

# AGENDA

**SCHEDULED COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
5:45 PM - MONDAY 4 OCTOBER 2021**



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## Virtual Meeting

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**COUNCILLORS**

Cr. Vicki Jellie AM (Mayor)  
Cr. Otha Akoch  
Cr. Debbie Arnott  
Cr. Ben Blain  
Cr. Angie Paspaliaris  
Cr. Max Taylor  
Cr. Richard Ziegeler

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**Peter Schneider**  
**CHIEF EXECUTIVE OFFICER**

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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 6 September 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**

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## **7. REPORTS**

### **7.1. S5 INSTRUMENT OF DELEGATION - COUNCIL TO CEO**

***DIRECTORATE/DEPARTMENT : Governance, Property, Projects & Legal***

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#### **PURPOSE:**

***The purpose of this report is to seek Council's consideration of the s5 Instrument of Delegation from Council to the Chief Executive Officer (CEO).***

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#### **EXECUTIVE SUMMARY**

The s5 Instrument of Delegation has been review as part of the Procurement Policy development under section 108 of the Local Government Act 2020.

A proposed increase in the CEO's financial delegation from \$300,000 to \$400,000 is put forward in the draft s5 Instrument of Delegation. Benchmarking has been completed against similar sized Councils and this increase is more consistent with those CEO delegations.

The s5 Instrument of Delegation is as amended and found in **Attachment 1** is recommended by officers for adoption.

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#### **RECOMMENDATION**

**That Council, in the exercise of the power conferred by section 11(1)(b) of the Local Government Act 2020:**

- 1. Delegates the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached s5 Instrument of Delegation – Council to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument; and in doing so:
  - 1.1. Approves the s5 Instrument of Delegation to come into force immediately upon execution; and**
  - 1.2. Approves that on the coming into force of the s5 instrument of delegation, the previous s5 Instrument of Delegation is revoked.****

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#### **BACKGROUND**

Section 11 of the 2020 Act came into force on 1 May 2020, replacing section 98 of the 1989 Act. The 2020 Act provides a four-month period, to 1 September 2020 to complete the implementation of delegations under section 11. The current s5 Instrument of Delegation was approved by Council on 24 August 2020.

#### **ISSUES**

The s5 Instrument of Delegation - Council to the CEO has one (1) proposed change to the previous instrument, being an increase in the CEO's financial delegation limit.

It is proposed that the CEO's financial delegation increase from \$300,000 to \$400,000.

This increase will facilitate better progression of operations as the value and volume of procurement continues to increase. The CEO's financial delegation has not increased over a significant period of years; therefore, the current limit has not accounted for the impacts of inflation on operational and capital expenditure.

By effectively utilising its powers to delegate, Council can ensure that day-to-day operations continue unhindered and in a timely and efficient manner, allowing the Council to focus on strategic decision making for the municipality.

## **FINANCIAL IMPACT**

The change in financial delegation should not have a material impact financially.

It is noted that the amended financial delegation is intended to support improved procurement practices as detailed in the draft Procurement Policy and its supporting Manual.

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

Section 11 of the 2020 Act allows Council to delegate any power, duty or function of a Council under the Act or any other Act, other than those specified in section 11(2). Through the s5 instrument of delegation, Council is enacting this authority and allowing for effective management and delivery of Council services to the municipal community.

Delegations provide for decision making in relation to specified Council activities to be fluid, timely and undertaken by appropriately skilled and qualified staff members. This ensures that, in accordance with the overarching governance principles, priority is given to achieving the best outcomes for the municipal community.

## **TIMING**

The s5 Instrument of Delegation is being reviewed and presented to Council in accompaniment to the draft Procurement Policy.

## **COMMUNITY IMPACT/CONSULTATION**

The operational risks associated with not delegating certain powers and duties include slowing of Council's operations and Council meetings being overwhelmed with day-to-day decisions. This would result in the community not being serviced adequately.

Warrnambool City Council subscribe to the Maddocks Delegations and Authorisations service which ensures the greatest possible compliance with legislation. As Delegations are very specific to Acts Council must operate in accordance with.

## **LEGAL RISK/IMPACT**

Nil.

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

The amended s5 Instrument of Delegation – Council to the CEO, as found at **Attachment 1**, is presented to Council for their consideration, and is recommended for approval.

## **ATTACHMENTS**

1. S5 Instrument of Delegation Council to CEO [8NFG] [7.1.1 - 4 pages]

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## **7.2. PROCUREMENT POLICY**

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

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#### **PURPOSE:**

***To consider and adopt the new Procurement Policy required in accordance with the Local Government Act 2020 (Act).***

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#### **EXECUTIVE SUMMARY**

The Act requires an updated Procurement Policy (**Policy**) be adopted by Council prior to 1 January 2022. A thorough review of the existing policy has been conducted with key stakeholders at Council. The Policy and draft Procurement Manual (**Manual**) was considered by EMT on 17 August and approved by Audit and Risk on 31 August 2021.

The proposed Policy complies with the updated requirements of the Act while allowing Council to tailor the Policy to reflect its individual circumstances and needs. The substantive elements of value for money, collaboration and best practice principals are retained.

It is noted that the Manual is included to allow Council to consider the proposed financial delegations. If approved, the CEO's delegated authority will need to be updated. This is captured in a separate report.

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#### **RECOMMENDATION**

***That the Procurement Policy be adopted in accordance with the Local Government Act 2020.***

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#### **BACKGROUND**

The Act requires an updated Policy be adopted by Council prior to 1 January 2022.

The proposed Policy complies with the updated requirements of the Act while allowing Council to tailor the Policy to reflect its individual circumstances and needs. The substantive elements of value for money, collaboration and best practice principals are retained.

A thorough review of the existing Policy and Manual has been conducted with key stakeholders at Council to discuss and solve for operational issues which have presented over previous years as well as been raised through process reviews.

The Policy and Manual have been presented to EMT and Audit and Risk where the Policy was approved.

#### **ISSUES**

The market engagement methods have been updated to reflect common regional practice as well as allow Council staff opportunities to better match the procurement outcomes with the process required.

The financial delegation limits (captured in the Manual) have been raised to reflect the value and volume of procurement which is occurring, an update to current market practice and change in CPI. I understand the financial delegation has not increased for approximately ten years.

From time to time, Council may choose to alter the delegation limit for the CEO which can be done using the CEO's delegated authority. The Manual would then be updated to reflect any change.

## **FINANCIAL IMPACT**

This Policy and Manual should ultimately have a positive financial impact for Council by:

- a) establishing improved processes;
- b) creating clear accountability and auditing avenues; and
- c) ultimately allowing for improved market engagement.

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

### **5 An effective Council**

5.4 High-performance culture: Council will foster an organisational culture to support engaged, committed and high-performing staff for the effective delivery of Council's services and programs.

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.

The Act sections 108 and 109.

## **TIMING**

Adoption by 1 January 2022.

## **COMMUNITY IMPACT/CONSULTATION**

This is an internal organisational document which does not require consultation under the Act.

## **LEGAL RISK/IMPACT**

The Act requires the implementation of the Policy in this form.

While a high level GIA was considered, as this is an internal Policy, we do not think the Policy has a direct and significant impact on the public. However, it is very important to note that the Policy requires compliance with the *Gender Equality Act 2020* as well as GIA's to be undertaken on the relevant procurement which is being conducted.

## **OFFICERS' DECLARATION OF INTEREST**

NIL.

## **CONCLUSION**

See Executive Summary.

## **ATTACHMENTS**

1. Procurement Policy October 2021 [7.2.1 - 16 pages]
2. Procurement Manual October 2021 [7.2.2 - 35 pages]



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### **7.3. WOODFORD HEIGHTS DEVELOPMENT PLAN**

***DIRECTORATE : City Growth***

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#### **PURPOSE:**

***This report provides Council with detail submitted for the Woodford Heights Development Plan submitted for 119 Bridge Road, Bushfield .***

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#### **EXECUTIVE SUMMARY**

- Council has received a Development Plan (DP) prepared by Myers planning consultants for land at 119 Bridge Road, Bushfield (LOT 1 PS829725T);
- The development plan relates to 9.64ha of land within the Low Density Residential Zone (LDRZ);
- The Development Plan as submitted comprises:-
  - Minimum lot areas of no less than 4000m<sup>2</sup>, subject to a site by site wastewater treatment systems for each lot;
  - A new single access from Bridge Road leading to a loop road that services the proposed lots and land to the south;
- The Development Plan was placed on exhibition from 19 June 2021 for a non-statutory period of two (2) weeks and nine (9) submissions have been received;
- Referrals to Wannon Water; Transport for Victoria; Vicroads; DELWP; CFA; EPA; Southern Rural Water; Department of Education; Downer (Gas); and Powercor have been undertaken;
- Further information and clarification about wastewater treatment of the site was requested and a response provided;
- The development plan document has been amended to indicate:-
  - Removal of reference to timber paling fences;
  - Providing for lot sizes to be determined by sufficient area to treat effluent (wastewater management areas);
- On balance, the Development Plan is considered to meet the Development Plan Overlay requirements and relevant provisions of the Warrnambool Planning Scheme and is therefore appropriate to endorse.

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#### **RECOMMENDATION**

**That Council:-**

**Having regard to the changes incorporated relating to fencing and wastewater treatment measures, endorse the Woodford Heights Development Plan as submitted September 2021.**

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#### **BACKGROUND**

The subject land is located at 119 Bridge Road, Bushfield (LOT 1 PS829725T) on the south side of Bridge Road and shares its western boundary with Brodies Lane. The subject land has an area of 19.79 hectares, however, the land which is part of the DP relates to 9.64ha of land within the Low Density Residential Zone (LDRZ). The balance of the land is within both the LDRZ and Rural Living Zone (RLZ).

The subject land is approximately 2.5km to the north of Warrnambool and abuts Kiaman Close to the east (13 developed lots with an average size of 5,500m<sup>2</sup> - 6000m<sup>2</sup>) and a rural property to the west on Brodies Lane. Brodies Lane is a sealed Council road for a length of approximately 300m from the intersection with Bridge Road. North of the subject land are rural residential lots and south of the site is land zoned for farming (FZ). The Woodford primary school is located near Jubilee park approximately 800m west of the subject land.

The Warrnambool Planning Scheme provides for the following clause relevant to the township/s of Woodford and Bushfield to:-

*Clause 11.03-2L-04 Bushfield, Woodford and Allansford  
Strategies*

*Defer growth within Bushfield and Woodford pending resolution of sewerage and effluent management options.....*

The subject land has been identified as suitable for a low density growth scenario with minimum lot sizes of 4000m<sup>2</sup> nominated. Further evidence provided which demonstrates the site's ability to treat effluent has been received, tested and will be subject to further assessment at planning application stage.

Woodford currently contains approximately 35ha of vacant land zoned LDRZ and approximately 120ha of land zoned RLZ, including the subject land. Modelling of potential lots available within the two zones by taking into account the minimum subdivision areas implied by each zone would provide for a potential 87 lots in the LDRZ and a potential 30 lots in the RLZ.

## ISSUES

The LDRZ is within the suite of 'residential' zones and the RLZ is within the suite of 'rural' zones within the Victoria Planning Provisions. The DP has been lodged against that part of the land within the LDRZ for which a purpose is *'to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater'*. Another purpose of the zone is to ensure any proposal addresses the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF).

Schedule 2 to the Development Plan Overlay (DPO2) applies to all land zoned LDRZ including the part of the subject land on which the DP has been lodged. Schedule 2 provides the requirements for a Development Plan (DP). The relevant schedule is provided at **Attachment 1**.

The Development Plan and accompanying technical reports were submitted on 16 October 2020 parallel with a planning application for subdivision of the same land (anticipating approval of the DP) and a rezoning request for the land to the south in the RLZ. It is considered that neither the planning application nor rezoning request should be advanced until Council is satisfied the DP can be approved.

