

AGENDA

SCHEDULED COUNCIL MEETING

WARRNAMBOOL CITY COUNCIL

5:45 PM - MONDAY 6 DECEMBER 2021



WARRNAMBOOL
CITY COUNCIL

VENUE:

Lighthouse Theatre Studio

Timor Street

Warrnambool

COUNCILLORS

Cr. Richard Ziegeler (Mayor)

Cr. Otha Akoch

Cr. Debbie Arnott

Cr. Ben Blain

Cr. Vicki Jellie AM

Cr. Angie Paspaliaris

Cr. Max Taylor

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can be obtained online at www.warrnambool.vic.gov.au

Peter Schneider

CHIEF EXECUTIVE OFFICER

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

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1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

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

ORIGINAL CUSTODIANS STATEMENT

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

2. APOLOGIES

3. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Scheduled Meeting of Council held on 1 November 2021, be confirmed.

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.

5. MAYORAL PRESENTATION

6. PUBLIC QUESTION TIME

7. REPORTS

7.1. CEO EMPLOYMENT AND REMUNERATION POLICY

DIRECTORATE : Executive Services

PURPOSE:

The purpose of this report is to present the amended CEO Employment and Remuneration Policy and the CEO Employment Matters Advisory Committee Terms of Reference to Council for consideration.

EXECUTIVE SUMMARY

The CEO Employment and Remuneration Policy is a requirement under section 45 of the Local Government Act 2020

The CEO Employment and Remuneration Policy outlines the role of a CEO Employment Matters Advisory Committee is supporting the Council with the development and monitoring of the CEO Performance Plan.

Due to proposed changes to the membership structure of the CEO Employment Matters Advisory Committee, a review of both the Policy and the Committee's Terms of Reference was triggered.

The amended Policy and Committee Terms of Reference are now presented to Council for consideration and they are recommended for adoption.

RECOMMENDATION

That Council:

- 1. Adopt the CEO Employment and Remuneration Policy as at Attachment 1; and**
 - 2. Adopt the CEO Employment Matters Advisory Committee as at Attachment 2.**
-

BACKGROUND

Section 45 of the Local Government Act 2020 requires Councils to develop, adopt and keep in force a CEO Employment and Remuneration Policy.

The Act states that:

A Chief Executive Officer Employment and Remuneration Policy must—

- (a) provide for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy; and
- (b) provide for the following—
 - (i) the recruitment and appointment process;
 - (ii) provisions to be included in the contract of employment;
 - (iii) performance monitoring;
 - (iv) an annual review; and
- (c) include any other matters prescribed by the regulations.

Within the Policy, and to assist the Council with the above listed requirements, a CEO Employment Matters Advisory Committee is provisioned. The Committee is designed to support the Council and CEO in ensuring fair and reasonable performance planning and monitoring.

A proposed change to the membership structure of the CEO Employment Matters Advisory Committee triggered a review of both the Policy and the Committee's Terms of Reference as both contained information relating to membership of the Committee.

Along with changes to membership sections of both documents, the opportunity has been taken to review the entirety of both documents with additional information and minor adjustments made to improve the Policy and Terms of Reference.

ISSUES

The proposed changes to the membership of the CEO Employment Matters Advisory Committee has triggered the review of both the CEO Employment and Remuneration Policy and the Committee's Terms of Reference. If no change to the membership is adopted by the Council, these amendments to the appendix's documents will need to be corrected prior to adoption.

FINANCIAL IMPACT

Nil.

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

The Officer's Report appointing Councillors to Committees is being presented to the 6 December 2021 Council Meeting. In accordance with the proposed changes to the CEO Employment Matters Advisory Committee, the CEO Employment and Remuneration Policy and the Committee's Terms of Reference are also being presented at the 6 December 2021 Council Meeting.

COMMUNITY IMPACT / CONSULTATION

Nil.

LEGAL RISK / IMPACT

Nil.

OFFICERS' DECLARATION OF INTEREST

Nil.

CONCLUSION

The CEO Employment Matters Advisory Committee Terms of Reference and the CEO Employment and Remuneration Policy have been amended and are now put to Council for their consideration. Officers recommended the adoption of both documents.

ATTACHMENTS

1. DRAFT - Chief Executive Employment and Remuneration Policy - Nov 2021 [7.1.1 - 10 pages]
2. DRAFT CEMAC Terms of Reference ToR November 2021 [7.1.2 - 3 pages]

7.2. APPOINTMENTS TO ADVISORY COMMITTEES & EXTERNAL BODIES

PURPOSE:

This report considers Council representation on the various Council Advisory Committees and external bodies with which Council is associated for the 2021-2022 Council year.

EXECUTIVE SUMMARY

- To appoint Council representatives to the various Council advisory bodies and external committees for 2021-2022 Council year.

RECOMMENDATION

That Council representatives and delegates to the Advisory Committees and external committees for the 2021-2022 Council year be approved as per Attachment 1 to this report, and that relevant advisory bodies and external committees be advised accordingly.

BACKGROUND

As in the past, there is a significant range of advisory, semi-external and external 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.

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

Attachment 1 shows the various bodies/committees under various headings according to the “function” of the body or committee, from Council’s perspective. Obviously, such arrangements can be reviewed from time to time, but in any case, would need to be fully reviewed at the commencement of each Council Year.

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

1. 2021 22 Appointment of councillor reps on Advisory bodies [DLDP] [7.2.1 - 2 pages]

7.3. DRAFT ADVOCACY PLAN

DIRECTORATE : Corporate Strategies

PURPOSE:

For Council to review/adopt the Draft Advocacy Plan 2021-2025.

EXECUTIVE SUMMARY

Under the Local Government Act 2020 Council must give effect to a number of governance principles including:

- achieving the best outcomes for the community;
- promoting the economic, social and environmental sustainability of the municipality; and,
- pursuing innovation and continuous improvement.

Advocating on behalf of the community is an expectation of local government and a way in which support, usually in the form of funding from other levels of government, is obtained for key projects which are beyond the funding capacity of an individual Council.

Advocacy on behalf of the community is one of the perceptions measured in the annual Local Government Community Satisfaction Survey coordinated by the Department of Jobs, Precincts and Regions on behalf of Victorian councils.

In line with the legislative principles and obligations to the community, Council has prepared a Draft Advocacy Plan, which informs the community, and other levels of government, the projects Council has identified as community priorities – refer **Attachment 1**.

The draft Advocacy Plan was prepared in light of feedback received from the community during the engagement process for the Council Plan and at a subsequent Councillor workshop.

The advocacy priorities are:

1. A new community aquatic and fitness centre
2. A safer Port of Warrnambool
 - a. Breakwater repair
 - b. Safer boat launching
3. Warrnambool Surf Life Saving Club
4. Rail – faster, more frequent, more accessible
5. Flagstaff Hill – future directions
6. A new building for the Warrnambool Art Gallery
7. Brierly Park Master Plan
8. Bushfield-Woodford Structure Plan
9. Small Town Sewerage Upgrades
10. Raglan Parade Pedestrian Safety

In prioritising projects Council has taken into consideration the anticipated population growth and lead times required for some projects such as a new aquatic and fitness centre (AquaZone).

This proposed draft replaces the current Advocacy Strategy 2019-2023.

RECOMMENDATION

That Council adopt the Advocacy Plan 2021-2025.

BACKGROUND

Warrnambool City Council has, over the past decade been successful in advocating for its community.

This has included funding for the city centre renewal (\$10 million); the new library (\$16.3 million), Reid Oval (\$7 million); Flagstaff Hill (\$1.95 million); Port of Warrnambool boat ramp (\$3.5 million); Jetty Flat upgrade (\$500,000) and many other grants for fishing facilities, other sports ground upgrades and accessibility improvements (eg Lake Pertobe Changing Places facility).

In a number of instances Council has supported projects and initiatives that are led by other organisations including:

- Deakin University Hycel Research Centre (\$20 million);
- Warrnambool Rail Line improvements (\$260 million)
- Stage 2 of the Warrnambool Base Hospital redevelopment (\$384 million)

Under the Local Government Act Council has the following roles aligned to advocating on behalf of the community:

- achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;
- collaboration with other Councils and Governments and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;

Council has also identified advocacy as a focus in its Council Plan 2021-2025 and perception of how well Council lobbies on behalf of the community are measured in the Annual Local Government Community Satisfaction Survey.

FINANCIAL IMPACT

A number of projects described in the Advocacy Plan will require a financial contribution from Council.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

5 An effective Council

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

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

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

5.7 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.

5.8 Regional role and 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.

TIMING

Advocacy itself is a priority with a number of projects requiring considerable lead time before they can be implemented. Finalising the priorities ahead of budget cycles for all levels of government is advantageous.

