

# MINUTES SCHEDULED MEETING

**WARRNAMBOOL CITY COUNCIL – 5:45PM**

**Monday 2 December 2024**

**VENUE:**

**Reception Room, 25 Liebig Street, Warrnambool**

**COUNCILLORS:**

Cr. Ben Blain (Mayor)

Cr. Debbie Arnott

Cr. Willy Benter

Cr. Billy Edis

Cr. Vicki Jellie AM

Cr. Matthew Walsh

Cr. Richard Ziegeler

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Andrew Mason

CHIEF EXECUTIVE OFFICER



**WARRNAMBOOL**  
CITY COUNCIL



## Video Recording of Council Meetings

All Open and Special Council Meetings will be video recorded, with the exception of matters identified as confidential items in the agenda. This includes public participation sections of the meeting. Video 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 videos will be retained for the term of the current Council, after which time the videos 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  
RECEPTION ROOM, WARRNAMBOOL CIVIC CENTRE, 25 LIEBIG STREET, WARRNAMBOOL ON  
MONDAY 2 DECEMBER 2024 COMMENCING AT 5:45 PM

**PRESENT:** Cr. Ben Blain, Mayor/Chairman  
Cr. Debbie Arnott  
Cr. Willy Benter  
Cr. Billy Edis  
Cr. Vicki Jellie AM  
Cr. Matthew Walsh  
Cr. Richard Ziegeler

**IN ATTENDANCE:** Mr Andrew Mason, Chief Executive Officer  
Mr Peter Utri, Director Corporate Strategies  
Mr David Leahy, Director City Infrastructure  
Mr Luke Coughlan, Director City Growth  
Ms Brooke Love, Director Community Development  
Mr James Plozza, Governance Manager  
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 VICKI JELLIE

**SECONDED:** CR DEBBIE ARNOTT

That the Minutes of the Scheduled Meeting of Council held on 7 October 2024 and the Minutes of the Annual (Statutory) Meeting of Council held on 18 November 2024, 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.

- Cr Debbie Arnott - Item 7.6 - Planning Scheme Amendment C213warr - Panel Report Adoption - General Conflict.
- Cr Billy Edis - Item 7.5 - Award of Contract 2024042 - City Kindergarten Entrance - Material Conflict.
- Cr Matthew Walsh - Item 7.6 - Planning Scheme Amendment C213warr - Panel Report Adoption - General Conflict.

#### 5. Mayoral Presentation

With the new Council back, it has been a busy start to the month, we have just finished two weeks of pretty full on induction. Last Tuesday was a really interesting day in the history of this City, it was 50 years since work first started on Lake Pertobe and if you go and have a look at the Council Facebook and Instagram page, you will see a video of Margot Johnson the wife of Johnny Johnson who was the engineer who was the brainchild behind Lake Pertobe, go and check it out, it's a really special part of our City and it all came from her husband's vision.

On Friday this week, we've got our first cruise ship in a fair few number of years coming to Warrnambool and we are going to have the tenders coming into the harbour so that's going to be a bit exciting, we are going to have some more details up on our socials, I think it is going to be in about 9am-9.30am, something we haven't seen in a long time.

Friday night down Liebig Street we had the Black Friday event, it was a really big hit, there was people around everywhere, the stalls the markets, it was a really well done event and once we sort of got in we had the Mayor's Breakfast and the visitor economy event over at the Art Gallery last Thursday which was really well attended and it was actually great to hear from Paul and Luke and their teams about what's going on from a tourism perspective across the City and go and check out the new Claw Money exhibition at the Gallery.

## 6. Public Question Time

Nil.

## 7. Reports

### 7.1. Scheduled Council Meeting Dates 2025

*DIRECTORATE : Executive Services*

#### Purpose:

*The purpose of this report is for Council's consideration and adoption of the Scheduled Council Meeting dates for 2025.*

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#### Executive Summary

Under Council's Governance Rules, Council is required to 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 of Council.

The proposed Scheduled Council Meeting dates for the period February 2025 – December 2025 is contained within the recommendation. A new Council term provides Council with opportunity to review the day and time meetings are held to ensure best accessibility for the community and optimal organisational performance.

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MOVED: CR RICHARD ZIEGELER

SECONDED: CR VICKI JELLIE

That Warrnambool City Council meetings for 2025 be held at 5.45pm in the Reception Room, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool on the following dates:-

- Monday 3 February 2025
- Monday 3 March 2025
- Monday 7 April 2025
- Monday 5 May 2025
- Monday 2 June 2025
- Monday 7 July 2025
- Monday 4 August 2025
- Monday 1 September 2025
- Monday 6 October 2025
- Monday 3 November 2025
- Monday 17 November 2025 - Annual Council Meeting
- Monday 1 December 2025

CARRIED – 7:0

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## Background

Under Council's Governance Rules, Council is required to 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 of Council.

Public notice of all Scheduled Council Meetings will be provided in accordance with Council's Governance Rules and will be displayed on Council's website.

## 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

## Timing

To be adopted at the first Scheduled Council Meeting following the Annual (Statutory) Meeting of Council to be held on Monday 2 December 2024.

## ATTACHMENTS

Nil

## 7.2. Appointments To Advisory Committees & External Bodies

DIRECTORATE : Executive Services

Purpose:

*This report considers Councillor representation on the various Council Advisory Committees and external bodies with which Council is associated with for the period 2 December 2024 to 17 November 2025.*

### Executive Summary

- To appoint Council representatives to the various Council advisory bodies and external committees for the period 2 December 2024 to 17 November 2025.

MOVED: CR DEBBIE ARNOTT

SECONDED: CR BILLY EDIS

1. That the following Councillor representatives and delegates to the Advisory Committees and external committees for the period 2 December 2024 to 17 November 2025 be approved and that relevant advisory committees and external bodies be advised accordingly:-

ADVISORY BODY/EXTERNAL COMMITTEE	COUNCILLOR REPRESENTATIVE(S) 2024/25
<b>NATIONAL / STATE /REGIONAL BODIES</b>	
a) SouthWest Victoria Alliance	Mayor, Cr Ben Blain
b) Municipal Association of Victoria ( <i>Deputy delegate to also be appointed</i> )	Delegate – Cr Vicki Jellie AM Deputy Delegate – Cr Debbie Arnott
c) Regional Cities Victoria	Mayor, Cr Ben Blain
d) Great Ocean Road Regional Tourism Board	Cr. Debbie Arnott
<b>CORPORATE / GOVERNANCE COMMITTEES</b>	
a) Audit & Risk Committee	Cr. Ben Blain Cr. Matthew Walsh
b) Chief Executive's Employment Matters Committee	All Councillors
<b>COUNCIL LOCAL ADVISORY COMMITTEES</b>	
a) Planning Advisory Committee	Cr. Willy Benter
<b>OTHER COMMITTEES – COUNCIL FACILITIES/SERVICES</b>	
a) Bicycle Users Reference Group	Cr. Matthew Walsh
b) Warrnambool Airport Reference Group	Cr. Billy Edis
c) CCTV Steering Committee	Cr. Richard Ziegeler Cr. Willy Benter
d) Middle Island Project Group	Cr. Vicki Jellie AM



2. That the Planning Advisory Committee be re-established, appointing the following community members until 31 May 2025:
  - Jeff Moreland-Hunt
  - William Welsh
  - Leanne Williams
  - Fiona Golding
  - John McNeil
  - Kerri-Anne-Tatchell
  - Cameron McNeill
3. That the Community & International Relations Advisory Committee, Economic Development and Tourism Advisory Committee and the Environment and Sustainability Advisory Committee be not re-established.

CARRIED – 7:0

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## Background

There is a significant range of committees and organisations where the constituted membership includes representation from Warrnambool City Council.

Whilst the majority of these committees tend to be ongoing, they may also be subject to evolutionary change and in some cases may be established for a specific project ie; with “sunset” provisions.

Council has traditionally maintained a number Council Advisory Committees whose terms recently expired. The start of a new Council term provides an opportunity for Council to review the committees that it maintains.

For various committees, members of Council staff are already members and/or may attend to assist a Councillor representative. Generally, for committees of a more technical/operational nature, it is suggested that members of Council staff can best assist in sharing the overall representation workload, with appropriate reporting mechanisms to Council and/or briefing of Councillors according to representation or special interest areas.

Other relevant matters to consider in this area are:-

- The need for committees which are established by Council to fit into an efficiency “hierarchy” of overall advisory, consultative and networking processes, particularly having regard to the best use of resources from within and outside the organisation.
- As above, the need for Councillors’ time and energy to be primarily focused on policy development, business strategies and monitoring of performance.
- As a major service organisation, the need to have effective service standards and response mechanisms without placing reliance on Councillors to handle requests from residents and service users, as is the situation with members of other statutory agencies providing direct regional or local service delivery functions eg; hospitals, community health centres, various not-for-profit social/welfare agencies, water authorities, transport authorities etc.

- In some cases a “contact” function may be most appropriate rather than actual representation, particularly when the relevant committee is not directly relating to a municipal function.
- The need for good relationships, but of an independent arms-length type with any groups or organisations where Council has a contractual relationship, to avoid any possible conflict of interest.
- To use officer resources in an effective manner bearing in mind significant direct and indirect costs of committees servicing or representation.

### Issues

Appointments to the various bodies/committees can be reviewed from time to time, but in any case, would need to be fully reviewed at the commencement of each Council Year.

Advisory Committees do not need to be formal committees of Council, Councillors may choose to attend advisory committee meetings but would not be required to report back to Council.

The Community and International Relations Advisory Committee, Economic Development and Tourism Advisory Committee and the Environment and Sustainability Advisory Committee are recommended to not be re-established. While both Councillors and Officers acknowledge and appreciate the contribution of this committee over a long period of time, challenges around achieving quorum, scope of the committee, and Officer time required to facilitate the committee have led to the recommendation that the committee not be re-established for the coming Council term.

Council is committed to community engagement and will continue to focus on generating engagement on activities, initiatives and projects related to our community and international relationships.

It is recommended that the Planning Advisory Committee be reestablished, and it is proposed that the membership of the previous committee be returned until 31 May 2025. At that time the committee’s Terms of Reference will be reviewed and a call for nominations for new community member representatives will be made.

### Financial Impact

Nil.

### Legislation/Policy/Council Plan Context

Not Applicable

### Timing

To be implemented as from adoption at Council meeting.

### Community Impact/Consultation

N.A.

### Legal Risk/Impact

Nil.

### ATTACHMENTS

Nil



### 7.3. Youth Strategy & Action Plan Briefing

**DIRECTORATE :** Community Development

Purpose:

*This report provides information on the development of the joint Moyne Shire Council and Warrnambool City Council Youth Strategy 2025-2030.*

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#### Executive Summary

Warrnambool City Council (WCC) and Moyne Shire Council (MSC) have collaborated to produce a joint Youth Strategy (the Strategy) that crosses municipal boundaries. It is inclusive of an action plan, which identifies joint and individual council's actions and responsibilities. The aim of the Strategy is to enable Council to take a proactive approach in engaging young people in Warrnambool, who make up over 15% of Warrnambool's population. The strategy will set the direction of Council's work in collaboration with young people and other stakeholders.

Future Tense were engaged as consultants to facilitate the Strategy development through a joint procurement managed by MSC.

A Youth Co-Design Panel was established, comprising of 20 young people (10 Warrnambool, 10 Moyne). The panel met throughout the process to shape and guide the development of the strategy.

The Draft Youth Strategy is now prepared for Council approval to release to public comment.

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**MOVED:** CR MATTHEW WALSH

**SECONDED:** CR RICHARD ZIEGELER

**That Council approve the Draft Moyne and Warrnambool Youth Strategy 2025-2030 be released for public comment and review.**

**CARRIED – 7:0**

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The Victorian State Government's Youth Strategy defines young people as those between 12- 25 years. Council offers over 30 services to the community which have a direct impact on the lives of this cohort.

Developing a youth strategy aligns with the Warrnambool 2040 Plan, Victoria's *Youth Strategy 2022-2027* and the Victorian Local Government Partnership project, "*Leading the Way, Engaging Young Voices for Change*" which is implemented in conjunction with VicHealth. The Youth Strategy is also expected to provide input into future Council Plans and strategies.

A briefing paper submitted to Council in April 2024 outlined the youth strategy development process in collaboration with MSC. This process is managed by MSC. It noted that young people in the region do not live their lives by LGA boundaries. Warrnambool and Moyne are not seen separately from the viewpoints of young people and the two are not distinguishable for them. Many young people live in one municipality but access services, recreation, education, or work in the other. From this perspective, a collaboration between Warrnambool and Moyne Councils allowed for better engagement with young people across municipal boundaries. A joint strategy also prevented over consultation of the regions young people, combined resources and strengthen Council's partnership with Moyne Shire Council.

A briefing paper submitted to council in September 2024 outlined the engagement with young people and adults in their lives, along with the findings. Future Tense presented the Context and Engagement report. This report contains details of the investigation, key findings and next steps. Refer attached.

Direct conversations were had with 271 young people and 126 adults in young people's lives across 41 engagement activities. Online surveys gathered input from 389 young people and 69 adults in young people's lives.

Preliminary findings from the engagement process were shared with stakeholders, which also included 12 support service providers who work with young people and staff from the two Councils.

Key findings from the overall engagement reveal that:

- Young people love the region
- Hanging out in-person is the most valued type of connection
- Young people are looking for a sense of belonging
- The weight of the world hangs heavy on young people
- Issues around transportation have a huge impact
- Young people are disconnected from opportunities and resources, and
- Programming often misses the mark.

### Issues

The community engagement findings were considered by the Youth Co-design Panel and used to draft the Youth Strategy for MSC and WCC, this was then workshopped further with individual council staff to further develop the action plan.

The 3 areas of focus identified in the strategy are:

1. Creating better spaces and places.

Provide spaces for young people to feel comfortable, engage with their peers and increase their visibility in community life.

2. Improving accessibility and encouraging participation.

Enable young people to participate and access opportunities to enhance their quality of life through improvements to transportation, greater visibility of assets, better connection to employment opportunities, and smoother processes for accessing resources.

3. Fostering belonging and Acceptance.

For young people to feel safe and free to express their ideas and identities by celebrating young people's activities, interests and achievements. The goal is to create a supportive environment where young people can thrive.

An Action Plan has been created that reflects the wants and needs of the region's young people. This is included in the Strategy.

## Financial Impact

The engagement of Future Tense consultants has cost \$50,000 which is shared equally with the Moyne Shire Council, and has been managed through allocation of costs recovered through grant funding.

In addition, participants in the youth co-design panel are being remunerated for their time, expertise and services. Council is making a contribution of an estimated \$8,000 from the State Government's Youth Engage! Funding.

The graphic design company Hours After has been engaged to develop the final document. Council is contributing \$7,805 from the State Government's Youth Engage! funding.

A Project Control Group, consisting of Council officers from Warrnambool and Moyne Shire, are overseeing the project and has representation from key external stakeholders, YacVic and the Department of Premier and Cabinet.

## Legislation/Policy/Council Plan Context

### 1 A healthy community

1.1 Be a welcoming and inclusive city: Warrnambool will be a city that is more welcoming to all and which fosters diversity.

1.2 Engage with the Aboriginal community: Council will pursue improved partnerships and meaningful engagement with Aboriginal people to grow opportunities and better outcomes for Aboriginal people.

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.

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

1.6 Community learning pathways: Council will support and encourage lifelong learning that helps build community resilience and preparedness for change.

### 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.

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

- Shared Youth Strategy and Youth Strategy Action Plan to
  - o WCC (informal Council meeting) – 25 Nov 2024
  - o MSC – 10 Dec 2024

Note: Final artwork is currently being prepared and if available will be presented.

- Public Exhibition period – 11 Dec 2024 to 8 Jan 2025

- Present to Council for adoption – 3 Mar 2025

### Community Impact / Consultation

Extensive consultation was undertaken as part of the engagement process between June and August 2024. The diverse group of people engaged across two stages of the engagement process include:

1. Diverse range of young people from the following cohorts:

- First Nations youth
- Multicultural youth
- Disabled youth
- Sports-focused youth
- Creative youth
- The 'young ones' (12–14 years)
- Senior high school students (15–17 years)
- Young adults (18–24 years)
- Higher education students
- Young people out of or struggling to access school
- Queer young people
- Youth at risk of homelessness
- Neurodivergent youth
- Youth struggling with mental health
- Rural and remote youth
- Those in care and custody
- Young parents
- Youth struggling with substance issues
- Gap year crew
- Lower socioeconomic young people
- Unemployed youth
- Gamers (tabletop, RPG, digital, etc), and
- Tradespeople

2. Council staff

3. Service providers

Further internal consultation was undertaken between 21 October and 25 October to gain insight from across council into the proposed action plan.

The draft Strategy is proposed to be released for public consultation and review between 11 December and 8 January 2025.

Public exhibition of the draft strategy will take place between 11 December and 8 January 2025, with Council then to consider feedback and adoption of the Final Strategy in March 2025.

### Legal Risk / Impact

There is no risk to Council. Adoption of the Strategy will inform the Council plan and allow for actions to be built into department work plans.



### Officers' Declaration of Interest

No conflict of interest exists.

### Collaborative Procurement

A collaborative procurement was undertaken with MSC to develop the Youth Strategy with equal resource contributions. The procurement is managed by Moyne Shire Council.

### Conclusion

The development of a Youth Strategy provides young people with the platform they need to be heard, so we in local government can listen and with clear direction support them to thrive. Collaboration with Moyne Shire Council produces an inclusive document that transcends municipal boundaries.

Following thorough stakeholder and community consultation the draft Youth Strategy is ready for public comment.

The design of the document is currently being developed and should be presented to Council on 10 December.

### ATTACHMENTS

1. Moyne and Warrnambool Youth Strategy 2025 2030 7 November 2024 (1) [7.3.1 - 16 pages]
2. Youth Strategy Design Concept Ver 4 [7.3.2 - 6 pages]
3. Youth Strategy Context and Engagement Report PR [7.3.3 - 38 pages]
4. Gender Impact Assessment Youth Strategy (1) [7.3.4 - 8 pages]

# MOYNE AND WARRNAMBOOL YOUTH STRATEGY 2025–2030

VERSION 6

7 November 2024

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3 How we developed the Strategy	x
4 Areas of focus	x
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6 The councils' roles	x
7 Programs and initiatives	x
8 The impact we want to see	x
9 Governance	x

## ACKNOWLEDGEMENT OF COUNTRY

Moyne Shire Council and Warrnambool City Council acknowledge the Gunditjmara and Eastern Maar People as the Traditional Custodians of the lands that encompass the region. We recognise Traditional Owners' care for and connection to Country, a relationship which has endured for tens of thousands of years and continues today. We pay our respect to Elders past, present and emerging, as well as to all Aboriginal and Torres Strait Islander people living in the region.

# 1 INTRODUCTION

This shared Youth Strategy guides how Moyne Shire Council and Warrnambool City Council will work together to enhance the lives of young people across the region.

Young people are defined as those aged between 12 and 25 years old. This time encompasses key stages of life and essential moments of development. The goal of this strategy is to support this important time in the lives of young people and set them up for the future.

Our region is undergoing significant transformation, driven by a growing population and changes to industry and employment. Supporting our young people, creating an environment where they can thrive, and ensuring they can make a life here significantly benefits our whole community.

The two councils are working together through this strategy to ensure a consistent regional approach. It builds on past collaborations, formalises the partnership, and positions the organisations to capitalise on future opportunities.

The following pages present the different elements of the strategy and what the councils will do to achieve its aims.

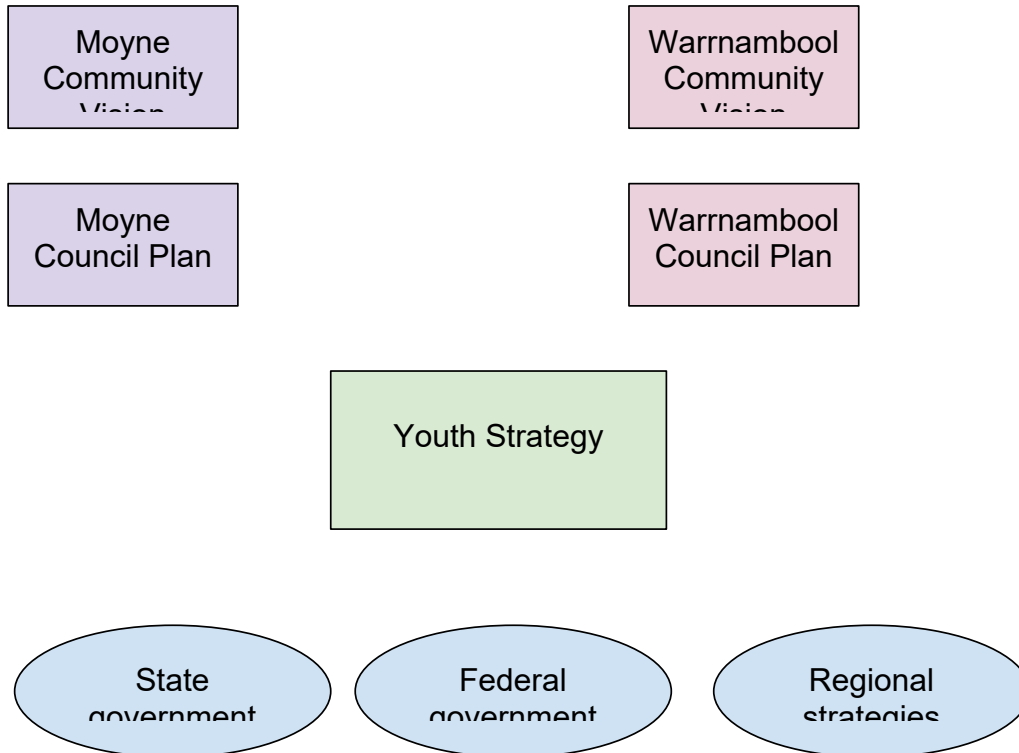
[add line drawing of region with LGA boundaries]



## 2 STRATEGIC CONTEXT

This shared strategy is informed by and responds to a range of aspirations and objectives.

[diagram along the lines of the following]



## 3 HOW WE DEVELOPED THE STRATEGY

The strategy was developed through a rigorous process, informed and guided by young people and relevant local, regional and national strategies.

### 3.1 Convened a Youth Co-design Panel

This strategy was developed in partnership with representatives of the region's youth. A Co-Design Panel comprising 20 young people (10 from Warrnambool and 10 from Moyne) was convened. They met at key stages throughout the process to guide the work and make key decisions about the shape of the strategy and its direction.

The Youth Co-design Panel consisted of:

Arthur Breunig  
Jess Bushell  
Evie Dalton  
Julia Delaney  
Naeve Denigan  
Bailey Else  
Liam Flaherty  
Jaali Lang  
Madeline Main  
Briar Merrett  
Nick Northeast  
Lily Potter  
Emma Rag  
Isabella Reesink  
Frances Roberts  
Sharna Rogers  
Mitchell Spencer  
Jenna Winnen  
Tilly Woodward  
Bryanna Willie

### 3.2 Met young people where they were

Extensive consultations were undertaken with young people across the region, as well as with the various adults in their lives. This included:

- Consultations with schools, support service providers, sporting clubs, community organisations, employers, Traditional Owners, and council stakeholders
- 41 in-person conversations engaging 271 young people and 126 adults
- Two online surveys capturing the views of 389 young people and 69 adults

### 3.3 Listened to what they said

The engagements produced a series of key findings:

- **Young people love the region** – despite some challenges and discontent, there was an overwhelming gratitude for where they live
- **Hanging out in-person is the most valued type of connection** – yes, screens are a constant part of life, but unstructured time together is what young people crave
- **Young people are looking for a sense of belonging** – they want to feel like an accepted part of the community and be connected to it
- **The weight of the world hangs heavy on young people** – this contributes to many either not engaging with the future or reducing their vision for what it could be
- **Issues around transportation have a huge impact** – getting around is a perennial challenge impacting autonomy and safety
- **Young people are disconnected from opportunities and resources** – while many are available, they are invisible to young people, and
- **Programming sometimes misses the mark** – there's lots for children and adults, but limited opportunities reflecting the tastes of young people.

The Youth Co-Design Panel considered these findings to decide on the areas of focus for the strategy.

## 4 VISION FOR THE FUTURE

The Moyne and Warrnambool region is full of accessible and affordable opportunities for young people. It's a fun and exciting place to be! Young people are a prominent part of our community. They feel comfortable, safe and at home, surrounded by and part of an accepting community open to new ideas and change.

This reflects the ideal future young people want for themselves and what they want their lives in the region to be like.

Realising this vision is a shared community responsibility and requires the energies and input of:

[present in boxes or frames]

Families	Schools and education institutions	Youth service providers	Community groups	Employers	The councils	State and federal governments
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The following sections outline the councils' contributions to achieving these aspirations.



## 5 THE COUNCILS' ROLES

There are a number of key ways the councils will foster a positive environment for young people.

**Be the connector between resources, opportunities and young people** – The councils will actively engage with relevant parties, fostering links between groups, communities, and resources.

**Genuinely engage young people** – The councils will actively involve young people when developing strategies and plans or undertaking major projects, valuing their contributions and responding to their perspectives and insights.

**Seek funding for initiatives** – The councils will pursue external funding to deliver programs and initiatives for young people across the region, continuously monitoring and assessing opportunities.

**Undertake advocacy work** – The councils will advocate to state and federal governments for the needs of young people, pushing for changes that will enhance their experiences and opportunities.

**Deliver targeted programs** – The councils will use secured funding to provide a range of programs to support, delight and expand the lives of young people across the region, from practical upskilling to creative entertainment.

## 6 AREAS OF FOCUS

These are the areas the councils will focus on over the five year life of the Strategy. All the programs, initiatives, and behind the scenes activities the councils do will be to further these goals.

[place in breakout boxes]

### **Creating better spaces and places**

Young people need places to connect with their peers, enjoy unstructured hang outs and just be. These should encourage connections between young people and increase their visibility in community life. This could involve better utilisation of existing spaces or tweaks to public infrastructure. The goal is to provide spaces for young people to feel comfortable.

### **Improving accessibility and encouraging participation**

Enabling young people to participate in the life of the community increases their connections and enhances their quality of life. Being able to access opportunities and develop their capabilities will expand their worldviews and prospects. This could include improvements to transportation, greater visibility of assets, better connection to employment opportunities, and smoother processes for accessing resources. The goal is to widen the scope of what's possible for young people.

### **Fostering belonging and acceptance**

For young people to feel part of their community they need to feel safe and free to express their ideas and identities. Achieving this will require the removal of stigma and the enthusiastic embrace of all people and cultures by the community. This could include increasing the visibility of difference and diversity, and celebrating young people's activities, interests and achievements. The goal is to create a supportive environment where young people can thrive.

## 7 PROGRAMS AND INITIATIVES

The councils will undertake a series of initiatives, programs and behind the scenes activities to deliver the strategy.

### 7.1 Joint programs and initiatives

#### **Youth Advisory Board**

The councils will establish an advisory board which they will report to and consult with on key council business impacting young people. The Team will comprise half Moyne and half Warrnambool youth and be refreshed every year. Its members will receive training in governance, be paid, and actively participate in driving the Youth Strategy.

#### **Reimagining volunteering**

Creating ways for young people to participate in volunteering opportunities will support the goals of creating connections across the community and enhancing their capabilities. This will require a radical restructuring of how volunteering operates in the region – both in terms of how organisations offer and manage volunteer opportunities and how young people access them. It will be a major project, including extensive work with community organisations, development of a new online platform, and promotion to young people.

### 7.2 Program areas

**Collaborative event programming** – Create a consistent and engaging calendar of events for young people across the region

**Skills development training** – Provide training opportunities that fill gaps not covered by other organisations, with an eye to creating pathways that support skill development

**Public space upgrades** – Identify and pursue opportunities to create spaces for young people to gather, connect and hang out in unstructured ways

**Create employment opportunities** – Work with partners in government, academia and industry to establish new job opportunities for the region's youth

**Resource and opportunities hub** – Make the assets, resources and opportunities available to young people visible and accessible

**Strategic connection forums** – Regularly bring together key stakeholders to align activities and planning, and consider insights, needs and opportunities

**Advocacy for young people's needs** – Represent the needs of young people to government bodies and push for changes to make their lives better

**Planning and strategy inclusion** – Undertake genuine engagement with young people when developing new strategies or major projects to ensure their needs are considered

**Celebrate young people** – Promote the incredible achievements and diversity of our region's young people

**Youth grants** – Opening up access to the councils' community grants programs for young people to deliver initiatives for their peers, either through dedicated streams or targeted promotion

### 7.3 Alignment with areas of focus

	SPACES AND PLACES	ACCESSIBILITY AND PARTICIPATION	BELONGING AND ACCEPTANCE
Executive Youth Team	X	X	X
Reimagining volunteering		X	X
Collaborative event programming			X
Skills development training		X	
Public space upgrades	X		
Create employment opportunities		X	
Resource and opportunities hub	X	X	X
Strategic connection forums	X	X	X
Advocacy for young people's needs	X	X	X
Planning and strategy inclusion	X	X	X
Celebrate young people			X
Youth grants		X	

### 7.4 Behind the scenes activities

These are the actions the two councils will undertake to enable the initiatives and programs to take place. This section of the strategy will be updated each year to reflect progress and the evolving requirements of the programs and initiatives.



ACTION	TIMING	RESOURCE	RESPONSIBILITY
Formalise collaborative processes between the two councils	2025	Staff time	Joint activity
Establish internal collaboration mechanisms within each council	2025	Staff time	Both councils
Design the Youth Advisory Board and training program	2025	Existing budget	Joint activity
Convene the Youth Advisory Board	Ongoing	External Funding	Joint activity
Develop scope, pitch and project plan for the Reimagining Volunteering initiative to take to potential funders	2025	External Funding	Joint activity
Design and deliver year-round FReeZA programs, identifying collaborative opportunities with relevant partners	2025–27	External funding	Both councils
Review training and skills development options for young people and identify gaps and opportunities	2025	Staff time	Both councils
Design and deliver training and skills development program with Engage funding	2025–27	External funding	Both councils
Establish a youth stream within the community grants programs	2025	Staff time	Moyne
Promote opportunities within community grants programs to young people	2025	Staff time	Warrnambool
Identify improvements to street furniture in laneways	2025	Staff time	Warrnambool
Scope potential enhancements to Koroit Youth Space	2025	Staff time	Moyne
Scope potential enhancements to Mortlake Market Square	2025	External funding	Moyne
Identify potential upgrades or changes to public spaces across the municipalities	2025	Staff time	Both councils
Explore adjusted opening times for libraries to create after school hang out spaces	2025	Staff time	Moyne
Adjust Warrnambool library opening times to extend into the evening	2025	Existing budget	Warrnambool
Consider establishing dedicated spaces	2025	Staff time	Both councils

for young people to stage events without Council involvement			
Engage industry to understand future workforce needs and advocate for local job opportunities	2025	Staff time	Both councils
Establish a free public art wall	2025	External funding	Warrnambool
Regularly meet with schools, service providers and community groups to understand current situation, needs and opportunities	Ongoing	Staff time	Joint activity
Monitor funding bodies for relevant opportunities	Ongoing	Staff time	Both councils
Regularly profile young people from across the region on council channels	Ongoing	Staff time	Both councils
Host strategic connection forums throughout the year to bring relevant stakeholders together	Ongoing	Staff time	Joint activity
Youth Officer participation on strategic working groups relevant to young people	Ongoing	Staff time	Both councils
Report on progress of the Strategy and update behind the scenes actions annually	Ongoing	Staff time	Joint activity
Consider access processes for community assets and consider changes to improve youth participation	2026	Staff time	Both councils
Develop a scope for a collaborative online resource and opportunities hub	2026	External Funding	Joint activity
Identify improvements to bike paths and footpaths to foster greater use by young people	2026	Staff time	Both councils
Advocate to relevant authorities for upgrades to public transport options and safer roads	2026	Staff time	Joint activity
Work with transport partners to provide free holiday services to key facilities and events	2026	Staff time / External funding	Joint activity

Apply to FReeZA and Engage for new round of funding	2027	Staff time	Both councils
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## 8 THE IMPACT WE WANT TO SEE

	Short term	Medium term	Long term
<b>Activities</b>	Improve connections between young people and existing resources, support and opportunities	Transform spaces to be welcoming to young people and encourage connection and play	Fully integrate young people's needs into decision making and project delivery
<b>Outcomes</b>	Young people are able to participate in community life more easily	Young people have an improved sense of belonging and connection to community	Young people are living flourishing lives in the region

## 9 GOVERNANCE

### RESPONSIBILITY

Delivering the Youth Strategy is a whole of council responsibility. While the community development units of each council will take the lead, the actions encompass all areas of the organisations. The Youth Officers will drive the relationship building and program delivery, drawing on resources from across council departments and foster collaborations.

### ACCOUNTABILITY

The Youth Advisory Board will meet regularly to review the councils' progress and provide input, direction and insights as relevant. The councils will update the Team on progress of the Youth Strategy and any relevant developments from other strategies, plans or projects.

### REPORTING

The councils will report annually to the community on the progress of the strategy. This will include updates on each of the initiatives, programs and actions listed in the strategy. The list of behind the scenes activities will be updated each year to reflect developments in projects and incorporate any new actions being undertaken. This allows the strategy to evolve and respond to opportunities as they arise and ensure the community can see what is happening.

For more information visit [moyneshire.vic.gov.au/Our-community/youth](https://moyneshire.vic.gov.au/Our-community/youth) and [warrnambool.vic.gov.au/youth](https://warrnambool.vic.gov.au/youth).

# MOYNE & WARRNAMBOOL YOUTH STRATEGY



2025

—

2030

# AREAS OF FOCUS

These are the areas the councils will **FOCUS** on over the five year life of the Strategy. All the **PROGRAMS**, initiatives, and behind the scenes activities the councils do will be to further these **GOALS**.



Creating better  
**SPACES &  
PLACES**

Young people need places to connect with their peers, enjoy unstructured hang outs and just be. These should encourage connections between young people and increase their visibility in community life. This could involve better utilisation of existing spaces or tweaks to public infrastructure. The goal is to provide spaces for young people to feel comfortable.

Improving  
**ACCESSIBILITY &  
encouraging  
PARTICIPATION**

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Fostering  
**BELONGING &  
ACCEPTANCE**

For young people to feel part of their community they need to feel safe and free to express their identities. Achieving this will require the removal of stigma and the enthusiastic embrace of all people and cultures by the community. This could include increasing the visibility of difference and diversity, and celebrating young people’s activities, interests and achievements. The goal is to create a supportive environment where young people can thrive.



# VISION FOR THE FUTURE

The Moyne and Warrnambool region is full of **ACCESSIBLE** and **AFFORDABLE** opportunities for young people. It's a **FUN** and **EXCITING** place to be! Young people are a prominent part of our community. They feel **COMFORTABLE, SAFE** and **AT HOME**, surrounded by and part of an accepting community open to **NEW IDEAS** and **CHANGE**.

This reflects the ideal future young people want for themselves and what they want their lives in the region to be like.

Moyne & Warrnambool Youth Strategy 2025 – 2030

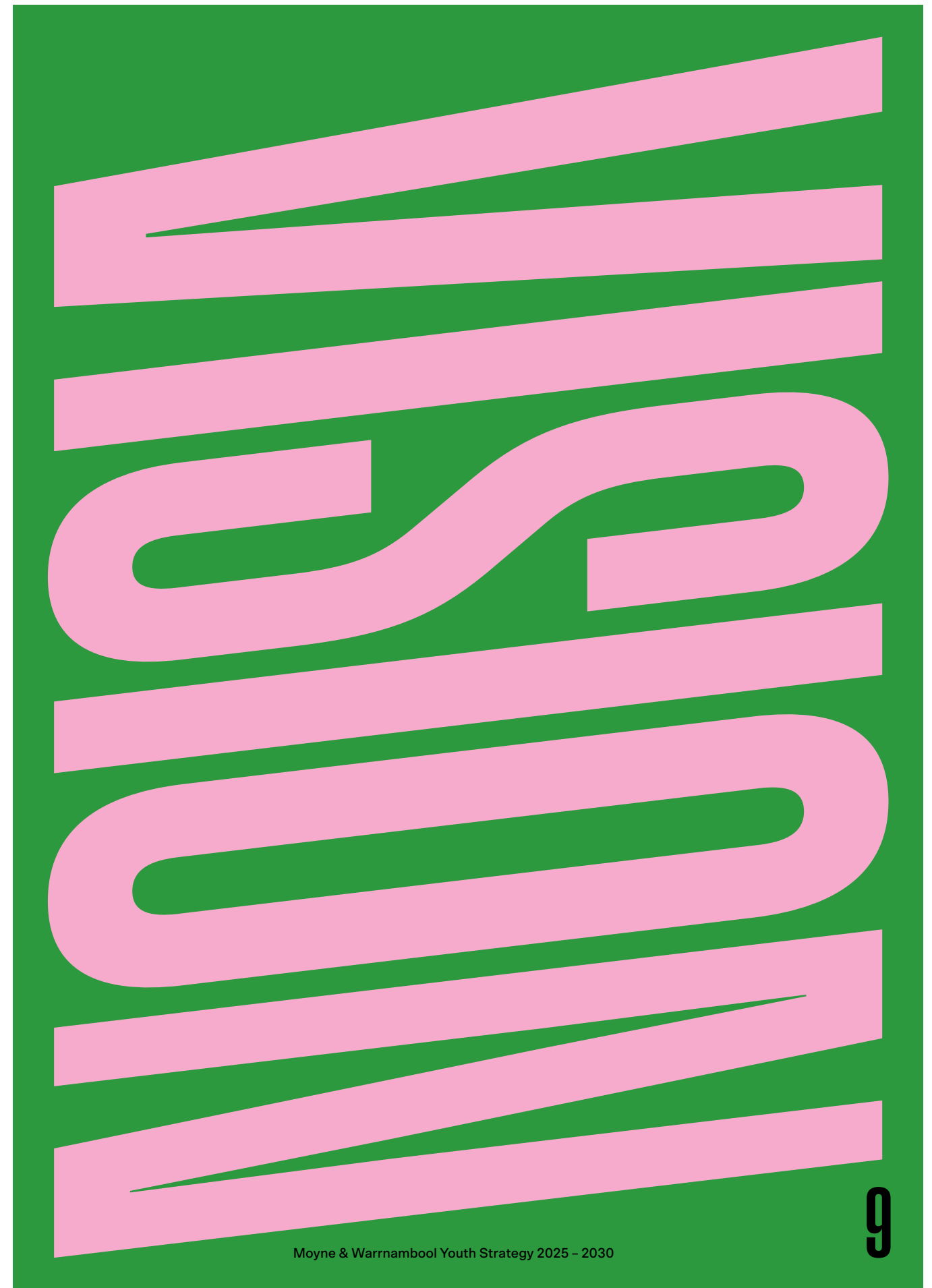
7

Realising this vision is a shared  
community responsibility and requires  
the energies and input of:

FAMILIES  
SCHOOLS AND  
EDUCATION  
INSTITUTIONS  
YOUTH SERVICE  
PROVIDERS  
COMMUNITY  
GROUPS  
EMPLOYERS  
THE COUNCILS  
STATE AND  
FEDERAL  
GOVERNMENTS

8

Moyne & Warrnambool Youth Strategy 2025 – 2030



Moyne & Warrnambool Youth Strategy 2025 – 2030

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FEDERAL  
GOVERNMENTS  
COMMUNITY  
GROUPS  
THE COUNCILS**



# MOYNE AND WARRNAMBOOL YOUTH STRATEGY: CONTEXT AND ENGAGEMENT REPORT

Prepared by Future Tense  
26 August 2024

## FUTURE TENSE

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# ACKNOWLEDGEMENT OF COUNTRY

Future Tense acknowledges the Eastern Maar and Gunditjmara peoples as the Traditional Custodians of the lands described in this report. We recognise Traditional Owners' maintenance of culture and their care for and connection to Country, a relationship which has endured for tens of thousands of years and continues today. We pay our respect to Elders past, present and emerging, as well as to all Aboriginal and Torres Strait Islander people living in the Moyne and Warrnambool region.

# 1 SUMMARY

This report compiles findings from investigations undertaken to develop a shared Youth Strategy for Moyne Shire Council and Warrnambool City Council.

A significant number of people were engaged between June and August 2024.

Direct conversations were had with 271 young people and 126 adults in young people's lives across 41 engagement activities.

Online surveys gathered input from 389 young people and 69 adults in young people's lives.

Key findings from this engagement are that:

- Young people love the region
- Hanging out in-person is the most valued type of connection
- Young people are looking for a sense of belonging
- The weight of the world hangs heavy on young people
- Issues around transportation have a huge impact
- Young people are disconnected from opportunities and resources, and
- Programming often misses the mark.

These findings will be considered by the Youth Co-design Panel and used to draft the shared Youth Strategy for Moyne Shire Council and Warrnambool City Council.



## 2 DETAILS OF THE INVESTIGATION

### 2.1 Overview

Extensive investigations were undertaken to ensure the shared Youth Strategy is informed by and responds to the realities of young peoples' lives. This occurred in two stages: first, a review of relevant local, regional, state and national strategies, plans and research, and second, through significant engagement with young people across the region and key stakeholders who engage with them.

The engagement targets included:

- Service providers
- Council staff
- Adults in young peoples' lives
- First Nations youth
- Multicultural youth
- Disabled youth
- Sports-focused youth
- Creative youth
- The 'young ones' (12–14 years)
- Senior high school students (15–17 years)
- Young adults (18–24 years)
- Higher education students
- Young people out of or struggling to access school
- Queer young people
- Youth at risk of homelessness
- Neurodivergent youth
- Youth struggling with mental health
- Rural and remote youth
- Those in care and custody
- Young parents
- Youth struggling with substance issues
- Gap year crew
- Lower socioeconomic young people
- Unemployed youth
- Gamers (tabletop, RPG, digital, etc), and
- Tradies.

The bulk of the engagement activities took place between 22 July and 18 August 2024.

## 2.2 What we did

- Held two sessions with the 20-person Youth Co-design Panel (10 from each municipality) to gain insight into their lives and workshop the findings of the other research activities
- Reviewed 33 strategies, plans, reports and submissions from local, regional, state and national governments and peak bodies<sup>1</sup>
- Ran an online survey for young people between 22 July and 19 August 2024 which attracted 389 responses<sup>2</sup>
- Ran an online survey for adults in young people's lives between 22 July and 19 August 2024 which attracted 69 responses<sup>3</sup>
- Staged 11 public in-person and online sessions in a variety of spaces throughout the region between 1–15 August 2024, reaching 81 young people and 22 adults<sup>4</sup>
- Conducted 10 workshops in schools between 24 July and 8 August 2024, speaking with 120 students and 14 teachers and support staff<sup>5</sup>
- Dropped in on 10 activities, events, sites and forums between 27 June and 4 August 2024, speaking to 98 young people and 53 adults<sup>6</sup>
- Conducted individual consultations with 12 support service providers working with young people,<sup>7</sup> and
- Held a workshop for each council engaging 26 staff across the organisations.<sup>8</sup>

## 3 KEY FINDINGS

Please note, these findings incorporate the insights of both young people and adults gained through the engagement activities.

### 3.1 Young people love the region

A consistent finding across the consultations was that young people deeply appreciate living in the region. The access to nature and the beach were key reasons. While some are excited at the prospect of moving away, many want to stay.

### 3.2 Hanging out in-person is the most valued type of connection

While online communication is an ever-present part of life, young people almost universally prefer being physically together with their friends, just hanging out in places where they feel comfortable and have permission to just be. Hectic schedules make this hard to realise.

- 1 See Appendix A for the complete list of reviewed documents.
- 2 See Appendix D for the complete results of the youth survey.
- 3 See Appendix E for the complete results of the adults survey.
- 4 See Appendix C for the details of activities.
- 5 Ibid.
- 6 Ibid.
- 7 Ibid.
- 8 Ibid.

### 3.3 Young people are looking for a sense of belonging

Feeling like an accepted and connected part of a community is empowering. There are many sporting clubs, creative activities, and community organisations that provide this. However, not everyone reported having access to this type of community. There is a strong wish for the community to be more accepting of difference (in all its forms).

### 3.4 The weight of the world hangs heavy on young people

Cost of living and housing pressures are bearing down really hard on young people. This contributes to many young people either not engaging with the future (living for the moment) or reducing their vision for what it could be (avoiding study or taking risks). The pressure applied by schools and families to have a life plan doesn't help. Poor mental health is an ever-present issue, with access to support services limited.