The DP in its current form proposes lots with areas no less than 4000m<sup>2</sup>. The lot areas are required to be no less than 4000m<sup>2</sup> to comply with the zone and to ensure all wastewater can be treated and retained on site. The ultimate size of the lots is anticipated to vary, reflective of the individual lot response to adequate area for wastewater treatment. All lots are proposed to address a new internal road, with all traffic to enter and exit the site via the new access to Bridge Road. The DP provides a landscaping theme and building envelopes are able to provide for an appropriate built form outcome. No planning permit is triggered for future development of each of the lots with a single dwelling, once a development plan is approved.

The DP provides comment, that if approved, an additional DP will be required for both the balance of the LDRZ land and the RLZ land. Indicative plans show a wetland/retarding basin for stormwater, open space and pedestrian linkages which would be proposed at a later date.

The DP is also supported by the following documents:-

- Engineering Services Report (SITEC)
- Land Capability Assessment (SITEC)
- Letter of advice (by Landtech)
- Stormwater Management Plan (SITEC)
- Infrastructure Layout Diagram (SITEC)
- Transport Impact Assessment Report (ESR)
- Cultural Heritage Management Plan (Urban Colours)
- Landscape Plan (SITEC)

Refer to **Attachment 2 for DP documentation.**

An assessment of the DP in relation to the requirements of Development Plan Overlay – Schedule 2 is at **Attachment 3.**

Detailed lot layout is relevant to a planning permit application. A nominated 20 lot subdivision represents an indicative layout if the 4000m<sup>2</sup> minimum lot size is achieved. However, the lot sizes may vary once individual lots are assessed to accommodate adequate area to treat wastewater. To further inform the assessment, the following advice has been received from referral agencies:-

- **Environment Protection Authority-** Council should consider whether the land is suitable for its intended future use. For wastewater systems that have a design capacity of less than 5000 litres a day, advice should be sought from Council's environmental health officer. Stormwater management should have regard to EPA best practice guidelines #275 and #1834 and an Environment Management Plan (EMP) and Construction Management Plan (CMP) should be requested. An application for planning permit to subdivide will require further assessment to ensure compliance with the EPA best practice guidelines and also to require the EMP and CMP.
- **Wannon Water** - the proposed lot sizes and poor soils should require secondary treatment and spray irrigation should not be used. As referred to above, the planning permit application to subdivide will consider compliance with the EPA guidelines which will require sufficient area within each lot to accommodate wastewater so as not to impact on the environment, including bores.
- **DELWP** - Stormwater impacts should be considered on biodiversity values of the Merri River.

Provided the lot sizes within the assessment of the planning application to subdivide are adequately able to treat wastewater, and compliance with EPA guidelines is achieved, the above matters are able to be addressed.

## **FINANCIAL IMPACT**

Costs associated with the review and assessment of the Development Plan has been included in the 2021/2022 City Strategy and Development Budget.

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

### **1 A healthy community**

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

### **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.

2.4 Water resource management: Council will promote and encourage awareness of sustainable practices in our work and in the community, including water resource management.

#### **4 A connected, inclusive place**

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

4.3 Stronger neighbourhoods: Council will foster neighbourhood connections and capacity building including the development of inclusive recreational and cultural opportunities.

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

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

5.5 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**

In accordance with the *Planning and Environment Act 1987*.

#### **COMMUNITY IMPACT / CONSULTATION**

All documentation forming part of the Development Plan (DP) has been subject to referral and two periods of non-statutory public exhibition for a period of two weeks, in accordance with Council's process to provide non-statutory notice of development plans. Exhibition of the DP is a non-statutory requirement to contribute towards Council's decision making process on the future development of the site.

Nine (9) submissions have been received which outline the following concerns:-

- The DP being premature of *structure planning* for Woodford & Bushfield as indicated in the Warrnambool City-Wide Housing Strategy 2013,
- Inconsistent with strategic & statutory context outlined in the 'Moyne Warrnambool Rural Housing and Settlement Strategy' 2010, Warrnambool Planning Scheme including the Municipal Strategic Statement.
- Poor quality of existing infrastructure and lack of new infrastructure to connect and support the role of the school.
- Capacity of the school to support the additional population created by the subdivision.
- Requirement for greater consideration against Warrnambool 2040.
- Rural character - lack of a diversity of lot sizes and "cookie cutter feel" and timber paling fences would be at odds with existing rural character.
- A need to consider appropriate buffers to adjoining agricultural land.
- Planting should be denser along Bridge Road and include native species.
- Public Open Space (proposed in a future stage) is encumbered by drainage infrastructure and not fit for purpose. Council may require a financial contribution in lieu of land to reinvest in local community assets. Future Open Space intended for the community should have input from the community.

- The subdivision should respond better to sustainable initiatives.
- Concerns in relating to wastewater treatment- the LCA does not consider cumulative impacts. The DP (subdivision) is premature to a 'sewerage and effluent management strategy' being carried out for the area.
- Appropriateness of including reference in the DP to a future rezoning.
- Impact on road safety as a result of all access/egress from new access on Bridge Road and suggestion that connection to Brodies Lane should be provided.
- One (1) of the submissions is in support of the development on the basis it addresses 'livability', future built form, connectivity and local character.

On 13 August 2021 the applicant responded to Council on the issues raised in the submissions, stating:

- The number and area of lots is within keeping of the character of the area being consistent with adjoining areas of Bushfield and Woodford,
- Character will be achieved through substantial landscaping to soften appearance of the area from public views,
- The traffic impact assessment supports the subdivision and location of crossings. Vicroads were consulted in the conceptualisation of the DP and did not object to the proposed new access to serve the entire subdivision. Access direct from Bridge Road and Brodies Lane will be restricted,
- The SITEC LCA and Landtech advice support the proposed lot sizes and indicate wastewater can be managed at the septic permit/ installation stage. Advice confirms a sewerage scheme is not warranted due to the small scale of the development,
- A landscaping scheme has been submitted and buffers provide for modification should Council require at the permit stage,
- It's unreasonable to expect this proposal to address school capacity issues and public infrastructure. This is a matter for Council. The infrastructure proposed for the site will be of a high quality,
- The proposal is considered appropriate having regard to the Planning Policy Framework.

Further changes to the DP have been made which have resolved the following matters:-

- Removal of reference to timber paling fences;
- Providing for lot sizes to be determined by sufficient area to treat effluent (wastewater management areas);

The development plan was referred to the following external authorities:-

- Wannon Water; Transport for Victoria; Vicroads; DELWP; CFA; EPA; Southern Rural Water; Department of Education; Downer (Gas); Powercor.

Responses were received from Wannon Water, DELWP, CFA and EPA and their requirements have been forwarded to the applicant and the DP documentation amended accordingly.

The DP was referred internally to Council's City Infrastructure Unit; City Sustainability; City Strategy and the Environmental Health Coordinator. All units anticipate technical detail such as traffic, parking, wastewater treatment, waste management and landscaping are able to be assessed during the planning application stage.

## LEGAL RISK / IMPACT

The Plan is to be processed and assessed in accordance with the requirements of the Warrnambool Planning Scheme and *Planning and Environment Act 1987*. The applicant has avenue of appeal to VCAT for review should Council refuse endorsement of the Plan.

## OFFICERS' DECLARATION OF INTEREST

None.

## ATTACHMENTS

1. DP O 2 - schedule [7.3.1 - 2 pages]
2. Woodford Heights DPO Assessment [7.3.2 - 3 pages]
3. Final Woodford Heights Estate Northern Development Plan [7.3.3 - 53 pages]
4. WH Attachment 1 Copy of Title [7.3.4 - 3 pages]
5. WH Attachment 4 Engineering Services Report [7.3.5 - 9 pages]
6. WH Attachment 5 Land Capability Assessment [7.3.6 - 65 pages]
7. WH Attachment 5- Woodford Heights Landtech letter [7.3.7 - 19 pages]
8. WH Attachment 6 Concept Stormwater Management Plan [7.3.8 - 22 pages]
9. WH Attachment 7 Functional Layout Plan [7.3.9 - 3 pages]
10. WH Attachment 8 Transport Impact Assessment Report [7.3.10 - 16 pages]
11. WH Attachment 9 Approved Cultural Heritage Management Plan 119 Bridge Road Bushfield [7.3.11 - 103 pages]
12. WH Attachment 10 Landscape Plan Stage 1-2 [7.3.12 - 1 page]
13. DP objection 1 [7.3.13 - 2 pages]
14. DP objection 2 [7.3.14 - 1 page]
15. DP objection 3 [7.3.15 - 2 pages]
16. DP objection 4 [7.3.16 - 2 pages]
17. DP objection 5 [7.3.17 - 5 pages]
18. DP objection 6 [7.3.18 - 1 page]
19. DP objection 7 [7.3.19 - 2 pages]
20. DP objection 8 [7.3.20 - 2 pages]
21. DP objection 9 [7.3.21 - 2 pages]
22. Letter of Response - Submissions to Draft Woodford Heights Northern Development Plan [7.3.22 - 4 pages]

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## **7.4. MIDDLE ISLAND PROJECT SEASON REPORT 2020-2021**

**DIRECTORATE : City Growth**

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### **PURPOSE:**

***The purpose of this report is to provide an annual update to Council on the implementation of the Middle Island Project.***

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### **EXECUTIVE SUMMARY**

- The Middle Island Project is a wildlife conservation project to help protect the colony of Little Penguins on Middle Island.
- In September 2020 Council resolved to endorse the Conservation Management Model for future direction and implement with revised operating arrangements including the appointment of an Advisory Group/Committee, clarification of the operating model and roles and responsibilities for dog handling.
- This report provides an annual update on the implementation of the project and outlines the outcomes of the Middle Island Project Season Report 2020-2021 and seeks endorsement of the draft Terms of Reference for the Middle Island Project Committee.

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### **RECOMMENDATION**

**That Council**

- 1. Receive the Middle Island Project Season Report 2020-2021.**
- 2. Establish the Middle Island Project Committee;**
- 3. Appoint the following members to the Middle Island Project Committee for a period of two (2) years:**
  - a. 1 representative – Deakin University**
  - b. 1 representative – Warrnambool Field Naturalists Club**
  - c. 1 representative – Warrnambool Coastcare Landcare Network**
  - d. 1 representative – The Department of Environment, Land, Water & Planning**
  - e. 1 representative – Parks Victoria**
  - f. 1 representative – Warrnambool City Council - Coordinator Natural Environment**
  - g. 1 representative - Warrnambool City Council – Councillor Richard Ziegeler**
- 4. Seek expressions of interest for a member of the community to be appointed a member of the Middle Island Project Committee.**
- 5. Adopt the Terms of Reference for the Middle Island Project Committee.**

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### **BACKGROUND**

The Middle Island Little Penguin Project (the Project) is a wildlife conservation project to help protect a colony of Little Penguins (*Eudyptula minor*) living on Middle Island.

The Project commenced in 2006 after reports that the penguin numbers in the colony had dropped considerably, to less than 10 from an estimate of around 800 in 2000. The cause of the decline was attributed principally to fox predation and human impact of trampling burrows.

The project is based on the use of Maremma dogs to guard and protect the penguins known as the 'Warrnambool method'. The Maremma dogs were trained and placed on the Island to deter predators, such as foxes, from coming to the Island and killing the penguins.

A review of The Middle Island Project was undertaken and in September 2020 Council endorsed continuation of the project under the conservation management model – being the use of conventional conservation techniques (vegetation controls and predator controls) to protect biodiversity values supplemented with the use of Maremma dogs to specifically protect the penguin colony.

With revised operating arrangements including:

- Governance Structure
- Operating Model
- Roles and Responsibilities

### **Middle Island Project 2020-2021 Season Report**

The Middle Island Project Season Report outlines the key achievements and challenges during the 2020-2021 Little Penguin breeding season - **refer to Attachment 2.5.1.**

#### **The Project highlights for the 2020-2021 season include:**

- No evidence of foxes on the island while the dogs have been there. No bird kills (penguins or mutton birds)
- The retirement of Guardian Dog Eudy at the age of 12 after 10 seasons guarding the penguins.
- A Go Fund Me campaign was successful in raising \$36,000 for the Project and was shared by popular social media group We Rate Dogs.
- The continued media interest in the Project, for example, the Channel 31 series Dog Jobs Australia featuring the Project's maremmas on their first episode.
- Sponsorship by PetStock and the VetGroup.
- Although the Meet the Maremma Experience tours were cancelled due to COVID restrictions, tours run through the Flagstaff Hill Maritime Museum proved to be very popular.