COMMUNITY IMPACT/CONSULTATION

The Draft Advocacy Plan has been informed by feedback Council received during community engagement for the Council Plan.

LEGAL RISK/IMPACT

N/A

OFFICERS' DECLARATION OF INTEREST

Nil.

CONCLUSION

The preparation and adoption of a set of advocacy priorities sends a strong message to the community and other levels of government about the community's aspirations and needs and where funding efforts should be directed.

ATTACHMENTS

1. 3048 advocacy plan [7.3.1 - 22 pages]

7.4. COMPLAINTS POLICY

DIRECTORATE : Executive Services

PURPOSE:

The purpose of this report is to provide Council with the Complaints Policy for their consideration and proposed adoption.

EXECUTIVE SUMMARY

In accordance with section 107 of the Local Government Act 2020 (the Act), Council must have a Complaints Policy in place by 31 December 2021.

This Draft Complaints Policy has been developed with in accordance with the requirements under section 107 of the Act, and with consideration and guidance taken from the Victorian Ombudsman's Councils and Complaints - Good Practice Guide, 2nd edition.

It is recommended that the Complaints Policy be adopted.

RECOMMENDATION

That Council adopt the Complaints Policy as at Attachment 1.

BACKGROUND

With the ongoing implementation of the Local Government Act 2020, Council must have adopted a Complaints Policy in accordance with section 107 of the Act. Section 107 requires:

- (1) A Council must develop and maintain a complaints policy that includes-
 - a process for dealing with complaints made to the Council; and
 - a process for reviewing any action, decision or service in respect of which the complaint is made; and
 - a discretion for the Council to refuse to deal with a complaint which is otherwise subject to statutory review; and
 - Any other matter prescribed by the regulations.
- (2) A review process must provide for a review that is independent of -
 - The person who took the action; and
 - The person who made the decision; and
 - The person who provided the service.
- (3) for the purposes of the complaints policy, complaint includes the communication whether orally or in writing, to the Council by a person of their dissatisfaction with -
 - The quality of an action taken, decision made, or service provided by a member of Council staff, or a contactor engaged by the Council; or
 - The delay by a member of Council staff or a contactor engaged by the Council in taking action, making a decision or providing a service; or
 - A policy or decision made by a Councillor or a member of Council staff or a contractor.

In the development of this policy, the Victorian Ombudsman's Councils and Complaints – A Good Practice Guide, 2nd Edition, was utilised to ensure that Policy covered all statutory requirements to a suitable standard. The 2nd Edition was put out by the Ombudsman in July 2021, in line with the commencement of section 107 of the Act and had been revised to support the new legislative requirements relating to complaints and relies on good practice complaint handling and is intended to build a positive culture around complaints.

Officers recognise the importance of effective complaints handling and the value of utilising data collected through our complaints handling processes as a tool to help improve Council actions, decisions and customer service. This has been factored into the Policy which will guide and support Council's complaints handling practices.

The Complaints Policy must be developed within 6 months of the commencement of section 107 which occurred on 1 July 2021.

ISSUES

Nil.

FINANCIAL IMPACT

Nil.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

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 policy must be adopted by Council prior to 31 December 2021 for Council to be compliant with the Local Government Act 2020.

COMMUNITY IMPACT/CONSULTATION

Internal consultation was undertaken as part of the development of this policy.

Given the legislative requirements and operational processes related to the Policy, community consultation has not been undertaken.

LEGAL RISK/IMPACT

Council would face a risk of noncompliance if the Policy was not adopted at the Council Meeting scheduled for 6 December 2021.

Poor complaints handling processes undertaken without the support of this policy could result in the potential for legal and reputational risks to Council.

OFFICERS' DECLARATION OF INTEREST

Nil.

CONCLUSION

The Complaints Policy, as required under section 107 of the Local Government Act 2020, has been drafted in accordance with the requirements set out in the Act and through utilising the Victorian Ombudsman's Councils and Complaints Good Practice Guide. The Policy is submitted to Council for consideration and is recommended for adoption.

ATTACHMENTS

1. DRAFT Complaints Policy v2 Nov 2021 [7.4.1 - 12 pages]

7.5. BORROWING STRATEGY

DIRECTORATE : Corporate Strategies

PURPOSE:

To consider the updated Borrowings Strategy.

EXECUTIVE SUMMARY

- The Borrowings Strategy has been updated to comply with the Local Government Act 2020.
- The borrowing policy principles remain the same and are consistent with assisting the long term financial sustainability goals of Council.
- Parameters have been added to specify the acceptable borrowing arrangements.
- The strategy has been reviewed by the Audit & Risk Committee.

RECOMMENDATION

That Council adopt the Borrowings Strategy.

BACKGROUND

Council's existing borrowing strategy is due for review and renewal.

The purpose of this strategy is to provide the appropriate parameters for the Council to undertake borrowings without compromising the application of sound fiscal management principals. The strategy allows the Council the flexibility to respond to funding requirements while minimising risk.

The strategy ensures that Council has a sound financial framework on which to:

- undertake borrowings;
- manage its loan portfolio; and
- adhere to the provisions of the Local Government 2020

ISSUES

The strategy provides a framework to guide Council on how to manage borrowings and considers the:

- Legislative requirements
- Strategic link with Council Plan
- Financial management principles
- Borrowing arrangements

Borrowings are an acceptable source of funding, particularly in the context of funding major projects as it can spread the payments for such assets across the generations who will gain benefit from them.

Council will plan to utilise this form of funding in future budgets and in its long term financial plan. It will adhere to the following principles:

- No borrowings for operational purposes.

- Borrow for major infrastructure projects which have long useful lives thereby applying equity of burden across ratepayers of different generations who would enjoy the benefits of the asset.
- Consider borrowing for unforeseen one-off major impacts (i.e defined benefits superannuation calls, natural disasters) that may have a generational impact.
- Priority for projects with above loan repayment returns – These are projects which are capable of generating new cash inflows, or reduced cash outflows, which are greater than the principal and interest cash flows associated with a loan.
- Loan repayments of principal and interest to repay debt over its loan term.
- Maintain a prudential borrowing ratio (debt/rate revenue) of no greater than 50%.
- Maintain a debt servicing ratio (loan repayments/rate revenue) of no greater than 8%.
- All Victorian Auditor General Office VAGO Sustainability indicators relating to debt which a sustainable rating.
- Council will secure its loan funds through competitive tendering, either as a standalone tender or through collaborative tendering arrangements approved by the Minister for Local Government or directly with the Treasury Corporation of Victoria.

FINANCIAL IMPACT

Borrowings will be in accordance with the strategy and all future borrowings must be included in a Council approved budget.

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.

Local Government Act 2020 – Part 4, Division 4 provides the relevant legislation for financial management, borrowings and the budget process.

TIMING

The borrowing strategy will be considered by Council at a Scheduled Council Meeting with a proposed four year review period.

COMMUNITY IMPACT / CONSULTATION

The borrowing strategy has been reviewed by the Audit and Risk Committee as per the requirements of the Committee charter and the Local Government Act 2020. There were no changes to the policy following this review.

LEGAL RISK / IMPACT

The strategy complies with the requirements of the Local Government Act and mitigates financial risk by providing parameters to Council borrowings.

OFFICERS' DECLARATION OF INTEREST

Nil.

ATTACHMENTS

1. 2021 Borrowing Strategy [7.5.1 - 9 pages]

7.6. INVESTMENT POLICY

DIRECTORATE : Corporate Strategies

PURPOSE:

To consider the updated Investment Policy.

EXECUTIVE SUMMARY

- The Investment Policy has been updated to comply with the Local Government Act 2020.
 - The Investment policy remains the same as the legislation carried forward from the previous Local Government Act.
 - The policy has been reviewed by the Audit & Risk Committee.
-

RECOMMENDATION

That Council adopt the Investment Policy as contained in Attachment 1.

BACKGROUND

Council's investment policy is being updated to reflect the Local Government Act 2020.

ISSUES

The legislation remains the same and has been carried forward from the Local Government Act 1989.

FINANCIAL IMPACT

This policy provides Council with a framework for how it can invest surplus funds whilst complying with the legislative requirements.

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.

Local Government Act 2020 – Section 103.

TIMING

The Investment Policy will be considered by Council at a Scheduled Council Meeting with a proposed four year review period.

COMMUNITY IMPACT / CONSULTATION

The Investment Policy has been reviewed by the Audit and Risk Committee as per the requirements of the Committee charter and the Local Government Act 2020. There were no changes to the policy following this review.

LEGAL RISK / IMPACT

The policy complies with the requirements of the Local Government Act and mitigates financial risk by providing parameters to Council investments.

OFFICERS' DECLARATION OF INTEREST

Nil.