### 3.5 Issues around transportation have a huge impact

Getting around is a perennial challenge impacting autonomy. Under 18s are at the mercy of family to get anywhere as public transport options are either inaccessible, infrequent, or perceived to be unsafe. This can lead to potentially dangerous driving behaviour by those over 18, especially late at night.

### 3.6 Young people are disconnected from opportunities and resources

There are actually a lot of resources and opportunities available across the region, from sporting and social clubs to support services, training and other assets. However, they are often invisible to young people. Discussions across the region highlighted a lot of missed opportunities. The centralisation of services in Warrnambool, while good for some, excludes those who can't get to town.

### 3.7 Programming often misses the mark

Young people often feel the entertainment programming and recreational assets offered in the region were not targeted to them. The sense was that the region offers a lot for young children and older adults. This was particularly true for music programming. The impact is that young people don't feel like their communities are for them. Many high schoolers expressed a desire for events that were by and for kids their age. Another challenge highlighted was the lack of regularity in events or pathways for continued engagement around new skills.

## 4 NEXT STEPS

- Work with the Youth Co-design Panel to develop an outline of the shared Strategy, articulating a vision and areas of focus (August)
- Review the Strategy outline with Warrnambool City Council and Moyne Shire Council executives and councillors to get their input and confirm direction (September)
- Share the Strategy outline with engaged stakeholders and seek feedback on the approach (September)
- Develop a completed shared Strategy and individual Action Plans for each council with the Youth Co-design Panel (October)
- Present finalise shared Strategy and individual Action Plans to both councils' executives and councillors (TBC)
- Put the shared Strategy and individual Action Plans out for public exhibition (TBC)
- Take the shared Strategy and individual Action Plans to both councils for adoption (TBC)

## APPENDICES

Appendix A: Reviewed documents

Appendix B: Consultation discussion frames

Appendix C: List of consultations

Appendix D: Youth survey results

Appendix E: Adult survey results

## Appendix A: Reviewed documents

### NATIONAL DOCUMENTS

Mission Australia Youth Survey 2023  
Engage! Office for Youth  
Homelessness and Overcrowding (article)  
Life, Disrupted: Young People, Education and Employment Before and After COVID-19

### STATE LEVEL DOCUMENTS

Our Promise, Your Future: Victoria's Youth Strategy 2022–27  
Engage! 2022–2024 Program: Grant guidelines  
Engage! 2025–2027 Program: Grant guidelines  
FReeZA 2022–2024 Program: Grant guidelines  
FReeZA 2025–2027 Program: Grant guidelines  
Response into the Inquiry into the State Education System in Victoria  
FUSE Evaluation Report  
Taking Young People Seriously

### REGIONAL LEVEL DOCUMENTS

Beyond The Bell Annual Report Card 2022–23  
Youth Conversations (Deakin Report into Beyond the Bell)  
In Plain Sight – Investing in social equity to drive economic growth  
Growing Our Regional Futures Strategy 2021–2023

### MOYNE DOCUMENTS

Moyne 2040 Community Vision  
2021–2025 Council Plan  
Youth Service Priorities 2020–2022  
Moyne Youth Engagement Charter  
Economic Development Strategy 2019–29  
Moyne Aboriginal Engagement and Partnership Plan  
Moyne Disability Inclusion and Access Plan 2024–2028  
Port Fairy Play and Skate Space (Rationale and Report, 2023)  
Moyne Arts and Culture Strategy 2024–2030

### WARRNAMBOOL DOCUMENTS

W2040 Plan 2021  
Warrnambool City Council Plan 2021–2025  
Active Warrnambool Strategy 2019–30 Final Report September 2019  
Healthy Warrnambool 2021–25 Plan  
Green Warrnambool  
Warrnambool Economic Development Strategy  
Creative Industries Data Summary  
Gender Equity Action Plan 2022–2026  
Disability Access and Inclusion Policy 2020  
Community Engagement Policy 2021

## Appendix B: Consultation discussion frames

### YOUTH ENGAGEMENT DISCUSSION FRAME

- Where do you live? (If relevant)
- What do you like to do? (Eg. Particular activities, hanging out with friends, learning new skills, etc)
- What is important to you? (Eg. Climate change, connection to community, opportunities for growth, having exciting things to do, etc)
- What are your biggest challenges? (Eg. Cost of living, access to transport, insecure housing, lack of service, personal mental health challenges, etc.)
- How do you feel about where you live? (Eg. Love it, can't wait to get out, etc)
- What do you wish you had more access to? (Eg. More creative learning opportunities, better health supports, more sports?)
- What are your aspirations for the future?

### ADULT DISCUSSION FRAME

- What are the biggest issues facing young people in the region?
- What are the biggest challenges you have engaging with young people?
- What would make the lives of young people in the region better?
- What are your aspirations for the future of the region's young people?



## Appendix C: List of consultations

Please note, the counts of individuals are cumulative so individuals are not double-counted.

DATE	WHO	YOUTH	ADULTS
24 May 2024	Council stakeholders	0	4
20 June 2024	Project Control Group (PCG)	0	3
27 June 2024	YouthLink forum	3	14
27 June 2024	Brophy Annex	3	2
4 July 2024	Youth Co-design Panel (YCP)	17	0
24 July 2024	Find Your Voice Collection	5	4
24 July 2024	Warrnambool College	15	1
24 July 2024	Warrnambool College	28	2
24 July 2024	Gunditjmara Aboriginal Co-op	0	3
24 July 2024	One Day Studios	18	3
25 July 2024	Clontarf program	6	3
25 July 2024	STARS program	4	2
25 July 2024	Koorie Academy of Excellence		1
25 July 2024	Brauer College	25	2
25 July 2024	Brophy		2
25 July 2024	One Day Studios	6	1
25 July 2024	Russell Creek Football Netball Club	5	5
1 August 2024	STARS	6	0
1 August 2024	South West TAFE	16	5
1 August 2024	Mortlake P-12	8	3
1 August 2024	Port Fairy Football Netball Club	42	7
2 August 2024	Brauer College	13	0
2 August 2024	Brauer College	5	0
2 August 2024	Deakin University	14	2
2 August 2024	Civic Green	0	0
3 August 2024	Port Fairy Library	4	2
3 August 2024	RNG Tabletop Gaming	0	1
3 August 2024	Noodledoof	0	4
3 August 2024	Dart and Marlin	0	1
4 August 2024	South West Academy of Sport	7	8
4 August 2024	Deakin University	9	8
5 August 2024	South West Health Care	0	1
5 August 2024	Western Region Alcohol and Drug Centre	0	2
5 August 2024	Brophy	0	1
5 August 2024	Brophy	0	1

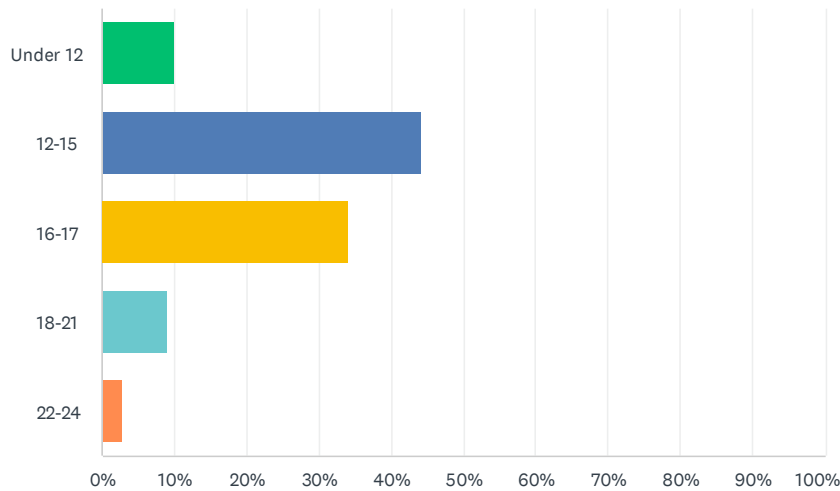
5 August 2024	Brophy	0	1
7 August 2024	Moyne internal stakeholders	0	6
7 August 2024	PCG	0	0
8 August 2024	Hawksdale P-12	10	1
8 August 2024	Warrnambool internal stakeholders	0	20
8 August 2024	YCP	2	0

## Appendix D: Youth survey results

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

## Q1 How old are you?

Answered: 388 Skipped: 1

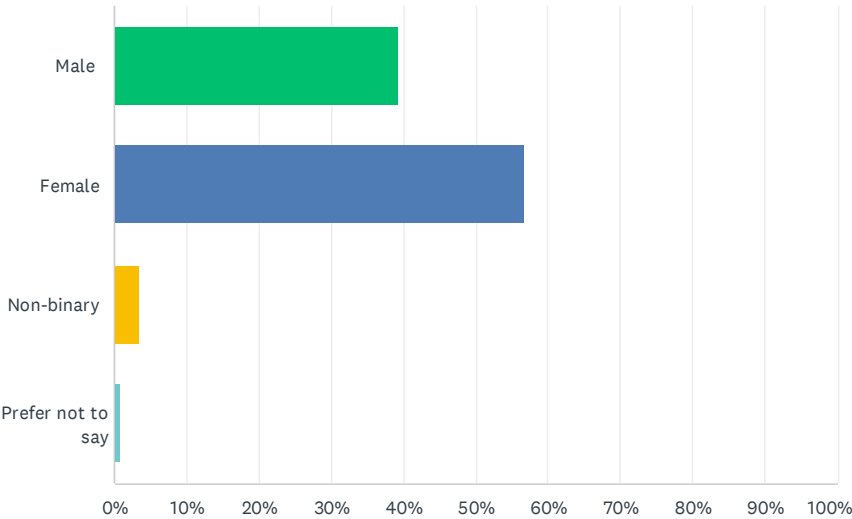


ANSWER CHOICES	RESPONSES	
Under 12	10.05%	39
12-15	44.07%	171
16-17	34.02%	132
18-21	9.02%	35
22-24	2.84%	11
TOTAL		388

Moyne & Warrnambool Youth Strategy: Youth Survey

Q2 What gender do you identify with?

Answered: 388    Skipped: 1

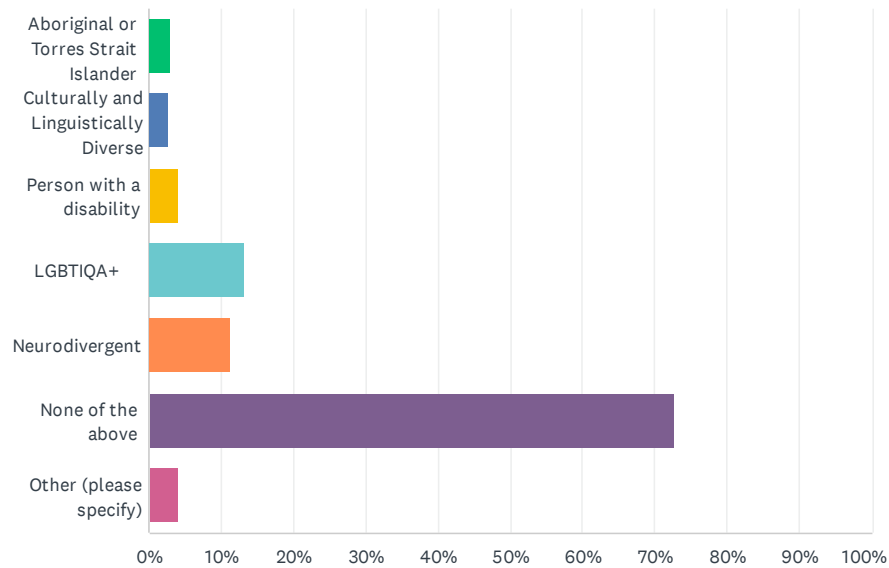


ANSWER CHOICES	RESPONSES	
Male	39.18%	152
Female	56.70%	220
Non-binary	3.35%	13
Prefer not to say	0.77%	3
TOTAL		388

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

## Q3 Do you identify as any of the following? (Choose all that apply)

Answered: 363 Skipped: 26



ANSWER CHOICES	RESPONSES	
Aboriginal or Torres Strait Islander	3.03%	11
Culturally and Linguistically Diverse	2.75%	10
Person with a disability	4.13%	15
LGBTQIA+	13.22%	48
Neurodivergent	11.29%	41
None of the above	72.73%	264
Other (please specify)	4.13%	15
Total Respondents: 363		

Moyne & Warrnambool Youth Strategy: Youth Survey

## Q4 Where do you live?

Answered: 364 Skipped: 25

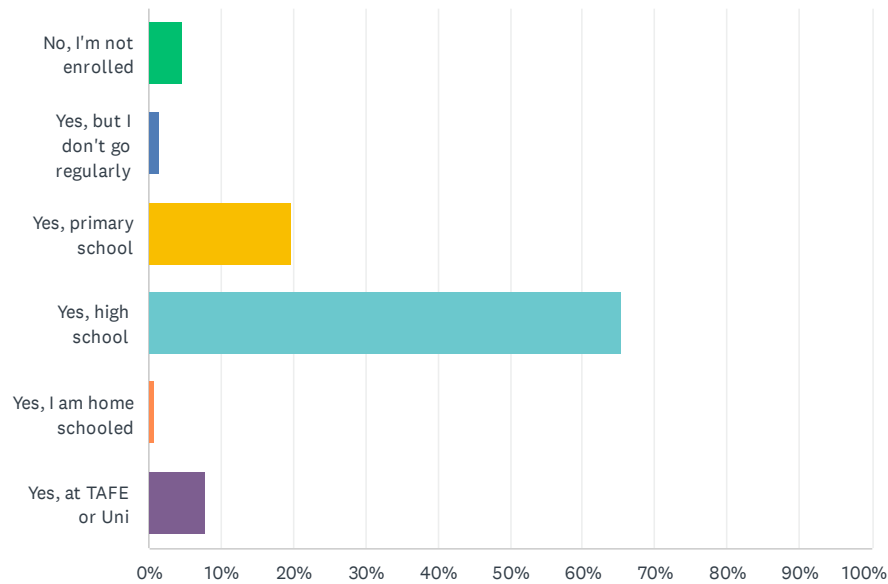
Hexham Geelong Sisters 3280 woorndoo Wangoom Koroit Woodford  
Port Fairy Caramut Warrnambool Allansford  
Mortlake Hawkesdale Vic Kirkstall Dennington Victoria Australia Victoria



## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

## Q5 Are you currently studying?

Answered: 385 Skipped: 4

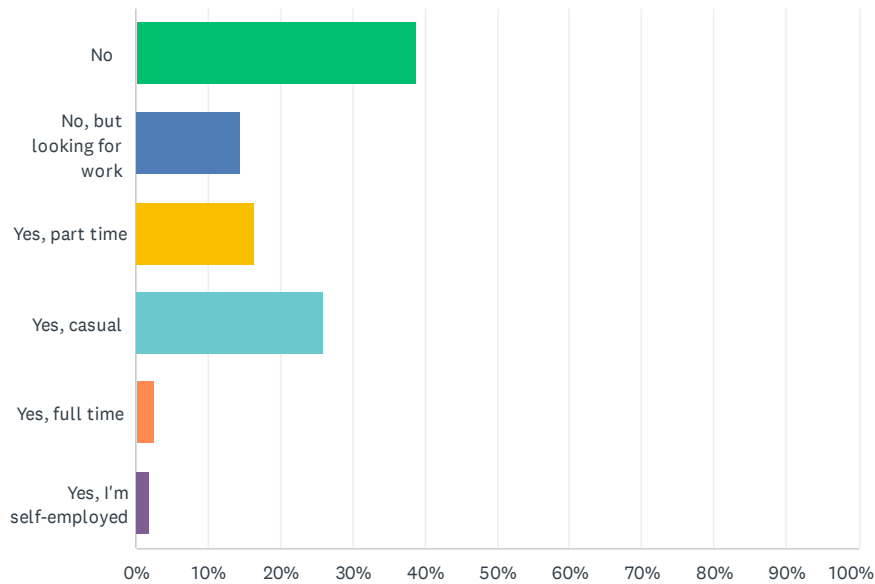


ANSWER CHOICES	RESPONSES	
No, I'm not enrolled	4.68%	18
Yes, but I don't go regularly	1.56%	6
Yes, primary school	19.74%	76
Yes, high school	65.45%	252
Yes, I am home schooled	0.78%	3
Yes, at TAFE or Uni	7.79%	30
TOTAL		385

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

## Q6 Are you working at the moment?

Answered: 386 Skipped: 3

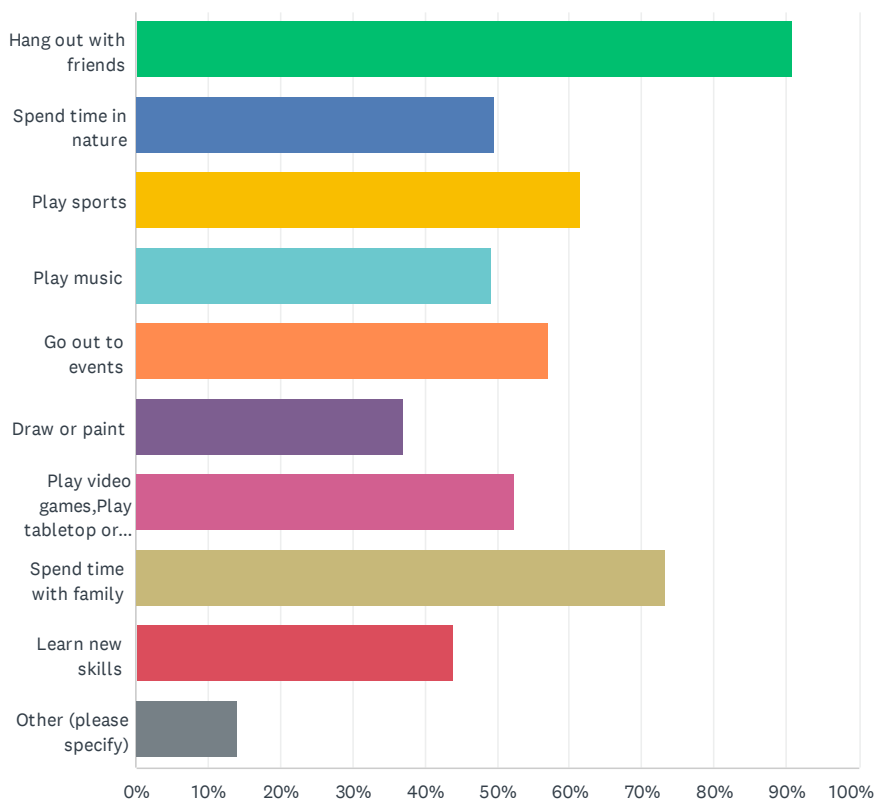


ANSWER CHOICES	RESPONSES	
No	38.86%	150
No, but looking for work	14.51%	56
Yes, part time	16.32%	63
Yes, casual	25.91%	100
Yes, full time	2.59%	10
Yes, I'm self-employed	1.81%	7
TOTAL		386

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

Q7 Please select all the options that apply to you - and feel free to add anything that isn't covered here!

Answered: 375 Skipped: 14

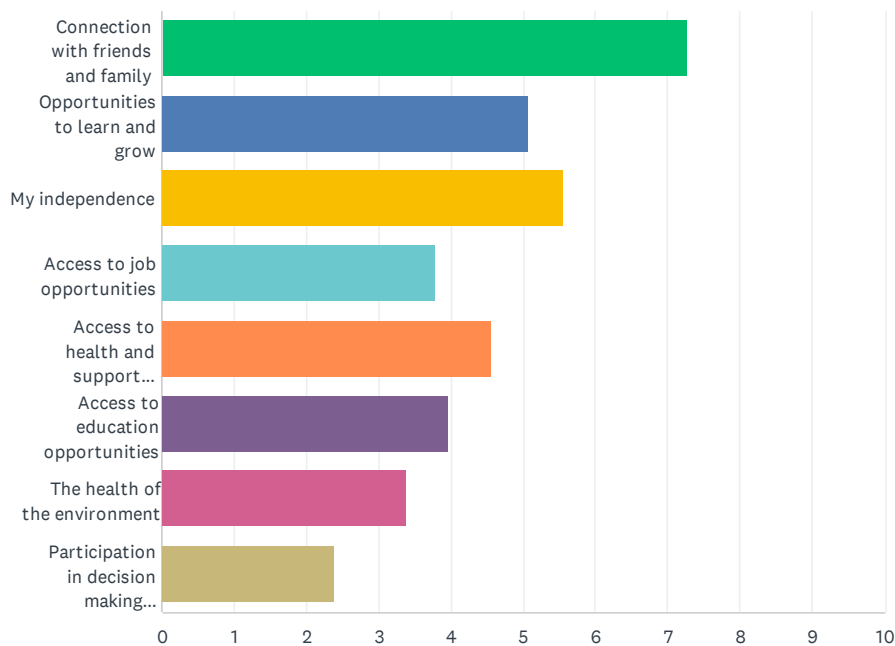


ANSWER CHOICES	RESPONSES	
Hang out with friends	90.93%	341
Spend time in nature	49.60%	186
Play sports	61.60%	231
Play music	49.33%	185
Go out to events	57.07%	214
Draw or paint	37.07%	139
Play video games, Play tabletop or roleplay games	52.53%	197
Spend time with family	73.33%	275
Learn new skills	44.00%	165
Other (please specify)	14.13%	53
Total Respondents: 375		

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

Q8 Please rank the following things in order of importance, with 1 being the most important and 8 being the least important.

Answered: 336 Skipped: 53



	1	2	3	4	5	6	7	8	TOTAL	SCORE
Connection with friends and family	63.99% 215	19.05% 64	8.33% 28	2.68% 9	2.38% 8	2.38% 8	0.30% 1	0.89% 3	336	7.27
Opportunities to learn and grow	7.44% 25	19.05% 64	20.83% 70	16.67% 56	14.58% 49	9.82% 33	6.85% 23	4.76% 16	336	5.07
My independence	15.18% 51	23.21% 78	20.24% 68	13.39% 45	11.61% 39	7.44% 25	6.55% 22	2.38% 8	336	5.57
Access to job opportunities	1.49% 5	5.65% 19	12.20% 41	19.94% 67	16.07% 54	15.18% 51	16.67% 56	12.80% 43	336	3.80
Access to health and support services	4.76% 16	16.37% 55	12.20% 41	16.37% 55	20.54% 69	12.20% 41	12.20% 41	5.36% 18	336	4.56
Access to education opportunities	1.49% 5	7.74% 26	11.61% 39	17.26% 58	16.96% 57	24.11% 81	13.10% 44	7.74% 26	336	3.96
The health of the environment	5.36% 18	6.55% 22	7.14% 24	8.63% 29	11.31% 38	15.48% 52	27.08% 91	18.45% 62	336	3.39
Participation in decision making opportunities	0.30% 1	2.38% 8	7.44% 25	5.06% 17	6.55% 22	13.39% 45	17.26% 58	47.62% 160	336	2.38

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

Q9 Please let us know if there are any other things that are really important to you.

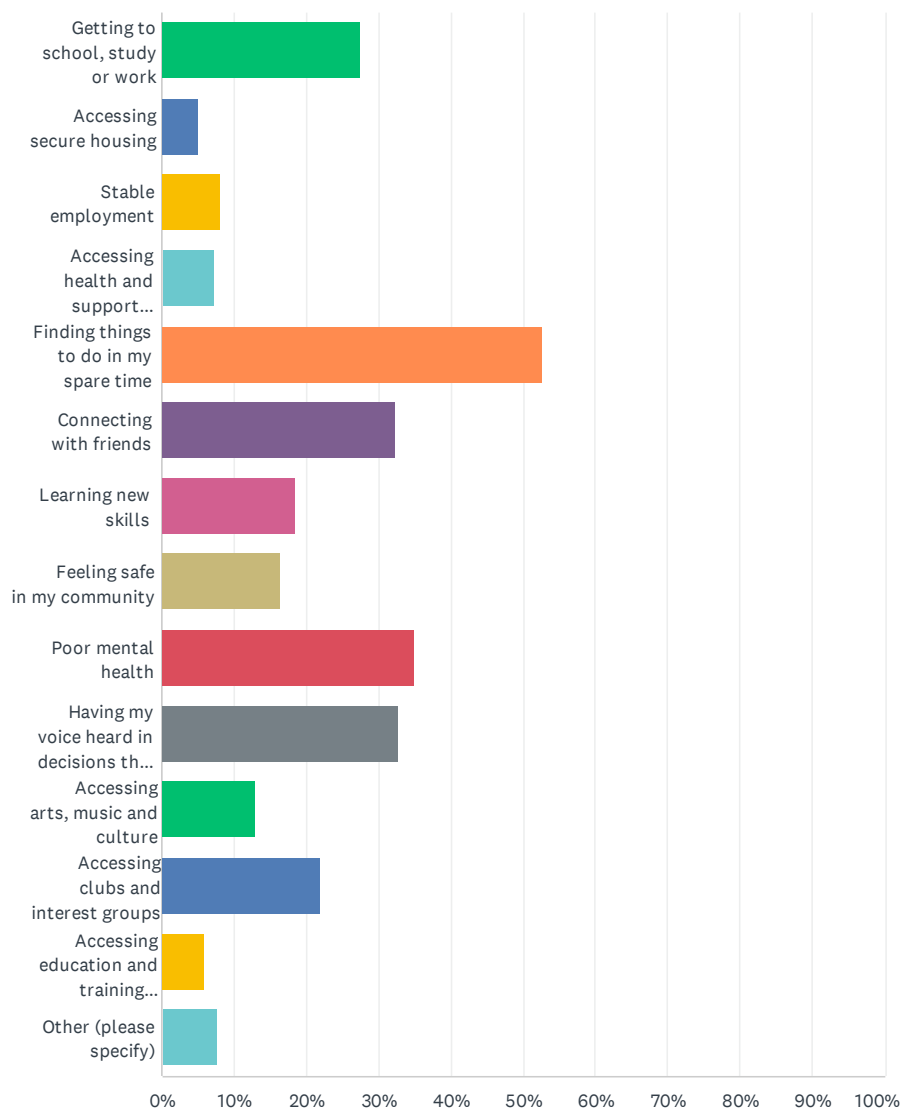
Answered: 85   Skipped: 304

Freedom need shops opportunities youth fun school pets art animals us  
important meet people sport fish really ride things make  
people live think time

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

### Q10 Please let us know if you have challenges with any of the following (select all that apply)

Answered: 232 Skipped: 157



## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

ANSWER CHOICES	RESPONSES	
Getting to school, study or work	27.59%	64
Accessing secure housing	5.17%	12
Stable employment	8.19%	19
Accessing health and support services	7.33%	17
Finding things to do in my spare time	52.59%	122
Connecting with friends	32.33%	75
Learning new skills	18.53%	43
Feeling safe in my community	16.38%	38
Poor mental health	34.91%	81
Having my voice heard in decisions that affect me	32.76%	76
Accessing arts, music and culture	12.93%	30
Accessing clubs and interest groups	21.98%	51
Accessing education and training opportunities	6.03%	14
Other (please specify)	7.76%	18
Total Respondents: 232		

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

## Q11 Are there any other things you wish you had access to?

Answered: 97 Skipped: 292

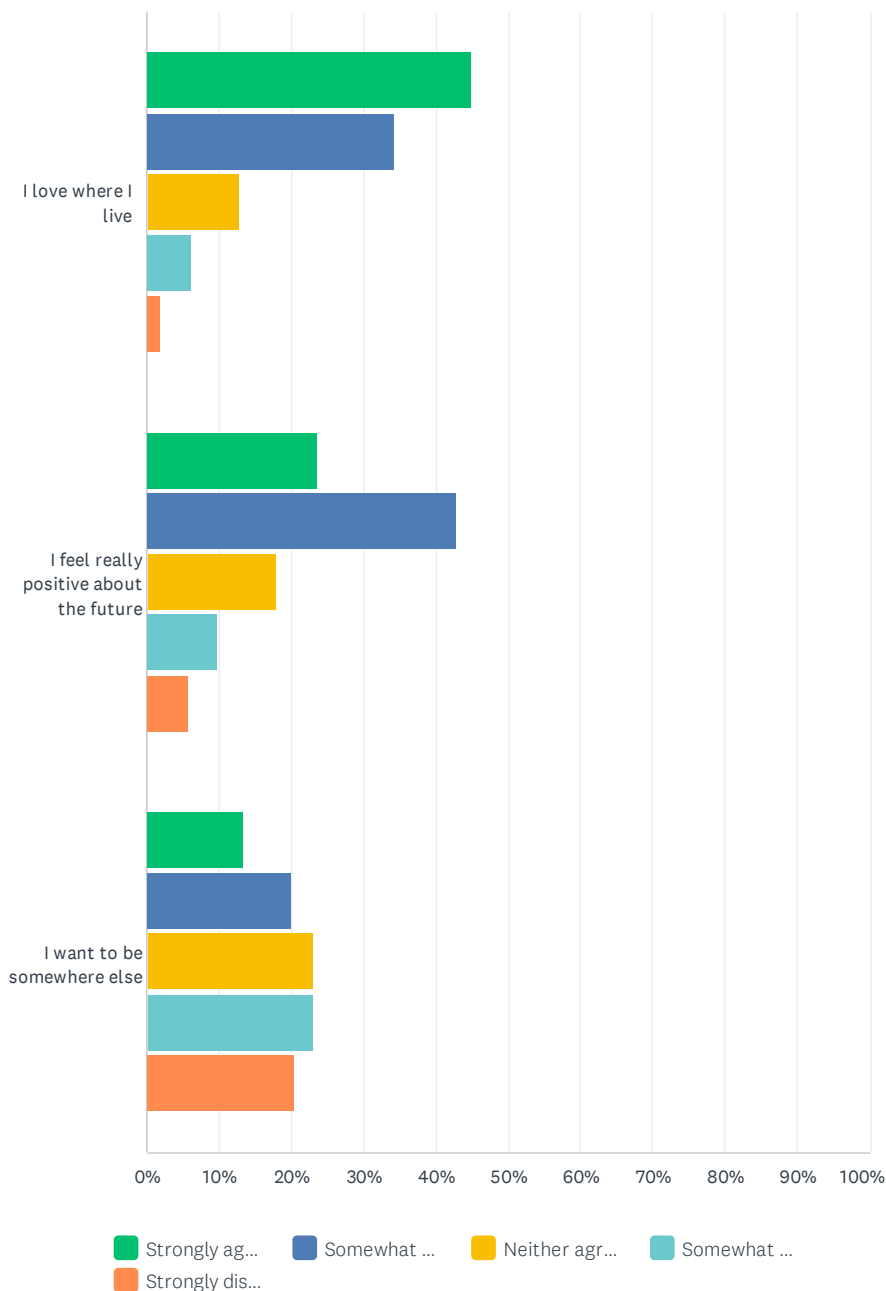
Koroit Basketball courts public transport areas local music access meet gym  
school sports things better travel people jobs really facilities  
shops wish access town games



## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

Q12 Please let us know whether you agree or disagree with the following statement about the community in which you live:

Answered: 327 Skipped: 62



## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

	STRONGLY AGREE	SOMEWHAT AGREE	NEITHER AGREE NOR DISAGREE	SOMEWHAT DISAGREE	STRONGLY DISAGREE	TOTAL
I love where I live	44.95% 147	34.25% 112	12.84% 42	6.12% 20	1.83% 6	327
I feel really positive about the future	23.69% 77	42.77% 139	17.85% 58	9.85% 32	5.85% 19	325
I want to be somewhere else	13.50% 44	19.94% 65	23.01% 75	23.01% 75	20.55% 67	326

## Moyne &amp; Warrnambool Youth Strategy: Youth Survey

Q13 If you could pick three words to describe your aspirations for the future, they would be ...

Answered: 258 Skipped: 131

Happiness hard work fulfilling independent caring health good inspiring friendships  
 know loved learning money success Sport adventure fun exciting  
 happy rich family enjoyable travel bright successful  
 hopeful healthy succesful happy healthy Study creative University friends  
 stable

## Appendix E: Adult survey results

Moyne & Warrnambool Youth Strategy: Adult Survey

## Q1 Where do you live?

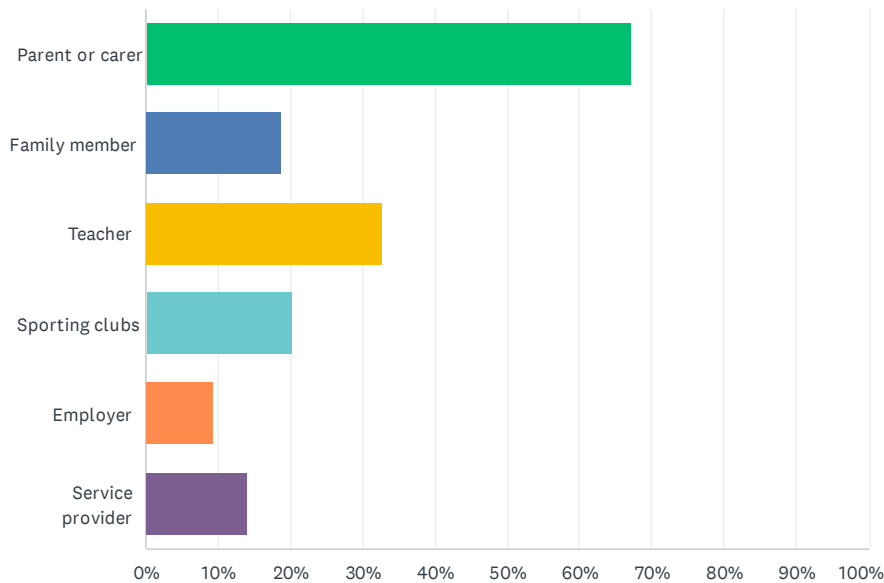
Answered: 67   Skipped: 1

Port Fairy Koroit Warrnambool

## Moyne &amp; Warrnambool Youth Strategy: Adult Survey

## Q2 How do you engage with young people? (Select all that apply)

Answered: 64 Skipped: 4



ANSWER CHOICES	RESPONSES	
Parent or carer	67.19%	43
Family member	18.75%	12
Teacher	32.81%	21
Sporting clubs	20.31%	13
Employer	9.38%	6
Service provider	14.06%	9
Total Respondents: 64		

Moyne & Warrnambool Youth Strategy: Adult Survey

Q3 From your perspective, what are the biggest issues facing young people in the region?

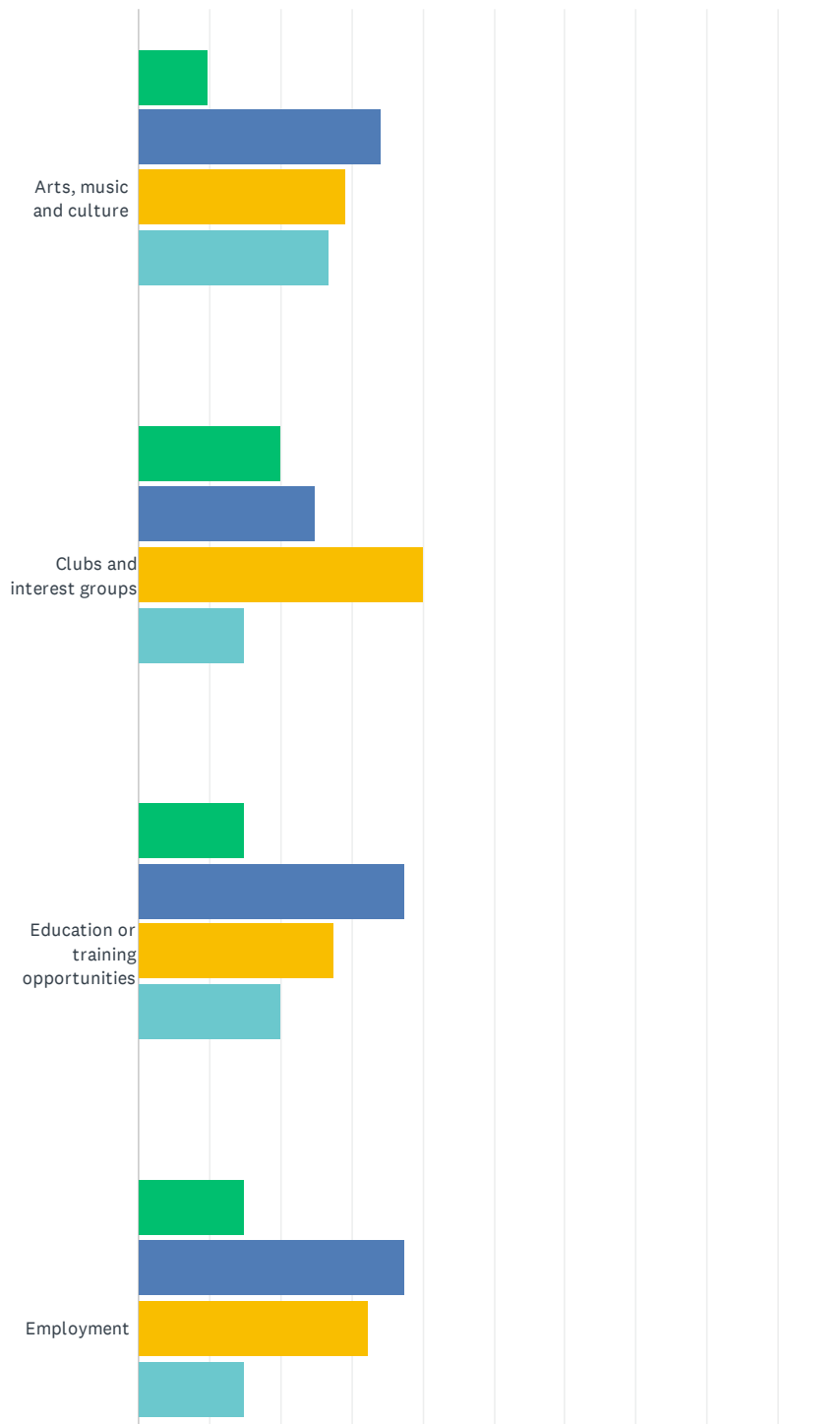
Answered: 37 Skipped: 31

Disengagement young people Social media connection events addiction school  
engagement transport activities **Lack** groups social will sports  
Mental health Bullying need

## Moyne &amp; Warrnambool Youth Strategy: Adult Survey

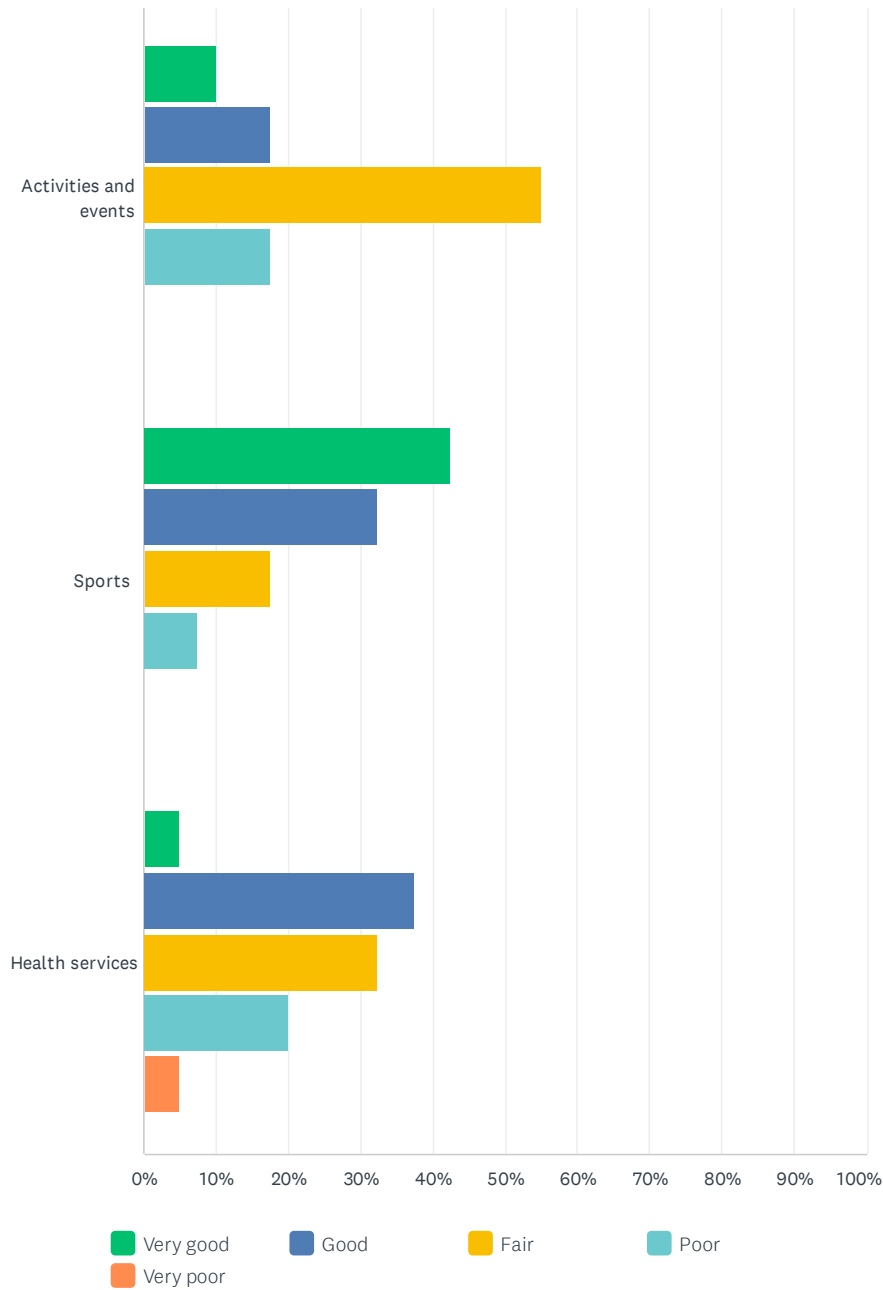
## Q4 How would you rate young people's access to the following things:

Answered: 41 Skipped: 27





Moyne &amp; Warrnambool Youth Strategy: Adult Survey



## Moyne &amp; Warrnambool Youth Strategy: Adult Survey

	VERY GOOD	GOOD	FAIR	POOR	VERY POOR	TOTAL
Arts, music and culture	9.76% 4	34.15% 14	29.27% 12	26.83% 11	0.00% 0	41
Clubs and interest groups	20.00% 8	25.00% 10	40.00% 16	15.00% 6	0.00% 0	40
Education or training opportunities	15.00% 6	37.50% 15	27.50% 11	20.00% 8	0.00% 0	40
Employment	15.00% 6	37.50% 15	32.50% 13	15.00% 6	0.00% 0	40
Activities and events	10.00% 4	17.50% 7	55.00% 22	17.50% 7	0.00% 0	40
Sports	42.50% 17	32.50% 13	17.50% 7	7.50% 3	0.00% 0	40
Health services	5.00% 2	37.50% 15	32.50% 13	20.00% 8	5.00% 2	40

## Moyne &amp; Warrnambool Youth Strategy: Adult Survey

Q5 From your perspective, what would make the lives of young people in the region better?

Answered: 35 Skipped: 33

young people work students people support around  
 opportunities mental health youth parents Better  
 don't school help kids events sports also  
 needs t access funding activities courses services

## Moyne &amp; Warrnambool Youth Strategy: Adult Survey

Q6 If you could pick three words to describe your aspirations for the future of the region's young people, they would be ...

Answered: 33 Skipped: 35

Connected Empowered Healthy supported happy opportunity  
engaged Independent

# FUTURE TENSE



Moyne Shire Council and Warrnambool City  
Council

# Gender Impact Assessment *Moyne & Warrnambool Youth Strategy*

Gender Equality Act 2020

## Contents

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Step 1 – Define the Issues and challenge assumptions .....	3
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PART C – The importance of consultation and Meaningful Stakeholder Engagement.....	6
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Step 4 – Make Recommendations.....	8
Declaration.....	9

## Step 1 – Define the Issues and challenge assumptions

### 1. The Issue

Neither shire have an existing strategy that addresses the current demographic and societal challenges for the needs of all genders and culturally diverse youth.

### 2. Focus of the assessment

The Strategy establishes a new direction for Council, aimed at building strong foundations for our young people. It will outline Council's commitment and guide resource allocation to ensure that youth needs and aspirations are met equitably, providing access and opportunities for all young people.



