cultural Heritage Management Plan**

The Sponsor for this CHMP is Wollaston Developments Pty Ltd (ACN 638 859 622).

**Notice of Intent to Prepare a CHMP**

In accordance with Section 54(1) of the *Aboriginal Heritage Act 2006*, a Notice of Intent to Prepare a CHMP (NOI; Appendix 1) was submitted on August 3, 2020 to Aboriginal Victoria (AV) and the Registered Aboriginal Party (RAP) the Eastern Marr Aboriginal Corporation (EMAC). AV replied to the NOI on August 3, 2020 and allocated the project number 17368. A copy of the NOI was also provided to Warrnambool City Council on August 3, 2020.

**Name, Qualifications and Experience of Heritage Advisor**

The heritage advisor and author who conducted this CHMP is Renee McAlister BA (Hons) Archaeology. Renee has formal qualifications from La Trobe University, Victoria (2010) and more than 11 years' experience working in the field of historical and Aboriginal archaeology. Renee is a senior project archaeologist and registered heritage advisor.

A co-author of this CHMP is Simon Coxe. Simon is a senior project archaeologist and registered heritage advisor. Simon holds formal qualifications in Archaeology (BA Hons) from Leicester University, UK (2006). Simon has 14 years' experience conducting a broad range of heritage management and research projects throughout the UK and Australia, with experience working in Queensland (including Torres Strait), Western Australia, the Northern Territory, New South Wales and Victoria. He is also involved in projects in Papua New Guinea, having conducted research fieldwork in Milne Bay, Caution Bay and the Simbai and Kaironk Valleys (Western Highlands).

A co-author of this CHMP is Claire Nicholls. Claire is a Technical and Project Archaeologist with formal qualifications (BA Hons) from La Trobe University, Victoria (2003) and has extensive experience in Indigenous archaeology in Victoria. Claire has over 15 years' professional archaeological experience working in south east Australia, with a particular focus on Aboriginal stone artefact analysis.

Fieldwork was supervised by listed heritage advisor Margaret Reith. Margaret has both a Masters in Archaeological Sciences (Australia National University, 2013) and Bachelor in Archaeology (La Trobe University, 2011). Margaret has 11 years' archaeological experience working on major projects in Australia, Central America and Vanuatu. In Australia, Margaret has nine years' experience as a heritage advisor specialising in Aboriginal archaeology.

**Location of the Activity Area**

The activity area covers an area of land which is approximately 25ha. This area comprises two allotments located at 147 Wollaston Road, Warrnambool (1 TP884446 and 1 TP99782), parish of Yangery, City of Warrnambool (Map 1). The activity area also encompasses a section of the road reserve and roads for Wollaston Road and Ponting Drive. The study area is bordered to the north by Wollaston Road, to the south by Merri River, to the west by open farmland and the east by residential development. The activity area is located approximately 226km west of the Melbourne CBD (Map 1).

One registered Aboriginal Place is located within 200m of the south western corner of the activity area, VAHR 7321-0451.

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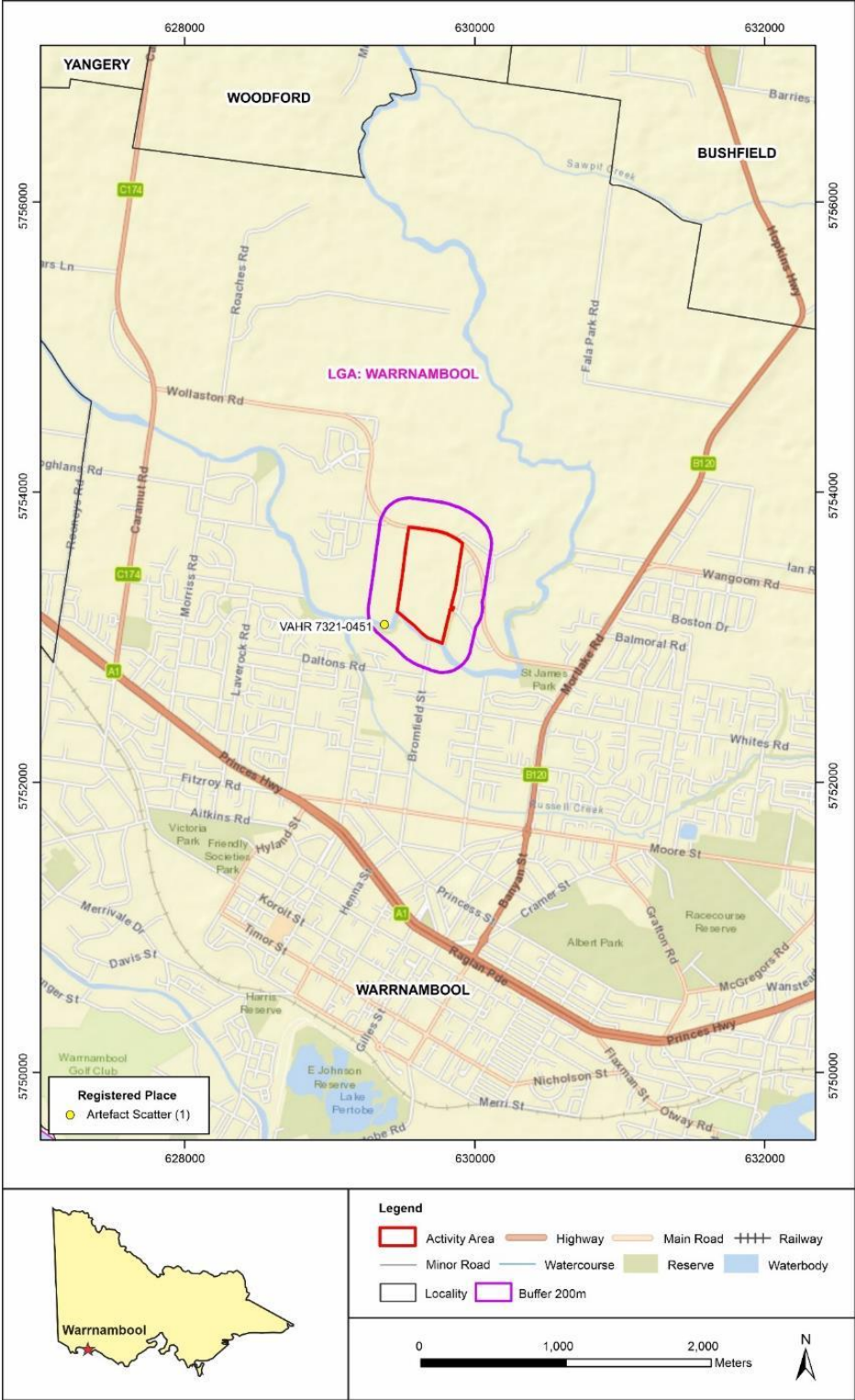
**Landowners**

The activity area is owned by Wollaston Developments Pty Ltd.

**RAPs with Responsibility for the Activity Area**

The Registered Aboriginal Party (RAP) for the activity area is the Eastern Marr Aboriginal Corporation (EMAC). However, as the EMAC were a relatively new RAP at the time the CHMP commenced, it was advised that the CHMP would be evaluated by The Secretary under s.65(1)(b)(i) of the *Aboriginal Heritage Act 2006*. Consultation with the RAP was undertaken throughout the project.

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Map 1: Location of the activity area

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## **5.0 The Activity Area and Proposed Works**

### **5.1 Extent of the Activity Area Covered by the Management Plan**

The activity area covers an area of land which is approximately 25ha. This area comprises two allotments located at 147 Wollaston Road, Warrnambool (1 TP884446 and 1 TP99782), parish of Yangery, City of Warrnambool (Map 1). The activity area also encompasses a section of the road reserve and roads for Wollaston Road and Ponting Drive. The study area is bordered to the north by Wollaston Road, to the south by Merri River, to the west by open farmland and the east by residential development. The activity area is located approximately 226km west of the Melbourne CBD (Map 1).

The activity area comprises open farmland with a farm house and associated dwellings, paddocks, fencing and wind breaks made with mature trees. A flood overlay covers the southern section of the property and the property is steeply sloped.

### **5.2 Activity Description**

The proposed activities are the construction of a residential subdivision, retirement community and associated community buildings, a golf course, and construction of roads and installation of services. (Map 3).

Activities will be undertaken in accordance with the requirements outlined in the General Residential Zone – Schedule 1 (GRZ1) of the City of Warrnambool (Appendix 5).

### **5.3 Statement of Potential Impacts**

The proposed activities will involve some degree of soil disturbance to both surface and buried land surfaces. Activities which will occur during the course of the proposed works are:

- a) Site preparation works including removal of existing built structures, rubbish and unwanted vegetation and fencing;
- b) Construction of access roads with associated curbs, road reserve and footpaths. Construction of road will require a mix of cut and fill across the landscape; cuts may occur to a maximum depth of up to 5000mm;
- c) Installation of underground services and utilities (See Table 1);
- d) Preparation of individual allotments; this will involve removal of topsoil to an average depth of 100-150mm, however, in some places this will be deeper, depending on engineering and geological requirements.
- e) Installation of a wetlands feature and associated drainage infrastructure; this will involve excavation to a maximum depth of 2000mm;
- f) Construction of a community centre, lawn bowls facility and a golf course; this will require a mix of cut and fill across the landscape, cuts may occur to a maximum depth of up to 1500mm
- g) Landscaping and on-going maintenance works.

Table 1 provides a list of the expected maximum depth of excavation required for the activities.

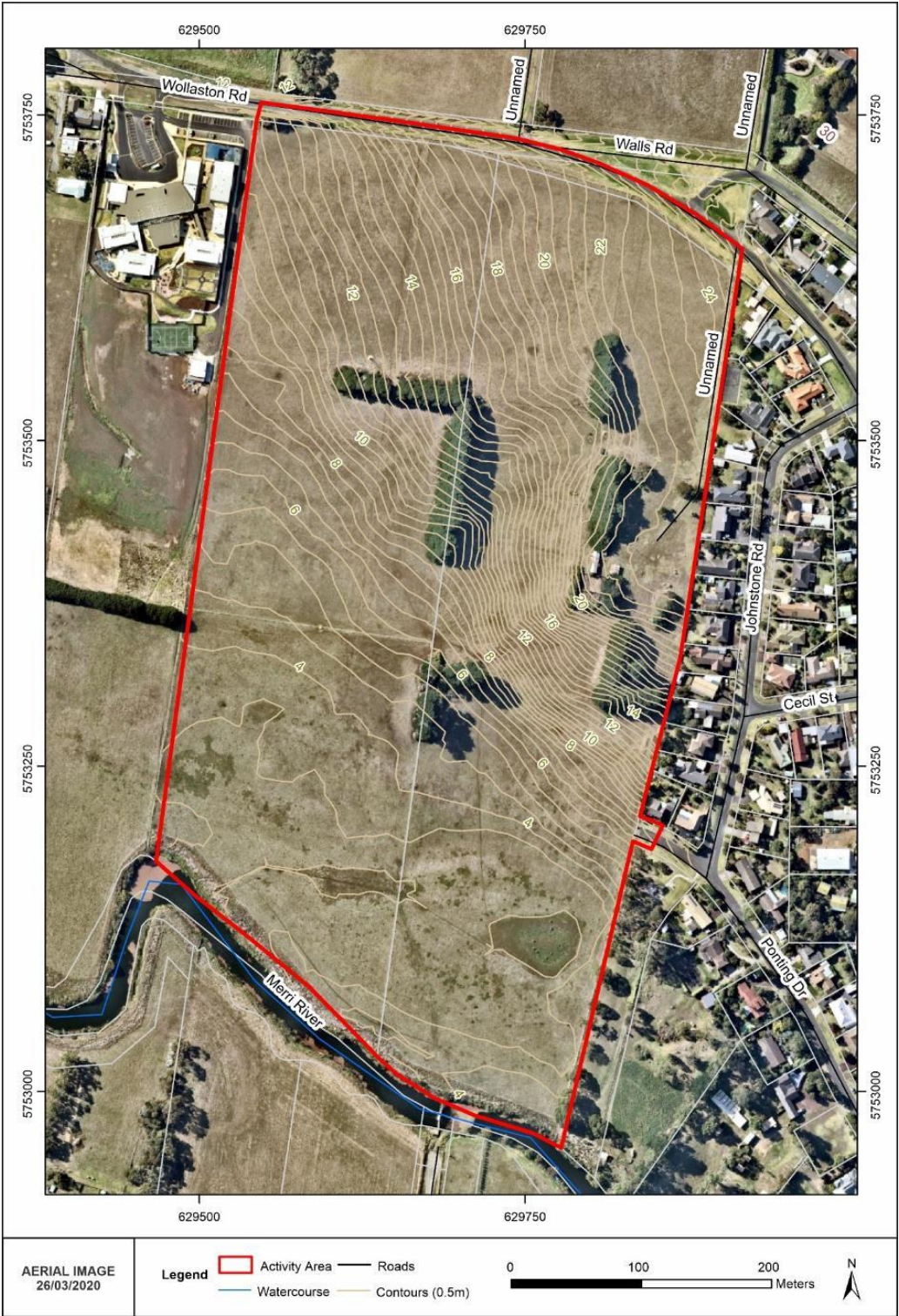
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Table 1: Maximum depth of potential impacts

Activity	Maximum Depth (m)
Gas	0.9
Water	2
Sewer	2
Electricity	0.9
Telecommunications	0.9



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Map 2: Aerial image showing the current (26/03/2020) conditions in the activity area



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Map 3: Preliminary concept plan (provided by Beveridge Williams)

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## **6.0 Documentation of Consultation**

The Registered Aboriginal Party (RAP) for the activity area is the Eastern Marr Aboriginal Corporation (EMAC). In accordance with Section 54(1) of the *Aboriginal Heritage Act 2006*, a Notice of Intent to Prepare a CHMP (NOI; Appendix 1) was submitted on August 3, 2020 to Aboriginal Victoria (AV) and the Registered Aboriginal Party (RAP) the Eastern Marr Aboriginal Corporation. AV replied to the NOI on August 3, 2020 and allocated the project number 17368. However, as the EMAC were a relatively new RAP at the time the CHMP commenced, it was agreed that the CHMP would be evaluated by the Secretary under s.65(1)(b)(i) of the *Aboriginal Heritage Act 2006*. Consultation with the RAP was undertaken throughout the project. A copy of the NOI was sent to Warrnambool City Council on August 3, 2020 pursuant to s.54(1)(d) of the *Aboriginal Heritage Act 2006*.

### **6.1 Consultation in Relation to the Assessment**

A project inception meeting was held on November 2, 2020 between Renee McAlister (Heritage Insight), Cameron Gull (Sponsor), Samantha Fidge and John Clarke (EMAC). At this meeting the nature of the project was discussed. It was noted that the activity area comprised a steeply sloping northern area and extended onto the flood plain adjacent Merri River. It was noted that a portion of the activity area had been subject to previous archaeological and CHMP assessment (Paynter & Rhodes 2005; O'Reilly & McAlister 2011). It was noted that four different geological landforms were mapped within the activity area. The results of the desktop assessment noted that the site prediction model stated that the activity area had low archaeological potential. A fieldwork methodology was discussed and agreed upon; four 1m<sup>2</sup> test pits should be excavated, one on each landform, along with a series of 5x1m machine test pits. The EMAC were asked if they could provide any cultural knowledge specific to the activity area. They noted that the Merri River was a place of cultural significance, however no specific information about the activity area was provided..

Following the completion of field work, a results and recommendations meeting was held on February 16, 2021 between Renee McAlister, Simon Coxe (Heritage Insight), Cameron Gull (Sponsor) Jackson Zaal (Beveridge Williams), Samantha Fidge and Craig Edwards (EMAC). At this meeting the results of standard and complex assessments were discussed. It was noted that the standard assessment did not find any cultural material and noted poor ground surface visibility. The complex assessment comprised excavation of four 1m<sup>2</sup> hand excavated test pits and seven 5x1m machine trenches. The test pits were excavated on each geological landform. Machine trenches were excavated to provide coverage across the balance of the activity area and to increase the area tested. One was placed adjacent the wetlands area in the flood plain. Testing revealed shallow soil deposits across the activity area and no Aboriginal cultural material was found. The lack of cultural material was attributed to the nature of the activity area; the land near Merri River comprises low-lying flood plain and was likely frequently inundated. It is also highly likely that this section of Merri River has undergone substantial change over the years. The northern section of the activity area comprises a steeply sloped landform, which would not have made good camping ground and so was unlikely to be utilised for occupation. However, the activity area would most likely have been utilised for collection of resources and hunting by Aboriginal people. The EMAC requested that a management condition be included requiring a cultural heritage induction for staff and contractors involved in ground disturbing works.

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## **6.2 Participation in the Conduct of the Assessment**

The standard assessment was conducted on January 11, 2021 by Margaret Reith, Thanos Matanis (Heritage Insight), Corey Harradine and Hayden Harradine (EMAC).

The complex assessment was conducted on January 11–15, 2021 by Margaret Reith, Thanos Matanis (Heritage Insight), Corey Harradine and Hayden Harradine (EMAC). Mechanical excavation was done by Steven Weir (Belmara Industries).

## **6.3 Summary Outcomes of Consultation**

The management conditions presented in Section 1 of this CHMP have been discussed and agreed upon in consultation with the RAP, the Sponsor and the heritage advisor:

- a requirement for a cultural heritage induction;
- a requirement for a set of contingencies plans; and
- a requirement that a hard copy of the approved CHMP be kept on-site during works.

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## **7.0 Report on the Desktop Assessment**

In accordance with Clause 8, Schedule 2 of the *Aboriginal Heritage Regulations 2018*, this section contains the results of the desktop assessment.

### **7.1 Aims and Methodology for the Desktop Assessment**

The aim of the desktop assessment was to produce an archaeological site prediction model to identify the likelihood of Aboriginal cultural heritage to be located within the activity area. In turn, this assists in the design of fieldwork (survey and/or subsurface testing) and subsequent management conditions.

The desktop assessment involved a review of:

- historical and ethno-historical accounts of Aboriginal occupation of the geographic region and a review of any written and oral local history relevant to activity area;
- environmental resources available to Aboriginal people within the region of the activity area;
- the site registry at AV and previous archaeological studies to identify any previously registered Aboriginal archaeological sites either within or surrounding the activity area and the results of previous archaeological assessments;
- the land-use history of the activity area, particularly evidence for the extent and nature of past land disturbance; and
- the landforms or geomorphology of the activity area and identification and determination of the geographic region of which the activity area forms a part that is relevant to the Aboriginal cultural heritage that may be present in the activity area.

This information was used to produce an archaeological site prediction model. The site prediction model assists in determining the type of archaeological sites which may potentially occur within the activity area, the possible contents of these sites, the possible past use of the landscape by Aboriginal people and the likely extent of ground disturbance to archaeological sites.

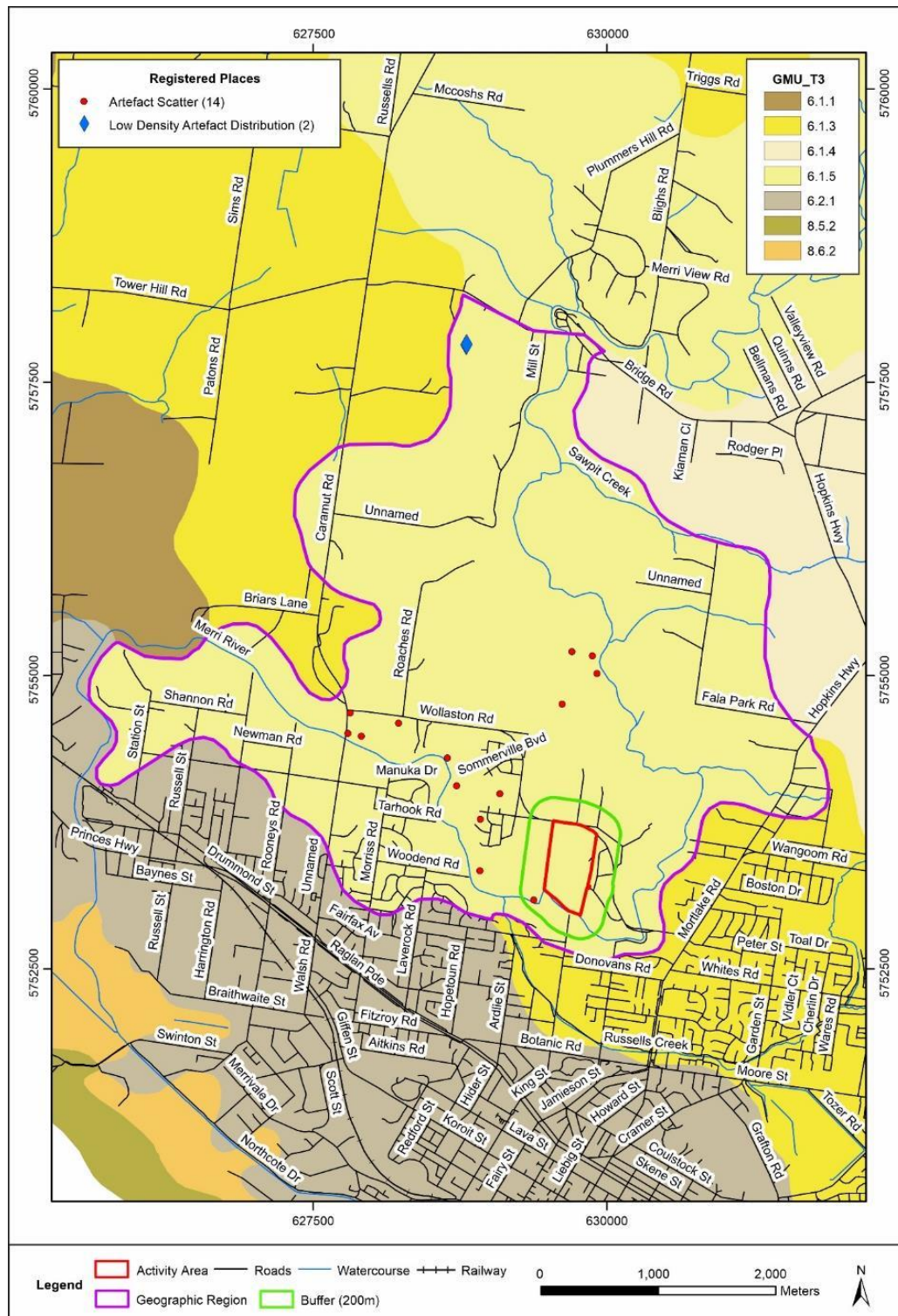
### **7.2 Results of the Desktop Assessment**

#### **7.2.1 The Geographic Region**

The geographic region for this project has been defined as the extent of the Tier 3 geomorphological unit (6.1.5) within and around the activity area. The activity area and land including northern Warrnambool are located on the geomorphic unit known as the Undulating Plains – Western District. Within this geomorphic unit, the geomorphology can be further subdivided into geomorphological unit 6.1.5 (Terraces, floodplains and lakes, swamps and lunettes). By utilising this geomorphological unit as the geographic region and limiting the extent to Bridge Road in the north, which allowed for a sufficient sample size, we are able to build up a profile of landforms and resources available in this area and develop a detailed site prediction model' (Map 4).



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## **7.2.2 Landforms and Geomorphology of the Activity Area**

### **Description of Geology, Landforms and Soils**

The activity area is located within the first tier geomorphic unit known as the Undulating Plains – Western District, part of the larger volcanic plains landform unit. The volcanic plains stretch westward from Melbourne to the South Australian border. The volcanic plains are flat to undulating and dotted with hills formed by extinct volcanos. They were derived from volcanic eruptions that mostly occurred over the last 4.5 million years, with the most recent eruptions occurring approximately 7000 years ago. Volcanos such as Tower Hill (to the east of Warrnambool) are called maars and comprise large circular craters up to 2km across (Rowan, Russell & Ransom 2000).

The southern portion of the activity area is located within the geomorphic unit known as Barrier Complexes – Discovery Bay, Gippsland lakes. This geomorphic unit stretches from Warrnambool to approximately 17km west of Port Fairy and was formed by the action of waves across bays and river mouths and was then modified by tides and winds. Erosion is a serious issue within this geomorphic unit where vegetation has been removed from dune systems (Rowan, Russell & Ransom 2000, p.41).

### **Third Tier Geomorphology**

A review of third tier geomorphological units utilising GIS mapping notes that the entirety of the activity area is located on geomorphological unit 6.1.5 (Terraces, floodplains and lakes, swamps and lunettes) (Map 4). Unit 6.1.5 (Terraces, floodplains and lakes, swamps and lunettes) comprises alluvium terraces and flood plains associated with the lake and swamp systems within the volcanic terrain as well as drainage systems such as the Barwon, Yarrowee/Leigh and Woady Yaloak Rivers. The main rivers of the central and western part of the plains are Mount Emu Creek and the Hopkins River. Lakes and swamps, both permanent and ephemeral, dominate the volcanic plains north and west of Colac. Hydrologically, the lakes vary from hypersaline groundwater discharge lakes (e.g., Lake Beeac) to groundwater throughflow lakes with surface water input (e.g., Lake Murdeduke). In the Lough Calvert region (east of Beeac), climate changes during the Pleistocene and Holocene have resulted in a complex landscape, as lunettes and alluvium deposits trace the changes in lake levels. Alluvial terraces and lunettes have been formed and partially destroyed by oscillating lake levels. Associated soil types include black and grey self-mulching and cracking clays (Vertosols), black (and some red) sodic texture contrast (Sodosols) and dark loam soils (Dermosols) (Department of Jobs, Precincts and Regions – Agriculture Victoria – Victorian Resources Online accessed 28/07/2020).

The activity area is a sloping landform, descending towards Merri River in the south.

### **Geological Units**

Four geological units are mapped within the activity area (Map 5): Newer Volcanic Group – basalt flows (Neo), Tower Hill Tuff (Nept), Port Campbell Limestone (Nhp) and Alluvium (Qa1). The alluvium deposits are located within the southern boundary of the activity area, close to Merri River.

Newer Volcanic Group – basalt flows (Neo) is mapped within the north eastern corner of the activity area. This geological unit is described as ‘Olivine tholeiite, quartz tholeiite, basanite, basaltic icelandite, hawaiite, mugearite, minor scoria and ash, fluvial sediments: tholeiitic to alkaline; includes sheet flows and valley flows and intercalated gravel, sand, clay’. This is generally comprised shallow deposits of compact silty clay topsoils that will have been heavily impacted by ploughing (Department of Jobs, Precincts and Regions – Earth Resources GeoVic 2020, accessed 28/07/2020).



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Port Campbell limestone (Nhp) is located within the northern and central portion of the activity area. This geological unit comprises calcarenite, minor calcilutite, which is generally fine-grained, bryozoan, mollusc, echinoid and brachiopod fragments, minor coarse-grained calcarenite, weakly cemented quartz sand and clayey silt and moderately bedded continental shelf deposits (Department of Jobs, Precincts and Regions – Earth Resources GeoVic 2020, accessed 28/07/2020).

Located between the alluvium deposits and the Port Campbell limestone are deposits of Tower Hill Tuff (Nept) which flow from Tower Hill (to the east of Warrnambool) and are described as ‘Pyroclastic rocks with basaltic and sedimentary clasts; ash and lapilli with scattered blocks and bombs; well layered with planar to diffuse bedding; common cross-bedding and climbing ripples’. These soil deposits can vary in depth and often contain multiple layers of volcanic material (Department of Economic Development, Jobs, Transport and Resources – GeoVic3, accessed 28/07/2020).

Alluvium (Qa1) deposits are mapped adjacent to Merri River within the southern boundary of the activity area. These deposits are formed by the river incising its way through the basalt plains. Alluvium deposits are described as ‘gravel, sand, silt: variably sorted and rounded; generally unconsolidated; includes deposits of low terraces; alluvial floodplain deposits’. Qa1 deposits are likely sandy silt and can extend to deeper depths depending on the height of the alluvial terraces (Department of Economic Development, Jobs, Transport and Resources – GeoVic3, accessed 28/07/2020).

Merri River runs along the southern boundary of the activity area. Merri River has been undergone environmental audit by the Environment Protection Authority (EPA). The report notes that the river has been extensively modified since European settlement with over 95% of native vegetation having been removed from Merri River catchment, with willows replacing native trees for bank stabilisation works. The use of the river for both irrigation and drainage has substantially altered the flow of the river, resulting in erosion and regular flooding events. There is also substantial evidence that significant amounts of landfill have been introduced into Merri River flood plain with the goal of limiting flood damage and impact (EPA Victoria 2004).

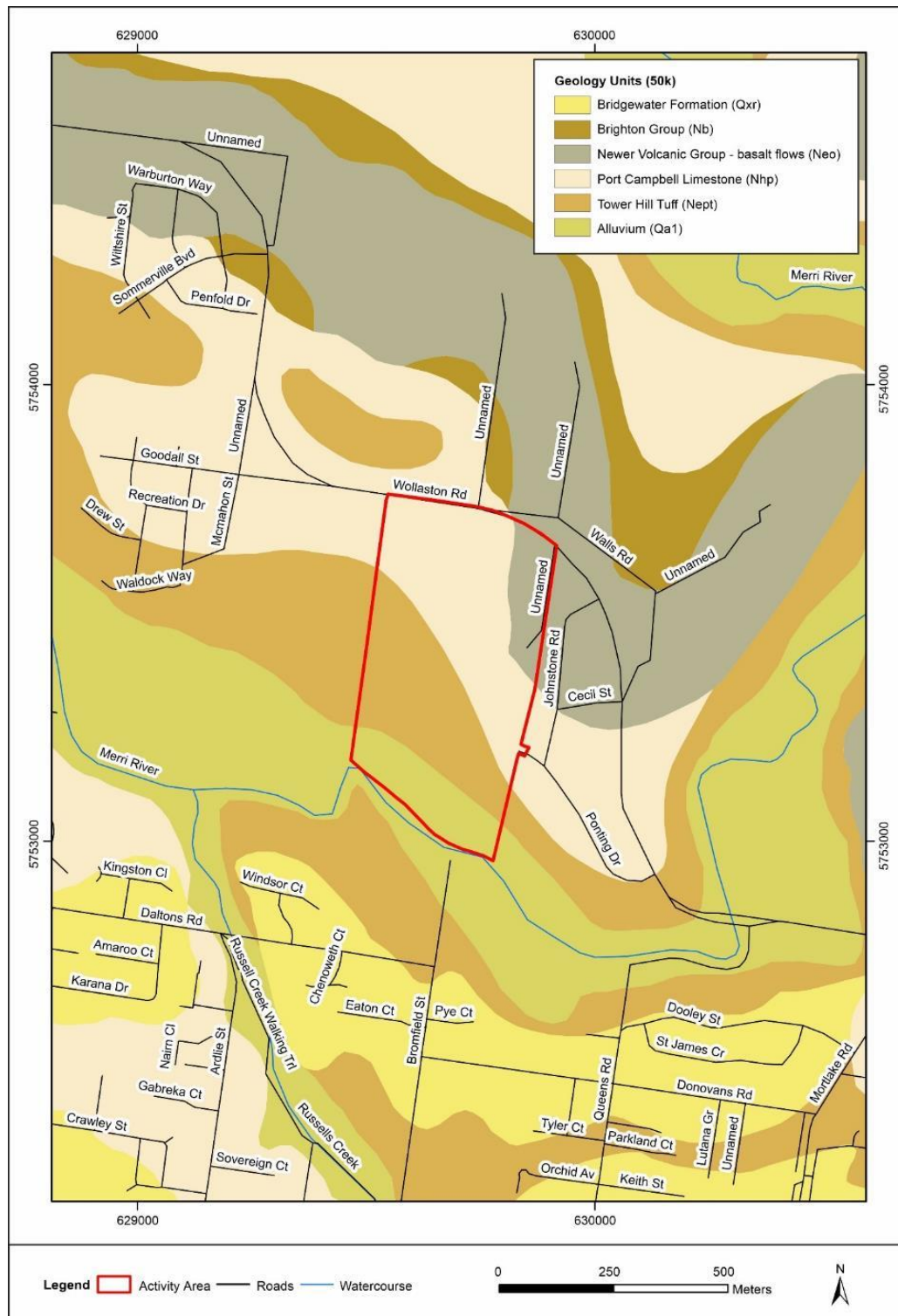
Table 2 summarises the land system information for the region containing the activity area.

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Table 2: Summary of land system data encompassing the activity area

Land System Code – Land Systems of Victoria at 1: 250,000	Land System Summary Description	
7.1PbfQ7-1 7.1PbfQ7-4 8.5PCcQ7-1	<b>Geomorphic Unit:</b>	6. Western Plains – volcanic plains 6.1.5 Terraces, floodplains and lakes, swamps and lunettes Barrier Complexes – Discovery Bay, Gippsland Lakes
	<b>Landform:</b>	Plain above flood level (relative relief <9 m) Escarpment
	<b>Lithology:</b>	Fine textured unconsolidated deposits Coarse textured unconsolidated deposits
	<b>Soils:</b>	Mottled earths, brown calcareous earths/ yellow earths > pH 6.5 Pale calcareous sands with low compaction and > pH 6.5
	<b>Pre-1750 EVCs:</b>	EVC 55 – Plains Grassy Woodland (northern portion of activity area) EVC 53 – Swamp Scrub (southern portion of activity area)
	<b>Nearest Water Sources:</b>	Merri River

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Map 5: Geology within the activity area

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### **7.2.3 Resources Available to Aboriginal People Within the Activity Area**

#### **Plant Resources and Pre-Contact Vegetation**

The activity area lies within the Warrnambool Plain bioregion which extends along the coast from Portland to Moonlight Head. The Warrnambool Plain consists of low coastal dune formations dissected by rivers, inlets and swamps. Further inland, the Warrnambool Plain is characterised by volcanic soils with basalt outcrops or stony rises. The pre-1750 ecological vegetation classes (EVCs) indicate that the southern half of the activity area was most likely covered with Swamp Scrub (EVC 53) while the northern portion would have contained Grassy Woodland (EVC 55; Map 6).

Swamp Scrub (EVC 53) is characterised by closed scrub to 8m tall at low elevations on alluvial deposits along streams or on poorly-drained sites with high nutrient and water availability. Soils vary from organic loams to fine silts and peats which are inundated during the wetter months of the year and is dominated by either Woolly Tea-tree and/or Paperbarks *Melaleuca* species which often form a dense impenetrable thicket, out-competing other species. Emergent trees (e.g., Swamp Gum) may sometimes be present. Where light penetrates to ground level, a moss/lichen/liverwort herbaceous ground cover is often present (Department of Environment, Land, Water and Planning – Bioregions and EVC benchmarks, accessed 28/07/2020).

Plains Grassy Woodland (EVC 55) is characterised by open, grassy eucalypt woodland in low rainfall areas occurring on fertile soils on flats and gently undulating plains at low elevations. The understorey consists of a few sparse shrubs over a species-rich grassy and herbaceous ground layer. Plains Grassy Woodland was typically dominated by Forest Red Gum. The understorey included shrubs of Lightwood, Creeping Bossiaea and Cranberry Heath. The ground layer was usually grassy and herbaceous with sedges and lilies also present. Frequent grasses are Weeping Grass, Kangaroo Grass, Striped Wallaby-grass, Kneed Wallaby-grass, Purplish Wallaby-grass, Poa, and Veined Spear-grass (Department of Environment, Land, Water and Planning – Bioregions and EVC benchmarks, accessed 28/07/2020).

Plains grassland was a key resource for Aboriginal people with Gott theorising that over 90% of plains grassland species having a practical purpose (Zola & Gott 1992). Plants were extensively exploited by Aboriginal people for food, medicine and fibres for weaving. Plant components utilised would have included berries, fungi, roots, tubers, bulbs, leaves, pith from fleshy plants, seeds and sap. Gum was also collected from wattle and stored in known locations for seasons when food was less abundant (Zola & Gott 1992).

Today the activity area has been heavily modified through a history of farming and land clearance and is unlikely to contain any remnant native vegetation.

#### **Fauna Resources**

An abundance of native mammal species have been identified as still existing within the region (Viridans Biological Databases 2012), many of which would have been hunted by Aboriginal people. These include wallabies, eastern grey kangaroo, brush and ringtail possums, koalas, the fat-tailed dunnart and the short-beaked echidna. As well being a valuable food source, possums provided fur for the manufacture of possum skin cloaks, and echidnas provided quills which were used to make necklaces (Rhodes & Rawotea 2007, p.18).

There have been over one hundred species of native birds recorded in the region of the activity area (Viridans Biological Databases 2012) and some of these may have been hunted or trapped or had their

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eggs used by Aboriginal people. Emus and other large birds such as the bush turkey were hunted extensively by Aboriginal people (Zola & Gott 1992, p.3) and are likely to have once been present within the region of the activity area.

The native fauna in the geographic region is significantly diminished in modern times, largely as a result of the loss of habitat, with many animal species once present, now locally or regionally extinct.

**Water Resources**

The activity area is located close to Merri River. Merri River is a major watercourse that forms part of the Glenelg Hopkins catchment, located in the Western District of Victoria, and draining into the Bass Strait at Warrnambool.

**Stone Resources**

A number of stone resources used by Aboriginal people would have been available within close proximity to the activity area. Silcrete, flint and quartz were favoured stone materials for the manufacture of stone implements. Quartz pebbles were widely available in riverbeds, beaches and alluvial deposits. Flint was located in the form of nodules originating from undersea Miocene limestones which could be collected on the beaches. Basalt was used occasionally as it was in plentiful supply along the volcanic plains, but was not a preferred material as it is harder to work with due to its porous nature. Basalt can also be sourced locally at Tower Hill (Coutts et al. 1976, p.13).

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#### 7.2.4 Search of the Victorian Aboriginal Heritage Register

The Victorian Aboriginal Heritage Register (VAHR), accessed through Aboriginal Cultural Heritage Register and Information System (ACHRIS), was searched to identify any previously registered Aboriginal Places within the geographic region for the activity area, as well as the results of previous archaeological assessments. The Register was accessed on August 17, 2020.

##### 7.2.4.1 Aboriginal Places in the Geographic Region

A search of the VAHR identified 15 registered Aboriginal Places within the geographic region comprising a total of 16 components (Tables 3 and 4; Appendix 2). The component types represented in the geographic region are artefact scatters (n=14, 88%) and low density artefact distributions (LDAD; n=2, 12%). A full list of Aboriginal Place components within the geographic region is provided in Appendix 2. All of the Aboriginal Places within the georegion are located within close proximity to Merri River and are largely located on the Merri River flood plain. Artefact scatters and low density artefact distributions frequently contain silcrete and quartz artefacts, with chert, quartzite, coastal flint and basalt artefacts also present. Coastal flint, basalt and quartz would all have been available locally.

The details for these Aboriginal Places are listed in Table 4. These Places are all registered as artefact scatters located on the Merri River flood plain. Artefacts were located at depths of between 0–800mm. The artefacts from these Places are predominantly manufactured from silcrete, with small numbers of quartz.

There is one Aboriginal Place located within 200m of the activity area, VAHR 7321-0451 (Map 7). This Aboriginal Place is a low density artefact scatter comprising three artefacts located in a disturbed context on the Merri River flood plain.