#### **The Project challenges of the 2020-2021 season include:**

- The Covid-19 pandemic has been the most significant challenge this year.
  - The Meet the Maremma Tours were cancelled for the summer eliminating a major source of income.
  - Volunteer numbers were restricted to assist with social distancing and hence total penguin population monitoring hours were significantly reduced.
- Poor weather and tide conditions increased the risks associated with crossing Stingray Bay affecting access to the Island and the number of penguin arrival counts that could be undertaken.
- Sadly, Eudy was euthanized in May 2021.

In terms of the Little Penguin population, the Warrnambool Coastcare Landcare Network volunteers conduct penguin arrival counts to estimate the size of the breeding population and surveys to monitor reproductive success. During the 2020-2021 the volunteers recorded higher rates of regular penguin arrivals than the previous season, however overall activity levels were low. Six penguin arrival counts were conducted this season, with penguins observed during four of these counts.

## **ISSUES**

### **Governance of the Middle Island Project**

The revised governance structure includes establishment of a Middle Island Project Committee which consists of representatives with relevant expertise to advise and support Council through reviewing and recommending appropriate conservation techniques that reduce threats faced by the Little Penguin and to support the ongoing conservation of the population on Middle Island - **refer to Attachment 2.5.2 Middle Island Project Committee draft Terms of Reference.**



The draft Terms of Reference outline the function, role and membership of the Middle Island Project Committee which will meet quarterly.

The Middle Island Project Committee will include representatives from key stakeholders together with Warrnambool City Council representatives. The term of membership for each member shall be two (2) years.

The current Middle Island Project Working Group will be disbanded and representatives from the organisations outlined in the Terms of Reference will be invited to nominate a representative to the Middle Island Advisory Project Committee. Expressions of interest will also be sought for the community member position.

## **FINANCIAL IMPACT**

The Middle Island Project Committee requires resourcing in administration and support; however, this is no change to resources allocated to facilitation and administration of the Working Group which is accommodated within the City Sustainability budget.

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

### **2 A Sustainable environment**

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

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

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

2.6 Awareness and celebration: Council will foster community awareness and recognition of the benefits of positive outcomes for Warrnambool's 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

5.2 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.

5.4 High-performance culture: Council will foster an organisational culture to support engaged, committed and high-performing staff for the effective delivery of Council's services and programs.

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.

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**

Consultation with the Middle Island Project Working Group has occurred throughout the review and transition to the Middle Island Project Committee.

## **LEGAL RISK / IMPACT**

There are reputational, environmental and financial risks associated with the Middle Island Project and the future implementation.

The proposed changes to the governance arrangements reduces the risks, improves delegation and clarifies roles and responsibilities.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **CONCLUSION**

The Middle Island Project has been a long running and successful program for the protection of the Little Penguin by the Maremma Guardian Dogs. The 2020-2021 breeding season has shown that although the Little Penguin population numbers are low, they have increased from last season. The proposed Middle Island Project Committee will strengthen the governance and advice provided to Council to ensure the project continues to be successful and sustainable into the future.

## **ATTACHMENTS**

1. Middle Island Project Season Report 2020-2021 [7.4.1 - 10 pages]
2. Middle Island Project Committee Terms of Reference ToR DRAFT Se [7.4.2 - 4 pages]

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## **7.5. BUSINESS INITIATIVES GRANTS ROUND 2 - UPDATE**

### ***DIRECTORATE : City Growth***

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#### **PURPOSE:**

***This report provides information on successful applicants to the second round of the Business Initiatives Grant (BIG) program.***

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#### **EXECUTIVE SUMMARY**

- In response to the adverse impacts of COVID-19 restrictions on Warrnambool businesses, a Warrnambool City Council COVID-19 Business Support Plan (BSP) has been developed.
- A key plank of the BSP is the delivery of the Business Initiatives Grant (BIG) program which allows Warrnambool businesses to apply for grants with \$1: \$1 matched funding up to \$3,000 per business to implement new ideas, projects or programs that will help them to build resilience, diversify and grow.
- Round 1 of the BIG program was undertaken in 2020/21 where Council awarded 40 businesses grants totaling \$99,000 towards projects costing \$221,639.
- Due to the success of BIG Round 1, Round 2 was launched 9<sup>th</sup> July 2021 with applications closing mid-August 2021. Businesses who received BIG funding in Round 1 were not eligible for Round 2.
- Round 2 attracted 14 applications of which 12 were assessed as eligible under the guidelines and worthy of support. Of the two applications not successful, one was a recipient of Round 1 funding and the other withdrew its application shortly after submission.
- Round 2 BIG will award 12 businesses a total of \$29,963 grant funding which will go towards projects which total \$82,078. All successful recipients of the BIG Round 2 program are listed in the report below.
- Grant applications were required to achieve one or more of the desired outcomes
  - Growth: Project demonstrates the business will experience an increase in business levels
  - Businesses Collaboration: Collaboration/joint activity with another local business.
  - Entrepreneurship: A strategy or initiative which has mutual benefits for both the business and the community.
  - New Business Strategies: Enabling a strategic change to a business model that allows a business to pivot in response to opportunities arising as a result of COVID-19.
- The BIG funding and assessment criteria was weighted towards existing businesses and industry sectors which have been the most adversely impacted by COVID-19. All applications required an explanation of how their business was adversely impacted by COVID19. A further important consideration was a requirement for all applicants to demonstrate the project costs will be spent locally wherever possible.
- The BIG program over Rounds 1 and 2 combined have now awarded a total of \$128,963 in grant funding to 52 businesses leveraging a total project spend of \$303,717.

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#### **RECOMMENDATION**

**That Council note the recipients of the Business Initiatives Grant Round 2 of funding.**

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## **BIG ROUND 2 – RECIPIENTS**

- Lady Jane Hair;
- Meraki Hair Boutique;
- Adrenalin Martial Arts;
- Warrnambool Holiday Park and Motel;
- Sea Mist Studio Apartments and Art Shack;
- The Freckled Duck;
- Retire Happy;
- Dart and Marlin;
- Rebalance Osteopathy;
- Curly's Pizza;
- Scott Carter Bricklaying; and
- Dreamtime Teepee.

## **FINANCIAL IMPACT**

The Business Initiatives Grant (BIG) Round 2 is provided for within Council's 2021/22 Budget from the COVID19 Business and Community Support Fund.

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

### **3 A strong economy**

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

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

3.3 Visitor growth: Council will facilitate Warrnambool's visitor growth and year-round visitation through industry development, effective destination management and promotion of attractions, experiences and by leveraging key events.

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

## **COMMUNITY IMPACT / CONSULTATION**

The BIG Round 2 was promoted via a media release, social media, Council's website and as part of regular email circulars to its business databased listing.

## **OFFICERS' DECLARATION OF INTEREST**

All BIG applications were assessed by a panel comprising Economic Development officers and Director City Growth. No conflict of interests were declared.

## **CONCLUSION**

**That Council note the recipients of the Business Initiatives Grant Round 2 of funding.**

## **ATTACHMENTS**

Nil

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## **7.6. LOCAL COUNCIL'S OUTDOOR EATING AND ENTERTAINMENT PACKAGE GRANT**

**DIRECTORATE : City Growth**

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### **PURPOSE:**

***This report provides information on the implementation of the Local Councils Outdoor Eating and Entertainment Package Grant.***

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### **EXECUTIVE SUMMARY**

- In October 2020 Warrnambool City Council entered into a \$500,000 funding agreement with the State Government to implement the objectives of the Local Councils Outdoor Eating and Entertainment Package (LCOEEP).
- The objectives of the LCOEEP funding are two-fold:
  - to assist Council to implement streamlined permit, enforcement and monitoring processes to support expanded outdoor dining and entertainment; and
  - establish infrastructure to support outdoor dining and entertainment.
- The funding agreement ('the Agreement') guidelines stipulate what can and cannot be funded from the LCOEEP grant (refer to Background section below). The provision of direct grant funding to businesses / traders is not an eligible expenditure item as part of the Agreement.
- As per the terms of the Agreement, the grant is to be acquitted by December 2021. To date, a total of \$332,521 of the \$500,000 grant has been expended or committed across:
  - planning permit and fee waivers benefitting 357 Warrnambool businesses;
  - delivery of complimentary infrastructure in the public domain to encourage outdoor activation; and
  - marketing and promotions of outdoor dining and entertainment.
- It is proposed the remaining LCOEEP funds (\$167,479) be expended via a further years waiver of application and approval process for permits associated with the activation of outdoor dining and entertainment activities at an estimated cost of \$130,000 to benefit 357+ businesses.
- It is proposed any remaining budget (estimated to be \$30,000) be allocated to further complimentary infrastructure to encourage outdoor activation and additional marketing initiatives to promote the City's outdoor eating offering.

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### **RECOMMENDATION**

**That Council:**

- 1. Note the status of the rollout of the Local Councils Outdoor Eating and Entertainment Package Grant (LCOEEP);**
  - 2. Support the remaining LCOEEP funding being allocated to a further years fee waiver (2021/22) of application and approval process for permits associated with the activation of outdoor dining and entertainment activities;**
  - 3. Waive Outdoor dining permit fees for the 2021/22 financial year and refund those small number of businesses who have already paid the 2021/22 fee;**
  - 4. Commit any remaining funding of the LCOEEP towards complimentary infrastructure and/or marketing and promotion of outdoor dining; and**
  - 5. Initiate a further round of engagement with businesses to receive feedback on the outdoor activations to date, including what future outdoor activation support and offerings might assist businesses through 2021/22 and beyond.**
-

## **BACKGROUND**

The LCOEEP Funding Agreement contain detailed guidelines on what the funding can and cannot be spent on.

### **What CAN be funded:**

- Administering permit regulation and approvals processes- including but not limited to fast tracking the application and approval process for permits associated with the activation of outdoor dining and entertainment activities as well as waiving applicable fees and charges associated with permit applications;
- Provision and management of place-based infrastructure and shared public entertainment requirements - such as bollards, planter boxes, signage, parklet enclosures, seating bubbles, temporary street furniture, marquees and other structures and engagement of expertise or resources to manage and coordinate place based/precinct activation initiatives;
- Traffic management – such as costs associated with road closures, the preparation of traffic management plans and compliance with requisite rules and regulations;
- Minor civil works – such as works that ensure requisite accessibility and public safety requirements are met;
- Additional waste management and sanitation in public areas including services that maintain effective management and sanitation of public outdoor dining and entertainment locations controlled by the Council;
- Local marketing and communications to promote outdoor dining and entertainment activities including direct marketing campaigns
- Additional enforcement and monitoring activities flowing from this Activity;

### **What CANNOT be funded:**

- Provision of direct grant funding to businesses or sole traders
- Costs associated with locating and operating food trucks;
- Upgrades or the provision of new infrastructure, technology and/or equipment inside of hospitality venues;
- Projects or initiatives that are subject to and/or require ongoing funding from the Victorian Government;
- Ongoing operating costs or salary subsidies, except where a salary subsidy provides project management support for the funded project or support to fast track permits;
- The purchase of land;
- Provision of public Wifi services; and
- Commissioning and implementing public art.

Equity to all eligible businesses has been a key consideration in the rollout of the LCOEEP funding. A key offering has been the waiver of applicable permits and fees through 2020/21 to assist some 357 businesses, in some part, manage the cash flow impacts of COVID19 restrictions. This initiative also satisfies the equity principle by benefitting all hospitality businesses across the municipality, regardless of where they are located.

The other key part to the LCOEEP rollout includes the addition of complimentary infrastructure in the public domain across various parts of the municipality that will provide benefit for not just one year but for years to come to activate outdoor spaces through future events and place-making initiatives.