## Step 2 – Understand your context

### PART A – What Information might you have?

1. **What is available to understand who is likely to be affected by the policy, program or service? *List available information.***

Based on principles and actions from Moyne Shire 2040 Community Vision and Council Plan 2021-2025

Moyne Youth Strategy 2020-2024

Our Promise, Your Future: Victoria's Youth Strategy 2022-2027

Warrnambool 2040 and Warrnambool Council Plan 2021-2025

2. **What information is available to understand the lived experiences of the diverse groups who will be affected by this policy program or service? *List available information***

Perception data such as ABS Dat, other government agencies such as health and education services as well as youth services stakeholders that will be captured within the proposed engagement plan.

A diverse representative Youth Co-design panel.

3. **How is the policy, program or service likely to have different impacts for different people? *List available information***

Strategy will provide framework to encourage access, inclusion, strengthen community connections.

Differentiated approach to the needs, aspirations and goals of the demographic spread of young people.

Build and strengthen relationships with youth service providers across the region.

### PART B – What Information might you need?

1. **How can you use data and research to get the information you need? Think about how gender shapes the context you are working on.**

Relevant data and policy insights will guide the development of strategies and actions to support youth across diverse demographic groups in their transition to adulthood. This data will also shape a well-informed and inclusive Engagement Plan.

### PART C – The importance of consultation and Meaningful Stakeholder Engagement

1. **Are there avenues to gather perspectives directly from women and diverse communities to build your understanding of the context?**

The co-design panel will feature a diverse mix of members across genders, LGBTQIA+ identities, cultural backgrounds, and both urban and rural areas within the Warrnambool and Moyne regions. The Engagement Plan will include public consultations and online forums, promoted by both councils to ensure broad reach. Additionally, targeted consultations will take

place at key cultural and youth events to capture a wide range of perspectives from women and diverse communities.

### Step 3 – Options Analysis

1. For each option describe the proposed policy solution, or design of the program or service you are working on.

Clearly identify council's role in delivery and support of programs and services.

Identifying the programs that Council will directly manage and implement

Defining actions and initiatives to effectively support the strategy's delivery, addressing the diverse needs of young people across the region.

Assessing current strengths and challenges, as well as future opportunities and anticipated impacts, to ensure the strategy remains responsive and forward focused.

## Step 4 – Make Recommendations

### 1. What is your Recommendation address the issue/s raised at Step 1

Define the roles of Council, key stakeholders, and funding partners in delivering youth programs and activities to ensure clarity and effective collaboration.



The plan will outline a series of short, medium and long term actions with timeframes. Additionally, incorporate a continuous cycle of review and improvement within the action plan to adapt and respond to emerging needs effectively.

This approach will strengthen accountability and adaptability in program delivery.

## Declaration

We have taken all necessary steps to apply a gender lens. We are confident it meets the different needs of all Victorian community members and supports equal access to resources and opportunities. We have:

- ☒ Challenged our own assumptions and identified gaps in gender knowledge.
- ☒ Worked as a team to identify who is likely to be impacted by this policy, program or service and what gendered factors might influence the way different community members are impacted.
- ☒ Conducted desktop research and analysed gender-disaggregated statistics to investigate how issues of gender, cultural identity, ability, sexual orientation, gender identity, age or religion might shape how the project is implemented or experienced.
- ☒ Undertaken collaborative approaches to consultation and engagement to understand the needs of users
- ☒ Developed options that improves the gender-related benefits and costs.
- ☒ Made a recommendation with rationale which is considerate of the above and caters for people of different genders; addresses gender inequality; and promotes gender equality.
- ☒ Our issue, context factors and research, options and recommendations have been recorded in the Gender Equality Action Plan Register

<p>Signed:</p> 	<p>Signed:</p> 
<p>Name: Rebecca Elmes Officer title: Community Planning Officer Date: 16 July 2024</p>	<p>Name: Charlotte Dumesny Officer title: Youth Engagement Coordinator Date: 16<sup>th</sup> July 2024</p>

## 7.4. Draft Asset Disposal Policy

*DIRECTORATE : City Infrastructure*

Purpose:

*The purpose of this report is to present the draft Asset Disposal Policy to Council for consideration.*

---

### Executive Summary

Council has a significant asset portfolio which consists of a diverse range of assets across a range of asset classes.

The Asset Disposal Policy (the Policy) has been drafted to guide appropriate disposal practices when staff are disposing of assets, including through selling, trading, decommissioning or gifting.

The Policy defines methods allowable for the disposal of Council owned assets where a process for disposal is not otherwise governed by legislation, regulations, or other policies, plans or practices specific to the individual asset class, for example such as roads where the Road Management Act 2004 applies.

The Policy is a Council policy and is submitted to Council for consideration with a recommendation to adopt.

---

**MOVED: CR BILLY EDIS**

**SECONDED: CR MATTHEW WALSH**

**That Council adopts the Asset Disposal Policy.**

**CARRIED - 7:0**

---

### Background

The Policy has been developed to provide guidance to staff and establish governance for informed decision making and effective controls that will reduce risks associated with asset disposal.

The policy defines methods allowable for disposal of Council assets and will ensure that disposals are executed correctly. Assets are to be disposed of in a fair and transparent manner with consideration given to the condition, compliance and market value of an asset, as well as consideration of the ongoing need or purpose of the asset when determining the appropriate method for disposal.

The Policy principles include:

- Assets should be disposed of in a fair and transparent manner.
- Where possible and appropriate, a reasonable return on the asset should be sought by selling the asset at current market value
- Assets that have no market value can be considered for gifting to a not-for-profit organisation, however, this should be done in a fair and transparent manner such as through an Expression of Interest (EOI) process where expressions are sort from all relevant NFPs.

- Any relevant legislation or policies must first be considered before applying this policy to the disposal of an asset. Any specific policies or legislation relevant to a specific asset class will supersede this policy.

The appropriate methods of disposal and the related process, and the disposal considerations and factors to be assessed prior to disposal are outlined in Policy, as at Attachment 1 of this report.

The policy ensures appropriate authorisation of decisions to dispose of assets in line with the Council's financial delegations.

### Issues

To minimise the risk of a conflict of interest in the disposal of Council assets, the policy outlines rules in relation to purchases of Council assets by Councillors and Council Officers.

The policy states:

*Councillors, Council officers, or any member of a Councillor or Council officer's household are not permitted to purchase or claim assets being disposed of by Council, unless the purchase is via a public tender or public auction process.*

*The Councillor or Council officer must not have been involved in the decision to dispose of the asset, or involved in any process to determine the market value of the asset prior to sale if they intend to bid on a Council asset that is for sale.*

*Section 128 of the Local Government Act 2020, material conflicts of interest, apply to the disposal of Council Assets. If any Councillor or Council Officer intends to bid on a Council Asset, they should consider seeking guidance from the Manager Governance prior to the sale.*

### Financial Impact

Effective asset disposal forms part of an effective strategic asset management approach. By appropriately considering the need, value, purpose and costs of an asset, an informed decision with regards to asset disposal can be made. This Policy aims to support informed decision making.

### Legislation / Policy / Council Plan Context

An Asset Disposal Policy does not currently exist. Some asset specific legislation, regulations and policies do exist, however, to assist staff with disposing of assets that are not otherwise covered, this policy has been created to support suitable practices when disposing of assets.

### Timing

Once the Policy has been adopted by EMT, the adopted version will be placed on the intranet, and a notification will be circulated to all staff notifying them of the new policy.

### Community Impact / Consultation

The draft Policy has been reviewed by the Coordinator Strategic Asset Management and has been circulated to the Senior Leadership Team for their feedback.

### Legal Risk / Impact

The Policy provides good governance to the process of disposing of Council assets, helping to mitigate potential risks associated with unregulated asset disposals.

### Officers' Declaration of Interest

Nil.

### Collaborative Procurement

N/A

### Conclusion

This Policy has been created to support staff with fair and transparent asset disposal of Council assets. It is recommended to Council for adoption.

### ATTACHMENTS

1. DRAFT Asset Disposal Policy 2024 (1) [7.4.1 - 9 pages]





WARRNAMBOOL  
CITY COUNCIL

## Disposal of Assets Policy

APPROVAL DATE: December 2024

REVIEW DATE: November 2028

**ASSET DISPOSAL POLICY****DOCUMENT CONTROL**

<b>Document Title:</b>	<i>Disposal of Assets Policy</i>
<b>Policy Type:</b>	<i>Council</i>
<b>Responsible Branch:</b>	<i>City Infrastructure</i>
<b>Responsible Officer:</b>	<i>Manager Strategic Assets, Property and Projects</i>
<b>Document Status:</b>	<i>Draft</i>
<b>Approved By:</b>	<i>Council</i>
<b>Approved Date:</b>	<i>December 2024</i>
<b>Review Date:</b>	<i>November 2028</i>

**OUR ORGANISATIONAL VALUES****WORKING TOWARDS A BETTER WARRNAMBOOL**

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Responsible Branch: City Infrastructure | Approved Date: December 2024 | Review Date: November 2028

## ASSET DISPOSAL POLICY



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## ASSET DISPOSAL POLICY



### 1. INTRODUCTION

#### 1.1. Purpose

This Asset Disposal Policy (Policy) defines methods allowable for the disposal of Council owned assets where a process for disposal is not otherwise governed by legislation, regulations, or other policies, plans or practices specific to the individual asset class, for example roads, which are governed by the Road Management Act 2004 applies.

Where an asset is proposed to be disposed of, this Policy is to be considered to ensure disposal procedures of Council assets are executed correctly.

#### 1.2. Scope

This Policy applies to all Council officers, Councillors, purchasers of Council assets, and non-for-profits who receive assets donated by Council.

This policy does not apply to the sale of land which is outlined in the Sale and Acquisition of Land Policy and is the *Local Government Act 2020*, or any other asset class that is governed by legislation, regulations, or other policies, plans or practices specific to the individual asset class.

#### 1.3. Definitions

Term	Definition
<b>Council</b>	Refers to Warrnambool City Council.
<b>Asset</b>	Item or property of value owned by a person or company
<b>Not-for-profit (NFP)</b>	Not-for-profit organisations that provide services to the community and do not operate to make a profit for its members, with profits instead going back into the services the organisation provides. Not-for-profit organisations include charities.
<b>Market value</b>	The value of an asset that it would achieve if sold. Market value can be determined by having the asset appraised, considering the asset against other like assets that may be for sale or has recently been sold via a similar process, or by letting the market determine the value of an asset via an open process such as an Expression of Interest or Auction, where the highest bid wins.

### 2. POLICY STATEMENT

Warrnambool City Council will dispose of Council assets in a fair and transparent manner with consideration given to the condition and compliance of the asset, its market value, and

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## ASSET DISPOSAL POLICY



the ongoing need or purpose of the asset in determining the most appropriate method of disposal.

### 3. POLICY

This Policy provides guidance on asset disposal and the factors for determining whether a Council asset is applicable for disposal.

The following principles apply to the disposal of assets at Warrnambool City Council:

- Assets should be disposed of in a fair and transparent manner.
- Where possible and appropriate, a reasonable return on the asset should be sought by selling the asset at current market value
- Assets that have no market value can be considered for gifting to a not-for-profit organisation, however, this should be done in a fair and transparent manner such as through an Expression of Interest (EOI) process where expressions are sort from all relevant NFPs.
- Any relevant legislation or policies must first be considered before applying this policy to the disposal of an asset. Any specific policies or legislation relevant to a specific asset class will supersede this policy.

#### 3.1. Considerations when determining if an asset is to be disposed

- Condition of the asset
- Current market value of the asset (can be determined through market appraisal, valuation, or benchmarking processes, or via asset information, etc.)
- Current and ongoing maintenance costs
- Current or future liabilities (i.e. heritage protection, EPA or other statutory body requirements or regulations)
- Frequency of use of asset
- Purpose of asset
- Any cultural significance
- Gender Equity and Intersectionality implications or impacts
- Potential risks associated with the asset being disposed
- Financial impacts if asset is disposed
- Council's long term and strategic plans
- Conflict of interests

#### 3.2. Authority to Dispose

The authorisation to dispose of an asset must be provided by the relevant Council Officers in accordance with current financial delegations. The financial delegations, as set out in the Procurement Policy, outline which roles have the authority to make a decision to dispose of an asset based on the current market or replacement value of the asset.

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## ASSET DISPOSAL POLICY



A secondary sign off on the disposal of an asset is required by the relevant Manager, Director, CEO or Council.

Financial Delegation Amounts*	Authorised Council Officer
\$400,000 +	Council
<\$400,000	Chief Executive Officer
<\$200,000	Director
<\$100,000	Manager

\*These figures are taken from the Procurement Policy.

Where an asset is deemed to have no market value or is considered suitable for donation, where suitable, the CEO can approve a direct donation to a not-for-profit without an Expression of Interest process being required.

An email or Council resolution must be recorded in Council's records management system showing two parties with relevant authority and/or the Council via resolution have agreed to the disposal prior to the disposal taking place.

### 3.3. Disposal Methods

#### 3.3.1. Disposal method consideration

Consideration of the appropriate disposal method should include the below;

- Value of the asset
- Financial losses, if any, as a result of disposal of an asset
- Compliance with relevant standards, and current condition of the asset and any potential or actual health and safety issues/risks
- Community demand for the asset
- Revenue to Council

#### 3.3.2. Acceptable Methods of Disposal

Disposal Method	Process
Public Tender	Openly seeking bids through a fair tender process
Sale or Auction	Upon obtaining a current valuation or price appraisal, procure the services of an auctioneer or auction service to facilitate a sale by auction (in compliance with Council's Procurement Policy), or undertake a public sale process where the item is offered openly for sale at market value.

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## ASSET DISPOSAL POLICY



Expression of interest	Seeking expression of interest from a potential buyers
Donation	A Council owned asset is donated to a non-profit organisation to be done through a transparent and competitive process.
Destroyed/Recycled	Depending on the condition and usability of the asset, the asset may hold no value resulting in recycling or writing off the asset due to it being beyond its repair period or no longer meets required standards or compliance requirements.
Trade-in	Trading in an asset as part of a process to purchase another item, such as via a MAV Panel in the case of heavy plant, or direct with a supplier.

### 3.3.3. Examination prior to disposal

All relevant assets are required to be checked for any of the below prior to being disposed:

- Confidential information or files
- Unsafe materials
- Extra add-ons not intended to be disposed
- Any organisational logos; must be removed prior
- Any software programs or hard drives installed in equipment; must be removed prior
- Any damage to an asset that will affect future use
- Compliance with any relevant standards or codes.

### 3.3.4. Reasoning for Disposal

Goods can be disposed due to the following;

- No longer required by the organisation
- Asset no longer meet the need of the original purpose purchased for
- Asset does not comply with health and safety or other relevant standards anymore
- Asset is required to be updated or renewed
- Best value will be obtained from trading the asset in and replacing it

## 3.4. Condition of Sale or Donation

Upon accepting a donated or sold asset, the recipient is acknowledging that no form of insurance or warranty is provided by Council and that Council are not accountable for the asset in any way once transition of ownership of the asset has occurred.

### 3.4.1. Buyers Risk

Recipients are responsible for completing an inspection of the state of assets, Council is not accountable for any repairs or maintenance once asset ownership has occurred. Any

## OUR ORGANISATIONAL VALUES

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Responsible Branch: City Infrastructure | Approved Date: December 2024 | Review Date: November 2028

## ASSET DISPOSAL POLICY



faults with the asset are at the buyer's risk.

### 3.5. Low-value or no value Assets

In the case of an asset that has a market or written down value below \$1000, and that is not in good condition or holds no market value or there simply isn't any interest or market for the asset to be sold or donated, the asset can be considered for direct destruction, recycling or broken down into parts for an alternate use.

### 3.6. Purchases by Councillors and Council Officers

Councillors, Council officers, or any member of a Councillor or Council officer's household are not permitted to purchase or claim assets being disposed of by Council, unless the purchase is via a public tender or public auction process.

The Councillor or Council officer must not have been involved in the decision to dispose of the asset, or involved in any process to determine the market value of the asset prior to sale if they intend to bid on a Council asset that is for sale.

Section 128 of the *Local Government Act 2020*, material conflicts of interest, apply to the disposal of Council Assets. If any Councillor or Council Officer intends to bid on a Council Asset, they should consider seeking guidance for the Manager Governance prior to the sale.

## 4. REFERENCES AND RELATED DOCUMENTS

- Sale and Acquisition of Land Policy
- Asset Management Policy
- Procurement Policy
- Fleet Policy
- Asset Management Strategy
- Asset Plan 2022-2032
- Asset Accounting Policy
- Annual Budgets and Business Plans
- Risk Management Policy, Plans and Strategy
- Asset Management Plans (various)
- Local Government Act 2020
- Privacy and Data Protection Act 2014
- Road Management Act 2004
- Gender Equality Act 2020

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## ASSET DISPOSAL POLICY



### 5. GOVERNANCE

#### 5.1. Owner

The Manager Strategic Assets, Property and Projects is responsible for this policy.

#### 5.2. Review

The Policy will be monitored regularly to ensure its relevance, Council goals and targets and statutory requirements.

The Policy will be reviewed at intervals not greater than 4 years.

#### 5.3. Compliance Responsibility

The responsibilities and relationships associated with asset disposal within Council are:

##### 5.3.1. Council

- Provide leadership and consider asset management principles, the Asset Management Policy, and any other policies, legislation or regulations when considering disposal of an asset.
- To review and adopt the Asset Disposal Policy.

##### 5.3.2. Executive Management Team (Chief Executive and Directors)

- Ensure this policy is understood, applied and observed within the organisation
- Provide leadership and consider asset management principles, the Asset Management Policy, and any other policies, legislation or regulations when considering disposal of an asset.
- To support Council with informed decision making through providing accurate and timely information on any asset disposal decisions put to Council for consideration.

##### 5.3.3. All Employees

- Employees who are responsible for an asset and its potential disposal are to act in accordance with this policy.
- Confirmation of appropriate authority and approval to dispose of the asset must be recorded in Council's records management system.
- Notification of the disposal of the asset must be issued to the Strategic Asset Management Team.

## OUR ORGANISATIONAL VALUES

WORKING TOWARDS A BETTER WARRNAMBOOL



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Responsible Branch: City Infrastructure | Approved Date: December 2024 | Review Date: November 2028

## 7.5. Award of Contract 2024042 - City Kindergarten Entrance

- *Cr. Edis declared a conflict of interest and left the meeting at 6.03pm.*

### *DIRECTORATE : City Infrastructure*

#### Purpose:

*The purpose of this report is to provide information on Tender 2024042 – City Kindergarten Entrance and recommend an award to Bolden Constructions Pty Ltd.*

---

### Executive Summary

Council sought and were successful in receiving funding from the State Government to undertake works at the City Kindergarten at Swan Reserve to improve flow and function of the facility which provides both early learning and maternal child health services.

Council publicly advertised a tender for the partial demolition and construction of the new entryway at Swan Reserve on Friday, 31 August 2024, which was open to submission for a period of six (6) weeks.

A tender evaluation of the tender submissions was completed by the Tender Evaluation Panel. Bolden Constructions Pty Ltd is the recommended tenderer to be awarded the Contract as they were determined to have the highest weighted score and, therefore, deemed best value for money.

---

MOVED: CR MATTHEW WALSH

SECONDED: CR VICKI JELLIE

#### That Council:

1. Award Contract No. 2024042– City Kindergarten Entrance to Bolden Constructions Pty Ltd for the tendered amount of \$515,483.59 excl. GST, with a total value of \$567,031.95 incl. GST.
2. Authorise Council Officers to deliver the City Kindergarten Entrance in accordance with the contract under the financial delegations detailed within the Procurement Policy.
3. Authorise the CEO to sign, seal and vary the contract as required.

CARRIED – 6:0

---

### Background

Kindergarten reforms over the past 10-15 years have increased the number of hours the kindergarten operates and has resulted in the building no longer being fit for purpose.

Additionally, with the rollout of funded 3-year-old kindergarten in 2022 and the State Government's recent announcement regarding Pre-Prep (4-year-old Kindergarten) hours doubling from 2026, the challenges faced around the current design and functionality of building no longer meet the needs for delivery of this service.

The tender was advertised as a construct only contract, with the works planned for commencement in early 2025.

The three tender submissions received were conforming and comparable. A tender evaluation panel was convened and completed assessments of the tenders received, with Bolden Constructions Pty Ltd being determined by the tender evaluation panel to be best value for money as they received the highest weighted score.

### Issues

The site is deemed 'brownfield' as it was not achievable to inspect all areas of the building, inclusive of footings and foundations, at the time of designing, therefore, additional expenditure within the allocated budget may be required.

With construction activity occurring next to the kindergarten, there will be times where the service will not function on the site. This will be managed by planning between the project manager and the service manager.

Of the three submissions received, two scored high against evaluation criteria such as methodology, however, Bolden Construction Pty Ltd provided the lowest price submission.

Bolden Construction Pty Ltd have undertaken recent projects with Council including the redevelopment of the Jetty Flat Recreation Reserve Club Rooms, and the McGennan's Amenity Block, with both projects being delivered successfully and to a high-quality.

### Financial Impact

This project is being funded from the following sources:

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
Department of Education and Training - Grant	\$ 384,000
State Funding	\$ 105,405
Warrnambool City Council	\$ 94,959
<b><u>TOTAL FUNDING</u></b>	<b>\$ 584,364 ex GST</b>

Bolden Constructions Pty Ltd tendered the amount of \$515,483.59 excl. GST. It is noted that, in line with identified risks, due to the build occurring on a brownfield site, if any variations are required under the contract due to unforeseen issues arising during construction, per the above table, there is a small amount of contingency within the budget available.

Consideration was given to a reduction in the scope of works in order to bring the total project cost more in line with the grant funding provided by the Department of Education and Training, however, in order to achieve the objectives of the project, the detailed design was required to be delivered in full.

## Legislation / Policy / Council Plan Context

### **1 A healthy community**

1.4 An accessible city: Council will improve physical and social accessibility to community services, facilities, places and precincts.

### **5 An effective Council**

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

## Timing

The contract's construction phase will be planned to commence February with a mid-year completion date.

## Community Impact / Consultation

With construction activity occurring next to the kindergarten, there will be times where the service will not function on the site. This will be managed by planning between the project manager and the service manager.

Access will be provided to the Swan Reserve toilet block and Children Services centre at all times.

## Legal Risk / Impact

Separating the users of the building by providing specific accesses will enhance the safety and functionality of the building.

## Officers' Declaration of Interest

Nil.

## Collaborative Procurement

Project specific procurement - collaborative procurement not applicable.

## Conclusion

A full procurement process has been undertaken. After completion of tender assessments of the submissions by the tender evaluation panel, it is determined that the tender from Bolden Constructions Pty Ltd represents best value for Council, and it is recommended that Council award the contract to Bolden Constructions Pty Ltd.

## ATTACHMENTS

Nil

- *Cr Edis returned to the meeting at 6.07pm.*

## 7.6. Planning Scheme Amendment C213warr - Panel Report Adoption

- *Cr. Arnott and Cr. Walsh declared a conflict of interest and left the meeting at 6.08pm.*

### *DIRECTORATE : City Growth*

Purpose:

*This report provides an overview of the combined application for Warrnambool Planning Scheme Amendment C213warr (the Amendment) and Planning Permit Application PP2022-0060, including the panel directions/hearing process, and the panel's report and recommendations to Council. In summary, the findings support Council adopting the amendment and submitting it to the Minister for Planning for approval.*

---

### Executive Summary

- Amendment C213warr seeks to rezone land at Riverview Terrace, Hopkins Point Road and Casuarina Court, Warrnambool, from the Rural Living zone to the General Residential zone (GRZ1). A combined planning application for a 2 lot subdivision at 32 Riverview Terrace is simultaneously proposed. The amendment removes the Design and Development overlay (DDO2) from the land and replaces it with the DDO17.
- During exhibition Council received six submissions and the key issues raised in the submissions include:
  - Impact on flora and fauna resulting in loss of biodiversity and associated impact on neighbourhood character
  - Impact on views from neighbouring properties associated with the two-lot subdivision of 32 Riverview Terrace
  - Requests from government agencies to include certain conditions on any permit issued.
- Council resolved to refer the submissions to an independent Planning Panel appointed by the Minister for Planning. An online directions hearing was held on 31 July 2024 followed by an in person panel hearing at Council offices on 27 August 2024.
- Council received the Panel report on 3 October 2024, and it was publicly released on 11 October 2024.
- The Panel has found that the Amendment is strategically supported and represents a logical extension to the adjoining General Residential zoned land. The Panel also supported the application for subdivision at 32 Riverview Terrace, and concludes that the two lots represent an orderly and logical development of the land. (See **Attachment 1** – Panel Report)

---

MOVED: CR RICHARD ZIEGELER

SECONDED: CR VICKI JELLIE

That Council:

1. Pursuant to Sections 27(1) and 96F of the Planning and Environment Act 1987 (the Act), receives and considers the Planning Panel's report regarding Amendment C213warr and Planning Permit PP2022-0060 to the Warrnambool Planning Scheme.

2. Pursuant to Section 29(1) of the Act, adopts Amendment C213warr as exhibited, subject to the following change:
  - Revise Design and Development Overlay Schedule 17 to include “in accordance with any approved amendment plan, as approved under Development Plan Overlay Schedule 13” after ‘Protect views from existing dwellings in Banksia Drive and Acacia Court’.
3. Pursuant to Section 96G (1) of the Act, recommends to the Minister for Planning that planning permit PP2022-0060 to subdivide land at 32 Riverview Terrace, Warrnambool (Clause 32.08-3 and Clause 43.02-3) be granted generally in accordance with the ‘Panel Version-Draft planning permit, C213warr’ subject to the deletion of Condition 15b (Attachment 2).
4. Pursuant to Sections 31(1) and 96H (1) of the Act, submits the final amendment, incorporating the panel's recommendations, and Planning Permit PP2022-0060 to the Minister for Planning for approval.

CARRIED - 5:0

## Background

This combined planning permit application and planning scheme amendment rezones land at 31, and 32-34 Riverview Terrace; Serendipity Drive (Nos. 1/30, 2/.30, 3/30, 4/30, 5/30 and 6/30 Riverview Terrace); Casuarina Court, and 4, 6, and 10-12 Hopkins Point Road, Warrnambool from Rural Living zone to General Residential zone. The amendment also deletes Schedule 2 of the Design and Development Overlay from the land and applies Schedule 17 of the Design and Development Overlay, with a number of minor changes to the content of Schedule 17. Planning permit application PP2022-0060 seeks approval for the two (2) lot subdivision of the land at Lot 1 PS 317314K, known as 32 Riverview Terrace, Warrnambool.

Land affected by the amendment is outlined in red in Figure 1.



Figure 1 - Land affected by this amendment

The proposed two lot subdivision of 32 Riverview Terrace is detailed in Figure 2.



Figure 2 – proposed two lot subdivision of 32 Riverview Terrace, Warrnambool (PP2022-0060)

The amendment was authorized by the Department of Transport and Planning and was placed on public exhibition between April 18th and May 20th, 2024.

Six submissions were received, where two of those submissions were from government agencies, namely Wannon Water and DEECA.

Council resolved to refer the submissions to an independent Planning Panel, appointed by the Minister for Planning on July 1, 2024. An online panel hearing was held on 31 July 2024 followed by a panel hearing at Council offices on 27 August 2024 attended by three parties including a Council representative, the proponent, and one of the owner's representatives. Two site inspections were also undertaken by the panel chair, Annabel Paul on 26 and 27<sup>th</sup> of August.

## Issues

- **Submissions and panel procedure**

Key issues raised in submissions include:

- o impact on flora and fauna resulting in loss of biodiversity and associated impact on neighbourhood character (Submitters 1 and 2)
- o impact on views from neighbouring properties associated with the two-lot subdivision of 32 Riverview Terrace (Submitters 3 and 4)
- o requests from government agencies (DEECA and Wannon Water) to include certain conditions on any permit issued.



The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report. Only submitter 3 attended the panel hearing and raised the issue of view sharing.

Kings Lawyers (submitter 3) acted on behalf of the owners of 4 Banksia Drive, Warrnambool and made a submission to the combined Amendment / Permit application. This submitter did not request to be heard at the Hearing and did not attend the Directions Hearing. However Planning Panels gave consent for the submitter to attend and present to the Panel Hearing.

At the Hearing, Submitter 3 recommended additional changes to the draft permit including restrictions on the proposed building envelope, a new condition 1 and changes to proposed condition 13 requiring a section 173 agreement. Given the late filing of this submission and raising of new matters, the Panel gave Council and the Proponent until 30 August after the Hearing to respond in writing. Council responded in writing on 28 August 2024.

Planning Panels Victoria (PPV) sent the final report to the Council on 3 October 2024 where the report was made available to all parties who attended the panel hearing on 11 October 2024.

- **Assessment against issues**

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development as set out in Clause 71.02-3 (Integrated decision making) of the Warrnambool Planning Scheme.

The Panel agreed with the Proponent and Council that the proposed rezoning represents a logical extension to neighbouring land in the GRZ1, and that the land to be rezoned is no longer consistent with the objectives or subdivision standards of the RLZ. The current RLZ is inappropriate when considered against the existing pattern of development within the area, the zoning of the adjoining land, and the purposes of the RLZ. Conversely, the proposed GRZ to be applied to the land is consistent with the zoning of surrounding land to the west and east and will provide some landowners with modest development opportunities.

The Panel also supported the removal of DDO2 and replacement of DDO17 to the land as an appropriate change to the planning controls affecting the Amendment land subject to some minor wording revision.

While recognising that the rezoning will allow for some increased development opportunities, the Panel concluded that the Amendment itself will not impact on biodiversity or change the character of the area, and native vegetation impacts will be considered at the time of any future application for subdivision and/or development. Given the existing subdivision pattern, location of housing and access, as well as other constraints such as covenants on some lots, it is not anticipated that the rezoning will lead to substantial greater development with associated vegetation loss, but rather will provide some modest opportunities for development on some lots.



Regarding concerns about the future development of 32 Riverview Terrace and its impact on the views from the owners of 2 and 4 Banksia Drive, located northeast of the subject site, a pole height assessment was conducted during the site inspection on 26 August 2024, with the Panel, Proponent, Council, and the representative of 4 Banksia Drive in attendance. A previous pole height assessment had also been conducted by the proponent, accompanied by representatives of Council and 4 Banksia Drive on 15 July 2024.

The 4 Banksia Drive owners hold the view that the DDO17 creates a legitimate expectation that significant views will not only be reasonably shared but protected. The 2 Banksia Drive owners submitted that they enjoy views to the west across 32 Riverview Terrace from their living room and outdoor balcony. The Panel disagrees with the 4 Banksia Drive owners that their expectation should be for the 'protection of views' rather than one of 'view sharing'. The Planning Scheme refers to allowing for "the reasonable sharing of views to the Ocean and / or Hopkins River from adjoining properties" as described in Clause 11.03-2L-02.

In relation to 2 Banksia Drive, the Proponent acknowledged that any development of the subject land exceeding 5 metres in height will impact on current views from this property towards the Hopkins River. Given the subject site is vacant, they submitted that some development of the land is reasonable, and it would be impractical to limit development to maintain current views.

Following a thorough review of the submissions and the site inspection conducted by the appointed panel, the report concluded that:

- The Amendment is supported by and implements the relevant sections of the Planning Policy Framework and is well founded and strategically justified.
- The Amendment and the subdivision application will not have any unreasonable impacts on biodiversity or the character of the neighbourhood.
- The subdivision will not result in built form that will have any unreasonable impact of views from key public viewing points
- View sharing from neighbouring properties should be considered during application for buildings and works, and be assessed under the provisions of DDO17.
- The building envelope as exhibited should apply without the need for a three-dimensional building envelope or further restrictions on the property title.
- The additional words to limit the 'protection of views' from Banksia Drive and Acacia Court to be in accordance with an approved development plan under Development Plan Overlay Schedule 13 is warranted to ensure no unintended consequence.
- The planning permit PP2022-0060 should be granted subject to conditions.

The report also suggests the following minor revisions:

- Revise Design and Development Overlay Schedule 17 to include "in accordance with any approved development plan, as approved under Development Plan Overlay Schedule 13" after 'Protect views from existing dwellings in Banksia Drive and Acacia Court'.
- Issue planning permit PP2022-0060 to subdivide land (Clause 32.08-3 and Clause 43.02-3) generally in accordance with the 'Panel Version – Draft planning permit, C213warr' subject to the deletion of Condition 15b (Attachment 2) .

- **Benefits**

The amendment will enable a small increase in the provision of residentially zoned land within the existing settlement of Warrnambool, consistent with the strategic directions of the Warrnambool Planning Scheme. It is also clear that the subject sites to be rezoned do not meet the purpose of the Rural Living Zone; the lots are fully serviced, located within the urban settlement boundary and surrounded by existing General Residential zoned land to the east and west. The General Residential Zone is a more appropriate zone for the subject sites. The Panel was satisfied that the Amendment will deliver net community benefit and sustainable development as required by Clause 71.02-3.

### Financial Impact

Costs associated with the panel hearing for Amendment C213warr are accounted for in the 2024/25 City Strategy and Development Budget. Statutory fees associated with the Amendment will be paid by the proponent.

### Legislation / Policy / Council Plan Context

#### 4 A connected, inclusive place

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

### Timing

A resolution is sought to adopt the recommendations of the Panel at the next available Ordinary Meeting. After adopting the amendment and the recommendations made by the Panel, the documents will be submitted to the Minister for Planning for final approval.

### Community Impact / Consultation

Public exhibition of the amendment was undertaken in accordance with the requirements of the *Planning and Environment Act 1987*. This included 63 letters to affected and adjoining landowners, relevant government agencies and Prescribed Ministers. Notice was also placed in the Warrnambool Standard and in the Government Gazette. Amendment documentation was also available on Council's website. All submitters were notified of the Council resolution to refer the amendment to an independent planning panel appointed by the Minister for Planning and were invited to both the online directions hearing and panel hearing by the PPV to express their views on the amendment.

### Legal Risk / Impact

Amendment C213warr has been assessed against the relevant provisions of the Warrnambool Planning Scheme, and in line with the Planning and Environment Act, 1987.

### Officers' Declaration of Interest

None declared.

## Collaborative Procurement

Not applicable

## Conclusion

The amendment proposes to correct an anomalous zone that currently applies to the subject sites. Furthermore, the application of DDO17 to sites within the amendment provides appropriate future guidance on built form, vegetation, view sharing and neighbourhood character.

It is recommended that Council adopt and send this amendment and Planning Permit PP2022-0060 to the Minister for Planning for final approval subject to the aforementioned revisions.

## ATTACHMENTS

1. Warrnambool C 213 warr P P 2022-0060 Panel Report [7.6.1 - 35 pages]
2. FINAL Panel version Draft Planning Permit C213warr 18 Nov 2024 [7.6.2 - 5 pages]

- *Cr. Arnott and Cr. Walsh returned to the meeting at 6.11pm.*

## Planning Panels Victoria

### Warrnambool Planning Scheme Amendment C213warr Planning Permit Application PP2022-0060 Rezoning and subdivision of land, Warrnambool

#### Panel Report

*Planning and Environment Act 1987*

**3 October 2024**



**How will this report be used?**

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority may also recommend to the Minister that a permit that applies to the adopted Amendment be granted. The Minister may grant or refuse the permit subject to certain restrictions. [sections 96G and 96I of the PE Act]

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the PE Act

**3 October 2024**



Annabel Paul, Chair

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## Glossary and abbreviations

The Amendment	Amendment C213warr
Application	Planning Permit Application PP2022-0060
Council	Warrnambool City Council
DDO	Design and Development Overlay
DEECA	Department of Energy, Environment and Climate Change
GRZ	General Residential Zone
PE Act	<i>Planning and Environment Act 1987</i>
RLZ	Rural Living Zone
VCAT	Victorian Civil and Administrative Tribunal

Warrnambool Planning Scheme Amendment C213warr and Planning Permit Application PP2022-0060 | Panel Report | 3 October 2024

## Overview

### Amendment summary

The Amendment	Warrnambool Amendment C213warr
The Application	Planning Permit Application PP2022-0060
Common name	Rezoning and subdivision of land, Warrnambool
Brief description	Rezoning of land in Riverview Terrace, Serendipity Drive and Casuarina Court and subdivision of land at 32 Riverview Terrace, Warrnambool
Subject land	Land in Riverview Terrace, Serendipity Drive and Casuarina Court, Warrnambool and 32 Riverview Terrace, Warrnambool
The Proponent	Owners of 32 Riverview Terrace
Planning Authority	Warrnambool City Council
Authorisation	26 February 2024, with conditions
Exhibition	18 April and 20 May 2024
Submissions	Number of Submissions: 6

### Panel process

The Panel	Annabel Paul, Chair
Supported by	Laura Agius, Panel Coordinator
Directions Hearing	Online, 31 July 2024
Panel Hearing	Warrnambool Council office, 27 August 2024
Site inspections	Accompanied 26 August 2024 and Unaccompanied 27 August 2024
Parties to the Hearing	<ul style="list-style-type: none"> <li>- Warrnambool City Council represented by Louise Lunn, Coordinator City Strategy, Warrnambool City Council</li> <li>- 32 Riverview Terrace owners represented by Steve Myers of Myers Planning Group (Proponent)</li> <li>- Owners of 4 Banksia Drive represented by David King of Kings Lawyers</li> </ul>
Citation	Warrnambool PSA CC213warr and PP Application PP2022-0060 [2024] PPV
Date of this report	3 October 2024



## Executive summary

A combined application comprising Warrnambool Planning Scheme Amendment C213warr (the Amendment) and Planning Permit Application PP2022-0060 (the Application) seeks to rezone land in Riverview Terrace, Serendipity Drive and Casuarina Court, Warrnambool from the Rural Living Zone to the General Residential Zone Schedule 1 and to subdivide the land at 32 Riverview Terrace into two (2) lots. The Amendment proposes to remove the existing Design and Development Overlay Schedule 2 (DDO2) from the Amendment land and apply a revised version of Design and Development Overlay Schedule 17 (DDO17).

The combined application was exhibited from 18 April to 20 May 2024 and received six submissions. Key issues raised in submissions include:

- impact on flora and fauna resulting in loss of biodiversity and associated impact on neighbourhood character
- impact on views from neighbouring properties associated with the two-lot subdivision of 32 Riverview Terrace
- requests from government agencies to include certain conditions on any permit issued.

### The Amendment

The Panel has found that the Amendment is strategically supported and represents a logical extension to the adjoining General Residential zoned land. The Rural Living Zone is no longer considered appropriate having regard to the objectives of the zone and the minimum lot size requirements. The rezoning will allow for a modest increase in housing opportunities, consistent with the settlement and housing policies of the Warrnambool Planning Scheme.

The Panel supports the removal of the DDO2 relating to 'Logans Beach', being no longer appropriate given the size of lots within the Amendment area being substantially smaller than an average of 10,000 square metres and minimum of 6,000 square metres as required by DDO2.

The Panel supports the inclusion of DDO17 relating to the 'Coastal / Hopkins River Environment Growth Area' to the Amendment land, to appropriately guide further subdivision and buildings and works. The minor wording changes recommended by the Department of Transport and Planning at authorisation, including removal of 'Growth' from the title, is appropriate given that the DDO17 is being extended to established urban land rather than applying only to a growth area.

The additional wording in DDO17 proposed in relation to the 'protection of views' from Banksia Drive and Acacia Court is also supported, on the basis that otherwise the extension of this overlay would give rise to unintended consequences, including potentially unreasonably curtailing future development.

### The Permit Application for Subdivision

The Panel supports the application for subdivision and considers that the two lots represent an orderly and logical development of the land.

In relation to views, the Panel has found that consideration of sharing of views from neighbouring properties should be subject to a detailed assessment at the development application stage. DDO17 provisions will require a planning permit for a new dwelling on each lot, and provide appropriate and detailed requirements assessing new dwellings, including consideration of view sharing from neighbouring properties.

On this basis, the subdivision is supported with the building envelope as exhibited, but without an overall height restriction or three-dimensional envelope.

The Panel considers that no further restriction on the property title is warranted, with the combination of zone and overlay requirements as well as permit conditions and building envelope adequate to ensure appropriate future development of the land.

### Conclusions

The Panel has concluded:

- The Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework and is well founded and strategically justified.
- The Amendment and the subdivision application will not have any unreasonable impacts on biodiversity or the character of the neighbourhood.
- The subdivision will not result in built form that unreasonably impacts views from key public viewing points.
- Detailed consideration of view sharing from neighbouring properties should occur at the time of application for buildings and works, and be assessed under the provisions of DDO17.
- The building envelope as exhibited is supported, however that there is no requirement for a three-dimensional building envelope or further restrictions on the property title.
- The additional words to limit the protection of views from Banksia Drive and Acacia Court 'to be in accordance with an approved development plan under Development Plan Overlay Schedule 13' is warranted to ensure no unintended consequence.
- Planning permit PP2022-0060 should be granted subject to the conditions.

### Recommendations

Based on the reasons set out in this Report, the Panel recommends that Warrnambool Planning C213warr be adopted as exhibited, and Planning Permit Application PP2022-0060 issue subject to the following:

1. **Revise Design and Development Overlay Schedule 17 to include *"in accordance with any approved development plan, as approved under Development Plan Overlay Schedule 13"* after 'Protect views from existing dwellings in Banksia Drive and Acacia Court'.**
2. **Issue planning permit PP2022-0060 to subdivide land (Clause 32.08-3 and Clause 43.02-3) generally in accordance with the 'Panel Version – Draft planning permit, C213warr' subject to the deletion of Condition 15b.**

# 1 Introduction

## 1.1 Combined Amendment and permit application

### (i) Combined application description

The Amendment is a combined Planning Scheme Amendment and planning permit application under section 96A of the *Planning and Environment Act 1987* (The PE Act).

The Amendment seeks to rezone land in Riverview Terrace, Serendipity Drive and Casuarina Court, Warrnambool from the Rural Living Zone (RLZ) to the General Residential Zone Schedule 1 (GRZ1).

The planning permit application seeks to allow for a two (2) lot subdivision of land at 32 Riverview Terrace, Warrnambool.

Specifically, the combined Amendment and application proposes to:

- rezone the Amendment land from the RLZ to the GRZ1
- remove the Design and Development Overlay Schedule 2 (Logans Beach DDO2) from the land to be rezoned
- amend Design and Development Overlay Schedule 17 (Coastal/Hopkins River Environment Growth Area DDO17), by removing the word 'Growth' from the title and making minor changes for clarity, and applying the DDO17 to the land to be rezoned
- subdivide the land at 32 Riverview Terrace (Lot 1 317314K) into 2 lots with associated building envelopes.

The Explanatory Report states that the Amendment is required for the following reasons:

The combined planning scheme amendment and planning permit achieve consistency in zoning along the north frontage of Hopkins Point Road, where the land adjoins existing General Residential zoned land to the east and west and will facilitate the subdivision of 32 Riverview Terrace.

The amendment will enable a small increase in the provision of additional General Residential zoned land within the existing settlement of Warrnambool, consistent with the strategic directions of the Warrnambool Planning Scheme.

### (ii) The subject land

The Amendment applies to land shown in Figure 1, and includes the following sixteen (16) lots:

- 32 Riverview Terrace, Warrnambool (Lot 1 and Lot 2)
- 31 Riverview Terrace, Warrnambool
- 1/30 Riverview Terrace, Warrnambool
- 2/30 Riverview Terrace, Warrnambool
- 3/30 Riverview Terrace, Warrnambool
- 4/30 Riverview Terrace, Warrnambool
- 5/30 Riverview Terrace, Warrnambool
- 6/30 Riverview Terrace, Warrnambool
- 4 Hopkins Point Road, Warrnambool
- 6 Hopkins Point Road, Warrnambool
- 10-12 Hopkins Point Road, Warrnambool
- 1 Casuarina Court, Warrnambool
- 2 Casuarina Court, Warrnambool

- 3 Casuarina Court, Warrnambool
- 4 Casuarina Court, Warrnambool

**Figure 1** Land subject to the Amendment, Explanatory Report



The land subject to the permit application is Lot 1 PS317314K, 32 Riverview Terrace, Warrnambool. It is noted that 32 Riverview Terrace is comprised of two lots, with Lot 2 already developed with a single dwelling. Lot 1 is proposed to be subdivided.

**Figure 2** Land subject to the planning application (outlined in red), Proponent Submission, Myers Planning & Associates



## 1.2 Procedural issues

Kings Lawyers acted on behalf of the owners of 4 Banksia Drive, Warrnambool and made a submission to the combined Amendment / Permit application. This submitter did not request to be heard at the Hearing and did not attend the Directions Hearing.