**Table 3: Summary of registered Aboriginal Places within the geographic region**

Component Type	Frequency (No.)	Frequency (%)
Artefact Scatter	14	88
Low Density Artefact Distribution	2	12
<b>Total Components</b>	<b>16</b>	
<b>Total Registered Places</b>	<b>15</b>	

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**Table 4: Previously recorded Aboriginal Places within the geographic region**

VAHR No.	Site Contents	Site Density	Depth of Cultural Material	Landform
<b>7321-0347 ROACHE 1</b>	Artefact scatter. Recorded in 1980	Not stated	Not stated	Undulating, Merri River flood plain
<b>7321-0348 ROACHE 2</b>	Artefact Scatter Recorded in 1980	Not stated	Not stated	Undulating, Merri River flood plain
<b>7321-0349 ROACHE 3</b>	Artefact scatter containing unknown number of artefacts, chert is stated as the raw material type. Recorded in 1980	Not stated	Not stated	Undulating, Merri River flood plain
<b>7321-0350 ROACHE 4</b>	Artefact scatter containing an unknown number of artefacts. Quartz is stated as a raw material type. Recorded in 1980	Not stated	Not stated	Undulating, Merri River flood plain
<b>7321-0450 WOLLASTON ROAD 1</b>	Artefact scatter containing 25 chert, quartz, silcrete and flint artefacts	< 1 artefact/10m <sup>2</sup>	Subsurface 0–400mm	Flood plain, elevated bank
<b>*7321-0451 WOLLASTON ROAD 2</b>	Artefact scatter containing 3 silcrete artefacts, including a multidirectional core. Disturbed by ploughing	< 1 artefact/10m <sup>2</sup>	Surface	Merri River flood plain
<b>7321-0479 Wollaston Rd 1</b>	Artefact scatter containing 8 artefacts manufactured from basalt, chert, silcrete and quartz	> 1 artefact/10m <sup>2</sup>	Surface and subsurface 0–400mm	Low rise, close to Merri River
<b>7321-0480 Wollaston Rd 2</b>	Artefact scatter containing 11 artefacts manufactured from chert, silcrete and quartz	> 1 artefact/10m <sup>2</sup>	Surface and subsurface 0–400mm	Low rise, close to Merri River
<b>7321-0481 Wollaston Rd 3</b>	Artefact scatter containing 5 artefacts manufactured from chert, quartz and basalt	> 1 artefact/10m <sup>2</sup>	Surface and subsurface 200–500mm	Low rise, close to Merri River
<b>7321-0482 Wollaston Road 4 1A</b>	Artefact scatter containing 1 silcrete flake	< 1 artefact/10m <sup>2</sup>	Subsurface	Merri River Flood plain

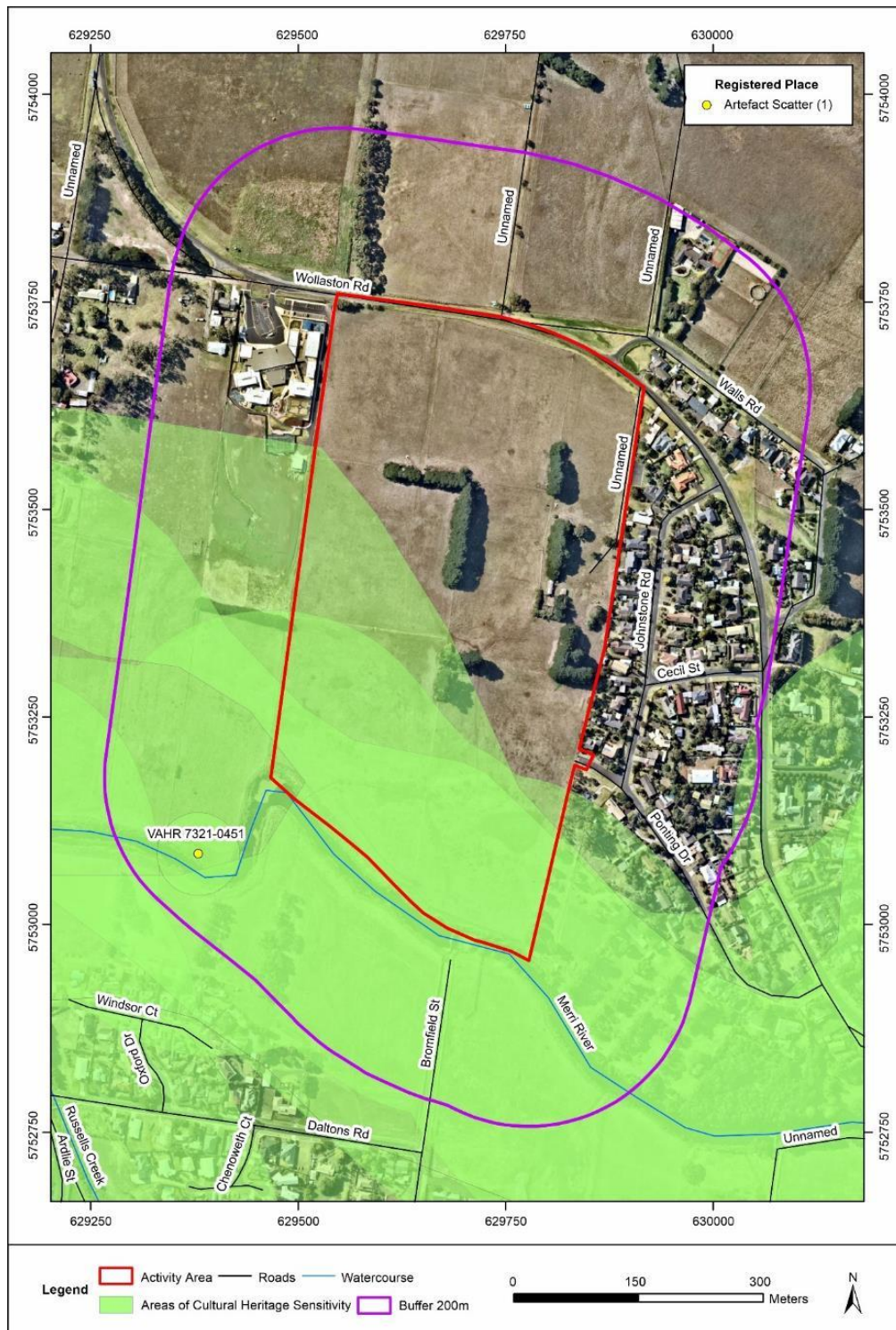
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VAHR No.	Site Contents	Site Density	Depth of Cultural Material	Landform
<b>7321-0483 Wollaston Road 5 IA</b>	Artefact scatter containing 1 silcrete flake	< 1 artefact/10m <sup>2</sup>	Subsurface 0–200mm	Merri River Flood plain
<b>7321-0486 Wollaston Road 3 AS</b>	Artefact scatter containing 21 quartz, silcrete, coastal flint and quartzite artefacts	< 1 artefact/10m <sup>2</sup>	Subsurface 0–400mm	Merri River Flood plain
<b>7321-0487 Wollaston Road 6 AS</b>	Artefact scatter containing 6 artefacts manufactured from quartz (5) and silcrete (1)	< 1 artefact/10m <sup>2</sup>	Subsurface 0–200mm	Merri River Flood plain
<b>7321-0489 Wollaston Rd 4</b>	Low density artefact distribution of 72 silcrete, chert, basalt and quartz artefacts	> 1 artefact/10m <sup>2</sup>	Subsurface 0–600mm	Merri River flood plain
<b>7321-0504 Woodford LDAD</b>	Low density artefact distribution of 2 silcrete and quartz artefacts	< 1 artefact/10m <sup>2</sup>	Subsurface 200–400mm	Merri River flood plain

**\*closest Aboriginal Places to the activity area**

A search of the VAHR identified that there were no Aboriginal Historical Reference sites within the georegion.

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Map 7: Areas of cultural heritage sensitivity and Aboriginal Places within 200m of the activity area

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#### **7.2.4.2 Previous Work in the Geographic Region**

A review of previous archaeological assessments conducted within the geographic region has been undertaken for the purposes of assisting with the development of a site prediction model. A complete list of archaeological reports undertaken within the geographic region is presented in Appendix 3. Table 5 below provides a summary of relevant archaeological reports within the geographic region. These reports are primarily CHMP assessments and can be utilised to develop a site prediction model.

#### **Previous Investigations Covering the Activity Area**

##### **An Archaeological Assessment. Wollaston Road, Warrnambool. Report No. 3396 (Paynter & Rhodes 2005)**

In 2005, Paynter and Rhodes carried out a local structure plan study for land situated to the north of Merri River in Warrnambool, including the entirety of the current activity area. The study included desktop and survey components. Paynter and Rhodes' study area was divided into three sectors to enable easier field recording. Not all of the sectors were surveyed on foot due to property access issues and a windscreen survey was therefore carried out in some areas. A windscreen survey was carried out for the entirety of the current activity area. The field assessment resulted in the location of two artefact scatters, VAHR 7321-0450 (Wollaston Road 1) and VAHR 7321-451 (Wollaston Road 2). These Places were located to the west of the current activity area. The site prediction model suggested that landforms most likely to contain Aboriginal cultural heritage included Merri River flood plain, bank terraces, ridgelines, hillslopes and dunes.

A number of historical sites were also identified during the study, Merri River Hut site (H7321-0033), Wollaston Road Quarries (H7321-0032) and the Broomfield Street weir, although these were not located within the current activity area. The Broomfield Street weir is located approximately 200m to the south of the current activity area. Paynter and Rhodes (2005) also noted a number of historic tree rows and plantings toward the centre of the current activity area. The tree rows and the Broomfield Street weir is described in detail in Section 7.2.6. of this report.

##### **Wollaston Road, Warrnambool: Housing Subdivision. Report on Salvage Investigations. Cultural Heritage Management Plan 11662 (O'Reilly & McAlister 2011)**

This CHMP (11662) was conducted for a residential subdivision within close proximity to Merri River. CHMP 11662 covered a large proportion of land within western and southern portions of current activity area, and included standard, desktop and complex assessments. The desktop assessment noted that due to its close proximity to Merri River, the activity area contained the potential to locate Aboriginal cultural material. The desktop assessment also noted that the activity area had undergone disturbance in the form of vegetation clearance, ploughing and grazing. The standard assessment noted poor ground surface visibility; however, it was suggested that the entirety of the activity area was considered to have moderate to high Aboriginal cultural heritage potential in areas not previously subjected to prior disturbance.

The complex assessment included the excavation of 11 1m<sup>2</sup> test pits and 257 shovel test pits. The excavation base level was identified across the activity area as clay deposits. A maximum basal depth of approximately 800mm was reached. Eleven shovel test pits were excavated within the current activity area. Shovel test pits were excavated within the north western corner and southern portion of the current activity area. The soil profile within the test pits comprised black friable clayey silt overlying a black compact clay to a maximum depth of approximately 400mm. No Aboriginal cultural material was identified within the current activity area.



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Five Aboriginal Places were identified during the complex assessment, comprising two isolated artefact finds and three medium density artefact scatters. VAHR 7321-0486 comprised four stone artefacts located at depths of 0–400mm in clayey silt deposits (17 additional artefacts were found during later investigations). VAHR 7321-0482 was an isolated silcrete flake located at depths of 200–300mm in clayey silt. VAHR 7321-0483 was an isolated silcrete flake located at a depth of 100–200mm in silty sand, and VAHR 7321-0487 comprises six stone artefacts retrieved from depths of 0–200mm in silty clay soils, while VAHR 7321-0450 comprised 25 stone artefacts retrieved from depths of 0–400mm in silty clay soils. All five Aboriginal Places were located on the flood plain and elevated volcanic plains landforms within the western portion of the activity area. A salvage program was recommended for one of the Aboriginal Places, Wollaston Road 1 (VAHR 7321-0450), the results of which are discussed in Table 5.

**Wollaston Road Development Infrastructure Works: Pipeline, Warrnambool. Cultural Heritage Management Plan 12329 (O'Reilly 2012)**

CHMP 12329 was conducted for the proposed construction of water and sewer infrastructure and included a desktop assessment only. The activity area comprised a linear alignment within a road reserve and a section comprising an open paddock. The activity area for CHMP 12329 covers the north western portion of the current activity area, including a section of Wollaston Road. It was also noted that the activity area had been subject to previous archaeological survey in 2005 (Paynter & Rhodes 2005). The desktop assessment noted that, further inland from the coastline, Aboriginal Places were predominantly located within close proximity to Merri River and other water sources such as swampland. The activity area was considered to be of low archaeological sensitivity due to its location 500m from Merri River. The desktop assessment discussed prior land-use disturbances, which included initial land clearance, ploughing, grazing and road construction. Due to these land-use disturbances and the location of the activity area more than 500m away from Merri River, further assessment was deemed unnecessary.

**Relevant Local and Regional Studies**

**The Mound People of Western Victoria: A Preliminary Statement. AAV Report 265. (Coutts et al. 1977)**

This report comprises a detailed discussion of the Aboriginal mounds located in Western Victoria. The report discusses the preliminary results of the investigation and analysis of settlement patterns in relation to environment, and discusses the results of two mounds subject to excavation. The majority of mounds throughout Western Victoria are located within close proximity to water sources such as the Hopkins River, however based upon environmental reconstructions, Coutts et al. theorised that mounds were possibly associated with a wide range of biotic communities, including ephemeral swamps and water sources. This was supported by faunal assemblages located within the two excavated mounds, which included that a wide range of species from differing habitats. Stone artefacts recovered from the excavated mounds also suggested a pattern of more generalised, widespread environmental exploitation.

This report also summarised the results of the Victorian Archaeological Survey's (VAS, now AV) fieldwork, which involved the survey and investigation of mounds within selected areas of the western district. The surface survey began in 1973 and was completed in 1975. The survey included selected areas in Western Victoria, encompassing approximately 270,000 hectares. The survey focussed on Aboriginal mounds within the region, and determined that mounds were primarily located close to fresh water sources such as rivers, creeks, swamps and wetlands. The distribution of mounds was mapped and grouped into clusters within a 6km foraging range. Seven of the mounds were excavated. Both of the mounds were highly disturbed as a result of rabbit burrowing. Excavation revealed that the mounds contained charcoal, hearth stones and bones. Stone artefacts were predominantly manufactured from



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quartz, with small numbers of fine-grained material (not specified). No suitable material for dating was recovered from the mounds.

**An Archaeological Survey in S.W Victoria (Ellender 1989)**

This report involved the survey of a proposed power line route in south west Victoria. The site prediction model noted that artefact scatters can be found across the landscape, as can earth features, including mounds. Stone arrangements representing houses, ceremonial Places or fish traps can be located in stony rises. Scarred trees can be located wherever remnant stands of native vegetation are found. Shell middens can be found in coastal areas and adjacent fresh water sources. The proposed power line route was approximately 78km in length by 50m wide and the entirety of the route was surveyed. Trees were checked for evidence of cultural scarring and sources of water such as swampland were investigated. Stone artefacts were located along tracks close to the Crawford River, the majority of which were manufactured from flint.

**Discussion**

A moderate amount of archaeological work has been conducted within the geographic region, with the majority of these assessments focussing along land immediately adjacent to Merri Creek. Currently, little is known of the archaeological potential of land further afield from Merri River. Only one CHMP (O'Reilly 2012) has been conducted further afield (approximately 500m) from Merri River. The review of previous research has shown that the majority of archaeological investigations within the geographic region have been conducted for service installations and residential developments. Currently, eight CHMPs have been completed within the geographic region, half of which have located Aboriginal cultural heritage (O'Reilly & McAlister 2011; Mitchell, McFarlane & Hill 2016; Fiddian & Patton 2019; Mitchell 2020). Excavation carried out as part of these CHMPs have revealed both deeper natural and disturbed topsoil soil profiles. The majority of the activity areas for these CHMPs were disturbed due to past land-use activities including land clearance, market gardening and ploughing.

A small number of surface and subsurface artefact scatters have been located during archaeological surveys and excavations carried out within the geographic region. This confirms standard archaeological theory that land adjacent rivers and creeks contains archaeological potential. The Aboriginal Places identified during previous studies were of low density and were located within both disturbed and natural surface and subsurface contexts. Stone artefacts found in the region are manufactured from a range of raw materials including quartzite, quartz, silcrete, chert and coastal flint. Artefact types included flakes, cores, and backed implements. These artefact types are representative of the Australian Small Tool Tradition, associated with the mid to late Holocene period.

Sections of the current activity area have been subjected to three separate archaeological investigations (Paynter & Rhodes 2005; O'Reilly & McAlister 2011; and O'Reilly 2012). While Aboriginal cultural heritage was located during all of these investigations on adjoining properties, none were located within the current activity area itself. All of these investigations noted disturbance as a result of previous land-use activities, including land clearance and ploughing. As a result, any Aboriginal cultural heritage in the form of stone artefact scatters and low density artefact distributions is most likely to be disturbed and/or dispersed and to be located where minimal ground disturbance has occurred.

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Table 5: Previous studies relevant to the activity area

Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Proposed Sewer Pump Station at 391 Wollaston Road, Warrnambool</b>  (Mitchell 2020)	Merri River flood plain, flat terrain	2km north west	200mm	This CHMP (16869) was completed for the proposed construction of a sewer pump station at 391 Wollaston Road. A desktop and complex assessment were completed as part of this CHMP. The desktop confirmed that one previously registered Aboriginal Place, Wollaston Road 4 (VAHR 7321-0489) was located within the activity area. The desktop also noted that some ground disturbance as a result of agricultural activities had occurred within the activity area. The desktop concluded that the activity area contained high potential for the location of Aboriginal cultural heritage material. Two 1m <sup>2</sup> test pits and 11 50x50cm shovel test pits were excavated during the complex assessment. The complex assessment located three additional quartz stone artefacts associated with VAHR 7321-0489. Testing revealed shallow deposits of black, silty clay overlying damp, compact clay.	Previously recorded Wollaston Road 4 (VAHR 7321-0489), additional material was located during the complex assessment. Subsurface artefacts were retrieved from an approximate depth of 100–400mm.

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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Wollaston Road, Warrnambool: Housing Subdivision Report no. 4681</b>  (East & O'Reilly 2011)	Undulating, flood plain	300m to the west	960mm	As part of the management recommendations outlined within CHMP 11662, a salvage excavation of stone artefact scatter Wollaston Road 1 (VAHR 7321-0450) was undertaken. This report documents the findings of the salvage works carried out in accordance with management recommendations in CHMP 11662. VAHR 7321-0450 consisted of a subsurface stone artefact scatter located during the complex assessment for CHMP 11662. VAHR 7321-0450 was located close to the elevated bank of Merri River within the western portion of the activity area for CHMP 11662. The salvage works included the excavation of two 2mx1m test pits, excavated in 1mx1m sections. Stone artefacts were located within all test pits. The soil profiles contained dark brown grey silt overlying compact dark brown clay to a maximum depth of 800–960mm. All artefacts were located between depths of 0–400mm. Artefacts were manufactured from silcrete, quartz, flint and chert.	Additional artefacts recovered from VAHR 7321-0450

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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Proposed Sewerage Line: Extending along Road Reserve at Shaw St and into 221 Wollaston Rd and 9 Goodall St, Warrnambool</b>  (Dugay 2019)	Merri River flood plain	Less than 100m west	300mm	CHMP 15752 was completed for a proposed sewer line extending along the road reserve from Shaw Street to Wollaston Road, Warrnambool. The desktop assessment noted that the activity area had undergone previous disturbance relating to road construction, grazing and other agricultural activities. Due to its location within close proximity to Merri River, the activity area was considered to be of moderate sensitivity for Aboriginal cultural heritage material such as stone artefact scatters and low density artefact distributions. These would most likely be located in surface and shallow subsurface contexts. The standard assessment was hampered by very poor ground surface visibility and a complex assessment was recommended. The soil profiles within the single 1m <sup>2</sup> test pit and six shovel test pits comprised shallow sticky clay to an approximate depth of 300mm. The complex assessment testing highlighted the shallow nature of the soil deposits and confirmed that the activity area was unlikely to contain any Aboriginal cultural material due to the flat, flood plain landform. High levels of disturbance were also noted across the activity area. No Aboriginal cultural heritage material was located.	No Aboriginal cultural heritage material was located.

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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Bridge Road Rural Subdivision, Woodford, Victoria</b>  (Fiddian & Patton 2019)	Flood plain, rise, swampland	4km north	400mm	CHMP 15259 was completed for a proposed residential subdivision at Woodford to the north of Warrnambool. The activity area was located within 200m of Merri River. The desktop identified that no previously registered Aboriginal Places were located within the activity area. The desktop assessment concluded that land within 200m of waterways such as Merri River is potentially sensitive for Aboriginal Places, in particular stone artefact scatters and isolated artefacts. The standard assessment failed to locate any Aboriginal cultural heritage material, however a number of areas of potential sensitivity were identified. The complex assessment included the excavation of four 1m <sup>2</sup> test pits and ninety shovel test pits across flood plain, rise and stony rise landforms. The soil profiles varied across each landform. One Aboriginal Place was located during the complex assessment, VAHR 7321-0504 (Woodford LDAD 1). VAHR 7321-0504 comprised two stone artefacts manufactured from silcrete and quartz, located on the upper slope of a rise landform within intact dark brown silt overlying grey sandy silt deposits at a depth of 200–400mm.	One new Aboriginal Place was located during this assessment, low density artefact distribution VAHR 7321-0504. Subsurface artefacts were retrieved from depths of between 200–400m. The artefacts were <i>in situ</i> , and were located within intact soil profiles.

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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Proposed Residential Subdivision: 159 Mortlake Road, Warrnambool</b>  (McAlister 2018)	Escarpment/flood plain	500m east	580mm	CHMP 15446 was completed for a residential subdivision at 159 Mortlake Road, Warrnambool. The desktop assessment noted that Merri River landforms are highly sensitive for low density stone artefact scatters, however much of the activity area had undergone significant disturbance as a result of installation of services, construction of a dwelling and farm building, and ploughing. The standard assessment noted that the escarpment adjacent to Merri River would not likely contain Aboriginal cultural material due to its steepness. The complex assessment included the excavation of two 1m <sup>2</sup> test pits and eight machine transects. The testing confirmed disturbance across the activity area. Subsurface testing revealed very shallow topsoil deposits overlying a compact clay basal layer.	No Aboriginal cultural heritage material was located.
<b>Proposed Residential Subdivision at Lot 2 and CA 10B, Corner of Wollaston Road and Warrnambool-Caramut Roads, Warrnambool</b>  (Mitchell, McFarlane & Hill 2016)	Flood plain/alluvial terrace, hill crest and gentle slope	1.3km to the north west	740mm	This CHMP (11656) was conducted for a residential subdivision adjacent Merri River. The standard assessment identified the flood plain, alluvial terrace, slope and hill crest within the activity area as being of moderate to high archaeological potential. The complex assessment comprised the excavation of 16 1m <sup>2</sup> test pits, 18 shovel test pits and 39 mechanical test pits. Subsurface testing revealed deposits of compact loamy clay and silty clay over a clay or limestone base. Cultural material was identified on both the alluvial terrace and hill crest.	Four new Aboriginal Places were located during this assessment, all artefacts scatters (VAHR 7321-0479, 7321-0480 7321-0481 and 7321-0489). Subsurface artefacts were retrieved from depths of between 0–600mm.



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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>Residential Subdivision, 123 Queens Road, Warrnambool, Victoria</b>  (Chandler 2014)	Flood plain and /Rise	250m south	680mm	This CHMP (12906) was conducted for a residential subdivision adjacent Merri River. The desktop assessment noted both the flood plain landform and elevated volcanic rise contained areas of archaeological potential. The standard assessment noted poor ground surface visibility. The complex assessment comprised excavation of a 1m <sup>2</sup> test pit and 23 shovel test pits. This showed much of the activity area was located within a low-lying flood zone. Testing on the flood plain showed shallow deposits of silty clay, while testing on the rise showed deeper deposits of sandy silt over rock.	No Aboriginal cultural heritage material was located.
<b>Proposed Residential Subdivision at 17–19 Mortlake Road, Warrnambool</b>  (Mitchell 2014)	Undulating plain	500mm south east	640mm	This CHMP (13111) was conducted for a residential subdivision. The desktop assessment noted that the activity area had undergone previous disturbance in the form of construction of residential dwellings, market gardens and associated infrastructure. The complex assessment comprised excavation of a 1m <sup>2</sup> test pit and 12 shovel test pits. This showed much of the activity area had undergone previous ground disturbance. Subsurface testing revealed deposits of silty sand over clay.	No Aboriginal cultural heritage material was located.
<b>North Dennington Trunk Sewer &amp; Dales Road Water Storage Duplication, Warrnambool</b>  (Long 2007)		4km west	N/A	Report Number 4070 details the results of an archaeological assessment of two proposed water management projects at Dennington, Warrnambool. The study areas were both located within 200m of Merri River, which is generally considered to be of high sensitivity for Aboriginal Places, particularly stone artefacts. A survey of the study area failed to locate any Aboriginal cultural heritage material and this was deemed likely due to very poor ground visibility within the two project areas. It was considered likely that there would be a low risk of any Aboriginal cultural heritage material present within the study areas as the proposed works lay within previously disturbed low-lying land between dune ridges.	No Aboriginal cultural heritage material was located.

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Study Name	Landform	Distance from Activity Area	Maximum Depth of Testing	Results	Aboriginal Cultural Material located
<b>An Archaeological Survey of the Hopkins River</b>  (Schell 1995)	N/A	N/A	N/A	<p>This survey was carried out for the Framlingham Aboriginal Trust and Aboriginal Affairs Victoria. The Hopkins River is to the east of Warrnambool. The aim of this survey was to document and establish present threats to eel traps and other sites.</p> <p>Previous archaeological research in the Western District has emphasised the importance of river and swamp environments. Common site types recorded along Hopkins River include oven mounds, eel traps and stone circles (believed to be the base of shelters). These sites reflect the importance of aquatic plant and animal resources in the traditional Aboriginal economy.</p>	NA

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### 7.2.5 Historical and Ethno-Historical Accounts in the Geographic Region

Archaeological evidence suggests that Aboriginal people have occupied south eastern Australia for at least 40,000 years (Flood 1995, pp.284–7). One of the oldest dated archaeological sites in Victoria is at Keilor in Melbourne, where charcoal from a hearth excavated in 1973 has been dated to 31,000 years BP (Flood 1995, p.286). The information used to establish pre-settlement Aboriginal spatial organisation is mostly based on observations made by Europeans during the initial period of Contact and subsequent settlement (Barwick 1984; Goulding 1988; Clark 1990; Presland 1994).

The people who occupied the activity area have been identified by Clark (1990: 54–55) as the *Tarerergundidj* in the *Dhauwurd wurrung* language area (also referred to as *Gundidjmarra*). Clans speaking the *Dhauwurd wurrung* language managed the country in an area bounded by the Hopkins River in the east, the Glenelg River in the west and the Wannon River in the north (Clark 1990, p.54).

The clan name ‘*Tarerer*’ referred to a large swamp between Merri River and Tower Hill, most likely the area known as Kellys Swamp today (Clark 1990: pp. 55, 78). Previous archaeological work has demonstrated that both Kellys Swamp and Tower Hill contain significant Aboriginal occupation sites. The Tarerer Swamp was described by Robinson in 1841 as a place where large gatherings of coastal clans occurred when whales were present along the coastline (Clark 1990: p. 78). Tower Hill is also known as a place of traditional religious significance to clans in the area. In April 1841, the clan head of the *Tarerergundidj* was described to Robinson as a man named Wone.der.rac (Presland 1977, p.62).

Aboriginal clans in the Western District lived a hunter-gatherer lifestyle, moving from one locality to another to make use of seasonal resources, trading opportunities and to meet ritual and kinship obligations. Ethno-historical records suggest that in some seasons Aboriginal people of the Western District lived a more settled life than Aboriginal people in other areas of south east Australia. These beliefs are based on the presence and observations of shelters and ‘villages’ in the Western District (Schell 1995, p.8).

Assistant Protector William Thomas provides a description of an Aboriginal ‘village’ near Warrnambool:

There was on the banks of the creek between 20 and 30 huts of the form of a beehive or sugar loaf, some of them capable of holding a dozen people ... These buildings were all made of a circular form, closely worked and then covered with mud (Stephens 2014).

Robinson observed the presence of many huts in Western Victoria (Clark 1998: p 19; Presland 1977: pp 36, 38, 73, 85). He records that in the stony rises there were ‘plenty of huts of dirt and others built of stones’ (Clark 1998, p.19) However, whether these huts or villages were inhabited on a permanent or semi-permanent basis, or were returned to seasonally, is not known.

Critchett (1992) discusses the significance of Tower Hill, a volcanic crater to the west of Warrnambool that was considered an important meeting place for different clan groups and speculates that ceremonial and trading activities took place there. The fresh water source combined with mixed deposits of cultural heritage material (indicating domestic activity) and the number of burial sites in the region supports her theory.

The diet of the Western District Aboriginal people consisted of a wide range of mammals, fish, birds, plant food and fungi (Dawson 1881, pp.18–22; Lourandos 1980, p.112). Ethnohistorical accounts suggest

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the daisy yam was a staple plant food, being available year round, although less palatable in early winter (Gott 1983, pp.6–8).

Dawson (1881) refers to a gum which was used by the Aboriginal people near the Hopkins River; his reference reflects how the distribution and availability of a food source was affected by the arrival of the Europeans:

Another kind of manna, also called buumbuul, is deposited in considerable quantities by the large dark coloured cicadae on the stems of white gum trees near the River Hopkins. The natives ascend the trees and scrape off as much as a bucketful of waxen cells filled with a liquid resembling honey, which they mix with gum dissolved in cold water and use as a drink. They say that, in consequence of the great increase of opossums, caused by the destruction of the wild dog, they never get any buumbuul now, as the opossums eat it all (Dawson 1881:21).

Eels were seasonally exploited and would have been an important food source in the autumn months. There are numerous accounts of eel fishing and trapping and the eel trapping infrastructure remains in some places including along the Hopkins River (Schell 1995, p.9).

Plants such as myrnong, bracken and tree ferns provided staple foods for Aboriginal people, while medicines could be made from species such as Black Wattle (*Acacia mearnsii*), and the wood or bark from Silver Wattle (*Acacia dealbata*) could be used to manufacture implements. The grasses and water reeds, paperbark trees and Eucalypts all provided raw material for baskets and bark and wooden implements. The bark from Stringy Bark (*yangora*) and Mountain Ash (*yowork*) was selected for the manufacture of bark canoes. Apart from the manufacture of implements and access to food and medicinal resources, the bark from these trees would also have been removed for other ceremonial and social purposes. The roots (rhizomes or tubers) of the Cumbungi (*Typha orientalis*), Water ribbon (*Triglochin procerum*) and Common Reed (*Phragmites australis*) were harvested and cooked in earth ovens. In the case of the Cumbungi, after being cooked, the centre part of the rhizome was knotted then chewed to extract starch, and the remaining fibre was used for string (Gott & Conran 1998). These resources would have existed within or adjacent to the activity area.

The Aboriginal population of Western Victoria was estimated to be around 3500; after Contact, disease, conflict and denial of access to land and resources reduced these numbers dramatically (Lourandos 1980, p.89). From 1839–1849 the British Government established an Aboriginal Protectorate to mediate between Aboriginal communities and European colonists, with George Augustus Robinson employed as the Chief Protector of Aborigines.

Four Assistant Protectors were employed and assigned jurisdiction over an area. CW Sievwright was assigned to the Western District in 1841 (Cannon 1983, p.365). In 1850 William Gray, the Commissioner of Crown Lands for Portland Bay, provided a census of the Aboriginal population in the district. He recorded 20 adult males, 15 adult females and four children (Clark 1990, p.45). In 1858, a select Committee of the Legislative Council was appointed to inquire into the condition of Aboriginal people in the State. Reports from squatters in the area estimated that the Aboriginal population in the area had been reduced by 75 percent during the 1840s and 1850s (Clark 1990, pp.197–198).

Violence between Aboriginal groups and European pastoralists was common throughout the region. Aboriginal people were forced off their traditional lands, with many squatters prohibiting Aboriginal people access to their runs. There are extensive reports of 'guerrilla warfare' between Aboriginal people and squatters and their employees' throughout the 1840s (Critchett 1990). Ethnographic records tell of

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Aboriginal people using the stony rises around Eumeralla River as a base for attacking the European settlers who had dispossessed them, a conflict which has been called the Eumeralla War (Critchett 1990).

Aboriginal people in search of food and other basic items began living on the fringes of Warrnambool, where government rations were available from 1860 onwards (Clark 1990: 40). These people were moved to the Framlingham Aboriginal Mission when it opened in 1861. This Aboriginal reserve covered 3500 acres near the Hopkins River; a large section of land that included the Framlingham forest, the only forested area in the region. In 1867 the Board decided to close Framlingham and move the inhabitants to the new station at Lake Condah, however the people living on the mission refused to leave and successfully protested, resulting the reopening of Framlingham in 1869 (Critchett 1992).

In 1877, a census conducted by the police listed 69 Aboriginals at the Framlingham Aboriginal Station (Barwick 1971). The number of people at Framlingham represents the gathering together of people at the station rather than an increase in population, as the total Aboriginal population of south western Victoria decreased from 727 in 1863 to 236 in 1877. By 1863 the Aboriginal population of Victoria was less than 2000, or 13 percent of the estimated pre-European Aboriginal population (Barwick 1971, p.288).

The decline of the Aboriginal population in the area following European Contact can be attributed to a number of causes: racial conflict, disease, dispossession of land and depletion of traditional food sources (Lourandos 1980, p.89). In 1886, the introduction of the *Aborigines Protection Act* meant that only people considered as 'full-blooded' or 'half-caste' people over 35 years of age were allowed to remain on the Mission Stations.

In 1890 the colonial Government reserved an area of 582 acres for the use of Aboriginal people at Framlingham, but refused to staff the station or provide assistance such as teachers, equipment and livestock. In the 1930s public concern was raised regarding conditions of the Aboriginal people at Framlingham. Under mounting pressure, the government agreed to build an additional twelve cottages and a school was opened and residents given weekly rations. There were multiple attempts to close Framlingham over the years, however the residents remained strongly attached to their land and defeated attempts to remove them (Critchett 1992).

In 1970, under the *Aboriginal Lands Act*, Framlingham was handed to the Framlingham Trust and resumed operation under Aboriginal ownership and management. In the 1980s, Land Rights claims were issued for 1,000 acres of the Framlingham Forest surrounding the Mission Station. This continued from 1980–87, when the land was handed over to the Kirrae Whurrong Aboriginal Corporation at Lake Condah and Framlingham. Aboriginal people still live on the mission land and continue to manage the land there (Agreements, Treaties and Negotiated Settlements website, accessed 9/1/2018).

A Registered Aboriginal Party has been appointed for the area within which the activity area is located; the Eastern Marr Aboriginal Corporation (EMAC).

**Oral History Relating to the Activity Area**

The EMAC were invited to provide oral history in relation to the activity area and surrounding region. No oral history was provided by the EMAC (see Section 6.1).

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#### **7.2.6 Land-Use History of the Activity Area**

French scientist and navigator Nicholas Baudin, sailing with the *Geographe*, is credited with being the first European explorer to sight and record Warrnambool Bay in 1802. Records of sealers and whalers working the Bass Strait from the early 1800s exist, and while it is likely they camped near Warrnambool, no established settlements were made. In 1836 Major Mitchell explored the western district and was quickly followed by early settlers and squatters establishing large pastoral runs. The township of Warrnambool was surveyed and gazetted and land sales began in 1847 (Warrnambool & District Historical Society, accessed 27/07/2020).

Early industries were pastoral settlement, fishing, limestone quarrying and dairying. While Warrnambool was never a major port, the introduction of the railroad in 1890 turned Warrnambool into a flourishing rural city with a population of over 6000 by 1900. By the early 1900s Warrnambool had a strong industrial sector, with wool and cloth manufacturing industries along with food products. Warrnambool also became a major commercial/retail sector for the surrounding area (Victorian Places, accessed 27/08/2020).

A map of the Parish of Yangery from 1894 (Figure 1) indicates that at this time the activity area and adjoining property was under the ownership of Thomas Manifold (1809–1875). Manifold and his brothers migrated to Tasmania from England, later arriving in the Port Philip District in 1836. On July 9, 1839, with one of his brothers, Thomas put ashore what he claimed to be the first sheep ever landed at Point Henry, and proceeded to occupy both sides of the Moorabool River. Towards the end of 1836, Thomas returned to Tasmania, leaving brothers John and Peter to run the new station. Thomas visited several times, during one of which the three brothers examined the country near Ballarat (Australian Dictionary of Biography, accessed 27/07/2020). In December 1838, John and Peter Manifold reached Lake Purrumbete and the Mount Leura country, and Thomas soon joined his brothers. They occupied the Purrumbete run in January 1839, breeding both sheep and cattle, until Thomas travelled to the Grassmere run on Merri River near Warrnambool in 1844. The gold rush saw many of Thomas' men move to the goldfields and he sold the land and returned to England with his family. He later returned to settle in Melbourne (Australian Dictionary of Biography, accessed 27/07/2020).

#### **Wollaston Estate**

A parish plan from 1922 (Figure 2, from Paynter & Rhodes 2005, p.13) indicates that Thomas Manifold's land was later subdivided to form the Wollaston Estate. The Wollaston Estate comprised 17 allotments (Paynter & Rhodes 2005, pp.12–13). Lot 16, owned by TJ Harwood, and Lot 17, owned by J Windmill, covered the activity area. Information obtained from the Warrnambool and District Historical Society states that:

There is a poster advertising the sale of part of the Wollaston Estate in Warrnambool in 1919. The sections for sale were Allotments 1, 18 and 19 which included the Wollaston Homestead. The original Wollaston property of 679 acres was selected by Thomas Manifold in the late 1840s. This land, on the northern side of the Merri River, near the Woodford Road was three kilometres from the Warrnambool town. The first farmer we know who leased the property was William Simpson. Walter Manifold inherited the property and he took it over in 1884. The swing bridge he built in 1890 still stands today. In 1919 the Closer Settlement Board of Victoria acquired Wollaston and 17 lots were sold to returned soldiers for farming purposes. By 1930 there were only five soldier settlers remaining. In 2009 further subdivision took place with lots sold for residential purposes. The homestead allotments were sold separately in 1919 with various owners of the homestead itself recorded since that time. (Victorian Collections, accessed 27/07/2020).



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A parish plan from 1958 indicates that at this stage the activity area was under the ownership of JAJ Wall (Figure 3).

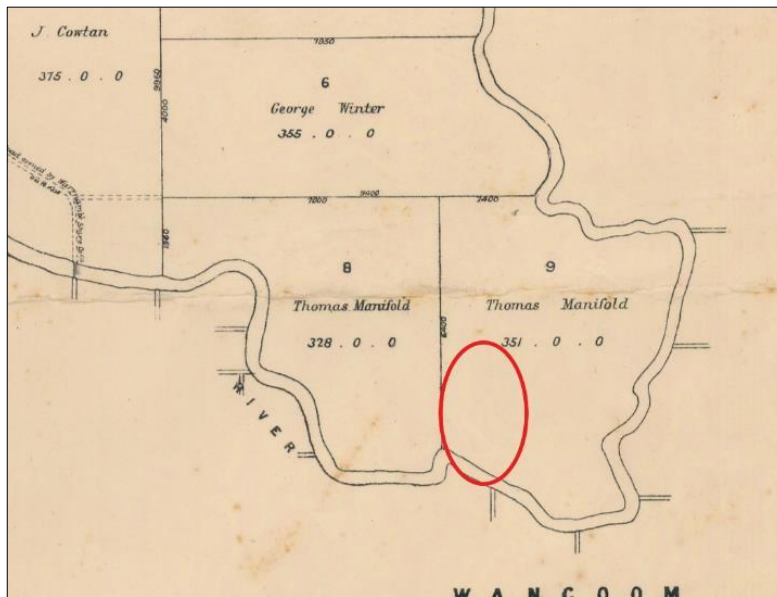


Figure 1. 1894 Yangery Parish Map, with the approximate activity area denoted in red (State Library of Victoria)

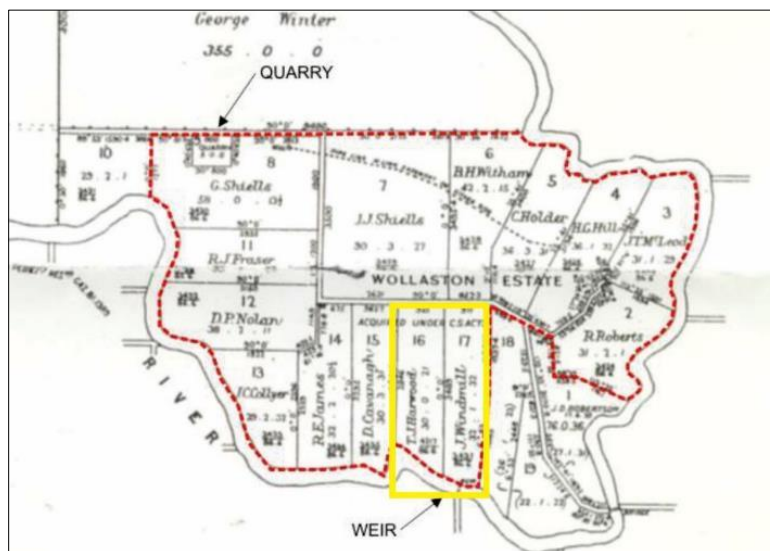


Figure 2. 1922 Parish map showing the Wollaston Estate (from Paynter & Rhodes 2005, pp.12–13). Paynter and Rhodes' study area is denoted in red, while the approximate current activity area is marked in yellow

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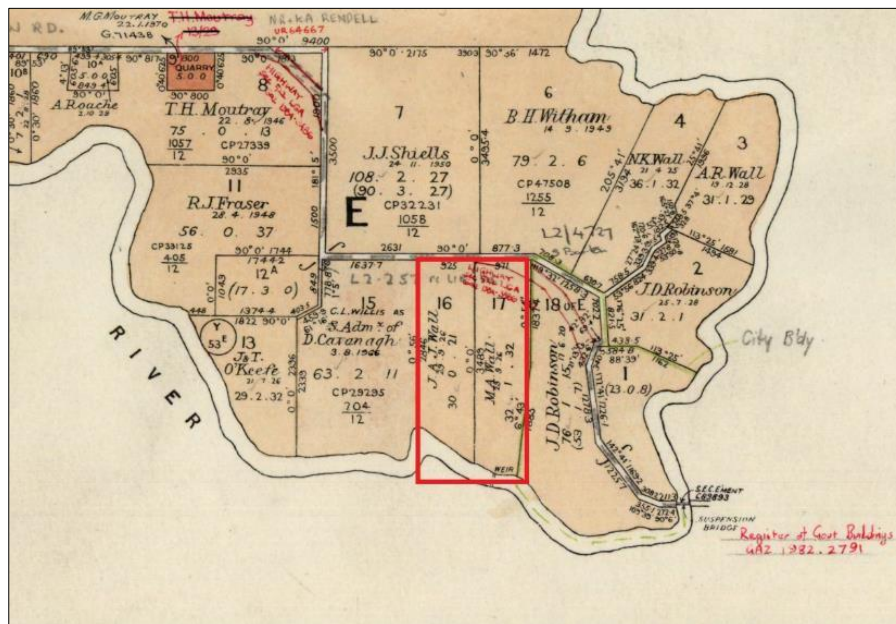


Figure 3. 1958 Yangery parish map with the activity area denoted in red

**Historical Features Within or Close to the Activity Area**

The Broomfield Street weir was noted during an investigation by Paynter and Rhodes in 2005, and is located adjacent to the southern boundary of the activity area. The weir can be seen in the parish maps from 1894, 1922 and 1958 (Figures 1–3). The bluestone weir was constructed in 1891 as part of the Merri River Water Scheme as means of supplying fresh water to the township of Warrnambool (Paynter & Rhodes 2005, 24). The weir was once connected to a pumping station and holding basins, although the location of these is currently unknown. A stone ramp to allow for the movement of fish through the weir was constructed at its southern end. Paynter and Rhodes (2005) noted that the weir was in excellent condition and was considered to be of high local significance due to its association with technological innovation and industrial advances during the late nineteenth century (Paynter & Rhodes 2005, p.28).