As per the terms of the Agreement, the grant is to be acquitted by December 2021. To date, a total of \$332,521 of the \$500,000 grant has been expended or committed across the following categories:

Fast tracking the application and approval process for 2020/21 permits associated with the activation of outdoor dining and entertainment activities as well as waiving applicable fees and charges associated with permit applications.	\$125,071
Complimentary infrastructure upgrades across the City Centre, Foreshore, Lake Pertobe precinct, and Botanic Gardens precincts to encourage outdoor activation in the public domain. These upgrades include infrastructure items such as additional seating and tables, power and lighting upgrades, amenity improvements, increased rubbish and waste management, planter boxes and greenery to enhance the amenity of some areas.	\$164,545
Local marketing to promote outdoor dining and entertainment activities through social media, radio, collateral and billboard	\$42,905
Sub-Total expended or committed to date	<b>\$332,521</b>
<b>Total Funds Available</b>	<b>\$500,000</b>
<b>Amount remaining</b>	<b>\$167,479</b>

## FINANCIAL IMPACT

Only activities related to the Funding Agreement's eligibility criteria can be funded through the LCOEEP.

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 1 A healthy community

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

### 3 A strong economy

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

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

3.3 Visitor growth: Council will facilitate Warrnambool's visitor growth and year-round visitation through industry development, effective destination management and promotion of attractions, experiences and by leveraging key events.

#### **4 A connected, inclusive place**

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

#### **5 An effective Council**

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

#### **TIMING**

The LCOEEP Grant must be acquitted by December 2021.

#### **CONSULTATION**

The activation of outdoor dining and entertainment opportunities has been informed by extensive engagement with businesses across many precincts in the municipality (City Centre, Easter Activity Precinct, Townships, Foreshore) through in-person meetings, phone, email and/or survey.

In early 2021 a business survey focused on outdoor dining and entertainment initiatives was also undertaken targeting 350 hospitality and entertainment businesses across the Warrnambool municipality. A social media campaign was undertaken that allowed interested members of the community to also respond. The survey and social media campaign attracted 86 responses, mostly from business owners. The findings of the survey found broad support for a combination of measures to be delivered ranging from fee waivers, events activation, additional infrastructure in the public domain and place-making activities.

Council will shortly initiate a further round of engagement with businesses to receive feedback on the outdoor activations to date, including what future outdoor activation support and offerings might assist businesses through 2021/22 and beyond.

#### **OFFICERS' DECLARATION OF INTEREST**

Nil.

#### **CONCLUSION**

#### **ATTACHMENTS**

Nil



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## **7.7. FOOTPATH TRADING FEES**

***DIRECTORATE: City Infrastructure***

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### **PURPOSE:**

***For information and discussion in relation to the potential waiving of fees for footpath trading for the 2021-22 financial year.***

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### **EXECUTIVE SUMMARY**

- Footpath trading permits are required to be renewed annually from the 1<sup>st</sup> August. Renewal notices were sent this year for existing permit holders with a request that the fees be paid by 13<sup>th</sup> September 2021.
- At the time of writing, the status of permits for footpath trading for each category were as follows:
  - Outdoor dining – 44 renewals (average number of tables 4) - 13 have been paid.
  - A Frame signs – 158 renewals - 84 have been paid.
  - Display of goods – 28 renewals (most have only 1 display) – 14 have been paid.
- If all fees are waived/refunded the total amount would be approximately \$62,000 in waived fees.
- The amount if the A Frame sign fees only are waived, would be around **\$23,700**.
- Should a direction be given to waive fees for A-Frame Signs, those who have paid would receive refunds.
- In 2020 some fees were waived due to the financial impacts of the pandemic. The budgetary impacts to Council were offset by using the grant received under the Local Councils Outdoor Eating and Entertainment Package.
- Although this **would not** apply to around half of the A Frame sign fees as they are not associated with outdoor dining or entertainment.
- There is currently \$167,479 remaining in the fund which could offset waived fees for Footpath Trading should Council determine to do so.

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### **RECOMMENDATION**

- 1. That Council consider the waiving of A Frame Sign permit fees for the 2021/22 financial year and refund the businesses who have paid the fee at a total value of \$23,700.**
  - 2. That Council staff communicate with all A Frame sign owners, of the decision and to ensure that consent is provided.**
- 

### **BACKGROUND**

Footpath trading permits are required to be renewed annually from the 1<sup>st</sup> August. Renewal notices were sent this year for existing permit holders, with a request that the fees be paid by 13<sup>th</sup> September 2021.

Council Local Laws Officers also undertook a brief audit to identify any signs or footpath trading activity that was not included in the register of businesses with an existing permit.

## ISSUES

The permit fees are as follows:

- **Outdoor Dining** - \$185.00 per table
- **A- Frame sign** - \$150.00 per A-Frame
- **Display of Goods** - \$215.00 per display  
(One permit entitles trader to maximum 1.8m length x 0.75m width x 1.5m height of display)
- **Busking** – FREE

New applications received between 1 Feb and 31 July pay 50%. The permit period is from 1 August to 31 July each year.

The issue of a permit requires the applicant to hold Public Liability Insurance of \$20 million. It is the applicant's responsibility to keep this insurance current.

### Renewal of permits

A letter was sent out to all business owners who had existing permits advising them that their current Footpath Trading permit required renewal.

The request letter asked for a completed renewal form and to pay the Tax Invoice by the due date of **13 September 2021**.

Business owners were also advised by letter that Footpath Trading **must not** commence until the completed footpath trading application had been approved and the fee/s paid.

The current status of permits for each category of Footpath Trading are as follows:

Outdoor dining – 44 renewals (average number of tables 4) - 13 have been paid  
A Frame signs – 158 renewals - 84 have been paid  
Display of goods – 28 renewals (most have only 1 display) – 14 have been paid.

If all fees are waived/refunded the total amount would be approximately \$62,000 in waived fees.

Should a direction be given to waive fees, those who have paid would receive refunds.

### FINANCIAL IMPACT

In 2020 fees were waived due to the financial impacts of the pandemic. The budgetary impacts to Council were offset by using the grant received under the Local Councils Outdoor Eating and Entertainment Package.

There is \$167,479 remaining in the fund which could offset most waived fees for Footpath Trading, specifically for food and hospitality businesses.

The \$23,000 in fees for A Frame signs **would not all** be covered by the fund as around half are not associated with outdoor dining or entertainment.

The budget impact to Council would be around \$11,500 for the A Frame sign fees not covered by the fund.

## **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.

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**

As a number of Footpath Trading permits and A Frame sign fees have already been renewed with fees paid, it is at Council's discretion if fees are to be waived or fees refunded.

## **COMMUNITY IMPACT / CONSULTATION**

Affected business will be contacted by letter or email if fees are waived or refunded.

## **LEGAL RISK / IMPACT**

Risk is considered to be reputational.

## **OFFICERS' DECLARATION OF INTEREST**

No conflicts of interest were declared.

## **CONCLUSION**

This report seeks direction from Council if it is decided to waive Footpath Trading fees for the 2021-22 financial year.

## **ATTACHMENTS**

Nil

## **7.8. DESIGN APPROACH - MCGENNANS PLACEMAKING PROJECT**

***DIRECTORATE : City Infrastructure***

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### **PURPOSE:**

***For Council to endorse the design approach for the development of McGennans Place Making project to align with Council's strategies, plans and policies and for Council to approve the reallocation of funds from the Public Amenity Program.***

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### **EXECUTIVE SUMMARY**

Council was a beneficiary of the Federal Government's Building Better Regions Grant to help realise the Lake Pertobe Masterplan. Works yet to be completed include the replacement of the existing McGennans Place Public Amenity.

Following previous directions from Councilors, Officers have progressed the design of the preferred location, which is situated within the close vicinity of the existing amenity block and exercise play equipment.

The budget for the project is currently set at \$500,000.00 ex GST, funded in the current budget.

In producing the preliminary design, Officers have been guided by adopted Council policies, legislation and external stakeholder guidelines, including but not limited to:

- *The Community Vision – Warrnambool 2040*
- *2021 - 2025 Warrnambool City Council Plan*
- *Disability Access and Inclusion Policy 2020*
- *Warrnambool – a Healthy City 2017-21*
- *Gender Equality Act 2020*
- *Inclusion and Diversity Policy 2020*
- *DELWP Coastal Management Plan 2013*
- *Warrnambool City Council Open Space Policy 2020*
- *Lake Pertobe Masterplan 2018*
- *The Warrnambool Public Toilet Strategy 2013*
- *Asset Management Policy 2020*
- *Risk Management Policy 2020*

The Preliminary design includes five unisex stalls, two DDA complaint stalls, outdoor showers, minor landscaping, upgraded services and a new shared path from the Promenade to Pertobe Road, via the new amenities block to provide access to both DDA users and visitors to the beach.

By following the above factors, that have set the level of service Officers have designed to, the projected cost of the replacement amenities is currently \$797,000.00, approximately \$300,000 above the current budget. Due to Council receiving a grant to fund the replacement of facilities at Jubilee Park, Council is in the position to fund the \$300,000.00 shortfall through allocating the Public Amenity Program to the McGennans Place Public Amenity project.

Councilors are able to direct Officers to reduce the level of service, at *McGennans* Car Park, to either minimise the budget shortfall or build to the existing budget.

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## RECOMMENDATION

### That Council:

1. **Acknowledges and provides the design approach required to progress Council's application for DELWP MaCA Consent Application and Building Permit with the holistic design for McGennans Place Making Project including building and associated place making features through adoption of:**
  - a. **The proposed design put forward by Officers;**
  - b. **A modified version of the design put forward by Officers; or**
  - c. **An option that builds to the budget of \$500,000.**
2. **Approve the reallocation of additional funding up to \$300,000 from the 2021/22 Public Amenity Program for the building works and civil works towards ensuring the maximum community benefit can be achieved through this project.**

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## BACKGROUND

Council was a beneficiary of the Federal Government's Building Better Regions Grant to help realise the Lake Pertobe Masterplan. Works yet to be completed include the replacement of the existing McGennans Place Public Amenity. The replacement of the McGennans Place Public Amenity sits within a larger body of works including the improvement of linkages to and from Lake Pertobe Precinct and within the precinct itself.

McGennans Place Public Amenity sits within a unique and highly valued coastal location where the built environment must be considered as a place with purpose and identity. The highly valued destination requires a facility that is designed to a high standard, compliant with policies and legislation as well as being fit for purpose and meet the demands of the peak tourist season. Equally as important are connectivity improvements from the Warrnambool Promenade to Pertobe Road and the entire Lake Pertobe precinct through the creation of a new shared path.

Holistically viewed as a place making project, the design (Attachment 1) for the replacement of Public Amenities at McGennans Carpark, has considered financial sustainability principles, optimal access linkages, government approval processes, proximity to key tourism assets during peak season and legislative and Council endorsed policy requirements. To assist with the design and cost estimations, Officers engaged a local architect and ensured that he considered:

- Council's strategies, plans and policies as well as state legislation to provide a welcoming, functional and safe facility for use by the broad and diverse members of the community, especially:
  - Nippers and SLSC Programs
  - Walkers and Cyclist on the Promenade
  - Patrons attending the Events Area and
  - Beach Users Groups
  - Surf School programs and recreational swimmers
  - Disability users
  - Women users
- Meet design standards, DELWP MaCA consent requirements, endorsed Council policies and user expectations whereby the building form seamlessly integrates with the natural environment;

- Construct a dedicated Family Room within the new facility that accommodates the needs of parents and carers visiting Warrnambool Foreshore Precinct as well as the family-oriented Lake Pertobe Precinct;
- Offer change rooms catering for Lady Bay Beach users with increased cubicle size and bench seat within the Unisex Toilets for placing personal items;
- Provision of an all-access cubicle within the new facility including an Accessible Carpark from Pertobe Road and connecting footpath as per building permit conditions;
- Improve the public safety considerations with open design configuration, for increased sightlines to enable passive surveillance and nighttime lighting of the building to prevent vandalism, addressing the concerns of Victoria Police, Fire Rescue Victoria and Ambulance Victoria;
- Actively pursue sustainability initiatives including REUSE building material, RECYCLE building materials and REDUCE the extent of building finishes in line with Councils Asset Management and Green Warrnambool 2020 strategies;
- Use native vegetation to make the new facility a welcoming and inclusive destination for families; and
- Create a new shared footpath from the Warrnambool Promenade to provide access to change rooms that connect Lake Pertobe Precinct to the facility for families.

The current preliminary design has been costed at \$797,000 ex GST, as per the following, exceeding the budget of \$500,000.