On 23 August 2024 (two business days before the Hearing), Kings Lawyers wrote to the Panel requesting the opportunity to make a submission to the Hearing and to attend the accompanied site inspection, despite being out of time.

Council and the Proponent did not object to the request.

The Panel agreed to allow the party to attend both the site inspection and to present a submission at the Hearing.

At the Hearing, Submitter 3 recommended additional changes to the draft permit including restrictions on the proposed building envelope, a new condition 1 and changes to proposed condition 13 requiring a section 173 agreement. Given the late filing of this submission and raising of new matters, the Panel gave Council and the Proponent until 30 August after the Hearing to respond in writing.

Council responded in writing on 28 August 2024.

A tracked change version of the draft permit was circulated by the Proponent on the 3 September 2024.

Submitter 3 responded to Council comments and to the draft permit on 4 September 2024.

## 1.3 The Panel's approach

Key issues raised in submissions were:

- impacts on vegetation and biodiversity and associated impacts on neighbourhood character
- impact on view sharing associated with the two-lot subdivision.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic issues
- Vegetation, biodiversity and neighbourhood character
- View sharing
- The planning permit.

## 1.4 Limitations

Submitter 2 raised issues of impact to their mental health associated with the rezoning and financial advantage to the Proponent which are not considerations under the PE Act and therefore have not been discussed in this Report.

## 2 Strategic issues

### 2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix C highlights key imperatives of relevant provisions and policies.

**Table 1** Planning context

	Relevant references
<b>Victorian planning objectives</b>	- section 4 of the PE Act
<b>Municipal Planning Strategy</b>	- Clause 2
<b>Planning Policy Framework</b>	<ul style="list-style-type: none"> <li>- Clauses 11.01-1S (Settlement), Clause 11.01-1R (Settlement - Great South Coast), Clause 11.03-2S (Growth Areas), Clause 11.03-4S (Coastal Settlement), Clause 11.03-5R (The Great Ocean Road Region), Clause 11.03-6S (Regional and Local Places)</li> <li>- Clauses 12.01-1S (Protection of Biodiversity), Clause 12.01-1L (Warrnambool Biodiversity), Clause 12.02-1L (Coastal Landscapes), Clause 12.03-1S (River and riparian corridors, waterways, lakes, wetlands and billabongs)</li> <li>- Clauses 15.01-1S (Urban Design), Clause 15.01-1L-01 (Urban Design), Clause 15.01-3S (Subdivision Design), Clause 15.01-5S (Neighbourhood Character)</li> <li>- Clause 16.01 (Residential Development), Clause 16.01-1L (Housing Supply), Clause 16.01-2S (Housing Affordability)</li> <li>- Clause 19.03 (Development Infrastructure)</li> </ul>
<b>Other planning strategies and policies</b>	<ul style="list-style-type: none"> <li>- Plan Melbourne Direction 7.1, Policies 7.11</li> <li>- Great South Coast Regional Growth Plan</li> <li>- Coastal/Hopkins River Environment Structure Plan (2008)</li> <li>- Logans Beach Framework Plan (2017)</li> <li>- Warrnambool Affordable Housing Policy (2012)</li> <li>- Warrnambool City-Wide Housing Strategy (2013)</li> </ul>
<b>Planning scheme provisions</b>	<ul style="list-style-type: none"> <li>- Rural Living Zone</li> <li>- General Residential Zone, Schedule 1</li> <li>- Design and Development Overlay, Schedule 2</li> <li>- Design and Development Overlay, Schedule 17</li> <li>- Environmental Significance Overlay, Schedule 2</li> </ul>
<b>Ministerial directions</b>	<ul style="list-style-type: none"> <li>- Ministerial Direction s7(5) (Form and Content of Planning Schemes)</li> <li>- Ministerial Direction 11 (Strategic Assessment of Amendments)</li> </ul>
<b>Planning practice notes</b>	<ul style="list-style-type: none"> <li>- Planning Practice Note 40: Using the Residential Subdivision provisions of Clause 56: Residential Subdivision</li> <li>- Planning Practice Note 46: Strategic Assessment Guidelines, September 2022</li> <li>- Planning Practice Note 90: Planning for Housing</li> </ul>



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- Planning Practice Note 91: Using the residential zones

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## 2.2 Strategic justification

### (i) Submissions

Council submitted that the Amendment is well supported by planning policy and addresses an anomalous zone.

The Municipal Planning Strategy (Clause 2) of the Warrnambool Planning Scheme, recognises that Warrnambool is Victoria's largest coastal regional city and is the fastest growing economy and population centre in South West Victoria. The population is forecast to grow at 1.4 percent per annum until 2040, requiring about 250 new dwellings per year to meet demand.

Council submitted that the rezoning and subdivision are consistent with policies that encourage infill housing on sites well serviced by existing infrastructure and in a town experiencing significant growth.

The Amendment land is recognised as being part of an established urban area, with excellent access to services. It also adjoins the Coastal Hopkins Growth Area immediately to the west, being one of seven identified growth areas within the municipality.

Council said that the current RLZ is inappropriate when considered against the existing pattern of development within the area; the zoning of the adjoining land; and the purposes of the RLZ that include:

- To provide for residential use in a rural environment
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

It was submitted that the GRZ is consistent with the zoning of surrounding land to the west and east and will provide some landowners with modest development opportunities.

The Proponent submitted that the Amendment is well supported by a range of strategic frameworks and policies, reflecting its alignment with the broader objectives for growth within Warrnambool and the surrounds by:

- Plan Melbourne's recognition of Warrnambool as one of ten regional cities to support housing and economic growth
- The Great South Regional Growth Plan that earmarks Warrnambool as a principal population and employment centre in the region and forecasts significant residential growth
- The Planning Policy Framework (Clause 11.01-1S, Clause 16.01-1S) that supports the development of diverse housing options within established urban areas.
- The Logans Beach Strategic Framework Plan (2017) by recognising the logical extension of the GRZ1.

Submitter 2 considered the rezoning would have a detrimental impact on the character of the neighbourhood contrary to Clause 11.03-2S that seeks to retain unique characteristics of established areas impacted by growth. They also considered the subdivision would destroy biodiversity contrary to Council's strategic directions for biodiversity at Clause 2.03-2.

Submitter 3 stated that they did not object to the concept and strategic justification of rezoning the RLZ land to the GRZ or the concept of the subdivision permit as proposed.



**(ii) Discussion**

The Panel agrees with the Proponent and Council that the proposed rezoning represents a logical extension to neighbouring land in the GRZ1, and that the land to be rezoned is no longer consistent with the objectives or subdivision standards of the RLZ.

The lot sizes of the land to be rezoned are an average of 2,570 square metres. This is well below the minimum lot size as specified in the schedule to the RLZ of 0.6 hectares and average of 1 hectare for the Logans Beach / Hopkins Point Road Area. Accordingly, the rezoning is considered a more appropriate zone and a logical extension of the GRZ to the east and west of the subject land.

The DDO2 applies to the Logans Beach Area and currently applies to land generally in the RLZ. With the rezoning this DDO2 is to be removed, and the DDO17 is to be applied, reflecting the DDO that applies to the General Residential Zone to the east.

The Panel agrees that this is an appropriate change to the planning controls affecting the Amendment land.

Warrnambool is experiencing considerable growth and there is an imperative to provide opportunities for increased housing in established areas. The land is located approximately 2.7 kilometres east of the central business district of Warrnambool and within the urban growth boundary. The rezoning will allow for a modest increase in housing opportunities in a location well serviced by established infrastructure.

While recognising that the rezoning will allow for some increased development opportunities, the Amendment itself will not impact on biodiversity or change the character of the area, and native vegetation impacts will be considered at the time of any future application for subdivision and/or housing. Given the existing subdivision pattern; location of housing and access; as well as other constraints such as covenants on some lots, it is not anticipated that the rezoning will lead to substantial greater development with associated vegetation loss, but rather will provide some modest opportunities for development on some lots.

On this basis, the Amendment is considered consistent with the key policy objectives relating to settlement and housing within the Planning Scheme and future development will need to have regard to policies relating to neighbourhood character and biodiversity.

Overall, the Panel is satisfied that the Amendment will deliver net community benefit and sustainable development as required by Clause 71.02-3.

**(iii) Conclusions**

For the reasons set out in this Report, the Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework and is well founded and strategically justified.

### 3 Vegetation, biodiversity and neighbourhood character

#### (i) The issue

The issue is:

- Whether the Amendment and proposed subdivision will unreasonably impact on vegetation and biodiversity, with associated impacts on neighbourhood character.

#### (ii) Background

Clause 02.02-2 (Biodiversity) highlights that the Warrnambool coastline supports a range of environmental values, including areas of coastal vegetation that provides wildlife habitat and corridors for vulnerable and threatened flora and fauna species.

It states that 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.

Local 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 issue.

Clause 02.03-5 Neighbourhood character seeks to integrate infill development with existing architectural, historic and landscape character of the neighbourhood.

Clause 11.03-2S (Growth Areas) seeks to retain unique characteristics of established areas impacted by growth.

Clause 12.01-1S (Protection of Biodiversity) seeks to protect and enhance Victoria's biodiversity.

Clause 12.01-1L (Warrnambool Biodiversity) strategies include:

- Discourage development that compromises the ecological integrity of the Merri River, Hopkins River and Russells Creek corridors and the coastal reserves.
- Protect habitat corridors and areas identified as habitat for rare and threatened flora and fauna species.
- Improve biodiversity through the integration of landscaping / revegetation and retention of stormwater treatment for habitat.

Clause 12.01-2S (Native vegetation management) seeks to ensure that there is no net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation.

#### (iii) Submissions

Submitter 1 had concerns in relation to increased development around Casuarina Court and Hopkins Point Road, resulting in loss of native bushland and habitat to native species, as a result of the Amendment. The Submitter values the larger blocks and natural beauty of the area.

Submitter 2, being three households in Riverview Terrace, were also concerned about the potential for loss of biodiversity associated with the rezoning and subdivision. The Submitter

considered the rezoning was contrary to Councils strategic directions for biodiversity at Clause 2.03-2 of the Planning Scheme and neighbourhood character policy at Clause 11.03-2S. They requested that just properties in Riverview Terrace be rezoned.

The Department of Energy, Environment and Climate Action (DEECA) considered that the rezoning was unlikely to have direct or indirect impacts to biodiversity or native vegetation. DEECA supported the DDO17 objective that seeks to re-establish the vegetated setting for the site using indigenous coastal species. It also supported the retention of the ESO2 on the land at 31 Riverview Terrace and considered it unlikely that the proposal would impact on values to be protected by this overlay, given the limited interface of the land with the Hopkins River.

DEECA sought clarification about any native vegetation impacts arising from the proposed crossover to the lot to be subdivided. Following a response from Council confirming that there was no native vegetation in proximity to the proposed crossover, with the vegetation in proximity to the proposed crossover being *Juniperus Conferta*, a plant species native to Japan, DEECA advised in writing that its concerns had been addressed.

Council and the Proponent did not consider that the Amendment or subdivision would give rise to any unreasonable impacts on biodiversity or neighbourhood character.

#### **(iv) Discussion**

The Amendment and subdivision application does not seek to remove any native vegetation or change any environmental overlays.

The rezoning will allow for some increased development opportunities, however this is likely be relatively modest. As noted in Chapter 2, based on the siting of existing housing; topography; tree cover as well as restrictions on title, it would appear that only a few lots would have the potential capacity to be further subdivided and accommodate new housing.

The lot to be subdivided at 32 Riverview Terrace does not have native vegetation and as such future housing on these lots is likely to increase rather than decrease vegetation cover. Any future development of other lots will require consideration of biodiversity, native vegetation impacts and neighbourhood character in accordance with the DDO17 and other requirements of the Planning Scheme.

The Panel is satisfied that the Amendment and subdivision will not have any unreasonable impacts on biodiversity or neighbourhood character.

#### **(v) Conclusion**

The Panel concludes that the Amendment and the subdivision application will not have any unreasonable impacts on biodiversity or the character of the neighbourhood.

## 4 View Sharing

### (i) The issue

The issue is:

- Does the planning permit application for subdivision of 32 Riverview Terrace appropriately account for the sharing of views?

### (ii) Background

There are a range of Planning Scheme provisions that direct development to allow for view sharing.

These include:

- Clause 2.03-5 Built environment and heritage, Urban design
- Clause 11.03-2L-02 Coastal Hopkins Growth Area
- Clause 12.02-1L Coastal Landscapes
- Provisions of the DDO2 that currently applies to the land
- Provisions of the DDO17 that are proposed to apply to the land.

As part of the permit application material, the Proponent undertook a Viewshed Analysis of future development on the land from key public viewing points in the area, namely the whale watching platform and path to car park, Point Ritchie car park and Breakwater car park.

Submissions were received from the owners of 2 and 4 Banksia Drive, located northeast of the land at 32 Riverview Terrace that had concerns about the future development of 32 Riverview Terrace and the impact on views from their properties.

An on-site pole height assessment was conducted on 15 July 2024 with the Proponent, submitters and Council planning officers to understand the impact of future development of the proposed lots on existing views from 2 and 4 Banksia Drive.

A second pole height assessment was undertaken at the accompanied site inspection on 26 August 2024 with the Panel, Proponent, Council and the representative of 4 Banksia Drive. An inspection of the current views from outside (front verandahs) of both properties was undertaken.

**Figure 3** Aerial photo of 32 Riverview terrace and neighbouring land at 2 and 4 Banksia Drive, Nearmap



### (iii) Submissions

The 4 Banksia Drive owners were concerned that the subdivision application would not ensure a reasonable sharing of views as envisioned by the DDO17.

They described their home as follows:

It is located high on the allotment, which has a steep gradient. The house has sweeping verandas on 3 sides and benefits from panoramic views from the main living areas and verandas. It is these views that the house was built for and forms a major part of the occupant's amenity.

They requested that the permit include further conditions to protect important views and that the subdivision plan include a 'restriction' to prevent the construction of a building and the planting of vegetation which exceeds the maximum height as specified on the building envelope.

The Submitter referred to the concept of reasonable sharing of views as summarised in *Healy v Surf Coast SC* [2005] VCAT 990, as follows.

- (a) there is no legal right to a view
- (b) views form part of the existing amenity of a property and their loss is a relevant consideration to take into account
- (c) the availability of views must be considered in the light of what constitutes a reasonable sharing of those views
- (d) in addressing the concept of "reasonableness", it is relevant to consider
  - (i) the importance of the view to be lost within the overall panorama available; and
  - (ii) whether those objecting have taken all appropriate steps to optimise development of their own properties.
- (e) added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme.



They also referred to the further consideration as outlined in *Wright v Greater Geelong CC* [2013] VCAT 2092 stating:

This Tribunal would respectfully add a further refinement, which is that in addressing the question of reasonableness under para (c) above it is also relevant to consider the legitimate expectations of those whose view is being affected.

The 4 Banksia Drive owners said that particular references in the Warrnambool Planning Scheme together with the DDO17 create a legitimate expectation that significant views will not only be reasonably shared but protected. They pointed to Clause 11.03-2L-02 Coastal Hopkins Growth Area; Clause 12.02-1L Coastal Landscapes and the Logans Beach Urban Design Guidelines 2000.

The 2 Banksia Drive owners submitted that they enjoy views to the west, across 32 Riverview Terrace, from their living room and outdoor balcony. They have also entered into a contract for sale for the purchase of Lot 234 of the Hopkins Heights development that is immediately to the south of 2 Banksia Drive.

They submitted that the Viewshed Analysis did not consider views from neighbouring properties and required further consideration of the impact having regard to the provisions of the DDO17 and the impact on existing views and amenity of their property.

The Proponent provided the following images from the pole height site inspections, as viewed from 4 Banksia Drive (Figure 4) and 2 Banksia Drive (Figures 5).

**Figure 4** View across the subject site from the front verandah of 4 Banksia Drive, Proponent Submission, Myers Planning & Associates



**Figure 5** View across the subject site from outdoor area of 2 Banksia Drive, Proponent Submission, Myers Planning & Associates



Regarding the image from 4 Banksia Drive, the owners said:

It is submitted that this dotted line is somewhat misleading as the existing land has been terraced, which means the dotted line will step up considerably and has the potential to decimate the prized views.

By way of example if the eave height to the adjoining 2 story house shown in figure 10<sup>1</sup> was used as a reference and angled down to the highlighted height pole, it shows that the majority of the ocean view would be lost.

The Proponent submitted:

- future development at 7.5 metres in height would have minimal impact on views towards the coast from 4 Banksia Drive
- at a standing position on the front porch (not seated), views to the dunes and the ocean would remain clearly visible across the site.

In relation to 2 Banksia Drive, the Proponent acknowledged that any development of the subject land exceeding 5 metres in height will impact on current views from this property towards the Hopkins River. Given the subject is vacant, they submitted that some development of the land is reasonable, and it would be impractical to limit development to maintain current views.

They stated:

We contend that the Amendment does not enable buildings and works on the Permit Land beyond what was already anticipated. The Amendment preserves the existing opportunities for notice and review. DDO17 includes provisions for considering view sharing, in line with the current DDO2 that applies to the land.

<sup>1</sup> Note the image was Figure 10 in the Proponents submission however Figure 4 in this report

The Proponent noted that the land to be acquired by 2 Banksia Drive owners, being Lot 234 within the Hopkins Height development, is located southwest of the subject land, with intervening development. On this basis there would not be any impact.

Council submitted:

- a planning permit will be triggered by the DDO17 for future development of the subdivided lots at 32 Riverview Terrace and concerns about built form will be addressed at that stage
- the DDO17 provides design objectives and buildings and works requirements that require consideration of the 'reasonable sharing of views'
- on the basis of the height pole analysis and the application of the DDO17, that future development of the site would not unduly impact on viewing lines nor amenity of neighbouring properties.

#### (iv) Discussion

From the Viewshed Analysis, it is evident that the subject site is some distance and largely hidden from key public viewing points, such as the whale watching platform and Point Ritchie and Breakwater car parks and the existing dwelling (on Lot 2) is likely to block views. The Panel is satisfied that development will not result in any unreasonable impact on any of these key public viewsheds.

Regarding impact on views from neighbouring properties, the Panel notes that the permit for subdivision is triggered under both the proposed GRZ and the parent clause of the DDO. The GRZ and DDO decision guidelines do not include consideration of views.

DDO17 includes a range of design objectives and requirements that relate to the consideration and sharing of views, however these are associated with assessing 'buildings and works' and not subdivision.

The Panel considers that the appropriate time for a detailed assessment of views is at the time of application for buildings and works. The DDO17 provisions provide a detailed framework for the consideration of view sharing, which will require consideration of building siting on each block; setbacks from boundaries and between future housing; building heights across various parts of the lot; how the dwellings will respond to the slope; consideration of roof form etc. The decision guidelines include:

The impact of the development on views to, from and across the development site.

The Panel disagrees with the 4 Banksia Drive owners that their expectation should be for the 'protection of views' rather than one of 'view sharing'. The Planning Scheme refers to allowing for *'the reasonable sharing of views to the Ocean and / or Hopkins River from adjoining properties'* (Clause 11.03-2L-02); and promotes *'view sharing between properties along the coast'* (Clause 12.02-1L). DDO17 also seeks *'to provide for the reasonable sharing of views to the ocean, coastal dunes, river and the surrounding landscape'*. At Clause 2.03-5, strategies for urban design seek to facilitate *'the sharing, rather than protection, of views from the public realm and private areas'*.

None of these provisions require total protection of views, and as outlined in the VCAT case *Healy v Surf Coast SC*, there are well established principles having regard to assessing the impact of development on views.

Finally, it is relevant that 32 Riverview Terrace is currently vacant and even without the proposed subdivision, there is a reasonable expectation that this land will be developed. This would be



subject to a permit however any form of development will have some impact on the existing views enjoyed by the neighbours across this vacant land. The introduction of the DDO17 to the subject land will provide additional guidance for the assessment of view sharing when future development applications are made.

**(v) Conclusion**

The Panel concludes:

- The subdivision will not result in built form that will have any unreasonable impact of views from key public viewing points
- View sharing from neighbouring properties should be considered during application for buildings and works, and be assessed under the provisions of DDO17.

## **4.2 Building envelope**

**(i) The issue**

The issue is whether:

- The subdivision should proceed with the building envelopes as exhibited or with the three-dimensional building envelope as provided on the 'Day 1' version of the Plan of Subdivision.

**(ii) Background**

The proposed Plan of Subdivision was advertised with 'concept building envelopes' on each block, containing 10 metre setbacks from Riverview Terrace and 3 metre side and rear setbacks. No overall maximum building height was specified.

The Proponent provided a Day 1 version of the proposed Plan of Subdivision, that included a three-dimensional building envelope. This maintained the 10 metre front and 3 metre side and rear setbacks and also included a note that the overall building height is to be limited to 7.5 metres above natural ground level as shown.

**(iii) Submissions**

The Proponent submitted that while they did not oppose a 7.5 metre height limit being imposed on the building envelopes as shown on the Day 1 version of the Plan of Subdivision, they considered the DDO17 provides sufficient guidance to ensure that view sharing is carefully considered during the development application stage. They noted that the Amendment maintains notice and appeal rights to potentially affected landowners.

The Proponent submitted that having a 7.5 metre building height may imply to future landowners an inferred right to develop to 7.5 metres without due consideration of view sharing.

At the Hearing, the 4 Banksia Drive owners acknowledged the Day 1 three-dimensional subdivision plans and draft permit went some way to address their concerns, however they considered further refinements were needed to both the building envelope and permit conditions.

They requested that a restriction, as defined in the *Subdivision Act 1988*, should be imposed on the Plan of subdivision with a maximum building height of 7 metres. They considered it should also include a lower height at the frontage of a maximum of 5 metres for the first 5 metres. They recommended that this restriction be achieved by including the following new condition 1:

Before the plan of subdivision is certified under the Subdivision Act 1988, plans must be approved and endorsed by the responsible authority. The plans must:

- a) be prepared to the satisfaction of the responsible authority
- b) be drawn to scale with dimensions and submitted in electronic form
- c) be generally in accordance with the plans forming part of the application, but amended to show a building and vegetation height restriction over the hatched building envelope area limiting the building and vegetation to a maximum height of 5.0 m for the first 5.0 metres from the northern boundary of the hatched area and then increasing to 7.0 metres for the remainder of the hatched area, above the AHD levels shown on the All Spatial Proposed Plan of Subdivision, reference W24210, dated. 14/08/2024. The burdened land is to be all lots on PS 927305J and the benefited land is to be numbers 2 & 4 Banksia Drive Warrnambool.

The 4 Banksia Drive owners supported permit condition 13 that required a section 173 agreement to be entered into as follows:

Before the plan of subdivision is certified under the Subdivision Act 1988, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987.

The agreement must provide for the following;

- a) on each lot to be created, buildings may be constructed only within the building envelopes as shown on the endorsed plans of this permit.
- b) these envelopes must not be altered without the written consent of the responsible authority.

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

However, the Submitter did not support the words, '*these envelopes must not be altered without the written consent of the responsible authority*', allowing for a secondary consent mechanism to be entered into. They requested that this be deleted.

In response to the Proponent's submissions that there could be an inferred expectation that a permit would be issued to the height of a three-dimensional envelope, they suggested a further recital/covenant be applied noting that the restriction is a maximum height only and provided suggested wording.

#### (iv) Discussion

Having regard to submissions and the site inspection with the height poles, the Panel supports the inclusion of a building envelope on the proposed lots as exhibited, that carries across the DDO2 requirements in relation to front, side and rear setbacks. The Panel however does not support the inclusion of a three-dimensional building envelope.

While there were discussions about whether the building envelope should include maximum height limitations of 7.5 metres or 7 metres, and for parts of the site be limited to 5 metres, the Panel considers that the overall height and massing across the site should be left to consideration at the development stage.

From the pole assessment, a building built to 7.5 metres or even 7 metres may not be acceptable for all parts of the site, and a lower height may be required to ensure the reasonable sharing of views from 2 and 4 Banksia Drive.

Towards the rear of the site, which is also at an elevated level, a height of 7.5 metres or even of 7 metres would appear to impact on the narrow view corridor to the river mouth from 4 Banksia Drive. A greater setback from the rear boundary would likely allow for the retention of this view,

or at least a reasonable portion of this view, while also meeting objectives in relation to building separation. However, this was not put to the Panel in submissions, and without a detailed assessment, it is unclear how far a rear setback would be required to achieve the desired outcome.

Regarding 2 Banksia Drive, large parts of the current view (particularly to the Hopkins River) would appear to be lost with even a single storey development of the land, and again, detailed design should be assessed to ensure that there is some sharing of views.

Another response would have been to establish a view corridor, given its limited and narrow view to the ocean / river mouth from the adjoining properties. However, the Panel accepts that there are other views such as to the river itself that also requires consideration.

As discussed in the previous chapter, the DDO17 provides a range of objectives and built form provisions in relation to future siting and design having regard to view sharing and other matters. They also include a requirement that development be kept below the future mature tree canopy height to a maximum of 7.5 metres above natural ground level, and therefore provides some guidance about preferred maximum building heights. As previously noted, these relate to applications for development, however are not considerations relating to subdivision.

The Panel agrees that including a three-dimensional envelope at this stage may imply that the height has been determined to be acceptable. The 4 Banksia Drive owners suggested a covenant to temper this expectation, however overall, the Panel agrees with the Proponent that the detailed work and views assessment is best undertaken at the stage of application for development. As highlighted by the Proponent, the notice and review provisions ensure rights to neighbours if they disagreed with Council's assessment.

Victoria's planning system is performance based and the use of controls beyond the Planning Scheme and permit (such as restrictions on title and covenants) should be used sparingly. The Panel does not consider they are required in this instance.

#### **(v) Conclusion**

The Panel concludes that the building envelope as exhibited should apply without the need for a three-dimensional building envelope or further restrictions on the property title.

### **4.3 DDO17 provisions relating to Banksia Drive and Acacia Court**

#### **(i) The issue**

The issue is:

- Whether the DDO17 provision relating to the 'protection of views' from Banksia Drive and Acacia Court require qualification with the extension of the overlay to the Amendment land.

#### **(ii) Background**

DDO17 includes a buildings and works requirement, under the sub-heading Views, that states:

- Ensure that the height, siting and setback of development provides for the reasonable sharing of views.
- Site and design buildings and structures to:
  - Take into account existing views to the coast and river from nearby dwellings.
  - Maximise building immersion when viewed from the Logans Beach car park, the whale platform, Point Richie car park and Deakin University boat ramp.

- Protect views from existing dwellings in Banksia Drive and Acacia Court.

The issue relates to the last sub-dot point that relates to dwellings in Banksia Drive and Acacia Court.

### (iii) Submissions

The Proponent submitted that an unintended consequence of applying the DDO17 across the rezoned land, had the implication of applying controls that were not envisaged for land outside the Hopkins Height Estate where the DDO17 currently applies. In particular, the provision relating to the 'protection' of views from dwellings in Banksia Drive and Acacia Court.

The Proponent submitted that the provision to protect views from existing dwellings in Banksia Drive and Acacia Court stems from the implementation of the Coastal / Hopkins Growth Area Structure Plan, which aimed to protect the existing views from established dwellings across the growth area (Hopkins Heights Estate).

A similar provision is included in the Development Plan Overlay Schedule 13 (DPO13) that relates to the Growth area, that includes:

#### Area 3 – Specious Residential Lots

- Dwellings adjacent to the shared east-west boundary with lots fronting Banksia Drive and Acacia Court are to where possible be built to the 38 metre contour line or lower, or alternatively be staggered between the view lines of existing dwellings, to ensure that current views to the coast especially at the Hopkins River opening are fully retained.

To address this unintended consequence, the Proponent requested to amend the DDO17 provisions (shown in bold) to:

- Protect views from existing dwellings in Banksia Drive and Acacia Court (**in accordance with any approved development plan, as approved under Development Plan Overlay, Schedule 13**).

The 4 Banksia Drive owners did not support the additional wording and noted that this provision was applied when the growth area land was rezoned to GRZ1 and DDO17, as is proposed by this Amendment.

Council was concerned that the additional wording was not exhibited with the Amendment and that this issue was only raised at the Hearing.

### (iv) Discussion

The Hopkins Heights Estate is a growth area located to the east of the Amendment land. The DDO17 was introduced as part of the suite of planning controls when this area was rezoned from the Farming and Rural Living Zones to the GRZ1, together with the development plan requirements in DPO13.

At the time this growth area land was earmarked for urban development, there were existing dwellings in Banksia Drive and Acacia Court that enjoyed views to the ocean across the growth area. The DDO17 was designed to protect these existing views when the growth area was established and therefore directed dwellings to be built to a certain contour and between view corridors.

The Amendment proposes to extend the DDO17 beyond the growth area to the established area in Riverside Terrace, Casuarina Court and Serendipity Drive. The 'protection' of views from Banksia Drive and Acacia Court would then extend not only to the east across the growth area but also

west across the Amendment land. The Panel agrees that this is an unintended consequence of the Amendment.

The 4 Banksia Drive dwelling does not have views to the ocean across the growth area land given an intervening house, and the views from 2 Banksia Drive to the east will not be affected by the Amendment or permit application.

Therefore, the Panel supports the additional wording in the DDO17 relating to the protection of views from Banksia Drive and Acacia Court to retain the original intent, that being to the east across the growth area, but not to elevate this 'protection of views' to other areas. Without these additional words, there is the prospect that the currently vacant land at 32 Riverview Terrace could not be developed at all, as there will be a change of view from these dwellings in Banksia Drive even with a single storey development of this land and even if it was not to be subdivided. This would also expand the control beyond protection of ocean views to the east, to views in general, which could relate to the river and other areas, again clearly being beyond the original intent of the control.

The Panel agrees that it is important that any land owner/occupier materially impacted by a change to the DDO17 should have the opportunity to comment. In this case, there do not appear to be any other dwellings in either Banksia Drive or Acacia Court that would be materially affected by the provision. This is given that the Amendment land is to the southwest rather than to the east of Banksia Drive and Acacia Court, and therefore will have no impact on views that the control was intended to protect. The Panel is satisfied that further notice is not required.

**(v) Conclusion and recommendation**

The Panel concludes that the additional words to limit the 'protection of views' from Banksia Drive and Acacia Court to be in accordance with an approved development plan under Development Plan Overlay Schedule 13 is warranted to ensure no unintended consequence.

The Panel recommends:

- 1. Revise Design and Development Overlay Schedule 17 to include *"in accordance with any approved development plan, as approved under Development Plan Overlay Schedule 13"* after 'Protect views from existing dwellings in Banksia Drive and Acacia Court'.**

## 5 The planning permit

### (i) Relevant considerations

Clause 71.02-3 of the Planning Scheme requires a responsible authority considering a permit application to take an integrated approach, and to balance competing objectives in favour of net community benefit and sustainable development.

Clause 65 of the Planning Scheme states:

Because a permit can be granted does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01 requires the Responsible Authority to consider, as appropriate:

- the Municipal Planning Strategy and the Planning Policy Framework
- the purpose of the zone, overlay or other provision
- the orderly planning of the area
- the effect on the environment and amenity of the area
- the extent and character of native vegetation, the likelihood of its destruction, and whether it can be protected, planted or allowed to regenerate

Considerations for subdivision under the GRZ are:

- 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.

Considerations for subdivision under the DDO17 are:

- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

Other matters to be taken into account include:

- objections
- comments and decisions of referral authorities
- other matters a Responsible Authority must and may take into account under section 60 of the PE Act, including the Victorian planning objectives and the economic, social and environmental impacts of the proposed use and development
- adopted government policy.

### (ii) Discussion

The permit triggers for subdivision with the proposed rezoning and application of the DDO17 to the permit application land, are under the parent clauses of the GRZ and DDO. The applicable decision guidelines relate to the pattern of subdivision and whether the subdivision will be in keeping with the character of the area and the objectives and standards of Clause 56.

Matters relating to biodiversity and neighbourhood character have been discussed in the preceding chapters, and it is noted that there is no removal of native vegetation associated with the proposed subdivision. 32 Riverview Terrace is a vacant lot with no trees and limited no native grass/shrub vegetation.

The key issue raised in relation to the planning permit application related to impact on views from neighbouring properties at 2 and 4 Banksia Drive. This issue and impacts have been discussed in chapter 4 of this Report in which the Panel concluded that detailed considerations of view sharing should be considered at the development stage, rather than associated with a permit for subdivision. DDO17 will guide consideration and assessment of view sharing when details of siting and design of the future dwellings are known.

The Proponent provided a Clause 56 assessment in the application material that found the subdivision was compliant with the relevant standards, noting:

- the proposed lots at 1098 square metres and 1292 square metres responds to the character of the area and are capable of containing a rectangle of 10 metres by 15 metres (Standard C8).
- the lots would have excellent access to solar access (Standard C9)
- vehicle access can be provided from Riverview Terrace in accordance with Councils requirements (Standard C21)
- reticulated drinking water will be supplied to the lots as per the requirements of Wannon Water (Standard C23)
- the lots will be connected to the existing reticulated wastewater system as per the requirements of Wannon Water (Standard C24)
- site drainage will be designed and managed in accordance with Council requirements (Standard C25)
- the lots will be connected to electricity, telecommunications and gas in accordance with the requirements of the relevant servicing authorities (Standard C28).

The referral authorities did not object to the application, however commented as follows:

- Wannon Water requested inclusion of permit conditions if a permit were to issue to ensure that the developer provides water supply and sewerage works to serve each lot at their own expense. This includes an extension of the sewer main to service Lot 2. These have been included at conditions 8-12 on the draft permit.
- DEECA queried whether any native vegetation was required to be cleared to create access to Lot 1, however were satisfied with Councils response that no native vegetation was required to be removed.

In relation to conditions of permit, a 'Day 1' version was provided at the Hearing from Council that included the Wannon Water conditions.

The Proponent also provided a 'Day 1' version of the permit that varied from the exhibited draft permit.

The key changes were:

- The format of the draft planning permit has been updated to reflect the 'Writing Planning permits, May 2023' guidance, including Appendix 2, Model Conditions.
- New condition 1 requiring compliance with documents approved under the permit (standard condition).
- New condition 5 – subdivisions that do not require referral (mandatory condition).
- New condition 13 – Building envelopes, requiring the registration of building envelope restrictions in the form of an agreement under section 173 of the PE Act
- New condition 14 – commencement of permit (standard condition).
- New condition 15 – expiry has been included as a condition rather than a permit note.

- The Wannon Water referral conditions included.

A further post hearing version was provided by the Proponent titled, 'Panel Version – Draft planning permit, C213warr' to incorporate comments at the hearing. This re-numbered some conditions.

Submitter 3 requested deletion of condition 15b, that allowed for building envelopes to be varied through a secondary consent process. Given the PE Act provides a mechanism to amend or end a s173 agreement, the Panel accepts that these words should be deleted.

The Panel has previously commented in Chapter 4 that neither a three-dimensional building envelope nor a further restriction on title is warranted, and therefore do not require associated conditions of planning permit.

The Panel considers that a permit should be granted. The permit for subdivision will allow for an additional dwelling to be developed within the established area of Warrnambool with the future siting and design of housing subject to further planning permit approval.

The lots are appropriately sized to integrate with the character of the area; will be connected to services; and the building envelope will ensure housing has appropriate setbacks to Riverview Terrace to reflect the streetscape character. There will be no native vegetation lost as part of the future development of these lots and there is likely to be a net improvement to biodiversity with future planting required associated with development approvals. Overall, the permit will provide for a net community benefit.

**(iii) Conclusion and recommendation**

The Panel concludes that planning permit PP2022-0060 should be granted subject to conditions.

The Panel recommends:

- 2. Issue planning permit PP2022-0060 to subdivide land (Clause 32.08-3 and Clause 43.02-3) generally in accordance with the 'Panel Version – Draft planning permit, C213warr' subject to the deletion of Condition 15b.**



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## Appendix A Submitters to the Amendment

No	Submitter
1	Warrnambool City Council
2	32 Riverview Terrace owners (Proponent)
3	4 Banksia Drive owners
4	2 Banksia Drive owners
5	Graeme Hays, Neil Welton and Yolanda Bennoun
6	Jonathan and Kathryn Emeny
7	Wannon Water
8	Department of Energy, Environment and Climate Action

## Appendix B Document list

No.	Date	Description	Provided by
1	2 Aug 24	Panel Directions and Timetable (version 1)	Planning Panels Victoria (PPV)
2	19 Aug 24	Council submission with attachments: <ul style="list-style-type: none"> <li>- Chronology of events</li> <li>- Response to submissions</li> <li>- Minutes of Council meeting</li> <li>- Council response to DEECA</li> <li>- DEECA's response to Council</li> </ul>	Warrnambool City Council (Council)
3	22 Aug 24	Council Day 1 version of planning permit and	Council
4	26 Aug 24	Proponent Submissions including: <ul style="list-style-type: none"> <li>- Day 1 version of proposed planning provisions</li> <li>- Day 1 version of planning permit</li> </ul>	Proponent
5	26 Aug 24	Submission on behalf of 4 Banksia Drive owners	4 Banksia Drive owners
6	28 Aug 24	Council response to Kings Submissions	Council
8	3 Sep 24	Proponent tracked change version of planning permit	Proponent
9	4 Sept 24	Kings Response to updated draft permit	4 Banksia Drive owners

## Appendix C Planning context

### C:1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

#### Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the PE Act by providing for the fair, orderly, economic and sustainable use and development of land.

#### Clause 2 (Municipal Planning Strategy)

The Amendment supports the Municipal Planning Strategy by:

- Clause 02.01 Context that states: *Warrnambool is Victoria's largest coastal regional city and is the fastest growing economy and population centre in South west Victoria. 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.*
- Clause 02.02-1 – Settlement Urban Growth states: *Warrnambool's urban settlement boundaries and growth areas are identified on the Warrnambool Strategic Framework Plan at Clause 02.04. Warrnambool is forecast to grow at 1.4 per cent per annum until 2040 requirement about 250 new dwellings per year to meet demand.*
- Clause 02.03-2 Environmental and Landscape values acknowledges the environmental significance of the coastline, Hopkins and Merri River systems, estuaries and wetland and that these areas provide habitat for listed species of flora and fauna. The Scheme encourages more intensive forms of residential development to be located away from sensitive areas and on sites with proximity to open space, activity centres and public transport routes. The site is not located within a wildlife corridor nor has any evidence been provided that the site provides refuge for endangered flora or fauna.
- Clause 02.03-5 Built environment and heritage. Promotes sustainable development that allows people to walk or cycle to access services and for social interaction.
- Clause 02.03-6 Housing that seeks to provide infill opportunities to accommodate residential development, and to provide for a diverse range of housing options.

The Amendment supports Clause 11 by:

- Clause 11.01-1S Settlement that seeks to facilitate sustainable growth; limit urban sprawl; and direct growth into existing settlements.
- Clause 11.01-1R Settlement – Great South Coast seeks to attract more people to the region.
- Clause 11.02-1S Supply of urban land, to ensure sufficient supply of land is available to meet forecast demand.
- Clause 11.03-2L-02 Coastal Hopkins Growth Area – with the subject land adjoining this area, and ensuring that the rezoning and subdivision is not contrary to the built form guidelines of this clause.

**Clause 12**

The Amendment supports Clause 12 by:

- Clause 12.01-1S Protection of biodiversity.
- Clause 12.01-1L Warrnambool biodiversity that discourages development that compromises the ecological integrity of the Merri River, Hopkins River and Russell's Creek corridor and coastal reserves. The building envelopes provide opportunities for landscaping and the DDO17 will ensure landscaping and biodiversity are considered through future permit applications.

**Clause 15.01 Built Environment**

The Amendment supports Clause 15 by:

- Clause 15.01 Built Environment to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and culture.
- Clause 15.01-3S Subdivision design that seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

**Clause 16 Housing**

The Amendment supports Clause 16 by:

- Clause 16.01-1S Housing supply, including to increase housing in designated urban areas.
- Clause 16.01-1L Housing supply that support increased residential densities in growth areas and established urban areas within proximity to existing or planned transport corridors, activity centres and open space.

**C:2 Other relevant planning strategies and policies****i) Great South Coast Regional Growth Plan**

The Great South Coast Regional Growth Plan provides broad direction for land use and development across the south coast region, as well as more detailed planning frameworks for the key regional centre of Warrnambool

Council submitted that the Amendment supports the Great South Coast Regional Growth Plan because as it recognises that Warrnambool is the key population and employment centre, and expected to absorb a substantial portion of the regions residential growth. It directs growth to designated growth areas and established urban areas to limit urban sprawl, preserves the regions valuable environmental assets and ensure the sustainable development of Warrnambool.

**ii) Coastal / Hopkins River Environment Structure Plan**

The Coastal / Hopkins River Environment Structure Plan provides background to the Design and Development Overlay, Schedule 17. It includes objectives to enhance the landscape quality and provide for environmental benefits, and the background to the design controls in the DDO17 relating to building height, setbacks, view sharing etc.

**C:3 Planning scheme provisions**

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

**i) Zones**

The land is in the Rural Living Zone. The purposes of the Zone are:

- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

It is to be rezoned to the General Residential Zone. The purposes of the GRZ are:

- 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.

**ii) Overlays**

The land is subject to the Design and Development Overlay, Schedule 2. The purpose of the parent clause of the Design and Development Overlay is:

- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Schedule 2 relates to Logans Beach and has the following design objectives:

To set design, subdivision and development parameters:

- To ensure the proper protection and management of the whale viewing area and its environs.
- To protect the local environment and significant views.
- To provide generous separation between dwellings to enable revegetation of the landscape.
- To limit intrusion on the skyline and ridgeline.

To encourage the designation of Appropriate Building and Access Areas at the time of subdivision.

To provide for a thorough permit application assessment process for buildings, particularly on the southern side of Hopkins Point Road in relation to landscape and environmental issues, by using as appropriate the Logans Beach Urban Design Guidelines (including the associated computer model).

The land is to include the Design and Development Overlay, Schedule 17.

Schedule 17 relates to Coastal / Hopkins River Environment Growth Area. This schedule includes design objectives relating to vegetation; landscape setting; views; siting; height and building form; site coverage; environmental sustainable design; and materials and design detail.

**iii) Other provisions**

Relevant particular provisions include:

- Clause 56 – Residential Subdivision
- Clause 65 – Decision Guidelines

## C:4 Ministerial Directions, Planning Practice Notes and guides

### Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

### Practitioner's Guide

*A Practitioner's Guide to Victorian Planning Schemes Version 1.5*, April 2022 (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

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**PLANNING PERMIT GRANTED UNDER SECTION 96J OF  
THE PLANNING AND ENVIRONMENT ACT 1987**

<b>Permit No.:</b>	PP2022-0060
<b>Planning scheme:</b>	Warrnambool Planning Scheme
<b>Responsible authority:</b>	Warrnambool City Council
<b>ADDRESS OF THE LAND:</b>	32 Riverview Terrace (Lot 1 PS317314K)

**THE PERMIT ALLOWS:**

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
32.08-3	Subdivide land.
43.02-3	Subdivide land.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:****Compliance with documents approved under this permit**

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

**Layout not altered**

2. The layout of the subdivision must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

**Reticulated services**

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

**Telecommunications**

4. The owner of the land must enter into an agreement with:

<b>Date issued:</b>	<b>Signature for the responsible authority:</b>
<b>Date permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

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- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

**Other utilities**

- 5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 7. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

**Wannon Water Conditions**

- 8. The developer is to provide at their own cost the required water supply works necessary to serve each of the lots created by the Plan of Subdivision.
- 9. The developer is to provide at their own cost the required sewerage works necessary to serve each of the lots created by the Plan of Subdivision.
- 10. An extension of the sewer main will be required to service Lot 2 and this is to be constructed and acceptance tested under the supervision of a consulting engineer in accordance with the plans and specifications approved by Wannon Water.
- 11. The developer is to provide at their own cost any internal water supply works necessary to eliminate water supply pipework from crossing any adjoining lot boundary created by the plan of subdivision.

<b>Date issued:</b>	<b>Signature for the responsible authority:</b>
<b>Date permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

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12. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to Wannon Water in accordance with Section 8 of that Act.