The activity area contains a number of exotic plantings, including tree rows. These were noted during a windscreen survey of the land encompassing the current activity area (Paynter & Rhodes 2005, p.27). Paynter and Rhodes suggested that the tree rows and plantings of exotic vegetation may have been associated with historical farm buildings and outbuildings and therefore concluded that there may be potential for locating historical archaeological sites within the vicinity of some of these plantations (Paynter & Rhodes 2005, p.27).

**Historical Aerial Imagery**

As part of this assessment, historical aerial photography has been obtained.

An aerial image from 1948 (Figure 4) shows that at this time the activity area was predominantly cleared of vegetation and comprised open agricultural land. A number of paddocks appear to have been ploughed and/or cropped. Tree row plantings are evident within the southern and eastern portions of the activity area. A dwelling and farm buildings are located adjacent to the eastern activity area boundary, with tree

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rows evident surrounding the buildings. A track is located along the north eastern activity area boundary, leading towards a dwelling and outbuildings. Land within the southern portion of the activity area appears to contain market gardening and/or crops adjacent to Merri River. The surrounding land is cleared, open agricultural land.

A 1969 image (Figure 5) shows the activity area remaining as cleared paddocks, with some additional tree row plantations close to the buildings and dwelling and along the western boundary of the activity area. The surrounding properties remain as rural paddocks containing ploughed or cropped agricultural land. The land adjacent Merri River appears as cropped paddocks, possibly no longer used for market gardening. A cleared track or pathway can be seen along Merri River near the weir.

The 1979 aerial image (Figure 6) indicates that conditions within the activity area have remained relatively unchanged. A track, dwelling and outbuildings remain within the eastern section. A number of the smaller tree rows have been removed. The ground surface close to a number of the tree rows appear to have been cleared or graded. A dam is now located within the south eastern portion of the activity area. The surrounding properties remain as rural cleared paddocks, with the exception of land to the east of the activity area which contains a residential development.

An aerial image from 1985 (Figure 7) shows that conditions within the activity area at this time have remained similar to that seen in 1979. The dam within the south eastern section of the activity area appears to be either dry, or completely filled in at this stage. Urban development continues to grow within land to the east of the activity area.

An aerial image from 2003 (Figure 8) shows large areas of ploughed land in the northern and southern sections of the activity area. The majority of the buildings in the eastern portion have been removed. Established residential areas are evident to the east of the activity area, while the remainder of surrounding properties remain as agricultural land.

The 2013 aerial photograph (Figure 9) indicates that the central portion of the activity area has been cropped or ploughed by this stage. The tree row plantations remain.

By 2014 (Figure 10), conditions within the activity area have remained relatively unchanged, with the exception of a track constructed through the centre of the property extending in a north-south direction from Wollaston Road to the weir crossing Merri River. This is most likely associated with the construction of water pipeline installation, as indicated by Dial Before You Dig mapping (DBYD; see below and Figure 12).

By 2019 (Figure 11), the track appears to no longer be in use and is covered in vegetation. The 2019 aerial image shows a number of buildings have been constructed in the property to the west of the activity area.

**Dial Before You Dig**

A DBYD search has shown that there are number of services located within the activity area or close to the activity area boundary. A Wannon Water pipeline is located through the centre of the activity area (Figure 12). A gas pipeline is mapped as being located within the Wollaston Road reserve to the north of the activity area and Johnstone Road along the eastern boundary (Figure 13). National Broadband Network (NBN) infrastructure is located within the Wollaston Road reserve and extends into the activity area in the north western corner (Figure 14). Telstra infrastructure is also located in these areas. The works associated with the installation of these services would have caused ground disturbance within the activity

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area, predominantly through the central portion and along the northern and eastern activity area boundaries.

**Discussion**

A review of the land-use history has determined that the activity area has undergone a number of disturbances as early as the middle to late 1800s, when land clearance region was undertaken in order to make way for grazing and agricultural purposes. From the early 1900s, the activity area was subdivided as part of the Wollaston Estate, whose allotments were utilised by returned soldiers for farming purposes. The construction of a dwelling and farm buildings, tree row plantations and tracks may have caused ground disturbance within the activity area. Ploughing, grazing, crop plantations and the installation of water and telecommunications services may have also caused disturbance within the activity area.



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Figure 4: 1948 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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Figure 5: 1969 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)



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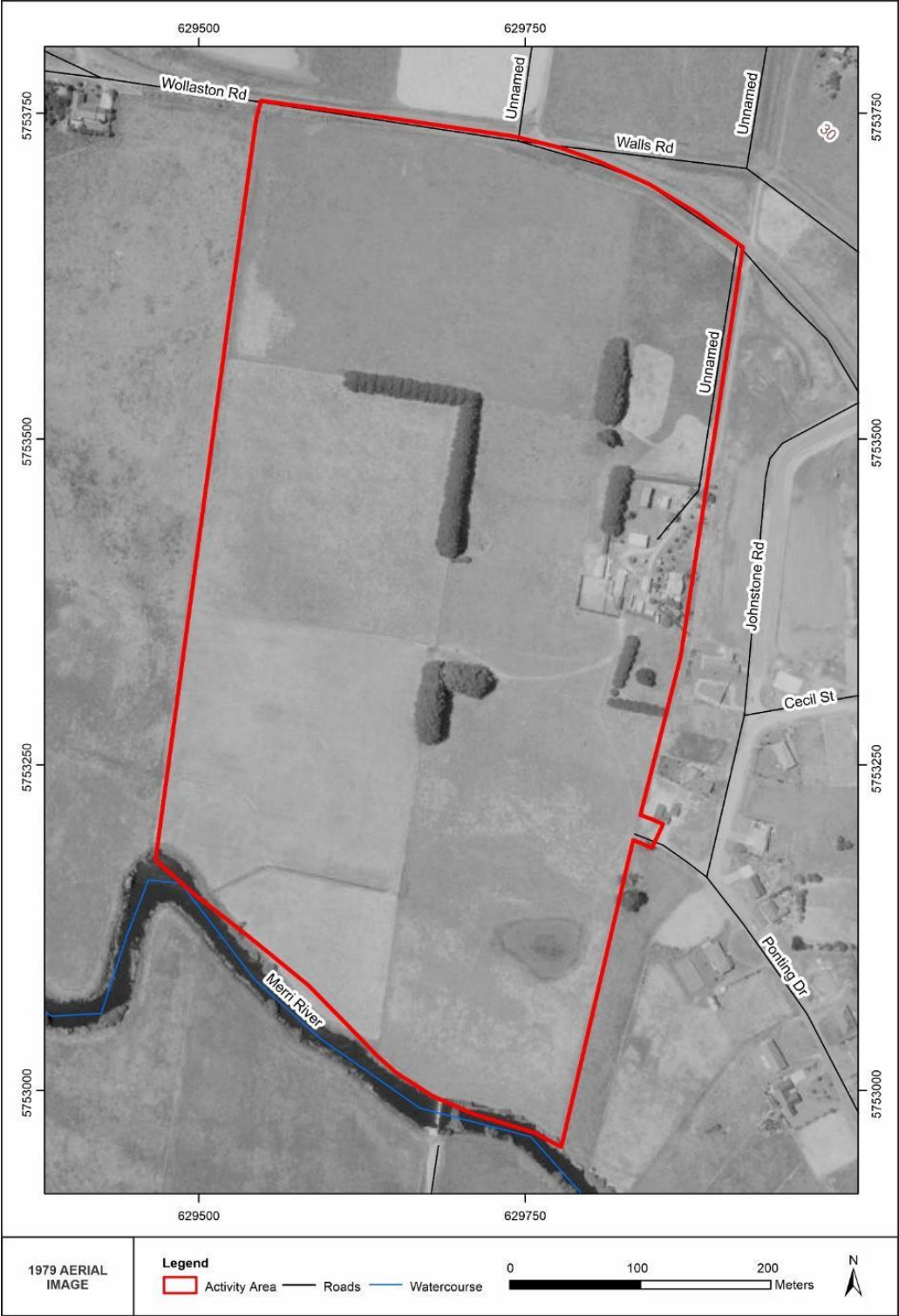


Figure 6: 1979 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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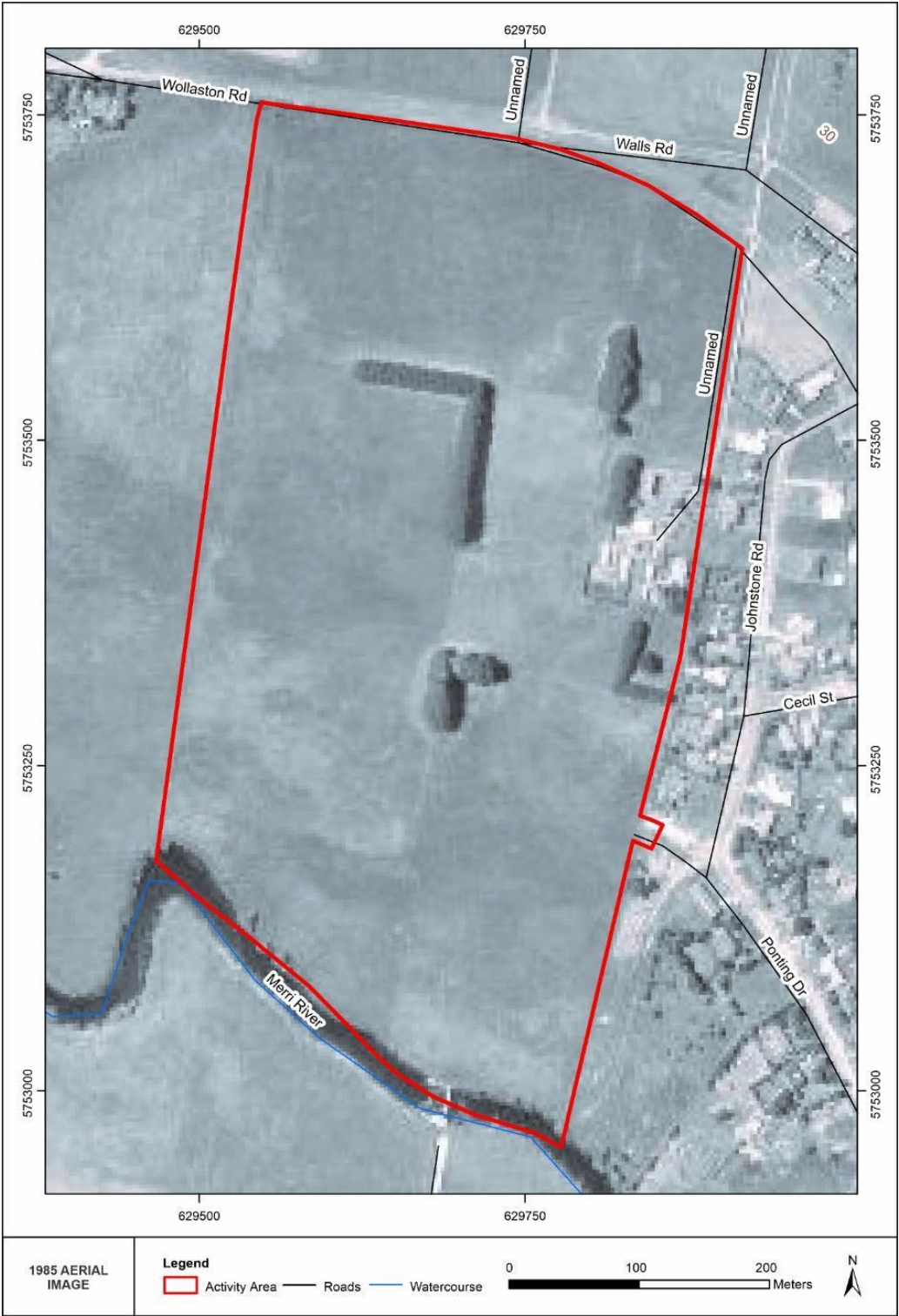


Figure 7: 1985 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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Figure 8: 2003 aerial image (Google Earth)



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Figure 9: 2012 aerial image (Google Earth)



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Figure 10: 2014 aerial image (Nearmap)



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Figure 11: 2019 aerial image (Nearmap)



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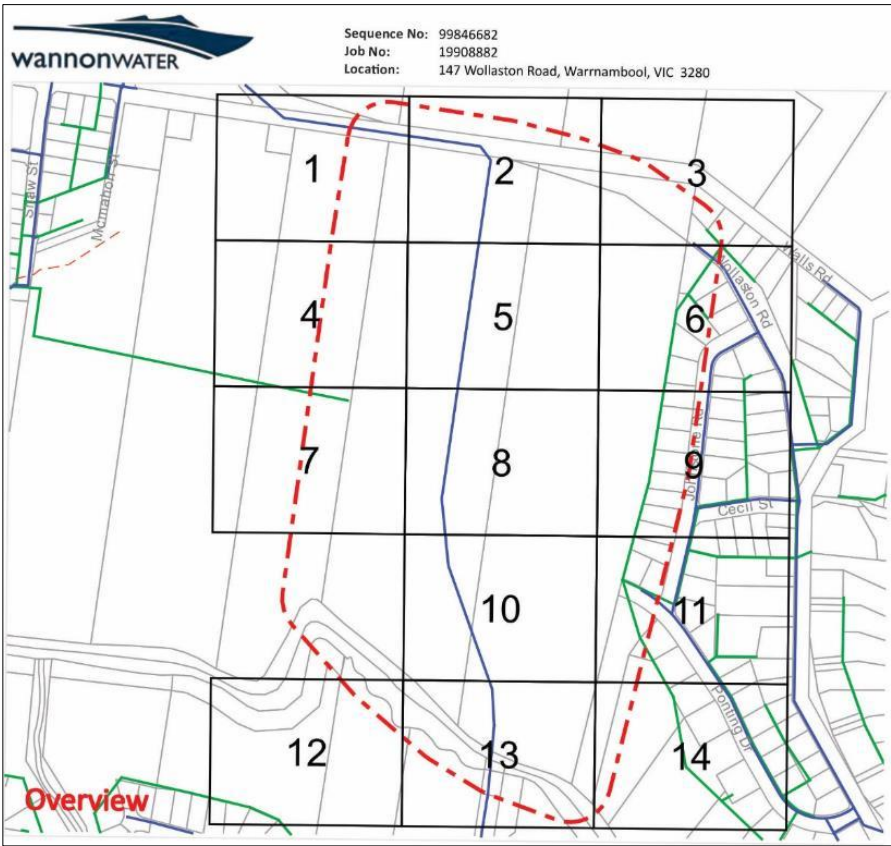


Figure 12: Showing the location of the Wannon Water pipeline through the centre of the activity area (DBYD, accessed 21/07/2020)

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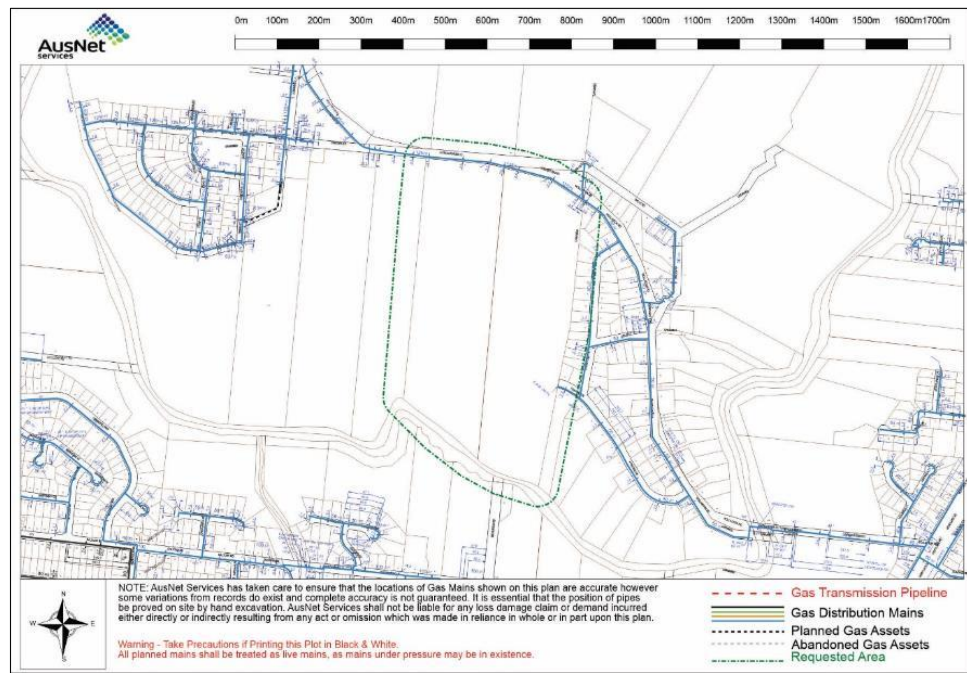


Figure 13: Showing the location of Ausnet gas services in relation to the activity area (DBYD, accessed 21/07/2020)

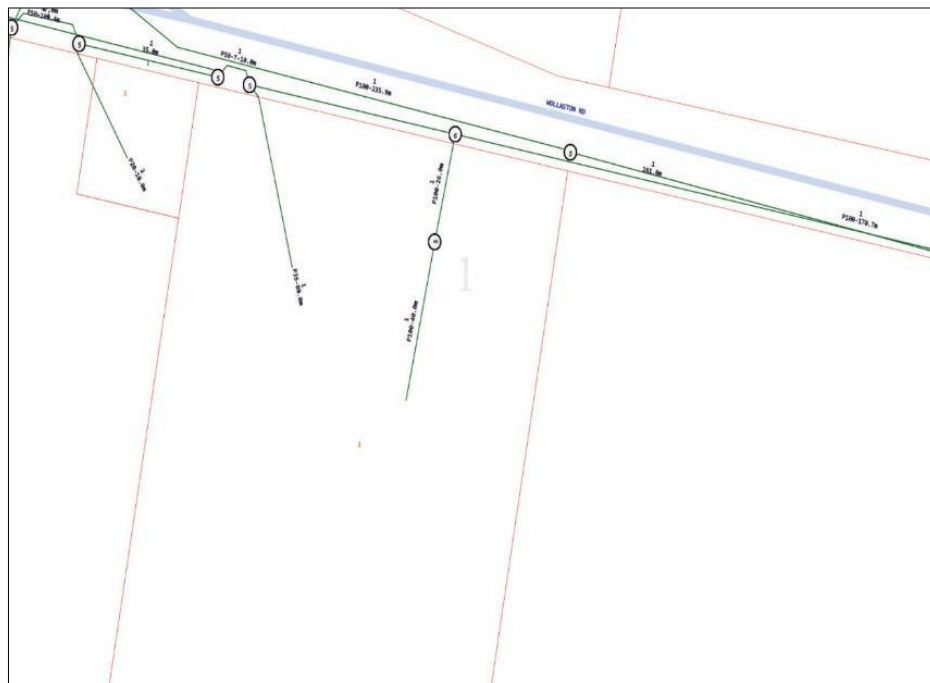


Figure 14: Showing the location of NBN services in the north western portion of the activity area (DBYD, accessed 21/07/2020)

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### 7.3 Site Prediction Model

The desktop assessment for the activity area has allowed a site prediction model to be developed. A site prediction model is intended for use as an indication of the types of Aboriginal archaeological sites that may occur in a given area. The site prediction model can later be tested against the results of the field survey and/or subsurface testing. A review of the environmental data relevant to human settlement and the ethnographic and archaeological data relevant to the local area has indicated that:

- the activity area is located close to Merri River. Merri River would have been a key waterway used as a source of a wide range of animal and plant resources, as well as providing fresh water and a route through the landscape;
- the activity area is located on the geomorphic unit known as the Undulating Plains – Western District. These are basalt plains created through volcanic activity. Soils in these areas are characterised by shallow deposits of silty clay over a clay base;
- the activity area is located within the third tier geomorphological unit 6.1.5 (Terraces, floodplains and lakes, swamps and lunettes);
- the landforms identified in the activity area comprises a steep slope, sloping down south to the Merri River flood plain;
- the activity area would have been characterised by Plains Grassy Woodland and Swamp Scrub vegetation prior to European settlement. Plains grassland and swamp scrub species provided food, fibre and medicine, and are a key cultural resource to Aboriginal people;
- there are 15 registered Aboriginal Places within the geographic region, comprising 16 components. These Places comprise artefact scatters (88%) and low density artefact distributions (12%). The majority of these Places are located in association with the flood plains, alluvial terraces and elevated ridgelines along Merri River. Currently, there have been very few Aboriginal Places located on the open undulating plains landform further afield from Merri River;
- stone artefacts throughout the geographic region are most likely to be manufactured from raw materials such as quartz, silcrete, quartzite, chert, basalt and coastal flint. Coastal flint, basalt and quartz would all have been available locally;
- a moderate amount of CHMPs and reports have been carried out in the geographic region, however these investigations have focussed on the land immediately adjacent Merri River rather than further inland. Approximately half of these investigations have located Aboriginal cultural material in both disturbed and natural soil profiles;
- three archaeological investigations have covered portions of the activity area. No Aboriginal Places were located within the current activity area as a result of these investigations;
- the closest registered Aboriginal Places are located approximately 250–600m to the west and south west of the activity area. These Places are all registered as artefact scatters located on the Merri River flood plain. Artefacts were located at depths of between 0–800mm. The artefacts from the from these Places are predominantly manufactured from silcrete, with small numbers of quartz;
- the activity area is located within an open plain landform. Previous archaeological research on the open plain landform suggests it contains low archaeological potential for the discovery of low densities of stone artefacts in disturbed contexts;

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- the activity area has been subject to previous ground disturbance in the form of vegetation clearance and use of the area for agricultural purposes such as grazing ploughing and crop plantations. The construction of a dwelling and farm buildings, the planting of tree rows and the construction of a water pipeline and other utility services may have also caused disturbance within the activity area;
- the Aboriginal Place types most likely to be located within the activity area are low densities of stone artefacts within disturbed surface and subsurface contexts; and
- there is little or no potential for culturally scarred trees due to broad scale native vegetation clearance.

#### **7.4 Conclusions from the Desktop Assessment**

While a moderate amount of archaeological work has been conducted within the geographic region, only one CHMP has been conducted further afield of Merri River (O'Reilly 2012; 500m). Excavation carried out as part of these CHMPs have revealed both deeper natural and disturbed topsoil soil profiles. The majority of the activity areas for these CHMPs were disturbed due to past land-use activities including land clearance, market gardening and ploughing. The activity area itself has undergone disturbance in the form of clearance of native vegetation, installation of underground services, the use of the area for agricultural and pastoral practices, plantation of tree rows, and construction of a dwelling and associated farm buildings.

Parts of the current activity area have been subjected to three separate archaeological investigations (Paynter & Rhodes 2005; O'Reilly & McAlister 2011; O'Reilly 2012). While Aboriginal cultural heritage was located during all of these investigations on adjoining properties, none was located within the current activity area itself. All of these investigations noted disturbance as a result of previous land-use activities, including land clearance and ploughing. As a result, any Aboriginal cultural heritage in the form of stone artefact scatters and low density artefact distributions are most likely to be disturbed and/or dispersed, and to be located where minimal ground disturbance has occurred.

The information reviewed as part of the desktop assessment has indicated that it is difficult to determine whether or not Aboriginal cultural heritage may be present within the activity area. This is predominantly due to the lack of archaeological investigations further afield from Merri River, where the activity area is located. As a result, it must be assumed that it is possible for Aboriginal cultural heritage to occur in the activity area. Therefore, in accordance with r.62 of the *Aboriginal Heritage Regulations 2018*, a standard assessment will be required to detect the presence of Aboriginal cultural heritage within the activity area.

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## 8.0 Report on the Standard Assessment

In accordance with Clause 8, Schedule 2 of the *Aboriginal Heritage Regulations 2018*, this section contains the results of the standard assessment and field survey.

### 8.1 Aims and Methodology for the Standard Assessment

A standard assessment is a surface archaeological survey. This may locate evidence of surface sites but will not necessarily find buried archaeological deposits. The methodology for the standard assessment is informed by the desktop assessment and the site prediction model.

The aim of the field survey was to:

- identify any surface evidence of Aboriginal cultural heritage; and
- identify areas of potential sensitivity for Aboriginal cultural heritage.

The field survey was undertaken in accordance with proper archaeological practice, pursuant to r.63 of the *Aboriginal Heritage Regulations 2018*.

A systematic pedestrian survey was undertaken with the field team walking closely spaced (approximately 2m) pedestrian transects across the entire activity area.

Areas of bare ground surface exposure were inspected closely. The general percentage (%) of ground surface visibility was recorded throughout the activity area. All evidence of prior ground disturbance was also recorded. All mature trees within the activity area were examined for the presence of scars. The activity area was also examined for the presence of caves, cave entrances or rock shelters.

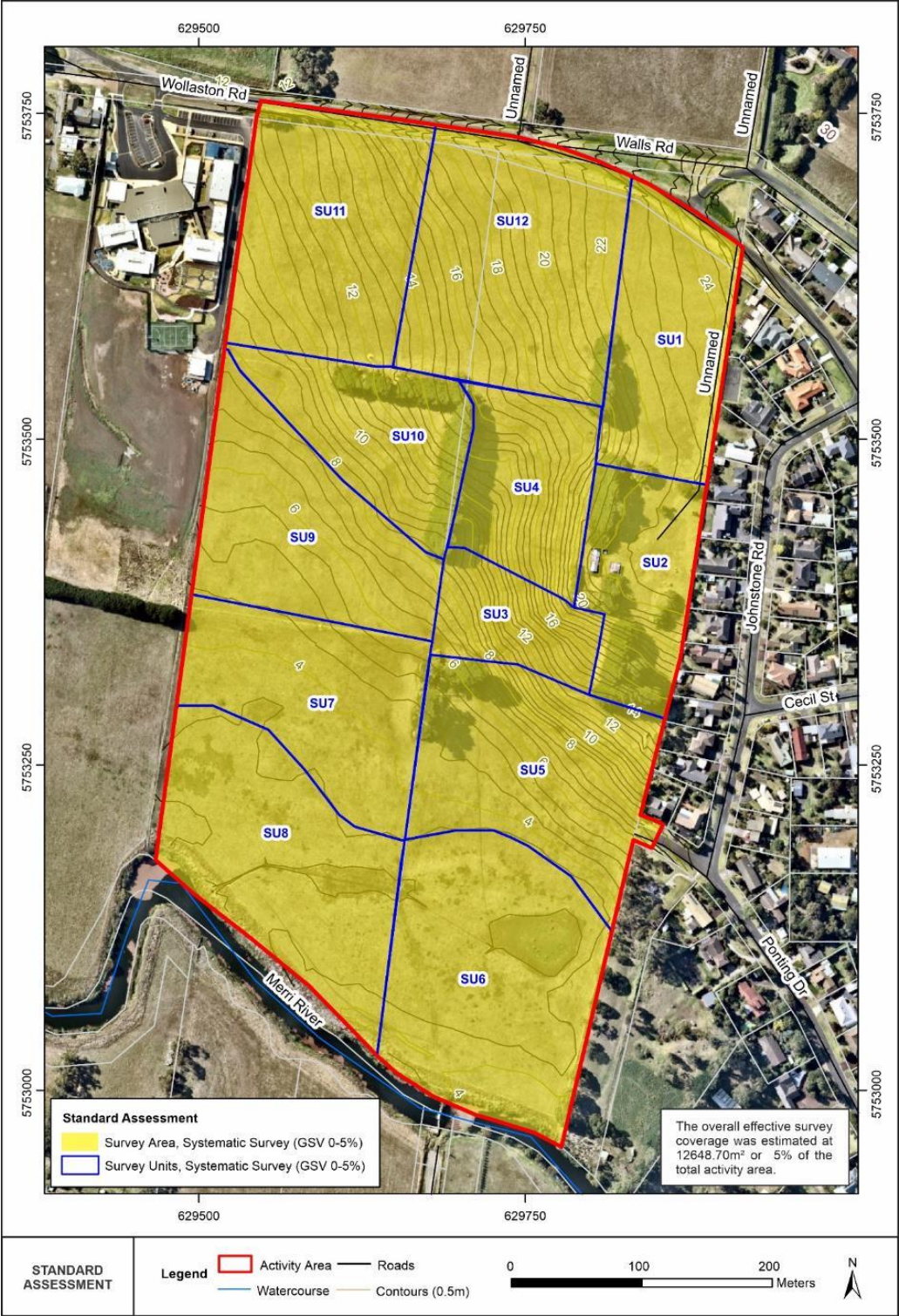
If any surface archaeological sites were located during the assessment, the following would be undertaken:

- completion of a standard recording form;
- photography of the general location of the surface site and cultural material; and
- drawing a plan of the site in relation to landmarks within the activity area and recording the location of the cultural material with a differential GPS.

A discussion of the results of the survey took place on-site with the field representative/s from the EMAC.



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Map 8: Standard assessment field survey



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## **8.2 Results of the Standard Assessment**

### **8.2.1 Area Surveyed**

The field survey was undertaken by Margaret Reith (Heritage Insight Pty Ltd) on January 11, 2021. She was assisted by Thanos Matanis (Heritage Insight Pty Ltd), Hayden Harradine and Corey Harradine (EMAC). Survey accessibility was excellent with the entire activity area being able to be accessed and surveyed (Map 8).

### **8.2.2 Ground Surface Visibility and Other Constraints on Field Survey**

No modification to vegetation, such as slashing or cutting, had occurred with the activity area prior the survey. All parts of the activity area are in open paddocks covered in vegetation in the form of pastoral grasses. Visibility was generally poor, with few open bare patches and higher visibility under trees and in areas affected by stock rubbing and erosion. The general level of ground surface visibility was estimated at <5% throughout the entire activity area (Map 8). As such, the general effective survey was estimated at 12648.70m<sup>2</sup> or 5% of the total activity area.

### **8.2.3 Survey Results**

For the purpose of discussing the survey results, the activity area was divided into 12 survey units (SU) (Map 8), relating to the four differing geologies discussed in the desktop assessment or topographic features observed in the field.

#### **8.2.3.1 SU 1: New Volcanic Basalt**

This section is situated in the north eastern corner of the activity area. It is also the highest elevated part of the activity area. This area is open paddocks with thick grass coverage. The area slopes gently down to the south west.

Plates 1–2 show conditions in SU 1 of the activity area. The majority of the area comprised open paddock with uncropped grass and poor ground surface visibility.

No Aboriginal cultural material was noted in this section and no areas of archaeological potential were identified.



**Plate 1: SU 1 facing south (photo by M Reith  
11/1/21)**



**Plate 2: SU 1 facing north (photo by M Reith  
11/1/21)**

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**8.2.3.2 SU 2: Farmyard Outbuildings**

Survey unit 2 is situated in the centre of eastern part of the property and is defined by a series of farmyard structures and outbuildings. These are made from timber, corrugated iron and concrete. In one area, basalt cobbles were used for paving a crude surface. The area is also fringed by mature pines and low shrubs, many of which were probably planted in the early to mid-twentieth century when the farm was first constructed.

Plates 3–10 show conditions in SU 2 of the activity area. The majority of the area comprised small open paddocks with uncropped grass and poor ground surface visibility; some areas are evidently used for livestock grazing. Livestock trampling was noted under the pine trees close to a feeding trough. Areas close to the pine trees show evidence of splash erosion, resulting in some exposed sediments under the dripline.

No Aboriginal cultural material was noted in this section and no areas of archaeological potential were identified.



**Plate 3: Farmyard paddock in SU 2 – facing north**  
(photo by M Reith 11/1/21)



**Plate 4: Outbuildings and livestock in SU 2 – facing south north**  
(photo by M Reith 11/1/21)



**Plate 5: Visibility under pines – facing north**  
(photo by M Reith 11/1/21)



**Plate 6: Milking shed in SU 2 – facing west**  
(photo by M Reith 11/1/21)

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**Plate 7: Pine trees and feeding trough – facing north**  
(photo by M Reith 11/1/21)



**Plate 8: Concrete structures in SU 2 – facing east**  
(photo by M Reith 11/1/21)



**Plate 9: Basalt boulders used for paving in Area 2 – facing north**  
(photo by M Reith 11/1/21)



**Plate 10: Driveway along fence line in Area 2 – facing south**  
(photo by M Reith 11/1/21)

**8.2.3.3 SU 3, 4, 11 and 12: Point Campbell Limes tone**

Survey units 3, 4, 11 and 12 taken together are predominantly located in the north and centre of the property, running north west by south east. The north western area (SU 11) is dominated by open paddocks with the central part (SU 12) bound by pine trees to the west and east, behind which lay the farm outbuilding. In the south (SU 3 and 4) the paddock gently inclines to the south and west.

Plates 11–16 show conditions in SU 3, 4, 11 and 12. The majority of the area comprised paddocks with uncropped grass and poor ground surface visibility; some areas are evidently used for livestock grazing and cropping of hay. Livestock trampling was noted close to a drinking trough. Areas close to the pine trees show evidence of splash erosion, resulting in some exposed sediments under the dripline.

No Aboriginal cultural material was noted in this section and no areas of archaeological potential were identified.



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Plate 11: Facing north along midslope in SU 3  
(photo by M Reith 11/1/21)



Plate 12: Facing west downslope on edge of crest in  
SU 3 (photo by M Reith 11/1/21)



Plate 13: Facing north upslope in SU 4 (photo by M  
Reith 11/1/21)



Plate 14: Facing south on gentle slope down to flood  
plain in SU 4 (photo by M Reith 11/1/21)



Plate 15: Centre of paddock in SU 11 – facing north  
(photo by M Reith 11/1/21)



Plate 16: Water trough showing exposed sediments  
in SU 12 (photo by M Reith 11/1/21)

#### 8.2.3.4 SU 5, 7, 9 and 10: Towerhill Tuff

Survey Units 5, 7, 9, and 10 taken together are located in the south-central and eastern-central portions of the property. The south-central area (SU 5 and 7) is dominated by open paddocks on gently sloping simple slopes. The eastern-central part (SU 9 and 10) is also dominated by open paddocks that are bound by pine trees to the east and north.

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Plates 17–20 show conditions in SU 5, 7, 9 and 10. The majority of the area comprised paddocks with uncropped grass and poor ground surface visibility. Some areas are evidently used for livestock grazing and cropping of hay. Areas close to the pine trees show evidence of splash erosion, resulting in some exposed sediments under the dripline.

No Aboriginal cultural material was noted in this section and no areas of archaeological potential were identified.



Plate 17: Facing south towards Merri River in SU 9  
(photo by M Reith 11/1/21)



Plate 18: Facing east midslope down to flood plain  
in SU 7 (photo by M Reith 11/1/21)



Plate 19: Facing south midslope down to flood plain  
in SU 5 (photo M Reith 11/1/21)



Plate 20: Facing west towards pine trees in SU 10  
(photo by M Reith 11/1/21)

**8.2.3.5 SU 6 and 8: Flood Plain Alluvium**

Survey Units 6, and 8 taken together are located in the southern part of the activity and are bounded by Merri Creek which runs along the southern boundary of the property. These areas are dominated by open paddocks on a gently sloping simple slope that runs down to Merri River and becomes a low-lying flood plain. A dam has been constructed on the eastern side of SU 6.

Plates 21–26 show conditions in SU 6 and 8, which comprised paddocks with uncropped grass and poor ground surface visibility. Some areas are evidently used for livestock grazing and cropping of hay. The area in and around the dam has some exposed sediments where the water has dried out.

No Aboriginal cultural material was noted in this section and no areas of archaeological potential were identified.



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Plate 21: Facing north dam on flood plain in SU 6 (photo by M Reith 11/1/21)



Plate 22: Exposed sediments in base of dry dam in SU 6 (photo by M Reith 11/1/21)



Plate 23: Facing west on flood plain near dry dam in SU 6 (photo by M Reith 11/1/21)



Plate 24: Facing west drain from dam feeding into Merri River in SU 6 (photo by M Reith 11/1/21)



Plate 25: Facing south drain feeding in Merri River in south of property in SU 8 (photo by M Reith 11/1/21)



Plate 26: Facing south drain towards Merri River in SU 8 (photo by M Reith 11/1/21)



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#### **8.2.4 Aboriginal Cultural Heritage**

No Aboriginal cultural materials were found during the standard assessment.

#### **8.2.5 Areas of Potential Archaeological Sensitivity**

The activity area is considered to contain low archaeological potential. The southern section that borders Merri River is a flood plain that has been modified through historical ploughing and agricultural practices and the construction of a dam. The north east part of the activity area comprises a gentle sloped open paddock that has also been impacted by historical land clearance, grazing and ploughing.

However, some areas of archaeological potential may be present, either near the top of the slope in the north eastern corner, or adjacent to Merri River that runs along the southern portion of the activity area.

### **8.3 Conclusions from the Standard Assessment**

The activity area contains no caves, rock shelters or stony rises. Some basalt floaters present in the northern section likely represent the edge of an eroding lava flow. Some remnant mature Eucalypts are present in and near the activity area. These were inspected for signs of cultural scarring. No cultural modification was noted.

The desktop assessment noted that the activity area likely contained low archaeological potential for the discovery of stone material. The activity area did not contain any stony rises which may have contained higher archaeological potential. It was also noted that the activity area comprises a combination of low-lying flood plain and gently inclined simple slopes.

The standard assessment noted that the activity area has undergone ground disturbance through ploughing, grazing and land clearance. The standard assessment was inhibited by poor ground surface visibility. The archaeological potential of the activity area is considered to be low, with the only areas of potential archaeological sensitivity being identified as either near the top of the slope in the north eastern corner and/or adjacent Merri River, which runs along the southern portion of the activity area. It is considered unlikely that the activity area contains moderate to high densities of stone artefacts or *in situ* cultural heritage deposits, however low densities of stone artefacts may be present.

Due to the poor ground surface visibility and the proximity of the activity area to Merri River, a complex assessment was required to further test for the potential of subsurface deposits of Aboriginal cultural material, as per r.64 of the *Aboriginal Heritage Regulations 2018*.

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## 9.0 Report on the Complex Assessment

In accordance with Clause 8, Schedule 2 and Clause 9, Schedule 2 of the *Aboriginal Heritage Regulations 2018*, this section contains the results of the complex assessment.

### 9.1 Aims and Methodology for the Complex Assessment

A complex assessment subsurface testing program was determined to be necessary to investigate the subsurface potential for Aboriginal cultural heritage. As well as undertaking sampling to assess proposed impact areas for Aboriginal cultural heritage, the excavation also provided information regarding any soil disturbance within the activity area that would affect the preservation of subsurface Aboriginal cultural heritage sites. The methodology for the complex assessment was discussed and agreed upon in consultation with the RAP prior to the field assessment (Section 6.1).