<b>Phase</b>	<b>Item</b>	<b>Description of Works</b>	<b>Value of Works (BOQ)</b>	<b>Opinion of Probable Cost</b>
<b>Design Phase</b>	1.1	Consultants Fees	\$ 60,000	
	1.2	Design Contingency (allow 10%)		\$ 6,000
	<b>Estimation of Probable Cost</b>			<b>\$ 66,000</b>
<b>Building Construction Phase</b>	2.1	Preliminaries (Based on previous contracts)	\$ 75,000	
	2.2	Demolition of existing building with asbestos roof	\$ 17,500	
	2.3	Building with Unisex Cubicles, Ambulant Cubicles and Accessible Cubicle	\$ 329,500	
	2.4	Family Change Room	\$ 70,000	
	2.5	Upgrade of Utility Services:	\$ 63,800	
	2.6	Construction Contingency (allow 20%)	\$ 111,160	
	2.7	Cost escalation and regional context		\$ 20,000
	Total for Building Works			
<b>Estimation of Probable Cost</b>				<b>\$ 687,000</b>

<b>Civil Works Construction Phase</b>	3.1	DDA Carpark Bay and Concrete Connecting Shared Path.	\$ 34,800	
	3.2	Revegetation of embankment with native vegetation and organic mulch	\$ 5,000	
		Sub Total for Civil Works		\$ 39,800
	3.3	Construction Contingency (allow 10%)		\$ 3,980
	3.4			
	3.5			
Total for Civil Works			\$ 43,780	
<b>Estimation of Probable Cost</b>			<b>\$ 44,000</b>	
<b>Anticipated Expenditure for Design and Construction Works</b>				<b>\$ 797,000</b>

The preliminary design cost estimate includes a \$20,000 cost due to a temporary increased cost of construction in regional areas that was not of concern before Covid. The costs are based around logistics of labour and materials.

Council are fact checking utility service requirements to the site which may reduce by \$10,000 if water and power supplies are adequate. Investigations have found that a new sewer line is required to be installed at the cost of Council.

The current preliminary design exceeds Council's initial budget by \$297,000, based on the design requirements for the site. Some costs associated with the McGennans replacement amenities building are fixed as per the following table.

<b>Phase</b>	<b>Item</b>	<b>Description of Works</b>	<b>Value of Works (BOQ)</b>	<b>Opinion of Probable Cost</b>
<b>Design Phase</b>	1.1	Consultants Fees	\$ 60,000	
	1.2	Design Contingency (allow 10%)		\$ 6,000
	<b>Estimation of Probable Cost</b>			<b>\$ 66,000</b>
<b>Building Construction Phase</b>	2.1	Preliminaries (Based on previous contracts)	\$ 75,000	
	2.2	Demolition of existing building with asbestos roof	\$ 17,500	
	2.3	Upgrade of Utility Services:	\$ 63,800	
	2.4	Cost escalation and regional context		\$ 20,000
	Total for Building Works			\$ 176,300
<b>Estimation of Probable Cost</b>			<b>\$ 176,000</b>	
<b>Civil Works Construction Phase</b>	3.1	DDA Carpark Bay and Concrete Connecting Shared Path.	\$ 34,800	
	3.2	Revegetation of embankment.	\$ 5,000	
		Sub Total for Civil Works		\$ 39,800
		Total for Civil Works		\$ 43,780
	<b>Estimation of Probable Cost</b>			<b>\$ 44,000</b>
<b>Anticipated Expenditure for Design and Construction Works</b>				<b>\$ 286,000</b>





The Warrnambool Public Toilet Strategy 2013						
Green Warrnambool						
Asset Management Policy 2020						
Procurement Policy 2020						
Risk Management Policy 2020						
MaCA consent – DELWP						

Key - Alignment and compliance with policies				
Excellent	Good	Fair	Average	Poor

## FINANCIAL IMPACT

The projected cost of the replacement amenities is currently \$797,000.00, approximately \$300,000 above the current approved budget.

Due to Council receiving a grant to fund the replacement of facilities at Jubilee Park, Council is in the position to fund the \$300,000.00 shortfall through allocating the Public Amenity Program to the McGennans Place Public Amenity project.

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 1 A healthy community

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

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

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

### 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

2.5 Waste minimisation: Council will pursue programs to minimise waste throughout the community, industry and promote the benefits of reduction, re-use and recycling of materials.

### 4 A connected, inclusive place

4.2 A connected community: Council will enhance Warrnambool's connectivity through the delivery of, or advocacy for, improvement to roads, public transport, footpaths, trails and digital infrastructure.

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

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

Consideration for the design approach is informed by legislative requirements for compliance with Victorian Government’s Marine and Coastal Act, Marine and Coastal Policy, and the Siting and Design Guidelines for Structures on the Victorian Coast. Council had been advised that there was a preference from DELWP as the Land Owner, to renew the McGennans Public Amenities at the existing location, as adopted by Councillors, which has efficiently proceeded through the MaCA Consent process with pre-application approval.

However, there are strict, detailed and extensive design requirements set within the Siting and Design Guidelines that may increase the overall cost of the building and civil works that expect coordinated, defined and exemplar public infrastructure to be constructed on Crown Land.

This project considers the Gender Equality Act 2020 as part of the design process.

**TIMING**

In order to complete DELWP’s land owner approval (MaCA Consent) application as well as lodging a Building Permit application, it is requested that Council endorse a design approach for the McGennans Place Making Project.

Due to a pre-application approval, Council will receive a prompt response from DELWP in the lodgment of the MaCA Consent, whilst concurrent inputs are collated including design approvals and functional requirements for the Building Permit.

Phase	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Design											
Documentation											
Approvals											
Services											
Tender											
Construction:											
Building											
Civil Works											

Concurrently, approvals will be processed and a Public Tender for the construction works will be released and with a favorable market securing a suitable qualified contractor. There may be an opportunity to commence construction of the McGennans Place Making Project in late Summer 2022 based on logistical and approval arrangements.

**COMMUNITY IMPACT / CONSULTATION**

As endorsed, in the Council determination on 01 June 2020, Council undertook a Community Consultation process whereby an Online Survey was invited in early July 2020 as per Council’s Community Engagement Policy and IAP2 approach.

Analytically, the majority of the community prefer the Existing Location (~37%) and near the Events Site (~25%) and if the facility would to be relocated into the McGennans Carpark, the Central location is considered appropriate (~27%).

The key themes in the commentary to Public Amenities at McGennans Carpark was proximity from the beach, carpark for seasonal events, and Lake Pertobe Precinct (~54%) which will be improved with the linkage footpath for pedestrians and cyclist from the Warrnambool Promenade.

In adhering to the approved Council policies, procedures and strategies, the proposed design has been designed based on the feedback from those polices and strategies.

Aligning with the community preference and DELWP Land Owner Consent Application (MaCA Consent), Council have endorsed the location of the replacement McGennans Public Amenity in the same location, albeit setback to improve visual amenity therefore, the Kiosk is prominently placed on Pertobe Road and enable future signage to the McGennans Carpark to be installed.

### **LEGAL RISK / IMPACT**

Legal risks are minimal in following policies and procedures adopted by Council and actively working with DELWP.

### **OFFICERS' DECLARATION OF INTEREST**

Nil

### **CONCLUSION**

In this report, Council officers are seeking the endorsement of a design approach for the McGennans Place Making Project to enable the completion the design, finalise MaCA consent and go to market.

The design approach sets objectives to achieve compliance with Council's endorsed strategies, plans and policies however, is dependent on the provision of suitable levels of funding.

In line with anticipated expenditure of \$797,000, it is recommended up to \$300,000 is reallocated from the 2021/22 Public Amenity Program budget to be combined with the \$500,000 from the BBRF Lake Pertobe Grant for delivery of the broader McGennans Place Making Project.

### **ATTACHMENTS**

1. Civil Works - Promenade and Pertobe Road Footpath Linkage - Preliminary Design Drawing [7.8.1 - 6 pages]
2. Policies Plans and Strategic Alignment McGennans Place Making Project [7.8.2 - 7 pages]
3. Building Works - Architectural Drawing - General Arrangement - Guy McLeod Architects PL [7.8.3 - 2 pages]
4. Public Amenities Renewal Program Comparison Paper [7.8.4 - 1 page]

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## **7.9. TREE ASSET MANAGEMENT PLAN - POST COMMUNITY CONSULTATION**

***DIRECTORATE : City Infrastructure***

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### **PURPOSE:**

***For information and to introduce the draft Tree Asset Management Plan (AMP).***

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### **EXECUTIVE SUMMARY**

- It is a requirement of the Local Government Act 2020 that councils have in place Asset Management Plans (AMP) to strategically manage their assets.
- Council does not currently have a Tree Asset Management Plan.
- The plan outlines what it costs to deliver the current level of service, if this is being met and what the risks are of not meeting these requirements.
- The w2040 Plan has aspirational targets of tree canopy cover which requires a large increase in investment to meet.
- All financial values are in today's dollars, and not indexed for CPI. Increase in future years is typically due to an increase in asset base.
- Community consultation opened 19 July and closed 16 August, it was advertised via Facebook, Council's Noticeboard, and Yoursay.
- Most feedback justified the 'customer values' section of the Plan, however there was little commentary regarding the level of investment and willingness to pay.

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### **RECOMMENDATION**

**That Council:**

- 1. Acknowledges there is a gap between expected community level of service and investment required to meet this.**
  - 2. Seeks to manage this gap over the next four (4) years through service level adjustments and or increases in investment.**
  - 3. Adopts the Tree Asset Management Plan as contained in Attachment 1.**
- 

### **BACKGROUND**

The aim of the AMP is to combine risk management, criticality, financial, engineering and technical practices to ensure that the required levels of service are met with consideration for Council's financial limitation over a 15-year planning period.

Community expectations were drafted from the w2040 Plan along with Council policies, strategies and master plans. Internal stakeholder workshops were held to document existing service manager needs and potential future requirements. Some assumptions around timing and cost are still made where there is no supporting strategy or Council resolution, but these have been identified throughout the AMP and inform the Improvement Actions plan at the end of the document.

Current capital and recurrent budget allocations were also used for the financial modelling.

This plan was then put to community consultation to confirm these assumptions.

## **ISSUES**

AMPs aim to align community requirements and Council's investment. The community consultation generally supported the draft expectations and levels of service; however, these cannot be met with the current levels of investment.

This will require a reduction in service, increase in investment, or both.

The largest investment gap arises from the cost of new plantings required to reach the w2040 canopy cover targets.

## **FINANCIAL IMPACT**

There is no direct financial impact in adopting this AMP as it compiles existing strategies and business practices. However, as there is a gap between the level of service provided and the level of service expected by the community, resolving this may require additional investment.

## **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.

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

2.6 Awareness and celebration: Council will foster community awareness and recognition of the benefits of positive outcomes for Warrnambool's environment

### **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.

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

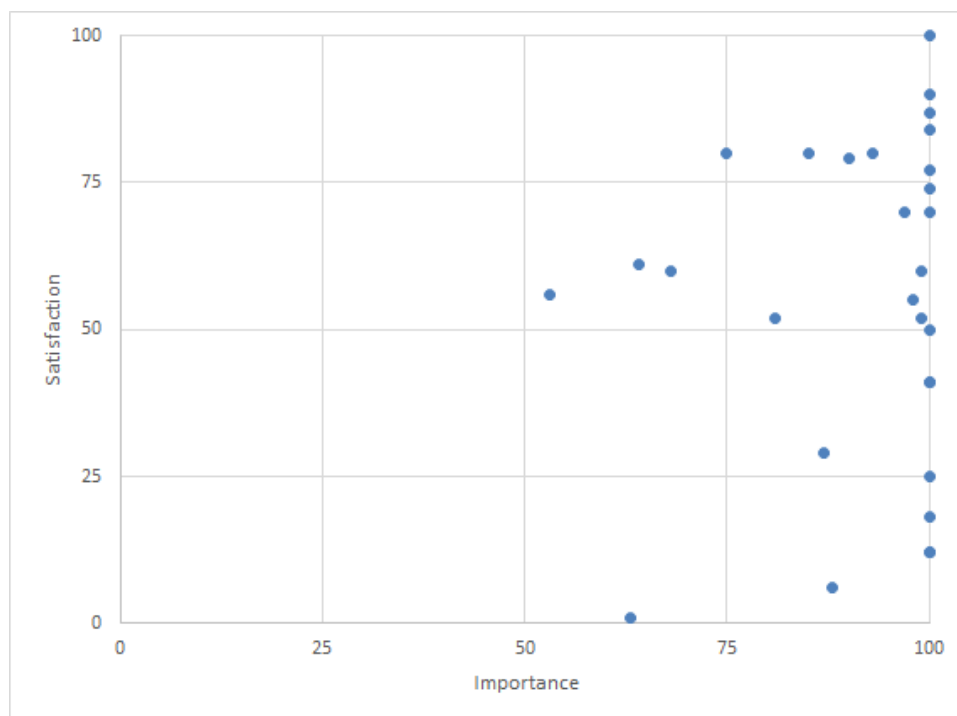
## **TIMING**

Council is to have in place an Asset Plan by 30 June 2022.