ATTACHMENTS

1. WCC Investment Policy 2021 [7.6.1 - 9 pages]

7.7. AUDIT & RISK COMMITTEE - BIENNIAL REPORT OF ACTIVITIES

- ***DIRECTORATE : Corporate Strategies***
-

PURPOSE:

To present the Audit and Risk Committee biennial report.

EXECUTIVE SUMMARY

- Council is required by the Local Government Act 2020 (the Act) to establish an Audit and Risk Committee (the Committee) as an advisory committee of Council.
 - Under the Act, and as captured in the updated Audit and Risk Committee Charter endorsed by Council on the 6 July 2020, the Audit and Risk Committee must prepare a biennial report on activities to Council. This paper satisfies this reporting requirement.
-

RECOMMENDATION

That Council notes the Audit and Risk Committee biennial report which details activities of the Committee covering the meetings held on the 31 August and 16 November 2021.

BACKGROUND

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

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

The Committee is accountable to and reports directly to Council.

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

FINANCIAL IMPACT

There are no direct financial or resource impacts arising from this report.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

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

5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness

5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

COMMUNITY IMPACT/CONSULTATION

Given the nature of this internal report, no external stakeholder consultation with the community has been undertaken in the preparation of the report.

LEGAL RISK/IMPACT

The Audit and Risk Committee has an oversight role in the identification and mitigation of risks.

OFFICERS' DECLARATION OF INTEREST

No officer's declaration of interest noted.

CONCLUSION

That Council notes the Audit and Risk Committee biannual report.

ATTACHMENTS

1. Report of Activities 2nd Half 2021 [7.7.1 - 7 pages]

7.8. WARRNAMBOOL PLANNING SCHEME AMENDMENT C209WARR - DEAKIN UNIVERSITY

DIRECTORATE : City Growth

PURPOSE:

This report recommends that Council receive and consider the submission made to Amendment C209warr to the Warrnambool Planning Scheme, adopt the amendment in accordance with officer recommendations, and submit the adopted amendment to the Minister for Planning for approval.

EXECUTIVE SUMMARY

- Amendment C209warr (the **Amendment**) to the Warrnambool Planning Scheme proposes to rezone land at 10635 Princes Highway, Warrnambool (Deakin University Warrnambool Campus) from the Farming Zone to the Public Use Zone 2 (Education) (consistent with the balance of the campus), make minor updates to signage provisions, and include the entire campus within Warrnambool's urban settlement boundary.
- The Amendment was placed on reduced notice (to prescribed Ministers and relevant authorities only) between 21 October 2021 and 4 November 2021, with one submission being received from the EPA (refer to **Attachment 1**).
- The submission asks Council to satisfy itself that the land is suitable for the intended use (education) and that there is nothing to preclude use of the land for education having regard to the requirements of Ministerial Direction No.1 Potentially Contaminated Land and EPA Publication 1518.
- Council officers have taken steps to ensure that the rezoning is suitable for the intended use by requesting additional information from the proponent of the Amendment (Myers Planning Group), and are satisfied the matters raised in the submission have been resolved.
- It is recommended that Council receive and consider the submission by the EPA to the Amendment, adopt the Amendment in accordance with officer recommendations, and submit the Amendment to the Minister for Planning for approval.

RECOMMENDATION

That Council:

- 1. Receives and considers the submission made to Amendment C209warr to the Warrnambool Planning Scheme.**
 - 2. Consider the officer response to the issues raised in the submission outlined in this report, as basis to conclude the submission is resolved.**
 - 3. Adopt Amendment C209warr to the Warrnambool Planning Scheme in accordance with Section 29(1) of the *Planning and Environment Act 1987* without changes.**
 - 4. Submits Amendment C209warr to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987*.**
-

BACKGROUND

Amendment C209warr to the Warrnambool Planning Scheme was prepared by Council at the request of Myers Planning Group (**proponent**) on behalf of Deakin University, and seeks to rezone the land at Lots 1 & 2 LP 133034, 10635 Princes Highway, Warrnambool (the **Land**) to facilitate use and development of the land for educational purposes.

The location of the Land is shown in **Figure 1** below.

The objective of the Amendment is to:

- Rezone the Land from the Farming Zone to the Public Use Zone – Education (PUZ2) to support its use and development for educational purposes (consistent with the balance of the Deakin University Warrnambool campus).
- Allow less restrictive requirements on the size and type of signage that is allowed on the addressed land of Deakin University, excluding the sporting oval complex (subject to planning permit).
- Recognise the Land as being within the urban settlement boundary (consistent with the balance of the Deakin University Warrnambool campus).

Specifically, the Amendment request proposes to:

- Rezone the Land from Farming Zone to Public Use Zone - Education (PUZ2)
- Amend the Schedule to the Public Use Zone (PUZ) at Clause 36.01 to include the land where Category 2 signage applies.
- Delete the Specific Control Overlay (redundant control).
- Amend Clause 02.04 – Strategic Framework Plan, to reposition the Warrnambool urban settlement boundary to align with the eastern Deakin University boundary.

On 2 August 2021, Council resolved to request authorisation from the Minister for Planning to prepare the planning scheme amendment. The Minister for Planning authorised Council to prepare the amendment on 29 August 2021.

The Minister for Planning exempted Council from public notice requirements of sections 19(1)(b), 19(2) and 19(3) of the *Planning and Environment Act 1987* (the Act). This was based on the premise that the Amendment is administrative in nature as it corrects the zoning of the Deakin University Warrnambool campus from Farming Zone to Public Use Schedule 2 (Education). Council was instructed to give notice to prescribed Ministers and relevant authorities under sections 19(1)(a) and 19(1)(c) of the Act for a reduced period of two (2) weeks.

In accordance with the above direction, the Amendment was placed on reduced exhibition between 21 October 2021 and 4 November 2021, with one submission being received from the EPA (refer to **Attachment 1**).

Where submissions have been received to an amendment, Council must either resolve the submission, change the amendment as requested, refer the submission to a Planning Panel, or abandon the amendment.



Figure 1 – map of the land (source: Myers Planning Group)

ISSUES

The one (1) submission received was from the EPA (Refer to **Attachment 1**).

The submission requests Council satisfy itself that the Land is suitable for the intended use (education) and that there is nothing to preclude use of the land for education having regard to the requirements of Ministerial Direction No.1 Potentially Contaminated Land.

The submission also requests Council ensure that the rezoning is compatible with recommended separation distances for industrial residual air emissions as set out in EPA Publication 1518, having regard to existing land uses within the Farming Zone to the east of the Land.

Officer response:

The EPA submission effectively requires Council to satisfy itself that it has considered the matters raised in the submission.

The purpose of Ministerial Direction No 1 Potentially Contaminated Land is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly affected by any contamination.

For the purpose of this Direction, 'potentially contaminate land' means land that is, or has been used for:

- Industry
- Mining; or
- Storing chemicals, gas, wastes, or liquid fuel (if not ancillary to another use of the land).

Council officers have taken steps to resolve the matters raised in the EPA submission by requesting additional information from the proponent of the Amendment.

In accordance with the direction of Planning Practice Note 30 (Potentially Contaminated Land) the proponent has submitted a desktop investigation to establish past land uses at the site and surrounds, and its potential to affect the planning proposal (Refer to **Attachment 2**).

The desktop investigation has been carried out by a suitably qualified urban planner in accordance with the practice note.

The investigation establishes the past land use history (years 1889 to 2020) at the site and surrounds and confirms the Amendment does not re-zone any land that is used, or known to have been used, for industry, mining or the storage of chemicals, gas, wastes or liquid fuels.

Having regard to the above, there are no known events or activities which may have caused potential contamination to the land. The Amendment is therefore consistent with Minister Direction No.1 Potentially Contaminated Land.

The purpose of EPA Publication 1518 is to provide guidance on recommended separation distances between industrial land uses that omit odour or dust, and sensitive land uses (including land used for educational purposes).

The land proposed to be rezoned is used for uses associated with an education centre (Deakin University). There are no separation distances applicable to the existing uses. The adjoining land is used for grazing and fodder purposes at this point in time.

The Amendment is therefore consistent with EPA Publication 1518.

Next Steps

Having regard to the assessment above, it is considered that Council has satisfied itself that the land is suitable for the intended use (education) and that there is nothing to preclude use of the land for education having regard to the requirements of Ministerial Direction No. 1 Potentially Contaminated Land. It is further considered that Council has ensured the rezoning is compatible with recommended separation distances for industrial residual air emissions as set out in EPA Publication 1518. Accordingly, the submission is considered resolved, and Council does not need to refer the submission to a Planning Panel.

It is recommended that the Amendment be adopted as exhibited.