A complex assessment (subsurface testing by excavation) was carried out as part of this assessment on January 11 and 15, 2021 and was supervised by a qualified archaeologist (Margaret Reith, Heritage Insight Pty Ltd). A brief discussion of the results of the complex assessment took place on-site with the field representatives from the EMAC on both occasions.

#### Excavation of the Test Pits

As required by the *Aboriginal Heritage Regulations 2018*, a 1x1m test pit (TP) was first excavated on each landform to determine the soil stratigraphy and to explore the possibility of Aboriginal cultural heritage existing within a subsurface context (Map 9). The TPs were labelled numerically (i.e., TP 1, TP 2, etc.). TP 1 was placed on the flood plain close to Merri River on the mapped Alluvium (Qa1) geology. TP 2 was placed in the western-central part of the activity area on the mapped Tower Hill Tuff (Nept) geology. TP 3 was situated on Port Campbell Limestone (Nhp) in the north eastern quadrant of the activity area. TP 4 was placed in the north eastern corner of the activity area on the mapped Newer Volcanic Group – basalt flows (Neo).

Initially, the grass layer was removed from the TP location with a square, flat blade spade measuring 200mm in width. Excavation was then undertaken manually in units of 100mm depth (spits) in order to provide a good profile of the horizontal and vertical distribution of any cultural remains identified through the different soil layers. Changes in soil context were recorded within the spits. This process continued until the presence of a sterile basal layer was established. Levels were taken on the surface and at the base of each spit with an automatic level (dumpy). Levels were also taken for any *in situ* Aboriginal cultural heritage. Any identified features within each spit were drawn to scale on graph paper. A soil section was drawn of a minimum of one wall of the test pit once excavation was completed. A photographic record of the surface, any features identified during excavation, the base of each spit and the soil section was made. A range pole with increments of 200mm was included in all photographs. Soil descriptions and other natural and cultural features were recorded on standard excavation forms. Soil descriptions were based on the Australian Soil Classifications and the standard Munsell Soil Chart. Soil pH levels were taken for each spit and soil context using a standard garden variety test kit.

All of the soil from the test pit was passed through a sieve with a 5mm mesh. In the event that any Aboriginal cultural heritage was recovered, the procedure was to place the find in an appropriate bag (based on the nature of the find) with labels identifying the context. By agreement with the EMAC, any Aboriginal cultural heritage recovered from the excavation was to be retained for later analysis at the office of Heritage Insight Pty Ltd.

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Coordinates for the location of the test pits were recorded using a differential GPS and backfilling took place in order to comply with OHS requirements.

**Machine Transects**

Machine transects (MTs) were excavated in order to further assess the likelihood of Aboriginal cultural material being located within the activity area and to provide a more extensive sample of the surface and subsurface soils (Map 9). Machine excavation was used at the request of the RAP to obtain a larger sample size and because it is a more efficient testing methodology than STPs on a shallow landform. The MTs measured 5m x 1m and were placed on the crest landform element situated in the north eastern part of the activity area. MTs were labelled numerically (i.e., MT 1, MT 2, etc.).

Soil within the MTs was excavated in increments of approximately 100mm in order to provide a good profile of the horizontal and vertical distribution of any cultural remains identified through the different soil layers. This process continued until the presence of the sterile basal layer was located. In the event that Aboriginal cultural features (including concentrations of six or more artefacts) were identified during excavation of the MT, controlled manual excavation would then be undertaken of the feature in 50mm spits until the base of the feature was established. Mechanical excavation would then continue. Soil sections were drawn of one wall of each MT once excavation was completed. A photographic record of the surface, any features identified during excavation and the soil section was made. A range pole with increments of 200mm was included in all photographs. Soil descriptions and other natural and cultural features were recorded on standard excavation forms. Soil descriptions were based on the Australian Soil Classifications and the standard Munsell Soil Chart. Soil pH levels were taken for each spit and soil context using a standard garden variety test kit.

All of the soil from the MTs was passed through a sieve with a 5mm mesh. In the event that any Aboriginal cultural heritage was recovered, the procedure was to place the find in an appropriate bag (based on the nature of the find) with labels identifying the context. By agreement with the EMAC, any Aboriginal cultural heritage recovered from the excavation was to be retained for later analysis at the office of Heritage Insight Pty Ltd.

Coordinates for the location of each MT were recorded using a differential GPS and backfilling took place in order to comply with OHS requirements.

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Map 9: Subsurface testing locations



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## 9.2 Constraints on the Complex Assessment

No major constraints on fieldwork were encountered during complex assessment. MT 2 was relocated from its original location by approximately 2m due to the exposure of a potential service trench. This newly relocated trench was called MT 2A.

## 9.3 Results of the Complex Assessment

The complex assessment was conducted on January 11–15, 2021 by Margaret Reith, Thanos Matanis (Heritage Insight), Corey Harradine and Hayden Harradine (EMAC). Mechanical excavation was done by Steven Weir (Belmara Industries).

A total of four 1x1m TPs and seven 1mx5m MTs (one was discontinued) were excavated across the activity area in order to assess the likelihood of Aboriginal cultural material being present and to establish a profile of the soils within the activity area. None of the TPs or MTs exposed Aboriginal cultural materials. The results of the excavation are outlined below.

### 9.3.1 Test Pit 1

TP 1 was excavated in the south western corner of the activity area on the flood plain close to Merri River on the mapped Alluvium (Qa1). This test pit contained shallow deposits of friable to compacted very dark greyish-brown silts and silty clays lying over very firmly compacted dark brown clay. No notable inclusions were noted throughout the soil profile, with some bioturbation observed within Context 1. This test pit was excavated to a maximum depth of 360mm. The clay was identified as culturally sterile basal deposits.

No Aboriginal cultural material was located in this test pit.

Map 9 shows the location of TP 1. Table 6 below provides a summary of excavation data.

**Table 6: Test Pit 1 excavation summary**

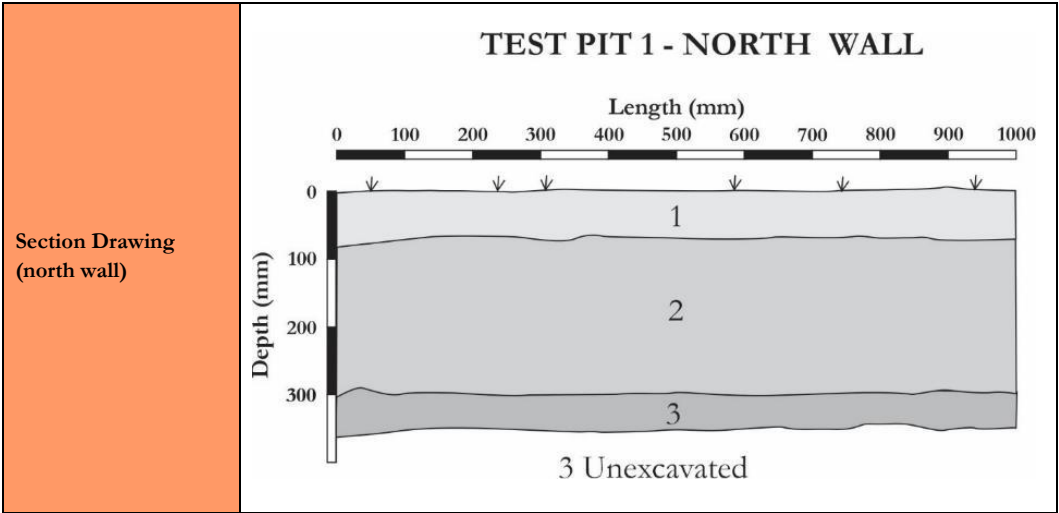
<b>Test Pit</b>	1		
<b>GDA 94 Coordinates (Zone 54)</b>	<b>NW</b>	629570.809E/ 5753104.892N	<b>NE</b> 629570.809E/ 5753105.892 N
	<b>SW</b>	629571.809E/5753105.892N	<b>SE</b> 629571.809E/5753104.892N
<b>Stratigraphy</b>			
<b>Context 1</b>	0–80/90mm: Moist friable silt with grass roots and bioturbation. Smooth, diffused transition to Context 2. Munsell: 10YR 3/2 (very dark greyish-brown), pH: 6.5.		
<b>Context 2</b>	80/90–/300mm: Compact silty clay with smooth, diffused transition to Context 3. Munsell: 10YR 3/2 (very dark greyish-brown), pH: 6.5.		
<b>Context 3</b>	300–350/360: Highly compact dark brown clay. Munsell: 10YR 2/1 (dark brown), pH: 6.5.		
<b>Depth of Excavation</b>	360mm		
<b>Evidence of Disturbance</b>	None		

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Aboriginal Cultural Heritage	None
Test Pit 1 – End of excavation (facing north)  (Photo by M Reith 12/1/2021)	
Test Pit 1 – Close up of stratigraphic profile (facing north)  (Photo by M Reith 12/1/2020)	



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**9.3.2 Test Pit 2**


TP 2 was placed in the western-central part of the activity area on the mapped Tower Hill Tuff (Nept) geology. This test pit contained shallow deposits of friable to compact dark brown silts, dark brown clayey silts and very dark brown silty clays lying over strongly compacted dark brown clay. Inclusions of rounded 'buckshot' (pisolite) were noted throughout much of the lower part of the soil profile, with a higher accumulation at the boundary with the basal clay. The presence of pisoliths is indicative of retarded drainage. This test pit was excavated to a maximum depth of 400mm. The clay was identified as culturally sterile basal deposits.

No Aboriginal cultural material was located in this test pit.

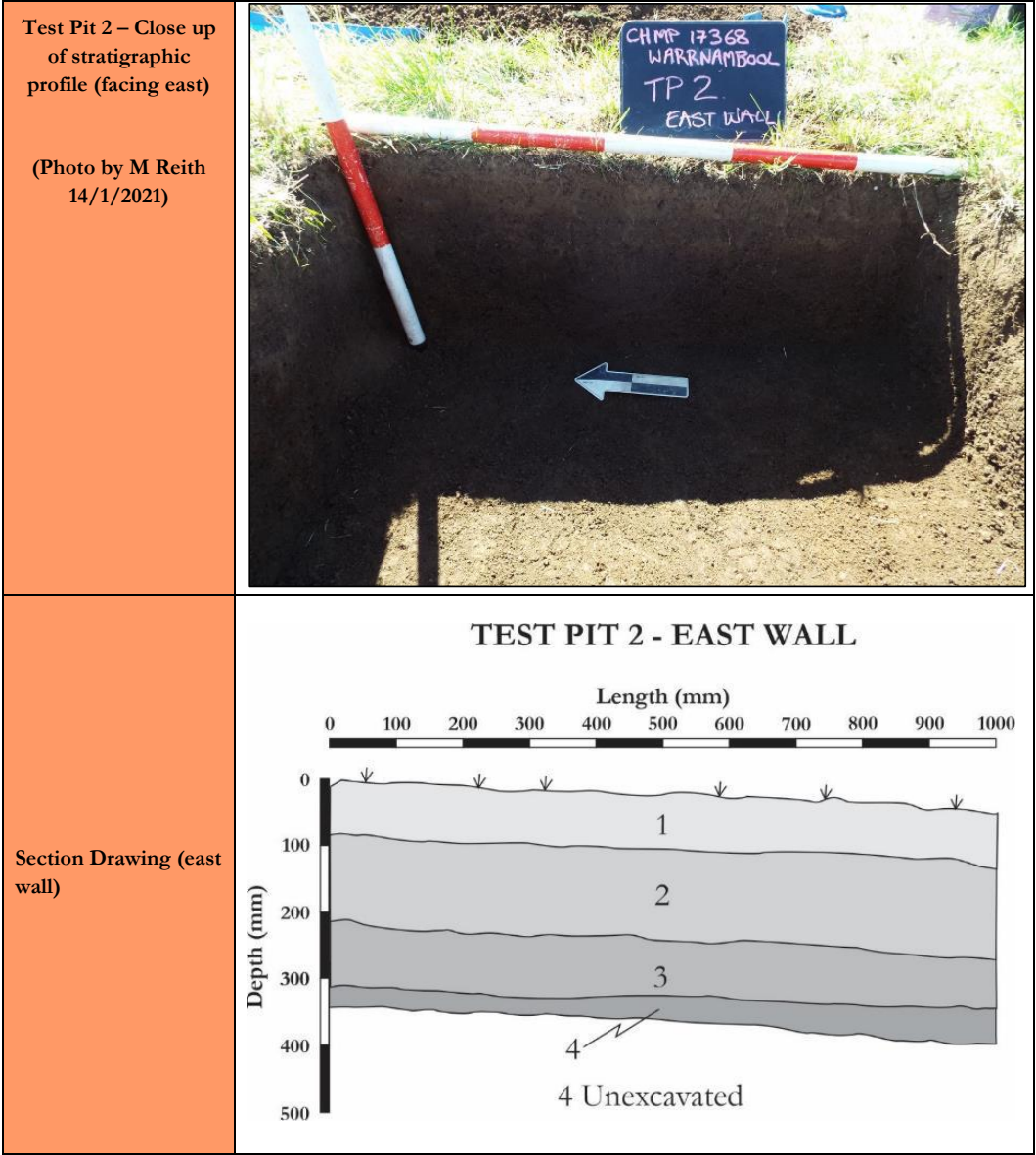
Map 9 shows the location of TP 2. Table 7 below provides a summary of excavation data.

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Table 7: TP 2 excavation summary

Test Pit	2		
GDA 94 Coordinates (Zone 54)	NW	629577.371E/5753432.989N	NE 629577.371E/5753433.989 N
	SW	629578.371E/5753433.989N	SE 629578.371E/5753432.989 N
Stratigraphy			
Context 1	0–80/140mm: Moist, friable silt with grass root inclusion and bioturbation. Smooth, diffused transition to Context 2. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.		
Context 2	80/140–210/280mm: Moist, friable clayey silt with buckshot inclusions. Smooth and diffuse transition with Context 3. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.		
Context 3	210/280–310/340mm: Moist, compact silty clay with frequent buckshot inclusion. Smooth and diffuse transition with Context 4. Munsell: 7.5YR 2.5/3 (very dark brown), pH: 6.5.		
Context 4	310/340–340/400mm: Moist, highly compact clay with some buckshot inclusion. Munsell: 7.5YR 3/3 (dark brown), pH: 6.		
Depth of Excavation	400mm		
Evidence of Disturbance	None		
Aboriginal Cultural Heritage	None		
Test Pit 2 – End of excavation (facing north)  (Photo by M Reith 14/1/2021)			

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### 9.3.3 Test Pit 3

TP 3 was situated on Port Campbell Limestone (Nhp) in the north eastern quadrant of the activity area. This test pit contained shallow deposits of friable dark brown silty loam and dark greyish-brown silty clay lying over firmly compacted very dark brown clay. Inclusions of rare limestone pebbles in Context 2. Inclusions of rounded 'buckshot' (pisolite) were noted throughout much of the lower part of the soil profile, with a slightly higher accumulation at the boundary with the basal clay. The presence of pisoliths is indicative of retarded drainage. This test pit was excavated to a maximum depth of 360mm. The clay was identified as culturally sterile basal deposits.

No Aboriginal cultural material was located in this test pit.

Map 9 shows the location of TP 3. Table 8 below provides a summary of excavation data.

**Table 8: TP 3 excavation summary**

<b>Test Pit</b>	3		
<b>GDA 94 Coordinates (Zone 54)</b>	<b>NW</b>	629773.163 E/5753528.702N	<b>NE</b> 629773.163 E/5753529.702N
	<b>SW</b>	629774.163 E/5753529.702N	<b>SE</b> 629774.163 E/5753528.702N
<b>Stratigraphy</b>			
<b>Context 1</b>	0–120mm: Moist, friable silty loam with abundant small rootlets. Smooth and diffuse transition with Context 2. Munsell: 10YR 3/3 (dark brown), pH: 6.		
<b>Context 2</b>	120–320/340: Moist, moderately compacted silty clay with rare sub-rounded degraded limestone cobbles (~100mm) and uncommon fine rounded buckshot inclusions. Smooth and diffuse transition with Context 3.		
<b>Context 3</b>	Munsell: 10YR 3/2 (very dark greyish-brown), pH: 6.  320/340–360mm: Moist, firmly compacted clay with uncommon fine rounded buckshot inclusions. Munsell: 10YR 2/2 (very dark brown), pH: 6.		
<b>Depth of Excavation</b>	360mm		
<b>Evidence of Disturbance</b>	None		
<b>Aboriginal Cultural Heritage</b>	None		

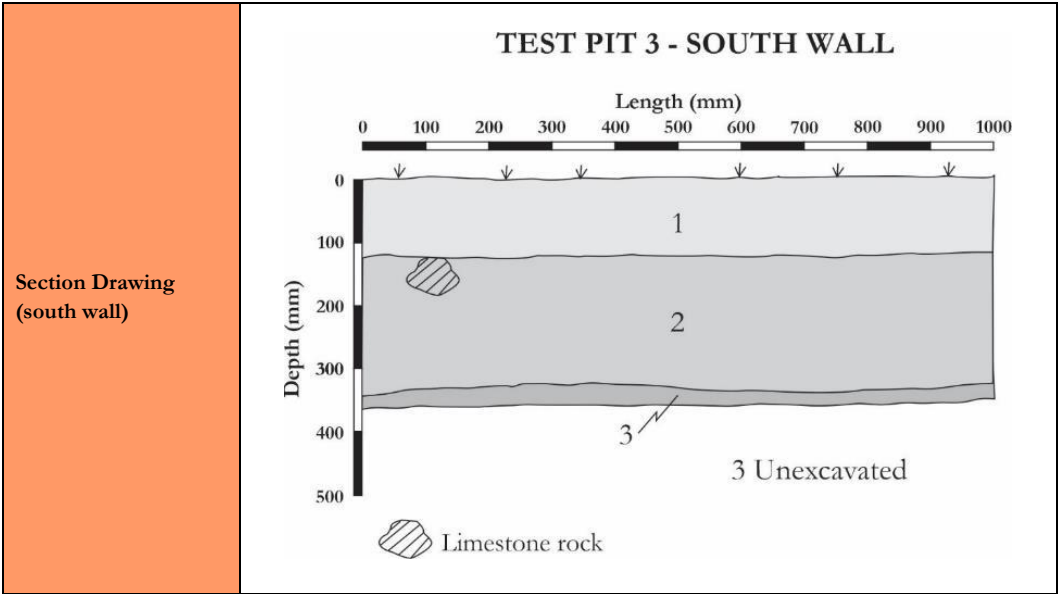


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<p>Test Pit 3 – End of excavation (facing north)</p> <p>(Photo by M Reith 14/1/2021)</p>	
<p>Test Pit 3 – Close up of stratigraphic profile (facing south)</p> <p>(Photo by M Reith 14/1/2021)</p>	



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#### 9.3.4 Test Pit 4

TP 4 was placed in the north eastern corner of the activity area on the mapped Newer Volcanic Group – basalt flows (Neo). This test pit contained shallow deposits of compact dark brown clayey silts and firmly compacted dark brown silty clays lying over strongly compacted very dark brown clay. Inclusions of sub-angular degraded basalt were observed within Contexts 2 and 3. This test pit was excavated to a maximum depth of 310mm. The clay was identified as culturally sterile basal deposits.

No Aboriginal cultural material was located in this test pit.

Map 9 shows the location of TP 3. Table 9 below provides a summary of excavation data.

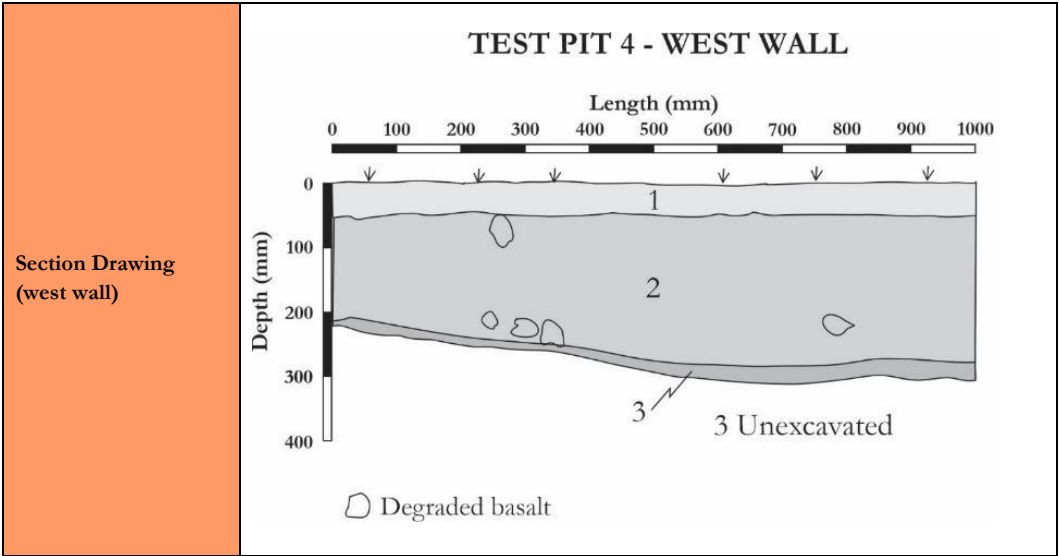
**Table 9: Test Pit 4 excavation summary**

<b>Test Pit</b>	4		
<b>GDA 94 Coordinates (Zone 54)</b>	<b>NW</b>	629889.738E/5753628.080N	<b>NE</b> 629889.738E/5753629.080N
	<b>SW</b>	629890.738E/5753629.080N	<b>SE</b> 629890.738E/5753628.080N
<b>Stratigraphy</b>			
<b>Context 1</b>	0–50mm: Moist, compact clayey silt with grass roots and bioturbation. Smooth and diffuse transition with Context 2. Munsell: 7.5YR 3/2 (dark brown), pH: 6.		
<b>Context 2</b>	50–210/280mm: Moist, firmly compacted silty clay with uncommon degraded, sub-angular medium sized (~50–150mm) basalt inclusions throughout. Smooth and diffuse transition with Context 3. Munsell: 7.5YR 3/2 (dark brown), pH: 6.		
<b>Context 3</b>	210/280–220/310mm: Moist, strongly compacted clay with rare degraded, sub-angular, medium sized (~50–150mm) basalt inclusions. Munsell: 7.5YR 2.5/3 (very dark brown), pH: 6.		
<b>Depth of Excavation</b>	310mm		
<b>Evidence of Disturbance</b>	None		
<b>Aboriginal Cultural Heritage</b>	None		

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<p>Test Pit 4 – End of excavation (facing north)</p> <p>(Photo by M Reith 15/1/2021)</p>	
<p>Test Pit 4 – Close up of stratigraphic profile (facing west)</p> <p>(Photo by M Reith 15/1/2021)</p>	

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### 9.3.5 Machine Transects

Seven machine transects (MTs), measuring 1x5m, were excavated across the activity area (Map 9). These focused on particular landform elements: simple slopes (MTs 2A, 3, 4 and 5), lower waning slope (MT 3), flat (MT 7) and crest (MT 1) part of the activity area.

MT 1 was situated on the Newer Volcanic Group (Neo); MT 3 and MT 7 were situated on soils forming on Tower Hill Tuff (Nept); MT 2, MT 2A, MT 4 and MT 5 were situated on soils forming over Port Campbell Limestone (Nhp); and MT 6 was situated on soils forming on Alluvium (Qa1). Throughout the activity area the topsoils are generally no deeper than ~300mm to the basal clays.

The soil horizons recorded within MT 1 (described as dark brown clayey silts and silty clays) are comparable in soil composition, consistency and chemical makeup to TP 4 and are consistent with soils formed over basalt. At the time of excavation, the sediments were noted to be moist and the presence of 'buckshot' inclusions is indicative of retarded drainage at this test location. Basal deposits consisted of moist, black compacted clay. Evidence of ploughing was also noted within MT 1, suggested by the mixing of black basal clays within Context 2 (120–200mm).

The soil horizons recorded within MTs 3 and 7 (described as dark brown silts, clayey silts, and silty clays) are comparable in soil composition, consistency and chemical makeup to TP 2. The sediments were noted to be moist at the time of excavation with occasional inclusions of degrading volcanic tuff observed in MT 7. Basal deposits consisted of moist black or dark reddish-brown compacted clay.

The soil horizons recorded within MTs 2, 4 and 5 (described as very dark brown, or very dark grey clayey silts and silty clays) are comparable in soil composition, consistency and chemical makeup to TP 3. The sediments were noted to be moist at the time of excavation with occasional 'buckshot' and limestone inclusions. Basal deposits consisted of very dark brown, dark brown or dark reddish-brown compact clay. Modern glass was recovered from Context 1 (0–100mm) in MT 2.

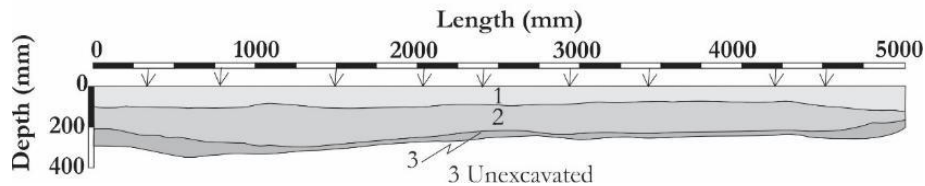


The soil horizons observed within MT 6 (described as very dark greyish-brown clayey silt and silty clay), are comparable in soil composition, consistency and chemical makeup to TP 1 and are consistent with soils formed on alluvium. The sediments were noted to be moist at the time of excavation with no observable stony inclusions. Basal deposits consisted of moist very dark brown compact clay.

No Aboriginal cultural material was located within any of the machine trenches.

Summary data for the MTs is provided in Tables 10–16. The location of machine trenches is shown on Map 9.

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Table 10: MT 1 excavation summary

Machine Trench 1		
GDA 94 Coordinates (Zone 54)		Soil Description
E629830.606	N5753597.440	<b>Context 1</b> 0–120mm: Moist, friable clayey silt with grass root inclusions. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.  <b>Context 2</b> 120–160/200mm: Moist, compact silty clay with clay inclusions, buckshot inclusions, potentially ploughed in the past. Munsell: 7.5YR 3/2 (dark brown silty clay) with 4/6 (strong brown clay inclusions), pH:6.  <b>Context 3</b> 160/200/200–320mm: Moist, compact clay. Munsell: 7.5YR 2.5/1 (black), pH: 7.  <b>Cultural Material:</b> None.
E629830.606	N5753602.440	
E629831.606	N5753602.440	
E629831.606	N5753597.440	
Stratigraphic Profile		
<div><h3>MACHINE TRENCH 1 EAST WALL</h3></div>		
Photos by M Reith (11/01/2021)		
<div></div>		



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Table 11: MT 2A excavation summary

Machine Trench 2A	
GDA 94 Coordinates (Zone 54)	Soil Description
E629649.060      N5753664.801	<b>Context 1</b> 0–100mm: Moist silt with grass root inclusions, 3 glass pieces and bioturbation. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.
E629648.813      N5753665.770	
E629653.658      N5753667.005	
E629653.905      N5753666.036	
	<b>Context 2</b> 100–170/180: Moist, compact silty clay with some clay included. Munsell: 7.5YR 4/6 (strong brown clay), pH: 6.
	<b>Context 3</b> 170/180–200/220mm: Compact clay. Munsell: 7.5YR 2.5/2 (very dark brown), pH: 7.
	<b>Cultural Material:</b> None
Stratigraphic Profile	
<div><h3>MACHINE TRENCH 2 SOUTH WALL</h3><p>Length (mm)</p><p>0 1000 2000 3000 4000 5000</p><p>Depth (mm)</p><p>0 200 400</p><p>1 2 3 Unexcavated</p></div>	
Photos by M Reith (11/01/2021)	

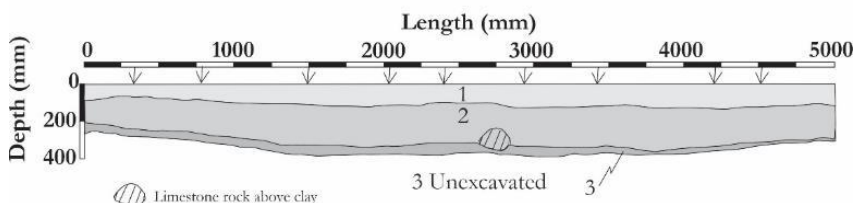


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Table 12: MT 3 excavation summary

Machine Trench 3		
GDA 94 Coordinates (Zone 54)		Soil Description
E629577.674	N5753386.210	<b>Context 1</b> 0–100/110mm: Moist, friable silt with grass roots and bioturbation. Munsell: 7.5YR 3/2 (very dark brown), pH: 6.  <b>Context 2</b> 100/110–190/260mm: Compact silty clay. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.  <b>Context 3</b> 190/260–240/300mm: Moist, compact clay. Munsell: 7.5YR 2.5/1 (black), pH: 6.5.  <b>Cultural Material:</b> None.
E629577.812	N5753387.200	
E629582.764	N5753386.513	
E629582.627	N5753385.523	
Stratigraphic Profile		
<div><h3>MACHINE TRENCH 3 NORTH WALL</h3><p>Length (mm)</p><p>0 1000 2000 3000 4000 5000</p><p>Depth (mm)</p><p>0 200 400</p><p>1 2 3</p><p>3 Unexcavated</p></div>		
Photos by M Reith (12/01/2021)		
<div></div>		

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Table 13: MT 4 excavation summary

Machine Trench 4		
GDA 94 Coordinates (Zone 54)		Soil Description
E629748.153	N5753406.181	<b>Context 1</b> 0–80/100mm: Damp, friable silty-clay with grass roots. Munsell: 7.5YR 3/1 (very dark grey), pH: 6.  <b>Context 2</b> 80/100–200/270mm: Damp, compact clay. Munsell: 7.5YR 2.5/1 (black), pH: 6.  <b>Context 3</b> 200/270–250/330mm: Dry compact block structured clay with a limestone rock sitting above the clay. Munsell: 5YR 2.5/2 (dark reddish-brown), pH: 7.  <b>Cultural Material:</b> None
E629748.486	N5753407.124	
E629753.200	N5753405.458	
E629752.867	N5753404.515	
Stratigraphic Profile		
<div><p style="text-align: center;"><b>MACHINE TRENCH 4 NORTH WALL</b></p><p style="text-align: center;">Limestone rock above clay      3 Unexcavated      3</p></div>		
Photos by M Reith (12/01/2021)		
<div></div>		

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Table 14: MT 5 excavation summary

Machine Trench 5		
GDA 94 Coordinates (Zone 54)		Soil Description
E629795.775	N5753214.151	<b>Context 1</b> 0–100/180mm: Moist, friable silt with grass root inclusion and bioturbation. Smooth, diffused transition to Context 2. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.  <b>Context 2</b> 100/180–200/220mm: Moist, friable clayey silt with buckshot inclusions and a smooth, diffused transition with Context 3. Munsell: 7.5YR 3/2 (dark brown), pH: 6.5.  <b>Context 3</b> 200/220–300/350mm Moist, compact silty clay with frequent buckshot inclusion. Smooth, diffused transition. Munsell: 7.5YR 2.5/3 (very dark brown), pH: 6.5.  <b>Context 4</b> 300/350–340/380mm: Moist, highly compact clay with some buckshot inclusion. Munsell: 7.5YR 3/3 (dark brown), pH: 6.  <b>Cultural Material:</b> None.
E629796.159	N5753215.074	
E629800.776	N5753213.154	
E629800.391	N5753212.230	
Stratigraphic Profile		
<div><div>MACHINE TRENCH 5 SOUTH WALL</div><div><div><div>Length (mm)</div><div>010002000300040005000</div></div><div><div>Depth (mm)</div><div>0200400</div></div><div><div><div>1</div><div>3</div><div>2</div><div>4 Unexcavated</div><div>4</div></div></div></div></div>		



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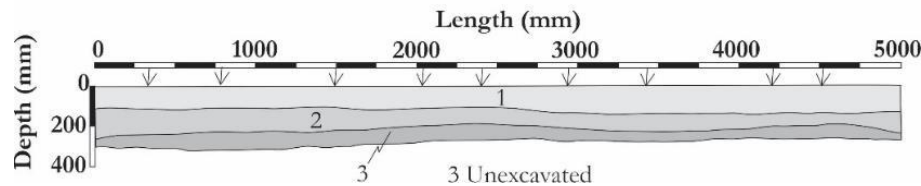


Table 15: MT 6 excavation summary

Machine Trench 6		
GDA 94 Coordinates (Zone 54)		Soil Description
E629743.136	N5753078.056	<b>Context 1</b> 0–50/60mm: Moist, friable clayey silt. Munsell: 10YR 3/2 (very dark greyish-brown), pH: 6.5.  <b>Context 2</b> 50/60–220mm: Moist compact silty clay. Munsell: 10YR 3/2 (very dark greyish-brown), pH: 6.5  <b>Context 3</b> 220–260mm: Moist compact clay. Munsell: 10YR 2/2 (very dark brown), pH: 6  <b>Cultural Material:</b> None
E629743.520	N5753078.979	
E629748.137	N5753077.058	
E629747.752	N5753076.135	
Stratigraphic Profile		
<div><h3>MACHINE TRENCH 6 SOUTH WALL</h3><p>Length (mm)</p><p>Depth (mm)</p><p>3 Unexcavated</p></div>		
Photos by M Reith (13/01/2021)		
<div></div>		



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Table 16: MT 7 excavation summary

Machine Trench 7		
GDA 94 Coordinates (Zone 54)		Soil Description
E629607.844	N5753223.656	<b>Context 1</b> 0–90/110mm: Moist, friable clayey silt with grass roots and bioturbation. Munsell: 5YR 3/3 (dark reddish-brown), pH: 6.  <b>Context 2</b> 90/110–230/260mm: Moist, compact silty clay. Munsell: 5YR 3/3 (dark reddish-brown), pH: 6.  <b>Context 3</b> 230/260– 270/300mm: Moist compact clay with red degrading volcanic tuff inclusion in the last 2m of base in western end of trench. Munsell: 5YR 2.5/2 (dark reddish-brown clay) with 5YR 5/8 (yellowish-red volcanic tuff), pH: 6.5.  <b>Cultural Material:</b> None.
E629607.437	N5753224.569	
E629612.006	N5753226.602	
E629612.412	N5753225.688	
Stratigraphic Profile		
<div><h3>MACHINE TRENCH 7</h3><h3>SOUTH WALL</h3></div>		
Photos by M Reith (13/01/2021)		
<div></div>		

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#### **9.3.6 Aboriginal Cultural Heritage**

No Aboriginal cultural heritage material was found during the complex assessment and no areas of archaeological potential were identified.

#### **9.4 Conclusions from the Complex Assessment**

The complex assessment investigated all regions of the activity area. A total of four general soil profiles were identified, each relating to the mapped geological units within the activity area. Minor characteristics, such as colour, were variable within each of the four soil profiles.

The soil profiles observed in TP 1 and MT 6, both located on the flood plain to the south of the activity area, are on the mapped alluvium (Qa1) geology. The shallow topsoils comprise of moist, very dark greyish-brown clayey silts and silty clays and contained no observable stony inclusions. Basal deposits consisted of highly compact dark brown clays.

The soil profiles observed in TP 2 and MTs 3 and 7, located in the western part of the activity, are on the Volcanic Tuff (Nept) geology. The shallow topsoils comprise moist, dark brown silty clayey silts and silty clays, and contained occasional stony inclusions of degraded volcanic tuff. Basal deposits consisted of dark brown highly compact clays.

The soil horizons recorded within TP 3 and MTs 2, 4 and 5, located in the north west and central portions of the activity area, are on the Port Campbell Limestone (Nhp) geology. The shallow topsoils comprise moist, very dark brown, or very dark grey clayey silts and silty clays, and contained occasional 'buckshot' and limestone inclusions. Basal deposits consisted of firmly very dark brown compacted clays.

The soil horizons recorded within TP 4 and MT 1, located in the north eastern corner of the activity area, are on the Newer Volcanic Group (Neo) geology. The shallow topsoils comprise moist, dark brown clayey silts and silty clays, and contained occasional rounded 'buckshot' stony inclusions. Basal deposits consisted of very dark brown strongly compacted clays.

The land-use history section of the desktop assessment indicated that the activity area had been subject to land clearance for grazing and agricultural purposes since the mid-to-late 1800s. Ploughing and cropping has also occurred throughout the activity area since at least the early twentieth century and into the twenty-first century. Evidence of ploughing was noted within MT1 and modern glass was recovered from Context 1 (0–100mm) in MT 2A.

The results of the complex assessment are consistent with the site prediction model and conclusions of the desktop assessment (Sections 7.3 and 7.4). Based on previous testing conducted within the geographic region (e.g., Paynter & Rhodes 2005, O'Reilly & McAlister 2011 and O'Reilly 2012), the activity area contained low potential for any *in situ* subsurface Aboriginal cultural materials, despite to its proximity to Merri River. This is primarily due to the activity area having been disturbed by prior initial land clearance and agricultural activities. It is also noted that the activity area is located on both a steep slope (unsuitable for camping) and the flood plain adjacent Merri River. The flood plain lies within a flood overlay and is regularly inundated and has likely been highly modified since European settlement.

No Aboriginal cultural heritage was identified during the complex assessment. Therefore, based on the research and testing undertaken during this CHMP, there is very low potential for low densities of Aboriginal cultural heritage to be present within the activity area.

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## **10.0 Consideration of Section 61 Matters – Impact Assessment**

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, a CHMP must consider whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage.

Section 61 matters are a requirement of the CHMP process and are an assessment of whether:

- harm to Aboriginal cultural heritage can be avoided or minimised (s.61 (a) and (b));
- specific measures are required for the management of Aboriginal cultural heritage (s.61 (c));
- particular contingency plans are required in relation to disputes, delays and other obstacles that may affect the conduct of the activity (s.61 (d)); and
- requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity are needed (s.61 (e)).

### **10.1 Section 61 Matters in Relation to Aboriginal Cultural Material**

#### **10.1.1 Can Harm to Aboriginal Cultural Material be Avoided and/or Minimised?**

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, it is stated that harm to Aboriginal cultural heritage cannot be avoided or minimised if located within activity area. However, no Aboriginal cultural material was located during the conduct of this CHMP, and the results of the CHMP assessment note that it is highly unlikely that Aboriginal cultural material is present in the activity area.

#### **10.1.2 Cumulative Impact Statement**

No Aboriginal material was located during this assessment and no areas of archaeological potential were identified.

At the time of writing there were 15 registered Aboriginal Places within the geographic region, comprising a total of 16 components (Table 3; Appendix 3). The component types represented in the geographic region are artefact scatters (n=14, 88%) and LDADs (n=2, 12%).

All of the Aboriginal Places within the georegion are located within close proximity to Merri River, and are mostly located on the Merri River flood plain. Artefact scatters and low density artefact distributions frequently contain silcrete and quartz artefacts, with chert, quartzite, coastal flint and basalt artefacts also located.

The desktop assessment concluded that the activity area may contain potential for Aboriginal cultural material given the proximity of Merri River, but noted that previous research within the activity area had identified low potential. The standard assessment noted some areas of archaeological potential, however noted that potential was low. The complex assessment did not locate any cultural material. However, the information presented in this CHMP will add to our knowledge of the Warrnambool area and future site prediction models.

#### **10.1.3 Are Specific Measures Needed for the Management of Aboriginal Cultural Material?**

No specific measures are needed for the management of Aboriginal cultural heritage as no Aboriginal cultural heritage was located during the assessment for this CHMP.

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**10.1.4 Necessary Contingency Plans**

The approved form for a CHMP (*Aboriginal Heritage Regulations 2018*, Schedule 2, 13(1)) states that a management plan must include specific contingency plans for:

- a) the matters referred to in Section 61 of the Act;
- b) the resolution of any disputes between the Sponsor and relevant RAPs in relation to the implementation of the plan or the conduct of the activity;
- c) reviewing compliance with the CHMP and mechanisms for remedying non-compliance;
- d) the management of Aboriginal cultural heritage found during the activity; and
- e) the notification, in accordance with the Act, of the discovery of Aboriginal cultural heritage during the carrying out of the activity.

There are several contingency plans that may be necessary during the conduct of this project. In particular, it is necessary to have contingency plans in place for the following:

- unexpected discovery of isolated or dispersed cultural material and for the unexpected discovery of a burial; and
- reviewing compliance with the management plan and mechanisms for remedying non-compliance.

These and other contingency plans are discussed in detail in Section 2.

**10.1.5 Necessary Custody and Management Arrangements**

In the unlikely event that Aboriginal cultural material is located during the proposed works, management and custody arrangements will be required. Further information regarding the Aboriginal cultural heritage custody and management arrangements are contained in Section 2.