## **COMMUNITY IMPACT / CONSULTATION**

Community consultation opened on 19 July and included posts to Council's Facebook page, Noticeboard, and a short survey monkey to prompt responses. Consultation closed on 16 August after 28 days. There were 28 responses during this time, all from the Warrnambool and surrounding region. Only 60% had read the draft Plan.

Overall, trees are very important to the community, however the community's satisfaction on how Council manages trees varied greatly.



The 118 various comments made can be summarised as:

**Community Like**

The amenity	11
General like of trees	7
Heritage & Significance	6
Diversity	4
Quantity	2

**Community Want Improved**

Planting more trees	32
Variety / Better Species Selection	22
Better planning & management	10
Removing trees	7
Protection	5
Increased investment	4
Wildlife corridors	4
Improved amenity	3
Community planting opportunities	1

Responses suggest the community wants to see more plantings and more variety, particularly with local or indigenous species. A small number of respondents want trees removed; these may relate to specific trees. The importance of habitat was also raised and suggestions of more plantings that act as biodiversity corridors, such as those found in bushland plantings, rather than the individuals in streetscapes was made.

Improved overall planning and management was also a reoccurring theme: including decisions and communication of planting location, developer regulations and requirements, and increased resourcing including dedicated staff, and increased investment to meet these requirements.

There were no comments on any perceived risks or how Council currently manages these.

Operational feedback will be passed along to the Coordinator Depot Operations for consideration.

### **LEGAL RISK / IMPACT**

The plan is a requirement of the Local Government Act 2020.

### **OFFICERS' DECLARATION OF INTEREST**

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

### **CONCLUSION**

The community's expectations and Council's level of investment are not aligned. To meet the requirements of the LGA2020 these need to be balanced. Council should adopt the Tree Asset Management Plan in the first instance and address this gap in the coming years.

### **ATTACHMENTS**

1. ECM 11243016 v4 Tree Asset Management Plan AMP Streets and Reserves [7.9.1 - 50 pages]

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## **7.10. ROAD ASSET MANAGEMENT PLAN - POST CONSULTATION REPORT**

***DIRECTORATE : City Infrastructure***

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### **PURPOSE:**

***For information and to introduce the draft Roads Asset Management Plan (AMP).***

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### **EXECUTIVE SUMMARY**

- It is a requirement of the Local Government Act 2020 that councils have in place Asset Management Plans (AMP) to strategically manage their assets.
- Council does not currently have an adopted Roads Asset Management Plan.
- The plan outlines what it costs to deliver the current level of service, if this is being met and what the risks are of not meeting these requirements.
- All financial values are in today's dollars, and not indexed for CPI. Increase in future years is typically due to an increase in asset base.
- Community consultation opened on 23 July 2021 and closed on 23 August 2021, it was advertised via the "Your Say" webpage on Council's website, Facebook, The Standard, and Council's Noticeboard. Two submissions were received.
- The feedback justified the 'customer values' section of the Plan, with the responses indicating that the community have high expectations on the levels of service for roads, and do not wish to see a decrease in the current levels of investment on road infrastructure.

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### **RECOMMENDATION**

**That Council:**

- 1. Acknowledges there is a gap between expected community level of service and investment required to meet this.**
  - 2. Seeks to manage this gap over the next four (4) years through service level adjustments and or increases in investment.**
  - 3. Adopts this Asset Management Plan as contained in Attachment 1.**
- 

### **BACKGROUND**

The aim of the AMP is to combine risk management, criticality, financial, engineering and technical practices to ensure that the required levels of service are met with consideration for Council's financial limitation over a 15-year planning period.

Community expectations were drafted from the Council Plan along with Council policies, strategies and master plans. Internal stakeholder workshops were held to document existing service manager needs and potential future requirements. Some assumptions around timing and cost are still made where there is no supporting strategy or Council resolution, but these have been identified throughout the AMP and inform the Improvement Actions plan at the end of the document.

Current capital and recurrent budget allocations were also used for the financial modelling.

This plan was then put to community consultation to confirm these assumptions.



## **ISSUES**

AMPs aim to align community requirements and Council's investment. The community consultation generally supported the draft expectations and levels of service; however, these cannot be met with the current levels of investment.

This will require a reduction in service, increase in investment, or both.

There is a large investment gap for the renewal, operations and maintenance of our existing road infrastructure to meet the Council Plan targets

There is a large investment gap for the new/upgrades of our road infrastructure to meet the Council Plan targets.

## **FINANCIAL IMPACT**

There is no direct financial impact in adopting this AMP as it compiles existing strategies and business practices. However, as there is a gap between the level of service provided and the level of service expected by the community, resolving this may require additional investment.

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

### **1 A healthy community**

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

### **4 A connected, inclusive place**

4.2 A connected community: Council will enhance Warrnambool's connectivity through the delivery of, or advocacy for, improvement to roads, public transport, footpaths, trails and digital infrastructure.

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

5.2 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.

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

## **TIMING**

Council is to have in place an Asset Plan by 30 June 2022.

## **COMMUNITY IMPACT / CONSULTATION**

Community consultation opened on 23 July 2021 and included posts to Council's Facebook page, Noticeboard, advertisement on The Standard, and a short survey via survey monkey on the "Your Say" webpage on Council's website to prompt responses – refer **Attachment 2**. Consultation closed on 23 August 2021 after 28 days. There were 2 responses during this time, both from the Warrnambool and surrounding regions. Only one of the respondents had read the draft Plan.

The submissions support the existing view that roads are very important to the community, they also suggest that at least some of the community has very low levels of satisfaction in relation to how Council manages roads.

The two respondents want to see more routine maintenance of roads, and for roads to be designed and built to last longer. Responses also suggest that they are satisfied with the amenity, standard, diversity and quality of road infrastructure within Warrnambool and surrounding areas.

Overall, the responses indicate that the community have high expectations on the levels of service for roads, and do not wish to see a decrease in the current levels of investment on road infrastructure.

There were no comments on any perceived risks or how Council currently manages these.

Operational feedback will be passed along to the Coordinator Depot Operations for consideration.

## **LEGAL RISK / IMPACT**

The plan is a requirement of the Local Government Act 2020.

## **OFFICERS' DECLARATION OF INTEREST**

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

## **CONCLUSION**

The community's expectations and Council's level of investment are not aligned. To meet the requirements of the LGA2020 these need to be balanced. Council should adopt the Roads Asset Management Plan in the first instance and address this gap in the coming years.

## **ATTACHMENTS**

1. WCC Roads Asset Management Plan [7.10.1 - 63 pages]
2. Road AMP Public Survey [7.10.2 - 8 pages]

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## **7.11. DOMESTIC ANIMAL PLAN UPDATE**

### ***DIRECTORATE : City Infrastructure***

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#### **PURPOSE:**

***This report presents the Domestic Animal Management Plan for adoption by Council following the period of community consultation.***

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#### **EXECUTIVE SUMMARY**

- Council is required to update its Domestic Animal Management Plan (The Plan) annually as prescribed under the domestic Animals Act 1994 legislation (The Act). In accordance with Council's usual practice of updating policies, community consultation is undertaken for public comment prior to the policy or plan being adopted by Council.
- There is no statutory requirement under the Domestic Animals Act 1994 legislation to undertake community consultation in updating the Plan.
- The draft Plan was advertised for 28 days from August 3 until 31 August 2021 on Council's Your Say Warrnambool website. It was also included as part of the summary of the August 3 Council meeting, posted on the Warrnambool City Council Facebook page, where submissions were sought for Council to consider prior to endorsing the plan.
- One submission was received from the consultation process - **refer Attachment 1**. For assessment of the submission, refer to the "consultation" section of this report.
- The Plan notes the efforts local laws officers have made to reduce the animal numbers taken to the pound by returning animal's home. Returning pets assists reducing the euthanasia rates.
- The Plan highlights the other work that local laws staff undertake around education and compliance and animal registration notification and compliance.
- All dogs and cats must be registered with Council by April 10 every year. Council officers go to considerable lengths to remind pet owners of their legal obligation to register or renew their animal's registration by this date.
- Renewal notices are posted to the registered address, reminders are sent along with newspaper adverts undertaken, social media adverts and text messages sent to registered phone numbers.
- Random checks will be undertaken, if the animal is unregistered and found at large, infringements will be issued.

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#### **RECOMMENDATION**

- 1. That Council notes the submission received through the consultation process.**
  - 2. That Council adopts the Domestic Animal Management Plan 2021-2025 as contained in Attachment 2.**
- 

#### **BACKGROUND**

Council adopted the Domestic Animal Management Plan 2017-2021 in December 2017.

Council is required to update its Domestic Animal Management Plan (The Plan) annually as prescribed under the domestic Animals Act 1994 legislation (The Act).

In accordance with Council's usual practice of updating policies, community consultation is undertaken for public comment prior to the policy or plan being adopted by Council.

There is no statutory requirement under the Domestic Animals Act 1994 legislation to undertake community consultation in updating the Plan. Refer to the excerpt from the Act:

*Domestic Animals Act 1994 No. 81 of 1994 145 (3) Every Council must—*

- (a) review its domestic animal management plan annually and, if appropriate, amend the plan; and*
- (b) provide the Secretary with a copy of the plan and any amendments to the plan; and*
- (c) publish an evaluation of its implementation of the plan in its annual report.*

## ISSUES

Changes to the plan include:

- Updated statistics
- Latest educational and compliance initiatives
- Formatting

Some of the key statistics from the updated plan are tabled below.

Warrnambool City Key Statistics	2017 - 18	2018 - 19	2019 - 20	2020 - 21
<b>Council:</b>				
Population	35,000	35,400	35,700	36,000
Area	120sqkm	120sqkm	120sqkm	120sqkm
Current, not for profit or future properties (approx. tenements)	18,000	18,000	18,500	18,800
Domestic Animal Businesses	2	3	3	4
Declared Menacing (currently in City)	24	17	9	21
Declared Dangerous (currently in City)	3	2	0	1
Declared Restricted Breed (currently in City)	0	0	0	0
<b>Dogs:</b>				
Registered.	4204	4297	4318	4,478
<b>Impounded RSPCA Admit. Data = Council = Public</b>	228	137	103	115
	122	137	143	116
Returned to owner.	207	143	100	104
Rehoused.	118	102	102	87
Euthanized.	18	16	17	13
<b>Cats:</b>				
Registered.	1603	1681	1739	1,833
<b>Impounded RSPCA Admit. Data = Council = Public</b>	70	66	82	40
	423	445	525	341
Returned to owner.	33	28	29	24
Rehoused.	348	268	430	352
Euthanized.	83	109	102	58

Pound totals do not tally due to rescue, foster & feral animal data.

Council's local laws officers make a significant effort to reduce the animal numbers taken to the pound by attempting to get animals home as a first response.

The Plan notes the significant increase in the number of stray, feral or unwanted cats being taken to the pound by members of the public which indicates a wider problem with the cat population.

The Plan also highlights the other work that local laws staff undertake around education and compliance.

All dogs and cats must be registered with Council by April 10<sup>th</sup> every year. Council officers go to considerable lengths to remind pet owners of their legal obligation to register or renew their animal's registration by this date.