FINANCIAL IMPACT

Costs associated with the preparation of Amendment C209warr can be met within the 2021/22 City Strategy and Development Budget and all statutory fees will be paid by the proponent.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

3 A strong economy

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

3.2 Emerging industries: Council will encourage emerging industry sectors that contribute to Warrnambool's economic growth and diversity.

5 An effective Council

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

Once Council adopts the Amendment, Council must submit the Amendment to the Minister for Planning within 10 business days of the date the amendment was adopted.

COMMUNITY IMPACT / CONSULTATION

The Minister for Planning exempted Council from the public notice requirements of sections 19(1)(b), 19(2) and 19(3) of the *Planning and Environment Act 1987* (the Act). Council was instructed to give notice to prescribed Ministers and relevant authorities under sections 19(1)(a) and 19(1)(c) of the Act for a reduced period of two weeks.

LEGAL RISK / IMPACT

Risk is managed through implementing the provisions of the *Planning and Environment Act 1987*.

OFFICERS' DECLARATION OF INTEREST

None declared.

CONCLUSION

It is recommended that Council receive and consider and resolve the submission by the EPA to the Amendment in accordance with the officer's response, adopt the Amendment in accordance with officer recommendations, and submit the Amendment to the Minister for Planning for approval

ATTACHMENTS

1. Attachment 1 C 209 warr EPA Submission Redacted [7.8.1 - 2 pages]
2. Attachment 2 C 209 warr Submission Response [7.8.2 - 67 pages]

7.9. 250 HOPKINS POINT ROAD

DIRECTORATE : City Growth

PURPOSE:

This report presents the planning application for the 'Use of the land for host farm and development of land for a (replacement) dwelling' at 250 Hopkins Point Road, Warrnambool.

EXECUTIVE SUMMARY

- The application proposes to construct a new dwelling closer to the dunes and to use the existing heritage house as a 'host farm'.
- Notice of the application has been given to adjoining properties and five (5) objections received.
- The proposal is considered on balance to have merit against the relevant controls in the Warrnambool Planning Scheme and Planning Policy Framework.
- A Notice of Decision (NOD) to Grant a permit is recommended to be presented to Council.

RECOMMENDATION

That Council issue a Notice of Decision (NOD) with conditions as set out in the planning report.

BACKGROUND

The land at 250 Hopkins Point Road, described as Lot 1 on PS842676, has an area of 13.17 hectares and contains a heritage building (Motang residence) and farming infrastructure. The land was created from a previous subdivision approved by Council on 21 January 2020.

The land falls moderately to the south from Hopkins Point Road before rising to the primary dune adjacent to the coast.

Under the Warrnambool Planning Scheme (WPS) the whole of the land is zoned Farming (FZ) and covered by the Significant Landscape Overlay (SLO1). Other overlays apply to parts of the land, being the Heritage Overlay (HO202) for the existing buildings and the Bushfire Management Overlay (BMO) and Environmental Significance Overlay (ESO) which cover land within approximately 150m of the high-water mark. The new dwelling is triggered by the FZ, BMO and SLO while the use of Motang as a host farm only requires a permit under the FZ.

The application was originally submitted in September 2020, however, the application has been subject to various amendments to refine the description of the application and to address the requirements of Fire Rescue Victoria (FRV).

The new dwelling would have a footprint 58m x 13m and appear elevated above natural ground level supported with steel columns. The dwelling would reach a maximum height of 32.7m AHD, compared to the dune at the rear which has a height of 30-32m AHD. External materials consist entirely of glazing and the dwelling would have a terraced green (landscaped) roof. The dwelling would have 5 bedrooms with ground level garaging. There is also storage space, water tanks and paved outdoor areas on the north side of the dwelling. The dwelling is proposed with a setback of more than 150m from the southern title boundary being the high-tide mark.

The nearest dwelling (at the time of writing this report) from the new dwelling is that at 230 Hopkins Point Road approximately 300m to the north east. A dwelling has also been approved at 260 Hopkins Point Road and would be approximately 150m from the proposed new dwelling.

The applicant has addressed any potential risk associated with climate change, bushfire, soil degradation and land capability.

ISSUES

The new dwelling presents a number of issues to be assessed against the provisions of the Warrnambool Planning Scheme, including its physical presence so close to the coast on the dune and its impact on the ability of the land to remain in agricultural production. The contemporary design of the dwelling is also somewhat at odds with the undulating coastal landscape.

Notice of the application was given in March 2021 and 5 objections were received. Officer's assessment of each is provided below:

- *Proposal is not aligned to the PPF or Farming Zone.*
 - An assessment of the proposal finds that the land will continue to be used for a single dwelling. Any impact on the productivity of the land as a result of the construction of the new dwelling would be able to be managed via conditions on a permit.

The amended Land Management Plan (LMP) with the addition of an 'Operational Management Plan' (OMP) being endorsed under any permit, will ensure the use of Motang as a Host Farm advances the purpose of the Farming Zone and has strategic support in the Planning Policy Framework.

- *Proposal threatens to compromise the viability of the rural land and scenic qualities of the coastline*
 - The dwelling has been designed to have minimal impact on the landscape, incorporating an entirely glazed exterior with a green roof. The majority of the dwelling is elevated above natural ground level with landscaping proposed around many features at ground level to reduce the visual prominence.

Any impact on the viability of the rural land would be off-set by the intensification of the productive areas of the site and operation of the host farm. The scale of the host farm being comparable to a B&B but the intent of value-adding to the land and local tourism economy.

- *Intensification of the land as a 'host farm' and risk to agricultural and environmental values*
 - The LMP and OPM required as a condition of a permit will address the balance between the host farm activities and need to protect and enhance the environmental values of the site.

The proposal has been informed by a Vegetation Assessment. Note that the areas identified in the Planning Scheme as being of environmental significance e.g Environmental Significance Overlay (ESO), are confined to within approximately 150m of the coast.

- *Increased traffic activity along Hopkins Point Road*

- The increase in traffic as a result of the host farm is considered negligible. Note that a B&B would not require a planning permit and up to ten (10) non-resident persons could therefore also frequent the site.

Council's City Infrastructure Unit have been consulted as part of the assessment and no issues with regard to access have been identified. Hopkins Point Road is a Road Zone (RDZ) Category 2 meaning that the road is designed for as a major route.

- *Impact on dune*

- The impact on the dune is purported to have been a major factor considered by the designer, with the submitted proposal having minimal built footprint with the majority of the floor area supported by columns.

A Construction Environment Management Plan will be required as a condition of a permit which will ensure that during construction there will be minimal impact on the dune outside the footprint.

In response to the FRV's requirements, the building will be a further 14m away from the dune, in turn protecting the integrity of the sand feature.

- *Impact on native animals and birdlife including the hooded plover*

- The subject land is freehold to the high-water mark. While the Environmental Significance Overlay is limited to approximately 150m of the shore it only triggers planning permission for certain forms of buildings and works. The location of the new dwelling is not within the area of mapped Environmental Significance.

The submitted Land Management Plan includes objectives around weed management, stock exclusion areas, enhancement of native vegetation, pest management and conservation techniques. Despite the presence of the new dwelling, the balance of the site will be required to be managed in a way that improved the environmental qualities of the area.

- *The design is not appropriate and would impact on visual amenity*

- The dwelling has been designed to have minimal impact on the landscape, incorporating an entirely glazed exterior with a green roof. The majority of the dwelling is elevated above natural ground level with landscaping proposed around many features at ground level to reduce the visual prominence.

The Significance Landscape Overlay (SLO) is a relevant consideration in the assessment of the proposal and the design and location of the dwelling is considered acceptable having regard to the 'statement of significance' and objectives to be achieved.

The Planning Scheme seeks to provide for the 'sharing of views'. It is considered that while the siting of the new dwelling could be distracting as a result of its 'box like' form, reasonable efforts have been made to immerse the building into the dune. The new dwelling would not unreasonably impact on the overall views afforded from the relevant objector's properties.

FINANCIAL IMPACT

Accounted for in the City Strategy and Development 2021-2022.
Representation at VCAT may attract additional costs.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

2 A Sustainable environment

2.1 Natural environment: Council will enhance open spaces and infrastructure that support a healthy community, wildlife, flora, fauna and biodiversity.

2.2 Water and coastal management: Council will protect and enhance the health of Warrnambool's coastline and inland waterways to protect and improve biodiversity

2.3 Environmental impact and a changing climate: Council will encourage innovation and initiatives that minimise Warrnambool's environmental impact.

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.

4 A connected, inclusive place

4.4 Sustainable practices: Council will promote and encourage the implementation of sustainable design across the municipality including the attractiveness, safety, accessibility and functionality of our built environment.

TIMING

Routine

COMMUNITY IMPACT / CONSULTATION

Notice of the application was given in March 2021 and 5 objections were received.