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## References

### Legislation

*Aboriginal Heritage Act 2006*

*Aboriginal Heritage Regulations 2018*

### Internet Resources

Agreements, Treaties and Negotiated Settlements

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Department of Premier and Cabinet – Aboriginal Cultural Heritage Register and Information System 2020

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## **Appendix 1: CHMP Notification**

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Premier  
and Cabinet

## Notice of Intent to prepare a Cultural Heritage Management Plan for the purposes of the *Aboriginal Heritage Act 2006*

This form can be used by the Sponsor of a Cultural Heritage Management Plan to complete the notification provisions pursuant to s.54 of the *Aboriginal Heritage Act 2006* (the "Act").

For clarification on any of the following please contact Victorian Aboriginal Heritage Register (VAHR) enquiries on 1800-726-003.

### SECTION 1 - Sponsor Information

Sponsor: Wollaston Developments Pty Ltd  
ABN/ACN: 638859622  
Contact Name: Cameron Gull  
Postal Address: 18-20 Peel Street, Ballarat North Vic 3350  
Business Number: 438 341 592 Mobile:   
Email Address: cameron@gullco.com.au

### Sponsor's agent (if relevant)

Company:   
Contact Name:   
Postal Address:   
Business Number: Mobile:   
Email Address:

### SECTION 2 - Description of proposed activity and location

Project Name: Proposed Residential Development: 147 Wollaston Road, Warrnambool  
Municipal district: Warrnambool City Council

Clearly identify the proposed activity for which the cultural heritage management plan is to be prepared (ie. Mining, road construction, housing subdivision)

Subdivision

### SECTION 3 - Cultural Heritage Advisor

Renee McAlister Heritage Insight Pty Ltd reneemcalister@heritageinsight.com  
Name Company Email address

### SECTION 4 - Expected start and finish date for the cultural heritage management plan

Start Date: 03-Aug-2020 Finish Date: 13-Jan-2021

Submitted on: 03 Aug 2020

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Premier  
and Cabinet

**SECTION 5 - Why are you preparing this cultural heritage management plan?**

- ☒ A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007  
What is the high Impact Activity as it is listed in the regulations?  
Subdivision  
Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? Yes
- ☐ Other Reasons (Voluntary)
- ☐ An Environment Effects Statement is required
- ☐ A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.
- ☐ An Impact Management Plan or Comprehensive Impact Statement is required for the activity

**SECTION 6 - List the relevant registered Aboriginal parties (if any)**

This section is to be completed where there are registered Aboriginal parties in relation to the management plan.  
Eastern Maar Aboriginal Corporation RNTBC

**SECTION 7A - List the relevant Aboriginal groups or Aboriginal people with whom the Sponsor intends to consult (if any)**

This section is to be completed only if the proposed activity in the management plan is to be carried out in an area where there is **no Registered Aboriginal Party**.

**SECTION 7B - Describe the intended consultation process (if any)**

This section is to be completed only if the proposed activity in the management plan is to be carried out in an area where there is **no Registered Aboriginal Party**.

**SECTION 8 – State who will be evaluating this plan (mandatory)**

The plan is to be evaluated by:

- ☐ Joint - Registered Aboriginal Party AND The Secretary
- ☒ A Registered Aboriginal Party  
If checked, list the relevant Registered Aboriginal Party Evaluating: Eastern Maar Aboriginal Corporation RNTBC
- ☐ The Secretary
- ☐ Victorian Aboriginal Heritage Council

**SECTION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)**

List the Reference Number(s) of any PAHTs conducted in relation to the proposed activity:

**SECTION 10 - Notification checklist**

Submitted on: 03 Aug 2020



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Ensure that any relevant registered Aboriginal party/ies is also notified. A copy of this notice with a map attached may be used for this purpose.  
(A registered Aboriginal party is allowed up to 14 days to provide a written response to a notification specifying whether or not it intends to evaluate the management plan.)

In addition to notifying the Deputy Director and any relevant registered Aboriginal party/ies, a Sponsor must also notify any owner and/or occupier of any land within the area to which the management plan relates. A copy of this notice with a map attached may be used for this purpose.

Ensure any municipal council, whose municipal district includes an area to which the cultural heritage management plan relates, is also notified. A copy of this notice, with a map attached, may also be used for this purpose.

Submitted on: 03 Aug 2020

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## **Appendix 2: Aboriginal Places in the Geographic Region**

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type
7321-0347	ROACHE 1	7321-0347-1	Artefact Scatter
7321-0348	ROACHE 2	7321-0348-1	Artefact Scatter
7321-0349	ROACHE 3	7321-0349-1	Artefact Scatter
7321-0350	ROACHE 4	7321-0350-1	Artefact Scatter
7321-0450	WOLLASTON ROAD 1	7321-0450-1	Artefact Scatter
7321-0451	WOLLASTON ROAD 2	7321-0451-1	Artefact Scatter
7321-0479	Wollaston Rd 1	7321-0479-1	Artefact Scatter
7321-0480	Wollaston Rd 2	7321-0480-1	Artefact Scatter
7321-0481	Wollaston Rd 3	7321-0481-1	Artefact Scatter
7321-0482	Wollaston Road 4 IA	7321-0482-1	Artefact Scatter
7321-0483	Wollaston Road 5 IA	7321-0483-1	Artefact Scatter
7321-0486	Wollaston Road 3 AS	7321-0486-1	Artefact Scatter
7321-0487	Wollaston Road 6 AS	7321-0487-1	Artefact Scatter
7321-0489	Wollaston Rd 4	7321-0489-2	Artefact Scatter
7321-0504	Woodford LDAD	7321-0504-2	Low Density Artefact Distribution
7321-0504	Woodford LDAD	7321-0504-3	Low Density Artefact Distribution

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### **Appendix 3: Previous Reports in Geographic Region**

*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
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Report No.	Report Type	Title	Author	Report Year
16869	CHMP Complex Assessment	Proposed Sewer Pump Station at 391 Wollaston Road, Warrnambool	Jodie Mitchell	
15752	CHMP Complex Assessment	Proposed Sewerage Line: Extending along road reserve at Shaw St and into 221 Wollaston Rd and 9 Goodall St, Warrnambool	Laurinda Dugay	
15446	CHMP Complex Assessment	Proposed Residential Subdivision: 159 Mortlake Road, Warrnambool	Renee McAlister	
15259	CHMP Complex Assessment	Bridge Road Rural Subdivision, Woodford, Victoria 3281	Jenny Fiddian and Keith Patton	
12906	CHMP Complex Assessment	Residential Subdivision, 123 Queens Road, Warrnambool, Victoria	Jennifer Chandler	
12329	CHMP Desktop Assessment	Woollaston Road Development Infrastructure Works: Pipeline, Warrnambool	Steven O'Reilly	
11662	CHMP Complex Assessment	Wollaston Road, Warrnambool: Housing subdivision	Steven O'Reilly and Renee McAlister	
11656	CHMP Complex Assessment	Proposed Residential Subdivision at Lot 2 and CA 10B, corner of Wollaston Road and Warrnambool-Caramut Roads, Warrnambool	Jodie Mitchel, Elizabeth McFarlane, Jeremy Hill	
4681	Salvage Excavation	Wollaston Road, Warrnambool: Housing Subdivision	Edward Kincaid East and Steven O'Reilly	
4070	Survey	NORTH DENNINGTON TRUNK SEWER & DALES ROAD WATER STORAGE DUPLICATION, WARRNAMBOOL	LONG, A	2007
3396	Survey	AN ARCHAEOLOGICAL ASSESSMENT WOLLASTON ROAD, WARRNAMBOOL	PAYNTER, N & RHODES, D	2005
2984	Desktop or Paper or Due Diligence or Other	HISTORIC PLACES SPECIAL INVESTIGATION SOUTH WEST VICTORIA A STUDY OF ABORIGINAL CONTACT AND POST CONTACT HISTORY AND PLACES	CRITCHETT, J	1995
1945	Desktop or Paper or Due Diligence or Other	ARCHAEOLOGICAL STUDIES IN THE CENTRAL WESTERN DISTRICT OF VICTORIA SITE SURVEY AND CULTURAL RESOURCE MANAGEMENT	COUTTS, P.J.F	1985
1370	Desktop or Paper or Due Diligence or Other	COAST ACTION COAST CARE 1998/99 ABORIGINAL ARCHAEOLOGICAL DESKTOP STUDY	MARSHALL, B. & SCHELL, P.	1998
1260	Desktop or Paper or Due Diligence or Other	W.L. KOENIG COLLECTION: DOCUMENTATION OF STONE ARTEFACTS FROM A PRIVATE COLLECTION.	AMOROSI, L.	1998
652	Desktop or Paper or Due Diligence or Other	JOURNALS OF GEORGE AUGUSTUS ROBINSON MARCH-MAY 1841	PRESLAND, G.	1977
552	Desktop or Paper or Due Diligence or Other	JOURNALS OF G.A. ROBINSON: MAY TO AUGUST 1841	PRESLAND, G. (ED.)	1980
447	Desktop or Paper or Due Diligence or Other	IMPACT OF EUROPEAN SETTLEMENT ON ABORIGINAL SOCIETY IN WESTERN VICTORIA	COUTTS, P.J.F., WITTER, D.C. & PARSONS, D.M.	1977



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Report No.	Report Type	Title	Author	Report Year
446	Survey	SUMMER FIELD PROGRAMME OF THE VICTORIA ARCHAEOLOGICAL SURVEY 1976-1977	COUTTS, P.J.F.	1977
431	Desktop or Paper or Due Diligence or Other	PROBLEMS IN CONSTRUCTING A PREHISTORIC REGIONAL SEQUENCE: HOLOCENE SOUTH-EAST AUSTRALIA	BIRD, C. & FRANKEL, D.	1991
410	Site Specific Investigation (not excavation)	PREVIOUSLY UNRECORDED ABORIGINAL STONE ALIGNMENTS IN VICTORIA	LANE, L. & FULLAGAR, R.L.K.	1980
393	Desktop or Paper or Due Diligence or Other	THE ARCHAEOLOGY OF THE DISCOVERY BAY AREA, VICTORIA	WITTER, D.C.	1977
332	Desktop or Paper or Due Diligence or Other	CHRONOLOGY AND EXPLANATION IN WESTERN VICTORIA AND SOUTH-EAST SOUTH AUSTRALIA	BIRD, C. & FRANKEL, D.	1991
265	Desktop or Paper or Due Diligence or Other	IMPACT OF EUROPEAN SETTLEMENT ON ABORIGINAL SOCIETY IN WESTERN VICTORIA	COUTTS, P.J.F., WITTER, D.C. & PARSONS, D.M.	1977
227	Survey	AN ARCHAEOLOGICAL SURVEY IN S.W. VICTORIA: A REPORT TO THE KERRUP-JMARA COUNCIL OF ELDERS	ELLENDER, I.	1989
187	Desktop or Paper or Due Diligence or Other	PREHISTORY OF THE BASALT PLAINS	MULVANEY, D.J.	1964
165	Test Excavation	THE MOUND PEOPLE OF WESTERN VICTORIA: A PRELIMINARY STATEMENT	COUTTS, P.J.F., WITTER, D.C., MCILWRAITH, M. ET AL	1977
156	Desktop or Paper or Due Diligence or Other	A CLOSER LOOK AT CULTURAL CONTACT: SOME EVIDENCE FROM "YAMBUCK", WESTERN DISTRICT, VICTORIA	CRITCHETT, J.	1984

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## **Appendix 4: Glossary**

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**Adze** A flake with stepped retouch along lateral margins that can be hafted for use as a tool.

**Anvil** A flat object on which a core was placed to flake material from. Anvils often have a small pit/groove, usually in the centre of the object, as a result of this action.

**Archaeology** The study of cultural remains from past cultures and generations.

**Artefact Scatter** The material remains of past Aboriginal peoples' activities. Usually contain stone artefacts, but other material may also be present, including charcoal, animal bone, shell and ochre. An artefact scatter is usually represented by a single stone flake or a concentration of flaked stone pieces (or fragments).

**Assemblage** A collection of artefacts that are derived from the same site.

**Backed Blade** Stone artefact associated with the Australian small tool tradition. They are characterised by unidirectional or bidirectional retouch found along a lateral margin, thought to be blunt for hafting (Holdaway & Stern 2004, p.260).

**Basalt** A fine-grained rock occurring from lava flows.

**Bifacially Flaked** Flakes removed from two faces of an object such as a core.

**Blade** A flake that is twice as long as it is wide.

**Bondi Point** An asymmetrical blade with a point at one end with backing retouch. Part of the Australian Small Tool Tradition.

**Burial** Human Remains, normally found as concentrations of human bones or teeth, exposed by erosion or earthworks. They are sometimes associated with charcoal or ochre, although shell, animal bone and stone tools may also be present. Tend to be located in soft soils and sand, although can occur in rock shelters, caves and dead trees.

**Burin** A truncated flake formed by snapping or retouching along one lateral margin that then forms a platform from which small flakes are removed forming a triangular scar that acts as a working edge (Holdaway & Stern 2004, p.241–243).

**Ceramic** A term used to identify wares made from either clay or fusible stone such as stoneware, earthenware, porcelain or terracotta (Davies & Buckley 1987, p.186).

**Chert** A compact, fine-grained rock made of cryptocrystalline silica and can occur in a variety of colours, usually red, green or black.

**Core** A specimen of rock that has undergone a process of reduction through the removal of a number of flakes and as a result they have negative flake scars. Cores can contain a single platform, have two platforms or have had flakes removed in multiple directions.

**Cortex** The original surface of a mineral or rock subjected to weathering by the elements.

**Cultural Material** Any material remains which are produced by human activity.

**Debitage** Detached pieces of stone that are discarded during the reduction process.

**Dry Stone Wall** A wall formed of a number of courses of rock (usually basalt or limestone) with no bond or binding component. Walls are usually tapered, have two faces and can have hearting (packing), or plugging.

**Earthenware** A non-vitreous (porous) whiteware, usually used for domestic tablewares. Most earthenware is glazed and decorated, transfer printed or left plain (Davies & Buckley 1987, p.186).

**Earth Feature** Collective term used to refer to mounds, rings, hearths, postholes and ovens.

**Earth Mound** Mounds generally appear as raised areas of darker soil. They are commonly found in the volcanic plains of western Victoria or on higher ground near water bodies. Mounds often contain charcoal, burnt clay or stone heat retainers from cooking ovens, animal bones, shells, stone tools and sometimes, Aboriginal burials.

**Earth Ring** Banked circles of soil often associated with stone arrangements, which had a ceremonial purpose for Aboriginal people in the past.

**Excavation** A controlled means of soil disturbance (digging) allowing for detailed recording of the soil profile, features and artefacts exposed.

**Flake** A stone artefact that contains characteristics such as the presence of a platform, bulb of percussion and termination which reveal that the stone has been struck from a core and is the result of stone working (Holdaway & Stern 2004, p.5).

**Flake Core** A flake that has subsequently been used as a core and had other flakes removed from it.

**Flaked Piece** Small fragments of stone that have been removed from flakes resulting from tool maintenance or tool production (Holdaway & Stern 2004, p.17). Flaked pieces do not display the characteristics evident in a complete flake.

**Flint** Similar to chert with a pale cortex and conchoidal fracture. Usually occurring in limestone (Roberts 1998, p.65).

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**Footing** The structural base/footprint from structures often built from bluestone, brick or wooden posts.

**Geometric Microlith** Part of the Australian small tool tradition. They are symmetrical in form, pointed at both ends and can be backed along a lateral margin (Holdaway & Stern 2004, p.262).

**Glaze** A coating put over wares fired in a kiln. Glazes can come in a variety of colours and can also be transparent.

**Greenstone** A metamorphic rock derived from basalt containing feldspar and quartz and is made green by chlorite and epidote. Often used for the manufacture of hand axes.

**Grindstone** A flat slab of rock with central depression used to grind, crush or pound seeds, ochre, or sharpen tools, etc. Grindstones are usually made on sedimentary rocks with an abrasive surface and can be used in conjunction with a muller.

**Ground Edge Axes** A sharpening process – flaking, pecking and polishing, usually along a single lateral margin. The axes are generally hafted with the worked edge forming the tool edge.

**Ground Surface Visibility** The extent to which the natural soil surface below the vegetation on the ground is visible.

**Hammerstone** A hard rock or mineral used to flake fragments of stone from a core (Holdaway & Stern 2004, p.4).

**Hearth** The remains of a fireplace containing charcoal and sometimes burnt earth, bone, stone artefacts or other organic material.

**In situ** An artefact or feature that remains in its original position, or where it was left.

**Manuport** A stone block that displays no attributes of being either a core or a flake.

**Microblade** Has the same characteristics as a blade but just of smaller proportions (Holdaway & Stern 2004, p.17).

**Ochre** Earth varying in colour from yellow to red, used as a pigment.

**Organic** Compounds formed from living organisms (plants or animals).

**Oven Mound** Usually circular or oval in shape and often situated close to a water source. They were used for cooking and contain a rich greasy organic mix of soil and organic material. An oven mound is likely to contain charcoal, burnt clay or stone heat retainers, stone tools,

bones, shell and on occasion, burials (AAV Mini Poster 4).

**Platform** The surface from which the flake was struck off the core – natural, flaked or abraded (Holdaway & Stern 2004, p.120).

**Point** A flake that has two edges that form a point with retouch along one or both lateral margins (Holdaway & Stern 2004, p.16).

**Porcelain** A non-porous ceramic with a glass-like appearance. Can be translucent, can be used for tableware or more decorative features such as ornaments.

**Post-Contact** The period after contact between Aboriginal people and Europeans.

**Pre-Contact** The period before contact between Aboriginal people and Europeans.

**Quarry** Outcrop of stone or ochre that has been quarried by Aboriginal people in the past. Generally associated with a large amount of broken stone and flakes. The outcrop (cores) bear negative scars from flaking.

**Quartz** A mineral that commonly occurs in sedimentary, igneous and metamorphic rocks. Quartz can come in a number of forms including crystal, rose, and smoky.

**Quartzite** A metamorphic rock formed by the re-crystallization of quartz. Quartz is rich in sandstone and limestone (Roberts 1998, p.109).

**Retouch** A worked edge or modification of a flake formed by removing a number of small flakes along an edge. This can be done as a form of maintenance or to produce a tool.

**Rock Art** Paintings created on the rock surfaces of caves and rock shelters and engravings in limestone caves. Artwork includes stencils, prints and drawings. The paint consists of ochres, clays and charcoal mixed with fats.

**Scarred Tree** A tree which has had a slab of bark removed, exposing the sapwood on the trunk or branch of a tree. Aboriginal people used the bark to make shelters, containers (coolamons) and canoes.

**Scraper** A flake with at least one edge that has continuous retouch. Scraper types include steep-edged, end, side and nose scraper (Holdaway & Stern 2004, p.16).

**Shell Midden** A surface and/or subsurface deposit composed of shell and sometimes stone artefacts, charcoal and bone. Middens are normally found in association with coastlines, rivers, creeks and swamps –

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wherever coastal, riverine or estuarine shellfish resources were available and exploited.

**Silcrete** A fine-grained rock derived from shale or siltstone mixed with silica.

**Spit** A horizontal unit of soil removed during excavation. Spits can be arbitrary (dug to a depth of 50, 100, 200, 300mm, etc.) or can be confined to a particular soil type or context. The excavation of spits allows for greater understanding, analysis and interpretation of the soil profile.

**Stone Feature** Includes cairns, rock wells, stone arrangements, fish traps, stone structures and grinding grooves. May be a natural feature, which was used or modified to be used by Aboriginal people in the past (rock well, stone arrangement), or a stone feature which has been deliberately constructed for a specific purpose (fish trap, stone structure, cairn), or is the result of a specific activity carried out by Aboriginal people in the past (grinding grooves).

**Stoneware** A vitreous (non-porous) ceramic, usually light brown in colour, used for drinking containers or used industrially. Often glazed or unglazed (salt glaze or slip applied) (Davies & Buckley 1987, p.186).

**Stratification** The position of sediments and rocks in sequence throughout time.

**Subsurface Testing** A method of excavation that involves ground disturbing works to identify the potential for cultural material. Subsurface testing may comprise hand excavation and/or machine excavation.

**Survey** An inspection of land either by foot or by car (windscreen survey) noting conditions on surface visibility, landforms and the presence of cultural material.

**Termination** The shape of the distal end of a flake (Holdaway & Stern 2004, p.129).

**Terracotta** A low-fired clay (ceramic), usually orange to red in colour and very porous. Often used for plumbing (drainage components) or garden ware.

**Tool** Modified flakes usually with retouch present along an edge (Holdaway & Stern 2004, p.33).

**Transect** An excavated stretch of ground that can be of varying lengths in a straight line.

**Transfer Printed** A design is traced and engraved onto a copper plate on which ink and oil is then applied. The design is pressed onto tissue paper and then placed on an object and the paper removed. The object is then fired and glazed. Transfer printed ceramics come in a variety of colours and patterns and were mass produced.

**Trench** An area confined by excavation usually in the form of a square (e.g., 2x2m) or rectangular (e.g., 1.5x1m).

## References

AAV Mini Posters (1–7).

Davies, M & Buckley, K 1987, *Port Arthur Conservation & Development Project: Archaeological Procedures Manual*, Occasional Paper No.13. Department of Lands, Parks and Wildlife, Tasmania.

Holdaway, S & Stern, N 2004, *A Record in Stone: The Study of Australia's Flaked Stone Artefacts*, Museum Victoria and Aboriginal Studies Press, Melbourne.

Roberts, JL, 1998, *A Photographic Guide to Minerals, Rocks and Fossils*, New Holland, London.

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## **Appendix 5: General Residential Zone – Schedule 1, Planning Scheme**



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**32.08**  
31/07/2018  
VC148

**GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as **GRZ, R1Z, R2Z or R3Z** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**32.08-1**  
27/03/2017  
VC110

**Neighbourhood character objectives**

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

**32.08-2**  
06/08/2019  
VC159

**Table of uses**

**Section 1 - Permit not required**

Use	Condition
<b>Bed and breakfast</b>	No more than 10 persons may be accommodated away from their normal place of residence.  At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
<b>Community care accommodation</b>	Must meet the requirements of Clause 52.22-2.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Domestic animal husbandry (other than Domestic animal boarding)</b>	Must be no more than 2 animals.
<b>Dwelling (other than Bed and breakfast)</b>	
<b>Home based business</b>	
<b>Informal outdoor recreation</b>	
<b>Medical centre</b>	The gross floor area of all buildings must not exceed 250 square metres.  Must not require a permit under Clause 52.06-3.  The site must adjoin, or have access to, a road in a Road Zone.
<b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 square metres.  The site must adjoin, or have access to, a road in a Road Zone.
<b>Racing dog husbandry</b>	Must be no more than 2 animals.
<b>Railway</b>	

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Use	Condition
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> <li>Adjoin a commercial zone or industrial zone.</li> <li>Adjoin, or have access to, a road in a Road Zone.</li> </ul> <p>The site must not exceed either:</p>

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Use	Condition
	<ul style="list-style-type: none"> <li>3000 square metres.</li> <li>3600 square metres if it adjoins on two boundaries a road in a Road Zone.</li> </ul>
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than Store)

32.08-3  
31/07/2018  
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

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- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>▪ The area of either lot is reduced by less than 15 percent.</li> <li>▪ The general direction of the common boundary does not change.</li> </ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul>	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> <li>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>– Has started lawfully.</li> </ul> </li> <li>▪ The subdivision does not create a vacant lot.</li> </ul>	Clause 59.02

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VICTORIA PLANNING PROVISIONS

**32.08-4**  
15/05/2018  
VC143

**Construction or extension of a dwelling or residential building**

**Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

**32.08-5**  
31/07/2018  
VC148

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

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**VICTORIA PLANNING PROVISIONS**

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <p>Meets the minimum garden area requirement of Clause 32.08-4.</p> <ul style="list-style-type: none"> <li>Does not exceed a building height of 5 metres.</li> <li>Is not visible from the street (other than a lane) or a public park.</li> <li>Meets the requirements in the following standards of Clause 54: <ul style="list-style-type: none"> <li>A10 Side and rear setbacks.</li> <li>A11 Walls on boundaries.</li> <li>A12 Daylight to existing windows.</li> <li>A13 North-facing windows.</li> <li>A14 Overshadowing open space.</li> <li>A15 Overlooking.</li> </ul> </li> </ul> <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

**32.08-6**  
31/07/2018  
VC146

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.



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An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person's unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**32.08-7**  
27/03/2017  
VC110

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**32.08-8**  
26/10/2018  
VC152

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**32.08-9**  
26/10/2018  
VC152

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

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**VICTORIA PLANNING PROVISIONS**

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$100,000 where:	Clause 59.04
<ul style="list-style-type: none"> <li>The building or works is not associated with a dwelling.</li> <li>The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> <li>A10 Side and rear setbacks.</li> <li>A11 Walls on boundaries.</li> <li>A12 Daylight to existing windows.</li> <li>A13 North-facing windows.</li> <li>A14 Overshadowing open space.</li> <li>A15 Overlooking.</li> </ul> </li> </ul>	
For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.	
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	

**32.08-10**  
26/10/2018  
VC152

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

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- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

**32.08-11**  
26/10/2018  
VC152

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

VICTORIA PLANNING PROVISIONS

**32.08-12**  
26/10/2018  
VC152

**Exemption from notice and review**

**Subdivision**

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**32.08-13**  
26/10/2018  
VC152

**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 purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

**Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

**Non-residential use and development**

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

**32.08-14**  
26/10/2018  
VC152

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.

*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

VICTORIA PLANNING PROVISIONS

**32.08-15**  
26/10/2018  
VC152

**Transitional provisions**

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.



*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

MOYNE PLANNING SCHEME

13/06/2014  
C59

**SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as GRZ1.

**MOYNE GENERAL RESIDENTIAL AREAS**

**1.0**

13/06/2014  
C59

**Permit requirement for the construction or extension of one dwelling on a lot**

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

**2.0**

13/06/2014  
C59

**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

**3.0**

13/06/2014  
C59

**Maximum building height requirement for a dwelling or residential building**

None specified.

**4.0**

13/06/2014  
C59

**Application requirements**

None specified.

**5.0**

13/06/2014  
C59

**Decision guidelines**

None specified.



*Proposed Residential Subdivision and Retirement Community: 147 Wollaston Road, Warrnambool  
CHMP 17368 – Heritage Insight Pty Ltd*

147 Wollaston Road  
Warrnambool

Vegetation Assessment

A report to  
The Gull Group

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Prepared by

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**Mark Trengove Ecological Services**

November 2021

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### Document History

Document Version	Date	Prepared by	Checked by
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## **1 INTRODUCTION**

### **1.1 Project Background**

An area of land located at 147 Wollaston Rd Warrnambool is proposed to be subdivided. This report was commissioned by The Gull Group. to assess the quantity and significance of any native vegetation that might be present in the subject site.

Under Clause 52.17 of the Planning Scheme, the State has gazetted the Native Vegetation Removal Regulations. The Regulations 'introduce a risk-based approach to assessing applications to remove native vegetation'. (Department of Environment, Land, Water and Planning [DELWP] website i).

Refer to Section 4.2 for further discussion.

### **1.2 Objectives**

The objectives of this investigation are to:

- Describe the flora values of the land.
- Evaluate the conservation significance of the land.
- Assess any potential impacts of the proposed development.
- Assess the implications of relevant government policy and legislation (Commonwealth EPBC Act, State Clause 52.17).

### **1.3 Study Area**

The study area is comprised of approximately 24.61 ha of land, located at 147 Wollaston Rd Warrnambool, within the City of Warrnambool.

The site is within the Victorian Volcanic Plain bioregion and is located within the Glenelg Hopkins Catchment Management Authority region (DELWP website iv). The land is zoned General Residential Zone (GRZ) (DELWP website v).

The site is comprised of agricultural land which is currently being grazed by cattle. The vegetation within the study area is substantially exotic, with a very small amount of native vegetation occurring in a drainage line towards the south end of the site.

An old dairy, cattle yard, tanks and five mature planted trees exist at the eastern part of the property. A large rock heap (approx. 60 m x 60m) occurs at the northern end (refer Plate 2).

The site is gently undulating, with higher topography in the north-eastern area. A shallow dam exists in the south-eastern portion of the property (Plate 3). The Merri River is located adjacent to the southern perimeter.

The location of the study area is shown in Figure 1.

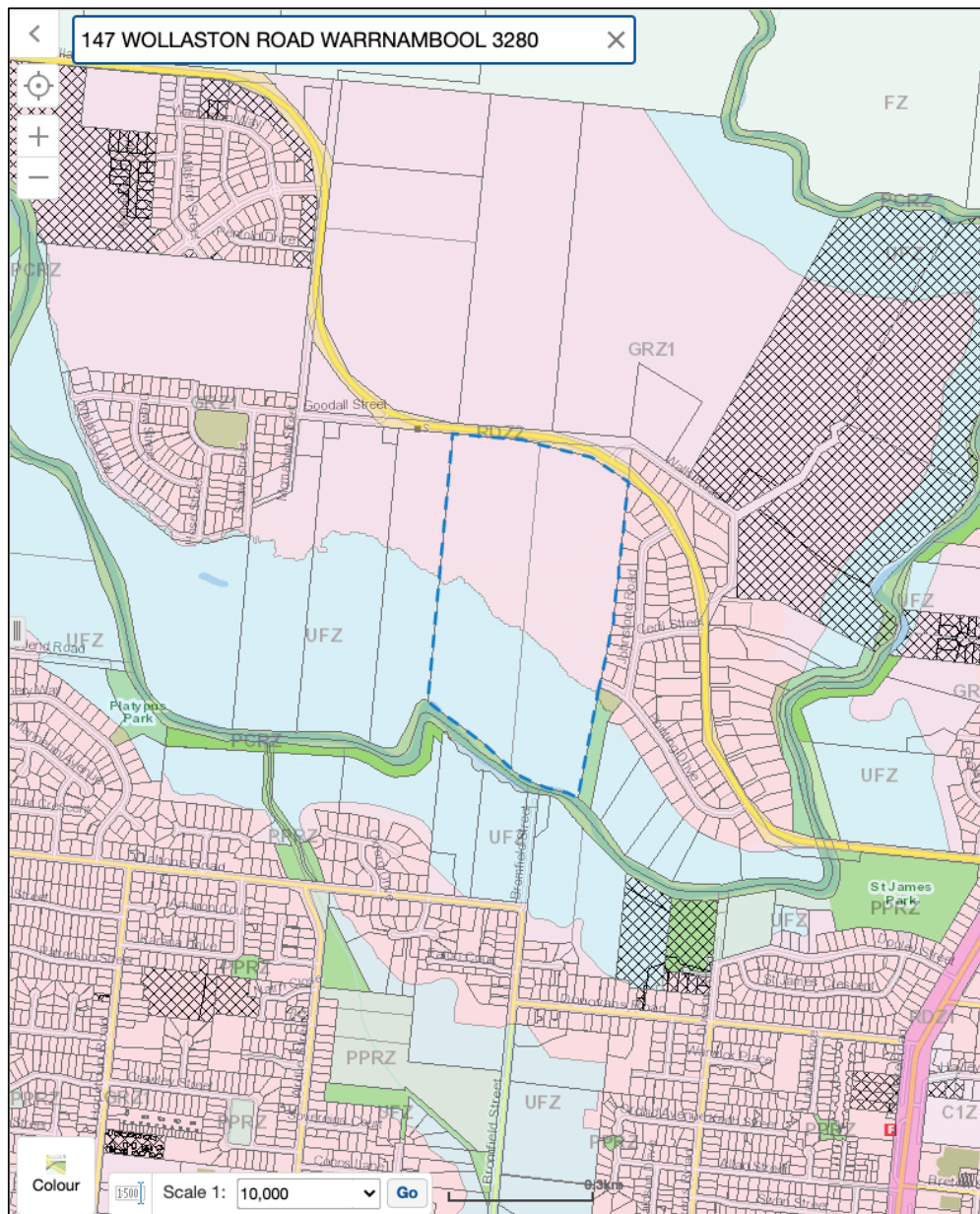


Figure 1. 147 Wollaston Rd Warrnambool (DELWP website v).

## 1.4 Proposed Development

The proposal is a residential subdivision within the property.

## **2 METHODS**

### **2.1 Taxonomy**

Scientific names for plants follow the Vicflora (RBG website). Common names for plants follow the Flora of Victoria Vols 2-4 (Walsh and Entwisle 1994-1999).

### **2.2 Literature and Database Review**

Relevant literature and databases, including data from the NVIM tool (DELWP website iv), the Victorian Biodiversity Atlas (DELWP website iii), and the Commonwealth Department of Agriculture, Water and the Environment (EPBC website) was reviewed.

### **2.3 Field Survey**

The site was inspected on foot on the 11<sup>th</sup> of October 2021. The entire site was traversed. Records were taken of all indigenous vascular plant species and dominant exotic vascular plant species. Native vegetation communities were mapped. Observations were made of the existing habitat values.

### **2.4 Limitations**

The assessment was conducted during spring, a time of year that is suitable for the detection of most flora species likely to occur on site. The site was being grazed by cattle at the time of the survey, but no native species were affected. Plant growth following significant rainfall over the previous months provided good conditions for botanical assessment.

Due to the degraded condition of the study area vegetation and growth of vegetation following recent rain events, the site inspection is considered sufficient to assess the ecological values of the site. The survey includes only vascular flora. Fauna surveys were not undertaken.

There are not considered to be any significant limitations to the findings of this study.

### **2.5 Defining Significance**

A number of criteria are applied in order to assess the significance of flora species and vegetation communities. The definition of the criteria is detailed in Appendix 1.



## **2.6 Defining and Assessing Vegetation**

Native vegetation in Victoria has been defined by DELWP as belonging to two categories. These are:

### **Patch native vegetation**

Patch native vegetation is either:

- any area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native
- any area with three or more native canopy trees where the canopy foliage cover is overlapping.
- Current wetlands as mapped by DELWP.

### **Scattered tree native vegetation**

Scattered tree native vegetation is:

- a native canopy tree that does not form part of a patch.

### **Habitat Hectares**

Habitat hectare (Vegetation Quality Assessment v1.3) is a site-based measure that combines extent and condition of native vegetation. The current condition of native vegetation is assessed against a benchmark for its Ecological Vegetation Class (EVC). EVCs are classifications of native vegetation types. The benchmark for an EVC describes the attributes of the vegetation type in its mature natural state, which reflects the pre-settlement circumstances. The condition score of native vegetation at a site can be determined through undertaking a habitat hectare assessment.

The habitat hectare value of an area of native vegetation is calculated by multiplying the current condition of the vegetation (condition score) by the extent of native vegetation.

(DELWP website ii).

## 3 RESULTS

### 3.1 Ecological Vegetation Class

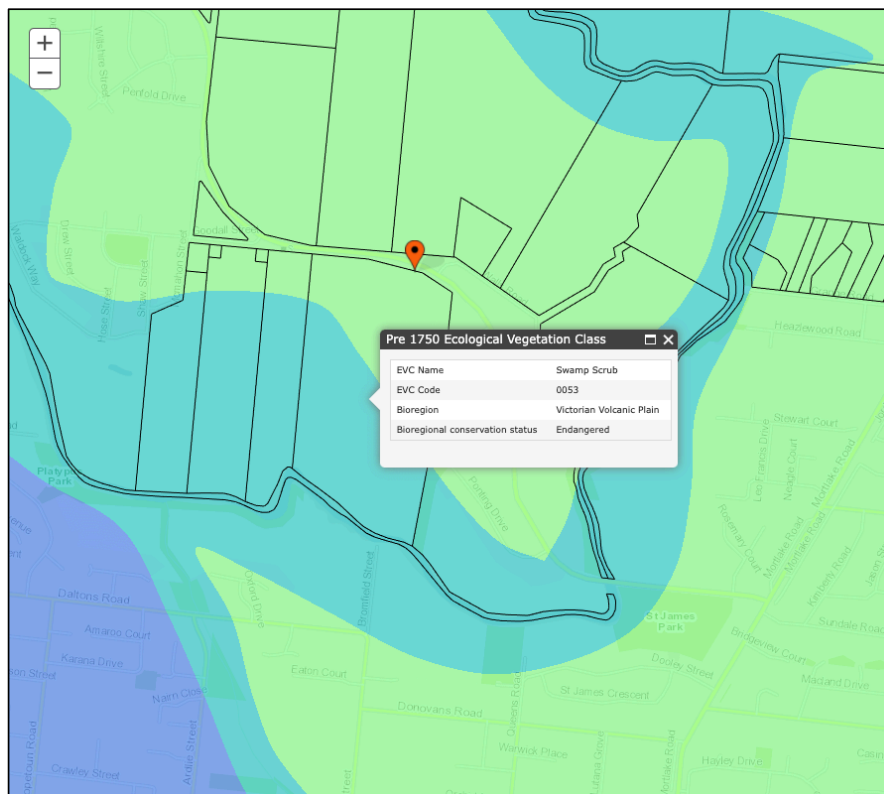
Ecological Vegetation Classes (EVCs) are the primary level of classification of vegetation communities within Victoria. An EVC contains one or more plant (floristic) communities and represents a grouping of vegetation communities with broadly similar ecological attributes. Classification of EVCs in this report follows Oates and Taranto (2001).

The pre-1750 EVC mapping of the study area undertaken by DELWP (DELWP website iv) indicates that the study area was comprised of EVC 55 Plains Grassy Woodland in the northern part of the property and EVC 53 Swamp Scrub at the southern part. These EVC's are currently listed as 'Endangered' in the Victorian Volcanic Plain Bioregion (DELWP website vi).

'Endangered' is defined as an EVC where less than 10% of the pre-European extent remains within the bioregion (DELWP website vi).

Native vegetation is so poorly represented on site, that it does not typify either of these pre-1750 EVC's.

Refer to Figure 2 for DELWP EVC mapping.



**Figure 2.** Distribution of EVCs at proposed development site pre-1750 (DELWP website iv).

### 3.2 Flora

Two native vascular plant species were recorded from the study area. Refer to Table 1 for a list of native and exotic vascular plant species recorded from this assessment. Planted species are marked with an asterisk \*.

### 3.3 Vegetation Condition

The vegetation of the proposed impact areas is dominated by exotic pasture grasses and weeds such as Rye-grass, Yorkshire Fog, Toowoomba Canary-grass, White Clover, Ox-tongue, Cat's ear, and Dock (Plates 1 - 3).

Two native plant species: Rush (*Juncus sp.*) and Lesser Loosestrife were recorded in the study area (Plate 4). These species occur as a very minor component of the vegetation, existing randomly in a few small clumps (<1m<sup>2</sup> each) in a low-lying area towards the southern boundary.

Four large Red Flowering Gums and a Red Ironbark (each approximately 50 years old) occur on higher ground near the eastern boundary (Plate 5).

Evidence of recent tree clearing (presumably large Cypress trees) was also noted in several areas near the dairy (ie. Plate 6).

Botanical Name	Common Name	Status
<i>Arctotheca calendula</i>	Capeweed	Exotic
<i>Cerastium glomeratum</i>	Sticky Mouse-ear Chickweed	Exotic
<b><i>Corymbia ficifolia</i>*</b>	<b>Red Flowering Gum</b>	<b>Native*</b>
<b><i>Eucalyptus sideroxylon</i>*</b>	<b>Red Ironbark</b>	<b>Native*</b>
<i>Helminthotheca echioides</i>	Ox-tongue	Exotic
<i>Holcus lanatus</i>	Yorkshire Fog	Exotic
<i>Hypochaeris radicata</i>	Cat's-ear	Exotic
<b><i>Juncus sp.</i></b>	<b>Rush</b>	<b>Native</b>
<i>Lolium sp.</i>	Rye Grass	Exotic
<b><i>Lythrum hyssopifolia</i></b>	<b>Lesser Loosestrife</b>	<b>Native</b>
<i>Phalaris aquatica</i>	Toowoomba Canary-grass	Exotic
<i>Rumex crispus</i>	Curled Dock	Exotic
<i>Rumex pulcher</i>	Fiddle Dock	Exotic
<i>Stellaria media</i>	Chickweed	Exotic
<i>Trifolium repens</i>	White Clover	Exotic
<i>Urtica urens</i>	Small Nettle	Exotic

**Table 1 Naturalised Vascular Plant Species recorded this survey**

### **3.4    *Significant Flora***

No National, State or Regionally significant plant species were recorded. The two recorded native plant species are of local conservation significance. Refer to Appendix 1 for the rationale for assessing significance.