**Stormwater management plan**

13. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater works must be designed in accordance with the current Responsible Authority's Design Guidelines, the endorsed application plans and must include:
- a) Identification of any existing drainage on the site.
  - b) Details of how the works on the land are to be drained and/or retarded.
  - c) Computations in support of the proposed drainage.
  - d) A proposed Legal Point of Discharge.
  - e) An underground drainage system to convey minor flows (as defined by the IDM) to the Legal Point of Discharge or retention system for the development.
  - f) Details of how the storm water discharge from the development will be limited such that post development flows up to the 20% AEP do not exceed pre-development flows.
  - g) Evidence that storm water runoff resulting from a 1% AEP storm event is able to pass through the development via reserves and/or easements, or be retained within lots without causing damage or nuisance to adjoining property.
  - h) Details and measures to enhance stormwater discharge quality from the site and protect downstream waterways in accordance with Clause 56.07-4 of the Planning Scheme.

**Stormwater works**

14. The endorsed Stormwater Management Plan is to be implemented to the satisfaction of the Responsible Authority prior to use or occupation of any new dwelling.

**Building envelopes**

15. Before the plan of subdivision is certified under the *Subdivision Act 1988*, the owner must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:
- a) on each lot to be created, buildings may be constructed only within the building envelopes as shown on the endorsed plans of this permit
  - b) ~~these envelopes must not be altered without the written consent of the responsible authority.~~

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

<b>Date issued:</b>	<b>Signature for the responsible authority:</b>
<b>Date permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

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**Commencement of Permit**

16. This permit will operate from the issued date of this permit.

**Expiry**

17. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:

- a) The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
- b) A statement of compliance is not issued within 5 years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**USEFUL INFORMATION:**

1. The permitted development (subdivision) may need to comply with, or obtain the following further approvals:
  - a. Before the commencement of any works within the road reserve, a Road Reserve Works Permit must be obtained from Council. All conditions on the Permit must be complied with.
  - b. Before the commencement of any physical works to the site, an Asset Protection Permit must be obtained from Council. The purpose of this permit is to protect Council assets from damage which can result from the works and from the movement of heavy equipment and materials on and off the site. All conditions on the Permit must be complied with.
  - c. Discharge of Polluted Water Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the Responsible Authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain. Refer to Environment Protection Authority Victoria (EPA) guideline

<b>Date issued:</b>	<b>Signature for the responsible authority:</b>
<b>Date permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

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## IMPORTANT INFORMATION ABOUT THIS PERMIT

### WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. Amendment C213warr to the Warrnambool Planning Scheme.

### WHEN DOES A PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.

<b>Date issued:</b> <b>Date permit comes into operation:</b> (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	<b>Signature for the responsible authority:</b>
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OFFICIAL

Page 5 of 5

## 7.7. Council Plan Actions 2024 - 2025: July - September (Quarter 1)

### DIRECTORATE: *Corporate Strategies*

#### Purpose:

*This report provides information on the progress in achieving the actions set down for 2024-2025 as part of the Council Plan and Budget process. This report provides Council and the community with an update in the progress of actions across Councils' functional areas.*

---

#### Executive Summary

This report reflects on the progress and achievements of a broad range of actions set out in the Council Plan and Budget for the financial year 2024 –2025.

The actions give a brief insight into the extensive range of works services and projects undertaken by the organisation for the community.

The actions underpin activities Council undertakes to work toward the vision 2021 - 2025 of “A thriving city at the heart of coast and country”.

The 5 key objectives that support this vision are:

**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.

---

MOVED: CR. DEBBIE ARNOTT

SECONDED: CR. VICKI JELLIE

That the Council Plan Actions 2024 – 2025: July – September (Quarter 1), be received.

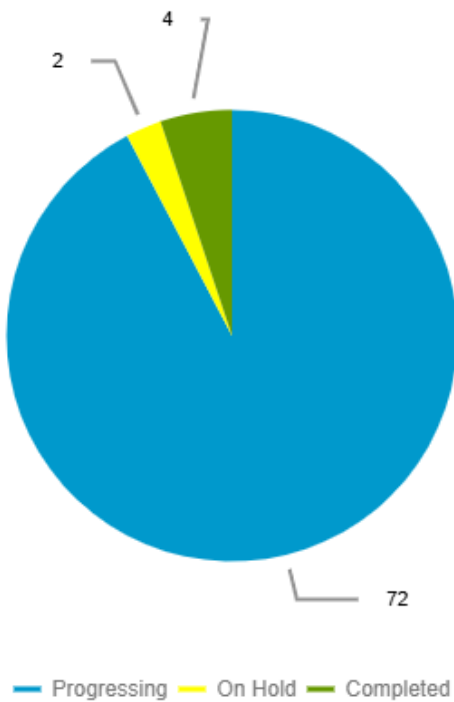
CARRIED – 7:0

## Background

The Warrnambool City Council Plan 2021 – 2025 (Revised 2024) is the key planning and strategic document of the Council and details the strategic objectives for its community over a 4 year period.

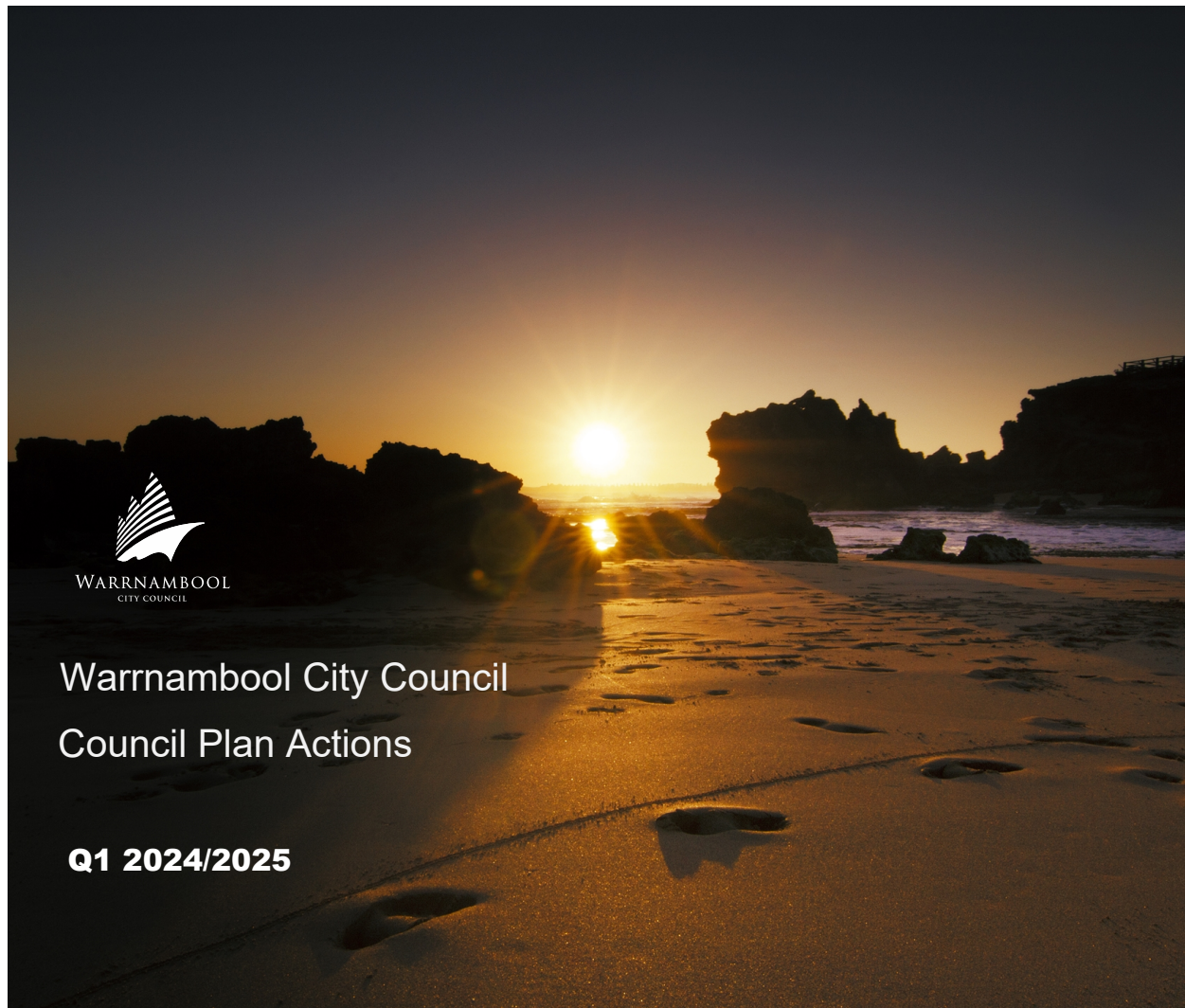
Council is required to set down the Council Plan actions on an annual basis that are to be funded and demonstrate how these actions will contribute to achieving the strategic objectives specified in the Council Plan and Budget.

### Q1 ACTIONS BY CATEGORY



## ATTACHMENTS

1. Council Plan Actions 2024 - 2025: July - September (Quarter 1) [7.7.1 - 24 pages]



- Completed
- Progressing
- On Hold
- Not Progressing
- Not Completed
- Withdrawn



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

**GOAL 1: A HEALTHY COMMUNITY:** We will be a healthy, inclusive, and thriving community with equitable access to services, cultural opportunities and recreational activities.

**Objective 1: WELCOMING & INCLUSIVE CITY:** Warrnambool will be a city that is more welcoming to all and fosters diversity.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.1.1	Review current parenting programs in line with community profile data to ensure all programs are inclusive to all parents.	Manager Children & Family Services	15%		Programs have started to be reviewed to ensure programs meet the needs of the community and parenting needs of families. Surveys are being prepared to send to families. Local data is being collected from local agencies working with families to assist the process.
1.1.2	Review the Communications Strategy and expand to include customer service elements that align with the Customer Service Charter.	Manager Communications	0%		This action is on hold and will be addressed through the revised Community Engagement Policy and guidelines which will be reviewed in 2025 in accordance with the Local Government Act.
1.1.3	Deliver a new West Warrnambool Neighbourhood House.	Service Manager Community Support	85%		The West Warrnambool Neighbourhood House (WWNH) construction is progressing well with practical completion anticipated to be mid/late November. The WWNH coordinator is managing the fit out and interior design of the building. The facility is expected to be operational February 2025.
1.1.4	Increase access to participation for all abilities and raise awareness within the community regarding the needs of people with a disability.	Manager Community Policy & Planning	25%		A review of Council's access and inclusion webpage and identification of additional scooter charging points to provide greater access to the accessible path network are in progress. Consultation with the South West All abilities group across directorates to improve disability access and inclusion is ongoing. Highlights include: initiating a project to install additional seating at the Lake Pertobe, improvements to the safety of a high risk pedestrian crossing and initiation of a FitSkills gym pilot program at Aquazone. Work is in progress for a Wheelie Convoy event coinciding with International Day for People with Disability on 27 November 2024.

**Objective 2: ENGAGEMENT WITH ABORIGINAL COMMUNITIES:** Council will pursue improved partnerships and meaningful engagement with Aboriginal people to grow opportunities and better outcomes for Aboriginal people.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.2.1	Finalise Council's Reconciliation Action Plan.	Manager Community Policy & Planning	25%		Council's Reconciliation Strategy is expected to be finalised by June 2025. The draft Reconciliation Action Plan has identified several actions through which Council can improve cultural awareness within the organisation and the community. This will better position Council to work with the Registered

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

2





## Warrnambool City Council Council Plan Actions

**Q1  
2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					Aboriginal Party and other First Nations organisations in the community.
1.2.2	Increase participation of Aboriginal families in early years services, with a focus on maternal and child health and kindergarten services.	Manager Children & Family Services	15%		Participation rates in kindergarten have increased by 8.1% and Maternal Child Health by 3.3% from 2023/24.

### Objective 3: HEALTH & WELLBEING: Council will take action to improve health, wellbeing and safety outcomes for Warrnambool's community.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments																		
1.3.1	Continue to deliver the actions of the South West Child and Family Alliance to achieve improved outcomes for vulnerable children and young people by working with families to maximise the opportunities and support for their children.	Manager Children & Family Services	10%		A new South West Alliance Strategic Plan is in the development phase with a facilitator appointed to assist with the plan. Staff from Council will take part in setting the strategic plan along with representatives from other agencies within the alliance.																		
1.3.2	Promote health and wellbeing through delivery of a diverse range of programs for older adults that support social connection and active participation from the Archie Graham Community Centre.	Service Manager Community Support	25%		<p>The Archie Graham Community Centre has delivered a diverse range of activities to support social inclusion. Programs have included art and dancing, exercise classes, technology support, the volunteer café program and the food cube. The Senior Citizen Club have also run their group activities including indoor bowls, table top games and billiards. Council continues to engage the community through education programs aiming at preparing the "aging well" community. This includes information session on how to prepare for Aged Care assistance, home and personal security, financial issues, preparing for death and chronic pain management.</p> <table><tr><td>Centre Attendance</td><td>Q1 F25</td></tr><tr><td>Information sessions</td><td>107</td></tr><tr><td>Technology support</td><td>76</td></tr><tr><td>Social Activities</td><td>465</td></tr><tr><td>Exercise Classes</td><td>1396</td></tr><tr><td>Hydropool</td><td>1611</td></tr><tr><td>Senior Citizen sessions</td><td>2180</td></tr><tr><td>HF walking Group</td><td>775</td></tr><tr><td>Session Totals</td><td>6610</td></tr></table>	Centre Attendance	Q1 F25	Information sessions	107	Technology support	76	Social Activities	465	Exercise Classes	1396	Hydropool	1611	Senior Citizen sessions	2180	HF walking Group	775	Session Totals	6610
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Session Totals	6610																						
1.3.3	Deliver high quality and affordable in-home care within the relevant guidelines and funding agreements.	Service Manager Community Support	25%		Council continue to deliver services to clients across the 5 service streams. The CHSP Home Care portal remains closed as programmed operations are above funded targets; CHSP Personal Care is also approaching capacity. Respite Services continue to be busy with both enquiries and funded services being put in place for clients.																		

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

3





## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.3.4	Engage children in Learn to Swim programs that align with the National Swimming and Water Safety Framework and provide adult learning opportunities in accordance with LSV Swim and Survive program.	Aquazone Service Manager	25%		Program aligned with LSV Swim & Survive program, that aligns with the Victorian state government outcomes for primary aged children swimming ability competencies. Lessons currently are offered from infants through to adults and include participants of all abilities.
1.3.5	Increase participation through activation, promotion and programming of AquaZone that meets the needs of the community.	Aquazone Service Manager	25%		Current forecasting is showing a projected increase for casual visitation in recreation swimming, and health club, while group Fitness is currently projected to be similar to last fiscal year. Member participation is also currently to be similar or slightly greater than last fiscal year.
1.3.6	Continue to implement the Municipal Health and Wellbeing Plan 2021-25 (Healthy Warrnambool) through the Committee of Practice model.	Manager Community Policy & Planning	25%		<p>Community of Practice (CoP) Group meetings have been conducted for the Healthy Eating CoP, Physical Health- Active Living CoP and the Climate Change and the Community CoP. Topics covered have included: new projects/collaborations, current funding opportunities and review of current initiatives/outcomes under the Healthy Warrnambool Plan 21-25.</p> <p>The 'Clear the Air' Vaping Information Session was held on the 12 September at the Lighthouse Theatre. With Dr. James Durl, Research Fellow from Griffith University as the keynote presenter, the session was organised in partnership with WRAD Health, Brophy Youth and Family Services and South West Healthcare. Feedback from parents/carers attending the event was positive with all surveyed reporting that their knowledge of the health risks of vaping and their confidence to have conversations with teens on vaping had improved. Whilst smoking has reduced to 9.7% for Warrnambool as depicted by the VicHealth 2015 survey, these numbers have steadily increased to 11.4% in 2018 to 14.2% currently. There appears to be a direct correlation in the increase in current smoking to the uptake in vaping. While vaping data is currently unavailable at Municipal level, VicHealth estimates that around 1 in 5 young people are currently using vapes.</p>
1.3.7	Continue to improve children and families' health and wellbeing as set by reaching the benchmarks within the Healthy Achievement Program.	Manager Children & Family Services	60%		Health and Wellbeing bench marks have been met for three out of the six bench marks in councils early years services - SunSmart, Healthy Eating and Oral Health and Physical Activity and Movement.
1.3.8	Provide increased services through the Enhanced Maternal and Child Health Service to support children up to the age of three years.	Manager Children & Family Services	20%		Enhanced Maternal Child Health services have already delivered 552.45 hours across the year, allowing the service to deliver a more targeted program to families needing more flexible actions and interventions.

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

4



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

### Objective 4: AN ACCESSIBLE CITY: Council will improve the physical and social accessibility to community services, facilities, places and precincts.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.4.1	Where possible, and in accordance with current standards, deliver all-abilities access compliance as part of asset renewal projects.	Manager Strategic Assets, Property & Projects	60%		Additional accessible car parks have been installed in four locations including Liebig Street, Fairy Street, Timor Street and Flaxman Street in front of the Fletcher Jones Gardens. The West Warrnambool Neighbourhood House project includes a significant DDA compliant ramp to access the facility, and includes an accessible off-street car park. Footpath linkage works continue, increasing the City's network of accessible footpaths in areas not currently serviced by footpaths.
1.4.2	Implement the Fair Access and Use Policy for Community Sports Facilities, as mandated by the State Government, to be endorsed by Council by 1 July 2024.	Service Manager Recreation & Culture	50%		Fair Access and Use Policy endorsed by Council in July 2024.
1.4.3	Develop a Youth Strategy that will guide Council programs, initiatives, advocacy and engagement with young people.	Service Manager Community Support	80%		The Youth Strategy has been developed with Moyne Shire through a consultative process with schools, support service providers, sporting clubs, community organisations, employers, Traditional Owners, and council stakeholders. - 41 in-person conversations engaging 271 young people and 126 adults. - Two online surveys capturing the views of 389 young people and 69 adults. The strategy has now been finalised for release for public comment subject to new Council approval.
1.4.4	Develop a Community Services Infrastructure Plan.	Manager Community Policy & Planning	25%		Scoping of the Community Services Infrastructure Plan has been initiated. The Community Services Infrastructure Plan will be renamed Warrnambool Community Services Futures Plan 2040.

### Objective 5: RECREATION, ARTS, CULTURE & HERITAGE: Council will support opportunities to participate in a wide range of recreational, arts and cultural programs that promote activity, wellbeing, diversity heritage and which increase community connectedness.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.5.1	Complete the Playspace Strategy for community playgrounds and spaces.	Manager Strategic Assets, Property & Projects	50%		The draft Playspace Strategy is underway.
1.5.2	Deliver a Lighthouse Theatre season program that is relevant and appealing to the local/South West audience and that provides opportunity to experience a	Service Manager Lighthouse Theatre	0%		Lighthouse Theatre had a successful start to our 2024/25 Theatre Season program, with 1279 patrons attending performances ranging from schools performances to family nights out to more traditional offerings. 388 school students and their teachers came to the theatre for Monkey Baa's 'The Peasant Prince'. Our two family events Australian

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

5



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
	diverse range of performing arts.				Theatre for Young People's 'Past The Shallows' and Erth's 'ARC' brought 219 parents and children to the shows, and 260 patrons enjoyed our musical offerings 'After Birth', 'Promises Promises' and 'How Sweet It Is'. The perennial classic Opera Australia's production of 'La Boheme' was the biggest hit, with an audience of 412.
1.5.3	Deliver Warrnambool Art Gallery exhibitions and experiences that engage community, attract and increase visitors, support artists and build new audience.	Director Art Gallery	25%		Audiences June-Aug: 5253 total (June: 1619, July: 1830, Aug: 1804): 16 education programs with 2557 participants; 10x Adult Public Programs; 5 exhibitions
1.5.4	Develop a Warrnambool City Council Arts and Culture Strategy.	Manager Recreation & Culture	40%		The strategy has been drafted. It will be reviewed in line with the 2024-2029 South West Creative Industries Strategy which is soon be finalised. This project will recommence in the new year with the new Council.
1.5.5	The Library and Learning Centre will deliver a program of community-responsive activities and events to promote, engage and support learning and literacy to people of all ages and abilities within the community.	Service Manager - Library & Learning Hub	25%		First quarter results for community responsive programs: 299 program sessions delivered to 5,637 participants.

### Objective 6: COMMUNITY LEARNING PATHWAYS: Council will support and encourage lifelong learning that helps build community resilience and preparedness for change.

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
1.6.1	Maintain and further develop Council's partnership with Deakin University to enable research and development opportunities for community and industry.	Manager Economic Development	25%		In August Council hosted delegates from our Sister City in Japan, Miura. A part of the visit included a tour of Deakin Universities Hycel Technology Hub for Hydrogen to encourage further discussions.  Through our relationships with our Sister Cities Miura and Changchun education is one of the key industries where opportunities are promoted. Council's Economic Development and Tourism Advisory Committee (EDTAC) includes a representative from Deakin.
1.6.2	Development and implementation of a 10 year Early Years Infrastructure Strategy for Council, in response to State Government kindergarten reforms.	Manager Children & Family Services	15%		Council has completed the scope and is ready to go out for request for consultancy for the development of the Early Years Infrastructure Plan. Project Control group has been identified.

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

6



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

**GOAL 2: A SUSTAINABLE ENVIRONMENT:** We will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.

**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	Implement Invasive Plant and Animal Management Framework for the control of environmental weeds and pests.	Coordinator City Building & Administration Support	20%		A Rabbit Control Action Plan has been drafted. Supporting Warrnambool Coast Care Land Care Network in implementing the Partnerships Against Pests Network.
2.1.2	Develop and implement programs that improve biodiversity, protect and enhance flora and fauna including revegetation with the assistance of community.	Coordinator City Building & Administration Support	40%		Implemented the Growing Green Rooms program, the School Plant a Tree program and continued the Garden for Wildlife 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 Environmental Health	50%		Domestic Wastewater Management Plan 2020-2025 is coming into its sunset and planning has commenced on priorities for the renewed DWMP.  A meeting was held with Wannon Water to discuss future priorities and direction. Likely to focus on existing infrastructure (available sewer) and requiring properties within the declared sewer district to connect.  Wastewater Report for Woodford/Bushfield in support of minimum 1ha allotment sizes nearing completion - proposed to be circulated to community along with Strategic Framework Plan in Q2.  Wastewater education session for the community in collaboration with Wannon Water earmarked for Q2/Q3. Likely to be held in Woodford/Bushfield,
2.2.2	Implement the Warrnambool Coastal Management Plan to guide the future use, development and management of Warrnambool's coastline.	Coordinator City Building & Administration Support	45%		Actively managing vegetation and pest animals along Warrnambool's foreshore as well as renewing Council's infrastructure.
2.2.3	Complete the South Warrnambool Flood Study	Coordinator City Strategy	75%		The South Warrnambool Flood Model has been reviewed by an independent expert in the field. The model has been tested and updated based on the reviewer's recommendations. Draft flood mapping

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

7



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
	and begin Planning Scheme Amendment.				<p>was completed from the updated model in May.</p> <p>At the same time that this mapping was completed the Federal Department of Climate Change, Energy, the Environment and Water advised Catchment Management Authorities across Victoria that they would be publishing revisions to the Climate Change Considerations chapter of Australian Rainfall and Runoff (ARR). ARR is Geoscience Australia's guide to flood estimation. The revisions involve calculation of how much rainfall intensity is expected to increase in the future relative to the historic baseline. In consultation with the Glenelg Hopkins Catchment Management Authority (GHCMA), Council has decided to update the model based on the imminent ARR revisions so that our planning scheme amendment will be based on the best available current climate advice. There is a significant risk that a Planning Panel would reject the proposed amendment if we did not include the revisions. This remodelling work is now finalised.</p> <p>The draft mapping produced in May also highlighted potential significant flood risk just upstream of the model boundary. As a consequence, it was decided to extend the model further upstream in order to better define the risks between the Princes Highway Bridge and the Caramut Road Bridge. This model extension is happening concurrently with the ARR revisions. The model extension included consultation with property owners and occupiers in the new study area,</p> <p>It is anticipated that finalised flood mapping will be ready for presentation to the community in December 2024. The final stages of the mitigations options analysis can also be completed at that point. When that is complete, community and Project Reference Group meetings will be scheduled to discuss the final mapping and the results of the mitigation options analysis.</p>

### Objective 3: ENVIRONMENTAL IMPACT & 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	Council will investigate a seasonal increase of its FOGO collection over the spring and summer months.	Coordinator City Building & Administration Support	10%		Initial discussions held with FOGO contractor and further discussions to be held in Q2-Q3 of this financial year.
2.3.2	Facilitate and support the delivery of climate change mitigation, adaptation and resilience actions to raise	Coordinator City Building & Administration Support	20%		Started the Wild Coast Resilience and Protection Project which will collaborate with GORCAPA, EMAC and the Warrnambool community.

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

8



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
	awareness and prepare for a changing climate.				

**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	Deliver actions identified in the Albert Park Integrated Water Management Plan and the Lake Pertobe Integrated Water Management Plan.	Coordinator City Building & Administration Support	20%		Continue to implement the urban greening of Albert Park through the Albert Park Revegetation Plan. Working with DEECA to fund information gaps highlighted in the Lake Pertobe Integrated Water Management Plan.

**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	Develop and deliver education program supporting the reduction of landfill, and a greater understanding of contamination impacts.	Coordinator City Building & Administration Support	25%		Education program undertaken via mail out to all residences regarding recycling streams and what is suitable to be deposited into co-mingled bins. Worked with FOGO contractor to separate known contaminants from the FOGO collection to ensure that the loads deposited are as clean as possible.

**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	Monitor and manage organisational greenhouse gas emissions and energy usage.	Coordinator City Building & Administration Support	25%		Monitoring continues to be undertaken and Council's emissions profile has been updated on Council's website.

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

9



## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

**GOAL 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.

**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	Manage Development Plans and Developer Contributions Plans to meet infrastructure requirements of new areas.	Coordinator City Strategy	25%		<p>Development plans continue to be prepared and implemented across multiple growth fronts. More recent plans that have been approved are a development plan for residential development at 71 Raglan Parade, (which is part of the Eastern Activity Centre); a development plan for 28 Aberline Road which provides for a child care centre and swim school and is part of the North East Growth area, officers continue to work with developers on developing and implementing development plans and managing developer contributions across the residential growth areas, and particularly within the North of the Merri.</p> <p>Officers are continuing to have pre-application discussions with developers on a number of development plans and development fronts in the North of the Merri, with the likelihood that applications will be submitted in the upcoming months.</p>
3.1.2	Develop programs and collateral to promote Warrnambool as an appealing investment destination.	Manager Economic Development	25%		<p><b>INVEST ATTRACTION PROSPECTUS</b> - The Economic Development Team finalised and is promoting the online 'Live, Work &amp; Invest' investment and attraction prospectus <a href="https://www.warrnambool.com/">https://www.warrnambool.com/</a> which details all of the information needed for many areas within Council and the city for potential and existing businesses, investors, workers and families considering a move to Warrnambool. Several businesses and organisations are already using the online site in their job advertisements and it will continue to be promoted by the economic development team to developers, key local businesses and organisations and relevant state government departments. An introductory hard copy is also available which allows users to access the full online version via QR codes.</p> <p><b>WARRNAMBOOL WINTER DISCOUNT CARD</b> - The first iteration of the Winter Discount Card ran for the whole of winter was introduced and in June and running until the end of August. The cards were placed with accommodation providers who issued the cards to visitors staying for 2 nights or more and included special offers from participating businesses when visitors produced the card at these businesses. The concept was well received and the economic development team are working on an approach to broaden the program and how to include locals as well as visitors for winter 2025. Before launching the campaign, The Economic Development team approached over 220 businesses in</p>

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

10





## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					<p>person including follow up visits, and promoted the opportunity digitally via email and newsletters.</p> <p>Forty accommodation providers were involved and sixty-four businesses. The business categories for the offers included retail trade, hospitality/food and beverage, personal services and arts/recreation activities who embraced the campaign and registered an offer, deal or discount to incentivise visitors to come to their business. The program was a great opportunity to further engage with accommodation providers and was only open to independently owned and operated local businesses. The concept was evaluated and well received with some suggestions for improvement. The economic development team are working on an approach to broaden the program and how to involve more businesses and include locals as well as visitors for winter 2025.</p>
3.1.3	Grow engagement with local businesses across the municipality through events and training opportunities.	Manager Economic Development	25%		<p><b>TRAINING OPPORTUNITIES</b> - To date a total 8 business workshops and training sessions have been held in 2024. Across these 8 workshops attendees we have 184 attendees. This equates to an average booking number of 23 per workshop/training session. Feedback from businesses is they would like more training opportunities which will be a focus from the Economic Development &amp; Investment Unit.</p> <p><b>BUSINESS MENTORING</b> - Sessions have continued and are coordinated by the economic development team and makes available free one on one business mentoring services to locally based businesses to take up at no cost to participants. These services can be utilised by businesses of any size existing or planned and can include marketing support, financial advice or other similar topics. A maximum of 5x 45 minute sessions can be booked on any given day with four businesses taking up the offer so far.</p> <p><b>ONE NIGHT STAND - TRIPLE J MUSIC EVENT</b> - Triple J's One Night Stand is an annual music festival held in various Australian cities and towns which is promoted and organised by national youth radio station Triple J and was held at The Friendlies Society Park. Our city was chosen from around 2,000 locations nominated by locals via a social media campaign. The event was an alcohol and drug free with the final attendance 11,421 with a total of 18,000 tickets sold and/or distributed. The final attendance may have been a bit lower than expected due to inclement weather. Despite the cool weather across the weekend the event generated \$8.04 million in total local spend, up \$1.08M (Source Spendmapp) over the same weekend period of 2023 showing how valuable events are to our local businesses. Council's event involvement was led by the Events &amp; Promotion team with contributions from many other areas to make help make it the huge success it was for our city.</p> <p><b>BUILDING RESILIENCE BREAKFAST WITH LEILA MCDOUGAL (JUNE 2024)</b> - The Economic</p>

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

11





## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					<p>Development Unit coordinated a sell-out business breakfast networking event on 11 June featuring "Just a Farmer" film maker Leila McDougal who was speaking of her own personal story of resilience and perseverance. 106 tickets were sold and feedback from the recent business survey indicates businesses want further events of this nature for networking, motivational and business ideas in the 2025 calendar year.</p> <p>OVERALL BUSINESS ENGAGEMENT - Across a range of programs and needs that have occurred throughout 2024 the Economic Development Staff and their focus on business engagement has seen them visit almost 1,300 businesses in person to discuss a range of topics and opportunities available to them which.</p>

### 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.	Manager Infrastructure Services	25%		Council continues to contribute to the Great South Coast Economic Futures group. Recent work includes the Barwon South West Renewable Hydrogen and Energy Investment Opportunity Mapping study and the Agriculture, Food & Fibre Prospectus Great South Coast Victoria.
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	25%		<p>GSC DAMA (GREAT SOUTH COAST DESIGNATED AREA MIGRATION AGREEMENT) - The GSC DAMA received a 12 month extension in March 2024 which included increasing our approved occupations from 38 to 113 and the number of workers which can be endorsed across the region from 100 to 300 per year. The employer response to program continues to be very strong with the increased occupations which will see the most number of requested workers being endorsed since the program began. New occupations across health, hospitality, aged care and traditional trades are now being taken up whilst the dairy industry continues to be heavily involved. An application to extend the program for a further 12 months from March 2025 has been submitted.</p> <p>TALENT BEYOND BOUNDARIES (TBB) PARTNERSHIP - In September Council, on behalf of the local government areas in the Great South Coast Region, signed a Memorandum of Understanding (MOU) with TBB to promote the program and be the local contact for employers wishing to access skilled refugees from all parts of the world. TBB has a register of skilled refugees looking for opportunities in Australia and through their teams talent identifiers and has over 900 occupation approved to job match skilled workers with employers in our region. The program has priority processing with the Department of Home Affairs ensuring shorter visa processing times. We</p>

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					<p>are currently working with several employers who are considering this an option to recruit skilled staff.</p> <p>MIURA HYCEL VISIT - In August Council hosted delegates from our Sister City in Japan, Miura. A part of the visit included a tour of Deakin Universities Hycel Technology Hub for Hydrogen to encourage further discussions.</p> <p>SHANGHAI VISIT - In late October Council hosted a delegation of local government representatives from Shanghai's Jing'an District and a representative from Shining Shanghai Festivals International Light Festival. A presentation on the key industries our city and region has to offer was presented before the delegation toured the city on a private tour. The representative from the Shining Shanghai Festivals International Light Festival was introduced to a likeminded local business who delivered a presentation and will continue to look for opportunities to collaborate.</p> <p>CHANGCHUN MARATHON - Four locals were chosen to run in the Changchun Marathon with support from Changchun Municipal People's Government who supported the runners with a few nights' accommodations and entry into the run. Participants paid their own way and reported it was a fantastic experience.</p> <p>OTHER KEY INITIATIVES FOR THE ECONOMIC STRATEGY - The 2023-2028 Economic Development Strategy was signed off by Council in late 2023. Initiatives which are in currently in place to facilitate investment and employment growth include:</p> <p>(1) The Ideas Place in conjunction with More Shire and Corangamite Shire has been completed after 18 months. Three programs and 60 budding entrepreneurs completed the program and we look forward to following their progress. A further program funded by Warrnambool City Council will continue to support individuals within our LGA who have made progress and would benefit from some more mentoring.</p> <p>(2) Business workshops &amp; mentoring and business speakers.</p> <p>(3) Better Approvals - Business Support - New Business Inquiries.</p> <p>(4) Warrnambool Funding Finder (Grant Guru) - Free access to source funding opportunities for local businesses, organisations and community groups with almost 400 registered to access grant opportunities.</p> <p>(5) Provision of economic data to support major events.</p> <p>(6) Member of the Economic Development Australia (EDA) Investment &amp; Attraction Group.</p> <p>(7) The bi—annual business survey has been completed in conjunction with Deakin University</p>

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					Warrnambool and will be released publicly at the Mayors Breakfast on November 21st at the Light House Theatre. (8) Winter discount card provided to accommodation providers promoting local businesses. (9) The Economic Development & Events Manager sits on the Local Skills & Jobs Taskforce (DEWR), Rail Freight Alliance and the Economic Development Australia Victorian Practitioner Network.
3.2.3	Plan for the development and implementation of precinct structure plans to facilitate investment in appropriate development across the municipality.	Coordinator City Strategy	25%		<p>The Allansford Strategic Framework Plan (adopted in 2021) is currently being implemented with a range of technical reports being produced which will support rezoning of key sites, including a flood and stormwater investigation which is currently underway for the township.</p> <p>The Bushfield-Woodford strategic framework plan is currently being reviewed and updated to reflect community feedback. The feedback included a response from the CFA that has necessitated further assessment for bushfire risk. This work has been externally funded and is nearing completion. Once the strategic framework plan is updated to reflect the community feedback, further engagement with the community and stakeholders will occur.</p> <p>The Eastern Activity Centre structure plan continues to be implemented by site-specific rezonings, and developments, including approval of a new KFC take-away food restaurant at Gateway Plaza, and residential development at 71 Raglan Parade.</p> <p>Council officers continue to work with the Victorian Planning Authority (VPA) in the development of the East of Aberline precinct structure plan, which is Council's largest residential growth area anticipated to accommodate 5,000-6,000 lots and a population of 13,000 residents. The Victorian government has identified the PSP as a priority and subsequently the project is now fully funded. A range of technical reports have been undertaken for the precinct to support the future urban structure. A draft PSP has been prepared for agency validation and feedback, with feedback due mid November 2024. The PSP is anticipated to be finalised and released for formal exhibition by mid 2025.</p> <p>Implementation of Council's other 4 residential growth areas is progressing with development occurring across the 4 growth areas at a healthy rate.</p> <p>The Warrnambool Foreshore Framework Plan has been completed. The Plan will provide guidance for a variety of issues across the Foreshore precinct. It</p>

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					is anticipated the Plan will be presented for formal Council adoption in the new year.

**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.	Service Manager Flagstaff Hill	95%		The Destination Action Plan is completed and will be launched on 28 Thursday November by GORRT at the Visitor Services Industry Night.
3.3.2	Increase visitation with events across the year and enhance the profile of Warrnambool as a destination.	Service Manager, Events & Promotion	30%		<p>ONE NIGHT STAND - TRIPLE J MUSIC FESTIVAL - Triple J's One Night Stand is an annual music festival held in regional Australian cities and towns which is promoted and organised by national youth radio station Triple J. After a 5 year hiatus, the event was held in Warrnambool on Saturday 14 September at The Friendlies Society Park. Warrnambool was chosen from over 2,000 locations nominated by locals via a social media campaign. The event was an alcohol and drug free with the final attendance 11,421 with a total of 18000 tickets sold and/or distributed. The final attendance may have been a bit lower than expected due to inclement weather. Despite the cool weather across the weekend the event generated \$8.04 million in total local spend, up \$1,080,000 (Source Spendmapp) over the same weekend period of 2023 showing how valuable events are to our local businesses. Our accommodation providers reported almost full bookings across the city in what is typically a quieter time of the year. Council's involvement was led by the Events &amp; Promotion team with contributions from many other areas to make help make it the huge success it was for our city. The event had a positive viewership of over 100k combined total audience across TikTok and YouTube event livestreams and broadcast live on ABC iView. Also more than 2M views across triple j social media platforms.</p> <p>FESTIVALS &amp; EVENTS GRANTS &amp; PARTNERSHIP PROGRAM 2024/25 - The Events and Promotions Branch has allocated total funding of \$194,592.00 to 25 eligible events under the Festivals and Events Grants and Partnerships Program 2024/2025. This program supports events in Warrnambool that deliver upon the strategic priorities of the 2024 - 2028 Warrnambool Events Strategy with a total possible funding allocation of \$200,000.00. Program objectives:</p> <ul style="list-style-type: none"> <li>- Generate a diverse, vibrant and inclusive annual calendar of events.</li> <li>- Identify and attract new, iconic events to Warrnambool that drive tourism visitation, boosting off-peak visitation, extended stays and expenditure.</li> <li>- Increase economic stimulus through increased spend.</li> </ul>

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					<p>- Create memorable experiences that are unique to Warrnambool.</p> <p>- Encourage and assist events to become financially sustainable and protect valuable annual events.</p> <p>Key funded events that aim to increase visitation include Victorian Senior Lifesaving Championships, Warrnambool Lawn Open 2025, Grand Annual Sprintcar Classic, May Racing Carnival, 2025 AusCycling BMX State Series, Warrnambool Rodeo, KidFest, From Beer to There and Warrnambool Pickleball Open 2025.</p> <p>EMBRACE WARRNAMBOOL is a new digital Winter events campaign was delivered for the first time and ran from June to August 2024. The campaign was managed by Bliss, a third-party creative agency in conjunction with Great Ocean Road Regional Tourism and content is provided by Council departments and event organisers who registered their events for inclusion. The content was centred on 4 pillars:</p> <ul style="list-style-type: none"> <li>- Embrace the Dark - nighttime economy and evening events, such as Solstice Search Party.</li> <li>- Embrace the Wild - big nature and creative events.</li> <li>- Embrace the Culture - arts and culture, indigenous.</li> <li>- Embrace the Taste - dining and markets.</li> </ul> <p>The campaign was successful in driving increased traffic to the Visit Warrnambool website, events pages and two campaigns across Google and Meta. There were 1.5 Million impressions across platforms and a total of 31,724 clicks. While ad engagement was higher on Google Ads, and clicks were relatively on par across the two platforms, Meta Ads drove significantly higher conversions and drove considerably higher impressions, meaning the platform saw increased awareness for the campaign. Budget was split 50/50 to gauge activity, reach and performance, similar to other previous campaigns, like Solstice Search Party. After seeing similar results across different campaigns, we will look at allocating budget to favour Meta over Google in the future.</p>
3.3.3	Develop and share economic data and analysis to business and industry to inform the performance of the Warrnambool economy.	Manager Economic Development	25%		<p>The development of the online investment and attraction prospectus <a href="https://www.warrnambool.com/">https://www.warrnambool.com/</a> provides local businesses, industry and investors with quick access to current and key economic data. This is being promoted locally, statewide and beyond to promote Warrnambool as a great place to 'Live, Work or Invest' which are key themes throughout the prospectus.</p> <p>The Economic Development Unit provides our cities major events, businesses and organisations applying for funding opportunities which will benefit the city with data that supports their applications for grant opportunities via the various tools we have such as REMPLAN, Spendmapp, Business Survey findings and other data streams available to us.</p> <p>The annual Mayor's Breakfast will again be held in November which provides an overview of the year from an economic perspective and include the release of the recent business survey.</p>

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
3.3.4	Ensure that Council's position is advocated strongly to the Great Ocean Road Coast and Parks Authority.	Manager Infrastructure Services	25%		Council continues to engage with the executive of GORCAPA around Tourist Operator licences and various strategic projects covering coastal crown land parcels. GORCAPA have indicated there are no current plans to move towards taking over any land management functions in the Warrnambool municipality.

### 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	25%		<p>GSC DAMA (GREAT SOUTH COAST DESIGNATED AREA MIGRATION AGREEMENT) - The GSC DAMA received a 12 month extension in March 2024 which included increasing our approved occupations from 38 to 113 and the number of workers which can be endorsed across the region from 100 to 300 per year. The employer response to program continues to be very strong with the increased occupations which will see the most number of requested workers being endorsed since the program began. New occupations across health, hospitality, aged care and traditional trades are now being taken up whilst the dairy industry continues to be heavily involved. An application to extend the program for a further 12 months from March 2025 has been submitted.</p> <p>TALENT BEYOND BOUNDARIES (TBB) PARTNERSHIP - In September, Council on behalf of the local government areas in the Great South Coast Region, signed a Memorandum of Understanding (MOU) with TBB to promote the program and be the local contact for employers wishing to access skilled refugees from all parts of the world. TBB has a register of skilled refugees looking for opportunities in Australia and through their teams talent identifiers and has over 900 occupation approved to job match skilled workers with employers in our region. The program has priority processing with the Department of Home Affairs ensuring shorter visa processing times. We are currently working with several employers who are considering this an option to recruit skilled staff.</p>
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	25%		THE IDEAS PLACE PROGRAM - September 2024 saw the conclusion of The Ideas Program that was funded externally by a grant received through Launchvic with support from Moyne Shire Council, Corangamite Shire Council, South West TAFE, The Fletcher Jones Foundation and Council. The 2024 schedule of this program included two Pitch Night events held in March and September respectively, two Bootcamp programs, one Ignite training program and a Young Entrepreneurs Program that was facilitated by The Neil Porter Legacy.

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					<p>Across the duration of the program 888 participants were involved in various online and in person events including 69 participants in the Ignite training program and a further 88 in the Bootcamp mentoring program. The funding supports start-up entrepreneurs who have an idea for a start-up and want to establish their business. Intensive workshops, designed to focus specifically on start-up methodology, mentoring and partner programs are components of the program. A South West TAFE representative sits on the program advisory group. Taking a regional approach in partnership with Moyne, Corangamite and Warrnambool Council's the Ideas Place's program on regional and remote locations is one of the core outcomes across the entirety of the program.</p> <p>Deakin University has a representative on Council's Economic Development and Tourism Advisory Committee which meets on a quarterly basis.</p> <p>Council has representation on the South Coast Local Skills &amp; Jobs Taskforce (DEWR) and attends the State Governments Skilled &amp; Business Migration Program forums (Industry, Trade and Investment Division - Department of Jobs, Skills, Industry and Regions held on quarterly basis and is a member of Economic Development Australia's Victorian Practitioners Network.</p>

### Objective 5: THE DIGITAL ECONOMY: 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.	Executive Manager IT Strategy & Transformation Shared Services	0%		The Great South Coast Digital Plan forms a basis of current planning and will form part of the future strategic plan and direction across the three Councils participating in the SWCICTA Joint Venture. The majority of actions will take place after the Technology One ERP has been completed in late 2025.

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

**GOAL 4: A CONNECTED & INCLUSIVE PLACE:** We will provide quality places that all people value and want to live, work, play and learn in.

**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	Develop City-Wide Parking Strategy and implementation plan.	Coordinator City Building & Administration Support	80%		City wide carpark strategy has been completed and adopted by Council. Implementation plan to be developed, projects designed and programmed.