Renewal notices are posted to the registered address, reminders are sent along with newspaper adverts undertaken, social media adverts and text messages sent to registered phone numbers. This is over and above Council's obligations as the obligation to register a domestic animal is entirely the responsibility of the pet owner. Random checks will be undertaken, if the animal is unregistered and found at large, infringements will be issued.

## FINANCIAL IMPACT

The Plan was developed and updated in house. Domestic animal management is covered within the recurrent budget of the City Infrastructure budget (City Amenity).

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

This report responds to the following Council Plan initiatives:

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

## TIMING

The Plan is required to be updated every year and sent to the Department of Jobs Precincts and regions by December 4<sup>th</sup> 2021. Refer to the excerpt from the Act:

*Domestic Animals Act 1994 No. 81 of 1994 143 Part 5A—Domestic animal management plans 68A Councils to prepare domestic animal management plans (1) Subject to subsection (1A), each Council must, in consultation with the Secretary, prepare a domestic animal management plan on 4 December 2021 and at the end of each period of 4 years after that day.*

## COMMUNITY IMPACT / CONSULTATION

Although there is no statutory requirement under the Domestic Animals Act 1994 legislation, the draft Plan was advertised for 28 days from August 3 until 31 August 2021 on Council's Your Say Warrnambool website, and via Facebook as part of the August 3 Council meeting summary seeking community feedback before being presented to Council for adoption.

One submission was received - **refer Attachment 1.**

Assessment of submission.

The concerns of the resident are noted. For information of Council, statistics and activities are provided.

- Following a request to increase dog access areas and a separate request to decrease dog access areas, Council considered the current restrictions on and off leash dog areas in February 2021 and determined that for the benefit of all residents of Warrnambool, the balance of areas was appropriate and that no change was required.
- Caravan parks are monitored by the caravan park management in the interests of campers and to provide a safe environment.

- Education is the preferred focus of compliance to inform the community rather than a punitive approach.
- Council has limited resources which includes 2 fulltime & 4 permanent part time authorised officers that covers a range of activities 7 days per week including: animal management, local laws, parking, fire prevention and management, customer requests, livestock at large, unsightly land and general complaints.
- Animal management patrols are undertaken every week including : The Promenade, Rail Trail, Russells Creek path, Botanic Gardens, skate park, Lake Pertobe, Jetty Flat, main beach area, Thunderpoint, Point Ritchie, Bluehole, whale platform, Granny's Grave, Flume, ski club, Albert park, Victoria park, Jubilee park (Allansford & Woodford), Dennington reserves, Bushfield, Woodford, dog parks, Levys, Cannon Hill & residential complaint areas.

Weekend patrols are usually 3hours in duration and the times are varied and weather conditions taken into account.

In 2019/20 there were 97 weekend animal patrols & 53 warnings were issued.  
In 2020/21 there were 67 weekend animal patrols & 24 warnings were issued.

It is acknowledged that there is a degree of non-compliance however totals are considered minimal given the number of people using these areas and the extent of Council managed open space across the Municipality.

In conclusion, it is not recommended that the draft Domestic Animal Plan 2021-2025 be amended in light of the submission.

Council can review on and off leash dog areas if required at a future date without amending the local laws or the Plan. This is done by passing a resolution and changing the website to reflect any changes.

## **LEGAL RISK / IMPACT**

Council policies and procedures and training programs are designed to minimise the risk to Council staff undertaking animal management activities.

The Domestic Animal Management Plan outlines the measures Council undertakes to minimise risks to the community and Councils overall approach to domestic animal management in the Municipality.

## **OFFICERS' DECLARATION OF INTEREST**

No conflicts of interest were declared.

## **CONCLUSION**

That the contents of this report be noted including the updated Plan and updated statistics.

The Plan is recommended for adoption.

## **ATTACHMENTS**

1. DAMP 2021 2025 [7.11.1 - 33 pages]
2. Email submission for Draft Domestic Animal Management Plan [7.11.2 - 2 pages]

## **7.12. COMMUNITY HOUSING TRANSFER FINALISATION**

### ***DIRECTORATE : City Infrastructure***

#### **PURPOSE:**

***This report seeks a resolution of Council for the transfer of thirteen residential properties as documented in this report to Salvation Army Housing Victoria.***

#### **EXECUTIVE SUMMARY**

- Council entered into a joint venture with Housing Victoria (Department of Housing and Human Services) to run an expression of interest process to seek submissions from registered Housing Agencies to accept the transfer of the 13 residential properties and to maintain the same number of properties in Warrnambool and where possible increase the housing stock by redeveloping appropriate sites.
- The expression of interest process yielded submissions from 6 housing agencies.
- All submissions offered an increase in the housing stock available to low-income earners in Warrnambool, subject to the eligibility criteria. By redeveloping some large lot existing sites, multiple dwellings may be constructed. This also provides opportunities for local builders and contractors to benefit from increased development opportunities.
- An assessment panel was established with two members of Council staff and two members from Housing Victoria. From the submissions received, two agencies were shortlisted for interview.
- Following the interview process the Salvation Army Housing Victoria was selected as the most appropriate provider on the basis of having a strong and established presence in Warrnambool for tenant support, the commitment to fund an increased housing stock in Warrnambool for low-income tenants and the realistic development proposals to gain funding and planning approval.
- The properties have been declared surplus to requirement and public submissions were sought for 28 days from the 3<sup>rd</sup> August until the 31<sup>st</sup> August 2021 as required under the Local Government Act 2020 regarding the proposed disposal of the properties.
- No submissions were received.

#### **RECOMMENDATION**

- 1. That Council resolves to transfer thirteen residential properties to Salvation Army Housing Victoria as follows:-**

<b>2 Vickers Dr WARRNAMBOOL VIC 3280</b>	<b>Part Lot 3 LP219209</b>
<b>137 Morriss Rd WARRNAMBOOL VIC 3280</b>	<b>Part Lot 3 LP219209</b>
<b>45 Merrivale Dr WARRNAMBOOL VIC 3280</b>	<b>Lot 8 PS328666P</b>
<b>41 Merrivale Dr WARRNAMBOOL VIC 3280</b>	<b>Lot 6 PS328666P</b>
<b>23 Mckiernan Rd WARRNAMBOOL VIC 3280</b>	<b>Lot 13 LP209862</b>
<b>15 Mckiernan Rd WARRNAMBOOL VIC 3280</b>	<b>Lot 9 LP209862</b>
<b>84 Landmann St WARRNAMBOOL VIC 3280</b>	<b>Lot 1 LP147261</b>
<b>82 Landmann St WARRNAMBOOL VIC 3280</b>	<b>Lot 1 LP147260</b>
<b>2/14 Henry St WARRNAMBOOL VIC 3280</b>	<b>Part Lot 14 PS345485W</b>
<b>1/14 Henry St WARRNAMBOOL VIC 3280</b>	<b>Part Lot 14 PS345485W</b>
<b>12 Henry St WARRNAMBOOL VIC 3280</b>	<b>Lot 41 PS336931B</b>
<b>8 Henry St WARRNAMBOOL VIC 3280</b>	<b>Lot 2 PS329667G</b>
<b>2 Granter St WARRNAMBOOL VIC 3280</b>	<b>Lot 1 LP201047</b>

- 2. That Council authorises the Chief Executive Officer to finalise the transfer.**

## BACKGROUND

The Council Community Housing Program commenced in 1985, with the construction of 13 houses. These properties provided affordable low rent accommodation to tenants, based on the Office of Housing rent assessment model.

Properties included in the program are:

2 Vickers Dr WARRNAMBOOL VIC 3280	Part Lot 3 LP219209
137 Morriss Rd WARRNAMBOOL VIC 3280	Part Lot 3 LP219209
45 Merrivale Dr WARRNAMBOOL VIC 3280	Lot 8 PS328666P
41 Merrivale Dr WARRNAMBOOL VIC 3280	Lot 6 PS328666P
23 Mckiernan Rd WARRNAMBOOL VIC 3280	Lot 13 LP209862
15 Mckiernan Rd WARRNAMBOOL VIC 3280	Lot 9 LP209862
84 Landmann St WARRNAMBOOL VIC 3280	Lot 1 LP147261
82 Landmann St WARRNAMBOOL VIC 3280	Lot 1 LP147260
2/14 Henry St WARRNAMBOOL VIC 3280	Part Lot 14 PS345485W
1/14 Henry St WARRNAMBOOL VIC 3280	Part Lot 14 PS345485W
12 Henry St WARRNAMBOOL VIC 3280	Lot 41 PS336931B
8 Henry St WARRNAMBOOL VIC 3280	Lot 2 PS329667G
2 Granter St WARRNAMBOOL VIC 3280	Lot 1 LP201047

Caveats were placed on the titles of the properties under the program which prevented Council from selling the properties. The caveat also restricted any proceeds of sale that Council would receive to 20% of the capital value (proceeds of sale).

Council considered the benefits of transferring the properties at the Scheduled Meeting of Council held on 7 December 2020, whereby Council resolved to declare the thirteen residential properties surplus to requirement and to seek an alternative provider as follows:-

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### **MOVED: CR RICHARD ZIEGELER SECONDED: CR ANGIE PASPALIARIS**

*That Council:*

- 1. Agrees to divest from the service to an alternative service provider.*
- 2. Work's collaboratively with the Department of Health & Human Services (DHHS) Property & Asset Services division who will initiate the process required and ensure probity and proper process is undertaken.*
- 3. Declares the properties surplus to requirement to allow for an Expression of Interest (EOI) process to select registered housing agencies to take transfer of joint venture properties from funded organizations (Council).*

**CARRIED - 7:0**

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Council subsequently entered into a joint venture with Housing Victoria to run an expression of interest process to seek submissions from registered Housing Agencies to accept the properties and to maintain the same number of properties in Warrnambool and where possible increase the housing stock by redeveloping appropriate sites.



## **ISSUES**

The expression of interest process yielded submissions from 6 housing agencies.

All submissions offered an increase in the housing stock available to low-income earners in Warrnambool subject to the eligibility criteria. By redeveloping some large lot existing sites multiple dwellings may be constructed. This would provide opportunities for local builders and contractors to benefit from increased development opportunities.

An assessment panel was established with two officers from Council and two members from Housing Victoria. From the submissions received, two agencies were shortlisted for interview.

Following the interview process the Salvation Army Housing Victoria was selected as the most appropriate provider.

The Salvation Army Housing Victoria have committed to increase the housing stock available in Warrnambool for persons in need, subject to the eligibility criteria. By redeveloping some large lot existing sites multiple dwellings may be constructed. This would provide opportunities for local builders and contractors to benefit from increased development opportunities.

## **FINANCIAL IMPACT**

The cost of transferring the properties is mainly officer time which is covered with the budget of the City Infrastructure Directorate. There will be conveyancing costs if the properties are transferred which is also allocated.

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

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

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

## **TIMING**

The transfer if approved would be completed later this year.

## **COMMUNITY IMPACT / CONSULTATION**

Council wrote to all tenants informing them of the proposed transfer. No objections have been received.

Council later declared the properties as surplus to requirement under the Local Government Act 2020 and sought feedback from the community from August 3<sup>rd</sup> until August 31<sup>st</sup> using [www.yoursaywarrnambool.com.au](http://www.yoursaywarrnambool.com.au), and Council's Noticeboard in the Warrnambool Standard.

The Standard ran an article on Saturday August 7<sup>th</sup> together with video produced on Council's Facebook page asking for submissions.

No submissions were received.

## **LEGAL RISK / IMPACT**

The risk to Council is mainly considered to be reputational. There have been no concerns raised to date by any of the existing tenants.

## **OFFICERS' DECLARATION OF INTEREST**

No conflicts of interest were declared.

## **CONCLUSION**

Council is now requested to resolve to transfer the properties as detailed in this report.