## **4 LEGISLATION AND GOVERNMENT POLICY**

### **4.1 *Commonwealth***

#### **4.1.1 Environment Protection and Biodiversity Conservation Act (1999)**

The Environment Protection and Biodiversity Conservation (EPBC) Act (1999) was established to 'promote the conservation of biodiversity by providing strong protection for listed species and communities in the Commonwealth and for protected areas, Ramsar sites, Commonwealth Reserves, conservation zones and World Heritage sites, etc'.

The EPBC Act applies to developments and associated activities that have the potential to significantly impact on matters protected under the Act. Under the Act, unless exempt, actions require approval from the Australian Government Minister for Environment and Heritage if they are likely to significantly impact on a 'matter of national environmental significance'. There are currently seven matters of national environmental significance (NES):

- World Heritage properties;
- National Heritage properties;
- nationally listed threatened species and ecological communities;
- listed migratory species;
- Ramsar wetlands of international significance;
- Commonwealth marine areas; and
- nuclear actions (including uranium mining).

Any person proposing to take an action that may, or will, have a significant impact on a matter of national environmental significance must refer the action to the Australian Government Minister for Environment and Water Resources for determination as to whether the action is a 'controlled action' or is not approved.

Grassy Eucalypt Woodland of the Victorian Volcanic Plain is considered 'critically endangered' under the Act, ie. EVC 55 (EPBC Website i). However, the site does not meet the thresholds required to adequately represent this community (EPBC Website ii). EVC 53 Swamp Scrub is not referred to under the Act.

#### **4.1.2 Implications**

There are no implications for the current proposal under the EPBC Act.

## 4.2 State

### 4.2.1 Native Vegetation Permitted Clearing Regulations

Under Particular Provision (Native Vegetation Clause 52.17) the State has gazetted the Native Vegetation Permitted Clearing Regulations. The Regulations 'introduce a risk-based approach to assessing applications to remove native vegetation' (DELWP website i).

The purpose of Clause 52.17 is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017). This includes:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation. (DELWP website i).

Under the Regulations, any areas of patch or scattered tree native vegetation that are proposed to be removed are subject to protection/and or recruitment offsets, depending upon the characteristics of the site.

When native vegetation removal is permitted, an offset must be secured which achieves a no net loss outcome for biodiversity. To achieve this the offset makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation that was removed. The type and amount of offset required depends on the native vegetation being removed and the contribution it makes to Victoria's biodiversity.

Implications for the current proposal are discussed as follows. Refer to Figure 3 for Location mapping (DELWP data).



## 4.2.2 Implications

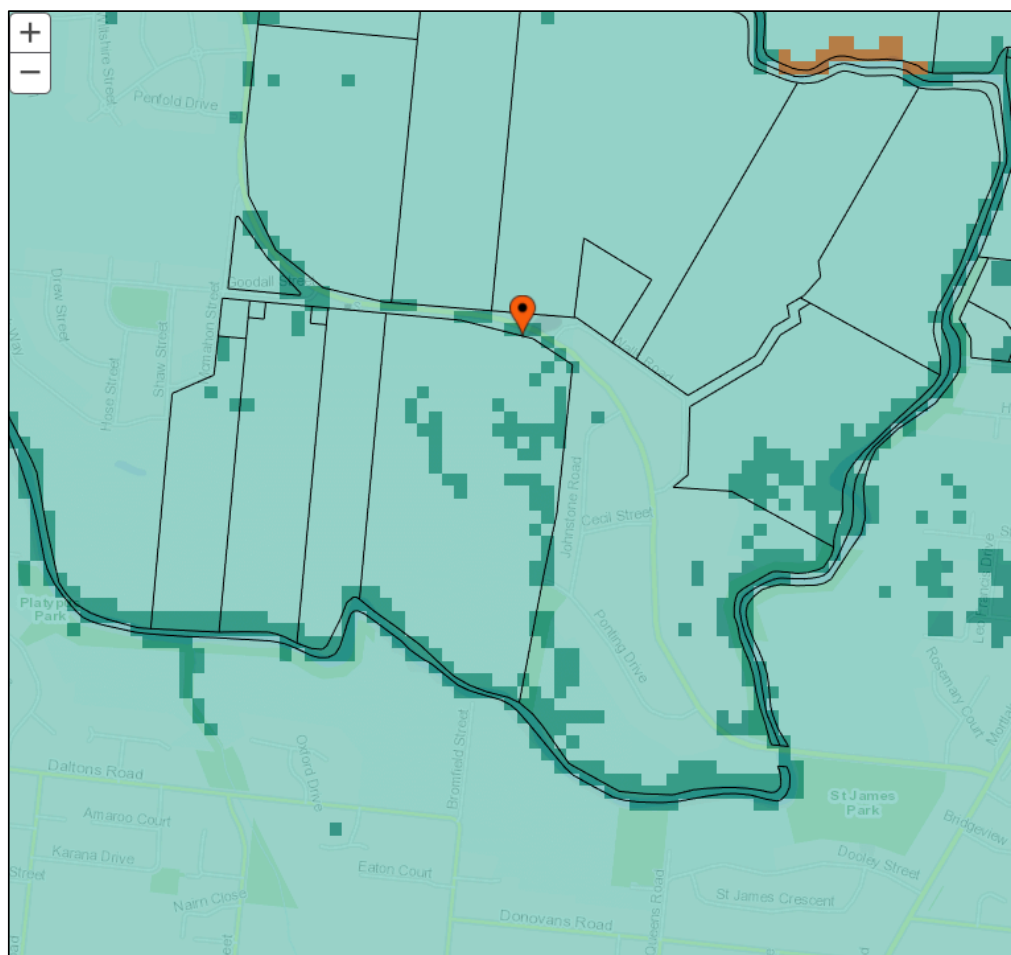
The results show that Lesser Loosestrife and a Rush species occur in a few very small clumps (<1m<sup>2</sup> each) within the site, with no more than one of these species present in each clump. They are considered too small and degraded to identify as ‘patch vegetation.’

A large basaltic rock pile (approx. 60m x 60m) was present near the northern boundary (plate 2). No non-vascular flora was recorded.

The study area is consequently assessed to be comprised of degraded vegetation (i.e. non-patch or scattered tree native vegetation).

The proposal requires the removal of no ‘patch’ or ‘scattered tree’ native vegetation.

Consequently, there are no implications for the removal of native vegetation under the regulations.



**Figure 3.** Distribution of vegetation according to ‘Location’ at proposed development site. Green equates to ‘Location 1’ (i.e., lowest risk), dark green equates to ‘Location 2’ (i.e., medium risk) (DELWP website iv).

The study area is located within Locations 1 and 2.

## 5 CONCLUSIONS

### **Description**

The land at 147 Wollaston Rd Warrnambool that is the subject of this report has been subjected to past disturbance and contains vegetation that is degraded and comprised of predominately exotic plant species. Two native plant species: Lesser Loosestrife and a Rush species were recorded in the study area. These species occur in a few very small clumps (<1m<sup>2</sup> each) and represent a minor component of the vegetation. These fragments are not considered 'patch vegetation'.

### **Implications**

No patch or scattered tree native vegetation is proposed to be impacted upon.

No State, National or Regionally significant plant species were recorded within the study area.

The proposal is assessed to have no implications under the Commonwealth EPBC Act.

Referral to DELWP is not required under the Native Vegetation Removal Regulations as no patch or scattered tree native vegetation is proposed to be removed.

### **Limitations**

There are not considered to be any significant limitations to the findings of this study.

## **Appendix 1 - ASSESSING CONSERVATION SIGNIFICANCE**

Conservation significance is assessed at a range of scales, including national, state, regional and local. Criteria used for determining the conservation significance of flora at national to local scales are presented below for botanical conservation significance.

### ***Botanical Significance***

**National** botanical significance applies to an area when it supports one or more of the following attributes:

- a population of at least one nationally threatened plant species listed by Briggs and Leigh (1996) or plant species listed on the schedules to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

- A nationally threatened ecological community listed on the schedules of the *Environment Protection and Biodiversity Conservation Act 1999*.

**State** botanical significance applies to an area when it supports one or more of the following attributes:

- A population of at least one plant species threatened in Victoria, as listed by Gullan et al. (1990), NRE (2000a) or more recently in the unpublished records of the Flora Information System (NRE), or on the schedules to the Victorian *Flora and Fauna Guarantee Act 1988*.

- An ecological community considered threatened in Victoria through its listing on the schedules of the *Flora and Fauna Guarantee Act 1988*.

**Regional** botanical significance applies to an area that supports one or more of the following attributes:

- Supports a population of one or more regionally depleted species defined in a valid regional assessment of biodiversity (eg. Regional Native Vegetation Plan, Environment Conservation Council Report or Comprehensive Regional Assessment documents).

- An ecological vegetation class that is considered endangered or vulnerable in a particular bioregion (based on Conn 1993 and the Regional Native Vegetation Plan), in which case the area is of **High Regional** significance.

- An ecological vegetation class that is considered depleted in a particular bioregion (based on Conn 1993 and the Regional Native Vegetation Plan), in which case it is of **Regional** significance.

**Local** botanical significance applies to all remnant native vegetation that does not meet the above criteria. In much of Victoria native vegetation has been so depleted by past clearing and disturbance that all remaining vegetation must be considered to be of at least local conservation significance.

## 6 REFERENCES

Corangamite Catchment Management Authority (2005) 'Corangamite Native Vegetation Plan' CCMA Website.

DELWP Website i.

[https://www.environment.vic.gov.au/\\_data/assets/pdf\\_file/0019/90523/Key-Changes-Overview.pdf](https://www.environment.vic.gov.au/_data/assets/pdf_file/0019/90523/Key-Changes-Overview.pdf)

DELWP Website ii.

<https://www.environment.vic.gov.au/native-vegetation/native-vegetation>

DELWP Website iii.

<http://www.depi.vic.gov.au/environment-and-wildlife/biodiversity/victorian-biodiversity-atlas>

DELWP Website iv.

<https://nvim.delwp.vic.gov.au/Biodiversity/RiskPathway#/>

DELWP Website v.

<https://mapshare.vic.gov.au/vicplan/>

DELWP Website vi.

<https://www.environment.vic.gov.au/biodiversity/bioregions-and-evc-benchmarks>

Department of Environment, Land, Water and Planning (DELWP) (2017), *Guidelines for the removal, destruction or lopping of native vegetation*.

EPBC Website i

<https://www.environment.gov.au/epbc/about/epbc-act-lists>

EPBC Website ii.

<http://www.environment.gov.au/system/files/resources/e97c2d51-08f2-45e0-9d2f-f0d277c836fa/files/grasslands-victoria.pdf>

Oates, A. & Taranto, M. (2001): 'Vegetation mapping of the Port Phillip & Westernport region' Arthur Rylah Institute for Environmental Research, DNRE, Victoria.

Parkes, D., Newell, G. & Cheal, D. (2003): 'Assessing the quality of native vegetation: The habitat hectares approach. Parks, Flora & Fauna Division, DNRE, Victoria.

Royal Botanic Gardens Vicflora Website

<https://vicflora.rbq.vic.gov.au>

Walsh, N G & Entwisle, T (1994-1999): 'Flora of Victoria Vol 2-4' Inkata Press, Melbourne.

### ***Plates 1-6 Site Photographs***



**Plate 1.** Typical site condition showing dominance of exotic pasture grasses and weeds (view looking south from northern boundary).



**Plate 2.** Typical site condition showing dominance of exotic pasture grasses and weeds, and rocky heap (view looking south from northern section).





**Plate 3.** Typical site condition showing dominance of exotic pasture grasses and weeds, and dry dam (view looking east from southern section).



**Plate 4.** Small clumps of Rush *Juncus sp.* near the southern boundary.





**Plate 5.** From left: Red Ironbark and Red Flowering Gums near eastern boundary.



**Plate 6.** Evidence of recent tree clearing (looking south from northern section).



## **Bushfire Development Report**

for the development of a  
staged subdivision at  
147 Wollaston Road  
Warrnambool VIC 3280

Report prepared for  
Wollaston Road Developments Pty Ltd

July 2022

[WWW.TERRAMATRIX.COM.AU](http://WWW.TERRAMATRIX.COM.AU)



Bushfire Development Report for 147 Wollaston Road, Warrnambool

Terramatrix project code: WollastonRoadDevelopmentsPtyLtd-2022-01 DD\_BPA-Warrnambool

Cover image: Looking north over the site.

**Accountability**

Stage	Date completed	Name	Title
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Analysis & report preparation	2022-07-06	John Eastwood	Senior Analyst
Peer review	2022-07-07	Jon Boura	Managing Director
Update	2022-07-22	John Eastwood	Senior Analyst

**Version Control**

Version	Date issued	Comments	Issued by
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## 1 Introduction

This Bushfire Development Report (BDR) has been prepared for Wollaston Road Developments Pty Ltd, to assess how the proposed development of a possible retirement village and residential subdivision at 147 Wollaston Road, Warrnambool VIC 3280 can respond to the bushfire risk and the applicable Victorian planning and building controls that relate to bushfire, in particular the objective and applicable strategies of the Planning Policy Framework (PPF) at Clause 13.02-1S *Bushfire planning* in the Victoria Planning Provisions (Warrnambool Planning Scheme, 2018a).

This report will inform the development plan to subdivide the eastern part of the land for subsequent residential development and develop a retirement village in the western part. The site is currently vacant and is in a designated Bushfire Prone Area (BPA). BPAs are those areas subject to or likely to be subject to bushfires, as determined by the Minister for Planning. Higher hazard land within a BPA, which may be subject to extreme bushfire behaviour, is covered by the Bushfire Management Overlay (BMO).

This report assesses the bushfire hazard and identifies how the proposed development can appropriately mitigate any bushfire risk and respond to and comply with the applicable bushfire planning and building controls. These are:

- Clause 13.02-1S *Bushfire Planning*, which is the State planning policy for bushfire. The development proposal needs to show that it meets the objective and applicable strategies of the policy.
- The Building Act 1993 and associated Building Regulations 2018, which require bushfire protection standards in designated BPAs, for class 1, 2 and 3 buildings, 'Specific Use Bushfire Protected Buildings' and associated class 10a buildings or decks.

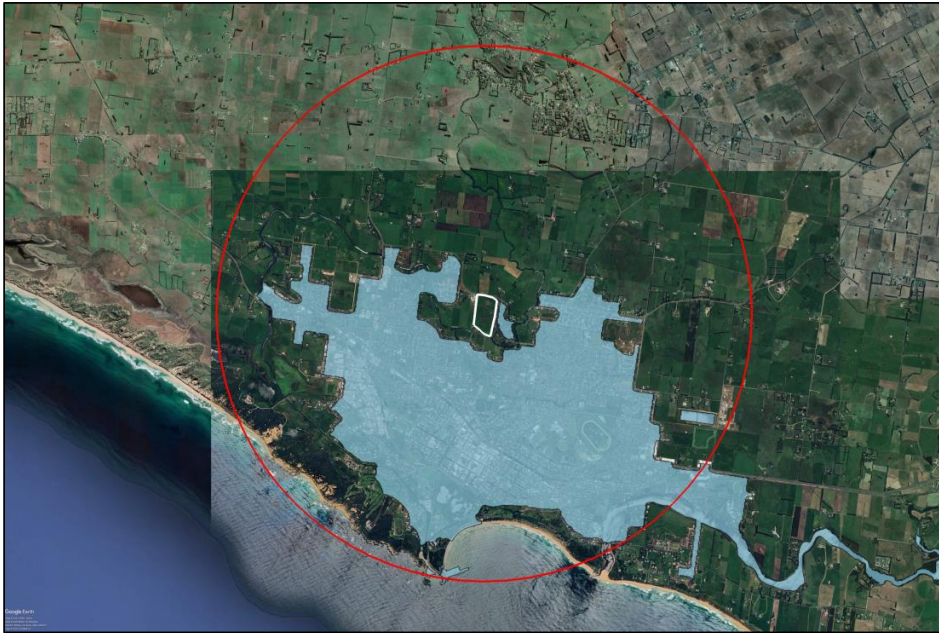
This report has been prepared in accordance with guidance for the assessment of, and response to, bushfire risk, provided in:

- *Bushfire State Planning Policy Amendment VC140*, Planning Advisory Note 68 (DELWP, 2018);
- *Local planning for bushfire protection*, Planning Practice Note 64 (DELWP, 2015a);
- *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP, 2017);
- *Design guidelines for settlement planning at the bushfire interface* (DELWP, 2020a); and
- AS 3959-2018 *Construction of buildings in bushfire prone areas* (Standards Australia, 2020).



## 2 Overview of site

The site comprises a large vacant lot north of the progressively developing urban areas of Warrnambool in the City of Warrnambool local government area (see Figure 1). The site is in the south-eastern corner of the North of Merri River Structure Plan (Mesh, 2011).



**Figure 1 – 147 Wollaston Road area (site shown in white outline, 5km buffer in red outline) non-BPA land is shown in teal shading (2022 Google Earth).**

### 2.1 Proposed development

The development proposal is for the staged multi-lot subdivision of the eastern part of the site with subsequent residential development, and the development of a retirement village in the western part. The site is in the currently undeveloped pastoral area to the north Warrnambool, to the south of Wollaston Road and north of Merri River. The southern part of the site is affected by the Urban Floodway Zone (and Schedule) (UFZ) and will be developed as a golf course (see Figure 2).

The proposed subdivision layout and road network will provide a single access/egress point to Wollaston Road, with the possibility of a future accessway across Merri River to the south (see Figure 2).



Bushfire Development Report for 147 Wollaston Road, Warrnambool



Figure 2 – 147 Wollaston Road master plan (Beveridge Williams, 2022).



### 3 Bushfire planning and building controls

This section identifies the applicable planning and building controls that relate to bushfire.

#### 3.1 Clause 13.01-1S Natural hazards and climate change

The objective of this Clause is to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning. Specified strategies to achieve the objective are:

- *'Consider the risks associated with climate change in planning and management decision making processes.*
- *Identify at risk areas using the best available data and climate change science.*
- *Integrate strategic land use planning with emergency management decision making.*
- *Direct population growth and development to low risk locations.*
- *Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.*
- *Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.*
- *Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards'* (Warrnambool Planning Scheme, 2018b).

Especially in southern and eastern Australia, since the 1950's there has been an increase in the length of the fire weather season and a greater number of higher risk days associated with climate change (CSIRO/BOM, 2020). The Australasian Fire and Emergency Service Authorities Council (AFAC) identify that a failure of building codes and land use planning to adequately adapt to climate change is a significant risk (AFAC, 2018).

This Clause supports the adoption of a precautionary approach to the identification and mitigation of bushfire risk.

#### 3.2 Clause 13.02-1S Bushfire Planning

Clause 13.02-1S has the objective *'To strengthen the resilience of settlements and communities to bushfire through risk based planning that prioritises the protection of human life'* (Warrnambool Planning Scheme, 2018a). The policy must be applied to all planning and decision making under the Planning and Environment Act 1987, relating to land which is:

- Within a designated BPA;
- Subject to a BMO; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

Clause 13.02-1S requires priority to be given to the protection of human life by:

- *'Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*



- *Reducing the vulnerability of communities to bushfire through consideration of bushfire risk in decision-making at all stages of the planning process* (Warrnambool Planning Scheme, 2018a).

Key strategies are stipulated in Clause 13.02-1S, which require that strategic planning documents, planning scheme amendments and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures. This also applies to planning permit applications for:

- Subdivisions of more than 10 lots;
- Accommodation;
- Childcare centre;
- Education centre;
- Emergency services facility;
- Hospital;
- Indoor recreation facility;
- Major sports and recreation facility;
- Place of assembly; and
- Any application for development that will result in people congregating in large numbers.

Development should not be approved where '*...a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented*' (Warrnambool Planning Scheme, 2018a).

This study assesses the bushfire hazard and identifies the bushfire protection measures that will be required for future development of the site. It is considered that development can appropriately prioritise the protection of human life and meet the objectives of Clause 13.02-1S by ensuring compliance with the applicable bushfire planning and building controls.

A response to the applicable strategies of Clause 13.02-1S is provided in Section 7 of this report.

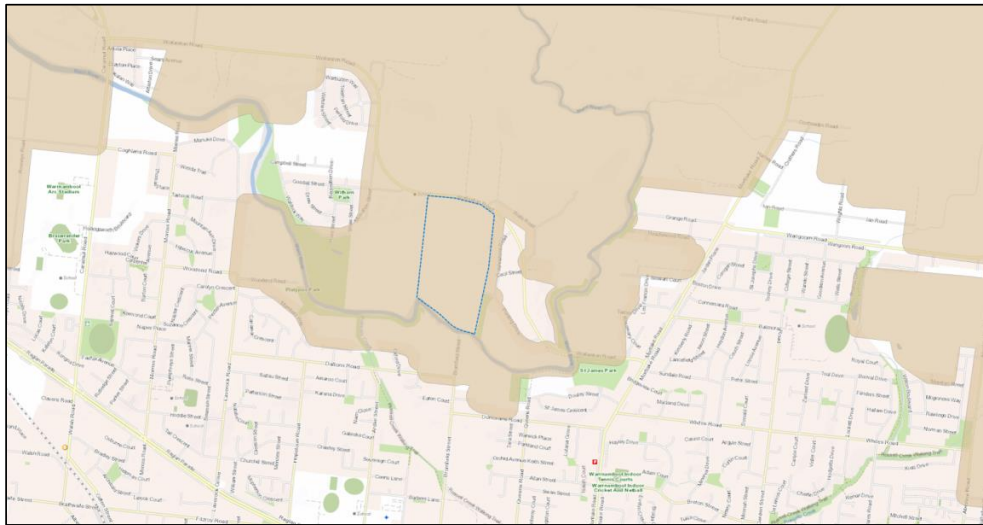
### **3.3 Clause 71.02-3 Integrated Decision Making**

Clause 71.02-3 states that planning and responsible authorities should endeavour to integrate policies and balance conflicting objectives in favour of net community benefit and sustainable development. However, in bushfire affected areas, the protection of human life must be prioritised over all other policy considerations (Warrnambool Planning Scheme, 2018c).

### **3.4 Bushfire Prone Area (BPA)**

The site is in a BPA (see Figure 3). BPAs are those areas subject to or likely to be subject to bushfire, as determined by the Minister for Planning. Those areas of highest bushfire risk within the BPA are designated as BMO areas, which does not apply to the site or any land for 3.5km.





**Figure 3 - BPA (brown shading) coverage of the site (highlighted in blue outline) and surrounds.**

In a BPA, the Building Act 1993 and associated Building Regulations 2018, through application of the National Construction Code (NCC), require bushfire protection standards for class 1, 2 and 3<sup>1</sup> buildings, 'Specific Use Bushfire Protected Buildings'<sup>2</sup> and associated class 10A buildings<sup>3</sup> or decks. The applicable performance requirement in the NCC is:

- 'A building that is constructed in a designated bushfire prone area must, to the degree necessary, be designed and constructed to reduce the risk of ignition from a bushfire, appropriate to the —*
- (a) potential for ignition caused by burning embers, radiant heat or flame generated by a bushfire; and*
  - (b) intensity of the bushfire attack on the building' (ABCB, 2020).*

Compliance with AS 3959-2018 *Construction of buildings in bushfire prone areas* is 'deemed-to-satisfy' the performance requirement (ABCB, 2020). For Class 1 buildings and associated Class10a buildings or decks, the *NASH Standard – Steel Framed Construction in Bushfire Areas* is also deemed to satisfy the requirement (NASH, 2021).

The Victorian building regulations require that applicable buildings be constructed to a minimum Bushfire Attack Level (BAL)-12.5, or higher, as determined by a site assessment or planning scheme requirement. A BAL is a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact. There are six BALs defined in AS 3959-2018, which range from BAL-LOW, which has no bushfire construction requirements, to BAL-FZ (Flame Zone) where flame contact with a building is expected (see Appendix A).

<sup>1</sup> Class 1, 2 and 3 buildings are defined in the Building Code of Australia (BCA), and are generally those used for residential accommodation, including houses and other dwellings, apartments, hotels and other buildings with a similar function or use.

<sup>2</sup> Specific Use Bushfire Protected Buildings are defined in the Victorian *Building Regulations 2018*, they generally comprise 'vulnerable' uses and include schools, kindergartens, childcare facilities, aged care facilities and hospitals.

<sup>3</sup> Class 10a buildings are defined in the BCA as non-habitable buildings including sheds, carports, and private garages.



Larger developments and certain vulnerable uses in a BPA (see Section 3.2) are also required by Clause 13.02-1S *Bushfire planning* to:

- *‘Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts’* (Warrnambool Planning Scheme, 2018a).

DELWP review and excise areas from the BPA approximately every 6 months, particularly in growth areas where the hazard is removed as urban development occurs. Land becomes eligible for excision if it satisfies statewide hazard mapping criteria, including that the land needs to be:

- At least 300m from areas of classified vegetation (except grassland) larger than 4ha in size; and
- At least 150m from areas of classified vegetation (except grassland) 2 to 4ha in size; and
- At least 60m from areas of unmanaged grassland more than 2ha in size (DELWP, 2015b).

For isolated areas of vegetation greater than 1ha but less than 2ha, the shape of the area and connectivity to any other hazardous vegetation is a further consideration (DELWP, 2015b).

There are no obstacles to future development of the site complying with the applicable strategies at Clause 13.02-1S and the building regulations invoked by the BPA coverage (see Sections 6 and 7). Following development, parts of the site will be eligible for excision from the BPA.

### 3.5 Other controls

#### 3.5.1 Zoning

The site is in the General Residential Zone and Schedule 1 (GRZ1) and Urban Floodway Zone and Schedule (UFZ). Neither zoning or Schedule has bushfire planning implications for the site, although the UFZ does mean that a large undeveloped area within the site will remain – this area will become the golf course and be managed as such.

#### 3.5.2 Overlays

The site is covered by the Development Plan Overlay and Schedule 10 (DPO10), which calls for the preparation of a Development Plan. The site is also covered by the Development Contributions Plan Overlay - Schedule 1 (DCPO1) and the Environmental Significance Overlay and Schedule 2 (ESO2), neither of which have bushfire planning implications for the site. The Floodway Overlay and Schedule (FO) over the southern part of the site will see the retention of an undeveloped area within the site, which will form the future golf course to be managed in a low threat state.

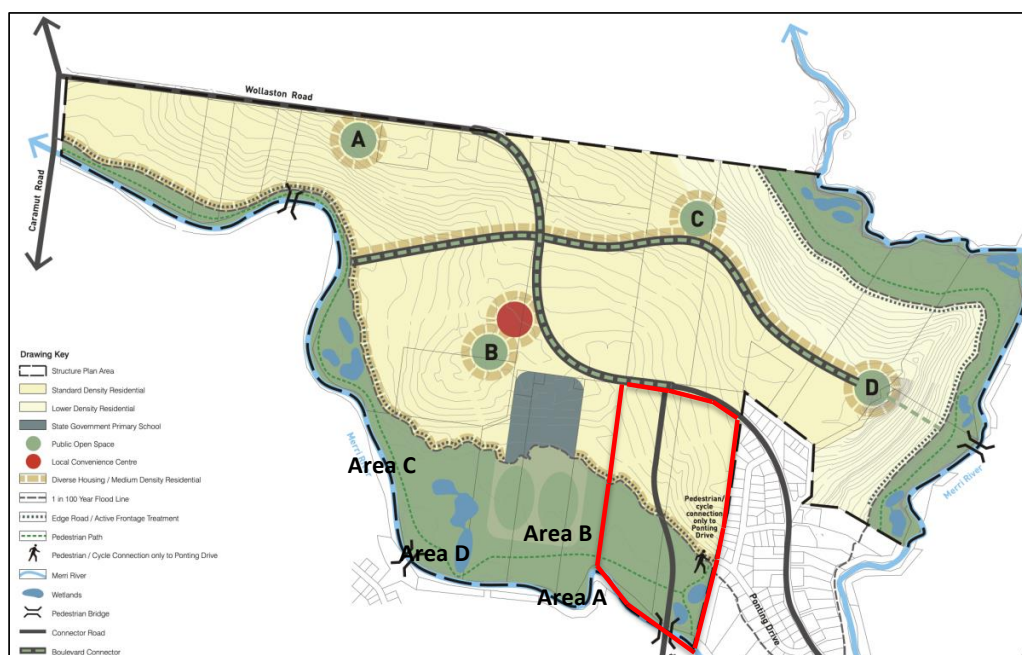




## 4 North of Merri River Structure Plan

The site is in the North of Merri River Structure Plan (Mesh, 2011). The structure plan does not identify bushfire as an issue and no bushfire protection measures are stipulated. The arrangement of different land uses proposed for the precinct, as shown in the structure plan, is shown here at Figure 4. The site and the land to the north is identified as 'Standard density residential'.

The structure plan identifies a road through the site (shown as black line on Figure 4) that will be provided for in the development plan on an alternative alignment (see Figure 2).



**Figure 4 – Site and surrounds as shown in North of Merri River Structure Plan (Mesh, 2011), with approximate site boundary highlighted in red.**

### 4.1 Regional bushfire risk assessments and plans

#### Regional Bushfire Planning Assessment (RBPA) Barwon South-west Region

As part of the response to the 2009 Victorian Bushfires Royal Commission, Regional Bushfire Planning Assessments (RBPAs) were undertaken across six regions that covered the whole of Victoria. The RBPAs provide information about 'identified areas' where a range of land use planning matters intersect with a bushfire hazard to influence the level of risk to life and property from bushfire. The RBPAs state that *'This information should be addressed as part of strategic land use and settlement planning at the regional, municipal and local levels'* (DPCD, 2012).



The *Regional Bushfire Planning Assessment – Barwon South-west Region* covers the City of Warrnambool LGA. It does not identify any bushfire matters of concern in or around the site, although the Merri River environs are identified:

*‘The watercourse contains patches of riparian vegetation surrounded by grassland environments. Surrounding developed and undeveloped lots are in or in proximity to vegetated bushfire hazard areas’* (DPCD, 2012).

The vegetation in the Merri River environs is not considered to be a significant bushfire risk to the site and can be addressed through the management of vegetation within the site and appropriate BAL construction standards. The southern part of the site will form a golf course which will be managed in a low threat state. This is consistent with the DELWP settlement interface guidelines recommending low threat public open space on the bushfire interface (DELWP, 2020).

#### **Warrnambool Municipal Fire Management Plan (MFMP)**

The Warrnambool MFMP addresses a range of risk environments, including fires in residential, commercial and industrial environments, bushfires and hazardous material environments across the Warrnambool municipality and lists a wide range of programs to address these risks (Warrnambool City Council, 2015).

The MFMP does not identify a requirement for specific bushfire protection actions in the Wollaston Road area.

#### **Safer Together – Strategic Bushfire Management Planning**

The Safer Together program is an approach to reducing the risk of bushfire in Victoria. Strategic bushfire management planning is jointly delivered by Forest Fire Management Victoria (FFMVic), Country Fire Authority (CFA), Emergency Management Victoria (EMV) and local government in consultation with communities (DELWP, 2020).

Fuel management focused strategies have been developed for six regions, with region-specific strategies applied in response to the identified bushfire risk (see Figure 5 and Figure 6). The 147 Wollaston Road site is in the easternmost part of the Barwon South-West – Far South-West region.

The Warrnambool area is not in a Bushfire Risk Engagement Area (which are areas in which managing bushfire fuels is most effective in reducing risk). The low risk of the site (see Figure 5), and that no need has been identified for fuel management in the surrounding landscape (see Figure 6), contribute to the proposed development of the site being appropriate.



Bushfire Development Report for 147 Wollaston Road, Warrnambool

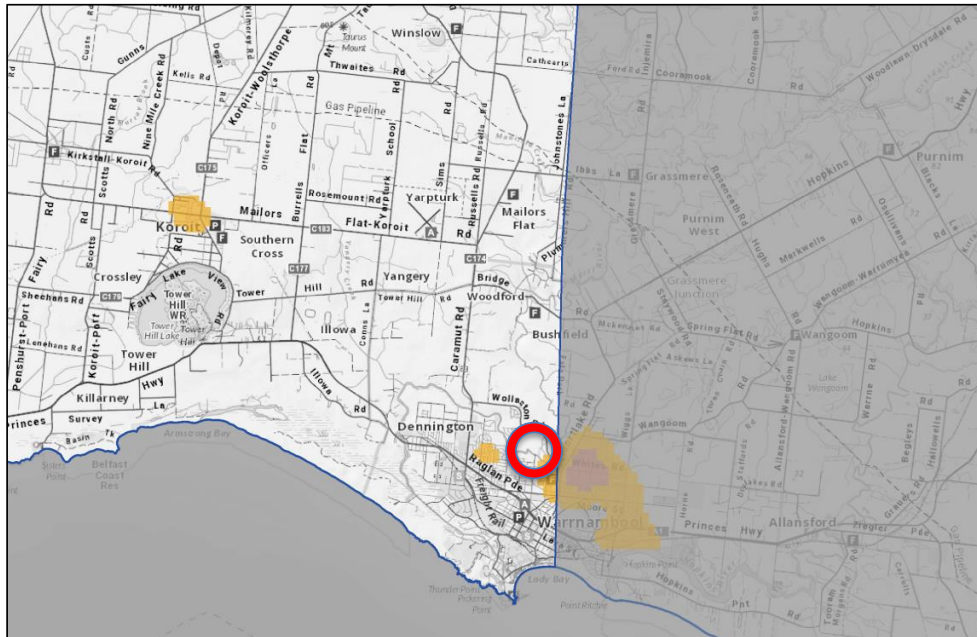


Figure 5 – Risk of house loss (orange is low-intermediate risk, purple the highest risk) (FFMV, 2021) with the site indicated by red circle.

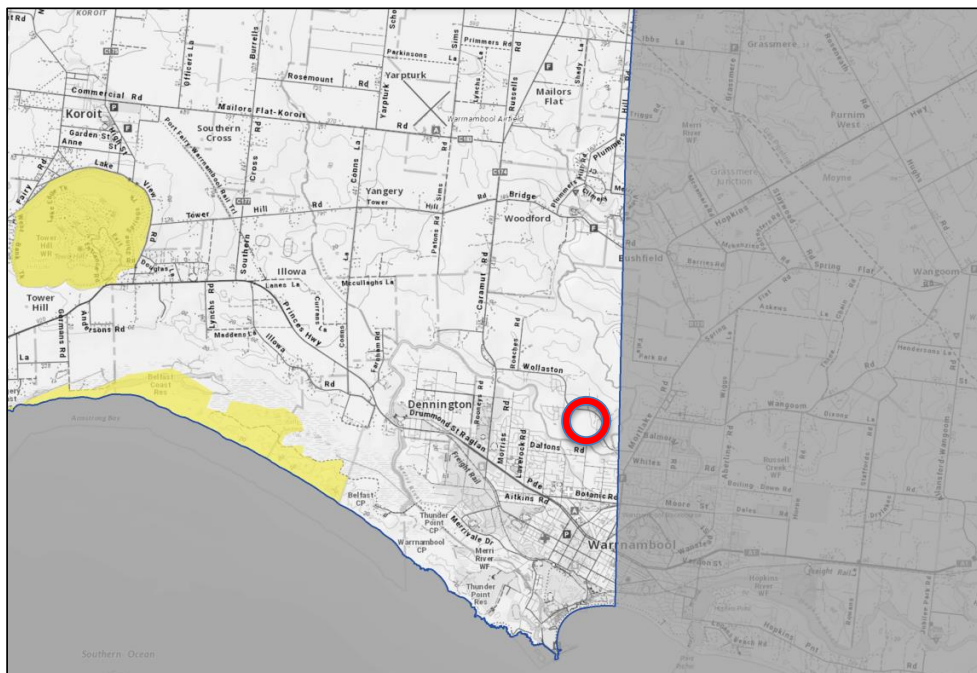


Figure 6 – FFMV fuel management strategy in the Warrnambool area (see Table 1) with the site indicated by red circle.



**Table 1 – Legend to Figure 6.**

Fire Management Zone	Legend colour	Aim
Asset Protection Zone (APZ)		To provide the highest level of localised protection to human life, property, critical infrastructure, the economy and high value community assets. Reduces radiant heat and ember attack through planned burning, mowing slashing or vegetation removal.
Bushfire Moderation Zone (BMZ)		To develop fuel- reduced areas of sufficient width and continuity to reduce the speed and intensity of bushfires. BMZ also aims to provide areas which assist in making bushfire suppression safer and more effective and in improving access and egress. Reduces speed and intensity of bushfires. Supports APZs and protects nearby assets, particularly from ember spotting.
Landscape Management Zone (LMZ)		Management objectives are varied and include fuel reduction and ecological outcomes. Hazard reduction may be undertaken to supplement APZ and BMZ activities, only where deemed necessary by a risk-based approach. Treatments may be undertaken for the active management of ecosystem function and for the management of flora and fauna species. Burning (or absence of burning) will be used to ecosystem resilience across the landscape. Planned burning will be used to reduce overall fuel and bushfire hazard, ecological resilience and particular landscape values.
Planned Burn Exclusion Zone (PBEZ)		Exclusion of planned burning from areas intolerant to fire.



## 5 Bushfire hazard assessment

One of the bushfire hazard identification and assessment strategies in Clause 13.02-1S is to use the best available science to identify the hazard posed by vegetation, topographic and climatic conditions. The basis for the hazard assessment should be:

- *'Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;*
- *Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;*
- *Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and,*
- *The site for the development' (Warrnambool Planning Scheme, 2018a).*

This section includes a bushfire assessment at:

- The wider landscape scale, for at least 20km around the site (see Figure 1 and Map 1);
- The local landscape scale extending up to 1km from the site and the neighbourhood scale up to 400m around the site boundary, to identify any risk arising around the site beyond the site assessment zone (see Map 2); and
- The site scale, for 100m around the site and future residential areas, to determine likely future BALs (see Map 3).

The BPA coverage invokes AS 3959-2018, which requires a site assessment of the vegetation and topography up to 100m around a building, for the purposes of determining the applicable BAL construction standard for that building (Standards Australia, 2020).

### 5.1 Landscape assessment

#### 5.1.1 Landscape – to 20km

The development site at 147 Wollaston Road is located north of Merri River on the northern side of Warrnambool, approximately 4.5km from the coast.

The landscape is characterised by three main land types:

- To the south and, at some distance to the east and west of the site, areas of existing urban development comprise a largely low threat zone, with part of the immediately adjacent property to the west currently comprising unmanaged vegetation;
- Beyond the urban area to the south-west, a thin band of coastal scrub is covered by the BMO; and
- The majority of the 20km landscape assessment zone comprises flat pastoral land with limited treed vegetation to the north, east and west of Warrnambool beyond the immediate urban areas.

The designated BPA covers roughly 90% of the 20km landscape assessment zone (excluding the ocean), with the exception of the urban areas of Warrnambool. The BMO covers the coastal scrub mentioned above and a large but isolated area of bushland near Purnim, around 18km to the north-east.



There is a limited fire history within 20km, mostly well to the east of Warrnambool (see Map 1). However, the potential for a grassfire impacting the site will remain until the surrounding landscape is developed as urban area.

In Victoria, the most likely scenarios for a large landscape fire are an approach from those directions typically associated with the direction of the wind on severe, or higher, fire danger days i.e. approach of bushfire from the north, north-west, west or south-west (Long, 2006).

The site has an exposure to extensive areas of grass to the north beyond Wollaston Road, and to the south in the Merri River corridor. Consequently, the site could be affected by a potentially fast-moving grassfire, with possible impact by smoke, ember attack (although likely to be less than that generated by a fire in woodland or forest) and radiant heat. The presence of Wollaston Road and provision of adequate setbacks and separation from the hazard will mitigate the threat of flame contact and radiant heat.

The site has access to the nearby lower threat areas immediately to the east and to Warrnambool to the south via Wollaston Road.

## **5.2 Local and neighbourhood conditions**

### **5.2.1 Local – to 1km**

Within the 1km local assessment zone, the landscape is dominated by the pastoral areas of nearby farmland, with the fringe of the 1km local assessment zone comprising low threat areas of the nearby urban areas in all directions except the north. The predominant bushfire hazard are the areas of Grassland around the site.

### **5.2.2 Neighbourhood – to 400m**

Within 400m, the neighbourhood scale bushfire risk to the site is largely consistent with that for 1km, however land undergoing urban development comprises a smaller proportion of the assessment zone.