**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	Facilitate the development of a regional transport forum for all forms of regional transport (rail, road freight networks, ports and airports).	Director City Infrastructure	30%		Expression of interest process undertaken to appoint a consultant to facilitate the stakeholder engagement for the development of a plan for the region to assist with prioritising advocacy efforts across the region.
4.2.2	Review Pathway Asset Management Plan and identify key gaps and opportunities for improvement.	Manager Strategic Assets, Property & Projects	85%		A draft Footpath Asset Management has been completed. The draft will be submitted for approval in coming weeks.
4.2.3	Advocate for funding to progress the CBD Bus Interchange Project in Lava Street.	Manager Strategic Assets, Property & Projects	0%		Funding has been received to undertake a design for the CBD Bus Interchange. The design is underway. Once the design has been completed a renewed focus on advocating for funding to complete delivery of the Bus Interchange in Lava Street will be undertaken.

**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	In consultation with the community, carry out preliminary design and costing for a new sports pavilion and multi-purpose community hub at Brierly Reserve.	Manager Recreation & Culture	100%		Design and QS completed. Community engagement indicates strong support for the preliminary design and this project to remain a Council priority.

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
4.3.2	Finalise the Public Open Space contributions policy.	Coordinator City Strategy	30%		<p>The Open Space Strategy 2014-2024 is nearing the end of its life. A review of the strategy is currently underway with the likelihood of a new or revised strategy to be developed in 2025. One unresolved recommendation of the strategy is the development of an Open Space Contributions policy.</p> <p>A background report has been completed and externally peer reviewed. Economic modelling and analysis will be undertaken to support the rationale and justification of the policy, following endorsement of a new or revised Open Space Strategy in 2025.</p>

**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	Implement environmentally sustainable development targets into the Planning Scheme to provide for improved sustainability outcomes across the municipality.	Coordinator City Strategy	30%		<p>Warrnambool, together with 23 other Councils, are working under the lead of the Council Alliance for a Sustainable Built Environment (CASBE) to implement elevated ESD targets into the planning scheme. A planning scheme amendment has been prepared and was submitted to the Minister for Planning for authorisation by all individual 24 Councils in July 2022. The Minister has yet to authorise the amendment, however CASBE are holding regular meetings with state government to advocate for the progression of this work.</p> <p>Council officers are working with the VPA to embed sustainability outcomes in the East of Aberline PSP.</p> <p>In addition to the local initiatives, the State Government is rolling out a number of planning reforms in the ESD space, including transitioning to a gas free community, which is part of the State Government's ESD Roadmap.</p>
4.4.2	Review the Smart Buildings Program 2024-2025 to improve energy efficiency and reduce greenhouse gas emissions and utilise renewable energy.	Coordinator City Building & Administration Support	25%		In the process of completing an audit of Council buildings to inform the next version of the smart buildings opportunities report. This will guide the next projects.
4.4.3	Update the Drainage Asset Management Plan.	Manager Strategic Assets, Property & Projects	70%		A draft Drainage Asset Management Plan has been put together. It is in the process of being reviewed prior to be submitted for approval.

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

**GOAL 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.

**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	Council is refining a "policy dashboard" that will be used to inform regular reporting to Council in the currency of policies.	Manager Governance	100%		Council's "policy dashboard" tracking software has been implemented and is now being utilised by staff. Regular reporting will be provided to the Executive Management Team.
5.1.2	Run a robust and comprehensive Councillor Induction program to help ensure good governance in the 2024-2028 Council term.	Manager Governance	50%		Planning and preparation for the Councillor Induction program is complete. A comprehensive program has been prepared beginning on 13 November.
5.1.3	Deliver the Coastal Connect project in partnership with the Corangamite and Moyne councils.	Director Corporate Strategies	40%		The project is progressing well with fantastic cooperation across the councils in a very complex project with multiple partners. The time frame for the project go live has been extended as a result of software reconfiguration issues from the vendor. This has resulted in a delayed go live which is being forecast for end of 2025.
5.1.4	Work with the Victorian Electoral Commission to successfully deliver the 2024 Local Government Election.	Manager Governance	100%		Council and the VEC worked positively together resulting in the election held on 26 October 2024 with the declaration of results held on 8 November 2024.
5.1.5	Continue to enhance organisational awareness of Victoria's Child Safe Standards via customised training programs and implement measures to maintain and improve compliance with the standards.	Manager Organisation Development	25%		A new position of Child Safety Officer has been approved and is currently in the recruitment phase.

**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	Provide a twice-yearly report on the effectiveness of Council's online engagement.	Manager Communications	50%		This report is currently being prepared.

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Progressing

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.2.2	Provide communications support to promote Council services, facilities, programs and events.	Manager Communications	25%		Support provided for a range of programs and activities including the business survey, 21st anniversary of Reveg the Flume, Clear the Air vaping information session, fox baiting program, the Ideas Place Pitch Night, Youth Showcase and Warrnambool Seniors Festival.

**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	Improve outcomes in the delivery of Council's customer services with the opportunities available through the Coastal Connect shared enterprise software.	Manager Communications	25%		Improvements to the EFTPOS payment service have been introduced. Previously there were challenges with accepting payments on the last day of the month.

**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	Finalise an update of the Procurement Policy, introduce relevant training and explore opportunities for joint procurement with other Councils.	Manager Financial Services	100%		Procurement policy updated. Introductory training module complete. Second and third modules in progress. Joint procurement opportunities being explored with the backing of the policy when they arise.
5.4.2	Continue to evolve the staff training and development programs in order to drive enhanced employee engagement and culture.	Manager Organisation Development	40%		In response to the Staff Alignment and Engagement Survey multiple action plans have been developed and enacted.
5.4.3	Introduce positive change through the Women's Network.	Manager Organisation Development	50%		The Womens Network Group has been formed. The Committee meets at a minimum bi-monthly. The Network aims to provide a supportive, collaborative, informative and social network for female employees to connect, engage, learn and/or socialise with other female employees; non-binary employees; employees identifying as female; and allies.
5.4.4	Continue implementation of Council's Volunteer Strategy.	Service Manager Community Support	80%		Council has adopted the Volunteer Management Policy and education around this is continuing with sections of Council that engage volunteers. Council officers are promoting the use "Better Impact", a volunteer management system, and

<b>Completed</b>	<b>Progressing</b>	<b>On Hold</b>	<b>Not Progressing</b>	<b>Not Completed</b>	<b>Withdrawn</b>	22
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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
					implementing one of its modules, "My Impact" to be used by volunteers to manage their engagement with Council.

**Objective 5: ORGANISATIONAL & FINANCIAL SUSTAINABILITY: 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 update the Long Term Financial Plan to ensure Council remains financially sustainable into the future.	Manager Financial Services	10%		LTFP will be updated in line with Council's suite of Integrated strategic plans.
5.5.2	Improve digital capacity for Council staff with the implementation of Coastal Connect.	Executive Manager IT Strategy & Transformation Shared Services	0%		This digital capacity for Council is improving via the training and configuration tasks undertaken within the Coastal Connect Project. The Project has a specific end user training stage during 2025. This will form the basis of a training resource centre with up to date centralised materials and support people.

**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 by collaborating with Corangamite and Moyne shires to develop a shared Cyber Security Strategy.	Manager Information Services	30%		Cybersecurity strategy has been completed. Purchase of SAM for Compliance will enable Council to effectively track the Essential 8 maturity level and the improvements made to get to a higher level. The baseline will be brought across from the Cyber Security Strategy and audit.
5.6.2	Implement the 2024-2025 elements of Council's Victorian Protective Data Security Plan.	Manager Information Services	20%		Purchase of SAM for Compliance will enable Council to effectively track and report on VPDSP alignment.
5.6.3	Ensure effective Business Continuity Planning (BCP) is in place.	Manager Organisation Development	75%		All BCP plans have been reviewed and updated. The annual BCP exercise was conducted in October with learnings to be reviewed and implemented.
5.6.4	Embed Council's risk management processes to ensure key strategic and operational decision-making considers risk factors.	Manager Organisation Development	70%		Risk management processes are becoming embedded. The recent launch of the Risk Dashboard for managers now makes accessing and addressing identified risks a simpler task. Plans for a review of Council's Strategic risks are in place.

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## Warrnambool City Council Council Plan Actions

**Q1**  
**2024/2025**

Action Code	Action Name	Responsible Officer	Progress	Traffic Lights	Comments
5.6.5	Continue the development and implementation of Council's Health and Safety Management System with a focus on injury prevention, improved return-to-work processes, OHS training calendar implementation and increased organisation engagement.	Manager Organisation Development	40%		The OHS Management System continues to evolve. A recent third party audit of the system was undertaken with the pending findings to be reviewed and implemented where appropriate.

**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	Develop a business case for the Aquatic Strategy.	Manager Recreation & Culture	0%		Project to commence in quarter 3.

**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	Work with the Municipal Association of Victoria forum to address issues affecting regional councils.	Chief Executive	80%		Council is providing important regional leadership, through chairing of the South West Alliance and participation in regional events and activities.

Completed

Progressing

On Hold

Not  
ProgressingNot  
Completed

Withdrawn

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## 7.8. Declaration of Liquor Free Area In Warrnambool's Central Business District

**DIRECTORATE :** City Infrastructure.

**Purpose:**

*This report provides an overview of Part 3, Division 4 (Consumption of Liquor) from Warrnambool City Council Community Amenity Local Laws and recommendations to assist with enforcement.*

---

### Executive Summary

An internal review of the laws and regulations regarding Consumption of Liquor was requested to assist Local Laws Officers and Victoria Police in enforcing the offence if required.

Council officers have met with Victoria Police who have recommended that a Liquor Free Area be declared for the Warrnambool Central Business District and that Victoria Police Officers be made Authorised Officers to enforce provisions of Clause 64 of the Warrnambool City Council Community Amenity Local Law.

---

**MOVED:** CR DEBBIE ARNOTT

**SECONDED:** CR RICHARD ZIEGELER

That Council:

1. Declare at all times the area bound by the corner of Merri Street and Banyan Street, to the corner of Raglan Parade East Bound and Banyan Street, to the intersection of Spence Street and Raglan Parade, to the intersection of Jamieson Street and Spence Street, to the corner if Raglan Parade East Bound and Jamieson Street, to the intersection of Henna Street and Raglan Parade East Bound, following Henna Street to the Railway Line, following the railway line to Pertobe Road, and to the corner of Merri Street and Banyan Street to be a Liquor Free Area, as per the map at attachment 1.
2. Instruct the Chief Executive Officer to issue a notice in the Victorian Government Gazette that any Police Officer may act as an 'Authorised Officer' as per section 223 of the *Local Government Act 1989* to enforce provisions of Clause 64 of the Warrnambool City Council Community Amenity Local Law regarding the consumption and possession of liquor.
3. Erect signs in consultation with Victoria Police to enable the enforcement of Clause 64 of the Warrnambool City Council Community Amenity Local Law.
4. Note that the restrictions on possession and consumption of liquor do not apply to any business or persons who have a permit to serve or consume liquor.

---

CARRIED - 7:0

### Background

The Warrnambool City Council's Community Amenity Local Law was adopted by Council on 4 February 2019.

This Local Law gives Warrnambool City Council the ability, by resolution, to declare a municipal place or part of a municipal place to be a liquor free area during the times specified in the resolution.

The Local Law further provides that a person must not, without a permit, consume or have in their possession liquor, other than in a sealed container, in or on any municipal place, which has been declared by the Council to be a liquor free area during the times specified.

In recent months, there have been numerous concerns from community members regarding a rising number of incidents of anti-social behavior in Warrnambool. There have been meetings between Police and business owners, as well as media coverage on the topic. There have been concerns raised that residents are feeling unsafe in the CBD.

### Issues

As of November 2023, it is no longer an offence to be intoxicated in a public place in Victoria. The offence was often used by Police to deter, arrest and detain members of the public acting in a way detrimental to the community and/or a harm to themselves. Police can no longer rely on the offence to keep public order and provide safety to both the community and the offenders themselves.

Conversations have been had between Council and Victoria Police to test support for authorising Police Officers to enforce Council's Local Law liquor provisions which has been supported as a further means to ensure community order and safety.

Discussions with Victoria Police have identified several 'trouble areas' within Warrnambool's Central Business District. Victoria Police have requested that the area defined in the map at attachment 1 to be declared liquor free. This is essentially the areas bound by Henna Street, Merri Street, Banyan Street, and Raglan Parade, but has some extensions to take in James Swan Reserve, KFC and the adjoining car park, and Cannon Hill.

The Local Law also requires signage be erected for the Local Law to be enforceable. It is proposed that these sign locations be determined by Council Officers in consultation with Victoria Police.

Enforcement of Council's Local Laws requires that any person be made an authorised officer under the *Local Government Act 1989* and *Local Government Act 2020*. Section 223 of the *Local Government Act 1989* specifically allows that Police Officers be authorised by position to enforce liquor related local laws. It is proposed that Council make this authorisation.

Notably, the Local Law has an express exemption for those who possess a permit from offences under Clause 64 of the Local Law. This means that making the recommended resolutions will not impact on the ability of CBD businesses to be able to trade or undertake outdoor dining activities.

### Financial Impact

The financial impact of making this declaration is minimal. The primary cost will be the purchase and erection of signs in the declared area.

## 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.

### Timing

Victoria Police have requested that this declaration be made and signage erected before the end of December 2024.

### Community Impact / Consultation

The businesses in the CBD have been asking for assistance from the Police and Council in regard to a rise in crime involving theft, public disturbance, drunkenness, and loitering.

Consultation was conducted with the Local Laws, Economic Development Team and Police.

On Friday, 15th November further consultation was conducted with Victoria Police.

### Legal Risk / Impact

Appropriate declarations and authorisations allow for the lawful enforcement of Council's Local Law.

Council's Local Laws Officers do not have training in dealing with intoxicated persons and are not equipped with personal protection devices like batters or capsicum spray. It is not anticipated that Council staff have primary responsibility for enforcing the relevant provisions of the Local Law. This will sit with Victoria Police.

### Officers' Declaration of Interest

Nil.

### Collaborative Procurement

Not applicable.

### Conclusion

It is proposed that Council declare the area mapped in Attachment 1 be declared a Liquor Free Area. This area is primarily the area bound by Henna Street, Raglan Parade, Banyan Street, and Merri Street, however, also includes some adjoining areas.

If Council were to make this declaration signage would be erected in consultation with Victoria Police and Police Officers would be appointed Authorised Officers to enforce the Local Law.

### ATTACHMENTS

1. Proposed Liquor Free Zone [7.8.1 - 1 page]
2. Warrnambool City Council Community Amenity Local Law [7.8.2 - 47 pages]

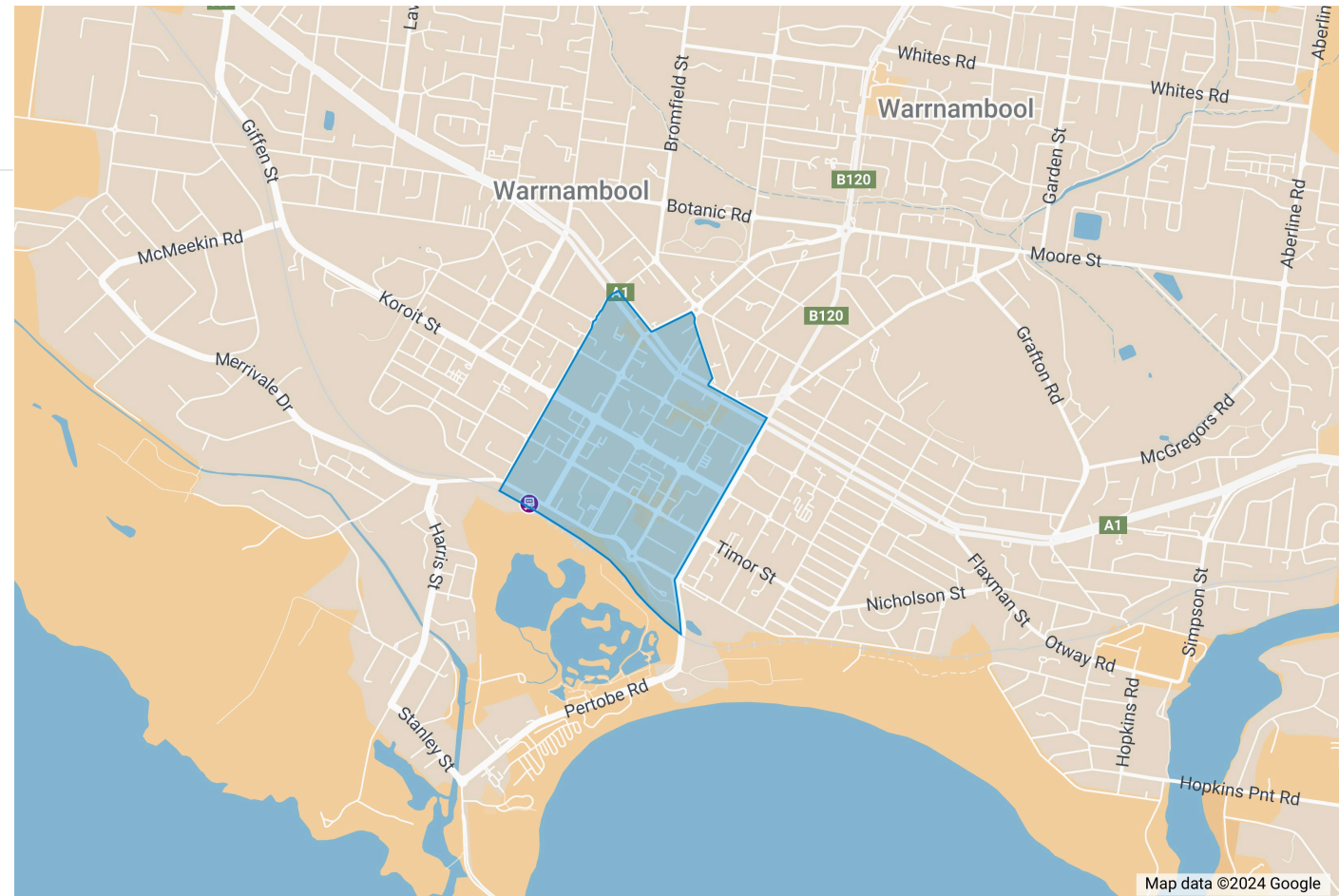


## Liquor Free Zone

### Proposed Liquor Free Zone



## Proposal



Warrnambool City Council  
25 Liebig Street  
Warrnambool 3280  
Telephone (03) 5559 4800  
Facsimile (03) 5559 4900  
P.O. Box 198, Warrnambool 3280

## Warrnambool City Council



### Local Law Number 2.

# Community Amenity Local Law

Adopted by Council 4<sup>th</sup> February 2019

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## PART 1 - ADMINISTRATION OF LOCAL LAW

### DIVISION 1 PRELIMINARY

#### 1. TITLE

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This Local Law is the Warrnambool City Council Local Law No. 2 – Community Local Law and referred to below as this Local Law.

#### 2. OBJECTIVES OF THIS LOCAL LAW

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The objectives of this Local Law are to:

- (1) provide for and ensure equitable, orderly and enjoyable use of community facilities and infrastructure by persons within the municipal district;
- (2) protect Council property and other community assets from loss and damage;
- (3) provide for the administration of this Local Law and of Council's powers and functions;
- (4) promote a physical and social environment free from hazards to health, safety and welfare of persons within the municipal district;
- (5) prevent, suppress and regulate activities which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district; and
- (6) provide for the peace, order and good government of the municipal district.

#### 3. POWER TO MAKE THIS LOCAL LAW

---

The Council's power to make this Local Law is contained in section 111 of the *Local Government Act 1989*.

#### 4. DATE THIS LOCAL LAW COMMENCES OPERATION

---

This Local Law commences operation on 7<sup>th</sup> February 2019.

#### 5. DATE THIS LOCAL LAW CEASES OPERATION

---

Unless this Local Law is revoked sooner, its operation will cease on the day prior to the 10<sup>th</sup> anniversary of the date specified under clause 4.

#### 6. REPEAL OF OTHER LOCAL LAWS AND BY LAWS

---

From the date of commencement of this Local Law, the following Local Laws will cease to operate and are revoked:

- (1) Local Law No.2 – Administration of Local Laws Local Law;
- (2) Local Law No. 3 – Environment Local Law;
- (3) Local Law No. 4 – Municipal Places Local Law;

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- (4) Local Law No. 5 – Streets & Roads Local Law;
- (5) Local Law No. 6 – Warrnambool Regional Airport Local Law; and
- (6) Local Law No. 7 – Livestock Exchange Local Law.

## **7. SCOPE OF THIS LOCAL LAW**

---

This Local Law applies to the whole of the municipal district save where the provisions thereof specifically provide to the contrary.

## **8. WORDS USED IN THE WARRNAMBOOL CITY COUNCIL LOCAL LAWS**

---

- (1) In this Local Law:
  - (a) “the Act” means the Local Government Act 1989.
  - (b) “advertising sign” means any board, notice, structure, banner or other similar device used for the purposes of soliciting sales or notifying people of a service, event or situation.
  - (c) “applicant” means a person who applies for a permit under this Local Law.
  - (d) “appropriate fee” means the appropriate fee determined by the Council in accordance with clause 18.
  - (e) “authorised officer” means a person appointed as an authorised officer under section 224 of the Act.
  - (f) “bulk rubbish container” means a bin, container or other receptacle designed or used for holding a substantial quantity of rubbish which is unlikely to be lifted without mechanical assistance and excludes containers used in connection with the Council's regular domestic rubbish collections.
  - (g) “busking” means a street performance by an itinerant musician or actor, whether for donations or otherwise.
  - (h) “camping area” means land which is declared by the Council to be a camping area for the purposes of this Local Law.
  - (i) “Chief Executive Officer” (“CEO”) means the person appointed by the Council to be its Chief Executive Officer and any person acting in that position.
  - (j) “Council” means the Warrnambool City Council.
  - (k) “detached dwelling” means a building used, or intended, adapted or designed to be used, for residential purposes which is not attached to any other dwelling or building.
  - (l) “farming area” means the area within a “Farming Zone” as defined in the Planning Scheme.
  - (m) “fire ban day” means a day or part of a day that has been declared a day or partial day of total fire ban by the Country Fire Authority under the *Country Fire Authority Act 1958*.

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- (n) “FOGO” means Food Organics and Garden Organics, being organic material which is able to be composted and reused for farming or gardening purposes.
- (o) “footpath” means any path or walkway that is provided for the use of pedestrians only or that is habitually used by pedestrians and not vehicles and includes a segregated or shared footway.
- (p) “houseboat” means a vessel containing enclosed or semi-enclosed sleeping accommodation.
- (q) “incinerator” means a structure, device or contraption (not enclosed in a building) which:
  - (i) is used or intended, adapted or designed to be, or capable of being, used for the purpose of burning any matter, material or substance;
  - (ii) is not licensed or otherwise subject to control under the provisions of any Act; and
  - (iii) is not a barbeque.
- (r) “jetty” means a wharf, pier, jetty or landing place which is the property of, or located within an area under the control of, the Council.
- (s) “leased mooring” means areas of public jetty that can be the subject of a lease or licence pursuant to the *Crown Lands (Reserves) Act 1978*.
- (t) “licensed premises” means a premises for which a licence or permit has been granted under the *Liquor Control Reform Act 1998*.
- (u) “livestock” has the same meaning as in the *Impounding of Livestock Act 1994*.
- (v) “liquor” means a beverage or other prescribed substance intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.
- (w) “minor building work” means building work valued at \$10,000 or less but excludes the construction of any masonry structure and the demolition and removal of buildings and structures (regardless of value).
- (x) “mobile garbage bin” means a bin supplied by the Council for the purposes of providing waste collection services and includes a bin provided for the disposal of household waste, recyclables and FOGO.
- (y) “mooring” means to hold a vessel by means of anchoring, tying up to or fixing to something that prevents drifting.
- (z) “motorised recreational vehicle” means a motor vehicle, whether registered or unregistered, used for recreational purposes on any land (excluding a road) and includes, but is not limited to, the following motor vehicles:
  - (i) a motor vehicle with two (2) wheels, with or without a sidecar attached that is supported by a third wheel;
  - (ii) a motor vehicle with three (3) wheels that is ridden in the same way as a motor vehicle with two (2) wheels; and

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- (iii) any other motorised recreational vehicle including, but not limited to, mini-bikes, trail bikes, monkey bikes, motorised scooters, motorised go-carts and quad bikes, but excludes:
  - (iv) a motorised wheelchair, or other aid used by a person with a disability or limited mobility;
  - (v) a motorised farm vehicle that is being used for farming purposes; and
  - (vi) a motorised bicycle with a maximum capacity of 22-watt aggregate power.
- (aa) “municipal building surveyor” means the Municipal Building Surveyor appointed by the Council from time to time.
- (bb) “municipal district” means the municipal district of the Council.
- (cc) “Municipal Engineer” means the person appointed to, or acting in, the position of Director of City Infrastructure or equivalent position.
- (dd) “municipal fund” means the Council’s general revenue.
- (ee) “Municipal Environmental Health Officer” means the person appointed to, or acting in, the position of Municipal Environmental Health Officer or equivalent position.
- (ff) “municipal place” means any land (and improvements) vested in or under the control of the Council other than roads.
- (gg) “Notice to Comply” means a Notice to Comply issued under clause 11.
- (hh) “nature strip” means a section of the road under Council control located between the property boundary and the thoroughfare, but not including the footpath or kerb and channel.
- (ii) “outdoor eating facility” means any tables and/or chairs located outside on a municipal place or a road at which food and/or drink is served by a business and may be consumed by customers of that business.
- (jj) “penalty unit” has the same meaning as in section 110 of the *Sentencing Act 1991*.
- (kk) “permanent mooring” means an area allocated by the Council for the purposes of mooring for a period up to 12 months at a time.
- (ll) “permit” means a permit issued by the Council under this Local Law.
- (mm) “permit holder” is a person to whom a permit has been issued under this Local Law.
- (nn) “person” includes the owner or occupier or the person in charge of any property and includes a corporation.
- (oo) “planning permit” means a permit required by the Planning Scheme.
- (pp) “Planning Scheme” means the Warrnambool Planning Scheme as may be in force from time to time.

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- (qq) “processions” means an organised group of people proceeding along a road or gathering for a ceremony or function on a road or on a municipal place and includes fun runs and bicycle events.
- (rr) “prohibited waste” means:
  - (i) slops, hot ashes, liquid waste or offensive material;
  - (ii) broken glass or other sharp objects unless they are properly contained or wrapped in such a way as to render them harmless;
  - (iii) oil, paint, solvents or similar substances and any other substance which may damage the bin or reduce its strength or effectiveness;
  - (iv) trade wastes of any kind;
  - (v) chemicals, solid or liquid, used in the household, in water treatment, in photography, in the garden or in the garage;
  - (vi) medical infectious and prescribed waste;
  - (vii) building rubble and excavation material; and
  - (viii) other waste as specified by the Council from time to time.
- (ss) “property” means any land, building, premises, dwelling or flat separately rated within the municipal district and excludes personal property.
- (tt) “recyclables” means any material that is able to be recycled and is collected by the Council through the regular kerbside collection service.
- (uu) “residential area” means the area within a “Residential Zone” as defined in the Planning Scheme.
- (vv) “road” has the same meaning as in the Act.
- (ww) “street festival” means an organised recreational, cultural, commercial or social gathering of people which is held on a road.
- (xx) “street party” means an organised social gathering that is held on a road by people who live on that road and/or on one or more adjacent or nearby roads.
- (yy) “traffic” means the movement of people, by foot or in or on vehicles, along, across or within a road.
- (zz) “traffic control item” means a traffic control item within the meaning of the *Road Safety Road Rules 2017*.
- (aaa) “vehicle” means a conveyance that is designed to move, to be moved, or to be towed on land. It includes an animal that is either driven or ridden and a trailer but does not include:
  - (i) a train;
  - (ii) a wheeled toy; or

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- (iii) in respect of an injured or disabled person, a wheelchair or a motorised wheelchair that is capable of a speed of no more than 7 kilometres per hour.
- (bbb) “vessel” means any kind of vessel that is used, or capable of being used, in navigation by water however propelled or moved, and includes:
  - (i) a barge, lighter, floating restaurant, houseboat, hire boat, punt, yacht, boat or other floating vessel; and
  - (ii) an air-cushioned vehicle, or other similar craft that may be used in navigation by water.
- (ccc) “waste” means any material which cannot be reused or recycled.
- (ddd) “watercourse” means a body of water within the municipal district under the control and management of the Council.
- (eee) “wheeled recreational device” has the same meaning as in the *Road Safety Road Rules 2017*.

## 9. GENERAL INTERPRETATION

---

In this Local Law, unless the context otherwise requires:

- (1) words denoting the singular number shall include the plural and vice versa;
- (2) words denoting any gender shall include all genders;
- (3) where a word or phrase is defined, other parts of speech and grammatical forms of that word or phrase shall have corresponding meanings;
- (4) words denoting natural persons shall include corporations and vice versa;
- (5) headings are for convenience only and do not affect interpretation;
- (6) references to any legislation or to any provision of any legislation shall include any modification or re-enactment of that legislation and any legislative provision substituted for, and all regulations and statutory instruments issued under, such legislative provision; and
- (7) references to dollars and “\$” shall be taken as referring to amounts in Australian Currency.

## DIVISION 2 ADMINISTRATION OF THIS LOCAL LAW

### 10. EXERCISE OF DISCRETIONS

---

- (1) In exercising any discretion given by this Local Law the Council will have regard to:
  - (a) the objectives of this Local Law; and
  - (b) any guidelines prepared by the Council.
- (2) For the avoidance of doubt:
  - (a) the Council may prepare guidelines for use by the Council, authorised officers and other persons for the purposes of administering this Local Law; and

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- (b) any guidelines prepared by the Council must not be inconsistent with the objectives of this Local Law or with the standards contained in it.

#### **11. NOTICES TO COMPLY**

---

- (1) The Council or an authorised officer may, by serving a Notice to Comply, direct any owner and/or occupier and/or other relevant person to remedy any thing which constitutes a breach of this Local Law.
- (2) A Notice to Comply issued under this Local Law must state the:
  - (a) thing which contravenes this Local Law;
  - (b) clause of this Local Law which the thing contravenes; and
  - (c) date and time by which the contravention the subject of the Notice to Comply must be remedied.
- (3) The time by which a contravention must be remedied must be reasonable and, in determining what is reasonable, the Council or the authorised officer, as the case may be, will have regard to:
  - (a) the amount of work involved;
  - (b) the degree of difficulty;
  - (c) the availability of materials or other items necessary for compliance;
  - (d) climatic conditions;
  - (e) the degree of risk or potential risk; and
  - (f) any other relevant matter.
- (4) Any person who fails to comply with a Notice to Comply is guilty of an offence.  
Penalty: 5 penalty units

#### **12. POWER OF AUTHORISED OFFICERS TO ACT IN URGENT CIRCUMSTANCES**

---

- (1) If:
  - (a) a person contravenes this Local Law; and
  - (b) the contravention is such as to give rise to a risk to the health or safety of any person, animal, property or the environment; and
  - (c) the time involved or difficulties associated with serving a Notice to Comply will exacerbate that risk,

an authorised officer may take such action as is required to abate or minimise the risk without issuing a Notice to Comply, provided that:

- (d) the Chief Executive Officer, Municipal Engineer, Municipal Building Surveyor or Municipal Environmental Health Officer, not being the authorised officer seeking to use this provision, approves of the proposed action;
  - (e) details of the urgent circumstances and action taken are as soon as possible forwarded to the person on whose behalf the action was taken; and
  - (f) the Council is advised as soon as practicable, and by such means as the authorised officer sees fit, of the action taken.
- (2) The action taken by an authorised officer under sub-clause (1) must not extend beyond what is necessary to cause the immediate abatement of, or to minimise, the risk or danger involved.
- (3) In determining whether urgent action is required, an authorised officer will have regard to:
- (a) the seriousness of the risk to health and safety;
  - (b) the ease with which the person who contravenes the Local Law can be found;
  - (c) the cost of remedying the contravention; and
  - (d) any other matter that the authorised officer considers relevant.

### **13. POWER OF AUTHORISED OFFICER TO IMPOUND**

---

- (1) An authorised officer may seize and impound any thing which has been or is being used or possessed in contravention of this Local Law.
- (2) Where any thing has been impounded under this Local Law, the Council or an authorised officer must, as soon as possible after the impounding, serve notice of the impounding on the owner or person responsible for the item which has been impounded setting out the fees and charges payable and the time by which the item must be retrieved.
- (3) An impounded thing must be released to:
- (a) its owner; or
  - (b) a person acting on behalf of its owner who provides evidence to an authorised officer of his or her authority from the owner –
- on
- (c) evidence being provided to an authorised officer of the owner's right to the thing; and
  - (d) payment of any fee determined by the Council or an authorised officer from time to time.
- (4) If after the time specified in a notice of impounding an impounded item is not retrieved, an authorised officer may dispose of the impounded item.
- (5) When the identity or whereabouts of the owner or person responsible for an impounded item is unknown, the authorised officer:
- (a) must take reasonable steps to ascertain the identity or whereabouts of that person; and

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- (b) may proceed to dispose of the impounded item in accordance with sub-clause (4) only after:
  - (i) reasonable steps have been taken to identify and to contact the owner or person responsible for the impounded item; and
  - (ii) not less than 14 days has passed since the item was impounded.
- (6) Any proceeds from the disposal of impounded items will be paid to the owner except for the reasonable costs incurred by the Council in connection with its impounding and disposal.
- (7) In the event that the owner cannot be identified or located within 1 year of an impounded item being disposed of, any proceeds as described in sub-clause (6) may be paid into the municipal fund.
- (8) The Council may dispose of impounded items in the following manner:
  - (a) where the Chief Executive Officer or Municipal Engineer determines that the item has no saleable value, it may be disposed of in the most economical way, as determined by the Chief Executive Officer or Municipal Engineer; or
  - (b) where the Chief Executive Officer or Municipal Engineer determines that the item has some saleable value, the item may be disposed of by tender, public auction or private sale, as directed by the Chief Executive Officer or Municipal Engineer.

### **DIVISION 3 PERMITS**

#### **14. PERMIT APPLICATIONS**

---

- (1) A person may apply to the Council for a permit under this Local Law.
- (2) The Council or an authorised officer may require an applicant to provide additional information to enable assessment and determination of their application.
- (3) The Council or an authorised officer may require an applicant to give notice of their application to specified persons, or a specified class of persons, who may be affected by the granting of the permit in such form as the Council or the authorised officer determines.
- (4) In considering an application for a permit, the Council or an authorised person, as the case may be, will have regard to any:
  - (a) applicable policy, code of practice or guideline approved by the Council from time to time;
  - (b) relevant written submission or comment received from any person or community organisation in respect of the application; and
  - (c) other relevant matter.
- (5) A permit may be refused or issued with or without conditions.
- (6) If a permit is issued with conditions, those conditions may include, but are not limited to, conditions concerning:
  - (a) the payment of a fee or charge;

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- (b) a standard to be applied;
  - (c) a time limit to be applied either specifying the duration, commencement or completion date;
  - (d) the permit being subject to the happening of an event;
  - (e) the rectification, remedying or restoration of a situation or circumstance;
  - (f) where the applicant is not the owner of the subject property, obtaining the consent of the owner;
  - (g) the granting of some other permit which may be required whether under this Local Law or otherwise; and
  - (h) such other matters as the Council or an authorised officer thinks fit.
- (7) A person must comply with the conditions of any permit.

Penalty: 5 penalty units

#### **15. DURATION OF PERMITS**

---

Unless otherwise provided in this Local Law or in the permit, a permit will operate from the date it is issued and will expire one year after the date of issue.

#### **16. AMENDING, CANCELLING AND CORRECTING PERMITS**

---

- (1) The Council or an authorised officer may amend or cancel a permit at any time if:
- (a) requested to do so by the permit holder; or
  - (b) there has been a:
    - (i) material misstatement or concealment of fact in the application;
    - (ii) material mistake in relation to the issuing of the permit;
    - (iii) material change of circumstances since the permit was issued; or
    - (iv) failure to comply with a permit condition or a Notice to Comply relating to the permit.
- (2) The Council or an authorised officer may correct a permit if the permit contains a:
- (a) clerical mistake or an error arising from any accident, slip or omission;
  - (b) material miscalculation of figures; or
  - (c) material mistake in the description of any person, thing or property referred to in the permit.
- (3) Except in the case of a minor correction that does not affect the operation of a permit, if the Council proposes to amend a condition of a permit, cancel a permit or correct a permit, it or they must:

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- (a) give the permit holder an opportunity to make a submission on whether the amendment, cancellation or correction should occur; and
  - (b) take into account those submissions (if any) in deciding whether to amend a condition of a permit, cancel a permit or correct a permit.
- (4) If a permit holder is not the owner of land to which the permit relates, the owner of the land must be notified of any amendment, cancellation or correction of the permit.

#### **17. STANDARDS FOR ISSUING PERMITS**

---

- (1) When determining whether to issue a permit, the Council or an authorised officer will have regard to the matters outlined in clause 10 above as well as the:
- (a) location of any land the subject of an application;
  - (b) zoning of any land the subject of an application;
  - (c) proximity of any land the subject of an application to other properties;
  - (d) general amenity of the area in which any land the subject of an application is located;
  - (e) nature of any machinery, materials or other items to be used in connection with a permit;
  - (f) suitability of any land the subject of an application for the activity or use contemplated by the permit;
  - (g) existence of necessary permits, licences, approvals and authorisations under any other legislation; and
  - (h) any other matter that the Council or an authorised officer thinks relevant.

### **DIVISION 4 FEES, CHARGES AND COSTS**

#### **18. SETTING FEES AND CHARGES**

---

- (1) The Council may from time to time by resolution determine the fees and charges to apply under this Local Law.
- (2) Notice of fees and charges fixed under this clause 18 will be given annually in the Council's Fees and Charges Register included in the Budget.

#### **19. PENALTIES**

---

Unless otherwise specified in this Local Law, the:

- (1) maximum penalty for an offence is 5 penalty units; and
- (2) infringement penalty for an offence is:
  - (a) two fifths of the relevant maximum penalty; or
  - (b) such other amount determined by the Council from time to time.

## PART 2 - ENVIRONMENT

### DIVISION 1 SAFETY, PEOPLE AND PROPERTY

#### 20. UNSIGHTLY AND DANGEROUS LAND

---

- (1) An owner or occupier of land must not keep that land or allow that land to be kept in a manner which causes the land to become:
- (a) unsightly; or
  - (b) dangerous.
- (2) Without limiting the generality of sub-clause (1), land may be:
- (a) unsightly because of the presence of:
    - (i) unconstrained rubbish;
    - (ii) dead trees and/or excessive vegetation;
    - (iii) waste;
    - (iv) unregistered motor vehicles or any parts of them;
    - (v) scrap metal;
    - (vi) a disused excavation; or
    - (vii) a building or structure which is incomplete and not currently under construction; and
    - (viii) a building that is dilapidated or visually repugnant
  - (b) dangerous by being:
    - (i) a haven for vermin, noxious weeds, insects or excessive vegetation;
    - (ii) used without a permit for the storage of any substance which is dangerous or is likely to cause danger to life, property or personal property; or
    - (iii) otherwise kept in a state which is dangerous or is likely to cause danger to life, property or personal property.

Penalty: 5 penalty units.

#### 21. STORAGE OF MACHINERY OR SECOND-HAND GOODS ON PROPERTY

---

- (1) A person must not, without a permit:
- (a) store or allow to be stored in the open on their property any machinery or second-hand goods of any kind; or

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- (b) undertake or allow to be undertaken the assembly or dismantling of such machinery or goods.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council must have regard to the standards contained in clause 17 of this Local Law.

## **22. INCINERATORS**

---

- (1) No person may light, or on their property allow to be lit or remain alight, an incinerator in any part of the municipal district.

Penalty: 5 penalty units

- (2) Sub-clause (1) does not apply to land in a farming area.

## **23. OPEN AIR BURNING**

---

- (1) No person on their property may, without a permit, cause or allow any uncontained or open air burning in any part of the municipal district.

Penalty: 1<sup>st</sup> offence: 5 penalty units.

2<sup>nd</sup> and subsequent offences: 20 penalty units

- (2) Sub-clause (1) does not apply to:

- (a) land in a farming area; or
- (b) any barbeque, oven fire or other enclosed fire used, or intended, adapted or designed to be used, for the sole purpose of cooking food, heating or cultural purposes and which is not offensive.

- (3) Where a person has applied for a permit under this clause 23, and that application has been refused, that person is guilty of an offence if they contravene sub-clause (1).

Penalty: 20 penalty units

- (4) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) any alternative means of disposing of any materials to be burned;
- (b) the type and volume of any materials to be burned;
- (c) whether the burning will be adequately supervised;
- (d) whether adequate measures will be implemented to control and extinguish the fire;
- (e) the degree to which any materials to be burned may produce offensive, toxic or unpleasant smells or smoke; and

- (f) any relevant policies of the Environment Protection Authority.

#### **24. ADVERTISING, BILL POSTING AND JUNK MAIL**

---

- (1) A person must not, without a permit, distribute any handbills, place cards, notices, advertisements, books, pamphlets, goods, gifts or samples to any person on any road or municipal place.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the nature of the material to be distributed;
- (b) the likelihood that the distribution will interfere with the free passage of any pedestrians or vehicles;
- (c) the likelihood that the distribution will cause a nuisance; and
- (d) the likelihood that the distribution will cause any other kind of detriment.

#### **DIVISION 2 THE ENVIRONMENT**

#### **25. CAMPING**

---

- (1) A person must not, without a permit, camp on any municipal place in a tent, caravan or any other temporary or makeshift structure unless they are within an area declared by the Council to be a camping area.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the suitability of the land for camping;
- (b) the number of tents or other structures to be located on the land;
- (c) the length of time the tents and other structures will be erected on the land;
- (d) the availability of sanitary facilities to the land; and
- (e) the likely damage to be caused to the land.

#### **26. CARAVANS**

---

- (1) No owner or occupier of private land may, without a permit, place, or permit or suffer the placement of, more than one caravan on that land for the purposes of providing accommodation for a total of more than 30 days in any 12-month period.

Penalty: 5 penalty units

- (2) A person must not, without a permit, occupy any caravan placed on private land for a total of greater than 30 days in any 12-month period.

Penalty: 5 penalty units

- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the proposed location of the caravan on the land in relation to other dwellings (including a neighbour's dwelling) and public view;
- (b) the written consent of the land owner;
- (c) the availability of cooking and sanitary facilities on the land; and
- (d) the potential for nuisance to arise.

## **27. BUSKING, CIRCUSES, CARNIVALS AND FESTIVALS**

---

- (1) A person must not, without a permit, busk within the municipal district.

Penalty: 5 penalty units

- (2) A person must not, without a permit, conduct a circus, carnival or other similar event within the municipal district.

Penalty: 10 penalty units

- (3) Any person with a permit to conduct a circus, carnival, or other similar event in the municipal district shall comply with the standards and guidelines contained in the "Good Neighbour" Code of Practice for a Circus or Carnival, April 1997, ("the Code of Practice for a Circus or Carnival").

Penalty: 10 penalty units

- (4) For the purposes of this Local Law and the accompanying standard, the words "carnival" and "circus" shall have the meaning ascribed to them in the Code of Practice for a Circus or Carnival.

- (5) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the suitability of the land for the proposed activity or event;
- (b) the duration of the proposed activity or event;
- (c) the proposed hours of operation for the proposed activity or event;
- (d) the availability of sanitary facilities to the land;
- (e) the likely damage to be caused to the land;
- (f) the availability of parking;
- (g) the likely effects on traffic in the area; and

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- (h) in the case of a carnival or circus, the requirements and standards of the “Good Neighbour” Code of Practice for a Circus or Carnival, April 1997.

## 28. SALE OF GOODS

- (1) A person must not, without a permit, use or allow to be used property to sell or offer for sale any goods unless the use is permitted under the Planning Scheme.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the suitability of the property for the proposed activity;
- (b) the duration of the sale;
- (c) the proposed hours of operation;
- (d) the availability of parking;
- (e) the likely effects on traffic; and
- (f) whether any other necessary consents have been obtained.

## 29. AMPLIFIED SOUND FROM SHOPS OR ON FOOTPATHS

- (1) A person must not, without a permit, emit or allow to be emitted amplified sound from shops or on roadways within the municipal district.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the proposed hours of during which amplified sound will be played; and
- (b) whether any other necessary consents have been obtained.