Councillors, Council staff, objectors and the applicant were invited to a site inspection on 25 November 2021 at 5pm.

LEGAL RISK / IMPACT

The permit holder may currently have an option to apply to the Tribunal against Council's failure to determine the application within the prescribed time (60 days).

Depending on Council's decision the application can also be reviewed by VCAT by either the applicant (refusal) or objectors (against approval),

OFFICERS' DECLARATION OF INTEREST

None.

CONCLUSION

The application attempts to balance any adverse impacts as a result of the new dwelling, including by designing the structure to appear transparent against the dune, minimising the built form footprint and promoting the use of the heritage dwelling for tourist accommodation in association with a 'host farm'.

On balance, the proposal continues to advance the purposes of the Farming Zone. Any risk associated with the construction of the replacement dwelling on the local environmental values would be able to be managed via condition of a permit.

ATTACHMENTS

- 1. Application documents as advertised**
- 2. Objections**
- 3. Applicants response to objections**
- 4. Delegate report**

7.10. WARRNAMBOOL RESIDENTIAL LAND SUPPLY AUDIT REPORT 2021

DIRECTORATE : City Growth

PURPOSE:

This report provides an update on Residential Land Supply within the Warrnambool Local Government Area (LGA) for 2021.

EXECUTIVE SUMMARY

- The Warrnambool City-Wide Housing Strategy 2013 recommends that Council monitor residential land supply on an annual basis;
- This is to ensure that there is adequate zoned residential land to meet projected growth across the municipality;
- The current report (**Attachment 1**) is an annual audit based on 2020 data which shows a slight decline in residential land supply from 23.2 years to 22.7 years;
- Once endorsed, the 2021 report will be placed on Council's website.

RECOMMENDATION

That Council endorse the Residential Land Supply Report – 2021.

BACKGROUND

The Warrnambool City-Wide Housing Strategy 2013 recommends that Council monitor residential building permit activity and land supply on an annual basis to ensure that there is adequate zoned residential land to meet projected growth across the municipality.

In May 2015, Council endorsed the Warrnambool Residential Land Supply Report 2015. The report, the first of its kind produced by Warrnambool City Council, identified that there was sufficient residential land supply capacity across the municipality to meet project population growth to the year 2031. This report was based on aerial photography and site inspections, and review of Council's records for occupancy (housing completions) and titles released (Statement of Compliance) for new subdivisions from 2011 to 2014.

In the 2015 Warrnambool Residential Land Supply Report, the broad hectare (growth) areas had the potential to provide 4930 lots, being approximately 78% of the total vacant residential land supply. With a total number of 6321 vacant residential lots at the end of 2014 and a predicted rate of construction of 225 dwellings per year (City-Wide Housing Strategy 2013) there was considered to be approximately 28+ years land supply.

Ongoing monitoring following the 2015 Warrnambool Residential Land Supply Report to the end of December 2017 identified that there was a steady residential land supply of approximately 25 years.

In 2018, revised population and dwelling forecast data were released and the predicted construction rate was revised to 245 dwellings per year (Forecast.id). Following this revision, a comprehensive audit of land supply was undertaken and the Warrnambool Residential Land Supply Report 2018 identified there was a land supply of 24.5 years (as at 31 December 2018). The table below provides a snap shot of residential land supply reports/audits that have been undertaken since monitoring commenced in 2015.

2015	<ul style="list-style-type: none">• Warrnambool Residential Land Supply Report 2015<ul style="list-style-type: none">• Identified 2.5 years minor infill & 25.5 years zoned land
2016	<ul style="list-style-type: none">• Warrnambool Residential Land Supply review 2016<ul style="list-style-type: none">• Identified 3 years minor infill & 22.5 years zoned land
2017	<ul style="list-style-type: none">• Warrnambool Residential Land Supply review 2017<ul style="list-style-type: none">• Identified 3 years minor infill & 22 years zoned land
2018	<ul style="list-style-type: none">• Warrnambool Residential Land Supply Report 2018<ul style="list-style-type: none">• Identified 2.5 years minor infill & 22 years zoned land
2019	<ul style="list-style-type: none">• Warrnambool Residential Land Supply Report 2019<ul style="list-style-type: none">• Identified 2.45 years minor infill & 21.7 years zoned land
2020	<ul style="list-style-type: none">• Warrnambool Residential Land Supply Report 2020<ul style="list-style-type: none">• Identified 2.5 years minor infill & 20.7 years zoned land

ISSUES

The Residential Land Supply Report – 2021 provides updated information on residential land supply in the Warrnambool LGA (as of 31 December 2020).

The report is based on data from 1 January 2020 to 31 December 2020.

Recent Activity

From 2011 to 2021 residential construction activity within the City of Warrnambool has averaged 182 dwellings (housing completions) per annum and 179 new residential lots (Statement of Compliance) per annum.

There was a total of 183 housing completions in 2020 across the residential areas of the City. This quantum of housing completions is up 12.57 per cent from 2019 and is the highest level since 2012.

The majority of housing completions across the City were separate houses. Of particular note, the highest level of housing completions were in the growth areas of North East Warrnambool (33 per cent), followed by South East Warrnambool (12.5 per cent), Dennington (11.4 per cent) and Warrnambool North of the Merri River (9 per cent).

Residential lot (subdivision) completions increased by 21 per cent from 2019, with a total of 211 new lots made available in 2020 across the residential areas of the City. This quantum of residential lot completion is the highest since 2015.

The majority of residential lot completions (84 per cent) were in the growth areas, and the remainder were minor infill in established residential areas.

The number for new housing builds as measured on an annual basis has been relatively consistent from 2016 to 2019. There has been an average of 179 building permits issued per annum (permits for dwellings not number of dwellings i.e., permits may have been issued for multiple dwellings). In 2020, the number for new housing builds was up 38 per cent with 272 building permits issued. This spike in the number for new housing builds is likely to be due to the Commonwealth Government Home Builder Scheme, which sought to bolster the building industry in response to the Covid-19 pandemic.

Projected Demand

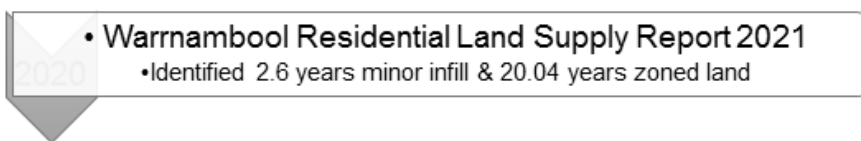
Projected dwelling requirements sourced from Forecast.id indicate that from 2018 to 2031 an average of 245 dwellings per annum will be required to house the projected population for the City of Warrnambool.

Identified Residential Land Supply

Based on Council records, it has been possible to determine that as at 31 December 2020 there were 639 development ready lots across the City, 700 major infill and 4211 potential residential lots (land that is generally undeveloped and zoned residential – growth areas). This provides a total supply of 5,550 residential lots across the City.

Years of Residential Land supply

With a projected demand of 245 dwellings per year, this total supply of residential lots would equate to approximately 22.7 years land supply, which includes 2.6 years of development ready lots and around 20.04 years supply of residential land.



A current residential land supply of 22.7 years does not place any immediate pressure on Council to rezone more land.

FINANCIAL IMPACT

The updated audit has been undertaken and completed in-house by the City Strategy team.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

3 A strong economy

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

3.4 Workforce capability: Council will foster the development of a workforce capable of supporting the needs of the local and regional economy

4 A connected, inclusive place

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

5 An effective Council

5.1 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

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

5.7 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

TIMING

Routine

COMMUNITY IMPACT / CONSULTATION

Once endorsed, the 2021 report will be placed on Council's website.

LEGAL RISK / IMPACT

The Residential Land Supply Report – 2021 meets Council's commitment under the Warrnambool City-Wide Housing Strategy 2013 to ensure that there is adequate zoned residential land to meet projected growth across the Warrnambool LGA.

OFFICERS' DECLARATION OF INTEREST

None declared.

CONCLUSION

In summary, there is an adequate provision of zoned residential land to meet projected demand rates across the Warrnambool LGA. The report will be placed on Council's website, consistent with the Land Supply reports from previous years.

ATTACHMENTS

1. Residential Land Supply 2021 [7.10.1 - 4 pages]

7.11. TENDER - SUPPLY AND INSTALLATION OF SOLAR PANELS

DIRECTORATE : City Growth

PURPOSE:

This report provides information on award of Contract 2021051 – Supply and Installation of Solar Panels.