### **5.2.3 Landscape risk**

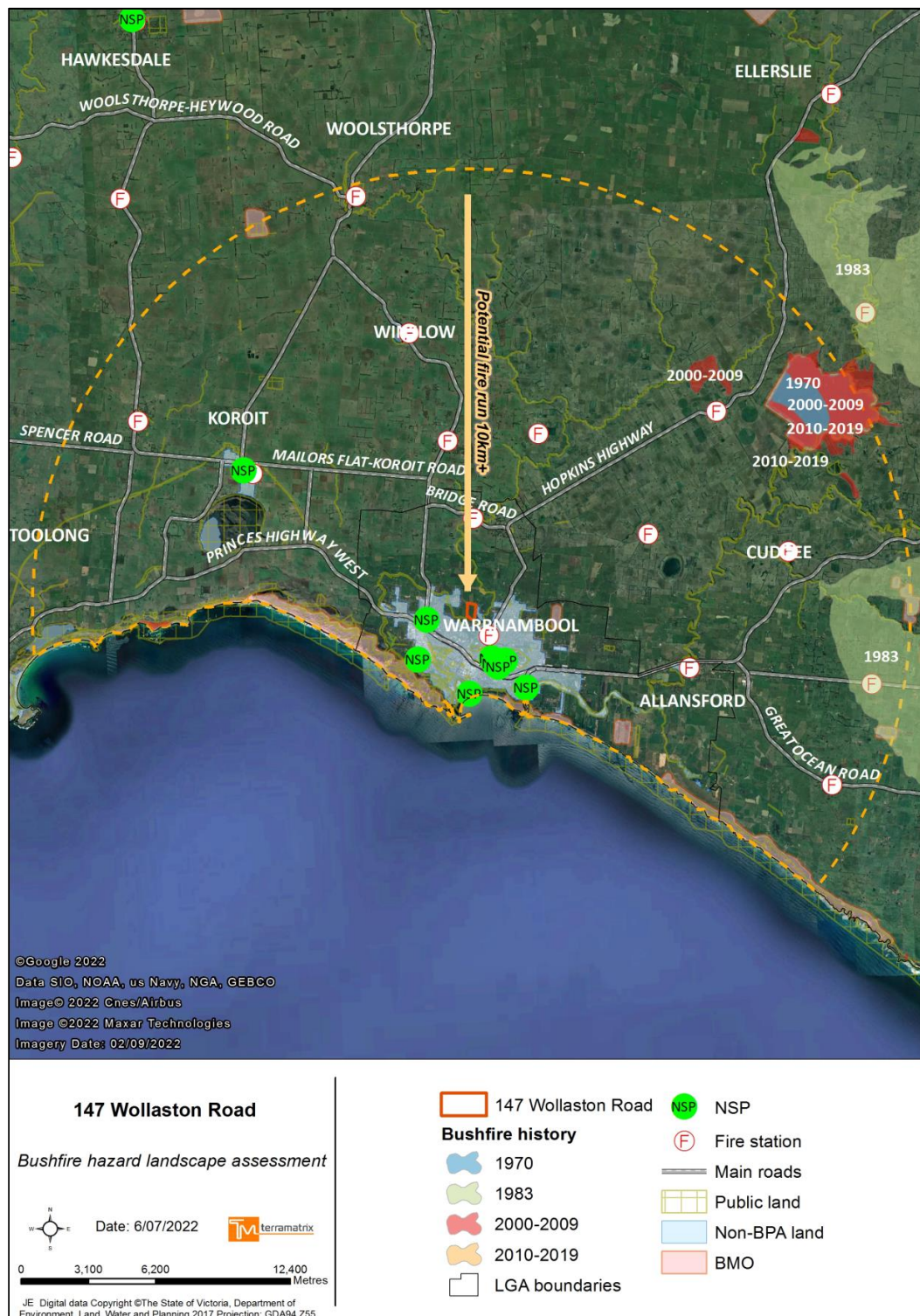
To assist in assessing landscape risk, four 'broader landscape types', representing different landscape risk levels, are described in the DELWP technical guide *Planning Applications Bushfire Management Overlay*. These are intended to streamline decision-making and support more consistent decisions based on the landscape risk (DELWP, 2017).

The four types range from low risk landscapes where there is little hazardous vegetation beyond 150m of a site and extreme bushfire behaviour is not credible, to extreme risk landscapes with limited or no evacuation options, and where fire behaviour could exceed BMO/AS 3959 assumptions (see Table 2).





Bushfire Development Report for 147 Wollaston Road, Warrnambool



Map 1 – Bushfire hazard landscape assessment.

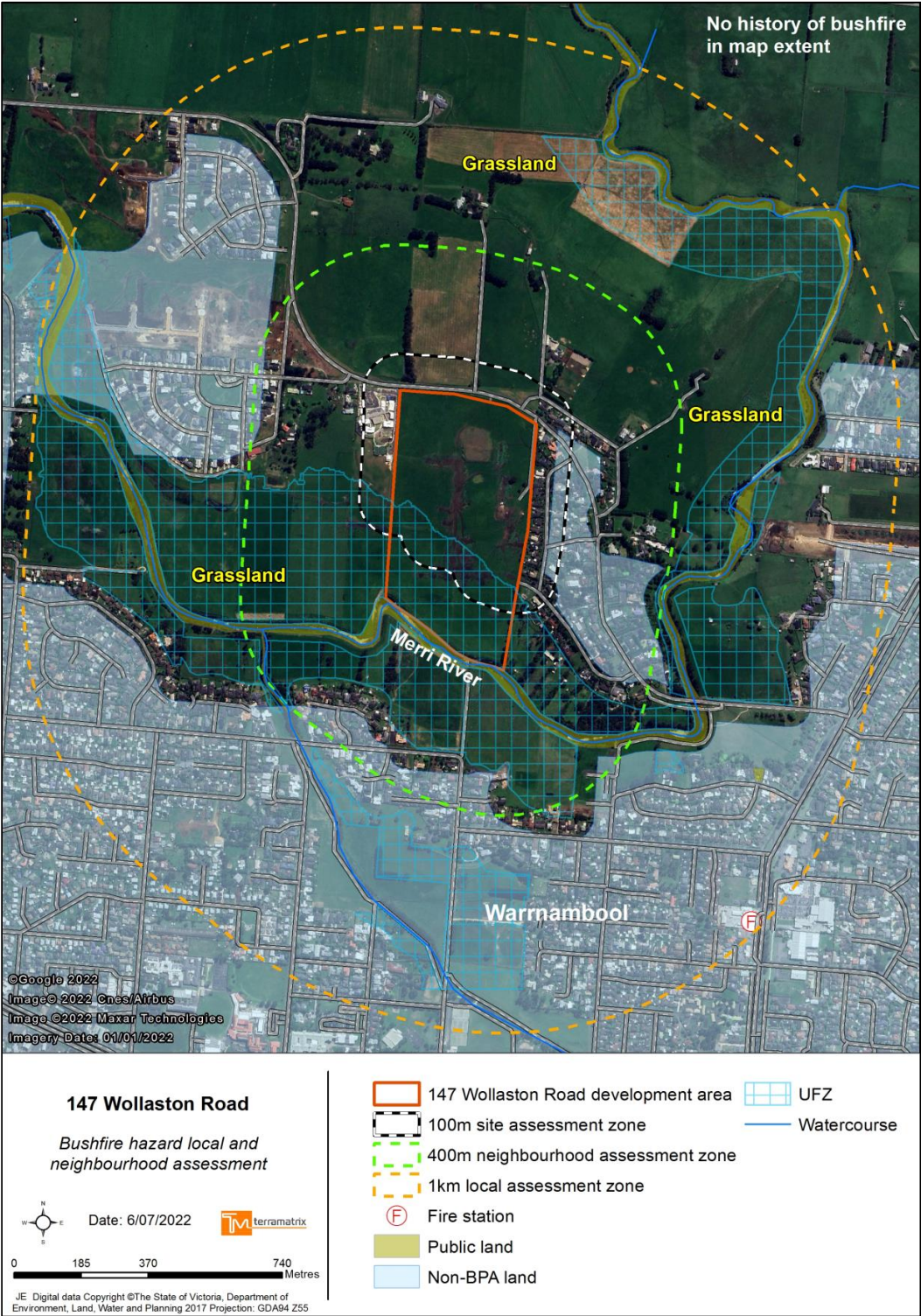


The development site and surrounding landscape accords with Landscape Type 2 although this risk is generated by Grassland rather than higher fuel load vegetation types and largely restricted to approach from the north. The risk to the site is likely to be reduced in the medium term as adjacent and nearby properties in the North of Merri River Structure Plan are developed and hazardous vegetation removed.

**Table 2 - Landscape risk typologies (from DELWP, 2017).**

Broader Landscape Type 1	Broader Landscape Type 2	Broader Landscape Type 3	Broader Landscape Type 4
<ul style="list-style-type: none"> <li>• There is little vegetation beyond 150 metres of the site (except grasslands and low-threat vegetation).</li> <li>• Extreme bushfire behaviour is not possible.</li> <li>• The type and extent of vegetation is unlikely to result in neighbourhood-scale destruction of property.</li> <li>• Immediate access is available to a place that provides shelter from bushfire.</li> </ul>	<ul style="list-style-type: none"> <li>• The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.</li> <li>• Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition.</li> <li>• Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.</li> </ul>	<ul style="list-style-type: none"> <li>• The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.</li> <li>• Bushfire can approach from more than one aspect.</li> <li>• The site is located in an area that is not managed in a minimum fuel condition.</li> <li>• Access to an appropriate place that provides shelter from bushfire is not certain.</li> </ul>	<ul style="list-style-type: none"> <li>• The broader landscape presents an extreme risk.</li> <li>• Fires have hours or days to grow and develop before impacting.</li> <li>• Evacuation options are limited or not available.</li> </ul>







## 5.3 Vegetation

Vegetation within a 100m assessment zone around the site has been classified in accordance with the AS 3959-2018 methodology through a desktop assessment. Classified vegetation is vegetation that is deemed hazardous from a bushfire perspective.

The classification system is not directly analogous to Ecological Vegetation Classes (EVCs) but uses a generalised description of vegetation based on the AUSLIG (Australian Natural Resources Atlas: No. 7 - Native Vegetation) classification system. The classification is largely based on the structural characteristics of the vegetation at maturity, but the key determinant should be the likely fire behaviour that it will generate.

### 5.3.1 Woodland

A small area of treed vegetation to the north-west best accords with the Woodland group of AS 3959-2018. Woodland vegetation comprises areas with trees up to 30m tall, 10% – 30% foliage cover dominated by eucalypts (and/or callitris) with a prominent grassy understorey, may contain isolated shrubs (Standards Australia, 2020).

### 5.3.2 Grassland

Vegetation on adjacent land to the north and south-west matches the AS 3959-2018 classification of Grassland, which is defined as all forms of vegetation (except Tussock Moorlands) including situations with shrubs and trees, if overstorey foliage cover is less than 10%. Includes pasture and cropland (Standards Australia, 2020).

Grassland vegetation is considered hazardous and therefore classifiable when it is not managed in a minimal fuel condition. Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (e.g. short-cropped grass, to a nominal height of 100 mm) (Standards Australia, 2020). Grassland areas should be assumed to be unmanaged and classifiable unless there is 'reasonable assurance' that they will be managed in perpetuity, in a low threat state, e.g. no more than approx. 100mm high.

### 5.3.3 Excluded vegetation and non-vegetated areas

Areas of low threat vegetation and non-vegetated areas can be excluded from classification in accordance with Section 2.2.3.2 of AS 3959-2018, if they meet one or more of the following criteria:

- a) *'Vegetation of any type that is more than 100m from the site.*
- b) *Single areas of vegetation less than 1 ha in area and not within 100m of other areas of vegetation being classified vegetation.*
- c) *Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other, or of other areas of vegetation being classified vegetation.*



- d) *Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified vegetation.*
- e) *Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- f) *Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks' (Standards Australia, 2020).*

For the purposes of this report, it is assumed that all vegetation on the site, including the golf course to the south, will be managed in a low threat state (i.e. as non-classified vegetation), therefore Map 3 does not show any classified vegetation on the site. Low-threat areas excluded from classification include the managed curtilage of the surrounding properties. Non-vegetated areas include the roads, driveways and structures within the site assessment zone (see Map 3).

## 5.4 Topography

AS 3959-2018 requires that the 'effective slope' be identified to determine the BAL and applicable vegetation setback distances. This is the slope of the land under the classified vegetation<sup>4</sup> that will most significantly influence the bushfire attack on a building. Two broad types apply:

- Flat and/or Upslope - land that is flat or on which a bushfire will be burning downhill in relation to the development. Fires burning downhill (i.e. on an upslope) will generally be moving more slowly with a reduced intensity.
- Downslope - land under the classified vegetation on which a bushfire will be burning uphill in relation to the development. As the rate of spread of a bushfire burning on a downslope (i.e. burning uphill towards a development) is significantly influenced by increases in slope, downslopes are grouped into five classes in 5° increments from 0° up to 20°.

The site is in a predominantly flat or undulating or only gently sloping landscape, without significant changes in elevation that would appreciably influence bushfire behaviour. The land to the north rises away from the site in the 'All upslopes and flat land' slope category of AS 3959-2018. The land to the south-west is on the flat area associated with the Merri River and has been assessed as being in the 'All upslopes and flat land' slope category, however the limited information regarding this area means that this slope should be verified through a site assessment.

For the purposes of determining BALs and vegetation setback distances for future development in all affected areas, the applicable slope class is 'All upslopes and flat land'.

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<sup>4</sup> The slope of the land between the classified vegetation and the building is called the site slope, which in the Method 1 procedure of AS 3959, is assumed to be the same as the effective slope.





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Map 3 – 147 Wollaston Road Bushfire hazard site assessment.





## 5.5 Future Urban Structure

147 Wollaston Road is located on the southern edge of the North of Merri River Structure Plan (Mesh, 2011) (see Figure 4), in an area indicated as future residential development to be created to the north of the existing urban areas of Warrnambool.

The North of Merri River Structure Plan provides a broad picture of the planned expansion of Warrnambool to the north, including the road network, open space, activity centres and community facilities, neighbourhoods and density and the utilities and drainage. The structure plan indicates that in the medium to long term, the land to the north of the site will also comprise low threat residential areas for a distance of 700m, with a comprehensive local road network providing access to the existing urban areas of Warrnambool.

The North of Merri River Structure Plan shows minor reserves and local parks throughout the residential and commercial zones (Mesh, 2011). The Merri River corridor will form the primary open areas close to the site, with potential active open space sports fields proposed to the west.

## 6 Planning and design response

This section identifies how future development can respond to the bushfire risk, including the requirements of Clause 13.02-1S, published DELWP and CFA guidance and the building regulations applicable to construction in a BPA.

### 6.1 BAL construction standard

To satisfy the applicable strategies of Clause 13.02-1S, future dwellings and other buildings requiring a BAL (see Section 3.4), should be sufficiently setback from classified vegetation to enable an appropriate construction standard.

Building setbacks are measured from the edge of the classified vegetation to the external wall of a building, excluding eaves, roof overhangs and some other building appurtenances<sup>5</sup> (Standards Australia, 2020) (see Figure 7).

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<sup>5</sup> The setback distance is measured from the edge of the classified vegetation to the external wall of the building, or for parts of the building that do not have external walls (including carports, verandas, decks, landings, steps and ramps), to the supporting posts or columns. The following parts of a building are excluded:

- a) Eaves and roof overhangs.
- b) Rainwater and domestic fuel tanks.
- c) Chimneys, pipes, cooling or heating appliances or other services.
- d) Unroofed pergolas.
- e) Sun blinds (Standards Australia, 2020).

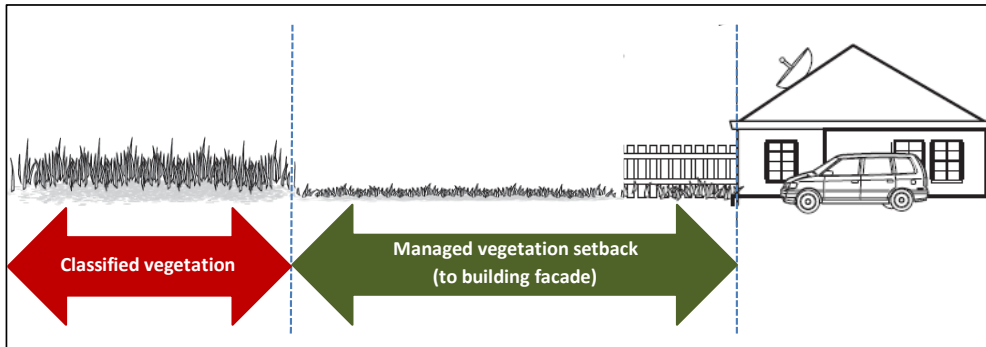


Figure 7 - Example of building-classified vegetation setback (adapted from CFA, 2013).

### 6.1.1 Building setbacks

The site is exposed to classified Grassland to the north and south-west. Much of this bushfire hazard is a short to medium term issue, with the progressive removal of the hazard as the structure plan is realised. The setbacks required in response to Grassland for BAL-12.5, based on the hazard assessment in Section 5 and determined using the simple Method 1 procedure of AS 3959-2018, are shown in Table 3 below.

Table 3 - Building setbacks for BAL-12.5.

BAL construction standard	Vegetation type	Effective slope	Low threat setback distance (m)
BAL-12.5	Grassland	All upslopes and flat land	19m

As no rezoning or other planning scheme amendment is proposed and the development proposal is consistent with the North of Merri River Structure Plan, the settlement planning strategies of Clause 13.02-1S arguably do not apply and the development of the site is not limited to a BAL-12.5 construction standard for future buildings. BAL-12.5 setbacks are, however, achievable across the site.

Map 3 shows the setbacks required in response to classified Grassland outside of the site. These setbacks are based on assumptions about vegetation retention and management, i.e.:

- All classified vegetation external to the site (see Map 3) will be retained in the short to medium term and will need to be responded to during the design and layout of the subdivision, i.e. buildings will not be able to be constructed within 19m of classified Grassland beyond the site boundary;
- All dwellings and other buildings requiring a BAL will need to have a 19m low threat setback in all directions at the time of building permit application to achieve a BAL-12.5 rating; and
- The vegetation within the golf course will be landscaped to create a low threat vegetation (see Section 6.1.2).



The site can respond to the bushfire hazard with an appropriate layout and through the management of vegetation within the future retirement village and golf course areas.

### **6.1.2 Golf course and landscaping**

Parts of the future golf course to the south of the residential development area will comprise low threat vegetation. AS 3959-2018 specifies that '*golf courses (such as playing areas and fairways)*' are excluded from classification (Standards Australia, 2020). However, non-playing vegetated areas have the potential to create classified vegetation within the site, potentially close to the residential development area.

The supplied plans indicate areas of vegetation within the golf course, acting to define the playing areas and separate the residential development area from the course. If this vegetation does not meet the AS 3959-2108 exclusion criteria, it may create a bushfire hazard that requires a higher BAL response from nearby dwellings. Consequently, it is recommended that the layout and landscaping of the golf course within 100m of the interface with the future residential areas meet the AS 3959-2108 exclusion criteria.

The exclusion criteria are:

- (a) *'Vegetation of any type that is more than 100m from the site.*
- (b) *Single areas of vegetation less than 1 ha in area and not within 100m of other areas of vegetation being classified vegetation.*
- (c) *Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other, or of other areas of vegetation being classified vegetation.*
- (d) *Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified vegetation.*
- (e) *Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- (f) *Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition<sup>6</sup>, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks' (Standards Australia, 2020).*

As the golf course extends more than 100m from the residential development area, vegetation beyond that distance will not constitute a bushfire hazard to the proposed development. Within

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<sup>6</sup> Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, recognisable as short-cropped grass for example, to a nominal height of 100mm (Standards Australia, 2020).



100m, the application of exclusion criteria (c), (d), (e) and (f) will avoid the creation of a bushfire hazard within the site. Information that may assist in achieving this is included below.

A useful guide to creating low threat landscaping is the CFA publication *Landscaping for Bushfire* available (along with other information) at <<https://www.cfa.vic.gov.au/plan-prepare/how-to-prepare-your-property/landscaping>>, and which can be used in combination with the 'Firewise' plant selection guide available at <<https://www.cfa.vic.gov.au/plan-prepare/how-to-prepare-your-property/landscaping/plant-selection-key/plant-selection-key>>.

Within the residential area, landscaping should also consider:

- Avoiding plantings that are in direct contact with buildings;
- Creating breaks in the horizontal and vertical continuity of plantings using non-combustible features such as crushed rock paths or lawn; and
- Using non-combustible mulches such as crushed glass, rock or granitic sand.

Suggested vegetation management standards within and for 100m around the residential development area are:

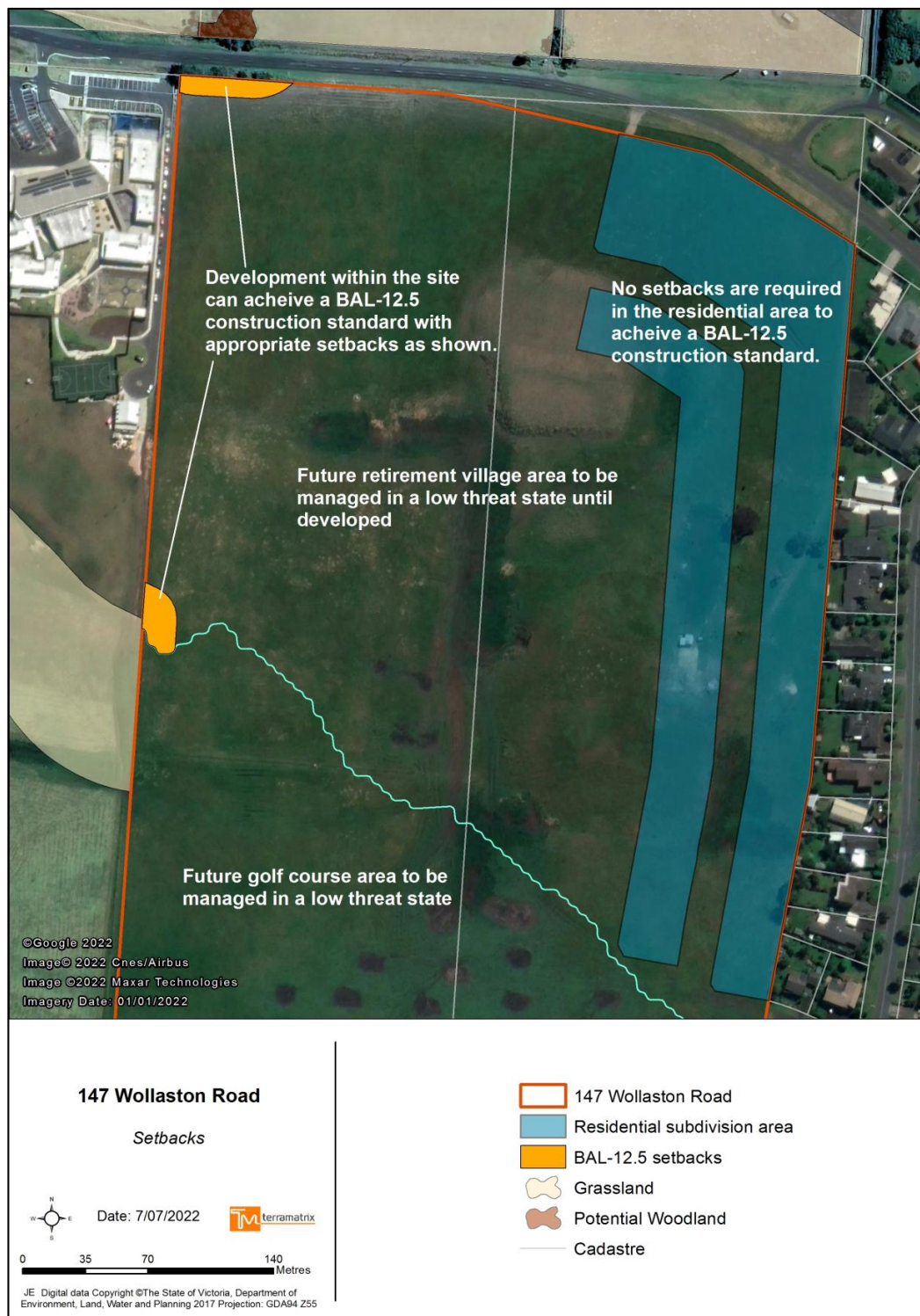
- Grass should be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris should be removed at regular intervals during the declared fire danger period.
- Flammable objects and materials should not be located within 6m of the building.
- Plants greater than 30 centimetres in height should not be placed within 3m of a window or other glazed feature of the building.
- Individual and clumps of shrubs should not exceed 5 sq. metres in area and be separated from each other by 5 metres.
- Only low shrubs up to approx. 0.5 metres height at maturity should be planted under trees.
- There should be a clearance of approx. 2 metres between the lowest tree branches and ground level/understorey shrubs.

### **6.1.3 Roads and fire hydrants**

All roads within the site should meet the guidelines detailed in the CFA publication *Requirements for water supplies and access for subdivisions in Residential 1 and 2 and Township Zones* (CFA, 2006). This publication also provides guidance regarding the provision of a reliable water supply for fire fighting via a conventional reticulated hydrant system, in accordance with the hydrant objective for residential subdivision at Clause 56.09-3 of the Warrnambool Planning Scheme.



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Map 4 –Setbacks.



## 7 Clause 13.02-1S Bushfire planning

The applicable strategies at Clause 13.02-1S are detailed in the following sub-sections, and a summary response is provided about how the proposed development can respond to the strategies.

### 7.1.1 Protection of human life strategies

Priority must be given to the protection of human life.

#### ***Prioritising the protection of human life over all other policy considerations***

The site is in a moderate bushfire risk location. The risk will lessen as development in and around the site occurs. Accordingly, the protection of human life can be prioritised by adopting the measures recommended in this report and through application of the existing planning and building regulations for construction in a BPA. There is access to the existing lower threat areas of Warrnambool, and the progressive excision of developed areas from the BPA (and eventually the site itself) will improve access to lower threat areas.

#### ***Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.***

As identified in Section 5.1, the site is in a moderate bushfire risk landscape. Therefore, if future buildings are setback sufficiently from any hazardous vegetation such that they achieve an appropriate BAL, the risk can be deemed to be acceptably mitigated.

The nearest *lowest* risk locations are the developed areas of Warrnambool near the site, and over the Merri River to the south, that are not in the BPA.

As development occurs within the site and on adjacent and nearby land, reliably low threat areas within the site will become eligible for excision from the BPA if they satisfy the exclusion criteria.

#### ***Reducing the vulnerability of communities to bushfire through consideration of bushfire risk in decision-making at all stages of the planning process***

This report provides the basis for incorporating bushfire risk into decision making associated with planning development in the site.

The CFA (and FRV) consider that community resilience to bushfire will be strengthened (and hence, presumably, vulnerability to bushfire will be reduced) when a strategic planning proposal demonstrates that Clause 13.02-1S strategies have been applied, and where a proposal takes advantage of existing settlement patterns so that new development will not expose the community to increased risk from bushfire.





The CFA provide principles to respond to Clause 13.02-1S including that settlement planning decisions should;

- *'Direct development to locations of lower bushfire risk.*
- *Carefully consider development in locations where there is significant bushfire risk that cannot be avoided.*
- *Avoid development in locations of extreme bushfire risk.*
- *Avoid development in areas where planned bushfire protection measures may be incompatible with other environmental objectives'* (CFA, 2015).

It is considered that development of the site can appropriately implement the strategies in Clause 13.02-1S that aim to prioritise protection of human life and will, therefore, meet the CFA strategic planning principles for bushfire.

### **7.1.2 Bushfire hazard identification and assessment strategies**

The bushfire hazard must be identified, and an appropriate risk assessment be undertaken.

#### ***Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.***

This report identifies the hazard in accordance with the commonly accepted methodologies of AS 3959-2018 and, as appropriate, additional guidance provided in *Planning Practice Note 64 Local planning for bushfire protection* (DEWLP, 2015a), *Planning Advisory Note 68 Bushfire State Planning Policy Amendment VC140* (DEWLP, 2018a) and *Planning Permit Applications Bushfire Management Overlay Technical Guide*<sup>7</sup> (DEWLP, 2017).

The type and extent of (hazardous) vegetation within, and up to 400m around, the site has been identified and classified into AS 3959-2018 vegetation groups. Classification was based on the anticipated long-term state of the vegetation, EVC mapping, aerial imagery, desktop assessment, published guidance on vegetation assessment for bushfire purposes and experience with the fuel hazard posed by the vegetation types that occur within the region.

GIS analysis of publicly available contour data for the area was undertaken to determine slopes, extending to 100m around the site (see Map 3).

In relation to climatic conditions and fire weather, the AS 3959-2018 default FFDI 100/GFDI 130 benchmark used in the Victorian planning and building system, has been applied.

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<sup>7</sup> Although the site is not affected by the BMO, DELWP's BMO technical guide provides useful descriptors and guidance for assessing the bushfire risk at the landscape scale, as discussed in Section 5.1.



***Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.***

The extent of BPA coverage has been considered (see Section 3.4) and is shown Map 1 and Map 2. This is based on the most recent BPA mapping for the area, which was gazetted 18<sup>th</sup> March 2022.

***Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard.***

As identified in Section 5, no part of the site is covered by the BMO. This is considered appropriate and reflects relatively state-wide BMO mapping introduced into the Warrnambool Planning Scheme by amendment GC13, which was gazetted on 3<sup>rd</sup> October 2017.

***Considering and assessing the bushfire hazard on the basis of:***

- ***Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;***
- ***Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;***
- ***Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and***
- ***The site for the development.***

The hazard has been assessed and described at the landscape, site, neighbourhood and local scales (see Section 5 and Maps 1, 2, and 3).

At the site scale, the assessment follows the AS 3959-2018 methodology applied in a BPA - by means of a desktop assessment - of classifying vegetation and topography within 100m of a building and, for this study, extending 100m around the site (see Map 3). At the local and neighbourhood scales, the site has been assessed at the 1km and 400m scales (see Map 2).

At the broader landscape scale a 20km radius around the site has been applied (see Section 5.1 and Map 1) in accordance with guidance about assessing risk for planning scheme amendments in Planning Advisory Note 68 (DEWLP, 2018a) and Planning Practice Note 64 (DELWP, 2015a).



***Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.***

Terramatrix is unaware of any consultation with fire authorities. It is anticipated Warrnambool City Council will refer this Bushfire Development Report to the CFA for their comments and recommendations.

***Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.***

DELWP advisory and practice notes, Clause 13.02-1S, and the building regulations invoked by the BPA coverage, specify the general requirements and standards for assessing the risk, and the bushfire hazard landscape assessment has been considered. The guidance and requirements have been applied in this report as appropriate and bushfire protection measures have been identified commensurate with the risk.

***Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.***

If the objectives and applicable strategies of Clause 13.02-1S are successfully implemented, as discussed in this report, and the building and planning regulations for construction in a BPA are complied with, then the risk can be deemed to be acceptably mitigated such that development can proceed.

The CFA specify that areas where development should not proceed could include:

- *'Isolated settlements where the size and/or configuration of the settlements will be insufficient to modify fire behaviour and provide protection from a bushfire.*
- *Where bushfire protection measures will not reduce the risk to an acceptable level.*
- *Where evacuation (access) is severely restricted.*
- *Where the extent and potential impact of required bushfire protection measures may be incompatible with other environmental objectives or issues, e.g. vegetation protection, land subject to erosion or landslip' (CFA, 2015).*

None of these criteria or characteristics are applicable to the site.

### ***7.1.3 Settlement planning strategies***

As the proposed development does not require a planning scheme amendment and is consistent with the existing zoning, North of Merri River Structure Plan and the settlement objectives and strategies in the Planning Policy Framework (see Section 3.2), it is considered that the settlement planning strategies are not applicable. They are listed below but not responded to.



***Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).***

***Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.***

***Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.***

***Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.***

***Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.***

***Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.***

***Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009'***

#### **7.1.4 Areas of high biodiversity conservation value**

***Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are of high biodiversity conservation value***

Terramatrix is not aware of any significant biodiversity impacts associated with the development proposal. The site has a history of pastoral use and contains no remnant native vegetation.

#### **7.1.5 Use and development control in a Bushfire Prone Area**

Clause 13.02-1S requires that 'In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots.



- *Accommodation.*
- *Childcare centre.*
- *Education centre.*
- *Emergency services facility.*
- *Hospital.*
- *Indoor recreation facility.*
- *Major sports and recreation facility.*
- *Place of assembly.*
- *Any application for development that will result in people congregating in large numbers'* (Warrnambool Planning Scheme, 2018a).

It further states that:

*'When assessing a planning permit application for the above uses and development:*

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts'* (Warrnambool Planning Scheme, 2018a).

Future development applications should be able to respond to this strategy and achieve acceptable safety if:

- Appropriate setbacks for future development from classified vegetation are achieved to enable appropriate BAL construction, with BAL-12.5 achievable across the site;
- Adequate access and egress for emergency management vehicles is provided by a residential road network; and
- A reliable water supply for firefighting is provided, via a conventional reticulated hydrant system, in accordance with the hydrant objective for residential subdivision at Clause 56.09-3.



## 8 Conclusion

This report has assessed the bushfire hazard in and around the 147 Wollaston Road site in accordance with Clause 13.02-1S in the Warrnambool Planning Scheme, and the AS 3959-2018 methodology - by means of a desktop assessment - as invoked by the Victorian building and planning regulations, and additional guidance provided in *Planning Practice Note 64 Local planning for bushfire protection* (DEWLP, 2015a) and *Planning Advisory Note 68 Bushfire State Planning Policy Amendment VC140* (DEWLP, 2018).

All areas of the site are currently in a designated BPA. Following development, some of the site will be eligible for excision from the BPA. The landscape is of moderate bushfire risk (Landscape Type 2), which will lessen as development on the subject site and neighbouring land proceeds.

The type and extent of (hazardous) vegetation within, and up to 100m around the site, has been identified and classified into AS 3959-2018 vegetation groups, based on DELWP extant EVC mapping, aerial imagery and publicly available spatial data. The classification is based on the current state of the vegetation outside of the site and identifies that the hazard is exposure to Grassland to the north and south-west, with a small area of Woodland to the north-west.

The terrain of the site and the surrounding landscape is benign from a bushfire perspective, being predominantly flat or gently rising away from the site. For the purposes of determining BALs and vegetation setback distances for future buildings, the applicable slope class is 'All upslopes and flat land'.

Bushfire behaviour can reasonably be expected to be within AS 3959-2018 presumptions and design parameters. Accordingly, it is considered that the risk can be mitigated to an acceptable level, and that future development of the site is appropriate, if dwellings (and any other buildings that require a BAL) are separated from hazardous vegetation to allow an appropriate BAL, in accordance with the building regulations.

A reliable water supply for firefighting can be provided via a conventional reticulated hydrant system in accordance with the hydrant objective for residential subdivision.

The risk to existing residents of Warrnambool will be reduced by the development of additional urban residential areas and associated low threat or non-vegetated land. This will eventually create BAL-LOW areas with the potential to be excised from the BPA if they are sufficiently distant from hazardous vegetation.





## 9 Appendix A - BALs explained

Bushfire Attack Level (BAL)	Risk Level	Construction elements are expected to be exposed to...	Comment
BAL-Low	VERY LOW: There is insufficient risk to warrant any specific construction requirements but there is still some risk.	No specification.	At 4kW/m <sup>2</sup> pain to humans after 10 to 20 seconds exposure. Critical conditions at 10kW/m <sup>2</sup> and pain to humans after 3 seconds. Considered to be life threatening within 1 minute exposure in protective equipment.
BAL-12.5	LOW: There is risk of ember attack.	A radiant heat flux not greater than 12.5 kW/m <sup>2</sup>	At 12.5kW/m <sup>2</sup> standard float glass could fail and some timbers can ignite with prolonged exposure and piloted ignition.
BAL-19	MODERATE: There is a risk of ember attack and burning debris ignited by windborne embers and a likelihood of exposure to radiant heat.	A radiant heat flux not greater than 19 kW/m <sup>2</sup>	At 19kW/m <sup>2</sup> screened float glass could fail.
BAL-29	HIGH: There is an increased risk of ember attack and burning debris ignited by windborne embers and a likelihood of exposure to an increased level of radiant heat.	A radiant heat flux not greater than 29 kW/m <sup>2</sup>	At 29kW/m <sup>2</sup> ignition of most timbers without piloted ignition after 3 minutes exposure. Toughened glass could fail.
BAL-40	VERY HIGH: There is a much increased risk of ember attack and burning debris ignited by windborne embers, a likelihood of exposure to a high level of radiant heat and some likelihood of direct exposure to flames from the fire front.	A radiant heat flux not greater than 40 kW/m <sup>2</sup>	At 42kW/m <sup>2</sup> ignition of cotton fabric after 5 seconds exposure (without piloted ignition).
BAL- FZ (i.e. Flame Zone)	EXTREME: There is an extremely high risk of ember attack and a likelihood of exposure to an extreme level of radiant heat and direct exposure to flames from the fire front.	A radiant heat flux greater than 40 kW/m <sup>2</sup>	At 45kW/m <sup>2</sup> ignition of timber in 20 seconds (without piloted ignition).

Source: derived from AS 3959-2018 (Standards Australia, 2020).



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14 April 2022

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

Dear James,

**RESPONSE TO DEVELOPMENT PLAN SUBMISSIONS**  
**147 WOLLASTON ROAD, WARRNAMBOOL**



proUrban Advisory, Planning and Management (proUrban) continue to act on behalf of The Gull Group Pty Ltd in relation to the land at 147 Wollaston Road, Warrnambool ('the site').

We acknowledge that Council elected to place the proposed development plan on public notice. We wish to submit the following response to the submissions received by Council. We note only three submissions were received and only two of these were received within the prescribed notice period.

Submissions were made by the following groups:

- Myers Planning Group – on behalf of landholdings 14, 16 and 17 on the DCP;
- Milward Engineering Management – on behalf of Oakwood Riverside Pty Ltd; and
- SITEC – on behalf of a number of unspecified landowners and developers.

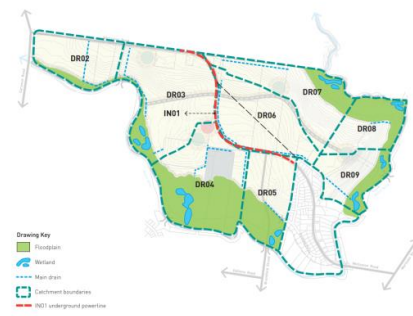
As an overarching comment, we note these submissions were received from consultants working on behalf of developers or groups with a commercial interest in the area. No submissions were not received from existing residents in the surrounding street network.