## DIVISION 3 ANIMALS

### 30. KEEPING ANIMALS

- (1) No owner or occupier of property may, without a permit, keep or house or allow to be kept or housed more than 4 different types of animals on that property at any time and must not keep or allow to be kept any more in number for each type of animal than as set out in the following table:

Type of Animal	Maximum Allowed
Dogs	2
Cats	2
Poultry (not including Roosters)	10
Roosters	Nil
Peafowl	Nil

Guineafowl	Nil
Domesticated Birds	100
Domestic Mice	10
Guinea Pigs	6
Ferrets	4
Domestic Rabbits	4
Domestic Fish	No maximum limit
Domestic Turtles, Tortoises, Frogs	No maximum limit
Horses, Donkeys, Mules	Nil
Cattle	Nil
Sheep	Nil
Goats	Nil
Pigs	Nil
Reptiles	Nil
Any other agricultural animals	Nil

Penalty: 5 penalty units

- (2) Sub-clause (1) does not apply to the housing or keeping of any animals where the use is permitted under the Planning Scheme.
- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
  - (a) the type and additional numbers of animals to be kept;
  - (b) the likely effects on adjoining owners or occupiers; and
  - (c) the adequacy of any enclosures or other shelters for the animals.
- (4) In determining the adequacy of any enclosures or other shelters, consideration should be given to:
  - (a) the number and type of animals to be kept in or under it;
  - (b) the height of the proposed enclosure or other shelter;
  - (c) the distance of the proposed enclosure or other shelter from the street frontage of the property;
  - (d) the distance of the proposed enclosure or other shelter from any other street or road;
  - (e) the distance of the proposed enclosure or other shelter from the boundary of any adjoining property;
  - (f) the distance of the proposed enclosure or other shelter from any dwelling; and
  - (g) the overall method of confining animals to the property.
- (5) All enclosures or other shelters must be maintained so that:
  - (a) all manure and other waste is removed and/or treated as often as necessary so that it does not cause a nuisance or offensive condition;

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- (b) all manure and other waste is stored in a fly and vermin proof receptacle until removed from the premises or otherwise appropriately disposed of;
- (c) the ground surrounding the shelter is adequately drained;
- (d) all land within 3 metres of the enclosure or other shelter is kept free from dry grass, weeds, refuse, rubbish or other material capable of harbouring vermin;
- (e) all food, grain or chaff is kept in vermin proof receptacles; and
- (f) the enclosure or other shelter is thoroughly cleaned and maintained at all times in a clean and sanitary manner.

Penalty: 5 penalty units

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**31. PROHIBITED PLACES FOR DOGS AND CATS**

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Dogs and cats are prohibited in a number of locations throughout the municipality as determined by Council from time to time. The specified locations are listed on Council's website.

Penalty: 5 penalty units

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**32. DOGS PERMITTED OFF LEASH**

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Dogs are permitted off leash in a number of locations throughout the municipality as determined by Council from time to time. The specified locations are listed on Council's website.

Penalty: 5 penalty units

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**33. CONTROL OF CATS**

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The owner of any cat must confine the cat to the owner's property either within the dwelling or within another escape proof building between the hours of sunset and sunrise.

Penalty: 5 penalty units

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**34. LITTERS OF ANIMALS**

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For the purpose of calculating the maximum limit of the numbers of animals kept, the progeny of any dog or cat lawfully kept will be exempt for a period of 12 weeks after birth.

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**35. ANIMAL LITTER**

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- (1) No person in charge of an animal may allow any part of the animal's excrement to remain on any road or municipal place.

Penalty: 5 penalty units

- (2) Any person in charge of an animal on a road or in a municipal place must have at all times in their possession bags, containers or other facilities suitable for removal of that animal's excrement from the road or municipal place and must produce such facilities upon the request of an authorised officer.

Penalty: 5 penalty units

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**36. KEEPING OF BEEHIVES**

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- (1) A person must not, on their property, without a permit, keep or allow to be kept any more than the number of beehives specified in the Apiary Code of Practice as amended from time to time, ("the Apiary Code").

Penalty: 5 penalty units

- (2) Any person keeping bees within the municipal district must comply with the Apiary Code.

Penalty: 5 penalty units

- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the location and distance of the hives from the property's boundaries;
- (b) the numbers and types of boxes to be kept on the property;
- (c) whether activities of a commercial or industrial nature will be carried out on the property including the sale of honey and other consumable goods;
- (d) the likely nuisance or annoyance which could be caused to any person;
- (e) the availability and proximity of a permanent supply of water to the hives;
- (f) the ability to protect surrounding properties by a screen that is impenetrable to bees and which forms a continuous barrier around the hives;
- (g) whether the hives will comply with any relevant requirements of Agriculture Victoria; and
- (h) the provisions of the Apiary Code of Practice, May 1997 as amended from time to time.

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**37. CONTROL OF EUROPEAN WASPS**

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Any owner or occupier of a property must destroy English, European or other non-native wasps nesting on the property.

Penalty: 5 penalty units

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**38. HORSES ON BEACHES**

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A person must not, without a permit, allow any horse in that person's charge to enter the foreshore reserve areas, including beaches, other than on the places and at the times determined by the Council from time to time.

Penalty: 5 penalty units

**DIVISION 4 DISPOSAL OF WASTE****39. DOMESTIC WASTE**

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- (1) A person to whose property the Council (or any party contracted by the Council) provides a waste collection service must:
- (a) place all domestic waste in the mobile garbage bin supplied by the Council;
  - (b) place the mobile garbage bin out for collection not more than 24 hours before the time scheduled for waste collection and in the following manner:
    - (i) on the nature strip or, in the absence of a nature strip, on the footpath, adjacent to the property within one metre of the kerb;
    - (ii) to provide clearance from any structure, tree or vehicle of at least three metres above the lid and 500mm either side; and
    - (iii) with the hinges securing the lid facing away from the street and towards the property;
  - (c) return the mobile garbage bin to their private land within 24 hours after collection;
  - (d) not place any material which Council has specified as 'prohibited material' in the mobile garbage bin;
  - (e) not place any waste in a mobile garbage bin supplied to a property occupied by another person without that person's consent;
  - (f) not place any waste in a mobile garbage bin that prevents the lid from closing; and
  - (g) keep any mobile garbage bin supplied to the property in a clean and sanitary condition.

Penalty: 5 penalty units

- (2) A person must not, remove a mobile garbage bin from the property to which it has been supplied by the Council.

Penalty: 5 penalty units

- (3) A person must not remove or otherwise interfere with waste contained in a mobile garbage bin other than a mobile garbage bin that has been supplied to a property of which they are the occupier.

Penalty: 5 penalty units

**40. TRADE WASTE AND WASTE SKIPS**

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- (1) A person must not, without a permit, place any trade waste in any mobile garbage bin.

Penalty: 5 penalty units

- (2) A person must not, without a permit, place a skip on any road or municipal place.

Penalty: 5 penalty units

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- (3) A person must not, without a permit, use any skip which does not comply with the requirements of this clause 40.
- Penalty: 5 penalty units
- (4) A person must not, without a permit, deposit any trade waste in a skip other than that which is described on the notice displayed in accordance with sub-clause (8).
- (5) Skips used for the collection and storage of trade waste must:
- (a) be constructed of impervious material to prevent leakage or absorption of any refuse or rubbish that may be deposited in it;
  - (b) be water-tight, fly and vermin proof;
  - (c) contain a removable drainage plug for the purpose of cleaning;
  - (d) be fitted with a fly and vermin proof lid with overlapping flanges; and
  - (e) be locked when in use.
- (6) Skips used for the collection of trade waste must be emptied at least weekly or more regularly if the contents become offensive.
- (7) The occupier of land on, or adjacent to, which a skip is located must ensure that:
- (a) the skip is stored and maintained in a clean, sanitary and inoffensive condition;
  - (b) any footway, pavement or ground surrounding the skip is kept clean at all times;
  - (c) the surface upon which the skip is stored is impervious, graded and drained to the sewer or an approved outlet with such silt traps or other treatment devices as the Council or an authorised officer requires;
  - (d) the land is supplied with a tap connection and hose; and
  - (e) the skip is cleaned thoroughly after each emptying.
- (8) Every skip must display a notice indicating the type of waste or material which is permitted and stating that it is an offence to deposit any material contrary to the notice.

Penalty: 5 penalty units

#### **41. TRANSPORTATION OF WASTE**

---

A person must not convey or cause to be conveyed in any vehicle on any road in the municipal district, any manure, dead animal or remains, offal, bones, hides, skins, offensive matter, refuse, rubbish or other waste matter unless the vehicle is constructed, fitted, loaded and covered so that:

- (1) no leakage occurs or material is dripped or deposited from the vehicle onto the road or an adjacent area; and
- (2) the possibility of escape of offensive odours is reduced.

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Penalty: 5 penalty units

#### **42. DRAINAGE TAPPINGS**

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- (1) A person must not, without a permit, tap into or interfere with any drain under the control of the Council.

Penalty: 5 penalty units

- (2) Sub-clause (1) does not apply where the Council has certified a plan of subdivision or given its approval under any other legislation administered by it for the drain to be tapped.

### **DIVISION 5 BUILDING SITES**

#### **43. OFF SITE DISCHARGES**

---

Where any building work is being carried out on any land, the builder engaged to carry out building work on the land must ensure that the building site is developed and managed to minimise the risk of run-off by chemicals, sediments, animal wastes or gross pollutants by adopting measures to:

- (1) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting roads or washed into the stormwater system; and
- (2) prevent building clean up, wash down or other wastes being discharged offsite or allowed to enter the stormwater system.

Penalty: 5 penalty units

#### **44. WASTE DISPOSAL FACILITIES**

---

Where any building work (other than minor building work) is being carried out on any land, the owner of the land and the builder engaged to carry out building work on the land must, unless a permit is issued:

- (1) provide a refuse facility for the purpose of disposing of builder's refuse and, provided the facility contains all builder's refuse on the land, its size, design and construction will be at the discretion of the builder;
- (2) place the refuse facility on the land and keep it in place (except for such periods as are necessary to empty the refuse facility) until the building work is completed;
- (3) ensure that the refuse facility is kept covered or lidded except when in use;
- (4) not place the refuse facility on any Council land or road without a permit; and
- (5) empty the facility whenever full, and, if necessary, provide a replacement refuse facility during the emptying process.

Penalty: 5 penalty units

#### **45. CONTAINMENT OF WASTE**

---

The builder engaged to carry out building work must ensure that:

- (1) all builder's refuse which requires containment is placed in the refuse facility referred to in clause 44;
- (2) the builder's refuse is contained entirely within the building site and is not deposited in or on any other land other than in accordance with clause 44; and
- (3) the builder's refuse is not deposited in or over any part of the stormwater system.

Penalty: 5 penalty units

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**46. DISPOSAL OF WASTE**

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On any land where building work is being, or has been, carried out, the builder engaged to carry out the building work must remove and lawfully dispose of all builder's refuse, including, without limiting the generality of the above, the builders' refuse in the refuse facility referred to in clause 44, within seven (7) days of the building work being completed or an occupancy permit being issued, whichever occurs last.

Penalty: 5 penalty units

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**47. SITE ACCESS**

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The driver of any vehicle involved in placing or removing a refuse facility on or from a building site must access the building site by way of a temporary vehicle crossing, unless otherwise permitted by the Council and in accordance with that permission.

Penalty: 5 penalty units

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**48. PROVISION OF TOILET FACILITIES**

---

The builder engaged to carry out the building work must not undertake or carry on, or cause, suffer or permit the undertaking or carrying on of, any building, engineering or other work necessitating the employment or engagement of persons on a building site unless a toilet is provided on the site which is serviced as required (but at least monthly) for the use of persons on that building site.

Penalty: 5 penalty units

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**49. EXCEPTIONS**

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No offence is committed under clause 48 if:

- (1) buildings are being constructed on adjacent building sites simultaneously by the same person; and
- (2) there is provided one toilet, provided that the toilet does not service more than three (3) building sites.

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**50. WASTE MANAGEMENT PLANS**

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If required by the Council, and before commencing any building work on any land, the owner of the land and the builder engaged to carry out building work on the land must prepare a waste management plan for approval by the Municipal Environmental Health Officer.

Penalty: 5 penalty units

**51. COMPLIANCE WITH WASTE MANAGEMENT PLAN**

---

Where any building work is being carried out on any land, the owner of the land and the builder engaged to carry out building work on the land must:

- (1) comply with the waste management plan referred to in clause 50; and
- (2) ensure that all work is carried out on the building site in strict accordance with any waste management guidelines adopted by the Council from time to time.

Penalty: 5 penalty units

**52. ASSET PROTECTION PERMITS**

---

- (1) If building work other than minor building work is to be carried out on any land the:

- (a) owner of the relevant land;
- (b) builder engaged to carry out the building work;
- (c) agent appointed for the purpose; or
- (d) demolition contractor engaged to carry out demolition as part of the building work

must:

- (e) not carry out, or allow to be carried out, any building work on that land unless an asset protection permit has been obtained;
- (f) not carry out, or allow to be carried out, any building work on that land in contravention of any conditions attached to the asset protection permit that has been obtained; and
- (g) pay any bond specified in the asset protection permit.

Penalty: 5 penalty units

- (2) The person to whom an asset protection permit is issued must notify the Council, in writing:

- (a) of the proposed date for commencement of the building work at least 7 days prior to its commencement if it is different from that stated, or a commencement date was not specified, in the permit application; and
- (b) prior to the commencement of works, of any damage to any road (including a road reserve, footpath or nature strip) or other public asset within the area of the asset protection permit existing at the time of that notice.

- (3) The person to whom an asset protection permit is issued must repair or reinstate any damaged road, drain, nature strip, kerb, channel, vehicle crossing or other asset vested in the Council which is within the area of the asset protection permit or which is otherwise affected by the building work, and any repairs must be performed to the satisfaction of the Council.

Penalty: 5 penalty units

- (4) Upon completion of the building work, the Council may:
- (a) retain all or part of the bond paid under the asset protection permit to offset the costs to the Council of repairing any damage to any public asset;
  - (b) upon being satisfied that no damage has been caused to any public asset, or that any damage has been repaired to the Council's satisfaction, refund the bond paid under the asset protection permit in full to the person who paid it; or
  - (c) refund to the person who paid the bond under the asset protection permit such portion of it as remains after the Council has undertaken work necessary to repair any damage to any public asset.
- (5) For the purposes of determining whether any damage to any road, drain, nature strip, kerb, channel, vehicle crossing or other asset vested in Council has been caused by, or otherwise resulted from, the execution of any building work, failure to provide notice of such damage under sub-clause (2) is prima facie proof that there was no existing damage to such public assets prior to the building work taking place.
- (6) The Council may, in its absolute discretion, accept an alternative form of security to bond under an asset protection permit.
- (7) Where a person to whom an asset protection permit is issued has caused damage to any public asset and the cost to repair the damage exceeds the amount of the bond paid, the Council may seek to recover the additional costs of repair from that person.

## **DIVISION 6 CONTROL OF STRUCTURES AND MOORING IN RIVERS**

### **53. ERECTION OF A WHARF OR JETTY**

---

A person must not, without a permit, erect, demolish, enlarge or re-erect on or adjacent to the foreshore or the bank of any watercourse any wharf, jetty, boat ramp or other structure, whether fixed or floating.

Penalty: 5 penalty units

### **54. COMMERCIAL OPERATORS**

---

A person must not, without a permit, operate a vessel or use a mooring for the conduct of a commercial enterprise or for any purpose connected directly or indirectly with that enterprise.

Penalty: 5 penalty units

### **55. USE OF JETTIES AND OTHER STRUCTURES**

---

- (1) A person must not, without a permit, fasten or moor any vessel, log or thing of any kind to any wharf, jetty, piles, steps, or to any pontoon, staging, shed, or other structure attached to or alongside any wharf or jetty or upon the foreshore or the bank of a watercourse within the area determined by the Council from time to time in a manner that prevents free access to that wharf, jetty, piles, steps, pontoon, staging, shed or other structure.

Penalty: 5 penalty units



- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the safety of other users;
  - (b) the passage of vessels;
  - (c) disturbance, annoyance or disruption to adjacent property owners or occupiers;
  - (d) arrangements, if any, for:
    - (i) waste water disposal;
    - (ii) litter and garbage disposal; and
    - (iii) lighting;
  - (e) duration; and
  - (f) location.

#### **56. LIMITATION OF TIME AT JETTIES AND OTHER STRUCTURES**

---

- (1) A person must not, without a permit, moor any vessel to any jetty or wharf for any period exceeding the time indicated on signage applicable to the jetty or wharf.
- Penalty: 5 penalty units
- (2) Where no signage applies to the jetty or wharf for the purposes of sub-clause (1), a person must not, without a permit, moor any vessel to any jetty or wharf for a period exceeding one hour.
- Penalty: 5 penalty units
- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the safety of other users;
  - (b) the passage of vessels;
  - (c) disturbance, annoyance or disruption to adjacent property owners or occupiers;
  - (d) arrangements, if any, for:
    - (i) waste water disposal;
    - (ii) litter and garbage disposal; and
    - (iii) lighting;
  - (e) duration; and
  - (f) location.

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**57. USE OF LAKE OR WATERCOURSE**

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- (1) Notwithstanding clause 56, a person must not, without a permit, allow a vessel to remain on a lake or watercourse, other than on a jetty or mooring, for a continuous period exceeding 24 hours.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the safety of other users;
- (b) the passage of vessels;
- (c) disturbance, annoyance or disruption to adjacent property owners or occupiers;
- (d) duration; and
- (e) location.

**DIVISION 7 MANAGEMENT OF ON-SITE WASTEWATER DISPOSAL SYSTEMS****58. USE OF SEPTIC TANK SYSTEMS OR WASTEWATER MANAGEMENT SYSTEMS**

---

- (1) No person shall operate a septic tank system or a wastewater management system:

- (a) without a permit; and
- (b) contrary to any condition, limitation or restriction of the permit.

Penalty: 5 penalty units

- (2) The owner of a property where a septic tank system or a wastewater management system is installed must ensure that the system is de-sludged at least once in every three-year period.

Penalty: 5 penalty units

## PART 3 - MUNICIPAL PLACES

### DIVISION 1 BEHAVIOUR

#### 59. BEHAVIOUR IN MUNICIPAL PLACES

---

- (1) A person must not, without a permit, in any municipal place:
- (a) behave in a manner which is harmful or which causes, or is likely to cause, interference with the quiet enjoyment by any other person using the municipal place;
  - (b) behave in a manner which is, or is likely to be, detrimental to the municipal place or public assets;
  - (c) being an occupier of land adjacent to that municipal place, allow trees, plants or any other matter on that land to cause damage to or interference with that municipal place;
  - (d) use language or behave in a manner which is indecent, offensive or abusive or which annoys, disturbs, interrupts or obstructs any other person's enjoyment of that municipal place;
  - (e) act in a way which endangers any person;
  - (f) use any explosive or flammable matter;
  - (g) damage, destroy, write on, interfere with, remove or affix anything to any building, improvement or other structure of any kind;
  - (h) shoot, snare, injure or in any way harm or interfere with any bird or animal;
  - (i) use any life saving or fire fighting device unless during an emergency or with the approval of an authorised officer;
  - (j) act contrary to any conditions of use of the municipal place; or
  - (k) being a person who is the driver or operator of a moving or stationary vehicle in a municipal place, or a person responsible for or in control of any vehicle parked without a driver or operator present, must not cause or allow to be emitted from that vehicle amplified music or sound which is of an unreasonable volume.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the safety of other users of the municipal place;
  - (b) the nature and ordinary use of the municipal place;
  - (c) the nature of the activity to be permitted;
  - (d) duration; and

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- (e) location.

## **DIVISION 2 WHEELED TOYS**

### **60. USE OF WHEELED DEVICES**

---

- (1) A person must not use a wheeled recreational device on any municipal place in the area bounded by Raglan Parade, Fairy Street, Timor Street and Banyan Street.
- Penalty: 1.25 penalty units
- (2) The Council may, by resolution, declare a municipal place or part of a municipal place to be an area in which wheeled recreational devices are prohibited.
- (3) Signage will be erected on any municipal place or part of a municipal place which has been declared by the Council to be an area where wheeled recreational devices are prohibited.
- (4) A person must not use a wheeled recreational device on any municipal place or part of a municipal place which has been declared by the Council to be an area in which wheeled recreational devices are prohibited.

Penalty: 1.25 penalty units

### **61. CONDUCT WHEN USING A WHEELED DEVICE**

---

Any person who uses a wheeled recreational device or causes or authorises another person to use a wheeled recreational device in or on a municipal place must ensure that the use does not inconvenience, obstruct, hinder, endanger, alarm or prevent the use of that municipal place by any other person.

Penalty: 1.25 penalty units

### **62. MOTORISED RECREATIONAL VEHICLES**

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- (1) A person must not, without a permit:
- (a) drive, ride on or otherwise use; or
  - (b) cause or authorised another person to drive, ride on or otherwise use,
- a motorised recreational vehicle on any municipal place unless the municipal place has been designated by the Council for that purpose.
- Penalty: 5 penalty units
- (2) No person may use any motorised recreational vehicle in the municipal district on any fire ban day.
- Penalty: 5 penalty units
- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the number of motorised recreational vehicles for which the permit is required;

- (b) the days, times and hours the motorised recreational vehicles are to be used; and
- (c) the likely damage which may be caused to land as a result of the use of the motorised recreational vehicles.

### **DIVISION 3 GLASS CONTAINERS**

#### **63. GLASS CONTAINERS IN MUNICIPAL PLACES**

---

- (1) The Council may, by resolution, declare a municipal place or part of a municipal place to be a glass container free area.
- (2) Signage will be erected on any municipal place or part of a municipal place which has been declared by the Council to be a glass container free area.
- (3) A person must not, without a permit, take glass containers into or onto any municipal place or part of a municipal place which has been declared by the Council to be a glass container free area.

Penalty: 2.5 penalty units

- (4) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
  - (a) the nature of the event at which glass containers are to be used;
  - (b) the duration of the event at which glass containers are to be used;
  - (c) the location of the event at which glass containers are to be used;
  - (d) plans in place to ensure that glass containers are cleared from the municipal place; and
  - (e) the likelihood of any risk to safety arising from the use of glass containers.

### **DIVISION 4 CONSUMPTION OF LIQUOR**

#### **64. MUNICIPAL PLACES WHERE LIQUOR MAY NOT BE CONSUMED**

---

- (1) The Council may, by resolution, declare a municipal place or part of a municipal place to be a liquor free area during the times specified in the resolution.
- (2) Signage will be erected in any municipal place or part of a municipal place which has been declared by the Council to be a liquor free area.
- (3) A person must not, without a permit, consume or have in their possession or under their control any liquor, other than in a sealed container, in or on any municipal place or part of a municipal place which has been declared by the Council to be a liquor free area during the times specified.

Penalty: 2.5 penalty units

- (4) Where the Council fails to erect signage under sub-clause (2) no person will be prosecuted for an offence under this clause.

- (5) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the nature of the event at which liquor is to be consumed;
  - (b) the duration of the event at which liquor is to be consumed;
  - (c) the location of the event at which liquor is to be consumed; and
  - (d) the effect that the consumption of liquor may have on the quiet enjoyment of people in the municipal place.

## PART 4 - STREETS AND ROADS

### DIVISION 1 THE MANAGEMENT OF ROADS FOR TRAFFIC

#### 65. TREES AND PLANTS NOT TO OBSTRUCT OR OBSCURE

---

- (1) An occupier of land adjacent to a road must not allow any tree or plant in or growing on that land to obstruct or interfere with the passage of traffic by:
- (a) overhanging any footpath or other part of the road used by pedestrians so that there is a clearance of less than 2.4 metres from the ground;
  - (b) extending over any part of the road in such a way that it:
    - (i) obstructs the view between vehicles at an intersection;
    - (ii) obstructs the view between vehicles and pedestrians where they come close to each other;
    - (iii) obscures a traffic control item from the view of an approaching vehicle or pedestrian; or
    - (iv) obscures street lighting;
  - (c) obstructs the view between vehicles and trains at a railway level crossing which does not have gates, booms or flashing lights; or
  - (d) otherwise constitutes a danger to vehicles or pedestrians or compromises the safe and convenient use of the road.

Penalty: 5 penalty units

- (2) In determining whether there has been an infringement of sub-clause (1)(c) the Council must have regard to Australian Standard AS1742.7 Railway Crossings.

#### 66. PLACING OF SIGNS AND POSTS

---

A person must not place a sign, post or other similar object in such a way that it causes an obstruction of a type referred to in sub-clauses (b), (c) and (d) of clause 65.

Penalty: 5 penalty units

#### 67. FENCES AT INTERSECTIONS

---

An owner or occupier of property must not, without a permit, construct a boundary fence at an intersection of roads which interferes with or obstructs the clear visibility between vehicles and/or pedestrians at that intersection.

Penalty: 5 penalty units

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**68. PROPERTY NUMBERS TO BE DISPLAYED**

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The owner or occupier of any property which has been allocated a property number must mark the property with the allocated number in a size and position, and made of such material and kept in such state of repair, to be clearly read from the road under normal lighting conditions.

Penalty: 5 penalty units

---

**69. A VEHICLE CROSSING IS REQUIRED**

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- (1) The owner of land must ensure that each point of vehicular access from a carriageway on a road to the land has a properly constructed vehicle crossing.

Penalty: 5 penalty units

- (2) For the purposes of this clause a vehicle crossing is properly constructed if:

- (a) it was constructed in accordance with the terms of an approval by the Council; or
- (b) the Council has approved in writing the method of construction of the particular vehicle crossing.

---

**70. A PERMIT IS REQUIRED**

---

A person must not, without a permit, construct, install, remove or alter a vehicle crossing, whether temporarily or permanently.

Penalty: 5 penalty units

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**71. TEMPORARY VEHICLE CROSSINGS**

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- (1) Where it is likely that building work on a property will involve vehicles leaving the carriageway or entering the property, the person responsible for the works must obtain a permit for the construction of a temporary vehicle crossing which protects the existing road, kerb, drains and footpath.

Penalty: 5 penalty units

- (2) Where an existing vehicle crossing, footpath, kerb or other part of the road may be damaged, the person responsible for the works must, when requested, obtain an asset protection permit under clause 52 and pay a bond to the Council.

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**72. REDUNDANT VEHICLE CROSSINGS**

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- (1) Where building work on a property involves the relocation or closure of a point of vehicular access, any redundant part of a vehicle crossing must be removed and the kerb, drain, footpaths, nature strip and any other part of the road must be reinstated to the satisfaction of the Council.

- (2) The Council may require the owner or occupier of a property to remove any part of or all of a vehicle crossing for which there is no effective point of vehicle access and to reinstate the road and the requirement must be fulfilled within the time specified.

Penalty: 5 penalty units

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**DIVISION 2 CONTROL OF ANIMALS ON ROADS****73. CONTROL OF LIVESTOCK ON ROADS**

---

- (1) A person in charge of livestock must not, without a permit, move, drive or graze livestock across, over, along or on a road or allow another person to do so unless:
- (a) the livestock is being driven or moved between two pieces of land forming part of a single farming enterprise; and
  - (b) the pieces of land are separated only by a road, railway line, waterway or other geographical feature; and
  - (c) the livestock leaves one piece of land at the point that is closest to the piece of land to which the livestock is being moved and enters the other piece of land at the point closest to the point where the livestock exited the piece of land from which the livestock was moved; and
  - (d) the safety of a road user is not adversely affected.

Penalty: 5 penalty units.

- (2) A permit issued by the Council under sub-clause (1) for the movement or driving of livestock may specify the route to be taken.
- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the number and type of livestock to be driven;
  - (b) in respect of moving or driving livestock, whether the most direct or practicable route from the point of departure to the destination is through or within the municipal district;
  - (c) in respect of moving or driving livestock, whether there will be adequate supervision of the livestock while they are camped overnight;
  - (d) whether appropriate reflective signs or flashing lights are necessary while livestock are camped overnight or should be displayed at the beginning and end of the herd while it is travelling along any street or road;
  - (e) in respect of moving or driving livestock, whether the livestock are capable of travelling the specified distance each day;
  - (f) whether it is necessary to have the health and fitness of the livestock certified by a stock inspector or veterinary;
  - (g) in respect of grazing livestock, the location of the proposed grazing; and
  - (h) the impact, if any, on other users of the road.

**74. SPECIFIED ROADS**

---

- (1) The Council may specify roads in the municipal district which may be used for the driving of livestock without the need to obtain a permit under clause 73.

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- (2) An authorised officer may, where practicality requires it or where hardship may be caused to the owner of any of the livestock, vary a specification made by the Council under sub-clause (1).

#### **75. DEPARTURE FROM ROUTE**

---

- (1) The route specified in any permit issued under clause 73 must not be departed from or varied without the consent of an authorised officer.

Penalty: 5 penalty units

- (2) Consent to any change or variation to the route must be endorsed on the permit.

#### **76. RESPONSIBILITY OF APPLICANT**

---

- (1) In considering an application for a permit to move or drive livestock under clause 73, an authorised officer may, if he or she is satisfied that the livestock may not be able to travel the minimum distance specified, require the applicant to make a declaration to the effect that the livestock are fit, healthy and free from disease and able to travel the minimum distance specified.

- (2) Any person making a false declaration under sub-clause (1) is guilty of an offence.

Penalty: 5 penalty units

### **DIVISION 3 CONTROL OF VEHICLES ON ROADS**

#### **77. TIME LIMIT FOR PARKING LONG VEHICLES ON ROADS**

---

- (1) A person must not, without a permit, park a vehicle longer than 7.5 metres (including any trailer and fittings) on any road for longer than one hour, unless the area is specifically designated by the Council for parking such vehicles.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the likely impact on the residential amenity of the neighbourhood as a result of:
  - (i) the intrusion of long vehicle traffic;
  - (ii) excessive noise from long vehicles;
  - (iii) pedestrian and motorist safety;
  - (iv) the likely damage to be caused to Council assets and street trees; and
  - (v) fumes or related smells resulting from the parking of heavy vehicles;
- (b) the traffic function, traffic volume and width of other roads in the vicinity;
- (c) the unobstructed sight distance when exiting forward from nearby properties;

- (d) whether the manoeuvring requirements of the vehicle and the roadway width will enable the vehicle to be turned within a maximum crossing width of 4 metres; and
- (e) any load limit restriction in force on the relevant road.

#### **78. PARKING HEAVY VEHICLES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES**

---

- (1) A person must not, without a permit, allow a vehicle weighing more than 4.5 tonne (including any load) to be parked, kept, stored or repaired on any land in a residential area.  
  
Penalty: 5 penalty units
- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
  - (a) the likely impact on the residential amenity of the neighbourhood as a result of:
    - (i) the intrusion of heavy vehicle traffic;
    - (ii) excessive noise from heavy vehicles;
    - (iii) pedestrian and motorist safety;
    - (iv) the likely damage to be caused to Council assets and street trees; and
    - (v) fumes or related smells resulting from the parking of heavy vehicles;
  - (b) the traffic function, traffic volume and width of other roads in the vicinity;
  - (c) whether the unobstructed sight distance when exiting forward from the property is a minimum of 80 metres;
  - (d) whether the manoeuvring requirements of the vehicle and the roadway width will enable the vehicle to be turned within a maximum crossing width of 4 metres;
  - (e) any load limit restriction in force on the relevant road; and
  - (f) whether the property is of sufficient size and layout to enable the vehicle to be properly garaged.

### **DIVISION 4 SECONDARY ACTIVITIES ON ROADS**

#### **79. ERECTING OR PLACING ADVERTISING SIGNS**

---

- (1) A person must not, without a permit, erect or place, or cause to be erected or placed, an advertising sign on any part of a road.  
  
Penalty: 5 penalty units
- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
  - (a) the location of the advertising sign;

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- (b) the width and height of the advertising sign;
- (c) any other advertising signs displayed for the applicant's premises or event; and
- (d) whether the construction of the advertising sign will create a hazard to pedestrians.

**80. ROADSIDE TRADING**

---

- (1) A person must not, without a permit, erect or place, or cause to be erected or placed, on any road a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) any impact on the safety of road users and the passage of traffic;
- (b) whether all necessary permits have been obtained;
- (c) whether the activity will disturb, annoy or disrupt adjacent property owners or occupiers; and
- (d) whether appropriate arrangements will be made for:
  - (i) waste water disposal;
  - (ii) litter and garbage disposal;
  - (iii) lighting; and
  - (iv) advertising signs.

**81. TRADING TO A PERSON ON A ROAD**

---

- (1) A person must not, without a permit, sell or offer for sale, or cause to be sold or offered for sale, any goods or services from a property or a municipal place adjacent to a road to any person who is on that road or municipal place.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) any impact on the safety of road users and the passage of traffic;
- (b) whether all necessary permits have been obtained;
- (c) whether the activity will disturb, annoy or disrupt adjacent property owners or occupiers; and
- (d) whether appropriate arrangements will be made for:

- (i) waste water disposal;
- (ii) litter and garbage disposal;
- (iii) lighting; and
- (iv) advertising signs.

## **82. LOCATING GOODS FOR SALE**

---

- (1) A person must not, without a permit, place or display, or cause to be placed or displayed, any goods, including vehicles for sale, on:
- (a) any footpath;
  - (b) any part of a carriageway designed for the use of passing vehicles;
  - (c) within 700mm of an area where vehicles may stand; or
  - (d) any other part of a road including a road reserve and nature strip.
- Penalty: 5 penalty units
- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) whether the goods will be displayed outside the applicant's premises;
  - (b) whether adequate lighting of the display area can be achieved if the normal business hours include hours of darkness; and
  - (c) whether the goods or the display will be of such material, layout or construction as to create a hazard pedestrians or vehicles.

## **83. OUTDOOR EATING FACILITIES ON ROADS**

---

- (1) A person must not, without a permit, establish an outdoor eating facility on any footpath or other part of a road.
- Penalty: 5 penalty units
- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) whether the facility is conducted in conjunction with, and as an extension of, food premises located immediately abutting the facility, and the applicant is the person conducting such food premises;
  - (b) whether the food premises is registered in accordance with the *Food Act 1984*;
  - (c) whether the facility will obstruct visibility at an intersection;
  - (d) whether appropriate and safe pedestrian access can be maintained; and

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- (e) whether the tables, chairs and other equipment to be used will be a hazard.

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**84. REMOVAL OF OUTDOOR EATING FACILITY ON REQUEST**

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The person responsible for an outdoor eating facility must move or remove the outdoor eating facility when requested to do so by an authorised officer.

Penalty: 5 penalty units

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**85. BULK RUBBISH CONTAINERS ON ROADS**

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- (1) A person must not, without a permit, place, or cause or permit to be placed, a bulk rubbish container on a road.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) whether the placement will obstruct the passage of vehicles and pedestrians, obscure the view of motorists or present a physical hazard;
- (b) whether the placement will contravene any traffic control signs;
- (c) whether hazard lights can be securely attached on the side of the container nearest passing traffic or placed on a carriageway; and
- (d) protection of any Council assets.

---

**86. OCCUPATION OF THE ROAD FOR WORKS**

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- (1) A person must not, without a permit, on a road:

- (a) occupy or fence off part of a road;
- (b) erect a hoarding or overhead protective awning;
- (c) use a mobile crane or travel tower for any building work;
- (d) make a hole or excavation; or
- (e) reinstate a hole or excavation.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) the nature and duration of the works;
- (b) the likely hazard that the works may constitute to users of the road; and
- (c) the impact of the works on the amenity of the adjoining area.

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44

**87. REPAIR OF VEHICLES IS PROHIBITED**

---

- (1) A person must not, without a permit, dismantle, paint, carry out maintenance on or, except for the purpose of removing it, repair a vehicle or cause or authorise another person to do so.

Penalty: 5 penalty units

- (2) Sub-section (1) does not apply to running repairs undertaken as a result of breakdown.

**88. SUBSTANCES FROM VEHICLES, ANIMALS AND LIVESTOCK**

---

- (1) A person must not permit any grease, oil, mud, sand, clay or other substance to fall or run off a vehicle or livestock onto a road into any drain on or under the road or permit or authorise another person to do so.

Penalty: 5 penalty units

- (2) A person in charge of a vehicle or livestock from which any substance has fallen or run onto a road must take all reasonable steps promptly to remove the substance, make good any damage and remove any consequent hazard.

Penalty: 5 penalty units

- (3) Where any damage or hazard remains, the person in charge of the vehicle or livestock from which the substance fell or ran must promptly notify the Council or member of the police force of the damage or hazard.

Penalty: 5 penalty units

**89. STREET PARTIES, FESTIVALS AND PROCESSIONS**

---

- (1) A person must not, without a permit, hold a street party, street festival or procession on a road.

Penalty: 5 penalty units

- (2) An application for a permit under sub-clause (1) must be made at least 14 days before the event is to take place.

- (3) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:

- (a) whether the road can be closed to vehicular traffic for the duration of the street party;
- (b) necessary advice to owners or occupiers of all land with vehicular access via the section of road to be closed; and
- (c) whether the footpath on at least one side of the road can be kept clear of obstructions.

**90. COLLECTIONS ON ROADS**

---

- (1) A person must not, without a permit, solicit for or collect anything, including waste materials, gifts of money or subscriptions, or cause or authorise another person to do so, on a road.

Penalty: 5 penalty units

- (2) In determining whether to grant a permit, the Council or an authorised officer must have regard to the matters outlined at clause 17 as well as the following:
- (a) the times and days it is proposed to collect;
  - (b) the matter or thing to be collected;
  - (c) the roads or areas in which the collections will take place;
  - (d) the impact on traffic and safety of pedestrians; and
  - (e) the age and capacity to supervise participants.



## 7.9. Quarterly Financial Report - July to September 2024

**DIRECTORATE :** Corporate Strategies

**Purpose:**

*The purpose of this report is to present the July to September 2024 Quarterly Financial Report to Council.*

---

### Executive Summary

- This quarterly finance report compares actual financial results to budget and forecast for the three months from 1 July 2024 to 30 September 2024 – refer Attachment 1 Quarterly Finance Report.
- The report sets out the financial results for Council's recurrent (day-to-day) operations, projects, capital works, rates, and borrowings.
- This report meets the requirements of section 97 of the Local Government Act 2020 to present a quarterly financial report to Council at a public meeting that compares actual results against budget.

---

**MOVED:** CR RICHARD ZIEGELER

**SECONDED:** CR BILLY EDIS

**That the Quarterly Financial Report July to September 2024 be received.**

**CARRIED - 7:0**

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### Background

Section 97 of the *Local Government Act 2020* stipulates:

1. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
2. A quarterly budget report must include—
  - a. a comparison of the actual and budgeted results to date; and
  - b. an explanation of any material variations; and
  - c. any other matters prescribed by the regulations.
3. In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

The July to September 2024 Quarterly Financial Report has been prepared and meets the requirements of the act.

The July to September 2024 Quarterly Financial Report shows an unfavourable year to date cash position of \$0.1 million. This is mainly related to timing of income versus expenditure. For instance, council carried out works for third parties as part of the Kepler/Lava Street roundabout upgrade and had not, at the end of September, invoiced the third parties for the reimbursement of these costs. This timing variance will be corrected as the final costings are completed and invoiced.

Council's net underlying surplus (on the Comprehensive Income Statement) is a favourable position of \$0.1 million year to date. The Income statement is prepared in line with Australian Accounting Standards (as required by the Act), and, per the standards, include some non-cash items (such as land contributions and depreciation), whilst excluding some cash items (such as capital works). The favourable variance is mainly due to higher income due to the timing of developer contributions, which is partially offset by higher expenditure in materials and services. These variances are further detailed in the attached report.

Council's cash position remains sound, with \$50.7m held in investments at the end of the quarter. These funds are held for the delivery of Council's Infrastructure program, delivery of services, Development Contribution Plans and statutory requirements and do not represent discretionary holdings. Council generally receives a large portion of its income at the start of the financial year (such as grants) and will use these funds throughout the rest of the year as it delivers services and projects.

### Financial Impact

Council's current financial position remains sound and generally in line with budget expectations.

### Legislation/Policy/Council Plan Context

#### 5 An effective Council

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

This quarterly report is provided in line with the timing requirements of the *Local Government Act 2020*.

### Community Impact/Consultation

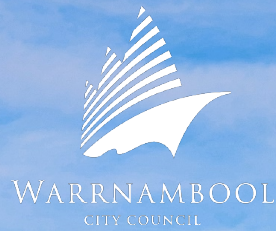
This report is provided to inform Council and the community on the organisation's financial position as required by the *Local Government Act 2020*.

### Conclusion

The Quarterly Financial Report July to September 2024 is presented to Council in line with the requirements of the Local Government Act 2020. Council remains in a sound financial position.

### ATTACHMENTS

1. Quarterly Financial Report - July to September 2024 [7.9.1 - 13 pages]



# Quarterly Financial Report July - September 2024



**Quarterly Financial Report**

July - September 2024

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## Quarterly Financial Report

July - September 2024

## I. Executive Summary

The monthly report is designed to illustrate the financial performance and position of Warrnambool City Council compared to its adopted and revised budget for the period ending 30 September 2024.

The three months' actual results indicate an unfavourable financial position of (\$0.111m) to the revised budget.

Key Financial Results	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	YTD Variance	
					\$'000	
Rates	48,577	48,577	48,491	48,491	0	▲
Recurrent Income	53,836	54,433	16,308	16,393	85	▲
Recurrent Expenditure	(84,975)	(86,253)	(24,791)	(24,899)	(108)	▼
<b>Net Recurrent Surplus/(Deficit)</b>	<b>(31,139)</b>	<b>(31,820)</b>	<b>(8,482)</b>	<b>(8,505)</b>	<b>(23)</b>	▼
Project Income	679	1,507	495	514	20	▲
Project Expenditure	(1,907)	(9,013)	(1,771)	(1,911)	(140)	▼
<b>Net Project Surplus/(Deficit)</b>	<b>(1,228)</b>	<b>(7,505)</b>	<b>(1,276)</b>	<b>(1,397)</b>	<b>(120)</b>	▼
Capital Income	3,669	6,811	613	871	258	▲
Capital Expenditure	(18,381)	(32,619)	(9,829)	(10,055)	(225)	▼
<b>Net Capital Surplus/(Deficit)</b>	<b>(14,712)</b>	<b>(25,808)</b>	<b>(9,216)</b>	<b>(9,183)</b>	<b>33</b>	▲
Loan Drawdowns	0	0	0	0	0	■
Loan Repayments	(1,679)	(1,679)	(484)	(484)	(0)	■
<b>Net Financing Position</b>	<b>(1,679)</b>	<b>(1,679)</b>	<b>(484)</b>	<b>(484)</b>	<b>(0)</b>	■
Surplus / (Deficit) Brought Forward	0	18,054	18,054	18,054	0	■
<b>Total</b>	<b>(181)</b>	<b>(181)</b>	<b>47,086</b>	<b>46,976</b>	<b>(111)</b>	▼

**Recurrent:** is (\$0.023m) unfavourable to budget. Recurrent income is higher than budgeted primarily due to a favourable variance in user fees relating to Lighthouse Theatre commercial hires, slightly higher fee income at the Holiday Parks and unbudgeted truck wash income which are all offset by related expenditure. There is an unfavourable variance in materials and services due to a number of factors including timing (refer to section 4 for further details) and a favourable variance in employee costs mainly due to vacant positions and timing.

**Projects:** Unfavourable variance of (\$0.120m) partially due to expenditure relating to the Saleyards Precinct Masterplan (\$0.046m) and Council's contribution to the One Night Stand event (\$0.040m), with the balance due to timing of projects.

**Capital Works:** is \$0.033m favourable to budget.

Capital income is higher than budget mainly due to timing of: public open space developer contributions \$0.143m, fleet asset sales \$0.060m and TAC Road Safety funding \$0.025m.

Capital expenditure is unfavourable to budget partially due to Developer Contribution Plan design costs (\$0.053m) to be funded from reserves once the design costs are finalised with the balance of the variance due to timing of projects.

## Quarterly Financial Report

July - September 2024

**2. Top 5 Favourable to Budget Recurrent Services**

The below summary details the year to date Top 5 recurrent services with a favourable position to the revised budget and associated commentary.

No.	Key Financial Results	YTD Budget	YTD Committed	Variance	
		\$'000	\$'000	\$'000	
1	Early Learning Centres	38	138	100	▲
2	Waste Management	(1,250)	(1,174)	76	▲
3	Strategic Community Planning & Policy	(108)	(61)	47	▲
4	Infrastructure Management	(221)	(178)	43	▲
5	Project Management	(293)	(261)	32	▲

**Commentary****1: Early Learning Centres:**

**Reason:** Early learning grant income is \$53k favourable to budget due to timing and fee income is \$7k favourable to budget due to centres operating at 100% capacity year to date (budget is set at 95% capacity). Savings in salaries of \$40k due to vacant positions and timing of leave/backfill.