EXECUTIVE SUMMARY

- A public tender was advertised on Saturday 31st July 2021 inviting tender submissions from suitably qualified and experienced contractors for the provision of Supply and Installation of Solar Panels.
- Close of tender was advertised of 2:00pm Friday 3 September 2021, but due to Covid lockdown requirements was extended through to 2:00pm Friday 1st October 2021 and submissions have been assessed by the tender assessment panel.
- The recommendation is to proceed with the tender offer provided by Gippsland Solar Pty Ltd (RACV Solar) for the tendered amount of \$378,235.10 Ex. GST.

RECOMMENDATION

That Council:

- 1. Award Contract 2021051 – Supply and Installation of Solar Panels to Gippsland Solar Pty Ltd (RACV Solar) for the tendered lump sum amount of \$378,235.10 Exc GST.**
 - 2. That the schedule of rates offered is accepted for the life of the contract.**
 - 3. Authorise the CEO to sign, seal and vary the contract as required.**
-

BACKGROUND

Council has committed to be a zero net carbon organisation by 2026, electricity usage is currently the major responsible for Council Carbon Emissions. The supply and installation of solar panels at 4 major Council buildings (AquaZone 135kW, Archie Graham 37kW, Civic Centre 75kW and Warrnambool Art Gallery 64kW) will be essential to achieve Council's targets.

Business cases were prepared for each building averaging a return on investment of around 7 years. In addition, structural reports have confirmed the structural adequacy of each building to safely support the proposed solar panel installation.

ISSUES

Council undertook the tender process during a Statewide/Melbourne lockdown inhibiting some companies from undertaking in person walkthroughs of Council facilities.

This was overcome through 4 virtual walkthrough sessions (one per building) and a compulsory Q&A session where companies had the opportunity to ask any questions about the sites. Recordings of the walkthroughs and Q&A session were made available to all companies.

FINANCIAL IMPACT

The total cost to Council is \$378,235.10 Ex GST (not including design and structural certification works already completed). These works will be funded by Council as part of the Energy Saving Initiatives budget.

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.

2 A Sustainable environment

2.1 Natural environment: Council will enhance open spaces and infrastructure that support a healthy community, wildlife, flora, fauna and biodiversity.

2.3 Environmental impact and a changing climate: Council will encourage innovation and initiatives that minimise Warrnambool's environmental impact.

4 A connected, inclusive place

4.4 Sustainable practices: Council will promote and encourage the implementation of sustainable design across the municipality including the attractiveness, safety, accessibility and functionality of our built environment.

5 An effective Council

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

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

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

5.6 Risk mitigation: Council will mitigate and manage organisational risks through sound management systems and processes.

TIMING

Contract Award	Friday 10 December 2021
Practical Completion	April 2022
Defect Warranty Period	5 years

COMMUNITY IMPACT / CONSULTATION

Internal engagement and communication has been conducted throughout all phases of the procurement process. An internal working group has been created to oversee the delivery project.

LEGAL RISK / IMPACT

Procurement processes are occurring in line with the approved contract specific procurement plan.

OFFICERS' DECLARATION OF INTEREST

No officer involved in the preparation of this report has declared a conflict of interest.

However, it was noted that Council was successful on its application for the RACV Solar's Resilience in the Regions grant in November 2020, 7 months prior this tender was advertised. The outcome of the grant did not influence the outcome of this tender.

CONCLUSION

Acceptance of the recommended tender represents best value for Council.

ATTACHMENTS

Nil

7.12. WARRNAMBOOL LIBRARY - FEES AND CHARGES

DIRECTORATE : Community Development

PURPOSE:

This report provides background information and makes a recommendation to include additional fees and charges in Council's Fees and Charges schedule specifically for library operations.

EXECUTIVE SUMMARY

Warrnambool City Council exited from the Corangamite Regional Library Corporation from 1st July 2021. This exit was 12 months earlier than anticipated and at a time that staff resourcing was very low. Therefore, the fees and charges schedule were not updated at the time of the transition. This report provides information on the fees and charges previously collected by Corangamite Regional Library Corporation and seeks Council endorsement to update Council's schedule of fees and charges specific to library operations.

RECOMMENDATION

That the following fees and charges be included in Council's Schedule of Fees and Charges:-

Photocopying and printing	Black and white A4 page	\$0.20
	Black and white A3 page	\$0.40
	Colour A4 page	\$0.60
	Colour A3 page	\$1.20
Lost or damaged item		Cost of item
Inter-library loan	Service	\$03.00
	Cost recovery	Cost of service
Debt recovery		\$15.00 plus debt
Replacement library card		\$02.00
Merchandise		P.O.A
Withdrawn item		P.O.A

All charges include GST.

That the changes to the fees and charges apply effective immediately.

BACKGROUND

Warrnambool City Council exited from the Corangamite Regional Library Corporation from 1st July 2021. This exit was 12 months earlier than anticipated therefore the fees and charges were not included in the previous budget. was not updated at the time of the transition.

The library has been either closed and/or providing limited service since the transition due to State Government restrictions. With restrictions now lifting, services will recommence that would usually attract a fee. Council's Schedule of Fees and Charges does not currently include any fees or charges relating to the operation of the library.

The recommended fees and charges are based on industry benchmarking. The main difference from CRLC's fees and charges schedule is the recommendation that Warrnambool City Council does not charge overdue fees.

ISSUES

Overdue fees

This report recommends that overdue fees not be reinstated. Globally public libraries are rethinking the purpose and efficacy of charging overdue fines as a deterrent to overdue books. Major public library systems such as the New York Public Library removed fines from children's items after they discovered that 1 in 5 children in New York were banned from using the library because of unpaid fines with over half of these members concentrated in the poorer suburbs^[1]. Other research studies show that library fines punish the poorer library members harder and that the economic basis for library fines has shown that the loss of trust in the library as a welcoming community place is a far greater cost to the library service than the revenue gained from the fines on overdue items^[2].

In Australia, the City of Sydney ran an 8-month trial of no fines in 2017. They reported that three times as many overdue books were returned to the library over this period. People reported that they had been afraid to return the books that were past their due date because of a fear they would be punished. Staff morale also rose as they no longer anticipated confronting exchanges with members who were angry, distraught, or indignant about overdue fines. The trial also identified that the fear that removing fines would result in all books being seriously overdue was unfounded as 95 percent of all materials were returned within a week of their due date.^[3]

A recent survey of Victorian Public Libraries identified that of the 44 responses received:

- 32 libraries (73% of respondents) have abolished library fines altogether
- Of the 12 libraries that charge library fines, 11 (92%) have suspended fines during lockdown
- 4 of the 12 libraries (33%) that charge fines specified that they do not charge for children's books
- 2 of the 12 libraries that charge fines commented that they are looking to remove fines

In the transition from CRLC it was identified that \$105,763 of outstanding fines were sitting against Warrnambool library members dating back as far as 2002. While overdue notices had been sent (at additional cost) only those members that were willing or could afford to pay had done so. The administrative burden and cost of recovering these mostly low value fines, is made even less judicious when we consider that this would have resulted in thousands of residents over many years being blocked from using the library service (for any fine over \$5.00), which goes against every principal of public libraries and might explain our exceptionally low membership base.

To recover outstanding items, customers are notified through email when items are 1 day overdue and again when 2 weeks overdue. During this time, it is expected (based on experiences of other library services) that most items will be returned. Library staff will follow up with a phone call as the items become 4 weeks overdue before further borrowing is suspended until the items are returned. If items are not returned in weeks 6 weeks, an invoice for the replacement of the items will be issued, allowing 2 further weeks for the items to be returned before the invoice becomes firm at 8 weeks overdue. The invoice will be for the replacement cost of the items plus the \$15 service fee.

^[1] The case against library fines – according to the head of the New York Public Library, Anthony W. Marx December 18, 2017 <https://qz.com/1158839/the-case-against-library-fines-according-to-the-head-of-the-new-york-public-library/> accessed 12/07/2018

^[2] Long Overdue: Why public libraries are finally eliminating the late-return fine. Ruth Graham, February 6, 2017 http://www.slate.com/articles/arts/culturebox/2017/02/librarians_are_realizing_that_overdue_fines_undercut_libraries_missions.html accessed 12/07/2018

^[3] City of Sydney is axing fines for overdue library books because they don't work, Benedict Brook July 5, 2017 <https://www.news.com.au/finance/money/costs/city-of-sydney-is-axing-fines-for-overdue-library-books-because-they-dont-work/news-story/9499de2a9a6b76be408b34177867ec4c> Accessed 18/07/2017

FINANCIAL IMPACT

The 20/21 budget has been built on projected income provided by CRLC. Projected income in the 20/21 budget includes:

- Printing/copying \$9000
- Lost/damaged items \$3000
- Inter-library loans \$1000
- Sundry \$4500
- Overdue fees \$7000.