**Response to Concerns**

**MYERS PLANNING**

CONCERN	RESPONSE
<b>Bromfield St Extension (R006 and R007)</b> <ul style="list-style-type: none"><li>• The width of proposed north-south connector road does not comply with the DCP specifications.</li></ul>	<p>The DCP Project Sheet R006 states the Collector Road would have a road reserve width of 22m</p> <p>Pre-application discussions with Council officers (Paul Cugley and others) on 25/11/2020, resolved the width of Bromfield Road (R006) to 20m.</p> <p>The removal/reduction of parking on both sides of the road was proposed and accepted due to reduced residential yield, and the likelihood of on street parking given larger lots are being provided. Bus bays will be provided as required</p>


DCP R006 & R007 Project specifications	Proposed Residential Lot Interface	Proposed Retirement Village Interface	and in further discussion with relevant Authorities.
22 metre road reservation	20 metre road reservation	20 metre road reservation	<p>A 24m carriageway easement has been applied from the end of the proposed court bowl to allow future road construction to occur. Noting this is 2m wider than the DCP anticipates under R007</p> <p>Section 2.2 of the NMRDCP states that “access will initially be provided to town by Wollaston Road”. Pursuant to section 6.5 of the NMRDCP the provision of a 24m wide carriageway easement has been assigned to the extension of Bromfield Street (R017) should budget for a bridge be achieved or triggers be achieved. Noting Section 6.4 – Agency Responsible for Works “Warrnambool City Council is responsible for the provision of the works funded by this DCP except as otherwise stated.”</p> <p>The budget in the DCP for the bridge is \$1.525 million, or \$8,619 per NDHa. This development would therefore only contribute ~\$120,924 towards this specific project. It forecast that the DCP’s nor the Council budget would achieve the construction of the bridge. This budget only allows for the construction of a bridge to 5% AEP (20-year ARI).</p> <p>We understand Council have no immediate intention of developing the bridge connection at this stage given the lower demand created by the use of the land as retirement living. As such, there is no connection to Bromfield Street to the south proposed as part of this development. An easement has been provided to set aside land for the future road connection.</p>
2-lanes with 9 metre seal	2-lanes with 7 metre seal	2-lanes with 7 metre seal	
1.5 metre cycle lane	No provision	No provision	
4 metre nature strip and 2.5 metre shared path (one side)	4.85 metre nature strip and 1.5 metre path (one side)	6.85 metre nature strip and 1.5 metre path (one side)	
5 metre nature strip with indented parking and 1.5 metres footpath (one side)	4.85 metre nature strip and 1.5 metre path (one side). No intended parking.	2.85 metre nature strip and 1.5 metre path (one side). No intended parking.	
<ul style="list-style-type: none"> <li>The proposed DP does not provide clear intent to provide for a road as per the DCP project R007.</li> <li>Expectation from landowners that the connector road and bridge crossing will be delivered.</li> <li>Traffic Impact Assessment does not include an assessment of the connection to Bromfield Street to the south.</li> </ul>			
<b>Wollaston Road / Bromfield Street Intersection (R010)</b> <ul style="list-style-type: none"> <li>No details provided on the DP of the Bromfield St Wollaston Road intersection.</li> <li>The TIA does not include an assessment of the connection to Bromfield Street to the south.</li> </ul>			<p>The Ministerial Direction for Development Contributions Guideline provides guidelines for determining the demand for infrastructure. The Gull Group and project team met with Council on 02/12/2021 and addressed Council delivery of Wollaston Road upgrades (R005), including intersections (R010) as part of their capital works programs. Furthermore, Section 6.4 of the NMRDCP – Agency Responsible for Works “Warrnambool City Council is responsible for the provision of the works funded by this DCP except as otherwise stated”. As such, it is the</p>

	Council responsibility to determine the need and timing for any particular infrastructure project.
<b>Shared path within floodplain (PC02)</b> <ul style="list-style-type: none"> <li>Use of granatic gravel inconsistent with the DCP which specifies concrete.</li> </ul>	The project team considers granitic sand to be a superior outcome for the path than concrete. We note this was discussed with the Glenelg Hopkins CMA prior to lodging and they did not oppose the use of granitic sand and it was not raised in Council's referral comments.
<b>Acquisition of floodplain (DR01)</b> <ul style="list-style-type: none"> <li>Neither the Structure Plan or DCP make allowance for the development of private recreation assets within the floodplain or the retention of the floodplain within private ownership.</li> <li>Strongly oppose the development of the floodplain for a private golf course as it is inconsistent with the North of the Merri River DCP.</li> <li>Not opposed to the privatization of the floodplain in principal on the basis this is fair and equitable to all landowners within the growth area.</li> </ul>	The proposal includes a 36m wide creek reserve which will be provided as open space. The remainder of the floodplain is proposed to be open space / golf course. The Gull Group and Council are having on-going discussions regarding the ownership structure of the golf course land.
<b>Drainage (DR05)</b> <ul style="list-style-type: none"> <li>Confirm the drainage basin and associated infrastructure does not conflict with the extension of Bromfield Street.</li> <li>Confirm if the upstream catchment (DR06) has been accounted for in the drainage calculations (extent of catchment included and fraction impervious factor applied).</li> </ul>	<p>The wetland location will be reviewed, or alternatively the easement and road alignment will be changed.</p> <p>The guiding document is the NMRDCP, which does not indicate that DR06 is to discharge through DR05. The main drain is shown as connecting to the floodplain through DR04.</p> <p>Further correspondence with Council on 15/02/2022 has indicated that there is no drainage strategy to address the catchment, other than what is shown in the DCP. In light of this, the provided SWMS does in fact allow for a section of DR06 immediately north of the subject site to be included within the pre-existing flow calculations. The assumptions and applied parameters are all contained within the SWMS.</p> <p>Figure 8 Drainage Infrastructure</p> 




MILWARD

CONCERN	RESPONSE
<p><b>Bromfield St Extension</b></p> <ul style="list-style-type: none"> <li>The width of proposed north-south connector road (20m) does not comply with the DCP Bromfield Street extension (24m).</li> <li>The proposed cross section does not provide the shared footpath or cycle lanes.</li> <li>The proposed road has several acute changes in alignment and is not suited to the intent of a connector road.</li> <li>The land for the extension should be provided as part of stage 1 rather than an easement.</li> </ul>	<p>The DCP Project Sheet R006 states the Collector Road would have a road reserve width of 22m. Pre-application discussions with Council officers (Paul Cugley and others) on 25/11/2020, resolved the width of Bromfield Road (R006) to 20m. Removal/reduction of parking on both sides of the road was proposed and accepted due to reduced residential yield, and the likelihood of on street parking given larger lots are being provided. Bus bays will be provided as required and in further discussion with relevant authorities.</p> <p>The proposed easement alignment has been reviewed by qualified traffic engineers and deemed appropriate. Extensive detailed design of the road alignment will be undertaken as part of any future road works at such time that the road is required to be constructed. Section 2.2 of the NMRDCP states that "access will initially be provided to town by Wollaston Road".</p> <p>Pursuant to section 6.5 of the NMRDCP the provision of a 24m wide carriageway easement has been assigned to the extension of Bromfield Street (R017) should budget for a bridge be achieved or triggers be achieved. Noting Section 6.4 – Agency Responsible for Works "Warrnambool City Council is responsible for the provision of the works funded by this DCP except as otherwise stated."</p> <p>The budget in the DCP for the bridge is \$1.525 million, or \$8,619 per NDHa. This development would therefore only contribute ~\$120,924 towards this specific project. It forecast that the DCP's nor the Council budget would achieve the construction of the bridge. This budget only allows for the construction of a bridge to 5% AEP (20-year ARI).</p> <p>We understand Council have no immediate intention of developing the bridge connection at this stage given the lower demand created by the use of the land as retirement living. As such, there is no connection to Bromfield Street to the south proposed as part of this development. An</p>

	easement has been provided to set aside land for the future road connection
<b>Merri River Shared Path</b> <ul style="list-style-type: none"> <li>Path should be located on the edge of the floodplain to reduce the impact on flooding on the infrastructure and providing edge road treatment consistent with DP.</li> </ul>	<p>Given the proposed use of the land for retirement living, the proposal does not include an edge road along the edge of the floodplain. The land to the west of the site has been developed as a school (Merri River School) and does not include pedestrian paths along the floodplain. As such, it was considered better to provide the shared path close to the river edge to provide a more scenic view and increased connectivity by connecting to Ponting Reserve to the east.</p>
<b>Open Space</b> <ul style="list-style-type: none"> <li>Concern regarding the exclusive/restrictive use of the floodplain as a golf course and whether this is an equitable use of the Development Contributions Plan charges paid by developers for the purchase of the land.</li> <li>Not opposed to the use of the floodplain as a golf course.</li> </ul>	<p>The Gull Group and Council are having on-going discussions regarding the ownership structure of the land within the floodplain.</p>
<b>Stormwater</b> <ul style="list-style-type: none"> <li>Confirm the drainage basin and associated infrastructure does not conflict with the extension of Bromfield Street.</li> <li>Confirm if the upstream catchment (DR06) has been accounted for in the drainage calculations (extent of catchment included and fraction impervious factor applied).</li> </ul>	<p>The wetland location will be reviewed during detailed design.</p> <p>The guiding document is the NMRDCP, which does not indicate that DR06 is to discharge through DR05. The main drain is shown as connecting to the floodplain through DR04.</p> <p>Further correspondence with Council on this matter on 15/02/2022 has indicated that there is no drainage strategy to address the catchment, and only what is shown in the DCP. In light of this, the provided SWMS does actually allow for a section of DR06 immediately north of the subject site to be included within the pre-existing flow calculations. The assumptions and applied parameters are all contained within the SWMS.</p> <p>Figure 8 Drainage Infrastructure</p>  <p>The map illustrates the drainage infrastructure for the area. It shows several drainage basins labeled DR02, DR03, DR04, DR05, DR06, DR07, DR08, and DR09. A main drain, labeled IN01, is shown flowing through the basins. The map also indicates the location of the floodplain, wetlands, and existing overhead powerlines. The drawing key provides a legend for the symbols used on the map.</p>

SITEC

CONCERN	RESPONSE
<p><b>Bromfield St Extension</b></p> <ul style="list-style-type: none"> <li>Landowners and residents expect and require Bromfield St extension to be provided. Provision should be made in the DP to enable the project to be constructed.</li> <li>The river crossing should be constructed as part of the proposed development (works in kind DCP contribution).</li> <li>The connector road is not adequate and is poorly designed for its intended purpose. The road should be a collector road at minimum with 24m road reserve and 11.6m carriageway.</li> </ul>	<p>The DCP Project Sheet Ro06 states the Collector Road would have a road reserve width of 22m.</p> <p>Pre-application discussions with Council officers (Paul Cugley and others) on 25/11/2020, resolved the width of Bromfield Road (R006) to 20m.</p> <p>Removal/reduction of parking on both sides of the road was proposed and accepted due to reduced residential yield, and the likelihood of on street parking given larger lots are being provided. Bus bays will be provided as required and in further discussion with Authorities.</p> <p>Section 2.2 of the NMRDCP states that “access will initially be provided to town by Wollaston Road”. Pursuant to section 6.5 of the NMRDCP the provision of a 24m wide carriageway easement has been assigned to the extension of Bromfield Street (R017) should budget for a bridge be achieved or triggers be achieved. Noting Section 6.4 – Agency Responsible for Works “Warrnambool City Council is responsible for the provision of the works funded by this DCP except as otherwise stated.”</p> <p>The budget in the DCP for the bridge is \$1.525 million, or \$8,619 per NDHa. This development would therefore only contribute ~\$120,924 towards this specific project. It forecast that the DCP’s nor the Council budget would achieve the construction of the bridge. This budget only allows for the construction of a bridge to 5% AEP (20-year ARI).</p> <p>We understand Council have no immediate intention of developing the bridge connection at this stage given the lower demand created by the use of the land as retirement living. As such, there is no connection to Bromfield Street to the south proposed as part of this development. An easement has been provided to set aside land for the future road connection</p>
<p><b>Open Space</b></p> <ul style="list-style-type: none"> <li>Not opposed to the use of the floodplain as a golf course.</li> <li>Adequate land should be set aside for public infrastructure for the benefit of the wider community</li> </ul>	<p>A 36m wide open space corridor is currently proposed along the river corridor which includes a shared path with direct access to the river frontage. The shared path has been shifted from the edge of the floodplain to be closer to the river</p>

<p>within the floodplain. This might include the Bromfield Street extension to Wollaston Road, the river crossing, stormwater infrastructure, walking/cycling paths and direct access to river frontage.</p>	<p>corridor to provide improved amenity and views. The land for the Bromfield Street extension has been set aside in the form of an easement. The easement will enable the land to be better utilised until Council determine to proceed with the bridge crossing. Retarding basins are provided within the open spare /golf course area.</p>
<p><b>Stormwater</b></p> <ul style="list-style-type: none"> <li>• Confirm if the upstream catchment (DR06) has been accounted for in the drainage calculations – allowance must be made for all of DR06 to be discharged, treated and stored within the floodplain.</li> <li>• Confirm the discharge allowance from external sub catchment areas has been correctly calculated and accounted for.</li> <li>• Wetland proposed to be constructed within the future road reserve.</li> </ul>	<p>The wetland location will be reviewed, or alternatively the easement and road alignment will be changed</p> <p>The guiding document is the NMRDCP, which does not indicate that DR06 is to discharge through DR05. The main drain is shown as connecting to the floodplain through DR04. Further correspondence with Council on this matter on 15/02/2022 has indicated that there is no drainage strategy to address the catchment, and only what is shown in the DCP. In light of this, the provided SWMS does actually allow for a section of DR06 immediately north of the subject site to be included within the pre-existing flow calculations. The assumptions and applied parameters are all contained within the SWMS.</p> <p>Figure 8 Drainage Infrastructure</p> 

## Conclusion

We trust this information assists Council to finalise their assessment of the application and enables Council to approve the application. We express our desire to continue to work with Council in a collaborative and productive manner. If you require any further information or clarification, please do not hesitate to contact me on 0403 844 026, or via email at [hugh.mckenzie@pro-urban.com.au](mailto:hugh.mckenzie@pro-urban.com.au).

Yours sincerely,



Hugh McKenzie  
Director

## **8.5. FLAGSTAFF HILL MARITIME VILLAGE - COMMENCEMENT OF BUSINESS CASE AND MASTER PLAN**

**DIRECTORATE : City Growth**

### **PURPOSE:**

***This report provides information on the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and seeks representation from Councillors to be part of the Project Reference Group.***

### **EXECUTIVE SUMMARY**

Warrnambool City Council has successfully applied for funding from the State Government's Department of Jobs, Precincts and Regions (DJPR) *Enabling Tourism Fund*. The overarching purpose of the *Enabling Tourism Fund* is to support market testing and identify strategic and innovative projects to diversify and differentiate visitor experiences and increase visitor spend.

The grant funding will be used to develop a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village precinct ('the Project').

Key objectives of the Project will be to:

- Review and assess the current attraction and offering in the FHMV precinct;
- Consider and evaluate future opportunities and options for the FHMV precinct such as tourism product positioning, leveraging the strengths of the site to align to product gaps and integration with surrounding land uses;
- Identify physical infrastructure constraints and site land use, ownership, zoning and heritage considerations for Master Plan scenario development; and
- Investigate investment (private sector and government) opportunities and/or public facility co-location opportunities;

There will be extensive consultation built into the Project to ensure a broad representation of stakeholders are given the opportunity to contribute their ideas. This consultation program will include community drop-in sessions, stakeholder meetings and workshops, and a community survey. The community and stakeholder consultation phase is expected to commence in November 2022. The Project will be delivered via a consultancy engagement and is expected to be completed early 2023.

A Project Reference Group will be established to provide oversight of the Project and will comprise representation from Council (Councillors and Officers), State Government (DJPR, DELWP), Community volunteers (Friends of Flagstaff Hill) and Great Ocean Road Regional Tourism.

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**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR ANGIE PASPALIARIS**

**That:**

1. Council note the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and
2. That Cr Akoch, Cr Arnott and Cr Ziegeler form part of the Project Reference Group for the duration of the Project.

**CARRIED - 7:0**

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## **BACKGROUND**

Flagstaff Hill Maritime Village (FHMV) was first developed through a joint community and Warrnambool City Council project in the middle 1970's as a key element of both maintaining the city's links to its maritime heritage and a key tourism development strategy as a year round tourist attraction. FHMV precinct attracts annual visitation of circa 50,000 persons (ticketed) and an estimated 120,000+ through the Visitor Information Centre.

The site has 42 buildings of various styles and functions, some of which are state heritage registered, including the Lady Bay Lighthouse and Warrnambool garrison complex. FHMV is home to Victoria's largest publicly accessible shipwreck artefact collection and includes the state heritage listed Lady Bay Lighthouse complex. The site also includes a recreated maritime 'village', to reflect the period between 1850 and 1900. The FHMV precinct is located on State Government owned land (Crown Land) and is managed by Warrnambool City Council.

The FHMV precinct operates 364 days per year across a range of activities:

- 42 Buildings – "Village"
- Day Historical Experience
- Museum collection
- Evening sound and light show
- Volunteerism and Historical research
- Visitor Information Centre
- Gift Shop
- Accommodation – Lighthouse Lodge
- Traditional trades – Boat yard
- Heritage areas
- Functions & Catering
- Education programs
- Farm experiences
- Car parking
- Pippies Restaurant

The FHMV facility whilst being a multiple Victorian tourist award winner in previous years has been experiencing long term historical decline in visitation which is common of many regional cultural attractions in meeting the needs and expectations of the contemporary visitor.

The FHMV role within the broader Victorian tourism landscape requires clarification and on this basis it requires a renewed vision to inform the future look and function of the precinct. The vision must consider a number of elements some of which include positioning versus competitive attractions, visitor proposition, interpretative concept, integration with surrounding land uses, community expectation and buy-in and investor appeal (government and/or private).

## **PROJECT REFERENCE GROUP (PRG)**

The purpose of the PRG is to:

- Oversee the implementation of the project on behalf of Council.
- Oversee milestone reporting and report to Council and funding bodies on the implementation of the project.
- Act as a general reference group and conduit for stakeholder engagement in the development of the project.



The proposed composition of the PRG will be:

- WCC Councillor(s) - of which a Chair will be appointed at Inception meeting
- WCC Director City Growth
- WCC Manager Tourism
- WCC Service Manager Flagstaff Hill Maritime Village
- Community volunteers - Friends of Flagstaff Hill representative(s)
- Great Ocean Road Regional Tourism representative
- State Government representative(s) - DELWP, DJPR

The PRG expects to meet monthly, or as required. The Project is expected to be completed in early 2023.

## **FINANCIAL IMPACT**

The total cost of the Project is expected to be \$120,250 GST excl with \$110,000 being sourced from a State Government grant from DJPR. The remaining expenditure will be met by the City Growth Directorate budget in 2022/23.

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

### **3 A strong economy**

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

3.2 Emerging industries: Council will encourage emerging industry sectors that contribute to Warrnambool's economic growth and diversity.

3.3 Visitor growth: Council will facilitate Warrnambool's visitor growth and year-round visitation through industry development, effective destination management and promotion of attractions, experiences and by leveraging key events.

3.4 Workforce capability: Council will foster the development of a workforce capable of supporting the needs of the local and regional economy

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

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

### **5 An effective Council**

5.2 Engaged and informed community: Council will ensure ongoing community engagement to identify changing needs and priorities when developing and delivering services and programs.

5.8 Regional role and relationships: Council will acknowledge Warrnambool's capability as the regional centre of southwest Victoria through appropriate leadership, advocacy and partnerships that enable greater opportunity for the region

## **TIMING**

The Project is ready to commence and is expected to be completed by early 2023.

## COMMUNITY IMPACT/CONSULTATION

Community and stakeholder engagement will be a key component of the Project. A program of stakeholder meetings and workshops, community survey, and community drop-in sessions will be developed to inform the Master Plan.

## OFFICERS' DECLARATION OF INTEREST

Nil.

## CONCLUSION

That:

1. Council note the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and
2. Cr Akoch, Cr Arnott and Cr Ziegeler form part of the Project Reference Group for the duration of the Project.

## ATTACHMENTS

Nil

### **8.6. AWARD OF CONTRACT 2022032 - MCGENNAN'S AMENITY BLOCK**

**DIRECTORATE :** City Infrastructure

#### **PURPOSE:**

***This report provides information in relation to the award of Contract 2022032 – McGennan's Amenity Block.***

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#### **EXECUTIVE SUMMARY**

- A public tender was advertised on Saturday 6 August 2022 inviting tender submissions from suitably qualified and experienced contractors to carry out works to undertake the construction of the McGennan's Amenity Block.
- Close of tenders was 2:00pm 9 September 2022, although many companies downloaded the tender documents through the online portal, only one submission was received. The submission was from Bolden Constructions Pty Ltd.
- The submission received has been assessed by the tender assessment panel.
- The price received was in the budget range and what was originally estimated.
- Officers' recommendation is to proceed with the tender offer provided by Bolden Constructions Pty Ltd for the tendered amount of \$739,987.54 excluding GST.

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**MOVED: CR BEN BLAIN**  
**SECONDED: CR RICHARD ZIEGELER**

**That Council:**

- 1. Award Contract No. 2022032 McGennan's Amenity Block to Bolden Construction Pty Ltd for the tendered amount of \$739,987.54 excluding GST, with a total delegated award value of \$813,986.30 Inc. GST.**
- 2. Authorise the CEO to deliver the McGennan's Amenity Block in accordance with the contract within the CEO's financial delegations.**
- 3. Accept Schedule 2D Daywork Rates offered to undertake any extra works over and above the lump sum price if required, provided that additional works can be accommodated within the Project budget.**
- 4. Authorise the CEO to sign, seal and vary the contract as required.**

**CARRIED - 7:0**

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## **BACKGROUND**

The McGennan's Amenity Block was identified within the Public Toilet Strategy & Lake Pertobe Master Plan to be demolished and rebuilt with an accessible and fit for purpose facility with a minimum 50-year life.

The funding body of Building Better Regions has provided the funding to assist in the redevelopment of the Lake Pertobe area with McGennan's Amenity Block being a key project.

The scope of the project has been previously agreed upon at a Council meeting and is now ready for construction.

The construction will consist of precast concrete walls with rough sawn cypress screening for both wind break and privacy, but ensuring passive surveillance is retained. Internal walls will be floor to ceiling tiles for ease of maintenance.

The McGennan's Amenity Block will consist of three (3) unisex cubicles and two (2) ambulant cubicles, all with seats and hooks to be used as change rooms; there are two (2) accessible toilet/change rooms which will have baby change tables, bench seating, junior toilets and wash basins.

Externally there will be a shared hand washing basin, as well as four (4) external warm water showers, two (2) of which are accessible.

Re-claimed timber beams from both Edwards Bridge and Wollaston Bridge will be used as the feature pergola with precast concrete seats provided.

## **ISSUES**

The purpose of entering into this construction contract is to appoint a suitable contractor to deliver the associated works to the best standard in a safe, timely and efficient manner while minimising the risks to Council.

## **FINANCIAL IMPACT**

The project is being funded equally by the Building Better Regions – Lake Pertobe, and Warrnambool City Council.

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

### **1 A healthy community**

1.3 Health and wellbeing: Council will take action to improve health, wellbeing and safety outcomes for Warrnambool's community.

1.4 An accessible city: Council will improve physical and social accessibility to community services, facilities, places and precincts.

### **3 A strong economy**

3.4 Workforce capability: Council will foster the development of a workforce capable of supporting the needs of the local and regional economy

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

4.4 Sustainable practices: Council will promote and encourage the implementation of sustainable design across the municipality including the attractiveness, safety, accessibility and functionality of our built environment.

## **TIMING**

Contract Award	04 October 2022
Practical Completion	30 July 2023
Defects Liability	12 Month Period

## **COMMUNITY IMPACT / CONSULTATION**

Consultation took place during the development of the Lake Pertobe Master Plan and further consultation was undertaken during the design with specific user groups including emergency services.

Impact on community will be positive and provide a safe, accessible facility for all.

## **LEGAL RISK / IMPACT**

This McGennan's Amenity Block will provide a safe and inclusive facility for users of the Lake Pertobe and Foreshore precincts.

## **OFFICERS' DECLARATION OF INTEREST**

No officer involved in the preparation of this report has a conflict of interest.

## **COLLABORATIVE PROCUREMENT**

The procurement is specific to Council, so collaboration was not available.

## **CONCLUSION**

A full procurement process has been undertaken, with one submission received. After completion of an assessment of the submission by the tender evaluation panel, it is determined that the tender represents best value for Council, and it is recommended that Council award the contract to Bolden Construction.

## **ATTACHMENTS**

Nil

## **8.7. ADVISORY COMMITTEE & REFERENCE GROUP REPORTS**

### ***DIRECTORATE : CITY GROWTH***

#### **PURPOSE**

***This report contains the record of two Advisory Committee meetings.***

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#### **REPORT**

1. Environment & Sustainability Advisory Committee – 1 September 2022 – refer **Attachment 1**.
2. Planning Advisory Committee – 7 September 2022– refer **Attachment 2**

## **ATTACHMENTS**

1. Environment Sustainability Advisory Committee Minutes 1 September 2022 [8.7.1 - 2 pages]
2. Planning Advisory Committee Minutes 7 September 2022 [8.7.2 - 2 pages]

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**MOVED: CR RICHARD ZIEGELER**  
**SECONDED: CR ANGIE PASPALIARIS**

**That the records of the Environment & Sustainability Advisory Committee held on 1 September 2022 and the Planning Advisory Committee held on 7 September 2022, be received.**

**CARRIED - 7:0**

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## MEETING MINUTES

ENVIRONMENT & SUSTAINABILITY ADVISORY COMMITTEE					
Date:	Thursday 1 September 2022	Time:	4 PM	Location:	Committee Room 1, Warrnambool Civic Centre
Committee Members	Cr. Richard Ziegler, Chair Shirley Duffield Jeff Moreland-Hunt Sabine Schreiber Geoff Spencer Bill Yates				
Council Officer Invitees	Andrew Paton – Director City Growth Luke Coughlan – Acting Manager City Strategy & Development Lauren Schneider – Coordinator Natural Environment Juan Donis – Sustainability Officer Justin Harzmeyer – Natural Environment Officer Sarah McKeown – City Growth Support Officer				
No.	What	Actions			
1.	Welcome				
2.	Apologies	Cr Richard Ziegler Jeff Moreland-Hunt <b>Appointed Chair – Bill Yates</b>			
3.	Conflict of Interest Declarations	Nil			
4.	Minutes from previous meeting – 30 June 2022	<b>Accepted</b> <b>Moved: Geoff Spencer Second: Sabine Schreiber</b>			
5.	Green Futures Now – Presentation from 2022 Program Participants	Presentation by the Youth Development Team. Youth leadership program for 18-25 year olds. Meeting weekly to develop projects. Once project detailed was A walk in the park hunt project: launching 17 September during school holidays Members thanked the Youth Development Team on an excellent initiative.			
6.	Green Warrnambool Reporting – Zero Warrnambool <ul style="list-style-type: none"> <li>Emissions Update</li> </ul>	Juan Donis presented the latest data on Council's emissions profile which continues to trend downwards year on year and remains broadly on track for Warrnambool City Council to be carbon neutral by 2026.			



		<p>Future Purchase Power Agreements, further investment in smart building initiatives, street lighting projects and electric vehicles are items currently being investigated to further reduce the emissions profile.</p> <p>Discussion around community battery options for Warrnambool and how Council currently has a grant application in to DELWP to support further investigation into renewable energy options and associated feasibility.</p>
7.	Art Gallery Site Options	<p>Business case to be developed for the Cannon Hill site but is investigative only and no final decision has been made on the Art Gallery location.</p> <p>Information page on Council website. <a href="https://www.warrnambool.vic.gov.au/warrnambool-art-gallery-planning-new-building">https://www.warrnambool.vic.gov.au/warrnambool-art-gallery-planning-new-building</a></p> <p>Members expressed a view to be kept informed and be presented with the business case when complete.</p>
8.	Maam Reserve	<p>Update provided on <del>happening investigations at</del> with the reserve and DELWP's intentions to develop an environmental management plan for the site. <del>JH: Tree planting recently?</del> <del>DELWP Have management plan for it</del> <del>LS: Works happening at the moment</del></p>
9.	Draft Albert Park Revegetation Plan	<p>Justin Harzmeyer Presented.</p> <p><del>The draft Albert Park Revegetation Plan is g</del>Going <del>up</del> to Council on Monday for approval <del>before to release going out</del> for public consultation.</p> <p><del>The plan is a recommendation of the 2019 A</del>albert <del>P</del>park <del>-i</del>Integrated <del>W</del>water <del>M</del>management <del>P</del>plan</p> <p>23 sites ear marked for revegetation, Staged implementation subject to funding.</p>
10.	Funding and Upcoming Projects	<ul style="list-style-type: none"> <li>• Development of pest plant and animal framework</li> <li>• Lake Pertobe <u>Integrated Water Management Plan</u> – funding from DELWP. Water usage, recycling water, integrated water management</li> <li>• EV Charging station planning under way.</li> </ul>
11.	Other Business	<p>Discussion around the Warrnambool Community Garden whom are currently seeking feedback on its strategic plan and how stakeholders can contribute.</p>
12.	Next Meeting – 24 November 2022	Closed 5.22PM

## MEETING MINUTES

### PLANNING ADVISORY COMMITTEE

<b>Date:</b>	Wednesday 7 September 2022	<b>Time:</b>	4 PM	<b>Location:</b>	Committee Room 1, Warrnambool Civic Centre
<b>Committee Members</b>	Cr. Angie Paspaliaris, Chair Fiona Golding Jeff Moreland-Hunt John McNeill William Welsh Leanne Williams				
<b>Council Officer Attendance</b>	Andrew Paton – Director of City Growth Luke Coughlan - Acting Manager City Strategy & Development Julie McLean – Coordinator City Strategy Sarah McKeown – City Growth Support Officer				
<b>No.</b>	<b>What</b>	<b>Actions</b>			
1.	Welcome & Apologies	John McNeill, Jeff Moreland			
2.	Conflict of Interest Declaration	Nil			
3.	Minutes – 9 August 2022	True and accurate <b>Moved: Fiona Golding Second: Leanne Williams MOVED</b>			
4.	State Government Planning Reforms	An update was provided on the following changes to the Planning Scheme: <ul style="list-style-type: none"> <li>• Transport planning - priorities walking, cycling and public transport.</li> <li>• Sex Work Decriminalisation – won't come into operation until the repeal of the Sex Work act Dec 2023</li> <li>• ESD (Environmentally Sustainable Development) – a consideration of climate change as part of the decision making process.</li> </ul>			

		<ul style="list-style-type: none"><li>• Neighbourhood Battery – planning permit exemptions apply.</li><li>• Gas Substitution – road map to set out a path to zero emissions.</li></ul>
5.	<b>Planning Scheme Amendments</b>	Elevating ESD Targets – CASBE (Auspiced by MAV) Council has joined in the project between 24 other Councils. Stage 1 done , resolved to participate in stage 2
6.	<b>Art Gallery Business Case</b>	Business case to be developed for Cannon hill site. This is to investigate the suitability of this location only and no decision has been made. Information page on Council website. <a href="https://www.warrnambool.vic.gov.au/warrnambool-art-gallery-planning-new-building">https://www.warrnambool.vic.gov.au/warrnambool-art-gallery-planning-new-building</a>
7.	<b>General Business</b>	Discussion around the size of the Advisory Committee and scope to increase membership to avoid risk of not meeting the quorum. Action: Officers to seek governance advice on running a further EOI process to attract new members. Discussion around the new library and opening dates.
8.	<b>Next Meeting – 14 December 2022</b>	<b>Meeting Closed 4.58PM</b>

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## **8.8. INFORMAL MEETINGS OF COUNCIL REPORTS**

### ***DIRECTORATE : Executive Services***

#### **PURPOSE**

***The purpose of this report is to provide Council with copies of Informal Meetings of Council (previously known as “Assembly of Councillor Records”) as previously required under section 80A(2) of the Local Government Act 1989.***

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#### **BACKGROUND INFORMATION**

Section 80A(2) of the Local Government Act 1989 required the record of an Assembly of Councillors to be reported at an ordinary Council meeting.

Assembly of Councillor Records are no longer a requirement in the Local Government Act 2020 as of 24 October 2020. However, under Council's Governance Rules, a summary of the matters discussed at the meeting are required to be tabled at the next convenient Council meeting and recorded in the minutes of that Council meeting.

#### **REPORT**

The record of the following Informal Meetings of Council are enclosed:-

Monday 12 September 2022 – refer **Attachment 1**.

Monday 19 September 2022 – refer **Attachment 2**.

Monday 26 September 2022 – refer **Attachment 3**.

#### **ATTACHMENTS**

1. Assembly of Councillors Record 12 September 2022 [8.8.1 - 2 pages]
2. Assembly of Councillors Record 19 September 2022 [8.8.2 - 2 pages]
3. Assembly of Councillors Record 26 September 2022 [8.8.3 - 2 pages]

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**MOVED: CR BEN BLAIN**

**SECONDED: CR DEBBIE ARNOTT**

**That the record of the Informal Meetings of Council held on 12, 19 and 26 September 2022, be received.**

**CARRIED - 7:0**

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<b>Informal Meeting of Council Record</b>	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	12 September 2022
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. V. Jellie, AM, Mayor Cr. D. Arnott Cr B. Blain Cr O. Akoch Cr A. Paspaliaris Cr M. Taylor Cr R. Ziegeler
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Ingrid Bishop, Director Community Development Ashish Sitoula, Acting Manager City Development (left the meeting at 3:41pm) Julie Anderson, Manager Governance, Property, Projects & Legal John Brockway, Manager Financial Services (4:23pm – 4:26pm) Paul Cugley, Coordinator Infrastructure Manager (4:26pm – 4:49pm) Peter Russell, Service Manager Community Care (4:28pm – 4:59)
<b>Other persons present:</b>	Cye Travers, CEO, Regional Infrastructure – Livestock Exchanges, AAMIG James Thompson, Regional Operations Manager – Vic, AAMIG
<b>Apologies</b>	
<b>Matters Considered:</b>	<ol style="list-style-type: none"> <li><b>1. AAM Presentation (3:00pm – 3:41pm)</b></li> <li><b>2. New Director Introduction (3:41pm – 3:45pm)</b></li> <li><b>3. AAM Presentation Discussion) Saleyards (3:45pm – 4:23pm)</b></li> <li><b>4. Planning Scheme Amendment Vc216 – Environmentally Sustainable Development</b> <b>AND</b> <b>Planning Scheme Amendment Vc220 – Neighbourhood Battery</b> <b>AND</b> <b>Planning Scheme Amendment Vc221 – Gas Substitution - (4.23pm - 4.26pm)</b></li> <li><b>5. Car Parking Strategy - South West Health Care Redevelopment - Stage 1 - (4.26pm - 4.48pm)</b></li> <li><b>6. Update on Community Care Funding Targets 2021/2022 - (4.48pm - 4.59pm)</b></li> <li><b>7. Warrnambool Community Homelessness Group Proposal On Emergency Crisis Accommodation - (4.59pm - 5.19pm)</b></li> </ol>
<b>Council and Officer Items Raised: (5:00pm – 5:15pm)</b>	Rates notices Aquatic Strategy Funding Amenities Block – McGennans Reid Oval – Grand Finals

	<p>Disability Access – to disability accommodation</p> <p>Praise for Infrastructure Services</p> <p>Lyndoch Construction Parking</p> <p>Promenade – Vegetation Reduction Request</p> <p>North of the Merri Development Application</p>
<p><b>Councillor Conflicts of interest Disclosures:</b></p> <p>Item 7 (Warrnambool Community Homelessness Group Proposal On Emergency Crisis Accommodation) - Cr Max Taylor – Due to owning a property in proximity to the proposed location. Cr Taylor left the meeting at 4:59pm and returned to the meeting at ....</p> <p>Item 8 (Council and Officer Items Raised - Lyndoch Construction Parking) – Andrew Paton — left meeting at 5:28pm and returned to the meeting at 5:31pm</p>	
<b>Councillor /officer Name:</b>	
<b>Meeting close time:</b>	5:40pm
<b>Record Completed by:</b>	<p>Julie Anderson</p> <p>Manager Governance, Property, Projects &amp; Legal</p>



Informal Meeting of Council Record	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	19 September 2022
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. V. Jellie, AM, Mayor Cr. D. Arnott Cr B. Blain (arrived at 3:22pm) Cr O. Akoch (via Zoom) Cr A. Paspaliaris Cr M. Taylor Cr R. Ziegeler
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Ingrid Bishop, Director Community Development Julie Anderson, Manager Governance, Property, Projects & Legal Ashish Sitoula, Manager Strategic Community Planning & Policy
<b>Other persons present:</b>	Tom Newsome, Managing Director, The Outcross Group, Incorporating Outcross Agri-Service and Outcross Systems (3:05pm – 4:13pm) Colin Ryan, Site Manager, WVLX Mortlake, Outcross Agri-services Pty Ltd (3:05pm – 4:13pm)
<b>Apologies</b>	
<b>Matters Considered:</b>	<ol style="list-style-type: none"> <li><b>1. Outcross Agi-Services Presentation (3.00pm – 4.13pm)</b></li> <li><b>2. Economic Development Update (4.15pm - 4.59pm)</b></li> <li><b>3. Confidential - Flagstaff Hill Maritime Village Future Directions - Business Case and Master Plan Update (4.59pm - 5.06pm)</b> <i>This report has been declared Confidential under the following section of the Local Government Act 2020 - Section 3(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released</i></li> <li><b>4. SWVLX - Fencing Update (5.06pm - 5.12pm)</b></li> <li><b>5. Saleyards Economic Impact (5.12pm - 5.19pm)</b></li> </ol>
<b>Council and Officer Items Raised: (5:45pm – 6:00pm)</b>	Patlock Lane condition Ukrainian Refugees Confidential items Post box – Parking request Reid Oval Scoreboard and PA Noise complaint New Library Delivery and Communications Plan Shared Services
<b>Councillor Conflicts of interest Disclosures:</b> Nil.	
<b>Councillor /officer Name:</b>	
<b>Meeting close time:</b>	5:28pm

<b>Record Completed by:</b>	Julie Anderson Manager Governance, Property, Projects & Legal
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Informal Meeting of Council Record	
<b>Name of Committee or Group (if applicable):</b>	Informal Meeting of Council (Councillor Briefing)
<b>Date of Meeting:</b>	26 September 2022
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. V. Jellie, AM, Mayor Cr. D. Arnott Cr B. Blain Cr O. Akoch Cr A. Paspaliaris (via Zoom) Cr M. Taylor Cr R. Ziegeler
<b>Council Officers in Attendance:</b>	Peter Schneider, Chief Executive Officer Peter Utri, Director Corporate Strategies Andrew Paton, Director City Growth David Leahy, Director City Infrastructure Ingrid Bishop, Director Community Development Julie Anderson, Manager Governance, Property, Projects & Legal John Brockway, Manager Financial Services (4:00pm – 4:06pm)
<b>Other persons present:</b>	Assistant Chief Fire Officer Geoffrey Gray, Fire Rescue Victoria Commander Greg Kinross, Warrnambool & Portland, Fire Rescue Victoria
<b>Apologies</b>	
<b>Matters Considered:</b>	<ol style="list-style-type: none"> <li><b>1. Fire Rescue Victoria North West Regional District Update – (3.00pm - 3.44pm)</b></li> <li><b>2. Amendment To Governance Rules - Conduct of Virtual Council Meetings - (3.45pm - 3.50pm)</b></li> <li><b>3. Annual Report 2021-2022 - (3.50pm - 3.52pm)</b></li> <li><b>4. Confidential - Award of Contract 2022032 - McGennan's Amenity Block - (3.53pm - 3.55pm)</b> <i>This report has been declared Confidential under the following Section of the Local Government Act 2020: Section 3(g) Private commercial information, being information provided by a business, commercial or financial undertaking that: (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.</i></li> <li><b>5. Confidential - ICT Shared Services Joint Venture Establishment - (3.55pm - 4.02pm)</b> <i>This report has been declared Confidential under the following Section of the Local Government Act 2020: Section 3(g) private commercial information, being information provided by a business, commercial or financial undertaking that - (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertakings to disadvantage.</i></li> <li><b>6. Advisory Committee &amp; Reference Group Reports - (4.03pm - 4.03pm)</b></li> <li><b>7. July 2022 Monthly Finance Report - (4.03pm - 4.03pm)</b></li> <li><b>8. August 2022 Monthly Finance Report - (4.03pm - 4.06pm)</b></li> <li><b>9. Christmas-New Year Close Down - (4.06pm - 4.07pm)</b></li> <li><b>10. Beach Access Renewal Financial Year 22/23 - (4.07pm - 4.09pm)</b></li> <li><b>11. Mayoral Diary Update - (4.09pm - 4.09pm)</b></li> </ol>
<b>Council and Officer Items Raised:</b>	Saleyards consultation

<b>(4:09pm – 4:41pm)</b>	<p>New Library opening / old Library planning</p> <p>Albert Park Masterplan</p> <p>Council Communications Strategy and social media opportunities</p> <p>AquaZone &amp; Brierly Reserve Updates</p> <p>AirBNB Local Law</p> <p>Cannon Hill</p> <p>Deputation/Presentation – Art Gallery</p>
<b>Councillor Conflicts of interest Disclosures: Nil</b>	
<b>Councillor /officer Name:</b>	
<b>Meeting close time:</b>	4:41pm
<b>Record Completed by:</b>	<p>Julie Anderson</p> <p>Manager Governance, Property, Projects &amp; Legal</p>

## **8.9. MAYORAL & CHIEF EXECUTIVE OFFICER COUNCIL ACTIVITIES - SUMMARY REPORT**

### ***DIRECTORATE : Executive Services***

#### **PURPOSE**

***This report summarises Mayoral and Chief Executive Officer Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.***

#### **REPORT**

<b>Date</b>	<b>Location</b>	<b>Function</b>
7 September 2022	Warrnambool	Mayor – Business Warrnambool Club Connect.
8 September 2022	Warrnambool	Mayor & Deputy Mayor - Beyond Bank Community Launch.
11 September 2022	Warrnambool	Mayor & Chief Executive Officer- Warrnambool & Moyne Youth Awards.
16 September 2022	Melbourne	Mayor – Municipal Association of Victoria Special State Council Meeting.
28 September 2022	Warrnambool	Mayor – Australian Citizenship Ceremony with 27 residents becoming Australian Citizens.
29 September 2022	Warrnambool	Mayor & Chief Executive Officer – Police Remembrance Day Service.

**MOVED: CR DEBBIE ARNOTT**  
**SECONDED: CR BEN BLAIN**

**That the Mayoral & Chief Executive Officer Council Activities – Summary Report be received.**

**CARRIED - 7:0**

## **9. NOTICE OF MOTION**

No Notices of Motion have been received.

## **10. GENERAL BUSINESS**

Nil.

## **11. URGENT BUSINESS**

Nil.

## **12. CLOSE OF MEETING**

The meeting closed at 6.42pm.

## **CHAIRMAN**