**2: Waste Management:**

**Reason:** Favourable variance due to lower volumes of waste year to date and the impact of lower fuel prices.

**3: Strategic Community Planning & Policy:**

**Reason:** Savings in salaries due to a vacant position and Manager in shared role which ended in September.

**4: Infrastructure Management:**

**Reason:** Seasonal favourable variance due to the timing of programs.

**5: Project Management:**

**Reason:** Savings mainly due to staff vacancies totalling \$30k.

## Quarterly Financial Report

July - September 2024

**3. Top 5 Unfavourable to Budget Recurrent Services**

The below summary details the year to date Bottom 5 recurrent services with an unfavourable position to the revised budget and associated commentary.

No.	Key Financial Results	YTD Budget	YTD Committed	Variance	
		\$'000	\$'000	\$'000	
1	Construction Engineering	(10)	(145)	(135)	▼
2	Saleyards	(30)	(90)	(60)	▼
3	Building Strategy & Services	(1,067)	(1,121)	(54)	▼
4	Drainage Maintenance	(231)	(276)	(45)	▼
5	Environment Management	(107)	(146)	(39)	▼

**Commentary****1: Construction Engineering:**

**Reason:** Variance mainly due to external recharge works at Kepler/Lava St roundabout to be on-charged to utility company at completion (\$122k).

**Action:** On-charge invoice to be raised at the completion of the project.

**2: Saleyards:**

**Reason:** Unfavourable variance due to truck wash operating costs.

**Action:** To be reviewed during the budget reforecast process in November.

**3: Building Strategy & Services:**

**Reason:** (\$30k) higher vandalism/graffiti response costs than budgeted. Public cleaning is over budget due to the new contract and will total (\$30k) unfavourable to budget by the end of the financial year.

**Action:** To be reviewed during the reforecast process in November.

**4: Drainage Maintenance:**

**Reason:** Unfavourable variance due to Viaduct Road storm damage response and repair works.

**Action:** Subject to disaster response funding claim.

**5: Environment Management:**

**Reason:** Timing of program delivery.

**Action:** Offset against other infrastructure programs.

## Quarterly Financial Report

July - September 2024

## 4. Statement of Comprehensive Income

	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	Variance		
					\$'000	%	
Revenue							
Rates and Charges	48,597	48,597	48,506	48,508	2	0%	▲
Statutory Fees and Fines	2,413	2,458	664	681	17	2.5%	▲
User Fees	19,456	19,486	3,941	4,079	138	3.5%	▲
Recurrent Grants	16,180	16,875	7,774	7,748	(27)	(0.3%)	▼
Non-Recurrent Grants	3,250	5,922	45	70	25	55.2%	▲
Contributions - Cash	1,153	1,992	1,014	1,155	141	13.9%	▲
Contributions - Non Cash	5,000	5,000	0	0	0	0.0%	▼
Other Income	319	607	179	193	13	7.5%	▲
Interest Income	1,800	1,800	620	643	23	3.7%	▲
Revenue Total	98,168	102,737	62,744	63,077	333	0.5%	▲
Expenses							
Employee Benefits	44,225	45,557	11,885	11,435	450	3.8%	▲
Materials and Services	28,531	35,583	11,413	12,156	(742)	(6.5%)	▼
Bad and Doubtful Debts	150	150	1	0	1	100.0%	▲
Finance Costs	179	179	55	57	(3)	(4.7%)	▼
Other Expenses	523	523	200	185	15	7.5%	▲
Depreciation	13,425	13,425	0	0	0	0.0%	■
Net loss / (gain) on asset disposal	463	463	(156)	(217)	60	38.7%	▲
Expenses Total	87,495	95,880	23,399	23,616	(218)	(0.9%)	▼
Net Surplus / (Deficit)	10,673	6,857	39,345	39,460	115	0.3%	▲
Other Comprehensive Income							
Net asset revaluation	12,316	12,316	0	0	0	0.0%	■
Total Comprehensive Income	22,989	19,173	39,345	39,460	115	0.3%	▲
Net Underlying Surplus / (Deficit)	5,673	1,857	39,345	39,460	115	0.3%	▲

**Net Surplus/(Deficit):** The net surplus is \$39.460m which is \$0.115m favourable to the revised budget.

**Revenue:** is \$0.333m favourable to budget due to:

- User Fees – Partially due to more activity in Lighthouse Theatre commercial hires \$78k and will be offset by relevant expenditure. Higher fee income than anticipated at the Holiday Parks of \$20k which is also offset by increased usage costs. Favourable fee income at the Early Learning Centres of \$7k due to centres operating at 100% capacity year to date (budget is set at 95% capacity), \$16k favourable truck wash income which is partially offsetting additional expenditure, and other minor timing variances.
- Contributions – Cash – Timing of public open space developer contributions \$143k.



## Quarterly Financial Report

July - September 2024

**Expenses:** are (\$0.218m) unfavourable to budget due to:

- Employee benefits are lower than anticipated by \$450k mainly due to vacancies across a number of areas and the timing of employee costs. Some positions have now been filled. Recruitment remains a challenge in the early learning and recreation sector. The home maintenance quarterly recovery charge to Community Care of \$74k for the delivery of the Federal Home Maintenance program has been recovered under Employee Costs however the budget has been allocated to Materials and Services contributing to the favourable variance in this category. This variance will be reviewed during the reforecast process in November.
- Materials and services higher than budget (\$0.742m) due to external recharge works at the Kepler/Lava St roundabout to be on-charged to a utility company (\$122k), temporary consultant procured to fill the Coordinator Strategic Planning role until the beginning of October (the position has now been filled) (\$88k) offset by savings in salaries in 24-25 of \$41k and salary savings from 23-24.

Further variances are due to more activity in Lighthouse Theatre commercial hires (\$42k) offset by increased fee income, and Viaduct Road storm damage response and repair work (\$40k). The continued operation of the truck wash is (\$45k) higher than budget, property insurance is unfavourable to budget by (\$76k), and there is an unfavourable variance of (\$46k) for the Saleyards Precinct Masterplan.

Further variances include: (\$40k) for the One Night Stand event and (\$15k) relating to the payment of the balance of the 23-24 contribution to the Melbourne to Warrnambool Cycle event due to a late claim. The budget for the home maintenance quarterly charge to Community Care for the delivery of the Federal Home Maintenance program of (\$74K) has been allocated to Materials and Services however the actual recovery is in Employee Costs above. The balance of the variance is mainly due to timing. Budget variances and timing will be reviewed as part of the November reforecasting process.

## Quarterly Financial Report

July - September 2024

## 5. Balance Sheet

	2024/25 Opening Balance \$'000	Movement \$'000	YTD Closing Balance \$'000
<b>Current Assets</b>			
Cash & Cash Equivalents	3,534	3,189	6,723
Investments	43,000	1,000	44,000
Trade and Other Receivables	4,253	34,474	38,728
Other Assets	3,475	(1,572)	1,903
<b>Current Assets Total</b>	<b>54,262</b>	<b>37,091</b>	<b>91,354</b>
<b>Non-Current Assets</b>			
	0	0	0
Property Plant & Equipments	793,613	2,431	796,043
<b>Non-Current Assets Total</b>	<b>793,613</b>	<b>2,431</b>	<b>796,043</b>
<b>Total Assets</b>	<b>847,875</b>	<b>39,522</b>	<b>887,397</b>
<b>Current Liabilities</b>			
Trade and Other Payables	9,397	(2,839)	6,558
Trust Funds and Deposits	2,403	117	2,519
Provisions	7,222	0	7,222
Interest-bearing Loans and Borrowings	1,679	(484)	1,195
Lease Liabilities	499	0	499
<b>Current Liabilities Total</b>	<b>21,200</b>	<b>(3,207)</b>	<b>17,994</b>
<b>Non-Current Liabilities</b>			
Provisions	977	0	977
Interest-bearing Loans and Borrowings	6,833	0	6,833
Lease Liabilities	1,221	0	1,221
<b>Non-Current Liabilities Total</b>	<b>9,031</b>	<b>0</b>	<b>9,031</b>
<b>Total Liabilities</b>	<b>30,231</b>	<b>(3,207)</b>	<b>27,025</b>
<b>Net Assets</b>	<b>817,644</b>	<b>42,728</b>	<b>860,372</b>
<b>Equity</b>			
Accumulated Surplus	291,291	42,728	334,019
Reserves	526,353	0	526,353
<b>Total Equity</b>	<b>817,644</b>	<b>42,728</b>	<b>860,372</b>

**Cash & Investments:** have increased with the first quarter rate instalment payable at the end of September 2024 and 85% of the 2024-25 Victorian Local Government Grants Commission financial assistance grant received in July totalling \$4.614m and the August quarterly payment received of \$207k.

**Trade and Other Receivables:** have increased significantly from the start of the financial year due to raising the full year's rates revenue in August with instalments due quarterly. This will reduce throughout the year as customers make their instalment repayments.

## Quarterly Financial Report

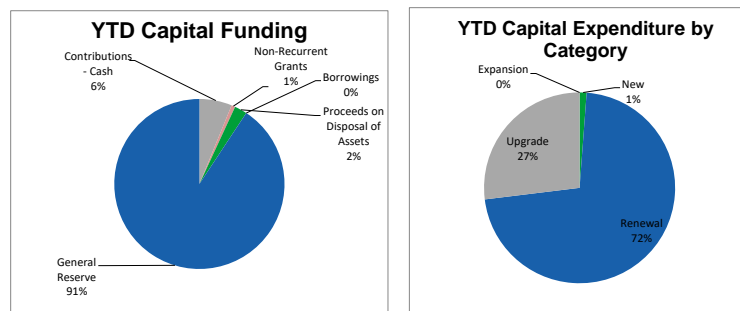
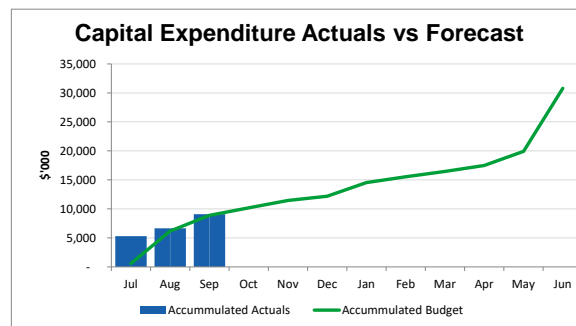
July - September 2024

### 6. Capital Expenditure and Funding

**Capital Expenditure:** Council has a number of major capital works underway including the Matron Swinton Kindergarten upgrade, Walter Oval Clubrooms and the Warrnambool Stadium flooring upgrade with a major focus on renewal within the 2024-25 financial year. Currently Council's committed amount is unfavourable compared to the year to date budget of (\$216k). This is partially due to Developer Contribution Plan design costs (\$53k) to be funded from reserves once the design costs are finalised with the balance due to timing of projects.

**Capital Funding:** The majority of the works to date have been funded through Council funds (91%). There are significant grants that are anticipated to be received during the year.

	Adopted Budget \$'000	Revised Budget \$'000	YTD Budget \$'000	YTD Committed \$'000	Variance \$'000	
<b>Expenditure</b>						
New	195	479	96	107	(12)	▼
Renewal	12,624	19,574	6,374	6,534	(160)	▼
Upgrade	5,323	10,731	2,404	2,449	(45)	▼
Expansion	0	0	0	0	0	▬
<b>Capital Expenditure</b>	<b>18,141</b>	<b>30,782</b>	<b>8,873</b>	<b>9,089</b>	<b>(216)</b>	▼
<b>Funding</b>						
Contributions - Cash	100	591	417	562	145	▲
Non-Recurrent Grants	3,250	5,902	40	65	25	▲
Proceeds on Disposal of Assets	319	319	156	217	60	▲
Borrowings	0	0	0	0	0	▬
General Reserve	14,472	23,971	8,260	8,245	(15)	▼
<b>Capital Funding</b>	<b>18,141</b>	<b>30,782</b>	<b>8,873</b>	<b>9,089</b>	<b>216</b>	▲



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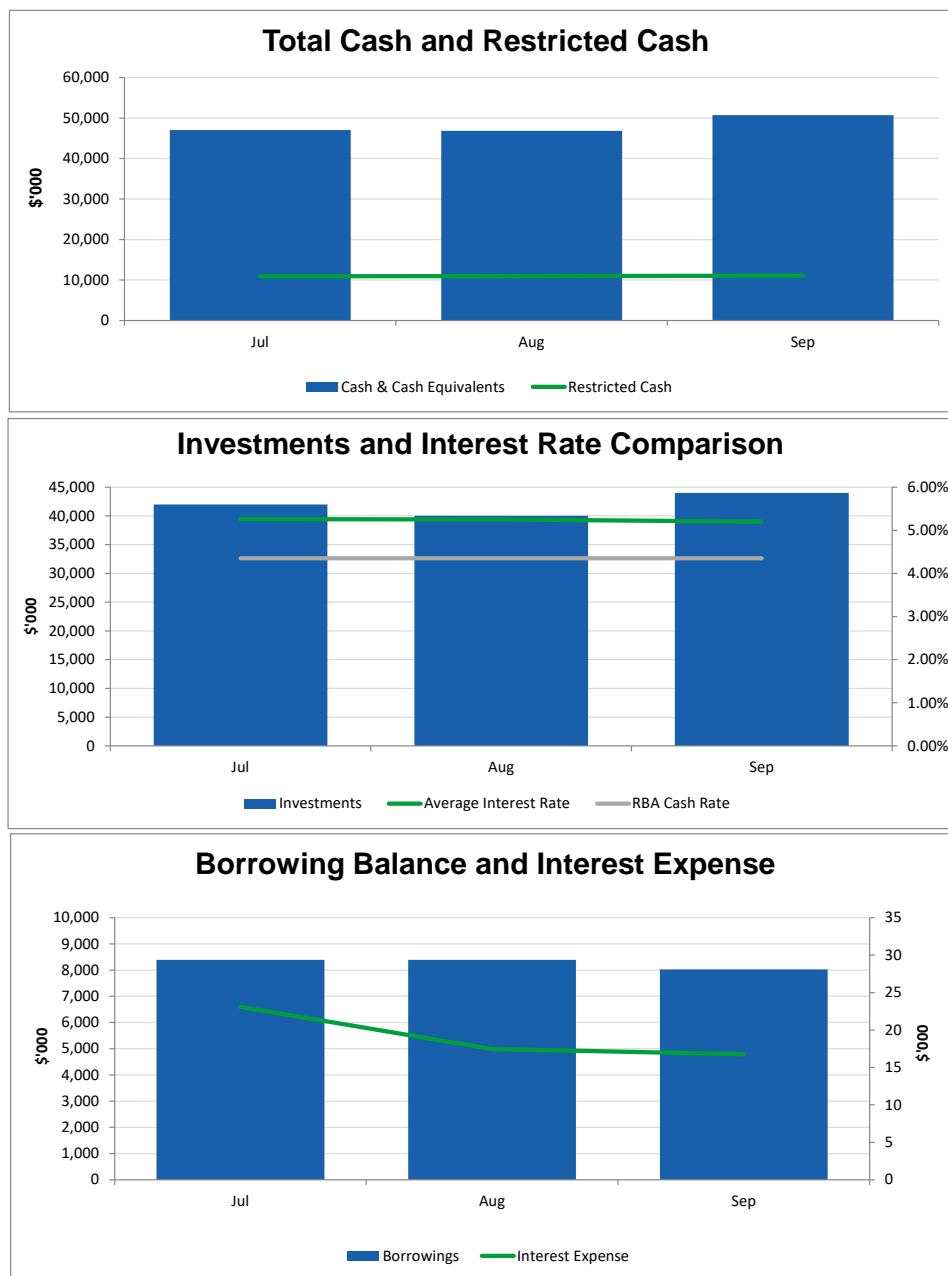
## Quarterly Financial Report

July - September 2024

### 7. Treasury Report

**Cash:** Total cash held (including investments) at the end of September is \$50.72m.

**Investments:** The average interest rate held on investments at the end of September was 5.20% which is higher than the RBA cash rate of 4.35%. Current investment rates have been around 5.0% however interest rates are expected to reduce over the next 12 months.



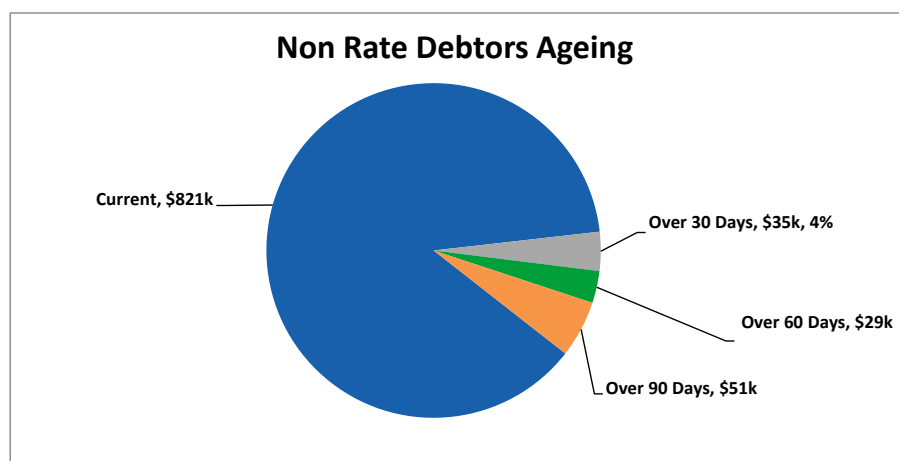
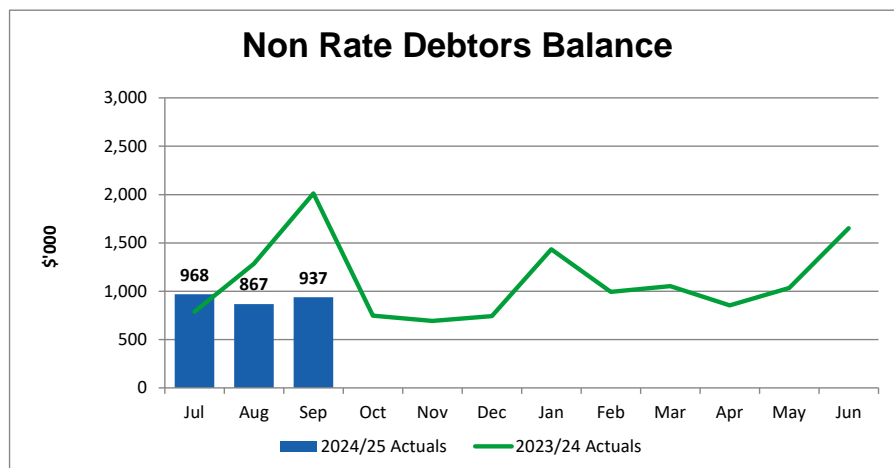
## Quarterly Financial Report

July - September 2024

### 8. Debtors Report

**Non Rate Debtors:** were \$0.936m in September, with \$0.821m or 88% of the debt classified as current.

- 30 Days \$35k (4%) – The outstanding 30 day debt amounts are not material and reminder invoices will be sent.
- 60 Days \$29k (3%) – \$11k owing from the Warrnambool Football Netball Club for the Reid Oval winter seasonal tenancy fees and oval light usage from April to September 2024 and monthly rental of \$2K. The balance of the outstanding 60 day debt amounts are not material and reminder invoices will be sent.
- 90 Days \$51k (5%) – \$20k owing from the Warrnambool Football Netball Club for their contribution to the Reid Oval Redevelopment Project (2nd Instalment) and monthly rental of \$2k. Management discussions are in place to rectify arrears. The remaining 90 day debtors will be followed up and Council is working with overdue debtors and setting up payment plans where appropriate.



## Quarterly Financial Report

July - September 2024

## 9. Budget Variations

Item	Budget Variation \$	Cumulative Total \$
Adopted Budget Surplus		(180,938)
Rollovers - Net	(18,027,600)	(18,208,538)
Budget Variation - Events & Promotions Officer	(26,611)	(18,235,149)
<b>Cash Surplus/(Deficit) Bought Forward</b>	<b>18,054,211</b>	<b>(180,938)</b>
<b>External budget variations - new grants</b>		
<b>July to September variations</b>		
Department of Transport - Wangoom Road Missing Shared Footpath Link	50,000	(130,938)
Department of Transport - Wangoom Road Missing Shared Footpath Link	(50,000)	(180,938)
Department of Transport - Community Road Safety Grants 2024-25	10,575	(170,363)
Department of Transport - Community Road Safety Grants 2024-25	(10,575)	(180,938)
DHHS - Workforce Community Navigator 2024-25	115,900	(65,038)
DHHS - Workforce Community Navigator 2024-25	(115,900)	(180,938)
Davidson Oval cricket net contributions - Cricket Vic/West Warrnambool Cricket Club	75,000	(105,938)
Davidson Oval cricket net contribution - transfer of internal rollover	(50,000)	(155,938)
Davidson Oval cricket net contribution - increased expenses to match contributions	(25,000)	(180,938)
Warrnambool Dog Training School - contribution for dog club storage shed	12,000	(168,938)
Warrnambool Dog Training School - contribution for dog club storage shed	(12,000)	(180,938)
DFFH - Child & Family Alliance funding (auspiced program)	240,097	59,159
DFFH - Child & Family Alliance funding (auspiced program)	(240,097)	(180,938)
DFFH - Child & Family Alliance funding (Warrnambool specific)	11,688	(169,250)
DFFH - Child & Family Alliance funding (Warrnambool specific)	(11,688)	(180,938)
Live Music Office - Live & Local Program Funding	67,909	(113,029)
Live Music Office - Live & Local Program Funding	(67,909)	(180,938)
JLT Insurance - Dennington Kinder insurance claim funds	67,107	(113,831)
JLT Insurance - Dennington Kinder insurance claim funds spent (Infrastructure)	(40,862)	(154,693)
JLT Insurance - Dennington Kinder insurance claim funds spent (PreSchools)	(26,245)	(180,938)
Department of Education - Early Start Kindergarten program funds	20,388	(160,550)
Department of Education - Early Start Kindergarten program funds	(20,388)	(180,938)
Department of Education - Assessment for Learning/Workforce Planning/Support for Teachers	40,416	(140,522)
Department of Education - Assessment for Learning/Workforce Planning/Support for Teachers	(40,416)	(180,938)
Department of Education - VSBA Building Blocks IT grant	22,080	(158,858)
Department of Education - VSBA Building Blocks IT grant	(22,080)	(180,938)
Department of Transport - Safe Local Roads & Streets program	2,000,000	1,819,062
Department of Transport - Safe Local Roads & Streets program	(2,000,000)	(180,938)
JMAPP Municipal Asset Protection Plan - trust distribution	10,617	(170,321)
JMAPP Municipal Asset Protection Plan - trust distribution	(10,617)	(180,938)
AL Lane Foundation - Contribution to Art Gallery's major exhibition	10,000	(170,938)
AL Lane Foundation - Contribution to Art Gallery's major exhibition	(10,000)	(180,938)
Department of Education - School Readiness Funding 2024 - extra funds	22,705	(158,233)
Department of Education - School Readiness Funding 2024 - extra funds	(22,705)	(180,938)

## Quarterly Financial Report

July - September 2024

## 9. Budget Variations continued

Item	Budget Variation \$	Cumulative Total \$
<b>Internal budget variations - transfers between cost centres</b>		
<b>July to September variations</b>		
Consolidate West Warrnambool Neighbourhood House from Community Development to Infrastructure	500,000	319,062
Consolidate West Warrnambool Neighbourhood House from Community Development to Infrastructure	(500,000)	(180,938)
Move School Crossing budget from Local Laws to own cost item - grant funds	271,024	90,086
Move School Crossing budget from Local Laws to own cost item - grant funds	(271,024)	(180,938)
Move School Crossing budget from Local Laws to own cost item - wages	(469,366)	(650,304)
Move School Crossing budget from Local Laws to own cost item - wages	469,366	(180,938)
Youth Services - consolidate funds for Youth Strategy Council contribution with Moyne	(20,000)	(200,938)
Volunteer Services - move Youth Strategy Council funds to Youth Services	5,000	(195,938)
Neighbourhood House - move Youth Strategy Council funds to Youth Services	15,000	(180,938)
Infrastructure Services Management - move budget to cover legal fees for 73 Station Street drainage	1,750	(179,188)
City Development & Strategy - move budget to cover legal fees for 73 Station Street drainage	(1,750)	(180,938)
Health & Wellbeing Plan - move This Girl Can project from Strategic Community Planning to Recreation	5,000	(175,938)
Health & Wellbeing Plan - move This Girl Can project from Strategic Community Planning to Recreation	(5,000)	(180,938)
Movement of animal fines and surrender fees from Animal Management to Animal Shelter	15,000	(165,938)
Movement of animal fines and surrender fees from Animal Management to Animal Shelter	(15,000)	(180,938)
<b>Internal budget variations - transfers to/from cash reserves</b>		
<b>July to September variations</b>		
Tiny Towns - Woodford Grant - rollover missed - transfer to Footpath Construction	(25,000)	(205,938)
Tiny Towns - Woodford Grant - rollover missed - transfer from committed reserve	25,000	(180,938)
Warrnambool Dog Training School - storage shed - funded from Small Infrastructure	(35,000)	(215,938)
Warrnambool Dog Training School - storage shed - funded from Small Infrastructure	35,000	(180,938)
West Warrnambool Neighbourhood House - WCC allocation funded from Reserves	(400,000)	(580,938)
West Warrnambool Neighbourhood House - WCC allocation funded from Reserves	400,000	(180,938)
Events & Promotions salary - amend budget for changed positions	(26,611)	(207,549)
Accumulated surplus - amend Events & Promotions salary for changed positions	26,611	(180,938)
Northern Edge Estate Stage 10 - Developer Contribution - Rodgers Construction	66,294	(114,644)
Northern Edge Estate Stage 10 - Developer Contribution - Rodgers Construction - transfer to reserves	(66,294)	(180,938)
Home Road Payment 6 - Developer Contribution - NDB Properties	250,000	69,062
Home Road Payment 6 - Developer Contribution - NDB Properties - transfer to reserves	(250,000)	(180,938)
Hopkins Heights Stage 9a - Developer Contribution - HH Warrnambool	30,000	(150,938)
Hopkins Heights Stage 9a - Developer Contribution - HH Warrnambool - transfer to reserve	(30,000)	(180,938)
Energy Savings Initiatives Capital to Reserves	1,400,000	1,219,062
Energy Savings Initiatives Capital to Reserves	(1,400,000)	(180,938)
<b>Revised Budget Surplus/(Deficit)</b>		<b>(180,938)</b>

## 7.10. Flagstaff Hill Local Ambassador Programme

*DIRECTORATE : City Growth Visitor Economy*

Purpose:

*This report provides information on the proposed Flagstaff Hill Local Ambassador Program which includes the proposal to offer free entry for residents of the Warrnambool City Council municipality.*

### Executive Summary

This report outlines the benefits of establishing a robust network of local ambassadors for Flagstaff Hill (FSH). The proposed "Flagstaff Hill Local Ambassador Program" aims to grant Warrnambool residents free access to Flagstaff Hill Maritime Village, with the exception of structured programs, guided tours, functions, and events. The report details the rationale, program specifics, and expected impacts of this initiative.

### PROGRAM DETAILS

1. **Free Access:** Warrnambool residents will be granted free access to Flagstaff Hill Maritime Village during regular operating hours.
2. **Identification:** To gain access, residents must present a driver's license or other valid identification proving Warrnambool as their primary place of residence.
3. **Exclusions:** Free access does not apply to groups participating in structured programs, guided tours, functions, and events.

### WHY DO WE WANT LOCAL AMBASSADORS?

The primary goal of establishing a Local Ambassador Program is to foster greater engagement between Warrnambool residents and Flagstaff Hill Maritime Village (FSH). Instead of merely offering free admission, this program aims to cultivate a sense of ownership and pride among locals, transforming them into advocates for the village. By deepening their connection to the cultural and historical significance of FSH, residents will be more likely to share their experiences with friends and relatives, especially those visiting from out of town. Given that Visiting Friends and Relatives (VFR) accounts for 33% of Warrnambool's domestic visitors, empowering locals as ambassadors could significantly amplify visitor numbers and enhance the village's profile.

This initiative is particularly crucial in addressing the concerning trend of declining visitation to FSH, which has seen a reduction of 4.7% per annum, despite Warrnambool's overall visitation increasing by 3% per annum. By enriching the experiences of locals and encouraging them to act as promoters of FSH, we can begin to reverse this decline. Positive word-of-mouth and firsthand recommendations from engaged locals will likely draw more visitors to the village, boosting both foot traffic and community pride.

In essence, the Local Ambassador Program will not only help increase visitor numbers but also foster a stronger, more connected community around FSH. It aims to establish the village as a must-see destination for both locals and their visitors, ensuring that FSH remains a vibrant and integral part of Warrnambool's cultural landscape.



MOVED: CR RICHARD ZIEGELER

SECONDED: CR BILLY EDIS

That Council endorses the implementation of the Flagstaff Hill Local Ambassador program where locals enter the village for free.

CARRIED - 7:0

## Background

Flagstaff Hill Maritime Village (FSH) has long been a cornerstone of Warrnambool's cultural landscape. Despite its significance, local sentiment has been lukewarm.

Nevertheless, community events such as "Chill on the Hill" and periodic cannon firings have consistently attracted substantial local crowds, underscoring the potential for deeper engagement and increased community involvement.

## Visitor Experience and Feedback

Feedback from those who do visit FSH is overwhelmingly positive, with a consistent rating of 4.5 out of 5 stars. This high satisfaction rate indicates that the issue lies not with the quality of the visitor experience but with attracting new visitors to the site.

## Tourism Research Australia Data

Tourism Research Australia provides insights into domestic visitation patterns in Warrnambool, revealing the following key data for overnight trips:

Category	Details
Purpose of Visit	Holiday: 42% VFR: 33% Business: 19% Other: 6%
Travel Party Composition	Lone Travellers: 32% Adult Couples: 23% Family Groups: 21% Friends/Relatives: 18%
Activities Undertaken	Social: 39% Outdoor/Nature: 10% Active Outdoor/Sports: 10%
Category	Details
Purpose of Visit	Holiday: 42% VFR: 33% Business: 19% Other: 6%
Travel Party Composition	Lone Travellers: 32% Adult Couples: 23% Family Groups: 21% Friends/Relatives: 18%
Activities Undertaken	Social: 39% Outdoor/Nature: 10% Active Outdoor/Sports: 10%

With 33% of visitors coming to Warrnambool to see friends and relatives, there is significant potential to leverage this segment for increased FSH attendance. By aligning FSH's offerings with the interests and needs of these visitors, FSH can tap into this substantial market, potentially increasing spending and extending visitors' stays in the region. This would benefit the entire area's visitor economy.

### Current Efforts and Trial Insights

There are notable opportunities to increase local visitation & patronage by hosting a range of exhibitions, unique & special events within the village, being a more frequented meeting space for youth aged 15-18 years, and the opportunity to drive additional revenue through our tea rooms & gift shop which would receive greater patronage.

Introducing free local memberships would drive an invested interest & provide a sense of ownership that all locals can be proud of. Recent trials provide promising evidence of the potential success of such a program:

- **November and December 2023 Trial:** Issued 316 unique local memberships, resulting in 575 individual visits.
- **Easter Long Weekend Trial:** The "free for locals" initiative saw 217 locals visit FSH during a 3-hour afternoon window.

These trials provide promising evidence that tailored incentives can significantly boost local engagement. By expanding on these findings, we can develop more effective community outreach strategies, thereby increasing Flagstaff Hill's visibility and strengthening its role in both the local and broader visitor economy.

### Issues

It is evident from the recent trial that a lot more locals visited the site than would ever become members, bringing with them visiting friends and family. The advantage of this was a lot more visitation and greater spend in the tearooms and gift shop.

FSH currently offers memberships, but uptake is minimal, with only 84 members. Current membership options are:

- **Full Family:** \$127.30
- **Family:** \$100.80
- **Single:** \$44.60

It is envisaged that membership may still be useful for visitors in neighboring shires and as such FSH is currently looking at the best option for the membership options that currently exist. Maintaining the status quo may result in continued decline in visitation, achieving nothing.

### Financial Impact

The proposed Local Ambassador Program is anticipated to deliver significant financial benefits for Flagstaff Hill (FSH) and the broader Warrnambool Visitor Economy. By encouraging word-of-mouth referrals and attracting local visitors who bring friends and relatives (VFR), the program will likely increase foot traffic through FSH's food and beverage areas and gift shop, resulting in higher sales.

The program is also expected to extend visitor stays and spending within Warrnambool. Visitors who come to FSH may be inspired to explore other local attractions, dine at local restaurants, and stay longer in the region, enhancing the overall economic impact. This extended stay benefits the local economy by boosting revenue from accommodation, dining, and other local services. Additionally, the positive experiences and recommendations are likely to encourage repeat visits, as satisfied visitors return and bring new guests. The potential average revenue loss from locals currently paying for entry is:

- Daily: \$22.45
- Weekly: \$157.19
- Annually: \$8,174

However, the financial advantages are expected to outweigh this loss. The marketing value alone from press releases, with subsequent media coverage, would be valued well over this figure. The associated positive word of mouth coupled with the forecasted extra revenue from VFR and associated spending, makes this initiative viable.

Other anticipated benefits include:

- **Targeted Email Marketing Campaigns:** Improved engagement and communication with local audiences, leading to increased awareness and visits.
- **Higher Conversions:** Enhanced visitor experiences that foster repeat visits and longer stays in the region.
- **Cost-Effective Marketing:** Leveraging the ambassador program to gain widespread promotion without significant additional marketing expenses.

Overall, the Local Ambassador Program is expected to have a positive financial impact by boosting sales at FSH and supporting the local economy through increased visitor spend and extended stays. With the introduction of the local ambassador program, the tea rooms will become a more frequented food & beverage option for locals with the removal of admission for entry.

## FLAGSTAFF HILL RE-IMAGINED

### *Vision and opportunities plan*

This proposal is also supported by and supports the **Flagstaff Hill Reimagined vision and opportunities report** endorsed by Council in February 2024. In particular;

### PRECINCT OPPORTUNITIES – pages 92 – 95. Items:

#### 4. Food and Beverage

There is an opportunity to enhance the food and beverage offerings across the site, including consideration of:

- A destination food and beverage offering, targeting locals and visitors
- Village food and beverage offerings

## 6. Functions and Events

The site currently hosts a limited series of events, with opportunity to expand this offering by addressing infrastructure and access constraints (such as location of and limited food drink preparation areas, quality of function spaces, and site accessibility).

### IMPLEMENTATION APPROACH – page 99. Item:

#### Deliver interim capital works

Deliver interim capital works (documented in the detailed masterplan, but could include):

- Expand on site function and events offerings (including night-time events)

A highlighted added footnote to this is:

*Consider changes to operations and governance alongside any capital investment, to improve operating performance and deliver new tourism experiences.*

### Legislation / Policy / Council Plan Context

#### 1 A healthy community

1.4 An accessible city: Council will improve physical and social accessibility to community services, facilities, places and precincts.

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

#### 3 A strong economy

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.

### Timing

It is proposed to be approved via Council resolution at the December Council meeting. Will be activated in the week following the December Council meeting.

### Community Impact / Consultation

Advises Council's communications approach:

- Inform, consult, involve, collaboration or empower.

### Legal Risk / Impact

No risk assessment is required.

### Officers' Declaration of Interest

No conflicts of interest are declared.

## Collaborative Procurement

No Procurement is required

## Conclusion

The Flagstaff Hill Local Ambassador Program stands as a pivotal opportunity to reinvigorate Flagstaff Hill Maritime Village (FSH) by harnessing the power of local engagement. By building local Warrnambool Ambassadors, the program is poised to transform locals into enthusiastic advocates, driving increased visitation and enhancing the village's profile. This initiative promises not only to reverse the recent decline in visitation but also to create a ripple effect throughout the local economy.

The anticipated boost in local engagement and positive word-of-mouth is expected to generate significant financial benefits, from increased foot traffic and sales at FSH to enhanced economic activity across Warrnambool. By aligning FSH's offerings with the interests of local residents and their visiting friends and relatives, we can leverage this substantial market segment to elevate FSH's prominence as a key cultural destination.

Implementing the Local Ambassador Program aligns seamlessly with the Council's goals for visitor growth and economic vitality, ensuring FSH remains a vibrant and integral part of Warrnambool's cultural landscape. This program not only addresses current visitation challenges but also positions FSH for long-term success and community engagement. Moving forward with this initiative will be a strategic investment in both the immediate and future prosperity of Flagstaff Hill Maritime Village and the broader Warrnambool region.

## ATTACHMENTS

Nil

## 7.11. 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 Meeting of Council is enclosed:-

1. Monday 25 November 2025 – refer **Attachment 1**.

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MOVED: CR VICKI JELLIE

SECONDED: CR DEBBIE ARNOTT

That the record of the Informal Meeting of Council held on 25 November 2025, be received.

CARRIED - 7:0

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### ATTACHMENTS

1. Assembly of Councillors Record 25 November 2024 [7.11.1 - 2 pages]

### 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>	24 November 2024
<b>Time Meeting Commenced:</b>	3.00pm
<b>Councillors in Attendance:</b>	Cr. B. Blain, Mayor Cr. D. Arnott Cr. W. Benter Cr. B. Eddis Cr. V. Jellie AM Cr. M. Walsh - Virtual Cr. R. Ziegeler
<b>Council Officers in Attendance:</b>	Andrew Mason, Chief Executive Officer - Virtual Peter Utri, Director Corporate Strategies Luke Coughlan, Director City Growth Brooke Love, Director Community Development David Leahy, Director City Infrastructure James Plozza, Manager Governance Wendy Clark, Executive Assistant Peter Russell, Manager, Capacity Access & Inclusion – 3.00pm – 3.32pm Lotti Dumesny, Youth Engagement Coordinator - 3.00pm – 3.32pm Peter Reid, Strategic Planner - 3.30pm – 4.25pm Nick Legoe, Coordinator, City Development - 3.30pm – 4.25pm Julie McLean, Manager City Strategy & Development – 3.30pm – 4.29pm Rob Wandell, Coordinator, City Development - 3.30pm – 4.29pm Nick Higgins, Manager Communication s – 4.28pm – 5.46pm Paul Thompson, Manager Visitor Economy – 5.13pm – 5.18pm John Brockway, Manager Finance – 5.30pm – 5.59pm Julie Anderson, Manager Strategic Assets, Property and Projects – 6.10pm – 6.26pm
<b>Other persons present:</b>	Tatjana Linke, Glenelg Hopkins CMA – Virtual - 3.30pm – 4.25pm Graeme Jeffery, Glenelg Hopkins CMA – Virtual - 3.30pm – 4.25pm Michael South, Venant Solutions – Virtual - 3.30pm – 4.25pm
<b>Apologies</b>	Nil.
<b>Matters Considered:</b>	<ol style="list-style-type: none"> <li>1. Youth Strategy &amp; Action Plan Briefing</li> <li>2. South Warrnambool Flood Investigation</li> <li>3. Planning Scheme Amendment C213warr</li> <li>4. Scheduled Council Meeting Dates 2025</li> <li>5. Appointments To Advisory Committees &amp; External Bodies</li> <li>6. Confidential - Citizen Of The Year Awards</li> <li>7. Council Plan Actions 2024 - 2025: July - September (Quarter 1)</li> <li>8. Quarterly Financial Report - July To September 2024</li> <li>9. Flagstaff Hill Local Ambassador Program</li> <li>10. Confidential - Early Years Education.</li> <li>11. Declaration Of Liquor Free Area In Warrnambool's Central Business District</li> <li>12. Draft Asset Disposal Policy</li> <li>13. Confidential - City Kindergarten Entrance Contract</li> <li>14. Truck wash at former Saleyards site.</li> <li>15. Customer Service Report - September Quarter 2024</li> <li>16. Mayoral Diary Update</li> </ol>
<b>Council and Officer Items Raised</b>	<ul style="list-style-type: none"> <li>• West Warrnambool traffic management.</li> <li>• Warrnambool RSL.</li> <li>• Allansford Tiny Towns funding.</li> <li>• Shrader Park playground equipment.</li> <li>• Councillor Oaths and Affirmations declaration.</li> <li>• Allansford Hall Committee of Management AGM</li> </ul>

	<ul style="list-style-type: none"> <li>• Mayoral Christmas function.</li> </ul>
<b>Councillor Conflicts of interest Disclosures:</b>	
<b>Councillor /Officer Name:</b>	
<ul style="list-style-type: none"> <li>• Cr. R. Ziegeler – South Warrnambool Flood Study – Material Conflict of interest – left meeting during item discussion.</li> <li>• Cr. B Edis – City Kindergarten Entrance Contract – General conflict of interest - left meeting during item discussion.</li> <li>• Cr. B. Edis - Confidential - Citizen of the Year Awards – General conflict of interest - remained in the room during discussion because the nominees for the conflict of interest were not discussed.</li> <li>• Cr. D. Arnott – Planning Scheme Amendment C213warr - General conflict of interest - left meeting during item discussion.</li> <li>• Cr. M. Walsh - Planning Scheme Amendment C213warr - General conflict of interest - left meeting during item discussion,</li> <li>• Cr. W. Benter - Confidential - Citizen of the Year Awards – General conflict of interest - remained in the room during discussion because the nominees for the conflict of interest were not discussed.</li> </ul>	
<b>Meeting close time:</b>	6.55pm
<b>Record Completed by:</b>	Wendy Clark Executive Assistant



## 7.12. Mayoral & Chief Executive Officer Council Activities - Summary Report

### Purpose

*This report summarises Mayoral and Chief Executive Officer Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.*

### Report

Date	Location	Function
24 October 2024	Warrnambool	Mayor – Attended South West TAFE 2024 Trades Awards presentations.
26 October 2024	Warrnambool	Chief Executive Officer – Attended and spoke at the official opening of the Warrnambool Agricultural Show.
8 November 2024	Woolsthorpe	Chief Executive Officer – Attended the funeral of the late Colin McKenna.
11 November 2024	Portland	Chief Executive Officer – Attended a workshop on Renewable Hydrogen for the Barwon South West Region facilitated by Barwon Water.
16 November 2024	Warrnambool	Chief Executive Officer – Attended and spoke at the Claw Money exhibition opening at the Warrnambool Art Gallery.
19 November 2024	Warrnambool	All Councillors attended a Regional Councillor Induction day.
20 November 2024	Warrnambool	Deputy Mayor - Attended Clontarf Academy End of Year Awards
21 November 2024	Warrnambool	Mayor - Hosted Mayor's Breakfast Briefing for 2024.
22 November 2024	Warrnambool	Mayor – Attended the launch of 16 Days of Activism.
30 November 2024	Warrnambool	Cr Ziegeler represented the Council at the Warrnambool Gift.

MOVED: CR VICKI JELLIE

SECONDED: CR BILLY EDIS

That The Mayoral & Chief Executive Officer Council Activities – Summary Report Be Received.

CARRIED - 7:0

## 8. Notice of Motion

No Notices of Motion have been received.

## 9. General Business

Nil.

## 10. Urgent Business

Nil.

## 11. Suspension of Standing Orders

### Resolution to Suspend Standing Orders

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MOVED: CR. DEBBIE ARNOTT

SECONDED: CR. MATTHEW WALSH

That standing orders be suspended to allow members of the public gallery to depart.

CARRIED -7 :0

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### Resume Standing Orders

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MOVED: CR. MATTHEW WALSH

SECONDED: CR. DEBBIE ARNOTT

That standing orders be resumed.

CARRIED -7:0

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### Resolution to Close Meeting

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MOVED: CR. MATTHEW WALSH

SECONDED: CR. DEBBIE ARNOTT

That in accordance with Section 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public to consider items containing confidential personal information.

CARRIED - 7:0

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## 12. Section 66(In-Camera) Meeting - Confidential Items

12.1 Minutes In-Camera Meeting of Council – 2 September 2024

12.3 Citizen of the Year Awards 2024

12.4 Early Years Education

### 13. Resolution to Re-Open Meeting

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MOVED: CR. VICKI JELLIE

SECONDED: CR. RICHARD ZIEGELER

That the meeting be re-opened to members of the public.

CARRIED – 7:0

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### 14. Close of Meeting

The meeting closed at 6.45pm.

CHAIRMAN