Given closures due to the pandemic and that new fees and charges will not apply until December, Council should expect that income will be less than anticipated across the board and if council endorses the recommendation not to charge overdue fees, then \$7000 will not be received.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 A healthy community

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

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

TIMING

It is proposed that the recommended fees and charges be incorporated into Council's Schedule of Fees and Charges from the November Council Meeting, that community be made aware of these changes through media and Council reports for one month before the charges are applied.

COMMUNITY IMPACT / CONSULTATION

The positive public sentiment that could be achieved through not reintroducing library fines will only be surpassed by the societal benefits of welcoming back our community to the library and enabling equal access to information, print and digital literacy, social inclusion, and lifelong learning opportunities.

LEGAL RISK / IMPACT

N/A

OFFICERS' DECLARATION OF INTEREST

N/A

CONCLUSION

Council's Schedule and Fees and Charges needs to be updated to include fees and charges that relate to library operations. This report recommends that Council does not apply overdue fees.

ATTACHMENTS

Nil

7.13. STADIUM - UPDATE TO FEES AND CHARGES SCHEDULE

DIRECTORATE : Community Development

PURPOSE:

This report recommends and seeks Council's endorsement to a change to Council's fees and charges that relate to the Warrnambool Stadium. It is proposed that the new fees be implemented from January 2022.

EXECUTIVE SUMMARY

Resident sports associations at the Warrnambool Stadium have expressed an interest in reducing the cost of accessing the facilities at Warrnambool Stadium (including Val Bertrand Stadium). Industry analysis and engagement with Stadium user groups has identified that fee for court hire is the more common model for charging sports for use of facilities, furthermore this model would better enable user groups to manage their sports resourcing and support their ongoing sustainability and provide greater equity.

RECOMMENDATION

- 1. That Council endorse a change to the model of charging stadium users to a licence model for resident sports clubs and associations for their regular sports activities and access to other facilities including storage and office space.**
- 2. That Council's Schedule of Fees and Charges be updated to reflect the following table.**

Description of Fee or Charge	Unit of Measure	Amount (2021/22)	Action/Change
Current Fees to be removed			
Adult player admission to Sports Association's domestic competitions.	Per Player	\$11.00	To be removed from schedule of fees.
Junior player admission to Sports Association's domestic competitions.	Per Player	\$9.00	To be removed from schedule of fees.
Off Peak training court hire for resident Sports Associations.	Per Hour	\$32.00	To be removed from schedule of fees.
New Court Hire Rate for Resident Sports Association Licences			
Court hire for resident Sports Associations domestic competitions and training.	Per Hour	\$40.00	To be added to schedule of fees.
Changes to how Fees are applied			
Tournament hire – Courts 4 & 5 with hire of courts 1 to 3.	Per Day	\$950	No longer applicable to licenced resident sports associations tournaments.
Commercial Kitchen Hire.	Per Day	\$180	No longer applicable to licenced resident sports associations tournaments & events.

- 3. That changes to fees and charges apply from 1 January 2022.**

BACKGROUND

Council has a vital role in the provision of high-quality sport and recreation facilities to encourage participation in sport and in supporting the sustainability of sports. Sports Associations are better able to thrive when they have control of their own fees and charges to their members and participants.

The Warrnambool Stadium, including the Val Bertrand Netball Stadium is home to the following sports associations:

- Warrnambool Badminton Association
- Warrnambool Basketball Association
- Warrnambool City Netball Association
- Warrnambool Indoor Biased Bowls Association
- Warrnambool Volleyball Association

All of these sports associations utilise the Stadium courts for training, competitions, and tournaments and all have exclusive use of office space and storerooms within the facility.

Prior to March 2020 the Badminton, Basketball and Volleyball Associations did not pay court hire for their domestic competitions at the Stadium, Council collected game fees from individual participants and paid a portion of this income back to the sports associations in monthly rebates.

All sports at the Stadium have requested a review of the costs associated with accessing the courts at the Stadium. A court hire system was introduced for all sports associations following the initial COVID shutdown last year. This current court hire system has enabled all sports associations to safely resume activity at the Stadium.

Charging by court hire is industry best practice and the preferred model for Stadium users.

ISSUES

Pricing model

Council's schedule of fees and charges requires an individual player admission fees of \$10.80 per Senior and \$8.80 per Junior and rebates \$2 per player admission to the Badminton, Basketball and Volleyball Associations. There is an administrative burden to Council to collect individual fees and process rebates and this model creates financial uncertainty for Associations. It also results in some sports paying more to access courts than others. Basketball as the sport with the most users pay far more than other sports and are subsidising the running of the Stadium.

To align with Council's intention to implement consistent user licences for sports associations and clubs across the city it is proposed to introduce licences for the sports associations at the Stadium. Licence fees are calculated by the projected regular sports activity at the Stadium. Licences would also recognise the sports association's access to off court facilities. Sports Associations at the Stadium would only pay for facilities they use and may hire Stadium facilities casually for irregular and additional activities throughout the licence period. Sports Associations will set and collect their own player fees which will enable them to better manage and resource their sport.

Netball Association Lease

The Netball Association holds a 42 week per annum lease for the Val Bertrand Stadium until 2023. The Netball Association hires courts to the Indoor Biased Bowls Association and charges for participation in other sports such as Pickle Ball. The hire and maintenance of the Val Bertram Stadium places additional administrative burden on the Association and a duplication of Centre Management on site.

Benchmarking

The proposed base court hire fee for licenced sports associations at the Stadium is a flat \$40 per hour which is comparable to other regional facilities.

Bench Marking - Court Hire Per Hour	Hamilton	Colac Blue-water	Wangaratta	Shepparton	Albury	Sale	Traralgon	Warrnambool Emmanuel College	Warrnambool Brauer College	Average
Off Peak court hire	\$49.00	\$41.00	\$26.00	\$29.20	\$38.00	\$36.00	\$40.60	\$55.00	\$33.00	\$38.64
Peak court hire	\$49.00	\$47.00	\$42.00	\$50.00	\$58.00	\$50.00	\$50.00	\$55.00	\$33.00	\$48.22

Note: under the proposed model the administration of the collection of fees from participants will be transferred to sports associations to absorb.

FINANCIAL IMPACT

While Council will initially receive less income from new licences at the Stadium compared with pre-COVID player fee income and the existing netball licence, activity levels and court hire are expected to increase with all 5 multipurpose courts able to be scheduled across the full year by Council's Stadium Management. Efficiencies in the cleaning and maintenance of facilities would also be achieved.

Licences issued to clubs/association will be based on the regular bookings for training and development sessions and for weekly domestic competition. In addition to these annual (3-year licence) fees, clubs would also pay for any additional use or for tournaments for any hours beyond what is agreed in the licence.

It is important to note that any initial reduced income to Council corresponds directly to increased income for sports associations to make their sports more sustainable and accessible. Sports Associations have expressed a willingness reinvest in their sports to grow participation and increase the amount of activity they undertake at the Stadium. This outcome supports Council's aim to increase participation in physical activity identified in the Health and Wellbeing Plan and maximises use of Council facilities.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 A healthy community

1.3 Health and wellbeing: Council will take action to improve health, wellbeing, and safety outcomes for Warrnambool's community.

1.5 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.

This recommendation is proposed to align with the Draft Recreation Facilities Occupancy Policy.

TIMING

It is proposed that licence agreements and the new fee schedule are in place and implemented by 1st January 2022.

The proposed change is being recommended now, instead of in the 2022/2023 financial year budget process, as this court hire model has been in place throughout the past two years in response to the pandemic. With return to play now possible, it makes sense for the proposed model to commence with the new basketball season commencing in January 2022 rather than to re-establish the current practice of Council collecting fees and providing a rebate to the Clubs.

COMMUNITY IMPACT / CONSULTATION

Engagement with the Stadium's resident sports associations has progressed through 2021:

- **Warrnambool Basketball Incorporated** are very keen to progress a new licence and access a reduced court hire rate for their domestic competitions.
- **Warrnambool City Netball Association** have considered the new licence proposal and have indicated strong interest to relinquish their current 42-week licence for a new licence based on court hire.
- The **Warrnambool Volleyball Association** and the **Warrnambool Badminton Association** have both reacted positively to a licence model in preliminary consultation.
- Council officers will consult with the **Warrnambool Indoor Biased Bowls Association**, once discussions with the Netball Association have progressed.

LEGAL RISK / IMPACT

N/A

OFFICERS' DECLARATION OF INTEREST

N/A

CONCLUSION

Stadium users pay a hefty price for participating in their sport compared to other sports across the city. The current fee model of collection individual user fees and paying a rebate back to clubs is administratively inefficient and does not support the clubs to be independent and sustainable. A court hire fee that is benchmarked with similar venues and Councils and converted to a licence fee, is consistent with the draft Policy for Occupancy of Sports Facilities that is being implemented for all other sports.