## **ATTACHMENTS**

Nil

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## **7.13. TENDER AWARD 2021032 - CLEANING SERVICES MAIN COUNCIL BUILDINGS**

***DIRECTORATE : City Infrastructure***

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### **PURPOSE:**

***This report provides information on award of Contract 2021032 - Cleaning Services Main Council Buildings.***

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### **EXECUTIVE SUMMARY**

- A public tender was advertised on Saturday 7 August 2021 inviting tender submissions from suitably qualified and experienced contractors for the provision of Cleaning Services at Main Council Buildings
  - Close of tenders was advertised for 2:00pm Friday 3 September 2021, but due to Covid lockdown requirements was extended through to 2:00pm Tuesday 14 September 2021 and submissions have been assessed by the tender assessment panel.
  - The recommendation is to proceed with the tender offer provided by KC Facility Solutions for the tendered amount of \$399,711.02 Ex. GST p.a. (not including provisional rates for ad hoc cleaning events) and \$480,000.00 Ex. GST, with provisional items included.
  - The Contract Term is for three (3) years with two (2) one-year options. Fully exercised, the maximum value of the contract will be \$2,400,000.00 Ex GST or \$2,640,000.00 Inc. GST, made up of the tendered Lump Sum and provisional items.
- 

### **RECOMMENDATION**

**That Council**

- 1. Award Contract 2021032 - Cleaning Services Main Council Buildings to KC Facility Solutions Pty Ltd for the tendered lump sum amount of \$399,711.02 Ex. GST p.a, for an initial term of three (3) years with two (2) one-year options.**
  - 2. That the schedule of rates offered is accepted for the life of the contract.**
  - 3. That the maximum provisional items be set at 20.00% of the tendered lump sum amount with a total delegated award value of \$2,400,000.00 Ex GST or \$2,640,000.00 Inc. GST, over the life of the contract.**
  - 4. Authorise the CEO to sign, seal and vary the contract as required.**
- 

### **BACKGROUND**

Council requires clean and presentable buildings in order to provide services to our community, visitors and employees. The need has been more pronounced due to the current pandemic and the need to protect the community through high hygiene standards.

The existing contract for the provision of Cleaning Service Main Council Buildings has ended after applying the full number of extensions under the contract. This tender enables Council to test the market and ensure that it is receiving the best value for money in a fair and transparent way, in line with Council's Procurement Policy.

This Contract does not include the cleaning of public amenities, which sits under a separate contract.

## **ISSUES**

Council was required to go to market after the existing contract had come to its end. Council undertook the tender process during a Statewide lockdown inhibiting companies from undertaking in person walkthroughs of Council facilities.

This was overcome through the provision of asset data, providing the square metreage of facility spaces within the specification and a virtual walkthrough video. While twenty companies attended the compulsory FAQ session, only fourteen submitted tenders. Officers believe that some companies were hesitant to provide a submission due to the inability to see the facilities in person.

## **FINANCIAL IMPACT**

The total cost to Council is \$2,400,000.00 Ex. GST over the life of the contract, or \$480,000.00 Ex. GST per year over the life of the contract. Expenditure is controlled through the rates provided by the Contractor.

This figure has been reached by including the lump sum value of the tender, \$399,711.02 ex GST, and the inclusion of expected provisional item costs. Provisional items have been set at 20.00% of the lump sum value (rounded up) and has been based on historical cleaning requirements and accounts for the growth in Council services and incidental cleaning requirements due to Covid.

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

This report responds to the following Council Plan initiatives:

### **1 A healthy community**

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

### **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.

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**

The initial term of the Contract is three years with two one-year extensions. The start date of the contract is Monday 15 November 2021.

## **COMMUNITY IMPACT / CONSULTATION**

Community and employee feedback, with regards to levels of service, have been accounted for in the specifications document.

## **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.

## **CONCLUSION**

Acceptance of the recommended tender represents best value for Council.

## **ATTACHMENTS**

Nil

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## **7.14. COMMUNITY DEVELOPMENT FUND 2021/22**

### ***DIRECTORATE : Community Development***

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#### **PURPOSE:**

***This report provides information on the Community Development Fund 2021/2022 and recommends applications to be approved.***

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#### **EXECUTIVE SUMMARY**

- Under the Community Development Fund 2021/22 round, Council received 68 applications.
  - Of the 68 applications, 12 were ineligible based on the criteria, 2 eligible were not supported, 48 are fully funded and 6 are partially funded.
  - Of the funded applicants, 32 were funded with conditions attached to their funding.
  - The report recommends \$218,131 to be allocated to 54 eligible local clubs and organisations under the Community Development Fund 2021/22.
- 

#### **RECOMMENDATION**

- 1. That Council approve \$218,131 to fund 54 community clubs and organisations under the Community Development Fund 2021/22.**
  - 2. That all applicant organisations be advised of the outcome of the assessment process.**
- 

#### **BACKGROUND**

The COVID-19 Pandemic has again put significant strain on community groups to attract and retain members or to generate the income required to match grant funding, therefore limiting their ability to apply for funding at a time that it is most needed. In response to this, Council allocated \$251,000 to the Community Development Fund (CDF) 2021/22. Owing to the ongoing challenges of the COVID-19 pandemic, the 2021/22 CDF guidelines were not altered from 2020/2021, enabling applications to be submitted for grants of up to \$5,000 without the requirement meet a funding ratio.

Funding was available for not-for-profit organisations based in Warrnambool to fund projects, activities and events which meet the grant program eligibility and criteria and contribute to the liveability of the City.

Applicants were able to apply under the following funding categories:

- Sport and Recreation, Culture and Arts,
- Environment & Sustainability, and
- Festivals and Events.

Applicants had to demonstrate an alignment with one of the listed categories.

Applicants were also required to submit an audited financial statement or current bank statement to assist in determining their capacity to complete the project and their need for assistance.

The 2021/22 CDF guidelines are attached as **Attachment 1**.

## ISSUES

### COMMUNITY DEVELOPMENT FUND 2021/22 PROGRAM

#### a. Applications process

Promoting the CDF was challenging due to the COVID-19 pandemic and with restrictions in force, hindering the ability of Council to conduct the annual grants and funding forum. Such a forum, which was also not organised in 2020, is the main avenue where officers release the details of the program but most importantly, spend time one-on-one with clubs, discussing alignment of proposed applications with the criteria and guidelines.

This year, the program was advertised through a number of different mechanisms:

- Council's website and Facebook platform.
- The CONNECT website that is now linked to 243 local clubs and organisations.
- Public notices in the Warrnambool Standard.
- Direct email to previous applicants plus organisations previously funded by Festivals and Events recurrent budget.

The online application form was also revised this year to streamline the information required, making it simpler and less time consuming for applicants to submit.

Applications were evaluated by a panel comprising representatives from the Community Development Directorate and the Recreation and Culture, Visitor Economy and City Strategy and Development branches.

#### b. Applications Received

Applications under the 2021/22 funding round closed midnight Sunday 8 August 2021 after granting a two-day extension, over the weekend. A total of 68 applications were received.

#### c. Eligibility

All applications were assessed against the CDF criteria – refer **Attachment 1**. Once ranked, applications were rated according to project merit and equity.

Under the program guidelines, the assessment panel considered six applications ineligible, eight eligible applications were not supported and sixteen were adjusted.

### INELIGIBLE APPLICANTS

While all applications had merit and had demonstrated community need and support, the evaluation panel determined twelve applications ineligible against the funding guidelines. Of them, three organisations were State Government entities, one was a gambling venue with electronic gaming machines, five are already receiving other substantive grants from Council and three were ineligible because the applications did not meet the funding criteria.

### ELIGIBLE BUT NOT SUPPORTED

Two applications were deemed eligible but not supported.

### PARTIALLY FUNDED

Six applications are recommended to be partially funded, as some aspects of the applications did not meet funding guidelines or the funding application was over the funding limit.

## FULLY FUNDED

Forty eight applications were fully funded

### d. Fund Budget

Council allocated \$251,000 to the CDF fund in 2021/22.

Sixty eight applications requesting \$294,614 were submitted under the 2021/22 funding round.

All applications were assessed against the CDF criteria. Once assessed, applications were ranked according to project merit, equity, and the balance of funds available. Based on ranking and the ability to meet eligibility a total of \$218,131 is recommended to be funded. Two approved projects have not been able to spend their allocations from 2020/21 due to impacts of COVID-19, which will be deducted from the approvals of 2021/22.

Allocation summary as provided below.

<b>Environment and Sustainability</b>	\$23,183
<b>Festivals and Events</b>	\$42,197
<b>Sport and Recreation, Culture and Arts</b>	\$152,751
<b>Total</b>	<b>\$218,131</b>

Upon endorsement by Council, the applicants will be notified of the outcomes of their application. Once the successful organisations confirm their intention to implement the projects, Council will organise an event, within COVID-19 restrictions to handover the funded amount. The list of successful applicants will be posted on Council's website.

## FINANCIAL IMPACT

All allocations have been made within existing budgets and there are no other financial impacts to Council.

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 1 A healthy community

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

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

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

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

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

### 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.

2.4 Water resource management: Council will promote and encourage awareness of sustainable practices in our work and in the community, including water resource management.

2.5 Waste minimisation: Council will pursue programs to minimise waste throughout the community, industry and promote the benefits of reduction, re-use and recycling of materials.

2.6 Awareness and celebration: Council will foster community awareness and recognition of the benefits of positive outcomes for Warrnambool's environment

### **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**

4.3 Stronger neighbourhoods: Council will foster neighbourhood connections and capacity building including the development of inclusive recreational and cultural opportunities.

### **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.

## **CONFLICT OF INTEREST**

Richard Stone, Acting Director Community Development has declared a conflict of interest with the Warrnambool Organ Festival. Richard was not involved in any evaluation of or decision-making related to the funding of the project.

## **TIMING**

Upon endorsement by Council of the recommendations, all applicants will be notified by email of the outcome of their application on 5 October 2021.

## **CONCLUSION**

Subject to Council endorsement of this report's recommendations, all applicants will be notified of the outcome of their application

## **ATTACHMENTS**

1. Community Development Fund Guidelines 2021-2022 0 [7.14.1 - 9 pages]



## **7.15. ADVISORY COMMITTEE REPORTS**

### **PURPOSE**

***This report contains the record of two Advisory Committee meetings.***

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### **REPORT**

- Economic Development & Tourism Advisory Committee – 10 September 2021 – refer **Attachment 1**.
- Community & International Relations Advisory Committee – 21 September 2021 – refer **Attachment 2**.

### **ATTACHMENTS**

1. Minutes - Economic Development Tourism Advisory Committee 10 Sept 2021 [7.15.1 - 3 pages]
2. 210921 CIRAC MINUTES [7.15.2 - 3 pages]

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### **RECOMMENDATION**

**That the Minutes of the Economic Development & Tourism Advisory Committee meeting held on 10 September 2021 and the Community & International Relations Advisory Committee meeting held on 21 September 2021, be received.**

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## **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.*

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### **BACKGROUND INFORMATION**

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

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

### **REPORT**

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

- Monday 13 September 2021 – refer **Attachment 1**.
- Monday 20 September 2021 – refer **Attachment 2**.
- Monday 27 September 2021 – refer **Attachment 3**.

### **ATTACHMENTS**

1. Assembly of Councillors Record 13 September 2021 [7.16.1 - 1 page]
2. Assembly of Councillors Record 20 September 2021 [7.16.2 - 1 page]
3. Assembly of Councillors Record 27 September 2021 [7.16.3 - 2 pages]

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### **RECOMMENDATION**

**That the record of the Informal Meetings of Council held on 13, 20 and 27 September 2021, be received.**

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## **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.*

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### **REPORT**

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<b>Date</b>	<b>Location</b>	<b>Function</b>
2 September 2021	Virtual	Chief Executive Officer – Regional Cities Victoria CEO Meeting
3 September 2021	Virtual	Mayor & Chief Executive Officer – Great South Coast Board meeting
14, 15 & 16 September 2021	Virtual	Mayor & Chief Executive Officer – Great South Coast Board – Victorian Parliament MP's meetings
27 September 2021	Virtual	Chief Executive Officer – Attended an information session on the Vaccinated Economy Regional Trials.
30 September 2021	Virtual	Chief Executive Officer was guest speaker at the Rotary Club of Warrnambool East meeting.

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### **RECOMMENDATION**

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

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**8. NOTICE OF MOTION**

Nil

**9. GENERAL BUSINESS**

**10. URGENT BUSINESS**

**11. CLOSE OF MEETING**