ATTACHMENTS

Nil

7.14. WINTER SPORTS GROUND TENANTS REFUND REQUEST

DIRECTORATE : Community Development

PURPOSE:

This report recommends that Council supports a partial refund to the winter tenancy fee charged to sports ground user groups for access and use of facilities for training and competition during 2021.

EXECUTIVE SUMMARY

Various clubs have not been able to operate for six (6) weeks out of an eighteen (18) week winter season due to the number of lockdowns and restrictions imposed by the State Government in 2021.

The impact to club training and competition has not only impacted participation but under the guidelines, no spectators were permitted at venues which has restricted each club's capacity to generate revenue.

It is recommended that Council refund a third of the seasonal tenancy fee charged. This recommendation does not include those clubs who operate under an exclusive use lease of a pavilion.

RECOMMENDATION

That Council endorse a refund of a third (\$21,425) of the winter tenancy fee charged for the access and use of sports grounds and associated infrastructure for part of the 2021 season.

BACKGROUND

The Recreation Unit have been monitoring the status of COVID-19 on our sport and recreation clubs throughout 2021 and the impact to access and use of facilities for training and competition that restrictions and lockdowns have had.

Given the impact of the pandemic in 2020 and the restrictions imposed by the State Government, Council had agreed to waive winter tenancy fee for all user groups, totaling \$74,300.

Once again with the effects of the pandemic, statewide lockdowns and levels of restrictions imposed by the State Government in 2021, winter sporting and recreation clubs have been severely impacted financially with limited access and limited ability to operate.

ISSUES

Council's winter sports ground tenants (football, netball, soccer, hockey, dog training and pony club) were invoiced in May 2021 following the commencement of training and competition scheduling for the 2021 season. These sporting clubs utilise facilities under a seasonal tenancy arrangement and are charged for use in accordance with Council's Schedule of Fees and Charges.

On the 27 May 2021, lockdown number four was announced, initially for seven days and then extended for a further seven days. Lockdown five was announced from 15 July 2021 for 5 days and then extended for an additional 7 days. On 5 August 2021 the sixth lockdown was announced and lasted 5 days until Regional Victoria was released until 21 August 2021 and then lockdown seven was announced.

The numerous lockdowns have had a significant impact on clubs. The disruption to training and competition for football, netball, soccer and hockey has not only impacted participation but under the guidelines imposed by State Government, no spectators were allowed at venues which has restricted the capacity to generate revenue.

Clubs have not been able to operate for six (6) weeks out of an eighteen (18) week winter season. Finals series for all sports were cancelled.

Because clubs have had a third of the season without access and use of facilities, it is recommended that Council refund a third of the fee charged to the User Groups impacted.

FINANCIAL IMPACT

The cost to Council for the recommended partial refund to impacted Clubs would be \$21,425

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

5 An effective Council

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

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

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

TIMING

Following approval, the request to refund can be submitted to finance and completed at Council's next available payment run. Recreation Officers will inform Clubs via a direct email which will detail the refund amount.

COMMUNITY IMPACT / CONSULTATION

Nil

LEGAL RISK / IMPACT

Nil

OFFICERS' DECLARATION OF INTEREST

Nil

CONCLUSION

Due to State Government mandated restrictions, various clubs were unable to participate in their sports which has impacted membership and ability to fund raise. In 2020, Council agreed to waive fees for Summer sports due to the inability to participate in sport and has waived fees for local businesses. For reasons of equity it would be appropriate to refund fees partial fees for winter sports.

ATTACHMENTS

Nil

7.15. ADVISORY COMMITTEE REPORTS

DIRECTORATE : Executive Services

PURPOSE

This report contains the record of four Advisory Committee meetings.

REPORT

- Planning Advisory Committee – 17 November 2021 – refer **Attachment 1**.
- Environment & Sustainability Advisory Committee – 18 November 2021 – refer **Attachment 2**.
- South West Victorian Livestock Exchange Advisory Committee – 19 November 2021 – refer **Attachment 3**.
- Community & International Relations Advisory Committee – 23 November 2021 – refer **Attachment 4**.

ATTACHMENTS

1. PAC Minutes November 2021 [7.15.1 - 2 pages]
2. ESAC Minutes November 2021 [7.15.2 - 2 pages]
3. 19 November 2021 [7.15.3 - 4 pages]
4. 211123 CIRAC MINUTES [7.15.4 - 2 pages]

RECOMMENDATION

That the records of the following Advisory Committee meeting be received:-

- **Planning Advisory Committee held on 17 November 2021**
 - **Environment & Sustainability Advisory Committee held on 18 November 2021**
 - **South West Victorian Livestock Exchange Advisory Committee held on 19 November 2021**
 - **Community & International Relations Advisory Committee held on 23 November 2021**
-

7.16. INFORMAL MEETINGS OF COUNCIL REPORTS

PURPOSE

The purpose of this report is to provide Council with copies of Informal Meetings of Council (previously known as “Assembly of Councillor Records”) as previously required under section 80A(2) of the Local Government Act 1989.

BACKGROUND INFORMATION

Section 80A(2) of the Local Government Act 1989 required the record of an Assembly of Councillors to be reported at an ordinary Council meeting.

Assembly of Councillor Records are no longer a requirement in the Local Government Act 2020 as of 24 October 2020. However, under Council’s Governance Rules, a summary of the matters discussed at the meeting are required to be tabled at the next convenient Council meeting and recorded in the minutes of that Council meeting.

REPORT

The record of the following Informal Meetings of Council are enclosed:-

- Monday 8 November 2021 – refer **Attachment 1**
- Monday 15 November 2021 – refer **Attachment 2**
- Monday 22 November 2021 – refer **Attachment 3**
- Thursday 25 November 2021 – refer **Attachment 4**
- Monday 29 November 2021 Risk Workshop – refer **Attachment 5**
- Monday 29 November 2021 – refer **Attachment 6**

ATTACHMENTS

1. Assembly of Councillors Record 8 November 2021 [7.16.1 - 1 page]
2. Assembly of Councillors Record 15 November 2021 [7.16.2 - 2 pages]
3. Assembly of Councillors Record 22 November 2021 [7.16.3 - 1 page]
4. Assembly of Councillors Record 25 November 2021 [7.16.4 - 1 page]
5. Assembly of Councillors Record 29 November 2021 Risk Workshop [7.16.5 - 1 page]
6. Assembly of Councillors Record 29 November 2021 [7.16.6 - 1 page]

RECOMMENDATION

That the record of the Informal Meetings of Council held on 8, 15, 22, 25, and 29 November 2021, be received.

7.17. 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
9 November 2021	Warrnambool	Mayor & Chief Executive Officer – Attended the Friends of Flagstaff Hill AGM.
11 November 2021	Warrnambool	Mayor & Chief Executive Officer - Attended the Remembrance Day Service.
16 November 2021	Warrnambool	Mayor – Officially opened and closed the Level Up business event. Chief Executive Officer – Attended and presented at the Level Up business event.
23 November 2021	Warrnambool	Mayor – Provided a welcome address to delegates attending the 2021 Visitor Information Services Summit.
24 November 2021	Warrnambool	Mayor – Presented the prize winners for the Wild Warrnambool Bioquest online game; a collaboration with QuestaGame involving the taking of pictures of local flora and fauna.
25 – 26 November 2021	Portland	Chief Executive Officer – Attended a meeting of the Great South Coast Partnership.
25 November 2021	Warrnambool	Deputy mayor – Attended the virtual meeting of South West Healthcare.
26 November 2021	Warrnambool	Mayor – Attended the South West Sport 2021 Amazon Sports Star Awards.
	Warrnambool	Deputy Mayor – Officially launched the Wallawar Festival at the Warrnambool Art Gallery.
27 November 2021	Warrnambool	Mayor & Chief Executive Officer – Attended the Jericho Cup pre-race function.

RECOMMENDATION

That the Mayoral & Chief Executive Officer Council Activities – Summary Report be received.

8. NOTICE OF MOTION

Nil

9. GENERAL BUSINESS

10. URGENT BUSINESS

11. RESOLUTION TO CLOSE MEETING

11.1. RESOLUTION TO CLOSE MEETING

RECOMMENDATION

That in accordance with Section 66(2)(a) of the Local Government Act 2020, the meeting be closed to members of the public.

12. SECTION 66 (IN-CAMERA)

12.1. AUSTRALIA DAY AWARDS

12.2. CHIEF EXECUTIVE EMPLOYMENT MATTERS ADVISORY COMMITTEE MINUTES

13. RESOLUTION TO RE-OPEN MEETING

13.1. RESOLUTION TO RE-OPEN MEETING

RECOMMENDATION

That the meeting be re-opened to members of the public.

14. CLOSE OF MEETING